

BRUNSWICK TOWN COUNCIL

Agenda

March 24, 2014

7:00 P.M.

Council Chambers

Town Hall

85 Union Street

Pledge of Allegiance

Roll Call

Acknowledgment that meeting was properly noticed

Public Comment:

Correspondence

Letter from Brunswick West Neighborhood Coalition (received 03/20/2014)

Email from Chris Casey, Brunswick West Neighborhood Coalition (received on 03/19/2014)

Council Committee Updates

Adjustments to the Agenda

MANAGER'S REPORT:

- (a) Financial Update
- (b) Permission to apply for grant from Firehouse Subs for the Fire Department to purchase RAD 57 meters
- (c) Permission to apply for MMA Safety Enhancement Grant to assist in the cost for an aerial lift for the Recreation Department (*Action required*)
- (d) Authorizing the use of recreation impact fees to pay the Town's portion of the Maine Conservation Corps AmeriCorps Veteran Community Leader program's employee salary to assist with trail development at the Kate Furbish Preserve (*Action required*)
- (e) Permission to accept boarding floats through a Replacement Float Grant from the Maine Department of Agriculture, Conservation, and Forestry (*Action required*)
- (f) Report on the Emerson Fire Station HVAC Evaluation
- (g) Review of Budget meeting schedule
- (h) Update on new Town Hall project

PUBLIC HEARING

- 28. The Town Council will hear public comments on amendments to Chapter 11 "Marine Activities, Structures and Ways - Article 1 Harbor, Coastal Tidal and Navigable Fresh Waters" relative to the Harbormaster's authority and mooring requirements, and will take any appropriate action. (Councilor Walker and Councilor Wilson)

PUBLIC HEARING/ACTION

29. The Town Council will hear public comments on applying for a CDBG grant for MRRA to assist with the “Make It In America” grant, and will take any appropriate action. (Manager)

PUBLIC HEARING/ACTION

NEW BUSINESS

30. The Town Council will consider nominations for the MRRA Board, and will take any appropriate action. (Chair Pols) **ACTION**
31. The Town Council will consider setting a public hearing for April 7, 2014, for amendments to the Chapter 11 “Marine Activities, Structures and Ways – Article III Shellfishing” relative to increasing the conservation credit points for commercial harvesters from 10 to 20 per year, to be enacted on an emergency and regular basis, and will take any appropriate action. (Councilor Walker and Councilor Wilson) **ACTION**
32. The Town Council will hear a report from the CIP Committee as they deliver the proposed CIP to the Council, and will take any appropriate action. (Councilor Brayman, Councilor Millett and Councilor Perreault) **DISCUSSION**
33. The Town Council will consider extending the Cable TV Franchise Agreement, and will take any appropriate action. (Councilor Watson) **ACTION**
34. The Town Council will consider a request for Sellers of Prepared Food on Public Ways for outdoor seating, and will take any appropriate action. (Manager)
Little Saigon, 44 Maine Street
The Great Impasta, 42 Maine Street **ACTION**
35. The Town Council will consider a request from Five Rivers Arts Alliance for use of the sidewalks when the ArtWalks occur, and will take any appropriate action. (Manager) **ACTION**

CONSENT AGENDA

- a) Approval of the Minutes of March 10, 2014

**INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE
COMMUNICATION SHOULD CONTACT
THE TOWN MANAGER’S OFFICE AT 725-6659 (TDD 725-5521)**

Brunswick Town Council
Agenda
March 24, 2014
Council Notes and Suggested Motions

CORRESPONDENCE:

Letter from Brunswick West Neighborhood Coalition (received 03/20/2014)
Email from Chris Casey, Brunswick West Neighborhood Coalition (received on 03/19/2014)

Chair Pols and Councilor Perreault have requested copies of these be included in your packet.

MANAGER'S REPORT:

- (a) Financial Update: Mr. Eldridge will update the Council on the Town's financial picture to date for the current fiscal year. Copies of financial reports will be posted online, but are not included in your packet.

Suggested Motion: No motion is required.

- (b) Permission to apply for grant from Firehouse Subs for the Fire Department to purchase RAD 57 meters (Action required): This item is to request permission to apply for a grant from Firehouse Subs. The grant is non-matching, 100% funded, for three RAD 57 meters. The meters are used to monitor patients' Carbon Monoxide levels. This would have been useful when the Fire Department recently transported two patients who were in a fire and had high levels within their blood stream. The request is in the amount of \$12,657.00. A copy of a memo from the Fire Department will be included in your packet.

Suggested Motion:

Motion to give permission to apply for, and if received expend, a grant in the amount of \$12,657.00 through Firehouse Subs to purchase RAD 57 meters.

- (c) Permission to apply for MMA Safety Enhancement Grant to assist in the cost for an aerial lift for the Recreation Department (Action required): This request is to ask for permission to apply for this grant in the amount of \$2,000.00 to go toward the \$7,275.00 price of an aerial lift to be used for maintenance of lights, scoreboards, and other ceiling elements in the field house at the Recreation Center. This item was budgeted in the current year and, if awarded, will reduce the cost and provide a savings on this purchase. Peter Baecher will be at your meeting to answer any questions. Copies of a memo from Mr. Baecher and the grant application are included in your packet.

Suggested Motion:

Motion to give permission to apply for, and if received expend, a MMA Safety Enhancement Grant in the amount of \$2,000.00 to go toward the purchase of an aerial lift for the Recreation Department.

- (d) Authorizing the use of recreation impact fees to pay the Town's portion of a Maine Conservation Corps AmeriCorps Veteran Community Leader program's employee to assist with the trail development at the Kate Furbish Preserve (Action required): This item asks the Council to authorize the use of recreation impact fees to pay for the Town's portion of a position through this program. The Town's contribution will be \$12,000.00. The Council authorized a project request to the Maine Conservation Corps AmeriCorps Veteran Community Leader program last July, and in September 2013, Brunswick was notified that it had been selected as a host community. The person will begin April 20th and work through November of this year. Mr. Skakal, who will hold this position, will lead volunteer groups, along with staff, to clear trails on the Kate Furbish Preserve. Copies of a memo from Mr. Farrell, the 2014 project request form, and a trail overview are included in your packet.

Suggested Motion:

Motion to authorize the use of recreation impact fees in the amount of \$12,000.000 to pay the Town's portion of the Maine Conservation Corps program's employee to assist with trail development at the Kate Furbish Preserve.

- (e) Permission to accept boarding floats through a Replacement Float Grant from the Maine Department of Agriculture, Conservation, and Forestry (Action required): The Recreation Department has been awarded seven new boarding floats through a Replacement Float Grant for the boat launch at Sawyer Park. They would replace existing floats and come at no cost to the Town. Copies of a memo from Mr. Baecher and the letter of award from the State are included in your packet.

Suggested Motion:

Motion to accept seven boarding floats through a Replacement Float Grant from the Maine Department of Agriculture, Conservation, and Forestry.

- (f) Report on the Emerson Fire Station HVAC Evaluation: This is to provide the Council a copy of the Emerson Fire Station HVAC Evaluation as prepared by Wright-Pierce. It identifies areas that need to be repaired at the Station. A copy of the report is included in your packet.

Suggested Motion: No motion is required.

- (g) Review of Budget meeting schedule: Mr. Eldridge has prepared a meeting schedule for the upcoming budget process. A copy of the draft schedule will be included in your packet.

Suggested Motion: No motion is required.

- (h) Update on new Town Hall project: Mr. Eldridge will update the Council and public on this project. We are still planning on closing the Town Office to move on Friday, April 4th through Tuesday, April 8th. The subcommittee met last week, and are recommending calling the new building the Brunswick Town Hall.

PUBLIC HEARING

28. This item is sponsored by Councilor Walker and Councilor Wilson, and is the required public hearing on these amendments relative to the Harbormaster's authority and mooring requirements. In the packet you will find the amendments that were sent to public hearing, along with additional changes as prepared by the attorney. The major addition is changing the appeals process so that it is handled at the local Council level, instead of going directly to the courts. At your last meeting the consensus was to not charge a fee to register moorings for the initial year of implementation. In addition to the two versions of the language, a copy of a memo from Officer Devereaux is included in your packet.

Suggested Motion:

Motion to adopt the amendments to Chapter 11 "Marine Activities, Structures and Ways - Article 1 Harbor, Coastal Tidal and Navigable Fresh Waters" relative to the Harbormaster's authority and mooring requirements.

29. This item is the required Public Hearing for a Community Development Block Grant (CDBG) for the Midcoast Regional Redevelopment Authority's (MRRA) "Make it in America" grant. On February 3, 2014, the Council approved the submission of a Letter of Intent to apply for a CDBG application. The Office of Community Development has reviewed the letter and invited the Town to apply for this grant. MRRA has requested that the Town submit this grant application in the amount of \$250,000 to support the construction of TechPlace at Brunswick Landing. The Council action will be to adopt a resolution. Copies of a memo from Linda Smith, the public hearing notice, proposed resolution, the letter from DECD, draft CDBG grant application, and MRRA's indemnification are included in your packet.

Suggested Motion:

Motion to adopt a "Council Resolution – Community Development Block Grant Economic Development Program" for Midcoast Regional Redevelopment Authority.

NEW BUSINESS

30. At the Town Council's March 10th meeting, Mr. Eldridge announced that the Governor's office has contacted the Town seeking nominations to the Midcoast Regional Redevelopment Authority (MRRA) Board. Further, Brunswick was being asked to submit its nominees by March 25th. The Town Council instructed staff to obtain resumes from those expressing interest in serving on the MRRA Board. The following people put in a resume: William Bodwell, John Bouchard, Philip Dionne, Earle Harvey, Frank Hellar, William Morrell, Gilda Nardone, Randee Reynolds, and Peggy Siegle. Copies of a memo from Mr. Eldridge and resumes are included in your packet.

Suggested Motion:

The Council can select from those who have provided resumes. The Council can nominate as many or as few of the names as they wish to provide to the Governor's office of consideration for appointment.

31. This item is for the Council to consider setting a public hearing for April 7, 2014, for amendments to the Chapter 11 “Marine Activities, Structures and Ways – Article III Shellfishing” relative to increasing the conservation credit points for commercial harvesters from 10 to 20 points per year, to be enacted on an emergency and regular basis. The reason for the emergency provision is to ensure it is in place prior to the license season that begins on April 25th. At a special meeting, the Brunswick Marine Resource Committee unanimously voted to support strengthening the required commercial shellfish harvester conservation efforts, and adding American Oysters, European Oysters, and Razor Clams to *Section 11-71 Definitions*. Copies of a memo from Marine Resource Committee and the draft language are included in your packet.

Suggested Motion:

Motion to set a public hearing for April 7, 2014, for amendments to the Chapter 11 “Marine Activities, Structures and Ways – Article III Shellfishing” relative to increasing the conservation credit points for commercial harvesters from 10 to 20 per year, along with definition changes to Section 11-71, to be enacted on an emergency and regular basis.

32. This item is sponsored by the CIP Committee, to deliver the proposed CIP to the Council. The plan will be discussed in more detail at a Council workshop. Copies of a memo from the Committee and the draft CIP are provided under separate cover and not in your packet.

Suggested Motion:

No action is required, and the Council will be holding a workshop on the CIP on March 31, 2014.

33. This item is to consider adopting an Order that will extend the current Cable TV Franchise Agreement. The agreement is set to expire on March 31, 2014, but there is language that allows it to be extended. The extension, which goes as long as three years, will allow the Town and Comcast the time necessary to negotiate a new agreement. At your next meeting, the final make-up of the Cable TV Franchise Negotiating Committee will come to the Council for your final approval. The general structure had been discussed last October, but was not finalized at that time. Copies of a memo from Mr. Eldridge and the draft order are included in your packet.

Suggested Motion:

Motion to adopt “An Order Authorizing an Extension of the Cable Television Franchise Agreement.”

34. This item is for two additional renewals of Sellers of Prepared Food on Public Ways Licenses for outdoor seating at Little Saigon and The Great Impasta. They require Council approval. Copies of the applications will be included in your packet.

Suggested Motion:

Motion to approve applications for Sellers of Prepared Food on Public Ways for outdoor seating for Little Saigon, 44 Maine Street, and The Great Impasta, 42 Maine Street.

35. This item is to consider approval of the request from Five Rivers Arts Alliance for music on the sidewalk in front of a variety of locations in the downtown as listed in their memo, when ArtWalks occur. This request is for approval to use these sidewalks from 5 to 8 p.m. on the 2nd Friday of each month May through October. They have requested the \$500 fee be waived, as it has been in the past. A copy of their letter is included in your packet.

Suggested Motion:

Motion to approve the request from the Five Rivers Arts Alliance for sidewalk music in a variety of locations, as outlined in their letter, when ArtWalks occur, and to waive the \$500 fee.

CONSENT AGENDA

- a) Approval of the Minutes of March 10, 2014: A copy of the minutes is included in your packet.

Suggested Motion:

Motion to approve the Consent Agenda.

Suggested Motion:

Motion to adjourn the meeting.

Correspondence

BACK UP MATERIALS



Brunswick West Neighborhood Coalition

Let's Do It Right!

March 10, 2014

To: Brunswick Town Councilors

Subject: Northern New England Passenger Rail Authority (NNEPRA) Proposed Maintenance and Layover Facility (MLF) in Brunswick, Maine at Brunswick West Site

Brunswick West Neighborhood Coalition is asking the Town Council to write a letter to the FRA requesting them to make a determination to require a full Environmental Impact Statement (EIS) for the subject project. Our reasons are as follows:

1. Significant environmental consequences stemming from non-mitigatable conditions.
2. Attention to public concerns through rigorous and objective due process.
3. Unreconciled differences between Brunswick West Neighborhood Coalition (BWNC) and NNEPRA's Noise Analysis, Socio-Economic Analysis, Vibration Analysis, Visual Impact Assessment, and related Zoning and quality of life impairments for adjacent residential neighborhoods.
4. Questionable validity of the preemption decision. NNEPRA's claim of preemption should be thoroughly vetted since the only case law cited is not applicable to the proposed location. Vetting is essential because absent preemption, NNEPRA would be required to follow Maine Department of Environmental Protection Site Law process, as well as local zoning regulations. (NNEPRA is apparently not preempted from Local Regulations in Portland, Maine and has processed a State of Maine Stormwater Discharge Permit.)
5. NNEPRA has not adequately addressed all project impacts, asserting that the MLF building resolves all environmental issues. Numerous operational activities that adversely impact the adjacent neighborhoods will take place outside the MLF building.
6. Significant changes to the scope of the MLF project were made after the NNEPRA-Consigli Design Build Contract was executed, and these changes were not incorporated into the September 2013 Environmental Assessment (EA). Changes include a reduction in the size of the MLF Building; relocation of the Building and related tracks closer to residential property to the south; and elimination of the outside holding track. The elimination of the holding track significantly changes overall operations and increases effects from project operations at the most sensitive time of the day – the critical nighttime sleep period for residents. Appendix E, Noise & Vibration Technical Report dated April 11, 2013, which is prior to the changes in scope, is also part of the



Brunswick West Neighborhood Coalition

Let's Do It Right!

September 2013 EA. Clearly, the September 2013 EA DOES NOT reflect current MLF design and its impacts on site abutters.

7. Ridership to and from Brunswick, Maine during the past year clearly shows that MLF construction cannot be justified by a need for additional service.
8. Larger questions apply to the regional choice of location for any proposed MLF. Should the MLF be located at the hub of the Downeaster system, such as in the Greater Portland area, or on a spoke such as Royal Junction in Yarmouth, Maine, or in Lewiston-Auburn? Or should it be located in Brunswick, Maine at one of three other sites that are in far more advantageous commercial areas, away from residential neighborhoods?
9. The Brunswick West site has no economic benefit potential. In fact, it offers only negative economic consequences due to contaminated site cleanup costs, excessive construction costs, and a significant reduction in residential property values.
10. Two of the three other locations in East Brunswick have positive economic potential by combining Passenger, Freight and Multi-Modal service to stimulate redevelopment of the former Brunswick Naval Air Station, without undue negative consequences for established residential neighborhoods.

In summary, a call for an EIS is the only way to ensure a rational, open, objective, and transparent process for MLF siting. This will assure participation by all stake holders, and responsible resolution of current divergence on location alternatives and consequences.

BWNC sincerely implores the Town Council to take this important step for open and due public process, and will be happy to answer any questions and provide any further information you may require.

From: Chris Casey [<mailto:chriscasey53@yahoo.com>]
Sent: Wednesday, March 19, 2014 12:23 PM
To: Town Council
Subject: March 24th Town Council Meeting

Date: March 19, 2014
To: Brunswick Town Council
From: Brunswick West Neighborhood Coalition

Please accept this email as a formal request to add the following agenda item to the March 24th Brunswick Town Council Meeting:

The BWNC requests that the Council write a letter as soon as possible to the Federal Rail Administration (FRA) requesting a full Environmental Impact Statement (EIS) for the proposed Maintenance and Layover facility at the proposed Brunswick West site.

The FRA is currently reviewing an Environmental Assessment that was prepared by NNEPRA. The BWNC believes the Assessment is incomplete and flawed.

Simply put, a full Environmental Impact Statement is the ONLY way that a thorough, independent review will be conducted for the proposed facility.

We believe that the Council's submission of the letter should not be seen as controversial or political in any way; it would not indicate that the Council is "taking sides" on this project.

Instead, the letter would clearly show that the Council supports a thorough, independent review of the project.

Nothing more.

The hundreds of Brunswick residents that would be negatively impacted by the Maintenance and Layover facility deserve a fair and impartial review of this project.

Please let me know if this item will be included in the March 24th agenda. Thank you in advance.

