

**BRUNSWICK TOWN COUNCIL**  
**Agenda**  
**April 4, 2016**  
**Executive Session 6:00 P.M.**  
**7:00 P.M. – Regular Meeting**  
**Council Chambers**  
**Town Hall**  
**85 Union Street**

Roll Call of Members

Acknowledgement of Meeting Notice

**Executive Session: [1 M.R.S.A. §405(6)(D)] Union Negotiations and [1 M.R.S.A. §405(6)(E)] Consultation with Legal Counsel**

Pledge of Allegiance

Adjustments to Agenda

**CONSENT AGENDA**

- a) Approval of the minutes of March 21, 2016
- b) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 223
- c) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 041 Lot 011 Sub 000 Typ 006
- d) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 045 Lot 003 Sub 000 Typ 276
- e) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 045 Lot 003 Sub 000 Typ 200
- f) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 025 Lot 016 Sub 000 Typ 058
- g) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 346
- h) Accept and expend 2016 Distracted Driving High Visibility Enforcement Grant
- i) Accept and expend 2016 High Visibility Enforcement Campaign Seat Belt Enforcement Grant:
- j) 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
- k) Permission to apply for, and, if received, expend a MMA Safety Enhancement Grant for a security mechanism for the 2<sup>nd</sup> floor of Town Hall
- l) Adoption of a “Resolution Recognizing National Service Recognition Day” (returning from March 21, 2016 meeting)

Public Comments

Correspondence

**COMMITTEE REPORTS**

- Finance Committee
- Master Plan Implementation Committee
- Recycling and Sustainability Committee
- Rivers and Coastal Waters Commission

**MANAGER’S REPORT**

- a) Project Tracking Report
- b) Budget meeting schedule
- c) Special Permit for U-Haul Moving and Storage

**PUBLIC HEARING**

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

**Special Amusement**

Columbus Club, Inc.

William Sulzberger, G. K.

D/B/A: Knights of Columbus, Sekenger Council #1947

2 Columbus Drive

**HEARING/ACTION**

**TABLED ITEM**

36. The Town Council will consider requesting that the Town Manager direct the Planning Department to require a special use permit review of the Miller Point revetment project, and will take any appropriate action. (Councilor Walker)

**ACTION**

28. The Town Council will consider adopting a method to tally write-ins for local elections as required under 30-A M.R.S.A. §2501, and will take any appropriate action. (Manager/Town Clerk)

**ACTION**

**NEW BUSINESS**

40. The Town Council will consider adopting the proposed Social Service Policy, and will take any appropriate action. (Social Service Committee)

**ACTION**

41. 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 4, 2016**  
**Council Notes and Suggested Motions**

**Executive Session: [1 M.R.S.A. §405(6)(D)] Union Negotiations and [1 M.R.S.A. §405(6)(E)] Consultation with Legal Counsel**

Motion to go into executive session to discuss Union Negotiations per 1 M.R.S.A. §405(6)(D) and for a consultation with legal counsel per 1 M.R.S.A. §405(6)(E).

**CONSENT AGENDA**

- a) Approval of the minutes of March 21, 2016: A copy of the minutes is included in your packet.

Items CA-b through CA- g deed back properties to the owners, who have paid owed taxes. Copies of the deeds are 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 223
- c) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 041 Lot 011 Sub 000 Typ 006
- d) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 045 Lot 003 Sub 000 Typ 276
- e) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 045 Lot 003 Sub 000 Typ 200
- f) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 025 Lot 016 Sub 000 Typ 058
- g) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 346
- h) Accept and expend 2016 Distracted Driving High Visibility Enforcement Grant: This item allows the Police Department to spend this grant, which they are eligible for, even without first applying. They will formally apply as a way to indicate their desire for the grant. This grant is for \$5,000 with no town match except in-kind time. Commander Hagan will be at the meeting to answer any questions. A copy of the grant application is included in your packet.
- i) Accept and expend 2016 High Visibility Enforcement Campaign Seat Belt Enforcement Grant: This item allows the Police Department to spend this grant, which they are eligible for, even without first applying. They will formally apply as a way to indicate their desire for the grant. This grant is for \$2,800 with no town match except in-kind time. Commander Hagan will be at the meeting to answer any questions. A copy of the grant application is included in your packet.

- j) 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 amount of the grant is \$3,592 with up to a \$2,000 reimbursement through MMA. The Fire Department has money in the budget, and, if awarded, this would provide a savings. A copy of the Deputy Chief's memo is included in your packet.
- k) Permission to apply for, and, if received, expend a MMA Safety Enhancement Grant to assist with the purchase of a security mechanism for the 2<sup>nd</sup> floor of Town Hall: This item is to apply for a grant to assist with the purchase of this security mechanism, which will allow for the second floor to be locked after hours. This system will greatly enhance security measures for employees working in the building in the evening by restricting access to the second floors as needed. The quote is for \$5,221, funds have been reserved, and if the Town receives the \$2,000 from MMA, it will reduce the Town's cost. The benefits are outlined in a memo from Jessica Factor. A copy of the memo is included in your packet.
- l) Adoption of a "Resolution Recognizing National Service Recognition Day" (returning from March 21, 2016 meeting): This item, sponsored by Chair Brayman, recognizes municipalities' use of national service and volunteerism to provide assistance to their communities. The Resolution recognizes April 5, 2016, as a Day of Recognition for National Service. The Council approved a similar resolution for recognition in 2014. Copies of a memo from Manager Eldridge and the draft resolution 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

Chair Brayman will be pulling off item CA-1 to read and vote on separately.

