

BRUNSWICK TOWN COUNCIL
Agenda
October 5, 2015
Executive Session – 6:15 P.M.
Regular - 7:00 P.M.
Council Chambers
Town Hall
85 Union Street

Roll Call of Members

Acknowledgement of Meeting Notice

Executive Session: Consultation with legal counsel regarding MRRA versus Town of Brunswick [1 M.R.S.A. §405(6)(E)]

Pledge of Allegiance

Adjustments to Agenda

CONSENT AGENDA

- a) Approval of the Minutes of September 21, 2015
- b) Appointment of Fran Smith as Warden and Elin Gould, Sara King, and Joe Zrioka as Deputy Wardens for the November 3, 2015 Election
- c) Approval of the Election Warrant for November 3, 2015
- d) Appointment of the Voter Registration Appeals Board

Public Comments

Correspondence

Committee Reports

MANAGER'S REPORT:

- a) Update on Solarize Brunswick
- b) Sewer District Election update
- c) Absentee ballot reminder
- d) Discussion of CIP process for upcoming budget year
- e) River Road update

PUBLIC HEARINGS

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

Special Amusement

AKI, LLC

D/B/A: AKI Japanese Cuisine
94 Maine Street

Tina & Laura Cigri/V. Ly & B Liu

Frontier Group
D/B/A: Frontier
14 Maine Street

Michael Gilroy

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

Nelson Moody

HEARING/ACTION

98. The Town Council will hear public comments for “An Ordinance Authorizing the Replacement and Upgrade of the Boiler and Domestic Hot Water System at Brunswick High School, With Total Project Costs Not to Exceed \$575,000 (plus any other costs authorized hereunder), and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$575,000 (plus cost of issuance), plus any Additional Appropriation Authorized Hereunder,” and will take any appropriate action. (Manager)
(RESCHEDULED FROM SEPTEMBER 21st MEETING)

HEARING/ACTION

NEW BUSINESS

99. The Town Council will consider a recommendation from the Rivers and Coastal Waters Commission regarding setting mooring fees in the amount of \$25 for resident, private, commercial, or rental moorings, and \$50 for nonresidents, and will take any appropriate action. (Councilor S. Wilson and Councilor Walker)

ACTION

100. The Town Council will discuss the draft “Social Services Funding Policy,” and determine if any future action is required. (Councilor Perreault, Councilor Harris, and Councilor K. Wilson)

DISCUSSION

101. The Town Council will consider adopting a “A Resolution Authorizing an Appropriation and Grant of up to \$200,000 from Available Tax Increment Financing Proceeds to the Midcoast Regional Redevelopment Authority,” and will take any appropriate action. (Councilor Watson, Councilor Perreault, and Councilor Harris)

ACTION

102. The Town Council will consider setting a public hearing for October 19, 2015, on a “Resolution Amending the 2015-16 Budget to Appropriate \$136,481 for the Purpose of Funding the Vehicle and Equipment Reserve Funds,” and to adopt “An Order Authorizing the Town Manager to Execute a Contract for the Purchase of a Sidewalk Tractor,” and will take any appropriate action. (Manager)

ACTION

103. 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
October 5, 2015
Council Notes and Suggested Motions

Executive Session: Consultations with legal counsel regarding MRRRA versus Town of Brunswick [1 M.R.S.A. §405(6)(E)]

Suggested motion:

Motion to go into executive session for Consultations with legal counsel regarding MRRRA versus Town of Brunswick per 1 M.R.S.A. §405(6)(E).

CONSENT AGENDA

- a) Approval of the Minutes of September 21, 2015: A copy of the minutes is included in your packet.
- b) Appointment of Fran Smith as Warden and Elin Gould, Sara King, and Joe Zrioka as Deputy Wardens for the November 3, 2015 Election: These are appointments for the November election.
- c) Approval of the Election Warrant for November 3, 2015: A copy of the warrant is included in your packet.
- d) Appointment of the Voter Registration Appeals Board: State law requires that the Council appoint three members to the Voter Registration Appeals Board. This board hears appeals for voters regarding decisions of the Registrar of Voters. (It has yet to meet in Brunswick, but is still required to exist.) The make-up of the committee is as follows: one person nominated by the municipal Democratic Party, one nominated by the municipal Republican Party, and a third person nominated by the Town Clerk. The following is the slate for your consideration – Trish Riley as the Democratic member, Mark Holbrook as the Republican member, and Doug Rice as the Town Clerk’s nomination. The final nomination is a replacement for Mike Feldman, who has moved out of town.

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 REPORTS

Councilors with information on the Committees they are involved with will share information with the Council and public.

MANAGER’S REPORT:

- a) Update on Solarize Brunswick: This item is to provide an update for this project. ReVision Energy of Portland, Maine was selected as the Town’s partner installer for the 2015-2016 Solarize Brunswick program. Linda Smith will provide a brief update. A copy of a press release is included in your packet.

- b) Sewer District Election update: Lenny Blanchette from the Sewer District will provide a brief update on this election that is being held in conjunction with the Town and State's November 3rd Elections.
- c) Absentee ballot reminder: Town Clerk Fran Smith will remind citizens that absentee ballots are now available for the November 3rd Elections. They will be available to request or to vote in person up to Thursday, October 29th, with the office open until 7:00 p.m. that evening.
- d) Discussion of CIP process for upcoming budget year: Manager Eldridge will provide the Council and public with an overview of the Capital Improvement Plan process for the Fiscal Year 2016-17.
- e) River Road update: This item is to update the public on the damages due to the recent heavy rains.

PUBLIC HEARINGS

97. This is the required public hearing for renewal applications for Special Amusement Licenses. AKI would like to have dance music provided by DJs and bands; Frontier would like to have live music; and Yankee Lanes is requesting DJs and live bands. These are renewals and no restrictions have been placed on them in the past three years. Copies of the public hearing notice and applications are included in your packet.

