

BRUNSWICK TOWN COUNCIL

Agenda

October 20, 2014

6:00 P.M. – Executive Session followed by possible action

7:00 P.M. – Regular Meeting

Council Chambers

Town Hall

85 Union Street

Roll Call

Executive session – Personnel matter regarding Town Manager negotiations per 1 M.R.S.A. §405(6)(A)

**Immediately following the end of the executive session, the Council will have the option of taking action on an employment agreement for the Town Manager as outlined in Item 120 notes.*

120. The Town Council will consider entering into an employment agreement with John Eldridge as the Brunswick Town Manager, and will take any appropriate action. (Chair Pols)

Pledge of Allegiance

Acknowledgment that meeting was properly noticed

Public Comment

Correspondence

Council Committee Updates

Adjustments to the Agenda

MANAGER'S REPORT

- a) Financial update
- b) Update on the environmental study at the Town Commons
- c) Update on Longfellow Avenue parking
- d) Election and absentee voting reminders
- e) Reminder on Right-to-Know Law and conflict of interest workshop on October 27th
- f) Report on Brunswick being awarded Google's 2014 eCity of Maine

PUBLIC HEARING

121. The Town Council will hear public comments on applications for Special Amusement Licenses, and will take any appropriate action. (Manager)

Special Amusement
Bumpers Bar and Grill
D/B/A: Yankee Lanes
276 Bath Road

Nelson Moody

Boston East Brunswick Holdings, LLC
D/B/A: The Daniel
10 Water Street

Abhijit Das

HEARING/ACTION

NEW BUSINESS

122. The Town Council will receive an update from the Zoning Ordinance Rewrite Committee, and will take any appropriate action. (Manager)

ACTION

123. The Town Council will be updated on staff discussions with Cooks Corner businesses, and will determine if any future action is necessary. (Manager)

DISCUSSION

CONSENT AGENDA

- a) Approval of the Minutes of October 6, 2014

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

**Brunswick Town Council Agenda
October 20, 2014
Council Notes and Suggested Motions**

Executive session – Personnel matter regarding Town Manager negotiations per 1 M.R.S.A. §405(6)(A)

Suggested Motion:

Motion to go into executive session to discuss a personnel matter regarding Town Manager negotiations per 1 M.R.S.A. §405(6)(A).

120. The Town Council will consider entering into an employment agreement with John Eldridge as the Brunswick Town Manager, and will take any appropriate action. (Chair Pols)

At the conclusion of the executive session the Council will have the option to take action on this item.

COUNCIL COMMITTEE UPDATES

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 Environmental Study at the Town Commons: This item is to update the Council and public on the findings from this study, which determined there was a low probability of finding any discarded military items in the old Quarry or sections of the Town Commons. A copy of a memo from Mr. Eldridge is included in your packet.

Suggested Motion: No motion is required.

- c) Update on Longfellow Avenue parking: This item is to update the Council and public on a discussion recently held with residents and the Police Department regarding allowing some form of overnight parking on Longfellow Avenue.

Suggested Motion: No motion is required.

- d) Election and absentee voting reminders: This item is to remind voters that absentee ballots are available in the conference room next to the Town Clerk's office. The week of Monday, October 27th to Thursday, October 30th, the Clerk's Department will be open from 7:00 a.m. to 7:00 p.m. The last day to request an absentee ballot is October 30th except in limited

special circumstances. All voting on Election Day, November 4th, will be at the junior high, 65 Columbia Ave, with the polls open 7:00 a.m. to 8:00 p.m.

Suggested Motion: No motion is required.

- e) Reminder on Right-to- Know Law and conflict of interest workshop on October 27: This item is to remind the Council and other Town Committees about this upcoming workshop. It will be conducted by the Town Attorney, and both the public and committee members are welcome to attend.

Suggested Motion: No motion is required.

- f) Report on Brunswick being awarded Google's 2014 eCity of Maine: The Town has received this award from Google, recognizing Brunswick as the 2014 eCity of Maine for being the strongest online business community in Maine. A copy of the award letter is included in your packet.

Suggested Motion: No motion is required.

PUBLIC HEARING

- 121. This item is for renewal special amusement licenses for Yankee Lanes and The Daniel. Yankee Lanes is requesting D.J.s, bands and karaoke. The Daniel is requesting dinner music, wedding receptions, and other types of parties. Copies of the public hearing notice and applications are included in your packet.

Suggested Motion:

Motion to approve special amusement applications for Yankee Lanes, 276 Bath Road, and The Daniel, 10 Water Street.

NEW BUSINESS

- 122. This item is for the Council to receive an update from the Zoning Ordinance Rewrite Committee. A copy of a memo from Anna Breinich, along with supporting information, is included in your packet.

Suggested Motion:

There is no staff recommended motion for this item.

- 123. This item is for staff to update the Council on discussions they have had with Cooks Corner businesses. A copy of a memo from Linda Smith, Business Development Manager, will be included in your packet.

Suggested Motion: This is a discussion item so no action is required.

CONSENT AGENDA

- b) Approval of the Minutes of October 6, 2014: A copy of the minutes will be 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 2015 03

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
<u>10 Taxes</u>						
111190 41101 Property Taxes	36,777,579	36,777,579	37,828,952.04	37,817,290.94	-1,051,373.04	102.9%
111190 41103 Deferred Property Tax	-200,000	-200,000	.00	.00	-200,000.00	.0%
111190 41104 Tax Abatements	-75,000	-75,000	-4,767.60	-4,767.60	-70,232.40	6.4%
111190 41105 Interest on Taxes	75,000	75,000	17,619.87	1,233.40	57,380.13	23.5%
111190 41106 Tax Lien Costs Revenu	12,000	12,000	13,187.49	-58.00	-1,187.49	109.9%
111190 41107 Tax Lien Interest Rev	12,000	12,000	17,999.85	.00	-5,999.85	150.0%
111190 41109 Payment in Lieu of Ta	150,000	150,000	30,400.30	30,400.30	119,599.70	20.3%
111190 41198 Homestead exemption r	0	0	321,993.00	225,402.00	-321,993.00	100.0%
111191 41110 Excise Tax - Auto	2,825,000	2,825,000	822,185.34	272,061.76	2,002,814.66	29.1%
111191 41111 Excise Tax Boat/ATV/S	25,000	25,000	3,131.70	169.50	21,868.30	12.5%
111191 41112 Excise Tax - Airplane	4,000	4,000	.00	.00	4,000.00	.0%
TOTAL Taxes	39,605,579	39,605,579	39,050,701.99	38,341,732.30	554,877.01	98.6%
TOTAL REVENUES	39,605,579	39,605,579	39,050,701.99	38,341,732.30	554,877.01	
<u>20 Licenses & Fees</u>						
121111 42207 Passport Fees	8,000	8,000	2,875.00	650.00	5,125.00	35.9%
121111 42209 Passport Picture Reve	2,000	2,000	996.00	168.00	1,004.00	49.8%
121411 42100 Building Permits	132,500	132,500	45,867.69	20,101.79	86,632.31	34.6%
121411 42101 Electrical Permits	31,000	31,000	10,768.81	4,519.72	20,231.19	34.7%
121411 42102 Plumbing Permits	20,500	20,500	6,115.00	2,752.50	14,385.00	29.8%
121611 42200 Hunting & Fishing Lic	1,300	1,300	202.75	39.50	1,097.25	15.6%
121611 42201 Dog License Fee	2,502	2,502	133.00	17.00	2,369.00	5.3%
121611 42202 Vital Statistics	45,000	45,000	16,375.60	5,239.00	28,624.40	36.4%
121611 42203 General Licenses	24,250	24,250	1,075.00	-40.00	23,175.00	4.4%
121611 42204 Victulars/Innkeepers	20,675	20,675	600.00	.00	20,075.00	2.9%
121611 42205 Shellfish Licenses	15,175	15,175	200.00	25.00	14,975.00	1.3%
121611 42206 Neutered/Spayed Dog L	4,510	4,510	224.00	26.00	4,286.00	5.0%
121611 42208 Postage Fees	0	0	80.86	19.99	-80.86	100.0%
121911 42300 Planning Board Appl F	15,000	15,000	7,476.40	1,142.40	7,523.60	49.8%
122121 42400 Fire Permits	500	500	50.00	.00	450.00	10.0%
122221 42500 Conc Weapons Permits	600	600	275.00	105.00	325.00	45.8%
123131 42600 Public Works Opening	0	0	32.00	.00	-32.00	100.0%
TOTAL Licenses & Fees	323,512	323,512	93,347.11	34,765.90	230,164.89	28.9%
TOTAL REVENUES	323,512	323,512	93,347.11	34,765.90	230,164.89	
<u>30 Intergovernmental</u>						
131122 43505 FD EMPG grant	15,000	15,000	.00	.00	15,000.00	.0%

