

BRUNSWICK TOWN COUNCIL

Agenda

February 24, 2014

Council Chambers

Municipal Building

85 Union Street

Pledge of Allegiance

Roll Call

Public Comment:

Correspondence:

Council Committee Updates

Adjustments to the Agenda:

MANAGER'S REPORT:

(a) Financial Update

(b) Update on Brunswick Marine Resources, including commercial shellfish license allocation

(c) Acceptance of Byrne Memorial Grant to replace six cruiser radios (*Action required*)

(d) Update on the sale of 28 and 30 Federal Street and authorization to extend sale date (*Action required*)

(e) Update on the Municipal Budget

(f) Report on Standard & Poor's Rating Services

NEW BUSINESS

16. The Town Council will hear comments from the Parks and Recreation Director and a report from a representative of the Maine Forest Service regarding a proposed prescribed burn of one half of the 66 acre Captain William Fitzgerald Recreation and Conservation Area located off the Old Bath Road in East Brunswick, and will take any appropriate action. (Manager)

ACTION

17. The Town Council will consider adopting the Harbor Management Plan, and will take any appropriate action. (Councilor Walker and Councilor Wilson)

ACTION

18. The Town Council will hear an update on the Municipal Building project, and will determine if any future action is needed. (Manager)

DISCUSSION

CONSENT AGENDA

- a) Approval of the Minutes of February 3, 2014
- b) Approval of the Minutes of February 10, 2014
- c) Approval of Quitclaim Deed for Map 025 Lot 005 Sub 000 Typ 018

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

**Brunswick Town Council
Agenda
February 24, 2014
Council Notes and Suggested Motions**

COUNCIL COMMITTEE UPDATES

Council Committee updates will be done after correspondence. Councilors with information on the Committees they are involved with will share information with the Council and public.

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) Update on Brunswick Marine Resources including commercial shellfish license allocation: Dan Devereaux will provide the Council and the public with an update on the status of the Shellfish Management program in Brunswick and discuss the number of allocated commercial shellfish licenses. A copy of a memo from Officer Devereaux is included in your packet.

Suggested Motion: No motion is required.

- (c) Acceptance of Byrne Memorial Grant to replace six cruiser radios (*Action required*): The Police Department has been awarded this grant in the amount of \$7,119.00. The funds will be used to replace six of their mobile radios and accompanying antennas. The current ones are over 10 years old and this would be an opportunity to replace them at no cost to the Town. A copy of a memo from Captain Waltz is included in your packet.

Suggested Motion:

Motion to accept and expend the Byrne Memorial grant in the amount of \$7,119.00 to replace six mobile radios and their antennas.

- (d) Update on the sale of 28 and 30 Federal Street and authorization to extend sale date (*Action required*): CEI would like to extend the closing date with BDC for 28 and 30 Federal Street until June 18, 2014. As part of the agreement, BDC has requested the Town agree to this extension. A copy of a memo from Mr. Eldridge is included in your packet.

Suggested Motion:

Motion to authorize the Town Manager to sign Amendment No. 1 to the Contract for the Sale of Commercial Real Estate that would extend the closing between the BDC and the Town on the properties at 28 and 30 Federal Street.

- (e) Update on the Municipal Budget: Mr. Eldridge will update the Council and public on the budget.

Suggested Motion: No motion is required.

- (f) Report on Standard & Poor's Rating Services: On January 31, 2014, Standard & Poor's Rating Services (S&P) raised its underlying rating on Brunswick, Maine's general obligation bonds from AA to AA+. All things being equal, a better rating reduces borrowing costs. Mr. Eldridge will speak to the ratings upgrade.

Suggested Motion: No motion is required.

NEW BUSINESS

16. The proposed burn has received the endorsement of both the Recreation Commission and Conservation Commission as the proper approach to restore and protect the sandplain grassland habitat, a critical imperiled (S1) habitat in the State of Maine. Tom Farrell and John Leavitt from the Maine Forest Service, will make a presentation at your meeting and answer any questions. Copies of memos from Tom Farrell and the Conservation Commission, along with the prescribed fire plan will be included in your packet.

Suggested Motion:

Motion to approve the prescribed burn plan for the Captain William Fitzgerald Recreation and Conservation Area to occur in the spring of 2014.

17. This item is sponsored by Councilor Walker and Councilor Wilson and asks for the Council to consider adopting the draft Harbor Management Plan, which was originally provided to the Council two weeks ago. The development of this plan was funded by a grant, but work began almost ten years ago. Dan Devereaux will be at the meeting to answer any questions you might have. Copies of a memo from Officer Devereaux providing the history of the project and the draft plan are included in your packet.

Suggested Motion:

Motion to adopt the Harbor Management Plan.

18. This item provides the Council and the public an update on the Municipal Building project. Included as part of this discussion is a project budget, information on the impact on operating budgets, and a variety of inspection reports for the building. Copies of a memo from Mr. Eldridge, along with supporting materials, are included in your packet.

Suggested Motion: This is a discussion item; no action is proposed.

CONSENT AGENDA

- a) Approval of the Minutes of February 3, 2014: A copy of the draft minutes is included in your packet.
- b) Approval of the Minutes of February 10, 2014: A copy of the draft minutes is included in your packet.
- c) Approval of Quitclaim Deed for Map 025 Lot 005 Sub 000 Typ 018: This item deeds back a property to its owner, who has paid all back taxes. A copy of the deed is included in your packet.

Suggested Motion:

Motion to approve the Consent Agenda.

Suggested Motion:

Motion to adjourn the meeting.

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

FOR 2014 07

	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	2,850,975	2,850,975.00	.00	.00	.00	100.0%
TOTAL Fill	1,435,975	2,850,975	2,850,975.00	.00	.00	.00	100.0%
<u>10 General Government</u>							
11000 Administration	487,927	487,927	273,506.27	39,305.20	.00	214,420.73	56.1%
11100 Finance Department	680,948	680,948	387,636.46	55,923.42	.00	293,311.54	56.9%
11150 Technology Services Dept	328,531	328,531	235,319.34	10,265.39	20,521.97	72,689.69	77.9%
11200 Municipal Officers	126,615	126,615	45,329.72	2,160.25	.00	81,285.28	35.8%
11210 Munic Bldg - 85 Union	0	0	3,833.79	3,833.79	1,320.00	-5,153.79	100.0%
11220 Munic Bldg - 28 Federal	166,850	166,850	86,228.58	17,332.31	778.00	79,843.42	52.1%
11230 Risk Management	414,750	414,750	339,127.81	185,823.37	.00	75,622.19	81.8%
11240 Employee benefits	0	0	-100,277.76	-6,027.61	.00	100,277.76	100.0%
11250 Cable TV	37,360	37,360	20,873.21	2,407.79	.00	16,486.79	55.9%
11300 Assessing	297,218	303,368	148,978.45	18,426.05	4,980.21	149,409.34	50.7%
11600 Town Clerk & Elections	356,478	356,478	187,893.36	24,948.87	230.00	168,354.64	52.8%
11900 Planning Department	541,059	546,959	272,267.93	48,913.10	60,641.01	214,050.06	60.9%
11950 Economic Development Dept	104,564	104,564	42,929.94	4,704.67	.00	61,634.06	41.1%
TOTAL General Government	3,542,300	3,554,350	1,943,647.10	408,016.60	88,471.19	1,522,231.71	57.2%
<u>20 Public Safety</u>							
12100 Fire Department	2,985,969	3,010,869	1,680,761.56	246,128.52	43,717.24	1,286,390.20	57.3%
12150 Central Fire Station	41,054	41,054	24,474.96	10,805.11	65.00	16,514.04	59.8%
12160 Emerson Fire Station	50,350	50,350	19,314.48	8,347.29	500.00	30,535.52	39.4%
12200 Police Department	3,684,953	3,691,862	1,976,648.66	269,653.35	15,516.00	1,699,697.19	54.0%
12210 Police Special Detail	0	0	12,475.77	2,044.76	.00	-12,475.77	100.0%
12220 Emergency Services Dispatch	721,909	721,909	416,678.42	52,632.85	1,400.00	303,830.58	57.9%
12250 Police Station Building	68,730	68,730	30,231.04	8,560.79	.00	38,498.96	44.0%
12310 Streetlights	205,000	205,000	109,410.38	16,562.59	.00	95,589.62	53.4%
12320 Traffic Signals	31,600	31,600	18,625.29	3,519.67	.00	12,974.71	58.9%
12330 Hydrants	429,178	429,178	206,654.85	101,226.95	.00	222,523.15	48.2%
12340 Civil Emergency Preparedness	2,000	2,000	800.00	800.00	.00	1,200.00	40.0%
TOTAL Public Safety	8,220,743	8,252,552	4,496,075.41	720,281.88	61,198.24	3,695,278.20	55.2%

FOR 2014 07

30	Public Works	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
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30	Public Works							
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13100	Public Works Administration	414,090	414,090	226,214.22	31,718.53	.00	187,875.78	54.6%
13110	PW General Maintenance	1,629,304	1,629,304	772,915.64	195,239.84	79,168.13	777,220.23	52.3%
13130	Refuse Collection	573,143	573,143	293,071.90	57,487.13	174,071.42	105,999.68	81.5%
13140	Recycling	289,743	289,743	150,072.38	16,585.14	157,521.46	-17,850.84	106.2%
13150	PW Central Garage	781,964	781,964	405,111.43	103,535.42	58,850.59	318,001.98	59.3%
	TOTAL Public Works	3,688,244	3,688,244	1,847,385.57	404,566.06	469,611.60	1,371,246.83	62.8%
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40	Human Services							
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14100	General Assistance	170,106	170,106	95,577.57	25,275.50	1,091.37	73,437.06	56.8%
14120	Health & Social Services	2,744	2,744	1,387.36	693.79	.00	1,356.64	50.6%
	TOTAL Human Services	172,850	172,850	96,964.93	25,969.29	1,091.37	74,793.70	56.7%
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45	Education							
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14500	School Department	35,570,775	35,570,775	17,478,769.89	2,616,687.88	.00	18,092,005.11	49.1%
	TOTAL Education	35,570,775	35,570,775	17,478,769.89	2,616,687.88	.00	18,092,005.11	49.1%
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50	Recreation and Culture							
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15000	Recreation Administration	435,014	435,014	234,184.04	31,848.95	167.98	200,661.98	53.9%
15050	Rec Buildings and Grounds	657,996	662,107	320,557.85	44,778.78	7,579.23	333,969.92	49.6%
15150	Rec Federal St Building	15,840	15,840	9,892.12	3,053.96	.00	5,947.88	62.5%
15250	Rec Building 211	122,151	122,151	40,613.45	14,205.74	6,200.00	75,337.55	38.3%
15300	Teen Center	10,000	10,000	10,000.00	.00	.00	.00	100.0%
15310	People Plus	105,000	105,000	100,000.00	.00	.00	5,000.00	95.2%
15400	Curtis Memorial Library	1,215,000	1,219,900	826,333.10	201,108.34	.00	393,566.90	67.7%
	TOTAL Recreation and Culture	2,561,001	2,570,012	1,541,580.56	294,995.77	13,947.21	1,014,484.23	60.5%
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60	Intergovernmental							
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FOR 2014 07

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%
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70	Unclassified							
17000	Promotion and Development	160,258	160,258	128,904.22	11.48	220.00	31,133.78	80.6%
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	255,785	130,154.22	11.48	14,746.97	110,883.78	56.6%
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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	32,195,189.44	4,470,528.96	649,066.58	26,244,671.80	55.6%

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

FOR 2014 07

	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	34,949,684.68	4,845.65	72,994.32	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	-93,482.84	-793.54	18,482.84	124.6%*
111190 41105 Interest on Taxes	75,000	75,000	34,539.30	6,294.93	40,460.70	46.1%*
111190 41106 Tax Lien Costs Revenu	14,000	14,000	13,362.00	1,082.74	638.00	95.4%*
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	1,639,965.01	223,556.38	1,060,034.99	60.7%*
111191 41111 Excise Tax Boat/ATV/S	24,000	24,000	4,003.00	526.50	19,997.00	16.7%*
111191 41112 Excise Tax - Airplane	0	0	133,476.92	133,476.92	-133,476.92	100.0%*
TOTAL Taxes	38,396,452	38,396,452	37,291,829.98	368,989.58	1,104,622.02	97.1%
TOTAL REVENUES	38,396,452	38,396,452	37,291,829.98	368,989.58	1,104,622.02	
20 Licenses & Fees						
121111 42207 Passport Fees	8,000	8,000	4,925.00	1,100.00	3,075.00	61.6%*
121111 42208 Postage Fees	0	0	59.80	19.95	-59.80	100.0%*
121111 42209 Passport Picture Reve	1,500	1,500	1,440.00	192.00	60.00	96.0%*
121411 42100 Building Permits	110,000	110,000	70,183.72	6,733.25	39,816.28	63.8%*
121411 42101 Electrical Permits	31,000	31,000	18,101.70	1,451.40	12,898.30	58.4%*
121411 42102 Plumbing Permits	13,500	13,500	14,238.33	1,647.50	-738.33	105.5%*
121611 42200 Hunting & Fishing Lic	1,350	1,350	641.10	107.60	708.90	47.5%*
121611 42201 Dog License Fee	2,302	2,302	2,256.00	1,211.00	46.00	98.0%*
121611 42202 Vital Statistics	42,000	42,000	31,473.80	4,653.00	10,526.20	74.9%*
121611 42203 General Licenses	24,500	24,500	6,240.00	1,730.00	18,260.00	25.5%*
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	4,146.00	2,226.00	64.00	98.5%*
121611 42208 Postage Fees	0	0	145.25	39.90	-145.25	100.0%*
121911 42300 Planning Board Appl F	20,000	20,000	5,407.60	3,147.60	14,592.40	27.0%*
122121 42400 Fire Permits	700	700	320.00	40.00	380.00	45.7%*
122221 42500 Conc Weapons Permits	600	600	665.00	80.00	-65.00	110.8%*
123131 42600 Public Works Opening	500	500	80.00	.00	420.00	16.0%*
TOTAL Licenses & Fees	302,512	302,512	161,598.30	24,379.20	140,913.70	53.4%
TOTAL REVENUES	302,512	302,512	161,598.30	24,379.20	140,913.70	

FOR 2014 07

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
<u>30 Intergovernmental</u>						
131122 43505 FD EMPG grant	15,000	15,000	12,011.36	7,841.49	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	3,950.11	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	609,193.95	92,592.67	449,806.05	57.5%*
131192 43106 Snowmobile Receipts	1,264	1,264	1,588.80	1,588.80	-324.80	125.7%*
134546 43120 State Education Subsi	10,840,108	10,840,108	6,959,648.35	728,580.56	3,880,459.65	64.2%*
134546 43121 State Adult Educ. Sub	31,000	31,000	.00	.00	31,000.00	.0%*
TOTAL Intergovernmental	12,227,372	12,227,372	7,816,949.80	834,553.63	4,410,422.20	63.9%
TOTAL REVENUES	12,227,372	12,227,372	7,816,949.80	834,553.63	4,410,422.20	
<u>40 Charges for services</u>						
141111 44110 Agent Fee Auto Reg	50,000	50,000	29,511.00	3,896.00	20,489.00	59.0%*
141111 44111 Agent Fee Boat/ATV/Sn	1,500	1,500	567.00	98.00	933.00	37.8%*
141211 44121 Rental of Property	0	0	200.00	100.00	-200.00	100.0%*
141611 44131 Advertising Fees	0	0	799.28	83.27	-799.28	100.0%*
142121 44155 Ambulance Service Fee	875,000	875,000	586,622.33	98,409.08	288,377.67	67.0%*
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	2,500.00	350.00	500.00	83.3%*
142221 44162 Police Reports	3,600	3,600	1,504.00	143.00	2,096.00	41.8%*
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	14,666.50	2,962.50	-13,666.50	1466.7%*
142221 44167 Dispatch Services fee	139,268	139,268	85,246.19	10,831.79	54,021.81	61.2%*
143431 44175 Recycling Revenue	25,000	25,000	12,428.50	830.30	12,571.50	49.7%*
144545 44100 School Tuition, etc	166,411	166,411	98,693.28	98,693.28	67,717.72	59.3%*
TOTAL Charges for services	1,345,779	1,345,779	915,143.12	216,397.22	430,635.88	68.0%
TOTAL REVENUES	1,345,779	1,345,779	915,143.12	216,397.22	430,635.88	
<u>50 Fines & Penalties</u>						
151621 45103 Unlicensed Dog Fines	5,000	5,000	675.00	75.00	4,325.00	13.5%*
152121 45104 False Alarm Fire	2,000	2,000	.00	.00	2,000.00	.0%*

FOR 2014 07

	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	100.00	-300.00	100.0%*
152221 45100 Ordinance Fines	600	600	607.00	60.00	-7.00	101.2%*
152221 45101 Parking Tickets	20,000	20,000	13,134.00	1,645.00	6,866.00	65.7%*
152221 45102 Leash Law Fines	600	600	125.00	.00	475.00	20.8%*
152221 45105 False Alarm Police	300	300	10.00	5.00	290.00	3.3%*
152221 45106 Restitution	0	0	15.81	.00	-15.81	100.0%*
TOTAL Fines & Penalties	28,500	28,500	14,866.81	1,885.00	13,633.19	52.2%
TOTAL REVENUES	28,500	28,500	14,866.81	1,885.00	13,633.19	
<hr/> 60 Interest earned						
161193 46100 Interest Earned	50,000	50,000	7,577.56	1,191.30	42,422.44	15.2%*
TOTAL Interest earned	50,000	50,000	7,577.56	1,191.30	42,422.44	15.2%
TOTAL REVENUES	50,000	50,000	7,577.56	1,191.30	42,422.44	
<hr/> 70 Donations						
171952 47000 BDC Contrib to Econ D	75,000	75,000	.00	.00	75,000.00	.0%*
171952 47001 MRRRA - Eco Dev positi	25,000	25,000	12,499.98	2,083.33	12,500.02	50.0%*
171952 47002 MRRRA - MCOG DUES	15,000	15,000	.00	.00	15,000.00	.0%*
TOTAL Donations	115,000	115,000	12,499.98	2,083.33	102,500.02	10.9%
TOTAL REVENUES	115,000	115,000	12,499.98	2,083.33	102,500.02	
<hr/> 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	
<hr/> 90 Other						
191011 49000 Administration Miscel	0	0	260.26	.00	-260.26	100.0%*

FOR 2014 07

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
191111 49000 Finance Miscellaneous	1,000	1,000	4,710.72	1,825.19	-3,710.72	471.1%*
191111 49104 Property & Casualty D	0	0	9,283.00	.00	-9,283.00	100.0%*
191111 49105 Postage & Handling	0	0	1,647.00	194.00	-1,647.00	100.0%*
191192 49100 Cable Television	210,000	210,000	58,249.98	.00	151,750.02	27.7%*
191194 49150 Gen Govt Asset Sales	290,066	290,066	40.00	.00	290,026.00	.0%*
191411 49000 Codes Miscellaneous	0	0	10.25	.00	-10.25	100.0%*
191611 49000 Town Clerk Miscellane	1,200	1,200	784.25	68.50	415.75	65.4%*
191911 49000 Planning Miscellaneou	150	150	127.60	3.50	22.40	85.1%*
192121 49000 Fire Miscellaneous	0	0	754.73	192.86	-754.73	100.0%*
192221 49000 Police Miscellaneous	10,000	10,000	60,532.71	324.75	-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	61,650.18	4,991.43	58,349.82	51.4%*
195051 49000 Recreation Miscellane	0	0	132.80	.00	-132.80	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	477,188.22	7,600.23	843,727.78	36.1%
TOTAL REVENUES	1,320,916	1,320,916	477,188.22	7,600.23	843,727.78	
GRAND TOTAL	57,606,531	59,021,531	46,697,653.77	1,457,079.49	12,323,877.23	79.1%

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

MANAGER'S REPORT - B 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
DATE: February 13, 2014

RE: Status of Brunswick Marine Resources

Mr. Eldridge,

I'm providing you with a quick memo to update you current status of Brunswick's near shore fisheries and what projects the Brunswick Marine Resources Division will be working on in 2014. As you are aware the marine division encompasses working with and staffing a 7 member Brunswick Marine Resources Committee (BMRC) appointed by the Town Council to oversee the regulation and management of the local shellfishery. The marine division is also in charge of the oversight of all harbor management, to include wharf placement, and mooring assignments. Both harbor management and shellfish management are linked by nearly every facet of work this division preforms.

HARBOR MANAGEMENT:

For many years the Town's coastal location has been a significant contributor to both its vibrancy as a community, and the local and regional economy. With this said the Brunswick coast draws a vast variety of user groups. Over the last 15 years we have experienced increased usage of our subtidal waters. Over the spring/summer/fall of 2013 the Town underwent a harbor management study that will help the town understand the uses and if need be, develop new strategies for future use. This study is complete and has been submitted to the Council for review and acceptance at the February 24, 2014 Council meeting. This report can be found at the following link: https://www.dropbox.com/s/gn8odvd8y96ygp7/13-06%20Brunswick%20HMP_1-16-14.pdf

SHELLFISH MANAGEMENT:

As you are aware, over the last 24 months, the Maine Coast has experienced a phenomenal inundation of the invasive European Green Crab (in the top 100 most invasive species in the world). The predation of the green crab has caused a drastic decline in Maine's shellfish industry, to include softshell clams, blue mussels, scallops and oysters. The bio mass of the population of green crabs has also negatively impacted Brunswick's coastlines by causing accelerated erosion of the salt marshes and severe declines in eel grass meadows. All of these factors can be linked to the current decrease in shellfish production. Conclusive evidence links the inundation to recent climate shifts and ocean warming.

- The decline in shellfish populations was confirmed in the summer and fall of 2013 by conducting shellfish population surveys. Currently Brunswick softshell clam populations are at 20 year low. Down nearly 45% from 2011. The decrease in production is only expected to get worse as it was documented that younger size classes of juvenile shellfish were completely decimated. To address

these concerns the Marine Resource Committee has triggered a restoration effort by implementing the following projects:

- Brunswick was awarded a 50K grant from the Maine Coastal Program to institute and study ways to protect and restore softshell clam populations in two areas in Brunswick (Buttermilk Cove & Woodward Cove). This work will be conducted in 2014/15. The Marine Resource Committee has partnered with the Brunswick High School, Resource Access International & the Maine Department of Agriculture & Forestry to conduct the protection and restoration efforts. We are hoping to learn significant information, as this type of work and study has never been conducted anywhere in the world.
 - The Brunswick Marine Resources Committee also has requested an additional 65K in local funding through the 2014/15 budget cycle to help work toward protecting and restoring other shellfish growing areas within the town's jurisdiction.
- With the decrease in the softshell clam populations the Brunswick Marine Resources Committee has enacted a full weekend closure on all shellfish species. They have also reduced the number of licenses for the upcoming license year by 15% (57 to 50). They have suspended all student licenses for the upcoming year and are seeking ways to increase harvester conservation and reporting requirements.
 - Due to increased ocean water temperature and changes in the habitat structure in the outer intertidal regions, Brunswick has experienced an increase in the amount of quahogs (hardshell clams) within its jurisdiction. To fully understand this increase in population and the possibilities of propagating it to sustainable commercial levels which will allow additional fishing jobs, the Marine Resource Committee was provided 25K from the Brunswick Development Corporation to develop an inventory model and survey the current harvestable stock. The Marine Division will work with MER Assessment Corporation and students from the Brunswick High School to conduct this work in the early Spring of 2014. It is the BMRC hope to be able to include this stock of shellfish in the overall management plan that determines the number of local commercial shellfishing licenses the town may issue in years to come. If, in fact, the study does show conclusive evidence there is a sustainable population of quahogs Brunswick could offset license loss due to the depleting softshell clam resources as soon as this fall.
 - In the recent two years the Brunswick shellfish growing areas have experienced increased pressure from excessive Marine worm harvesting, the result of which related to large mortality of the juvenile seed bed areas around Thomas Point Beach and Woodward Cove. The marine bait industry is strictly managed by the Maine Department of Marine Resources and has little regulations, towns are only able to prohibit shellfish harvesting and had no control over the marine worm harvesters in those areas. In late 2012 the Brunswick Marine Resource Committee requested the help of Senator Stan Gerzofsky to help work toward resolution involving the conflicting uses of the shellfish growing areas. At that time Sen. Gerzofsky introduced legislation (LD1452) that would allow municipalities to prohibit any type of harvesting in the high value clam seed areas within a municipality's jurisdiction. This resulted in a huge outcry of opposition by the marine bait industry, in particular the wholesale dealers in Wiscasset. As a result the Town of Brunswick worked with those dealers over the course of the summer. There were three meetings over the course of the summer and there was one 4 acres area that was designated as a no harvest zone. This agreement was somewhat successful in that it sat two local industries members down to discuss concerns. During the closure period there were several communications breakdowns between the industry and the Town. This was expected, however, was not accepted as being a viable way to prohibit all types of harvesting in the establish conservation zones. The Wiscasset wholesale dealers did not represent the entire

Maine marine worming industry and the Town of Brunswick did not represent all the coastal municipalities. Therefore after much deliberation the Committee voted to support passage of LD1452. The legislation was presented to the 126th Joint Standing Committee on Marine Resource, a public hearing and workshop has been conducted and the bill is currently awaiting a language review by the reviser's office.

- With this increased pressure from the invasive green crab, ocean acidification, conflicting uses (worm harvesting versus clam harvesting), the local shellfish programs along the coast of Maine have been devastated. Harvesters are frustrated by the reduction in available resources and are working on ideas that may help municipalities deal with the increased pressure of climate change. The Maine Clammers Association, the largest organization of shellfish harvesters in Maine, and headquarter in Freeport has offered up some suggestions on a regional management approach. Based on the current declines of harvestable clams, municipalities across the state, including Brunswick, will have to invest an incredible amount of time, effort and resources to help restore the soft shell clamming industry to where it was post 2012. Regionalization is not a new approach municipal government, however there have only been a one success stories that surround municipal shellfish management regionalization in Tauten Bay. The Brunswick Marine Resources Committee is waiting to hear more information and facts surrounding the idea.

If you have any questions or concerns regarding anything or would like more information on any of the items provided in the update please feel free to contact me.

MANAGER'S REPORT - C BACK UP MATERIALS

Memorandum

To: Town Clerk Smith
From: Capt. Waltz
Re: Acceptance of a FY 2014 Byrne Justice Assistance Grant
Date: February 7, 2014

Based upon our crime statistics, Brunswick is allocated a certain percentage of the federal Edward Byrne Memorial pass through grant. The amount Brunswick could apply for 2013/14 was \$7,119.00. No match is required, however the money cannot supplant local funds. We have proposed to the State of Maine to use the money to replace six of our mobile (police cruiser) radios and accompanying antennas and the plan has been approved. We need the equipment as our cruiser radios are at least 10 years old and having difficulty with the squelch control, however replacements were not in the regular police budget so there is no risk of supplantation. We request that the Council accept this grant.

MANAGER'S REPORT - D BACK UP MATERIALS

MEMORANDUM

TO: Town Council
Town of Brunswick, Maine

FROM: John Eldridge
Finance Director

DATE: February 19, 2014

RE: Brunswick Development Corporation
Acquisition of 28 and 30 Federal Street Properties

On August 22, 2013, the Town of Brunswick (Town) executed a contract with the Brunswick Development Corporation (BDC) for the sale of the Town's property at 30 Federal Street. A previous agreement with BDC, requires the Town to deed its 28 Federal Street property to BDC when the Town vacates that property. With those properties under contract, BDC and Coastal Enterprises, Inc. (CEI), executed an agreement giving CEI the option to purchase those properties from BDC.

BDC's obligation to purchase 30 Federal Street is contingent upon CEI's purchase of 28 and 30 Federal Street. Further CEI's option with BDC is conditioned upon CEI's ability to obtain or close on financing on terms it deems satisfactory. This financing contingency expires on March 1, 2014. The CEI option contemplated an April 1, 2014 closing, but in recognition of potential delays, allowed for the closing to occur as late as May 31, 2014.

CEI has informed BDC that, while fully committed to the purchase, unforeseen delays have made it impractical to obtain project financing on the original schedule. CEI has requested an extension, and BDC has agreed, to a closing date of June 18, 2014, with an outside date of June 30, 2014. BDC is seeking the Town's agreement to extend its closing with the Town to those same dates.

Attached please find the BDC's proposed agreement extending the closing dates of the Town's property sale to BDC. I have also attached the Town's August 22, 2013 agreement with BDC.

attachments

**AMENDMENT NO. 1
TO
CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE**

Reference is made to the **CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE** dated as of August 22, 2013 (the “Town Agreement”) by and between **BRUNSWICK DEVELOPMENT CORPORATION** (“BDC”) and **TOWN OF BRUNSWICK** (“TOWN”).

Any capitalized term used herein without a definition shall have the meaning assigned to it in the Town Agreement.

BACKGROUND

WHEREAS, BDC has entered into **OPTION TO PURCHASE REAL ESTATE AND UPON EXERCISE CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE** dated as of August 22, 2013 (the “CEI Agreement”) by and between BDC and **COASTAL ENTERPRISES, INC.** (“CEI”); and

WHEREAS, CEI has, contemporaneously with the execution of this Amendment, exercised its option to purchase real estate and executed an amendment to the CEI contract, which amendment, among other matters, changes the financing contingency period and the closing date; and

WHEREAS, in accordance with the terms of the Town Agreement, the closings anticipated in the Town Agreement shall be simultaneous with the closing anticipated in the CEI Agreement; and

WHEREAS, the parties to this Amendment desire to conform the Town Agreement to the time periods set forth in the CEI Agreement, as amended; and

WHEREAS, BDC and the Town have agreed to enter into this Amendment No. 1 which provides for certain amendments to the Town Agreement;

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants contained herein and in the Agreement, the undersigned agree as follows:

1. Amendments to the Town Agreement.

(a) Recital F of the Town Agreement is amended by deleting the phrase in its entirety and substituting in the place thereof “The CEI Contract anticipates a closing on June 18, 2014 with an outside closing date of June 30, 2014.”

(b) Section 5 of the Town Agreement is amended by deleting the references therein to “April 1, 2014,” and substituting in its place thereof June 18, 2014 and the references to “May 31, 2014,” and substituting in the place thereof each the date “June 30, 2014 in the sole discretion of CEI and BDC.”

The purpose of the foregoing amendment is to extend the date of the closing for the purchase and sale of the Property until June 30, 2014, or such earlier date as CEI and BDC may approve.

(c) Section 12 of the Agreement is amended by deleting the references to “March 1, 2014” and March 3, 2014 and by substituting in their place, respectively thereof the dates “May 31, 2014” and “June 3, 2014.”

The purpose of the foregoing amendment is to extend the date of the financing contingency for the benefit of CEI to May 31, 2014 and the notice period for the benefit of BDC to June 3, 2014.

(d) Section 15 of the Town Agreement is amended by deleting Section 15(a) in its entirety and substituting in its place thereof “The closing on the purchase of the Recreation Center Property by CEI as purchaser as anticipated by the CEI contract, which is intended to be simultaneous with the closing contemplated by the Town Agreement and the CEI Agreement, as

amended, anticipates a closing at the earliest on June 18, 2014, with an outside closing date, in the sole discretion of CEI of June 30, 2014.”

(e) Section 24 (c) (4) of the Agreement is amended by deleting the references therein to “April 1, 2014,” and substituting in its place thereof June 18, 2014 and the references to “May 31, 2014,” and substituting in the place thereof each the date “June 30, 2014, in the sole discretion of CEI and BDC.”

The purpose of the foregoing amendment is to extend the date of the closing for the purchase and sale of the Property until June 30, 2014, or such earlier date as CEI and BDC may approve.

2. General.

(a) Each of BDC and the Town represent and warrant to the other that the execution and delivery of this Amendment No. 1 has been duly authorized and is a valid and binding obligation of BDC and Town, as applicable.

(b) The undersigned acknowledge and agree that the Agreement, as modified hereby, remains in full force and effect and the terms and provisions of the Agreement as so modified are ratified and affirmed in all respects.

[The balance of this page is intentionally left blank.
The signature page follows.]

IN WITNESS WHEREOF, the undersigned have executed this Amendment No. 1 as of February 3, 2014, regardless of the date executed and delivered.

WITNESS:

**BRUNSWICK DEVELOPMENT
CORPORATION**

By: _____

Its: _____

TOWN OF BRUNSWICK

By: _____

Its: _____

CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

AGREEMENT MADE as of this 22 day of AUGUST, 2013 (the "EFFECTIVE DATE") BY AND BETWEEN BRUNSWICK DEVELOPMENT CORPORATION, a Maine Not-for-profit corporation, whose mailing address is 28 Federal Street, Brunswick, Maine 04011 (hereinafter called "Purchaser" or "BDC") and TOWN OF BRUNSWICK, a body politic and corporate with an address of 28 Federal Street, Brunswick, Maine 04011 (hereinafter called the "Seller" or "Town") for the purchase and sale of property known as 30 Federal Street, Brunswick, Maine, County of Cumberland, State of Maine, described as follows: being the land and building described as the Town of Brunswick Recreation Center, and further and more fully described at the Cumberland County Registry of Deeds in deeds recorded at Book 855 Page 169 and Book 388 Page 369 (the "Recreation Center Property" or "Property"), upon the terms and conditions indicated below.

RECITALS:

- A. Town is also the owner of an adjacent parcel of land located at 28 Federal Street in Brunswick, Maine, being the "Town Hall" property and also being a portion of that property described in a deed from Hilda E. Wigley to the Inhabitants of the Town of Brunswick dated April 13, 1960 and recorded in the Cumberland County Registry of Deeds in Book 2534, Page 18; deed from Alfred M. Guinard to The Inhabitants of the Town of Brunswick dated December 15, 1959 and recorded in said Registry of Deeds in Book 2518, Page 97; and deed from Joseph O. Pouillot to The Town of Brunswick dated June 15, 1977 and recorded in said Registry of Deeds in Book 4039, Page 206 as shown on Tax Map U13 as Lot 150 (the "Town Hall Property").
- B. The Town Hall Property is the subject of a separate Agreement for the Exchange of Real Estate dated November 20, 2012 between Purchaser and Town (the "Town Hall Property Contract"), which remains in full force and effect as of the date of this Agreement, and which calls for a closing on the sale of the Town Hall Property as of a date after Town has vacated the Town Hall Property.
- C. The Town Hall Property and the Recreation Center Property are the subject of a sale contract between Purchaser, as seller, and Coastal Enterprise, Inc. or its assignee or nominee as buyer (such contract, the "CEI Contract").
- D. The CEI Contract contemplates closings on the Town Hall Property and the Recreation Center Property simultaneously with the closings contemplated by this Contract and the Town Hall Property Contract such that BDC shall not take possession of either the Town Hall Property or the Recreation Center Property, title and possession to both properties passing immediately to CEI.
- E. The CEI Contract sets forth various items of due diligence, inspection and tests with respect to the Town Hall Property and the Recreation Center Property to be conducted by CEI and for such limited purposes, CEI shall be considered a third party beneficiary of this Contract and the Town Hall Property Contract.
- F. The CEI Contract anticipates a closing on the earlier to occur of (1) April 1, 2014 or (2) thirty (30) business days after the date that the Town has fully vacated the Town Hall Property and the Recreation Center Property with an outside closing date of May 31, 2014.
- G. By simultaneously scheduling the closings (or assignments, as the case may be) between the Town, BDC and CEI of the Property, the Town and BDC intend to avoid the unnecessary expenditure of time and money resulting from due diligence and certifications that the Town and CEI would otherwise incur.

AGREEMENT:

- 1. PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable): NONE. Town will have the right to remove and salvage any personal property, fixtures or other items from the Property prior to closing, and may do so without any obligation to repair or restore any damage caused by such removal and salvage unless Town is notified by Purchaser in writing prior to such removal or salvage efforts that the Property is not being razed after closing.
- 2. PURCHASE PRICE: The total Purchase Price is TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) payable at closing (the "Base Purchase Price") plus an amount equal to one-half (1/2) of the "Excess Total Purchase Price" if and whenever the same may be received by Purchaser. The Excess Total Purchase price is the total amount of money paid to BDC by any purchaser or purchasers of the Town Hall Property and the Recreation Center Property in excess of Two Hundred Fifty Thousand Dollars (\$250,000.00) total for the two properties. Town's share of the Excess Total Purchase Price shall be paid and be payable immediately after receipt by

BDC of any Excess Total Purchase Price (including proceeds and interest from any "seller-financing" arrangements or the like), and this provision shall survive the closing of the transactions contemplated by this Contract and the Town Hall Property Contract. Payment shall be made as follows:

- Base Purchase Price due at closing, in immediately-available funds: **\$200,000.00, plus**
- Town's share of Excess Total Purchase price payable upon receipt by BDC as set out above.

3. EARNEST MONEY/ACCEPTANCE: N/A.
4. TITLE: On or before **February 5, 2014**, (the "**Title Review Period**"), Purchaser shall notify Seller in writing (the "**Title Objection Notice**") of any matters affecting title to the Property that are objectionable to Purchaser in Purchaser's sole discretion ("**Title Defects**"). Purchaser shall be deemed to have waived the right to object to any matter affecting title as of the Effective Date, except for any mortgage, tax lien, mechanics' lien, judgment lien, or other liens encumbering the Property (for which no objection is required), if Purchaser fails to specifically identify such matters in the Title Objection Notice (each matter not objected to being a "**Permitted Encumbrance**"). Within seven (7) days of Seller's receipt of the Title Objection Notice, Seller shall notify Purchaser in writing whether or not Seller elects to cure any of the matters identified in the Title Objection Notice. If Seller elects to cure certain Title Defects, Seller shall use good faith efforts to cure such Title Defects and shall have a period of not more than thirty (30) days after notice of Seller's election within which to cure any such Title Defects (the "**Title Cure Period**"), and the Closing Date shall be extended until five (5) days after the expiration of the Title Cure Period. Seller agrees that, after the Effective Date, it shall not permit or suffer encumbrance of the Property with any liens, easements, leases or other encumbrances without Purchaser's prior written consent, except that Purchaser shall not unreasonably withhold or delay its consent to new leases. On or before the Closing Date, Seller shall remove at its sole cost any such matters affecting the title to the Property suffered or created by or consented to by Seller after the Effective Date that are not approved in writing by Purchaser. If Seller elects not to cure any Title Defects or if Title Defects which Seller elects to cure are not cured within the Title Cure Period, then Purchaser shall elect, by written notice to Seller on or before the Closing Date, as the same may be extended, either (i) to accept title to the Property subject to such uncured Title Defects and all other matters of record without reduction of the purchase price and without any liability on the part of Seller therefor, in which case such Title Defects shall be Permitted Encumbrances, or (ii) to terminate this Contract, whereupon the earnest money immediately shall be returned to Purchaser and neither party shall have any further obligations under this Contract.
5. DEED: In return for payment in full of the purchase price, Seller shall convey the Property on the same date as the date of closing on the purchase and sale of the Town Hall Property (or such other date as the parties mutually agree to in writing) (the "**Closing Date**") to Purchaser by Maine Statutory Short-Form Quitclaim with Covenant Deed (the "**Deed**"), and the parties agree to execute and deliver on the Closing Date such other documents that are customary and/or reasonably necessary to complete the conveyance. The Closing Date is anticipated to take place on April 1, 2014, provided that the parties acknowledge that there may be a delay in the timing of the closing in the event that the Town Hall Property has not been vacated by the Town as of **April 1, 2014**. In any event, the outside date for the Closing Date shall be **May 31, 2014**, subject to further extension only upon the mutual agreement of the parties. It is a condition to Purchaser's obligations hereunder that title to the Property shall be free and clear of all leases, liens and encumbrances except for the following matters and otherwise in compliance with the requirements of this Contract: (i) zoning restrictions and land use laws and regulations and permits and approvals issued pursuant thereto; (ii) current taxes and assessments attributable to periods from and after the Closing, which Purchaser shall be liable to pay (if applicable); and (iii) all Permitted Encumbrances.
6. LEASES/TENANT SECURITY DEPOSITS: N/A.
7. POSSESSION/OCCUPANCY: Possession/occupancy of the Property shall be given to Purchaser's assignee on the Closing Date, unless otherwise agreed by both parties in writing.
8. RISK OF LOSS: Until transfer of title, the risk of loss or damage to the Property by fire or otherwise is assumed by Seller unless otherwise agreed in writing. The Property shall at closing be in substantially the same condition as of the Effective Date, excepting reasonable use and wear and subject to Seller's rights to salvage and removal of personal property and fixtures from the Property. If the Property is materially damaged or destroyed prior to closing, Purchaser may either terminate this Contract or close this transaction and accept the Property in its as-is condition together with an assignment of the Seller's right to any insurance proceeds (if any) relating thereto.
9. PRORATIONS: The following items shall be prorated as of the Closing Date:
 - a. As applicable, Real Estate Taxes based on the municipality's tax year.
 - b. Fuel
 - c. Metered utilities, such as water and sewer, shall be paid by the Seller through the date of closing;

d. Purchaser and Seller shall each pay one-half of the transfer tax as required by the laws of the State of Maine, as applicable.

e. Other: (none, if nothing is filled in the following blank) _____.

10. **DUE DILIGENCE:** Purchaser is advised to seek information from professionals regarding any specific issue of concern. Purchaser acknowledges that Seller makes no representations or warranties whatsoever regarding the condition, permitted use or value of Seller's real or personal property. Purchaser's obligation to close under this Contract is conditioned upon Purchaser's satisfaction with its investigations of the Property, (or that performed by CEI) which may without limitation include survey, environmental assessment, engineering studies, wetlands or soils studies, zoning compliance or feasibility, and code compliance, no later than **February 5, 2014**.

