

BRUNSWICK TOWN COUNCIL

Agenda

April 6, 2015

7:00 P.M.

Council Chambers

Town Hall

85 Union Street

Roll Call of Members

Acknowledgement of Meeting Notice

Pledge of Allegiance

Adjustments to Agenda

CONSENT AGENDA

- a) Approval of the Minutes of March 16, 2015
- b) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 383
- c) Permission to apply for, and, if received, expend a MMA Safety Enhancement Grant to assist with the purchase of turnout gear for the Fire Department
- d) Permission to apply for, and, if received, expend a MMA Safety Enhancement Grant to assist with the purchase of an ergonomic monitor stand for dispatch
- e) Approval of games of chance for Knights of Columbus, 2 Columbus Drive
- f) Approval of games of chance for Elks #204, 179 Park Row
- g) Approval of MDOT Overweight Vehicle Agreement

Public Comments

Correspondence

Committee Reports

MANAGER'S REPORT:

- a) Presentation from Brunswick Downtown Association
- b) Update on the upcoming Frank J. Wood Bridge Projects
- c) Update on the Public Hearing held March 25th on the NNEPRA Storm Water Management Law Permit Application
- d) Report on nominations for the MMA Executive Committee and Vice President
- e) Update on status of quiet zones

PUBLIC HEARING

29. The Town Council will hear public comments on a renewal special amusement license application, and will take any appropriate action. (Manager)

Special Amusement

Byrnes Irish Pub LLC.
D/B/A: Byrnes Irish Pub LLC
16 Station Avenue

Joe Byrnes

PUBLIC HEARING/ACTION

30. The Town Council will hear public comments on a new alcoholic beverage license application, and will take any appropriate action. (Manager)

Full Time Spirituous, Vinous & Malt

BAT LLC
D/B/A: McAvoy's on the Green
165 River Road

Timothy T. Kavanaugh

PUBLIC HEARING/ACTION

NEW BUSINESS

31. The Town Council will consider setting a public hearing for April 27, 2015, for amendments to the Municipal Code of Ordinance, Chapter 15 "Traffic and Vehicles" Article VI "Stopping, Standing, Parking" Section 15-76, regarding proposed changes to on-street parking regulations for the west side of Federal Street, which would allow a sharrow and bike lane, and will take any appropriate action. (Councilor K. Wilson)

ACTION

32. The Town Council will consider accepting the proposed Captain William A. Fitzgerald USN, Recreation and Conservation Area Management Plan and adding it to the Recreation, Trails and Open Space Management Plan for Public Benefit Conveyances from the BNAS property, and take any appropriate action. (Councilor Walker and Councilor Watson)

ACTION

33. The Town Council will consider adopting "A Resolution Authorizing the Acceptance and Expenditure of Community Development Block Grant Fund for Projects to be Undertaken by the Greater Brunswick Housing Corporation," and will take any appropriate action. (Manager)

ACTION

34. The Town Council will consider granting an easement to allow Maine Natural Gas to install a line across town property between Huckleberry Lane and Hovey Lane, and will take any appropriate action. (Manager)

ACTION

35. The Town Council will consider reaffirming their position from the 2007-2008 Budget not to fund social service agencies, and will take any appropriate action. (Manager)

ACTION

36. The Town Council will consider appointments to the Town's Boards and Committees, and will take any appropriate action. (Appointments Committee)

ACTION

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

Brunswick Town Council
Agenda
April 6, 2015
Council Notes and Suggested Motions

CONSENT AGENDA

- a) Approval of the Minutes of March 16, 2015: A copy of the minutes is included in your packet.
- b) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 383: This item is to deed back property to the owner, who has paid owed taxes. A copy of the deed is included in your packet.
- c) Permission to apply for, and, if received, expend a MMA Safety Enhancement Grant to assist with the purchase of turnout gear for the Fire Department: This item is to apply for a grant to assist with the purchase of two sets of firefighting turnout gear. The Fire Department has money already in the budget, and, if awarded, this would provide a savings. A copy of the Deputy Chief's memo is included in your packet.
- d) Permission to apply for, and, if received, expend a MMA Safety Enhancement Grant to assist with the purchase of an ergonomic monitor stand for dispatch: This item is to apply for a grant to assist with the purchase of one ergonomic monitor stand for Communications. This item would allow for a much improved monitor position. The Police Department has money already in the budget, and, if awarded, this would provide a savings. The benefits are outlined in a memo from Jessica Factor. Copies of the memo and a photo of the stand are included in your packet.
- e) Approval of games of chance for Knights of Columbus, 2 Columbus Drive: This is the semi-annual renewal of these games. A copy of the application is included in your packet.
- f) Approval of games of chance for Elks #204, 179 Park Row: This is the semi-annual renewal for games of chance and a new one-year application for cribbage. A copy of the application is included in your packet.
- g) Approval of MDOT Overweight Vehicle Agreement: Under this MDOT agreement, the Town will issue a permit for a stated period of time to the MDOT contractor for transporting construction equipment that exceeds the legal limits over municipal roads. This is relative to the Frank J. Wood Bridge repairs. This is a standard agreement that has come before the Council on many other projects in the past. Copies of the letter from MDOT and the agreement are included in your packet.