FOR 2015 03

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
131132 43103 Highway Grant Fund	214,000	214,000	.00	.00	214,000.00	.0%
131142 43104 State General Assista	24,000	24,000	1,152.08	1,152.08	22,847.92	4.8%
131190 43102 State Tax Exemption R	40,000	40,000	.00	.00	40,000.00	.0%
131192 43101 State Revenue Sharing	977,671	977,671	163,158.92	20,712.90	814,512.08	16.7%
131192 43106 Snowmobile Receipts	1,400	1,400	.00	.00	1,400.00	.0%
134546 43120 State Education Subsi	9,946,831	9,946,831	2,186,291.19	728,763.73	7,760,539.81	22.0%
134546 43150 Federal Education Sub	0	0	2,738.03	.00	-2,738.03	100.0%
TOTAL Intergovernmental	11,218,902	11,218,902	2,353,340.22	750,628.71	8,865,561.78	21.0%
TOTAL REVENUES	11,218,902	11,218,902	2,353,340.22	750,628.71	8,865,561.78	
40 Charges for services						
141111 44110 Agent Fee Auto Reg	50,000	50,000	14,565.00	4,601.00	35,435.00	29.1%
141111 44111 Agent Fee Boat/ATV/Sn	1,500	1,500	361.00	58.00	1,139.00	24.1%
141611 44131 Advertising Fees	0	0	344.96	253.76	-344.96	100.0%
142121 44155 Ambulance Service Fee	875,000	875,000	272,964.25	131,474.53	602,035.75	31.2%
142121 44166 Special Detail - Fire	1,000	1,000	768.24	374.00	231.76	76.8%
142221 44161 Witness Fees	3,000	3,000	850.00	600.00	2,150.00	28.3%
142221 44162 Police Reports	3,600	3,600	1,006.50	384.00	2,593.50	28.0%
142221 44163 School Resource Offic	84,000	84,000	.00	.00	84,000.00	.0%
142221 44165 Special Detail - Poli	1,000	1,000	6,360.00	2,802.00	-5,360.00	636.0%
142221 44167 Dispatch Services fee	141,500	141,500	42,547.82	10,994.27	98,952.18	30.1%
143431 44175 Recycling Revenue	25,000	25,000	3,179.80	.00	21,820.20	12.7%
144545 44100 School Tuition, etc	137,000	137,000	9,209.96	4,605.00	127,790.04	6.7%
TOTAL Charges for services	1,322,600	1,322,600	352,157.53	156,146.56	970,442.47	26.6%
TOTAL REVENUES	1,322,600	1,322,600	352,157.53	156,146.56	970,442.47	
50 Fines & Penalties						
151621 45103 Unlicensed Dog Fines	6,250	6,250	625.00	50.00	5,625.00	10.0%
152121 45104 False Alarm Fire	1,000	1,000	.00	.00	1,000.00	.0%
152221 45100 Ordinance Fines	600	600	110.00	10.00	490.00	18.3%
152221 45101 Parking Tickets	20,000	20,000	7,835.00	2,315.00	12,165.00	39.2%
152221 45102 Leash Law Fines	600	600	25.00	25.00	575.00	4.2%
152221 45105 False Alarm Police	300	300	5.00	.00	295.00	1.7%
152221 45106 Restitution	0	0	866.35	866.35	-866.35	100.0%
TOTAL Fines & Penalties	28,750	28,750	9,466.35	3,266.35	19,283.65	32.9%
TOTAL REVENUES	28,750	28,750	9,466.35	3,266.35	19,283.65	

FOR 2015 03

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
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60 Interest earned						
<u>161193 46100 Interest Earned</u>	40,000	40,000	1,763.35	1,763.35	38,236.65	4.4%
TOTAL Interest earned	40,000	40,000	1,763.35	1,763.35	38,236.65	4.4%
TOTAL REVENUES	40,000	40,000	1,763.35	1,763.35	38,236.65	
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70 Donations						
<u>171952 47000 BDC Contrib to Econ D</u>	94,000	94,000	.00	.00	94,000.00	.0%
<u>171952 47002 MRRA - MCOG DUES</u>	15,000	15,000	.00	.00	15,000.00	.0%
TOTAL Donations	109,000	109,000	.00	.00	109,000.00	.0%
TOTAL REVENUES	109,000	109,000	.00	.00	109,000.00	
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80 Use of fund balance						
<u>181100 48000 Unapprop General Fund</u>	1,000,000	1,000,000	.00	.00	1,000,000.00	.0%
<u>181100 48001 Bal of State Revenue</u>	50,000	50,000	.00	.00	50,000.00	.0%
<u>184500 48003 Allocation for School</u>	185,000	185,000	.00	.00	185,000.00	.0%
<u>184500 48004 School Balance Forwar</u>	2,810,000	2,810,000	.00	.00	2,810,000.00	.0%
<u>184500 48005 Restricted-Sch Bond P</u>	342,000	342,000	.00	.00	342,000.00	.0%
TOTAL Use of fund balance	4,387,000	4,387,000	.00	.00	4,387,000.00	.0%
TOTAL REVENUES	4,387,000	4,387,000	.00	.00	4,387,000.00	
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90 Other						
<u>191111 49000 Finance Miscellaneous</u>	1,000	1,000	1,163.96	-772.86	-163.96	116.4%
<u>191111 49101 Workers Comp Dividend</u>	0	0	16,160.00	.00	-16,160.00	100.0%
<u>191111 49104 Property & Casualty D</u>	0	0	9,267.00	.00	-9,267.00	100.0%
<u>191111 49105 Postage & Handling</u>	0	0	799.00	282.00	-799.00	100.0%
<u>191111 49106 W/C Proceeds</u>	0	0	100.00	.00	-100.00	100.0%
<u>191192 49100 Cable Television</u>	225,000	225,000	.00	.00	225,000.00	.0%
<u>191611 49000 Town Clerk Miscellane</u>	1,250	1,250	453.25	148.50	796.75	36.3%
<u>191911 49000 Planning Miscellaneou</u>	150	150	207.50	124.50	-57.50	138.3%

FOR 2015 03

	ORIGINAL ESTIM REV	REVISED EST REV	ACTUAL YTD REVENUE	ACTUAL MTD REVENUE	REMAINING REVENUE	PCT COLL
192121 49000 Fire Miscellaneous	800	800	607.32	.00	192.68	75.9%
192221 49000 Police Miscellaneous	0	0	300.85	152.39	-300.85	100.0%
192294 49153 Police Vehicle Sales	8,000	8,000	.00	.00	8,000.00	.0%
193131 49000 Public Works Miscella	0	0	25.23	.00	-25.23	100.0%
194141 49103 General Assistance Re	0	0	1,323.54	1,323.54	-1,323.54	100.0%
194545 49000 School Miscellaneous	118,000	118,000	4,762.07	4,163.50	113,237.93	4.0%
195051 49000 Recreation Miscellane	0	0	1,000.00	1,000.00	-1,000.00	100.0%
199980 48100 General Fund Transfer	710,000	710,000	200,000.00	.00	510,000.00	28.2%
TOTAL Other	1,064,200	1,064,200	236,169.72	6,421.57	828,030.28	22.2%
TOTAL REVENUES	1,064,200	1,064,200	236,169.72	6,421.57	828,030.28	
GRAND TOTAL	58,099,543	58,099,543	42,096,946.27	39,294,724.74	16,002,596.73	72.5%