Notwithstanding anything to the contrary contained herein, other than as to risk of loss provisions, the transfer of the Property shall be, except as specifically provided herein, in its then "as-is", "where-is" condition, without any representation or warranty whatsoever as to condition, defects (latent or patent), environmental contamination or freedom from same, habitability, usefulness for any purpose, profitability or value.

All investigations will be done by professionals chosen and paid for by Purchaser (or CEI). If the result of any investigation is unsatisfactory to Purchaser (or CEI), Purchaser may declare this Contract null and void by notifying Seller in writing no later than **February 5, 2014**, and this Contract shall be considered terminated as of the Seller's receipt of said notice. If Purchaser does not notify Seller that Purchaser's investigations (or those of CEI) are unsatisfactory within the time period set forth above, this contingency is waived by Purchaser. In the absence of any investigations(s) mentioned above, Purchaser is relying completely upon Purchaser's own opinion as to the condition of the Property. Purchaser (or CEI) agrees to restore any disturbance to the Property caused by Purchaser's investigations (or those of CEI).

11. **REVIEW OF LEASES AND INCOME AND EXPENSE INFORMATION:** N/A

12. **FINANCING:** This transaction is not subject to or conditioned upon BDC's ability to obtain or close on financing. Notwithstanding the foregoing, the obligations of CEI to purchase pursuant to the CEI Contract are subject to a financing contingency which financing contingency in the CEI Contract expires on **March 1, 2014**. In the event that CEI terminates the CEI Contract based on the CEI financing contingency, Purchaser may declare this Contract null and void by notifying Seller in writing no later than **March 3, 2014**, and this Contract shall be considered terminated as of the Seller's receipt of said notice. If Purchaser does not notify Seller that CEI has terminated the CEI Contract within the the time period set forth above, this contingency is waived by Purchaser.

13. **AGENCY DISCLOSURE:** Town and BDC represent and warrant to each other that neither party has engaged the services of any real estate broker with respect to this transaction. Town agrees to indemnify and hold harmless BDC from any claims made by any broker should Town's representation in this paragraph be false. BDC agrees to indemnify and hold harmless Town from any claims made by any broker should BDC's representation in this paragraph be false. The foregoing indemnities shall include all reasonable legal fees and costs incurred by the indemnified party in defense against any such claim.

14. **DEFAULT:** In the event that either party defaults in its obligations hereunder and fails to close, the non-defaulting party may after the defaulting party's failure to cure its default within thirty (30) days after receipt of written notice of default (or if more time is required, such reasonable period of time as is necessary, using commercially reasonable diligence and efforts, to cure same) pursue all remedies available to it at law and equity including specific performance.

15. **CONDITIONS PRECEDENT TO PURCHASER'S OBLIGATIONS TO PERFORM:** Purchaser's obligations to perform hereunder are expressly conditioned upon the following:

a. The closing on the purchase of the Recreation Center Property by CEI as purchaser as anticipated by the CEI Contract, which is intended to be simultaneous with the closing (assignment) contemplated by this Contract and the CEI Contract anticipates a closing on the earlier to occur of (1) April 1, 2014 or (2) thirty (30) business days after the date that the Town has fully vacated the Town Hall Property and the Recreation Center Property with an outside closing date of May 31, 2014.

b. All other conditions, contingencies as set forth in this Contract.

16. **PRIOR STATEMENTS:** This Contract sets forth the entire agreement between the parties, and there are no other representations, agreements or understandings with respect to the subject matter of this Contract. This Contract shall be construed according to the laws of the State of Maine.

17. **SUCCESSORS/ASSIGNS:** This Contract shall extend to and be obligatory upon successors, and assigns of Seller and assigns of Purchaser. BDC may assign its rights as Purchaser in this Contract and the Town Hall Property Contract to CEI prior to Closing.

18. COUNTERPARTS: This Contract may be signed on any number of identical counterparts, including telefax copies and electronically transmitted copies with the same binding effect as if all of the signatures were on one instrument.
19. EFFECTIVE DATE: This Contract is a binding contract when signed by both Seller and Purchaser and when that fact has been communicated to all parties or to their agents. Time is of the essence of this Contract. Except as expressly set forth to the contrary in this Contract, the use of the term "days" in this Contract, including all addenda made a part hereof, shall mean calendar days. Deadlines in this Contract, including all addenda, expressed as "within x days" or the like shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 pm, Eastern Time, on the last day counted.
20. INTENTIONALLY OMITTED.
21. A copy of this Contract is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, consult an attorney.
22. Seller acknowledges that the laws of the State of Maine provide that every buyer of real property located in Maine must withhold a withholding tax equal to 2 1/2 % of the consideration unless Seller furnishes to Purchaser a certificate by the Seller stating, under penalty of perjury, that Seller is a resident of the State of Maine or the transfer is otherwise exempt from withholding.
23. ADDENDA: This Contract has addenda containing additional terms and conditions. Yes ___ No X.
24. OTHER PROVISIONS:
- a. The provisions in this Contract shall not be considered to, and shall not, expand or create liability on the part of any party to any person for claims from which such party is released, exempted and/or protected by the Maine Tort Claims Act, as it currently is in effect or is in the future from time to time modified or expanded.
- b. Notices. All notices, demands and other communications hereunder shall be in writing and shall be given by one party to the other either: (i) by first class mail, postage prepaid, registered or certified, return receipt requested, to the address set forth below; (ii) by hand delivery to the address set forth below; (iii) by Fed Ex, or similar overnight express mail, prepaid, to the address set forth below; (iv) by facsimile ("Fax") transmission to the Fax number below or (v) by email to the email addresses listed below. All notices shall be deemed to have been duly given if postmarked prior to the expiration date and time specified herein (in the case of mailing) or upon delivery (if hand delivered) or when delivered to a Fed Ex (or similar overnight delivery service) courier or office at the time indicated on the proof of delivery (if sent by overnight delivery service) or upon time of confirmed receipt in case of Fax or in case of email.

TO BDC: Brunswick Development Corporation
 Attn: Larissa Darcy, President
 28 Federal Street
 Brunswick, Maine 04011
 Phone No. (207) 518-5679
 Fax No. (207) 798-5577
 Email address: Idarcy@thebankofmaine.com

WITH A COPY TO:

Edgar S. Catlin III
 49 Pleasant Street
 Brunswick, ME 04011
 Phone No. 207 725-0355
 Fax No. 207-725-0340
 Email address: edgar@catlinlaw.com

TO TOWN: Town of Brunswick
 Attn: Gary Brown, Town Manager

Phone No. 28 Federal Street
Fax No. Brunswick, Maine 04011
Email address: (207) 725-6659
(207) 725-6663
gbrown@brunswickme.org

WITH A COPY TO: Jaimie Schwartz
Bernstein Shur Sawyer & Nelson
P.O. Box 9729, 100 Middle Street
Portland, ME 04104
Phone No. 207-774-1200
Fax No. 207-774-1127
Email address: jschwartz@bernsteinshur.com

Either party may change its addresses or its Fax number for purposes of this subparagraph by giving the other party notice of the new addresses or Fax number in the manner described herein.

c. **AMENDMENT TO Town Hall Property Contract.** The following shall be considered an amendment to the Town Hall Property Contract and shall modify and alter that agreement as if this provision were made a part thereof:

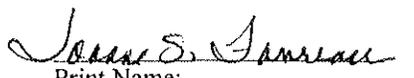
1. Only in the event that CEI or its assigns purchases the Town Hall Property, BDC shall waive and release Town from its obligations to deliver to buyer under that Contract any certifications, letters or reports required under sections 10 and 12 of the Town Hall Property Contract to be delivered by Town prior to and as a condition to the Town Hall Property Contract closing. Such obligation of the Town to deliver such certifications, letters or reports shall not be terminated and sections 10 and 12 shall not be modified by this Amendment unless CEI or its assigns purchases the Town Hall Property and written notice thereof is provided by BDC to Town.
2. The description of the Town Hall Property also referred to as the Federal Property as set forth in the Recital A is amended by the addition of the following immediately after "Book 2534, Page 18" and before "as shown on Tax Map U13 as Lot 150: "deed from Alfred M. Guinard to The Inhabitants of the Town of Brunswick dated December 15, 1959 and recorded in said Registry of Deeds in Book 2518, Page 97, and deed from Joseph O. Pouillot to The Town of Brunswick dated June 15, 1977 and recorded in said Registry of Deeds in Book 4039, Page 206.
3. BDC may assign its rights as Purchaser in the Town Hall Property to CEI prior to the Town Hall Property Closing
4. The following time frames and dates shall be substituted for those contained in the Town Hall Property Contract: Section 4—CLOSING. The Town Hall Property closing is anticipated to take place on April 1, 2014, provided that the parties acknowledge that there may be a delay in the timing of the closing in the event that the Town Hall Property has not been vacated by the Town as of April 1, 2014. In any event, the outside date for the Closing Date shall be May 31, 2014, subject to further extension only upon the mutual agreement of the parties.

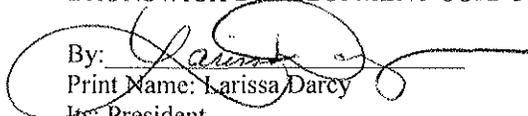
The parties agree that none of the above are collateral agreements. It is the intent of the parties that except as expressly set forth in this Contract, all covenants, representations, statements and obligations of both parties herein shall not survive closing.

IN WITNESS WHEREOF, Town and BDC have executed this Agreement as of the date first above written.

WITNESS:

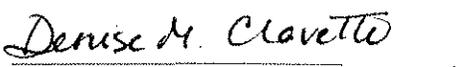
BRUNSWICK DEVELOPMENT CORPORATION


Print Name: Jeanne S. FAVEAU

By: 
Print Name: Larissa Darcy
Its: President

WITNESS:

TOWN OF BRUNSWICK


Print Name: Denise M. Clavette

By: 
Print Name: Gary Brown
Its: Town Manager

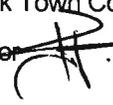
**MANAGER'S REPORT - E
NO BACK UP MATERIALS**

**MANAGER'S REPORT - F
NO BACK UP MATERIALS**

ITEM 16

BACK UP MATERIALS

Memo

To: Members of the Brunswick Town Council
From: Thomas M. Farrell, Director 
Date: February 20, 2014
Re: *Proposed Prescribed Fire Plan for the Captain William Fitzgerald Recreation and Conservation Area*

The Brunswick Town Council previously accepted the conveyance of 66 acres of open space from the US Navy with access from Old Bath Road in East Brunswick for the purpose of maintaining a combined recreation/conservation area on the parcel.

The property is intended to support development of no more than 15 acres of active recreation facilities with the balance of the property to remain in conservation. The property is also intended to support a connection to the future Androscoggin to Kennebec Bicycle Pedestrian Trail which would parallel US Route 1 connecting through the parcel to the Old Bath Road. This spring the parks and recreation department will oversee a project to develop a master development plan for the parcel.

The property which was previously cleared by the Navy contains significant sand plain grassland, blueberry, and pitch pine communities. The State of Maine Natural Areas program has identified the site as S1 critically imperiled habitat. These significant communities are in danger of being adversely impacted without an ongoing vegetative management plan.

The Town has been working in concert with Mr. John Leavitt of the Maine Forest Service to plan a proposed prescribed burn of approximately one half of the total parcel (33 acres) to eliminate undesirable growth that is starting to overtake critical habitat, which left untreated could cause a significant decline in these high value natural communities.

Fire Chief Ken Brilliant and I have been working with Mr. Leavitt and representatives from both the Recreation Commission and Conservation Commission in determining the need for the proposed burn and developing a prescribed fire plan for the Town Council's consideration.

The plan was presented by Mr. Leavitt and reviewed at a joint meeting of the Recreation Commission and Conservation Commission on February 12, 2014. Both Commissions voted to recommend that the Town Council consider approval of the proposed plan in order that the project could occur this spring.

Mr. Leavitt, Chief Brilliant and I will be your meeting to present an overview of the plan and to answer and questions you may have regarding the proposed project. .



TOWN OF BRUNSWICK
CONSERVATION COMMISSION
28 FEDERAL STREET, BRUNSWICK, ME 04011-1583

February 19, 2014

Anna Breinich and Tom Farrell:

On behalf of the Conservation Commission, I want to pass along that at our last meeting on February 12, 2014 the Conservation Commission unanimously endorsed the Prescribed Burn Plan for the Capt. Fitzgerald Recreation & Conservation Area. The plan was presented to us and the Recreation Commission by John Leavitt of the Maine Forest Service. Mr. Leavitt also attended our meeting on January 8, 2014 and briefed us on the notional plan for the burn.

The burn plan is well prepared and addresses the need to begin to take steps to help restore the Sandplain Grassland habitat, a critically imperiled (S1) habitat in the State of Maine. Members of the Commission have toured the property in the past and realize that with prescribed burns the opportunity exists to bring back a rare habitat, help return the property to a condition more like it was in the past, and create additional passive and active recreation opportunities for the Town in East Brunswick.

This property showed promise when the Conservation Commission first worked on the conveyance requests, and we are enthused by the opportunity to assist the Town as it prepares to begin to realize that potential.

Sincerely,

Kurt Stinson

Kurt Stinson
Chair, Conservation Commission

PRESCRIBED FIRE PLAN

Capt. William Fitzgerald
Recreation & Conservation Area
Brunswick, ME

Prepared By:

John Leavitt, Maine Forest Service

Date: February 20, 2014

Actions taken in compliance with the approved Prescribed Fire Plan will be fully supported. Personnel will be held accountable for actions taken which are not in compliance with elements of this plan regarding execution in a safe manner.

RESOURCE OBJECTIVES

- 1) Promote the growth of native grasses and blueberry.
- 2) Maintain and improve habitat for native birds.
- 3) Encourage growth of selected pitch pine.
- 4) Maintain critical grassland-sandplain habitat.

PRESCRIBED FIRE OBJECTIVES

- 1) Consume 40-95% of understory grasses, woody plants, and ground litter.
- 2) Top-kill 50-95% of gray birch.

BURN AREA DESCRIPTION

Landowner: Town of Brunswick
Latitude: 43 degrees 55' 22.1" N
Longitude: 69 degrees 53' 04.6" W
Size: Target: 33 acres
Allowable: 50 acres
Elevation: Target Top: 31 ft.
Target Bottom: 25 ft.
Aspect: flat to gently sloping

General description of site:

This site, once owned by the United States Navy, was used as a radio/radar transmitter site; the land was transferred to the Town of Brunswick in 2012.

The site has been designated by the Maine Natural Areas Program as "S1 - Critically imperiled", because of its' extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine. It is a recognized sandplain-grassland habitat, which supports blueberry and little bluestem (*Schizachyrium scoparium*) populations. Dry-land sedge (*Carex siccata*) has been observed at this site, and is a species of special concern. Scattered mature pitch pine and white pine are also present.

This site is habitat for 22 known species of birds, including Yellow-rumped Warbler, Eastern Towhee, Prairie Warbler, Pine Warbler, and several species of sparrows.

The Town intends to develop up to 15 acres of the site to support active recreation facilities, including playing fields, playground, and other outdoor amenities. The Town also intends to connect a future extension of the existing Androscoggin River Bicycle Path, which will parallel U.S. Route 1 through this parcel, connecting to Old Bath Road.

DESCRIPTION OF FUELS ON SITE AND ADJACENT

Natural Fuels: native grasses; blueberry; bracken fern; goldenrod; grey birch; pitch pine; white pine.
Activity Fuels: grasses and blueberry.
Fuel Model(s): 2; GR4; GS2

General description of fuels on site:

This area consists of grasses, blueberry, fern, and scattered pitch pine, white pine, and grey birch.

WEATHER AND FUEL PARAMETERS

Acceptable Prescription Range

	DESIRED	LOW	HIGH
Temperature (degrees)	70	50	85
Relative Humidity (%)	40	30	70
1 HR. Fuel Moisture (%)	07	06	10
10 HR. Fuel Moisture (%)	15	10	20
Live Herbaceous Moisture (%)	50	30	100
Wind Speed (mid-flame - mph)	04	02	07
Wind Speed (20 foot - mph)	10	05	20
Wind Direction (degrees)	135-215		
	90-270 (acceptable)		
	315-45 (unacceptable)		
Mixing Height (feet)	1640 (minimum)		
Transport Winds (mph)	9 (minimum)		

ACCEPTABLE FIRE BEHAVIOR PREDICTIONS

(*Rate of spread expressed in feet per minute/chains per hour;
flame length expressed in feet)

FUEL MODEL 2

Backing Fire

	DESIRED	LOW	HIGH
Rate of Spread	6	3	9
Flame Length	2.5	1	4

Head Fire

	DESIRED	LOW	HIGH
Rate of Spread	30	10	70
Flame Length	6	3	10

FUEL MODEL GR4

Backing Fire

	DESIRED	LOW	HIGH
Rate of Spread	8	4.5	12
Flame Length	3.5	2	5

Head Fire

	DESIRED	LOW	HIGH
Rate of Spread	69	25	150
Flame Length	8	5	12

FUEL MODEL GS2

Backing Fire

	DESIRED	LOW	HIGH
Rate of Spread	5	3	7
Flame Length	2	1	3

Head Fire

	DESIRED	LOW	HIGH
Rate of Spread	26	10	52
Flame Length	5.5	3	8

SCHEDULING AND NOTIFICATION

Ignition Scheduling:

Approximate Date: March 15 - April 30, 2014

Time of Day: 1100

Limitation on Days of Week: Monday through Friday

Length of Ignition Phase: 4-5 hours

Length of Burnout Phase: 5-6 hours

Burn Contacts:

The Town will contact abutting landowners prior to the burn, and will use newspapers, public access television, and other media to inform residents of the burn.

Incident Command will contact the following the morning of the burn:

<u>Individual or Organization</u>	<u>Phone Number</u>
Maine Forest Service-Augusta	1-800-750-9777
Brunswick Fire Department	725-5541
Brunswick Police Department	725-6620
Sagadahoc County Sheriff's Office	443-8529
Maine State Police	657-3030

WORKFORCE AND EQUIPMENT NEEDS

Incident Command: Unified Command

(Maine Forest Service & Brunswick Fire Dept.)

Ignition Crew: Brunswick Fire Dept. & qualified firefighters

Holding Crew: Brunswick Fire Dept. & qualified firefighters

<u>Personnel Needs:</u>	<u>Total</u>
Ignition Crew	4
Holding Crew	8
<u>Equipment Needs:</u>	
Engines	3 type 7; 2 type 6
Drip torches	4
Radios	12
Misc. Vehicles	2
Backtanks	4
Hand Tools	4
Belt Weather Kits	1
<u>Supplies:</u>	
Drip torch fuel	15 gal.
Fusees	10
Portable pump	2
Drinking water	0.5 gallon/person

IGNITION AND HOLDING PLAN

Ignition Plan:

Ignition Methods: Drip torch

Ignition Technique: Backing fire, point-source ignition (dots), flanking fire, and strip-head firing.

Holding Plan:

Potential Holding Problems: None anticipated.

Location of Holding Forces and Instructions:

Holding squads on flanks; contain fire within dirt road, trails, wet lines, and mowed firebreaks.

Water Sources: engines; pond on-site

Response to Slopovers:

Immediate suppression of all spots and slopovers.

SMOKE MANAGEMENT PLAN

Ignition operations will be executed to minimize any adverse smoke impacts to the public. Downtown Brunswick is four miles southwest of the burn unit; Cook's Corner is two miles southwest of the burn unit; Downtown Topsham is four miles west of the burn unit; Downtown Bath is three miles east of the burn unit; Midcoast Hospital is 1.2 miles south of the burn unit; Bay Bridge estates trailer park is one mile northeast of the burn unit, and another trailer park is one mile east of the burn unit. The burn unit is immediately adjacent (north) to US Route 1, and State Rd.

Smoke will be managed through various ignition techniques to allow for adequate ventilation.

If smoke adversely impacts public roadways or residential/commercial structures, the burn will be terminated.

INCIDENT COMMUNICATIONS PLAN

Each firefighter will be assigned a handheld radio. Each engine will also have a radio. All personnel assigned to an ignition team will have a handheld radio and remain in verbal and visual contact with ignition crew leader.

<u>RADIO COMMUNICATIONS</u>			
<u>CHANNEL</u>	<u>FUNCTION</u>	<u>FREQUENCY</u>	<u>REMARKS</u>
1	Command	Brunswick Fire Department	154.265
2	Operations	State Fire	154.310

If air operations are involved, the assigned air-to-ground frequency will be Maine Forest Service **Hatchet Mtn. repeater** (Rx = 159.4050; Tone 141.3; Tx = 151.1900; Tone 141.3).

CELL PHONE COMMUNICATIONS

Cell phone communication is encouraged to communicate specific details and minimize radio traffic.

Cell phone numbers: John Leavitt (MFS) 712-8834
Ken Brilliant (BFD) 751-2929

SAFETY PLAN

FIREFIGHTER SAFETY:

Safety Zones: Good black, sandy areas.

Escape Routes: Mowed fire breaks; black, dirt road

Safety Hazards: Smoke, Fire, uneven terrain

Mitigation of Safety Hazards:

Stay upwind of fire and smoke.

PUBLIC SAFETY: no unauthorized personnel allowed in the burn unit while the fire is being conducted; if smoke adversely impacts public roadways, burn will be terminated.

Consideration will be given to posting an emergency vehicle(s) and/or signs/electronic signboards along US Route 1, to notify passing motorists to the proximity of the prescribed fire.

MEDICAL PLAN

Notify the Incident Commander of any accident or injury. The IC will initiate on-site response if needed and coordinate additional needs through Brunswick Fire Department.

On-site EMT's: Brunswick Fire Department firefighters

First Aid Kits: One in each vehicle.

CONTINGENCY PLAN FOR AN ESCAPED FIRE

- 1) Should an escape occur, the IC (or other designated and qualified person) will be in charge. The IC will organize and manage all on site resources for the suppression response.
- 2) The IC will notify Brunswick Fire Department of the situation and order needed resources, if necessary.
- 3) Strategies for containing escaped fires will consider the safety of firefighters to be paramount.
- 4) Slopovers outside the allowable area which are contained at less than 0.1 acres will not cause the fire to be declared a wildfire as long as no additional resources are required and no private improvements are threatened. If this acreage is exceeded, the burn will be declared a wildfire; at this point efforts to burn the unit will cease and all resources will be committed to containment of the escaped prescribed burn.
- 5) Suppression efforts will utilize mowed contingency lines as secondary fire breaks. Suppression efforts include, but are not limited to, extinguishment and firing/burning out fuels.
- 6) The closest additional resources are:

<u>Resource</u>	<u>Location (miles)</u>	<u>Response Time</u>
Two Type 1 engines	Brunswick Central Station	10 minutes
Type 6 engine	Central Station	10 minutes
Type 3 tender	Central Station	10 minutes
Type 1 engine	Cook's Corner	5 minutes
Type 6 engine	Cook's Corner	5 minutes

MONITORING PLAN

Monitoring of the burn can occur through data collection at specific plots, photo-documentation, weather observations, fire behavior observations, and fire effects observations as outlined below.

Data Collection Plots: Plots may be established pre-burn to determine vegetation composition, density, and cover. Future inventory information may be collected to assess vegetative changes, and characteristics will be monitored post-burn to determine vegetative changes.

Photo-documentation: Photos taken at _____. Photo-documentation may consist of establishing pre-burn and post-burn photos at fixed photo locations to document changes of vegetation. Photos may also be taken during burn operations.

Weather Observations: Weather observations are taken prior to ignition and at half-hour intervals throughout the burn.

Fire Behavior/Effects Observations: Fire behavior observations are made throughout the burn duration by the Burn Boss and Ignition Crew to determine whether the prescribed fire objectives are being met.

Burn Plan Approved by:

_____ John Leavitt, Maine Forest Service

_____ Ken Brilliant, Brunswick Fire Chief

_____ Tom Farrell, Brunswick Parks &
Recreation Director

_____ Date

GO/NO GO CHECKLIST

<p>A. Has the burn unit experienced unusual drought conditions or contain above normal fuel loading which were not considered in the prescription development? If <u>NO</u> go to item 1, If <u>YES</u> go to item B.</p>	<u>YES</u>	<u>NO</u>
<p>B. If <u>YES</u> have appropriate changes been made to the Ignition and Holding plan and the Mop Up and Patrol Plans. If <u>YES</u> go to item 1, if <u>NO</u> STOP.</p>		
<p><u>A 'NO' response to any item means STOP!</u></p>		
<p>1. Are <u>ALL</u> fire prescription specifications met?</p>	<u>YES</u>	<u>NO</u>
<p>2. Has an area fire weather forecast been obtained? Is it favorable?</p>		
<p>3. Are <u>ALL</u> personnel required in the Prescribed Fire Plan on site?</p>		
<p>4. Is <u>ALL</u> equipment required in the prescribed fire plan in place and functional?</p>		
<p>5. Have <u>ALL</u> personnel been briefed on the project objectives and their assignments?</p>		

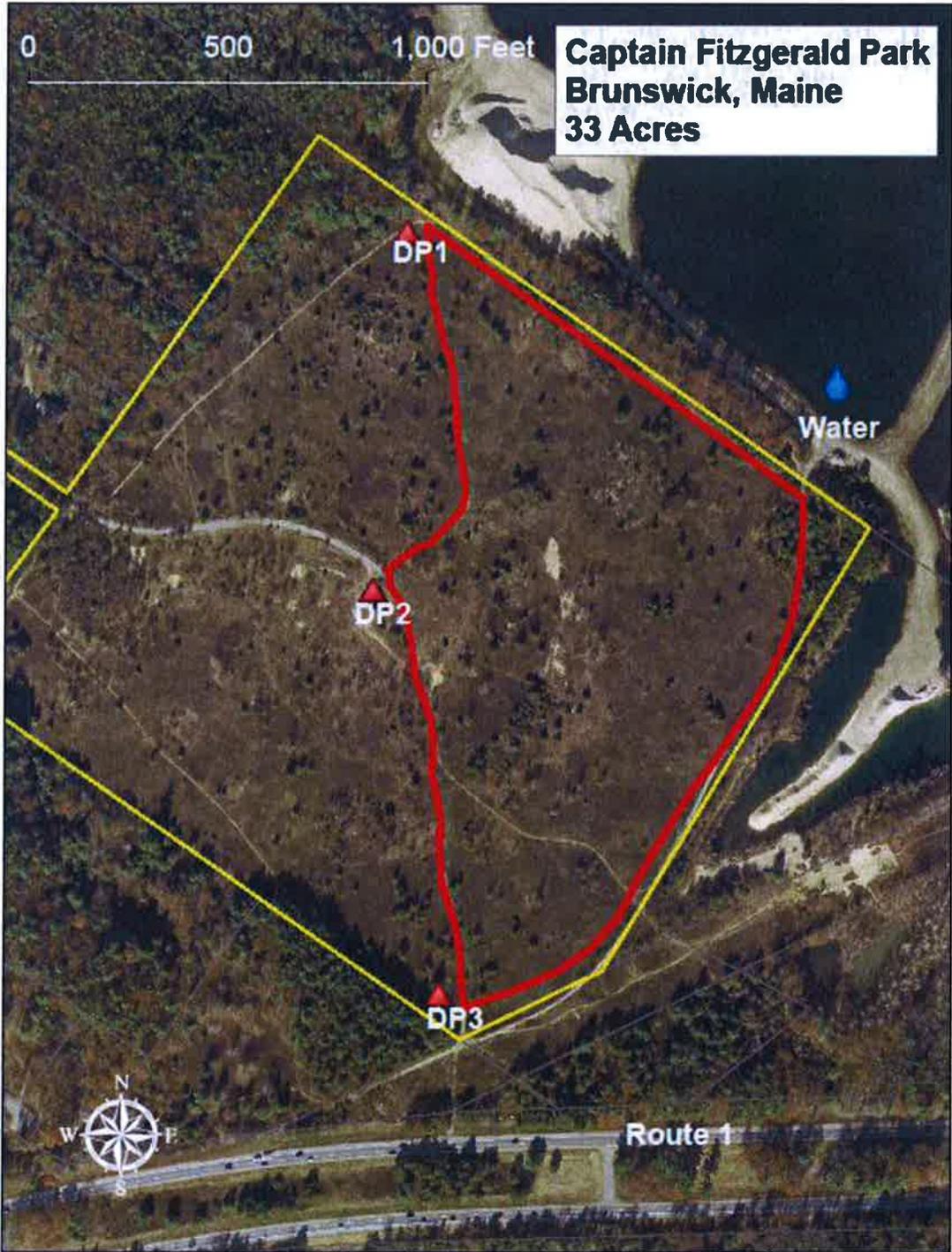
6. Has <u>ALL</u> preburn preparation work been completed?		
7. Have <u>ALL</u> personnel been briefed on the safety hazards, escape routes, and safety zones?		
8. Have <u>ALL</u> the required notifications been made?		
9. Are the on-site resources adequate for containment under the expected conditions?		
10. In your opinion, can the burn be carried out according to plan and will it meet the planned objectives?		
11. Are there adequate initial attack resources available within the local or sub-geographic area?		

If all of the above questions were answered 'YES', proceed with the test fire. Document the conditions, locations and results.

Signed: _____ Incident Commander

Signed: _____ Burn Boss

Date: _____



Intentionally left blank

ITEM 17

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; Fran Smith, Town Clerk
CC: Brunswick Town Council
FROM: Daniel R. Devereaux MRO/HM
DATE: February 20, 2014
RE: Council Agenda Item Harbor Management Plan

John,

The Brunswick Town council will hear staff comments on the completed harbor management plan at their Monday February 24th meeting. I'm supplying this memo to be included into the council packet. This memo is an attempt to give those council members, who are not familiar, a brief history of how the harbor ordinance was developed and how our coastal water usage has evolved since.

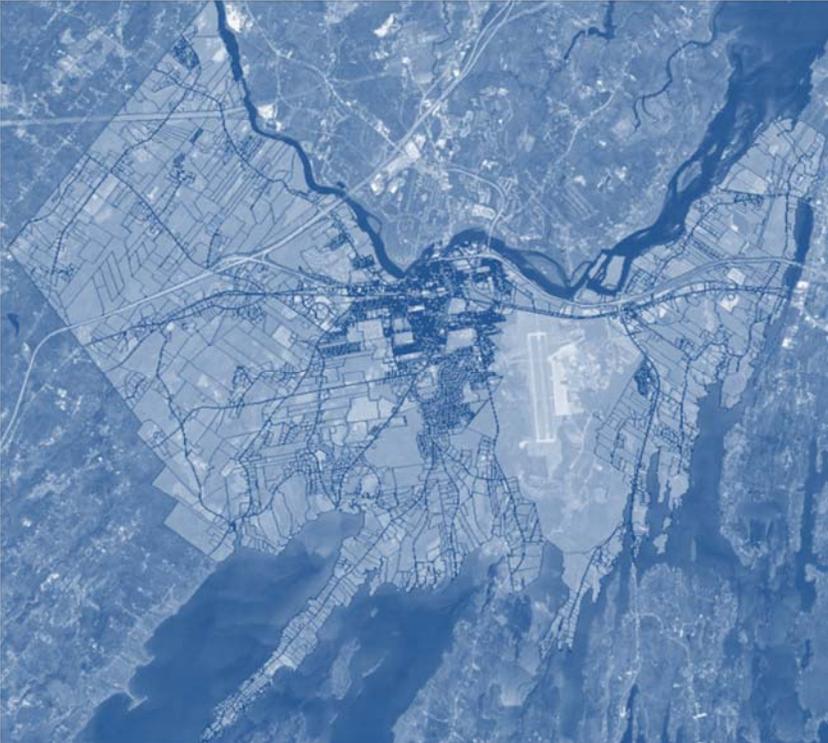
In 2005 the Brunswick enacted a very simple harbor ordinance. The adoption of this ordinance was part of the requirements attached to the construction of the Merepoint Boat Launch. With this being said the ordinance met the very basic needs.

By 2009 the Marine Division noticed increased and competing uses of our coastal waters, ranging from traditional fishing, commercial fishing, recreational boating/kayaking, swimming, and bird watching to name a few. It was at this time I met with the US Army Corp of Engineers and asked for ordinance recommendations that would help the town adapt to increase and competing coastal waters usages. During the summer of 2009 after a complete survey of our coastal waters the Army Corp supplied a list of recommendations. These recommendations were based on their regulatory experiences with other coastal communities.

Throughout 2010 - 2012, the marine division conducted several ordinance comparisons from other communities up and down the coast. It was also during this time we requested that all mooring owners voluntarily re-register their mooring each year. It was over this period we realized Brunswick harbor management strategies were severely lacking in structure, planning, protection, and utilization of our coastal waters and its resources.

It is widely known that Brunswick's coastal location has been a significant contributor to both its vibrancy as a community, and to the local and regional economies. With this said in late 2012 the Brunswick Town Council supported a grant from the Maine Coastal Program to undergo a thorough harbor management study. It is with the idea this study will help the town understand all the uses and if need be, develop new strategies and plan for future use.

It is with pleasure that I present this plan as it has been a 10 year work in progress. If you have any questions or concerns please contact me.

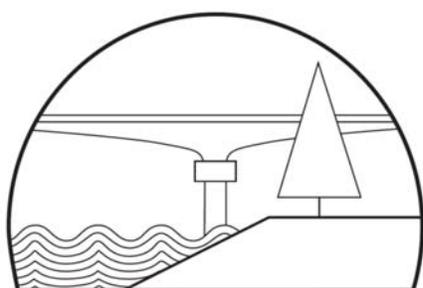


Town of Brunswick, Maine

Harbor Management Plan



January 2014



BAKER DESIGN CONSULTANTS
Civil, Marine, & Structural Engineering

IN PARTNERSHIP WITH:



Prepared By:
Baker Design Consultants
7 Spruce Road
Freeport, ME 04032

Submitted To:
Daniel R. Devereaux
Harbormaster & Marine Resource Officer
Town of Brunswick
28 Federal Street
Brunswick, ME 04011

Acknowledgements

The following individuals and groups are thanked for their valuable contributions to the development of this plan:

Town Staff & Committees

Dan Devereaux – Harbormaster/Marine Resource Officer

Steve Walker – Town Council

Anna Breinich – Director of Planning & Development

Thomas Farrell – Director of Parks & Recreation

Marine Resources Committee

Individuals, Organizations, and Businesses

Maine Coast Heritage Trust

Brunswick-Topsham Land Trust

Paul's Marina

New Meadows Marina

The significant number of residents who have attended meetings and contributed their input

Consultant Team

Baker Design Consultants

Daniel Bannon, Barney Baker, Jeff Comeau

Normandeau Associates

James Cassida, Marcia Bowen, Dennis Pelletier, Jennifer Bryant

Preface

This Harbor Management Plan serves to address the growing need for effective management of the Town of Brunswick's coastal and navigable waters. The plan should be considered a guidance document and a tool for the Town, the Marine Resource Committee, and future committees.

The plan consists of five major components:

- **INVENTORY:** Documents existing conditions within Brunswick's major harbor areas, including (but not limited to): physical features, natural resources, habitats, uses, access points, moorings, and marine infrastructure.
- **MAPPING:** The previous section is supported by mapping of inventoried features. The maps are provided in an appendix to this report and GIS based mapping data generated during this project (e.g. locations of moorings, piers, and access points) have been provided electronically to the Town.
- **PRIMARY GOALS:** Four broad goals are put forth that encompass the overall management objectives presented. These goals can be used as general guiding principles in effective harbor planning and decision making.
- **HARBOR & WATERFRONT OBJECTIVES:** Documents the specific issues and objectives identified through this study. Topics are discussed with reference to successful examples from other towns and organizations and recommendations are provided. The commentary in this section supplements the list of objectives and priorities found in the appendices.
- **HARBOR ORDINANCE UPDATES:** The Town's Harbor Ordinance, enacted in 2005, stands to be improved in a number of areas. This section provides draft language for improving the ordinance to follow the recommendations of this plan. Relevant ordinance provisions from several Maine municipalities have been referenced for this section.

This plan is only one step towards improved harbor management. The concerted efforts of individual Residents, Town staff, and Committees will ultimately be what make the Town's harbor management goals come to fruition.

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1. Background, Purpose, and Need

The Town of Brunswick, Maine is located in Cumberland County on Northern Casco Bay. Along the coast it is bordered by the neighboring Towns of Freeport to the west, Harpswell to the south and east, and West Bath to the east. The Town's northern border is provided by the Androscoggin River, and Topsham is located across the river to the north (See location map, Figure 1).

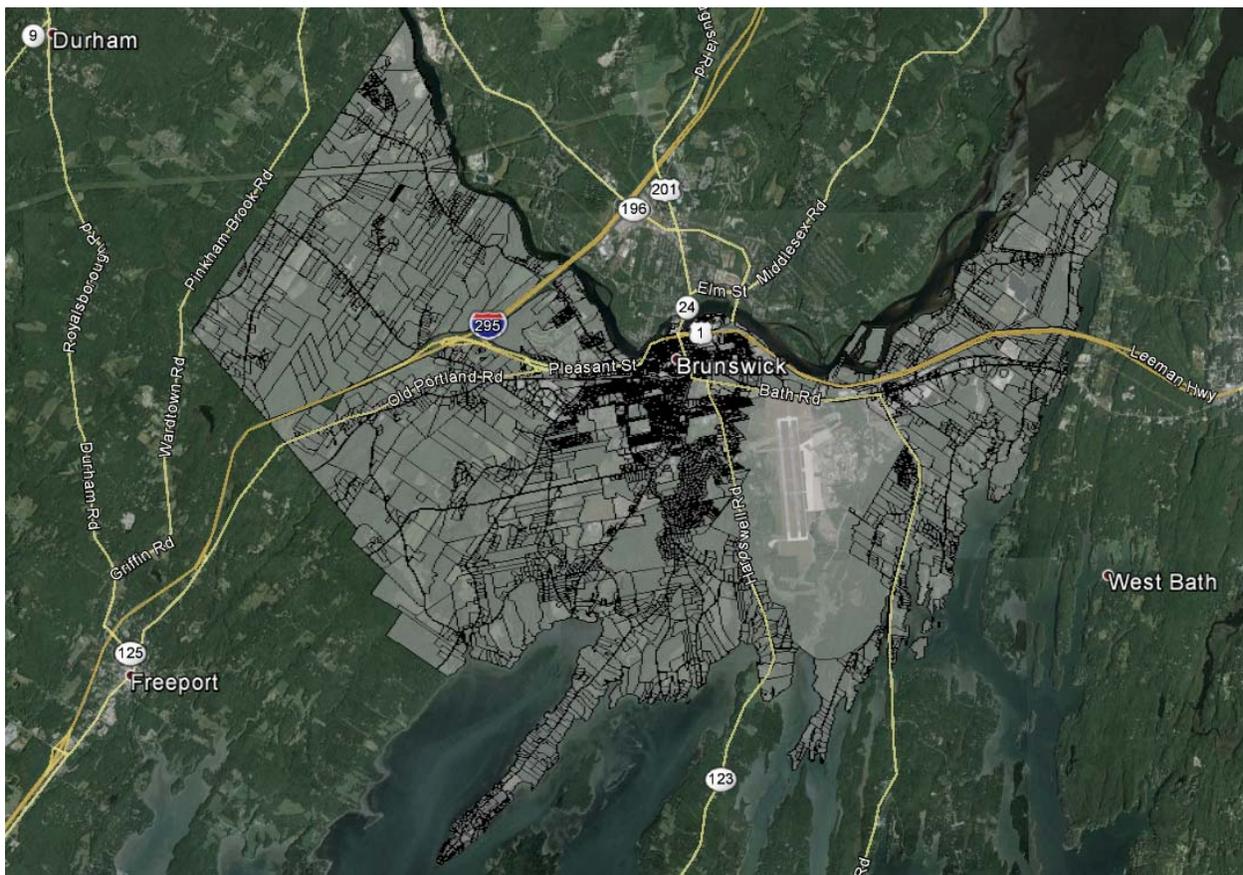


Figure 1 – Location Map of Brunswick, Maine (Source: Google Earth/MEGIS)

For many years the Town's coastal location has been a significant contributor to both its vibrancy as a community, and the local and regional economy. From the historic shipping and fishing port activities near Bunganuc, and the renowned shipbuilding that took place at Pennell Brothers Shipyard in Middle Bay, to the current commercial fishing and shellfish harvesting, working waterfront and boatbuilding, to residential property development and short

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term rental properties, there are a great number of individuals, companies, and industries that draw economic value from the Town's coastal location. Residents, businesses, and institutions also enjoy the waters for a wide range of recreational uses, including sailing, canoeing/kayaking, swimming, hunting/fishing, and nature/wildlife observation.

Brunswick, like many towns along Maine's coast, has seen significant growth in interest and use of Town waters in recent years. Coastal development and recreational boating are on the rise, and commercial uses remain vitally important to the Town. This combination places additional demand and pressure on resources, space, and traditional uses. While growth is welcomed and encouraged, the resulting increased demand on the Town's coastal resources must be carefully managed in order to minimize any negative effects.

The need to manage coastal resources prompted the Town to issue a Request for Proposals in January 2013 for consultants to work with the Town to develop a Harbor Management Plan. Through this process, the team of Baker Design Consultants and Normandeau Associates was selected. This plan represents the efforts of the two firms, as well as numerous Town staff, stakeholders, and the input of numerous citizens and groups.

