

**BRUNSWICK TOWN COUNCIL**

**Agenda**

**January 21, 2020**

**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
- c) Bond Issue – Elementary School
- d) Fire Station
- e) Mere Creek Golf Course
- f) Public Transportation – Explorer
- g) Public Transportation – Metro Breez
- h) Winter Operations

**PUBLIC HEARING**

- 3. The Town Council will hear public comments on applications for Special Amusement licenses, and will take any appropriate action. (Town Manager Eldridge)

**Special Amusement**

Brunswick Lodge of Elks #2043  
D/B/A: Brunswick Lodge of Elks  
179 Park Row

Angela Brackett

Odd Duck FSE, INC.  
D/B/A: Odd Duck FSE  
11 Pleasant Street

Rebecca Marcos

**HEARING/ACTION**

4. The Town Council will hear public comments regarding the recommended relocation of the Farmer's Market to Park Row, with accompanying fee increase and changes in the parking ordinance, and will take any appropriate action. (Town Manager Eldridge)

**HEARING/ACTION**

5. The Town Council will hear public comments regarding proposed changes to outdoor seating on public ways for the 2020 licensing year, and will take any appropriate action. (Town Manager Eldridge)

**HEARING/ACTION**

6. The Town Council will hear public comments regarding changes to mooring fees, and will take any appropriate action. (Town Manager Eldridge)

**HEARING/ACTION**

**NEW BUSINESS**

7. The Town Council will consider a request from the Brunswick Downtown Association for a waiver of fees for the 2020 Community Barbecue and the 2020 Brunswick Outdoor Arts Festival, and will take any appropriate action. (Town Manager Eldridge)

**ACTION**

8. The Town Council will consider forwarding a request from Sitelines to the Planning Board for a boundary change to the Shoreland Protection Overlay (SPO) to be consistent with the Town of Brunswick's GIS and Zoning Map, and will take any appropriate action. (Town Manager Eldridge)

**ACTION**

9. The Town Council will hear a proposal from Brunswick Housing Authority to convert its Section 9 Public Housing Program to Section 8 assistance, and will take any appropriate action. (Town Manager Eldridge)

**DISCUSSION**

10. The Town Council will consider giving its annual authority to the Brunswick Marine Resource Committee to open and close coastal waters within the Town's jurisdiction, and will take any appropriate action. (Town Manager Eldridge)

**ACTION**

11. The Town Council will consider ratifying a contract between the Town of Brunswick and the Teamsters Local Union #340 for the Brunswick Parks & Recreation Maintenance Workers, and will take any appropriate action. (Town Manager Eldridge)

**ACTION**

12. 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 16, 2019
- b) Approval of the minutes of January 6, 2020

**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](mailto:towncouncil@brunswickme.org)

**Brunswick Town  
Council Agenda  
January 21, 2020  
Council Notes and Suggested Motions**

**MANAGER’S REPORT**

*Please see the Manager’s Report memo for more information on the items below.*

- a) Financial Update
- b) Dog Licenses
- c) Bond Issue – Elementary School
- d) Fire Station
- e) Mere Creek Golf Course
- f) Public Transportation – Explorer
- g) Public Transportation – Metro Breez
- h) Winter Operations

**PUBLIC HEARING**

3. **Notes:** This is the public hearing for Special Amusement licenses for the Brunswick Lodge of Elks, 179 Park Row, and Odd Duck FSE, 11 Pleasant Street. The Brunswick Lodge of Elks would like to have DJs and small bands in the lounge and banquet hall for catered events, from 7:00 pm to 11:00 pm, and a DJ on weekends from 7:00 pm to 11:00 pm or 8:00 pm to 12:00 pm. Odd Duck would like to have DJs and live entertainment, such as piano players and jazz, in the main bar/mezzanine area and ballroom, from 10:00 am to 12:00 pm. Copies of the applications are included in the packet.

**Suggested Motion:**

Motion to approve Special Amusement licenses for the Brunswick Lodge of Elks, 179 Park Row, and Odd Duck FSE, 11 Pleasant Street.