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

FOR 2015 03

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
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00 Fill							
19000 General Fund Transfers Out	1,147,860	1,147,860	1,147,860.00	.00	.00	.00	100.0%
TOTAL Fill	1,147,860	1,147,860	1,147,860.00	.00	.00	.00	100.0%
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10 General Government							
11000 Administration	489,397	489,397	88,854.12	50,705.91	75.00	400,467.88	18.2%
11100 Finance Department	715,425	715,425	165,919.20	59,341.56	319.98	549,185.82	23.2%
11150 Technology Services Dept	327,848	327,848	102,898.04	29,131.52	39,894.74	185,055.22	43.6%
11200 Municipal Officers	85,615	85,615	4,916.72	2,102.33	.00	80,698.28	5.7%
11210 Munic Bldg - 85 Union	210,720	210,720	34,401.41	11,444.68	7,093.00	169,225.59	19.7%
11220 Munic Bldg - 28 Federal	0	0	638.11	.00	.00	-638.11	100.0%
11230 Risk Management	473,750	473,750	176,497.25	40,415.21	.00	297,252.75	37.3%
11240 Employee benefits	0	0	-60,443.48	-19,829.40	.00	60,443.48	100.0%
11250 Cable TV	47,790	47,790	10,319.42	3,649.65	.00	37,470.58	21.6%
11300 Assessing	293,660	293,660	62,388.66	22,395.32	3,194.54	228,076.80	22.3%
11600 Town Clerk & Elections	362,077	362,077	67,287.27	26,932.20	4,910.00	289,879.73	19.9%
11900 Planning Department	490,779	490,779	113,153.12	38,607.13	-11,881.33	389,507.21	20.6%
11950 Economic Development Dept	109,087	109,087	20,613.54	7,688.11	.00	88,473.46	18.9%
TOTAL General Government	3,606,148	3,606,148	787,443.38	272,584.22	43,605.93	2,775,098.69	23.0%
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20 Public Safety							
12100 Fire Department	3,104,392	3,104,392	660,574.66	238,238.95	68,515.93	2,375,301.41	23.5%
12150 Central Fire Station	42,089	42,089	9,520.84	2,262.12	-585.86	33,154.02	21.2%
12160 Emerson Fire Station	41,825	41,825	5,268.32	1,141.82	2,087.94	34,468.74	17.6%
12200 Police Department	3,762,478	3,762,478	808,571.32	289,647.77	.00	2,953,906.68	21.5%
12210 Police Special Detail	0	0	5,808.46	2,432.40	.00	-5,808.46	100.0%
12220 Emergency Services Dispatch	777,412	777,412	152,748.09	54,563.75	.00	624,663.91	19.6%
12250 Police Station Building	98,020	98,020	16,601.49	7,018.88	.00	81,418.51	16.9%
12310 Streetlights	208,000	208,000	43,430.70	14,801.50	.00	164,569.30	20.9%
12320 Traffic Signals	31,600	31,600	2,110.17	905.85	6,000.00	23,489.83	25.7%
12330 Hydrants	438,790	438,790	4,200.95	.00	.00	434,589.05	1.0%
12340 Civil Emergency Preparedness	2,000	2,000	.00	.00	.00	2,000.00	.0%
TOTAL Public Safety	8,506,606	8,506,606	1,708,835.00	611,013.04	76,018.01	6,721,752.99	21.0%

FOR 2015 03

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	429,111	429,111	89,625.95	34,214.99	277.49	339,207.56	21.0%
13110	PW General Maintenance	1,706,214	1,706,214	288,139.74	124,029.75	6,368.60	1,411,705.66	17.3%
13130	Refuse Collection	581,847	581,847	117,343.26	54,726.83	300,925.25	163,578.49	71.9%
13140	Recycling	297,729	297,729	47,191.86	23,834.93	238,349.25	12,187.89	95.9%
13150	PW Central Garage	741,300	741,300	129,067.78	48,188.30	40,453.28	571,778.94	22.9%
	TOTAL Public Works	3,756,201	3,756,201	671,368.59	284,994.80	586,373.87	2,498,458.54	33.5%
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40	Human Services							
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14100	General Assistance	163,607	163,607	38,801.19	10,974.59	6,302.03	118,503.78	27.6%
14120	Health & Social Services	2,766	2,766	250.04	.00	.00	2,515.96	9.0%
	TOTAL Human Services	166,373	166,373	39,051.23	10,974.59	6,302.03	121,019.74	27.3%
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45	Education							
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14500	School Department	35,763,587	35,763,587	4,737,316.07	2,647,222.54	.00	31,026,270.93	13.2%
	TOTAL Education	35,763,587	35,763,587	4,737,316.07	2,647,222.54	.00	31,026,270.93	13.2%
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50	Recreation and Culture							
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15000	Recreation Administration	456,225	456,225	96,564.86	34,004.43	-1,440.37	361,100.51	20.9%
15050	Rec Buildings and Grounds	678,434	678,434	144,906.18	55,492.34	24,898.77	508,629.05	25.0%
15150	Rec Federal St Building	0	0	413.24	34.77	.00	-413.24	100.0%
15250	Rec Building 211	160,327	160,327	6,725.25	2,791.34	13,063.11	140,538.64	12.3%
15300	Teen Center	15,000	15,000	15,000.00	.00	.00	.00	100.0%
15310	People Plus	115,000	115,000	110,000.00	.00	.00	5,000.00	95.7%
15400	Curtis Memorial Library	1,285,000	1,285,000	317,500.03	105,833.33	.00	967,499.97	24.7%
	TOTAL Recreation and Culture	2,709,986	2,709,986	691,109.56	198,156.21	36,521.51	1,982,354.93	26.8%
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60	Intergovernmental							
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FOR 2015 03

60	Intergovernmental	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
16000	County tax	1,333,350	1,333,350	.00	.00	.00	1,333,350.00	.0%
	TOTAL Intergovernmental	1,333,350	1,333,350	.00	.00	.00	1,333,350.00	.0%
<hr/>								
70	Unclassified							
17000	Promotion and Development	164,917	164,917	123,479.03	11.48	.00	41,437.97	74.9%
17010	Additional School Assistance	10,000	10,000	.00	.00	.00	10,000.00	.0%
17020	Cemetery Care	3,000	3,000	1,000.00	500.00	.00	2,000.00	33.3%
17030	Wage Adjustment Account	9,000	9,000	.00	.00	.00	9,000.00	.0%
	TOTAL Unclassified	186,917	186,917	124,479.03	511.48	.00	62,437.97	66.6%
<hr/>								
80	Debt Service							
18020	2006 CIP G/O Bonds	252,000	252,000	.00	.00	.00	252,000.00	.0%
18030	2011 GO CIP Bonds	264,890	264,890	.00	.00	.00	264,890.00	.0%
18040	Police Station Bond	405,625	405,625	.00	.00	.00	405,625.00	.0%
	TOTAL Debt Service	922,515	922,515	.00	.00	.00	922,515.00	.0%
GRAND TOTAL		58,099,543	58,099,543	9,907,462.86	4,025,456.88	748,821.35	47,443,258.79	18.3%

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

MANAGER'S REPORT - B BACK UP MATERIALS

MEMORANDUM

TO: Town Council
Town of Brunswick, Maine

FROM: John Eldridge
Interim Town Manager

DATE: October 15, 2104

RE: US Navy Environmental Investigation
Town Commons

At the last Town Council meeting we reported on the Navy's announcement to extend an environmental investigation to a portion of the Town Commons. Recall that the Navy had conducted an investigation of an old quarry site at the former naval air station. The quarry was located on the east side of Harspswell Road near a portion of the Town Commons. The quarry had been used to landfill discarded items...In a fact sheet about the investigation the Navy stated, "Besides the landfilled materials, the Navy has spent the last several years assessing and cleaning up small discarded military items from training and disposal activities at the Quarry. Most of these items have been metal fragments, small fuses which are similar in size and effects to a large firecracker, and flares. As the studies moved west towards route 123, very few items have been found. Although there is a very low probability of finding any discarded military items, due to the uncertainties associated with the historical uses of the quarry, the Navy has decided to expand the search area across Route 123 on property called the Brunswick Town Commons."

On October 14th, the Navy provided an update on the investigation in the Town Commons. In an e-mail the Navy reported, "USA Environmental has completed their investigation on the Brunswick Town Commons Property. USA found a lot of metal debris, but no munitions related debris. A final report and photos will be provided for review in November."