The following two quotes from the Maine Harbormasters Association and State Statute MRSA Title 38 summarize the need for harbor management, and capture the purpose and goals of this study:

“Maine’s ports and harbors are a limited and irreplaceable State resource uniquely capable of supporting fishing, waterborne transportation, water-based recreation, and other uses dependent on a shoreside location...These areas are experiencing unprecedented pressure from a variety of development activities. Government agencies have a responsibility to assure that new or expanded activities in these areas will be compatible with, and will not degrade their current and future use...”

Maine Harbormasters Association

“...the Maine coast is an asset of immeasurable value to the people of the State and the nation...the well-being of the citizens of this State depends on striking a carefully considered and well-reasoned balance among the competing uses of the State's coastal area.”

Title 38, Chapter 19

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1.a. Project Approach

The approach taken throughout the project focused heavily on gaining an understanding of existing conditions, issues, and opportunities, to develop a detailed inventory and an informed list of recommendations to guide the Town in future Harbor Management.



This process involved review of numerous existing reports (cataloged in Appendix A), working with the Town to complete a GPS survey of the Town's moorings, mapping existing piers, wharves, and access points, and gathering input of stakeholders through a process of public forums and individual meetings. The public process included three public forums which allowed opportunities for public input, as well as review of plan and inventory progress.

Public Forum 1, held on June 5, 2013, provided a general overview of the Harbor Management Plan purpose, schedule, and work plan and served as an introduction of the project to the public. An opportunity was provided for open public comment.

Public Forum 2, held on August 12, 2013, provided an in-depth look at the Harbor Inventory. Full size maps were available for review and an "open-house" style review allowed for those in attendance to walk around, discuss with the project team, and record comments directly on maps. An introduction to a wide range of harbor management issues was presented. Attendees were given a survey to rank the importance of these issues and provide general comments on their use of various harbor areas. Following this meeting, the survey was also placed online, which generated a significant number of additional responses (survey results are presented in Section 3).

Public Forum 3, held on October 2, 2013, presented additional "big-picture" data inventory, a summary of preliminary survey results and information sources used, and the preliminary harbor management goals and recommendations.

Input gained through the three public forums and the online survey was compiled with guidance from Town staff, and stakeholders. Collectively, these formed the basis for the recommendations presented in this plan.

2. Inventory

This inventory serves to identify and document existing conditions and uses of Brunswick's coastal and river waters, and land use near the coastline.

For the purpose of this Inventory, Brunswick's waters have been divided into six major harbor areas, as follows:

1. Maquoit Bay
2. Mere Point Bay
3. Middle Bay
4. Harpswell Sound
5. New Meadows River
6. Androscoggin River (a & b)
 - a. Tidal (downstream of dam)
 - b. Non-tidal (upstream of dam)



Figure 2 identifies the six inventory areas. The red rectangles represent the boundaries of the detail maps presented in Section 6. Features documented by the inventory include: physical features, environmental resources, notable habitats, infrastructure, moorings, access points, and landside and marine usage, among others. The maps in Section 6 supplement the inventory by documenting land and water use (including open space parcels, moorings, piers, and access points), intertidal habitats, wildlife habitat, water quality, flood zones, and coastal bluff hazards.

While the aim of this inventory is to be as complete as possible, features and uses of the coast are ever-changing, and much of the data has been gathered from public domain sources. In order to maintain the most representative inventory possible, the Town should continue to update the inventory as new or improved information becomes available.

This inventory is necessarily broad in nature, which makes detailed investigation of any specific item beyond the scope of this planning document. Items that are of high importance to the Town should be investigated in greater detail for a more thorough understanding of on-the-ground conditions.

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2.a. Big Picture Characteristics

The Town of Brunswick is nearly surrounded by water, with over 61 miles of coastline on Northern Casco Bay, as well as approximately 20¹ miles of frontage along the Androscoggin River. The Town’s coast and waterfront vary greatly in character, and in a broad sense include: steep coastal bluffs, expansive mudflats, shallow and deep waters, tidal estuaries, impoundments, and riverine and tidal freshwater river conditions. The complex coast/shoreline includes many minor coves and peninsulas, as well as 13 islands or rock outcrops listed in the Maine Coastal Island Registry.

Brunswick has jurisdiction over approximately 3,900 acres of waters on Northern Casco Bay, of which approximately 41% (1,600 acres) is intertidal, 37% (1,450 acres) is shallow water², and 22% (850 acres) is deep water³. A breakdown of intertidal, shallow, and deep water quantities for each coastal harbor area is given in Table 1. The bathymetry map shown in Figure 3 further demonstrates the water depths throughout Brunswick.

Table 1 – Harbor Area Water Depths

Harbor Area		Total (acre)	Intertidal (% , acre)	Shallow (% , acre)	Deep (% , acre)
1	Maquoit Bay	1,570	32% (510)	39% (610)	29% (450)
2	Merepoint Bay	420	38% (160)	22% (90)	40% (170)
3	Middle Bay	640	56% (360)	41% (260)	3% (20)
4	Harpswell Sound	410	69% (280)	24% (100)	7% (30)
5	New Meadows River	830	33% (270)	45% (370)	22% (180)
	Total Coastal	3,900	41% (1,600)	37% (1,450)	22% (850)
6	Androscoggin River	1,050	---	---	---
	Tidal	810	300 (37%)	460 (57%)	50 (6%)
	Non-Tidal	240	---	---	---

Water depth is a significant indicator of the character of Brunswick’s coastal waters. For example, the significant areas of intertidal flats throughout the coast have made the Town a major player in Maine’s shellfish industry. Brunswick has a limited amount of deep water, more than half of which is located in southern

¹ Measured along shoreline. Approx. 11.5 miles along thread of river.

² Less than 6-ft at MLW, measured from NOAA nautical chart.

³ Greater than 6-ft at MLW, measured from NOAA nautical chart.

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Maquoit Bay, with the remainder mainly located in Merepoint Bay, and along the length of the New Meadows River. As a result, activities dependent on deep water have focused in these areas: Over 90% of Brunswick moorings are in either Maquoit Bay or Merepoint Bay (includes 148 at Paul’s Marina). The two commercial marinas in Brunswick are located in Merepoint Bay (Paul’s Marina), and the New Meadows River (New Meadows Marina, which currently provides 60 slips).

Waterfront and water dependent land uses occur in most of Brunswick’s zoning districts. In general, the majority of coastal frontage is represented by private residential uses or conserved lands. Commercially developed waterfront is limited to only a handful of sites in Town. GIS mapping provided by the Town⁴ identifies Open Space in the following categories: Brunswick Topsham Land Trust, Privately Owned, Town Owned, State Owned, Bowdoin, Walking Easement, Water District, Cemeteries, Easements, Parks & Recreation, and Miscellaneous. Based on these designations, approximately 39% of the Casco Bay coastline and 45% of Androscoggin River shoreline represent Open Space in some form. However, this data must cautiously be used as an indicator of ‘public access’ sites available. This site subset (central to the goal of increasing waterfront access) will be significantly less than the number identified as Open Space and will need to be evaluated on a site by site basis.

Table 2 – Shoreline Frontage

Harbor Area		Total (mi)	Private (mi, %)	Open Space (mi, %)
1	Maquoit Bay	13.7	6.4 (47%)	7.3 (53%)
2	Merepoint Bay	3.6	2.5 (68%)	1.2 (32%)
3	Middle Bay	10.4	5.0 (48%)	5.4 (52%)
4	Harpwell Sound	14.0	10.3 (73%)	3.7 (27%)
5	New Meadows River	19.1	12.9 (67%)	6.3 (33%)
	Total Coastal	60.9	37.0 (61%)	23.8 (39%)
6	Androscoggin River	20.6	8.0 (39%)	12.7 (61%)
	Total Shoreline	81.5	45.0 (55%)	36.5 (45%)

⁴ Based on Town of Brunswick 2013 GIS Mapping.

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There are currently 57 commercial fishermen licensed by the Town, approximately 30 of which are full-time. A number of worm harvesters also use the Town's mudflats, however these licenses are provided by the state and are not Town specific so the exact number is unknown.

The Town's coast and waters are also enjoyed by a wide range of recreational uses. These include canoeing and kayaking, recreational sailing and motorboating, jetskiing, fishing, hunting, birdwatching and nature observation, and others. Swimming is enjoyed by a large number of residents, both in saltwater and freshwater areas.



Access to the water is a critical issue in Brunswick. As coastal development increases, traditional access points tend to be closed or restricted. This places additional pressure on existing public access points, and on the users desiring access. Figure 5 shows the existing public access locations throughout the Town. These access points vary in scale from the new two-lane all-tide Merepoint Boat Launch, to relatively unknown, traditionally established walking paths to the mudflats located throughout the Town. With the exception of Middle Bay, there is at least one boat launch located in each of the harbor inventory areas (Simpson's Point Landing, which historically provided access to Middle Bay is currently closed as part of an eelgrass mitigation effort).

The term "traditional access points" has been used throughout this study to refer to those locations throughout the Town which have historically been used for water access, but are not formally established as public access points. In some cases, these occur on private property based on "hand-shake" agreements, and in some cases permission has not been granted. In an effort to respect the rights of property owners, traditional access points have not been included in the inventory or mapping.

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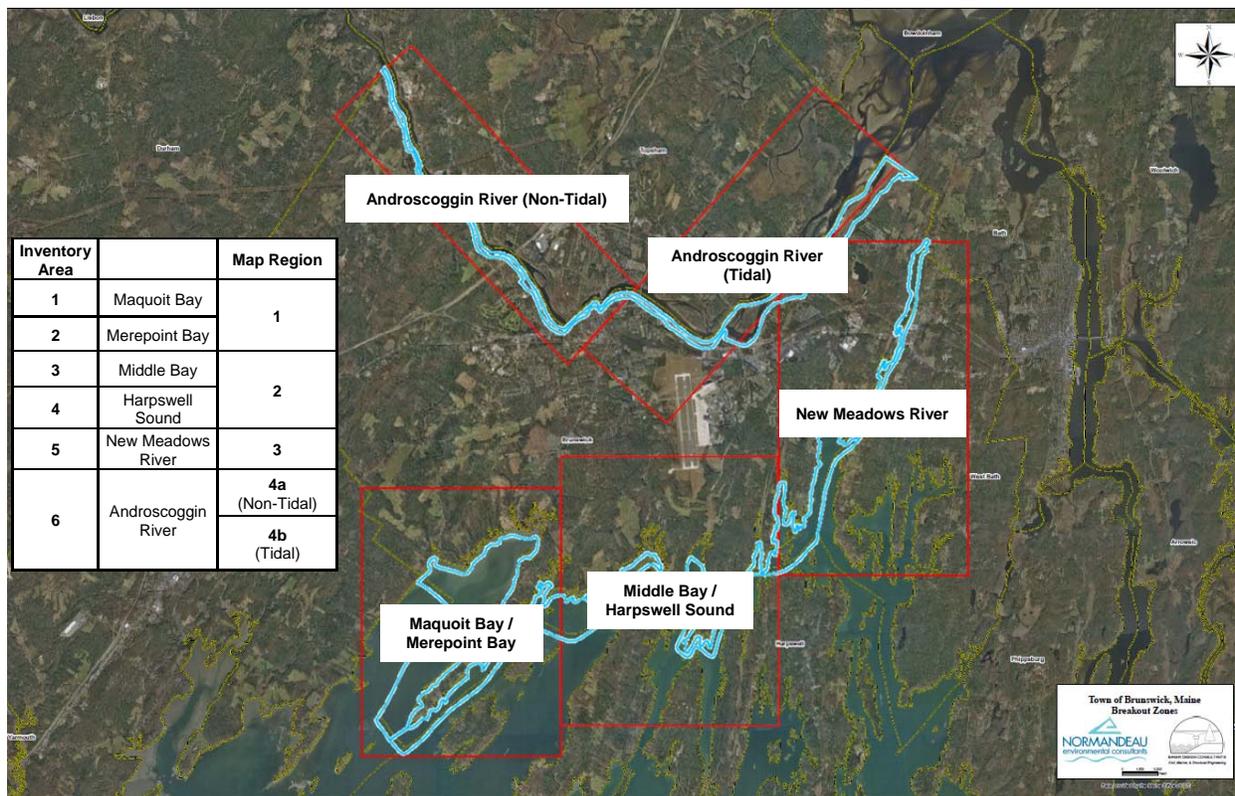


Figure 2 – Inventory Areas and Map Regions

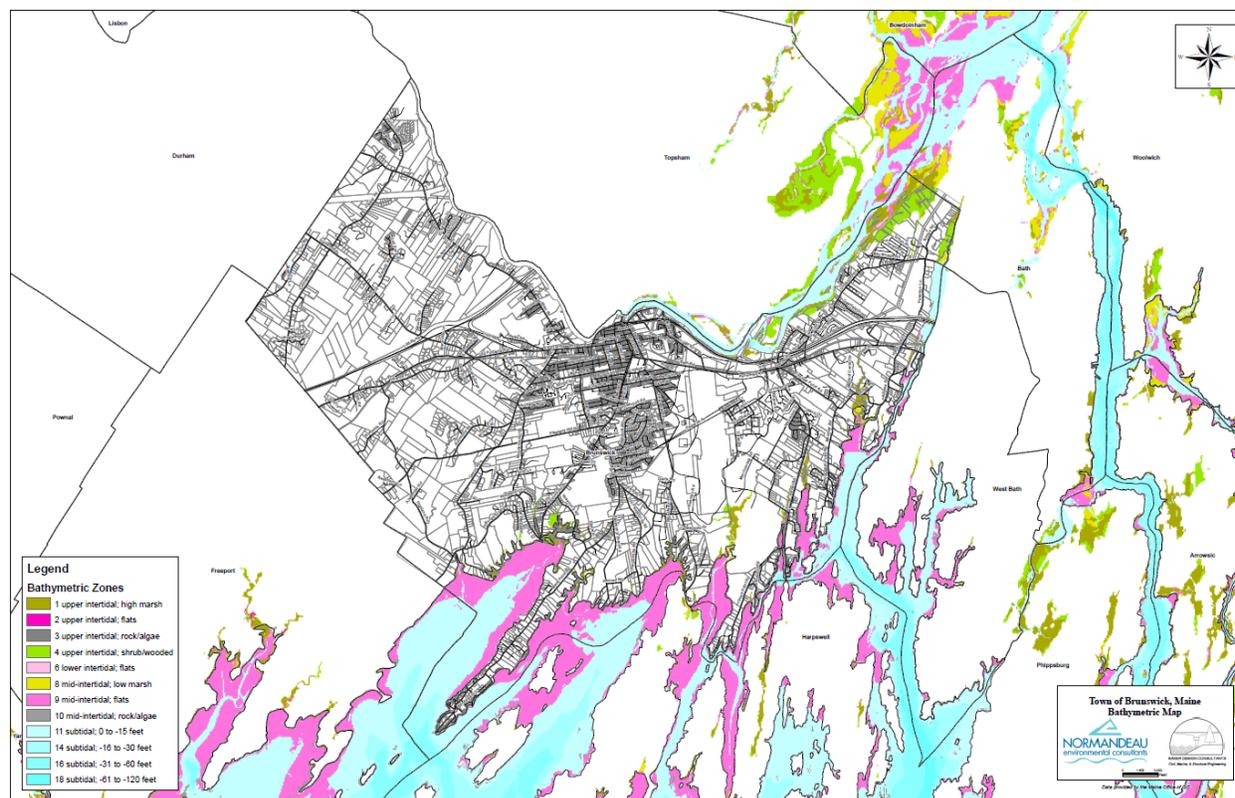


Figure 3 – Bathymetry Map

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Figure 4 – Open Space Map

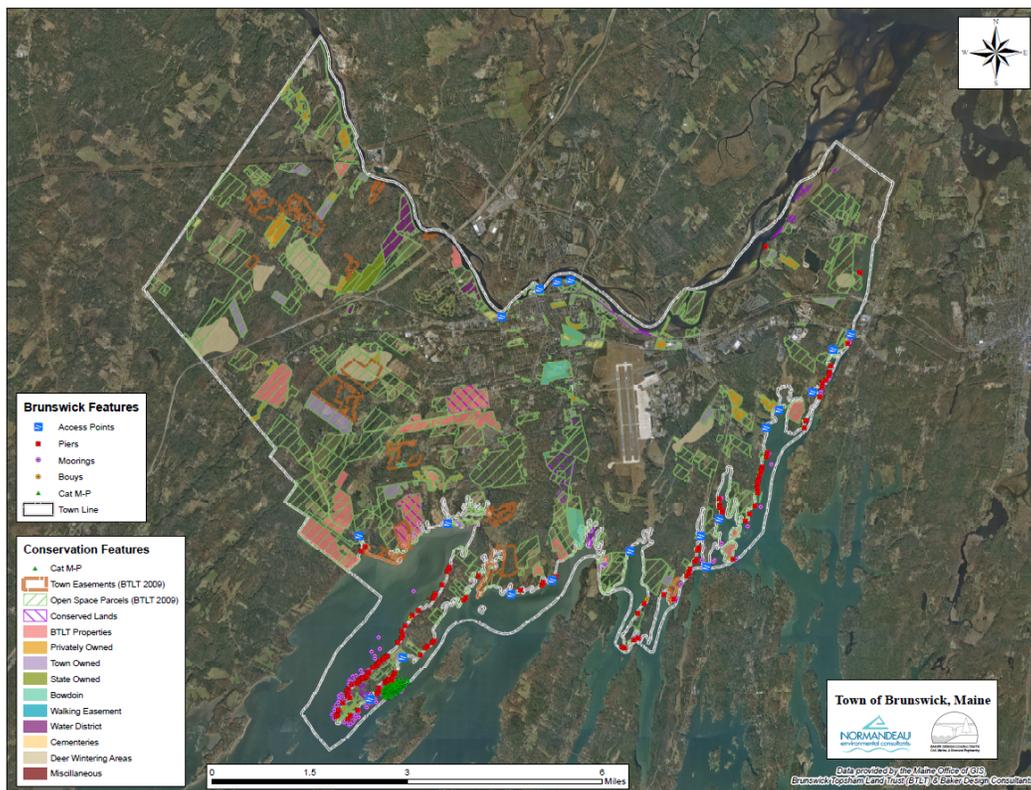


Figure 5 – Open Space Map w/Moorings, Piers, and Access Points

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2.b. Maquoit Bay

Maquoit Bay is the western extent of Brunswick’s coastal waters, bounded by Freeport on the west and Merepoint Neck on the East. The outlet of Bunganuc Stream is located in the northwest of the Bay. To the east, residential properties and conservation lands occupy the coastal lands through Bunganuc Point and the upper Bay.

Western Merepoint is dominated by residential properties, many of which have permanent and/or seasonal piers or docks, as well as moorings accessed from the adjacent properties.

The upper bay is predominantly intertidal, with significant areas of high value salt marsh and productive mudflats.

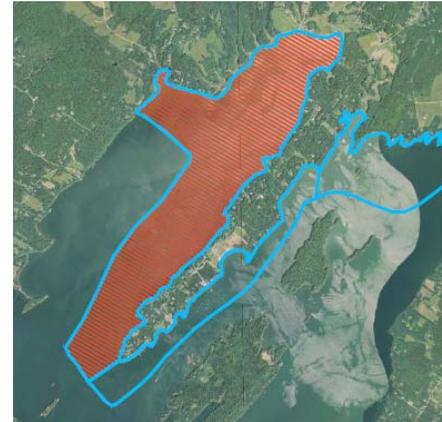
Boater access is provided at Maquoit Landing, a high-tide public launch located at Wharton’s Point. Traditional access points allow access to the mudflats at several locations.

Maquoit Bay is historically significant, with harbor activities at Bunganuc recorded as early as the mid 1700’s. Today, recreational boating and commercial fishing occur on the waters in Maquoit Bay, while the vast intertidal areas are major harvest areas for softshell clams and quahogs.

Top: Aerial Photo, Maquoit Bay shaded red

Middle: Southern Merepoint from Maquoit Bay

Bottom: Private lobster pier on Western Merepoint



Physical Characteristics	Total Harbor Area – 1,570 acre Intertidal – 510 (32%) Shallow – 610 (39%) Deep – 450 (29%) Unstable/highly unstable coastal bluffs at Bunganuc Point and western Merepoint
Natural and Cultural Resources	Designated Focus Area of Statewide Ecological Significance, designated Important Bird Area, high scenic qualities, wildlife observation, several historic sites including Wharton Point, Bunganuc Landing, etc.
Fisheries & Habitats	Softshell Clams, Quahogs, Razor Clams, Marine Worms Shellfishing Management Areas: <ul style="list-style-type: none"> • Bunganuc – 25 acres • Upper Maquoit Bay – 50 acres Tidal Wading Waterfowl Habitat, Shorebird Feeding & Roosting State listed rare plant and animal species.

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Water Quality	<p>Bunganuc and Upper Bay are subject to reduced water quality from upland runoff during heavy rain events. Rainfall dependent shellfish closures.</p> <p>Expansive eelgrass habitat, however actual eelgrass population is in decline.</p> <p>Overboard discharge sites.</p>
Usage	<p>Shellfish, Marine Worm Harvesting</p> <p>Commercial Fishing, Recreational Fishing</p> <p>Recreational Boating, Canoeing/Kayaking</p> <p>Oyster Aquaculture (located in Freeport Waters)</p>
Moorings	<p>59 Moorings</p>
Access Points <i>(Aerial photos at right)</i>	<p>Maquoit Landing at Wharton Point: Public high tide launch for trailered and hand-carry boats, 10-12 parking spaces. Walking access to mudflats.</p> 
Land Use/Zoning	<p>Coastal Protection, Natural Resource Protection Zone</p> <p>Primarily residential, public lands, conservation lands</p> <p>Maquoit Bay Conservation Land, located on Bunganuc Point, provides 124 acres of wooded parks and hiking trails open to the public.</p>
Infrastructure	<p>48 Total Piers/Wharves</p>
Navigation	<p>Navigable waters throughout Maquoit Bay. Water depths to 24 ft in southern bay. Upper Bay is comprised of shallow waters (generally < 6ft) and intertidal, depths may be insufficient for navigation near low tide.</p>
Specific Issues/Goals Identified	<p>Preserve access to mudflats.</p> <p>Improve water quality to reduce shellfish closures.</p> <p>Eelgrass restoration.</p> <p>Possible municipal mooring field site.</p>

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2.c. Merepoint Bay

Merepoint Bay comprises an area within Middle Bay that is bounded by Merepoint on the west, and Birch and White Islands (of Harpswell) on the east. Much of the Bay is deep water, with charted depths up to 20 ft.

Land use along eastern Merepoint is mixed, with many residential properties, as well as water-dependent businesses/uses including Paul's Marina, Smith's Boat Yard, and Merepoint Yacht Club.

A significant number of the Town's moorings are located within Merepoint Bay, including the ACOE permitted mooring field operated by Paul's Marina.

Access is provided at multiple public and private boat launch sites, including the new Merepoint Boat Launch, a public all-tide deep-water facility open to recreational users.

The waters in Mere Point Bay are used heavily by recreational boaters and commercial fishermen. There are two small but productive areas of mud flats within the Bay (Smith Cove and Bean's Cove).

While physically contained within Middle Bay, Merepoint Bay is addressed individually in this inventory due to its distinct physical features, usage, and management goals.

Top: Aerial Photo, Merepoint Bay shaded red

Middle: Boat moored in southern Merepoint Bay

Bottom: Kayaker at Merepoint Boat Launch



Physical Characteristics	Total Harbor Area – 420 acre Intertidal – 160 (38%), Shallow – 90 (22%), Deep – 170 acre (40%) A significant percentage of eastern Merepoint is classified unstable coastal bluff, with selected areas identified as highly-unstable.
Natural and Cultural Resources	Designated Focus Area of Statewide Ecological Significance, high value scenic qualities, birdwatching, wildlife observation
Fisheries & Habitats	Softshell Clams, Quahogs, Marine Worms Shellfishing Management Areas: <ul style="list-style-type: none"> • Smith Cove – 7 acres • Several small areas contained in the 150 acre Middle Bay area Tidal Wading Waterfowl Habitat

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Water Quality	Significant eelgrass habitats which affect use of Merepoint Boat Launch, as well as mooring locations (particularly in northern Bay) Overboard Discharge Sites Wastewater Facility Outfalls Sewage pumpout at Paul's Marina
Usage	Shellfish/worm harvesting Commercial Fishing Recreational Boating, Canoeing/Kayaking, swimming, birdwatching
Moorings	197 Total Moorings 49 Private 148 Moorings within Army Corps Permitted Field at Paul's Marina
Access Points <i>(Aerial photos at right)</i>	Merepoint Boat Launch: Public all-tide launch with deep water access. Two launch lanes for trailered boats, as well as hand carry access. Use restricted to recreational boaters. Parking for 52 truck/trailer units and 3 cars. Open space/picnic space. 
Land Use/Zoning	Coastal Protection, Natural Resource Protection Zone Public residential, commercial waterfront, marinas/boatyards
Infrastructure	25 Piers/Wharves
Navigation	Deep water exists throughout most of Mere Point Bay. Navigation Buoys mark approach channel to Mere Point Boat Launch.
Specific Issues/Goals Identified	Management of moorings (siting, density, public availability) Regulation of commercial uses Possible municipal mooring field site Evaluate current and future uses of Merepoint Boat Launch

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2.d. Middle Bay

Middle Bay, as a whole, comprises the waters between Mere Point and Harpswell Neck. The extent of Brunswick waters in Middle Bay based on jurisdictional boundaries is limited to areas east of Merepoint Neck, north of White Island, and upper Middle Bay through Middle Bay Cove. (Merepoint Bay was addressed in the prior section).

More than half of Middle Bay is intertidal, with over 150 acres of managed shellfish areas, as such, Middle Bay is the Town's major producer of softshell clams and has recently been particularly productive for Quahogs.

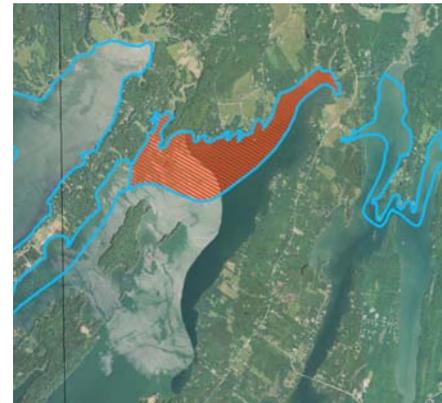
Due to the closure of Simpson's Point Landing as a boat launch site, boater access to Middle Bay is limited. Boaters must travel several miles from Merepoint Boat Launch, or a further facility in Harpswell to access the upper Bay. There are several locations for hand-carry and pedestrian access, including Simpson's Point and Barnes Landing. Several traditional access points located on Merepoint Neck and around Upper Middle Bay provide access to the mudflats.

Much of the land use surrounding Middle Bay is residential, there are also several areas of conservation lands. Due to the limited amount of deep water, there are few piers or moorings within the Bay.

Top: Aerial Photo, Middle Bay shaded red

Middle: Canoes and Kayaks at Simpson's Point Landing

Bottom: Rock outcrops near Barnes Landing at low tide



Physical Characteristics	Total Harbor Area – 640 acre Intertidal – 360 (56%), Shallow – 260 (41%), Deep – 20 acre (3%) Areas of unstable and highly-unstable coastal bluffs, mainly in mid to western middle-bay.
Natural and Cultural Resources	Designated Focus Area of Statewide Ecological Significance, high value scenic qualities, birdwatching, wildlife observation Historically significant areas in Pennellville
Fisheries & Habitats	Softshell Clams, Hard Clams (Quahogs), Blue Mussels, Marine Worms Shellfishing Management Areas: <ul style="list-style-type: none"> Middle Bay (Includes Minot Shore, Catlin Shore, Miller Creek, Clay Cove, Upper Middle Bay, Penneville, Beans Cove) – 150 acres

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	<ul style="list-style-type: none"> • Barnes Landing – 5 acres • Smith Cove – 7 acres <p>Tidal Wading Waterfowl Habitat, Shorebird Feeding & Roosting</p>
Water Quality	<p>Stable water quality, no closures.</p> <p>Large eelgrass beds throughout upper Bay.</p>
Usage	<p>Shellfish Harvesting, Marine Worm Harvesting</p> <p>Recreational Boating, Canoeing/Kayaking,</p> <p>Swimming at Simpson’s Point Landing</p> <p>Commercial Fishing</p>
Moorings	<p>Few moorings, unable to survey during study</p>
<p>Access Points</p> <p><i>(Aerial photos at right)</i></p>	<p>Simpson’s Point Landing: Access to upper middle-bay for hand-carry boats and saltwater swimming and recreation. Boat launch currently closed to motor boats as eelgrass mitigation measure. Very limited parking at site.</p>  <p>Barnes Landing: Hand-carry access to Middle Bay Cove and the adjacent mudflats, limited parking at site.</p> 
Land Use/Zoning	<p>Coastal Protection, Natural Resource Protection Zone</p>
Infrastructure	<p>7 Piers/Wharves</p>
Navigation	<p>Access from Middle Bay or Mere Point Bay. Much of Middle Bay is intertidal and water depths may be insufficient for navigation except near high tide.</p>
Specific Issues/Goals Identified	<p>Assess need for safe boater access to upper Middle Bay and compatibility with growing demand for saltwater swimming opportunities.</p>

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2.e. Harpswell Sound

Brunswick's waters in Harpswell Sound include: The Skolfields, Harpswell Cove, Gurnet Straits, Long Reach, and Buttermilk Cove. The channel connecting Harpswell Cove to Long Reach and continuing through Gurnet Straits marks the boundary between Brunswick and Harpswell. With the exception of this channel, there is little deep water.

Boater access is provided at Princess Point Landing, as well as at facilities in neighboring Towns. Traditional access points situated throughout the area provide access to the intertidal resource.

Waterfront land use surrounding this area is primarily residential. Additionally, the Kate Furbush Preserve (located on former BNAS) property, is a 591 acre conservation land with frontage on Harpswell Cove and Buttermilk Cove.

This area supports extensive intertidal saltmarshes and mudflats. There are several notably productive areas of mud flats located in the Sound, including Buttermilk Cove, Gurnet Straits, Harpswell Cove, and Long Reach.



Top: Aerial Photo, Harpswell Sound shaded red

Bottom: Pier in Buttermilk Cove

Physical Characteristics	Total Harbor Area – 410 acre Intertidal – 280 (68%), Shallow – 100 (25%), Deep – 30 acre (7%) Limited areas of unstable and highly-unstable coastal bluffs
Natural and Cultural Resources	Excellent scenic qualities, Birdwatching, nature observation Kate Furbush Preserve, located within the BNAS Public Benefit Conveyance, provides 591 acres of conserved lands, with significant frontage on Harpswell Cove
Fisheries & Habitats	Softshell Clams, Blue Mussels, Marine Worms Shellfishing Management Areas: <ul style="list-style-type: none"> • Buttermilk Cove & Gurnet Straits – 15 acres • Harpswell Cove – 70 acres (<i>Partially Closed – DMR Restricted</i>) • Long Reach – 35 acres Tidal Wading Waterfowl Habitat State listed rare plant and animal species present
Water Quality	Limited eelgrass habitat Overboard discharge sites

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Usage	Shellfish and Marine Worm Harvesting Recreational boating, canoeing/kayaking
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Moorings	5 Moorings
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Access Points <i>(Aerial photos at right)</i>	Princes Point Landing: Half-tide launch, parking for ~5 trucks/trailers.
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Land Use/Zoning	Farm Forest, BNAS Conservation District, Natural Resource Protection Zone, Restrictive Flight Zone
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Infrastructure	16 Piers/Wharves
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Navigation	With the exception of the navigation channel, water depths are shallow. Fixed bridge with limited vertical clearance (10 ft) and cable area at Gurnet Strait.
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Specific Issues/Goals Identified	Preserve access to intertidal areas through conservations lands, easements, and/or establishment of new municipal access sites. Develop hand-carry launch site near former bunkers.
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2.f. New Meadows River

The New Meadows River is the easternmost extent of Brunswick’s coastal waters, and provides the border between Brunswick and the neighboring towns of Harpswell and West Bath. The river is navigable from the sea up to the Bath Road crossing, where flow is directed through a narrow culvert. Upstream of Bath Road, the artificially impounded yet still partially tidally-influenced New Meadows “lake” is suitable for small craft navigation.

A variety of landside uses exist along the River, including: New Meadows Marina which offers rental slips and launch services, the Bowdoin College Crew facility, Thomas Point Beach and campground, a large number of private residential properties, and others.

Boater access is provided at Sawyer Park, as well as launch locations in neighboring Towns. Several traditional access points are used for pedestrian access to the mud flats.

Several of Brunswick’s major shellfish areas are contained within the River, including: Woodward Cove (“The Bull Pen”), Coombs Island, Thomas Point Beach, Bullrock, Horse Pen Cove, and the Lakes.

Top: Aerial Photo, New Meadows River shaded red

Middle: Canoe at Sawyer Park Boat Launch

Bottom: Boats at New Meadows Marina



Physical Characteristics	Total Harbor Area – 830 acre Intertidal – 270 (32%), Shallow – 380 (46%), Deep – 180 acre (22%) Limited areas of unstable and highly-unstable coastal bluffs
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Natural and Cultural Resources	High value scenic qualities, wildlife observation, several historic sites from Peterson Canal to Gurnet Strait
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Fisheries & Habitats	Softshell Clams, Quahogs, Razor Clams, Mussels, Marine Worms Shellfish Management Areas: <ul style="list-style-type: none"> • Big Bull Pen – 40 acres • Little Bull Pen – 10 acres • Coombs Island – 15 acres • New Meadows – multiple small areas • Thomas Point Beach – 40 acres Tidal Wading Waterfowl Habitat, Shorebird Feeding & Roosting
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	Multiple state listed rare species present including bald eagle nests, heron colony, Barrow's goldeneye, and saltmarsh sparrow
Water Quality	<p>Past shellfish closures due to water quality (Woodward Cove restricted 2006-2011, currently tolerable).</p> <p>Limited eelgrass habitat, Overboard discharge sites, sewage pumpout at New Meadows Marina</p> <p>Tidal barrier at Bath Road long known to negatively impact water quality both in the River and "lakes".</p>
Usage	<p>Commercial Marinas, Recreational Boating, Kayaking/Canoeing, Fishing</p> <p>Shellfish, Marine Worm harvesting</p> <p>Upwellers used for oyster farming</p>
Moorings	21 Moorings
Access Points <i>(Aerial photos at right)</i>	<p>Sawyer Park: All-tide, ADA accessible launch site. Parking for 33 trucks/trailers, 7 cars. Open space with picnic area, toilet facilities.</p> 
Land Use/Zoning	Farm Forest, NRPZ
Infrastructure	34 Piers/Wharves
Navigation	<p>Narrow deepwater channel extends to Bath Road, otherwise mainly intertidal and shallow subtidal. Historically navigable waters extended to Old Bath Road with numerous moorings and piers upstream of the present day Bath Road impoundment.</p> <p>Charted cable areas south of Lower Coombs Island and Bath Road, Bridge Ruins south of Bath Road.</p>
Specific Issues/Goals Identified	<p>Tidal restoration of New Meadows "lake" to restore intertidal saltmarshes and mudflats and navigation values.</p> <p>Preserve access to intertidal areas through conservations lands, easements, and/or establishment of new municipal access sites.</p>

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2.g. Androscoggin River

The Androscoggin River forms the northern border for Brunswick, flowing a distance of approximately 12.5 miles from the Town's western border with Durham to the outlet into Merrymeeting Bay near the eastern border with Bath.

The hydroelectric dam located upstream of the Frank Wood Bridge (Route 201) crossing represents the head of tide. Historically a series of waterfalls was present in this area preventing upstream navigation. The entire river is freshwater, however the lower section between the dam and Merrymeeting Bay is tidally influenced.

Land use along the River varies greatly, with most of the Town's development zones (from Farm Forest to Residential to Highway Commercial) represented at some point along the river frontage.

In recent years, the Town has seen a substantial increase in use of the River by recreational boaters. There are several public launches located along the river that provide hand-carry and small vessel access, boaters may also access the river from Merrymeeting Bay. Fishing is popular along the banks of the River. Elver fishing is also becoming an increasingly common activity.



Top: Aerial Photo, Androscoggin River shaded red

Bottom: View downstream from Mill Street Canoe Portage

	Non-Tidal (upstream of dam)	Tidal (downstream of dam)
Physical Characteristics	Total Area – 240 acres Freshwater, riverine	Total Area – 810 acres Intertidal – 300 (37%), Shallow – 460 (57%), Deep – 50 acre (6%) Freshwater, tidal Limited areas of unstable and highly-unstable coastal bluffs
Natural and Cultural Resources	Supports a wide range of wildlife habitats and fish species, the focus of multiple habitat restoration and water quality improvement efforts. Many historically significant areas	Designated Focus Area of Statewide Ecological Significance
Habitat	State listed rare animals include bald eagles and high interest fish habitats	State listed rare animals include tidewater mucket, bald eagles (nest

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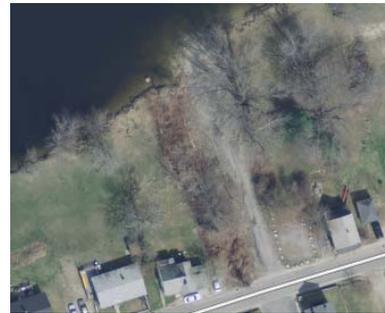
<p>noted below:</p> <ul style="list-style-type: none"> • Atlantic sturgeon • Short-nosed sturgeon • Atlantic Salmon • Alewife • Wild Eastern Brook Trout <p>Non-Native Fish Species</p>	<p>sites at Freyee Island and Driscoll Island), and high interest fish habitats noted below:</p> <ul style="list-style-type: none"> • Atlantic sturgeon • Short-nosed sturgeon • Atlantic Salmon (Merrymeeting Bay Salmon Habitat Recovery Unit) • Alewife • Sea-Run Rainbow Smelt <p>Non-Native Fish Species</p> <p>Elver fishing</p> <p>Rare freshwater tidal marshes that support globally rare plant species</p> <p>Tidal and Inland Wading Waterfowl</p>
<p>Land Use/Zoning</p> <p>Country Residential, Farm Forest, Mixed Use, Residential, Highway Commercial, Town Residential, Town Center</p> <p>NRPZ, Aquifer Protection, Conservation lands</p>	<p>Town Center, Town Residential, Highway Commercial, Country Residential</p> <p>NRPZ, Aquifer Protection, Restrictive Flight Zones</p> <p>Conservation lands</p>
<p>Infrastructure</p> <p>0 Piers</p>	<p>2 Piers</p>
<p>Navigation</p> <p>Only hand-carry access is available between FPL Dam and Pajepscot Dam. Waters upstream of Pajepscot Dam can be accessed from sites in neighboring towns.</p>	<p>Navigable waters between FPL Dam and Merrymeeting Bay.</p>
<p>Moorings</p> <p>Unable to survey during study (few moorings)</p>	<p>Unable to survey during study (few moorings)</p>
<p>Access Points</p> <p><i>(Aerial photos below descriptions. Ordered from upstream to downstream)</i></p> <p>Pajepscot Dam Recreation Area – Hand-carry boat launch and seasonal parking. Recreational space, hiking trails.</p> 	<p>250th Anniversary Park – Hand-carry access downstream of hydroelectric dam.</p> 

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Mill Street Canoe Portage – Hand-carry access to the Androscoggin river upstream of the hydroelectric dam.



Water Street Boat Landing #1 – Small-craft and hand-carry access, parking limited



Water Street Boat Landing #2 – Improved ramp for larger trailered vessels and a paved parking area for ~16 trucks/trailers, and 40+ cars.



Bay Bridge Landing Wetland Park – Small craft access to Merrymeeting Bay with public recreation lands at site.



Water Quality	<p>Wastewater facilities, outfalls, overboard discharge sites</p> <p>Historically, water quality was very poor, significant improvements since the Clean Water Act (1972), as a result of multiple restoration and pollution reduction efforts. Concerns remain of water quality for recreation/swimming</p>	
Usage	<p>Canoeing/Kayaking, recreational boating, jetskiing, recreational fishing</p>	
Specific Issues/Goals Identified	<p>Improve water quality</p> <p>Improve access upstream of FPL Dam, including at existing sites (e.g. Mill St. Canoe Portage)</p>	<p>Improve water quality</p>

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2.h. Coastal Islands

The Maine Island Registry lists thirteen islands or outcrops within the Town of Brunswick (see Table 3), along with their current conservation status. Crow Island, located in Middle Bay, is pictured below.



Table 3 – List of Islands in Brunswick

Registry Number	Island Name	Conservation Status	Acreage	Harbor Area
55-028	Blackies Ledge	---	---	New Meadows River
55-230	Bunganuc	---	0.5	Maquoit Bay
55-089	Coombs (Lower)	BTLT	---	New Meadows River
55-088	Coombs (Upper)	BTLT	8.6	New Meadows River
55-098	Crow	---	---	Middle Bay
55-014	Freyee	ME IF&W	2	Androscoggin River
55-015	Freyee	ME IF&W	2	Androscoggin River
55-012	Freyee	ME IF&W	9.6	Androscoggin River
55-013	Freyee	ME IF&W	3	Androscoggin River
55-019	Great (a.k.a. Driscoll)	Town	---	Androscoggin River
55-087	Iron (Little)	---	---	New Meadows River
55-027	Mason Rock	---	---	Androscoggin River
55-010	Sandy Isle	---	---	Androscoggin River

3. Public Input Survey

As part of the public input process, a survey was generated to gather information regarding harbor conditions, uses, issues, and priorities. The survey was initially provided to the attendees of Public Forum 2. Following the Public Forum, the survey was circulated online to increase the exposure and gather further responses. The survey served as a valuable means to reach a wide range of user groups.