4. **Notes:** This is the public hearing regarding the relocation of the Farmer’s Market to Park Row. The Brunswick Farmers Market Site Location Workgroup reviewed 24 downtown locations where the Market could be relocated. Two locations met their criteria; Park Row, utilizing existing parking spaces, and the Lower Mall. After a public meeting, the committee concluded that Park Row was their preference, although there was no ideal location. To implement the Park Row option, the Town would need to amend several portions of the Municipal Code of Ordinances, Chapter 16 – Traffic and Vehicles, to add one-way and restricted on-street parking areas for the vendors, and to add a fee increase to the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B. The Council asked questions about sidewalks, curbs and fees at the December 16, 2019 meeting, and those questions are answered in Tom Farrell’s memo of January 16, 2020. Any change in fees should be done this evening in order to have them in effect for the 2020 licensing season. The amendments are detailed in a copy of a memo from Town Manager John Eldridge. The packet also includes a packet of Farmers Market information, a diagram illustrating the proposed traffic flow around the Mall area, and the public hearing notice for the ordinance amendments.

**Suggested Motions:**

Motion to relocate the Farmer’s Market to Park Row (or other).

Motion to amend portions of the Municipal Code of Ordinances, Chapter 16 – Traffic and Vehicles, to add one-way and restricted on-street parking areas on Park Row (if necessary).

Motion to increase the fee for the Farmers’ Market in the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B, from \$3,500.00 to \$13,500.00.

5. **Notes:** This is the public hearing regarding proposed changes to Chapter 10 – Licenses and Business Regulations, Chapter 14 – Streets, Sidewalks and Other Public Places, and the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B. The proposed changes include increasing the fee from \$150.00 to \$200.00 for vendors with more than nine (9) outdoor seats. In addition, Both Chapter 10 and Chapter 14 have proposed changes to set the time outdoor seating is allowed from April 15<sup>th</sup> to November 1<sup>st</sup>. This is a result of difficulty maintaining the sidewalks during icy weather events when outdoor seating is still present, and would apply to all sidewalk vendors. If approved, these fees would be in effect for the 2020 licensing year. A copy of a memo from Town Clerk Fran Smith and the proposed changes to Chapter 10, Chapter 14, and the Appendix B Master Schedule of Revenues, Charges, Fees and Fines are included in the packet.

**Suggested Motion:**

Motion to adopt changes to Chapter 10 – Licenses and Business Regulations, Chapter 14 – Streets, Sidewalks and Other Public Places, and the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B, to increase the fee from \$150.00 to \$200.00 for vendors with nine (9) or more outdoor seats, and to set the time outdoor seating is allowed to the period between April 15<sup>th</sup> and November 1<sup>st</sup>.

6. **Notes:** This is the public hearing regarding proposed increases in mooring fees, which are the result of the clerk’s office implementing a new online registration system that will be paid for by a per mooring charge. The \$10.00 administrative fee suggested will cover the \$6.00 charge and administrative costs related to approval, the reporting requirement, and applications mailed to the office. A copy of a memo from Town Clerk Fran Smith is included in the packet.

**Suggested Motion:**

Motion to adopt the proposed changes to mooring fees.

**NEW BUSINESS**

7. **Notes:** The Brunswick Downtown Association (BDA) is requesting that the Town Council waive the \$500.00 event fee on two (2) events scheduled for this summer. The first is their annual Community Barbeque, Saturday, June 20, 2020, which is a community event and a family-oriented destination featuring food, games, activities and music. The other event is their annual Outdoor Arts Festival on August 15, 2020, which

will include a juried art exhibit featuring artists' booths, live music and performances by local theater groups. Both of these events are sponsored by local businesses, and the amount raised is used to provide marketing for the event and portable toilets. Copies of the letters of request from BDA Executive Director Debora King are included in the packet.

**Suggested Motion:**

Motion to waive the \$500.00 event fees for the BDA events "Community Barbeque" and "Brunswick Outdoor Arts Festival", taking place in June and August of 2020 respectively.

8. **Notes:** The area mapped as being with the Shoreland Protection Overlay (SPO) boundaries encompasses almost the entirety of the parcels in Tax Map 43, Lot 20, Lot 21, Lot 28, Lot 30 and Lot 31. It is not understood why the Forested Wetlands are included in the boundaries when, according to the Town of Brunswick Ordinances, a 125 foot setback is only needed around Freshwater Wetlands. Staff has concurred that the wetlands and associated Shoreland Overlay area are not consistent with the ordinances. This has restricted growth in a Growth Area outside of Brunswick Landing. Sitelines is asking the Town Council to forward this request to the Town of Brunswick Planning Board for consideration. A copy of a letter from Sitelines, along with an evaluation and report done in 2018 by Atlantic Environmental, with maps, are included in the packet.

