

BRUNSWICK TOWN COUNCIL
Agenda
January 24, 2019
Executive Session at end of meeting
Regular Meeting 6:30 P.M.
Council Chambers
Town Hall
85 Union Street

Roll Call of Members

Acknowledgement of Meeting Notice

Pledge of Allegiance

Adjustments to Agenda

Public Comments (for items not on the agenda)

Correspondence

MANAGER'S REPORT

- a) Financial update
- b) Dog Licenses – Reminder
- c) Cook's Corner Mall

PUBLIC HEARING

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

Special Amusement

Odd Duck FSE
D/B/A: Odd Duck FSE
11 Pleasant Street

Rebecca Marcos

HEARING/ACTION

NEW BUSINESS

- 5. The Town Council will consider appointing Bryan Bachelder to the position of Local Sealer of Weights and Measures, and will take any appropriate action. (Town Manager Eldridge)

ACTION

- 6. The Town Council will consider Brunswick-Topsham Land Trust's and Maine Coast Heritage Trust's request for a Town contribution of \$150,000 from funds set aside for water

access purposes, toward the Woodward Point conservation effort, and will take any appropriate action. (Councilor Ankeles and Councilor Watkinson)

ACTION

7. The Town Council will consider the annual request by the Brunswick Marine Resource Committee to open and close coastal waters with the Town for 2019, and will take any appropriate action. (Marine Resource Committee)

ACTION

8. The Town Council will receive a report with recommendations for shelter definitions and zoning from the Planning Board, and will take any appropriate action. (Town Manager Eldridge)

DISCUSSION

9. The Town Council will consider a process for appointing a Comprehensive Plan Update Committee by spring 2019, and will take any appropriate action. (Town Manager Eldridge)

DISCUSSION

10. The Town Council will consider a “Resolution Authorizing the Town Treasurer to Waive Foreclosure on Certain Real Estate Tax Lien Mortgages”, and will take any appropriate action. (Town Manager Eldridge)

ACTION

11. The Chair will make appointments of Council members to represent various boards and subcommittees, and will take any appropriate action. (Council Chair John Perreault)

ACTION

COMMITTEE REPORTS

CONSENT AGENDA

- a) Approval of the minutes of December 17, 2018
- b) Approval of the minutes of January 7, 2019

Executive Session: – Acquisition of real property per 1 M.R.S.A. §405(6)(C) and labor negotiations per 1 M.R.S.A. §405(6)(D)

No action will occur after the executive session

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

To email Town Council: towncouncil@brunswickme.org

**Brunswick Town
Council Agenda
January 24, 2019
Council Notes and Suggested Motions**

MANAGER'S REPORT

- a) **Financial update:** Manager Eldridge will update the Council on the Town's financial picture halfway through the fiscal year. Copies of financial reports will be included in your packet.
- b) **Dog Licenses – Reminder:** Dog licenses for 2019 are available at the Town Clerk's office and must be renewed by Thursday, January 31, 2019, at 6:00 pm to avoid a \$25 late fee. Dogs may also be licensed by mail before the deadline.
- c) **Cook's Corner Mall:** Stan Glantz, representing Katz Properties, the owners of the Cook's Corner Mall, will make a brief presentation regarding plans for utilization of the Mall property. As you know, Hannaford recently announced plans to construct a 50,000 +/- grocery store in the area occupied by Staples and the former Bookland. Staples will be relocating within the Mall.

PUBLIC HEARING

4. **Notes:** This is the required public hearing for a new special amusement license for Odd Duck, FSE, 11 Pleasant Street. They are soft jazz and dinner music downstairs in the bar area Tuesday through Sunday from 8:00 am to 10 pm, and bands, DJ's and pianists upstairs in the ballroom, with hours depending on the event. A copy of their application is included in your packet.

Suggested Motion:

Motion to approve an initial special amusement license for Odd Duck, FSE, 11 Pleasant Street.

NEW BUSINESS

5. **Notes:** According to Maine Revised Statutes §2461, the municipal officers of a municipality may elect or appoint a sealer of weights and measures who is not necessarily a resident of that municipality. Weights and Measures inspections maintain uniformity where weighing and measuring forms the basis for payment in commercial transactions within the State of Maine, by testing and evaluating weighing and measuring devices, by investigating cases of fraud, and by providing training, supervision and calibration services to municipalities. The state sealer has final approval authority on this appointment, and the sealer may hold office until he or she is removed from duty if they are inefficient or has neglected his or her duties. A sealer of weights and measures in any municipality may be sealer for several municipalities, as long as it is approved by the state sealer, and must successfully complete certification by the National Conference on Weights and Measures. There is no cost to the Town because the businesses pay for this service. Brunswick has not had a sealer of weights and measures for several years. Mr. Bryan Bachelder is a former State Trooper and certified sealer, who works for Topsham, Lewiston and Auburn, among others. A copy of Mr. Bachelder's letter, the appropriate section of Maine Revised Statutes, and Mr. Bachelder's professional certifications are included in the packet.

Suggested Motion:

Motion to appoint Mr. Bryan Bachelder to the position of Brunswick's Sealer of Weights and Measures.