The survey consisted of three sections. The first asked respondents to indicate how they use Brunswick’s waters by selecting applicable categories from a list. This provided insight into the demographics of respondents. Results are summarized in Table 4. Because these questions were optional, the results should be considered representative only, and primarily demonstrate that a wide range of users took part in the survey.

Table 4 – Survey Respondent Demographics

Category	Percent of Respondents ⁵
Brunswick Resident	78%
Commercial Fishermen	9%
Recreational Fishermen	38%
Shellfish Harvester	12%
Worm Harvester	7%
Recreational Boater	73%
Canoer/Kayaker	61%
Mooring Holder	42%
Waterfront Property Owner	47%
Swimmer – Saltwater	79%
Swimmer – Freshwater	33%

The second section of the survey asked respondents to provide any comments specific to each of the harbor areas, e.g. how the area is used, any known issues, opportunities, etc. These questions generated a significant number of comments and dialogue which helped to gain an understanding of public

⁵ Multiple categories could be selected by a single respondent, and responses were optional, results should not add up to 100%. In total, 98 responses were received.

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opinion regarding a number of issues. The third section of the survey presented a list of harbor management issues, and asked user to rank the issues in terms of importance. This information provided a gauge of public opinion on a number of issues and helped to guide the recommendations and priorities presented in the following sections. The full list of comments received from Section 2 is provided in Appendix C – Survey Responses. A Summary of the issue ranking from Section 3 is presented in Table 5.

Table 5 – Summary of Issue Rankings

Issue/Recommendation Category	Average Ranking 5 = Most Important 1 = Least Important
1. Resource Monitoring & Mitigation	5.0
2. Respond to Climate Change	4.2
3. Preserve Working Waterfront (Fishing, Shellfish Harvesting, Worming)	4.2
4. Provide Education & Training	4.4
5. Improve Public Access to Waterfront	4.6
6. Institute Mooring Management	3.1
7. Establish Municipal Goals	2.5
8. Support Marine Resource Committee	3.0

4. Primary Goals

As the team developed an understanding through completing background research, harbor inventory, and public surveys for issue identification, a number of common themes emerged that capture the core of the Town's management objectives. These lead to the development of the following four Primary Goals:

1. Coordinate Harbor & Waterfront Efforts with Town & Regional Programs
2. Balance Shared Uses of Brunswick's Waterfront
3. Pursue a Sustainable Waterfront
4. Manage, Promote, and Preserve Brunswick's Coastal and River Environment

The Primary Goals can be used to support the broad goal of improved harbor management, and support the specific recommendations put forth by this study. Further discussion of the Primary Goals is provided in the following sections.

1. Coordinate Harbor & Waterfront Efforts with Town & Regional Programs

Prior to this study, there has been a significant amount of work done by a variety of Town Staff, Departments, Committees, Citizen Groups, and outside organizations. Coordinating efforts between these groups will take advantage of the vast body of past work that has been done, and will help to ensure that the diverse user groups with



interest in the waters and waterfront are represented. The following resources were consulted during the preparation of this report:

- Town Programs & Groups: Marine Resource Committee, Parks & Recreation, Planning & Development, Conservation Commission
- Studies & Documents: Comprehensive Plan, Open Space Plan, etc. (see Appendix A)

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- Organizations: Brunswick Topsham Land Trust, Maine Coast Heritage Trust, Casco Bay Estuary Partnership, Androscoggin River Watershed Council, New Meadows River Partnership
- Regional Initiatives:
 - Freeport Greencrab Study
 - Invasive Species Eradication
 - Estuary Quality Resource Monitoring

2. Balance Shared Uses of Brunswick's Waterfront

The coastal and marine resources in Brunswick draw a wide range of users. As several examples of shared-use. The intertidal areas attract harvesters of several species of shellfish as well as marine worms. In the waters, commercial fishing, recreational boating, canoeing, kayaking, swimming, and nature/bird watching are all activities that place demands on resources. Key waterfront sites (e.g. Simpson's Point Landing) that are popular among recreational users are also important for access by harvesters. With this range of uses comes a need for balance, for example:

- Recreational and commercial boat landings, launches, and moorings.
- Competing Town Programs & Groups: Parks & Recreation, Planning & Development, Conservation Commission, Marine Resource Committee
- Public access opportunities and respect for private property

3. Pursue a Sustainable Waterfront

Sustainability can take on many forms with relation to the waterfront.

Economically it can mean considering potential revenue sources, user fees, and funding programs to keep up with demand for waterfront improvements and programs.

From a resource standpoint, it includes managing current uses in such a way that impacts are minimized or avoided. For example, limiting harvesting of shellfish to account for declining populations, identifying and mitigating pollution



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sources that compromise water quality, and regulating activities that impact coastal bird and wildlife habitat.

From a planning perspective, a sustainable waterfront means managing future growth, and planning for climate-change related factors like sea-level rise, seawater acidification, coastal erosion, and fringing marsh degradation. Specific opportunities include:

- Prepare long-term waterfront capital improvement program to match existing needs and projected demand for commercial and recreational use of the waterfront.
 - Designate a portion of the proposed Land for Brunswick's Future fund for water access and improvements.
 - Review existing recreation impact fee program, and proposed open space impact fee to identify opportunities for supporting waterfront needs
 - Develop User Fee income to support waterfront improvements and to generate grant seed monies. (e.g. Mooring, Launch, Parking, License Fee structure)
- Identify Grant Opportunities and Programs
 - State and Federal Working Waterfront initiatives.
 - Small Harbor Improvement Program (SHIP), and Federal Boating Infrastructure Grant (BIG) programs
 - State and Federal Conservation, Enhancement and Restoration programs.
- Sustainable management of environmental and marine resources
 - Allocate additional staff and committee resources to monitoring the health of Brunswick's nearshore waters
 - Provide boaters and commercial users the information necessary to minimize unintended impacts to coastal resources
 - Utilize current zoning ordinance rewrite as an opportunity to improve wetland and coastal water protections

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4. Manage, Promote, and Preserve Brunswick's Coastal and River Environment

Establishing a long-term successful course for Brunswick's Coastal and River environment will require effective management, ongoing education and promotion, and a commitment to preservation. These efforts will work towards ensuring resources are available for the enjoyment of future generations, and that Brunswick will remain a valued location on Casco Bay. Some specific items in support of this goal include:

- Establish a Harbor Committee including Town Staff, Committee Members, and Stakeholders concerned with the waters and waterfront.
- Encourage waterfront access for all
 - Develop existing town waterfront holdings to the fullest potential for recreational opportunities that will not conflict with natural resources protection areas.
 - Review and update current management approaches at existing waterfront parks to better balance diverse uses
 - Alleviate pressure on existing public waterfront by obtaining additional property
 - Accommodate shared uses at key waterfront sites
- Increase public knowledge of waterfront resources through education and promotion of the waterfront

5. Harbor & Waterfront Objectives



A list of Harbor & Waterfront objectives has been developed to guide the Town in ongoing planning and management of the Harbors and Waterfront. The items contained in the list are ranked in terms of priority based on a 10 year projected implementation timeframe in the following categories:

- Ongoing
- 1-3 Year (2014-2017)
- 1-5 Year (2014-2019)
- 1-10 Year (2014-2024)

The full list of objectives and priorities is provided in Appendix B – Management Objectives and Priorities. In the following sections, further commentary on several of the major issues/objectives is provided in the following categories:

- Coastal Waters and River Management (5A)
- Mooring Management (5B)
- Waterfront Access (5C)
- Resource Monitoring and Mitigation (5D)
- Respond to Climate Change (5E)
- Preserve Working Waterfront (5F)
- Harbor Ordinance Updates (5G)

Within each of these categories, specific goals and recommendations that have been identified throughout this study are presented and discussed.

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5.a. Coastal Waters and River Management

The first category of recommendations deals with the need for ongoing management of the Town's coastal and navigable freshwaters to ensure that the goals developed through this study, and those identified in the future, receive their necessary attention and proper execution.

The Maine Harbormasters Association identifies the following four elements as "essential to the successful regulation of a municipal harbor:

- A. An ordinance which gives legal validity to the rules of harbor usage which local officials would like to see enforced;*
- B. A harbor committee, made up of interested and knowledgeable citizens who will contribute time and close attention;*
- C. A harbormaster familiar with the area, its people and its waters, who is skilled in the arts of boating and mooring seamanship and who can be trusted to enforce regulations with even-handed justice and understanding; and,*
- D. Supportive elected officials who will stand behind the harbormaster so long as the holder of that office measures up to its demands."*

There are recommended areas for improvement associated with each of these essential items.

The Town's Harbor Ordinance, enacted in 2005, is very limited in scope. Updates to the Ordinance are suggested throughout the following sections and addressed specifically in Section 5.g.

The Town of Brunswick currently does not have a Harbor Committee. As a result, the primary responsibility for Harbor Management presently rests on the Brunswick Marine Resource Committee (BMRC). While the BMRC is very effective at regulating shellfish harvesting and shellfish habitat related issues, a more general harbor committee may be able to supplement with a more broad-based representation, as well as alleviate pressure on the BMRC due to the current responsibilities that are ancillary to its primary purpose. Recommendations regarding establishment of a Harbor Committee are given in the following section.

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Recommendations

- ***Establish a River and Coastal Waters Commission***

Management of the waterfront and coastal/navigable waters involves a broad range of issues. Presently, the Town of Brunswick does not have a Harbor Committee, and this responsibility falls primarily on the Town Harbormaster, and the Brunswick Marine Resource Committee (BMRC).

While the BMRC is a very capable and effective committee, its intended focus is more on specific commercial resource issues (namely, shellfish management), and less on the general issues surrounding the waterfront (such as access, moorings, wharf applications, etc.). This is especially true at a time when there are several major concerns with the Town's marine resources, for example, the infestation of European Green Crab, and the widespread decline in eelgrass. It is important that the BMRC is able to continue to focus on the critical issues facing commercial shellfish management. The overwhelming sentiment throughout this study has been that general harbor issues would be best addressed by a supplemental committee that can support the Harbormaster and the BMRC.

In order to address these broad issues, it is recommended that the Town establish a "River and Coastal Waters Commission." The commission would function similarly to existing Town Committees, that is, it would be an advisory committee to the Town Council, who would ultimately set policy and consider/approve actions. An example of the role of the municipal Harbor Committee is provided below from the Town of Falmouth Harbor Ordinance:

"The Falmouth Harbor/Waterfront Committee exists for the general purpose of studying and evaluating public use and access to coastal waters; to advise the town council on policy matters and proposed regulations concerning the town's coastal waters; to oversee the maintenance and care of Town owned waterfront facilities through the harbormaster and in conjunction with state and federal authorities."

It is recommended that the committee be made up of a diverse group of individuals that represent a variety of interest areas. This will help to ensure that established recommendations and goals are consistent with Town-wide programs. Previously, the Merepoint Boat Launch Citizens Advisory

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Committee was set up by the town council following a similar mandate as a coastal waters commission would have. This committee functioned well to address the multitude of issues stakeholders brought to the table regarding the Merepoint project. A recommended organizational structure for the coastal waters commission could have a similar make up as suggested in Figure 6. As a supplemental committee consisting of many representatives from other Town committees, we suggest that the commission meet quarterly, and depending on demand and current issues, adjust the schedule to more or less frequently.

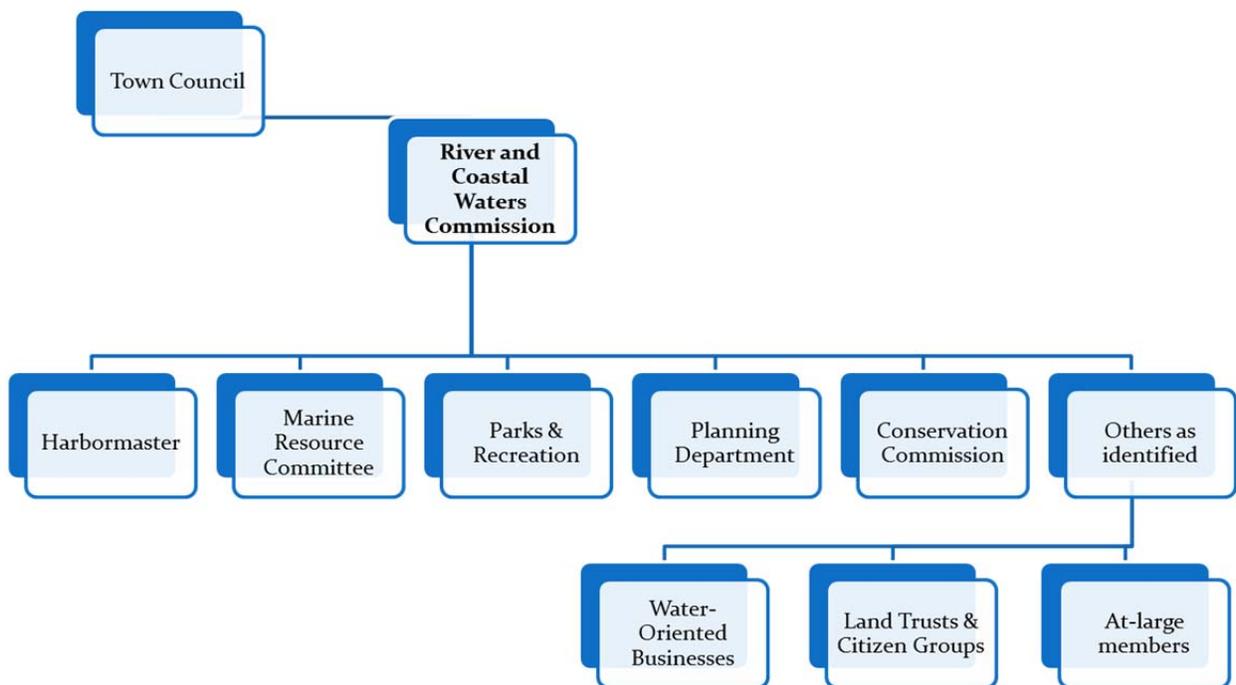


Figure 6 – River and Coastal Waters Commission Possible Organizational Structure

- ***Update Harbor Ordinance***

As the primary basis for local harbor regulation, the Town’s Harbor Ordinance provides both a framework for rules and regulations, and establishes authority to carry out regulation. In order to do so, the document must contain adequate provisions consistent to with the Town’s desired management practices. Harbor ordinance updates are addressed in more detail in Section 5.g of this report.

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- ***Assess Need For Full-time Harbormaster Position***

Currently, the Marine Resource Officer is the town's designated Harbor Master and has become the de facto Natural Resource Planner since that position was eliminated several years ago. Given the scope of diverse commercial shellfish management issues, natural resource concerns, and increasing duties associated with the management of the town's harbors and waters, it is perhaps time to consider additional staff to address these responsibilities more effectively than one position can provide.

- ***Provide Education & Training***

A number of recommendations related to education and training have been identified in support of the Town's effective management. The following items can serve to educate the public, as well as Town staff and committee members.

- Support programs that promote responsible management and use of the waterfront
- Participate in Casco Bay water quality monitoring initiatives
- Educate on importance of marsh and coastal embankment vegetation as an effective erosion control.
- Provide sea level rise information to the public to initiate local planning and adaptation discussions
- Promote bay friendly landscaping approaches and low impact development techniques
- Review efforts to educate homeowners regarding responsible septic system maintenance in Coastal Protection Zones

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5.b. Institute Mooring Management

State and federal law place the authority for mooring regulation substantially at the local level. As such it is the responsibility of the Town to establish ordinance provisions that support the appropriate use of moorings in the Town's harbor areas. Current mooring management in Brunswick is fairly limited. At present count there are nearly 300 moorings in the Town's waters, and with demand for moorings steadily increasing, improvements to management practices should be considered.



Current Practices

The Town has only recently begun to manage moorings through the adoption of the Harbor Ordinance in 2005 and by conducting voluntary mooring registration on an intermittent basis since 2009. With the exception of permitted mooring fields, mooring rights are available only to residents of Brunswick with at least 100' of coastal frontage. Mooring locations have historically not been closely regulated, and as a result some have been located in areas with insufficient water depth, in intertidal areas, and/or outside of the frontage of the corresponding property. There is no requirement for regular mooring inspection, or regulation on boat size or mooring construction (type, weight, chain/pennant length, etc.). There is no fee to keep a mooring. Prior to this study, the Town did not have a detailed inventory of moorings with locations mapped.

Recommendations

- *Institute Mooring Registration*

Registration has been conducted several times on a voluntary basis in past years. Mandatory annual mooring registration would allow the Town

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to keep an up-to-date inventory, and better regulate location, use, and construction of moorings. While this process can create a significant workload for Town Staff, there are online resources available that, for a nominal fee, can facilitate the process (e.g. www.onlinemooring.com which is used by Portland, Falmouth, Yarmouth, Wells, and several other Maine communities).

- ***Maintain Mooring Inventory***

As part of this study existing moorings have been surveyed via GPS, and GIS based mapping has been prepared. When possible, mapping has been correlated with information from mooring registration records, however a lack of complete registration information has resulted in many gaps in this database. As information is gathered and improved through regular registration, the database should be maintained to ensure that the data stays up-to-date and accurate.

- ***Define Mooring Construction Standards***

Brunswick's current Ordinance provisions specify only that moorings be "reasonably adequate for the size, weight, and windage of the watercraft." Many ordinances include minimum mooring construction standards such as: anchor type (mushroom, block, helix), minimum anchor/block weight, chain size, mooring scope, pennant length, mooring ball size, color, markings, etc. to better ensure adequacy of installed moorings. The town is advised to develop and implement minimum standards that will help to ensure adequate construction. Working with a local mooring contractor (e.g. Coastal Barge & Mooring), as well as Paul's Marina (where approximately half of the Town's moorings are located), should be considered to help to develop standards appropriate to the existing practices, uses, and exposure in Brunswick.

- ***Define Mooring Inspection Requirements***

The Town does not currently require regular mooring inspection, and states only that the owner is responsible for inspecting their mooring. It is common for municipalities to require regular inspection of moorings (e.g. every 2-3 years), by a qualified mooring inspector.

- ***Investigate Mooring Fees***

There is currently no fee to keep a mooring in Brunswick waters. Mooring fees can provide a means to support the costs associated with harbor

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management and regulation, and provide funding for Harbor & Waterfront related programs and improvements.

Many municipalities in Maine charge an annual mooring registration fee, which varies depending on location, services provided, type of use, etc. A summary of mooring fees from a number of municipalities is provided in Table 6. It is recommended that the Town investigate the suitability of mooring fees as part of the effort for improved mooring management, as well as to support the goal of a more economically sustainable waterfront.

Table 6 – Mooring Fees in Maine Municipalities

Town	Resident	Non-Resident	Commercial	Marinas/ Corporations
Boothbay Harbor	\$40	\$80	---	\$65
Bath	\$25	\$50	\$75	---
Harpwell	\$18	\$90	---	---
Freeport	\$105 + \$2.25*LOA	\$105 + \$2.25*LOA	\$385 + \$2.25*LOA	\$180 + \$2.25*LOA
Yarmouth	\$100	\$100 - \$175	\$50	\$425
Cumberland	\$50	\$250	---	---
Falmouth	\$57	\$257	---	---
Portland	\$78	\$145	---	---
Wiscasset	\$50	\$150	---	\$200

- ***Define Anchorage Areas/Municipal Mooring Field***

By establishing defined anchorage areas the Town creates the opportunity to offer moorings to a wider range of users, and to regulate moorings within those areas. Factors to consider in siting these areas include: water depth, impacts with habitats and natural resources, landside parking and access, availability of dinghy storage, and impacts with existing activities in the area.

Areas providing adequate water depth for a municipal mooring field exist in southern Maquoit Bay and in Merepoint Bay. Further consideration should be given to desired mooring field size, location, and what opportunities exist for landside parking and access (either at an existing municipal/state owned site or at a new Town Landing facility).

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- ***Mooring Availability, Priority, Wait List***

Currently, moorings are only available to riparian owners. Interest in moorings by non-riparian residents, and non-residents, is expressed often. Typically, Towns will make moorings available to the general public within defined anchorage areas. Because the space within these areas is often limited, a limit to the number of moorings and a priority for assignment should be established. Assignment priority may consider residency, usage (recreational, commercial), private use vs. marina or boatyard, and other factors. Because there is a limit to the number of moorings available, a wait list should also be established to allow for managing demand for moorings that is beyond the available supply. Along with establishing defined anchorage areas, it is recommended that the Town adopt practices for determining layout and capacity, for setting priority, and maintain a wait list.



- ***Develop Mooring Plans for High Density Areas***

The survey conducted through this study provides the Town with the data to create wide-scale as well as detail maps for specific areas. As the demand for moorings increases, it may be beneficial to develop plans for high density mooring areas to facilitate management of existing moorings and siting of new moorings.

5.c. Waterfront Access

Access to the waterfront is necessary for all forms of use, and is critically important both to the commercial fishing industries and recreational opportunities in Brunswick, among others. The following recommendations have been identified related to waterfront access:

- ***Investigate Opportunities to Expand Recreational Offerings at All Town Owned Waterfront Parcels***

There are a significant number of waterfront parcels in Brunswick that are mapped as Open Space, however there is a lack of public recreation area along the waterfront. It is a commonly expressed opinion that the Town lacks in public recreation, particularly for saltwater uses. In order to best utilize the existing Town owned parcels to support a diversity of uses, it is recommended that the Town consider opportunities to expand recreation opportunities, either through policy changes, infrastructure improvements, or other means.

- ***Review and Update Current Management Approaches at Existing Waterfront Parks to Better Balance Diverse Uses***

Along with the previous recommendation to expand recreational offerings at existing sites, policies and management approaches that limit recreational usage at existing waterfront sites should be reconsidered as demand for public saltwater recreation sites has increased, and where appropriate, policies should be updated.

- ***Study Best-Uses of Simpson's Point Landing***

Simpson's Point Landing has received significant attention during the timeframe of this study. The small public site has an existing boat launch that was closed in 2008 as part of an eelgrass mitigation effort associated with the Merepoint Boat Launch construction. The site has since become a popular recreation spot as the water quality, depth, and exposure at the site offer desirable conditions for swimming, canoeing/kayaking, and other recreational uses, all within a short distance of downtown.

With the boat launch closed, the nearest boat launch site is at southern Merepoint, which is a ~4 mile trip to reach upper Middle Bay. This has created a safety concern for harvesters who make this trip in small skiffs in what can be fairly treacherous waters. Recently, there have been discussions about reopening the boat launch. There has been division on

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the issue, as any increased use as a launch site will impact the recreational usage.

There are several additional considerations with the use of Simpson's Point Landing. First, there is very limited parking on site with no defined parking area. Second, the public land is limited to only the right-of-way of Simpson's Point Road and adjacent property is privately owned. The small site has little capacity for expanded use in any form. Regulatory issues will also have to be considered with any proposed change to the use at Simpson's Point landing.

The use of Simpson's Point Landing is clearly a complex issue, and it is recommended that the Town study in greater detail the best uses of the site in order to support informed decision making. Ideally, a solution would consider the goals of shared-uses and sustainable management as identified in the Primary Goals of this study.



- ***Establish Policies for use of Simpson's Point Landing***

Following a study of the best uses of Simpson's Point Landing, it is recommended that the Town establish policies for this site that will ensure an accommodation of appropriate uses and minimize conflicts and impacts between differing user groups.

- ***Revisit Uses of Merepoint Boat Launch***

A number of residents responded at public forums and through the survey that the Town should consider revising the usage policies at Merepoint Boat Launch to allow for uses such as swimming, commercial launching, mooring field access, and overnight parking. Now that the Town has had the opportunity to observe actual facility usage for several years, it is positioned with greater information to revisit the existing policies and revise as appropriate.

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- ***Increase Opportunities for Saltwater Recreation for Non-Coastal Residents***

There is significant interest in saltwater recreation among local residents. While some opportunities do exist (for example, Thomas Point Beach, Simpson's Point Landing), interest has been expressed in recreational access to other Harbor areas, including Maquoit Bay and Harpswell Cove. The Town should consider expanding recreational offerings at existing properties, as well as potential new sites in order to increase options for recreational access.

- ***Identify Waterfront Property For Development of a Municipal Landing***

While there are many existing access points, the Town does not currently have a public municipal landing site that is currently managed to serve as an access point to public moorings. If this use cannot be achieved at an existing facility, the Town should conduct a search for potential property for development as a municipal landing site.

- ***Adopt A Routine of Inspection of Public Waterfront Sites to Identify Maintenance and Improvement Needs***

The existing waterfront sites maintained by the Town should be cataloged and a routine of regular inspection should be established. This will allow for the Town to identify any maintenance needs, and



to observe usage to understand adequacy of the existing facilities and any needs for improvement, upgrade, and/or expansion.

- ***Develop Informational Materials For Coastal Property Owners Regarding Private Property Rights and Rights of the Public***

It is important for waterfront property owners to understand their rights. For example, access to the waters, riparian moorings, and rights of the public to access intertidal and beach areas adjacent their private upland properties. The Town could develop an informational flyer with clarification on these issues, which could be provided to owners as questions arise. The town web-site and a dedicated web-page for the

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future harbor commission would be an efficient way to provide updatable information to the public.

- ***Develop Information Materials For Users of Intertidal Resources that Identify Public Access, Legal Rights, and Etiquette Regarding Use of Intertidal Resource***

Similar to educating landowners on their rights, it is important to educate users of the intertidal resources of their rights, as well as etiquette for use of these resources as well as the adjacent public and private lands. Informational materials could be developed and shared along with the license application process and/or through marine resource committee meetings. The town web-site and a dedicated web-page for the future harbor commission would be an efficient way to provide updatable information to the public.

- ***Pursue Property Acquisition and/or Establishment of Public Rights-Of-Way in Areas where Public Access is Difficult and/or Unavailable***

As additional access needs are identified, it is recommended that the Town pursue either property acquisition or establishment of public rights-of-way to improve the availability of safe, and where appropriate handicap accessible public access.



5.d. Resource Monitoring & Mitigation

The value of a marine area is directly linked to the health of its resources. This includes water quality, health of wildlife and marine habitats, and other natural and cultural resources. The following specific goals have been identified related to resource monitoring and mitigation:

- ***Adopt Management Practices for Non-point Source Pollution***

Town-owned facilities should exemplify best practices for non-point source pollution control. Practices for controlling erosion, managing pet waste, handling stormwater runoff, and addressing winter snow and ice removal on town water access sites should utilize the best available techniques. Additionally, best practices for non-point pollution control should be promoted regularly by the town on-line and through printed materials to improve landowner awareness of the threats to our public waters and steps that can be taken by each citizen.

- ***Study causes for town-wide decline in eelgrass***

The town should dedicate staff resources and pursue outside funding to further evaluate the causes of the rapid loss of eelgrass beds throughout the town's tidal waters. Work on this issue was started in Maquoit by in September 2013. Additional efforts are necessary as eelgrass is a keystone species for much on Brunswick's marine environment.

- ***Protect Wildlife and Bird Habitat***

Brunswick's Natural Resource Protection Zone is a good starting point for local marine and intertidal wildlife habitat conservation efforts, but additional efforts are warranted including the acquisition of key parcels, restoration of impounded tidal waters, and protection of upland buffers.

- ***Identify and Preserve Existing Cultural Resources***

As a follow-up action to this plan, the proposed Waters Commission should prepare an inventory of known significant historic and pre-historic features along Brunswick's shoreline. This information should be used to further refine approaches to future waterfront use and protection.

- ***Pursue Tidal Restoration of the New Meadows Lakes***

The New Meadows River Watershed Partnership has been exploring the feasibility of restoring natural tidal flow to the upper New Meadows River since 2001. Water quality and habitat impacts have been well-

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documented since the late 1960's. Restoration has clear economic and ecological benefits for the town and its citizens who depend on the local marine environment.

- ***Identify and Address Barriers to Fish Passage***

Poorly sized and installed culverts as well as dams, have contributed significantly to the decline of local finfish populations and populations of other native aquatic organisms important to marine ecosystems. The town should utilize recent stream and aquatic barrier inventory work to identify and prioritize sites for restoration.

- ***Identify and implement methods for the eradication of invasive species***

The town should commit resources necessary for the early detection and control of invasive plant and animal species that impact public riverine and marine resources. This approach should include a public awareness campaign as well as dedicated staff time to pursue sources of funding to address existing problems.

- ***Study the Causes for Loss of Fringing Marsh***

Sea level rise, invasive species, shoreline development, and shoreline rip-rapping all contribute to the on-going loss of saltmarsh habitat, especially fringe marsh or bluff toe marsh. The town should establish a detailed baseline map of existing salt marsh habitat in order to monitor declines and to inform necessary policy changes to slow these declines.

5.e. Respond to Climate Change

While there is much debate over the cause and nature of climate change, the effects are undeniable and must be dealt with. Discussion of climate change within this report is necessarily brief; however there is a significant knowledge base on the topic, including literature, experts in the state of Maine, and conferences held on the topic. These sources should be consulted for further information. Some of the specific items impacting the waters and coastal areas include:

- ***Sea Water Acidification***

Address sources of seawater acidification and identify opportunities to buffer against ocean acidification.

- ***Address Coastal Erosion Appropriately***

Identify locations where hard approaches should be limited, promote soft approaches to addressing coastal erosion to limit the impacts to coastal resources

- ***Plan For Sea Level Rise***

Historic data documents the increasing sea level elevation (citation needed). FEMA mapping throughout the Maine coast is indicating higher base flood elevations than in the past. Long term planning should incorporate sea level rise projections into town planning efforts and update local ordinances and open space priorities appropriately. The Maine Geological Survey has recently completed coast-wide sea level rise mapping under multiple scenarios. This data is available for use by Brunswick.

5.f. Preserve the Working Waterfront



- ***Identify Access Needs For Commercial Fishermen***

As more property gets developed under private ownership, there is a tendency for traditional access locations to be restricted or closed. There has been significant effort locally by groups such as Brunswick-Topsham Land Trust to establish access easements with property owners. It is recommended that the Town work with

commercial fishermen to determine what access is currently being used and what needs currently exist, so that options for improved access can be investigated.

- ***Create New Access Points, Easements in Key Locations***

As public access deficiencies are identified, the Town should investigate opportunities to create new access points through property acquisition, easement, and/or redevelopment. The Land for Brunswick's Future program originally envisioned as part of the 2002 open space plan should be capitalized and implemented for this purpose.

- ***Promote Conservation***

The Town currently has a conservation program specific to shellfish licensing that allows harvesters to earn points towards their required total for license renewal through participation in various conservation activities. This program has proven effective, and has mobilized harvesters to participate in eradication efforts, reseeding, shellfish surveys, and many informational meetings. With shellfish populations currently at low levels due to the Green Crab infestation, conservation is extremely important to ensure a sustainable resource. It is recommended that



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the Town continue with its effective conservation efforts, increasing efforts when found necessary. Additional efforts are necessary to inform private waterfront landowners how they can contribute towards the conservation of other harbor resources.

- ***Regulate to Address Harvesting Conflicts***

The softshell clam has historically been the primary species harvested from Brunswick's intertidal areas. Increases in harvesting of other species (e.g. marine worms) have recently resulted in conflicts between competing fisheries. It is recommended that the Town consider regulation that will support and encourage mixed use of the intertidal resources, while also working to minimize negative impacts of harvesting activities on populations of differing species.

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5.g. Harbor Ordinance Updates

The Town of Brunswick Municipal Code of Ordinances, Chapter 11 covers Marine Activities, Structures, and Ways. Article I – Harbor, Coastal, Tidal, and Navigable Fresh Waters, adopted in 2005 and updated in 2008, is herein referred to as the Town’s Harbor Ordinance.

In a general sense, a Town’s harbor ordinance exists in order to legally define rules and regulations related to the Town’s waters, and establish authority to carry out regulation. The ordinance defines the role of the Harbormaster, as well as (if applicable) the harbor committee. Ordinance requirements are considered supplemental to those of Title 38 (the state of Maine statute on Waters and Navigation), and should not contradict Title 38.

Recommendations put forth in this study cover a wide range of topics. The vehicle that will allow for many of those recommendations to be implemented is the Harbor Ordinance. As a next step to achieving the Town’s management goals, it is recommended that a thorough process of reviewing and updating the harbor ordinance be undertaken in consideration of the recommendations of this plan.

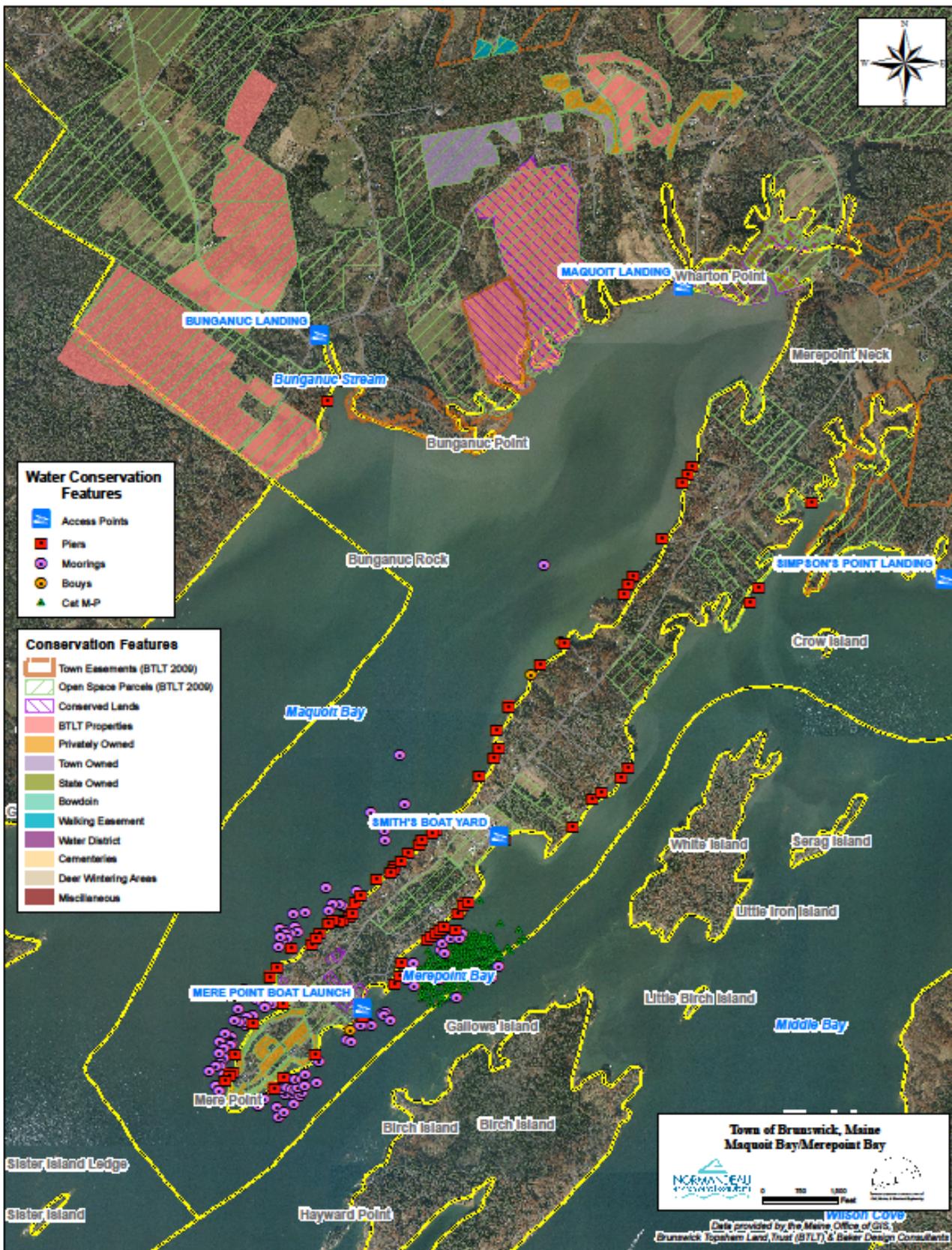
The language of the ordinance needs to be carefully considered prior to adoption by the Town. The task of revising the Harbor Ordinance could be taken on by the proposed River and Coastal Waters Commission after its formation.

To support the process of updating the Harbor Ordinance, sample language for several areas of revision is provided in Appendix D. The language provided in Appendix D can form the initial basis of revisions, to be revised and supplemented by the Commission. Once an updated version of the ordinance has been thoroughly vetted, it can be put forth to the Town Council for approval and adoption.

