

BRUNSWICK TOWN COUNCIL
Agenda
March 7, 2016
6:00 P.M. – Executive Session
7:00 P.M.
Council Chamber
Town Hall
85 Union Street

Roll Call of Members

Acknowledgement of Meeting Notice

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

Pledge of Allegiance

Adjustments to Agenda

CONSENT AGENDA

- a) Approval of the minutes of February 16, 2016

Public Comments

Correspondence

COMMITTEE REPORTS

- Bicycle and Pedestrian Committee
- Brunswick Development Corporation
- Finance Committee
- Human Rights Task Force
- Recycling and Sustainability Committee
- Rivers and Coastal Waters Commission

MANAGER'S REPORT

- a) Council Activities Report
- b) Miller Point

NEW BUSINESS

- 22. The Town Council will consider setting a public hearing for March 21, 2016, 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),” and will take any appropriate action. (Manager)

ACTION

23. The Town Council will consider setting a public hearing for March 21, 2016, on a CDBG MicroEnterprise Assistance Program grant application for Pathways Rehabilitation Services, and will take any appropriate action. (Manager)

ACTION

24. The Town Council will consider confirming the Town Manager's action to provide a Letter of Intent for CDBG on behalf of MRRA to benefit Washburn & Doughty, and will take any appropriate action. (Manager)

ACTION

25. The Town Council will consider the following requests for Sellers of Prepared Food on Public Ways licenses on the Brunswick Mall, and will take any appropriate action. (Manager)

Farmer's Market	Danny's Dogs
Taco the Town	Wrappers
BB's Grill	Twist-N-Dip

ACTION

26. The Town Council will consider requests for Sellers of Prepared Food on Public Ways license for outdoor seating, and will take any appropriate action. (Manager)

Big Es, 111 Maine Street
Frosty's Donuts, 54 Maine Street
Gelato Fiasco, 74 Maine Street
Shere Punjab, 46 Maine Street
The Great Impasta, 42 Maine Street

ACTION

27. The Town Council will consider sending a letter of support for the reappointment of Lois Skillings and appointment of Sharon Eggleston to the Midcoast Regional Redevelopment Authority, and will take any appropriate action. (Chair Brayman)

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

29. 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
March 7, 2016
Council Notes and Suggested Motions

Executive Session: [1 M.R.S.A. §405(6)(E)] on 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 February 16, 2016: A copy of the minutes is included in your packet.

Suggested Motion:

Motion to approve the Consent Agenda.

COMMITTEE REPORTS

- Bicycle and Pedestrian Committee
- Brunswick Development Corporation
- Finance Committee
- Human Rights Task Force
- 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) Project Tracking Report: The Council will receive a monthly report on projects being tracked. A copy of the project list is included in your packet.
- b) Miller Point: This item is to inform the Council and public of the Town Attorney's review and recommendation regarding the activities at Miller Point. The Town Attorney memorandum to the Town Manager dated March 2nd is included in your packet.

NEW BUSINESS

22. This item is for the Council to consider setting a public hearing for March 21, 2016, 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. Superintendent Paul Perzanoski will make a presentation providing additional information on these projects. Copies of the draft ordinance, a memo from Mr. Perzanoski with additional supporting materials, and the presentation are included in your packet.

Suggested Motion:

Motion to set a public hearing for March 21, 2016, 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).”

23. This item is for the Council to consider setting a public hearing for March 21, 2016, on a CDBG MicroEnterprise Assistance Program grant application for Pathways Rehabilitation Services. On January 19, 2016, Town Council members 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 set the public hearing as part of the requirement so that the grant application can meet its March 25, 2016 deadline. Copies of a memo from Linda Smith, the letter of intent, and the DECD letter inviting the Town to apply are included in your packet.

Suggested Motion:

Motion to set a public hearing for March 21, 2016, on a CDBG MicroEnterprise Assistance Program grant application for Pathways Rehabilitation Services.

24. This item is to provide support for the Town Manager’s action of sending a Letter of Intent on behalf of Midcoast Regional Redevelopment Authority (MRRA) to benefit Washburn & Doughty. MRRA approached the Town to submit a Community Development Block Grant (CDBG) on behalf of a Maine company seeking to expand its production capabilities to Brunswick Landing. Unfortunately, the request came forward the day after the last Town Council meeting on February 16, 2016. The Department of Economic and Community Development has indicated that it anticipates being out of funds after the first round of competition this year. In order to be considered in the first round, a Letter of Intent would have to be submitted by March 4, 2016. The next Town Council meeting is not scheduled until March 7, 2016. Following further discussion with MRRA, they offered to indemnify the Town against any risk created by the company’s unlikely possibility of failing to achieve the Low to Moderate Income job creation and hiring targets. A copy of Manager Eldridge’s memo is included in your packet. (The Letter of Intent will be provided prior to the meeting, once it is completed.).

Suggested Motion:

Motion to confirm the Town Manager’s action of sending of a Letter of Intent for a CDBG grant on March 4, 2016, on behalf of MRRA to benefit Washburn & Doughty, since the deadline is prior to the Council meeting of March 7th.

25. This is the annual approval of the Sellers of Prepared Food on Public Ways licenses on the Brunswick Mall. The fee for the Farmer’s Market is \$3,000 and the other vendors pay \$1,500 each. There are five vendors, vying for four spots, seeking Council approval to do business on the Mall. Two are renewals, Danny’s Dogs and Wrappers, while the other three are new businesses. This is the first time in over 15 years that there have been more applicants than

spots available. The ordinance provides the Council with sole authority to make the decision of who to select. Council leadership asked to see what cost would be associated with accommodating an additional vendor. In addition to requiring an ordinance change, it was determined it could be up to \$7,000 to create a spot with pavers and electricity. The Town Clerk will be available to answer any questions. Copies of the current ordinance language and applications are included in your packet.

Suggested Motion:

Motion to approve licenses for Sellers of Prepared Food on Public Ways on the Brunswick Mall for the Farmer's Market and _____ (select four).

*Select 4 of those below:

Danny's Dogs, Taco the Town, Wrappers, BB's Grill, and Twist-N-Dip

26. This item is the annual approval of Sellers of Prepared Food on Public Ways licenses on Sidewalks. These are all renewal applications except for Big Es, which is located at the former site of Flipside. There is no license fee except for a \$25 application fee, but it does require Council approval. The plans have been reviewed by the Codes Officer and he will do an inspection once they are opened, along with periodic checks, to ensure compliance with the changes in the ordinance from last year and will make periodic visits to see that they remain compliant. The Clerk will be available to answer any questions. Copies of the applications and the ordinance changes are included in your packet.

Suggested Motion:

Motion to approve licenses for Sellers of Prepared Food on Public Ways on a Sidewalk for Big Es, 111 Maine Street; Frosty's Donuts, 54 Maine Street; Gelato Fiasco, 74 Maine Street; The Great Impasta, 42 Maine Street; and Shere Punjab, 46 Maine Street.

27. This item is for the Council to consider sending a letter of support for the reappointment of Lois Skillings and appointment of Sharon Eggleston to the Midcoast Regional Redevelopment Authority Board. This letter comes at the request of the Governor's Office, with the membership and appointments provided in state statute, 5 M.R.S.A. §13083-I. The Board's make-up is explained in Manager Eldridge's memo. In addition, the Town is free to submit as many names as it would like to be considered. Ultimately, the Governor will make the appointments and there are no guarantees that anyone on the Brunswick list will be appointed. Copies of Manager Eldridge's memo, along with resumes of Ms. Skillings and Ms. Eggleston, are included in your packet.

Suggested Motion:

Motion to send to the Governor's Office a letter of support for the reappointment of Lois Skillings and appointment of Sharon Eggleston to the Midcoast Regional Redevelopment Authority Board.

28. This item 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.
29. At this time the Appointments Committee will make nominations to fill vacancies on Town Boards, Commissions, and Committees. Other members of the Council are permitted to make additional nominations if they choose to in cases of multiple applications. Copies of the Committee’s memo 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.

CONSENT AGENDA - A BACK UP MATERIALS

Draft
BRUNSWICK TOWN COUNCIL
Minutes
February 16, 2016
Executive Session – 6:30 P.M.
7:00 P.M.
Council Chambers
Town Hall
85 Union Street

Councilors Present: W. David Watson, Stephen S. Walker, Suzan Wilson, John M. Perreault, Daniel E. Harris, Jane F. Millett, Sarah E. Brayman, Kathy Wilson and Alison Harris

Councilors Absent: None

Town Staff Present: John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Derek Scraphansky, Assistant Town Manager; Steve Langsdorf, Town Attorney; Cathy Jamison, Assessor; Julie Henze, Finance Director; Mark Waltz, Police Commander; Terry Goan, Police Officer; and TV video crew

Chair Brayman called the meeting to order, asked for roll call, and acknowledged that the meeting was properly noticed.

Executive Session: Personnel Matter [1 M.R.S.A. §405(6)(A)]

Councilor K. Wilson moved, Councilor Millett seconded, to go into executive session to discuss a personnel matter per 1 M.R.S.A. §405(6)(A). The motion carried with nine (9) yeas.

Chair Brayman resumed the meeting and led the Pledge of Allegiance.

Adjustments to Agenda – None

CONSENT AGENDA *(This item was discussed at 7:06 p.m.)*

- a) **Approval of the minutes of February 1, 2016**
- b) **Approval of modifications to the Finance Committee Charge**
- c) **Approval to apply for and to expend a 2015-16 Edward Byrne Memorial Justice Assistance Grant**

Councilor Perreault asked to have Items b and c removed from the Consent Agenda.

Councilor Perreault moved, Councilor Walker seconded, to approve Consent Agenda Item a. The motion carried with nine (9) yeas.

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Consent Agenda Item b

Manager Eldridge explained this item and responded to questions from Councilor Perreault and Councilor S. Wilson.

Chair Brayman moved, Councilor Walker seconded, to approve Consent Agenda Item b. The motion carried with nine (9) yeas.

Consent Agenda Item c

Commander Waltz spoke regarding this item, and responded to questions from Councilor Millett and Councilor Perreault.

Councilor Perreault moved, Councilor Watson seconded, to approve Consent Agenda Item c. The motion carried with nine (9) yeas.

(A copy of supporting materials for CA-b and CA-c is attached to the official minutes.)

Public Comments *(This item was discussed at 7:19 p.m.)*

None

Correspondence *(This item was discussed at 7:20 p.m.)*

Councilor Perreault spoke regarding the success of Brunswick High School Sports with the boys' team winning the indoor track good sportsmanship award, boys' basketball continuing in the tournament, and girls basketball winning a game in the tournament.

Councilor K. Wilson requested that the Recreation Center schedule be easier to read.

Councilor Watson spoke regarding the calendar.

Chair Brayman spoke about Longfellow Days in February and provided information on some upcoming events.

COMMITTEE REPORTS *(This item was discussed at 7:25 p.m.)*

- MPIC
- Finance Committee
- Teen Center

There were reports given on the above committees.

MANAGER'S REPORT

a) Financial update *(This item was discussed at 7:32 p.m.)*

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Julie Henze, Finance Director, provided this report.

b) Reminder about upcoming meeting with businesses regarding proposed Styrofoam ban
(This item was discussed at 7:33 p.m.)

Manager Eldridge provided this reminder.

Ms. Smith spoke regarding this item, and responded to questions from Councilor S. Wilson and Chair Brayman.

c) Announcement of selection of vendor for revaluation *(This item was discussed at 7:38 p.m.)*

Cathy Jamison, Assessor, provided information on this item. She responded to questions from Councilor Millett, Councilor S. Wilson, Councilor Dan Harris, and Councilor Walker.

d) Report on Complete Streets Policy *(This item was discussed at 7:48 p.m.)*

Manager Eldridge provided this report and responded to questions from Chair Brayman and Councilor Walker.

Councilor Millett spoke regarding this item.

e) Overview of upcoming budget process *(This item was discussed at 7:54 p.m.)*

Manager Eldridge spoke regarding this item.

Councilor Perreault, Councilor S. Wilson, Councilor Walker, Chair Brayman, Councilor Harris, and Councilor Millett spoke on this item.

f) Report on proposed Aquaculture Ordinance *(This item was discussed at 8:04 p.m.)*

Manager Eldridge spoke regarding this item.

Councilor Walker spoke regarding this item.

(A copy of Manager Eldridge's summary memo along with supporting materials for Items b, e, and f will be attached to the official minutes.)

PUBLIC HEARING

20. **The Town Council will hear public comments on amendments to Chapter 15 “Traffic and Vehicles” of the Municipal Code of Ordinances regarding changes to parking restrictions and creating a one-way section on the Harriet Beecher Stowe Elementary School access road, and will take any appropriate action. (Manager)(This item was discussed at 8:06 p.m.)**

Chair Brayman opened the public hearing.

Mark Waltz, Police Commander, explained this item, and responded to questions from Councilor K. Wilson.

Manager Eldridge spoke regarding this item.

Councilor Millett spoke regarding this item.

Chair Brayman closed the public hearing.

Councilor Millett moved, Councilor Dan Harris seconded, to suspend the Council Rules to allow the Council to vote on this item at this meeting. The motion carried with seven (7) yeas. (Six were required.) Councilor Perreault and Chair Brayman were opposed.

Councilor Perreault, Chair Brayman, and Councilor K. Wilson spoke regarding this item.

Councilor Millett moved, Councilor Walker seconded, to adopt amendments to Chapter 15 “Traffic and Vehicles” of the Municipal Code of Ordinances regarding changes to parking restrictions and creating a one-way section on the Harriet Beecher Stowe Elementary School access road. The motion carried with nine (9) yeas.

(A copy of the adopted ordinance will be attached to the official minutes.)

NEW BUSINESS

21. **The Town Council will consider approving the “Agreement for Town Attorney Services” between the Town of Brunswick and Preti Flaherty for legal services for 2016, and will take any appropriate action. (Councilor Brayman) (This item was discussed at 8:18 p.m.)**

Chair Brayman spoke regarding this item.

Manager Eldridge spoke regarding the item, and responded to questions from Councilor Perreault, Councilor Walker, Councilor Millett, Councilor Alison Harris, and Councilor Watson.

Councilor S. Wilson spoke regarding this item.

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Steve Langsdorf, Town Attorney, spoke regarding this item, and responded to questions from Councilor S. Wilson.

Councilor Millett moved, Councilor Walker seconded, to approve the “Agreement for Town Attorney Services” with the retainer option between the Town of Brunswick and Preti Flaherty for legal services for 2016.

Richard Fisco, 2 Lincoln Street, spoke regarding this item.

Councilor Perreault asked a question, to which Manager Eldridge responded.

Councilor D. Harris, Councilor Walker, Councilor S. Wilson, and Councilor Watson spoke regarding the motion.

Councilor Millett moved, Councilor Walker seconded, to approve the “Agreement for Town Attorney Services” with the retainer option between the Town of Brunswick and Preti Flaherty for legal services for 2016. The motion carried with nine (9) yeas.

(A copy of the approved agreement will be attached to the official minutes.)

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

Chair Brayman moved, Councilor Millett seconded, to go into executive session for a consultation with legal counsel per 1 M.R.S.A. §405(6)(E). The motion carried with nine (9) yeas.

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

The meeting adjourned at 9:55 p.m.

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

*Frances M. Smith
Town Clerk
February 20, 2016*

March 7, 2016
Date of Approval

Council Chair

MANAGER'S REPORT - A BACK UP MATERIALS



Town of Brunswick - Project Tracking (Council)

Task Title	Class	Priority	Status	Description
92 Municipal Budget 2016-2017 Comments: See attached budget schedule and documents.	1 - Major	0 - Required	In Progress	Adopt 2016-17 Municipal Budget Current Update: 3/1/2016 Evaluating department requests. Departments presenting to Finance Committee.
91 Capital Improvement Plan 2016-2017 Comments: Municipal CIP projects have been reviewed by Finance Committee.	1 - Major	0 - Required	In Progress	Adopt 2016-17 CIP Current Update: 3/1/2016 CIP draft complete. In final review by Finance Committee.
2 MRRA Tax Appeal Comments: Settlement Reached. Implement via new Development Programs Heed to schedule PH on program amendments. Negotiate the credit enhancement agreement.	1 - Major	2 - High	In Progress	MRRA Tax Appeal Case Current Update: 3/1/2016 Settlement date extended. Waiting for MRRA comments on development program and CEA. Review by DECD and Public hearing required.
4 Graham Road Landfill Comments: Solid Waste Committee Plan to Remain Open or Close Legislation passed extending reimbursement window	1 - Major	2 - High	In Progress	Solid Waste Committee Review of Landfill Options Solid Waste Plan start date Current Update: 3/1/2016 Pending completion of solid waste alternatives report from Woodard and Curran

Task Title	Class	Priority	Status	Description
7 Zoning Ordinance Re-write	1 - Major	2 - High	In Progress	Re-write of Zoning Ordinance
Comments: See project timeline.				Current Update: 3/1/2016 ZORC draft to Planning Board in March
117 State Revolving Loan Fund	1 - Major	2 - High	In Progress	Fund Improvements at Junior High and Coffin Schools
Comments: DOE has approved Brunswick for funding. Brunswick has notified MMBB and needs to file an application School Board approved projects and borrowing Borrowing Ordinance Must Be Adopted by Town Council - schedule for 3/7/16.				Current Update: 3/1/2016 Borrowing Ordinance to Town Council for Public Hearing. Application submitted to MMBB School Department presentation to Town Council 03/07.
32 Solar Installation at Rec Center	1 - Major	2 - High	In Progress	Explore Solar Installation at Recreation Center
Comments: See attached memos and Gantt chart. See attached project details.				Current Update: 3/2/2016 New pricing received on 3/2. Evaluating. Considering whether schedule will now work for roofers.
18 Revaluation	1 - Major	2 - High	In Progress	Develop Revaluation Project Budget and timeline.
Comments: Responses to RFP being reviewed. RFP Issued Included in 2015-2016 CIP Prepare RFP Prepare Bond Ordinance				Current Update: 3/1/2016 Contract Awarded to KRT. Project to begin soon.
111 Mare Brook Watershed Project	1 - Major	3 - Normal	In Progress	Investigate health of impaired stream
Comments:				Current Update: 3/1/2016 Consultant selected. Technical Advisory Committee meeting.

Task Title	Class	Priority	Status	Description	
39 Master Plan Implementation Committee	1 - Major	3 - Normal	In Progress	Implement Downtown and Pleasant Street Master Plan	
Comments: See Master Plan Timeline Review Funding Opportunities Phase as appropriate				Current Update: See MPIC meeting minutes for details.	3/1/2016
3 Cook's Corner Road Improvements and TIF	1 - Major	5 - Defer	Deferred	Cook's Corner Road Improvements; connection of Gurnet Rd to Wal-Mart	
Comments: Prepare engineering analysis and cost estimates Coordinate extinguishment of cross easements Develop TIF funding model Develop bond ordinance Deferred due to pending sale of DDR properties				Current Update: Property sold to Katz. Preliminary conversations about improvements at Cook's Corner.	3/1/2016
108 Freeport Dispatch Contract	2 - Large	2 - High	In Progress	Negotiate an Extension to the Contract	
Comments: The contract expires in September 2016.				Current Update: Contacted Freeport about extending contract.	3/2/2016
6 Harbor Management Plan	2 - Large	2 - High	Completed	Develop Harbor Ordinance	
Comments: Ordinance completed				Current Update: Project Complete	1/20/2016

Task Title	Class	Priority	Status	Description
1 MRRA TIF Requests	2 - Large	2 - High	In Progress	Amend development programs, establish credit enhancement agreement with MRRA
Comments: Amendment of development programs and credit enhancement agreement with MRRA based on MOA signed 10/7/15. Town Council approval required. Development program amendment also requires DECD approval.			Current Update: 3/1/2016 Draft development program amendments and draft CEA sent to MRRA for review.	
26 Streetlight Policy and Reduction Plan	2 - Large	2 - High	In Progress	Develop Streetlight reduction plan
Comments: Develop street light policy based on traffic and pedestrian safety. Preliminary to street light reduction plan. Summary of cost/benefits Policy on placement of streetlights Trial sections of town.			Current Update: 1/20/2016 Draft of street lighting policy in development	
71 Mere Point Wastewater District	2 - Large	2 - High	In Progress	Address Several Issues Relating to the MP Wastewater District
Comments: Review annual operating costs; audit the billing units; identify capital replacement costs; identify solution for holding tank; and propose new rates. Evaluate existing fields and pumps. 2. Field Replacement 3. Fee Charge			Current Update: 3/1/2016 Completed initial review of system and recent history of operating costs. Setting up meeting with Richard Burns & Dana Smith to understand status of contractual agreement with residents. Developing capital and operating budgets. Reviewing fees.	

Task Title	Class	Priority	Status	Description
89 Revenues and Fees	2 - Large	2 - High	In Progress	Review of All Fees and Charges
Comments:				Current Update: 3/1/2016
Review and update all fees, fines and charges in Town Ordinance:				Fees approved by Town Council
1. Fire Dept - updated ordinance and fees to be presented to Council 2/1/16				
2. Public Works - possible storm drain connection fee				
3. Town Clerk - schedule review				
4. Codes Enforcement - schedule review				
5. Police Dept - schedule review				
6. Solid Waste - schedule review				
60 Solarize Brunswick	2 - Large	2 - High	In Progress	Develop and implement Solarize Brunswick Program
Comments:				Current Update: 2/19/2016
Project exceeded target of Tier 5 200 kw discount; actual sign up to date = 450 kW. Linda working with R&S Committee Chair to produce program report for March 7, 2016 Town Council meeting; tentatively on that TC agenda.				Press Release that program reached 450 kW installed systems. ReVision extending program through May 2016. See attachment.
58 Multi-unit apartment inspections	2 - Large	3 - Normal	In Progress	Explore fee based apartment inspections. Draft ordinance.
Comments:				Current Update: 1/25/2016
In the queue since 2011. Request by the Council to explore multi unit apartment building inspections.				Fire Department has communicated with Portland FD
57 Ocean Access	2 - Large	3 - Normal	Requested	Explore Additional Opportunities for Ocean Access
Comments:				Current Update: 1/20/2016

Task Title	Class	Priority	Status	Description
94 Website Upgrades	2 - Large	3 - Normal	Requested	Study and Make Recommended Improvements
Comments: Study Recommended Improvements. Social Media Texts				Current Update: Requested not yet authorized
				2/1/2016
99 New Meadows Restoration	2 - Large	3 - Normal	Requested	Remove the "dam" on Bath road. Remove the lake and restore.
Comments: ACE has Brunswick on the list for potential funding.				Current Update: Recent call from ACOE asking if Brunswick wished to stay on list for potential funding.
				1/25/2016
38 Riverwalk	2 - Large	5 - Defer	Deferred	Implementation of Riverwalk Plan.
Comments: Implementation of Riverwalk Plan. Check with MDOT on Funding.				Current Update: No recent activity. Attempting to coordinate with replacement/rehab of Frank Wood Bridge.
				1/20/2016
88 BHS Boiler Report	3 - Medium	1 - Now!	In Progress	Report findings of BHS boiler review.
Comments: Review of information presented on BHS boiler project.				Current Update: Review of information.
				1/25/2016
5 Brunswick Landing Access (Pine St.)	3 - Medium	2 - High	Completed	Construct Bike/Ped Access to Perimeter Road
Comments: Funding and Construction				Current Update: Complete
				1/20/2016
17 Revenue Ordinance	3 - Medium	2 - High	Completed	Develop Revenue Ordinance and Schedules to replace Static Ordinance Fees
Comments: Develop Revenue Ordinance and Schedules to replace Static Ordinance Fees and Fines. Completed & adopted 11/16/15				Current Update: Project Complete.

Task Title	Class	Priority	Status	Description
30 Meeting Minutes & Indexing	3 - Medium	2 - High	In Progress	Review and Recommend Minutes Indexing
Comments: Fran Smith and Bryan Cobb to investigate different ways to improve the searchability of meetings and minutes; to make recommendation.				Current Update: 2/15/2016 Reviewing software options and cost implications. Have list of vendors from other towns that will be contacting both town and vendor.
59 Pleasant and Mill St Property Acquisition	3 - Medium	2 - High	In Progress	Property Acquisition
Comments: P&S reached with Cumberland Farms. VRAP application submitted.				Current Update: 3/2/2016 Expected to close by April. Contacted by MDOT about possible intersection improvements.
15 Town Hall Trim Work	3 - Medium	2 - High	In Progress	Develop Specifications and Bid Project Bond Ordinance for Funding
Comments:				Current Update: 3/1/2016 Developing specifications. Developing bond ordinance.
93 Styrofoam Ban	3 - Medium	2 - High	Requested	Prepare and Adopt Styrofoam Ban Ordinance
Comments: Council has set Public Hearing for March 21, 2016. Three business & community information sessions are scheduled for 2/22, 2/24 and 3/3 (see attachments).				Current Update: 3/1/2016 Outreach meetings in progress
96 Simpson's Point	3 - Medium	2 - High	On Hold	Open Access to Propeller Driven Boats
Comments: Request made to IF				Current Update: 3/1/2016 Waiting on decision from IFW

Task Title	Class	Priority	Status	Description
31 Downeaster Idling	3 - Medium	2 - High	Deferred	Reduce Idle Time for Downeaster
Comments: Meet with NNEPRA and Amtrak. Explore Options. Need to discuss cold weather options. Anti-idling bill in legislature. Meet with NNEPRA and Amtrak.				Current Update: 1/20/2016 No recent activity. NNEPRA believes the layover facility will resolve this issue.
70 Riverside Cemetery	3 - Medium	2 - High	Deferred	Re-establish Riverside Cemetery Corporation
Comments: Review the legal options with Town Attorney. Time consuming and potentially expensive process.				Current Update: 1/20/2016 No recent activity.
97 Council Rules Committee	3 - Medium	2 - High	Requested	Rules Committee to Review and Update Council Rules
Comments: Draft a committee charge				Current Update: 3/1/2016 Charge written; committee appointed
8 Council Rules Update on Communications	3 - Medium	3 - Normal	Completed	Revise Council Rules
Comments: Communication rules proposal Communications. Presented during Town Council Retreat. Awaiting TC approval. Constituent Services Interaction w/ Town Staff				Current Update: 2/1/2016 Council to consider proposed changes at its 2/1 meeting. Council adopted on 2/1.

Task Title	Class	Priority	Status	Description
37 Frank Wood Bridge Comments: Possible connection to Riverwalk and Maine Street projects.	3 - Medium	3 - Normal	In Progress	MDOT Project Replacement or Rehabilitation Current Update: 3/2/2016 MDOT currently reviewing alternatives. Met with MDOT in February. Expect MDOT recommendation shortly.
9 Extended RR Quiet Zones Comments: Consultants to make recommendations	3 - Medium	5 - Defer	Deferred	Study alternatives for Quite Zones Current Update: 1/20/2016 Project on hold pending new train schedules.
45 Social Services Policy Comments: Currently on hold.	3 - Medium	5 - Defer	On Hold	Council Committee to draft social services policy Current Update: 3/1/2016 Completed second draft. Ready for Council consideration.
61 Bus Transportation Comments: Explore Metro expansion and funding.	3 - Medium	5 - Defer	Deferred	Review options for bus transportation to Portland Current Update: 3/2/2016 TIGER Grants will be available soon.
12 TV3 Website, VOD, & Programming Comments: TV3 Website Improvements Improve reliability of streaming Streaming reliability and VOD improved	4 - Small	3 - Normal	In Progress	TV3 Website Improvements Current Update: 1/20/2016 Improvements made. Continue to evaluate.

Task Title	Class	Priority	Status	Description
67 Chicken Ordinance Amendments	4 - Small	3 - Normal	Completed	Recommend Ordinance Changes to Reduce Annual Inspections and Cost
Comments: Reduce frequency of inspections. Re-evaluate fee Memo sent to Town Council for 21 Dec meeting.				Current Update: 1/20/2016 Adopted by Council for consideration and adoption.
112 Ambulance Fees Update	4 - Small	3 - Normal	Requested	Update the Ambulance Fees
Comments: Consider one free non-transport.				Current Update: 3/2/2016 Fire Department to review fees with Finance Dept.
64 Human Rights Task Force	4 - Small	3 - Normal	In Progress	Assign task force to look into issues of race and gender.
Comments: Task force established. Considering membership and strategy				Current Update: 3/1/2016 Task force continues to meet
65 Complete Streets Policy	4 - Small	3 - Normal	Requested	Develop Complete Streets Policy
Comments: Policy should be advisory for Town reconstruction projects.				Current Update: 3/1/2016 Reviewed draft BBPAC policy and plan to meet with Chair to do a final review of policy and how it should be incorporated in town policies
Total		44		

MANAGER'S REPORT - B BACK UP MATERIALS

M E M O R A N D U M

TO: John Eldridge, Town Manager
FROM: Stephen E.F. Langsdorf, Town Attorney
DATE: March 2, 2016 
RE: **Miller Point Revetment Project**

QUESTION

You have asked me to review the information the Town of Brunswick (“Town”) has received regarding the ongoing revetment project at Miller Point to determine whether any necessary Town permits were obtained, whether a stop work order should be issued, and to recommend the Town’s course of action at this time.

BACKGROUND

The revetment project is a shore stabilization project at property owned by Robert and Nancy King at Miller Point on Middle Bay. The project is currently underway and has been permitted by the Maine Department of Environmental Protection (“DEP”) and the Army Corps of Engineers (“ACE”). The project involves stabilizing 500 linear feet of shoreline along an eroding bluff by using a combination of hard and soft engineering, including riprap, native soils and vegetative plantings. Approximately 2,534 square feet of area below the highest annual tideline will be altered. Riprap will extend in varying heights from 12 feet to 18 feet up the embankment. It involves the placement of riprap after the removal of approximately 48,000 to 60,000 cubic feet of material. The riprap will be buried below the eventual ground level by approximately 1.5 feet of soil and covered by grasses and other vegetation which will be planted.

The Town has been actively involved in monitoring this project since May, 2014. At a meeting occurring at the Town office on March 14, 2015 attended by Brunswick staff, the Kings’ consultant presented the revetment project in detail. The Town staff took the position that the Town did not have a specific permitting role in the revetment project, but would require a re-vegetation plan to be approved by staff.

Ten similar revetment projects of varying sizes have occurred within the Town since 1998. The staff has consistently taken the position that there is no ordinance requirement of a permit or planning board approval, although there are regulatory standards which have to be met involving the removal of trees and re-vegetation.

The Kings submitted an application to the DEP for the revetment project on March 12, 2015. All abutters to the property received notice of filing of the application. The Town participated actively in meetings involving the project before the DEP and played a role in requiring amendments to the project which staff thought were environmentally preferable. Meetings involving the Kings, their representatives, and Town staff occurred on March 18, 2015 and April 9, 2015. On June 26, 2015 the DEP issued a permit for the revetment project. The DEP sought but did not receive comments from a number of entities, including the Town.

On February 1, 2016 the ACE issued an amended permit for the revetment (originally issued April 28, 2015), which included a number of special conditions. In particular, tree removal was required to occur between October 16, 2015 and April 19, 2016 when bats affected by the project would be expected to be hibernating in caves.

