

**BRUNSWICK TOWN COUNCIL**

**Agenda**

**June 16, 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

Council Committee Updates

Adjustments to the Agenda

**MANAGER'S REPORT**

- (a) Financial Update
- (b) Recycling and trash pick-up for July 4<sup>th</sup> Holiday
- (c) Update on idling trains in Brunswick
- (d) Update on the Graham Road landfill issues
- (e) Nomination to the MMA Legislative Policy Committee and ideas for legislation (*Action possible*) (*This item is returning from June 2<sup>nd</sup> meeting*)

**PUBLIC HEARING**

- 72. The Town Council will hear public comments on the following Special Amusement License, and will take any appropriate action. (Manager)

**Special Amusement**

Maine & Noble LLC

D/B/A: Brunswick Hotel and Tavern (New Name)

4 Noble Street

J. Hilary Rockett

**HEARING/ACTION**

**NEW BUSINESS**

73. The Town Council will consider adopting a “Resolution Amending the 2013-14 Budget to Appropriate an Additional \$150,000 for the Purpose of the Designing, Renovating, Equipping and Occupancy of the McLellan Building for Municipal Use,” and will take any appropriate action. (Manager)  
**ACTION**
74. The Town Council will consider setting a public hearing for July 7, 2014, on the Zoning Ordinance amendments relative to eliminating the sixty day restriction for political signs, and will take any appropriate action. (Chair Pols)  
**ACTION**
75. The Town Council will consider executing the Common Area Maintenance Agreement with MRRA, and will take any appropriate action. (Manager)  
**ACTION**
76. The Town Council will consider accepting and expending funds from the Brunswick Topsham Land Trust (BTLT) in an amount up to \$11,000 for the purpose of developing maps and other materials in support of applications to the Maine Department of Environmental Protection (MDEP) seeking permits to construct trails within the Kate Furbish Preserve, and will take any appropriate action. (Manager)  
**ACTION**
77. The Town Council will consider action on the HOME Consortium renewal agreement, and will take any appropriate action. (Manager)  
**ACTION**

**CONSENT AGENDA**

- a) Approval of Games of Chance for the Brunswick Lodge of Elks, B.P.O. Elks #2043, 179 Park Row

**Brunswick Town Council  
Agenda  
June 16, 2014  
Council Notes and Suggested Motions**

**COUNCIL COMMITTEE UPDATES**

Councilors with information on the Committees they are involved with will share information with the Council and public. The Sidewalk Committee will present recommendations.

**MANAGER'S REPORT:**

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

Suggested Motion: No motion is required.

- (b) Recycling and trash pick-up for July 4<sup>th</sup> Holiday: This item is to inform the public that curbside trash and recycle pick-up will still be on Friday, July 4<sup>th</sup> even though this day is a holiday.

Suggested Motion: No motion is required.

- (c) Update on idling trains in Brunswick: This item is to provide the Council and public an update on this matter. A copy of an email from Mary Heath regarding this subject is included in your packet. Mr. Eldridge has contacted Patricia Quinn and is awaiting a response.

Suggested Motion: No motion is required.

- (d) Update on Graham Road landfill issues: Mr. Eldridge will update the Council and public on some issues surrounding this location.

Suggested Motion: No motion is required.

- (e) Nomination to the MMA Legislative Policy Committee and ideas for legislation (Action possible) (This item comes back from the June 2nd meeting) This is the Council's opportunity to make a nomination for a position on this Committee that is not exclusive to Brunswick, but can be a Brunswick official. Currently, Abbe Yacoben of Freeport and Elinor Multer of Harpswell share this position on the Committee. You are not required to provide a nomination, and you will appoint to the position that solely belongs to Brunswick at a future time. In addition, MMA is looking for ideas for MMA's 2015-2016 Legislative Agenda. If any Councilors have ideas, you can either provide them at the meeting or via email to Fran Smith so they can be finalized prior to the deadline of June 20<sup>th</sup>. Copies of the information on nominations and ideas forms are included in your packet.

Suggested motion:

The Council can opt to provide names for nominations, but are not required. The nominee(s) must complete a form giving consent to serve if selected.

**PUBLIC HEARING**

72. This item is the required public hearing on a renewal Special Amusement License for Brunswick Hotel and Tavern. They are requesting live music. Copies of the public hearing notice and application are included in your packet.

Suggested Motion:

Motion to approve a Special Amusement License for Brunswick Hotel and Tavern, located at 4 Noble Street.