Respectfully,

Chris Casey
Brunswick West Neighborhood Coalition

MANAGER'S REPORT - A
NO BACK UP MATERIALS
IN COUNCIL PACKETS
BUT ON LINE

FOR 2014 08

| | ORIGINAL APPROP | REVISED BUDGET | YTD EXPENDED | MTD EXPENDED | ENCUMBRANCES | AVAILABLE BUDGET | PCT USED |
|------------------------------------|--------------------|-------------------|--------------|--------------|--------------|---------------------|-------------|
| <u>00 Fill</u> | | | | | | | |
| 19000 General Fund Transfers Out | 1,435,975 | 2,856,475 | 2,856,475.00 | 5,500.00 | .00 | .00 | 100.0% |
| TOTAL Fill | 1,435,975 | 2,856,475 | 2,856,475.00 | 5,500.00 | .00 | .00 | 100.0% |
| <u>10 General Government</u> | | | | | | | |
| 11000 Administration | 487,927 | 487,927 | 398,365.34 | 124,859.07 | 68.00 | 89,493.66 | 81.7% |
| 11100 Finance Department | 680,948 | 680,948 | 440,068.05 | 52,431.59 | 400.50 | 240,479.45 | 64.7% |
| 11150 Technology Services Dept | 328,531 | 328,531 | 266,268.87 | 30,949.53 | 18,609.00 | 43,653.13 | 86.7% |
| 11200 Municipal Officers | 126,615 | 126,615 | 66,902.76 | 21,573.04 | .00 | 59,712.24 | 52.8% |
| 11210 Munic Bldg - 85 Union | 0 | 0 | 7,801.35 | 3,967.56 | .00 | -7,801.35 | 100.0% |
| 11220 Munic Bldg - 28 Federal | 166,850 | 166,850 | 93,990.91 | 7,762.33 | 670.00 | 72,189.09 | 56.7% |
| 11230 Risk Management | 414,750 | 414,750 | 343,861.15 | 4,733.34 | .00 | 70,888.85 | 82.9% |
| 11240 Employee benefits | 0 | 0 | -100,969.38 | -691.62 | .00 | 100,969.38 | 100.0% |
| 11250 Cable TV | 37,360 | 37,360 | 23,299.09 | 2,425.88 | .00 | 14,060.91 | 62.4% |
| 11300 Assessing | 297,218 | 303,368 | 169,856.41 | 20,877.96 | 4,408.71 | 129,102.88 | 57.4% |
| 11600 Town Clerk & Elections | 356,478 | 356,478 | 213,640.90 | 25,747.54 | 230.00 | 142,607.10 | 60.0% |
| 11900 Planning Department | 541,059 | 546,959 | 310,074.60 | 37,806.67 | 59,276.01 | 177,608.39 | 67.5% |
| 11950 Economic Development Dept | 104,564 | 104,564 | 50,520.73 | 7,590.79 | .00 | 54,043.27 | 48.3% |
| TOTAL General Government | 3,542,300 | 3,554,350 | 2,283,680.78 | 340,033.68 | 83,662.22 | 1,187,007.00 | 66.6% |
| <u>20 Public Safety</u> | | | | | | | |
| 12100 Fire Department | 2,985,969 | 3,010,869 | 1,924,780.18 | 244,018.62 | 13,870.13 | 1,072,218.69 | 64.4% |
| 12150 Central Fire Station | 41,054 | 41,054 | 25,596.71 | 1,121.75 | .00 | 15,457.29 | 62.3% |
| 12160 Emerson Fire Station | 50,350 | 50,350 | 21,447.79 | 2,133.31 | 72.00 | 28,830.21 | 42.7% |
| 12200 Police Department | 3,684,953 | 3,691,862 | 2,268,822.66 | 292,174.00 | .00 | 1,423,039.19 | 61.5% |
| 12210 Police Special Detail | 0 | 0 | 13,860.42 | 1,384.65 | .00 | -13,860.42 | 100.0% |
| 12220 Emergency Services Dispatch | 721,909 | 721,909 | 468,963.27 | 52,284.85 | 1,400.00 | 251,545.73 | 65.2% |
| 12250 Police Station Building | 68,730 | 68,730 | 38,180.47 | 7,949.43 | .00 | 30,549.53 | 55.6% |
| 12310 Streetlights | 205,000 | 205,000 | 125,986.04 | 16,575.66 | .00 | 79,013.96 | 61.5% |
| 12320 Traffic Signals | 31,600 | 31,600 | 19,868.01 | 1,242.72 | .00 | 11,731.99 | 62.9% |
| 12330 Hydrants | 429,178 | 429,178 | 206,654.85 | .00 | .00 | 222,523.15 | 48.2% |
| 12340 Civil Emergency Preparedness | 2,000 | 2,000 | 800.00 | .00 | .00 | 1,200.00 | 40.0% |
| TOTAL Public Safety | 8,220,743 | 8,252,552 | 5,114,960.40 | 618,884.99 | 15,342.13 | 3,122,249.32 | 62.2% |

FOR 2014 08

| 30 | Public Works | ORIGINAL APPROP | REVISED BUDGET | YTD EXPENDED | MTD EXPENDED | ENCUMBRANCES | AVAILABLE BUDGET | PCT USED |
|-------|------------------------------|--------------------|-------------------|---------------|--------------|--------------|---------------------|-------------|
| <hr/> | | | | | | | | |
| 30 | Public Works | | | | | | | |
| <hr/> | | | | | | | | |
| 13100 | Public Works Administration | 414,090 | 414,090 | 258,413.36 | 32,199.14 | .00 | 155,676.64 | 62.4% |
| 13110 | PW General Maintenance | 1,629,304 | 1,629,304 | 946,654.05 | 173,738.41 | 35,091.66 | 647,558.29 | 60.3% |
| 13130 | Refuse Collection | 573,143 | 573,143 | 346,285.43 | 53,213.53 | 145,059.49 | 81,798.08 | 85.7% |
| 13140 | Recycling | 289,743 | 289,743 | 173,325.97 | 23,253.59 | 134,267.87 | -17,850.84 | 106.2% |
| 13150 | PW Central Garage | 781,964 | 781,964 | 483,356.67 | 78,245.24 | 73,876.95 | 224,730.38 | 71.3% |
| | TOTAL Public Works | 3,688,244 | 3,688,244 | 2,208,035.48 | 360,649.91 | 388,295.97 | 1,091,912.55 | 70.4% |
| <hr/> | | | | | | | | |
| 40 | Human Services | | | | | | | |
| <hr/> | | | | | | | | |
| 14100 | General Assistance | 170,106 | 170,106 | 107,198.61 | 11,621.04 | 4,438.42 | 58,468.97 | 65.6% |
| 14120 | Health & Social Services | 2,744 | 2,744 | 1,387.36 | .00 | .00 | 1,356.64 | 50.6% |
| | TOTAL Human Services | 172,850 | 172,850 | 108,585.97 | 11,621.04 | 4,438.42 | 59,825.61 | 65.4% |
| <hr/> | | | | | | | | |
| 45 | Education | | | | | | | |
| <hr/> | | | | | | | | |
| 14500 | School Department | 35,570,775 | 35,570,775 | 19,863,514.27 | 2,384,744.38 | .00 | 15,707,260.73 | 55.8% |
| | TOTAL Education | 35,570,775 | 35,570,775 | 19,863,514.27 | 2,384,744.38 | .00 | 15,707,260.73 | 55.8% |
| <hr/> | | | | | | | | |
| 50 | Recreation and Culture | | | | | | | |
| <hr/> | | | | | | | | |
| 15000 | Recreation Administration | 435,014 | 435,014 | 267,764.38 | 33,580.34 | .00 | 167,249.62 | 61.6% |
| 15050 | Rec Buildings and Grounds | 657,996 | 662,107 | 363,643.52 | 43,085.67 | 11,757.31 | 286,706.17 | 56.7% |
| 15150 | Rec Federal St Building | 15,840 | 15,840 | 12,800.06 | 2,907.94 | .00 | 3,039.94 | 80.8% |
| 15250 | Rec Building 211 | 122,151 | 122,151 | 54,009.29 | 13,395.84 | 2,614.50 | 65,527.21 | 46.4% |
| 15300 | Teen Center | 10,000 | 10,000 | 10,000.00 | .00 | .00 | .00 | 100.0% |
| 15310 | People Plus | 105,000 | 105,000 | 104,630.15 | 4,630.15 | .00 | 369.85 | 99.6% |
| 15400 | Curtis Memorial Library | 1,215,000 | 1,219,900 | 926,249.77 | 99,916.67 | .00 | 293,650.23 | 75.9% |
| | TOTAL Recreation and Culture | 2,561,001 | 2,570,012 | 1,739,097.17 | 197,516.61 | 14,371.81 | 816,543.02 | 68.2% |
| <hr/> | | | | | | | | |
| 60 | Intergovernmental | | | | | | | |
| <hr/> | | | | | | | | |

FOR 2014 08

| 60 | Intergovernmental | ORIGINAL APPROP | REVISED BUDGET | YTD EXPENDED | MTD EXPENDED | ENCUMBRANCES | AVAILABLE BUDGET | PCT USED |
|-------|-------------------------------|--------------------|-------------------|---------------|--------------|--------------|---------------------|-------------|
| 16000 | County tax | 1,249,487 | 1,249,487 | 1,249,487.00 | .00 | .00 | .00 | 100.0% |
| | TOTAL Intergovernmental | 1,249,487 | 1,249,487 | 1,249,487.00 | .00 | .00 | .00 | 100.0% |
| 70 | Unclassified | | | | | | | |
| 17000 | Promotion and Development | 160,258 | 154,758 | 129,110.70 | 206.48 | 25.00 | 25,622.30 | 83.4% |
| 17010 | Additional School Assistance | 10,000 | 10,000 | .00 | .00 | .00 | 10,000.00 | .0% |
| 17020 | Cemetery Care | 3,000 | 3,000 | 1,250.00 | .00 | .00 | 1,750.00 | 41.7% |
| 17030 | Wage Adjustment Account | 68,000 | 68,000 | .00 | .00 | .00 | 68,000.00 | .0% |
| 17052 | School Master Plan | 0 | 14,527 | .00 | .00 | 14,526.97 | .00 | 100.0% |
| | TOTAL Unclassified | 241,258 | 250,285 | 130,360.70 | 206.48 | 14,551.97 | 105,372.30 | 57.9% |
| 80 | Debt Service | | | | | | | |
| 18010 | 2003 High School Refunding Bo | 0 | 0 | -.50 | .00 | .00 | .50 | 100.0% |
| 18020 | 2006 CIP G/O Bonds | 260,000 | 260,000 | 232,000.00 | .00 | .00 | 28,000.00 | 89.2% |
| 18030 | 2011 GO CIP Bonds | 269,450 | 269,450 | 238,150.00 | .00 | .00 | 31,300.00 | 88.4% |
| 18040 | Police Station Bond | 394,448 | 394,448 | 321,224.43 | .00 | .00 | 73,223.57 | 81.4% |
| 18050 | 2010 Elementary School Bond | 0 | 0 | -231,224.17 | .00 | .00 | 231,224.17 | 100.0% |
| | TOTAL Debt Service | 923,898 | 923,898 | 560,149.76 | .00 | .00 | 363,748.24 | 60.6% |
| | GRAND TOTAL | 57,606,531 | 59,088,928 | 36,114,346.53 | 3,919,157.09 | 520,662.52 | 22,453,918.77 | 62.0% |

** END OF REPORT - Generated by Julie Henze **

FOR 2014 08

| | ORIGINAL ESTIM REV | REVISED EST REV | ACTUAL YTD REVENUE | ACTUAL MTD REVENUE | REMAINING REVENUE | PCT COLL |
|--|-----------------------|--------------------|-----------------------|-----------------------|----------------------|-------------|
| 10 Taxes | | | | | | |
| 111190 41101 Property Taxes | 35,022,679 | 35,022,679 | 34,951,254.15 | 1,569.47 | 71,424.85 | 99.8%* |
| 111190 41103 Deferred Property Tax | -200,000 | -200,000 | .00 | .00 | -200,000.00 | .0% |
| 111190 41104 Tax Abatements | -75,000 | -75,000 | -98,960.70 | -5,477.86 | 23,960.70 | 131.9%* |
| 111190 41105 Interest on Taxes | 75,000 | 75,000 | 38,467.36 | 3,928.06 | 36,532.64 | 51.3%* |
| 111190 41106 Tax Lien Costs Revenu | 14,000 | 14,000 | 13,626.00 | 264.00 | 374.00 | 97.3%* |
| 111190 41107 Tax Lien Interest Rev | 0 | 0 | 12,899.15 | .00 | -12,899.15 | 100.0%* |
| 111190 41109 Payment in Lieu of Ta | 235,000 | 235,000 | 137,184.76 | .00 | 97,815.24 | 58.4%* |
| 111190 41197 BETE reimbursement | 185,780 | 185,780 | 147,378.00 | .00 | 38,402.00 | 79.3%* |
| 111190 41198 Homestead exemption r | 411,673 | 411,673 | 312,820.00 | .00 | 98,853.00 | 76.0%* |
| 111190 41199 Miscellaneous tax adj | 3,320 | 3,320 | .00 | .00 | 3,320.00 | .0%* |
| 111191 41110 Excise Tax - Auto | 2,700,000 | 2,700,000 | 1,829,547.55 | 189,582.54 | 870,452.45 | 67.8%* |
| 111191 41111 Excise Tax Boat/ATV/S | 24,000 | 24,000 | 4,412.90 | 409.90 | 19,587.10 | 18.4%* |
| 111191 41112 Excise Tax - Airplane | 0 | 0 | 133,431.30 | -45.62 | -133,431.30 | 100.0%* |
| TOTAL Taxes | 38,396,452 | 38,396,452 | 37,482,060.47 | 190,230.49 | 914,391.53 | 97.6% |
| TOTAL REVENUES | 38,396,452 | 38,396,452 | 37,482,060.47 | 190,230.49 | 914,391.53 | |
| 20 Licenses & Fees | | | | | | |
| 121111 42207 Passport Fees | 8,000 | 8,000 | 6,100.00 | 1,175.00 | 1,900.00 | 76.3%* |
| 121111 42208 Postage Fees | 0 | 0 | 59.80 | .00 | -59.80 | 100.0%* |
| 121111 42209 Passport Picture Reve | 1,500 | 1,500 | 1,812.00 | 372.00 | -312.00 | 120.8%* |
| 121411 42100 Building Permits | 110,000 | 110,000 | 92,208.72 | 22,025.00 | 17,791.28 | 83.8%* |
| 121411 42101 Electrical Permits | 31,000 | 31,000 | 19,683.57 | 1,581.87 | 11,316.43 | 63.5%* |
| 121411 42102 Plumbing Permits | 13,500 | 13,500 | 15,030.83 | 792.50 | -1,530.83 | 111.3%* |
| 121611 42200 Hunting & Fishing Lic | 1,350 | 1,350 | 688.30 | 47.20 | 661.70 | 51.0%* |
| 121611 42201 Dog License Fee | 2,302 | 2,302 | 2,460.00 | 204.00 | -158.00 | 106.9%* |
| 121611 42202 Vital Statistics | 42,000 | 42,000 | 34,471.80 | 2,998.00 | 7,528.20 | 82.1%* |
| 121611 42203 General Licenses | 24,500 | 24,500 | 14,245.00 | 8,005.00 | 10,255.00 | 58.1%* |
| 121611 42204 Victulars/Innkeepers | 21,650 | 21,650 | 1,000.00 | .00 | 20,650.00 | 4.6%* |
| 121611 42205 Shellfish Licenses | 20,700 | 20,700 | 275.00 | .00 | 20,425.00 | 1.3%* |
| 121611 42206 Neutered/Spayed Dog L | 4,210 | 4,210 | 4,504.00 | 358.00 | -294.00 | 107.0%* |
| 121611 42208 Postage Fees | 0 | 0 | 185.15 | 39.90 | -185.15 | 100.0%* |
| 121911 42300 Planning Board Appl F | 20,000 | 20,000 | 7,163.60 | 1,756.00 | 12,836.40 | 35.8%* |
| 122121 42400 Fire Permits | 700 | 700 | 350.00 | 30.00 | 350.00 | 50.0%* |
| 122221 42500 Conc Weapons Permits | 600 | 600 | 805.00 | 140.00 | -205.00 | 134.2%* |
| 123131 42600 Public Works Opening | 500 | 500 | 80.00 | .00 | 420.00 | 16.0%* |
| TOTAL Licenses & Fees | 302,512 | 302,512 | 201,122.77 | 39,524.47 | 101,389.23 | 66.5% |
| TOTAL REVENUES | 302,512 | 302,512 | 201,122.77 | 39,524.47 | 101,389.23 | |