**Suggested Motion:**

Motion to forward a request to the Planning Board for consideration of amendments to the Shoreland Protection Overlay (SPO) to reflect the field verified conditions.

9. **Notes:** The Brunswick Housing Authority (BHA) is eligible to convert public housing to tenant-based assistance, due to The U.S. Department of Housing & Urban Development (HUD) using its waiver authority under the amendment of the U.S. Housing Act of 1937 to redefine a small PHA as those with 250 units or less of public housing. The opportunities for BHA include regaining local control and increased funding, while risks include that future revenue will be subject to congressional appropriations. The BHA Board has reviewed this option and determined it is in the best interest of the BHA to consider moving forward with an application, while still retaining the right to withdraw its application. The process of conversion includes consultation with local government, which is accomplished with this Council meeting. A copy of a memo from John Hodge, Executive Director of the Brunswick Housing Authority, is included in the packet, and Mr. Hodge will be at the meeting to answer any questions.
10. **Notes:** The Marine Resource Committee is asking for approval to open and close shellfishing grounds for conservation, based on evidence provided to them by staff or the public. The annual approval request will alleviate the Town Council from public hearings concerning the closure, but does not prohibit the Town Council from reviewing and/or reversing decisions made by the Marine Resource Committee. A copy of a letter from Dan Devereaux, Harbormaster, is included in the packet.

**Suggested Motion:**

Motion to allow the Marine Resource Committee the authority to open and close coastal waters within the Town of Brunswick’s jurisdiction for the year 2020.

11. **Notes:** The Town of Brunswick and Teamsters Local Union #340 representing the Brunswick Parks and Recreation maintenance workers have reached a tentative 3-year agreement for the period of July 1, 2019 through June 30, 2022, and are asking the Council to ratify this agreement. A copy of a memo from Assistant Town Manager Ryan Leighton that includes a summary of changes from the previous agreement, and the pay scales for the three (3) years of the contract are included in the packet.

**Suggested Motion:**

Motion to ratify the 3-year contract between the Town of Brunswick and the Teamsters Local Union #340 for the time period of July 1, 2019 through June 30, 2022.

12. **Notes:** The Town Council Chair 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 16, 2019:** A copy of the minutes is included in your packet.
- b) **Approval of the Minutes of January 6, 2020:** 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.*

**Suggested motion:**

Motion to approve the Consent Agenda.

**Suggested Motion:**

Motion to adjourn the meeting.

# MANAGER'S REPORT MEMO

# Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

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## MEMORANDUM

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**TO:** Town Council

**FROM:** John Eldridge  
Town Manager

**DATE:** January 14, 2020

**SUBJECT:** Town Manager's Report  
January 21, 2020 - Town Council Meeting

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### ***Financial Update (a)***

Revenue and expenditure reports for the fiscal year through December 31, 2019 are included in your packet. Both revenues and expenditures continue to trend as expected. Finance Director Julia Henze and I will be happy to answer any questions.

### ***Dog Licenses (b)***

Dog licenses for the 2020 calendar year are available in the Town Clerk's office. To renew by mail, include the dog's name and rabies vaccination certificate. The cost is \$6 for a spayed or neutered dog and \$11 for a non-altered dog. The fee increases substantially after January 31st. For more information, check the Town Clerk's page on the Town's website.

### ***Bond Issue – Elementary School (c)***

On January 14, 2020, bids were accepted on the Town's issuance of bonds to finance the construction of the Kate Furbish Elementary School. Eleven underwriters bid on the issue with the winning bidder's proposed true interest cost (TIC) being 2.15%. This rate is approximately 0.60% lower than the most recent estimate. The estimated cost of first year of debt service represents an increase in the tax rate of approximately 3.15%. The first bond payment will be due on November 1, 2020. The debt service will be included in the 2020-21 budget.

### ***Fire Station (d)***

WBRC Architects continues to develop construction plans for the new fire station to be located at the intersection of Webster and Pleasant Streets. The Town now owns five of the eight required properties and has purchase and sale agreements on the remaining three properties.

