

BRUNSWICK TOWN COUNCIL
Agenda
March 21, 2016
Executive Session – 6:00 P.M.
Regular Meeting - 7:00 P.M.
Council Chambers
Town Hall
85 Union Street

Roll Call of Members

Acknowledgement of Meeting Notice

Executive Session: [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 7, 2016
- b) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 313
- c) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 045 Lot 003 Sub 000 Typ 281
- d) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 140
- e) Permission to expend a 2016 Speed Enforcement Grant
- f) Adoption of a “Resolution Recognizing National Service Recognition Day”

Public Comments

Correspondence

COMMITTEE REPORTS

- Bicycle and Pedestrian Advisory Committee
- BDC
- Cable TV Committee
- Finance Committee
- Teen Center Board

MANAGER’S REPORT

- a) Financial update
- b) Report on Municipal Budget schedule and CIP
- c) Presentation on the upcoming revaluation
- d) Upcoming 45th Anniversary for Amtrak
- e) Update on high school boiler replacement

PUBLIC HEARING

- 31. The Town Council will hear public comments on a CDBG MicroEnterprise Assistance Program grant application for Pathways Rehabilitation Services, and will take any appropriate action. (Manager)
HEARING/ACTION

- 32. The Town Council will hear public comments for an ordinance to enact a ban on polystyrene foam in consumer packaging, and will take any appropriate action. (Councilor Walker and Councilor K. Wilson)
HEARING/ACTION

- 33. The Town Council will hear public comments on a proposed “Ordinance Authorizing various Health, Safety and ADA Compliance Improvements at the Coffin Elementary School and the Brunswick Junior High School, with Total Project Costs Not to Exceed \$1,517,664, and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$934,729 (following loan forgiveness of \$582,935),” and will take any appropriate action. (Manager)
HEARING/ACTION

- 34. The Town Council will hear public comments on a “Moratorium on New Development in the Natural Resources Protection Zone,” and will take any appropriate action. (Manager)
HEARING/ACTION

- 35. The Town Council will hear public comments on proposed amendments to the Municipal Code of Ordinance Chapter 10 “Licenses and Business Regulations” Section 10-26(6) to increase the number of food vendors on the town mall from four to five, and will take any appropriate action. (Manager)
HEARING/ACTION

NEW BUSINESS

- 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

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

- 38. The Town Council will consider a request for a Sellers of Prepared Food on Public Ways license for outdoor seating for Little Saigon, 44 Maine Street, and will take any appropriate action. (Manager)
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
March 21, 2016
Council Notes and Suggested Motions

Executive Session: [1 M.R.S.A. §405(6)(E)] Consultation with legal counsel

Suggested motion:

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

CONSENT AGENDA

- a) Approval of the minutes of March 7, 2016: 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 313: This item deeds back property to the owner, who has paid owed taxes. A copy of the deed is included in your packet.
- c) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 045 Lot 003 Sub 000 Typ 281: This item deeds back property to the owner, who has paid owed taxes. A copy of the deed is included in your packet.
- d) Approval of a Quitclaim Deed for the mobile home on land depicted as Map 051 Lot 001 Sub 000 Typ 140: This item deeds back property to the owner, who has paid owed taxes. A copy of the deed is included in your packet.
- e) Permission to expend a 2016 Speed Enforcement Grant: This item allows expending of this grant for speed enforcement through the Bureau of Highway Safety. The requested amount is \$7,000 and the Town's match will be in-kind staff hours. The details will be from April 15th through September 15th. A copy of the first page of the grant is included in your packet.
- f) Adoption of a "Resolution Recognizing National Service Recognition Day": 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 has the option to remove any item from the Consent Agenda to be considered separately. Chair Brayman will be requesting Item F be removed so it can be read to the public.

Suggested motion:

Motion to approve the Consent Agenda

COMMITTEE REPORTS

- Bicycle and Pedestrian Advisory Committee
- BDC
- Cable TV Committee
- Finance Committee
- Teen Center Board

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

MANAGER'S REPORT

- a) Financial update: Manager Eldridge will update the Council on the Town's financial picture to date for the current fiscal year. Copies of financial reports will be included in your packet.
- b) Report on Municipal Budget schedule and CIP: This item service two purposes. First, to update the Council on the budget process, and second, to provide the proposed 2017-2021 Capital Improvement Program (CIP). Copies of a memo from Manager Eldridge explaining the process used to develop the CIP, along with the proposed Plan, are included in your packet.
- c) Presentation on the upcoming revaluation: Assessor Cathy Jamison will provide a timeline for the Council and public on the revaluation so citizens will be aware of what is happening and when steps will occur. A copy of her press release is included in your packet.
- d) Upcoming 45th Anniversary for Amtrak: This item is to inform the public of Amtrak's 45th Anniversary on May 1st for their high-speed passenger rail service to the nation. They will celebrate this event on June 11, 2016, with an exhibit train available for tours at the Brunswick Train Station. A copy of the letter from Amtrak is included in your packet.
- e) Update on high school boiler replacement: This item allows Manager Eldridge to respond to questions raised about the process that led to the bond ordinance approving the replacement of the boiler plant at the high school. Manager Eldridge has provided a memo that attempts to provide that information as well as recommended improvements to the process by which significant capital projects and acquisitions are authorized. A copy of this memo is included in your packet.