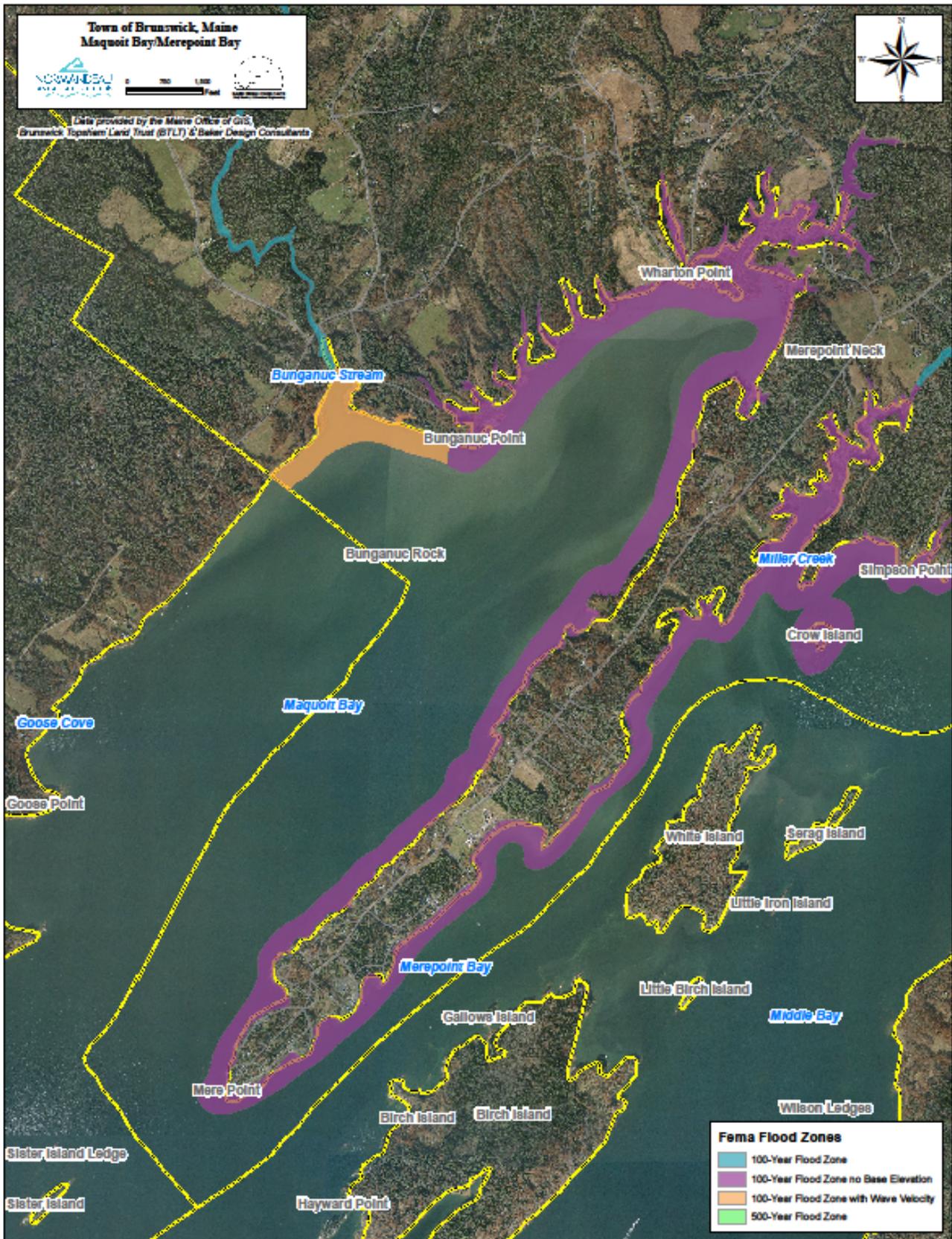
6. Mapping

1. SERIES 1 – MAQUOIT BAY AND MEREPOINT BAY
 - a. Conservation, Piers, Wharves, Access Points
 - b. 100 Year Flood Zone
 - c. Intertidal Habitat
 - d. Wildlife Habitat
 - e. Water Quality
2. SERIES 2 – MIDDLE BAY AND HARPSWELL SOUND
 - a. Conservation, Piers, Wharves, Access Points
 - b. 100 Year Flood Zone
 - c. Intertidal Habitat
 - d. Wildlife Habitat
 - e. Water Quality
3. SERIES 3 – NEW MEADOWS RIVER
 - a. Conservation, Piers, Wharves, Access Points
 - b. 100 Year Flood Zone
 - c. Intertidal Habitat
 - d. Wildlife Habitat
 - e. Water Quality
4. SERIES 4 – ANDROSCOGGIN RIVER (A – UPSTREAM, B - DOWNSTREAM)
 - a. Conservation, Piers, Wharves, Access Points
 - b. 100 Year Flood Zone
 - c. Intertidal Habitat
 - d. Wildlife Habitat
 - e. Water Quality

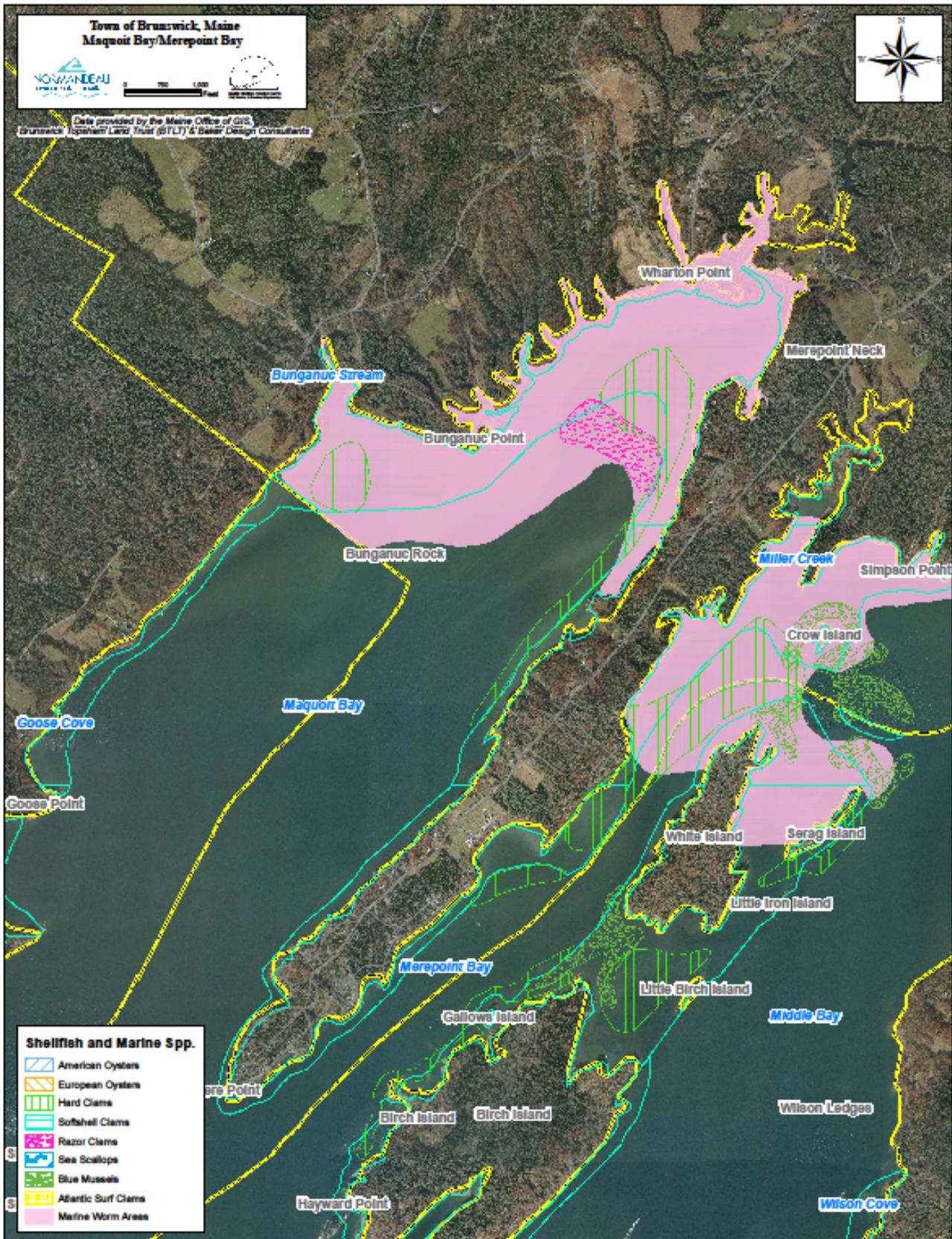
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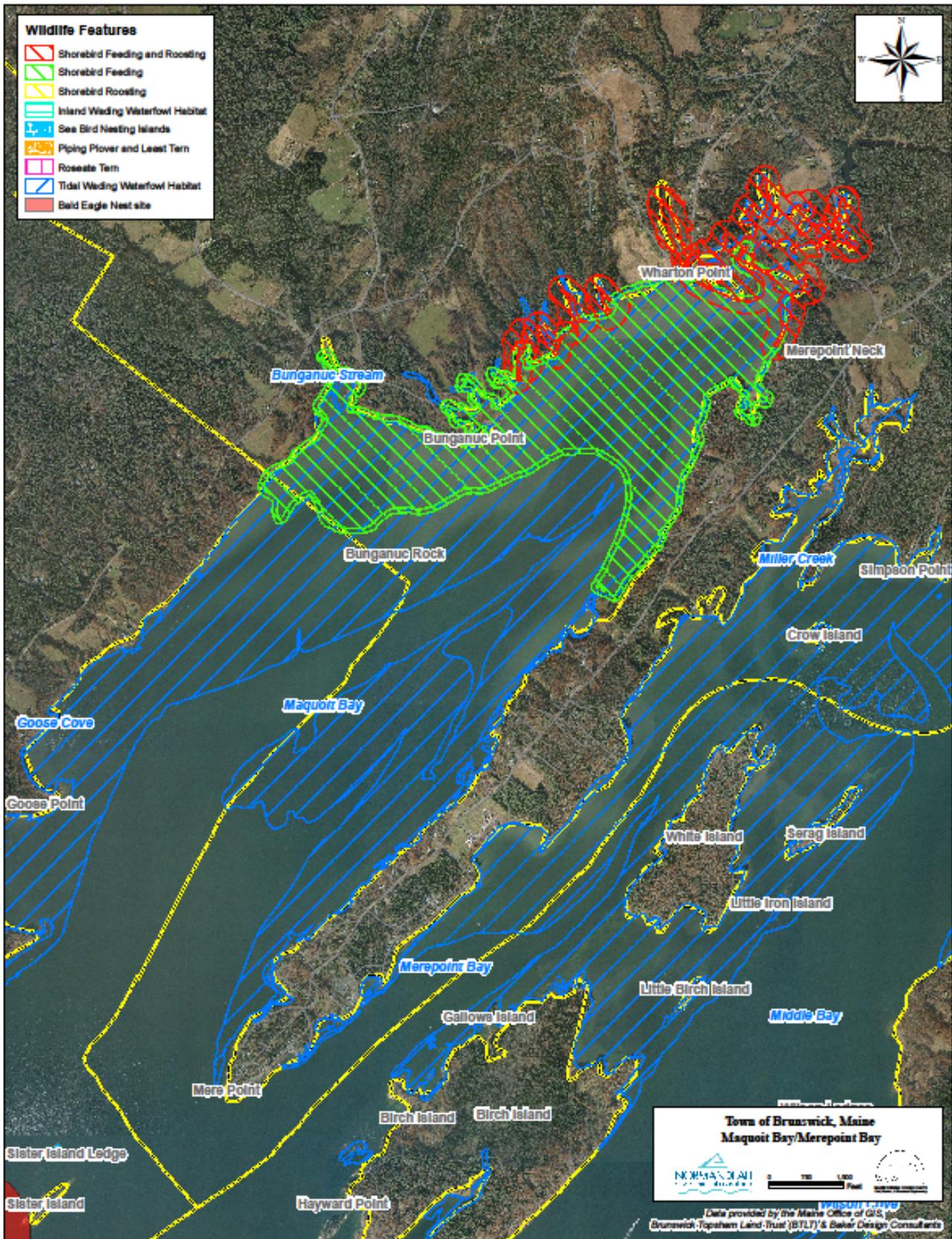
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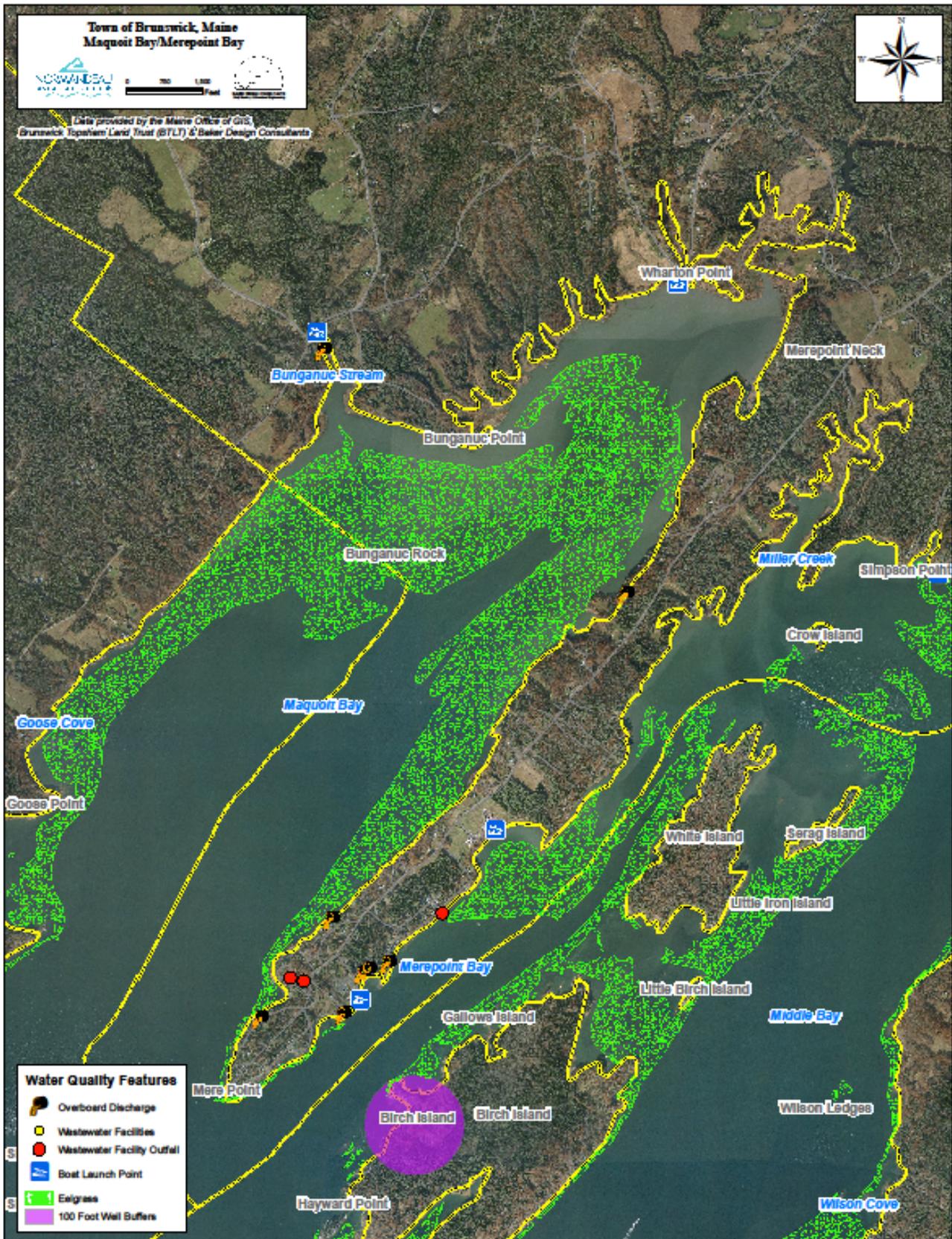
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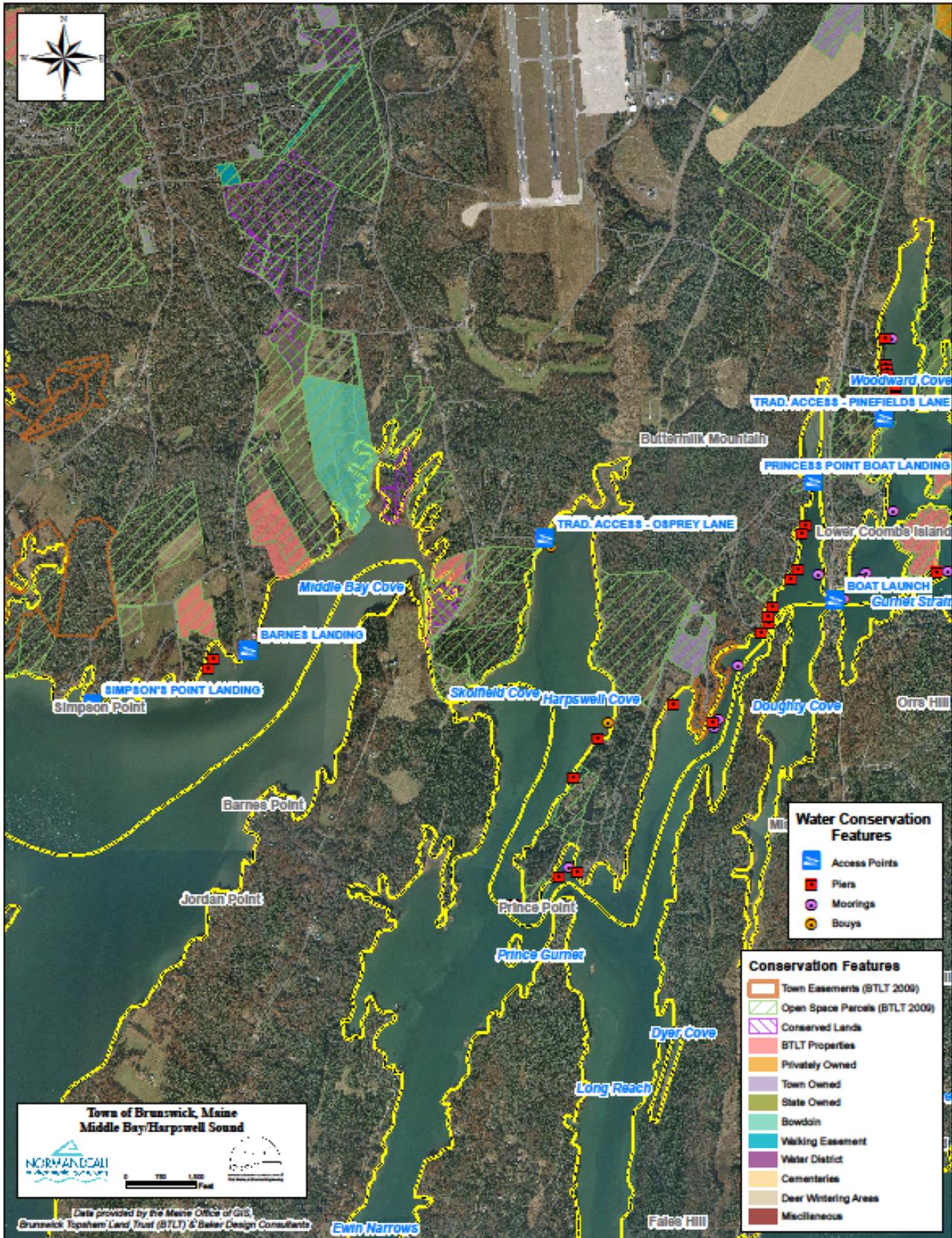
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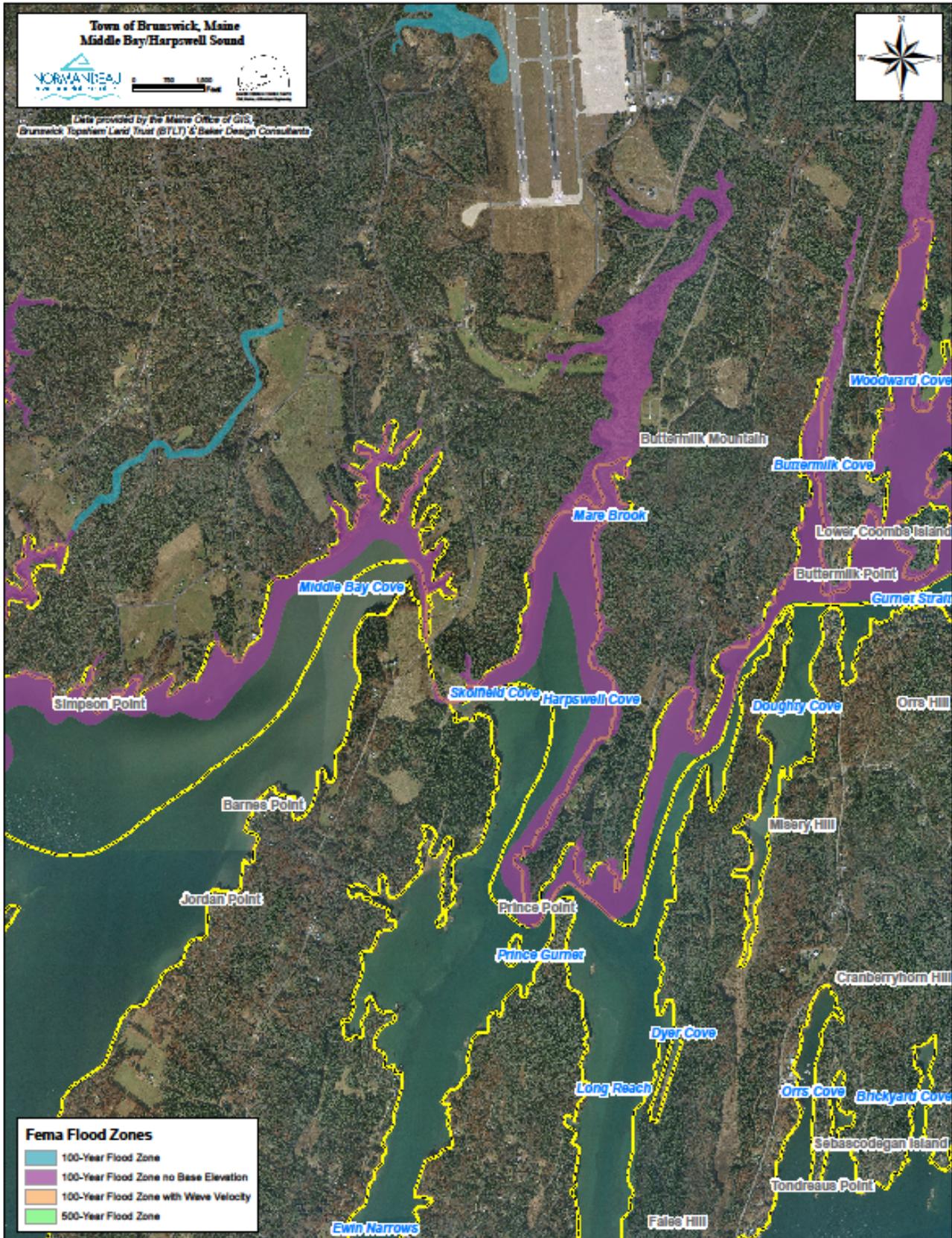


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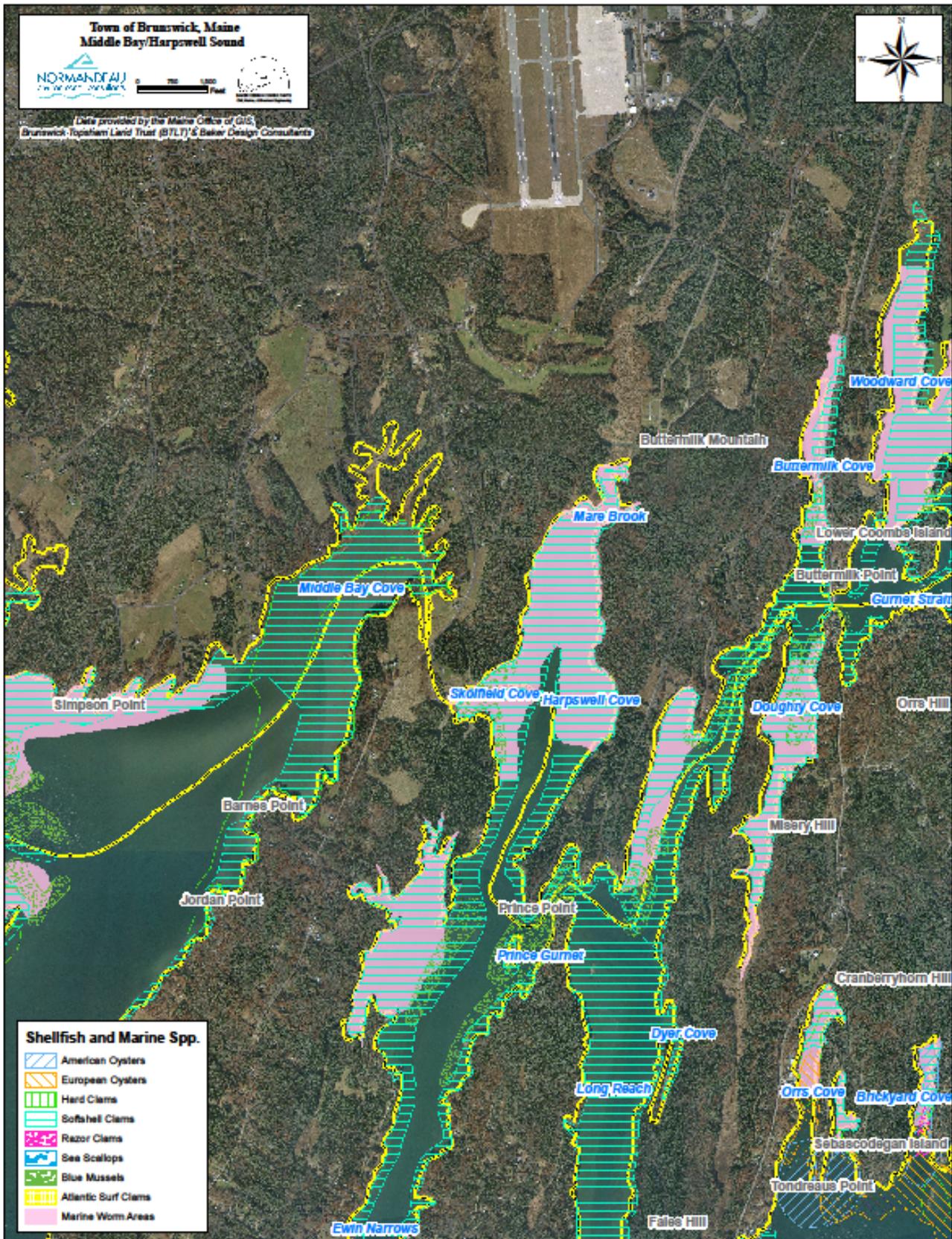


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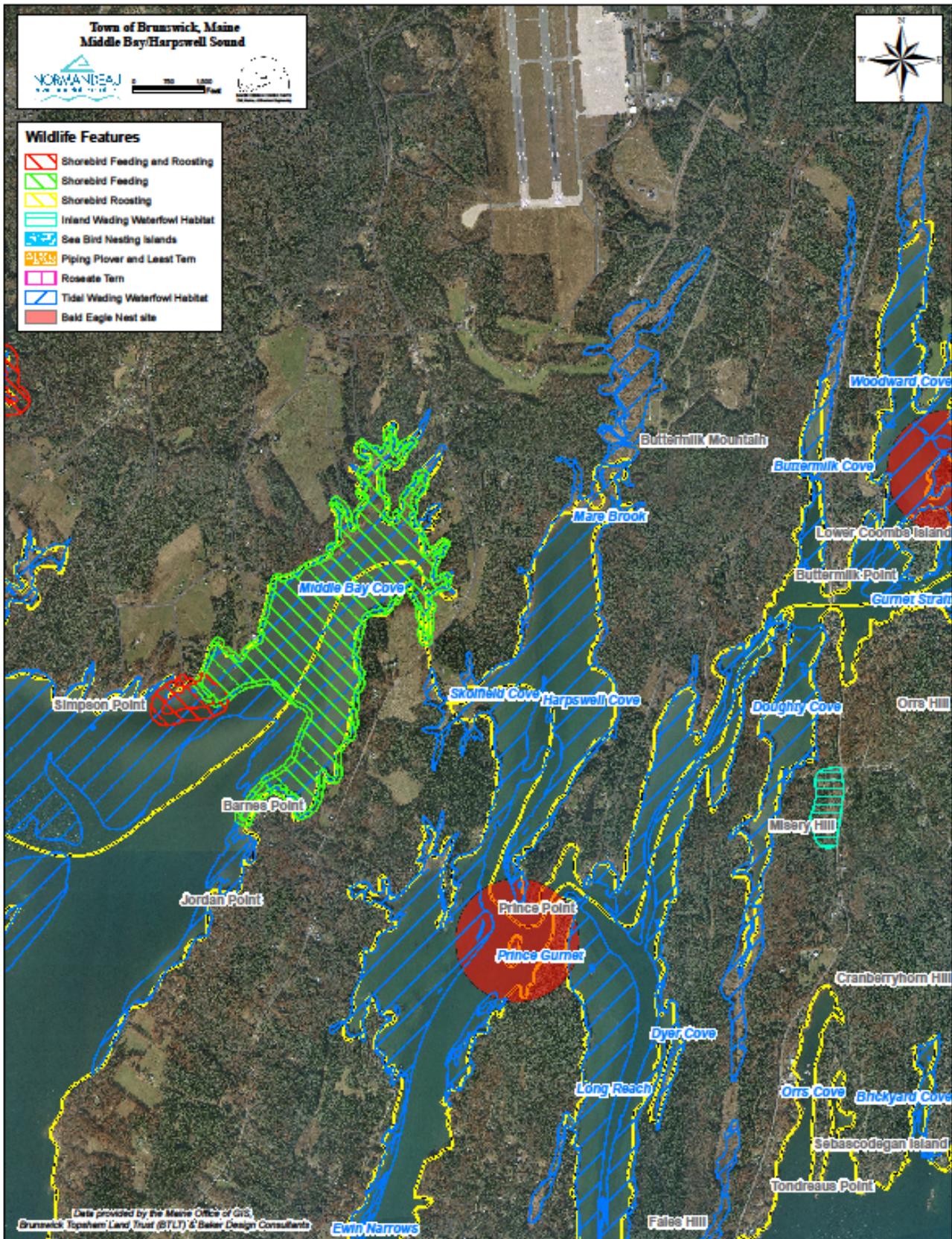


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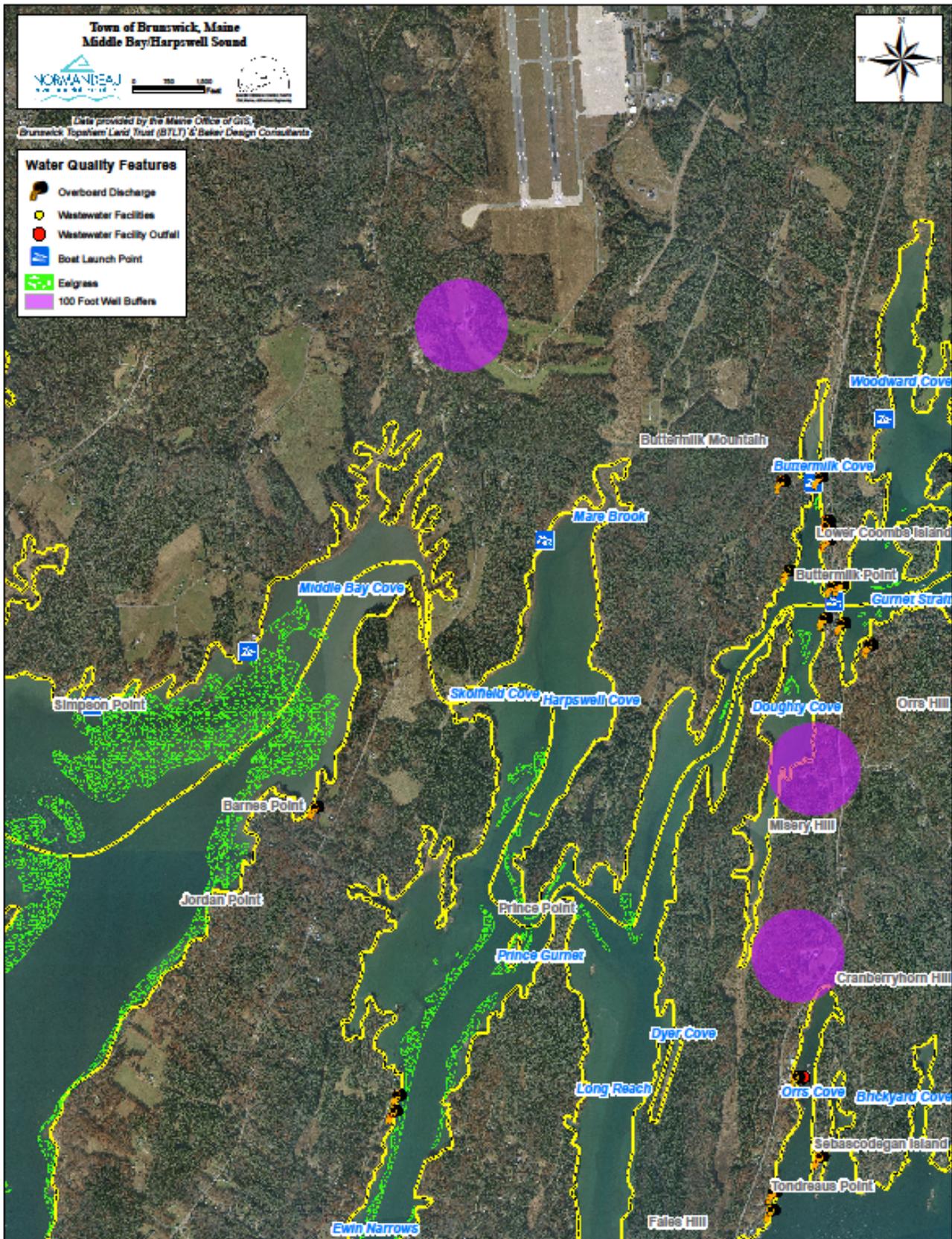