On February 18, 2016, Gordon Smith, Esq. of Verrill Dana, who was retained by Richard Knox, a resident of Brunswick, spoke to the Town Manager. Mr. Smith advocated for the project to be stopped temporarily while a determination could be made as to whether Town permits should have been issued. He followed up with a detailed letter on February 22, 2016 specifically addressing the portions of the Town's ordinance that he asserted should have required permitting and further review. Those parts of the ordinance were:

1. The revetment required either a special exception permit or an omitted use special permit because the revetment is a structure located within the Coastal Protection Zone ("CP-1"). Structures are prohibited within 125 feet of the high water mark, Brunswick Zoning Ordinance ("BZO") section 211.2.A.1, unless they meet the definition of a structure requiring water access. "No new principal or accessory structures except structures which require direct access to the water as an operational necessity (including, but not limited to piers, docks, retaining walls, public waterfront trails, but excluding recreational boat storage buildings)"(emphasis added), shall be located within 125 feet of the normal high water line of a coastal wetland. Alternatively, Mr. Smith argued that if the revetment did not meet the definition of marine activity it should be considered an Omitted Use requiring a Special Permit from the Planning Board. BZO ch. 2(I)(2) and section 701.

2. The revetment could not be considered an accessory use because it is not listed as a use within the zone and is not subordinate or related to a primary use. The principal structure on the property is a farm house on the other side of Miller Creek. The revetment does not provide protection to the farm house.

3. The revetment required either major or minor development review, BZO section 402.2(B)(1)(b), because it involved the construction of 5,000 square feet or more of new impervious surface. If it was determined that the project was less than 5,000 square feet of impervious surface, it required minor review by the staff review committee as a structure located in RPZ requiring direct access to the water as an operational necessity. BZO sections 402.1(F), 211.2.A.2.

4. The revetment required a Floodplain Development Permit. Development within the flood hazard area requires a flood hazard development permit from the Codes Enforcement Officer. BZO section 211.3.A. The definition of development under the ordinance includes

“any change caused by individuals or entities to improved or unimproved real estate, including but not limited to . . . filling, grading, . . . excavation, and the storage, deposition or extraction of minerals.”

The attorneys for the Kings were given the opportunity to respond to Mr. Smith’s letter. The Town Attorney requested that the Kings voluntarily suspend the project while the legal issues were resolved. The Kings declined to suspend work. John Loyd, Esq. of Eaton Peabody, provided a letter to the Town dated February 24, 2016, which set forth in detail the Town’s involvement in the DEP and ACE permit applications and process. Mr. Loyd also argued as follows:

1. The revetment project is not a use. Use refers to the purpose for which the land or buildings or structures are occupied or maintained. The project does not change the use of the property in any way. It will be an embankment before and after the work is completed. He argued that the revetment project is an ancillary activity that serves a use, but does not itself constitute a use. This would be similar to clearing of brush, mowing lawn, etc.

2. The revetment project does not involve impervious surface area, so it does not trigger minor or major development review. The definition in the BZO of impervious surface is “any material covering the ground through which water does not readily penetrate, including but not limited to roofed structures, decks, concrete, stone, tar, asphalt, pavement, gravel, crushed stone and shale.” BZO section 111. Since the project involves buried riprap which is covered by soil which has or will have surface vegetation, it is not an impervious area.

3. The project is not beach construction and does not require a flood hazard development permit. Regardless of whether the revetment project is within the floodplain, Mr. Loyd argued that it did not require a permit as that only applied to certain structures.

4. The NRPZ imposes vegetative clearing standards that do not require a permit, but are subject to enforcement by the Town.

On February 25, 2016, a meeting was held at the Town Hall to allow the attorneys an opportunity to further elaborate on their letters. In attendance were Gordon Smith, representing Richard Knox, John Loyd and Jon Pottle, representing the Kings, Joseph LeBlanc, consultant for the Kings, John Eldridge, Town Manager, Derek Scrapchansky, Assistant Town Manager, Jeff Hutchinson, Codes Enforcement Officer, Anna Breinich, Planning and Development Director, Jared Woolston, Town Planner, and Steve Walker, District 2 Councilor. The meeting was facilitated by Stephen E.F. Langsdorf, Town Attorney.

The parties spent approximately two hours discussing the legal issues. Issues were discussed that had not been included in the attorneys’ letters. In particular a question arose as to whether the project met the definition of a structure. If it is a structure, it would only be allowed if it also met the definition of a structure requiring direct access to water as an operational necessity. BZO section 211.2.A.1 (including but not limited to . . . retaining walls). Town staff and Kings’ attorneys took the position that the revetment is not a structure and has never been considered a structure by the Town. During the meeting the Codes Enforcement Officer stated

that it was his professional opinion that the project was not within the floodplain, therefore it did not require a permit.

Mr. Smith raised an additional argument that a mineral extraction permit was required under BZO section 211.2.F because more than 100 cubic yards of soil will be removed from the site. Actually, mineral extraction is prohibited within 125 feet of the high water mark. BZO section 211.2.F.2. He also identified that while the ordinance implied that accessory uses were allowed within the zone, there was no specific provision in the ordinance which allowed accessory uses such as the revetment project.

Mr. Loyd made arguments in response to the arguments made by Mr. Smith. Principally, he argued that the revetment is an activity and not a structure or a use and that the staff handled the process correctly. Activities do not generally require permits from the Town.

Town staff and the Town Attorney met after the meeting to further discuss the project and the Town Attorney was asked to prepare a memorandum with his recommendations.

Later in the day on February 25, 2016, the Town received information from Mr. Smith, after consultation with Peter Slovinsky of the Maine Geological Survey. Detailed information was provided showing that a portion of the project was located within the floodplain zone. On February 26, 2016, the Town determined that a floodplain permit was required and informed the attorney for the Kings that they needed to apply for that. The floodplain permit is reviewed and issued by the Codes Enforcement Officer. The Kings applied for the floodplain permit on February 29, 2016.

Also on February 26, 2016 it was determined that there was a significant omission to the BZO. A specific table of uses (see Attachment A) was not included in the BZO when approved by the State in August 1994. By law the Town's Shoreland Zoning Ordinance must be consistent with minimum State law requirements. The table makes it clear that, to meet minimum state requirements, a Planning Board permit is generally required when more than 10 cubic yards of soil or other materials are being removed from a property. If this table had been included in the BZO, it would have been clear that this matter would have been reviewed by the Planning Board.

The land use table was not included within the BZO even though the Ordinance was specifically approved by the DEP at the time of its enactment in 1994. The missing use table was never identified as a deficiency and has not been included in the BZO to date. A review of the DEP files shows that the Town properly submitted the Ordinance for review in 1994, 1998, 1999, 2002 and 2009 and the State approved it each time. Although the DEP provided detailed comments on the language of the Town's Ordinance and how the ordinance was administered, those comments never identified the so-called Table of Uses as missing from the BZO.

On February 29, 2016, Michael Morse of the DEP confirmed that the State had approved the Town's Ordinance in 1994 and the other dates stated above and that the Ordinance did not include the land use table from the DEP's Chapter 1000 regulations or an equivalent table. He also confirmed that the provisions in the table, or substantially equivalent provisions, should have been included and must be included when the Ordinance is amended. In particular, the Planning Board should be reviewing all projects where 10 cubic yards or more (or a slightly

higher threshold if in the ballpark) are to be removed or added to a property in the shoreland zone.

LEGAL ANALYSIS

Since it is clear that the BZO does not specifically identify this type of project as requiring a permit, and Town staff took the position that no permit was required, it is necessary to review the provisions implicated to determine whether it would be appropriate to insist that the project undergo additional local review at this time. None of the sections that have been identified as potentially requiring a permit are clear on their faces and strong arguments have been made both ways as to whether or not a permit was required. Given that the Town has historically not required permits for these types of projects and has relied on the DEP and the ACE, it would be inappropriate to stop this particular project and to require additional permitting activity. Rather, the Town must amend its Ordinance and clarify which provisions would apply in the future for projects of this nature and specifically adopt State minimum requirements. A court would give significant deference to the Town's historic interpretation of its own ordinance, especially in light of the fact that the Maine DEP went through a formal review and approval process with regard to the BZO several times in the past.

1. In particular there is a significant question as to whether or not the revetment is a structure. A structure is "an object built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with any other object constructed or erected with a fixed location on or in the ground. This definition does not apply to customary lawn accessories such as fences, mailboxes, benches and other such items as determined by the Codes Enforcement Officer." BZO section 111. There is no obvious answer as to whether or not this is a structure. On one hand it can be argued that the revetment is an object built for the support of property, with a fixed location on or in the ground. Its specific purpose is to support the bluffs adjacent to the water. On the other hand it can be argued that this is a repair or maintenance project that will become part of the property when completed. It will not be a structure at all, but rather will be a functional part of the property itself. The final result will be a vegetated bank, not a structure.

2. There is also a significant question as to whether or not this is a use. It is not a use in the typical sense where some ongoing activity is going to be occurring on the property. However, "use" is not defined under the Brunswick Zoning Ordinance. Under State law it could be considered a use. For example, functionally water-dependent uses are defined as those uses that require for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal or inland waters and that cannot be located away from these waters. These uses include but are not limited to ". . . shoreline structures necessary for erosion control purposes . . .". 38 M.R.S. § 436-A(6). This would still require a determination that the revetment is a structure, however.

3. The project does not clearly involve impervious surface which would trigger major or minor development review. Impervious surface is defined as any "material covering the ground which does not readily penetrate, including but not limited to roofed structures, decks, concrete, stone, tar, asphalt, pavement, gravel, crushed stone and shale". BZO section 111. While some of the material placed is stone, the riprap does not cover the ground. It is installed 1.5 feet below ground level and is covered by soil, vegetation and shrubbery which are

pervious. Further, the irregular spacing of the riprap is designed to allow water to filter through, rather than run off.

4. The project does not appear to meet the definition of a mineral extraction activity. The definition of mineral extraction includes the requirement that it be extracted for a use elsewhere, which is an intent requirement, and prohibits mineral extraction within 125 feet of the high water mark. The information provided was that the materials were being dumped elsewhere, but the purpose of the extraction was not for use elsewhere. It is now clear, however, that if the Table of Uses had been in place, a Planning Board Permit would have been required because more than 10 yards of material were being removed regardless of what the purpose was, pursuant to State law. However, that language is not currently contained within the Ordinance.

5. Although the project is not beach construction, it requires a floodplain development permit. The permit application pending before the Codes Enforcement Officer.

The most important question at this point is what a Court would do if the Town decided now to reverse course by issuing a Stop Work Order and requiring Planning Board and staff approval. Necessarily that process would take a period of months to complete and would certainly put in jeopardy the ACE permit which requires the tree removal to be completed prior to April 16, 2016.

To make its determination, the Court would follow the standards established by the Law Court in *City of Auburn v. Desgrosseilliers*, 578 A.2d 712 (Me. 1990). In that case, the Court held that a municipality will be estopped from enforcing an unambiguous part of its zoning ordinance if the property owner reasonably relied to his detriment on conduct of the Codes Enforcement/Planning office. The Court would review the totality of the circumstances to decide whether principals of fairness and justice would prevent enforcement of the ordinance. In the *Desgrosseilliers* case, the owner invested money and opened a business after the issuance of permits by the City. When the City later went to Court and argued that the use should not be allowed to continue under the ordinance, the Court ruled in favor of the property owners.

Many of the same considerations apply to the ongoing situation. The Kings provided their plans for the concept to the Town almost a year ago. The staff attended meetings, offered suggestions to improve the project and were kept informed of all actions at the DEP and the ACE. Staff affirmatively represented that all that was required locally was a re-vegetation plan (which is not a permit itself) and that no permits were required. The Kings relied on this by obtaining their DEP and ACE permits and expending resources on consultants and contractors. The Kings should not be punished for relying on an ordinance that (although in error) was approved by both the Town and the State. Delay would endanger the ACE permit required to complete certain work by April 16 with no assurance it would be re-issued for work which then would not be able to commence until at least the fall.

My opinion is that the balance of the equities and fairness and justice lean heavily in favor of the owners who relied completely on the Town. This is especially true where there is no clear requirement for a permit and it is not likely the project would "seriously threaten the safety, welfare, prosperity or character of the land use." *Desgrosseilliers*, 578 A.2d at 718.

Based on all of the foregoing and the procedural and substantive facts of this case, my recommendations are as follows:

- The instant project be allowed to proceed upon the developer receiving (if appropriate) a floodplain permit issued by the Codes Enforcement Officer;
- The Town move forward immediately with changes to the Ordinance, which include the State minimum requirements (including the Model Shoreland Zoning Ordinance's Table of Uses) and clarify the precise nature and forum for review (i.e., Codes Enforcement Officer or Planning Board) for all projects proposed after the revised BZO becomes effective.
- The Town initiate a moratorium regarding Codes Enforcement Officer and Planning Board consideration of all projects that may be impacted by inclusion of the Model Shoreland Zoning Ordinance's Table of Uses in the Brunswick Zoning Ordinance until such time as the Brunswick Zoning Ordinance is amended to include such Table of Uses.

SEFL:ryp

TABLE 1. LAND USES IN THE SHORELAND ZONE

LAND USES	DISTRICT					
	SP	RP	LR	LC	GD	CFMA
1. Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking	yes	yes	yes	yes	yes	yes
2. Motorized vehicular traffic on existing roads and trails	yes	yes	yes	yes	yes	yes
3. Forest management activities except for timber harvesting & land management roads	yes	yes	yes	yes	yes	yes
4. Timber harvesting	yes	CEO	yes	yes	yes	yes
5. Clearing or removal of vegetation for activities other than timber harvesting	CEO	CEO ¹	yes	yes	yes	yes
6. Fire prevention activities	yes	yes	yes	yes	yes	yes
7. Wildlife management practices	yes	yes	yes	yes	yes	yes
8. Soil and water conservation practices	yes	yes	yes	yes	yes	yes
9. Mineral exploration	no	yes ²				
10. Mineral extraction including sand and gravel extraction	no	PB ³	PB	PB	PB	PB
11. Surveying and resource analysis	yes	yes	yes	yes	yes	yes
12. Emergency operations	yes	yes	yes	yes	yes	yes
13. Agriculture	yes	PB	yes	yes	yes	yes
14. Aquaculture	PB	PB	PB	yes	yes	yes
15. Principal structures and uses						
A. One and two family residential, including driveways	PB ⁴	PB ⁹	CEO	CEO	CEO	no
B. Multi-unit residential	no	no	PB	PB	PB	no
C. Commercial	no	no ¹⁰	no ¹⁰	PB	PB	PB ⁵
D. Industrial	no	no	no	no	PB	PB ⁵
E. Governmental and institutional	no	no	PB	PB	PB	PB ⁵
F. Small non-residential facilities for educational, scientific, or nature interpretation purposes	PB ⁴	PB	CEO	CEO	CEO	PB ⁵
16. Structures accessory to allowed uses	PB ⁴	PB	CEO	CEO	yes	yes
17. Piers, docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland						
a. Temporary	CEO ¹¹					
b. Permanent	PB	PB	PB	PB	PB	PB ⁵
18. Conversions of seasonal residences to year-round residences	LPI	LPI	LPI	LPI	LPI	no
19. Home occupations	PB	PB	PB	CEO	yes	yes
20. Private sewage disposal systems for allowed uses	LPI	LPI	LPI	LPI	LPI	LPI
21. Essential services	PB ⁶	PB ⁶	PB	PB	PB	PB
A. Roadside distribution lines (34.5kV and lower)	CEO ⁵	CEO ⁵	yes ¹²	yes ¹²	yes ¹²	yes ¹²
B. Non-roadside or cross-country distribution lines involving ten poles or less in the shoreland zone	PB ⁶	PB ⁶	CEO	CEO	CEO	CEO
C. Non-roadside or cross-country distribution lines involving eleven or more poles in the shoreland zone	PB ⁶	PB ⁶	PB	PB	PB	PB
D. Other essential services	PB ⁶	PB ⁶	PB	PB	PB	PB
22. Service drops, as defined, to allowed uses	yes	yes	yes	yes	yes	yes
23. Public and private recreational areas involving minimal structural development	PB	PB	PB	CEO	CEO	CEO ³
24. Individual, private campsites	CEO	CEO	CEO	CEO	CEO	CEO
25. Campgrounds	no	no ⁷	PB	PB	PB	no
26. Road construction	PB	no ⁸	PB	PB	PB	PB ⁵
27. Land management roads	yes	PB	yes	yes	yes	yes
28. Parking facilities	no	no ⁷	PB	PB	PB	PB ⁵
29. Marinas	PB	no	PB	PB	PB	PB
30. Filling and earth moving of <10 cubic yards	CEO	CEO	yes	yes	yes	yes
31. Filling and earth moving of >10 cubic yards	PB	PB	CEO	CEO	CEO	CEO
32. Signs	yes	yes	yes	yes	yes	yes
33. Uses similar to allowed uses	CEO	CEO	CEO	CEO	CEO	CEO
34. Uses similar to uses requiring a CEO permit	CEO	CEO	CEO	CEO	CEO	CEO
35. Uses similar to uses requiring a PB permit	PB	PB	PB	PB	PB	PB

¹In RP not allowed within 75 feet horizontal distance, of the normal high-water line of great ponds, except to remove safety hazards.
²Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.
³In RP not allowed in areas so designated because of wildlife value.
⁴Provided that a variance from the setback requirement is obtained from the Board of Appeals.
⁵Functionally water-dependent uses and uses accessory to such water dependent uses only (See note on previous page).
⁶See further restrictions in Section 15(L)(2).
⁷Except when area is zoned for resource protection due to floodplain criteria in which case a permit is required from the PB.
⁸Except as provided in Section 15(H)(4).
⁹Single family residential structures may be allowed by special exception only according to the provisions of Section 16(E), Special Exceptions. Two-family residential structures are prohibited.
¹⁰Except for commercial uses otherwise listed in this Table, such as marinas and campgrounds, that are allowed in the respective district.
¹¹Excluding bridges and other crossings not involving earthwork, in which case no permit is required.
¹²Permit not required but must file a written "notice of intent to construct" with CEO.

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February 22, 2016

Via Electronic Mail

John S. Eldridge, Town Manager
Town of Brunswick
85 Union Street
Brunswick, ME 04011-2418

**Re: Analysis of Municipal Permitting Requirements for Miller Point Revetment
and Request for Stop Work Order**

Dear John,

I am writing on behalf of Richard Knox of 81 Simpsons Point Road, as well as other concerned Brunswick residents, regarding the 500-foot rip rap revetment being constructed on Miller Point by Robert and Nancy King (the "Revetment"). As we have discussed, my reading of the Town of Brunswick Zoning Ordinance ("Ordinance" or "BZO") indicates that construction of the Revetment requires municipal approval and that such approval has not been obtained. In an effort to assist the Town in its analysis, this letter sets forth the legal basis for that conclusion. Mr. Knox's goal is to work constructively with the Town and only wants to ensure that the Town's land use regulations are applied fairly and appropriately, whatever the outcome.

I understand that Revetment construction has commenced and is currently underway without the necessary Town review and approval. This construction involves the use of heavy equipment to remove a large swath of trees and native vegetation and to imbed over 1,000 tons of rip rap in some 500 feet of previously undeveloped shoreline. This industrial-scale work is taking place exclusively within the Town's Natural Resource Protection Zone ("NRPZ") and Coastal Protection Zone ("CPZ"), which are the areas of greatest environmental sensitivity in Brunswick. It does not make sense, and is contrary to the Ordinance, for a construction project of this magnitude and intensity to go forward in the Town's NRPZ and CPZ without any substantive municipal oversight.

Accordingly, we request that the Town issue an immediate stop work order until the necessary review and approval of the Revetment has been completed. Because of the major environmental impacts that are occurring every day that construction continues, prompt action by the Town is of the essence.

I. The Revetment Requires Either a Special Exception Permit from the Brunswick Zoning Board of Appeals or an Omitted Use Special Permit from the Brunswick Planning Board.

The Revetment is located within the Town's Coastal Protection Zone 1 ("CP-1"). Within the CP-1 table of uses, the only listed use under which the Revetment could plausibly be classified is "Marine Activities." BZO Table 209.1. Marine Activities in the CP-1 require a Special Exception permit from the Brunswick Zoning Board of Appeals ("ZBA"). *Id.*; BZO § 703.3 (special exception review criteria). In order to grant a Special Exception permit, the ZBA must determine that the proposed project satisfies a number of criteria, including the Development Review criteria set forth in section 411 of the Ordinance. BZO § 703.3.

If the Town determines that the Revetment does not fit within the definition of a Marine Activity, then it necessarily constitutes a use that is not listed within CP-1. Any use that is not listed in the relevant table of uses is considered an "Omitted Use." BZO Chapter 2(I)(1). In order for an Omitted Use to be allowed, it must obtain a Special Permit from the Brunswick Planning Board ("Planning Board"). BZO Chapter 2(I)(2) and § 701 (Special Permit procedures and standards). In order to grant a Special Permit, the Planning Board must find that the proposed project satisfies a number of criteria, including requirements that it be harmonious and compatible in scale with its surroundings. BZO § 701.2.

To the extent that it is argued that the Revetment should be allowed as an accessory use, that argument is without merit. First, "accessory use" is not a listed use within the CPZ. For the reasons discussed above, classification as an accessory use cannot be the basis of approving the Revetment without first obtaining a Special Permit from the Planning Board.

Second, an accessory use cannot exist without a principal use to which it is related and subordinate. See, e.g., *Kelly v. Zoning Hearing Bd. of Mars Borough*, 554 A.2d 1026 (Pa. Commw. Ct. 1989) (affirming denial of building permit for accessory use (garage) where applicant's property did not contain a related principal use (residence) and stating that "in order to establish a right to an accessory use, an applicant must prove that the use sought is secondary to the principal use."). In this case, the only principal structure on the King's property is a farmhouse that is located off of Mere Point Road, on the other side of Miller Creek from Miller Point and the Revetment. The Revetment will not provide any protection to the Farmhouse and accordingly the two structures are unrelated. The Kings apparently plan to build dwellings that would be protected by the Revetment at some point in the future, but, based on our conversation, I understand that no concrete plans for such dwellings have been either submitted or approved. The Revetment cannot be bootstrapped as "accessory" to an inchoate, speculative use. At this point, the Revetment is not accessory, i.e. related and subordinate to, any principal use or structure on the King's property.

Third, an accessory use can "occupy no more than 40% of the floor area of all structures on a lot." BZO § 111 (definition of accessory use). The King's Revetment will occupy approximately 7,500 square feet of surface area. In order for it to qualify as an accessory use under the Ordinance, the principal structures on the lot would need to be in excess of 18,750 square feet. My understanding is that structures of that size do not currently exist on the King property.

Accordingly, absent either a Special Exception permit from the ZBA or an Omitted Use Special Permit from the Planning Board, construction of the Revetment is proceeding in violation of the Ordinance.

II. The Revetment Is Prohibited Unless and Until it Obtains Development Review Approval from the Planning Board.

In addition to the approvals discussed in Section I, which determine whether the Revetment is a use that may be permitted in the CP-1 Zone, the Revetment requires Major Development Review by the Planning Board.

Major Development Review by the Planning Board is required for “any development activity, or combination of activities that, within a five year period, result in the construction of . . . 5,000 square feet or more of new impervious surface.” BZO § 402.2(B)(1)(b). As stated above, the Revetment will consist of approximately 7,500 square feet of impervious rip rap,¹ well above the threshold for Major Review. Furthermore, the Ordinance specifically states that any development requiring a Special Permit (e.g., an Omitted Use) that will create over 5,000 square feet of impervious surface requires Major Review. BZO § 402.2(G). Even if the Revetment did not trigger Major Review based on square footage, it would require Minor Review by the Staff Review Committee because it is a structure located in the NRPZ “requiring direct access to the water as an operational necessity.” BZO § 402.1(F); 211.2.A.2. Finally, the exemption from development review granted to accessory uses or structures does not apply to the Revetment because, as discussed above, the Revetment is not subordinate or related to any existing principal use or structure and is not less than 40% the size of any existing structures.

Accordingly, absent Major Development Review and approval by the Planning Board, construction of the Revetment is proceeding in violation of the Ordinance.

III. The Revetment Has Obtained Neither NRPZ Zoning Approval Nor Flood Hazard Development Approval from the Town.

The Revetment triggers numerous review standards within the Town’s NRPZ, which extends 250 feet inland from the high tide line. BZO § 211.1(A).² Specifically, no “beach construction,” an undefined term, may commence within the NRPZ without “a permit from the Department of Environmental Protection and site plan approval from the Planning Board.” BZO § 211.2.C (emphasis added). “Structures and uses extending over or below the normal high-water line of a water body or within a wetland,” such as the Revetment, are subject to special NRPZ standards. BZO § 211.2.G. All uses within the NRPZ must meet standards governing clearing and vegetation removal (BZO § 211.2.D), erosion and sedimentation control (BZO § 211.2.E), soil suitability (BZO § 211.2.P) and stormwater runoff (BZO § 211.2.S). My understanding is

¹ The Ordinance defines an impervious surface as “Any material covering the ground through which water does not readily penetrate, including but not limited to roofed structures, decks, concrete, stone, tar, asphalt, pavement, gravel, crushed stone and shale.” BZO § 111.

² The area delineated in the Ordinance as the NRPZ is the same area subject to the mandatory state shoreland zoning regime, which all municipalities are required to adopt and administer. See 38 M.R.S.A. § 435 (definition of mandatory shoreland zone); § 438-A (requirement that municipalities adopt shoreland zone land use controls).

that the Town has not reviewed the Revetment for compliance with any of these standards, which are imposed by the state and must be administered by the Town specifically because of the environmentally sensitive nature of the NRPZ.

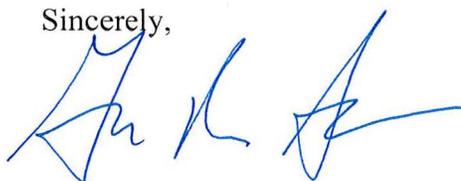
Finally, the Revetment requires a Town-issued floodplain permit. All development within special flood hazard areas requires a Flood Hazard Development Permit from the Town's code enforcement officer. BZO § 211.3.A. The definition of the term "development" captures even extremely minor site activity and certainly captures a project as large as the Revetment. BZO § 111 (defining development as "any change caused by individuals or entities to improved or unimproved real estate, including but not limited to . . . filling, grading . . . excavation . . . and the storage, deposition or extraction of materials"). Special flood hazard areas subject to permitting requirements include Zones A, A1-A30 and V1-V30, as identified by FEMA on its January 3, 1986 Flood Insurance Study and Flood Insurance Rate Map. BZO § 211.3. According to the January 3, 1986 FEMA Flood Insurance Rate Map, the Revetment is located in Zone A2. As such, the Revetment is located in a special flood hazard area and requires a Flood Hazard Development Permit from the CEO. This permit cannot be issued until all other required federal, state and local permits have been obtained. BZO § 211.3.A.

Accordingly, absent a Flood Hazard Development Permit and approval under the NRPZ requirements, construction of the Revetment is proceeding in violation of the Ordinance.

As stated above, I understand that Revetment construction is currently underway at full speed. Every day this project moves further toward completion, the environmental and other impacts become more irreparable. As such, a prompt determination by the town, either way, is critical. I hope this letter will be helpful by providing the legal basis for our interpretation of the Ordinance's permitting requirements. Mr. Knox's sole objective is to assure the appropriate application of the Ordinance, and he sincerely hopes that this matter can be resolved constructively and amicably with the Town, the Kings and the other interested parties.

I very much appreciate your time and attention to this matter.

Sincerely,



Gordon R. Smith

cc: Richard Knox
John F. Loyd, Jr., Esq.
Stephen E.F. Langsdorf, Esq.
Marybeth Richardson, Maine DEP
Michael Morse, Maine DEP

February 24, 2016

Via Email Attachment

John Eldridge, Town Manager
Town of Brunswick
85 Union Street
Brunswick, ME 04011-2418

RE: Knox Complaint

Dear Mr. Eldridge:

I am writing on behalf of Robert and Nancy King in response to the complaint letter submitted by Richard Knox through his attorney dated February 22, 2016, regarding the Kings' shoreline stabilization project (the "Project").

The complaint asserts that (i) the Project is a "use" requiring a permit as either a Marine Activity, Unclassified, or Omitted Use under the Brunswick Zoning Ordinance ("BZO"); (ii) the shoreline stabilization project creates impervious surface that requires major development review under the BZO; (iii) the project requires a permit pursuant to the Natural Resources Protection Zone as beach construction or as development in a floodplain; and (iv) the project is subject to various standards stated in the NRPZ, such as vegetative clearing, that must be applied by the Town through issuance of a permit.

For the reasons stated below, we do not agree with the assertions or position taken in the complaint. Consistent with Town precedent and the BZO, a Town permit is not required for a shoreline stabilization project that only involves vegetative clearing/revegetation and erosion control measures. We therefore request that the Town decline to take any action on the complaint.

Project Background & Coordination with Town and Permitting Authorities. Before you consider Mr. Knox's complaint and request and our substantive response, it is of the utmost importance that the Town understand and consider the extent of the communication, participation and cooperation between the Town and the Kings and their representatives (as used herein the word "Kings" refers to Robert and Nancy King and their attorneys and consultants), in respect to the Project and the overall development of Miller Point. In addition please also

consider the Maine Department of Environmental Protection (DEP) and Army Corps of Engineers (ACE) permit applications, subsequent filings and issued permits. At this late stage in the construction of the Project you should note that that in March of 2015 all abutters to Miller Point received written notice of the application for a Natural Resource Preservation Act (NRPA) permit having been filed with DEP.

Beginning with a meeting in the Town Office on May 8, 2014 attended by the CEO, Anna Breinich, the Director of Planning, Jeremy Doxsee, then the Town Planner (collectively, "Planning") and representatives of Brunswick Topsham Land Trust (BTLT), the Kings engaged the Town, through the CEO and Planning, in every aspect of their plans for Miller Point. Even at this initial meeting the Kings took recommendations and other input from the CEO.

At a meeting in the Town Office on March 4, 2015 attended by the CEO, Planning, BTLT and the Kings, the Kings presented the shoreline stabilization plan (the "Project") in minute detail. BTLT, the CEO and Planning express "shock" at the severity of the erosion on Miller Point at the head of Merepoint Bay. At that meeting in response to questions concerning the role of the Town in the permitting process for the Project. The CEO stated that the Town had no permitting role in the stabilization and site work for the project but that the Town did require a re-vegetation plan that the CEO must review and approve.

On March 12, 2015 the Kings filed an application for a NRPA permit to DEP for the Project. As part of the application process all abutters to Miller Point received notice of the filing of the application.

On March 18, 2015, on behalf of the Kings, I met with Planning on a number of Miller Point issues, the Project being the first among them. We updated Planning on the Project and the DEP permit application. We discussed the concerns expressed by the Marine Resources Officer (MRO) and our plan to address them.

On April 9, 2015 at a meeting in the Town Office the Kings met with the CEO, the MRO, Planning, and Stephen Dickson (Dickson), the State of Maine Geologist, to review the DEP application and the Project. The MRO, CEO and Dickson had a number of requests for modification of the design prompted by the MRO's concerns about nourishment of the flats adjacent to the Project. The Kings acceded to a number of the requests for modification and "tweaks" to the Project plan and, subject to DEP and ACE approval, accepted Dickson's suggestion of the creation of a new fringe marsh adjacent to the Project.

Subsequently, on June 26, 2015, DEP issued a permit for the Project, including a permit to construct the fringe marsh. The DEP permit revealed that it sought comments from the Town of Brunswick, Maine Department of Marine Resources, Maine Department of Inland Fish and Wildlife, DEP Division of Environmental Assessment and the Maine Geological Survey, none of which expressed any objection to the Project.