Suggested motion:

Motion to adopt CA-1 "Resolution Recognizing National Service Recognition Day."

**COMMITTEE REPORTS**

- Finance Committee
- Master Plan Implementation Committee
- Recycling and Sustainability Committee
- Rivers and Coastal Waters Commission

Councilors representing the Council on the above committees that have recently met will provide brief updates. If there are any Committee updates beyond those listed, Councilors can also share them with the Council and public.

## **MANAGER'S REPORT**

*A memo from Manager Eldridge outlining the Manager's Report items is included in your packet.*

- a) **Project Tracking Report:** The Council will receive a monthly report on projects being tracked. Manager Eldridge will discuss a possible quarterly workshop on these activities. A copy of the project list is included in your packet.
- b) **Budget meeting schedule:** Manager Eldridge will review the upcoming budget schedule, and the Council may make changes. A copy of the schedule is included in your packet.
- c) **Special Permit for U-Haul Moving and Storage:** This item is to inform the Council of a Special Permit that was approved by the Planning Board on March 22<sup>nd</sup>. Under section 701.G of the Zoning Ordinance, the Town Council has 30 days from the Board approval of the Special Permit to exercise jurisdiction over the application. If the Council decides not to exercise jurisdiction, the Planning Board's decision will take effect after the 30-day approval date. A memo from Anna Breinich explains the process in greater detail. Copies of the memo and the Special Permit are included in your packet.

## **PUBLIC HEARING**

39. This item is the required public hearing on a renewal special amusement application for the Knights of Columbus. They are requesting live bands and D.J.s along with other functions, including comedy shows and variety shows in their banquet hall. They have requested this come forward even with a pending sale of the building. Copies of the public hearing notice and the application are included in your packet.

### **Suggested motion:**

Motion to approve a renewal special amusement application for Knights of Columbus, located at 2 Columbus Drive.

## **TABLED ITEM**

36. This item, tabled at your last meeting, is sponsored by Councilor Walker, who is asking the Council to vote to request the Town Manager direct the Planning Department to require a special use permit review of the Miller Point revetment project. Councilor Walker has prepared background information. Councilor Walker's request has been forwarded to the Town Attorney for review. A copy of Councilor Walker's memo is included in your packet.

### **Suggested motion:**

Motion to request that Town Manager direct the planning department to require a special use permit review of the Miller Point revetment project.

28. This item, tabled at your March 7<sup>th</sup> meeting, is for the Council to adopt a method to tally write-in votes for local elections as required under "An Act Regarding Write-in Candidates in Municipal and City Elections" (PL 2015, c. 160). Currently, all valid write-

ins need to be tallied, but under this Act the Council may consider options to as to how to tally write-ins:

- (1) The Council can adopt according to certain procedures the two provisions in Title 21-A that require write-in candidates to declare their candidacy to the municipal clerk at least 45 days before any election in order to be considered a viable write-in candidate, and subsequently be governed by those provisions unless and until the Council chooses to opt-out of that process;
- (2) If the Council does not wish to follow the Title 21-A write-in provisions, and as a way of limiting the requirement to count the ballots cast for all valid write in candidates, the Act requires the formal counting of those ballots only when (a) the printed ballot does not include a properly nominated candidate for the office, (b) the properly nominated candidate withdraws from the race before or on election day, or (c) the number of write-in votes exceeds the number of votes for a candidate printed on the ballot;
- (3)The municipality that has not chosen to adopt the Title 21-A provisions may formally count all ballots cast for write in candidates even if the counting is not mandated by law.

The Town Clerk is requesting that the Council take action, with a recommendation to follow number 2, with the additional requirement to count write-ins who declare to the Clerk. The Clerk believes the 21-A provision is too restrictive for Brunswick, but mandatory counting of write-ins can lead to additional work for election clerks at the end of the long day, with no change in election outcome. Copies of a memo from the Town Clerk, Public Law Chapter 160, and an explanation of the law from the “Maine Townsman” are included in your packet.

*Suggested motion:*

Motion, as required under PL 2015, c. 160, to have the Town of Brunswick, for the purpose of tallying write-in votes for municipal election, follow Title 30-A only under the following circumstances:

- (1) The printed ballot does not include a properly nominated candidate for the office; or
- (2) A properly nominated candidate for the office listed on the ballot withdraws from the race before or on Election Day; or
- (3) The number of write-in votes for an office as determined by a machine count or initial hand count exceeds the number of votes in that count for a candidate printed on the ballot; or
- (4) A person has declared to the Town Clerk in writing no later than the Friday before the Election his/her intention to be a write-in candidate.

**NEW BUSINESS**

40. This item, removed from the last meeting since Councilor Perreault was absent, is for the Council to consider adopting the draft social service policy. At the October 5, 2015 meeting, the Council received a draft social service agency funding policy from the Social Service Committee. The draft was presented for the Council’s consideration and feedback, which has been incorporated into a revised draft for your review. Given where

the budget process stands and the timeline contemplated in the draft policy, the Council should consider adopting the policy, but not implementing it until the 2017-18 budget. Otherwise, the Council will need to amend the timeline and the procedures to consider funding for the 2016-17 budget. Copies of a memo from Manager Eldridge and the draft policy are included in your packet.

*Suggested motion:*

Motion to adopt a social service policy to become effective for the 2017-18 budget year.

41. At this time the Appointments Committee will make nominations to fill vacancies on Town Boards and Committees. A copy of the Appointment Committee's report and the applications are 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.