### ***Mere Creek Golf Course (e)***

The Town Council and staff have received many e-mails expressing disappointment public skiing is no longer allowed on the Mere Creek Golf Course. Harris Golf operates the course under a lease from the Midcoast Regional Redevelopment Authority (MRRRA), the owner of the property. Nothing in the lease requires Harris Golf to allow public use of the golf course for winter activities. We

have been told that Harris decided this year not to allow public use because of some incidents, including vandalism and damage to the course. Jeff Harris of Harris Golf has been out of state and we hope to meet with him when he returns to discuss under what condition, if any, he might again allow public winter use. The Town has an easement across a portion of the golf course property that allows public access to the trails at the Kate Furbish Preserve. That trail is open for skiing, hiking, and snowshoeing.

***Public Transportation - Explorer (f)***

Recently we met with representatives of the Brunswick Explorer to discuss the need to provide additional service at Brunswick Landing. Subsequent to meeting with staff, representatives from the Explorer addressed concerns at the Council's January 11<sup>th</sup> retreat. It seems there are two central issues, one being more scheduled service to the Landing and the other being the transportation needs of children from the Landing to Head Start. The Explorer representatives indicated that the Explorer operates a flex route that does allow for additional unscheduled spots on the routes. However, because of the scheduled stops and the existing "Flex" stops there was not additional room in the schedule to accommodate additional service without a redesign of the route. Based on the Explorer's recommendation Town staff has written to the Maine Department of Transportation (MDOT) to initiate a request for a route redesign.

Regarding the transportation of children to Head Start, staff has had conversations with other providers. We are told that there are now five children attending Head Start at the Gurnet Road location. We are also reviewing the Head Start requirements to see if the children could be enrolled in the Town's pre-school program offered by the Parks and Recreation Department.

***Public Transportation – Metro Breez (g)***

You may recall that the Town voted to join the Greater Portland Transit District in order to continue the Breez express service from Brunswick to Portland. You may also recall that the District discovered that the enabling legislation for the district would need to be amended to allow Brunswick to join. A bill to amend the statute is scheduled for a January 16<sup>th</sup> public hearing before the Legislature's Committee on Transportation. Brunswick and the District will be submitting testimony in support of the bill. Thanks to Speaker Gideon for introducing the bill and to our Legislative delegation and others for cosponsoring this legislation.

***Winter Operations (h)***

Councilors and staff have received e-mails about winter operations (i.e. snowplowing, snow removal, etc.). Jay Astle, Public Works Director, will give a brief presentation to the Council.

# ITEM 3 BACKUP

**TOWN OF BRUNSWICK**

Brunswick ELKS

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

**APPLICATION FOR SPECIAL AMUSEMENT LICENSE**

Please complete:

Type of Business:  Sole Proprietor-Owner's Name: \_\_\_\_\_

Partnership-Partner's Names: \_\_\_\_\_

Corporation-Corporation Name: Brunswick Lodge of ELKS #2043

Incorporation Date: 6/29/57 Incorporation State: Maine

New License: Opening Date \_\_\_\_\_  Renewal License

Business Name: Brunswick Lodge of ELKS #2043 E-Mail: \_\_\_\_\_

Business Address: 179 Park Row, Brunswick ME Business Phone Number: 725-8265

Name of Contact Person: Angela Brackett Contact's Phone Number: \_\_\_\_\_

Mailing Address for Correspondence: 179 Park Row, Brunswick, ME 04011

Signature of Owner, Officer, Partner or Agent: Judy Beon - Treasurer

Date: 12/5/19

**Corporations Please Complete:**

Address of Incorporation: 179 Park Row, Brunswick, ME Phone #: (207) 725-8265

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

Michael Murphy Trustee Rabbit Hill Rd., Sabattus

Colette Cullen - Trustee 22 Bickford, Dr., Topsham

Denise Gupil - Exalted Ruler - 41 Katie Lane, Topsham Don Seal ER

Tammy St. Jean - Trustee 41 Katie Lane, Topsham

The fee is \$150 permit fee and \$50 inspection/application fee for a total of \$200. (In addition, if you are required to have more than 2 inspections, there will be an additional fee of \$25 per inspection to be paid prior to issuance of license.)