6. **Notes:** The Brunswick-Topsham Land Trust (BTLT) and Maine Coast Heritage Trust (MCHT) are working together to conserve the 89-acre Woodward Point property for public access. To date, \$2.82 million of the \$3.5 million needed has been raised, and the deadline is March 31, 2019. BTLT and MCHT are asking the Town Council for \$150,000 from the funds set aside for water access from the sale of the 946 Mere Pt. Road property. The groups have presented information to both the Conservation Commission and the Rivers & Coastal Waters Commission, and have received positive feedback. MCHT will make payments in lieu of taxes to the Town, and both MCHT and BTLT are raising funds for the stewardship endowment that will pay for the ongoing care of the property. A copy of the letter of request from BTLT, letters of support from the Recreation Commission and the Conservation Commission, a Woodward Point Fact Sheet, an area map and photos are included in the packet.

Suggested Motion:

Motion to grant \$150,000 (or other amount) from funds set aside from the sale of 946 Mere Point Road for public water access, to BTLT/MCHT for the purpose of conserving the Woodward Point property.

7. **Notes:** The Marine Resource Committee, under direction of the Brunswick Municipal Code, Chapter 11, Marine Activities Structures and Ways, Section 11-161, annually seeks the Town Council's permission to open and close local waters within the Town based on evidence provided to them by staff or the public to ensure sustainability, allow undersized shellfish to reach marketable size without being disturbed, or to protect recently reseeded areas. This alleviates the Town Council from public hearings concerning the closure of coastal waters, but does not prohibit the Town Council from reviewing and reversing decisions made by the Marine Resource Committee. A copy of a memo from Harbor Master Dan Devereaux is included in the packet.

Suggested Motion:

Motion to give to the Marine Resource Committee, under the Brunswick Municipal Code, permission for to open and close local waters within the Town in 2019.

8. **Notes:** The Town Council will accept a draft of the proposed zoning amendments pertaining to homeless shelters as recommended by the Planning Board on January 8, 2019, and will consider setting a workshop for January 30, 2019. The amendments were based on the recommendations received from the Shelter Task Force in a memo dated October 1, 2018. A copy of a memo from the Planning Board and the Director of Planning & Development with the proposed amendments, the Shelter Task Force recommendations, the Planning Board Public Hearing memo, the summary of Shelter Task Force Recommendation Process, the Shelter Task Force Responsibilities, the Communities Inside and Outside of Maine Shelter Regulations Summary, and a map of the existing shelter facilities and essential services are included in the packet.

Suggested Motion:

No suggested motion, but a discussion on possibly setting a date for a workshop.

9. **Notes:** The current State of Maine finding of consistency with the Growth Management Act (GMA) for the Town of Brunswick 2008 Comprehensive Plan Update, which has many advantages to a community, will expire on November 20, 2020. Since the creation of a new comprehensive plan generally takes at least one and a half years, staff is asking the Town Council to begin by discussing the preferred process desired for appointing a Comprehensive Plan Update Committee, and to appoint said committee by spring 2019. A copy of a memo from Matt Panfil, Director of Planning & Development, is included in the packet.

Suggested Motion:

No suggested motion.

10. **Notes:** Annually, Town staff requests authorization from the Town Council for the Town Treasurer to waive foreclosure on certain properties, including properties that might be a hazard to public health or welfare, have an easement that makes the property undesirable to own, is suspected of environmental problems, or have little to no market value. Every effort is made to collect outstanding taxes and fees, and any waivers of foreclosure will be filed just prior to the foreclosure date. A copy of a memo from Finance Director Julia Henze and the resolution are included in your packet.

Suggested Motion:

Move to adopt a “Resolution Authorizing the Town Treasurer to Waive Foreclosure on Certain Real Estate Tax Lien Mortgages”.

11. **Notes:** The Town Council will appoint Council Representatives to the following:

- Appointments Sub-committee
- Bicycle & Pedestrian Advisory Committee
- Brunswick Development Corporation
- Cable Television Committee
- Citizens Initiative Clarity Board
- Downtown and Outer Pleasant Street Master Plan Implementation Committee
- Finance Committee
- Fire Station Task Force
- Recycling and Sustainability Committee
- Rivers and Coastal Waters Commission
- Solid Waste Task Force
- Teen Center Advisory Board
- TIF – MRRA Districts Committee
- Tree Committee
- Trust Fund Advisory Committee

COMMITTEE REPORTS

Councilors will provide brief updates of recent committee meetings.

CONSENT AGENDA

- a) **Approval of the Minutes of December 17, 2018:** A copy of the minutes is included in your packet.
- b) **Approval of the Minutes of January 7, 2019:** A copy of the minutes is included in your packet.

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

Executive Session: – Acquisition of real property per 1 M.R.S.A. §405(6)(C) and labor negotiations 1 M.R.S.A. §405(6)(D)

Suggested Motion:

Motion to go into executive session to discuss acquisition of real property per 1 M.R.S.A. §405(6)(C) and labor negotiations per 1 M.R.S.A. §405(6)(D)

No action will occur after the executive session

Suggested motion:

Motion to approve the Consent Agenda.

Suggested Motion:

Motion to adjourn the meeting.