Suggested Motion

Motion to approve the following applications for Special Amusement Licenses: AKI Japanese Cuisine, located at 94 Maine Street; Frontier, located at 14 Maine Street; and Yankee Lanes, located at 276 Bath Road.

98. This item is the rescheduled public hearing for this proposed ordinance. As discussed at previous meetings, the Town's 2016-20 Capital Improvement Program (CIP) recommends funding the replacement of boilers and related equipment at Brunswick High School. (The School Department had requested the public hearing be moved forward from the original September 21st date.) Originally the replacement was scheduled to take place in the 2016-17 fiscal year, but the School Department is now recommending that this project be moved to the current fiscal year. The estimated cost of the project is \$575,000. This project is replacing the High School track reconstruction, which had been scheduled for this year. Members of the School Department will be available to answer questions. Copies of a memo from Manager Eldridge, relative pages from the CIP, a proposed bond ordinance, and a projected amortization schedule for the bonds are included in your packet.

(Please note the Council rules state the following: "Once the public hearing is closed, the Council will determine if any action is necessary as allowed under the Council rules and the Town Charter, but the Council is encouraged to postpone action until a future meeting to allow for the consideration of the public comments.")

Suggested Motion, if the Council moves forward on a vote at this meeting:

Motion to adopt “An Ordinance Authorizing the Replacement and Upgrade of the Boiler and Domestic Hot Water System at Brunswick High School, With Total Project Costs Not to Exceed \$575,000 (plus any other costs authorized hereunder), and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$575,000 (plus cost of issuance), plus any Additional Appropriation Authorized Hereunder.”

NEW BUSINESS

99. This item, sponsored by Councilor S. Wilson and Councilor Walker, is for the Council to hear the recommendation of the Rivers and Coastal Waters Commission regarding mooring fees in the amount of \$25 for resident, private, commercial, or rental moorings, and \$50 for nonresidents. A resident mooring owner is defined as someone who lives in Brunswick more than six months a year, pays Brunswick real estate property taxes, or is a registered voter in Brunswick. In addition, there is a provision for someone who installs a helix mooring in an eel grass habitat to pay no fees for this mooring for five years. The Commission discussed this at several meetings beginning in June and held a public forum on September 23rd. At this time the Commission requests this fee schedule be implemented by the Council. Dan Devereaux and committee members will be available to answer questions. A copy of a memo from Mark Worthing, Chair of RCWC, is included in your packet.

Suggested Motion:

Motion to direct staff to draft ordinance amendments to reflect the RCWC recommended fees as outlined in their memo dated September 30, 2015.

100. This item is for the Council to discuss the draft “Social Services Funding Policy,” as prepared by the Social Services Committee, consisting of Councilor Perreault, Councilor Harris, and Councilor K. Wilson. They have met several times and drafted a policy and application for the Council’s feedback. The Committee chose to recommend limiting grant funds to agencies that provide food, clothing, and shelter. With the difficult fiscal times, they also recommend that funding be limited to a total of \$20,000 per fiscal year. Copies of a memo, the draft policy, and application are included in your packet.

Suggested Motion:

This is a discussion item, with the Council providing guidance for future action, if any.

101. This item is sponsored by the TIF Committee, composed of Councilor Watson, Councilor Perreault, and Councilor Harris. It is for the Council to consider adopting “A Resolution Authorizing an Appropriation and Grant of up to \$200,000 from Available Tax Increment Financing Proceeds to the Midcoast Regional Redevelopment Authority.” In April MRRA met with the Town’s TIF Committee to request that funds be released for MRRA’s use. With settlement of a pending declaratory judgment lawsuit close, the TIF Committee met on September 22nd and agreed to recommend that the Town provide \$200,000 of TIF funds to MRRA for its sewer collection upgrade project. Copies of a memo from Manager Eldridge, a draft resolution and draft minutes from the Committee are included in your packet.

Suggested Motion:

Motion to adopt “A Resolution Authorizing an Appropriation and Grant of up to \$200,000 from Available Tax Increment Financing Proceeds to the Midcoast Regional Redevelopment Authority.”

102. This item is for the Council to consider setting a public hearing for October 19, 2015, on “Resolution Amending the 2015-16 Budget to Appropriate \$136,481 for the Purpose of Funding the Vehicle and Equipment Reserve Funds.” The funding is coming from a refund from the Maine PERS. In addition, due to the lead time to order one of the sidewalk tractors, there will be a request to adopt an order that will authorize the Town Manager to move forward with the purchase of this item so the Town will have it prior to winter. Copies of memos from Manager Eldridge and Mr. Farrell, a draft resolution, and order are included in your packet.

(Town Charter, Section 504 Adoption and amendment of the budget states the following regarding budget amendments: “Upon the recommendation of the Town Manager, the Town Council may amend the budget. The Council shall hold a public hearing at least 10 days prior to the adoption of any amendment. Any amendment that seeks to increase the amount of the total budget appropriations for the year shall only be made from unappropriated available revenue.”)

Suggested Motions:

Motion 1:

Motion to set a public hearing for October 19, 2015, on “Resolution Amending the 2015-16 Budget to Appropriate \$136,481 for the Purpose of Funding the Vehicle and Equipment Reserve Funds,”

Motion 2

Motion to adopt “An Order Authorizing the Town Manager to Execute a Contract for the Purchase of a Sidewalk Tractor.”

103. At this time the Appointments Committee will make nominations to fill vacancies on Town Boards and Committees. Copies of the Committee’s report and corresponding applications are included in your packet.

Suggested Motion:

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

Suggested Motion:

Motion to adjourn the meeting.