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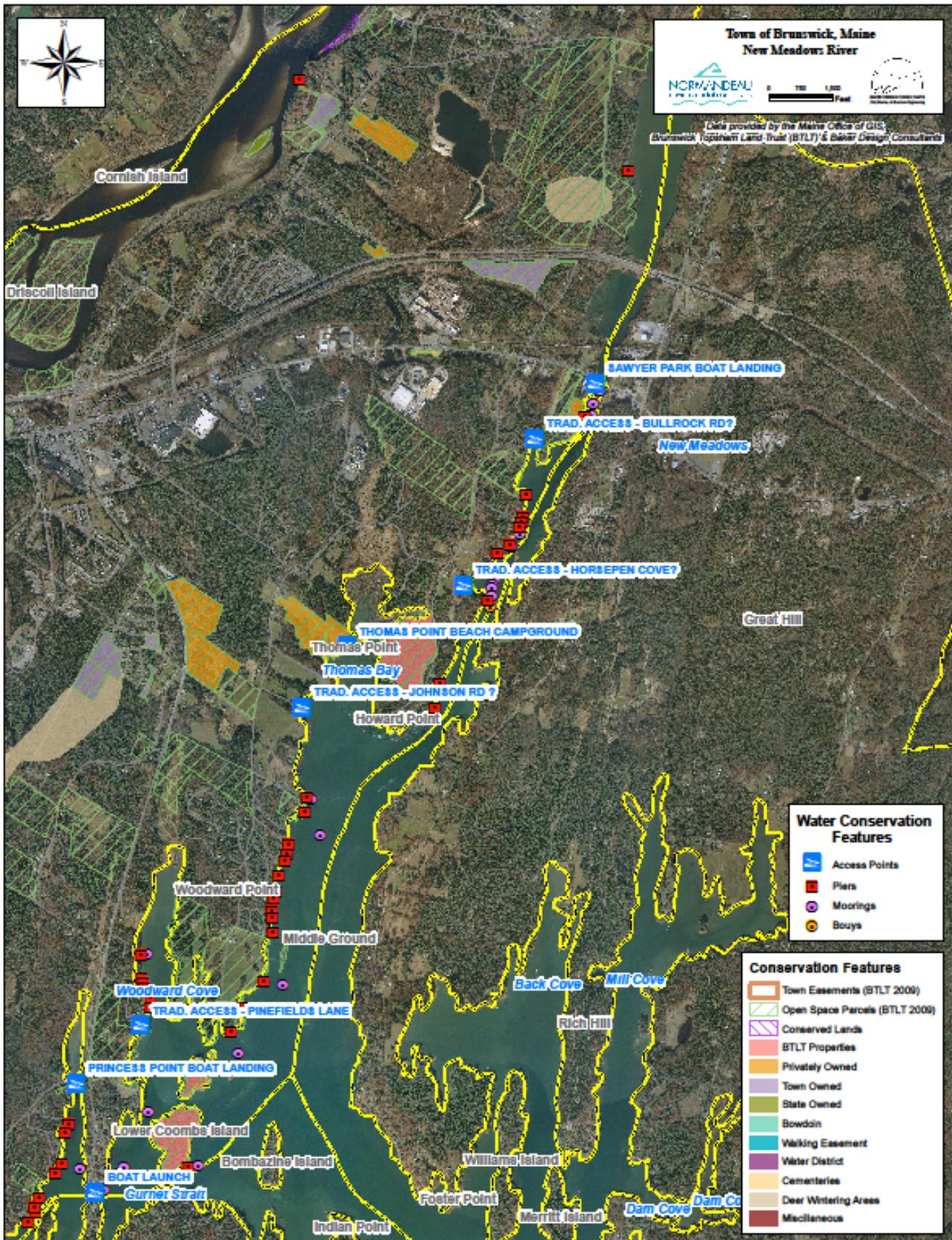
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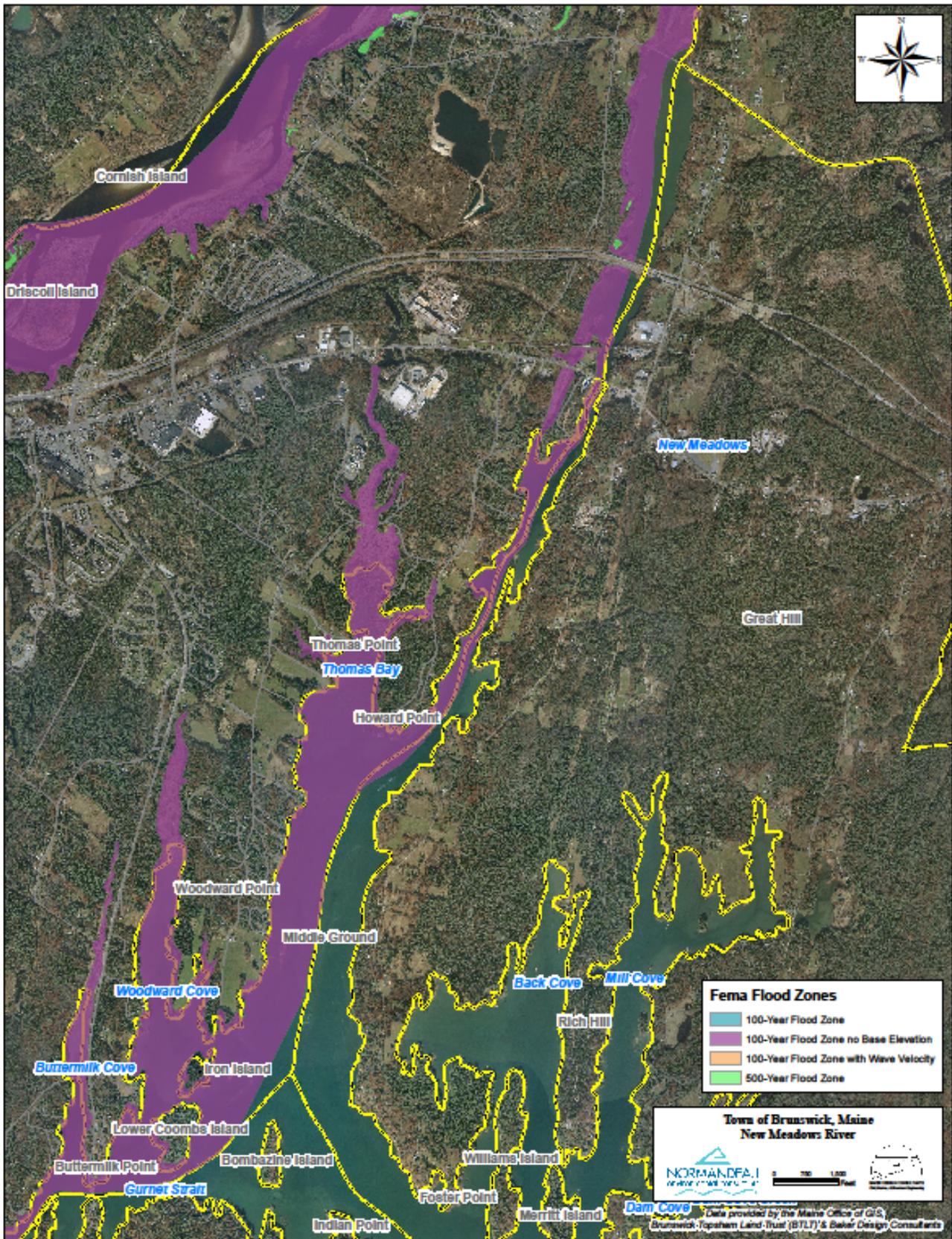
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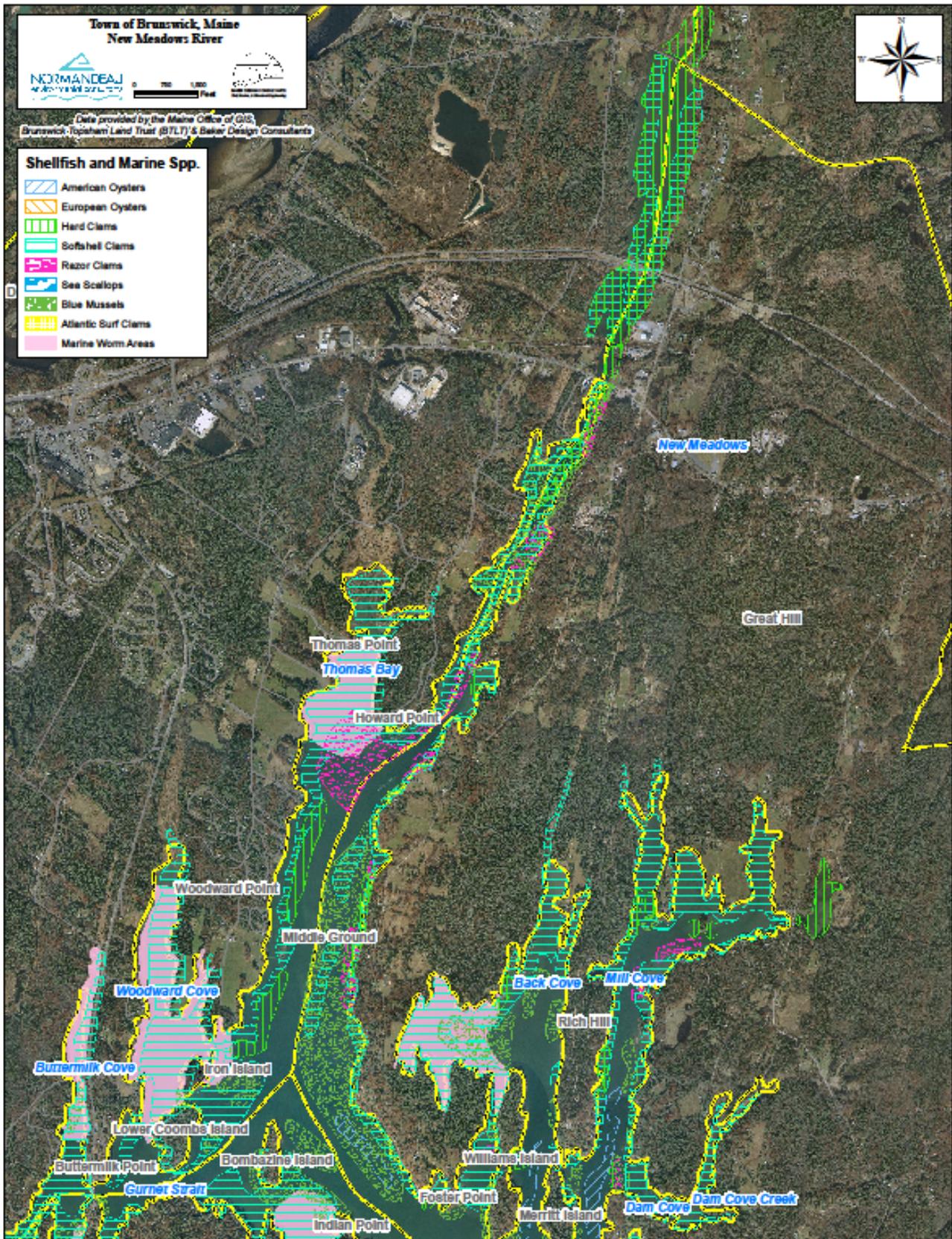
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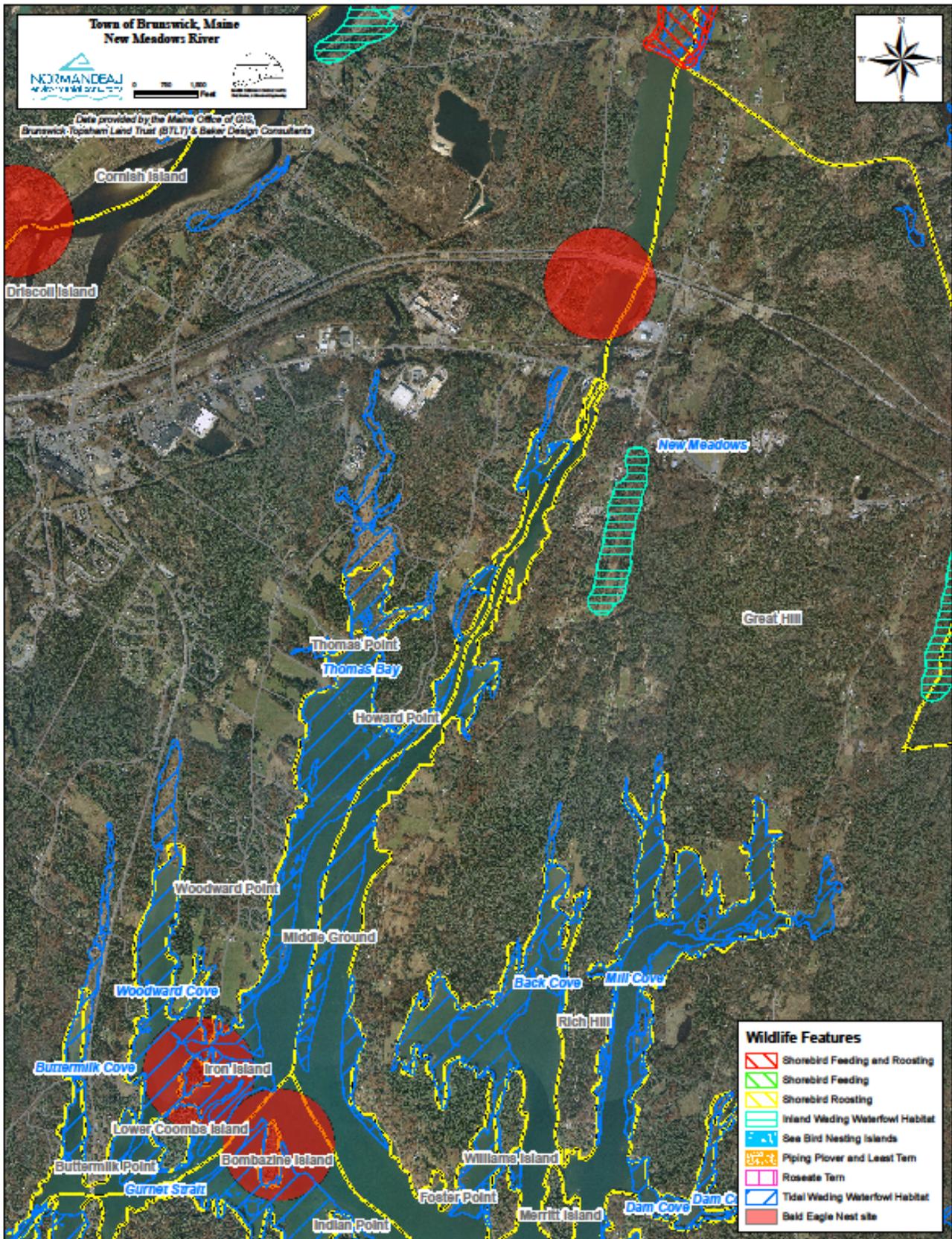
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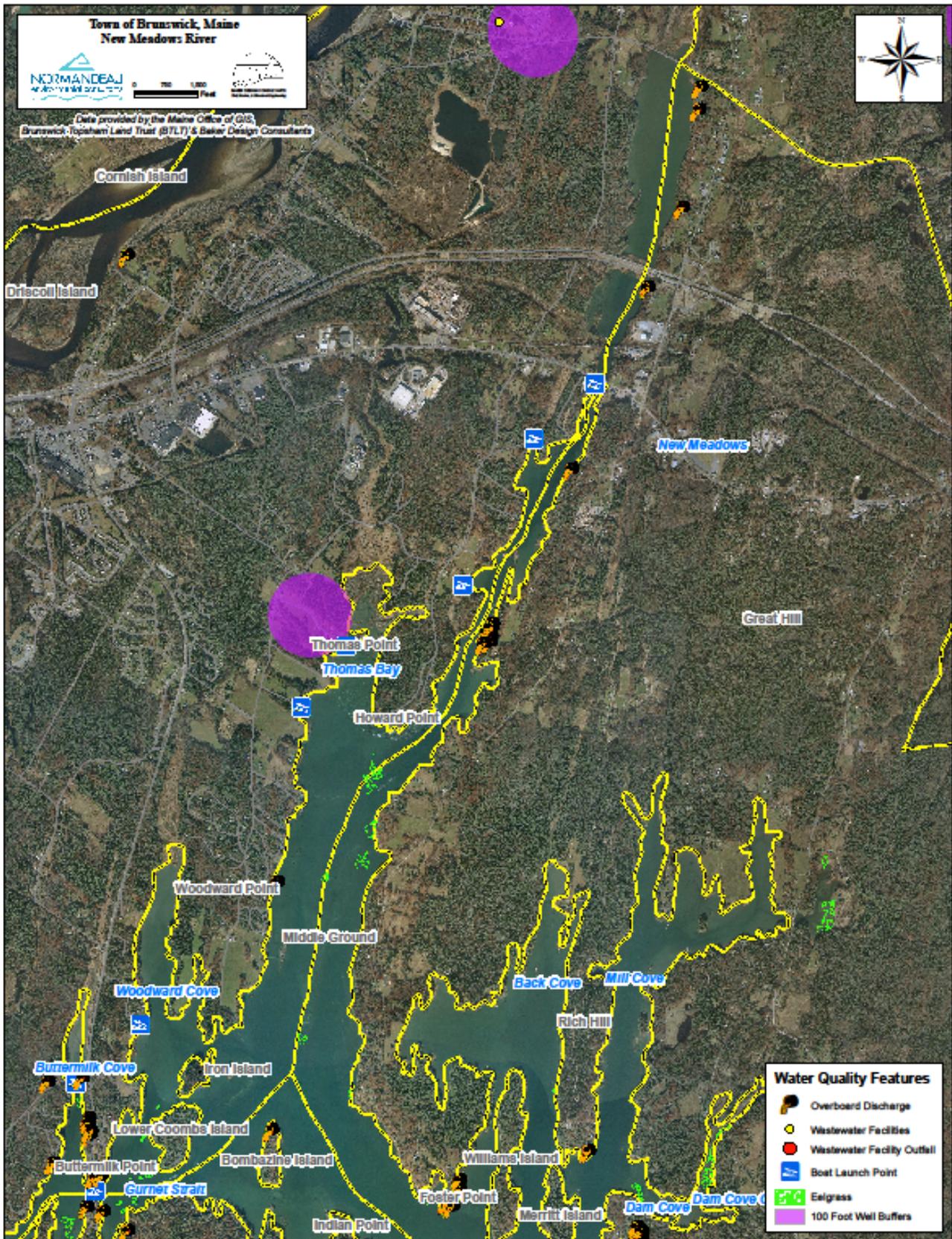
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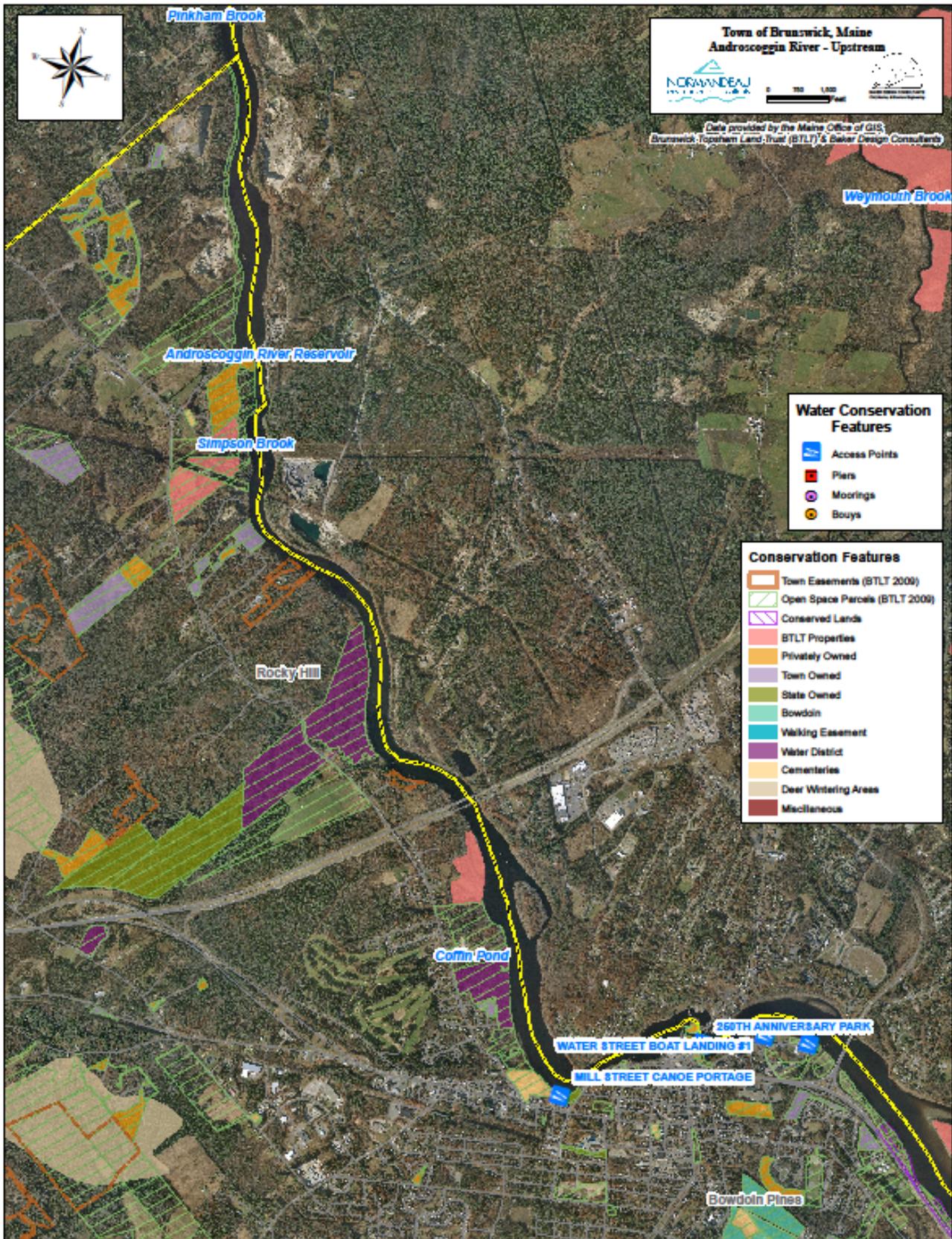
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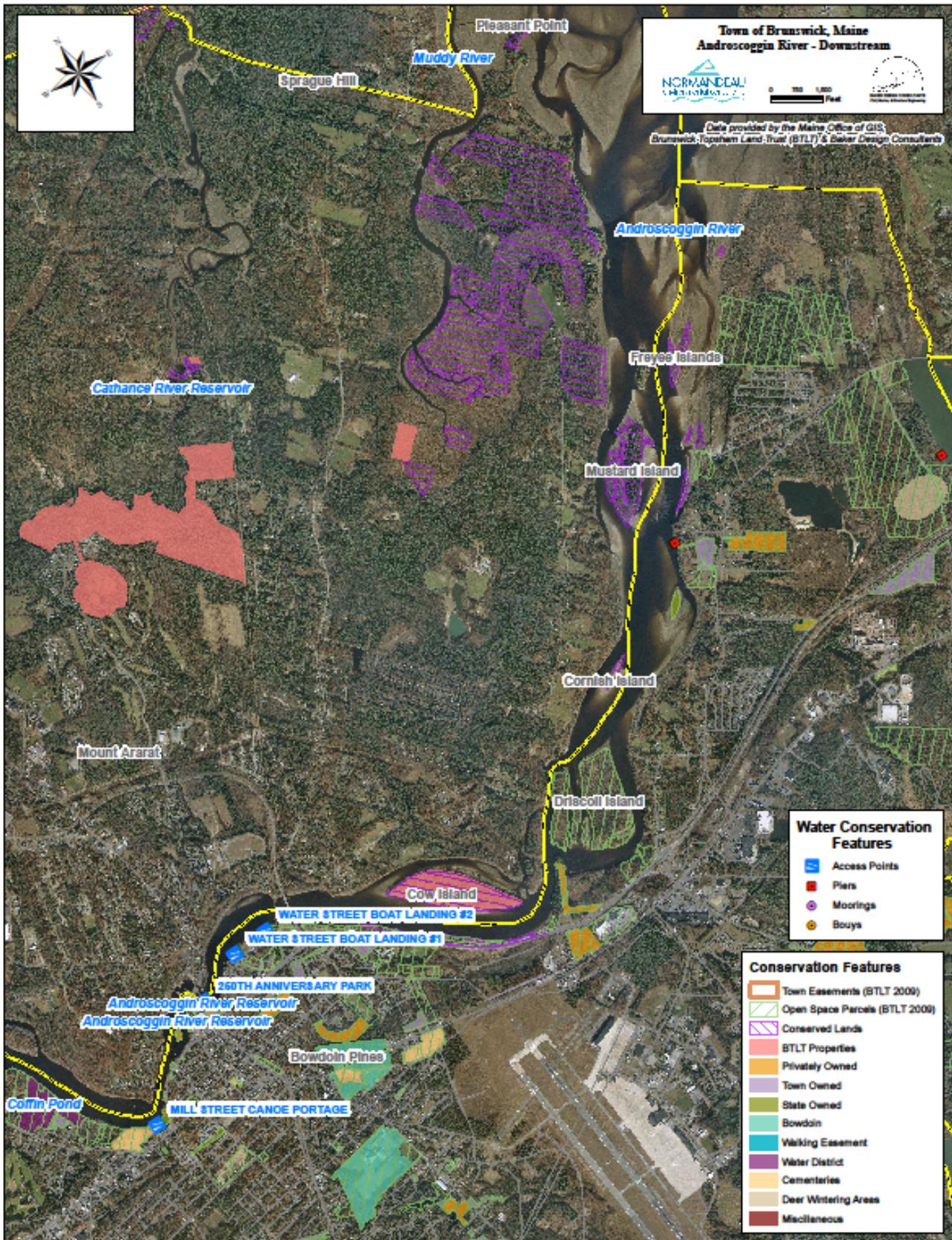
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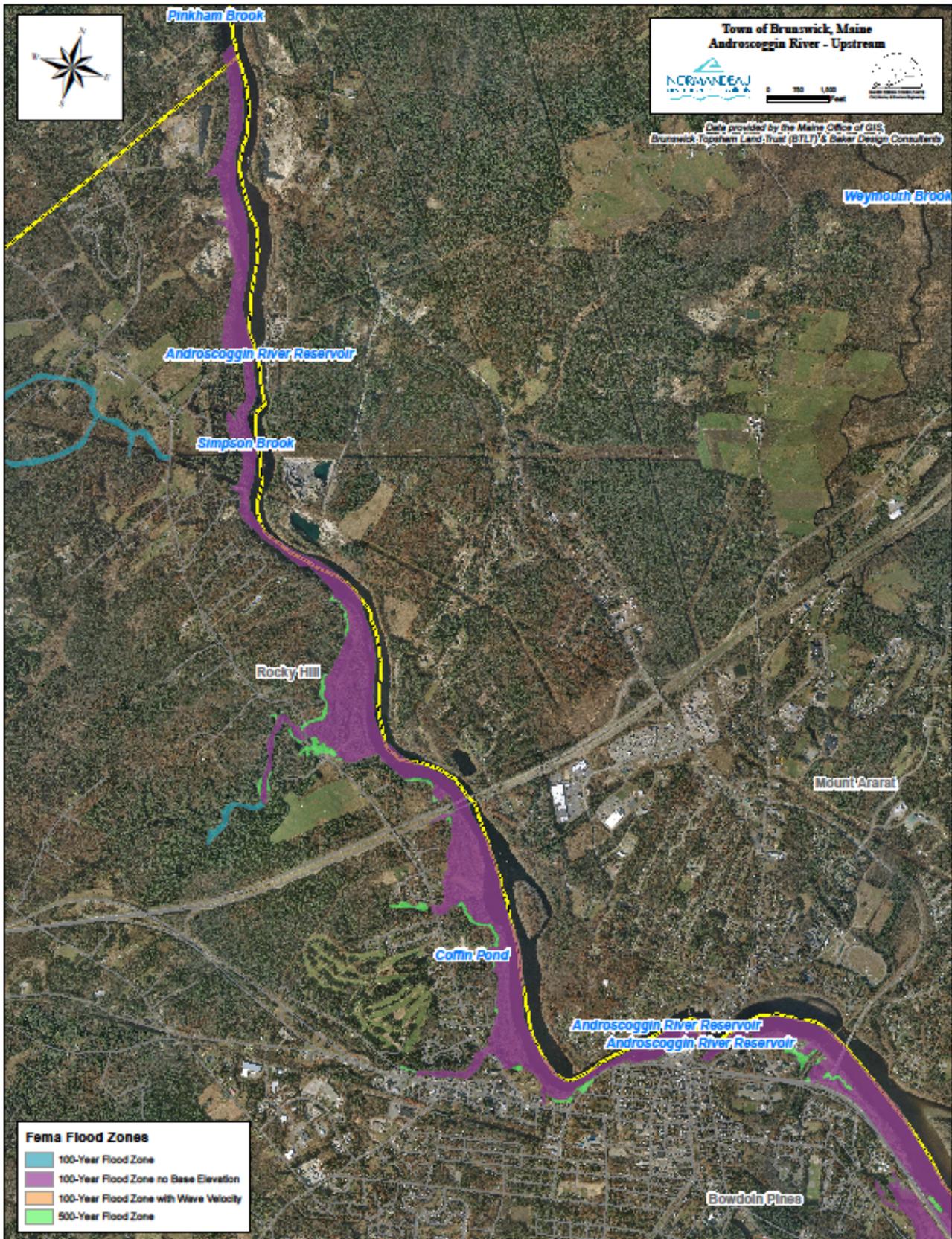
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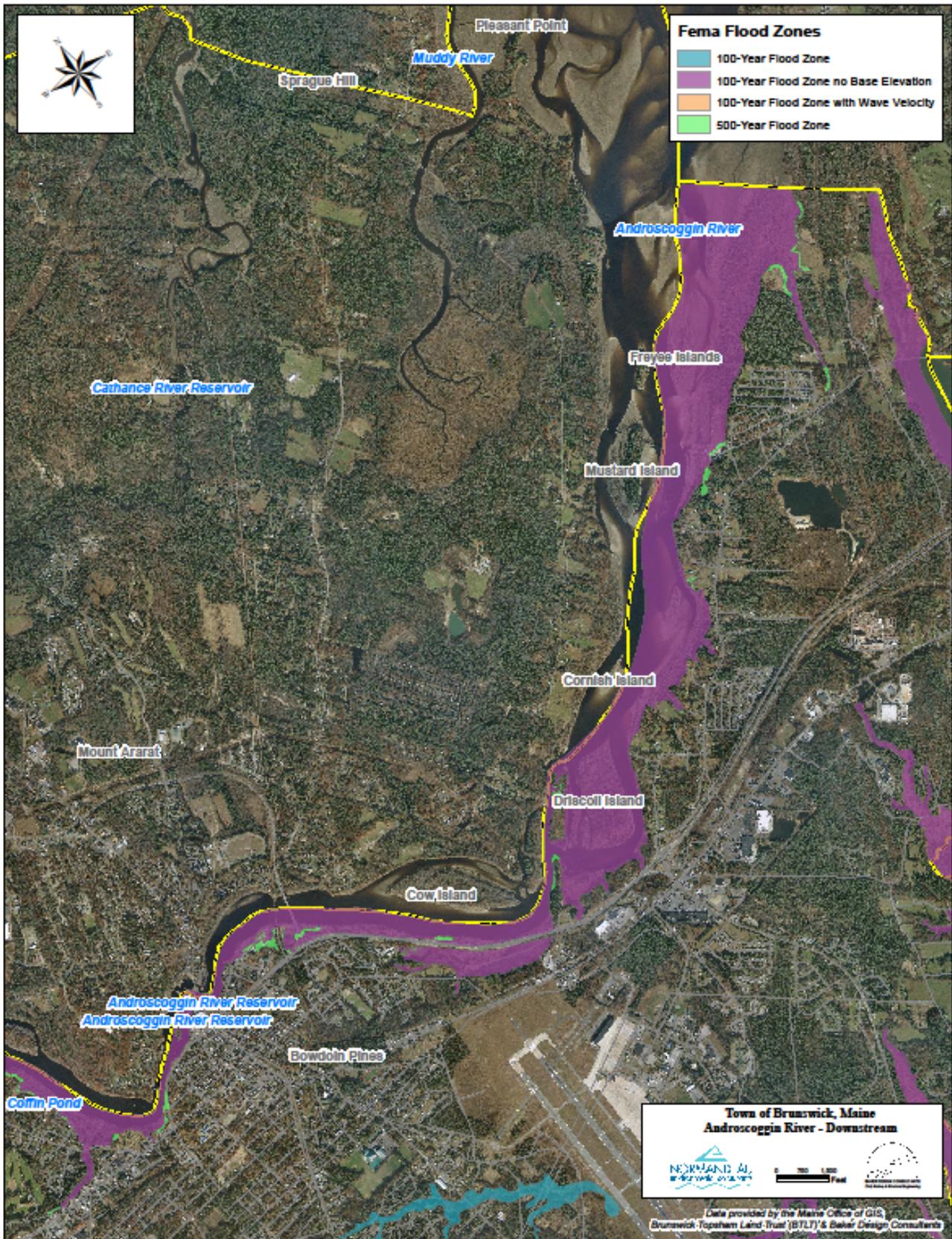
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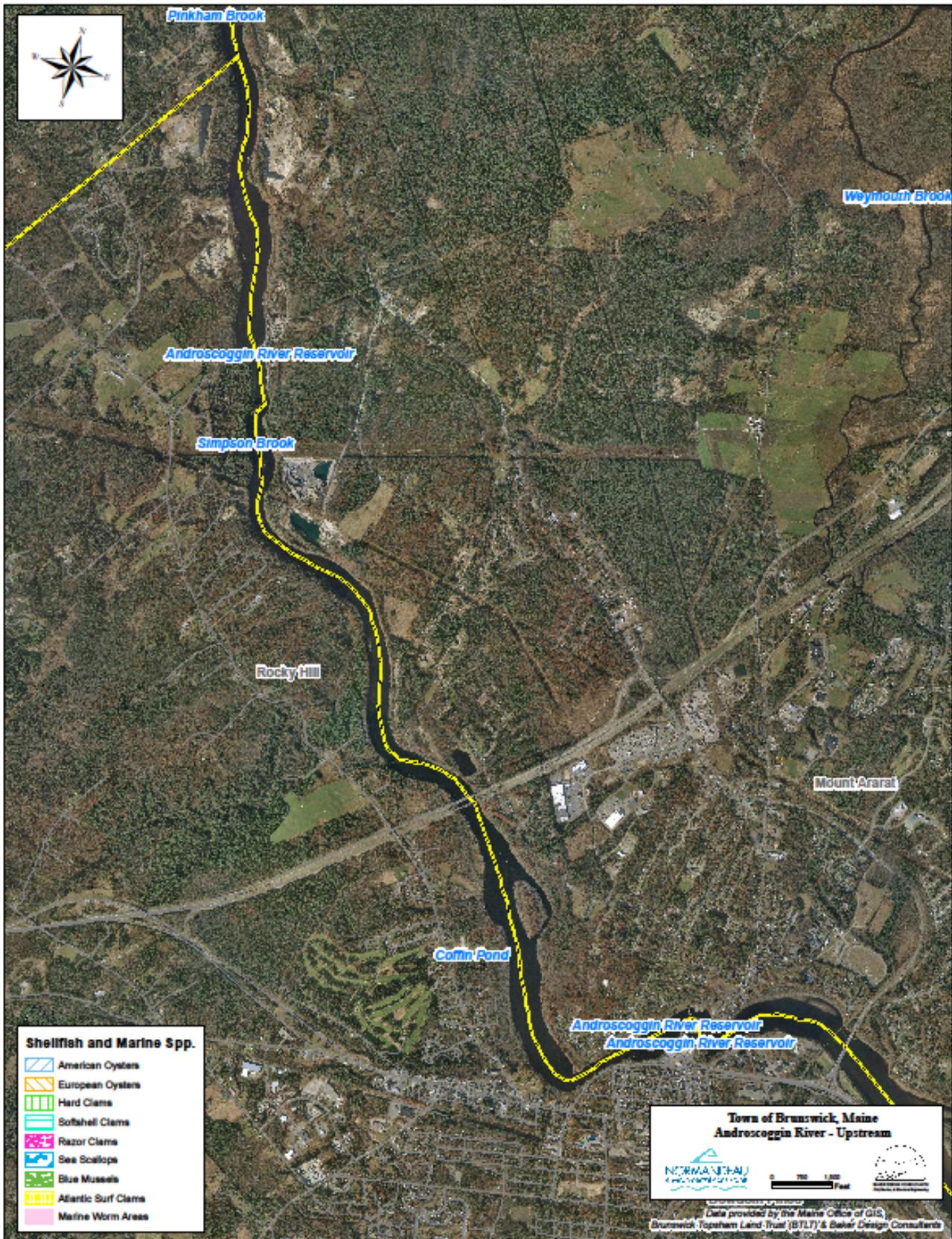
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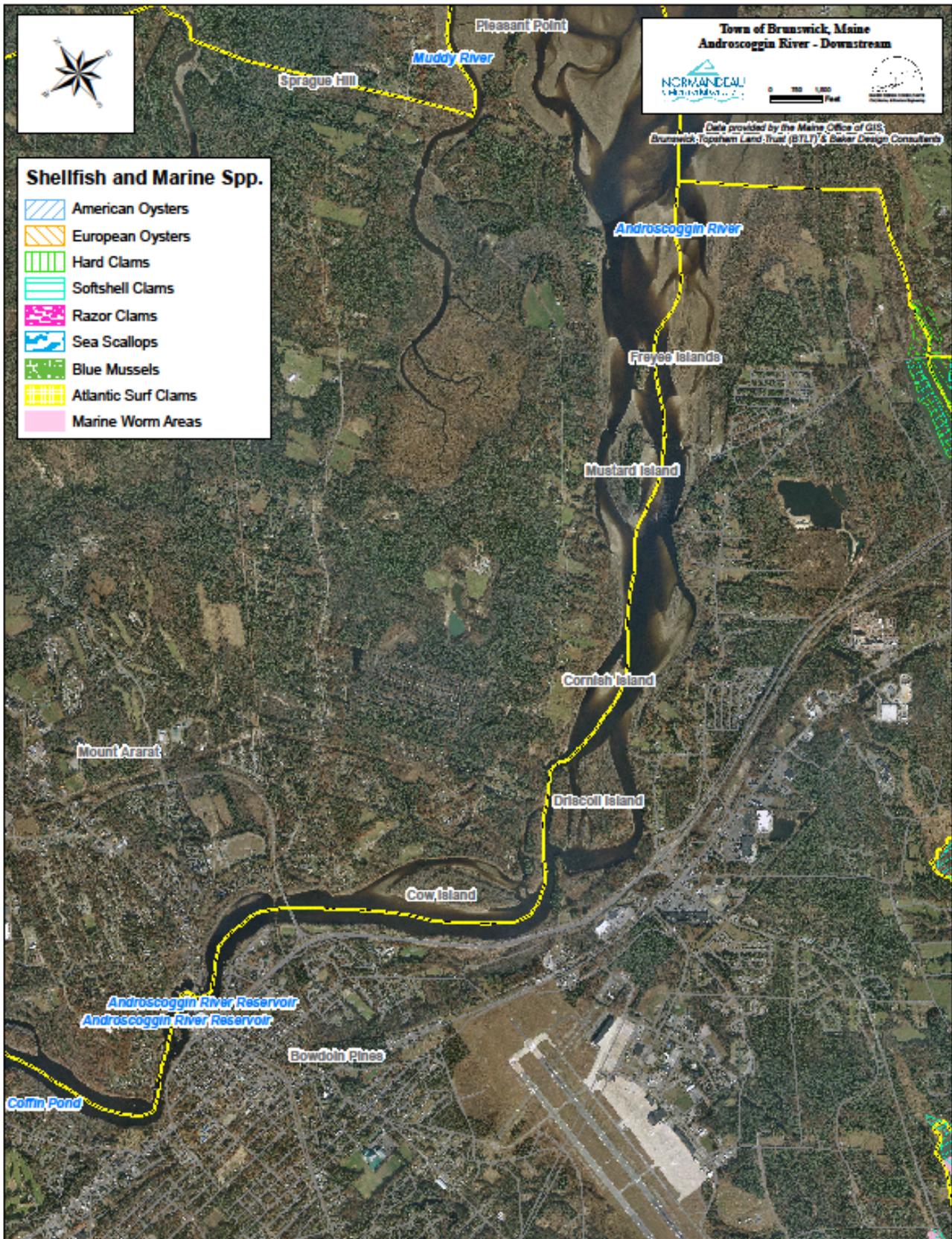
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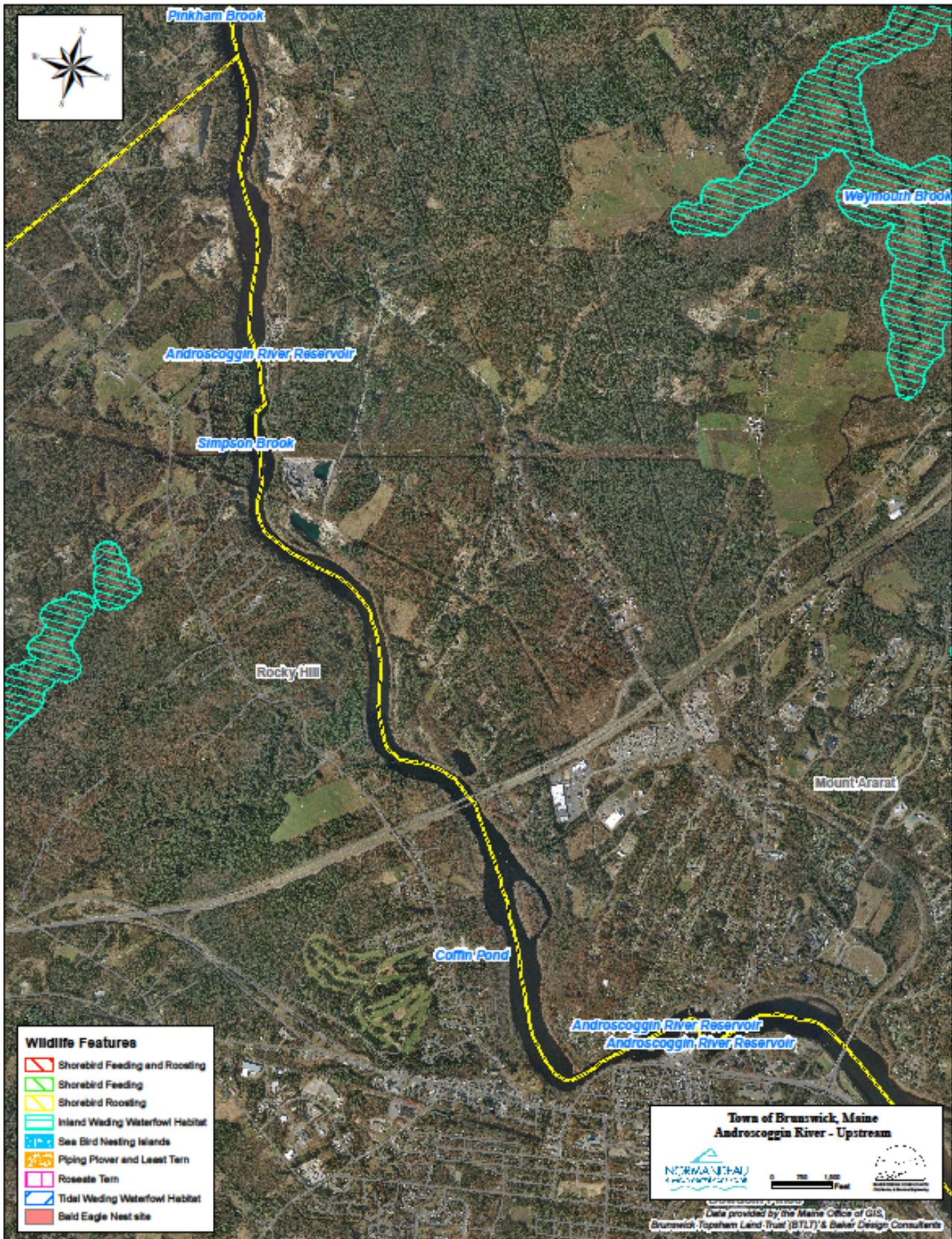
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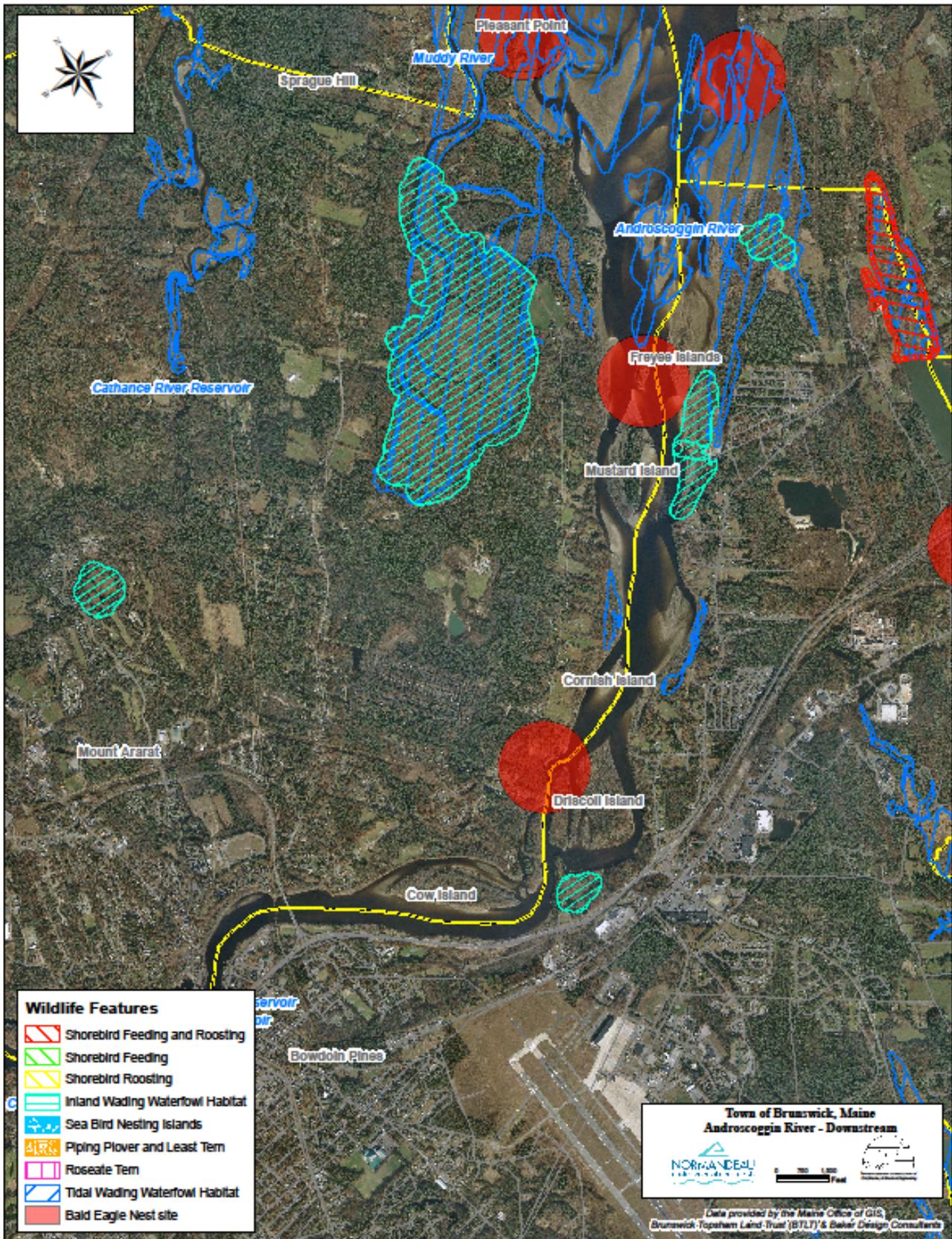
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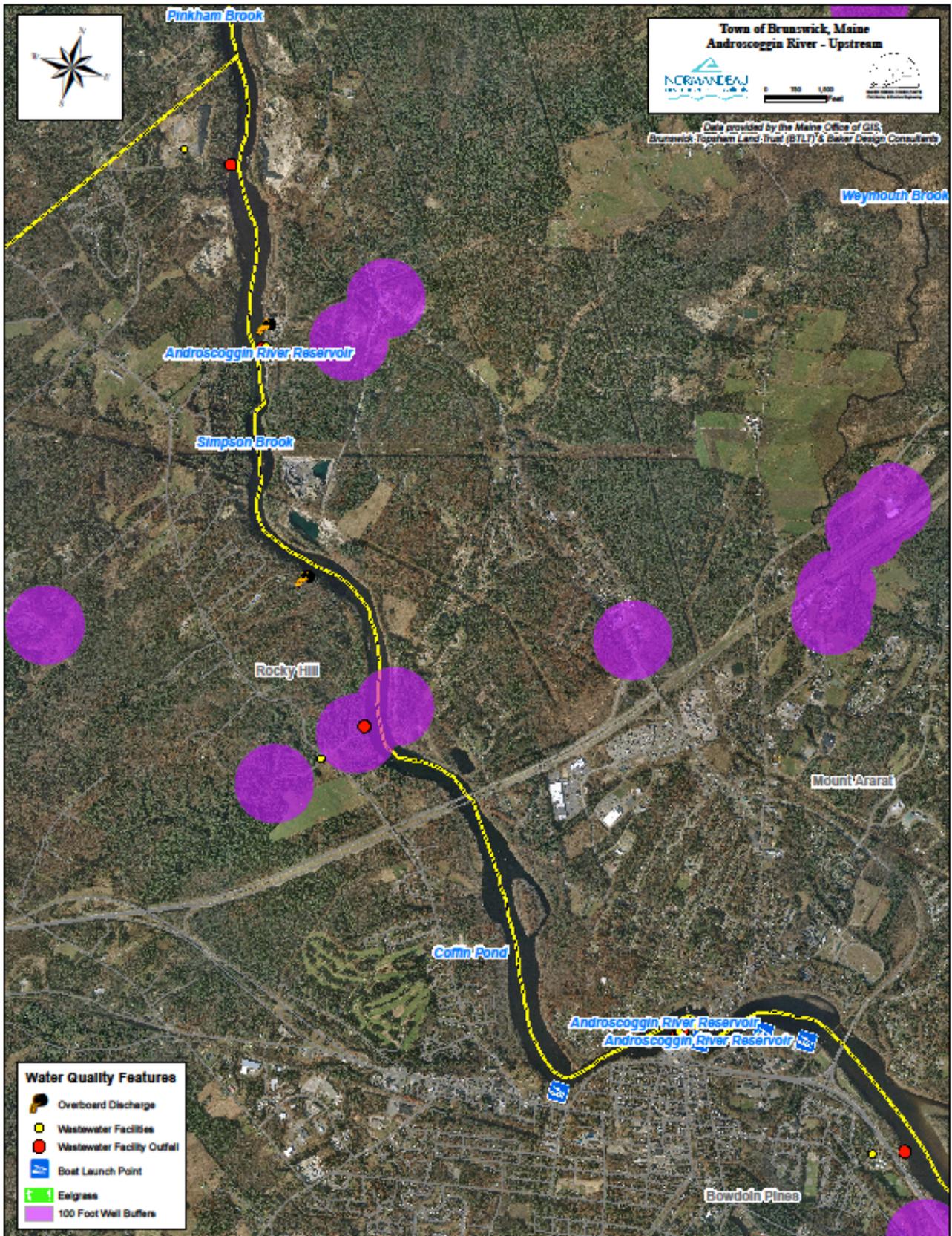
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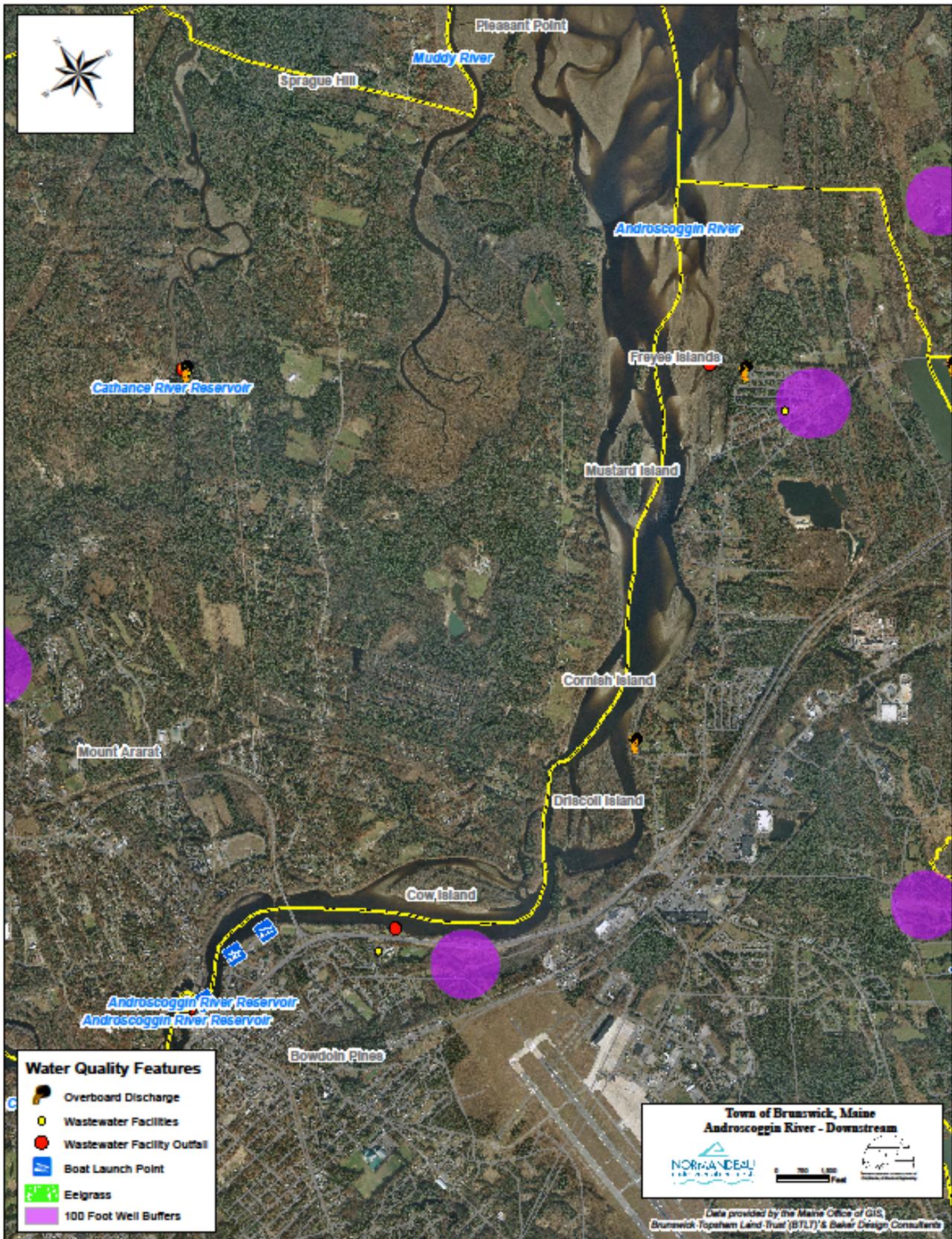
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Appendix A – Additional Resources