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

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

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

MANAGER'S REPORT – F BACK UP MATERIALS



October 10, 2014

Dear Mr. Eldridge,

It gives me great pleasure to inform you that the City of Brunswick has been named the 2014 eCity of Maine. The eCity Award recognizes the strongest online business community in each state—the digital capitals of America.

The Internet plays a critical role in growing our local businesses and our local economies. With 97% of American Internet users looking online for local goods and services, businesses that make use of the web are growing twice as fast and creating twice as many jobs. Given the importance of the web in driving growth, Google partnered with research firm Ipsos to identify the strongest online communities in each state - cities whose businesses are embracing the power of the web to find new customers, connect with existing clients, and fuel their local economies.

Brunswick, as the 2014 eCity Award winner for Maine, joins the ranks of America's leading cities in the digital economy.

For more information on the eCity initiative visit our website at www.google.com/ecities. If you have any questions, please don't hesitate to reach out to us at ecities@google.com.

Congratulations, Brunswick!

Sincerely,

A handwritten signature in black ink that reads "Susan Molinari".

Susan Molinari
Vice President of Public Policy and Government Relations
Google

Google is committed to the highest standards of ethical conduct and does not intend to offer an inappropriate gift or create even the appearance of impropriety. By accepting these promotional materials, your municipality certifies that it is able to do so in compliance with applicable laws. Google will accept payment for the promotional materials to facilitate compliance with any applicable government ethics requirements. Please contact eventcompliance@google.com with any questions or concerns.

ITEM 121

BACK UP MATERIALS



Town Clerk's Office
85 Union Street
Brunswick, ME 04011

PUBLIC HEARING

The Municipal Officers of the Town of Brunswick will hold a Public Hearing at the Council Chamber, Municipal Office Building, 85 Union Street, Brunswick, at 7:00 P.M. on 10/20/2014 on the following Special Amusement license applications:

Special Amusement

Nelson Moody
D/B/A: Yankee Lanes
276 Bath Road

Nelson Moody

Boston East Brunswick Holdings LLC
D/B/A: The Daniel
10 Water Street

Abhijit Das

All persons may appear to show cause, if any they may have, why such applications should or should not be approved.

INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE COMMUNICATION
PLEASE CONTACT THE TOWN MANAGER'S OFFICE AT 725-6653 (TDD 725-5521).

Fran Smith
Town Clerk

TOWN OF BRUNSWICK

85 Union Street Brunswick, Maine 04011 TEL: (207) 725-6658 Fax: (207) 725-6663

APPLICATION FOR SPECIAL AMUSEMENT LICENSE

Please complete:

Type of Business: Sole Proprietor-Owner's Name: Nelson E Moody
 Partnership-Partner's Names: _____
 Corporation-Corporation Name: _____
Incorporation Date: _____ Incorporation State: _____

New License: Opening Date _____ Renewal License

Business Name: Bumpers Bar + Grille E-Mail: Nelson.Moody@YankeesLanes
Business Address: 276 BATH RD. Brunswick Me Business Phone Number: 207-725-2963
Name of Contact Person: Nelson Moody ⁰⁹⁰¹¹ Contact's Phone Number: 207-751-2885
Mailing Address for Correspondence: 276 BATH RD. Brunswick Me. 04011

Signature of Owner, Officer, Partner or Agent: [Signature]
Date: 9/18/14

Corporations Please Complete:

Address of Incorporation: 276 BATH Rd, BRUNSWICK Phone #: (207) 725-2963

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership
<u>BUMPS BAR & GRILLE</u>		<u>276 BATH RD</u>	<u>100%</u>
<u>DBA YANKEE LANES</u>			

Town Clerk Use Only

License Fee \$100.00 Paid Advertising Fee \$ _____ Paid

Required Approvals: Finance Codes/Fire Council PH Date: _____

Mailed or Issued Date: _____

Clerk Notes:

OVER

Describe in detail the kind and nature of entertainment:

D.J., BANDS, & KARAOKE

Describe in detail the room or rooms to be used under this license:

32 LANE CONCOURSE OF LANES
AND BAR W/ STAGE

DIAGRAM

TOWN OF BRUNSWICK

85 Union Street Brunswick, Maine 04011 TEL: (207) 725-6658 Fax: (207) 725-6663

APPLICATION FOR SPECIAL AMUSEMENT LICENSE

Please complete:

Type of Business: Sole Proprietor-Owner's Name: _____

Partnership-Partner's Names: _____

Corporation-Corporation Name: Boston East Brunswick Holdings LLC

Incorporation Date: 5/17/13 Incorporation State: Massachusetts

New License: Opening Date _____ Renewal License

Business Name: The Daniel E-Mail: info@bostoneastindia.com

Business Address: 10 Water Street Business Phone Number: 207-373-1824

Name of Contact Person: Abhijit "Beej" Das Contact's Phone Number: 617-286-4310

Mailing Address for Correspondence: 10 Water Street, Brunswick, ME 04011

Signature of Owner, Officer, Partner or Agent: 

Date: 9/25/14

Corporations Please Complete:

Address of Incorporation: 21 High St, N. Andover, MA Phone #: 617-286-4710

Name of Corp. Officer, Owner, or Partners: Title Address % of Stock or ownership

Abhijit Das, 104 Blueberry Hill Lane, N. Andover, MA 01845 (President, 100%)

Town Clerk Use Only

License Fee \$100.00 Paid Advertising Fee \$ _____ Paid

Required Approvals: Finance Codes/Fire Council PH Date: _____

Mailed or Issued Date: _____

Clerk Notes:

OVER

Describe in detail the kind and nature of entertainment:

Dinner music, wedding receptions, any other types of parties (such as

anniversaries, birthdays, business meetings)

Describe in detail the room or rooms to be used under this license:

Meeting rooms, restaurant, bar

DIAGRAM

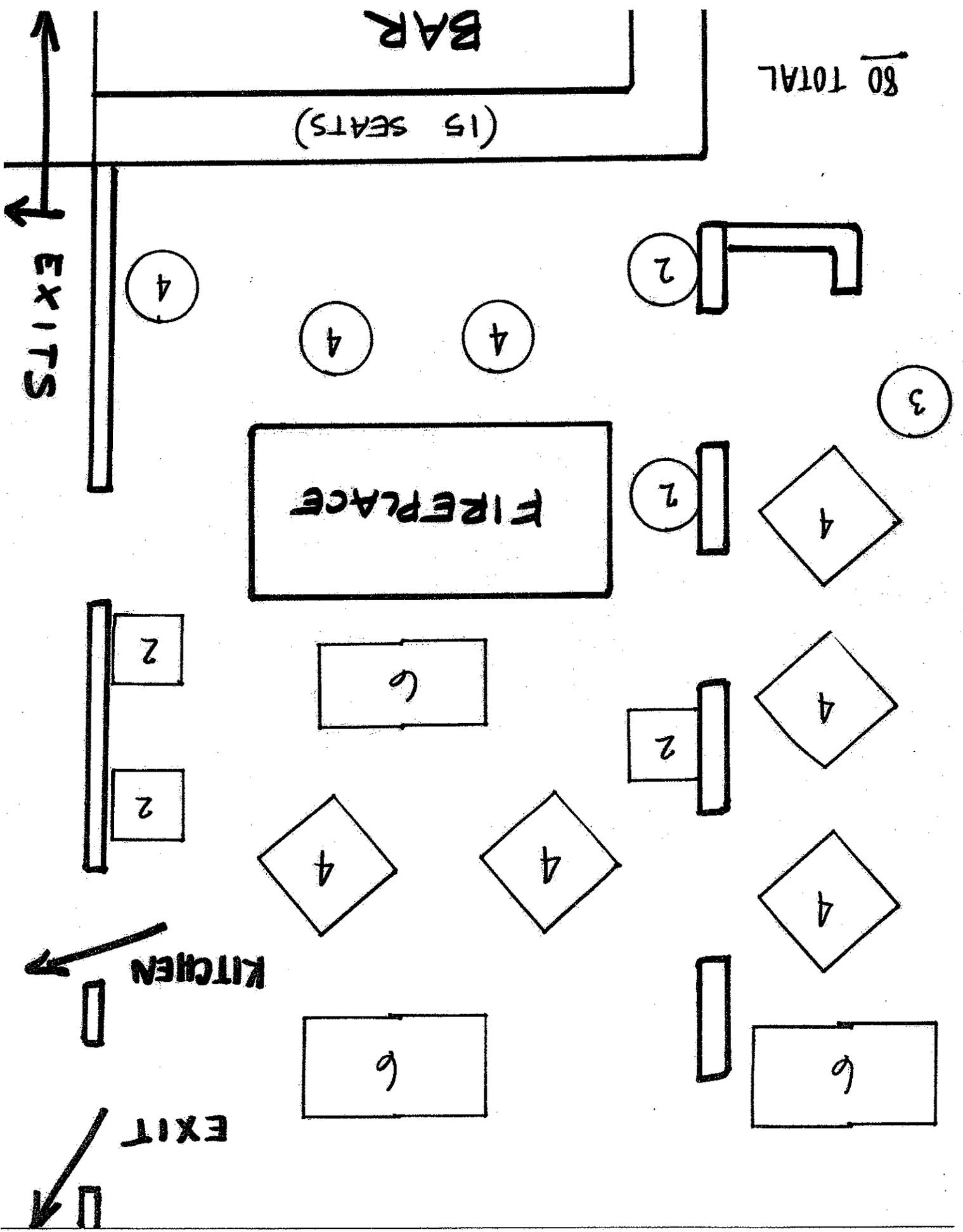
See attached floor plans of restaurant seating and hotel.