Unfortunately ACE deemed the fringe marsh portion of the Project as experimental and denied a permit for that feature of the Project.

During the fall of 2015 through early February 2016, I met with Planning on an almost weekly basis to discuss aspects of the Kings' overall development plan for Miller Point. The Project and its status was an ongoing topic of discussion even at these development plan meetings.

A Town "Staff Review Meeting" was held at the Town office on December 9, 2015. This meeting was attended by the CEO, Planning, the MRO, the Kings and others. Although the purpose of this meeting was to address the larger development plan for Miller Point, I provided an update on the Project – that we had DEP approval and we were waiting for ACE approval after the Northern Long Eared Bat, an endangered species, issue was resolved.

On February 1, 2016 the Kings received ACE approval and an ACE permit for the Project.

In addition to our regular meetings with the CEO and Planning, I am aware that during its review prior to issuing the NRPA permit DEP requested input from the Town on the Project. I do not know whether the CEO and Planning provided input but I am aware that the MRO did provide input to DEP. Subsequent to the June 26, 2015 NRPA permit being issued, the Kings made multiple revisions to the application as various accommodations were made to address concerns expressed by the MRO and ACE concerning the Project and its effects on the adjacent flats.

I believe the foregoing demonstrates that the CEO, Planning and the MRO, were regularly and intimately involved with the Kings and the Project, beginning well over one year prior to the filing of the NRPA permit application with DEP, and thereafter throughout the period of extensive DEP and ACE review until the issuance of the ACE permit on February 1, 2016.

This extensive review process was open and transparent, and provided multiple opportunities for any individuals to participate and comment. Notwithstanding this history, a complaint has been submitted to the Town after all permits were secured and construction began in an attempt to frustrate the Project and environmental benefits it represents. As detailed below, we ask the Town to decline to act on the complaint, as the Project is fully compliant with all aspects of Town ordinances and policies.

The Shoreline Stabilization Project is Not a "Use". The complaint's assertion that the Project is a "use" is not supported by a reasonable interpretation of the BZO and fails to recognize a property's "use" can be served by activities that are not uses under the BZO.

In the context of land use regulations, and specifically the BZO, the term “use” refers to the purpose for which land and/or buildings and structures thereon are intended, designed, occupied, and/or maintained. (For further context, Merriam Webster’s defines “use” as “the act of using something” and as the “legal enjoyment of property that consists in its employment, occupation, exercise, or practice.”)¹

The King’s purpose of their property is single-family residential. In the Coastal Protection Zone, where their property is located, single-family residential is a use permitted by right. *BZO Table 209.1*. Ancillary activities that serve a use, such as vegetative clearing and erosion control measures, do not themselves constitute a “use”. They are simply activities that serve or support the underlying use of the property. (See definition of “activity” in Merriam Webster’s: “something that is done as work for a particular purpose.”)

Here, the Project consists solely of vegetative clearing/revegetation and erosion control by burying riprap in soil that is ultimately covered by native vegetation on the surface. It is a “living” shoreline stabilization project utilizing the natural growth of vegetation to control erosion. This project does not change the scope or character of the purpose for which the King’s use the Property – a single-family residential use. The use is exactly the same in scope and nature.

Adopting the position stated in the complaint would lead to absurd results under the BZO, which is contrary to well-established rules of ordinance interpretation. Indeed, it would be illogical to consider any ancillary activities on a property to be “uses” and require Special Exception or Special Permits if not specifically enumerated in the land use table. Indeed, the Project’s two components, vegetative clearing/revegetation and erosion control, have never been interpreted as being “uses” under the BZO that would require a Special Exception or Special Permit as a “Maritime Activity,” “Unclassified Use,” “Omitted Use”, or any other use. We therefore ask that the Town decline to adopt this new approach to clearing/revegetation and erosion control activities as argued in the complaint, and maintain the Town’s past practices and interpretation of the BZO.

The Shoreline Stabilization Project Does Involve Impervious Surface Area and Therefore Does Not Trigger Minor or Major Development Review. The complaint also asserts that the Project creates impervious surface area and therefore requires a major development review under the BZO. This assertion, however, is not supported by the actual facts associated with the project.

¹ When undefined, the rules of ordinance interpretation direct that terms be given their customary and ordinary meaning in the context in which they appear. Dictionary definitions are also often employed for undefined terms.

Impervious surface is defined in the BZO as “[a]ny material covering the ground through which water does not readily penetrate, including but not limited to roofed structures, decks, concrete, stone, tar, asphalt, pavement, gravel, crushed stone and shale.” *BZO Section 111*. Here, the project consists of buried riprap that is covered by soil and that has surface vegetation. A cross-section of the project’s design is enclosed. Simply put, vegetated ground surface is not impervious area, so no major (or minor) development review is required under the BZO for the project.

The Shoreline Stabilization Project is Not “Beach Construction”, and Does Not Require a Flood Hazard Development Permit. The Project does not involve any activities associated with construction of a beach. It involves vegetative clearing/revegetation and placement of erosion control measures to keep the shoreline from eroding. There is simply no aspect of the project that involves the creation of sand or pebble areas next to the water for the purposes of constructing a beach.

Regarding floodplain considerations, even if it is assumed the project or portion thereof is in the floodplain, the Town does not issue flood hazard development permits for the type of development involved with the project. The BZO only contemplates flood hazard development permits in three scenarios: (i) a two-part permit for elevated structures; (ii) a permit for flood-proofing non-residential structures; and (iii) a permit for minor development of existing structures, such as minor repairs, maintenance, renovations, or additions. *See BZO Section 211.3.C.f(a)-(c)*. Permits for vegetative clearing/revegetation and erosion control are not contemplated in any of these three scenarios by the BZO. Thus, consistent with the Town’s historical and current practice for other shoreline stabilization projects, this Project similarly does not fall within the type of development in which the Town issues flood hazard development permits.

The NRPZ Does Not Require a Permit for Vegetative Clearing/Revegetation or for Earth Moving Activities; Applicable NRPZ Standards are Administered through the Town’s Enforcement Authority. The NRPZ contains certain standards that are applicable to the Project. For example, it is clear that the vegetative clearing standards apply. It is equally clear, however, that the Town does not issue permits for vegetative clearing activities – they are standards that are enforced by the Town. Thus, while we agree such standards are applicable to the project, we do not agree with the complaint’s assertion that issuance of a permit is required just because NRPZ standards are administered through the Town’s enforcement authority.²

² Regarding erosion and sedimentation control, Town approval of a soil erosion and sedimentation control plan is only required when the project would otherwise require a permit. *See BZO Section 211.2.E*. Since no Town permit is required, Town approval of a soil erosion and sedimentation control plan is similarly not required. We emphasize, however, that the project already has a comprehensive and robust soil erosion and sedimentation control plan, as well as multiple other environmental plans (such as stormwater), that all meet the strict standards and conditions administered by the Maine DEP and U.S. Army Corps of Engineers specific to shoreline stabilization projects.

Further, the BZO section governing construction of new structures over existing piers, docks, wharves, bridges, and other existing structures extending below the normal high water line, *see BZO Section 211.2.G*, is not applicable because the project does not propose any such new structure over an existing pier, dock, wharf, or other

John Eldridge, Town Manager
Town of Brunswick
Page 6
February 24, 2016

* * *

We appreciate the opportunity to provide the Town with a response to the Knox complaint, and look forward to meeting with Town Officials and Knox to discuss these issues on Thursday, February 24, 2016.

Sincerely,

John F. Loyd, Jr.

cc: Jeffrey Hutchinson, Code Enforcement Officer
Stephen E.F. Langsdorf, Esq.
Gordon R. Smith, Esq.

existing structure below the normal high water line, and similarly does not involve conversion of an existing structure to residential dwelling units. These standards are not applicable.

ITEM 22

BACK UP MATERIALS

TOWN OF BRUNSWICK, MAINE

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).

WHEREAS, the Town Council (the “Town Council”) of the Town of Brunswick (the “Town”) has determined that the Town needs to address various improvements at the Coffin Elementary School and the Brunswick Junior High School; and

WHEREAS, the Town’s School Department has received eligibility certificates from the Maine Department of Education approving such projects to be part of the Maine Municipal Bond Bank’s School Revolving Renovation Fund program and an estimated 38.41% of total cost loan forgiveness; and

WHEREAS, the Charter of the Town of Brunswick, Maine (the “Charter”) requires that any capital acquisition to be financed solely or partly by the issuance of bonds or notes to be authorized by ordinance;

NOW THEREFORE THE FOLLOWING ORDINANCE IS ADOPTED.

Section 1. Authorization for Projects, Appropriation and Funding Appropriation through Bonds. That the Coffin Elementary School sprinkler, roof renovation, fire alarm, Americans with Disabilities Act-related improvements, Indoor Air Quality-related improvements and the Brunswick Junior High School sprinkler, roof renovation, fire alarm, Americans with Disabilities Act-related improvement and Hazardous Materials-related improvements, including but not limited to the engineering, planning, development, construction, any necessary equipping, and financing costs associated with all projects described (the “Projects”) are hereby approved, and that \$1,517,664 is hereby appropriated to fund the Projects. In order to fund the appropriation, the Treasurer and the Chair of the Town Council are hereby authorized and empowered in the name and on behalf of the Town of Brunswick (the “Town”) to borrow up to \$1,517,664 through the Maine Municipal Bond Bank’s School Revolving Renovation Fund, (\$582,935 of which is to be forgiven pursuant to the terms of a Loan Agreement (the “Loan Agreement”) with the Maine Municipal Bond Bank (the “Bank”) leaving a total principal debt liability to the Town of \$934,729).

Section 2. Loan Agreement. That the Town Council hereby delegates authority and authorizes the Treasurer to enter into a Loan Agreement and the issuance, sale and delivery to the Bank, as evidence of the aforesaid loan and against payment therefor, of a 2016 School Revolving Renovation Fund Bond (the “Bond”) of the Town in the aggregate principal amount not to exceed \$934,729, such Loan Agreement and Bond to be signed by the Treasurer and countersigned by the Chair of the Town Council and attested by its Town Clerk; and to contain such terms and provisions as the officials executing the same may approve, their approval to be conclusively evidences by their execution thereof. If the Treasurer, Chair of the Town Council or Town Clerk are for any reason unavailable to approve and execute the bonds or other documentation in connection with the Project, execution and delivery of the bonds, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or

otherwise, is authorized to act for such official with the same force and effect as if such official had performed such act.

Section 3. Full Faith and Credit. That the Bond shall be issued as a general obligation of the Town payable from the property taxes levied in the Town and for which payment the full faith and credit and taxing power of the Town are hereby pledged. That the Town covenants and agrees that it will, at all times so long as the Bond is outstanding, collect taxes in such an amount that together with all other monies available to the Town will be fully sufficient to permit the performance of all covenants and obligations of the Town established herein and in the Loan Agreement and the Bond, including the prompt payment of principal of and interest on the Bond as and when due and payment of principal and interest on all other indebtedness of the Town as and when due.

Section 4. Delegation to Execute Documents. The Treasurer and Chair of the Town Council and all other proper officials of the Town, be and hereby are authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things as may be deemed necessary or desirable in order to effect the borrowing authorized by this vote, including without limitation the execution and delivery of such further agreements, documents, certificates and other instruments as may be necessary or appropriate in connection herewith.

Section 5. Advances and Declaration of Official Intent. The Town is authorized to make advances from the Town's general fund in an aggregate amount not to exceed \$1,517,664 in anticipation of the receipt of bond or note proceeds for the Projects. Advances used in lieu of bonds or notes authorized hereunder are appropriated to finance the cost, or any part thereof, of the Projects. The Treasurer is authorized to establish and amend all details of any advances including, but not limited to the term, interest rates and payment schedule. Advances from the Town's general fund may finance the original expenditures related to the Projects. It is expected that those advances will be reimbursed in part or in whole by the issuance of or receipt of proceeds for bonds or notes authorized hereunder. It is the intent of the Town Council that this Ordinance shall constitute the Town's declaration of official intent within the meaning of Treasury Regulation 1.150-2.

Section 6. Abandonment of Borrowing Authority. The Treasurer is empowered to declare abandoned, the authority to issue any bonds or notes the Treasurer deems to be in excess of the amount necessary to complete the Projects. Such a declaration once made may not be reversed other than by ordinance.

Proposed to Town Council: March 7, 2016
Public Hearing:
Adopted by Town Council:



BRUNSWICK SCHOOL DEPARTMENT

PAUL K. PERZANOSKI
Superintendent of Schools

A. PENDER MAKIN
Assistant Superintendent

Office of the Superintendent
46 Federal Street
Brunswick, Maine 04011
Telephone (207) 319-1900
FAX (207) 725-1700

BARBARA J. GUNN
Director of Student Services

JAMES F. OIKLE
Business Manager

February 10, 2016

Town of Brunswick
Attn: Mr. John Eldridge
Town Manager
85 Union St.
Brunswick, ME 04011

Dear Mr. Eldridge:

The School Board, at its regularly scheduled meeting February 9, 2016 by a majority vote of the entire board and by unanimous vote of all board members present, voted to accept two School Revolving Renovation Fund Eligibility Certificates, \$517,664 for Coffin Elementary School and \$1,000,000 for Brunswick Junior High School, and to proceed with the work authorized therein. A copy of the two certificates and the Department of Education forwarding letter are attached.

It is requested that the Town Council concur in this action and authorize borrowing from the bond bank, and that the Town Finance Director prepare and submit the required financing application.

Thank you for your assistance in this matter.

Sincerely,

Paul K. Perzanoski
Superintendent



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0023

FEB 01 2016

WILLIAM H. BEARDSLEY
ACTING COMMISSIONER

January 29, 2016

Paul Perzanoski
Superintendent of Schools
Brunswick Public Schools
46 Federal St.
Brunswick, ME 04011

RE: Eligibility Certificates – SRRF Projects #1186, #1187, #1188, #1189, #1190, #1191, #1192, #1193, #1194, #1195, #1196, and #1197

Dear Superintendent Perzanoski:

I am pleased to inform you that your School Revolving Renovation Fund applications for Projects #1186, #1187, #1188, #1189, #1190, #1191, #1192, #1193, #1194, #1195, #1196, and #1197 have been approved for funding for the amount listed on the attached eligibility certificates.

The loan process for your projects must be initiated within 30 days. Please contact Toni Reed, Program Loan Officer, Maine Municipal Bond Bank at 622-9386 for assistance.

Awardees must comply with all applicable statutory and rule requirements for public improvement projects. You may contact the Bureau of General Services Planning, Design & Construction Division at 624-7360 for technical assistance.

Please note that failure to comply with SRRF program requirements and all applicable statutes and rules may result in revocation of your SRRF eligibility certificates and cancellation of your SRRF awards.

I wish you good luck as you complete your projects. If you have any questions regarding the School Revolving Renovation Fund please contact Ann Pinnette at 624-6885 or ann.pinnette@maine.gov.

Sincerely,

William H. Beardsley
Acting Commissioner

Enclosures (2): SRRF Eligibility Certificates

cc: Toni Reed, Maine Municipal Bond Bank
Joseph Oswald, Bureau of General Services



**School Revolving Renovation Fund
Eligibility Certificate**

School Administrative Unit	Brunswick Public Schools					
Facility	Coffin Elementary School					
Priority	1- Health, Safety and Compliance Repairs					
Project #	1186	1187	1188	1189	1190	1191
Scope of Work	Other- Life Safety (sprinkler)	Roof Renovations	Other- Life Safety (fire alarm)	ADA Toilets	ADA Doors,ramps, signage	IAQ
Amount Funded	\$136,968	\$49,868	\$79,580	\$57,528	\$82,780	\$110,940
Maximum Loan Amount	\$517,664					
Portion of Loan to be Forgiven	\$198,835	38.41%				
Portion of Loan to be Repaid	\$318,829	61.59%				
Length of Loan	10 years (loans \$500,001 or more)					

This Eligibility Certificate for the above listed School Revolving Renovation Fund projects is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by July 31, 2017.

January 29, 2016
Date

William H. Beardsley
William H. Beardsley
Acting Commissioner



**School Revolving Renovation Fund
Eligibility Certificate**

School Administrative Unit	Brunswick Public Schools					
Facility	Brunswick Junior High School					
Priority	1- Health, Safety and Compliance Repairs					
Project #	1192	1193	1194	1195	1196	1197
Scope of Work	Other- Life Safety (sprinkler)	Roof Renovations	Other- Life Safety (fire alarm)	ADA Toilets	ADA Eyewash stations	Hazmat Asbestos
Amount Funded	\$229,390	\$248,803	\$139,200	\$310,404	\$42,716	\$36,312
Maximum Loan Amount	\$1,000,000					
Portion of Loan to be Forgiven	\$384,100	38.41%				
Portion of Loan to be Repaid	\$615,900	61.59%				
Length of Loan	10 years (loans \$500,001 or more)					

This Eligibility Certificate for the above listed School Revolving Renovation Fund projects is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by July 31, 2017.

January 29, 2016
Date

William H. Beardsley
Acting Commissioner

Maine Department of Education

Home → School Facilities → School Revolving Renovation Fund

School Revolving Renovation Fund

The Maine Department of Education's School Revolving Renovation Fund (SRRF) provides funding assistance to school administrative units (SAUs) to ensure that students have a safe, healthy and appropriate learning environment. The SRRF offers funding where SAUs have identified needs in the areas of health and safety, building systems, energy and water conservation, and learning space upgrades.

The SRRF has the following priorities:

- Priority 1: Health, safety and compliance issues including roof structural upgrades; improvements to indoor air quality; compliance with the Americans with Disabilities Act; hazardous material abatement or removal; and other health, safety and compliance issues
- Priority 2: Repairs and improvements not related to health, safety and compliance limited to repairs and improvements to school building structures, windows, doors and water supply or waste disposal systems.
- Priority 3: Repairs and improvements related to energy and water conservation
- Priority 4: Upgrades of learning spaces
- Priority 5: Other projects

The SRRF is funded through the Maine Municipal Bond Bank and remains a State and local partnership with each providing a portion of a project's funding. The Maine Department of Administrative and Financial Services, Bureau of General Services provides engineering expertise, technical reviews and bidding and contract assistance for SRRF projects.

This fund provides loans to SAUs to finance project expenditures. A portion of each loan is considered a grant and is forgiven. The forgiveness rate ranges from 30 percent to 70 percent and is based on the percentage of State subsidy paid to the local SAU. The remaining balance of the loan is paid back over either five or 10 years at a 0 percent interest rate. The loan repayments revolve back into the SRRF and are then used to fund other approved projects. The maximum loan that can be provided is capped at \$1 million per priority, per school building within any five-year period.

For additional information, see Maine DOE Rule Chapter 64, Maine School Facilities Program and School Revolving Renovation Fund.

Resources

- **Anticipated Timeline for (FY) 2016.** Important dates for the FY 2016 application cycle.
- **FY 2016 Application** (DOC, 128KB). Applications are due September 30, 2015.
- **FY 2013 Ratings.** Project ratings for the FY 2013 application cycle, including funded and unfunded projects.
- **Information for SRRF Applicants.** Information on project eligibility, maximum loan amounts, budgets, project startup and project completion.
- **SRRF Process.** Steps in the SRRF funding process from application submittal to project completion.

Site Information

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Site Policies

Anticipated Timeline for FY 2016 SRRF Application Cycle

July 1, 2015	DOE application process begins
September 30, 2015	SAU deadline for applications to be received by DOE
October 31, 2015	DOE completes review and rating process
December 31, 2015	BGS reviews technical content and completes cost analysis
January 15, 2016	DOE prepares final priority list
February 1, 2016	DOE issues eligibility certificates (award date)
July 31, 2016	SAU deadline for MMBB loan application process to be completed
July 31, 2017	SAU deadline for SRRF project work completion and submission of final payment requisition for all projects

SRRF Process

The following steps take you through the School Revolving Renovation Fund process from application submittal to project completion:

1. School Administrative Units (SAUs) submit completed applications to the Maine Department of Education (DOE).
2. DOE reviews and rates applications.
3. DOE forwards highest rated applications to the Maine Bureau of General Services (BGS) for a technical and cost review. The review by BGS addresses three areas:
 - Has the SAU conducted a thorough evaluation of the issue(s) to be able to identify the cause(s) and other associated issues?
 - Has the SAU identified and considered potential solutions and selected the one most appropriate for that facility and the SAU?
 - Is the cost of the solution reasonable?
4. BGS communicates with SAUs or their consultants to clarify details, request further documentation, or conduct a site visit. BGS completes their reviews and notifies the Department of the results.
5. DOE prepares a funding priority list which funds as many projects as resources allow.
6. DOE provides Eligibility Certificates to SAUs with projects on the priority list.
7. SAUs contact the Maine Municipal Bond Bank (MMBB) within 30 days of award notification to begin the loan application process. The loan closing must be completed within 6 months of the date on the Eligibility Certificate or the award will be forfeited. SAUs should plan well in advance for any necessary local votes.
8. SAUs contact BGS within 30 days of award notification. SAUs work with BGS on procurement of professional, architectural, and engineering services; approval of plans, specifications and contracts; bidding documents; change orders; and other technical information.
9. As projects proceed, SAUs submit requisitions for disbursement of loan proceeds and copies of paid project invoices to the MMBB. The MMBB forwards requisitions and invoices to DOE for authorization of payment. Certifications confirming project completion from the SAU, designer and contractor are required at the time the final requisition is submitted.
10. All project work is completed and all requisitions for payment are submitted within 18 months of the date on the eligibility certificate. Requisitions submitted after the 18 month deadline will not be approved for payment.

Information for SRRF Applicants

Project Type and Eligibility

For fiscal year 2016, applications for the School Revolving Renovation Fund (SRRF) will be accepted for Priority One: health, safety, and compliance projects. Priority One SRRF projects include structural roof repairs, Americans with Disabilities Act compliance upgrades, indoor air quality improvements, and hazardous material abatement or removal. Retroactive projects (those that have begun work or been completed) are not eligible for funding consideration.

Project Loan Amount

The maximum loan amount is \$1,000,000 per priority per building over any 5 year period. Please review your SRRF funding history to ensure your current request does not exceed the statutory limit when combined with past SRRF loans provided for your school building. School administrative units may raise additional local funds to support SRRF projects.

Project Budget and Document Development

Project estimates, budgets and bidding documents are to be developed by licensed architects and professional engineers. The Bureau of General Services (BGS) will advise you on the appropriate method to procure these professional services. For assistance please contact BGS. The Department will not revise eligibility certificates for additional funding should conditions or estimates change during the course of a project or if the project is delayed. School administrative units are responsible for project cost overruns. The final loan amount may be adjusted downward to equal the approved costs incurred at project completion. Surplus funds from a project may not be used for another project.

Project Startup

All SAUs with approved projects must contact BGS within 30 days of award notification to initiate their project. BGS will assist with procurement of professional services; reviewing and approving construction documents prior to bidding; contracts and change orders. Projects over \$100,000 must be awarded by competitive bid unless this provision is waived by the Department. A post bid budget must be submitted to the Department of Education. All change orders must be approved by both the Department of Education and the Bureau of General Services. SAUs must comply with all applicable statutory requirements of 5 M.R.S.A. Chapter 153, particularly §1742.

Project Loan Deadlines

All SAUs with approved projects must contact the Maine Municipal Bond Bank (MMBB) within 30 days of award notification to begin the loan process. Loans must be closed within 6 months of the award date of the eligibility certificate. All requisitions for loan disbursements must be submitted to the MMBB within 18 months of the award date.

Project Completion

Projects must be completed within 18 months of the award date.

Revocation of Award

Failure to comply with SRRF program requirements and all applicable statutory regulations will result in revocation of the SRRF eligibility certificate and cancellation of any SRRF award.



STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0023

FEB 01 2016

PAUL R. LEPAGE
GOVERNOR

WILLIAM H. BEARDSLEY
ACTING COMMISSIONER

January 29, 2016

Paul Perzanoski
Superintendent of Schools
Brunswick Public Schools
46 Federal St.
Brunswick, ME 04011

RE: Eligibility Certificates – SRRF Projects #1186, #1187, #1188, #1189, #1190, #1191, #1192, #1193, #1194, #1195, #1196, and #1197

Dear Superintendent Perzanoski:

I am pleased to inform you that your School Revolving Renovation Fund applications for Projects #1186, #1187, #1188, #1189, #1190, #1191, #1192, #1193, #1194, #1195, #1196, and #1197 have been approved for funding for the amount listed on the attached eligibility certificates.

The loan process for your projects must be initiated within 30 days. Please contact Toni Reed, Program Loan Officer, Maine Municipal Bond Bank at 622-9386 for assistance.

Awardees must comply with all applicable statutory and rule requirements for public improvement projects. You may contact the Bureau of General Services Planning, Design & Construction Division at 624-7360 for technical assistance.

Please note that failure to comply with SRRF program requirements and all applicable statutes and rules may result in revocation of your SRRF eligibility certificates and cancellation of your SRRF awards.

I wish you good luck as you complete your projects. If you have any questions regarding the School Revolving Renovation Fund please contact Ann Pinnette at 624-6885 or ann.pinnette@maine.gov.

Sincerely,

William H. Beardsley
Acting Commissioner

Enclosures (2): SRRF Eligibility Certificates

cc: Toni Reed, Maine Municipal Bond Bank
Joseph Ostwald, Bureau of General Services



**School Revolving Renovation Fund
Eligibility Certificate**

School Administrative Unit	Brunswick Public Schools					
Facility	Coffin Elementary School					
Priority	1- Health, Safety and Compliance Repairs					
Project #	1186	1187	1188	1189	1190	1191
Scope of Work	Other- Life Safety (sprinkler)	Roof Renovations	Other- Life Safety (fire alarm)	ADA Toilets	ADA Doors, ramps, signage	IAQ
Amount Funded	\$136,968	\$49,868	\$79,580	\$57,528	\$82,780	\$110,940
Maximum Loan Amount	\$517,664					
Portion of Loan to be Forgiven	\$198,835	38.41%				
Portion of Loan to be Repaid	\$318,829	61.59%				
Length of Loan	10 years (loans \$500,001 or more)					

This Eligibility Certificate for the above listed School Revolving Renovation Fund projects is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by July 31, 2017.

January 29, 2016
Date

William H. Beardsley

William H. Beardsley
Acting Commissioner



School Revolving Renovation Fund Eligibility Certificate

School Administrative Unit	Brunswick Public Schools					
Facility	Brunswick Junior High School					
Priority	1- Health, Safety and Compliance Repairs					
Project #	1192	1193	1194	1195	1196	1197
Scope of Work	Other- Life Safety (sprinkler)	Roof Renovations	Other- Life Safety (fire alarm)	ADA Toilets	ADA Eyewash stations	Hazmat Asbestos
Amount Funded	\$229,390	\$248,803	\$139,200	\$310,404	\$42,716	\$36,312
Maximum Loan Amount	\$1,000,000					
Portion of Loan to be Forgiven	\$384,100	38.41%				
Portion of Loan to be Repaid	\$615,900	61.59%				
Length of Loan	10 years		(loans \$500,001 or more)			

This Eligibility Certificate for the above listed School Revolving Renovation Fund projects is hereby approved. Work authorized under this certificate must be materially completed and all loan proceeds must be expended by July 31, 2017.

January 29, 2016
Date


 William H. Beardsley
 Acting Commissioner

Brunswick School Department
Revolving Renovation Projects

Project	School	Project Type	Sub Type	Rating	Approved
1196	BJHS	ADA	ADA - Eyewash Stations	28.0	\$ 42,716
1195	BJHS	ADA	ADA - Toilets, Locker Rooms	35.5	\$ 310,404
1190	Coffin	ADA	ADA - Doors, Ramp, Signage	58.0	\$ 82,780
1189	Coffin	ADA	ADA - Toilets	35.5	\$ 57,528
		ADA Total			\$ 493,428
1197	BJHS	HAZMAT - Asbestos		33.0	\$ 36,312
		HAZMAT - Asbestos Total			\$ 36,312
1191	Coffin	IAQ		41.5	\$ 110,940
		IAQ Total			\$ 110,940
1194	BJHS	Other - Fire Alarm		66.5	\$ 139,200
1188	Coffin	Other - Fire Alarm		57.5	\$ 79,580
		Other - Fire Alarm Total			\$ 218,780
1192	BJHS	Other - Sprinkler		60.5	\$ 229,390
1186	Coffin	Other - Sprinkler		64.5	\$ 136,968
		Other - Sprinkler Total			\$ 366,358
1193	BJHS	Roof Renovation		76.0	\$ 248,803
1187	Coffin	Roof Renovation		89.5	\$ 49,868
		Roof Renovation Total			\$ 298,671
		Grand Total			\$ 1,524,489

Brunswick School Department
Revolving Renovation Projects

Project	School	Project Type	Rating	Approved
1195	BJHS	ADA ADA - Toilets, Locker Rooms	35.5	\$ 310,404
1193	BJHS	Roof Renovation	76.0	\$ 248,803
1192	BJHS	Other - Sprinkler	60.5	\$ 229,390
1194	BJHS	Other - Fire Alarm	66.5	\$ 139,200
1196	BJHS	ADA ADA - Eyewash Stations	28.0	\$ 42,716
1197	BJHS	HAZMAT - Asbestos	33.0	\$ 36,312
BJHS Total				\$ 1,006,825
1186	Coffin	Other - Sprinkler	64.5	\$ 136,968
1191	Coffin	IAQ	41.5	\$ 110,940
1190	Coffin	ADA ADA - Doors, Ramp, Signage	58.0	\$ 82,780
1188	Coffin	Other - Fire Alarm	57.5	\$ 79,580
1189	Coffin	ADA ADA - Toilets	35.5	\$ 57,528
1187	Coffin	Roof Renovation	89.5	\$ 49,868
Coffin Total				\$ 517,664
Grand Total				\$ 1,524,489

Presentation of the

State of Maine's
School Revolving Renovation School Fund

March 7, 2016

Description of the Project

The School Revolving Renovation Fund provides loans to School Departments to finance project expenditures. A portion of the loan is forgiven with the remaining balance paid back over five to ten years at a zero percent interest rate.

Justification / Project Priority

The Brunswick School Department applied for \$2,000,000 of priority one repairs for Coffin Elementary and Brunswick Junior High School. These repairs are needed due to the age and condition of the buildings and include health, safety, and compliance issues.

All of the requests were also included in the repair projects of these two buildings that have been the object of discussion for several years. PDT Architects provided the project estimates as required.

Capital Cost

On February 1, 2016 we received confirmation of a \$ 517,664 award for Coffin School. The award is broken down as follows:

Life Safety (sprinkler)	\$ 136,968
Roof Renovations	\$ 49,868
Life Safety (fire alarm)	\$ 79,580
ADA (toilets)	\$ 57,528
ADA (doors, ramps, signage)	\$ 82,780
Indoor Air Quality	\$ 110,940
Loan Forgiveness (as of state subsidy)	\$ 198,835 (38.41%)
Loan Repayment	\$ 318,829 (61.59%)
Length of Loan	10 years

We also received confirmation of a \$1,000,000 award for BJHS. The award is broken down as follows:

Life Safety (sprinkler)	\$ 229,390
Roof Renovations	\$ 248,803
Life Safety (fire alarm)	\$ 139,200
ADA (toilets)	\$ 310,404
ADA Eye Wash Stations	\$ 42,716
Hazmat Asbestos	\$ 36,312
Loan Forgiveness (as of state subsidy)	\$ 384,100 (38.41%)
Loan Repayment	\$ 615,900 (61.59%)
Length of Loan	10 years

Assumptions and Constraints

We assume that the approval of this project could decrease any future bond request on Coffin School and BJHS and that all projects will be subject to the competitive bidding process.