There is a wealth of literature available that relates to many of the areas addressed by this plan. Organizations such as Maine Coastal Program, Maine DMR, NOAA, Maine Geological Survey, Maine DEP, US Army Corps of Engineers, and Maine Harbormasters Association – to name a few – can be useful resources for information and assistance. In addition, the following is a partial list of references used in preparing this plan that may be useful to the Town in the future:

- ***Preserving Commercial Fishing Access: A Study of Working Waterfronts in 25 Maine Communities*** Maine Coastal Program (2002)
- ***The Right Tack: Charting Your Harbor's Future*** Maine Coastal Program (1995)
- ***Seascapes: Getting to Know the Sea Around Us, A Guide to Characterizing Marine and Coastal Areas*** Quebec-Labrador Foundation, Inc. (2008)
- ***Smart Growth for Coastal and Waterfront Communities*** NOAA (2009)
- ***Managing Maine's Nearshore Coastal Resources: Final Report of the Bay Management Study*** Maine State Planning Office/Maine DMR (2007)
- ***Maine's Nearshore Waters: Current Uses and Anticipated Trends*** Maine Bay Management Study – Maine Coastal Program (2006)
- ***Coastal Management Techniques: A Handbook for Local Officials*** Maine DECD (1988)
- ***Brightwork: A Best Management Practices Manual for Maine's Boatyards and Marinas*** Maine Department of Environmental Protection (2006)
- ***Mapping Maine's Working Waterfront, A Statewide Inventory by the Island Institute*** Island Institute (2007)
- ***Harbor Management: A Legal Guide for Harbormasters and Coastal Officials*** State of Maine Harbormasters Association (2006)
- ***New Meadows River Watershed Management Plan*** The New Meadows River Watershed Project (2004)
- ***New Meadows Lake Tidal Restoration Feasibility Study: Casco Bay Estuary Partnership Woodlot Alternatives*** (2006)
- ***New Meadows Lake, Brunswick and West Bath, Maine: Model Analysis of Expected Plant Communities Response to Potential Tidal Restoration Conditions*** Woodlot Alternatives (2007)
- ***State of the New Meadows River*** MER Assessment Corp (2002)
- ***Parks, Recreation and Open Space Plan*** Town of Brunswick (2002)

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- *Town-Owned Open Space Inventory* Town of Brunswick (2011)
- *Public Benefit Conveyances, Properties Conveyed to the Town of Brunswick from Brunswick Naval Air Station (BNAS), Recreation, Trails, & Open Space Management Plan* Town of Brunswick (2013)
- *Merepoint Boat Launch Citizens Advisory Committee Report of Suggested Facility Operation and Management Policies* Brunswick Department of Planning & Development (2005)
- *Merepoint Boat Launching Facility, Merepoint, Brunswick, Maine: Water Quality Impacts Assessment* MER Assessment Corporation (2004)
- *Merepoint Boat Launch Facility Eelgrass Mitigation Measures: 2012 Monitoring Report* MER Assessment Corporation (2012)

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Appendix B – Management Objectives and Priorities

Recommendation	PRIMARY GOAL	Target Timeframe for Implementation			
		ONGOING	1-3 YR. 2014- 2017	1-5 YR. 2014- 2019	1-10 YR. 2014- 2024
COASTAL WATERS AND RIVER MANAGEMENT					
<p>Establish a River and Coastal Waters Commission</p> <ul style="list-style-type: none"> • Support the Harbormaster. Set waterfront policy and initiatives and address the broad issues of the waterfront with council approval. • Composed of representatives from MRC, Parks & Rec, Planning, Town Council, etc. • Input from each of the representative groups, ensures established recommendations and goals consistent with Townwide programs. • Meet less regularly than typical committees, e.g. quarterly, semi-annually 	1,2,3,4		X		
<p>Update Harbor Ordinance</p> <ul style="list-style-type: none"> • Review draft prepared by Baker Design Consultants • Incorporate recommendations with Council Approval 	1,2,3,4	X	X		
<p>Assess need for dedicated Harbormaster facilities on waterfront</p>	2,4			X	
<p>Provide Education & Training</p> <ul style="list-style-type: none"> • Support programs that promote responsible management and use of the waterfront • Participate in Casco Bay water quality monitoring initiatives • Educate on importance of marsh and coastal embankment vegetation as an effective erosion control. • Provide sea level rise information to the public to initiate local planning and adaptation discussions • Promote bay friendly landscaping approaches and low impact development techniques 	1,2,3,4	X			

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<ul style="list-style-type: none"> Review efforts to educate homeowners regarding responsible septic system maintenance in Coastal Protection Zones 					
INSTITUTE MOORING MANAGEMENT					
Implement Annual Mooring Registration	2,3		X		
Maintain database of current mooring holders	3		X		
Define mooring tackle standards	3		X		
Define inspection requirements	3		X		
Investigate suitability of mooring fees and make recommendation to Town Council	3		X		
Identify anchorage areas for non-riparian owners	2,3,4			X	
Develop & Maintain a wait list for non-riparian moorings	2,3,4			X	
Develop mooring plans for high density mooring areas to promote safe and efficient use	2,3,4			X	
WATERFRONT ACCESS					
Investigate opportunities to expand recreational offerings at all town owned waterfront parcels	2,4	X	X		
Review and update current management approaches at existing waterfront parks to better balance diverse uses	2,4		X		
Study Best-Uses of Simpson's Point Landing	1,2,3,4		X		
Establish policies for use of Simpson's Point Landing	1,2,3,4		X		
Revisit uses of Merepoint Boat Launch (Swimming, Commercial Launching, Mooring Field Access)	1,2,3,4			X	
Increase opportunities for saltwater recreation for non-coastal residents	2,3,4		X		
Identify waterfront property for development of a municipal landing	2,3,4			X	
Adopt a routine of inspection of Public waterfront sites to identify maintenance and improvement needs	3		X		
Develop informational materials for coastal property owners to educate on private property rights	2,3,4		X		
Develop information materials for users of intertidal resource that identify public access, legal rights, and etiquette regarding use of intertidal resource	2,3,4		X		

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Pursue property acquisition and/or establishment of public rights-of-way in areas where public access is difficult and/or unavailable	1,2,3,4	X			
RESOURCE MONITORING & MITIGATION					
Adopt management practices for non-point source pollution	1,3,4		X		
Study causes for town-wide decline in eelgrass	1,3,4		X		
Protect wildlife/bird habitat	1,3	X			
Identify & preserve existing cultural resources	1,3				X
Pursue Tidal Restoration of New Meadows Lake	1,3			X	
Identify & address barriers to fish passage	3			X	
Identify and implement methods for eradication of invasive species	3		X		
RESPOND TO CLIMATE CHANGE					
Address sources of seawater acidification... Identify opportunities to buffer against ocean acidification	3			X	
Combat Coastal erosion by identifying locations where hard approaches should be limited, promote soft approaches to addressing coastal erosion to limit the impacts to coastal resources	3			X	
Plan for sea level rise. Incorporate sea level rise projections into town planning efforts and update local ordinances and open space priorities appropriately	3				X
PRESERVE WORKING WATERFRONT					
Identify access needs for commercial fishermen	2,3,4		X		
Create new access points, easements in key locations	2,3,4			X	X
Promote conservation (ref. existing point system)	2,3				
Regulate to address harvesting conflicts	2,3		X		

Appendix C – Survey Responses

Maquoit Bay

- *concern in all areas with invasive specie issue*
- *Recreational Boating/Kayack*
- *Minimize erosion at launch site. Make appealing for picnic and shoreside recreation, now it's seems like a rutted parking lot.*
- *Kayaking at high tide, birdwatching, bicycling destination.*
- *birding, photography, enjoying the peace of nature. I think those noisy 'boats' that carry harvesters to areas to dig are unacceptably noisy.*
- *The Town should provide public access for kayaking/canoeing and swimming to Maquoit Bay. It's outrageous that there is no access (other than the tidal head of the Bay) to this great recreational area.*
- *Sail; swim; powerboat. Jet skis were a nuisance this year.*
- *Maintain for shellfish & wildlife habitat*
- *fishing, swimming, boating*
- *mooring and dock here. monitor jetskis going through the mooring fields. green crab problem interfering with Lobsters*
- *Hunting*
- *Fishing (need safety for jet skiers)*
- *Conservation*
- *Build a sustainable resource and polution concerns*
- *fishing*
- *Fishing, Hiking, Swimming, Digging (important ebayment to focus attention and protect the shellfishing resources)*
- *sailing*
- *I sail here*
- *Waterfront homeowner. Use Maquoit Bay almost daily for recreation: Kayak, Open-Water swimming, sailing, small powerboating. Light recreational fish / duck hunting (a few days a year).*
- *Docking and mooring for sailboat as well as swimming*
- *Live on Maquiot Bay*
- *Boating, fishing*
- *concern of dissappearing eel grass and bait draggers in area.*
- *boat, fish, lobster, dive & swim*
- *Shellfishing/Kyaking/Sport Fishing/Duck Hunting/ Bird Watching*
- *dig clams, kayak, fish*
- *increase information on areas that are available for recreational access*
- *bike to view*
- *bird watching from shore year-round. not a good swimmin area because of shallow access and active boat launch*
- *sea-level rise; loss of coastal marshes; decline of eelgrass; tidal barrier; non-point run-off*
- *fishing from canoe or shore*
- *wildlife observation and scenic visits*
- *develop moore areas for non-motorized uses - swimming! - keep close to bowdoing college - 300 students stay on campus for the summer*
- *walk in park off bunganuc road*
- *swimming from private dock, birdwatching @ boat launch + conservation areas*

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- *regular bird-watching visits year round. i'm a regular saltwater swimmer, and this is not a good site due to substrate, shallow nature (profile), and motorboat launching activity.*
- *keep safe, conflict-free swimming a priority - no motors. boats can use merepoint.*
- *i think in the spring, summer, and fall (may-oct) or part of spring+ fall and all summer, simpson's point should have no motor boats. boats that make a lot of noise need hour limits between 8am and 8pm year round anywhere near land and homes.*

Merepoint Bay

- *Don't want any more moorings at the MerePoint launch site.*
- *boating, fishing*
- *Have a home on Birch Island and park on Mere Pt*
- *Recreational Boating/Kayack/Swimming*
- *It this refers to the area by the boat launch, I'd encourage officials to take necessary action to redesign that site to accommodate the user group for which it was intended. It was built at a scale that is intimidating to kayaks and unfriendly to picnickers, so make it right for motor boats so they don't have to seek accommodation elsewhere.*
- *increased traffic and congestion around the boat launch*
- *Kayaking at all tides, picnicing, access to Harpswell Sound*
- *birding, photography, enjoying the peace of nature. I think those noisy 'boats' that carry harvesters to areas to dig are unacceptably noisy.*
- *Swimming should be allowed at the Mere Point boat launch. It is outrageous that Brunswick has many miles of waterfront, but very little access to the water for the public for swimming.*
- *Sail. Boat launch has caused significant increase in towed boat traffic. A hazard to walkers and bikers.*
- *Maintain recreational access and boating opportunities*
- *fishing, swimming, boating*
- *monitor traffic from boat ramp*
- *Recreational boating and hunting*
- *Use marina, sail, kayak, fish*
- *Fishing (need safety for jet skiers)*
- *Conservation*
- *We have a boat at Paul's Marina and access the bay from here.*
- *Resource and access*
- *fishing, boating, mooring*
- *Boating, fishing, sight seeing, birding, Hunting (seems to be more attractive to recreational boating- seems like more appropriate place to have mooring fields as there is deep water but little access*
- *Goal--develop moorings for non-warefront residents*
- *sailing*
- *I moor two boats at Pauls Marina and use the boat launch for launching a recreational rowing shell and kayak; do not support any restriction on moorings at Paul's Marina*
- *My sailboat is moored at Paul's Marina*
- *I sail out of Paul's Marina*
- *Own property on Birch Island*
- *outstanding natural harbor.*
- *Use Boat Launch*
- *Boating, fishing*
- *concern of increased high speed jet ski traffic crisscrossing the bay ahead and astern of underway sail and powercraft*
- *Marina customer for over 40 years, boat, fish, lobster, dive & swim*

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- *Boat Launches/Boating/Fishing*
- *kayak, fish*
- *why not allow swimming at mere point boat launch restricted to an area that does not conflict with boat launch*
- *kayak from boat launch*
- *bird watching from shore. swimming is not allowed at new boat launch. dangerous combination anyways.*
- *lack of public mooring availability; abuse of riparian rights to moorings (multiple per parcel); increase in private piers; increased riprap; eelgrass decline*
- *landing kayak*
- *scenic views and swimming - it is the only low tide place to get in water*
- *marinas in town should be examined as well and not just grandfathered in this process just because they exist they should be held to same standards as private citizens*
- *monitoring and promoting the quality of the total bay environment is the key to success for all uses of the bay. th density of the moorings in the bay is a major issue and needs consistent uniform management by a mooring ordinance that is locally controlled.*
- *occasionally launch kayak from mere point boat launch*
- *kayaking, swimming, birdwatching, boating*
- *lovely spot but no swimming currently allowed and even if it were, the site suffers from the same issues for swimmers that some boaters complain about (chop, swell, wind) that middle bay does not. plus, of course, there are motorboats present at the launch.*

Middle Bay

- *boating, fishing*
- *Recreational Boating/Kayack*
- *Casual recreation is sublime, kayaking amazing, swimming and fishing superb. Keep this special asset available to those who want to enjoy it with minimal impact. PLEASE don't open Simpsons to to motor traffic again. It has become an incredible gathering spot for people desiring a quiet place to enjoy Brunswick's magnificent coastline.*
- *Swimming, kayaking at Barnes Pt. and Simpsons Pt. Ldg. Tense intermingling at Simpsons between recreational users, private abutters, clammers, dogs/owners. More monitoring/policing needed to ensure cooperation. Offsite parking?*
- *birding, photography, enjoying the peace of nature. I think those noisy 'boats' that carry harvesters to areas to dig are unacceptably noisy.*
- *Boats with motors should not be allowed to launch at Simpson's Point. My wife and I go there frequently to sit on the rocks and swim. We could not do this when the launch was open to motoried boat traffic.*
- *We enjoy summer swimming at Simpson's Pt. and really enjoy not having to deal with motorized boats at this location when the Mere Pt. ramp is so close by.*
- *Same as Merepoint Bay*
- *fishing, swimming, boating*
- *recreation fishing*
- *Hunting, open up Simpsons point launch*
- *Moorings, kayak, fish, sail & swim*
- *Fishing (need safety for jet skiers)*
- *Conservation*
- *Access and polution concerns*
- *Live here, swim, clean coastal area. See huge ingrease in number of people enjoying access to our bay, especially swimmers & kayakers. have concerns re health of flats, have noticed water so much warmer in last several years*
- *where's the ell grass?*

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- *fishing*
- *Duck Hunting, Digging, Fishing, Swimming (have always been able to dig for quahogs in this area)*
- *sailing*
- *I sail here*
- *own part of white island*
- *Boating, fishing*
- *boat, fish, lobster, dive & swim*
- *Paddle and small recreational boating in Middle Bay. I have concerns with the use of Simpson's Point Landing, providing access for commercial harvesters, and the increase in low flying aircraft over the area.*
- *Sail*
- *Shellfishing/Hunting*
- *dig clams, kayak, fish*
- *doesn't swim at simpsons point due to so many dogs*
- *use simpsons point for swimming. the location is great because it is within biking distance from town. many do bike there which reduces auto traffic and need for parking*
- *having experienced the wonderful use of simpsons point without motors, i urge the committee to maintain its safety. i see no way to increase parking*
- *consider shore issues, parking, safety, etc. when considering how a landing should be used like at simpsons point*
- *66 miles of coastline - simpsons point is the only saltwater rec. access for kayak / "smimming!!". please keep it closed to motor boats (especially may thru oct.). can one swim at barnes landing*
- *simpsons point is a beautiful jewel! i swim there almost daily from late may to mid october. swimming is great roughly 2 hours either side of high tide. i also conoe here.*
- *increased riprap; increased private piers; loss of salt marsh and eelgrass*
- *canoeing, kayaking, swimming*
- *i occasionally swim at simpsons point. i bicycle to simpsons point. i walk frequently to barnes landing*
- *swimming, kayak, relax*
- *biking to and swimming from simpson's point approx. 1-2 times per week in summer.*
- *same as merepoint bay, heavy recreational use of simpson's point*
- *great current swimming spot. no motorboats allowed, good access and bottom profile/depth for long swims. better conditions for protection for swimming than other sites*
- *simpson's point is a rare treasure for those seeking access to the coast. we need to ensure we keep this access for picknickers and swimming and folks simply seeking quiet beauty at the coast. i would love to see the town promoting more such access points at other areas, as i can't think of one that is comparable. i have no problem with clambers and other harvesters, but i do take issue with motorized boats at simpson's point.*

Harpswell Sound

- *Recreational Boating/Kayack*
- *(also use Lookout Pt., Harpswell Neck for access here as next most convenient) Fr. Merepoint: Brunswick's only real ocean facility! Appreciate the exc. access from newer facility. Want more "park" use possibilities: picnicing, swimming, etc. Not sure how more commercial would affect that, need to categorize "commercial" as these vary in impact and compatibility.*
- *birding, photography, enjoying the peace of nature. I think those noisy 'boats' that carry harvesters to areas to dig are unacceptably noisy.*

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- *The Town should provide kayak/canoe and swimming access to Harpawell Sound. It's not right for this beautiful Sound to be closed to the public.*
- *no knowledge*
- *boating*
- *lobstering*
- *Hunting*
- *Sail, fish*
- *Conservation*
- *Acess and sustainable*
- *fishing, boating*
- *I cant find any local public access- have crossed private land to get there- more focus on access now that base has been covened*
- *sailing*
- *I sail here*
- *boat, fish, lobster, dive & swim*
- *Sail*
- *don't access except as view when cross country skiing or furbish / golf properly*
- *bird watching from shore. im not aware of any good access for swimmers.*
- *harpswell sound not brunswick, harpswell cove mostly kate furbish preserve; work with btl to ????*
- *occassionally kayak from princess point launch*
- *kayaking, swimming*
- *poor (shallow) bottom profile for swimming in most places far up the sound (northern end).*

New Meadows River

- *Commerical Fisherman for my property*
- *Recreational Boating/Kayack*
- *Restore tidal flushing and flow for the health of the natural system, including uplands. It will be change, it will be resisted, but it is the right thing to do for long term benefit.*
- *Sawyer's Park--Don't use it, suppose the reputation has something to do with that, and loc. does not provide good access to open water. Occasionally use Princes Pt. launch.*
- *We enjoy kayaking and swimming at Sawyer's Park.*
- *no knowledge*
- *boating*
- *Hunting*
- *Conservation*
- *Polution and access*
- *fishing, boating*
- *Camping, Digging focus on shellfishing and recreaitonal swiming at Thomas Point Beach*
- *I do not use*
- *occasional boating*
- *Fishing/Shellfishing*
- *solution to extreme coastal erosion & eel grass die off - woodward cove*
- *kayak from town landing*
- *bird watching from shore. im not aware of any good access for swimmers.*
- *tidal bariier at bath road causeway is impacting water quality & habitat functions. Restoration would benefit water quality, habitat & commercial value*
- *canoeing, kayaking*
- *kayaking*
- *kayak*

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- *commercial fisherman - maintain traditional uses. charter board + fishing guide*
- *frequent use for kayaking and canoeing*
- *boating, kayaking*
- *like merepoint, far for most people in town*

Androscoggin River

- *N/A*
- *Stop making excuses for it and take action to move up to class b. Business booms in a healthy environment.*
- *Why is Mill St. site closed for most of the year, even on warm spring days? Open it up and advertise! Most accessible urban sites should have most use. (= good Village planning) Water St. facilities used frequently for passive recreation, watching the river scenes. More park facilities here would be good, esp. at old Landing incl. expanded acreage.*
- *We use the water St. boat launch frequently, but the kayaking area is limited compared with the 5 bodies of water listed above. We would like direct public access to the ocean.*
- *Improve trail access. Maintain water quality. Do collaboratively with Topsham,*
- *boating, fishing*
- *Hunting, fishing*
- *Conservation*
- *I canoe with my family from the Pejebscot Damn to Brunswick.*
- *Polution and access*
- *Hunting, Fishing, Kyaking- above damn needs more reasonable access sites*
- *I do not use*
- *I use this at least weekly for rowing*
- *occasional boating*
- *Kayak*
- *Fishing/Hunting*
- *fish, kayak*
- *water quality for swimming is debatable.*
- *kayaking*
- *fishing*
- *kayaking*
- *ok, but not preferred saltwater. and no prohibition of motorboats, jetskis, etc. so not good for swimming at common sites*

Appendix D - Harbor Ordinance Suggested Revisions

The following provides suggested revisions to the existing Town of Brunswick Municipal Ordinance, Section 11 – Marine Activities, Structures and Ways, Article I – Harbor, Coastal, Tidal and Navigable Fresh Waters. This is a working document and is intended to be a starting point for the proposed Brunswick River and Coastal Waters Commission to undertake a thorough process of reviewing and updating the ordinance.

We envisage an early and primary task of the Commission will be to update the Town’s Harbor Ordinance in consideration of the recommendations of this plan, the Town’s goals, and feedback received from the Army Corps of Engineers, and other regulatory agencies. Note that any of the proposed additions will need to be integrated along with existing ordinance provisions so as to avoid any repetitive and/or conflicting language.

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<p>Sec. 11-1. - Definitions.</p> <p>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:</p> <p><i>Channels:</i> Those paths designated by this chapter for navigation in or access to the harbor, coastal, tidal and navigable fresh waters of Brunswick.</p> <p><i>Commercial use:</i> A use with profit as a primary aim.</p> <p><i>Idle speed:</i> The minimum speed necessary to maintain steerage and control of a moving watercraft</p> <p><i>Mooring:</i> 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.</p> <p><i>Riparian owner:</i> An owner of land with a minimum of one hundred (100) feet of shorefront.</p> <p><i>Watercraft:</i> Any type of vessel, boat, barge, float, or craft used as a means of transportation on the water.</p> <p>(Ord. of 4-4-05)</p>	
<p>Sec. 11-2. - Channels.</p> <p>(a) <i>Establishment of channels.</i> Two (2) channels are established, described as follows:</p> <p>(1) Commencing at the 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.</p> <p>(2) Commencing at the mean high water</p>	

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<p>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.</p> <p>(b) <i>Passage of vessels.</i> 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.</p> <p>(c) <i>Mooring.</i> A person shall not place, anchor, or moor any watercraft within the described channels without the permission of the harbormaster.</p> <p>(Ord. of 4-4-05)</p>	
<p>Sec. 11-3. - Harbormaster.</p> <p>(a) <i>Appointment.</i> The town shall appoint a harbormaster by May 1 for a term of three (3) years.</p> <p>(b) <i>Duties.</i> The harbor master shall have the following powers and duties:</p> <p>(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.</p> <p>(2) Approve and control the placement of moorings within the harbor, coastal, tidal and navigable fresh waters of Brunswick.</p> <p>(Ord. of 4-4-05; Ord. of 4-7-08(1))</p>	<p>Add</p> <p>(c) <i>The Harbormaster shall regularly attend the River and Coastal Waters Commission meetings and inform the Commission of his/her activities as well as provide such available information as may be requested by the Commission for the execution of its duties.</i></p> <p>(d) <i>The Harbormaster shall be authorized to attend the annual Harbormaster Training by the Maine Harbormasters' Association.</i></p>
<p>Sec. 11-4. - Moorings.</p> <p>(a) <i>Registration.</i> All moorings located in the harbor, coastal, tidal and navigable fresh waters of Brunswick shall be registered. Registration shall be on forms provided by the harbormaster that, at a minimum, require the following information:</p>	<p>Add</p> <p>(d) <i>Mooring Assignments.</i></p> <p>(1) <i>All Riparian Owners shall be entitled to one (1) riparian mooring. Moorings within the Town of Brunswick Anchorages shall be assigned based on the following priority:</i></p>

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<p>(1) Description and weight of the watercraft moored;</p> <p>(2) Type of mooring ball or buoy;</p> <p>(3) Type and weight of mooring;</p> <p>(4) Type and size of bottom and top chains.</p> <p><i>Existing moorings:</i> 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.</p> <p><i>New moorings:</i> After the effective date of this article, all moorings shall be registered prior to location of the mooring.</p> <p>(b) <i>Placement standards.</i> 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:</p> <p>(1) Moorings shall be reasonably adequate for the size, weight and windage of the watercraft.</p> <p>(2) Moorings shall be located in areas that do not interfere with navigation.</p> <p>(3) Moorings shall not encroach into the channels of Brunswick.</p> <p>(4) Moorings shall be located in areas that do not unreasonably affect natural resources.</p> <p>(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.</p>	<ol style="list-style-type: none"> 1. Resident Commercial Fisherman 2. Resident Recreational 3. Commercial Passenger Boat 4. Resident Commercial Marine Enterprise 5. Non-Resident Commercial Fisherman 6. Non-Resident Commercial Marine Enterprise 7. Non-Resident Recreational 8. Resident, additional mooring 9. Non-Resident, additional mooring <p>(2) Fees shall be as set forth in the town harbor fee schedule as adopted by the Town Council.</p> <ol style="list-style-type: none"> 1. Resident Riparian 2. Resident Commercial Fisherman 3. Resident Recreational 4. Commercial Passenger Boat 5. Resident Commercial Marine Enterprise 6. Non-Resident Commercial Fisherman 7. Non-Resident Commercial Marine Enterprise 8. Non-Resident Recreational 9. Resident, additional mooring 10. Non-Resident, additional mooring 11. Marina 12. Yacht Club <p>(3) Number of Moorings: the maximum number of mooring assignments shall be determined in order to support safe and efficient use of each anchorage. Limits for each Anchorage shall be recommended by the River and Coastal Waters Commission and approved by the Town Council.</p> <p>(4) Waiting List: The harbormaster shall maintain one chronological waiting list with complete application information of all applicants who have applied for but not received a mooring assignment. Persons desiring a place on the waiting list may apply at any time by making out a mooring</p>

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<p>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), the harbormaster shall move or remove the improperly located mooring and the cost shall be borne by the owner of the mooring.</p> <p>(c) <i>Identifying numbers.</i> 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.</p> <p>(Ord. of 4-4-05)</p>	<p><i>application form and filing it with the Harbormaster. The list shall be in eight sections, each section in chronological order as to when the application was received with recreational applications being limited to natural persons:</i></p> <ol style="list-style-type: none"> 1. Resident Commercial Fisherman; 2. Resident/Recreational; 3. Resident Commercial Marine Enterprise; 4. Non-Resident Commercial Fisherman; 5. Non-Resident Commercial Marine Enterprise; 6. Non-Resident Recreational; 7. Resident Subsequent; 8. Non-Resident Subsequent. <p><i>A copy of this waiting list shall be posted in the Town Office and shall be provided to all members of the River and Coastal Waters Commission, and made available for any Commercial Marine Enterprise or any others who request a copy.</i></p> <p><i>(5) Sole Use: All mooring assignments (with the exception of Army Corps of Engineer Permitted Marina and Yacht Club Moorings) shall be used exclusively for the personal use of the applicant and solely for the boat listed in the application.</i></p> <p>(e) <i>Mooring Standards.</i></p> <p><i>(1) Placement: The harbormaster shall develop a plan for the placement of moorings in each anchorage, giving consideration to the size, hull type, construction, windage of boats, and the location of any established channel(s). He/she shall assign/reassign locations to each mooring and ensure placement in the correct location. All moorings not located in the correct location shall be moved by the owner at his/her own expense in accordance with the instructions of the Harbormaster. In the event of the failure of</i></p>

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	<p><i>the owner to comply with these instructions, the Harbormaster shall move or remove the improperly located mooring and the cost shall be borne by the owner of the relocated mooring. If this is determined to be a hazard or safety issue, the owner must comply within forty-eight (48) hours.</i></p> <p><i>(2) Mooring construction and placement: All mooring construction and placement, in the anchorage must be approved by the harbormaster.</i></p> <p><i>(3) All mooring buoys shall be white in color with a blue horizontal stripe and shall have the current permit registration number and owners name in three (3) inch letters painted above the water line in a contrasting color. A letter designation may be placed upon the mooring buoys by marinas, boatyards, yacht clubs and commercial marine enterprises to designate moorings owned by them.</i></p> <p><i>(4) All new or replaced permanent moorings shall comply with the following minimum specifications:</i></p> <p><i>(1) Each permanent mooring shall consist of a mushroom, granite block or helix, a minimum one-half-inch heavy steel bottom chain attached to a minimum one-half-inch top chain (a single chain is acceptable), mooring buoy and a pennant: polypropelene use is not acceptable. Each mooring must have one (1) top and swivel; all swivels and shackles must be to the appropriate size diameter.</i></p> <p><i>(2) All mooring blocks shall be constructed of solid granite with steel staples or eyebolt extending completely through the block. Cement blocks, old engines and other miscellaneous weighted objects are unacceptable as mooring anchors in the harbor.</i></p> <p><i>(3) The mooring scope shall be limited to two (2) times the water depth at</i></p>

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	<p><i>maximum high water. Total scope shall include bottom chain and top chain and pennant to the bow of the boat and pennant to the bow of the boat.</i></p> <p><i>(4) Mooring guidelines:</i></p> <table data-bbox="857 537 1401 884"> <tr> <td><i>Under 15' power/sail</i></td> <td><i>150 lb mushroom</i></td> </tr> <tr> <td><i>15'--19' power/sail</i></td> <td><i>200 lb mushroom</i></td> </tr> <tr> <td><i>20'--27' power/sail</i></td> <td><i>250 lb mushroom</i></td> </tr> <tr> <td><i>28'--30' power/sail</i></td> <td><i>300 lb mushroom</i></td> </tr> <tr> <td><i>31'--33' power/sail</i></td> <td><i>400 lb mushroom</i></td> </tr> <tr> <td><i>34'--38' power/sail</i></td> <td><i>500 lb mushroom</i></td> </tr> <tr> <td><i>39'--45' power/sail</i></td> <td><i>600 lb mushroom</i></td> </tr> <tr> <td><i>46'--50' power/sail</i></td> <td><i>1,000 lb mushroom</i></td> </tr> <tr> <td><i>51'--56' power/sail</i></td> <td><i>1,200 lb mushroom</i></td> </tr> <tr> <td><i>56'--65' power/sail</i></td> <td><i>1,600 lb mushroom</i></td> </tr> </table> <p><i>The above guidelines should be evaluated on a case by case basis with respect to site exposure and vessel characteristics.</i></p> <p><i>(5) Granite blocks will equal to four (4) times the weight of a mushroom anchor. For the safety of his/her boat and that of adjacent boats mooring permit holders are responsible for having their moorings set, inspected and making the required or necessary adjustments or repairs.</i></p> <p><i>(6) Despite dimension standard established herein, any parts of mooring showing excessive wear or any mooring or gear, which do not meet with the harbormaster's approval, shall not be permitted.</i></p> <p><i>(7) All moorings shall be of appropriate size and designed for the largest size boat likely to be placed thereon, and shall be of a construction approved by the Harbormaster.</i></p> <p><i>(5) Winter conditions:</i></p> <p><i>(1) Winter spars must be used to mark moorings and such spars shall be connected to their moorings with non-floating rope (no wire cable permitted). Winter spars may not be set before</i></p>	<i>Under 15' power/sail</i>	<i>150 lb mushroom</i>	<i>15'--19' power/sail</i>	<i>200 lb mushroom</i>	<i>20'--27' power/sail</i>	<i>250 lb mushroom</i>	<i>28'--30' power/sail</i>	<i>300 lb mushroom</i>	<i>31'--33' power/sail</i>	<i>400 lb mushroom</i>	<i>34'--38' power/sail</i>	<i>500 lb mushroom</i>	<i>39'--45' power/sail</i>	<i>600 lb mushroom</i>	<i>46'--50' power/sail</i>	<i>1,000 lb mushroom</i>	<i>51'--56' power/sail</i>	<i>1,200 lb mushroom</i>	<i>56'--65' power/sail</i>	<i>1,600 lb mushroom</i>
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	<p><i>September 1 and must be installed by December 31 and removed by June 1 each year. By January 1 all moorings shall have mooring balls exchanged for a winter spar. Winter spars remaining in the water after June 1 shall have their mooring removed by the Harbormaster at the expense of the owner.</i></p> <p><i>(6) Inspection:</i></p> <p><i>(1) An approved mooring service shall inspect and approve or be otherwise satisfied that each mooring is in safe condition before it is placed in the anchorage.</i></p> <p><i>(2) Moorings must be inspected every three (3) years by a qualified mooring inspector. A list of qualified mooring inspectors may be obtained by contacting the Harbormaster. The Harbormaster has the authority to require any necessary maintenance or replacement of parts or the whole mooring, tackle and/or gear. Inspection forms shall be complete and legible.</i></p> <p><i>(3) The harbormaster shall maintain a file on each mooring listing the date of the last inspection and the name of the person who last inspected it.</i></p>
<p>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. <i>(Ord. of 4-4-05)</i></p>	
<p>Sec. 11-6. - Town launch facilities.</p> <p>(a) Use of town launch facilities consistent with the provisions of this article shall be permitted. Commercial uses of town launch facilities require a special activity permit from the town clerk.</p> <p>(b) The following activities are prohibited at town launch facilities:</p> <p>(1) Storage of bait, catch, or gear for</p>	

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<p>unreasonable periods of time, as determined by the harbormaster.</p> <p>(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.</p> <p>(3) Anchoring or mooring.</p> <p>(4) Tying up to floats for more than thirty (30) minutes.</p> <p>(5) Swimming or fishing in designated areas.</p> <p>(6) Power loading or unloading, boat washing, boat painting, and bilge draining.</p> <p><i>Cross reference— Public Wharfs and Landings, ch. 14-139</i> <i>(Ord. of 4-4-05; Ord. of 4-7-08(1))</i></p>	
<p>Sec. 11-7. - Disruptive conduct.</p> <p>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.</p> <p><i>(Ord. of 4-4-05)</i></p>	
<p>Sec. 11-8. - Menaces to navigation.</p> <p>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.</p> <p><i>(Ord. of 4-4-05)</i></p>	
<p>Sec. 11-9. - Dumping of sewage prohibited.</p> <p>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</p>	

Harbor Management Plan
Town of Brunswick, Maine

Town of Brunswick Municipal Ordinance
Section 11 – Marine Activities, Structures and Ways
Article I – Harbor, Coastal, Tidal and Navigable Fresh Waters

Existing Ordinance	Suggested Revisions
<p>that the same may fall or be washed into such waters or in such a manner that the drainage may flow into such waters. <i>(Ord. of 4-4-05)</i></p>	
<p>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., <u>Section 1</u>, et seq. Failure to obey an order of the harbormaster is a Class E Crime. <i>(Ord. of 4-4-05)</i></p>	
<p>Sec. 11-11. - Forfeiture. Any skiff 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., <u>Section 401</u>. The town shall not be liable for any damage sustained by an impounded skiff or mooring. <i>(Ord. of 4-4-05)</i></p>	
<p>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. <i>(Ord. of 4-4-05)</i></p>	
<p>Sec. 11-13. - Boat storage. No boat, vessel, raft, barge shall be stored overnight in or on any navigable waters within the town without being licensed or permitted to do so. A person found in violation will be subjected to the cost of removing the vessel,</p>	

Harbor Management Plan
Town of Brunswick, Maine

Town of Brunswick Municipal Ordinance
Section 11 – Marine Activities, Structures and Ways
Article I – Harbor, Coastal, Tidal and Navigable Fresh Waters

Existing Ordinance	Suggested Revisions
<p>boat, raft, barge and be fined one hundred and fifty dollars (\$150.00). <i>(Ord. of 6-20-11(1))</i></p>	
<p>Secs. 11-14—11-25. - Reserved.</p>	<p>Add Sec. 11-14 Anchorages</p> <p><i>(1) The Anchorage areas defined in this section include tidal waters of the Town of Brunswick suitable for permanent moorings. Tidal waters are defined to extend to the Mean High Water line.</i></p> <p><i>(2) The Maquoit Bay Anchorage includes waters within the marine jurisdictional boundaries of the Town of Brunswick that are located within Maquoit Bay and westerly of a line extending from the southern tip of Merepoint to the northern tip of Sister Island (Freeport).</i></p> <p><i>(3) The Merepoint Bay Anchorage includes waters within the marine jurisdictional boundaries of the Town of Brunswick that are located easterly of a line extending from the southern tip of Merepoint to the northern tip of Sister Island (Freeport), and southerly of a line extending from the northernmost point in Smith Cove to the southernmost point on White Island (Harpwell).</i></p> <p><i>(4) Excepting the anchorages defined above, moorings shall be limited to Riparian Owners as defined herein.</i></p> <p>Add Sec. 11-14. - Brunswick River and Coastal Waters Commission</p> <p><i>(a) Purpose: The Brunswick River and Coastal Waters Commission exists for the general purpose of studying and evaluating public use and access to the Town's coastal and navigable waters; to advise the town council on policy matters and proposed regulations concerning the town's waters. The Commission shall oversee the maintenance and care of town operated waterfront facilities through the Harbormaster and in conjunction with state and federal authorities. The Commission sits as a board of appeals to hear an appeal from any person aggrieved by any decision, act or failure</i></p>

Harbor Management Plan
Town of Brunswick, Maine

Town of Brunswick Municipal Ordinance
Section 11 – Marine Activities, Structures and Ways
Article I – Harbor, Coastal, Tidal and Navigable Fresh Waters

Existing Ordinance	Suggested Revisions
	<p><i>to act by the Harbormaster. The Commission shall regularly inform the town council, planning board, and such other boards, committees, commissions, or officials of the town of its activities, as is appropriate.</i></p> <p><i>(b) Organization: The Brunswick River and Coastal Waters Commission shall consist of nine (9) members, to include:</i></p> <ul style="list-style-type: none"> <i>- Harbormaster</i> <i>- One (1) representative from the Marine Resource Committee</i> <i>- One (1) representative from the Parks & Recreation Department</i> <i>- One (1) representative from the Planning Department</i> <i>- One (1) representative from the Conservation Commission</i> <i>- One (1) representative from Paul's Marina</i> <i>- One (1) representative from New Meadows Marina</i> <i>- Two (2) at-large members.</i> <p><i>All nine (9) members shall be appointed by the town council. Each member of the Commission shall be a resident of the Town of Brunswick and shall serve without compensation. Neither a municipal officer nor his/her spouse may be a member of the Commission.</i></p> <p><i>(c) Any questions of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting thereon shall be decided by a majority vote of the members, except the member who is being challenged.</i></p> <p><i>(d) The town council shall have the power to remove any member of the Commission for cause and shall have the power to replace appointees who leave the Commission. The chairman of the Commission shall notify the town council chairman of the forfeiture of office by a member.</i></p> <p><i>(e) The term of office of a member shall be three (3) years.</i></p> <p><i>(f) The Commission shall annually in the month of October elect a chairman, vice-chairman and secretary from its membership and may create</i></p>

Harbor Management Plan
Town of Brunswick, Maine

Town of Brunswick Municipal Ordinance
Section 11 – Marine Activities, Structures and Ways
Article I – Harbor, Coastal, Tidal and Navigable Fresh Waters

Existing Ordinance	Suggested Revisions
	<p><i>and fill such other offices as it may determine. Officers shall serve one (1) year terms and shall be eligible for re-election.</i></p> <p><i>(g) The Commission shall conduct its meetings in accordance with Roberts Rules of Order (10th edition).</i></p> <p>Add Sec. 11-15. – Wharf Permits</p> <p><i>Subject to coordination with local shoreland zoning criteria and ordinance requirements, any new wharf/dock construction and/or expansion/modification to an existing legal wharf/dock shall be subject to review by the River and Coastal Waters Commission in accordance with the following:</i></p> <p><i>(a) An application consisting of scale drawings of the proposed project should be made to the River and Coastal Waters Commission. The applicant shall appear at a Commission meeting to answer any questions on the application.</i></p> <p><i>(b) The project must not unreasonably interfere with customary or traditional public access ways to, or public trust rights (fishing, fowling, and navigation) in, on, or over the submerged lands; unreasonably interfere with fishing or other existing marine uses of the area; unreasonably diminish the availability of services and facilities necessary for commercial marine activities; or unreasonably interfere with ingress and egress of riparian owners.</i></p> <p><i>(c) The River and Coastal Waters Commission must approve any changes or amendments to the original application before construction shall begin. Receipt of approval under this section does not relieve the applicant from the responsibility of obtaining approval from other town, state and federal agencies with jurisdiction over the proposed expansion.</i></p>

ITEM 18

BACK UP MATERIALS

MEMORANDUM

TO: Town Council
Town of Brunswick, Maine

FROM: John Eldridge
Finance Director

DATE: February 21, 2014

RE: Status of Municipal Building Project

The Town Council has requested a financial update on the project to convert the McLellan Building to the new Municipal Building. In response, we have been gathering information from a variety of sources for use in the preparation of two budgetary reports. As we have quickly assembled these reports, they are still in draft form, meaning that the information may be incomplete and the numbers subject to change. The following draft worksheets are attached:

1. *Municipal Building Project Budget.* This worksheet estimates the total project costs with the project defined as those items required to design, construct, equip, and occupy the new space. The highlighted cells represent quotes which are still being developed, or areas where costs are still unknown. Please note that where we have had to make estimates we have used the most current information available to us.
2. *Municipal Building Project – Impact on Operating Budgets.* This worksheet attempts to measure the budgetary impact of moving to the new space in the current fiscal year. When the Town adopted the 2013-14 Municipal Budget, it did not anticipate relocating to the McLellan Building until the summer of 2014. Therefore, funds were not appropriated to operate the new building. With the decision to accelerate the move, it becomes necessary to fund the shortfall in operating budgets. In comparing operating impacts, we have limited the expenditure estimates to the costs of rent, utilities, and heating. On the revenue side, we have included the loss of six month's rent expected to be received from Bowdoin College, as well as the impact of redirecting the second half of Bowdoin's unrestricted gift to the acquisition of the new building generator.