The Council always has the option to remove any item from the Consent Agenda to be considered separately.

Suggested motion:

Motion to approve the Consent Agenda

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) Presentation from Brunswick Downtown Association: Debora King from the BDA will make a brief presentation on the Association's activities.
- b) Update on the upcoming Frank J. Wood Bridge Projects: This is an update on these upcoming projects. The first project begins in mid-April and finishes by late June, 2015. Engineering for the rehabilitation of the bridge will occur in fall of 2015. A copy of a memo from Manager Eldridge that provides more detail is included in your packet.
- c) Update on the Public Hearing held March 25th on the NNEPRA Storm Water Management Law Permit Application: Manager Eldridge will provide a brief update on this hearing and the next steps.
- d) Report on nominations for the MMA Executive Committee and Vice President: MMA has provided information seeking nominations for their Executive Committee and Vice President. If any Councilor is interested in being considered for either position, there would be an opportunity for the Council to nominate you or another qualified person at the April 27th meeting. The Town is not required to provide names to be considered, but if it does, the nominees must be given to MMA by May 4th. Copies of the MMA notice, Executive Committee Responsibilities and Protocols, and the nomination form are included in your packet.
- e) Update on status of quiet zones: This item is to update the Council and public on the work done toward implementing these zones. A copy of a memo from Manager Eldridge is included in your packet.

PUBLIC HEARING

29. This item is the required public hearing on a renewal special amusement license application for Byrnes Irish Pub. They are requesting solo artists, small bands, and Irish folk tunes in the main dining room. Copies of the public hearing notice and application are included in your packet.

Suggested motion:

Motion to approve a renewal special amusement license application for Byrnes Irish Pub, located at 16 Station Avenue.

30. This item is the required public hearing for a new alcoholic beverage license application for McAvoy's on the Green (located at the Brunswick Golf Club) Mr. Kavanaugh, who also owns Pedro O'Hara's, is taking over the restaurant at the Club. In addition, he also wants to have a Golf Course mobile cart to provide drinks to those golfing. Copies of the public hearing notice, alcohol application and golf course mobile cart application are included in your packet.

Suggested motion:

Motion to approve an alcoholic beverage license application for McAvoy's on the Green located at the Brunswick Golf Club, 165 River Road, to include a Golf Course mobile cart.

NEW BUSINESS

31. The Town Council will consider setting a public hearing for April 27, 2015, regarding proposed changes to on-street parking regulations for the west side of Federal Street. This parking change would be in support of the proposed installation of a bicycle sharrow on the east side of Federal Street and a bike lane on the west side of Federal Street (see enclosed maps and narrative). This effort is the culmination of over two years of outreach and engagement by the Bicycle and Pedestrian Advisory Committee, including consultations with the Town Engineer, the Brunswick Police Department, the Downtown and Outer Pleasant Street Master Plan Implementation Committee (MPIC), bicycle safety experts from Portland, and Federal Street residents and business owners. To gain the width necessary to create the bike lane, the plan calls for the elimination of 13 parking spaces on the west side of Federal Street, between Green Street and the railroad overpass; this is an area that recent downtown inventories have shown to be among the most underutilized on-street parking spaces in the downtown. Copies of a memo from BPAC, proposed parking realignment overview, Federal Street Parking and Street Sharrow Analysis map, and proposed cost for necessary work are included in your packet.

Suggested motion:

Motion to set a public hearing for April 27, 2015, for amendments to the Municipal Code of Ordinance, Chapter 15 “Traffic and Vehicles” Article VI “Stopping, Standing, Parking” Section 15-76, regarding proposed changes to on-street parking regulations for the west side of Federal Street to allow a sharrow and bike lane.