Constraints are the July 31, 2016 deadline for the loan application completion; and July 31, 2017 work completion deadline. One could ask the question about why would we spend money on Coffin if we are going to build a new school?

Coffin Information

- The School Board has not made a decision at this date
- All of the Coffin projects are included in the repair project
- We don't know exactly how long a new school project may take
- Past new school projects in Brunswick have been met with legal opposition which could extend a timeline

The projects covered by these awards are consistent with needs requested in the School Board Repair project and the town CIP. They would impact Town and School Department summer programs for one year as the programs would have to relocate.

Delaying or rejecting the projects is a loss of opportunity to improve the health and safety of these two buildings with a zero percent loan and 38.41% forgiven. We also could breach the opportunity if we don't meet the deadlines aforementioned.

Further financial information on this project can be delivered by the Town's Director of finance, Julie Henze.

ITEM 23

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: Town Council Members
FROM: Linda Smith, Business Development Manager
RE: Request to Set a Public Hearing for Pathways Rehabilitation Services' Application for MicroEnterprise Assistance Funds
DATE: March 1, 2016

On January 19, 2016, Town Council members 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 (see attached Letter of Intent) and on February 9, DECD invited the Town to apply for funds on behalf of the company (see attached letter from DECD).

Pathways Rehabilitation Services, based at 77 Jordan Avenue, started in 2013 in the Town of Brunswick. While the owner has made a substantial investment in her business in the past two years, she needs additional financial resources. As outlined in the Letter of Intent, the grant funds will support the purchase of evaluation and adaptive equipment (\$7,500); promotional materials (\$3,000); technology systems upgrade (\$4,700); development of OT webinar modules (\$4,800); support to launch a special needs driving school (technical training and curriculum development @ \$8,300); and, a small contingency (\$2,000) for a total request of \$30,300. The MicroEnterprise Assistance Program could provide that financial resource while allowing the young company to maintain a strong cash flow position as the business grows. Ms. Shields is a Low Moderate Income owner and therefore eligible for the grant based on this criteria.

The MicroEnterprise Assistance Program grant application is due to DECD on Friday, March 25, 2016. Therefore, I am requesting that the Town Council set a Public Hearing for Monday, March 21, 2016 for this application. Ms. Heather Shields, the owner of Pathways Rehabilitation Services, will be available at the Public Hearing to answer any questions. The notice for the Public Hearing will be posted through the Times Record on Thursday, March 10, 2016 and a draft Application will be made available to the public for review at that time.

Thank you for your consideration of this project. I look forward to answering any questions you may have.

Attachments/

Cc: John Eldridge, Town Manager

State of Maine
 Community Development Block Grant Program
 2016 Micro-Enterprise Assistance Program
Letter of Intent to Apply

Due at DECD on or before the first Friday of each month by 4:00 p.m.

Letters of Intent may be submitted via email to: ocd.loi@maine.gov

Please enter "MEA LOI" in the subject line.

All communities wishing to apply for a 2016 Micro-Enterprise Assistance Grant must use this Letter of Intent to document compliance with requirements established by Title I of the Housing and Community Development Act of 1974, as amended and the State of Maine CDBG program. Applicants who submit a completed Letter of Intent and demonstrate meeting a CDBG National Objective will be notified by OCD that they are eligible to submit a final application. Eligibility to submit a final application does not imply final project approval or funding. **Funds will not be available until after July 1, 2016.**

A. APPLICANT ELIGIBILITY

1. Legal Applicant:

Applicant:	Town of Brunswick	Phone:	207-725-6659
Address:	85 Union Street	Fax:	207-725-6663
City, ZIP+Four:	Brunswick, ME 04011-2418	E-Mail:	jeldridge@brunswickme.org
Chief Official:	John Eldridge, Town Manager		
DPM name and date of Consultation (required):	Terry Ann Holden, DECD 12-4-2015		
Census Tracts #(s) Where Proposed Activities Will Occur:	Brunswick - 08430		
Year of Slum & Blight Declaration	N/A	Parameters of Slum & Blight area (such as High St. to Green St. to Main St. etc.)	N/A
National Objective (Low/Mod, or S/B)	Low/Mod	Percent of blighted buildings in area	N/A

2. Applying on Behalf of:

Sub-Grantee:	Pathways Rehabilitation Services	Phone:	207-530-0307
Address:	77 Jordan Avenue	Fax:	N/A
City, ZIP:	Brunswick, ME 04011	E-Mail:	h.shieldsot@gmail.com
Agency Rep:	Heather Shields	Title	Owner
For Micro-loans/grants SBDC Councilor name and date of Consultation (required):	Brad Swanson, CEI – November 24, 2015		
For Micro-loans/grants Please attach the executive summary of your business plan (Plan must not be older than 18 months)	See Attachment A.		

3. Engineer/Architect consulted for project & providing cost estimates (if applicable):

Name:	N/A	Phone:	
Firm:		Fax:	
Address:		E-Mail:	
City, ZIP:			

B. ELIGIBLE ACTIVITY CATEGORIES

Place an "X" to the left of the MEA categories for which this Intent to Apply is being made:

<input checked="" type="checkbox"/>	1. Micro-Enterprise Assistance (accomplishment type: 08 Businesses)
<input type="checkbox"/>	2. Business Façade Grants (accomplishment type: 08 Businesses)
<input type="checkbox"/>	

C. PROJECT INFORMATION

Provide a clear, concise description of the proposed project using the space below. The scope of work should be very specific in identifying how the money will be used in meeting a National Objective.

Pathways Rehabilitation Services (PRS) is a unique driving school focused on assessing and helping people who may face barriers to driving – individuals with medical conditions; older drivers who need to be assessed to safely remain on the road or retire from driving; and, teenagers with special needs who need training to be independent with driving. PRS specializes in evaluating and training individuals on how to drive with adaptive equipment and in assessing vehicles for modifications. PRS works very closely with the client, his / her family members, doctors and the medical division of the Maine Bureau of Motor Vehicles. PRS offers the only driving rehabilitation service in the State of Maine that travels to the client. PRS follows people through the entire process of returning to driving or retiring from driving.

The company has doubled its service numbers in the last two years and is poised to expand in to new services arenas. To continue its expansion, the owner, Ms. Heather Shields, needs to: institutionalize the referral process from rehabilitation services agencies; develop on-line and hard copy marketing materials; develop a series of webinar training modules for occupational therapists on conducting driving assessments; develop curriculum and support resources for a teenage special needs population driving school; and, invest in additional equipment to expand the direct assessment portion of the business.

To support this effort, the owner is committing \$3,000 (10%) in equity; a private investor is contributing \$9,600 in equipment; and, \$30,300 is being requested from the MicroEnterprise Assistance grant program. The grant funds will support the purchase of evaluation and adaptive equipment (\$7,500); promotional materials (\$3,000); technology systems upgrade (\$4,700); development of OT webinar modules (\$4,800); support to launch a special needs driving school (technical training and curriculum development @ \$8,300); and, a contingency of \$2,000.

Place an "X" in the box to the left if the statement is correct

X	Business has a business plan not older than 18 months
X	Business has met with a Small Business Development Center (SBDC) business counselor in the three months prior to submitting this LOI

D. COST ESTIMATES & PROJECT FUNDING

Provide the estimated project cost, amount of CDBG funds to be requested and sources, amounts and dates secured for all anticipated cash matching funds (if applicable). All construction estimates should be prepared by the Engineer/Architect (from section A-3). Take into account the inflation rate in relation to the anticipated starting date of the project and applicable DAVIS/BACON wage rates as they apply to construction costs.

Total Estimated Project Cost:	\$42,900	CDBG Request:	\$30,300
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Funding Source	Amount	Date Secured
CDBG	\$30,300	TBD
Owner Equity	\$ 3,000	Available when CDBG grant awarded
Private Investment	\$ 9,600	Available when CDBG grant awarded
TOTAL:	\$42,900	

E. COMPREHENSIVE PLAN

List the dates on which your Community's local comprehensive plan was adopted, updated (if applicable) and deemed consistent by SPO.

Adopted Date:	9-15-2008
Updated:	2008
SPO Approval Date:	10-29-2003
Community does not have an adopted and consistent comprehensive plan.	

Date Comprehensive Plan Expected to be Adopted and Consistent:	N/A
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DUNS #: 077466274 <i>This must be the town or city number, not the Police Department, and not the sewer or water district.</i> Applicant DUNS (Dunn & Bradstreet) #: (visit http://fedgov.dnb.com/webform to obtain a number)
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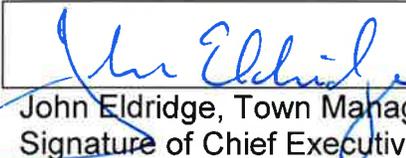
F. NATIONAL OBJECTIVE

Check all applicable boxes below indicating how the National Objectives will be met and attach all required documentation listed in the appropriate box.

BENEFITTING LOW-TO-MODERATE INCOME PERSONS (IMI)	
	<p>Community-Wide LMI National Objective</p> <p><input checked="" type="checkbox"/> Attach Census Figures indicating 51% or more of the community is LMI along with a completed <u>Beneficiary Profile</u> OR recent survey materials meeting the requirements set forth in OCD Policy Letter Number 19 and Income Survey Methodology Handbook.)</p>
	<p>Target Area LMI National Objective</p> <p><input checked="" type="checkbox"/> Attach Census Figures indicating 51% or more of the target area is LMI along with a completed <u>Beneficiary Profile</u> OR recent survey materials meeting the requirements set forth in OCD Policy Letter Number 19 and Income Survey Methodology Handbook.)</p>
X	<p>Limited Clientele LMI National Objective</p> <p><input checked="" type="checkbox"/> Attach written documentation that the proposed CDBG activity will serve only LMI persons or a HUD recognized Limited Clientele group as set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570 and the State of Maine CDBG Program.</p>
ELIMINATION OF SLUMS AND BLIGHTING CONDITIONS	
	<p>Elimination or Prevention of Slums and Blight on an Area-Wide Basis</p> <p><input checked="" type="checkbox"/> Attach completed Slum & Blight Declaration meeting the requirements of Maine State Statute 30-A, Chapter 205, Section 5202 and regulations set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570.</p>
	<p>Elimination or Prevention of Slums and Blight on a Spot Basis</p> <p><input checked="" type="checkbox"/> Attach completed Spot Blight Designation form and required attachments which meets regulations set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570.</p>

Applicant Certifications

- a. To the best of my knowledge and belief, the information in this Letter of Intent and all attached documentation is true and correct;
- b. This pre-application complies with all applicable State and federal laws and regulations; and
- c. Approval of this Letter of Intent by OCD to submit a final application does not imply final project approval or funding.

 John Eldridge, Town Manager Signature of Chief Executive Officer	Town of Brunswick Name of Community	2/2/16 Date: mm/dd/year
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Attachment A. Business Executive Summary

Pathways Rehabilitation Services (PRS) is an occupational therapy practice owned and operated by Heather Shields, a licensed occupational therapist with nineteen (19) years of experience in occupational therapy and a driver education practitioner's license. PRS specializes in providing pre-driving assessments, on-the-road driving evaluations, and follow-up driver's education to those people whose ability to operate a motor vehicle may be impaired due to a medical event or as a result of the natural aging process. Unlike other organizations offering similar services, PRS will carry out assessments, evaluations, and driver's education in the client's home and community in order to provide a more accurate and better service.

The business was launched in 2013 and operates year-round with some seasonal fluctuations. Ms. Shields provides this service as well as serving in a per diem capacity to MidCoast – Parkview Health. Her combined professional - business goal for 2016 is to transition to providing all her services through PRS by 2017. She has increased her direct client base from 20 in 2013 to almost 60 in 2015. She anticipates increasing her client numbers to at least 100 in 2016. PRS clients can be private pay or have their costs covered through the Veterans Administration or Vocational Rehabilitation. In addition, she anticipates offering the OT webinars quarterly starting in September 2016 and launching the Special Needs Driving School by January 2017.

The four key factors that have made Pathways Rehabilitation Services successful are: (1) the growing market demand specifically in the State of Maine for driving assessments, (2) the limited number of businesses offering similar services, (3) the company's central location, and (4) its unique advantage of being able to provide services directly on-site to the clients. The company has doubled its service numbers in the last two years and is poised to expand in to services arenas. To continue its expansion, the owner needs to: institutionalize the referral process from rehabilitation services agencies; develop on-line and hard copy marketing materials; develop a series of webinar training modules for occupational therapists on conducting driving assessments; develop curriculum and support resources for a youth special needs population driving school; and, invest in additional equipment to expand the direct assessment portion of the business.



STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT



PAUL R. LEPAGE
GOVERNOR

GEORGE C. GERVAIS
COMMISSIONER

February 9, 2016

John Eldridge, Town Manager
Town of Brunswick
85 Union Street
Brunswick ME 04011-2418

Dear Mr. Eldridge:

The Office of Community Development (OCD) has reviewed the Letter of Intent to Apply submitted by the Town of Brunswick on February 5, 2016 for the 2016 Community Development Block Grant Micro-Enterprise Assistance Grant program. Our review showed that the town has met the requirements established by Title I of the Housing and Community Development Act of 1974, as amended and the State of Maine CDBG program. Therefore, the town is eligible to submit a Micro-Enterprise Assistance application for Pathways Rehabilitation Services activities as outlined in the Letter of Intent.

All matching funds **must** be fully committed and secure by the application deadline date, and additionally, the applicant must demonstrate that the financial resources are available to complete the entire project as presented in the application. Please remember that eligibility to submit a final application does not imply final project approval or funding. Be aware that as of this point in time there are 15 Letters of Intent that have been submitted requesting a total of \$1,702,790. Your application is due at the offices of OCD by 4:00pm on Friday, March 25, 2016, and must meet all the requirements of the 2016 CDBG program. **Fax or e-mail submissions are not allowed.**

You may contact Terry Ann Holden at (207) 624-9814 with any further questions regarding the 2016 CDBG application process.

Sincerely,

Deborah Johnson, Director
Office of Community Development

cc: Terry Ann Holden
Linda Smith

ITEM 24

BACK UP MATERIALS

Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

DATE: March 3, 2016

SUBJECT: MRRA - CDBG Letter of Intent

The Town was approached by the Midcoast Regional Redevelopment Authority (MRRA) to submit a Community Development Block Grant (CDBG) to benefit Washburn & Doughty, a Maine company seeking to expand its production capabilities to Brunswick Landing. Unfortunately, the request came forward the day after the last Town Council meeting on February 16, 2016. The Department of Economic and Community Development (DECD) has indicated that it anticipates being out of funds after the first round of competition this year. In order to be considered in the first round, a Letter of Intent needs to be submitted on March 4, 2016. The next Town Council meeting is not scheduled until March 7, 2016. The project is estimated at \$1,034,000. The CDBG request is \$400,000.

Following further discussion with MRRA, they offered to indemnify the Town against any risk created by the company's unlikely possibility of failing to achieve the Low to Moderate Income (LMI) job creation and hiring targets. As some of you may recall, MRRA has provided that indemnification on past projects such as Maine Tool and Machine and Integrated Marine Systems. In addition, DECD considers the Letter of Intent a notice of intent to apply without obligation to the Town or company (*my emphasis*).

Based on those two factors, I authorized our Economic Development staff to work with MRRA and the company to develop and submit a Letter of Intent (LOI) for March 4, 2016. Submitting the LOI does not commit the Town Council to any future action. Any CDBG application on behalf of MRRA and this company will come before the Council for its deliberation and consideration as other projects have in the past. A copy of the Letter of Intent will be made available to the Council as soon as it is submitted to DECD.

Cc: Linda Smith
Economic Development Department

EDP ELIGIBLE ACTIVITY CATEGORIES

	<p>Grants to Municipalities: for acquisition, relocation, demolition, clearance, construction, reconstruction, installation and rehabilitation <u>associated with public infrastructure</u> projects such as water and sewer improvements, flood and drainage improvements, publicly-owned commercial and industrial buildings, parking, streets, curbs, gutters, sidewalks, etc. <u>All public infrastructure must be owned by the municipality or public or private utility and be in support of an identified business.</u></p>	\$1,000,000
X	<p>Grants to Municipalities for Direct Business Support: for capital and non-capital equipment, land and site improvements, rehabilitation or construction of commercial or industrial buildings, job training, working capital and capital equipment and be in support of an identified business. Acquisition is not an allowable activity under this group.</p>	\$1,000,000

Applicants may apply in only one specific grant activity group.

ECONOMIC DEVELOPMENT PROGRAM FUNDS CANNOT BE USED TO REFINANCE EXISTING DEBT

PROJECT INFORMATION

Using the space provided please provide a clear, concise description of the proposed development project. Be sure to clearly explain how EDP funds will be utilized, the financing gap that exists in order to do the project and the timeline in which the CDBG-EDP funds will be expended and information relative to jobs being created and/or retained.

Washburn & Doughty Associates, Inc. (W&D) of East Boothbay, Maine specializes in the construction of steel and aluminum vessels. Founded by Bruce Doughty, Bruce Washburn and Carl Pianka, the yard began building fishing boats in 1977. Since then, the yard has diversified its capabilities, developing innovative designs and techniques and exploring new markets. W&D is undertaking the relocation of a portion of its steel boat-building operations to Building #86, Brunswick Landing, Brunswick, Maine. Specifically, W&D plans to move its steel cutting operations, panel stiffening and part of its structural model construction. To create efficient operations, Building #86 will need significant infrastructure improvements, as follows:

- Overhead Cranes – Install 4 additional overhead cranes to complement the existing 10 ton overhead crane;
- Gas Delivery System – Install piping to support propylene, argon and oxygen for the cutting and fitting operations;
- Ventilation System - Install a Donaldson type dust/fume collector to support welding operations;
- Insulation – Install ceiling installation; and,
- Relocate fence – Relocate the existing perimeter fence to the north and west to accommodate materials & product shipments.

Washburn & Doughty estimate the costs associated with this work at \$1,034,000 for the total project, with \$200,000 in owner equity; \$434,000 in bank financing; and, \$400,000 from a CDBG request. The company commits to hiring fifteen (15) new employees at Brunswick Landing as a result of this project.

EDP DOLLARS PER JOB CREATED: The maximum CDBG participation per job created with EDP funds is \$30,000.

JOB RETENTION INFORMATION (Fill in job information below)

Number of Full-Time Equivalent (FTE) Jobs to be Retained: **N/A**

The applicant must also attach documentation to this Letter of Intent such as public announcement of lay-offs, public announcement of imminent closure, financial records) of impending job loss without CDBG Program assistance. **Completion of Job Retention Assurances and Job Retention Summary Documentation must be completed and submitted to the Office of Community Development before applicant will be invited to submit an EDP application.** Forms require completion and must be signed by both the municipal and business CEO. Please pay close attention to the definition of permanent, full time and full time equivalent jobs.

JOB CREATION INFORMATION (Fill in job information below)

Number of Full-Time Equivalent (FTE) Jobs to be Created within 12 months: **15**

Occupation/Job Title	# of Jobs	Work Location	Hire Date	Avg. Hourly Salary	Avg. Hourly Salary with fringe benefits
Welder / Craft Worker	5	Brunswick, ME	8/1/2016	\$20.00 / hour	\$27.00 / hour
Shipfitter / Craft Worker	7	Brunswick, ME	8/1/2016	\$20.00 / hour	\$27.00 / hour
Burn Table Operator / Operative	1	Brunswick, ME	8/1/2016	\$20.00 / hour	\$27.00 / hour
Material Handler / Operative	1	Brunswick, ME	8/1/2016	\$20.00 / hour	\$27.00 / hour
Commercial Driver / Operative	1	Brunswick, ME	8/1/2016	\$20.00 / hour	\$27.00 / hour

In determining CDBG National Objective compliance with job retention only **Permanent** jobs may be counted; temporary jobs may not. Full time jobs require a worker to work at least 1750 hours per year. Part time jobs require a worker to work at least 875 hours but less than 1750 hours per year. Part-time jobs **must** be converted to Full Time Equivalents (FTE). An FTE is defined as two part time jobs. **Seasonal** jobs may count only if the seasonal job lasts long enough and provides sufficient income to be considered the employee's principal occupation. (Contact OCD prior to counting seasonal jobs towards LMI benefit.) **All** permanent jobs created by the project must be counted, regardless of funding source(s). Jobs indirectly created by the project (i.e., remote location, “trickle down” jobs) do not count.

G. COST ESTIMATES & PROJECT FUNDING

Provide the estimated project cost, amount of CDBG funds to be requested and sources, amounts and dates secured for all anticipated cash matching funds.

Applicants for Economic Development Program funds must certify and provide documentation, at time of application, that there is a 100% cash match of the total EDP award. Matching funds must be directly related to the activities undertaken with EDP funding and must be firm commitments from

non-CDBG funds and documented by binding commitment letters submitted with the final application. Matching funds cannot be committed or expended prior to the project receiving Environmental Review Clearance from the Office of Community Development. Prior commitments and in-kind contributions are not considered as match. Project must demonstrate that there is a gap between sources and uses and that CDBG funds are needed to fill that gap.

Communities receiving an EDP award may not receive any other EDP award for the same project or business during the same program year **or** for the same or project or business from a prior program year that has not met **final** closeout status.

All construction estimates should be prepared by the Engineer/Architect. Take into account the inflation rate in relation to the anticipated starting date of the project and applicable DAVIS/BACON wage rates as they apply to construction costs. **Please note projects with a total cost exceeding \$3,000,000 are not eligible for EDP assistance. The minimum request for EDP assistance is \$100,000*.**

Total Estimated Project Cost:	\$1,034,000.00	CDBG Request:	\$400,000.00
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Funding Source	Amount	Date Secured
Financial Institution	\$ 434,000	In process
Owner Equity	\$ 200,000	Available at time of CDBG Award
CDBG Grant	\$ 400,000	TBD
TOTAL:	\$1,034,000	

EDP PROJECTS IN SUPPORT OF RETAIL BUSINESSES

EDP applications in support of a retail business must attach written documentation to this Letter of Intent for each of the following limited conditions:

- 1.** The retail business represents the provisions of new products and services previously unavailable in the community or is a tourism-related business; and
- 2.** The development or expansion of the retail business represents a net economic gain for the community and the region. Applications supporting a retail business or businesses are required to certify that the development represents a new overall gain for the region economy and not a shift from existing established businesses to a new or expanded one; and
- 3.** The retail business is located in either a downtown district meeting the definition of PL 776 enacted by the 119th legislature; or a designated local growth area contained in an adopted and consistent comprehensive plan; and
- 4.** At least 50% of the jobs created by the retail business must be full time jobs.

*** Projects seeking less than \$100,000 in CDBG EDP funds must request a waiver from the Office of Community Development (OCD) and have received approval of that wavier from OCD prior to the submission of the EDP Letter of Intent.**

Applicant & Business Certifications

As an authorized official of the applicant community and/or business, I certify under the penalties of perjury that:

1. To the best of my knowledge and belief, all information contained in this Letter of Intent and all attached documentation is true and correct and current as of the date signed below;
2. This Letter of Intent complies with all applicable State and federal laws and regulations;
3. All parties signing this Letter of Intent are cognizant of the requirements that should the intended Job Creation/Retention National Objective of the CDBG program not be met all CDBG funds must be repaid to the State of Maine CDBG program; that DECD may elect to secure such requirement/repayment with assets of the Applicant Business for a term of up to five years should this project be approved for funding; and that DECD may deduct from the amount of any Grant the cost of legal fees associated with the review, underwriting and securing of collateral should this project be approved for funding.
4. There are no actions, suits or proceedings pending or, to the knowledge of the borrower, threatened against or affecting the applicant and/or business at law or in equity before any court or administrative officer or agency which might result in any material adverse change in the business or financial condition of the borrower. The borrower is not in default (a) in the payment of any taxes levied or assessed against it or any of its assets or (b) under an applicable statute, rule, order, decree, writ, injunction or regulation of any governmental body (including any court).
5. With the exception of administrative or personnel costs, verify that no person who is an employee, agent, consultant, officer, or elected official or appointed official of state or local government or of any designated public agencies, or subrecipients which are receiving CDBG funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to CDBG activities.
6. Approval of this Letter of Intent by OCD to submit a final application does not imply final project approval or funding.

Signature of Chief Executive Officer:	Printed or Typed Name: John Eldridge, Town Manager
Name of Applicant Community : Town of Brunswick	Date: March 4, 2016

Signature of Chief Executive Officer:	Printed or Typed Name: Bruce Doughty, President
Name of Applicant Business : Washburn & Doughty Associates, Inc.	Date: March 4, 2016

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
ECONOMIC DEVELOPMENT PROGRAM GRANT APPLICATION**

**GRANTEE/BUSINESS ASSURANCES
JOB RETENTION**

NOT APPLICABLE FOR THIS APPLICATION

The Business _____ (as identified below), having applied for funding from the Town/City of _____ (as identified below) through the Maine assures that it has discussed job retention project goals with the applicant business. The Municipality is assured that _____ jobs **will be retained for a period of no less than two years from the date of the CDBG contract between the municipality and the State of Maine.** The Business (as identified below) assures that these jobs will be retained and that timely and completed documentation will be provided to the Municipality necessary to verify job retention achievements. Both the Municipality and the Business assure that low and moderate-income persons hold at least 51% of the jobs retained.

In determining CDBG National Objective compliance with job retention only **Permanent** jobs may be counted; temporary jobs may not. Full time jobs require a worker to work at least 1750 hours per year. Part time jobs require a worker to work at least 875 hours but less than 1750 hours per year. Part-time jobs **must** be converted to Full Time Equivalents (FTE). An FTE is defined as two part time jobs. **Seasonal** jobs may count only if the seasonal job lasts long enough and provides sufficient income to be considered the employee's principal occupation. (Contact OCD prior to counting seasonal jobs towards LMI benefit.) **All** permanent jobs created by the project must be counted, regardless of funding source(s). Jobs indirectly created by the project (i.e., remote location, "trickle down" jobs) do not count.

All job retention information reported on this form will be reviewed by OCD.

Municipality

Signature of Municipal CEO

Date

Business

Signature of Business CEO

Date

The applicant must attach documentation to this form (such as public announcement of lay-offs, public announcement of imminent closure, financial records) of impending job loss without CDBG Program assistance.

**STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
ECONOMIC DEVELOPMENT PROGRAM GRANT APPLICATION
JOB RETENTION SUMMARY DOCUMENTATION**

NOT APPLICABLE FOR THIS APPLICATION

TO BE DETERMINED BY EMPLOYEE SURVEY AND VERIFIED THROUGH SUPPORTING DOCUMENTATION

JOB TITLE	Job Class*	# JOBS RETAINED Qualified		# LMI JOBS RETAINED		# NON LMI JOBS RETAINED	
		full time	part time	full time	part time	full time	part time

**All existing employees must be surveyed prior to making application to determine LMI status and establish an employment baseline for future reference.
All job retention information reported on this form must be submitted for reviewed by OCD.**

*** Attach a job description for each job title for which a position will be retained and use the job category definition numbers outlined below to indicate job class.**

The above information has been compiled using the individual surveys of all affected employees of the Business (as identified above).

This survey was based on family income as defined by the HUD Low/Moderate Income Limits, which apply to the Community Development Block Grant (CDBG) Program. To the best of my knowledge, all information represented above is true and factual. Assurances are also given that "Clear and Objective" evidence exists documenting the above jobs would actually be lost without CDBG Program funding, and that this evidence exists in the form of a notice issued by the assisted party to affected employees, a public announcement, relevant financial records or other form acceptable to the Department of Economic and Community Development.

Signature of Human Resources Officer

Date

STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
Economic Development Program Development Grant Application
JOB CATEGORY DEFINITIONS AND CLASS NUMBERS

1. **Officials and Managers** – Occupants requiring administrative personnel who set broad policies, exercise overall responsibility of execution of these policies, and individual departments or special phases of a firm’s operations. This includes: Officials, Executives, middle management, plant managers and superintendents, salaried supervisors who are members of management, purchasing agents and buyers, and kindred workers.
2. **Professional** – Occupants requiring either college graduation or experience of such kind and amount as to provide a comparable background includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, professional and labor relations workers, physical scientists, physicians, social scientists, teachers, and kindred workers.
3. **Technicians** – Occupants requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post-high school education such as is offered in many technical institutions and junior colleges, or through equivalent on the job training. This includes: computer programmers and operators, drafters, engineering aides, junior engineers, mathematic aides, licensed practical or vocational nurses, photographers, radio operators, scientific assistants, surveyors, technical illustrators, technicians (medical, dental, electronic, physical science) and kindred workers.
4. **Sales** – Occupants engaging wholly or primarily in direct selling. This includes: advertising agenda and sales workers; insurance agents and brokers; real estate agents and brokers; sales workers, demonstrators and retail sales workers; and sales clerks, grocery clerks and cashiers; and kindred workers.
5. **Office and Clerical** – Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting the products is included. This includes: bookkeepers, cashiers, collectors (bills and accounts), messengers and office helpers, office machine operators, shipping and receiving clerks, stenographers, typists, and secretaries, telegraph and telephone operators, and kindred workers.
6. **Craft Worker (skilled)** – Manual workers of relatively high level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. This includes: the building trades, hourly paid supervisors and lead operators (who are not members of management), mechanic and repairers, skilled machining occupations, compositors and typesetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationary engineers, tailors, and kindred workers.

STATE OF MAINE
COMMUNITY DEVELOPMENT BLOCK GRANT
Economic Development Program Development Grant Application
JOB CATEGORY DEFINITIONS AND CLASS NUMBERS
(continued)

7. **Operatives (semi-skilled)** – Workers who operate machines or other equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training. This includes: apprentices (auto mechanics, plumbers, electricians, machinists, mechanics, building trades, metal working trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, dress makers and sewers (except factory), dryer’s furnaces workers, heaters (metal), laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor operators, oilers and greasers (except auto), painters (except construction and maintenance), photographic process workers, boiler tenders, truck and tractor drivers, weavers (textile), welders and flame metals workers, and kindred workers.
8. **Laborers (unskilled)** – Workers in manual occupations which generally require no special training perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. This includes: garage laborers; car washers and greasers; gardeners (except farm) and ground keepers; stevedores; wood choppers; laborers performing lifting, digging, mixing loading, and pulling operations; and kindred workers.
9. **Service workers** – Workers in both protective and non-protective service occupations. This includes attendants (hospital and other institutions, professional and personal service, including nurses aides and orderlies), barbers, chair workers and cleaners, cooks (except household), counter and fountain workers, elevator operators, firefighters and fire protection guards, door keepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, and kindred workers.