FOR 2014 08

| | ORIGINAL ESTIM REV | REVISED EST REV | ACTUAL YTD REVENUE | ACTUAL MTD REVENUE | REMAINING REVENUE | PCT COLL |
|--|-----------------------|--------------------|-----------------------|-----------------------|----------------------|-------------|
| 30 Intergovernmental | | | | | | |
| 131122 43505 FD EMPG grant | 15,000 | 15,000 | 12,011.36 | .00 | 2,988.64 | 80.1%* |
| 131122 43506 FD SAFER grant | 20,000 | 20,000 | 3,255.00 | .00 | 16,745.00 | 16.3%* |
| 131132 43103 Highway Grant Fund | 208,000 | 208,000 | 214,392.00 | .00 | -6,392.00 | 103.1%* |
| 131142 43104 State General Assista | 27,000 | 27,000 | 8,618.89 | .00 | 18,381.11 | 31.9%* |
| 131190 43102 State Tax Exemption R | 26,000 | 26,000 | 8,241.45 | .00 | 17,758.55 | 31.7%* |
| 131192 43101 State Revenue Sharing | 1,059,000 | 1,059,000 | 728,669.73 | 119,475.78 | 330,330.27 | 68.8%* |
| 131192 43106 Snowmobile Receipts | 1,264 | 1,264 | 1,588.80 | .00 | -324.80 | 125.7%* |
| 134546 43120 State Education Subsi | 10,840,108 | 10,840,108 | 7,688,228.91 | 728,580.56 | 3,151,879.09 | 70.9%* |
| 134546 43121 State Adult Educ. Sub | 31,000 | 31,000 | .00 | .00 | 31,000.00 | .0%* |
| TOTAL Intergovernmental | 12,227,372 | 12,227,372 | 8,665,006.14 | 848,056.34 | 3,562,365.86 | 70.9% |
| TOTAL REVENUES | 12,227,372 | 12,227,372 | 8,665,006.14 | 848,056.34 | 3,562,365.86 | |
| 40 Charges for services | | | | | | |
| 141111 44110 Agent Fee Auto Reg | 50,000 | 50,000 | 32,914.00 | 3,403.00 | 17,086.00 | 65.8%* |
| 141111 44111 Agent Fee Boat/ATV/Sn | 1,500 | 1,500 | 632.00 | 65.00 | 868.00 | 42.1%* |
| 141211 44121 Rental of Property | 0 | 0 | 300.00 | 100.00 | -300.00 | 100.0%* |
| 141611 44131 Advertising Fees | 0 | 0 | 882.55 | 83.27 | -882.55 | 100.0%* |
| 142121 44155 Ambulance Service Fee | 875,000 | 875,000 | 670,434.54 | 83,812.21 | 204,565.46 | 76.6%* |
| 142121 44166 Special Detail - Fire | 1,000 | 1,000 | 2,405.04 | .00 | -1,405.04 | 240.5%* |
| 142221 44161 Witness Fees | 3,000 | 3,000 | 3,324.00 | 824.00 | -324.00 | 110.8%* |
| 142221 44162 Police Reports | 3,600 | 3,600 | 2,079.00 | 575.00 | 1,521.00 | 57.8%* |
| 142221 44163 School Resource Offic | 80,000 | 80,000 | 80,000.00 | .00 | .00 | 100.0%* |
| 142221 44165 Special Detail - Poli | 1,000 | 1,000 | 16,151.50 | 1,485.00 | -15,151.50 | 1615.2%* |
| 142221 44167 Dispatch Services fee | 139,268 | 139,268 | 96,077.98 | 10,831.79 | 43,190.02 | 69.0%* |
| 143431 44175 Recycling Revenue | 25,000 | 25,000 | 13,469.70 | 1,041.20 | 11,530.30 | 53.9%* |
| 144545 44100 School Tuition, etc | 166,411 | 166,411 | 98,943.28 | 250.00 | 67,467.72 | 59.5%* |
| TOTAL Charges for services | 1,345,779 | 1,345,779 | 1,017,613.59 | 102,470.47 | 328,165.41 | 75.6% |
| TOTAL REVENUES | 1,345,779 | 1,345,779 | 1,017,613.59 | 102,470.47 | 328,165.41 | |
| 50 Fines & Penalties | | | | | | |
| 151621 45103 Unlicensed Dog Fines | 5,000 | 5,000 | 3,925.00 | 3,250.00 | 1,075.00 | 78.5%* |
| 152121 45104 False Alarm Fire | 2,000 | 2,000 | 2,450.00 | 2,450.00 | -450.00 | 122.5%* |

FOR 2014 08

| | ORIGINAL ESTIM REV | REVISED EST REV | ACTUAL YTD REVENUE | ACTUAL MTD REVENUE | REMAINING REVENUE | PCT COLL |
|---|-----------------------|--------------------|-----------------------|-----------------------|----------------------|-------------|
| 152121 45107 Fire Code Violation F | 0 | 0 | 300.00 | .00 | -300.00 | 100.0%* |
| 152221 45100 Ordinance Fines | 600 | 600 | 712.00 | 105.00 | -112.00 | 118.7%* |
| 152221 45101 Parking Tickets | 20,000 | 20,000 | 15,934.00 | 2,800.00 | 4,066.00 | 79.7%* |
| 152221 45102 Leash Law Fines | 600 | 600 | 175.00 | 50.00 | 425.00 | 29.2%* |
| 152221 45105 False Alarm Police | 300 | 300 | 10.00 | .00 | 290.00 | 3.3%* |
| 152221 45106 Restitution | 0 | 0 | 980.81 | 965.00 | -980.81 | 100.0%* |
| TOTAL Fines & Penalties | 28,500 | 28,500 | 24,486.81 | 9,620.00 | 4,013.19 | 85.9% |
| TOTAL REVENUES | 28,500 | 28,500 | 24,486.81 | 9,620.00 | 4,013.19 | |
| 60 Interest earned | | | | | | |
| 161193 46100 Interest Earned | 50,000 | 50,000 | 8,837.64 | 1,260.08 | 41,162.36 | 17.7%* |
| TOTAL Interest earned | 50,000 | 50,000 | 8,837.64 | 1,260.08 | 41,162.36 | 17.7% |
| TOTAL REVENUES | 50,000 | 50,000 | 8,837.64 | 1,260.08 | 41,162.36 | |
| 70 Donations | | | | | | |
| 171952 47000 BDC Contrib to Econ D | 75,000 | 75,000 | 75,000.00 | 75,000.00 | .00 | 100.0%* |
| 171952 47001 MRRRA - Eco Dev positi | 25,000 | 25,000 | 10,416.65 | -2,083.33 | 14,583.35 | 41.7%* |
| 171952 47002 MRRRA - MCOG DUES | 15,000 | 15,000 | .00 | .00 | 15,000.00 | .0%* |
| TOTAL Donations | 115,000 | 115,000 | 85,416.65 | 72,916.67 | 29,583.35 | 74.3% |
| TOTAL REVENUES | 115,000 | 115,000 | 85,416.65 | 72,916.67 | 29,583.35 | |
| 80 Use of fund balance | | | | | | |
| 181100 48000 Unapprop General Fund | 1,000,000 | 2,415,000 | .00 | .00 | 2,415,000.00 | .0%* |
| 181100 48001 Bal of State Revenue | 20,000 | 20,000 | .00 | .00 | 20,000.00 | .0%* |
| 184500 48004 School Balance Forwar | 2,800,000 | 2,800,000 | .00 | .00 | 2,800,000.00 | .0%* |
| TOTAL Use of fund balance | 3,820,000 | 5,235,000 | .00 | .00 | 5,235,000.00 | .0% |
| TOTAL REVENUES | 3,820,000 | 5,235,000 | .00 | .00 | 5,235,000.00 | |
| 90 Other | | | | | | |
| 191011 49000 Administration Miscel | 0 | 0 | 260.26 | .00 | -260.26 | 100.0%* |

FOR 2014 08

| | ORIGINAL ESTIM REV | REVISED EST REV | ACTUAL YTD REVENUE | ACTUAL MTD REVENUE | REMAINING REVENUE | PCT COLL |
|--|-----------------------|--------------------|-----------------------|-----------------------|----------------------|-------------|
| 191111 49000 Finance Miscellaneous | 1,000 | 1,000 | 4,910.71 | 199.99 | -3,910.71 | 491.1%* |
| 191111 49104 Property & Casualty D | 0 | 0 | 9,283.00 | .00 | -9,283.00 | 100.0%* |
| 191111 49105 Postage & Handling | 0 | 0 | 1,869.00 | 222.00 | -1,869.00 | 100.0%* |
| 191111 49106 W/C Proceeds | 0 | 0 | 8,327.20 | 8,327.20 | -8,327.20 | 100.0%* |
| 191111 49210 Insurance Proceeds | 0 | 0 | 9,665.13 | 9,665.13 | -9,665.13 | 100.0%* |
| 191192 49100 Cable Television | 210,000 | 210,000 | 115,920.24 | 57,670.26 | 94,079.76 | 55.2%* |
| 191194 49150 Gen Govt Asset Sales | 290,066 | 290,066 | 90.00 | 50.00 | 289,976.00 | .0%* |
| 191411 49000 Codes Miscellaneous | 0 | 0 | 10.25 | .00 | -10.25 | 100.0%* |
| 191611 49000 Town Clerk Miscellane | 1,200 | 1,200 | 916.00 | 131.75 | 284.00 | 76.3%* |
| 191911 49000 Planning Miscellaneou | 150 | 150 | 137.10 | 9.50 | 12.90 | 91.4%* |
| 192121 49000 Fire Miscellaneous | 0 | 0 | 769.73 | 15.00 | -769.73 | 100.0%* |
| 192194 49151 Fire Vehicle Sales | 0 | 0 | 1,500.00 | 1,500.00 | -1,500.00 | 100.0%* |
| 192221 49000 Police Miscellaneous | 10,000 | 10,000 | 60,532.71 | .00 | -50,532.71 | 605.3%* |
| 192294 49153 Police Vehicle Sales | 13,500 | 13,500 | .00 | .00 | 13,500.00 | .0%* |
| 193131 49000 Public Works Miscella | 0 | 0 | 4.74 | .00 | -4.74 | 100.0%* |
| 193194 49154 Public Works Vehicle | 0 | 0 | 4,000.00 | .00 | -4,000.00 | 100.0%* |
| 194545 49000 School Miscellaneous | 120,000 | 120,000 | 79,118.84 | 17,468.66 | 40,881.16 | 65.9%* |
| 195051 49000 Recreation Miscellane | 0 | 0 | 517.80 | 385.00 | -517.80 | 100.0%* |
| 199980 48100 General Fund Transfer | 675,000 | 675,000 | 275,000.00 | .00 | 400,000.00 | 40.7%* |
| TOTAL Other | 1,320,916 | 1,320,916 | 572,832.71 | 95,644.49 | 748,083.29 | 43.4% |
| TOTAL REVENUES | 1,320,916 | 1,320,916 | 572,832.71 | 95,644.49 | 748,083.29 | |
| GRAND TOTAL | 57,606,531 | 59,021,531 | 48,057,376.78 | 1,359,723.01 | 10,964,154.22 | 81.4% |

** END OF REPORT - Generated by Julie Henze **

MANAGER'S REPORT - B BACK UP MATERIALS

Town of Brunswick, Maine

Incorporated 1739

Brunswick Fire Department

"Working Today for a Safer Tomorrow"



KEN BRILLANT, CHIEF
JEFF EMERSON, DEPUTY CHIEF
DONALD KOSLOSKY, DEPUTY CHIEF



21 TOWN HALL PLACE
BRUNSWICK, ME 04011
TELEPHONE 207-725-5541
FAX # 207-725-6638
WWW.BRUNSWICKME.ORG

To: John Eldridge, Interim Town Manager

From: Don Koslosky, Deputy Chief

Ref: Firehouse Subs Grant request

Date: March 18, 2014

The Fire Department is looking for permission to apply for a grant through Firehouse Subs for the amount of \$12,657.00. This grant is 100% non-matching through a local business.

This grant is for three RAD 57 meters which are primarily used for monitoring Carbon Monoxide and Oxygen levels in the blood stream. These meters would be used daily on medical calls, with the potential for use on fire calls.

The need for these meters was proven when we did a mutual aid call for two patients who were rescued from a burning building and were suffering from smoke inhalation. If we had these, we would have been able to pick up the high levels of Carbon Monoxide and relay this information to the local hospital with the potential of going to a Trauma center.

MANAGER'S REPORT - C BACK UP MATERIALS

BRUNSWICK PARKS & RECREATION DEPARTMENT

MEMORANDUM

To: John Eldridge, Acting Town Manager
From: Peter Baecher, Parks and Facilities Manager/Town Arborist
Date: March 13, 2014
Subject: MMA Safety Enhancement Grant application

The Parks and Recreation Department would like to apply for a \$2,000 grant through the Maine Municipal Association's Safety Enhancement Grant program. We would like to utilize these funds towards the purchase of an aerial lift to be used for maintenance of lights, scoreboards, and other ceiling elements in the field house at the new Recreation Center Building at Brunswick Landing.

The total cost of a new aerial lift is \$7,275. If we are awarded this grant, our total cost would be \$5,275.

The grant application (attached) describes in further detail the safety and productivity benefits of having this lift for aerial work at the Brunswick Recreation Center. We are hopeful that the Town Council will support our application for this grant opportunity.

Please let me know if you would like further details or if you have any questions.



**Maine Municipal Association
Risk Management Services
Safety Enhancement Grant Application**

Name: Peter Baecher Title: Parks and Facilities Manager
 Entity (City/Town etc.) Town of Brunswick Department: Parks and Recreation
 Address: 220 Neptune Drive City: Brunswick ME Zip: 04011
 Phone: 207-725-6656 Cell Phone: 207-798-1082



If you have not read all of the instructions, please do so now!

Please describe the safety equipment/services you are considering purchasing. Include the intended purchase, installation or completion date for your project.

Purchase of an aerial lift for use in the gym / field house at the Brunswick Recreation Center.

Planned purchase in July 2014.

Why is this safety equipment/service needed? (You are welcome to attach additional sheets).

(See attached sheet.)

How will this safety equipment/service help to reduce workplace injuries and provide your entity with a safer work environment?

(See attached sheet.)

Cost (or quote) of equipment/service. (Attach to application). \$7,275.00 Other - requested in 2014-15 budget; not approved yet.
 Have you committed funds for your portion of this activity? Yes No
 Have you applied for or received grants or funding from other sources for this endeavor? Yes No
 If Yes, from whom: _____ Amount (\$): _____

Peter Baecher 3/13/14
 Applicant Signature Date

 Key Official Signature Date
 (City/Town Mgr., Selectperson, Director)

Peter Baecher
 Print Name

John Eldridge
 Print Name

Parks and Facilities Manager
 Title

Acting Town Manager
 Title

For further information regarding this program, please contact our:
Loss Control Technician at 1-800-590-5583

Please mail or fax the completed application and supporting documents. (Keep a copy for your records).

To:

**Maine Municipal Association
 Risk Management Services
 Attn: Loss Control Dept.
 60 Community Drive
 PO Box 9109
 Augusta, ME 04332-9109
 Fax: 207-624-0127**

(We will accept applications by Fax, but illegible or incomplete applications will not be considered.)

Why is this safety equipment / service needed?

Our primary need for an aerial lift has traditionally been to facilitate maintenance work in the gym space where we maintain lighting, scoreboards, and other building components such as fans or unit heaters.

We have utilized 3 options in the past:

- (1) Pipe staging, which we set up and take down
- (2) A Genie aerial work platform, which we have been fortunate to be able to borrow on occasion from a local institution
- (3) Contractors – we have often contracted out lighting maintenance and bulb replacement to contractors who can provide their own aerial work platform

We are concerned about the safety of option one, and the sustainability of options 2 & 3. We have provided training to our maintenance staff in the set up and take down of pipe staging, but the process has aspects that are of concern from a safety perspective --- generally in the heavy components that are raised and lowered, assembly at elevated heights, and ladder access. For these reasons we have limited our use of pipe staging to instances when we require a large elevated work platform, such as when we recently took down some old scoreboards.

The Genie aerial platform that we have borrowed is a one person lift. This has been our preferred aerial lift when available to us. The lift we are applying for grant assistance for is very similar to the one we have borrowed. (We have the operator's manual and have provided training to our maintenance workers.)

Hiring a contractor with a lift is expensive and not always available to meet our schedule, but is the other method we have chosen to meet our needs for aerial maintenance work.

How will this safety equipment / service help to reduce workplace injuries and provide your entity with a safer work environment?

In one sense we cannot state that an aerial platform will reduce injuries, because we haven't had any injuries related to aerial work to date. Nevertheless, it seems to us that the injury potential -- and the severity of such an injury --- is significant when relying on pipe staging.

The gym at our current facility (we have re-located in August 2013 to the field house at the former Naval Air Station) has more than twice as many ceiling lights as our former facility, so we will be doing more aerial maintenance work. An electric aerial work platform will definitely provide a safer work environment for our maintenance staff.



**WD
MATTHEWS**
MACHINERY
COMPANY

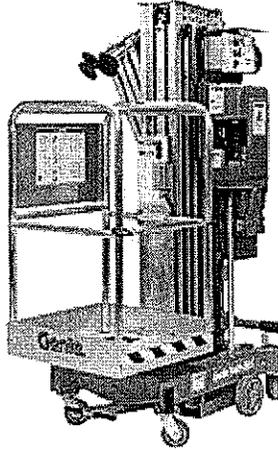
901 Center St
Auburn, ME
800.341.6702
207.784.9311

309 Sheep Davis Rd
Concord, NH
800.341.6702
603.225.1171

297 Hartford Turnpike
Shrewsbury, MA
800.341.6702
508.798.3411

Jan 15, 2014

**Brunswick Rec Center
220 Neptune Drive
Brunswick, ME**



Model AWP-20S ACStd 110V

Dear Sir,

Thank you for considering W D MattheWs for your aerial equipment needs. We are pleased to offer the following for your review and approval.

Model: AWP-20S ACStd 110V
Genie® Model AWP™-20S AC - Aerial Work Platform
Standard Base - 110V

Quantity: 1 unit

Basic Capacity: 350 lb.

Fuel: Electric

Specifications

Chassis: 29" base width allows single door access
LED lights confirm proper set-up
Outrigger storage pockets
Crane attachment point

MANAGER'S REPORT - D BACK UP MATERIALS

Memo

To: Members of the Brunswick Town Council
From: Thomas M. Farrell, Director
Date: March 20, 2014
Re: ***Maine Conservation Corps (MCC) Veteran Community Leader***

At the July 1, 2013 meeting of the Brunswick Town Council members voted to authorize the Town to submit a 2014 project request form to the Maine Conservation Corps (MCC) Americorps Veteran Community Leader program to provide for a trained individual to assist in the development of the proposed 5.5 mile trail system upon the 591 acre Kate Furbish Preserve. At the meeting I explained that if selected as a host site, Brunswick would be assigned a military veteran who would coordinate various aspects of the initial development of portions of the trail system. In addition, I reported that Brunswick's would need to contribute \$12,000 toward the cost to have the individual work on the project and further recommended that the Town's local cost share be subsidized by recreation impact fees which were previously collected and currently available.

I reported back to the Council at its September 16, 2013 meeting that Brunswick had been selected as a host community for the 2014 season. The Town is one of only five project locations selected statewide to host an MCC Americorps Veteran Community Leader.

Accompanying this memo is a copy of the original application that details what the Veteran Community Leader would work to complete during their term of service and an associated project timeline.

At the upcoming Town Council meeting, I respectfully request that you vote authorize the expenditure of recreation impact fees in the amount of \$12,000 for the purpose of funding the Town's share of the project cost.



Maine Conservation Corps (MCC)
 AmeriCorps Veteran Community Leader Program
 124 State House Station
 Augusta, ME 04333-0124
 Ph: (207) 624-6085 Fax: (207) 287-3342
 Ph: (in Maine only) (800) 245-5627



2014 PROJECT REQUEST FORM

DUE WEDNESDAY, JULY 10, 2013

***Please complete and submit this form electronically to jo.a.orlando@maine.gov and send a printed signed original to the address above.