**NEW BUSINESS**

73. This item is the final action on this budget amendment on the Town Hall renovation as outlined in the “Resolution Amending the 2013-14 Budget to Appropriate an Additional \$150,000 for the Purpose of the Designing, Renovating, Equipping and Occupancy of the McLellan Building for Municipal Use.” This resolution will authorize the additional funds needed to cover the expenses beyond the original approved amounts. The process for amending the budget is outlined in the Town Charter Section 504. Upon the recommendation of the Town Manager, the Town Council may amend the budget. The Council shall hold a public hearing at least 10 days prior to the adoption of any amendment. Any increase to the total budget appropriations for the year shall only be taken from unappropriated available revenue. Copies of a memo from Mr. Eldridge and the draft resolution are included in your packet.

Suggested Motion:

Motion to adopt the “Resolution Amending the 2013-14 Budget to Appropriate an Additional \$150,000 for the Purpose of the Designing, Renovating, Equipping and Occupancy of the McLellan Building for Municipal Use.”

74. This item, sponsored by Chair Pols, considers setting a public hearing for July 7, 2014, on Zoning Ordinance amendments relative to eliminating the sixty day restriction for political signs. At the request of the Council, the Planning Board reviewed existing language that permitted political signs only sixty days prior to an election and mandated removal within five days after the election. Similar language in other communities has been determined to be unconstitutional, so the Council requested the Planning Board to come back with adjustments to the language in light of this. At the end of their process, the Board voted to strike the restriction that limited the time that signs could be up. Copies of a memo from the Planning Department, draft language, and letter from the Town Attorney are included in your packet

Suggested Motion:

Motion to set a public hearing for July 7, 2014, on the Zoning Ordinance amendments relative to eliminating the sixty day restriction for political signs.

75. This item is to consider approving the Common Area Maintenance Agreement with Midcoast Regional Redevelopment Authority (MRRA). MRRA has provided a letter asking that the Town of Brunswick execute the attached “JOINDER TO ROAD AND COMMON FACILITIES MAINTENANCE AGREEMENT.” According the letter, “the Reuse Master Plan and Operations Plan for Brunswick Landing envisioned that the cost of maintaining that public infrastructure would be shared among all tenants and land owners at Brunswick Landing.” The CAM fee cost assessed to the Town is “...assessed annually on a proportionate basis of building square footage as a percent of total square footage of buildings at Brunswick Landing.” Copies of a memo from Mr. Eldridge, along with the agreement and an email from the Town Attorney, are included in your packet.

*Suggested Motion:*

Motion to authorize the Town Manager to execute “JOINDER TO ROAD AND COMMON FACILITIES MAINTENANCE AGREEMENT” between the Town of Brunswick and Midcoast Regional Redevelopment Authority.

76. This item follows the Town Council’s previous action of June 17, 2013, when it adopted the Recreation, Trails and Open Space Management Plan for the Kate Furbish Preserve that recommended the development of a comprehensive trail system on the property. To allow for the trail work to proceed in full, regulatory permits will need to be obtained from the Maine Department of Environmental Protection. With this donation of funds from the Brunswick Topsham Land Trust, the Town will be able to engage Stantec Consulting Services to perform the necessary wetland delineation/survey work required for the Town to submit applications for permit consideration. Copies of memo and proposal for services from Stantec are included in your packet.

*Suggested Motion:*

Motion to accept and expend funds from the Brunswick Topsham Land Trust in the amount of \$11,000 to pay the costs associated with a proposal from Stantec Consulting Services for natural resource survey and environmental permitting work at the Kate Furbish Preserve.

76. This item is to renew the HOME Consortium agreement which was originally executed in June 2008, and renewed in June 2011. The Town is being asked to execute an agreement extending its participation through 2018. Mr. Eldridge reviewed materials from the Brunswick Housing Authority and the Portland’s Planning and Urban Development Department, and he believes the advantages cited as part of the Town’s original participation are still relevant. He recommends the Council support the renewal. Copies of a memo from Mr. Eldridge, along with supportive materials around the original agreement and proposed agreement, are included in your packet.

*Suggested Motion:*

Motion to authorize the Town Manager to execute documents required for Brunswick’s continued participation in the HOME Consortium.

## **CONSENT AGENDA**

- a) Approval of Games of Chance for the Brunswick Lodge of Elks, B.P.O. Elks #2043, 179 Park Row: This item is the semi-annual approval of games for the Elks. A copy of their letter of request is included in your packet.

*Suggested Motion:*

Motion to approve the Consent Agenda.

*Suggested Motion:*

Motion to adjourn the meeting.