32. This item, sponsored by Vice Chair Walker and Councilor Watson, is to consider adding the proposed Captain William A. Fitzgerald USN, Recreation and Conservation Area Management Plan to the Recreation, Trails and Open Space Management Plan for Public Benefit Conveyances from the BNAS property. After the Committee developed the plan, Tom Farrell made a presentation on this item at the March 16th meeting and at the time the Council supported the idea that it come back at a future date. With the difficult budget times, the Council may wish to also include language in the motion to indicate they are not committing to any funding as part of this acceptance. Copies of a memo from Tom Farrell and the draft plan are included in your packet

Suggested motion:

Motion to accept the proposed Captain William A. Fitzgerald USN, Recreation and Conservation Area Management Plan and to add it to the Recreation, Trails and Open Space Management Plan for Public Benefit Conveyances from the BNAS property, with the clear understanding there is no funding commitment being made by the Council at this time.

33. This item is for the Town Council to consider adopting “A Resolution Authorizing the Acceptance and Expenditure of Community Development Block Grant Fund for Projects to be Undertaken by the Greater Brunswick Housing Corporation.” On April 28, 2014, the Council approved the Town Manager moving forward with a Community Development Block Grant (CDBG) Housing Assistance grant application to the Department of Economic and Community Development (DECD) on behalf of the Greater Brunswick Housing Corporation (GBHC) for the acquisition and rehabilitation of a property located at 27 Spring Street in Brunswick. After DECD approval, the Housing Corporation acquired the property and started on the initial rehabilitation work. In

January 2015, DECD indicated that it had additional funds that it could make available for the 27 Spring Street project, which had uncovered more hazardous material present than anticipated. GBHC is asking for approval of a contract amendment to support the expanded activities at 27 Spring Street and the new energy efficiency activities at 3 Swett Street; this approval comes in the form of a Council resolution. John Hodge, Executive Director, will be available for questions at the meeting. Copies of a memo from Linda Smith, draft resolution, and budget numbers are included in your packet.

Suggested motion:

Motion to adopt “A Resolution Authorizing the Acceptance and Expenditure of Community Development Block Grant Fund for Projects to be Undertaken by the Greater Brunswick Housing Corporation.”

34. This item is for the Council to consider granting an easement to allow Maine Natural Gas to install a line across town property between Huckleberry Lane and Hovey Lane. For approximately a year, the Town and Maine Natural Gas (MNG) have been in conversations about extending natural gas service to Hovey Lane. Normally this would be a fairly simple and straight-forward process; MNG would apply for a permit and the extension would occur within a Town right-of-way. Due to cost considerations, MNG requested the Town’s permission to use a shorter route by extending service from Huckleberry Lane to Hovey Lane instead of connecting to Harpswell Road. Since the Town had acquired these properties from developers for use as part of a trail system, it was not clear that the Town could, in fact, grant an easement over one of the parcels. Recently MNG has identified an alternate path for the extension that would require the main to cross a much shorter section of town-controlled land. No deed restriction could be found that would prevent the Town from granting the easement. Further, staff does not believe that there are any restrictions arising from the use of grant funds to construct portions of the trail system. A copy of the memo from Manager Eldridge and the easement that was reviewed by the Town Attorney, as well as a plan depicting the location of the proposed gas line, are included in your packet.

Suggested motion:

Motion to grant an easement, as attached to the official record, to allow Maine Natural Gas to install a line across town property between Huckleberry Lane and Hovey Lane.

35. This item is for the Council to consider reaffirming the position that was taken in 2007-2008 Budget deliberations not to fund social service agencies. Recently, staff has been asked about the Town’s policy regarding social service agency funding requests. The Town Clerk was not able to locate an official action of the Council but the evidence attached indicates that the Town Council discontinued funding these requests beginning with the 2007-2008 budget. If the Council wishes to change the practice that has been followed since 2007-2008, staff would need to develop a review process. Otherwise, staff will notify agencies that there has been no change in Council policy.

Suggested motion:

Motion to reaffirm the Council’s 2007-2008 Budget position not to fund social service agencies in the upcoming budget year.

36. At this time the Appointments Committee will make nominations to fill vacancies on Town Boards and Committees. The committee will be recommending moving William Guindon from an alternate member to a vacant full-time position on the Personnel Board. A copy of his application is included in your packet.

Suggested Motion:

Nominations will be made, with no seconds required, and the Council will then vote on the nominations.

Suggested motion:

Motion to adjourn the meeting.