ITEM 25

BACK UP MATERIALS

Sections of Code of Ordinance, Chapter 10 Business Licensing

- (6) Sellers of prepared food on public way. The town council may, upon finding that the public convenience so requires and that the applicant is a reputable person, authorize the issuance of a license to sell prepared food on a public way.
- a. The fee for a license for sellers of prepared food on a public way shall be a twenty-five dollar (\$25.00) application fee. The fee for a license for sellers of prepared food on a public way located at the Mall on Maine Street shall be fifteen hundred dollars (\$1,500.00); this license cannot be prorated. The fee for licenses for sellers of prepared food on a public way at the Farmer's Market located at the mall on Maine Street shall be three thousand dollars (\$3,000.00) (for Tuesdays and Fridays). All fees for licenses for sellers of prepared food on a public way shall be payable annually, in advance, and the license shall expire on the date of the first council meeting in March. Applications will be considered by the town council at the first council meeting in March and applications must be filed with the town clerk seven (7) days prior to this meeting. Additional applications may be filed whenever less than the maximum number of licenses have been issued and are in effect.
 - b. The town council may authorize the issuance of a license for a single day or single event on a public way. The fee for a single day license shall be twenty-five dollars (\$25.00) and for a single event license shall be fifty dollars (\$50.00) up to three (3) days. The provisions of subsection c.5. below shall not apply to single day or single event licenses.
 - c. In determining whether or not to issue a license, the council shall consider the following:
 1. The number and proximity of licenses previously granted for the general area sought to be served by the applicant.
 2. The nature, size, appearance and condition of the vehicle or food service device to be used by the applicant. A plan or picture shall be provided.
 3. The impact of the proposed use, including the location of chairs, tables, and service areas on public travel and the adjacent neighborhood. A plan for the use of the public way shall be provided.
 4. The character and ability of the applicant.
 5. Licenses to sell prepared food on the town mall shall be approved for no more than four (4) vendors annually, not including the Brunswick Farmers' Market.
 - d. Each license shall contain the following conditions:
 1. Operations of the licenses shall be confined to those hours and parts of public ways designated in the license. Because of the public way location, the town council may choose to further restrict the hours of operation. No equipment may remain on the mall or public way when the vendor is not open for business, except as approved by the director of parks and recreation. Such approval shall allow equipment to remain on the mall overnight when the following day's activity is expected to make vendor arrival unduly difficult. Such approvals shall not exceed six (6) times per year.
 2. The licensee shall keep and maintain the area adjacent to its activities free of litter and debris.
 3. The licensee shall indemnify the town against and hold the town harmless from any expense or liability in any way arising out of or connected to activity under the license.
 - e. The council may, in its discretion, as a further condition of the license, require the licensee to provide proof of insurance in appropriate amounts with respect to the risks referred to in d.3. above, and impose such conditions, not inconsistent with this article, as it deems reasonable and necessary. Current limits of insurance are as follows: General liability, including product coverage, with a single aggregate limit of five hundred thousand dollars

(\$500,000.00) for bodily injury, and a one hundred thousand dollars (\$100,000.00) limit for property damage.

- f. Any license issued hereunder may be revoked for reasonable cause at any time by the council.
- g. Each mall vendor shall also obtain a victualer's license.



Town Clerk's Department
207-725-6658

Fran Smith, Town Clerk

MEMO

To: Town Council
From: Fran Smith, Town Clerk
Date: February 29, 2016
Re: **SELLERS OF PREPARED FOOD ON PUBLIC WAYS** application

The Town Clerk's Office has received a request for a **SELLERS OF PREPARED FOOD ON PUBLIC WAYS**

Seller of Prepared Food on Public Ways for Businesses on Mall (food vendors):

Wrappers
Danny's Dogs
Taco the Town
BB's Grill
Twist-N-Dip
Brunswick Farmers' Market

Seller of Prepared Food on Public Ways for Businesses on Maine Street:

Big E's
Gelato Fiasco
The Great Impasta
Shere Punjab
Frosty's Donuts

Please consider these requests at your March 7, 2016 Council Meeting.

Wrappers

TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

Please complete:

Type of Business: Sole Proprietor-Owner's Name: DAVID & TERESA BROWN
 Partnership-Partner's Names: _____
 Corporation-Corporation Name: _____
Incorporation Date: _____ Incorporation State: _____

New License: Opening Date _____ Renewal License

Business Name: WRAPPERS ON MALL E-Mail: DBROWN1137@HOTMAIL.COM
Business Address: 22 MORGANSON LN TOPSHAM ME Business Phone Number: 207-319-5023
Name of Contact Person: DAVID BROWN Contact's Phone Number: 207-319-5023
Mailing Address for Correspondence: 22 MORGANSON HALL TOPSHAM MAINE 04086
Signature of Applicant: David E Brown Date: 2/1/2016

There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Corporations Please Complete:

Address of Incorporation: _____ Phone #: _____

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

Town Clerk Use Only

Approvals: Finance Codes Health Officer Council Police

Codes Officer Signature _____

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart (also will need FSE License)

Waiting on: _____ Mailed or Issued Date: _____ PH Date: 3/7/16

Type of License: SPFPW Paid Fee: \$ 1,500.00 ¹⁰²⁸ Cash/Check Date: FEB - 3 2016

Advertising Fee: \$ _____ Paid

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____
_____ Annually (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: *Description of Food to be sold:* _____

Innkeeper-Exp. May 31st 1-15 Rooms (\$100) 16+ Rooms (\$175)

Junkyard Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

_____ #Weeks/\$25/week _____ #Months (up to-3 months-\$50/ up to-6 months \$75) 1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: WRAPPERS ON MALE _____ Exp. 1st PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license. I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. _____

(Signature of owner, officer, partner or agent)

(New applicants must talk to Recreation Dept/there is no proration on new licenses)

Tattooing Establishment (\$75)-Exp. June 30th

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens



Dannys

TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

New License: Opening Date _____ Renewal License

Business Name: DANNY'S DOGS E-Mail: _____

Business Address: 36 Park Meeting Rd, Brunswick, ME 04011 Business Phone Number: 721 0381

Name of Contact Person: Sean McDonald Contact's Phone Number: 721 0381

Mailing Address for Correspondence: 36 Park Meeting Rd Brunswick, Me 04011

Signature of Applicant: [Signature] Date: 2-7-16

Type of Business: Sole Proprietor-Owner's Name: Sean McDonald

Partnership-Partners' Names: _____

Corporation-Corporation Name: _____

Corporations Please Complete:

Incorporation Date: _____ Incorporation State: _____

Address of Incorporation: _____ Phone #: _____

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

Note: There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Town Clerk Use Only: Type of License ISE SPPPW

All Licenses: Personal Property Taxes Paid

Peddler: Codes _____ Codes Officer Signature _____

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart Council Approval

Victualer/Innkeeper/Tattooing Establishment State Health Certificate

Junkyard: Public Hearing Date Advertising Fee

Mailed or Issued Date: _____ Paid Fee: \$ 1500 Cash / Check Date 2/17/2016

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____

_____ Annual (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Pool/Billiard Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st *Current State Health Certificate must accompany application*

FSE Serving Malt, Vinous & Spirituous Liquor (\$250)

FSE Serving Malt and Vinous (\$200)

FSE Serving Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,

B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

Innkeeper-Exp. May 31st

1-15 Rooms (\$100)

Current State Health Certificate must accompany application

16+ Rooms (\$175)

Junkyard, Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

_____ #Weeks/\$25/week _____ #Months (up to-3 months-\$50/ up to-6 months \$75) ___ 1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

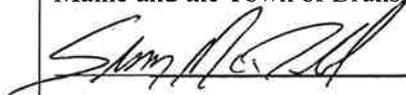
Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: Downtown Mall, Main St Brunswick, Me Exp. 1st PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license.

I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick.



(Signature of owner, officer, partner or agent)

New applicants must contact the Recreation Department (Peter Baecher) for cart dimensions and mall access. Tel# 207-725-6656

There is no proration on new licenses.

Tattooing Establishment (\$75)-Exp. June 30th *Current State Health Certificate must accompany application*

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens

Taco the Town

TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

New License: Opening Date 5/1/2016 Renewal License

Business Name: Taco THE Town E-Mail: enigmata12@yahoo.com

Business Address: 18 Bouchard Dr. Brunswick, ME. Business Phone Number: 207-632-4740

Name of Contact Person: Tai Choo Contact's Phone Number: 207-632-4740

Mailing Address for Correspondence: 18 Bouchard Dr. Brunswick, ME. 04011

Signature of Applicant: [Signature] Date: 2/4/16

Type of Business: Sole Proprietor-Owner's Name: Tai M. Choo

Partnership-Partners' Names:

Corporation-Corporation Name:

Corporations Please Complete: Incorporation Date, State, Address, Phone #, Name of Corp. Officer, Owner, or Partners: Title Address % of Stock or ownership

Note: There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Town Clerk Use Only: Type of License Seller of prep. food w/w lic. All Licenses: Personal Property Taxes Paid Peddler: Codes Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart Council Approval Victualer/Innkeeper/Tattooing Establishment State Health Certificate Junkyard: Public Hearing Date Advertising Fee Mailed or Issued Date: Paid Fee: \$ 1,500 Cash / Check Date FEB - 4 2016

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____
_____ Annually (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st *Current State Health Certificate must accompany application*

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

Innkeeper-Exp. May 31st

1-15 Rooms (\$100)

Current State Health Certificate must accompany application

16+ Rooms (\$175)

Junkyard Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling (\$250-5 Yrs)**
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

____ #Weeks/\$25/week ____ #Months (up to-3 months-\$50/ up to-6 months \$75) __1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: Mall vendor / Downtown Brunswick Exp. 1st PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license.

I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick.

 _____ (Signature of owner, officer, partner or agent)

New applicants must contact the Recreation Department for cart dimensions and mall access.

Tel# 207-725-6656

There is no proration on new licenses.

Tattooing Establishment (\$75)-Exp. June 30th *Current State Health Certificate must accompany application*

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens

February 4, 2016

To Whom It May Concern:

We are a local family looking to start our own small business, a California Style Taco Trailer, named Taco the Town, right here in Brunswick. My fiancée, Tai Choo, who will be doing the actual running of the trailer, is a chef who grew up in California. He has traveled all over the country, working in fine dining restaurants. He has spent the last two years, away from the fine dining drama, at a small, family run café in Topsham, Blueberries, as the head chef and kitchen manager. Here he designed the menu, developing it to reflect his love of food and travels.

His dream has always been to open a taco trailer reminiscent of the taco trucks that are so popular in his home state. He is also seeking to share the love of cooking that he developed growing up in a family where food was seen as an event to bring family and friends together.

We have two small children and are looking forward to making this business family friendly for the many families who live in, or visit Brunswick. Our food will be, not only authentic, but fresh and fun, appealing to all age groups over this town's diverse population.

Thank you so much for taking the time to look over and consider Taco the Town, which we feel will fit right in and will add a new dimension to the street food community here in Brunswick.

Sincerely,

Jessica Gaudette and Tai Choo (and our kiddos, Matao and Iris!)

A handwritten signature in cursive script that reads "Jessica Gaudette". The signature is written in dark ink and is positioned below the typed name.

8x16 - Best Sellers

SHOP

PRESS/NEWS ABOUT US CONTACT US



4 of 15

please note that
 the actual color
 of the
 truck will be
 green

8x16 S - Best Sellers

HOME

SHOP

GALLERY

LEARN

PRESS/NEWS

ABOUT US

CONTACT US



1 of 15

TOWN OF BRUNSWICK

BB's Grill

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

APPLICATION FOR LICENSE OR PERMIT

New License: Opening Date _____ Renewal License

Business Name: B.B.'s Grill E-Mail: ~~BB's~~ BBsGrill@hotmail.com

Business Address: 6 SWETT, ST. BRUNSWICK ME **Business Phone Number:** 207 798 0158

Name of Contact Person: Bill Dufresne **Contact's Phone Number:** 207 449 8542

Mailing Address for Correspondence: 6 SWETT, ST. BRUNSWICK, ME 04011

Signature of Applicant: [Signature] **Date:** 2-21-16

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

Partnership-Partners' Names: Becky Dufresne

Corporation-Corporation Name: _____

Corporations Please Complete:

Incorporation Date: _____ **Incorporation State:** _____

Address of Incorporation: _____ **Phone #:** _____

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

Note: There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Town Clerk Use Only:

Type of License Seller Prep Food Public Way

All Licenses: Personal Property Taxes Paid

Peddler: Codes _____ *Codes Officer Signature*

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart Council Approval

Victualer/Innkeeper/Tattooing Establishment State Health Certificate

Junkyard: Public Hearing Date Advertising Fee

Mailed or Issued Date: _____ **Paid Fee:** \$1500 Cash Date 2/22/2016

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____

_____ Annually (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st *Current State Health Certificate must accompany application*

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,

B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

Innkeeper-Exp. May 31st

1-15 Rooms (\$100)

16+ Rooms (\$175)

Current State Health Certificate must accompany application

Junkyard Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling (\$250-5 Yrs)**
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

_____ #Weeks/\$25/week _____ #Months (up to-3 months-\$50/ up to-6 months \$75) ___ 1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

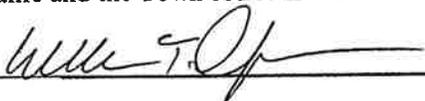
Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: Mall _____ *Exp. 1st PH in March*

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license.

I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick.

 (Signature of owner, officer, partner or agent)

New applicants must contact the Recreation Department for cart dimensions and mall access.

Tel# 207-725-6656

There is no proration on new licenses.

Tattooing Establishment (\$75)-Exp. June 30th *Current State Health Certificate must accompany application*

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens



Twist - N - Dip

TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

Please complete:

Type of Business: Sole Proprietor-Owner's Name: Gregory A. Goan
 Partnership-Partner's Names: Christine A. Wilke
 Corporation-Corporation Name: _____

Incorporation Date: _____ Incorporation State: _____

New License: Opening Date 04-30-16 Renewal License

Business Name: Twist - N - Dip E-Mail: tagoan@gmail.com

Business Address: 16 Gradal Canal Dr. Brunswick, ME Business Phone Number: _____

Name of Contact Person: Gregory A. Goan / Christine A. Wilke Contact's Phone Number: 751-0518 / 751-9244

Mailing Address for Correspondence: 16 Gradal Canal Drive Brunswick, ME 04011

Signature of Applicant: Gregory A. Goan Date: 02-22-16

There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Corporations Please Complete:

Address of Incorporation: _____ Phone #: _____
Name of Corp. Officer, Owner, or Partners: Title Address % of Stock or ownership

Town Clerk Use Only

Approvals: Finance Codes Health Officer Council Police

Codes Officer Signature _____

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart (also will need FSE License)

Waiting on: _____ Mailed or Issued Date: _____ PH Date: _____

Type of License: seller of food Paid Fee: \$1500⁰⁰ Cash Check Date: 2-29-16
on p/w Advertising Fee: \$ _____ Paid

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____
_____ Annually (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: *Description of Food to be sold:* _____

Innkeeper-Exp. May 31st 1-15 Rooms (\$100) 16+ Rooms (\$175)

Junkyard Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)

Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

_____ #Weeks/\$25/week _____ #Months (up to-3 months-\$50/ up to-6 months \$75) _____ 1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: ON THE MALL Exp. 1st PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license. I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. _____

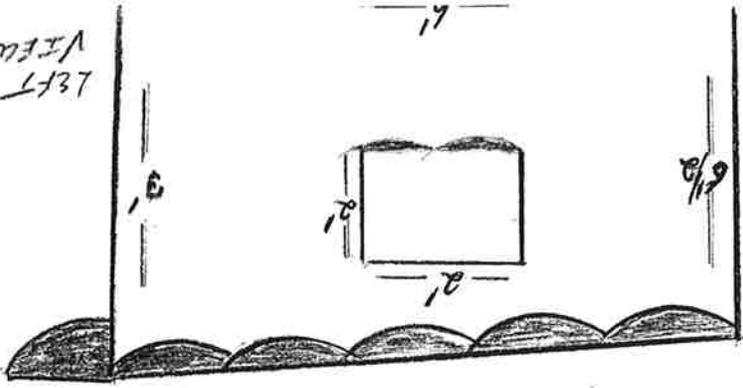
[Signature] (Signature of owner, officer, partner or agent)

(New applicants must talk to Recreation Dept/there is no proration on new licenses)

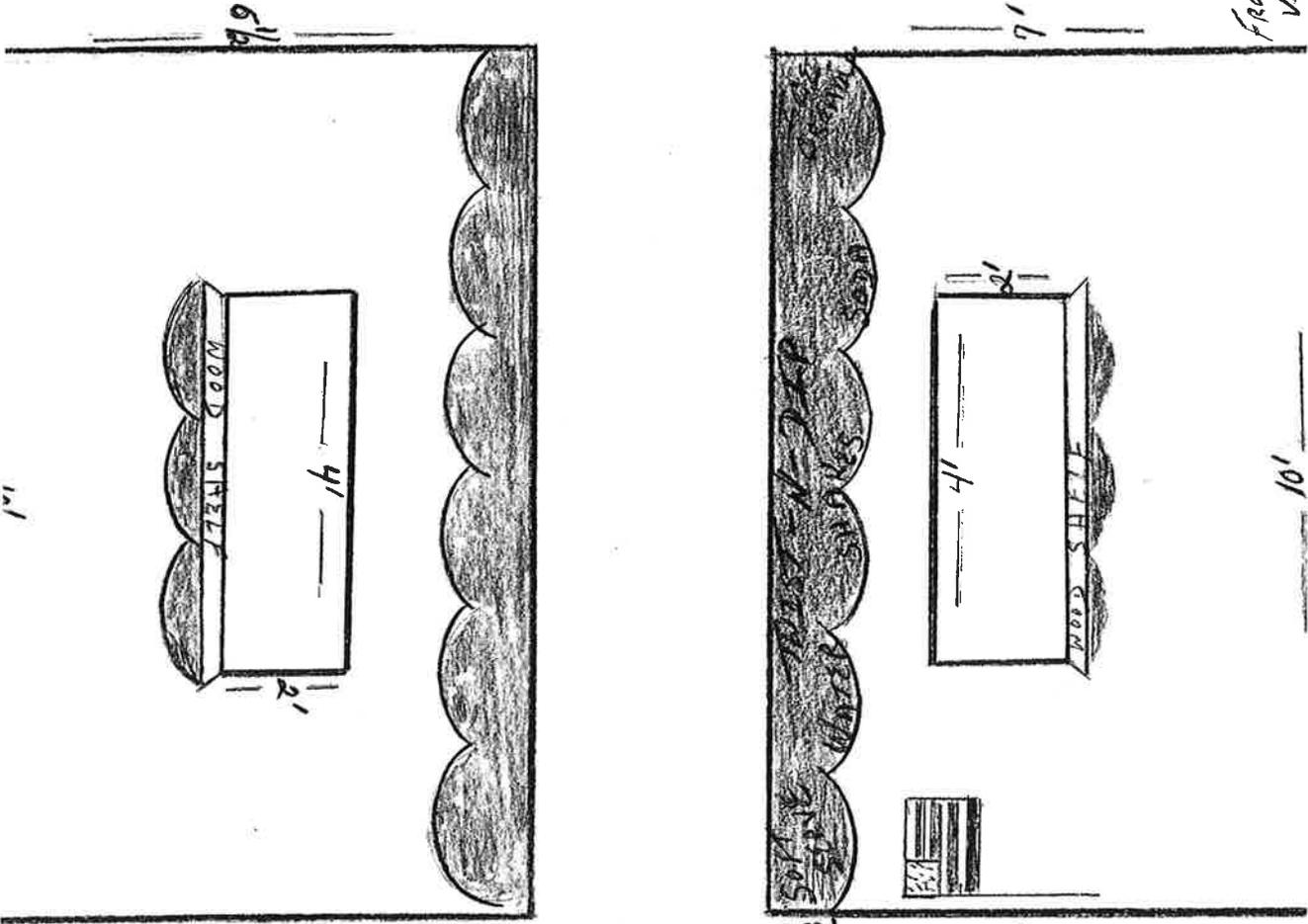
Tattooing Establishment (\$75)-Exp. June 30th

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens

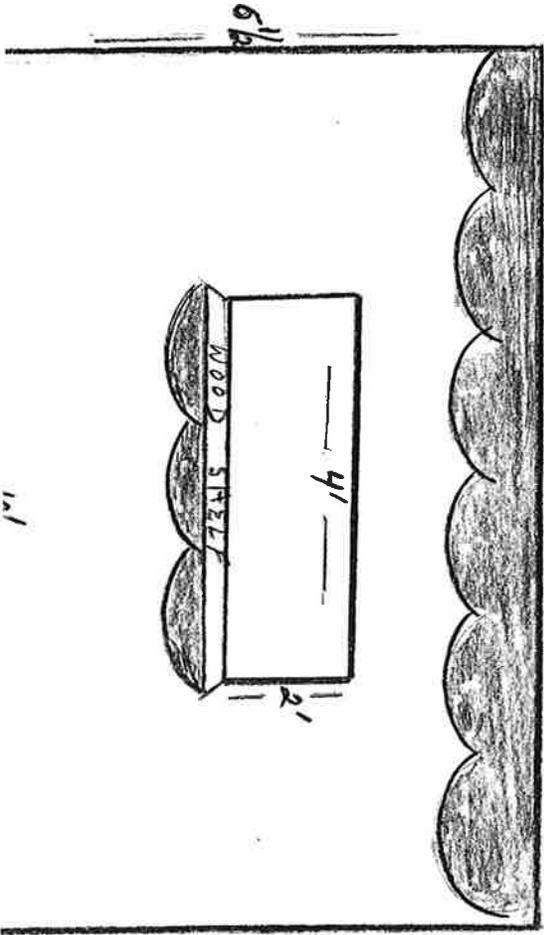
LEFT VIEW



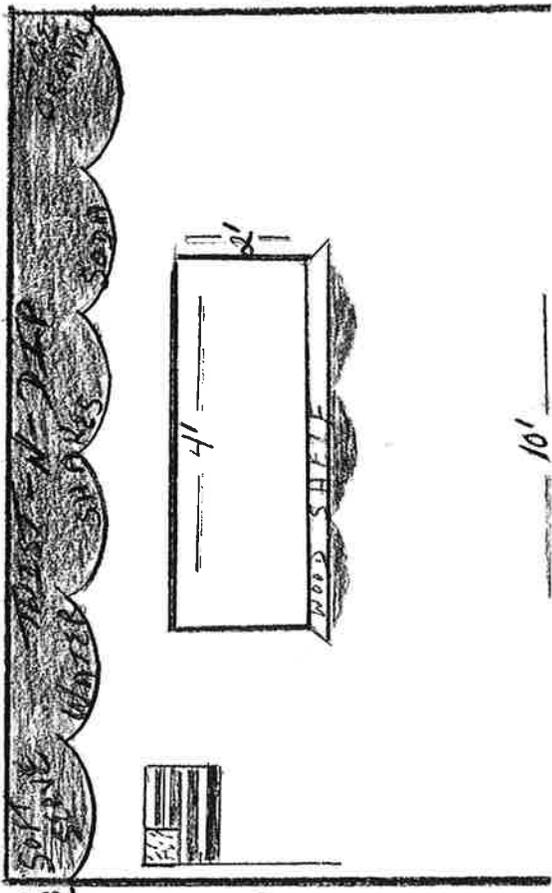
FRONT VIEW



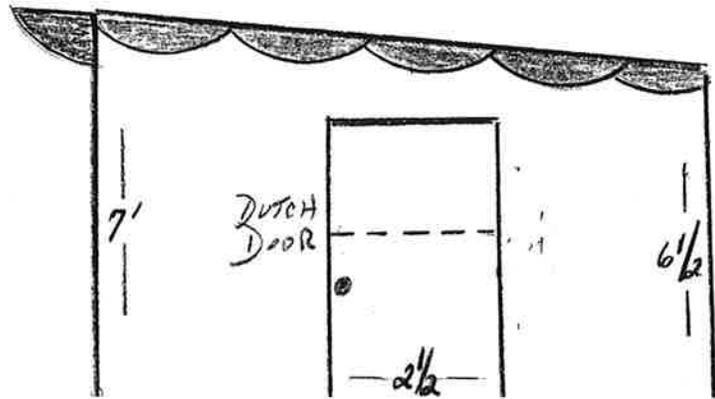
BACK VIEW



OVER HANG



RIGHT VIEW



To: Members of the Brunswick Town Council
From: Terry A. Goan / Christine A. Wilke
Date: 02-22-2016
RE: Soft Serve Ice Cream Stand On The Mall (Twist-N-Dip)

We apologize for not being present for this evenings Brunswick Town Council meeting. Unfortunately, we had a business trip planned months in advance prior to deciding to open this soft serve ice cream stand. It is our hope, to have the town council approve this request for a little something different on the mall. To start we would offer vanilla, chocolate, and a swirl combination on a cone or in a dish. We will also carry a few toppings such as sprinkles, caramel and chocolate sauces. If there was a demand for other toppings we could add as necessary.

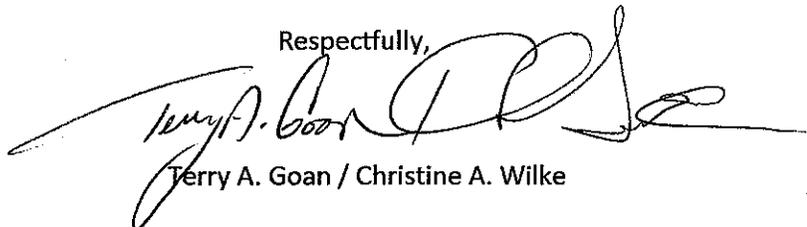
Our goal would be to change out the soft serve flavors on a regular basis to mix it up. This would be a **sweet** addition to the current vendors already on the mall. The other vendors cater to a quick lunch, where we would have the treat after the lunch. Currently, there are no soft serve options in the downtown area and it gives the community another option other than hard serve. We also believe it would be a great addition for families coming down to use the mall after dinner. Those who have young children would not need to cross Maine Street to get an ice cream.

Attached is a drawing of what the stand will look like once it is built. Below is a description of the cart once it is built by students from Region 10 Technical High school.

- Single axle trailer 10' long wide X 6' wide. (Roof will have a slight pitch toward back of building)
- White building with blue trim. (Decorative trim on front, rear, and under windows)
- White lettering advertising business name and product on the blue.
- 2x3 construction
- T111 wood siding

Thank you all for considering this venture as we try to bring some good ole soft serve ice cream to the downtown.

Respectfully,



Terry A. Goan / Christine A. Wilke

Farmer's Mkt

TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

New License: Opening Date _____ Renewal License

Business Name: FARMER'S MARKET E-Mail: _____

Business Address: PO BOX 124 BRUNSWICK Business Phone Number: (207) 729-1872

Name of Contact Person: PETE KAROWIS Contact's Phone Number: (207) 522-5064

Mailing Address for Correspondence: PO BOX 124 BRUNSWICK, ME

Signature of Applicant: Pete Karowis Date: 2/5/16

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

Partnership-Partners' Names: _____

Corporation-Corporation Name: BRUNSWICK FARMER'S MKT ASSOC
NON PROFIT

Corporations Please Complete:

Incorporation Date: _____ Incorporation State: _____

Address of Incorporation: _____ Phone #: _____

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership
<u>BRUNSWICK FARMER'S MKT ASSOC</u>			<u>-</u>
<u>NATE DRUMMOND (PRESIDENT)</u>			<u>-</u>
<u>P.O. BOX 124</u>			
<u>BRUNSWICK, ME</u>			

Note: There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Town Clerk Use Only: Type of License seller of Prep food PW
Farmer's Mkt

All Licenses: Personal Property Taxes Paid

Peddler: Codes _____ Codes Officer Signature _____

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart Council Approval

Victualer/Innkeeper/Tattooing Establishment State Health Certificate

Junkyard: Public Hearing Date Advertising Fee

Mailed or Issued Date: _____ Paid Fee: \$ 3000.00 Cash/Check Date FEB - 5 2016

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____
_____ Annual (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Pool/Billiard Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st *Current State Health Certificate must accompany application*

FSE Serving Malt, Vinous & Spirituous Liquor (\$250)

FSE Serving Malt and Vinous (\$200)

FSE Serving Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering, B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

Innkeeper-Exp. May 31st

1-15 Rooms (\$100)

Current State Health Certificate must accompany application

16+ Rooms (\$175)

Junkyard, Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

____ #Weeks/\$25/week ____ #Months (up to-3 months-\$50/ up to-6 months \$75) __1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)
Location: Brunswick Mall Exp. 1st PH in March
As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license.

I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick.

Puffiani (Signature of owner, officer, partner or agent)

New applicants must contact the Recreation Department (Peter Baecher) for cart dimensions and mall access. Tel# 207-725-6656
There is no prororation on new licenses.

Tattooing Establishment (\$75)-Exp. June 30th *Current State Health Certificate must accompany application*

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens

ITEM 26

BACK UP MATERIALS

Adopted Amendment to Chapter 10 Regarding Use of Sidewalks for food vendors

The ordinance was adopted by the Brunswick Town Council on July 20, 2015 to be effective on August 19, 2015

Chapter 10 LICENSES AND BUSINESS REGULATIONS [11](#)

ARTICLE I. - IN GENERAL

ARTICLE II. - LICENSES, GENERALLY

ARTICLE II. LICENSES, GENERALLY

[Sec. 10-26. Required; fees.](#)

[Sec. 10-27. Qualifications.](#)

[Sec. 10-28. Penalties.](#)

[Secs. 10-29—10-45. Reserved.](#)

Sec. 10-26. Required; fees.

- (a) A person or organization may not engage in any of the businesses or occupations listed below without first obtaining a license from the town according to the provisions stated below. In addition, the applicant is responsible for compliance with all pertinent town ordinances and state laws. Except as otherwise stated, the license shall expire on June 30, annually.
- (b) The fees indicated below include a twenty-five dollar (\$25.00) application fee which is nonrefundable if the license is not approved. Unless otherwise designated, the initial license shall be assessed on a semi-annual basis. There will be a late fee assessed to licenses that have expired in the amount of twenty-five dollars (\$25.00) for licenses with fees higher than fifty dollars (\$50.00), and in the amount of ten dollars (\$10.00) for licenses with fees fifty dollars (\$50.00) or less. The fine will double after the license has been expired for more than thirty (30) days.
 - (6) *Sellers of prepared food on public way.* The town council may, upon finding that the public convenience so requires and that the applicant is a reputable person, authorize the issuance of a license to sell prepared food on a public way.
 - a. The fee for a license for sellers of prepared food on a public way shall be a twenty-five dollar (\$25.00) application fee. The fee for a license for sellers of prepared food on a public way located at the Mall on Maine Street shall be fifteen hundred dollars (\$1,500.00); this license cannot be prorated. The fee for licenses for sellers of prepared food on a public way at the Farmer's Market located at the mall on Maine Street shall be three thousand dollars (\$3,000.00) (for Tuesdays and Fridays). All fees for licenses for sellers of prepared food on a public way shall be payable annually, in advance, and the license shall expire on the date of the first council meeting in March. Applications will be considered by the town

council at the first council meeting in March and applications must be filed with the town clerk seven (7) days prior to this meeting. Additional applications may be filed whenever less than the maximum number of licenses have been issued and are in effect.