80 TOTAL

BAR

(15 SEATS)

EXITS



ITEM 122

BACK UP MATERIALS



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT
85 UNION STREET, SUITE 216
BRUNSWICK, ME 04011

ANNA M. BREINICH, FAICP
DIRECTOR OF PLANNING & DEVELOPMENT

PHONE: 207-725-6660
FAX: 207-725-6663

October 16, 2014

To: Brunswick Town Council
John Eldridge, Interim Town Manager
From: Anna Breinich, FAICP
Subject: Zoning Ordinance Rewrite Contract Amendment

On behalf of the Zoning Ordinance Rewrite Committee (ZORC), I would like to inform you of a pending amendment to the zoning ordinance rewrite consultant contract with Clarion Associates, LLD, dated 10/8/13. The attached amendment was requested of Clarion by the ZORC for the purposes of extending the review time of the proposed zoning ordinance and to include the preparation of a second draft ordinance at a cost of \$10,000. This request was made in direct response to substantial public input regarding the need for a longer review period as well as significant comments received. The originally contracted scope of services, attached, provided for only one public draft ordinance and a contract completion date of 12/31/14. Department professional services funding previously earmarked for the updating of the Village Review Zone Design Guidelines will be utilized with the support for that change by Interim Town Manager/Finance Director, John Eldridge. The design guidelines updating was scheduled to begin after the adoption of the new zoning ordinance now anticipated to be during the FY 2015-16 and funding will be proposed as part of the Department's FY 2015-16 budget proposal.

The Committee chose to "roll-out" an incomplete draft in order to start public review and input as soon as possible. However, by so doing, a complete second draft ordinance becomes a necessity for additional public review prior to finalizing the adoption draft. To that end, the Committee has prepared the attached revised project schedule which includes an additional six months ending 6/30/15 for the following tasks:

- Responding to public and committee comments being received,
- Submitting revisions to Clarion for incorporation into the second draft ordinance, and
- Holding additional public forums regarding the revised draft and a summary document of substantive revisions.

The Committee will then provide final revisions to Clarion for incorporation into the final draft and proceed with adoption public meetings and hearings as outlined in the original scope of services.

To reiterate what was stated in the Request for Qualifications (RFQ) issued 7/31/13, the rewriting of the 1997 Zoning Ordinance is now underway to implement the recommendations of the 2008 Comprehensive Plan relative to the Zoning Ordinance. Relative to the existing Zoning Ordinance, the RFQ specifically states:

"Prior to 1997, 15 zoning districts and 10 overlay districts encompassed the town. We now have 45 zoning districts and 10 overlay districts. Thirty-eight zoning districts are located within the approximately 14 square mile growth area with the remaining 7 districts located in the rural area of Brunswick. Since adopted in 1997, a total of 55 zoning text and map amendments have been enacted with one-third of those amendments enacted since the adoption of the Comprehensive Plan Update in 2008.

Brunswick has always been a leader in the use of smart growth tools and techniques. However, the existing zoning ordinance contains a number of problem areas identified by staff. They include:

- *Inconsistent and confusing ordinance format and structure due to the high number of amendments*
- *Zoning by “micro” districting with incompatible use “edges”*
- *Inconsistencies in permitted uses and those by special permit*
- *Contradictory language*
- *Lack of clear definitions*
- *Lack of graphics*
- *Outdated provisions and techniques due to changes in technology, federal and state regulations and case law*
- *Lack of allowances/incentives for use of sustainable development practices.”*

The draft zoning ordinance attempts to address these problem areas and more as brought forward by the Committee and the general public. To date, the ZORC and Clarion Associates have completed the following:

- Held approximately 40 public forums/review meetings to introduce and receive input into the rewrite process, then public draft ordinance;
- Prepared introductory project summary documents and an annotated outline for the zoning ordinance rewrite which was the topic of our first set of public forums;
- Started a project webpage which now has 3 pages of linked material developed since the start of the rewrite process;
- Developed a public draft document, with footnotes explaining the origin of revisions, and draft zoning maps;
- Prepared an explanatory summary of dimensional changes by zoning district as well as by consolidated zoning districts to assist the public in their review of the document as it relates to their property;
- Prepared a draft summary document explaining how the draft zoning ordinance implements the 2008 Comprehensive Plan by planning areas;
- Conducted extensive public outreach including the first-class mailing of over 1700 post card invitations for public forums held in areas of Town that may experience significant zoning changes, mailer insert in all property tax bills (~8,000) in September, full-page/half page newspaper ads, TV3 announcements/slides, window-display of maps and meeting schedule at Senter Place; and
- Held and will continue to hold “pop-up” informational sessions at gathering places in Brunswick.

The ZORC will begin detailed work sessions to address all public comments later this month. Three public meetings will soon be scheduled between October 29th and December 4th, more if needed.

ZORC Chair Charlie Frizzle, Vice-Chair Margaret Wilson and I will be in attendance at your October 20th meeting to answer any questions.

Attachments

cc: Charlie Frizzle
Margaret Wilson
Dick Visser
Jeremy Doxsee, AICP
Jeff Hutchinson

AMENDMENT TO
AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN THE TOWN OF BRUNSWICK, MAINE ("CLIENT"),
AND CLARION ASSOCIATES, LLC ("CONTRACTOR")
DATED OCTOBER 8, 2013 ("AGREEMENT")

WHEREAS, Contractor has completed Tasks 1, 2, and 3 of the Agreement Scope of Work, and has completed five trips to Client to complete that work, and

WHEREAS, the Client has determined that additional services from Contractor will be required before the Town is ready to proceed with Task 4 of the Scope of Work.

NOW, THEREFORE, the parties mutually agree as follows.

1. The Time of Performance stated in Paragraph 2 of the Agreement is extended from December 31, 2014 to June 30, 2015.
2. The Total Payment Amount in Paragraph 3 of the Agreement is revised from \$75,000 to \$85,000, and the Budget shown in Exhibit B to the Agreement is revised from \$74,985 to \$85,000. All of the additional costs will be for work performed by Don Elliott at the rate of \$190/hour or for actual travel expenses to Client.
3. The Notice provision in paragraph I of the Agreement is revised to replace the name of Gary L. Brown, Town Manager, with John Eldridge, Interim Town Manager.
4. The Agreement Scope of Work in Exhibit A is revised to require the Contractor to complete one additional draft (the Revised Hearing Draft) of the Brunswick Zoning Ordinance, based on revisions and edits to be transmitted by the Client to the Contractor.
5. The Agreement Task Completion Schedule in Exhibit A is revised to require that the Contractor deliver the Revised Hearing Draft of the Brunswick Zoning Ordinance to Client no later than three weeks after Client has delivered to Contractor the required revisions and edits, and to delete the specific dates assigned to adoption hearings.
6. The Agreement Scope of Work is revised to include one additional trip by Contractor to Client to present the Revised Hearing Draft.
7. All other provisions of the Agreement shall remain unchanged.

