

**BRUNSWICK TOWN COUNCIL**

**Agenda**

**May 16, 2016**

**7:00 P.M.**

**Council Chambers**

**Town Hall**

**85 Union Street**

Roll Call of Members

Acknowledgement of Meeting Notice

Pledge of Allegiance

Adjustments to Agenda

**CONSENT AGENDA**

- a) Approval of the minutes of May 2, 2016
- b) Approval of a tax abatement relative to a property identified as Map 4 Lot 37
- c) Approval of a tax abatement relative to personal property for Belle Fete LLC
- d) Approval of a request from the Brunswick Downtown Association to hold their annual Outdoor Arts Festival on August 20, 2016, and to waive the \$500 fee
- e) Approval of a request from Brunswick Downtown Association to hold a Community Barbecue on the Town Mall on June 25, 2016, and to waive the \$500 fee

Public Comments

Correspondence

**COMMITTEE REPORTS**

- Cable TV Committee
- MPIC
- Teen Center Advisory Committee

**MANAGER'S REPORT**

- a) Financial update
- b) Revaluation update
- c) Update on the Maine Natural Gas rate case
- d) Special Permit for Wildflours Gluten-Free Bakery

**PUBLIC HEARING**

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

Special Amusement

BATS LLC

D/B/A: McAvoy's On The Green

165 River Road

Timothy Troy Kavanaugh

**HEARING/ACTION**

54. The Town Council will hear public comments for “An Ordinance Authorizing the Removal and Replacement of Exterior Trim Elements of the Brunswick Town Hall, with Total Project Costs Not to Exceed \$200,000 (plus any other costs authorized hereunder), and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$200,000 (plus cost of issuance), plus any Additional Appropriation Authorized Hereunder,” and will take any appropriate action. (Manager)

**HEARING/ACTION**

**NEW BUSINESS**

55. The Town Council will consider recommendations from the Nathaniel Davis Fund Committee, and will take any appropriate action. (Manager)

**ACTION**

56. The Town Council will consider setting a public hearing for June 6, 2016, on amendments to the Zoning Ordinance relative to Chapter Four (Development Review), Sections 401 (Applicability) and 402 (Development Review Classifications and Thresholds to Require Review of Filling and Earthmoving Activities within the NRPZ) on an emergency and regular basis, in addition to repealing the Moratorium on New Development in the Natural Resource Protection Zone as part of this public hearing, and will take any appropriate action. (Planning Board)

**ACTION**

57. The Town Council will consider “A Resolution Expressing the Town Council’s Support for the Maine Department of Transportation’s Proposal to Replace the Frank J. Wood Bridge”, and will take any appropriate action. (Manager)

**ACTION**

58. The Town Council will discuss the Municipal Budget and provide direction as to the final budget goal, and no action will be required. (Manager)

**DISCUSSION**

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

**Brunswick Town Council**  
**Agenda**  
**May 16, 2016**  
**Council Notes and Suggested Motions**

**CONSENT AGENDA**

- a) Approval of the minutes of May 2, 2016: A copy of the minutes are included in your packet.
- b) Approval of a tax abatement relative to a property identified as Map 4 Lot 37: This item is for the Council to approve a tax abatement for property assessed in error. A copy of a memo from the Assessor is included in your packet.
- c) Approval of a tax abatement relative to personal property for Belle Fete LLC: This item is for the Council to approve a tax abatement for personal property assessed in error. A copy of a memo from the Assessor is included in your packet
- d) Approval of a request from the Brunswick Downtown Association to hold their annual Outdoor Arts Festival on August 20, 2016, and to waive the \$500 fee: This item is to consider approval of the request from the Brunswick Downtown Association to hold their annual Outdoor Arts Festival. The event requires Council approval under Chapter 10, Section 26(b)(14) of the Municipal Code. This ordinance also allows the Council to waive the \$500 fee (except for the \$25 application fee), which the BDA is asking the Council to do. The fee has been waived in the past. If you do not wish to waive the fee, the Council will want to pull this item off the Consent Agenda and vote on it separately. A copy of their letter is included in your packet.
- e) Approval of a request from Brunswick Downtown Association to hold a Community Barbecue on the Town Mall on June 25, 2016, and to waive the \$500 fee: This is a request similar to item CA-c except it is for the use of the mall for a Community Barbecue, also with a request for a fee waiver. A copy of BDA's letter is included in your packet.

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

*Suggested Motion:*

Motion to approve the Consent Agenda.

**COMMITTEE REPORTS**

- Cable TV Committee
- MPIC
- Teen Center Advisory Committee

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) Financial update: Staff will update the Council on the Town's financial picture to date for the current fiscal year. Copies of financial reports will be included in your packet.
- b) Revaluation update: This is the monthly update on this process. Manager Eldridge's memo provides additional information on this item.