Person completing form: Thomas M. Farrell Date: July 9, 2013

Organization/Agency: Brunswick Parks and Recreation Department

Address: 30 Federal Street

Brunswick, Maine 04011

Phone: 725-6656 (extension 301) Fax: 725-0148

E-mail: tfarrell@brunswickme.org

Website: www.brunswickme.org/departments/parks-recreation/

| Term in hours | Start and End dates | CASH Contribution Amount |
|---|---|--------------------------|
| 1700 hours | January 13, 2014 thru November 21, 2014 | 12,000 |
| <i>*The MCC is committed to researching and applying for additional funding to reduce the Host Site cash contribution amount- we encourage Host Sites to do the same.</i> | | |

1. Please complete the information (in red) about the Veteran Community Leader Position:

Purpose:

Describe the project that the MCC Veteran Community Leader will be working on during his/her term of service. This 2000 character limit description (including spaces) will be used in the recruitment ad and member agreement.

The project that the MCC Veteran Community Leader will be working on during his/her term of service is to assist in the initial development of portions of a new 5.5 mile trail system in Brunswick, Maine. The trails will be located upon the newly designated Kate Furbish Preserve property recently acquired by the Town of Brunswick from the U. S. Navy as part of a Public Benefit Conveyance process associated with the closure of the Brunswick Naval Air Station. The U. S. Department of the Interior sponsored the Town's request for acquisition of the property which includes significant natural, cultural and historic resources and one of the largest un-fragmented and undeveloped pieces of tidal shorefront remaining in Southern Maine.

A Brunswick Town Council appointed stakeholder committee has worked for the past eighteen months to create a proposed trail system and corresponding management plan for this 591 acre parcel which was formally adopted on June 23, 2013. This plan will provide guidance to the MCC Veteran Community Leader working at the direction of the Parks and Recreation Director in prioritizing the development of portions of the trail system.

The trail system calls for a combination of 3.5 miles of shared use paths and 2 miles of footpaths. In addition, the plan articulates a phasing of trail development on the property. There is approximately 2.6 miles of trail designated as "Open Soon" that can be currently used with minimal improvements or used with vegetative clearing and appropriate installation of directional signage. A second phase identified as "Near Term Expansion" requires actual trail construction and/or surface improvement, pending funding capacity. These two phases of the plan's implementation is where the MCC Veteran Community Leader will concentrate their efforts.

Considerable field reconnaissance has already been performed regarding exact location of the various trail alignments which have been recorded and mapped with corresponding GPS coordinates. The MCC Veteran Community Leader will be responsible for becoming familiar and conversant in the plan and its priorities as it will serve to guide his or her work.

Location: Location of Project Site

The location of the project will be the newly acquired Kate Furbish Preserve totaling 591 acres located on the former Brunswick Naval Air Station property which the Town of Brunswick has recently received through a Public Benefit Conveyance process. (See accompanying Recreation, Trails and Open Space (RTOS) Management Plan for descriptions of the property and corresponding maps.)

Essential Functions:

- Must have served in the US Armed Forces and have a DD 214

- High School diploma or equivalent
- Must be at least 18 years old
- Must be a US Citizen and Maine resident
- Must submit to criminal and sex offender background checks
- Have the desire to learn, serve others, and make a difference
- Follows directions
- Responsible and reliable
- Good communication skills
- Excellent work ethic
- Possesses motivation and initiative
- Interest in personal growth and in participating in on-going training
- Eligibility for AmeriCorps and ability to complete term of service

Desired Functions:

- *List 4-6 Desired Functions specific to this position at your site*
- Ability to interpret and administer the RTOS Management Plan and corresponding written work plan as it relates to the Kate Furbish trail development as prepared by Lester Kenway. (See attached work plan.)
- Ability to communicate clearly with volunteers and to lead people in the work of trail clearing and development
- Ability to take direction from the Director of Parks and Recreation regarding the work to be performed in developing the trail system upon the Kate Furbish Preserve.
- Competent and well trained in the safe use and operation of trail clearing machinery and equipment.
- Well refined written and verbal communication skills to be used in the recruitment of citizen volunteers and in increasing public awareness regarding the ongoing development of trails on the Kate Furbish Preserve property.
- Ability to research alternate sources of trail funding and to develop written grant applications for review by the Director of Parks and Recreation

Key Responsibilities:

- *What will the MCC Veteran Community Leader be in charge of within the project?*
- Recruiting volunteer workers and trail stewards
- Training volunteers in proper techniques of clearing and construction of the trails
- Researching way finding signage options, templates and styles for consideration
- Researching alternative funding sources to assist in fully implementing the trail master plan improvements.
- Drafting trail related grant proposals for consideration by the Parks and Recreation Director
- Working with the Parks and Facilities Manager and other departmental staff in coordinating work that cannot be performed by volunteers in developing the trails
- Promotion and awareness building within the community of the trail development as it occurs

Time Commitment:

- 1700 hours

Benefits:

- Weekly living stipend
- State Park Pass

- Basic Health Insurance
- 11 weeks of training
- Environmental Networking
- AmeriCorps Education Award
- This program is approved for use of GI Bill benefits
- Child care reimbursement assistance if eligible
- *Add further benefits specific to the Host Site*
- **Working in a strong team environment in a progressive community that values the importance of trails and open space and its accessibility to community residents**
- **Opportunity to gain exposure to municipal government work**
- **Opportunity to shadow departmental staff by attending meetings involving other high priority local trail projects including the Androscoggin to Kennebec Trail and Androscoggin Riverwalk.**
- **Attendance at meetings involving collaborative partners working locally to further the development of trails and preservation of important trail connections within the Town and to neighboring communities.**

Supervisor & Contact Information:

- *Veteran Community Leader's Direct Supervisor's name, title, and contact information*
- **Thomas M. Farrell, Director
Parks and Recreation Department
30 Federal Street
Brunswick, Maine 04011
Tel# (207) 725-6656 extension 301
Email tfarrell@brunswickme.org**

2. How does this project align with the MCC mission (see About the Maine Conservation Corps)?

This project will align well with all four focus areas which comprise the MCC mission statement.

- **The project is a natural resource related project as it intends to maintain and protect almost 600 acres of coastal high value open space/habitat from future development. The land will be maintained as undeveloped open space in perpetuity with the allowance of low impact passive recreation use. The project has been developed and will be implemented through the collaborative efforts of several private non-profit collaborative partners and led by the Town of Brunswick.**
- **This project will provide the MCC Veteran Community Leader with job training, education and service opportunities. The individual will receive training provided by MCC and subsequent training offered by the Town of Brunswick relative to the operation of equipment, maintenance as well as safe work practices, etc. Relative to education, the individual would receive exposure to the policies and procedures required by the Town in conducting his or her work as well as a deepened understanding of the workings of municipal government and the municipality's collaborative partnerships with other non-profit entities.**
- **As part of the individual's work experience he or she will work in conjunction with the local conservation commission, local land trust staff and other conservation groups and constituencies to develop the trails on the property. Through these connections the individual will be exposed to current standards for conservation protection and the various means by which such protection is secured.**

- One of the primary functions of the job will be to recruit and work closely with citizen volunteers in creating the trails and monitoring their ongoing condition. In addition, the individual will educate volunteers regarding how they are to perform their work and further build a cadre of stewards with specific trail monitoring responsibilities to ensure the facilities are maintained to a high standard pleasing to the public.
3. What is the determined need for this project? How was this need determined? Who or what will benefit from the initiation and completion of the project?

The determined need for the project originates from the Town's desire to protect this property from development, to preserve important habitat and to provide the public with passive recreational access to the property. The Town Council, U S Navy, U S Department of the Interior and a wealth of stakeholders have all worked together to ensure the conveyance of this property to the Town for protection in perpetuity. The environment, flora, fauna and citizens will all benefit from the initiation and completion of the project.

4. Draft a project timeline. How will the project progress and what are the steps that must be taken for the project to come to fruition? What project will the MCC Veteran Community Leader begin in the first weeks of his/her placement?

March 31, 2014 – Undergo departmental training and orientation, read and become conversant with the management plan for the property. Be introduced at meeting of the Brunswick Town Council, Recreation and Conservation Commissions

April 7, 2014 – Walk to Kate Furbish Preserve property and become familiar with the landscape, flagged trail alignments etc., Meet with cultural, historic and natural resources staff and volunteer representatives to understand the areas of high importance for protection and interpretive opportunities.

April 14, 2014- Work with department director and a group of select stakeholders to determine priority areas for initial trail development work. Gain understanding of where the Town is in terms of securing environmental permitting approvals to allow the trail development work to commence.

April 21st – Begin citizen volunteer recruitment efforts.

April 28th – Research alternative funding sources to aid in development of trail construction requiring private contractors and heavy equipment

May 5th – Inquire with the U S Navy about the potential for a Sea Bee unit to assist with the heavy construction equipment work

May 12th – Host volunteer training and continue recruitment efforts

May 19th – Begin leading volunteer work groups to begin clearing trail alignments as recommended in the management plan. (Ongoing projects to continue through November)

May 26th - Begin research for way finding and interpretive signage templates for consideration by department and Town officials.

June 2nd – Meet with Historic/Cultural and Natural Resource Committee Chairs to gain insight into trail naming options. Work with director to determine process for trail naming.

June 2nd - Work with volunteer groups to sign perimeter of parcel with Town of Brunswick property markers.

June 9th – Work to develop a plan for kiosk installation at main trailhead and determine what information is to be displayed.

June 16th – Develop template for rules and management use regulations to be prominently displayed at all trailhead entrances
 June 23rd - Begin preparation for providing an update report to the various Town Boards, Committees and Town Council on work progress to date.
 June 30th – Evaluate progress to date and make recommendations for adjustments in project implementation schedule.
 July 7th – Appear before various Town Boards, Committee’s and Council to present update.
 July 14th – October 15th Continue to lead various volunteer work projects on the site weekly.
 October 16th – November 5th Work to develop final reports and recommendations for future phases of trail construction required and recommendation for volunteer stewardship model to be considered for future implementation.
 November 7th – 11th make final presentations before relevant committees, boards, commission and Town Council.

(Please note that this is a schedule that is subject to change and will require adjustment along the way. The important criteria in defining and readjusting of the work plan is the Recreation, Trails & Open Space Management Plan for the property and weekly priority setting with the Director of Parks and Recreation through the duration of the project.)

5. Veteran Community Leaders receive 11 weeks of training with the MCC in a variety of topics, such as:

- Griphoist and Rigging Operations
- CPR/First Aid
- Grant Writing
- Chainsaw Safety Training
- Leadership
- Communication
- Volunteer Management
- Trail Layout and Design

What, if any, additional training would be provided when the Veteran Community Leader arrives to your organization? How will the Veteran Community Leader be oriented to the specifics of the office environment?

The individual will undergo the standard orientation that all municipal employees receive as well as training in the Town’s Safety Policies and Hazard Communication Plan. The individual will not be an employee of the Town of Brunswick but will receive instruction in the areas important to their job typically required within the department overseeing his or her work.

The individual will be provided with an office space, desk, phone, computer, email and internet access and other necessary supplies to allow them to perform their work in a professional fashion. He or she will be introduced to other employees within and outside the parks and recreation department with whom they will have contact in the performance of their duties.

6. Are there opportunities for youth and volunteers to serve on projects that the MCC Veteran Community Leader will be working on? Please describe how your organization utilizes volunteers.

Yes there will be several opportunities for the individual to work with youth and volunteers on this project as volunteer recruitment and management is one of the primary duties he or she will have.

As a parks and recreation department the municipality involves over 500 volunteers in the delivery of our services annually. Volunteers work in a variety of roles from youth sports coaches, officials, chaperones to maintenance and park development and beautification positions.

7. How will the placement of an MCC Veteran Community Leader enhance your organization's ability to meet long-term goals and build capacity? How will the MCC Veteran Community Leader assist your organization with sustainability (leverage additional financial resources, increase volunteer generation that will continue beyond the MCC Veteran Community Leader's term of service, expand the program to address the stated need, etc.)?

The MCC Veteran Community Leader will indeed help our organization's ability to meet long term goals and build capacity. The department of parks and recreation as with all other municipal departments has lost capacity during the past five years due to the economic downturn in the local and regional economy associated with the closure of Naval Air Station Brunswick. The Town has a long history of success in preserving open space and providing ongoing stewardship of these lands and corresponding trail systems throughout the community. Prior to closure of the Navy Base the department employed seasonal park rangers who provided a uniformed presence in our parks and served as stewards of our parks system and corresponding trails. Due to the need to reduce the workforce these key positions were eliminated from the budget. The MCC Veteran Community Leader will be responsible for rebuilding the capacity lost by recruiting, training and overseeing volunteers to fill this role previously performed by paid personnel. Ideally the individual will develop a plan to ensure the ongoing success of a volunteer stewardship program beyond the window of their service with Brunswick.

The individual will work to identify alternative sources of funding to assist the department in building capacity that will continue after their time in the position. They will research other sustainable models for volunteer stewardship that have proven successful elsewhere in Maine and the country and recommend such models for consideration and subsequent implementation in Brunswick.

8. Will your Host Site be able to provide the MCC Veteran Community Leader with a workstation, computer with Internet access, work e-mail address, phone and access to fax, printer and copier? (all of the above can be shared)

Yes No

9. Will the MCC Veteran Community Leader's Host Site Supervisor:

- Be able to provide orientation and mentoring during the MCC Veteran Community Leader's first weeks and commit to meeting weekly with the MCC Veteran Community Leader for at least 1 hour? Yes No

- Be able to attend a Site Supervisor orientation in the Hallowell area sometime in February or March? Yes No

I agree to work within the guidelines of the AmeriCorps Prohibited Activities list. I have read the Host Site Supervisor Role and Responsibilities and acknowledge my responsibilities. I understand the objectives of the MCC Veteran Community Leader partnership program and will ensure that this submitted project aligns with the objectives. I understand that I must provide daily supervision and guidance for the MCC Veteran Community Leader.



Thomas M. Farrell

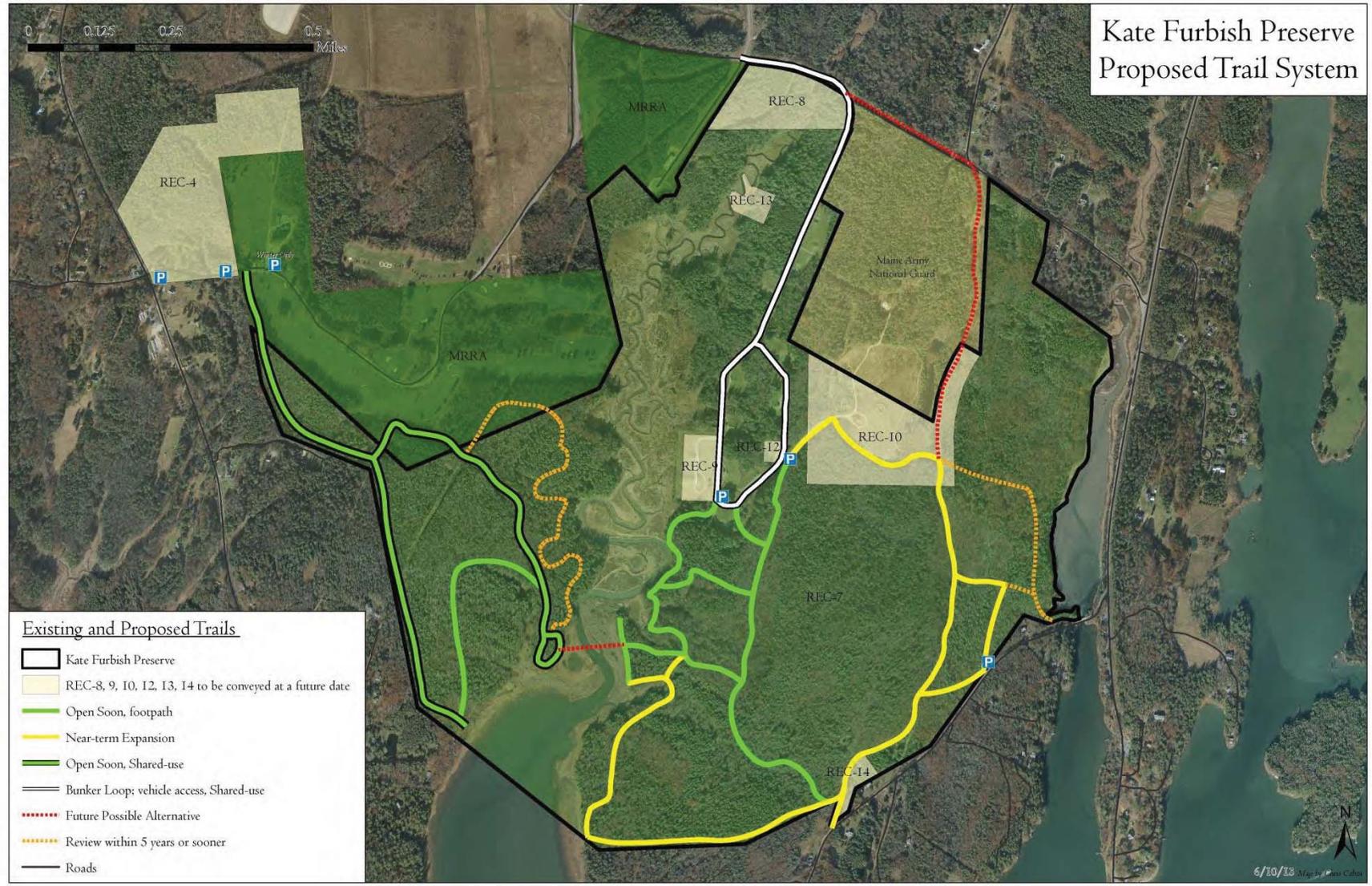
July 10, 2013

Signature & Printed Name

Date

***Host Sites will be notified of acceptance no later than Wednesday, July 24, 2013.

Kate Furbish Preserve Proposed Trail System



- Existing and Proposed Trails**
- Kate Furbish Preserve
 - REC-8, 9, 10, 12, 13, 14 to be conveyed at a future date
 - Open Soon, footpath
 - Near-term Expansion
 - Open Soon, Shared-use
 - Bunker Loop: vehicle access, Shared-use
 - Future Possible Alternative
 - Review within 5 years or sooner
 - Roads

June 17, 2013



MANAGER'S REPORT - E BACK UP MATERIALS

BRUNSWICK PARKS & RECREATION DEPARTMENT

MEMORANDUM

To: John Eldridge, Acting Town Manager
From: Peter ~~Baecher~~ ^{RJB}, Parks and Facilities Manager/Town Arborist
Date: March 13, 2014
Subject: Grant of new floats for Sawyer Park

The Parks and Recreation Department would like to receive 7 new boarding floats through a Replacement Float Grant for the boat launch we maintain at Sawyer Park. These floats would replace the existing 7 older floats used at the launch. The grant program is administered by the Boating Facilities Program through the Bureau of Parks & Lands, under the aegis of the State of Maine Department of Agriculture, Conservation, and Forestry.