CLARION ASSOCIATES

TOWN OF BRUNSWICK, MAINE

By: Don Elliott
Title: Director
Date: October 3, 2014

By: John Eldridge
Title: Interim Town Manager
Date: _____

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT, effective as of the 8th day of October 2013, by and between the Town of Brunswick, State of Maine (the "Client"), and Clarion Associates, LLC, a Colorado Limited Liability Company (the "Contractor").

WHEREAS, the Client is undertaking certain activities necessary for the planning execution of a project; and

WHEREAS, the Client desires to engage the Contractor to render certain professional advice and assistance in connection with such undertakings of the Client:

NOW, THEREFORE, the parties mutually agree as follows:

1. **Scope of Services.** The Contractor agrees to provide those services described in Exhibit A to this Agreement, which is a part of this Agreement. The Client agrees to provide supporting services to the Contractor as described in Exhibit A.
2. **Time of Performance.** The services of the Contractor are to commence on 10/8/13 2013, and shall be undertaken and completed as set forth in Exhibit A, but in any event on or before December 31, 2014. The time of performance may be extended by mutual agreement of the parties.
3. **Method of Payment & Total Project Amount.** The Client shall compensate Contractor for its services in accordance with the Project Budget and Schedule set out in Exhibit B to this Agreement, which is a part of this Agreement. It is expressly understood and agreed that in no event will the total compensation and reimbursement to be paid hereunder exceed the sum of \$75,000 for all services rendered. By mutual agreement, the Client and Consultant may reallocate the budget among project tasks if the total budget amount remains unchanged.
4. **General Terms and Conditions.**
 - A. **Termination of Agreement:** The Client shall have the right to terminate this Agreement, with or without cause, by giving written notice to the Contractor of such termination and specifying the effective date of termination, provided that the notice is given at least 30 days before the effective date of such termination. In such event all finished or unfinished documents, data, studies and reports prepared by the Contractor pursuant to this Agreement shall become the Client's property. Contractor shall be entitled to receive compensation in accordance with the Agreement for any satisfactory work completed pursuant to the terms of this Agreement prior to the date of termination.

- B. Changes. The Client may, from time to time, request changes in the scope of services of the contractor to be performed hereunder. Any such changes, including the increase or decrease in the amount of the Contractor's compensation, that are mutually agreed upon between the Client and the Contractor, shall be in writing and upon execution shall become part of the Agreement.
- C. Assignability. Any assignment or attempted assignment of this Agreement by Contractor without the prior written consent of the Client shall be void; provided, however, that claims for money due or to become due Contractor from the Client under this Agreement may be assigned to a bank, or other financial institution, without such approval. Notice of any such assignment or transfer shall be furnished to the Client.
- D. Audit. The Client or any of its duly authorized representatives shall have access to any books, documents, papers, and records of Contractor that are pertinent to Contractor's performance under this Agreement, for the purposes of making an audit, examination, or excerpts. The Contractor shall maintain records for 3 years after contract ends.
- E. Ownership of Documents. Drawings, specifications, guidelines and other documents prepared by Contractor in connection with this Agreement shall be the property of the Client. However, Contractor shall have the right to utilize such documents in the course of its marketing, professional presentations, and for other business purposes.
- F. Assignment of Copyrights. Contractor assigns to Client the copyrights to all work prepared, developed, or created pursuant to this agreement, including the right to: 1) reproduce the work; 2) prepare derivative works; 3) distribute copies to the public; 4) perform the works publicly; and 5) to display the work publicly. Contractor shall have right to use materials produced in the course of this contract for marketing purposes and professional presentations, articles, speeches and other business purposes.
- G. Governing Law. This Agreement has been executed by the parties on the day and year first above written and shall be governed by the laws of the State of Maine. Contractor shall also comply with all applicable state and federal laws and regulations and resolutions of the Client, and shall commit no trespass on any public or private property in the performance of any of the work embraced by this Agreement.
- H. Subcontractors. Subcontractors may be utilized if approved by the Client.

- I. Notices. Any notice concerning the terms and conditions of this Agreement from Contractor to the Client shall be in writing and delivered, either personally or by mail (postage prepaid), by telegram or facsimile transmission and shall be addressed as follows:

Gary L. Brown, Town Manager
Town of Brunswick
28 Federal Street
Brunswick, ME 04011
Facsimile number: 207-725-6663

Notices to Contractor from Client shall be in writing and delivered, either personally or by mail (postage prepaid), by telegram or facsimile transmission and shall be addressed to:

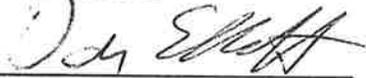
Don Elliott, Director
Clarion Associates
621 17th Street, Suite 2250
Denver, CO 80293
Fax number: (303) 860-1809

Notices shall be deemed effective upon delivery in the event of personal delivery, and after three (3) days when mailed, postage prepaid; if transmitted by facsimile or telegram, upon verified receipt of the electronic transmission. Either party may change its address in reference to notices by written notification to the other party.

5. Indemnification. Contractor shall indemnify and hold Client harmless from and against and all claims, suits, or action made for any damage to person or property occasioned by the negligent errors or omissions by Contractor in connection with performance of Contractor's obligation under this Agreement. This provision shall only be effective to the extent that it does not waive or reduce any immunity, protection, benefits or limitations of liability either Party may have under the Maine Tort Claims Act.
6. Independent Contractor. Contractor is an independent contractor. Notwithstanding any provision appearing in this Agreement, all personnel assigned by Contractor to perform work under the terms of the Agreement shall be and remain at all times, employees of the Contractor for all purposes. The Contractor, its agents and employees, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees of Client. Contractor acknowledges that there shall be no:
 - A. Withholding of income taxes;
 - B. Provision of Industrial Insurance Coverage;

10. **Severability.** In the event that any provision of this Agreement shall be held to be invalid or unenforceable, the remaining provisions of this agreement shall remain valid and binding upon the parties hereto.

CLARION ASSOCIATES

BY: 

Don Elliott

Title: Director

Date: 10/18/13

TOWN OF BRUNSWICK, MAINE

BY: 

Gary L. Brown

Title: Town Manager

Date: 10/18/13

EXHIBIT A
SCOPE OF SERVICES AND TASK COMPLETION SCHEDULE

TASK 1. INITIAL SCOPING, ANALYSIS AND DIRECTION

1.1 Document Review, and Conference Call (Week of November 11th)

Clarion Associates will review the new Comprehensive Plan, the existing Zoning Ordinance, related development control ordinances, and a list of variances and zoning amendments granted in the past three years in order to confirm how the existing zoning system operate (or fail to operate) together. This review will also cover draft chapters of revisions to the current ordinance prepared by Brunswick staff for possible inclusion (or modification and inclusion) in the new ordinance. We will also identify a preliminary list of questions about areas where its operations or results are unclear or diverge from Maine state law and/or national practice. We will conduct a telephone conference with Brunswick staff and Planning Board Chair and Vice-Chair to discuss these issues and to prepare for our initial visit.

TRIP 1

1.2 Initial Meetings and Half-Day Workshop (Week of December 2nd)

Clarion will make a first visit to Brunswick to meet with staff and the Planning Board's Zoning Ordinance Rewrite Committee (the Rewrite Committee), related Board, Commissions, and Committees, code users, and other stakeholder interviews (collectively the Stakeholders) and to finalize a public engagement plan with staff. In addition, we will tour the community to see examples of "good" and "bad" zoning outcomes that the staff and the Rewrite Subcommittee would like to see repeated or avoided in the future. We will then conduct a half-day workshop with staff, the Rewrite Committee, Stakeholders, and interested citizens to ensure that everyone has basic information about how zoning ordinances can be structured, the pros and cons of traditional, performance, and form-based approaches for different parts of the town, and the administrative consequences of those decisions. One key discussion will be the various methods available to consolidate zoning districts and the pros and cons of each. A second key discussion will be the potential use of form-based zoning tools for some portions of the Town, and the pros and cons of various approaches to form-based zoning. Clarion will prepare the half-day workshop materials and related content for the Town's web site. Staff will be responsible for meeting logistics, workshop outreach/invitations, copying of handouts and posting of web-based material for all tasks.