- b. The town council may authorize the issuance of a license for a single day or single event on a public way. The fee for a single day license shall be twenty-five dollars (\$25.00) and for a single event license shall be fifty dollars (\$50.00) up to three (3) days. The provisions of subsection c.5. below shall not apply to single day or single event licenses.
- c. In determining whether or not to issue a license, the council shall consider the following:
 - 1. The number and proximity of licenses previously granted for the general area sought to be served by the applicant.
 - 2. The nature, size, appearance and condition of the vehicle or food service device to be used by the applicant. A plan or picture shall be provided.
 - 3. The impact of the proposed use, including the location of chairs, tables, and service areas on public travel and the adjacent neighborhood. A plan for the use of the public way shall be provided.
 - 4. The character and ability of the applicant.
 - 5. Licenses to sell prepared food on the town mall shall be approved for no more than four (4) vendors annually, not including the Brunswick Farmers' Market.
- d. Each license shall contain the following conditions:
 - 1. Operations of the licenses shall be confined to those hours and parts of public ways designated in the license. Because of the public way location, the town council may choose to further restrict the hours of operation. No equipment may remain on the mall or public way when the vendor is not open for business, except as approved by the director of parks and recreation. Such approval shall allow equipment to remain on the mall overnight when the following day's activity is expected to make vendor arrival unduly difficult. Such approvals shall not exceed six (6) times per year.
 - 2. The licensee shall keep and maintain the area adjacent to its activities free of litter and debris.
 - 3. The licensee shall indemnify the town against and hold the town harmless from any expense or liability in any way arising out of or connected to activity under the license.
- e. The council may, in its discretion, as a further condition of the license, require the licensee to provide proof of insurance in appropriate amounts with respect to the risks referred to in d.3. above, and impose such conditions, not inconsistent with this article, as it deems reasonable and necessary. Current limits of insurance are as follows: General liability, including product coverage, with a single aggregate limit of five hundred thousand dollars (\$500,000.00) for bodily injury, and a one hundred thousand dollars (\$100,000.00) limit for property damage.
- f. Any license issued hereunder may be revoked for reasonable cause at any time by the council.
- g. Each mall vendor shall also obtain a victualer's license.
- h. In cases of seating on public ways, there will be a requirement that the applicant maintains a minimum unobstructed paved pedestrian walkway of 60 inches with a minimum vertical clearance of 8 feet. When completing an application, the applicant will provide a detailed diagram of the proposed seating and final approval will be based on a favorable inspection by the Codes Officer to ensure this requirement is met. This requirement must be maintained for the full-time the license is in effect or the license may be subject to being revoked by the Town Council.



Town Clerk's Department
207-725-6658

Fran Smith, Town Clerk

MEMO

To: Town Council
From: Fran Smith, Town Clerk
Date: February 29, 2016
Re: **SELLERS OF PREPARED FOOD ON PUBLIC WAYS** application

The Town Clerk's Office has received a request for a **SELLERS OF PREPARED FOOD ON PUBLIC WAYS**

Seller of Prepared Food on Public Ways for Businesses on Mall (food vendors):

Wrappers
Danny's Dogs
Taco the Town
BB's Grill
Twist-N-Dip
Brunswick Farmers' Market

Seller of Prepared Food on Public Ways for Businesses on Maine Street:

Big E's
Gelato Fiasco
The Great Impasta
Shere Punjab
Frosty's Donuts

Please consider these requests at your March 7, 2016 Council Meeting.

BIG E'S

TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

New License: Opening Date _____ Renewal License

Business Name: BIG E'S Burritos Bowls Salads E-Mail: bigesburritos@gmail.com

Business Address: 111 Maine St., Brunswick Business Phone Number: 844-8053

Name of Contact Person: Katie Winglass Contact's Phone Number: 798-9152

Mailing Address for Correspondence: 160 Centre St., Bath, ME 04530

Signature of Applicant: [Signature] Date: _____

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

Partnership-Partners' Names: _____

Corporation-Corporation Name: NG NG Inc

Corporations Please Complete:

Incorporation Date: 8/16/2015 Incorporation State: MAINE
Address of Incorporation: 160 Centre St., Bath, ME 04530 Phone #: 798-9152

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership
<u>KATHRYN K. WINGLASS</u>	<u>OWNER</u>	<u>Bath, ME 04530</u>	<u>100%</u>

Note: There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Town Clerk Use Only:

Type of License seller of prep food P/W

All Licenses: Personal Property Taxes Paid

Peddler: Codes _____ Codes Officer Signature

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart Council Approval

Victualer/Innkeeper/Tattooing Establishment State Health Certificate

Junkyard: Public Hearing Date Advertising Fee

Mailed or Issued Date: _____ Paid Fee: \$ 25 Cash Check Date **FEB 17 2016**

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____
_____ Annual (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Pool/Billiard Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st *Current State Health Certificate must accompany application*

FSE Serving Malt, Vinous & Spirituous Liquor (\$250)

FSE Serving Malt and Vinous (\$200)

FSE Serving Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering, B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

Innkeeper-Exp. May 31st

1-15 Rooms (\$100)

Current State Health Certificate must accompany application

16+ Rooms (\$175)

Junkyard, Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

___ #Weeks/\$25/week ___ #Months (up to-3 months-\$50/ up to-6 months \$75) ___ 1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: _____ *Exp. 1st PH in March*

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license.

I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick.

_____ (Signature of owner, officer, partner or agent)

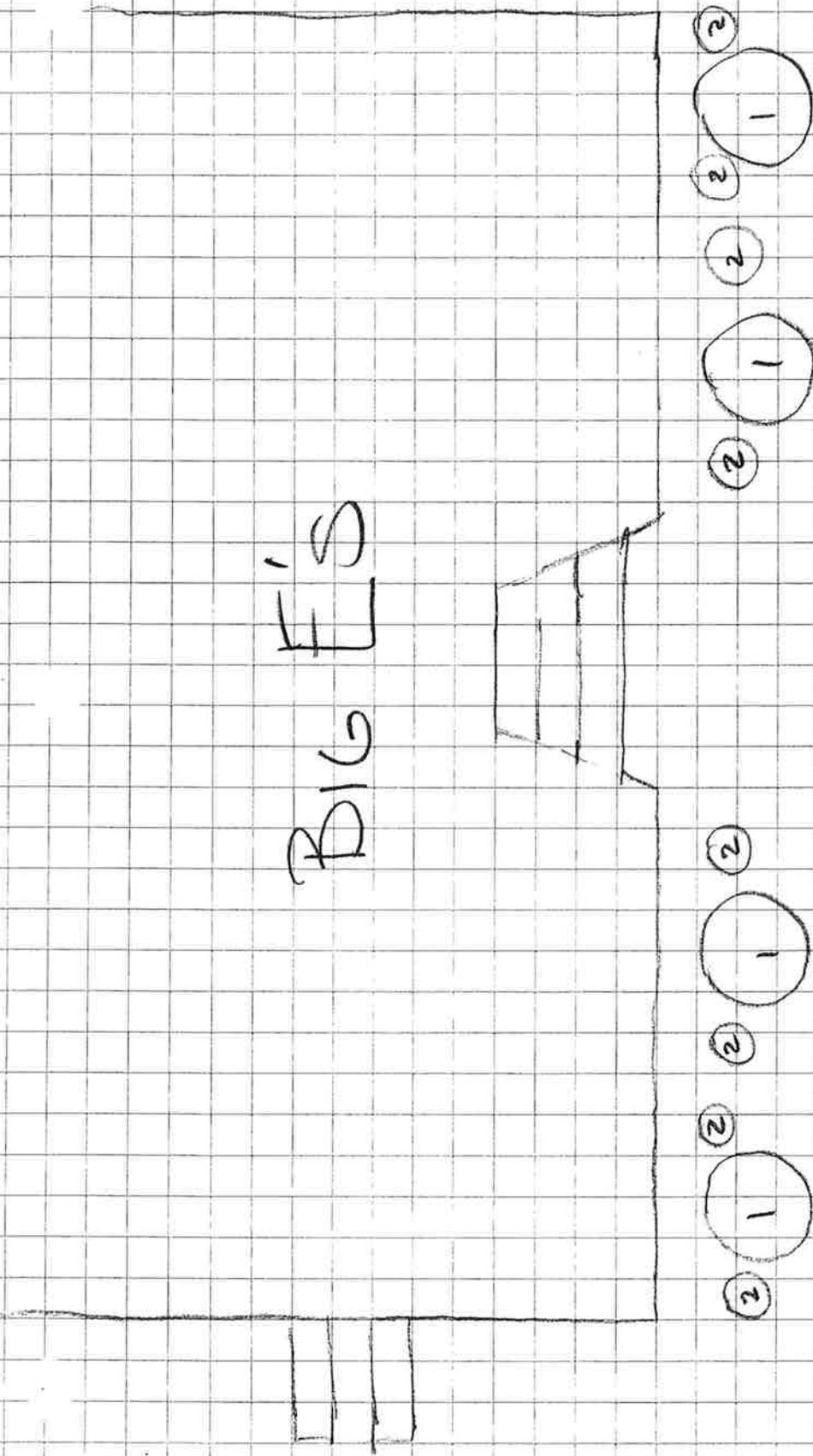
New applicants must contact the Recreation Department (Peter Baecher) for cart dimensions and mall access. Tel# 207-725-6656

There is no proration on new licenses.

Tattooing Establishment (\$75)-Exp. June 30th *Current State Health Certificate must accompany application*

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens

BIG E'S



1 = TABLE 27 1/2" W x 30 1/4" H
2 = CHAIR 20" D x 15" W x 33" H

* EXISTING "FOLD OUT" TABLES
TO BE REMOVED

Gelato Fiasco

TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

New License: Opening Date _____ Renewal License

Business Name: Gelato Fiasco E-Mail: josh@gelatofiasco.com

Business Address: 74 Maine Street **Business Phone Number:** 607 4002

Name of Contact Person: JOSH **Contact's Phone Number:** 649 1594

Mailing Address for Correspondence: 2 INDUSTRY RD

Signature of Applicant: [Signature] **Date:** 2/14/16

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

Partnership-Partners' Names: _____

Corporation-Corporation Name: THE Gelato Fiasco Inc.

Corporations Please Complete:

Incorporation Date: 6/07 **Incorporation State:** ME
Address of Incorporation: 2 INDUSTRY RD **Phone #:** 207 607 4002

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership
<u>JOSHUA DAVIS</u>	<u>Treas.</u>	<u>BRUNSWICK</u>	<u>50</u>
<u>BRUNO PROPERANO</u>	<u>Pres.</u>	<u>BATH</u>	<u>50</u>

Note: There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Town Clerk Use Only: **Type of License** Seller of prep food P/W

All Licenses: Personal Property Taxes Paid

Peddler: Codes _____ *Codes Officer Signature*

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart Council Approval

Victualer/Innkeeper/Tattooing Establishment State Health Certificate

Junkyard: Public Hearing Date Advertising Fee

Mailed or Issued Date: _____ **Paid Fee:** \$ 25 **Cash/Check** **Date:** 2/22/16

1010

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th
_____ 1-3 Days (\$50) Date and Location of Event: _____
_____ Annual (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th
_____ Number of Lanes (\$20 each) _____ Number of Pool/Billiard Tables (\$20 each)

Carnival or Circus
_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st *Current State Health Certificate must accompany application*

- FSE Serving Malt, Vinous & Spirituous Liquor (\$250)
- FSE Serving Malt and Vinous (\$200)
- FSE Serving Malt or Vinous (\$175)
- FSE with Sit Down, no Alcohol (\$100)
- FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering, B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

Innkeeper-Exp. May 31st 1-15 Rooms (\$100) *Current State Health Certificate must accompany application*
 16+ Rooms (\$175)

Junkyard, Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

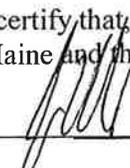
Peddler:
_____ #Weeks/\$25/week _____ #Months (up to-3 months-\$50/ up to-6 months \$75) _____ 1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)
Location: 74 Maine Street Brunswick, ME 04011 Exp. 1st PH in March
As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license.

I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick.

 _____ (Signature of owner, officer, partner or agent)

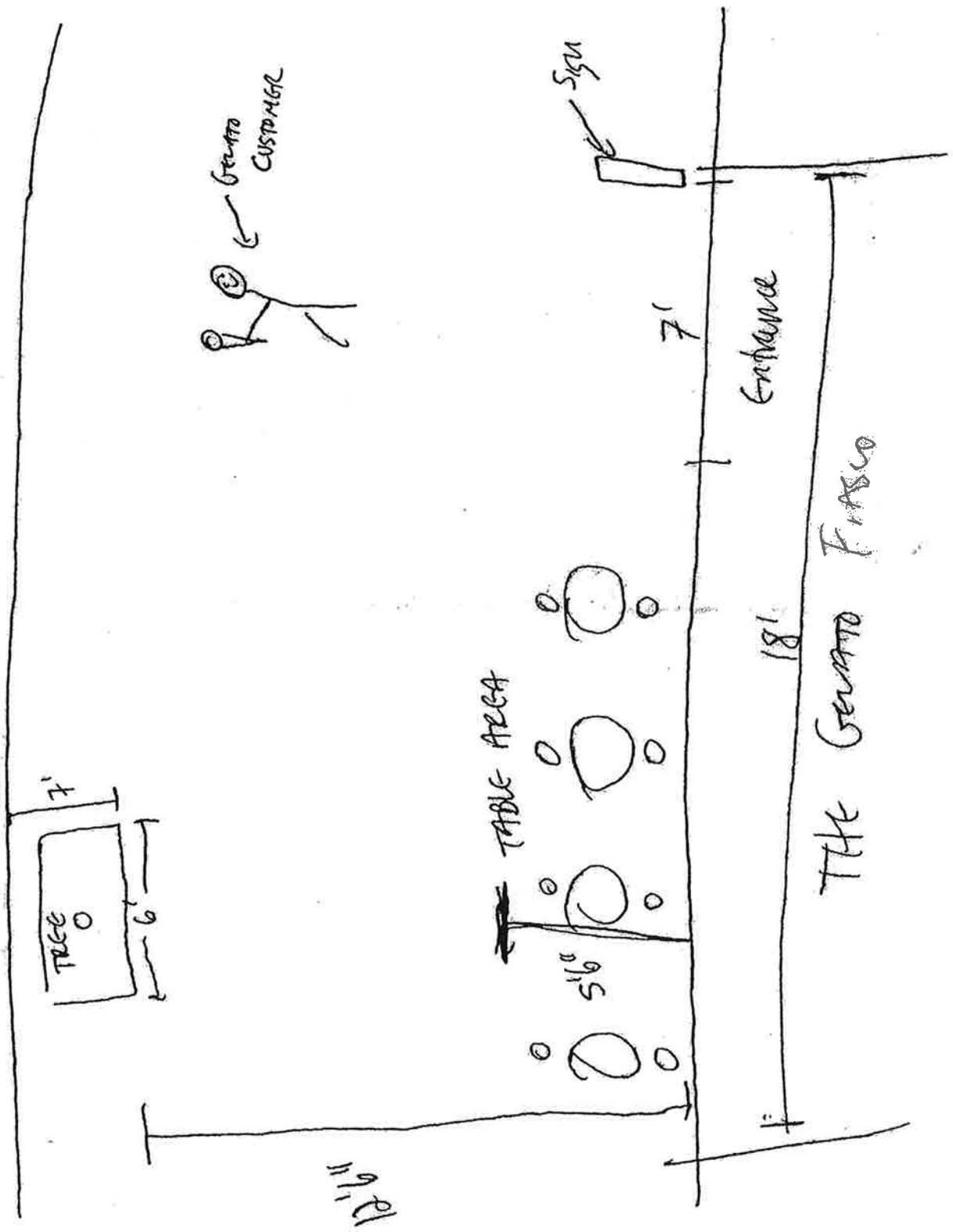
New applicants must contact the Recreation Department (Peter Baecher) for cart dimensions and mall access. Tel# 207-725-6656
There is no proration on new licenses.

Tattooing Establishment (\$75)-Exp. June 30th *Current State Health Certificate must accompany application*

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens

NOT TO SCALE

Main Street



TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

New License: Opening Date _____ Renewal License

Business Name: The Great Impasta E-Mail: pasta@thegreatimpasta.com

Business Address: 42 Maine St. Business Phone Number: 729-5858

Name of Contact Person: Lynn Lubante Contact's Phone Number: 751-1307

Mailing Address for Correspondence: 42 Maine St. Brunswick, ME

Signature of Applicant: [Signature] Date: _____

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

Partnership-Partners' Names: _____

Corporation-Corporation Name: Lubante Acquisition Company

Corporations Please Complete:

Incorporation Date: May 2014 Incorporation State: Maine
Address of Incorporation: 42 Maine St. Brunswick Phone #: _____

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership
<u>Lubante Acquisition Co.</u>	<u>Lynn Lubante</u>	<u>42 Mainest Brunswick</u>	<u>100%</u>

Note: There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Town Clerk Use Only:

Type of License SPFPW

All Licenses: Personal Property Taxes Paid

Peddler: Codes _____ Codes Officer Signature

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart Council Approval

Victualer/Innkeeper/Tattooing Establishment State Health Certificate

Junkyard: Public Hearing Date Advertising Fee

Mailed or Issued Date: _____ Paid Fee: \$ 25.00 Cash / Check Date 2/29/16 #1965

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____
_____ Annual (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Pool/Billiard Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st *Current State Health Certificate must accompany application*

FSE Serving Malt, Vinous & Spirituous Liquor (\$250)

FSE Serving Malt and Vinous (\$200)

FSE Serving Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,

B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

Innkeeper-Exp. May 31st

1-15 Rooms (\$100)

16+ Rooms (\$175)

Current State Health Certificate must accompany application

Junkyard, Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

_____ #Weeks/\$25/week _____ #Months (up to-3 months-\$50/ up to-6 months \$75) _____ 1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: 42 Main St Brunswick, ME Exp. 1st PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license.

I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick.



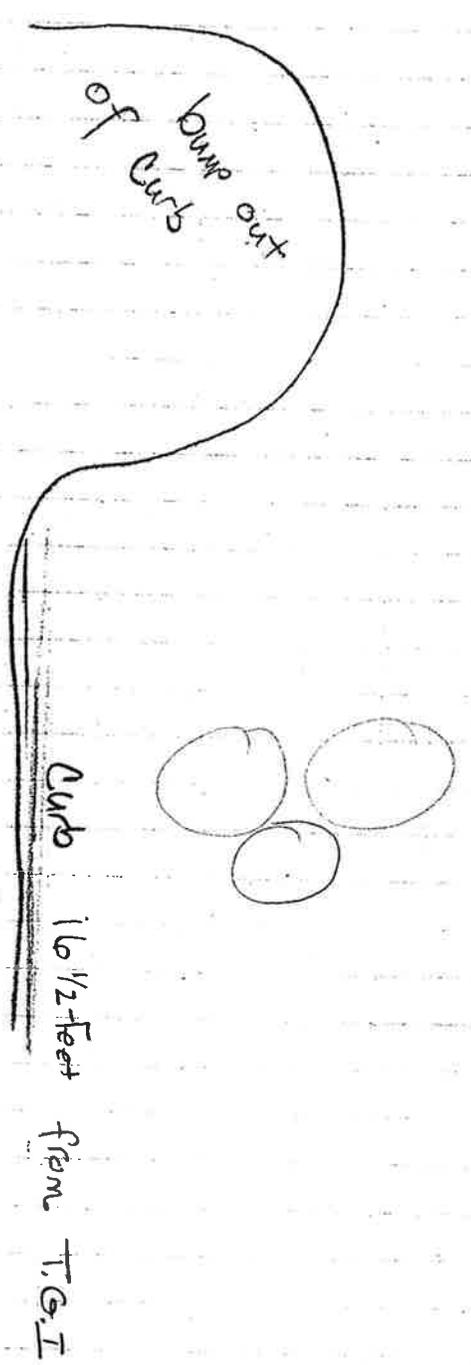
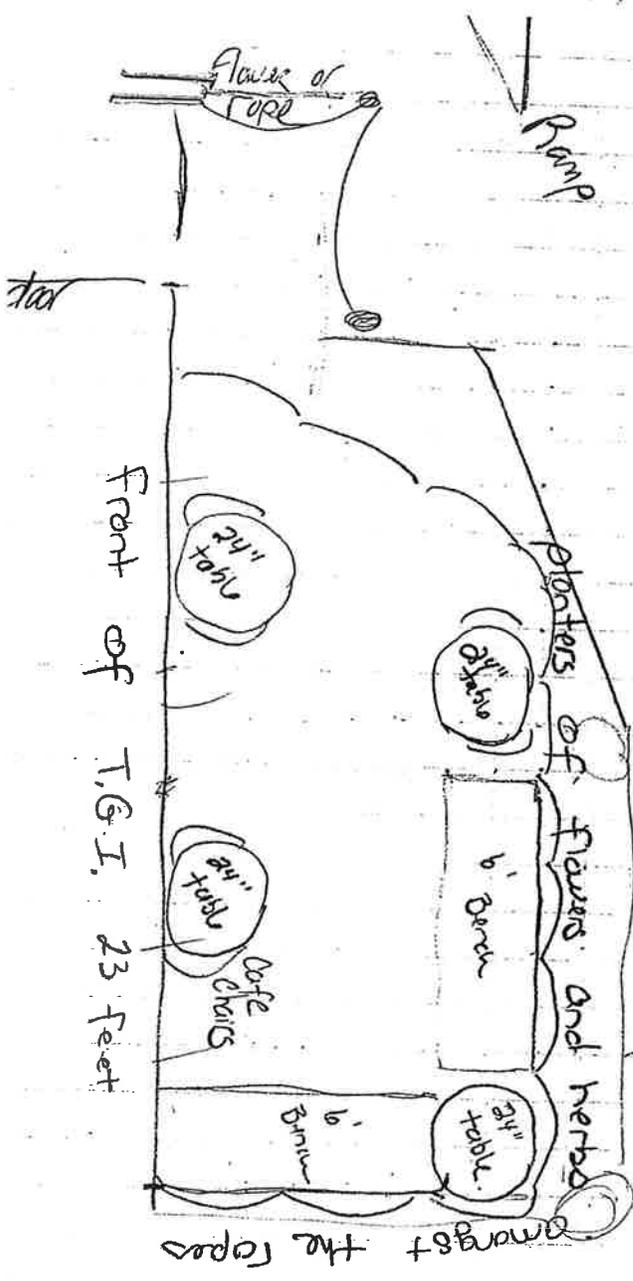
(Signature of owner, officer, partner or agent)

New applicants must contact the Recreation Department (Peter Baecher) for cart dimensions and mall access. Tel# 207-725-6656

There is no proration on new licenses.

Tattooing Establishment (\$75)-Exp. June 30th *Current State Health Certificate must accompany application*

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens



Owning over some
or all of area

Agnes Weinberg
624-7200
751-5903
1erry Canal

TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

New License: Opening Date _____ Renewal License

Business Name: DB/A Shere Punjab Gyawali LLC E-Mail: Gyowalip@gmail.com

Business Address: 46 Maine St Business Phone Number: 207-373-0422

Name of Contact Person: Prakash Gyawali Contact's Phone Number: 617-759-1006

Mailing Address for Correspondence: 46 Maine St. Brunswick, ME 04011

Signature of Applicant: [Signature] Date: _____

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

Partnership-Partners' Names: _____

Corporation-Corporation Name: Gyawali INC

Corporations Please Complete:

Incorporation Date: Jan 5-2005 Incorporation State: ME
Address of Incorporation: 46 Maine St. Brunswick Phone #: 207-373-0422

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership
<u>Prakash Gyawali</u>	<u>Owner</u>	<u>28 Robinson St. S. Portland ME 0406</u>	<u>100%</u>

Note: There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

Select Type of License you are applying for on back of this page

Town Clerk Use Only: Type of License Public Way

All Licenses: Personal Property Taxes Paid

Peddler: Codes _____ Codes Officer Signature

Seller of Prepared Food on Public Way: Insurance Binder Picture of Cart Council Approval

Victualer/Innkeeper/Tattooing Establishment State Health Certificate

Junkyard: Public Hearing Date Advertising Fee

Mailed or Issued Date: _____ Paid Fee: \$ 25 Cash Date 2/23/16

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____
_____ Annual (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Pool/Billiard Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st *Current State Health Certificate must accompany application*

FSE Serving Malt, Vinous & Spirituous Liquor (\$250)

FSE Serving Malt and Vinous (\$200)

FSE Serving Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering, B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

Innkeeper-Exp. May 31st

1-15 Rooms (\$100)

Current State Health Certificate must accompany application

16+ Rooms (\$175)

Junkyard, Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

____ #Weeks/\$25/week ____ #Months (up to-3 months-\$50/ up to-6 months \$75) __1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: _____ *Exp. 1st PH in March*

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license.

I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick.

_____(Signature of owner, officer, partner or agent)

New applicants must contact the Recreation Department (Peter Baecher) for cart dimensions and mall access. Tel# 207-725-6656

There is no proration on new licenses.

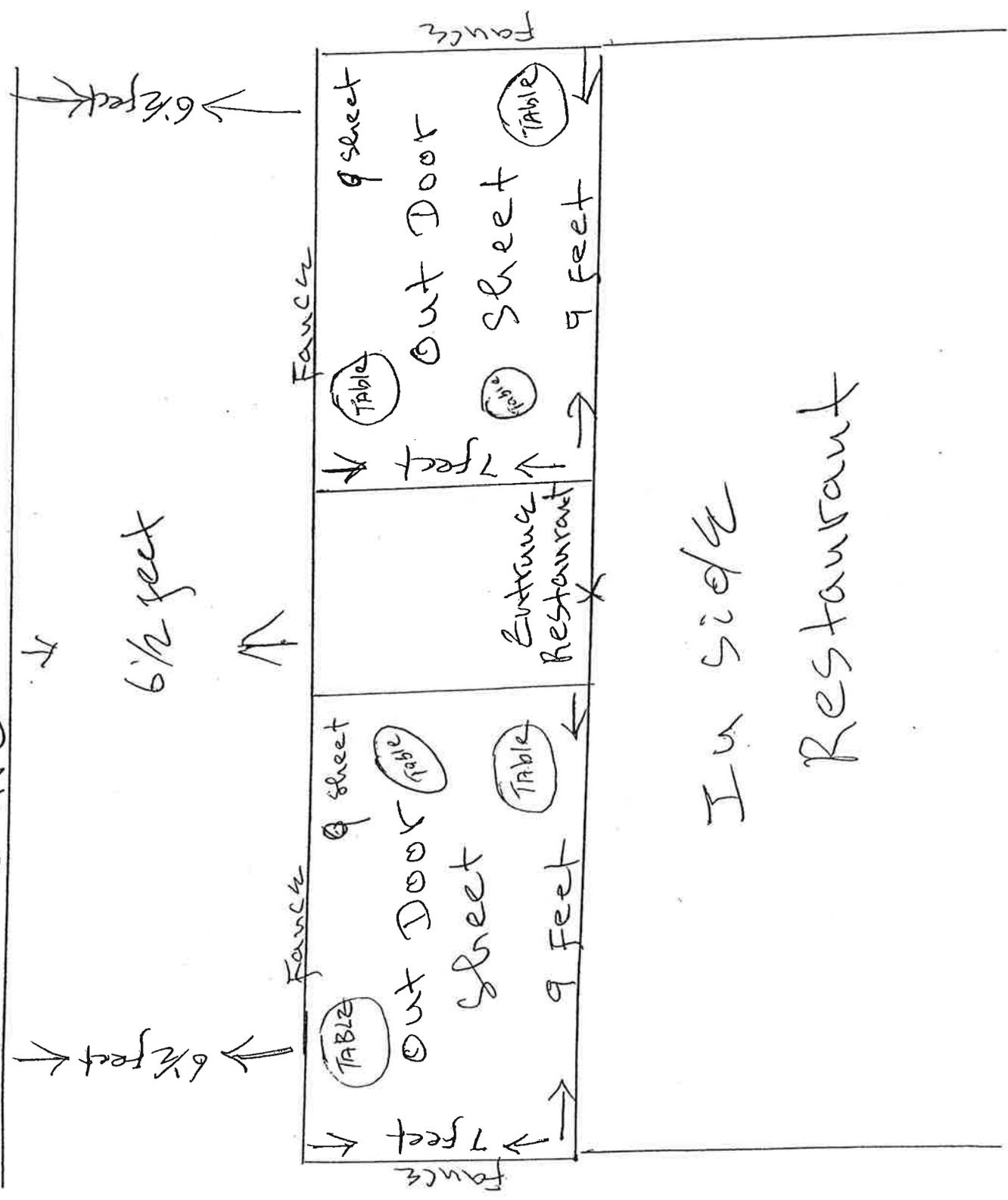
Tattooing Establishment (\$75)-Exp. June 30th *Current State Health Certificate must accompany application*

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens

MAINE ST



CURVE



TOWN OF BRUNSWICK

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

APPLICATION FOR LICENSE OR PERMIT

New License: Opening Date _____ Renewal License

Business Name: Frosty's Donuts LLC E-Mail: Stacey@frostysdonuts.com

Business Address: 119.54 Main St Brunswick **Business Phone Number:** 207-729-4255

Name of Contact Person: _____ **Contact's Phone Number:** _____

Mailing Address for Correspondence: 119 Union St Brunswick ME 04011

Signature of Applicant: [Signature] **Date:** 2/24/16

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

Partnership-Partners' Names: Nels + Shelby Omdal

Corporation-Corporation Name: _____

Corporations Please Complete:

Incorporation Date: _____ **Incorporation State:** _____

Address of Incorporation: _____ **Phone #:** _____

<i>Name of Corp. Officer, Owner, or Partners:</i>	<i>Title</i>	<i>Address</i>	<i>% of Stock or ownership</i>

License Fees & Schedule: Please check the type of license you are applying for.

Bazaar or Flea Market-Exp. June 30th

_____ 1-3 Days (\$50) Date and Location of Event: _____
_____ Annual (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30th

_____ Number of Lanes (\$20 each) _____ Number of Pool/Billiard Tables (\$20 each)

Carnival or Circus

_____ Number of Days (\$150/day) Date and Location of Event: _____

Commercial Vehicle-Exp. December 31st _____ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

Food Service Establishment (Victualer)-Exp. May 31st *Current State Health Certificate must accompany application*

FSE Serving Malt, Vinous & Spirituous Liquor (\$250)

FSE Serving Malt and Vinous (\$200)

FSE Serving Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,

B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

Innkeeper-Exp. May 31st

1-15 Rooms (\$100)

16+ Rooms (\$175)

Current State Health Certificate must accompany application

Junkyard, Automobile Graveyard (\$50 each, both Exp. Oct. 1st) **Auto Recycling** (\$250-5 Yrs)
Plus \$25 application fee for each type _____

Pawnbroker (\$75) Exp. June 30th

Peddler:

_____ #Weeks/\$25/week _____ #Months (up to-3 months-\$50/ up to-6 months \$75) ___1 Year (up to 12 months \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30th _____ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30th

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: 54 Maine Street Brunswick ME 04011 Exp. 1st PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license.

I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick.

_____ (Signature of owner, officer, partner or agent)

New applicants must contact the Recreation Department (Peter Baecher) for cart dimensions and mall access. Tel# 207-725-6656

There is no proration on new licenses.

Tattooing Establishment (\$75)-Exp. June 30th *Current State Health Certificate must accompany application*

Theater (\$150 per screen)-Exp. June 30th _____ Number of Screens

COFFEE

FROSTY'S

DONUTS



ITEM 27

BACK UP MATERIALS

Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

MEMORANDUM

TO: Town Council

FROM: John Eldridge
Town Manager

DATE: March 3, 2016

SUBJECT: Midcoast Regional Redevelopment Authority (MRRA)
Recommendations for the Board

The Governor's Office is requesting that the Town of Brunswick recommend Lois Skilings (re-appointment) and Sharon Eggleston (new appointment). Their resumes are attached for your reference.

As a reminder, the MRRA Board membership and appointments are provided for in state statute, 5 MRSA §13083-I, as follows:

2. Membership; appointment. The authority is governed by a board of trustees composed of 11 voting members appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over economic development matters and to confirmation by the Senate.