These floats would be provided to the Town at no cost, although the Town must pick up the floats in Richmond and haul them to the Sawyer Park location, and return the existing floats. The Public Works Department has graciously agreed to provide a driver, truck and trailer to haul the floats.

In order to receive these floats the Town of Brunswick must sign the agreement (attached) accepting the conditions of the grant listed on the agreement.

This grant would enable the Parks and Recreation Department to maintain high quality floats at the Sawyer Park Boat Launch. We are hopeful that the Town Council will support our application for this grant opportunity.

Please let me know if you would like further details or if you have any questions.



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY

PAUL R. LEPAGE
GOVERNOR

22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022

WALTER E. WHITCOMB
COMMISSIONER

March 7, 2014

Peter Baecher, Parks and Facilities Manager
Town of Brunswick
220 Neptune Drive
Brunswick, ME 04011

RE: Replacement Float Grant
New Meadows River
Brunswick, Maine

Dear Mr. Baecher:

Relative to the Town of Brunswick's request for a Grant-in-Aid from this Program for the referenced facility, please be advised that this Bureau is willing to provide seven (7) 6 ft. x 16 ft. wooden boarding floats for improvements to the Town of Brunswick's boat launch facility on the New Meadows River. This Grant-in-Aid is made pursuant to 12 M.R.S.A., Section 1899, and subject to the following terms and conditions.

In consideration of the acceptance of this assistance, it is expressly understood and agreed that Town of Brunswick shall:

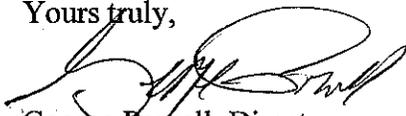
1. Indemnify, defend and hold the State, its agents and employees harmless against all claims, expenses, causes of action, judgments, damages and injuries arising out of the maintenance, operation, use or construction of the boat facility and any real or personal property used in connection therewith;
2. Keep the boat facility open for use by the general public as an outdoor recreational boating facility for the life of the facility.
3. Maintain the boat facility in good order and condition, in compliance with all applicable laws and in a manner to provide a neat and attractive appearance;
4. If any fees are charged for use of the Facilities, such fees shall be nondiscriminatory in nature and shall have received the prior approval of the State Bureau of Parks and Lands; and
5. The Recipient shall post in a prominent place on the Facilities, and shall maintain in good condition, a sign, indicating the availability of the Facilities to the general public.

RE: Replacement Float Grant
New Meadows River
Brunswick, Maine

Attached for your information are recommended maintenance practices for the proper care of the floats we are providing. Failure to properly maintain the floats may reduce their useful life which may affect the recipient's ability to obtain further replacements from this program

We will proceed with the grant upon receipt of the Town of Brunswick's acknowledgment and acceptance of the above conditions. Please have an authorized municipal official sign below and mail to me at: 22 SHS, Augusta, ME 04333-0022.

Yours truly,



George Powell, Director
Boating Facilities Program
Bureau of Parks & Lands

The above conditions are understood and agreed:

TOWN OF BRUNSWICK

Title:

enc. (1)

cc: William Cunningham w/o enc.

BOATING FACILITIES PROGRAM
BUREAU OF PARKS AND LANDS
MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY

Recommended Float Maintenance

Following are minimum standards for maintaining fully pressure treated floats:

1. Remove the floats from the water at the end of the boating season and store them where they can dry out (i.e. parking lot). During storage, treated wood products should be stacked on treated or non-decaying skids of such dimensions and so arranged as to support the material without producing noticeable distortion and to permit an air space beneath the material. Storage areas should be free of debris, decayed wood and vegetation (fire hazard) and should have sufficient drainage to prevent treated wood products from contact with standing water. Treated lumber, when dried after treatment, should be stored under shelter or be covered with a moisture resistant wrap.
2. When removing floats, start with the one furthest from shore.
 - a. Disconnect anchors (if used) (OK to leave anchors in place. Suggest marking them by attaching a small buoy float to the anchor chain so that float sinks below ice level, but is visible in spring).
 - b. Disconnect and remove one float at a time. OK to drag one float at a time up boat ramp to storage area. Connect to both end connectors and avoid sharp turns.
 - c. Remove each float in turn.

(DO NOT TRY TO DRAG MULTIPLE FLOATS AS THIS MAY DAMAGE THE ENDS)

3. Once floats have dried, check for damaged skirts, rails, decking and replace as needed, using Copper Azole type C (CA-C) pressure treated wood. All cuts, holes and injuries such as abrasions or holes from removal of nails and spikes which may penetrate the treated zone should be field treated with copper naphthenate preservatives containing a minimum of 2.0% copper metal(ex. **Copper-Green's® Wood Preservative**, Merichem CuNap-8™ Wood Preservative). It is recommended that the entire accessible portions of the floats be painted with copper naphthenate preservatives containing a minimum of 2.0% copper metal every two years. Use of copper naphthenate preservatives with a minimum of 1.0% copper metal is appropriate in those regions of the country where the higher concentration material is not readily available. Field treatment preservatives should be applied in accordance with the product label. The application method should coat any surface that is exposed by damage or field fabrication while not using excess preservative. Any excess preservative not absorbed by the wood product should be cleaned from the surface prior to the use of the product. All hardware in contact with CA-C treated wood should be stainless steel or hot-dipped galvanized.

4. When re-installing floats at the beginning of the boating season, install one at a time beginning with the one closest to shore.

(DO NOT TRY TO DRAG MULTIPLE FLOATS AS THIS MAY DAMAGE THE ENDS)

MANAGER'S REPORT – F BACK UP MATERIALS

EMERSON FIRE STATION
HVAC EVALUATION
for the
BRUNSWICK FIRE DEPARTMENT
BRUNSWICK, MAINE



JANUARY 2014

WRIGHT-PIERCE 
Engineering a Better Environment

EXECUTIVE SUMMARY

The Emerson Fire Station is a single-story wood and masonry, slab-on-grade structure which consists of three major areas: four drive-through apparatus bays (6,900 square feet), an Equipment Support and Storage Area (2,900 square feet), and an Administration Area (3,860 square feet) which contains offices, training spaces, break room and living quarters. Refer to Figure 1 at the end of this report. When executing this project in 2006, a design-build project delivery method was utilized. Ouellett Associates, Inc., of Brunswick, Maine was the general contractor and they teamed with CWS Architects of Portland, Maine as the project architect.

Ever since the completion of construction, the Department has experienced difficulty maintaining heat within the Apparatus Bays and in maintaining a comfortable environment for the spaces within the Administration Area. This is not uncommon in projects which utilize a design-build delivery method. Though the design-build approach can be an excellent method of executing a project, it does have some inherent disadvantages. Without adequate quality control standards set forth in the procurement documents, utility systems such as HVAC systems are often not given adequate attention. Since even design-build projects are usually awarded to the lowest responsible bidder, the HVAC systems provided will usually be adequate, but not necessarily the systems that best meet the owner's needs.

Wright-Pierce was retained to investigate the existing conditions, to define HVAC system performance issues and to make recommendations for addressing the Department's concerns. One objective of the evaluation involved defining the specific problems. Meetings held with the Fire Department led to the development of a list of performance issues which have been experienced at the Emerson Station. The outline of Performance Issues can be found in the Appendix of this report.

Wright-Pierce conducted several site visits to the Emerson Fire Station to observe the existing conditions at the facility. Thermal imaging and infra-red measurement was performed at various locations to observe the radiant slab heating and to locate any thermal breaks in the exterior building envelope. Wright-Pierce also reviewed the original design drawings and operations and maintenance manuals to understand the existing systems.

Initially, it was believed that a problem existed with the radiant slab heating system. However, results indicate that the system appears to have been properly installed. Our investigation determined that the most significant factors contributing to the problems experienced at the Emerson Fire Station can be summarized as:

- Inadequate integrity of the building envelope, particularly the ceilings;
- Inadequate outside makeup airflow and/or excessive exhaust airflow, which creates significant negative room air pressure, and causes outside air infiltration;
- Reliance on hot air only to heat the Administration Area;
- Air balance and zoning issues within the Administration Area;
- Unit HV-1 in the Apparatus Bays utilizes 100% outside air, with no option to recycle the air within the space;
- Inadequate reliability and adjustment of the boilers;
- Inadequately configured automatic controls for the heating and ventilation units in the Apparatus Bays.

Improvements are required at the Emerson Fire Station in order to provide a proper tempered environment within the various spaces. In this report Wright-Pierce makes specific recommendations for tightening up the exterior envelope of the building and various improvements to the heating, ventilating and air conditioning systems. Many of the recommendations involve installation of additional systems to supplement the existing HVAC systems or enhancements to improve the efficiency and control of the existing systems. Our recommendations can be summarized as:

1. Improve the reliability of the boilers;
2. Rebalance airflows to eliminate the negative pressure within the building;
3. Improve the heating of the Apparatus Bays by mixed air ventilation using unit HV-1. This will significantly reduce the energy required to heat this space;
4. Provide forced hot water perimeter heating to the Administration Area;
5. Provide dehumidification in the Administration Area;
6. Reconfigure HVAC system zoning and automatic control systems;
7. Increase the integrity of the building envelope.

The total preliminary estimated cost to implement all of these improvements is between approximately \$200,000 and \$290,000, depending on the alternatives selected. The recommended improvements are listed in order of priority within the COST section of this report. Implemented can be done in phases based on the financial resources available.

The remainder of this report includes the following sections:

- Background.
- Building Envelope
- Heating, Ventilation and Air Conditioning
- Performance Issues with HVAC Systems
- Recommendations
- Costs
- Appendix – Performance Issues
- Figure 1 - Plan

BACKGROUND

The purpose of this study is to evaluate environmental conditions at the Emerson Fire Station with regard to building envelope integrity, seasonal environmental temperature and humidity conditions, and the design and performance of the heating, ventilating and air conditioning (HVAC) systems.

As part of this evaluation Wright-Pierce performed the following scope of services:

1. With the assistance of the Fire Department, developed a list of the performance issues with the current HVAC system. That list is included in the Appendix.
2. Reviewed the existing conditions at the fire station including the HVAC equipment and the condition of the building envelope.
3. Reviewed the design drawings and documentation pertaining to the existing building.
4. Developed recommendations for addressing the documented problems and improving the performance of the HVAC systems and the thermal envelope of the building.
5. Developed an estimate of the probable costs of the design and construction effort required to complete the recommended improvements.

The following sections of this report discusses observations, measurements and findings obtained during site visits to the facility which took place on August 26, November 18, December 13 in 2013 and January 4 and 8th in 2014, and on detailed review of construction documents (plans and operations and maintenance manuals).

BUILDING ENVELOPE

The building envelope at the Emerson Fire Station consists of:

Masonry Walls

Concrete Masonry Units
Air Barrier membrane
2 inches of polystyrene insulation – R10
Air Space
Brick veneer and siding

Framed Walls

Gypsum wallboard
Poly vapor barrier
Wood studs
Fiberglass insulation – R-19
Plywood sheathing
Building wrap
Siding

Flat Roof

Metal deck
Polyisocyanurate insulation – R-22
EPDM roofing membrane

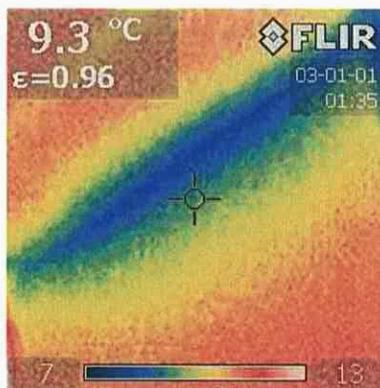
Framed Attics

Gypsum wallboard or
plywood ceiling
Fiberglass insulation – R-38
Wood trusses and framing
Plywood sheathing
Asphalt-fiberglass shingles

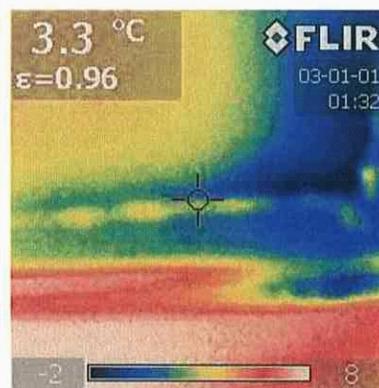
Infra-red imaging of the building exterior did not reveal any significant points of heat loss. The building is under significant negative pressure and the interior imagery did indicate several weaknesses in the building envelope. Locations where cold air is being pulled into the building versus energy leaking out of the envelope.

Walls:

Both the masonry wall system and the wood framed walls incorporate a membrane or air infiltration barrier to limit infiltration. The joints at the top of the walls, particularly the masonry walls in the Equipment Storage and Support Area are definite cold spots. The infra-red images in Photographs 1 and 2 below show the cold areas indicated in blue, at the joint between the wall and the ceiling in the Decon Room. These images indicate that the temperature at the top of the wall is approximately 3 Degrees Celsius (37 Degrees Fahrenheit).



Photograph 1

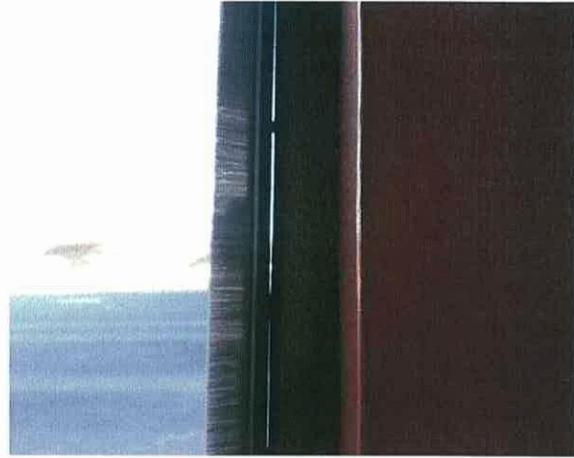


Photograph 2

The design drawings required that a sill sealer be installed at this location in order to limit infiltration at the irregular joint between these two materials. This material was likely not

correctly installed incorrectly, as air movement is readily detectable above the ceiling in the Decon Room. Refer to the areas outlined in Red in Figure 1 located at the end of this report.

The exterior door in the Decon Room swings into the space. This installation does not allow the door to adequately seat against the weather-stripping, contributing to the infiltration and freezing that has been experienced within this room. Gaps in the weather-stripping can be seen in Photograph 3.



Photograph 3 – Gap in the Weather-stripping

Ceilings and Attics:

Unlike the walls, there is no separate air barrier material installed in the wood framed ceilings at the Administration Area and in the Storage and Equipment Support Area. The gypsum wallboard and the plywood ceiling at the Mezzanine is all that separates the conditioned spaces from the attic. Cracks, joints and penetrations in these materials readily allow the passage of air between the conditioned and unconditioned spaces.



Photograph 4 – Attic Insulation

Inspection of the attic spaces reveals that the insulation is missing in several locations and does not extend to the perimeter of the building. Insulation stops and propa-vents have not been properly installed and the insulation was held back excessively from the vented eaves. Refer to Photograph 4 which is a typical location where the insulation has been pulled back and never properly replaced.

The lower framed roof over the Administration Area also lacks upper level venting of the attic. Passive ventilation is provided at the eaves only and a fan is utilized to exhaust air from the attic. Ideally the temperature within the attic should be as close as possible to the outdoor temperature. Excessive heat buildup within the attic produces ice damaging along the edges of the roof. Refer to Photographs 5, 6 and 7 and the areas outlined in blue in Figure 1 at the end of this report.



Photograph 5 - Ice Dams



Photograph 6 - Ice Dams



Photograph 7 - Ice Dams

HEATING, VENTILATION AND AIR CONDITIONING

This section includes a description and performance of HVAC systems at the Emerson Fire Station. Refer to Figure 1 at the end of this report for the location of each unit. The performance issues of each system are included in the following section of this report.

Heating Plant:

Two Weil McLain “Ultra” high-efficiency boilers located in the Mechanical Room provide heating hot water to slab radiant heating systems in the Apparatus Bays and the Equipment Support and Storage Area, and to a Superstor indirect-heated domestic water heater. Hot water is distributed to each area via a primary/secondary hydronic loop. The loop serving the domestic hot water system was piped backwards, causing short-circuiting of water in that loop. Correcting this issue is a relatively simple effort.



Photograph 8 - Boilers

The operation of these boilers has been problematic ever since completion of construction. According to reports by personnel, Boiler B-1 frequently fails to ignite, as indicated on the display panel. On numerous occasions service technicians have responded to correct flame failure conditions without success. The flame failure lock out issue does not follow a regular pattern, and occurs after five failed attempts to start. At this point the boiler shuts down requiring manual reset, and an alarm signal is generated.

Boiler B-2 typically operates more dependably. On occasion however, both B-1 and B-2 have both failed to ignite. Boiler B-1 also operates as lead boiler the majority of the time, which may contribute to uneven wear.