- c) Update on the Maine Natural Gas rate case: Most parties have reached an agreement to resolve this case. The proposed settlement will be considered by the Maine Public Utilities Commission on May 17<sup>th</sup>. Manager Eldridge’s memo provides additional information on this item.
- d) Special Permit for Wildflours Gluten-Free Bakery : This item is to inform the Council of a Special Permit that was approved by the Planning Board on May 10th. Under section 701.G of the Zoning Ordinance, the Town Council has 30 days from the Board approval of the Special Permit to exercise jurisdiction over the application. If the Council decides not to exercise jurisdiction, the Planning Board’s decision will take effect after the 30-day approval date. A memo from Anna Breinich explains the process in greater detail. Copies of the memo and the Special Permit are included in your packet.

**PUBLIC HEARING**

- 53. This item is the required public hearing on a special amusement license application for McAvoy’s On The Green. McAvoy’s is a renewal application and they are requesting bands or DJs for weddings and other functions. Copies of the public hearing notice and the application are included in your packet.

Suggested motion:

Motion to approve special amusement license application for McAvoy’s On The Green, located at 165 River Road.

- 54. This item is for the Council hear public comments on “An Ordinance Authorizing the Removal and Replacement of Exterior Trim Elements of the Brunswick Town Hall, with Total Project Costs Not to Exceed \$200,000 (plus any other costs authorized hereunder), and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$200,000 (plus cost of issuance), plus any Additional Appropriation Authorized Hereunder.” At the time the Town acquired the McLellan Building from Bowdoin College, it was clear that the Town would need to address the building’s trim, as most of it was, and remains, in poor condition. In 2014, to better assess the potential cost of replacing the trim and repairing the damage, the trim on two first floor windows was replaced. The wood was replaced with a composite material. During installation, water damage and rot were discovered behind the trim, necessitating additional repairs to the sheathing and vapor barrier. Warren Construction Group, LLC (Warren Construction), replaced the window trim and developed a specification for repairing the other windows. At this time staff is recommending this repair work be done this year, and be done through a bond ordinance. Copies of a memo from Manager Eldridge, a “revised” cost estimate draft ordinance, and photos are included in your packet.

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

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

Suggested motion:

Motion to adopt “An Ordinance Authorizing the Removal and Replacement of Exterior Trim Elements of the Brunswick Town Hall, with Total Project Costs Not to Exceed \$200,000 (plus any other costs authorized hereunder), and Further Authorizing Issuance of Bonds and Notes in an Amount not to Exceed \$200,000 (plus cost of issuance), plus any

Additional Appropriation Authorized Hereunder.”

## **NEW BUSINESS**

55. These are the annual recommendations from the Davis Fund Committee for grant allocations for 2015-2016. Committee members will make a presentation on their recommendations. The Council’s action is to approve these recommendations. A copy of the Committee’s minutes, with their recommendations, is included in your packet.

*Suggested Motion:*

Motion to accept the recommendations for the Davis Fund’s 2015-2016 allocations as recommended by the Committee.

56. This item is sponsored by the Planning Board to address State shoreland zoning requirements not included in the Zoning Ordinance. The Council adopted an emergency moratorium preventing any development in the NRPZ so that the Planning Board and staff could develop amendments to bring the Zoning Ordinance into compliance with the State requirements. After two workshops, the Planning Board approved the amendments being proposed. With pending projects stalled by the moratorium, staff is recommending that the Council set a public hearing for June 6, on both an emergency and regular basis, so action can be taken on the 6<sup>th</sup> to repeal the moratorium and enact the amendments, both effective immediately following the vote. Copies of a memo from the Planning Department, the emergency moratorium, and the draft amendments are included in your packet.

*Suggested Motion:*

Motion to set a public hearing for June 6, 2016, on amendments to the Zoning Ordinance relative to Chapter Four (Development Review), Sections 401 (Applicability) and 402 (Development Review Classifications and Thresholds to Require Review of Filling and Earthmoving Activities within the NRPZ), on an emergency and regular basis, and to repeal the Moratorium on New Development in the Natural Resource Protection Zone as part of this public hearing.

57. This item is for the Council to consider adopting a resolution regarding the Frank Wood Bridge. After public outreach on the proposed bridge replacement, it was thought that the two towns may wish to go on record in support of MDOT’s recommendation. It was also suggested that there be a joint design advisory committee to work with MDOT to incorporate enhancements and minor modifications to the design. The draft resolution will be to support the MDOT’s selected option, with modifications as worked out by the design advisory committee and MDOT. Copies of a memo from Manager Eldridge and the draft resolution are included in your packet.

*Suggested Motion:*

Motion to adopt “A Resolution Expressing the Town Council’s Support for the Maine Department of Transportation’s Proposal to Replace the Frank J. Wood Bridge”.

58. This item is for the Town Council to discuss the Municipal Budget and to provide some direction to the Town Manager for the final budget. This will allow time for any additional adjustments to be made by the Town Manager or School Department prior to final adoption.

Suggested Motion: No motion required as this is a discussion item.

Suggested Motion:  
Motion to adjourn the meeting.