PUBLIC HEARING

31. This item is the required public hearing on a CDBG MicroEnterprise Assistance Program grant application for Pathways Rehabilitation Services. On January 19, 2016, the Council approved the Town submitting a Letter of Intent to the Maine Department of Economic and Community Development (DECD) to apply for a MicroEnterprise Assistance grant on behalf of Pathways Rehabilitation Services, a Brunswick-based small business providing driving ability evaluations and recommendations, behind-the-wheel driver training, and adaptive equipment consultations and recommendations. On February 5, 2016, the Town submitted its Letter of Intent, and on February 9, DECD invited the Town to apply for funds on behalf of the company. The next step is to adopt the resolution authorizing the acceptance and expenditure of CDBG funds so the project can meet the March 25th deadline. Copies of a memo from Linda Smith, MEA application, and draft Resolution are included in your packet.

Suggested Motion:

Motion to adopt “A Resolution Authorizing the Acceptance and Expenditure of Community Development Block Grant Funds for Projects Undertaken by Pathways Rehabilitation Services.”

32. This item, sponsored by Councilor Walker and Councilor K. Wilson, is the required public hearing on this ordinance to ban polystyrene foam in consumer packaging. The Council had set this public hearing back on January 19th to allow time for outreach to those businesses affected. The Town, working with the Brunswick Downtown Association (BDA) and the Southern Midcoast Maine Chamber (SMMC), promoted and hosted three information sessions for the business community and general public on the Town’s proposed ordinance. Copies of a memo from Manager Eldridge and the proposed ordinance, along with a memo from Linda Smith with summaries of the information meetings, are included in your packet.

Option for the Council if they choose to vote this evening - suggested motion:

Motion to suspend the Council Rules to allow the Council to vote on this item at this meeting.

Suggested motion:

Motion to adopt the Ordinance to enact a ban on polystyrene foam in consumer packaging, with enforcement to begin on October 1, 2016.

33. This item is the required public hearing on an “Ordinance Authorizing various Health, Safety and ADA Compliance Improvements at the Coffin Elementary School and the Brunswick Junior High School, with Total Project Costs Not to Exceed \$1,517,664, and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$934,729 (following loan forgiveness of \$582,935).” This request comes from the School Board. Staff from the School Department will make a presentation and answer any questions. Copies of the draft ordinance, a memo from Mr. Perzanoski with additional supporting materials, and the presentation are included in your packet.

Option for the Council if they choose to vote this evening - suggested motion:

Motion to suspend the Council Rules to allow the Council to vote on this item at this meeting.

Suggested motion:

Motion to adopt an “Ordinance Authorizing various Health, Safety and ADA Compliance Improvements at the Coffin Elementary School and the Brunswick Junior High School, with Total Project Costs Not to Exceed \$1,517,664, and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$934,729 (following loan forgiveness of \$582,935).”

34. The Town Council will hear public comments on a “Moratorium on New Development in the Natural Resources Protection Zone.” At the March 7, 2016 meeting the Town Council adopted, on an emergency basis, an ordinance imposing a moratorium on development in this Zone. An emergency ordinance is only effective for 50 days after

enactment unless it then is enacted through the regular ordinance process, as outlined in the Town Charter sections 210 and 211. At the same meeting, the Council voted to send this ordinance to public hearing so it may be adopted on a regular basis. Copies of Manager Eldridge's memo and the draft language are included in your packet.

Option for the Council if they choose to vote this evening - suggested motion:

Motion to suspend the Council Rules to allow the Council to vote on this item at this meeting.

Suggested motion:

Motion to adopt a "Moratorium on New Development in the Natural Resources Protection Zone (NRPZ)."

35. This item is the required public hearing on proposed amendments to the Municipal Code of Ordinance Chapter 10 "Licenses and Business Regulations" Section 10-26(6) to increase the number of food vendors on the town mall from four to five. At the March 7, 2016 meeting, after approving five vendors for the mall, the Town Council directed staff to prepare this amendment to bring the ordinance in compliance with the increased number of vendors. Copies of Manager Eldridge's memo and draft ordinance changes are included in your packet.

Option for the Council if they choose to vote this evening - suggested motion:

Motion to suspend the Council Rules to allow the Council to vote on this item at this meeting.

Suggested motion:

Motion to adopt amendments to the Municipal Code of Ordinance Chapter 10 "Licenses and Business Regulations" Section 10-26(6) to increase the number of food vendors on the town mall from four to five.

NEW BUSINESS

36. This item 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

37. This item 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.

38. This item is for the Council to approve an additional request for Sellers of Prepared Food on Public Ways license for outdoor seating for Little Saigon. This is a renewal request that was not received in time to be considered at the last meeting. A copy of the application is included in your packet.

Suggested motion:

Motion to approve a request for Sellers of Prepared Food on Public Ways license for outdoor seating for Little Saigon, located at 44 Maine Street.

Suggested Motion:

Motion to adjourn the meeting.