On December 13, 2013, the existing heating plant installation and operation was observed. The outside air temperature was 12° Fahrenheit at 8:30 AM, 28° F at 10:30 AM. At this time, the boiler discharge hot water temperature was 146° F. According to the plans, the outside temperature reset schedule for boilers B-1 and B-2 is as follows:

| <u>Outside Air Temperature</u> | <u>Hot Water Discharge Temperature</u> |
|--------------------------------|--|
| 60° F | 120° F |
| 0° F | 180° F |

According to the boiler manufacturer, the hot water discharge temperature should be adjusted to 190° F when the outside air temperature is 25° F versus the current set-point of 180° F at 0° F.

In the three underfloor radiant heating zones, the hot water temperature for each zone is controlled by a three-way tempering valve. Radiant loops 2 and 3 serve the Apparatus Bays, and radiant loop 1 serves the Equipment Storage and Support Areas. No heating performance data for the radiant loops or the manifolds is included in the design drawings or maintenance manuals. According to the control drawings, the loop hot water temperature varies between 70° F and 100° F, based on room temperature set-point. On January 8, 2014, water temperature control for radiant loop 3 oscillated continuously between 0 and 100 percent open, while controls for radiant loops 1 and 2 were relatively stable.

Maintaining temperature in the apparatus bay during heating season is a recurring issue. According to personnel, on January 5, 2014 the zone temperature in the Apparatus Bays failed to rise above 50 degrees Fahrenheit. During this period the outside air temperature ranged between -16°F and 11°F. On January 7, 2014, the outside air temperature ranged between 3°F and 18°F, the temperature in the Apparatus Bays was 64°F, and the radiant heating system was able to maintain the Apparatus Bay temperature set-point. On January 8, 2014 the temperature in the Apparatus Bays was 59° F, while the outside air temperature was approximately 7° F. Refer to the following sections of this report for recommendations for addressing the concerns with the boilers.

Apparatus Bays:

The Apparatus Bays and Hose Tower are primarily heated by underfloor (slab) radiant heating, with heat provided by the two high-efficiency boilers. Refer to Figure 1 at the end of this report for the locations of the HVAC equipment. Additional heating and ventilation is available from an indirect gas-fired makeup air unit HV-1 which provides 800,000 BTUh (British Thermal Units per hour) capacity. A vehicle exhaust system which can accommodate up to five vehicles is ventilated by exhaust fan EF-6. General exhaust to the Apparatus Bays is provided by exhaust fans EF-4 and EF-5. According to the plans, when HV-1 is operating, 7,000 cfm of makeup air is provided to the Apparatus Bays and Hose Tower, and 10,000 cfm of air is exhausted from the space, for a 3,000 cfm net negative airflow. A review of the balancing report shows that HV-1 was balanced to provide 6,076 cfm, with exhaust fans balanced as follows: EF-4 (3,520), EF-5 (3,532) and EF-6 (2,935), for a net negative airflow of 3,911 cfm (64 percent more exhaust than supply).

Units HV-1, EF-4 and EF-5 are not automatically controlled; these units are manually controlled at the automatic temperature control panel in the Boiler Room, and are typically not operated. Unit EF-6 is automatically turned on when a fire vehicle engine is started.



*Photograph 9 - Unit HV-1
Ceiling of the Apparatus Bays*

Unit HV-1 is only operated as an outside air makeup unit. Some accommodations for return air recirculation are in place; however, it is listed as a “bypass air” loop, intended to be used only when hoses are being dried in the Hose Tower. A 48-inch by 18 inch return air opening (six square feet) is located on the top of the return air plenum. However, the return air opening is located approximately 3 inches from the underside of the roof deck, which offers an actual free area of only approximately 2.75 square feet.

On January 8, 2014 at 10:00 AM, HV-1 fan, Stage 1 heat and Stage 2 heat of the unit were operated manually to determine if this unit could act as backup primary heat to supplement the radiant heating system. According to the temperature controls system, the Apparatus Bay temperature set point is 68° F; the room temperature at the time was 60.9° F, Stage 1 heating was at approximately 100 percent and stage 2 heating was approximately 0 percent.

Equipment Storage and Support Area:

Rooms in this area are heated by underfloor (slab) radiant heating, with heat provided by the high-efficiency boilers in the Mechanical Room. Aside from ventilation provided to the Hose Tower, the Equipment Support and Storage Area receives no tempered supply air. Air is exhausted from this area by exhaust fans EF-1, EF-2 and EF-3. A small dehumidifier is located in the Bunker Gear Locker room. When EF-1, EF-2 and EF-3 operate, 625 cfm of air is exhausted from this space, with no makeup air provided.

Administrative Area:

Rooms in this area are heated, cooled and ventilated by three gas-fired split system A/C air handling systems located within the attic. There is no radiant heating serving this area. Refer to Figure 1 for the equipment locations and the layout of the zones within the Administration Area. HVAC-1 provides conditioned air to offices and the Training Room. HVAC-2 serves the Dayroom, Kitchen and Dining Room. HVAC-3 serves the bunk rooms, the shower rooms, Exercise Room and adjacent corridors. Condensing units serving these air handling units are located on the flat roof above the support/storage area. Supply air ductwork distributes the air to the various spaces. Plenum areas above suspended ceilings are used as return air plenums. Exhaust fans EF-1, EF-2 and EF-7 exhaust air from shower rooms 1 and 2, exercise room, the public toilet room, janitor's closet and the server room, in addition to various rooms in the Equipment Storage and Support area. Exhaust fan EF-8 provides heat relief exhaust from the mechanical crawl space. HVAC-1, 2 and 3 are not designed to provide economizer cooling, cooling that utilizes direct outside air at lower ambient temperatures.

Unit HVAC-1 was manufactured to provide 1,170 cfm of mixed ventilation air to the spaces it serves; the duct system it serves is designed to provide a total of 1,280 cfm of room airflow. Outside air and return air quantities are not noted on the design drawings. Exhaust air is 225 cfm by fan EF-2.

According to a balancing report by Yankee Balancing dated April 29, 2006, the balanced airflow data for areas served by HVAC-1 and EF-2 are as follows:

Supply air: 1,175 cfm
Outside air: 175 cfm
Return air: 1,000 cfm
Exhaust air: 210 cfm

This indicates a net negative airflow of 35 cfm.

Unit HVAC-2 was manufactured to provide 1,170 cfm of mixed ventilation air to the spaces it serves; the duct system it serves is designed to provide a total of 1,110 cfm of room airflow. Outside air and return air quantities are not noted on the design drawings. A compensating-type commercial kitchen exhaust hood is located above a gas-fired range in the kitchen; 1,600 cubic feet per minute (cfm) of airflow is captured from the hood and is exhausted from the building by roof exhaust fan KEF-1. According to the design, 1,200 cfm of unheated makeup air is provided to the hood by a roof-mounted supply fan KSF-1, for a net negative airflow of 400 cfm from KEF-1.

According to the balancing report, the balanced airflow data for areas served by HVAC-2, KSF-1 and KEF-1 are as follows:

Supply air (HVAC-2): 1,100 cfm
Outside air: 150 cfm
Return air: 950 cfm
Supply air (KSF-1): 1202 cfm
Exhaust air (KEF-1): 1682 cfm

This indicates a net negative airflow of 330 cfm when the kitchen hood is operating, and a positive airflow of 150 cfm when the kitchen hood is not operating. A follow-up site visit indicates that the actual supply airflow to the kitchen hood may be significantly lower.

Unit HVAC-3 was manufactured to provide 1,560 cfm of mixed ventilation air to the spaces it serves; the duct system delivers a total of 1,560 cfm of room airflow. Note that outside air and return air quantities are not noted on the design drawings. Exhaust consists of 250 cfm of air by fans EF-1 and EF-7.

According to the balancing report, the balanced airflow data for areas served by HVAC-3, EF-1 and EF-7 are as follows:

Supply air (HVAC-2): 1,630 cfm
Outside air: 220 cfm
Return air: 1410 cfm
Exhaust air (E-1): 135 cfm
Exhaust air (EF-7): 110 cfm

This indicates a net negative airflow of 25 cfm.

In general, the entire building operates under a negative air pressure when all of the HVAC equipment operates, especially in the Apparatus Bays, rooms in the Equipment Storage/Support Area and in the Kitchen and Dining Room during mealtimes.

PERFORMANCE ISSUES WITH HVAC SYSTEMS

Summarized below is a list of performance issues at Emerson Fire Station. These issues are a result of observations by Wright-Pierce, as well as by Fire Department personnel.

Unit HV-1 Operation (Apparatus Bays):

Unit HV-1 was originally intended to operate to provide tempered makeup air to the space, to compensate for air exhausted by fans EF-4 and EF-5 (7,000 cfm total). Evidently, air exhausted by EF-6 was not considered when sizing HV-1. As a result, when all three exhaust fans operate, there is a 3,000 cfm net negative airflow, and a substantial inrush of cold ambient air occurs

when the apparatus bay doors open. When no equipment directly serving the Apparatus Bay operates, a negative air pressure condition is produced by mechanical exhaust equipment in the Equipment Storage and Support area. If the outside temperature is 20° F and the Apparatus Bay temperature set-point is 60° F, an additional 129,600 Btu per hour of heat is required in order to maintain the temperature. The HV-1 air distribution system was designed to be operated as a makeup air system, not as a mixed-air system, which has proved to be prohibitively expensive. Since the response time of the radiant heating system is relatively long, the heating system in the apparatus bays cannot keep up if the bay doors are opened on a frequent basis. This issue also results in greater fuel consumption than is otherwise required.

Decontamination Room Temperature Issue:

Fire department personnel have experienced freezing conditions in this room. Performance of the radiant floor heating system has been called into question, as well as questionable integrity of exterior wall insulation and weatherization.

As part of the building evaluation, Wright-Pierce personnel conducted thermal testing of the radiant heating system on December 13, 2013. A thermal imaging camera was used to evaluate the effectiveness of the slab radiant heating system. Thermal images indicate that the radiant heating system in the floor under the decontamination room appears to operate satisfactorily; however, the room has exhaust air only, creating a strong negative air pressure which pulls in cold ambient air in greater quantities than the slab heating system can successfully heat. Areas above the suspended ceiling were examined; inadequately applied weatherproofing and sealing of exterior walls were found. Temperatures in the plenum areas were measured as low as 38° F, indicating that significant leakage appears to occur at this location. Refer to Photographs 1 and 2 on page 2 of this report.

Environmental Control Issues in Administration Area:

Fire department personnel have experienced difficulty in maintaining comfortable temperature and humidity levels in the Sleep Wing (Corridor, Dayroom, Exercise Room, Shower Rooms 1 and 2 and Bunkrooms 1 through 4). Specific observations by personnel are as follows:

- Inadequate temperature control, difficulty maintaining a comfortable temperature in each of the spaces during both summer and winter;
- Inadequate humidity control in the summer, particularly in the Bunk Rooms and the Day Room, requiring the use of residential type dehumidifiers;
- Inadequate zoning of the spaces.

Temperature Control:

As part of the thermal testing conducted on the building on December 13, 2013, a thermal imaging camera was used primarily on exterior walls to evaluate wall thermal and weatherization integrity. An infrared heat gun was simultaneously used to take temperature readings on interior surfaces of the exterior walls at 2'-0", 5'-0" and 8'-0" above finished floor, to establish areas requiring attention. A review of temperatures measured indicates that exterior walls were uniformly warmest at approximately 5'-0" above finished floor, with colder temperatures experienced at floor and ceiling level.

Using all-air HVAC systems to heat buildings in New England commonly results in low temperatures at floor levels. While all-air systems can satisfactorily provide heat to room interior spaces, the natural tendency of hot air to rise makes heating of floors and lower wall surfaces difficult, especially at the juncture of concrete floors and exterior grade. This issue does not occur when either perimeter radiation or slab radiation heating systems are provided.

Lower temperatures at ceiling level indicate possible deficiencies in establishing wall seals, which allow air to infiltrate down from the attic or from outside, as indicated under the Building Envelope section of this report. This is also a condition consistent with the negative net airflow conditions throughout the building.

Humidity Control:

Fire Station personnel have observed high humidity conditions in the living quarters area, to the point where they have observed pooling water within the ductwork. The three air handling units have integral drip pans and condensate drains for both the high efficiency furnaces and cooling coils. These condensate drains should be adequate to handle normal quantities of condensate, but are not adequate, possibly due to blockages in the drain lines. As a result, additional drip

pans have been installed under the units, and residential-grade dehumidifiers are operated in the sleep wing area in the summer months to reduce humid air conditions.

Three possible causes for elevated humidity are as follows:

- Overall building negative air pressure- During the summer months, the air handling unit introduces cooled air into the spaces. At the same time, warm, moist air passes through cracks between the living spaces and the attic and outside due to the net negative air pressure within the building relative to the outside. This air gets cooled as well, and the relative humidity within the spaces elevates to uncomfortable levels.
- AHU cooling discharge temperature- The discharge air temperature setpoint at the cooling coil may not be low enough to remove significant moisture from the air.
- Night-time cooling- As the outside temperature drops at night, outside ambient relative humidity levels rise, often to dewpoint levels (100 percent). As a result, very moist air is introduced into the system.

Refer to the following section of this report for the recommendations that address the concern with excessive humidity in the Administration Area.

Zoning issues:

The Administration Area is divided into three separate zones along the main corridor: the office/training area to the east, the kitchen/dining area in the middle, and the sleep wing to the west. However, the HVAC-1 system circulates some air to and from the Dining Room and Kitchen, in addition to the offices and Training Room. Similarly, the HVAC-2 system circulates some air to and from the sleep wing, in addition to the Kitchen. Refer to Figure 1 at the end of this report. This approach makes environmental air control more difficult within each wing, particularly if the operating schedules of the air handling units differ from one another. Thermostats serving each area were relocated in an effort to improve zoning; however, this proved ineffective. Use of the ceiling plenum for return air circulation cannot be properly balanced, and contributes significantly to poor zoning of the systems.

Kitchen Exhaust System:

Fire station personnel have noted a significant air imbalance when operating the HVAC system while the kitchen hood is operating. Balanced airflow quantities for the HVAC-2 system indicated above indicate a 14.3 percent supply air deficit while the hood operates. Typically, air imbalances in rooms do not exceed five percent, either positive or negative. As mentioned above,

actual supply airflow to the compensating kitchen hood may be significantly lower than the balanced values listed. This may be due to KSF-1 becoming unbalanced, or to dirty filters.

HVAC System Balance:

It is not clear that the HVAC systems were ever properly balanced. Closer review indicates that the original mechanical plans were unclear as to proper quantities of outside air and return air to the air handling units, requiring the balancing contractors to decide this on their own. In addition, establishment of these quantities do not appear to have taken into account air exhausted from adjacent spaces. This resulted in the negative air pressure conditions mentioned above throughout the office/training/living quarters area. This negative air pressure is exacerbated by a total lack of supply air to the Equipment Storage and Support Area, and also by negative air pressures created in the Apparatus Bays when HV-1, EF-4, EF-5 and EF-6 operate simultaneously.

RECOMMENDATIONS

The following recommendations are made to increase the integrity of the building envelope and improve the HVAC systems at the Emerson Fire Station. Note that providing a proper air balance will significantly limit the heat loss due to infiltration, limiting the impact of any weakness in the building exterior.

Walls:

Where exposed-to-view, it is evident that attempts have been made to caulk the joint at the tops of the walls. This joint is concealed in many locations and cannot be readily addressed. Where exposed-to-view this joint should be re-sealed. Refer to the area outlined in red in Figure 1 located at the end of this report.

The door to the Decon Room should also be replaced with an out-swinging door and new weather-stripping.

Ceilings and Attics:

The separation between the wood framed attics and the conditioned spaces is not air tight and there are gaps in the insulation system. The thermal envelope of the building would be improved by:

- Sealing the joints, cracks and penetrations in the ceilings;
- Installation of insulation stops and propa-vents at the eaves;
- Completing the insulation.

Implementing the steps above would certainly improve the thermal efficiency of the building, but would not provide a true “air barrier” between the attic and the conditioned spaces. The only definitive method to seal the ceilings at this time would involve temporary removal of the fiberglass insulation to allow application of 2 inches of spray foam insulation. Then reinstallation of the fiber glass insulation over the spray foamed insulation. This alternate approach would provide a true “air barrier” that is compliant with current energy codes, codes that exceed those in effect in 2006. Unfortunately this approach would also be very costly.

Attic Venting:

Additional venting is required at the attic space over the Administration Area in order to limit heat building up with the attic and ice damming. The new venting should be installed as high as possible within the attic space. Due to the low pitch on the roof achieving the proper ventilation without creating the potential for roof leakage will be a challenge addressed during detailed design. Refer to the areas outlined in blue in Figure 1 located at the end of this report.

Optimize Boiler Operation:

The performance of the two gas-fired condensing boilers can be improved by doing the following:

- Enlist the services of a certified boiler technician directly from the Weil-McLain factory to troubleshoot and tune both boilers.
- Adjust Outside Temperature Reset Schedule- This work would involve a minor setpoint adjustment in the direct digital controls system.
- Reverse Flow Direction to Indirect Water Heater- This work would involve reversing the inlet and outlet positions of Pump P-6 to reverse the flow.

It is likely that a manufacturer's technician will be able to resolve the problem with the misfiring of the boilers. Since it is possible that a significant rebuild or replacement of the boilers will be necessary, the estimated cost of full replacement of the boilers has been included as an alternate cost in the table at the end of this report.

Improve Apparatus Bay Zone Pressurization:

Operating all three existing exhaust fans EF-4, 5 and 6 creates a 64 percent net negative airflow. If EF-6 and either EF-4 or EF-5 operate, the net negative airflow reduces to 6.4 percent. Year-round automatic control of HV-1, EF-4 and EF-5 should be provided to replace the current manual controls. This change would involve modifying and adjusting the controls programming in the existing direct digital controls system.

Improve Apparatus Bay Heating:

On very cold days, the slab radiant heating system cannot maintain temperature setpoints in the Apparatus Bays. At the same time, HV-1 has ample capacity to provide supplemental heat, but is not used. The HV-1 makeup air distribution system should be modified for use as a mixed-air ventilation system as well. Reliable automatic stage 1 and stage 2 heating control needs to be established. Return air registers should be provided, and the system controls should be modified to allow for mixed air or full recirculation operation. This system should be controlled to maintain levels of carbon dioxide (CO₂) in the Apparatus Bays below 700 parts per million (ppm). Exhaust systems in the Equipment Storage/Support area will maintain pressure balance.