1.3 Annotated Outline (Week of December 16th)

TRIP 2

Clarion will draft a short Annotated Ordinance Outline document that clearly shows the structure of the revised ordinance with annotations as to what will change, what will stay the same, and why. This document will be presented to the Rewrite Committee and in a public meeting during our second visit Brunswick, and will be posted on the Town's

web site with a click-to-comment feature. Suggested changes will be discussed with staff, and if accepted, will be reflected in a short addendum to the Annotated Ordinance Outline that is also posted on the Town web site. Clarion will prepare the public meeting materials and content for the Town's web site.

TASK 2. STAFF DRAFT OF REVISED ZONING ORDINANCE

2.1 Staff Draft (Week of May 19th)

TRIP 3

Based on the Annotated Outline developed in Task 1, Clarion will prepare a Staff Draft of the new Brunswick Zoning Ordinance and a hard-copy conceptual zoning map (mark-up of the existing zoning map). The Public Draft will include detailed footnotes identifying all changes from the current zoning ordinance, and the reasons for the change, and will comply with applicable Maine and federal regulations. This process will include weekly conference calls with Brunswick staff to resolve questions and obtain additional direction. Project staff will visit Brunswick for third time to review the Staff Draft with Brunswick staff and the Rewrite Committee, and to hold additional stakeholder interviews and Planning Board briefing as requested by staff.

TASK 3. PUBLIC DRAFT

3.1 Revisions and Public Draft (Week of July 7th)

After review by Brunswick Staff Review Committee and Rewrite Committee, Clarion Associates will make any changes necessary to correct inaccuracies and to avoid approaches or tools that staff deems to be unworkable based on available staff resources or political context. Those changes will be incorporated into a Public Draft of the zoning ordinance and conceptual zoning map. In addition to the detailed footnotes discussed above, the Public Draft will include illustrations and flowcharts based on examples and templates in Clarion's files, plus any additional illustrations provided by the town.

3.2 Public Meetings and Engagement (Week of Aug 4th)

TRIP 4

Clarion Associates project staff will then make a fourth trip to Brunswick. The Public Draft will be presented to the Rewrite Committee and in a public meeting, and will be posted on the Town's web site with a click-to-comment feature to elicit public and stakeholder comments and suggested changes. Clarion will prepare meeting presentation materials and content for the Town web site.

3.3 Consultations with Staff (Week of Aug. 18th)

Following the presentation of the Public Draft and passage of time for additional public comment, Clarion will review each change with Brunswick staff and Rewrite Committee and will determine which proposed changes will be included in the Hearing Draft.

3.4 Finalize Zoning Map (Week of Aug. 18th)

Clarion will also consult with Brunswick staff and the Rewrite Committee regarding zoning map changes needed to reflect the revised menu of zone districts (including form-based districts, if applicable) and the options available for the timing and sequencing of map amendments.

TASK 4. ADOPTION

4.1 Hearing Draft (Week of Sept. 15th)

TRIP 5

Clarion Associates will then refine the Public Draft to include those changes agreed in Task 3.3 into a Hearing Draft of the Brunswick zoning ordinance and map. The Hearing Draft does not reflect the final text of the ordinance, since changes may be made during the adoption hearing process, but represents the version of the draft zoning ordinance and map that Clarion and Brunswick staff/Rewrite Committee feel best reflects best national practice, the specific needs of the town, and the public comments received throughout this process. Clarion will travel to Brunswick a fifth time to present the Hearing Draft in a public meeting.

4.2 Planning Board Hearing (Week of Oct. 13th)

TRIP 6

Clarion Associates will then prepare presentation materials and present the Hearing Draft of the new Brunswick Zoning Ordinance, including map, at a public hearing held by the Planning Board. If the Planning Board requests changes following that hearing, those changes will be incorporated into the Hearing Draft and will be footnoted.

4.3 Town Council Hearing (Nov. 3rd to schedule; Nov. 17th Public Hearing)

TRIP 7

Clarion will then prepare presentation materials and present the Hearing Draft of the new Brunswick Zoning Ordinance, including map, at a public hearing held by the Town Council. If the Town Council requests changes following that hearing, those changes will be incorporated into the Hearing Draft and will be footnoted. We will then deliver to the Town an electronic version of the new ordinance as adopted. Any additional workshops or public hearings associated with the adoption process will be facilitated by Town staff and Rewrite Committee.

**EXHIBIT B
PROJECT BUDGET**

TASK	Don Elliott	Steve Sizemore	Alyssa Myers	Total by Task
Hourly Rate	\$190	\$130	\$65	
Task 1. Initial Scoping, Analysis and Direction (Nov. – Dec. 2013)				
1.1 Document Review & Conference Calls	8	8		
1.2 Initial Meetings & Half-day Workshop	24	24	8	
1.3 Annotated Outline	8	16		
Task Hours	40	48	8	
Task Fees	\$7,600	\$6,240	\$520	
Travel Expenses	\$1,000	\$500		\$15,860
Task 2. Staff Draft (Jan. – May 2014)				
2.1 Staff Draft	64	80	16	
Task Hours	64	80	16	
Task Fees	\$12,160	\$10,400	\$1,040	
Travel Expenses	\$500			\$24,100
Task 3. Public Draft (May – Aug. 2014)				
3.1 Revisions and Public Draft	32	32	32	
3.2 Public Meeting and Engagement	16		8	
3.3 Consultations with Staff	8			
3.4 Guidance on Needed Map Changes	8			
Task Hours	64	32	40	
Task Fees	\$12,160	\$4,160	\$2,600	
Travel Expenses	\$500	\$500		\$19,920
Task 4. Adoption (Sept. – Nov. 2014)				
4.1 Hearing Draft	16	24	12	
4.2 Planning Board Hearing	16		9	
4.3 Town Council Hearing	16			
Task Hours	48	24	21	
Task Fees	\$9,120	\$3,120	\$1,365	
Travel Expenses	\$1,500			\$15,105
TRAVEL EXPENSES	\$3,500	\$1,000		
TOTAL HOURS	216	184	85	
TOTAL				\$74,985

**ZONING ORDINANCE REWRITE
CONTRACT AMENDMENT TO EXTEND PROJECT TIMETABLE AND SCOPE OF SERVICES
PROPOSED TASKS/TENTATIVE SCHEDULE (10/8/14; rev. 10/9/14)**

- 10/1/14** **Completion of Public Draft Public Forums/Sessions (Original Scope)**
- 10/9/14** **Zoning Ordinance Rewrite Committee (ZORC) begins review and deliberation regarding all comments received during public work sessions and after; prepares document outlining proposed revisions (Amended Scope)**
- *Schedule public work sessions*
 - *Schedule workshop session with Town Council*
 - *Schedule joint workshop with Village Review Board*
 - *Schedule other meetings as requested*
- 1/15** **ZORC submits revisions to Clarion for incorporation into the “interim” draft zoning ordinance (Amended Scope)**
- 2/15** **Consultant prepares “interim” draft zoning ordinance, provides to ZORC, ZORC releases and two weeks later presents in first public forum (Amended Scope)**
- 2/15 – 3/15** **ZORC holds area-focused public forums number and locations to be determined; meets with Commissions/Boards and Committees/Stakeholders as requested; provides regular updates to Town Council (Amended Scope)**
- 4/15** **ZORC reviews comments/deliberates; holds public review session; submits revisions to Clarion; final draft prepared by Clarion (Original Scope)**
- 5/15** **ZORC releases recommended final draft and two weeks later presents to Planning Board for their consideration and action; presentation by Clarion at public hearing (Original Scope)**
- 6/15** **Planning Board presents their recommended zoning ordinance to Town Council for their consideration and action; presentation by Clarion at public hearing (Original Scope)**

ITEM 123

BACK UP MATERIALS



Town of Brunswick, Maine

INCORPORATED 1739

ECONOMIC AND COMMUNITY
DEVELOPMENT

85 UNION STREET

BRUNSWICK, MAINE 04011-1583

TELEPHONE 207-721-0292

FAX 207-725-6663

MEMORANDUM

TO: Brunswick Town Council Members
FROM: Linda Smith, Business Development Manager
RE: Cook's Corner Mall issues
DATE: October 16, 2014

The recent business decisions by companies, such as Lamey-Wellehan and Day's Jewelers, located at the Cooks Corner and Merrymeeting Plazas have highlighted the issues facing the Plazas, their tenants and the Town.