A. Trustees are appointed for 4-year terms, except that, for initial appointments, 3 trustees are appointed to one-year terms, 3 trustees are appointed to 2-year terms, 2 trustees are appointed to 3-year terms, 2 trustees are appointed to 4-year terms and the commissioner designated pursuant to paragraph D serves at the pleasure of the Governor. A vacancy must be filled in the same manner as the original appointment for the balance of the unexpired term.

B. A trustee continues to hold office until a successor is appointed and qualified, but the term of the successor is not altered from the original expiration date of the holdover trustee's term.

C. The Governor shall make 10 appointments, of which no fewer than 7 must be from candidates who are residents of Androscoggin County, Cumberland County and Sagadahoc County and are nominated by the primary impact communities. The Governor shall appoint members who reflect the diversity of interests represented by these communities.

D. The Governor shall designate a commissioner of a department of State Government to be a voting, ex officio member of the board of trustees.

E. A member appointed to the board of trustees may not hold an elected office in municipal, county or state government.

Further the statute 5MRSA §13083-H, defines primary impact community as follows.

6. Primary impact community. "Primary impact community" means the municipalities of Bath, Bowdoin, Bowdoinham, Brunswick, Freeport, Harpswell, Lisbon Falls and Topsham and Androscoggin County, Cumberland County and Sagadahoc County.

As I understand the process, the Town is free to submit as many names as it would like to be considered. Ultimately the Governor will make the appointments and there are no guarantees that anyone on the Brunswick list will be appointed.

I would be happy to answer any questions regarding the MRRRA Board appointment process.

/Attachments

LOIS N. SKILLINGS

EDUCATION / PROFESSIONAL LICENSE

Robert Wood Johnson Foundation <i>Executive Nurse Fellows Program</i>	2008-2011
University of Southern Maine <i>Master of Science, Nursing Administration and Adult Health</i>	1991
University of the State of New York, Albany NY <i>Baccalaureate of Science in Nursing</i>	1986
Northeastern University College of Nursing, Boston, MA Associate of Science in Nursing	1979
Registered Nurse, State of Maine	
Nursing Administration Board Certification, Advanced (NEA-BC) (2005-2015)	

PROFESSIONAL EXPERIENCE

7/2011 – Present Mid Coast - Parkview Health Brunswick, ME

President and Chief Executive Officer

Responsibilities: Leadership, overall strategic direction and operational performance for independent, community not for profit healthcare system. In 2015, led the acquisition and integration of Parkview Adventist Medical Center, a 50 bed faith-based community hospital creating a regional healthcare system aligned to improve the health of the community. Strategic affiliate of MaineHealth, Maine's largest healthcare system. Mid Coast–Parkview Health employs 2,000 people, annual revenue of \$200 million, and is comprised of the following organizations:

- Mid Coast Hospital, 93 bed Joint Commission accredited, Magnet designated, including the Parkview campus for wellness and ambulatory care. Ranked #2 Regional Hospital in Maine by U.S. News & World Report in 2015. Leapfrog A rating since 2010.
- Mid Coast Medical Group, 120 provider primary care and multi-specialty medical group with 24 clinics throughout the region including NCQA Level 3, Patient Centered Medical Home Primary Care Practices.
- CHANS Home Health Care (VNA) and Hospice, Joint Commission accredited.
- Mid Coast Senior Health Center, 99 bed facility of skilled/long-term care/assisted living and memory impairment.
- Thornton Oaks Retirement community, a retirement community co-op including 98 apartments and 46 cottages, developed and managed by Mid Coast–Parkview Health.

1/2010 – 7/2011 Mid Coast Health Services Brunswick, ME
Executive Vice President (succession planning transition role)

2/1995 – 12/2009 Mid Coast Health Services Brunswick, ME
Vice President Nursing and Patient Care Services / Chief Nursing Officer

Responsibilities: Chief Nursing Executive responsible for quality and patient safety, professional practice environment, leadership and standards of practice for 525 nurses throughout the system. Led the clinical integration of two small acute care hospitals, followed by the design, building and move to a new regional hospital in 2001. Led the organization through initial Magnet designation in 2009.

OTHER RELATED CAREER HISTORY

5/1992 – 2/1995 Mid Coast Hospital Bath-Brunswick, ME
Coordinator Clinical Nursing Services

11/1988 – 5/1992
Educator / Consultant

- Provided education and consultation services to hospitals and nursing organizations throughout Maine.

11/1988 – 5/1992 Regional Memorial Hospital Brunswick, ME
Clinical Nurse IV Emergency Department

9/1986 – 8/1988 Central Maine Medical Center Lewiston, ME
Staff Resource Coordinator

11/1979 – 9/1986 Regional Memorial Hospital Brunswick, ME
*Nursing Supervisor, Nurse Manager 33 bed Med/Surg/Telemetry/ICU
Staff Nurse / Charge Nurse*

6/1979 – 11/1979 Maine Medical Center Portland, ME
Staff Nurse Surgical Unit

COMMUNITY SERVICE AND BOARD APPOINTMENTS

Midcoast Regional Redevelopment Authority Board of Trustees, appointed by the Governor of the State of Maine (2011-present); Secretary; Executive Committee

FHC, Inc. Board of Directors; Neuroscience Technology Innovation and Manufacturing Company (2012-present)

Medical Mutual Insurance Company of Maine Board of Directors (2014 – present);
Nominating Committee; Maine Hospital Operations Committee

Daniel Hanley Center for Health Leadership Board of Directors (2014-present)

Maine Hospital Association Board of Directors (2013-present); Public Policy
Council

Southern Midcoast Maine Chamber Board of Directors (2011-2015); Executive
Committee

United Way of Mid Coast Maine: Board of Directors (1997-2006); Chairperson,
Board of Directors; Community Campaign Chairperson; Health Care Campaign
Division Chairperson; Safe and Healthy Community Council Chairperson;
Community Compass Strategic Planning Committee Chairperson; Overview
Committee (present)

Go Red for Women! American Heart Association Luncheon Executive Leadership
Team (2014-present); Chairwoman (2015)

American Red Cross Mid Coast Chapter Board of Directors (2010-2015);
Nominating Committee Chairperson

Bath Savings Institution Corporator (2010-present)

Bath Rotary Club (2010-present)

Maine Attorney General Sexual Assault Examiner Advisory Council (2004-2007)

Maine EMS Trauma Advisory Council (2002-2007); Chairperson

Sexual Assault Support Services of Mid Coast Maine Board of Directors; President-
Elect; Committee Volunteer (1993-2001)

Oasis Health Clinic; Nurse Volunteer (1996-2000)

PROFESSIONAL MEMBERSHIPS/ORGANIZATIONS

Nursing Administration Quarterly Editorial Board (2005-2013)

Maine Quality Counts: Aligning Forces for Quality Executive Leadership Team.
Assisted in development of Robert Wood Johnson Foundation AF4Q grant to the
State of Maine (one of 14 in the country); nursing leadership representative (2007-
2011)

International Women's Forum and IWF Maine

OMNE: Nursing Leaders of Maine (member since 1992)
President 1999-2000

Chair Professional Practice Committee 1994-1999
Maine Nursing Summit Planning Committee Chairperson 2005-2007

Sigma Theta Tau International Nursing Honor Society (member since 1990)

American College of Healthcare Executives (member since 2010)

American Organization of Nurse Executives (member since 1995)

ANA-Maine (member since 2003); Elected Nominating Committee Chairperson (2008-2010)

AWARDS

Bath Rotary Club Paul Harris Fellow Award (2016)

March of Dimes State of Maine Chapter Award for Centering Pregnancy (2015)
Mainebiz Women to Watch Award (2015)

Bath Savings Institution Distinguished Corporator Award (2015)

Southern Midcoast Maine Chamber Chairman's Award (2013)

Sigma Theta Tau International Kappa Zeta Chapter Excellence in Nursing Leadership Award (2002)

OMNE: Nursing Leaders of Maine Leadership Achievement Award (1999)

PUBLICATIONS

Reynolds, R., **Skillings, L.** (2015, June 25). Guest Opinion: Shared vision. *The Times Record*.

Skillings, L., Reynolds, R. (2014, October 24). Working together for the health of our community. *The Times Record*.

Skillings, L. (2012, November 2). A vision of healing for our community. *The Times Record*.

Skillings, L. (2012). From CNO to CEO. All Nurses are Leaders. Guest Editor: *Nursing Administration Quarterly*. Vol. 36 No. 1.

Skillings, L. & MacLeod, D. (2009). The Patient Care Coordinator Role: An Innovative Delivery Model for Transforming Acute Care and Improving Outcomes. *Nursing Administration Quarterly*. Vol. 33.

Skillings, L. (2008). Caring Competencies for a Complex Healthcare Environment.

Leadership in Caring. Guest Editor: *Nursing Administration Quarterly*. Vol. 32 No. 1 and No. 2.

Skillings, L. (2005). Shining a Spotlight on Patient Safety and Quality: Part I, Monitoring Nursing Sensitive Indicators. *ANA-Maine Newsletter*. Summer.

Skillings, L. (2005). Shining a Spotlight on Patient Safety and Quality: Part II, The Patient Safety Movement Launches New Approaches to Errors in Healthcare. *ANA-Maine Newsletter* Fall.

Skillings, L. (1998). The Reproductive System. Book Chapter: Healy, P. & Mourad, L. *American Nursing Review for Medical-Surgical Certification*. Springhouse. 2nd. ed.

Skillings, L. (1992). Perceptions and Feelings of Nurses About Horizontal Violence as an Expression of Oppressed Group Behavior in Thompson, J. & Allen, D. (Eds). *Critique, Resistance and Action: Working Papers in the Politics of Nursing*. NLN Press.

RESEARCH AND GRANTS

Maine Health Access Foundation (September 2007); Author of \$2,000 grant awarded to establish the Maine Magnet Networking Collaborative, a voluntary learning community of nurses sharing best practices on the journey to Magnet designation. I led the development and implementation of the collaborative, supported by ANA-Maine and OMNE: Nursing Leaders of Maine.

Skillings, L. (1990). Perceptions and Feelings of Nurses About Horizontal Violence as an Expression of Oppressed Group Behavior. Master's Thesis. University of Southern Maine, Portland, Maine.

SELECTED PRESENTATIONS

- Managing Change in Complex Systems. Guest Lecture. Physician Executive Leadership Institute Advanced Course, Daniel Hanley Center for Health Leadership. January 28, 2016.
- Hospital Integration: Learning from Maine's Mid Coast-Parkview Health...and Bringing it Home". National Webinar, Network for Regional Healthcare Improvement (NRHI) Healthdoers Series. December 17, 2015
- Women In Leadership: Southern Midcoast Maine Chamber Women's Networking Forum. November 15, 2015
- From CNO to CEO: Challenges and Opportunities. MaineHealth Chief Nurse Council. November 6, 2015

- A Vision for the Health of Our Community. Curtis Memorial Library Community Forum, Town of Brunswick Town Council Meeting, Town of Topsham Selectman Meeting, Thornton Oaks Retirement Community, Topsham Public Library, Bath Rotary Club, Rotary Club of Brunswick, Topsham Rotary Club, Topsham Public Library, Southern Midcoast Maine Chamber Luncheon. August-October, 2015
- The Triple Aim and Role of a Health System CEO. Guest Lecture, University of Southern Maine Muskie School of Public Service Health Policy Course. November 2015, December 2014, November 2013, November 2012
- The Measure of a Healthy Community. Keynote address United Way of Mid Coast Maine Annual Meeting. May 21, 2015
- Current State of Mental Healthcare in Maine: A Public Health Crisis. Local Community Mental Health Task Force, April 16, 2015
- Navigating Politics. Guest Lecture. Physician Executive Leadership Institute Advanced Course, Daniel Hanley Center for Health Leadership. January 29, 2015
- Resiliency in a Time of Transformation: How Maine Healthcare Organizations are Building Resilience. Presentation to Hanley Leadership Development fellows. November 17, 2014.
- The Critical Role of School Nurses in Today's Changing Healthcare Environment. Keynote address. Maine School Nurse Summer Institute. July 23, 2014
- The Future of Healthcare is Here. Southern Midcoast Maine Chamber Regional Luncheon. May 14, 2014
- Transforming Healthcare: The Good News! Brunswick Rotary Club. March 17, 2014
- Women in Leadership. Cosmopolitan Club of Bath Annual Women Merchants Tea. March 29, 2014
- A Vision for Mid Coast Medical Group and Downtown Bath. Keynote address. Maine Street Bath, Inc. Annual Meeting. October 20, 2014.
- The Role of the Bedside Nurse in the Changing Healthcare Environment. Keynote address to TCAB seminar, Quality Counts. March 21, 2013
- Advocacy and Leadership: The Role of Nurses in a Changing Healthcare Landscape. Critical Care Nurse Symposium. November 1, 2013
- Simplifying Change in a Complex Health Care Environment. St. Joseph's College Seminar in Healthcare Leadership. July 27, 2012

- Work-Life Balance in Perspective: Southern Midcoast Maine Chamber Women's Networking Forum. March 7, 2012
- Reinforcing the Importance of Patient and Family Centered Care: Transparency and a Patient's Experience. MaineHealth Boards on Board Seminar, June 2008, November 2008, June 2009, November 2009, June 2010, November 2011
- Hospital Operations Management – Then and Now. Healthcare Financial Management Association New England Conference, Mohegan Sun, CT, May 2010
- Effective Communication and Relationships: Principles and Practices for Nursing Leaders. Guest Lecture. University of Southern Maine School of Nursing, March 2010
- Transforming Patient Care Delivery Models: The Patient Care Coordinator Role. VHA New England Chief Nurse Executive Council, November 2009. MaineHealth Chief Nurse Executives, January 2010
- Leading Performance Improvement of Patient Safety, Quality and Patient and Family Centered Care. Guest Lecture. University of Southern Maine School of Nursing, June 2009
- Problem Solving and Critical Thinking Skills: Strategies for Effective Change. Guest Lecture. University of Southern Maine School of Nursing, June 2009
- Quality and Patient Safety in the Hospital Setting. Quality Counts! Part 6, (State-wide Healthcare Quality Symposium) April 2009
- Patient Safety and Quality: The Ultimate Expression of Patient Advocacy for Emergency Nurses. Keynote speaker. Maine Emergency Nurses Association Annual Meeting, January 2008
- Developing a Plan for a Maine Magnet Collaborative: Maine Nursing Excellence. ANA-Maine and OMNE Joint Conference, October 2007
- Keynote Speaker: Nursing Graduation and Pinning Ceremony. University of Southern Maine, Portland, Maine, August 2006
- Keynote Speaker: Nursing Graduation and Pinning Ceremony. Southern Maine Community College, May 2006
- Strengthening Relationships in Healthcare: Avoiding the Pitfalls of Horizontal Violence: Southern Maine Medical Center, November 2007

- Case Study Presentation: Health Care Quality and Performance....Everyone's Watching. Muskie School of Public Service 1st Annual Forum for Health Care Leaders. University of Southern Maine. October 2005
- Nursing Shortage Overview. MaineHealth Clinical Integration Steering Committee. September 2005
- Beginning Nursing Leadership and Management Concepts: Tools and Practical Strategies for Every Day Success. University of Southern Maine Center for Continuing Education, two-day continuing ed course, December 2003, June 2004, June 2005, June 2006, June 2007, June 2008, June 2009
- Strengthening Relationships and Building Bridges: Power, Influence and Leadership Style. University of Southern Maine School of Nursing, June 2009. The Aroostook Medical Center, June 2004. St Andrews Hospital, April 2004
- Effective Communication Techniques: Collaboration and Conflict Resolution. University of Southern Maine School of Nursing, June 2009. Mid Coast Hospital, December 2005, February 2004. The Aroostook Medical Center, June 2004. St Andrews Hospital, April 2004
- Supporting Clinical Nursing Colleagues: Creating Exceptional Professional Practice Environments. University of Southern Maine School of Nursing, June 2009. The Aroostook Medical Center, June 2004. St Andrews Hospital, April 2004
- CareMap Project Management. The Center for Case Management. Natick Massachusetts, March 1999 & June 1998
- CareMaps Across the Continuum. American Heart Association Scientific Session, ME, NH, VT Affiliate, April, 1997
- Developing an Outpatient CareMap. The Center for Case Management. Outpatient Conference, Hartford, CT, November, 1995
- Caring in a Crisis: Connections for Emergency Nurses. New England Regional Symposium of Emergency Nurses, Rockland, Maine, April 1994.

SHARON A. EGGLESTON

38 MacMillan Drive, Brunswick, Maine 04011

(h) 207-729-3779 (c) 207-841-5682 (e) bseggs@gwi.net

PROFESSIONAL EXPERIENCE

23+ years of experience in the Lockheed Martin Installation Engineering office in Maine. Provided installation engineering and technical liaison to the AEGIS community to support functional/detail design and integration of the AEGIS Combat Systems on board DDG-51 Arleigh Burke Class Destroyers. Possessed a thorough knowledge of Navy Ship Specifications and related documents as well as ship construction drawings! Analyzed combat system baseline/post-baseline change packages to identify and resolve implementation errors, discrepancies, and omission of combat system technical data which could significantly impact design, production schedules, and cost. Provided technical support/interpretation/clarification to LM MS2 MRS for forward fit/back fit combat system engineering change packages and for Ballistic Missile Defense. Possessed a working knowledge of the US Navy Engineering Change Proposal (ECP) process as well as the Lockheed Martin Technical Data Package (TDP) development process! Shipboard/ shipyard experience with the AEGIS Combat System and the Electronic Cooling Water System. Conducted ship checks to resolve ship design issues. Participated in weekly Waterfront Change Team Meetings and Emergent Waterfront Change Team Meetings and facilitated Baseline IPT Meetings. Technical Lead on Pilot House Illumination Issues and HVAC Flow and Temp Measurements to validate LM MS2 study to remove direct air vent pickups. As a LM IT&S Leader, oversaw four employees by providing counseling, career development, evaluation process, hiring, and other supervisory functions.

WORK EXPERIENCE

Senior Project Engineer, LM MS2	2008 – 2012
Project Management & Planning Operations Rep Senior/Staff, LM SI&GS	2003 – 2008
AWS Support Leader / Technical Project Leader	2001 – 2003
Mechanical Design Engineer	1998 – 2001
Engineering Administrator/Administrative Jobs	1989 – 1998

EDUCATION

	Major	GPA	Institution	Awarded
Graduate Certificate	Human Resource Management		Southern New Hampshire University	9/15/2001
Master of Science	Business Education	3.97	Southern New Hampshire University <i>(Conferred 9/2000)</i>	3/24/2001
Bachelor of Science	Business/Bus Admin	3.89	Southern New Hampshire University <i>(Summa Cum Laude)</i>	5/10/1997
Associate in Arts	General Studies		Southern New Hampshire University <i>(With Highest Honors)</i>	9/15/1994

HONORS/AWARDS

Senatorial Sentiment from Maine Senator Angus S. King, Jr.	2014
Civil Air Patrol's NE Region Aerospace Educator of the Year	2011
Joshua Chamberlain Award	2009
Lockheed Martin NOVA Award for Public Educational Awareness	2005
Women in Aerospace National Award for Public Educational Awareness	2004
AEGIS Excellence Awards	2008, 2006, 2002
President's Volunteer Service Awards	2009, 2008, 2007

SKILLS

Strong leadership skills (mentor/role model); excellent communication skills (oral and written); strong computer skills; self-motivated with a can-do attitude; proactive; willingly takes on new and challenging assignments; excellent customer relations skills (strong focus on customer satisfaction); strong analytical ability/problem solving skills, attention to detail, and commitment to excellence; highest standard of ethical behavior/personal integrity; ability to work effectively in a cross-functional/team environment as a team leader/team player.

SHARON EGGLESTON

December 2015

Sharon Eggleston is a Retired Lockheed Martin Senior Project Engineer who, for 23+ years, worked design, integration and liaison of the AEGIS Weapon System on the DDG 51 Arleigh Burke Class Destroyer Program. She is on the Board of Directors for the Challenger Learning Center of Maine, an Affiliate Member of the Maine Space Grant Consortium (MSGC), State Coordinator and Co-Investigator for the MSGC's Astrobiology/Scientific Ballooning Project (2011-13) and since 2011, member of Maine's STEM Council (Chair, 2012). For ten years, Sharon was an Adjunct Professor at Southern New Hampshire University (SNHU). In 1995, she received an Associates Degree with Highest Honors from SNHU and was awarded the Outstanding Associate of Science Student Award and the Gold Key Award for academic excellence. In 1997, she graduated from SNHU with a Bachelor of Science Degree in Business Studies with a Concentration in Business Administration, Summa Cum Laude. In 2001, Ms. Eggleston went on to receive a Masters Degree in Business Education as well as a Graduate Certificate in Human Resource Management from SNHU.

Since 2001, Sharon has served as an Aerospace Educator and the Northeast Regional Coordinator for Space Day. For the past 18 years, she facilitates Regional Space Day activities as well as assesses, encourages, and expands local outreach/educational Space Day events to a wide variety of Maine schools and museums. On May 1, 2003, Ms. Eggleston was recognized by NASA during a National Ceremony for Space Day in Washington, D.C., with Senator John Glenn and Administrator Sean O'Keefe in attendance and on September 21, 2004, she received a national honor – 'the Women in Aerospace Awareness Award for Excellence in Public and Educational Outreach.' In November 2005, Sharon received Lockheed Martin's highest award – the prestigious 'NOVA Award' for her work promoting Space Day around the country and in Canada. In October 2009, Sharon received the prestigious 'Joshua L. Chamberlain Award' and in August 2011, Sharon was chosen as the Winner of the Civil Air Patrol's Brewer Award as the Northeast Senior Regional Aerospace Educator of the Year. On May 2, 2014, Sharon was awarded a Senatorial Sentiment from Maine Senator Angus S. King, Jr. for her efforts in inspiring Maine youth to pursue careers in STEM Fields.

Ms. Eggleston has also provided technical liaison to several NASA Educational Outreach and Enrichment Projects (Moonlink, Mars Millennium and EarthKAM) that have involved thousands of Maine students to help inspire them to become future engineers, scientists and space explorers. She has developed an ongoing partnership between Lockheed Martin, NASA, the U.S. Navy, Bath Iron Works, Local and State Government Officials, Public and Private Industry, and Academia to provide thousands of Maine students with wonderful interactive hands-on experiences. These experiences have allowed students to actively participate in some of the latest advances in cutting edge technology and have helped inspire them to continue their education in science, technology, engineering and math. In 2008, Sharon was a co-investigator and the Lockheed Martin Lead for the Astrobiology Pilot Program of Maine working closely with the Department of Education and the Governor's Office to introduce a new, hands-on science curriculum to several Jr. High/High Schools in the State of Maine. From 2011-13, Sharon worked with the Maine Space Grant Consortium and NASA on an Astrobiology/Scientific Ballooning grant with Maine High School teachers and students to provide them opportunities in authentic scientific research to inspire them and raise their aspirations to ultimately pursue STEM careers.

ITEM 28

BACK UP MATERIALS



MEMORANDUM

DATE: January 27, 2016
TO: Town Council
FROM: Fran Smith, Town Clerk
RE: Tallying write-in votes in a municipal election

This memo is to provide information and a recommendation as to how the Town of Brunswick should handle municipal write-in votes, as required under Chapter 160 Public Law “An Act Regarding Write-In Candidates in Municipal and City Elections” that was passed by the legislature in 2015.

This law requires the municipal officers to determine if they wish to follow State Election law Title 21-A, or Title 30-A with regard to counting write-in votes. Prior to this law, the law required municipal ballot clerks count all valid write-in votes in a municipal election. The Brunswick Town Charter states that, as much as possible, Elections in the Town of Brunswick are governed by State Election Law. This has always been determined to be Title 21-A; Title 30-A deals with Municipal Elections and is used when Title 21-A is not applicable, as had been the case with write-ins. (After consultation with the Town Attorney and insufficient time between passage and the November 2015 Election, it was determined that the Town of Brunswick would continue to count every valid write-in vote at the November 2015 Election, and go to the Council for action in early 2016.)

Title 21-A requires write-in candidates be declared in order for votes for that candidate to be counted, except when there is no candidate on the ballot or a candidate withdraws. (As a point of information, the voting machines only separate ballots that have the declared write-in indicator filled in, so election clerks review and count only the write-ins for the name of a declared person. All other write-ins are considered blanks and placed with fully counted ballots.) Currently, Title 21-A requires declaration 45 days prior to Election. Brunswick Town Charter requires nomination papers be submitted between 100 and 60 days prior to Election, affording a potential write-in candidate an additional two weeks to choose to declare their write-in candidacy and have any votes for them counted on Election Day. However, there is a bill under consideration this session to change the time the candidate must declare to be a write-in candidate to 60 days.

The other option provided in this new law falls under Title 30-A, should the municipality choose not to be governed by Title 21-A with regard to write-in candidacy. Title 30-A lays out three scenarios when write-ins must be counted:

- (1) The printed ballot does not include a properly nominated candidate for the office;
- (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.

This option also presents what I would refer to as a “catch-all”, where votes for write-in candidates may be counted even if none of the criteria listed above are met in a municipality that has not voted to be governed by Title 21-A. To put this into context, I reviewed the tally sheets from last November’s Election where Election Clerks tallied approximately 96 write-ins for uncontested Councilor At Large, with only five people getting more than a single vote (four people getting two votes and one getting three.)

A middle ground between the ‘catch-all’ and the three scenarios listed would be to also count valid write-ins for any race where a person declared to the Town Clerk their intention to be a write-in candidate. (As all municipal candidates are required to file campaign finance paperwork with the Town Clerk, even if declaring an exception from reporting, a person carrying out a write-in candidacy would, by that filing, be making declaration to the Town Clerk.) The Town Attorney sees no restriction on the Town imposing this additional requirement.

I am requesting the Council make a decision to either take steps to follow Title 21-A that requires a write-in candidate to declare their candidacy by 45 days prior to an Election, which would require setting a public hearing; or to follow Title 30-A. If the Council chooses to follow Title 30-A, I request that the Council determine whether or not they want all valid write-in votes counted at every Election, only count them when any of the three scenarios listed above occur, or with the addition of the fourth criteria if a person declares their intention to the Town Clerk. This determination will provide clear direction for Election officials on Election night.

It is my recommendation that the Council support counting the write-ins under Title 30-A when

- 1) The printed ballot does not include a properly nominated candidate for the office;
- (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.

As always, I will honor the decision of the Council; however, I do request that formal direction be provided. I have attached a copy of the public law for your review.

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

—
S.P. 219 - L.D. 626

An Act Regarding Write-in Candidates in Municipal and City Elections

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §2501, sub-§3 is enacted to read:

3. Determining and counting write-in votes. A municipality may choose the method of determining and counting write-in votes according to this subsection. Once a municipality has voted to accept the option under this subsection, the option applies to all municipal elections until the municipal officers hold a public hearing and the legislative body of the municipality votes to rescind the option at least 90 days before the next election of candidates by secret ballot.

A. After the municipal officers hold a public hearing, at least 90 days prior to an election of candidates by secret ballot, the legislative body of a municipality may vote to be governed by the provisions of Title 21-A, section 696, subsection 2, paragraph C and Title 21-A, section 722-A. Votes for a write-in candidate are counted only if that candidate has filed a timely declaration of write-in candidacy with the municipal clerk in accordance with Title 21-A, section 722-A, except that votes for write-in candidates who have not filed a declaration of write-in candidacy must be counted if:

- (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.

B. In a municipality that has not voted under paragraph A to be governed by Title 21-A, section 696, subsection 2, paragraph C and Title 21-A, section 722-A, votes cast for write-in candidates must be counted if:

- (1) The printed ballot does not include a properly nominated candidate for the office;
- (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.

Votes for write-in candidates may be counted even if none of the criteria listed in subparagraphs (1) to (3) are met in a municipality that has not voted to be governed by Title 21-A, section 696, subsection 2, paragraph C and Title 21-A, section 722-A.

Nothing in this subsection requires a municipal clerk to count or tally write-in votes for a fictitious person, a deceased person or a person from outside the municipality when residency is a qualification of office or who is otherwise not qualified to be a candidate for the office for which the person is a write-in candidate.

JULY 2015 MAINE TOWNSMAN

Explanation of LD 626 – An Act Regarding Write-in Candidates in Municipal and City Elections. PL 2015, c. 160

Current law requires municipal ballot clerks to count all write-in votes in a municipal election regardless of the number of write-in votes cast. This Act amends that requirement in several ways: (1) the Act allows the legislative body of any municipality that does not already follow the state election provisions provided under Title 21-A, and instead relies on municipal election law provided in Title 30-A, to adopt according to certain procedures the two provisions in Title 21-A that require write-in candidates to declare their candidacy to the municipal election 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 legislative body chooses to opt-out of that process; (2) for those municipalities that do not choose to adopt the Title 21-A provisions regarding write in candidates, and as a way of limiting the mandate to formally count the ballots cast for all 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 Act expressly allows a municipality that has not chosen to adopt the Title 21-A provisions regarding write-in candidates to formally count all ballots cast for write in candidates even if the counting is not mandated by law; and (4) the Act makes it clear that election clerks are not required to count or tally write-in votes for write-in candidates that are fictitious, deceased, or expressly unqualified such as a non-resident when residency is a qualification for office.

ITEM 29

BACK UP MATERIALS

MEMORANDUM

TO: Town Council
FROM: Appointments Committee
SUBJECT: Report for March 7th Appointments
DATE: 03/01/2016

The Appointments Committee interviewed several people and are making the following nominations:

Cable TV Committee

The Committee interviewed one applicant for an opening that is a balance of a 3 year term to expire on 09/06/2018 and is unanimously recommending Chance Stevens-Griffeth. (There was an additional applicant, Brandon Bubar, who applied after the deadline to be interviewed. His application has been included in the packet and he has been scheduled for March interview if the position is not filled. The applicant is aware this possibility.)

Planning Board

There are four applicants for 2 openings – a full term to expire on 02/23/2019 and a balance of a term to expire on 02/23/2017.

- In the course of three meetings, the following were interviewed:
 - Jane Arbuckle
 - Jessica Flaherty
 - Dale King
 - Sande Updegraph
- The majority of the Committee is recommending:
 - Dale King
 - Sande UpdegraphThe minority of the Committee is recommending:
 - Jane Arbuckle
 - Jessica Flaherty

Recycling and Sustainability Committee

There are four applicants for 1 member for a balance of a term to expire on 01/01/2017

- In the course of two meetings, the following were interviewed:
- The following were interviewed:
 - Marian Haughwout
 - Benjamin Martens
 - Annee Tara
 - Stephen Tibbetts
- The Committee is unanimously recommending:
 - Benjamin Martens

Two others are being recommended for other existing openings as listed on next page.

Conservation Commission

There is one current vacancy and a term to begin on 05/01/2016 and expire on 05/01/2019.
(There is also an additional opening beginning on 05/01/2016.)

- The Committee is recommending unanimously:
Stephen Tibbetts

Davis Fund

There is currently a vacancy on this committee that will expire on 06/30/2018.