We have had a very brief conversation with the contractor about the condition of the exterior trim at the new municipal building. The discussions confirmed that it is somewhat difficult to quantify the cost of those repairs. However, it is clearly evident that there is an immediate need to address this issue, meaning that some repairs will need to be made this year. There is no estimate carried for this work in either of the worksheets referenced above.

Regarding the project schedule, the contractor remains confident that renovation work will be substantially completed by March 28th. Based on that date, we are developing a project management schedule to guide us in sequencing the various components of the move to minimize any disruption to our work and service to the public. In addition to moving various offices, we are also moving and reconfiguring our I/T and communications equipment and networks. That move and the cutover to the reconfigured networks must occur within a very tight window.

Memo to Town Council
RE; Status of Municipal Building Project
February 20, 2014
Page 2 of 2

In summary, we have assembled this information relatively quickly. We hope that we have identified the critical prices of the project and have reasonably accurate estimates, but we do expect to continue to refine the budget and schedule as we move forward.

As requested, we have also attached the four McLellan-related inspection reports we were able to locate. Those reports speak for themselves.

I look forward to answering your questions about these documents and the project.

Attachments

Municipal Building Project Budget

DRAFT

Project Funding

Town Council appropriation	5/23/2013	50,000.00	
Town Council appropriation	11/18/2013	950,000.00	
Bowdoin contribution for generator	1/13/2014	61,100.00	unrestricted redirected
Bowdoin contribution for generator	1/13/2014	<u>20,000.00</u>	additional contribution

Total Project Funding **1,081,100.00**

Project Expenditures

Construction

Construction Contract		903,263.00	
Less Construction Contingency		(43,192.00)	Credit for \$43,192 contingency
Add Alt 1 - Generator		91,618.75	
Approved Change Orders		18,102.37	
Written Change Orders (not yet approved)		9,907.70	Millwork changes; Raise water service pipe
Pending Change Orders		7,759.64	HVAC commissioning
Developing Change Orders		<u>10,000.00</u>	HVAC controls on generator; communication service;
Total Construction		997,459.46	

Design & Engineering

Design & Engineering (Scott Simons Architects - SSA)		88,769.00	
Additional services (SSA - Add Alt 1)		1,857.50	
Reimbursable expenses (estimate)		<u>2,500.00</u>	
Furnishing Design Fee (Office Pavilion - estimate)		<u>1,000.00</u>	
Total Design & Engineering		94,126.50	

Fixtures & Furnishings

Shelving for vault (PO)		14,485.00	
Security System (quote)		8,228.00	
Printing and Framing of Historical photos (estimate)		2,000.00	
Signs (estimate)		<u>4,500.00</u>	\$1,500 allowance contract for interior signs.
Total Fixture & Furnishings		29,213.00	

Furniture & Equipment

Furniture (new and assembly of existing)		<u>22,602.00</u>	Pavilion quote - need to review.
Chairs for Chamber (PO)		6,301.80	Pavilion
Chairs for conference room (PO)		2,376.00	WB Mason
Floor mats for desks (32)		<u>2,560.00</u>	
Total Furniture & Equipment		33,839.80	

Project Related Expenditures

Moving furniture and contents (estimate)		12,500.00	Town Hall and Brunswick Landing
Project management (quote)		3,500.00	
IT Assistance (quote)		<u>5,280.00</u>	Servers Down/Up; Telephones redirected
Total related expenses		21,280.00	

Project Contingency

Additional Construction Contingency	3.0%	29,923.78	
Non Construction Contingency	15.0%	<u>26,768.90</u>	
Total Additional Contingency		56,692.68	

Total Project Expenditures **1,232,611.44**

Project Costs Under (Over) Funding **(151,511.44)**

The information contained herein is preliminary subject to revision and amendment.

**Municipal Building Project
Impact on Operating Budgets
DRAFT**

Expenditures	Description	Budget 2013-14	Estimated 2013-14	under/(over) budget	Last Year Actuals (2012-13)
54 Cumberland - Human Services					
	Electricity	1,000.00	1,123.50	(123.50)	1,230.41
	Office Rental	9,988.00	9,990.00	(2.00)	11,988.00
	Heating Fuel	<u>992.00</u>	<u>989.00</u>	<u>3.00</u>	<u>1,395.22</u>
		11,980.00	12,102.50	(122.50)	14,613.63
28 Federal Street					
	Electricity	24,000.00	18,131.32	5,868.68	22,304.60
	Water	1,100.00	1,180.00	(80.00)	1,811.43
	Sewer	1,200.00	1,583.85	(383.85)	2,275.40
	Heating Fuel	<u>13,680.00</u>	<u>9,686.53</u>	<u>3,993.47</u>	<u>10,813.47</u>
		39,980.00	30,581.70	9,398.30	37,204.90
16 Station Ave - Council Chambers					
	Rental of Facilities	36,000.00	18,884.00	17,116.00	36,586.49
85 Union Street (since Jan 1, 2014)					
	Electricity	0.00	46,749.44	(46,749.44)	0.00
	Water	0.00	2,000.00	(2,000.00)	0.00
	Sewer	0.00	1,000.00	(1,000.00)	0.00
	Natural Gas	<u>0.00</u>	<u>6,846.55</u>	<u>(6,846.55)</u>	<u>0.00</u>
		0.00	56,595.99	(56,595.99)	0.00
Total Expenditures				(30,204.19)	
Revenues	Description	Budget 2013-14	Estimated 2013-14	(under)/over budget	Last Year Actuals (2012-13)
	Bowdoin PILOT	122,200.00	61,100.00	(61,100.00)	98,612.00
	Bowdoin McLellan Rent ("PILOT")	87,405.24	43,702.62	(43,702.62)	87,405.24
Total Revenues				(104,802.62)	
Total Expenditures Under (Over) Revenues				<u>(135,006.81)</u>	

The information contained herein is preliminary subject to revision and amendment.

McLellan Building
85 Union St.
Brunswick, ME

RRC field report, 17 September 2010

General:

The McLellan Building has three stories above grade -- two framed floors and one slab on grade. The primary structural system resembles IBC Type IIB (NFPA Type II (000)) with wide flange steel columns, wide flange steel beams and bar joists and poured concrete floors on corrugated steel deck. The roof, accessed by a ladder and hatch located above the eastern stair, is a combination of internally drained, slow-slope EPDM and sloping shingled areas. Two large dormers on the top floor are constructed on wood. All floors are served by a 3,500 lb capacity, holed hydraulic elevator and two interior stairs. Interior partitions are light gage metal framed with painted gypsum board finish. Interior flooring is conventional and consists primarily of vct and carpet. Floors on the third floor are exposed, sealed concrete. Construction drawings show a 13'-0" floor to floor elevation, and suspended ceilings are uniformly set at 8'-4" to 8'-6" above finish floor.

Construction Type:

- Construction drawings show exterior walls constructed as follows:
 - painted wood finish material
 - building felt
 - plywood sheathing
 - 6" cold formed metal studs
 - batt insulation
 - poly vapor retarder
 - gypsum wall board
- Combustible materials like plywood sheathing are not allowed in new construction of Type IIB. If this causes the building to be categorized as Type VB (combustible, unprotected) it may create challenges if the building is to be re-purposed as a mixed occupancy containing an A-1 assembly space.
- Windows are a mixture of operable and fixed units with vinyl-clad wood frames and insulating glass. Overall glazing thickness in operable sash units is only about 3/8", including air space. At fixed units, this distance is closer to 1".

- Exterior finish materials are painted/stained wood clapboards, wood shakes, plywood flat trim and solid wd sills. Paint on wood window sills, primarily on the first floor, has weathered away leaving exposed wood. This is probably a result of water dropping from the roof above. These sills will require ongoing maintenance and repair. There is some softness due to water infiltration in flat trim at other locations on all levels that may require replacing or revising metal flashings and replacement of flat wood trim, but there does not appear areas of profound damage. Selecting demolition is required to confirm the extent of possible water infiltration and damage to exterior walls at these locations.
- Lack of continuous insulation in exterior walls leaves a path for heat loss through cold formed metal studs. This may affect the thermal comfort of occupants and increase heating and cooling costs.
- No information was provided about the type and thickness of roof insulation.

Fire Rated Construction:

- At all three floors, partitions around the main corridor/lobby area have a 1-hr fire-rating. I don't understand why this is required in a building with a sprinkler system. Maybe it's residue from a firm that's used to designing spec office buildings.
- At the one sample location on the first floor, the 1-hr lobby partition extended to the deck above, ducts did not appear to be but sealed where they penetrated the fire-rated partition. It's likely that this condition is repeated elsewhere in the building.
- A section of corridor on the second floor is enclosed within a 2-hr fire-rated construction. I can't explain this.
- According to the drawings, the 2-Hour Room in the second floor is only enclosed on one side with 2-hr fire-rated partitions, and it does not have a fire rated floor/ceiling system above or below. This should be verified.

Protected Means of Egress:

- Neither stair discharges directly to the building's exterior, but the western stair is connected to an exterior door by a two-hour rated exit access passageway. This passageway should have a 2-hr fire-rated floor/ceiling assembly above, in addition to fire-rated partitions. This is not called out on the construction drawings. If exit

access passageway were to be completely separated from adjacent construction, then the eastern stair would be permitted to discharge through an unrated corridor. If this separation is not complete, the exit discharge condition is non-compliant.

- Stairs and elevator hoistway enclosure have a two-hour fire rating. I would have expected to see a 1-hr rating at these locations. Both stairs and hoistway are build with lgmf, gypsum board and shaftwall systems. This is acceptable, but it can be challenging to make sure that the penetrations in the rated enclosures are sealed and that the supporting structure is fire-rated. To their credit, the designers called for spray-applied fire proofing at beams and columns in the core area that support fire-rated partitions around the stairs, HVAC shafts and hoistway. Strictly speaking, the fire-proofing should also be applied to the floor deck so the entire floor/ceiling assembly is protected, not just the primary structural members.
- The sink and cabinets in the third floor corridor would, most likely, be considered non-code complaint.
- Existing travel distances to an exit and common path of travel distances appear to be acceptable for a Business occupancy.

Misc.:

- Toilet rooms appear to meet barrier free standards.
- The two main entrance doors are equipped with automatic openers.
- There is a gravel skirt around the building perimeter that is intended to reduce splash-back from water dropping from above and to prevent water from ponding next the building.
- EPDM roof appears to be in good condition, but the slope in some area areas is not adequate to direct all water to the drains

McLellan Building
85 Union St.
Brunswick, ME

Mechanical field report, 23 September 2010. Site visit 17 September 2010.

General:

The building HVAC system consists of three (3) 40 ton Trane rooftop units. The system is the same age as the building with about ten (10) years of service. The useful life of this equipment is around twenty-five (25) years. Each unit serves one (1) floor of the building. The units are gas-fired (2-stage, propane) with DX cooling and are variable air volume. The units have 100% outside air economizers with return / exhaust fans. The ceiling cavities and corridors are being used as a return air plenum (non-ducted return). No ventilation energy recovery system is installed.

Zoning:

- Numerous temperature control zones are provided with single zone variable air volume boxes with electric reheat for perimeter zones and cooling only boxes for interior zones. Some zones are served by both types of boxes with separate sensors, increasing the potential for heating and cooling to be occurring at the same time.
- No flow measurement or demand control ventilation sequence is provided (CO₂).
- Electric unit heaters are provided in Lobbies, Entrances, Trash Room, Sprinkler Room, etc.
- Modifications to existing zones can be accomplished relatively easily.

Plumbing:

- Gas-fired (propane) water heaters are used for heating domestic hot water.

Sprinkler:

- The building is fully sprinklered by a wet-pipe sprinkler system.

Miscellaneous:

- Mechanical exhaust ventilation systems are provided for toilet rooms, janitor's closets, etc.

Summary:

- The mechanical system appears to be in good condition with a remaining useful life of fifteen (15) years.
- Although packaged rooftop variable air volume systems are capable of providing good occupant comfort, they may have

higher operating cost than other systems. The use of significant amounts of electric resistance heating may have an adverse impact on operating cost in both the short and long term.

Lincoln/Haney Engineering Associates, Inc.

Structural Engineering Consultants

Peter L. Lincoln, P.E.
William D. Haney, P.E.
Donald A. Bragdon (1945-93)

Project 2011.124

September 24, 2011

Mr. Brian Curley
PDT Architects
49 Dartmouth Street
Portland, ME 04101

Subject: McLellan Building, Brunswick, ME

Dear Brian:

Based on our site visit to the McLellan Building this morning to look for any conditions within the interior and at the exterior that might reflect structural problems, I offer the following comments:

1. The building is a three-story, steel-framed structure supported by a pile supported foundation/slab.
2. The building's lateral stability is achieved through a combination of diagonal steel bracing (concealed within interior walls) and moment connections.
3. None of the existing steel bracing is within walls scheduled for demolition or alteration.
4. The building appears to be in good structural condition. No signs of settlement or unusual movement were observed.
5. Numerous cracks were observed in the interior sheetrock walls, typically above or at corners of door openings. These cracks are very likely related to thermal expansion/contraction of the sheetrock wall and shrinkage of concrete floor slabs during the early life of the building. Cracks of this type are very common in buildings and generally are not representative of structural problems.
6. Numerous cracks were observed in the exposed surface of the concrete slab at the third floor. These cracks are not uncommon within elevated slabs and are typically related to the natural occurring shrinkage of the concrete. These cracks do not appear to be indicative of any structural problems.
7. It is likely that similar cracks exist at the second floor but are concealed by the existing carpet.
8. The first floor slab is less likely to be affected by shrinkage cracking due to the fact that it is a heavily reinforced structural slab supported by piles. If small cracks exist they, too, are concealed by carpet.

Based on my casual walk-thru of the building, my impression is that the building is in good structural condition. No issues of concern were observed.

If you have any questions or need any additional information please do not hesitate to let me know.

Sincerely,

Lincoln/Haney Engineering Associates, Inc.



Peter L. Lincoln, P.E.

Roof Inspection Report

Bowdoin College – McLellan Building
Brunswick, Maine
June 14, 2013

Overview

The roofs at this facility were inspected on April 18, 2013 by G&E Roofing technical inspector Dean Tobias. During this inspection Mike Taylor, Bowdoin College Carpentry Shop Leader, reported no areas of recent leakage problems. G&E has not responded to any service calls at this facility for leak investigation since the 2011 inspection repairs were completed.

Sectional Roof Details

Roof 1 consists of a metal deck, tapered polyisocyanurate insulation, ½" fiberboard and a fully adhered .060" Goodyear EPDM membrane. It was installed in 1999. The membrane consists of 20' wide sheets. Splices are installed with 3" splice tape. Walls are flashed using the EPDM membrane with uncured EPDM material for corners and pressure sensitive patches. Lead-coated copper cap is installed over the perimeter wall flashings. Two sides of the large curbs are flashed using the EPDM membrane; the other two sides are flashed using EPDM with adhesive splices and uncured EPDM material for corners. Small curbs are flashed using EPDM with adhesive splices and uncured EPDM material for corners. Some pipes and conduits are flashed using uncured EPDM material; the remaining conduits are flashed using adhesive pipe seals. Vent pipes are flashed using adhesive pipe seals. Drains are Zurn with plastic bonnets. 30" x 30" EPDM walkway pads are installed in areas to protect the membrane.

Roof 1a consists of an insulated, fully adhered .060" Goodyear EPDM membrane. It was installed in 1999 and has no splices. The membrane extends over the perimeters and is spliced onto the Roof 1 wall flashings using adhesive. Corners are patched with uncured EPDM flashing material.

Roofs 1b-1d consist of an insulated, fully adhered .060" Goodyear EPDM membrane. They were installed in 1999 and have no splices. Lead-coated copper edge metal installed at the perimeter is stripped in using 6" pressure sensitive flashing material. The curb on Roof 1d is flashed using EPDM with adhesive splices and uncured EPDM material for corners.

Roof 2 consists of a wooden deck, ice and water shield, an underlayment and a layer of asphalt shingles. It was installed in 1999. Lead-coated copper drip edge is installed along eaves and rakes. Ice and water shield is installed along eaves and valleys. Shingles are fastened using roofing nails installed with pneumatic nailers. Shingles are installed in valleys using a "cut style" method. Mill finish aluminum step flashings are installed along walls. The vent pipe is flashed

with an Oatey “no caulk” aluminum pipe seal. Shingle tabs were cut and installed for hip and ridge caps.

Sectional Roof Observations

Roof 1

Roof system: EPDM adhered
Current leakage: None reported
Discussion: This roof appears in good condition. Some adhesive splices have been repaired. Areas of moisture contamination have been replaced. Areas of the roof hold water. A section of membrane over a cricket is not adhered. The membrane is contaminated in a small area beneath one unit. Some pressure sensitive patches are lifting slightly along the angle change. These issues should be monitored until repairs are necessary.
Current issues: 4 repairs recommended
Long-term plan: Maintain

Roof 1a

Roof system: EPDM adhered
Current leakage: None reported
Discussion: This roof appears in good condition.
Current issues: No repairs recommended
Long-term plan: Maintain

Roofs 1b-1d

Roof system: EPDM adhered
Current leakage: None reported
Discussion: This roof appears in good condition. A section of wooden trim on Roof 1c is deteriorating; a carpenter should be contacted for repairs.
Current issues: No repairs recommended
Long-term plan: Maintain

Roof 2

Roof system: Asphalt shingles
Current leakage: None reported
Discussion: This roof appears in good condition.
Current issues: No repairs recommended
Long-term plan: Maintain

Brief Description of Defects and Recommended Repairs

Roof 1

- A. Cut in membrane – Install a cured pressure sensitive patch over cut.

- B. Pressure sensitive patches lifting/uncured flashing bridged on corner – Remove flashing and patches. Reflash corner with uncured pressure sensitive flashing material.
- C. Uncured patches bridged and lifting at angle changes – Remove patches and install uncured pressure sensitive patches over areas (4 each).
- D. Flashing bridged/hole in flashing – Remove loose material and install an uncured pressure sensitive patch over area.

Repair Quote: \$994

Building Work History

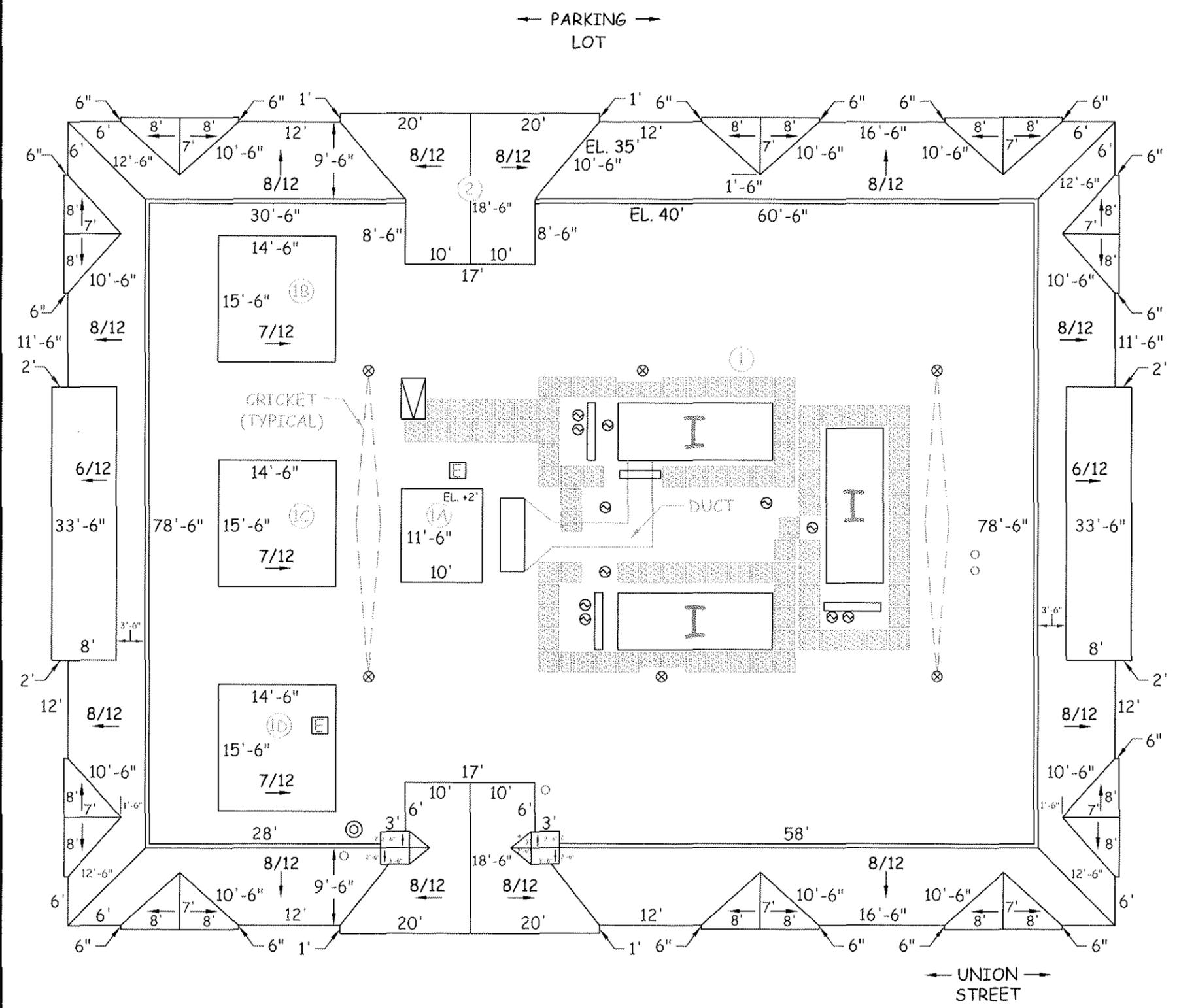
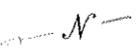
01/30/2014

Building: BOWDOIN MCLELLAN BLDG

Account Manager: Seth

Drawing: BOW-89

<u>Number</u>	<u>Date</u>	<u>Description</u>	<u>Amount Billed</u>
35134-13	02/06/13	2013 INSPECTION PER AGREEMENT	295.00
33222-12	03/14/12	2012 INSPECTION PER AGREEMENT	285.00
31223-OA	07/05/11	REPAIRS PER 2011 INSPECTION	914.00
31223-11	03/03/11	2011 INSPECTION PER AGREEMENT	275.00
29084-OA	07/12/10	REPAIRS PER 2010 INSPECTION	879.00
29084-10	03/05/10	2010 INSPECTION PER AGREEMENT	275.00
26858-OA	08/06/09	REPAIRS PER 2009 INSPECTION - PHASE 2 OF 2	978.00
26858-09	03/05/09	ANNUAL INSPECTION PER AGREEMENT.	265.00
24274-OA	05/19/08	REPAIRS PER 2008 INSPECTION	329.00
24274-08	02/12/08	ANNUAL INSPECTION PER AGREEMENT.	265.00
22872-07	09/10/07	PENETRATION WORK.***void***	0.00
21989-OA	06/15/07	REPAIRS PER 2007 INSPECTION	473.00
21989-07	03/08/07	INSPECTION PER AGREEMENT	260.00
19043-OA	06/26/06	REPAIRS PER 2006 INSPECTION	690.00
19043-06	01/09/06	ANNUAL INSPECTION PER AGREEMENT	250.00
16750-OA	06/17/05	REPAIRS PER 2005 INSPECTION	397.00
16750-05	02/02/05	ANNUAL INSPECTION PER AGREEMENT	235.00
15181-04	04/06/04	EPDM REPAIRS PER QUOTE #MQ-000119	5564.84
13142-OA	06/19/03	REPAIRS PER 2003 INSPECTION REPORT	182.00
13142-03	03/28/03	ANNUAL INSPECTION PER AGREEMENT	200.00
12735-03	02/23/03	LEAK.	420.60
11973-02	10/03/02	REPAIRS PER 2002 INSPECTION REPORT	2158.00
11672-02	08/02/02	EMERGENCY EPDM REPAIRS.	0.00



① METAL DECK
1/8" TO 7/8" TAPERED (50
1/2" FIBERBOARD
D60 (GOODYEAR) "1999"
ADHERED

①A UPDATE
THIS UNKNOWN
1/2" FIBERBOARD
D60 (GOODYEAR) "1999"
ADHERED

①B UPDATE
THIS UNKNOWN
1/2" FIBERBOARD
D60 (GOODYEAR) "1999"
ADHERED

①C UPDATE
THIS UNKNOWN
1/2" FIBERBOARD
D60 (GOODYEAR) "1999"
ADHERED

①D UPDATE
THIS UNKNOWN
1/2" FIBERBOARD
D60 (GOODYEAR) "1999"
ADHERED

② WOOD DECK
3/8" (ARCH) SHINGLES "1999"
BLACK BLEND

↑ NOBLE STREET
↓

OFFICE COPY

LEGEND:

- UNIT
- ⊗ ROOF DRAIN
- ⊞ EXHAUST UNIT
- ∇ HATCH
- ⊙ FLASHED PIPE
- EL. = ROOF ELEVATION
- ⊙ HOT STACK
- ⊞ WALKWAY PAD
- ⊞ AIR INTAKE UNIT
- VENT STACK
- ⊞ ROOF SECTION

BOWDOIN COLLEGE — MCLELLAN BUILDING 85 UNION ST. BRUNSWICK, MAINE		
SCALE: N.T.S.	APPROVED BY:	DRAWN BY: J.E.R.
DATE: 5/30/02		REVISED: 4/25/13
G&E ROOFING CO., INC. 669 RIVERSIDE DRIVE AUGUSTA, MAINE		
THIS DRAWING IS THE SOLE PROPERTY OF G&E ROOFING CO., INC. AND SHALL NOT BE REPRODUCED OR USED IN ANY MANNER OTHER THAN IN NEGOTIATIONS WITH THE OWNERS OR OWNER REPRESENTATIVES AND G&E ROOFING CO., INC.		DRAWING NUMBER: BOW-89

CONSENT AGENDA - A BACK UP MATERIALS

Draft
BRUNSWICK TOWN COUNCIL
Minutes
February 3, 2014
Morrell Meeting Room
Curtis Memorial Library
23 Pleasant Street

Councilors Present: Chair Benet Pols, W. David Watson, Stephen S. Walker, Suzan Wilson, John M. Perreault, Gerald E. Favreau, Jane F. Millett, Sarah E. Brayman, and John Richardson, Jr.

Councilors Absent: None

Town Staff Present: Gary Brown, Town Manager; Fran Smith, Town Clerk/Assistant to the Town Manager; John Eldridge, Finance Director; Anna Breinich, Director of Planning and Development; Tom Farrell, Director of Parks and Recreation; Linda Smith, Business Development Manager; Dan Devereaux, Marine Warden; Steve Langsdorf, Town Attorney; and TV video crew

Chair Pols called the meeting to order, led the Pledge of Allegiance, and asked the Clerk for Roll Call.

Public Comment:

None

Correspondence:

Councilor Perreault spoke regarding a citizen's concern about a barking dog on Spring Street.

Chair Pols spoke regarding the agenda meeting schedule and when items are due. He also spoke of weatherization program work that students from BJHS did for Habitat for Humanity and their presentations at the library.

Council Committee Updates

Councilor Brayman and Councilor Richardson spoke regarding the LD on loss of State Revenue Sharing, which LD would increase the fund from \$20 to \$60 million; over one hundred people spoke regarding the need to restore the funding.

A report was given on the Downtown and Outer Pleasant Street Master Plan Implementation Committee.

Adjustments to the Agenda: None

MANAGER'S REPORT:

a) Update from People Plus

Stacy Frizzle and **Frank Connors** spoke regarding this item.

b) Report from Brunswick Public Art

Rob Jarrett spoke on this item.

(A copy of information from the group will be attached to the official minutes.)

c) Introduction of Linda Smith, Business Development Manager

Manager Brown and Chair Pols introduced Ms. Smith, who spoke briefly.

d) Update on the Kate Furbish Dam Removal grant

Dan Devereaux, Marine Resource Officer, spoke regarding this item and responded to questions from Councilor Perreault.

Councilor Walker spoke on this item.

(Copies of a memo from Officer Devereaux and photos of the area are included in your packet)

e) Update on Town Hall project

Councilor Watson and Manager Brown spoke regarding this item.

Manager Brown responded to questions from Councilor Brayman, Chair Pols, Councilor Millett, and Councilor Perreault.

(f) (ADDED) Municipal Budget Development

Manager Brown, Chair Pols and Councilor Wilson spoke regarding this item.

PUBLIC HEARING

10. The Town Council will hear public comments on Zoning Ordinance amendments relative to the Village Review Board membership, and will take any appropriate action. (Manager)

Chair Pols spoke regarding this item.

Chair Pols opened the public hearing.

Town Council Minutes

February 3, 2014

Page 3

Charles Frizzle, Chair of the Planning Board, provided a review of their process.

Councilor Walker, Councilor Favreau, Councilor Wilson, and Councilor Brayman spoke on this item.

Councilor Millett and Councilor Perreault asked questions, to which **Emily Swan**, Chair of the Village Review Board, and Anna Breinich responded.

Cory Theberge, 13 Federal Street, asked a question, to which Chair Pols responded.

Chair Pols closed the public hearing.

MOTION:

Chair Pols moved, Councilor Brayman seconded, to adopt Zoning Ordinance amendments to section 216.5 b (45) relative to the Village Review Board membership.

Councilor Millett, Councilor Walker, Councilor Perreault, Councilor Favreau and Councilor Wilson spoke on this item.

Copies of Ms. Breinich's memo and the draft language are included in your packet.

VOTE ON MOTION:

Chair Pols moved, Councilor Brayman seconded, to adopt Zoning Ordinance amendments to section 216.5 b (45) relative to the Village Review Board membership. The motion carried with six (6) yeas. Councilor Walker, Councilor Perreault, and Councilor Millett were opposed.

(A copy of the adopted language will be attached to the official minutes.)

NEW BUSINESS

- 11. The Town Council will hear a report from the Chair of the Recreation Commission regarding the results of a citizen survey to help establish priorities for future development of outdoor aquatic facilities within the community, and take any appropriate action. (Manager)**

Jeff Ward, Chair of the Recreation Commission, and Kristi Hatrick, Commission member, made this presentation.

Chair Pols asked questions, to which Mr. Ward responded.

Councilor Wilson spoke regarding this item.

Councilor Favreau and Councilor Millett asked questions, to which Mr. Ward responded.

Chair Pols read the resolution.

Councilor Richardson moved, Councilor Favreau seconded, to adopt a resolution supplementing a previous resolution pertaining to the use of Special Revenue Funds for Recreation Programs to fund a feasibility study for an outdoor aquatic facility. The motion carried with nine (9) yeas.

(A copy of a memo from the Recreation Commission Chair, the adopted resolution and the presentation will be attached to the official minutes.)

- 12. The Town Council will consider supporting a letter of intent for a CDBG grant for MRRA to assist with the “Make It In America” grant they recently received, and will take any appropriate action. (Manager)**

Steve Levesque, MRRA, and Linda Smith spoke regarding this item. Mr. Levesque responded to questions from Chair Pols and Councilor Brayman.

Councilor Millett and Councilor Richardson spoke on this item.

Councilor Richardson moved, Councilor Watson seconded, to support a letter of intent for a CDBG grant for MRRA to assist with the “Make It In America” grant. The motion carried with nine (9) yeas.

(A copy of a memo from Ms. Smith and the draft Letter of Intent will be attached to the official minutes.)

- 13. The Town Council will consider applying for a Land for Maine’s Future Grant to address public access needs in upper Woodward Cove, and will take any appropriate action. (Councilor Walker)**

Officer Devereaux and Councilor Walker spoke regarding this item.

Councilor Perreault asked a question, to which Councilor Walker responded.

Chair Pols spoke regarding this item.

Councilor Favreau moved, Councilor Watson seconded, to give permission for the Town to apply for a Land For Maine’s Future Program grant to address public access needs in upper Woodward Cove. The motion carried with nine (9) yeas.

- 14. The Town Council Chair will make an appointment to the Restoration Advisory Board, and will take any appropriate action. (Chair Pols)**

Chair Pols spoke on this item. He appointed **David Page** to this vacancy on the Board.

Councilor Favreau and Councilor Millett spoke regarding this item.

Town Council Minutes

February 3, 2014

Page 5

- 15. The Town Council will discuss the method to select a firm to conduct the Town Manager search, and will take any appropriate action. (Chair Pols and Councilor Brayman)**

Chair Pols spoke regarding this item and responded to questions from Councilor Millett and Councilor Favreau.

Councilor Wilson, Councilor Richardson, Councilor Perreault, Councilor Millett, Councilor Favreau, and Councilor Watson spoke regarding this item.

Chair Pols appointed a subcommittee of the Council to look at this.

CONSENT AGENDA

- a) **Approval of the Minutes of January 21, 2014**
- b) **Approval of the Minutes of December 23, 2013**

Councilor Watson moved, Councilor Favreau seconded, to approve Consent Agenda a. The motion carried with nine (9) yeas.

Councilor Watson moved, Councilor Favreau seconded, to approve Consent Agenda b. The motion carried with seven (7) yeas. Councilor Millett and Councilor Walker were not at the meeting in December so they did not vote on this item.

Councilor Watson moved, Councilor Perreault seconded, to adjourn the meeting. The motion carried with nine (9) yeas.

The meeting adjourned at 9:32 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT WWW.BRUNSWICKME.ORG.

*Frances Smith
Town Clerk/Assistant to the Town Manager
February 6, 2014*

February 24, 2014
Date of Approval

Council Chair

CONSENT AGENDA - B BACK UP MATERIALS

Draft
BRUNSWICK TOWN COUNCIL
Special Meeting Minutes
February 10, 2014
7:00 p.m.
Morrell Meeting Room
Curtis Memorial Library
23 Pleasant Street

Councilors Present: Chair Benet Pols, W. David Watson, Stephen S. Walker, Suzan Wilson, John M. Perreault, Gerald E. Favreau, Jane F. Millett, Sarah E. Brayman, and John Richardson, Jr.

Councilors Absent: None

Town Staff Present: Gary Brown, Town Manager; Fran Smith, Town Clerk/Assistant to the Town Manager; Steve Langsdorf, Town Attorney; and TV video crew.

Chair Pols called the meeting to order, led the Pledge of Allegiance, and asked the Town Clerk for Roll Call.

Executive session – Personnel matter regarding the Town Manager’s severance and release agreement per 1 M.R.S.A. §405(6)(A)

Chair Pols moved, Councilor Perreault seconded, to go into executive session to discuss a Personnel matter regarding the Town Manager’s severance and release agreement per 1 M.R.S.A. §405(6)(A). There were five (5) yeas. Councilor Watson, Councilor Wilson, Councilor Favreau, and Councilor Richardson were opposed. Since a 3/5 vote is required to go into executive session, the motion failed.

Councilor Richardson spoke in opposition of going into executive session.

Chair Pols spoke on this item.

Chair Pols moved, Councilor Millett seconded, to move, in accordance with paragraph 3(C) of the Town Manager Gary Brown’s severance agreement dated December 23, 2014, to provide Manager Brown with two weeks’ written notice of an early departure date, namely February 24, 2014. In addition the town will pay Gary Brown in lieu of working during the two-week period.

Councilor Wilson, Councilor Perreault, Councilor Millett, Councilor Favreau, Chair Pols, Councilor Walker, Councilor Watson, and Councilor Brayman spoke regarding this item.

Steve Langsdorf, Town Attorney, responded to questions from Chair Pols.

Town Council Minutes

February 10, 2014

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Manager Brown spoke regarding his service with the Town.

VOTE ON THE MOTION

Chair Pols moved, Councilor Millett seconded, to move, in accordance with paragraph 3(C) of the Town Manager Gary Brown's severance agreement dated December 23, 2014, to provide Manager Brown with two weeks' written notice of an early departure date, namely February 24, 2014. In addition the town will pay Gary Brown in lieu of working during the two-week period. The motion carried with five (5) yeas. Councilor Watson, Councilor Wilson, Councilor Favreau, and Councilor Richardson were opposed.

MOTION:

Chair Pols moved, Councilor Millett seconded, to appoint John Eldridge to serve as Interim Town Manager until such time as this Council shall appoint a new Town Manager.

Councilor Wilson, Chair Pols, Councilor Favreau Councilor Richardson, Councilor Perreault, Councilor Watson, Councilor Walker, and Councilor Brayman spoke on this motion.

VOTE ON MOTION:

Chair Pols moved, Councilor Millett seconded, to appoint John Eldridge to serve as Interim Town Manager until such time as this Council shall appoint a new Town Manager. The motion carried with eight (8) yeas. Councilor Favreau was opposed.

Councilor Perreault moved, Councilor Watson second, to adjourn the meeting.

The meeting adjourned at 7:57 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT WWW.BRUNSWICKME.ORG.

Frances Smith

Town Clerk/Assistant to the Town Manager

February 18, 2014

February 24, 2014

Date of Approval

Council Chair

CONSENT AGENDA - C BACK UP MATERIALS

MUNICIPAL QUITCLAIM DEED

The Town of Brunswick, a body corporate, located at 28 Federal Street, Brunswick, Maine, by and through its Treasurer duly authorized by its Town Council, on February 24, 2014 for consideration paid, release to **Monegue, Heather S.** of Brunswick, ME any interest the Town of Brunswick may have acquired in real estate by virtue of Tax Lien Certificates filed in the Cumberland County Registry of Deeds as follows:

Book	Page	Date Recorded	For Tax Year
26291	82	August 22, 2008	2007
27187	195	August 18, 2009	2008

The real estate is located in the Town of Brunswick, County of Cumberland and State of Maine, and is described as follows:

A certain mobile home on land depicted as Map 025 Lot 005 Sub 000 Typ 018 as shown on the Tax Maps and further described in the records of the Tax Assessor of the Town of Brunswick, Maine. Said maps and records dated, April 1, 2007 and April 1, 2008.

The Town of Brunswick has caused this instrument to be signed in its corporate name by its duly authorized Treasurer this 24th day of **February 2014**.

Signed, Sealed and Delivered by John S. Eldridge, III, Treasurer of the Town of Brunswick.

TOWN OF BRUNSWICK

Witness

John S. Eldridge, III
Treasurer

STATE OF MAINE
Cumberland, ss.

February 24, 2014

Personally appeared the above named John S. Eldridge, III, Treasurer of the Town of Brunswick, and acknowledged the above instrument to be his free act and deed in his said capacity and the free act and deed of the Town of Brunswick.

Before me,

Frances M. Smith
Notary Public
Commission expires – January 23, 2015