Provide Supply Air in Equipment Storage and Support Area:

A total of 460 cfm of tempered supply air should be provided in the decontamination room, toilet room, bunker gear lockers and workroom. This would reduce or eliminate freezing conditions in the decontamination room. This would be accomplished by installing a small gas-fired rooftop air handling unit on the flat roof and ducting down to the various rooms.

Provide Positive Room Air Pressurization in Administration Area:

Reducing or eliminating infiltration in the office/training/Living Quarters area will improve occupant comfort in the winter and summer. This would be accomplished by providing three

ducted return air systems, and by rebalancing the various HVAC systems and exhaust air systems to establish a slight positive air pressure in the rooms with respect to the outside.

Provide Hydronic Radiation in Administration Area:

Providing a consistently warm living environment is essential to occupant comfort, particularly in temporary living quarters. Preliminary calculations indicate that a total of approximately 25,000 Btu per hour of additional heat in the form of perimeter fin-tube radiation with individual room zone controls would accomplish this; the existing boilers have sufficient unused capacity to provide this additional heating to those spaces.

Provide Outside Air Dehumidification for HVAC-1, 2 and 3 Systems

Establishing humidity control in the Administration Area will be accomplished in part by rebalancing these systems to provide a slight positive air pressure in these areas. The existing condensate drain lines should also be checked for any blockages. However, to definitively address this concern, an in-line dehumidifier should be installed in the outside air ductwork upstream of HVAC-1, 2 and 3 to remove moisture from the air prior to entering these units. This would involve either mounting a dehumidification unit on the flat roof and ducting in to the air handling units, or installing a unit in the roof trusses and adjusting the outside air ductwork to pass through this unit.

Rebalance Kitchen Supply and Exhaust Airflows:

In order to reduce or eliminate the negative airflow condition in the kitchen and dining room, the quantity of makeup air needs to be increased to the neighborhood of 1,400 cfm. This could be accomplished by replacing the existing 1/3 horsepower motor with a 1/2 horsepower motor, and increasing the fan rpm until the desired airflow is achieved. In addition, the filter in the supply air system should be replaced three times per year.

SUMMARY AND COSTS

Based on our observations we determined that there are many contributing factors to the difficulty in maintaining the proper conditioned environment within the building. The most significant of these can be summarized as:

- Inadequate integrity of the building envelope, particularly the ceilings;
- Inadequate outside makeup airflow and/or excessive exhaust airflow, which creates significant negative room air pressure, and causes outside air infiltration;
- Reliance on hot air only to heat the Administration Area;
- Air balance and zoning issues within the Administration Area;
- Unit HV-1 in the Apparatus Bays utilizes 100% outside air, with no option to recycle the air within the space;
- Inadequate reliability and adjustment of the boilers;
- Inadequately configured automatic controls for the heating and ventilation units in the Apparatus Bays.

Implementing the recommended improvements and enhancements will address the performance issues experienced at the Emerson Fire Station. The table below summarizes the estimated costs to execute our recommendations indicated within this report. The improvements summarized in the following Table are listed in the order of priority and importance in addressing the concerns at the station.

This estimate is based on Wright-Pierce's experience on similar projects, was developed utilizing industry standards and is appropriate for use in planning and budgeting by the Town. A more detailed estimate of the anticipated costs would be developed during final design of the proposed improvements. The cost for each item includes an estimate of the labor and materials to implement each improvement. The line item Contingency and Direct Costs includes the estimated costs of engineering services based on a percentage of the total work.

TABLE OF ESTIMATED COSTS

| PR | Proposed Improvement | Cost | Alternate Cost |
|-----|---|------------------|------------------|
| 1 | Optimize Boiler Operation | \$2,500 | |
| 1A | Boiler Replacement, if Required | | Add \$15,000 |
| 2 | Improve Apparatus Bay Heating | \$6,000 | |
| 3 | Improve Apparatus Bay Zone Pressurization | \$5,000 | |
| 4 | Provide Supply Air in Equipment Storage/ Support Area | \$14,000 | |
| 5 | Provide Dehumidification for the Admin Area | \$24,000 | |
| 6 | Provide Perimeter Radiant Heat in the Admin Area | \$23,000 | |
| 7 | Provide Positive Air Pressurization in the Admin Area | \$20,000 | |
| 8 | New Door in the Decon Room | \$2,000 | |
| 9 | Seal Top of Masonry Walls | \$2,000 | |
| 10 | Install Insulation stops in Attic | \$15,000 | |
| 11 | Correct the Attic Insulation | \$7,000 | |
| 12 | Install Venting of the Attic at the Admin Area | \$10,000 | |
| 12A | Spray Foam Attic Insulation Alternative | | Add \$45,000 |
| 13 | Rebalance the Kitchen Supply and Exhaust Airflow | \$3,000 | |
| | | | |
| | Net Costs | \$133,500 | \$193,500 |
| | Contractor Overhead and Profit | \$13,350 | \$19,350 |
| | Contingency and Direct Costs | \$51,400 | \$74,500 |
| | Total | \$198,000 | \$287,000 |

After the Fire Department and the Town has had the opportunity to review this report, Wright-Pierce is available to assist them in understanding each of the recommendations and in developing a plan to implement any improvements selected.

APPENDIX

HVAC System Evaluation for the Emerson Fire Station Brunswick, Maine

Performance Issues

Summarized below are the problems and performance issues that have been observed by the Fire Department at the Emerson Station.

Apparatus Bays

- Radiant system and the supplemental system cannot provide adequate heat
- Supplemental AHU now runs all of the time during the winter (which is a change)
- High fuel consumption

Decon Room

- Has experienced freezing
- Radiant heat not functioning in this space?
- Poor integrity of exterior wall, can actually feel the wind through the wall
- Source of issue is likely due to missing sill sealer at top of walls

Occupied Areas

- Poor temperature control, difficulty maintaining a comfortable temperature in each of the spaces during both summer and winter
- Poor humidity control, particularly in the Bunk Rooms and the Day Room requiring the use of residential type dehumidifiers
- Poor zoning of the spaces
- The HVAC system is cannot accommodate the exhaust at the range in the Kitchen

General

- Possible imbalance in the ventilation system
- The building appears to be under negative pressure pulling air from cold attic into the building
- Water has been observed in the ductwork
- Possible cross ventilation between heated and cold spaces

- It is not clear that the HVAC systems were ever properly balanced.

Attic

- Poor venting, missing propa-vent and insulation stops
- Displaced and missing insulation
- Actually had snow within the attic
- Ice damming observed at several areas in the Administration Area

MANAGER'S REPORT - G BACK UP MATERIALS

**Town of Brunswick
2014-15 Budget Calendar**

| R | DATE | DAY | TIME | * | ACTION | COMMENTS |
|----------|-------------|------------|-------------|----------|---|---|
| C | Mar-24 | Mon | 7:00 PM | | Regular Council Meeting Manager Update - CIP Delivered | |
| C | Mar-31 | Mon | 7:00 PM | | Council Workshop CIP Presentation | |
| C | Apr-07 | Mon | 7:00 PM | | Regular Council Meeting Manager Budget | |
| C | Apr-10 | Thu | 7:00 PM | | Council Workshop Department Presentations | |
| C | Apr-17 | Thu | 7:00 PM | | Council Workshop Department Presentations | |
| C | Apr-24 | Thu | 7:00 PM | | Council Workshop Budget Deliberations | |
| C | Apr-28 | Mon | 7:00 PM | | Regular Council Meeting | |
| C | May-01 | Thu | 7:00 PM | * | Special Council Meeting Council Receives Budget | Council Receives Budget Sets Budget and CIP Hearing |
| C | May-05 | Mon | 7:00 PM | | Regular Council Meeting | School Board Presentation Referendum Date by Warrant |
| C | May-08 | Thu | 7:00 PM | | Council Workshop Budget Deliberations | Council Takes Public Input on Budget |
| C | May-12 | Mon | 7:00 PM | | Regular Council Meeting | |
| C | May-15 | Thu | 7:00 PM | * | Public Hearing Budget and CIP | Charter Section 502 |
| C | May-19 | Mon | 7:00 PM | | Council Workshop Budget Deliberations | |
| C | May-22 | Thu | 7:00 PM | | Council Workshop Budget Deliberations | |
| C | May-27 | Tue | 7:00 PM | | Council Workshop Budget Deliberations | Council Direction on Tentative Resolutions |
| C | May-29 | Thu | 7:00 PM | * | Special Council Meeting Budget Adoption | Adoption 10 or More Days after Public Hearing |
| C | Jun-02 | Mon | 7:00 PM | | Regular Council Meeting | |
| C | Jun-10 | Tue | 8:00 AM | * | School Budget Referendum | 20-A MRSA 1486 |
| C | Jun-16 | Mon | 7:00 PM | | Regular Council Meeting | |
| C | Jun-30 | Mon | 7:00 PM | | Special Council Meeting 2013-14 Year-end | |

ITEM 28

BACK UP MATERIALS



Town of Brunswick, Maine

INCORPORATED 1739

MARINE RESOURCES & HARBOR MANAGEMENT

85 PLEASANT STREET

BRUNSWICK, MAINE 04011

TELEPHONE 207-725-5521 FAX 207-725-6663

Email – ddevereaux@brunswickpd.org



Daniel R. Devereaux

Marine Resource Officer

Harbormaster

MEMO

TO: John Eldridge, Acting Town Manager
FROM: Daniel R. Devereaux MRO/HM
CC: Brunswick Town Council
DATE: March 19, 2014

RE: Amendment to Chapter 11 Marine Activities, Structures, and Ways Article 1 Harbor, Coastal, Tidal, Navigable, and Fresh Waters (Attorney Reviewed)

Mr. Eldridge,

Please find the attached proposed amendments **Chapter 11 Marine Activities, Structures, and Ways Article 1 Harbor, Coastal, Tidal, Navigable, and Fresh Waters**. These are the same amendments offered at the last Town Council Meeting. Based on comments made during the meeting, it was unclear if the Town attorney had reviewed the amendments submitted, therefore I had the amendments reviewed in further detail and additional recommendations are attached.

The attorney (Nancy McBrady) has made a procedural recommendation in § 11-4 (D) Termination, by inserting boiler plate language for a local appeals process. I would consider this procedure not a substantive change to the initial proposed language, as it actually builds in one more appeal process prior to any appeal to Maine Supreme Court under the Maine Rules of Civil Procedure, and therefore would be considered less restrictive. Adopting this language is at the will of the council and is not necessarily a legal requirement, however it is strongly recommended.

It should be noted that at the March 15th meeting it appeared to be a consensus of the members of the Town Council, including both Councilors Walker and Wilson (Sponsoring Councilors) to not institute any fees associated with moorings during the 2014 season. This concept is supported by staff; as it would allow staff sufficient time for public notification of the implementation of the any new ordinance provisions adopted by the council over the course of the spring and summer.

As stated in prior meetings, “these proposed revisions are specific items pertinent to harbormaster operations which have been vetted (since 2005 or earlier) by town council, staff, various committees and adhoc study groups. It is Harbormaster and sponsor-Councilors' opinion that these changes represent the "basics" that should form the backbone of a functional harbor ordinance. The revisions, if adopted, would bring Brunswick in line with other coastal towns along the Coast of Maine.”

If you have any questions please feel free to contact me.

Respectfully Submitted,



**TOWN OF BRUNSWICK
PUBLIC HEARING**

THE **BRUNSWICK TOWN COUNCIL** will hold a **public hearing** at their regular meeting on Monday, March 24, 2014, 7:00 p.m. in the Council Chambers, at the Town Hall, 85 Union Street, to receive public comment on the following amendments:

Item 1. The Town Council will hear public comments on amendments to Chapter 11 “Marine Activities, Structures and Ways - Article 1 Harbor, Coastal Tidal and Navigable Fresh Waters” relative to the Harbormaster’s authority and mooring requirements, and will take any appropriate action.

For more information contact the Town Manager’s office at 725-6659.

INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE
COMMUNICATION PLEASE CONTACT THE TOWN MANAGER’S OFFICE AT
725-6659 (TDD 725-5521)

Fran Smith, Town Clerk
Brunswick, Maine

Times Record – March 13, 2014

Chapter 11

MARINE ACTIVITIES, STRUCTURES AND WAYS*

* **Cross References:** Conservation commission, § 2-76 et seq.; buildings and building regulations, Ch. 5; fire prevention and protection, Ch. 7; housing, Ch. 8; solid waste, Ch. 13; streets, sidewalks and other public places, Ch. 14; discharge of sewerage into surface waters prohibited, § 16-26; zoning and subdivision of land, App. A; marine construction, App. A, § 407.

State Law References: Waters and navigation, 38 M.R.S.A. § 1 et seq.

Art. I. Harbor, Coastal, Tidal and Navigable Fresh Waters, §§ 11-1--11-25

Art. II. Reserved, §§ 11-26--11-70

Art. III. Shellfishing, §§ 11-71--11-165

Div. 1. Generally, §§ 11-71--11-95

Div. 2. Marine Resource Committee, §§ 11-96--11-110

Div. 3. Shellfish Regional Advisory Commission, §§ 11-111--11-130

Div. 4. License, §§ 11-131--11-160

Div. 5. Regulations, §§ 11-161--11-165

ARTICLE I.

HARBOR, COASTAL, TIDAL AND NAVIGABLE FRESH WATERS

Sec 11.0 General

- (a) Purpose: to establish the harbor, coastal, tidal and navigable waters within the waters of the Town of Brunswick, Maine, and to regulate these waters in order to ensure safety to persons and property, to promote availability, preservation and use of valuable public resources, and to create a fair and efficient framework for administration of the same.
- (b) Authority: This article is adopted pursuant to the authority granted by M.R.S.A Title 38 Section 1-13 and M.R.S.A Title 30-A section 3001.

Sec. 11-1 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to

them in this section, except where the context clearly indicates a different meaning:

Anchorage: All navigable waters defined within the municipal boundaries of the Town of Brunswick.

Boat Yard: A place adjacent to coastal waters, where, as a business or gainful occupation, boats are hauled, stored, repaired and/or constructed.

Channels: Those paths designated by this chapter for navigation in or access to the harbor, coastal, tidal and navigable fresh waters of Brunswick. There shall be no mooring or anchoring placed in ANY defined channel.

Commercial use: A use with profit as a primary aim.

Houseboat: A raft, hull, barge or vessel, designed primarily to be used as a commercial establishment or living quarters, rather than for navigation.

Idle speed: The minimum speed necessary to maintain steerage and control of a moving watercraft

Jurisdictional Waters: All navigable waters within the confines of the municipal boundaries of Brunswick, including the New Meadows and Androscoggin Rivers as well as any navigable fresh water.

Marina: An all-tide waterfront facility, whose activities include sales, storage, and maintenance of boats, and which provides slips or moorings for permanent or transient berthing, sells fuel, and supplies for boats and provides vehicle parking

Mooring: A means of securing a vessel to a particular location, other than a pier or dock, an underwater device either, helix, granite block, or mushroom, which tethers boats. A temporary mooring is one which is constructed to be hauled out of the water seasonally. A permanent mooring is one which is constructed to winter over in the water. A flats mooring is one which is located on the mud flats at low tide.

Mooring Service: A business engaged in installing and inspecting moorings, which employs mooring inspectors.

Non-resident: All persons not residents of the Town of Brunswick are classified as non-residents.

Resident: A person who occupies a dwelling for more than 6 months in a calendar year within the Town of Brunswick, a Brunswick real estate tax payer, or a registered voter in the Town of Brunswick.

Town Wharfs: Any floats or structures located within the confines of town owned or operated boat launches.

Watercraft: Any type of vessel, boat, barge, float, or craft used as a means of transportation on the water.

(Ord. of 4-4-05)

Sec. 11-2 Channels

- (A) *Establishment of channels*. Two (2) channels are established, described as follows:
- (1) Commencing at the **Old** Bath Road bridge (formerly Route #1) as it crosses the New Meadows River, thence following the high water mark of the New Meadows River southerly to the southerly tip of Howard Point, thence easterly to the town line between Brunswick and West Bath, thence following the town line northerly to the Bath Road bridge, thence westerly along the Bath Road bridge to the point of beginning.
 - (2) Commencing at the mean high water line on the Merepoint Boat Launch ramp surface and extending approximately three hundred fifty (350) feet to the southeast between buoys marking the fifty (50) foot wide approach lane to the ramp.
- (B) *Passage of vessels*. A person shall not use any watercraft or any other device or structure within the described channels so as to interfere with or impede the passage of vessels in the channel in any manner.
- (C) *Mooring*. A person shall not place, anchor, or moor any watercraft within the described channels without the permission of the harbormaster.

(Ord. of 4-4-05)

Sec. 11-3 Harbormaster

- (A) *Appointment*. The town shall appoint a harbormaster annually on May 1st for a period of three years.
- (B) *Duties*. The harbor master shall have the following powers and duties:
- (1) Upon completion of required training and certification by the Maine Harbor Master Association and the Maine Criminal Justice Academy the harbormaster shall have the authority granted by MRSA Title 38 Sections I-1A and the authority to carry a weapon and make arrest.**
- (2)(1)**To the extent of jurisdiction, enforce any and all federal, state and local laws, ordinances, codes, rules or regulations relating to the management and control of Brunswick's harbor, coastal, tidal and navigable fresh waters, shores, coastline, boat launch facilities, and floats; and provide information or seek input as appropriate from any source, including the marine resources committee, marine wardens, town manager, town council, or town attorney.

~~(3)~~(2) Approve and control the placement of moorings within the harbor, coastal, tidal and navigable fresh waters of Brunswick.