- The Committee is unanimously recommending:
Annee Tara

Current and future vacancies: (listed alphabetically)

Cable TV Committee

- 1 member – balance of a 3 year term to begin immediately and to expire on 09/06/2018. (Current opening – apply now)

Conservation Commission

- 2 members – 3 year terms to begin on 05/01/2016 and to expire on 05/01/2019. (Apply by March 14th) *One of these terms is available now so feel free to apply now.*

Davis Fund

- 2 members – 3 year terms to begin on 06/30/2016 and to expire on 06/30/2019. (Apply by May 16th)
- 1 member – balance of a 3 year term to begin immediately and to expire on 06/30/2018 (Current opening – apply now)

Downtown & Outer Pleasant Street Master Plan Implementation Committee

- 1 member (Pleasant Street Business Owner) – balance of 3 year term to begin immediately and expire on 12/01/2017 (Current opening – apply now)

Fair Hearing Authority

- 3 members – balance of 3 year terms to begin immediately and to expire on 10/01/2018 (Current openings – apply now)

Fence Viewer

- 1 person for 3 year term to begin on 04/01/2016 and to expire on 04/01/2019. (Apply by February 15th)

Housing Authority

- 1 member – 5 year term to begin on 06/03/2016 and to expire on 06/30/2021. (Apply by April 19th)
- 1 member (Housing Authority Resident) – 5 year term to begin on 06/03/2016 and to expire on 06/30/2021. (Apply by April 19th)

Marine Resource

- 1 Alternate member (Commercial Harvester) – balance of 3 year term to begin immediately and to expire on 05/01/2017 (Current opening – apply now)
- 1 member (Commercial harvester) – balance of 3 year terms to begin immediately and expire on 05/01/2018 (Current openings – apply now)
- 1 member (No-License Holder) – 3 year term to begin on 05/01/2016 and to expire on 05/01/2019 (Apply by March 14th)
- 1 member (Commercial Harvester) – 3 year term to begin on 05/01/2016 and to expire on 05/01/2019 (Apply by March 14th)

Planning Board

- 1 members – 3 year term to begin on 02/23/2016 and to expire on 02/23/2019. (Apply now)
- 1 member – balance of 3 year term to begin immediately and to expire on 02/23/2017 (Current opening – apply now)

Recreation Commission

- 2 members – 3 year terms to begin on 07/01/2016 and to expire on 07/01/2019. (Apply by May 16th)

Recycling and Sustainability Committee

- 1 member – balance of 2 year term to expire on 01/01/2017. (Current opening – apply now)

River and Coastal Waters Commission

- 2 citizen members – 3 year terms to begin on 05/01/2016 and to expire on 05/01/2019. (Apply by March 14th)
- 1 alternate citizen member – 3 year term to begin on 05/01/2016 and to expire on 05/01/2019. (Apply by March 14th)

Sewer District Board of Trustees (Link to [web page](#) and [summary of duties](#) including meeting schedule)

- 2 members – 3 year terms to begin on 04/01/2016 and to expire on 04/01/2019 (Apply by February 15th)

Village Review Board (Link to Board's [webpage](#) and link to [summary of duties](#) including meeting schedule)

- 1 member – 3 year term to begin on 10/20/2016 and to expire on 10/20/2019 (Apply by September 19th)
- 1 District resident member – 3 year term to begin on 10/20/2016 and to expire on 10/20/2019 (Apply by September 19th)
- 1 Pejepscot Historical Society member – 3 year term to begin on 10/20/2016 and to expire on 10/20/2019 (Apply by September 19th)

Water District Board of Trustees

- 1 member – 3 year term to begin on 09/13/2016 and to expire on 09/13/2019 (Apply by August 16th)

Zoning Board of Appeals

- 2 Associate members – balance of 3 year terms to begin immediately and to expire on 07/01/2016 (Current opening – apply now)
- 1 Associate member – balance of 3 year term to begin immediately and to expire on 07/01/2018 (Current opening – apply now)
- 1 Associate member – balance of 3 year term to begin immediately and to expire on 12/18/2017 (Current opening – apply now)
- 2 Full members – 3 year terms to begin on 11/20/2016 and to expire on 11/20/2019 (Apply by October 17th)

Fran Smith

From: smithfm@brunswickme.org
Sent: Tuesday, January 19, 2016 9:50 PM
To: Fran Smith
Subject: New submission from Board Application

Full Name
Jane Arbuckle
Street Address
22 Meadowbrook Rd
Home phone #
2076506977
Cell/mobile phone
2076506977
email address
jarbuckle@mcht.org
Committee/Board you are applying for
Planning Board
Type of Memberships
Full membership
Do you or any relative currently serve on any Town Board/Committee/Commission
<ul style="list-style-type: none">No
Your occupation (include employer and work phone #)
Land planning and conservation, Maine Coast Heritage Trust, 207-729-7366
List any civic organizations to which you belong
Teens To Trails Board member Maine Trails Advisory Committee member
Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission
I have been involved with land planning for many years, as the Director of Stewardship at Maine Coast Heritage Trust. I work with attorneys to draft and then enforce legal documents, including boundary line agreements, conservation easements, and ot
Have you previously served on a Town board/commission/committee? If so, please list the board/commission/committee and years of service:
I moved to Brunswick 4 years ago, so have been learning more about the community before becoming involved on any Town committees.
1. Do you have any questions about what the Board/Commission/Committee does or on its charge?
I am interested to know more about the relationship between the Planning Board and the Town's Planning Dept staff.
2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?
Yes. Lots of experience reading and adhering to legal documents. Working with landowners to figure out solutions to land use issues. A science background. Working with various land use regulations.
3. Why would you like to be on the Board/Commission/Committee?

I'd like to contribute to the community, and I am interested in and invested in its future.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No.

6. Do you have anything you would like to add?

Only that I would look forward to working with other Planning Board and community members to help to maintain Brunswick's great quality of life.

I note the ability to upload one's resume. If that is an important component of this, please

Town of Brunswick
Application for
Appointment to Board/ Commission/ Committee

For Office Use Only
2/17/16 Date App. Received
2/17/16 Date App. Entered
Appointed

Full Name: Brandon Bubar Date 2/17/2016

Street Address: 48 Bouchard Drive Home Phone # _____

Cell/mobile Phone #: 443-223-5950 E-mail Address: brandon.bubar@gmail.com live in Council Dist. #: 4

I wish to be considered for appointment to the:

Cable TV Committee

(NAME OF BOARD/COMMISSION/COMMITTEE)

Check one or both:

FULL MEMBERSHIP STATUS: X TERM BEGINS: Now

and/or ASSOC/ALT MEMBERSHIP STATUS: X TERM EXPIRES: 9/6/2018

Do you or any relative currently serve on any Town Board/Commission/Committee? No If so, please state name of Board/Commission/Committee, the number of years of service, and the relationship to this applicant:

_____ # of Years _____ Date term exp. _____ Relationship _____

Your occupation: STRATEGIC PLANNING

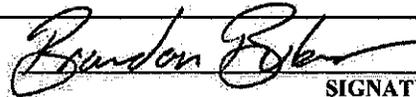
Employer: Bath Iron Works Work Telephone #: 207-442-2095

List any civic organizations to which you belong:

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

Very tech savvy, early adopter of new technologies and services. Capable of communicating clearly and effectively, and using data to support business decisions.

Have you previously served on a Town board/commission/committee? No If so, please list the board/commission/committee and years of service:


SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION

Applicants may submit a cover letter and resume with the application form.
Applications should be returned to the TOWN CLERK'S OFFICE, 85 Union Street, Brunswick, Me 04011.

You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Commissions/Committees

PLEASE NOTE: This completion of this application allows a person to be considered for a Town

Board/Commission/Committee, but does not guarantee placement on a Board/Commission/Committee.

APPLICANT – PLEASE COMPLETE THE QUESTIONS BELOW

Board/Commission/Committee Applying For: Cable TV Committee

Term Length: 2.5 Years

1. Do you have any questions about what the Board/Commission/Committee does or on its charge?

What is the town's process for selecting/renewing the franchise agreement?

How does the town monitor compliance with the agreement?

2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?

I served on a pre-negotiating committee during the last BIW union contract negotiation.

I have also managed several consulting projects, and had oversight of business development budgets.

3. Why would you like to be on the Board/Commission/Committee?

Our inclusion as part of a "test market" for data caps by Xfinity aroused my interest in the process of franchise selection by towns. After reading about other services available in the state, I wanted to learn more about this process and get involved.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

My schedule is flexible and would permit me to attend all sessions.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No.

6. Do you have anything you would like to add?

Raising a young family in Brunswick is a pleasure, and I look forward to making a valuable contribution toward bettering the town.

PLEASE REVIEW THE TOWN OF BRUNSWICK BOARDS, COMMISSIONS, AND COMMITTEES APPOINTMENT POLICY PRIOR TO SUBMITTING THIS APPLICATION. YOU MAY VIEW THE POLICY AT <http://www.brunswickme.org/departments/town-clerk/boards-committees/> OR OBTAIN A COPY FROM THE TOWN CLERK'S OFFICE.

Fran Smith

From: smithfm@brunswickme.org
Sent: Tuesday, January 19, 2016 1:22 PM
To: Fran Smith
Subject: New submission from Board Application

Full Name
Jessica Flaherty
Street Address
16 Coombs Road
Home phone #
2075775710
Cell/mobile phone
2075775710
email address
jessicaabraun@gmail.com
Committee/Board you are applying for
Planning Board
Type of Memberships
Full membership
Do you or any relative currently serve on any Town Board/Committee/Commission
<ul style="list-style-type: none">No
Your occupation (include employer and work phone #)
Volunteer Coordinator and Financial Literacy Grant Manager Curtis Library
List any civic organizations to which you belong
None
Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission
Juris Doctor, Admitted to the Maine Bar October 2009 - inactive Certificate in Non-Profit Management, Northeastern University, May 2015 Peer Reviewer, Maine Commission for Community Service, May 2015
Have you previously served on a Town board/commission/committee? If so, please list the board/commission/committee and years of service:
Personnel Board, less than a year
1. Do you have any questions about what the Board/Commission/Committee does or on its charge?
No
2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?
Juris Doctor, Admitted to the Maine Bar October 2009 - inactive Certificate in Non-Profit Management, Northeastern University, May 2015 Peer Reviewer, Maine Commission for Community Service, May 2015

3. Why would you like to be on the Board/Commission/Committee?

I recently purchased my first home in Brunswick, after growing up here, moving for college and graduate school and finding my way back to Maine. I am eager to get more involved in my local community.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes. The Planning Board is extremely important to the development of the town. I believe that my skills would compliment the objectives of the Board. I am blessed with a flexible schedule and am eager to dedicate my time to my town.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

No

If you wish to upload your resume, you can do so here

- [Jessica_Flaherty_Resume_Winter16.docx](#)

Jessica A. Flaherty

16 Coombs Road Brunswick, ME 04011
(207) 577 – 5710 jabflaherty@gmail.com

EDUCATION

Certificate in Nonprofit Management, Northeastern University May 2015

- Balanced course load focusing on governance, fundraising through development, grant writing and leadership skills impacting a modern not for profit organization with both theoretical and practical applications

Juris Doctor, University of Maine School of Law, Portland, Maine May 2009

- Juvenile Justice Clinic, Fall 2008
- Prisoners Assistance Clinic, Academic Year 2008 – 2009
- Summer Program, Nairobi International Law Institute, Nairobi, Kenya, 2007

Bachelor of Arts, Environmental Studies, Mount Holyoke College, South Hadley, Massachusetts May 2006

- Junior Year Abroad, School for Field Studies Center for Wildlife Management Studies, Kimana, Kenya

WORK EXPERIENCE

Curtis Memorial Library, Brunswick, Maine June 2014 – Present

Making it Work in Maine: Living the Good Life, with Less Project

Sponsored by a grant from FINRA (Financial Industry Regulatory Association) and the ALA (American Library Association)

Financial Literacy Grant Manager (July 2015 – Present)

Leading community financial literacy programs helping low to moderate income individuals and families develop strategies and skills in order to increase financial health.

- Develop and manage library marketing materials to ensure.....
- Coordinate with community partner sites to.....
- Coordinating the development of participant materials.....
- Ensure effective delivery of practical, easy-to-implement education tools, online as well as classroom
- Deliver post-program assessment to ensure continuous improvement and effectiveness of the program

Volunteer Coordinator (June 2014 – Present)

- Coordinate volunteer activity in the library including recruitment, training, scheduling and recognition.
- Collaborate with library constituencies to identify and create volunteer opportunities in line with the overall goals and policies of the library
- Developed comprehensive Volunteer Handbook
- Maintain dynamic website content

Administrative Assistant, Bates College, Lewiston, Maine Jan 2013 – May 2014

- Compiled information relating to student run campus clubs, maintained the information on the Student Activities website and entered membership and leadership into Banner
- Completed a daily publication of current and upcoming events and distributed 110 paper copies and created an electronic version, distributed via a list serve.
- Conducted systematic updates of office processes, including van reservations and event sign ups, to take advantage of electronic resources.

Campus Events Scheduling Coordinator, Bates College, Lewiston, Maine Dec 2011 – Dec 2012

- Performed all tasks related to scheduling of events in over 100 spaces on campus using the R25 system.
Compiled and disseminated weekly space usage reports
- Collaborated with Facilities Services, Dining and other campus department to ensure successful execution of events

Attorney, Conley & Wirick, P.A., Bath, Maine Oct 2010 – March 2011

- Carried a full caseload of family and criminal cases; completed research tasks as required by superiors.
- Represented clients in various judicial proceedings.

ADDITIONAL INFORMATION

BAR MEMBERSHIP

State of Maine (Inactive)

APPOINTMENTS

Personnel Board, Brunswick Town Council June 2015 – Present

- Alternate

Board of Directors, Huber Family Services June 2010 – Present

- Chair of Nominating and Evaluation Committee

VOLUNTEER EXPERIENCE

Peer Reviewer, **Maine Commission for Community Service**, Augusta, Maine May 2015

- Review AmeriCorp State grant proposals in order to analyze the quality of each application and rate them based on published criteria

Alumna Admission Representative, **Mount Holyoke College**, South Hadley, Massachusetts Oct 2013 – Present

- Served as Central Maine admission representative on behalf of Mount Holyoke
- Built relationship with interested students, alumnae, Admission volunteers and Admission staff
- Conducted interviews and attend high school college fairs on behalf of Mount Holyoke
- Managed regional Admission Volunteers

President of the Mount Holyoke Club of Maine, **Alumnae Association of Mount Holyoke College** July 2014 – Present

Handler / Dog Volunteer Team, **Therapy Dog, Inc.** Dec. 2013 - Present

Town of Brunswick
Application for
Appointment to Board/ Commission/ Committee

For Office Use Only
2/1/2016 Date App.
Received
_____ Date App.
Entered
_____ Appointed

Full Name: Marian Leah Haughwout Date 2/1/16

Street Address: 18 Douglas Street Home Phone # 729-4085

Cell/mobile Phone #: 415-774-6484 E-mail Address: mrnhghwt@gmail.com I live in Council Dist. #: 7

I wish to be considered for appointment to the:

Recycling and Sustainability Committee

(NAME OF BOARD/COMMISSION/COMMITTEE)

Check one or both:

FULL MEMBERSHIP STATUS: _____

TERM BEGINS: 2016

and/or

ASSOC/ALT MEMBERSHIP STATUS: _____

TERM EXPIRES: 2019

Do you or any relative currently serve on any Town Board/Commission/Committee? no If so, please state name of Board/Commission/Committee, the number of years of service, and the relationship to this applicant:

_____ # of Years _____ Date term exp: _____ Relationship _____

Your occupation:

School librarian-teacher (retired)

Employer: MSAD #75

Work Telephone #: N/A

List any civic organizations to which you belong:

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

I am a librarian/teacher by training. Both positions require research skills and preparation which are important to any town committee.

Have you previously served on a Town board/commission/committee? no If so, please list the board/commission/committee and years of service:

SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

Applicants may submit a cover letter and resume with the application form.
Applications should be returned to the TOWN CLERK'S OFFICE, 85 Union Street, Brunswick, Me 04011.

You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Commissions/Committees

PLEASE NOTE: This completion of this application allows a person to be considered for a Town Board/Commission/Committee, but does not guarantee placement on a Board/Commission/Committee.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Commission/Committee Applying For: Recycling and Sustainability Committee

Term Length: 3 yrs

1. Do you have any questions about what the Board/Commission/Committee does or on its charge?

What are their goals for ^{the} future? Are there any immediate projects being discussed? Does committee's work on climate change initiative overlap with arborists

2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?

- As librarian/teacher I began a 4th grade project at Bowdoin Central School nine years ago that studies water quality and pollution.
- I chaired an environmental committee for the League of Women Voters that focused on nuclear power and renewable energy technologies.

3. Why would you like to be on the Board/Commission/Committee?

I believe climate change is a priority because it affects every aspect of our lives. I would like to help continue the committee's movement in this direction. Improving the air we breathe, the water we drink and the land we depend on is important and something that I want to participate in.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

no

6. Do you have anything you would like to add?

Not at this time

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Town of Brunswick
Application for
Appointment to Board/ Commission/ Committee

For Office Use Only	
12/9/15	Date App.
	Received
12/9/15	Date App.
	Entered
	Appointed

Full Name: DALE King Date 12/8/15
Street Address: 1 SIMPSON'S Pt. RD Home Phone # 729-8806
Cell/mobile Phone #: 751-3941 E-mail Address: DALEKING57@COMCAST.NET I live in Council Dist. #: 2

I wish to be considered for appointment to the:
PLANNING BOARD
(NAME OF BOARD/COMMISSION/COMMITTEE)

Check one or both:
FULL MEMBERSHIP STATUS: TERM BEGINS: _____
and/or
ASSOC/ALT MEMBERSHIP STATUS: _____ TERM EXPIRES: _____

Do you or any relative currently serve on any Town Board/Commission/Committee? NO If so, please state name of Board/Commission/Committee, the number of years of service, and the relationship to this applicant:
of Years _____ Date term exp. _____ Relationship _____

Your occupation: BUSINESS OWNER
Employer: SELF Work Telephone #: 729-3688

List any civic organizations to which you belong:
BDA

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:
3 YEARS EXPERIENCE ON PLANNING BOARD, PARTICIPATED IN
SOME TRAINING WEBINARS

Have you previously served on a Town board/commission/committee? YES If so, please list the board/commission/committee and years of service:
PERSONNEL BOARD ~

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

SIGNATURE

Applicants may submit a cover letter and resume with the application form.
Applications should be returned to the TOWN CLERK'S OFFICE, 85 Union Street, Brunswick, Me 04011.

You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Commissions/Committees

PLEASE NOTE: This completion of this application allows a person to be considered for a Town

Board/Commission/Committee, but does not guarantee placement on a Board/Commission/Committee.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Commission/Committee Applying For: PLANNING BOARD

Term Length: 3 YEARS

1. Do you have any questions about what the Board/Commission/Committee does or on its charge?

NO - I HAVE BEEN TAUGHT ABOUT THE PROCESS

2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?

MY TRAINING AND EXPERIENCE ON THE BOARD THE LAST 3 YEARS HAVE TAUGHT ME WELL.

3. Why would you like to be on the Board/Commission/Committee?

BECAUSE I CARE ABOUT MY TOWN AND HOW IT GETS DEVELOPED.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

YES, YES, YES !!

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

NO

6. Do you have anything you would like to add?

THANK FOR YOUR CONSIDERATION !!

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Fran Smith

From: smithfm@brunswickme.org
Sent: Wednesday, December 30, 2015 11:50 AM
To: Fran Smith
Subject: New submission from Board Application

Full Name	Benjamin D Martens
Street Address	8 Wadsworth Rd
Home phone #	6035470936
Cell/mobile phone	6035470936
email address	martens.ben@gmail.com
Committee/Board you are applying for	Recycling and Sustainability Committee
Type of Memberships	Full membership
Do you or any relative currently serve on any Town Board/Committee/Commission	<ul style="list-style-type: none">No
Your occupation (include employer and work phone #)	Executive Director, Maine Coast Fishermen's Association 207-619-1755
List any civic organizations to which you belong	None
Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission	I am the director of a non-profit that is focused on stewardship of the Marine Resource
Have you previously served on a Town board/commission/committee? If so, please list the board/commission/committee and years of service:	No
1. Do you have any questions about what the Board/Commission/Committee does or on its charge?	No
2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?	I have a lot of experience with environmental policy and a degree from Bowdoin College in Environmental Studies.
3. Why would you like to be on the Board/Commission/Committee?	I would like to get more involved with the Town of Brunswick as a resident and believe that I am well suited to serve on this board.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

I should be able to attend most meetings. I do travel for work some but it is only every couple of months.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

no

If you wish to upload your resume, you can do so here

- [MartensResume.pdf](#)

BENJAMIN D. MARTENS
MARTENS.BEN@GMAIL.COM
Phone: (207) 619-1755
36 Main Street • Topsham, Maine 04086

Education

Bowdoin College: Brunswick, ME

B.A. Coordinate major in *Government and Legal Studies* and *Environmental Studies* with a minor in *Biology*. May 2006.

Honors: Recipient of Rusack Research Fellowship and Luce Research Fellowship.

Work Experience

Maine Coast Fishermen's Association **Executive Director** May 2011 to Present

- Directs operations of MCFA including: developing and implementing short and long term goals, board development, fundraising, and strategic planning.
- Develops and advocates on policy positions to benefit the membership of the MCFA, the Gulf of Maine ecosystem, and Maine fishing communities.
- Coordinates campaigns and initiatives with state, regional, and national partners.

Cape Cod Commercial Hook Fishermen's Association **Policy Analyst** October 2008 to April 2011

- Member of the CCCHFA's policy staff. Worked to influence Massachusetts, New England and national policy decisions to protect Cape Cod small boat fishermen and the fisheries they target.
- Oversaw and coordinated the CCCHFA's internal Herring Campaign and its three staff/contract employees.
- Appointed as proxy for MA. Representative Sarah Peake at Atlantic States Marine Fisheries Commission.

Charles River Conservancy **Swimmable Charles Coordinator- Project Manager** March 2007 to September 2008

- Coordinated key groups and individuals to advocate for the Swimmable Charles Initiative.
- Wrote and received grants to support the funding of the swimming initiative and managed the \$90,000 annual project budget.
- Arranged and conducted presentations on swimming in the Charles River to politicians, constituents, and educational groups.

New Hampshire for John Lynch **Regional Field Director and Inaugural Staff Member** May 2006 to January 2007

- Managed Hillsborough County regional office, organized volunteers, researched and organized events.
- Organized and managed the official Inauguration, the Inaugural Ball and the North Country Ball for Governor John Lynch.

Sagadahoc County Rural Resource Initiative **Intern and GIS Mapping Specialist** January 2006 to May 2006

- Assisted in the development of an open space and growth planning project for towns in Sagadahoc County, Maine.
- Developed and presented project findings to stakeholder towns and communities.

Rusack Fellowship, Maine State Planning Office **Intern** Summer 2005

- Researched community-based planning for marine ecosystems focusing on fisheries associated with the Bay Management Study.
- Organized meetings between stakeholders associated with the target areas and provided updates on the progress to the project coordinator.

Rusack Outreach Assistant and Luce Fellowship **Employee of Maine Sea Grant Island Monitoring Project** Summer 2004

- Involved in the creation of a long term program to monitor the inter-tidal and near-tidal plant and animal communities exposed to human traffic.
 - Gathered habitat change data and created GIS maps.
-

Extracurricular Activities

Treasurer, New England Farmers Union Board of Directors 2008 to 2010

- Founding board member of NEFU.

Environmental Studies Advisory Committee 2004 to 2006

Men's Varsity Cross Country, Indoor Track and Field, and Outdoor Track and Field 2002 to 2006

- Four year letter winner, Captain 2005 State Championship Team, All NESCAC team.
-

FEB -9 2016

Board Application : Entry # 531**Full Name**

Chance Stevens-Griffeth

Street Address

4 Curtis St

Home phone #

2078377746

Cell/mobile phone

2078377746

email address

philotrek@gmail.com

Committee/Board you are applying for

Cable Committee

Type of Memberships

Full membership

Do you or any relative currently serve on any Town Board/Committee/Commission

• No

Your occupation (include employer and work phone #)

Technology Support Consultant, Self Employed 2078377746

List any civic organizations to which you belong

Maine Mensa (part of American Mensa). I serve as a Proctor for the Mensa Admissions Test and as local Scholarship Chairperson for Mensa Education and Research Foundation's annual scholarship program.

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission

Cable field tech: Suscom, Feb, 03-April, 06 and Comcast, May, 06 - Sep, 14. Only Brunswick based tech certified for all resi and small to medium biz services.

Have you previously served on a Town board/commission/committee? If so, please list the board/commission/committee and years of service:

Board Application : Entry # 531

No

1. Do you have any questions about what the Board/Commission/Committee does or on its charge?

No

2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?

M.S. Adult & Higher Education, USM '13

Adjunct Physics Instructor for Southern Maine Community College since Fall 2012

Years of troubleshooting escalated problems and advanced cable service troubleshooting

3. Why would you like to be on the Board/Commission/Committee?

I would like my cable knowledge and experience to be useful to the community. I've watched in the past as misunderstandings have delayed progress and have resulted in an adversarial relationship. This does not need to be the case. I can help.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

I have a referral partner relationship with Comcast and sometimes recommend their products to my clients if it fits their needs.

Town of Brunswick
Application for
Appointment to Board/ Commission/ Committee

For Office Use Only
<u>7/27/15</u> Date App.
Received
_____ Date App.
Entered
_____ Appointed

Full Name: Annee Tara Date 7/24/2015
Street Address: 34 Belmont St Home Phone # 725.1249
Cell/mobile Phone #: 207/837.7360 E-mail Address: anneetara@gmail.com I live in Council Dist. #: 7

I wish to be considered for appointment to the:

Village Review Board or Downtown/Outer Pleasant St Master Plan Implement. Comm.

(NAME OF BOARD/COMMISSION/COMMITTEE)

Check one or both:

FULL MEMBERSHIP STATUS: _____ TERM BEGINS: tbd
and/or
ASSOC/ALT MEMBERSHIP STATUS: _____ TERM EXPIRES: _____

Do you or any relative currently serve on any Town Board/Commission/Committee? yes If so, please state name of Board/Commission/Committee, the number of years of service, and the relationship to this applicant:

Conservation Commission # of Years 2 Date term exp. 2017 Relationship husband

Your occupation: self employed freelancer

Employer: self Work Telephone #: 207/837.7360

List any civic organizations to which you belong:

ME Center for Economic Policy - Board of Directors; member BDA

volunteer: Mid Coast Hunger Prevention Proj., Red Cross, Immigrant Leg Advoc. Proj.

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

I am trained as an attorney and would be able to apply the ordinances and guidelines to the project facts presented

Have you previously served on a Town board/commission/committee? no If so, please list the board/commission/committee and years of service:

in Freeport, where I lived until 2006, I was on the Conservation/Land Bank Committee

SIGNATURE

PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.

Applicants may submit a cover letter and resume with the application form.
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You will be contacted to set up an interview with the Appointment Committee.

It is the intent of the Town to televise proceedings of Boards/Commissions/Committees

PLEASE NOTE: This completion of this application allows a person to be considered for a Town

Board/Commission/Committee, but does not guarantee placement on a Board/Commission/Committee.

APPLICANT – PLEASE COMPLETE THE QUESTIONS BELOW

Board/Commission/Committee Applying For: Village Review Board

Term Length: as needed

1. Do you have any questions about what the Board/Commission/Committee does or on its charge?

Current members have been very forthcoming about answering questions

I had about the authority of the Board and the responsibilities around Historic Preservation

2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?

I am a 1973 graduate of the University of Maine School of Law and maintain my

license though I do not practice. I have written many proposals that require making a case while complying with regulations.

3. Why would you like to be on the Board/Commission/Committee?

I understand the Board needs additional members and I hope that I will be able to add to consideration of projects as they come before the Board. I believe this will involve a bit of a learning curve for me, since I have not been involved with the work of the Board.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

I understand there is a monthly meeting which I should be able to attend; I expect there will be sub-committee work and preparation for the meetings.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

no

6. Do you have anything you would like to add?

thank you for your consideration. I have lived in Brunswick for nearly 9 years and aside from working for the Clerk's office during elections I have not contributed much to the work of the Town and would be pleased to do so.

PLEASE REVIEW THE TOWN OF BRUNSWICK BOARDS, COMMISSIONS, AND COMMITTEES APPOINTMENT POLICY PRIOR TO SUBMITTING THIS APPLICATION. YOU MAY VIEW THE POLICY AT <http://www.brunswickme.org/departments/town-clerk/boards-committees/> OR OBTAIN A COPY FROM THE TOWN CLERK'S OFFICE.

Fran Smith

From: smithfm@brunswickme.org
Sent: Saturday, January 23, 2016 1:05 PM
To: Fran Smith
Subject: New submission from Board Application

Full Name
Stephen Tibbetts
Street Address
15 Oak Ridge Road
Home phone #
207-725-6168
email address
stibbettspe@gmail.com
Committee/Board you are applying for
Recycling and Sustainability
Type of Memberships
Full membership
Do you or any relative currently serve on any Town Board/Committee/Commission
<ul style="list-style-type: none">No
Your occupation (include employer and work phone #)
Retired Civil Engineer
Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission
30 plus years as a consulting civil engineer. Also ran a design/build company during that time called Sun House, Inc. which focused on designing energy efficient and healthy buildings. I was the architectural design person.
Have you previously served on a Town board/commission/committee? If so, please list the board/commission/committee and years of service:
Planning Board- Two separate terms. I forget which years
2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?
Refer to Prior Experience answer
3. Why would you like to be on the Board/Commission/Committee?
I feel that the issues being addressed by the committee are extremely important for the Town of Brunswick to succeed as a vibrant community.
4. Are you aware of the time involved and would you be able to attend most of the meetings?
Yes
5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?
No

Board Application : Entry # 562		FEB - 9 2016
Full Name	Sande Updegraph	
Street Address	724 Durham Road	
Home phone #	2077251345	
Cell/mobile phone	2077251345	
email address	sandeupdegraph@gmail.com	
Committee/Board you are applying for	Planning Board	
Type of Memberships	Full membership	
Do you or any relative currently serve on any Town Board/Committee/Commission	<ul style="list-style-type: none"> • Yes 	
What Board/Commission/Committee, the number of years of service, and the relationship to this applicant	Village Review Board, since July 2016; Davis Cte, 7+ years;	
Your occupation (include employer and work phone #)	2077251345	
List any civic organizations to which you belong	Greater Freeport Chamber Southern Midcoast Maine Chamber Brunswick Downtown Association Maine Women's Network	
Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission		

Board Application : Entry # 562

6 years as Exec Director, Freeport Economic Development Corporation
3 years, Mobilize Maine Steering Committee
5 years Topsham Business Group
5 years, Trustee MRRA
Coordinated and prepared new TIF Guidelines for Town of Freeport

Have you previously served on a Town board/commission/committee? If so, please list the board/commission/committee and years of service:

See above

Also, ZBA, 5+years

1. Do you have any questions about what the Board/Commission/Committee does or on its charge?

No

2. Do you have any practical experience or formal education that would be relevant to the Board/Commission/Committee?

6 years as ED for Freeport Econ Dev Corp - worked with Planning Dept to attract new business, develop contract zoning and TIF guidelines.
Worked with realtors and developers to find suitable client locations
Developed Town advance planning group

3. Why would you like to be on the Board/Commission/Committee?

I have wanted to participate in Brunswick's future for many years and have done so through service on the ZBA and VRB. Also, served as MRRA representative on the joint (with the Town) cte to develop TIF plans for Brunswick Landing.

EDC certified

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

I understand that, if appointed by the Council, I would need to resign from the VRB.

If you wish to upload your resume, you can do so here

- [Sandra-Updegraph-Resume.doc](#)