As the Town's Business Development Manager, I have reached out to the Mall managers and the exiting tenants. Although both Lamey-Wellehan and Day's Jewelers indicated that sales have been improving since the Base closing and Great Recession, they also indicated that the traffic volume evident at the Topsham Fair Mall offered a potential that the MerryMeeting and Cook's Corner Plazas currently can't offer.

WS Management recently came to a meeting in Brunswick with the Town and other local stakeholders, including the Midcoast Regional Redevelopment Authority, Southern Midcoast Chamber of Commerce and the Brunswick Downtown Association, in an effort to increase its visibility and role in the community. I coordinated that meeting to discuss the company's plans for filling its vacant spaces and to see where the groups' interests and resources coincide. WS Management is committed to finding avenues to attract new occupants to that Plaza. Currently, I am waiting to hear from DDR representatives to engage in a similar detailed discussion.

I also hope to work with WS Management, DDR and their tenants in separate small focus group settings to gather more information about their markets and any opportunities to strengthen the economic health of the Cook's Corner business area.

CONSENT AGENDA - A BACK UP MATERIALS

Draft
BRUNSWICK TOWN COUNCIL
Minutes
October 6, 2014
Regular Meeting - 7:00 P.M.
Council Chambers
Town Hall
85 Union 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: John Eldridge, Finance Director/Interim Town Manager; Fran Smith, Town Clerk/Assistant to the Town Manager; Tom Farrell, Parks and Recreation Director; Anna Breinich, Director of Planning and Development; Ken Brilliant, Fire Chief; John Foster, Public Works Director; Don Koslosky, Deputy Fire Chief; Steve Langsdorf, Town Attorney; Terry Goan, Patrol Officer; and TV video crew

Chair Pols called the meeting to order and asked the Clerk for Roll Call. He led the Pledge of Allegiance and acknowledged that the meeting was properly noticed.

Public Comment *(This item was discussed at 7:01 p.m.)*

Debora King, Executive Director of Brunswick Downtown Association, provided an update from the BDA. She discussed a solar powered trash barrel, replacing the Brunswick sign entering town, and adding electrical sockets to the lamppost near the mall for additional holiday lighting. She spoke regarding the BDA auction and swing dance event and the holiday tree lighting event.

Correspondence *(This item was discussed at 7:07 p.m.)*

Councilor Perreault spoke regarding the cutting of trees at the end of Jordan Avenue and also requested the Town survey businesses for reasons as to why they are leaving Brunswick. In addition, he congratulated the Brunswick Football team which is 5 and 0.

Mr. Eldridge and Chair Pols responded to the question of the cutting of trees saying it is an FAA requirement.

Councilor Watson spoke regarding Brunswick High School being involved with a Spirit Challenge seeking food for the Good Shepherd Food Bank, the new Recreation Department winter indoor running program, and how Comcast is providing affordable internet for \$10 per month to those who are in need.

Councilor Walker spoke regarding volunteer work that is being done at the Kate Furbish Preserve property.

Recognition of Pancreatic Cancer Awareness Month

Mr. Eldridge spoke regarding this item.

Councilor Millett moved, Councilor Favreau seconded, to adopt a Resolution recognizing Pancreatic Cancer Awareness Month. The motion carried with nine (9) yeas.

Adjustments to the Agenda *(This item was discussed at 7:24 p.m.)*

Chair Pols requested to remove the executive session slated for the end of the meeting.

Council Committee Updates

Reports were given on the Finance Committee and MMA Legislative Policy Committee. The Finance Committee recommended that a Councilor not be able to serve more than 3 consecutive one-year terms on the Committee.

MANAGER'S REPORT:

a) Recognition of Chief Ken Brillant becoming a Maine Certified Chief Fire Officer *(This item was discussed at 7:30 p.m.)*

Mr. Eldridge spoke regarding this item and recognized Chief Brillant for this award.

b) Update on Zoning Ordinance Rewrite *(This item was discussed at 7:33 p.m.)*

Anna Breinich, Director of Planning and Development, spoke regarding this item.

Mr. Eldridge also spoke regarding the extension of the contract to provide an additional draft for citizens' consideration.

Councilor Millett, Councilor Perreault, Councilor Walker, Chair Pols, Councilor Richardson, Councilor Wilson, and Councilor Brayman spoke regarding this item and some asked questions to which Ms. Breinich responded.

c) Report on the Environmental Investigation at the Quarry Area of former NAS *(This item was discussed at 8:06 p.m.)*

Mr. Eldridge spoke regarding this item and responded to a question from Councilor Walker.

Chair Pols spoke regarding this item.

(A copy of the Navy's fact sheet will be attached to the official minutes.)

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d) Discussion of upcoming Council workshop *(This item was discussed at 8:10 p.m.)*

Mr. Eldridge spoke regarding this item.

e) Approval of MMA Safety grant applications (Action required) *(This item was discussed at 8:11 p.m.)*

Mr. Eldridge and Don Koslosky, Deputy Fire Chief, spoke regarding this item.

Councilor Perreault asked questions, to which Mr. Eldridge responded.

Councilor Watson moved, Councilor Millett seconded, to endorse the applications for two MMA Safety grants, and, if received, to allow expenditure of the funds in the amount of up to \$2,000.00 each for ergonomic items for the Tax Office and two sets of turnout gear for the Fire Department. The motion carried with nine (9) yeas.

(A copy of the two grant applications will be attached to the official minutes.)

f) Update on Water Street boat launch *(This item was discussed at 8:17 p.m.)*

Mr. Eldridge and Tom Farrell, Parks and Recreation Director, spoke regarding this item.

g) Update from the Solid Waste Task Force *(This item was discussed at 8:28 p.m.)*

Mr. Eldridge provided this update.

h) Announcement of the Household Hazardous Waste Day *(This item was discussed at 8:31 p.m.)*

Mr. Eldridge provided the information on this event.

i) (ADDED) Absentee ballots available *(This item was discussed at 8:34 p.m.)*

Fran Smith, Town Clerk, spoke regarding this item.

NEW BUSINESS

118. The Town Council will discuss sending a letter to the Department of Environmental Protection regarding opening the Simpson Point boat ramp for boats with submerged propellers on a seasonal basis October 1st to April 30th, and will determine if any future action is necessary. (Manager) *(This item was discussed at 8:35 p.m.)*

Chair Pols spoke regarding this item.

Councilor Wilson and Councilor Walker spoke regarding this item.

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Judy Marsh, owner of Paul's Marina, spoke regarding this item.

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

(A copy of a committee letter will be attached to the official minutes.)

119. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action. (Appointments Committee) (This item was discussed at 8:45 p.m.)

Councilor Favreau made nominations:

Mary Anne Lawler to serve on the Water District Trustees

John Poutree to serve on the Zoning Board of Appeals

Millie Stewart to serve on the Captain Fitzgerald Recreation & Conservation Area Master Plan Committee as the current abutter

The Council voted nine (9) yeas to appoint them.

CONSENT AGENDA *(This item was discussed at 8:39 p.m.)*

- a) Approval of the Minutes of August 18, 2014**
- b) Approval of the Minutes of July 28, 2014**
- c) Approval of the Minutes of July 30, 2014**
- d) Approval of the Minutes of September 15, 2014**
- e) Approval of the Minutes of September 22, 2014**
- f) Appointment of Fran Smith as Warden and Elin Gould, Sara King, and Joe Zrioka as Deputy Wardens for the November 4, 2014 Election**
- g) Approval of the Election Warrant for November 4, 2014**
- h) Approval of extended voter registration hours for the November Election**

Councilor Millett moved, Councilor Perreault seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.

(A copy of CA-G and CA-H will be attached to the official minutes.)

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

The meeting adjourned at 8:40 p.m.

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

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Frances Smith
Town Clerk/Assistant to the Town Manager
October 8, 2014

October 20, 2014
Date of Approval

Council Chair