(Ord. of 4-4-05)

Sec. 11-4 Moorings

- (A) *Registration.* All existing moorings located in the harbor, coastal, tidal and navigable fresh waters of Brunswick shall be registered annually by May 1st with the Office of the Harbormaster. All new mooring shall be registered prior to the location of the mooring. Registrations shall be on forms provided by the harbormaster that, ~~at a minimum,~~ require the following information:
- (1) Description of vessel including state and/or federal registration numbers, make and model, color, length, propulsion, draft and weight of the watercraft moored
 - (2) ~~Type of mooring ball or buoy;~~ The applicants name (or names, in the event the mooring is to be held jointly by adult members of the same household), physical address of any abutting property, mailing address, home phone number, and email address if applicable
 - (3) Type and weight of mooring
 - (4) Type and size of bottom and top chains
 - (5) A name, address, and telephone number of a local emergency contact, whom the mooring owner authorizes to make decisions surrounding the mooring in their absence
 - (6) GPS location of mooring
 - (7) The signature of the applicant and date of application
 - (8) Date of installation and most recent inspection
 - (9) **Fees:**
 - (a) Mooring registration fees shall be determined by the Brunswick Town Council, and may be amended from time to time. Mooring registrations and fee schedules will be available at the Town Clerks Office.
 - (10) Mooring Inspection Required
 - (a) A complete inspection, on a form provided by the harbormaster, of existing moorings outside of commercial mooring fields must be completed and submitted every other year and upon initial installation by a certified mooring inspector listed in the Town's mooring inspector registry.

Existing moorings: All existing moorings in the harbor, coastal, tidal and navigable fresh waters of Brunswick shall be registered within ninety (90) days of the effective date of this article. The

~~harbormaster shall send via First Class U.S. Mail notification of the registration requirement and a copy of this article to all owners of existing moorings.~~

~~New moorings: After the effective date of this article, all moorings shall be registered prior to location of the mooring.~~

(B) *Placement standards.* The harbormaster shall approve the location of all moorings in the harbor, coastal, and tidal waters of Brunswick, except for existing commercial moorings in mooring fields already approved by the Army Corps of Engineers and the Maine Department of Environmental Protection. All moorings shall meet the following standards:

- (1) Moorings shall be ~~reasonably~~ adequate for the size, weight and windage of the watercraft.
- (2) Moorings shall be located in areas that do not interfere with navigation.
- (3) Moorings shall not encroach into the channels of Brunswick.
- (4) Moorings shall be located in areas that do not ~~unreasonably~~ **adversely** affect natural resources.
- (5) Moorings shall not be located in areas that are inconsistent with the terms or conditions offered to, or required by, any federal, state or local agency as part of a regulatory permitting process.

All ~~new~~ moorings that meet the above standards but are not placed in the location approved by the harbormaster shall be moved by the owner at his or her own expense in accordance with the instructions of the harbormaster. ~~Any existing moorings that do not meet the above standards shall be removed, repaired, replaced or relocated as applicable. In the event of the failure of the owner to comply with this subsection (b),~~ **In the event of a mooring owner's failure to comply with the relocation and/or removal instructions of the harbormaster,** the harbormaster shall move or remove the improperly located mooring and the cost shall be borne by the owner of the mooring.

(6) **Where practicable, the harbormaster may locate the mooring within reasonable proximity of the of the owners property.**

(C) *Identifying numbers.* Identifying numbers shall be issued to mooring owners, and mooring balls and buoys must be clearly marked with the issued number. Numbers shall be a minimum of four (4) inches and visible at all times. Replacement mooring balls and buoys shall maintain the originally assigned number. **An annual mooring registration sticker, issued by the Harbor Master upon completion and approval of the mooring application, shall be affixed to the top of the mooring buoy for which it was assigned.**

(D) **Termination: All persons who had been assigned a mooring and whose mooring assignment is to be terminated by the harbormaster for reasons of non-compliance with this article or any other reason shall receive written notification from the harbormaster. This notice shall state the fact of the termination and the reason for such, and inform the applicant of any appeals procedures**

through the Maine Rule of Civil Procedures.

Sec. 11-5. Operation of watercraft.

Operation of watercraft at greater than idle speed within two hundred (200) feet of the shoreline or within the channels of Brunswick is prohibited.

(Ord. of 4-4-05)

Sec. 11-6. Town launch facilities.

- (A) Use of town launch facilities consistent with the provisions of this article shall be permitted.
 - (1) Commercial uses of town launch facilities require a special activity permit from the town clerk
- (B) The following activities are prohibited at town launch facilities:
 - (1) Storage of bait, catch, for unreasonable periods of time, as determined by the harbormaster.
 - (2) Processing of seafood products; for the purposes of this section, "processing" does not include washing clams by repeated submersion of bushel bags in the water.
 - (3) Anchoring or mooring.
 - (4) Tying up to floats for more than thirty (30) minutes.
 - (5) Swimming or fishing in designated areas.
 - (6) Power loading or unloading, boat washing, boat painting, and bilge draining.

(Ord. of 4-4-05)

Sec. 11-7. Disruptive conduct.

No person shall disrupt the safe and lawful activities, or in any way threaten the public safety, in or around town launch facilities, floats, harbors, or tidal and coastal waters of the Town of Brunswick.

(Ord. of 4-4-05)

Sec. 11-8. Menaces to navigation.

The harbormaster is authorized to take whatever action is necessary and appropriate to remove any menace to navigation within the harbor, coastal, tidal and navigable fresh waters of the Town of Brunswick. This shall include, but is not limited to, contracting for removal of the menace by the authorities of the State of Maine, Federal Government, or a private contractor at the expense of either the Town of Brunswick, some other

governmental entity, or the private entity responsible for the creation of the menace.
(Ord. of 4-4-05)

Sec. 11-9. Dumping of sewage prohibited.

No person may discharge, spill or permit to be discharged sewage, garbage, or other pollutants from any boat into the harbor, coastal, tidal and navigable fresh waters within the boundaries of the Town of Brunswick or onto the ice or banks thereof in such a manner that the same may fall or be washed into such waters or in such a manner that the drainage may flow into such waters.
(Ord. of 4-4-05)

Sec. 11-10. Failure to obey order of the harbormaster.

As provided by 38 M.R.S.A., Section 13, a person is guilty of failure to obey an order of the harbormaster if the person intentionally, knowingly or recklessly fails to obey any lawful order of the harbormaster authorized pursuant to 38 M.R.S.A., Section 1, et seq. Failure to obey an order of the harbormaster is a Class E Crime.
(Ord. of 4-4-05)

Sec. 11-11. Forfeiture.

Any skiff, float, dock, fishing gear, or wharf left tied to a town float without proper identification, or left sunk, or awash, for a period exceeding forty-eight (48) hours shall be deemed abandoned for the purposes of this section. Moorings and skiffs abandoned by their owners shall be impounded by the harbormaster and disposed of according to the procedure outlined in 25 M.R.S.A., Section 401. The town shall not be liable for any damage sustained by an the impounded property, skiff or mooring
(Ord. of 4-4-05)

Sec. 11-12. Enforcement.

This chapter shall be enforced pursuant to the provisions of 30-A M.R.S.A. § 4452, as amended from time to time. Any person found in violation of this article shall, after notice and hearing, lose his or her mooring privileges and all rights to use the town launch facilities and floats. In addition, the town shall have available all other remedies provided by law.
(Ord. of 4-4-05)

--11-25. Reserved.

**ATTORNEY'S REVISED
VERSION**

Attorney Recommendations are in Green Highlights

Chapter 11

MARINE ACTIVITIES, STRUCTURES AND WAYS*

* **Cross References:** Conservation commission, § 2-76 et seq.; buildings and building regulations, Ch. 5; fire prevention and protection, Ch. 7; housing, Ch. 8; solid waste, Ch. 13; streets, sidewalks and other public places, Ch. 14; discharge of sewerage into surface waters prohibited, § 16-26; zoning and subdivision of land, App. A; marine construction, App. A, § 407.

State Law References: Waters and navigation, 38 M.R.S.A. § 1 et seq.

Art. I. Harbor, Coastal, Tidal and Navigable Fresh Waters, §§ 11-1--11-25

Art. II. Reserved, §§ 11-26--11-70

Art. III. Shellfishing, §§ 11-71--11-165

Div. 1. Generally, §§ 11-71--11-95

Div. 2. Marine Resource Committee, §§ 11-96--11-110

Div. 3. Shellfish Regional Advisory Commission, §§ 11-111--11-130

Div. 4. License, §§ 11-131--11-160

Div. 5. Regulations, §§ 11-161--11-165

ARTICLE I.

HARBOR, COASTAL, TIDAL AND NAVIGABLE FRESH WATERS

Sec 11.0 General

- (a) Purpose: to establish the harbor, coastal, tidal and navigable waters within the waters of the Town of Brunswick, Maine, and to regulate these waters in order to ensure safety to persons and property, to promote availability, preservation and use of valuable public resources, and to create a fair and efficient framework for administration of the same.
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them in this section, except where the context clearly indicates a different meaning:

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(Ord. of 4-4-05)

Sec. 11-2 Channels

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- (B) *Passage of vessels*. A person shall not use any watercraft or any other device or structure within the described channels so as to interfere with or impede the passage of vessels in the channel in any manner.
- (C) *Mooring*. A person shall not place, anchor, or moor any watercraft within the described channels without the permission of the harbormaster.

(Ord. of 4-4-05)

Sec. 11-3 Harbormaster

- (A) *Appointment*. The town shall appoint a harbormaster annually on May 1st for a period of three years.
- (B) *Duties*. The harbor master shall have the following powers and duties:
- (1) Upon completion of required training and certification by the Maine Harbor Master Association and the Maine Criminal Justice Academy the harbormaster shall have the authority granted by 38 M.R.S.A Title 38 Sections 111 - 1A and the authority to carry a weapon and make arrest.
 - ~~(2)~~(4) To the extent of jurisdiction, enforce any and all federal, state and local laws, ordinances, codes, rules or regulations relating to the management and control of Brunswick's harbor, coastal, tidal and navigable fresh waters, shores, coastline, boat launch facilities, and floats; and provide information or seek input as appropriate from any source, including the marine resources

committee, marine wardens, town manager, town council, or town attorney.

~~(3)~~(2) Approve and control the placement of moorings within the harbor, coastal, tidal and navigable fresh waters of Brunswick.

(Ord. of 4-4-05)

Sec. 11-4 Moorings

- (A) *Registration.* All existing moorings located in the harbor, coastal, tidal and navigable fresh waters of Brunswick shall be registered annually by May 1st with the Office of the Harbormaster. All new mooring shall be registered prior to the location of the mooring. Registrations shall be on forms provided by the harbormaster that, ~~at a minimum,~~ require the following information:
- (1) Description of vessel including state and/or federal registration numbers, make and model, color, length, propulsion, draft and weight of the watercraft moored
 - (2) Type of mooring ball or buoy; The applicants name (or names, in the event the mooring is to be held jointly by adult members of the same household), physical address of any abutting property, mailing address, home phone number, and email address if applicable
 - (3) Type and weight of mooring
 - (4) Type and size of bottom and top chains
 - (5) A name, address, and telephone number of a local emergency contact, whom the mooring owner authorizes to make decisions surrounding the mooring in their absence
 - (6) GPS location of mooring
 - (7) The signature of the applicant and date of application
 - (8) Date of installation and most recent inspection
 - (9) **Fees:**
 - (a) Mooring registration fees shall be determined by the Brunswick Town Council, and may be amended from time to time. Mooring registrations and fee schedules will be available at the Town Clerks Office.
 - (10) Mooring Inspection Required
 - (a) A complete inspection, on a form provided by the harbormaster, of existing moorings outside of commercial mooring fields must be completed and submitted every other year and upon initial installation by a certified mooring inspector listed in the Town's mooring inspector registry.

Existing moorings: All existing moorings in the harbor, coastal, tidal and navigable fresh waters of

~~Brunswick shall be registered within ninety (90) days of the effective date of this article. The harbormaster shall send via First Class U.S. Mail notification of the registration requirement and a copy of this article to all owners of existing moorings.~~

~~New moorings: After the effective date of this article, all moorings shall be registered prior to location of the mooring.~~

(B) *Placement standards.* The harbormaster shall approve the location of all moorings in the harbor, coastal, and tidal waters of Brunswick, except for existing commercial moorings in mooring fields already approved by the Army Corps of Engineers and the Maine Department of Environmental Protection. All moorings shall meet the following standards:

- (1) Moorings shall be ~~reasonably~~ adequate for the size, weight and windage of the watercraft.
- (2) Moorings shall be located in areas that do not interfere with navigation.
- (3) Moorings shall not encroach into the channels of Brunswick.
- (4) Moorings shall be located in areas that do not ~~unreasonably~~ **adversely** affect natural resources.
- (5) Moorings shall not be located in areas that are inconsistent with the terms or conditions offered to, or required by, any federal, state or local agency as part of a regulatory permitting process.

All ~~new~~ moorings that meet the above standards but are not placed in the location approved by the harbormaster shall be moved by the owner at his or her own expense in accordance with the instructions of the harbormaster. ~~Any existing moorings that do not meet the above standards shall be removed, repaired, replaced or relocated as applicable. In the event of the failure of the owner to comply with this subsection (b),~~ **In the event of a mooring owner's failure to comply with the relocation and/or removal instructions of the harbormaster,** the harbormaster shall move or remove the improperly located mooring and the cost shall be borne by the owner of the mooring.

- (6) **Where practicable, the harbormaster may locate the mooring within reasonable proximity of the of the owners property.**

(C) *Identifying numbers.* Identifying numbers shall be issued to mooring owners, and mooring balls and buoys must be clearly marked with the issued number. Numbers shall be a minimum of four (4) inches and visible at all times. Replacement mooring balls and buoys shall maintain the originally assigned number. **An annual mooring registration sticker, issued by the Harbor Master upon completion and approval of the mooring application, shall be affixed to the top of the mooring buoy for which it was assigned.**

(D) Termination: All persons who had been assigned a mooring and whose mooring assignment is to be terminated by the harbormaster for reasons of non-compliance with this article or any other reason shall receive written notification from the harbormaster. This notice shall state the fact of

the termination and the reason for such, and inform the applicant of any appeals procedures through the Maine Rule of Civil Procedures the following appeal procedures:

- (1) Any person directly aggrieved by a decision, order, rule, or action by the harbormaster may appeal said decision, order, rule or action to the Town Council.
- (2) Such appeal shall be made in writing within 30 calendar days of the decision, order, rule, or act from which the appeal is taken. It must state with specificity the decision, order, rule, or act from which the appeal is taken and the reason for the appeal. The Town Council at its next regular meeting shall consider the appeal. The decision on appeal by the Town Council shall be written and state the reasons and basis for the decision.
- (3) Any decision, order, rule, or act by the harbormaster concerning the location of moorings, as a result of which location there is an immediate danger to life or property, shall not be stayed pending the appeal.
- (4) Any party directly aggrieved by the decision of the Town Council may appeal within thirty (30) days to the superior court in accordance with the Maine Rule of Civil Procedures.

Sec. 11-5. Operation of watercraft.

Operation of watercraft at greater than idle speed within two hundred (200) feet of the shoreline or within the channels of Brunswick is prohibited.
(Ord. of 4-4-05)

Sec. 11-6. Town launch facilities.

- (A) Use of town launch facilities consistent with the provisions of this article shall be permitted.
 - (1) Commercial uses of town launch facilities require a special activity permit from the town clerk
- (B) The following activities are prohibited at town launch facilities:
 - (1) Storage of bait, catch, for unreasonable periods of time, as determined by the harbormaster.
 - (2) Processing of seafood products; for the purposes of this section, "processing" does not include washing clams by repeated submersion of bushel bags in the water.
 - (3) Anchoring or mooring.
 - (4) Tying up to floats for more than thirty (30) minutes.

- (5) Swimming or fishing in designated areas.
- (6) Power loading or unloading, boat washing, boat painting, and bilge draining.

(Ord. of 4-4-05)

Sec. 11-7. Disruptive conduct.

No person shall disrupt the safe and lawful activities, or in any way threaten the public safety, in or around town launch facilities, floats, harbors, or tidal and coastal waters of the Town of Brunswick.

(Ord. of 4-4-05)

Sec. 11-8. Menaces to navigation.

The harbormaster is authorized to take whatever action is necessary and appropriate to remove any menace to navigation within the harbor, coastal, tidal and navigable fresh waters of the Town of Brunswick. This shall include, but is not limited to, contracting for removal of the menace by the authorities of the State of Maine, Federal Government, or a private contractor at the expense of either the Town of Brunswick, some other governmental entity, or the private entity responsible for the creation of the menace.

(Ord. of 4-4-05)

Sec. 11-9. Dumping of sewage prohibited.

No person may discharge, spill or permit to be discharged sewage, garbage, or other pollutants from any boat into the harbor, coastal, tidal and navigable fresh waters within the boundaries of the Town of Brunswick or onto the ice or banks thereof in such a manner that the same may fall or be washed into such waters or in such a manner that the drainage may flow into such waters.

(Ord. of 4-4-05)

Sec. 11-10. Failure to obey order of the harbormaster.

As provided by 38 M.R.S.A., ~~Section~~ § 13, a person is guilty of failure to obey an order of the harbormaster if the person intentionally, knowingly or recklessly fails to obey any lawful order of the harbormaster authorized pursuant to 38 M.R.S.A., ~~§ Section~~ 1, *et seq.* Failure to obey an order of the harbormaster is a Class E Crime.

(Ord. of 4-4-05)

Sec. 11-11. Forfeiture.

Any skiff, float, dock, fishing gear, or wharf left tied to a town float without proper identification, or left sunk, or awash, for a period exceeding forty-eight (48) hours shall be deemed abandoned for the purposes of this section. Moorings and skiffs abandoned by their owners shall be impounded by the harbormaster and disposed of according to the procedure outlined in 25 M.R.S.A., ~~§ Section~~ 401. The town shall not be liable for any damage sustained by an the impounded property. skiff or mooring

(Ord. of 4-4-05)

Sec. 11-12. Enforcement.

This chapter shall be enforced pursuant to the provisions of 30-A M.R.S.A. § 4452, as amended from time to time. Any person found in violation of this article shall, after notice and hearing, lose his or her mooring privileges and all rights to use the town launch facilities and floats. In addition, the town shall have available all other remedies provided by law.

(Ord. of 4-4-05)

--11-25. Reserved.