**Town Clerk Use Only**

License Fee \$150.00 Plus \$50 application fee  0 Paid Advertising Fee \$ 52.02  
0 Paid

DEC - 5 2019

Required Approvals:  Finance  Codes/Fire  Council PH Date: 1/21/20

Mailed or Issued Date: \_\_\_\_\_

Clerk Notes:

OVER

**Describe in detail the kind and nature of entertainment:**

DJ. services provided in the lounge and Banquet hall.  
occasional small bands at catered events such as weddings,  
Receptions and Holiday Events

**Describe in detail the room or rooms to be used under this license:**

First Floor Lounge Area and Hall

**During what hours will your live entertainment occur?**

7-11 p.m. in Lounge & Hall when booked. It is normally  
a DJ. Service either 7-11pm or 8-12pm on weekends (Either  
Friday or Saturday)

**Did the Town Council place any specific restrictions on your license over the  
past three years? If so, what were those restrictions? NO**

**DIAGRAM**

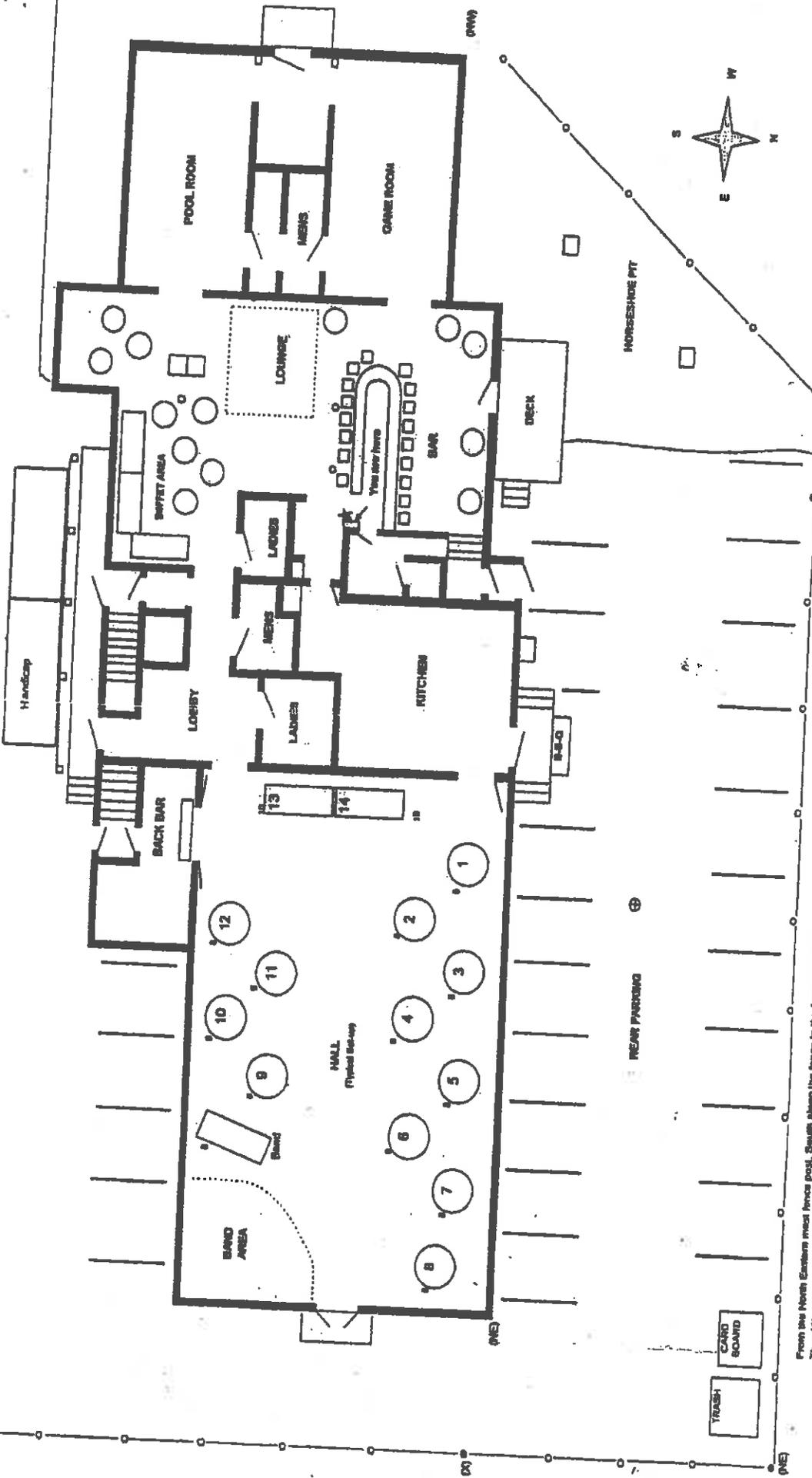
(ATTACH SEPARATE SHEET, IF NECESSARY)

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see attached

DRIVEWAY (From Park Row)

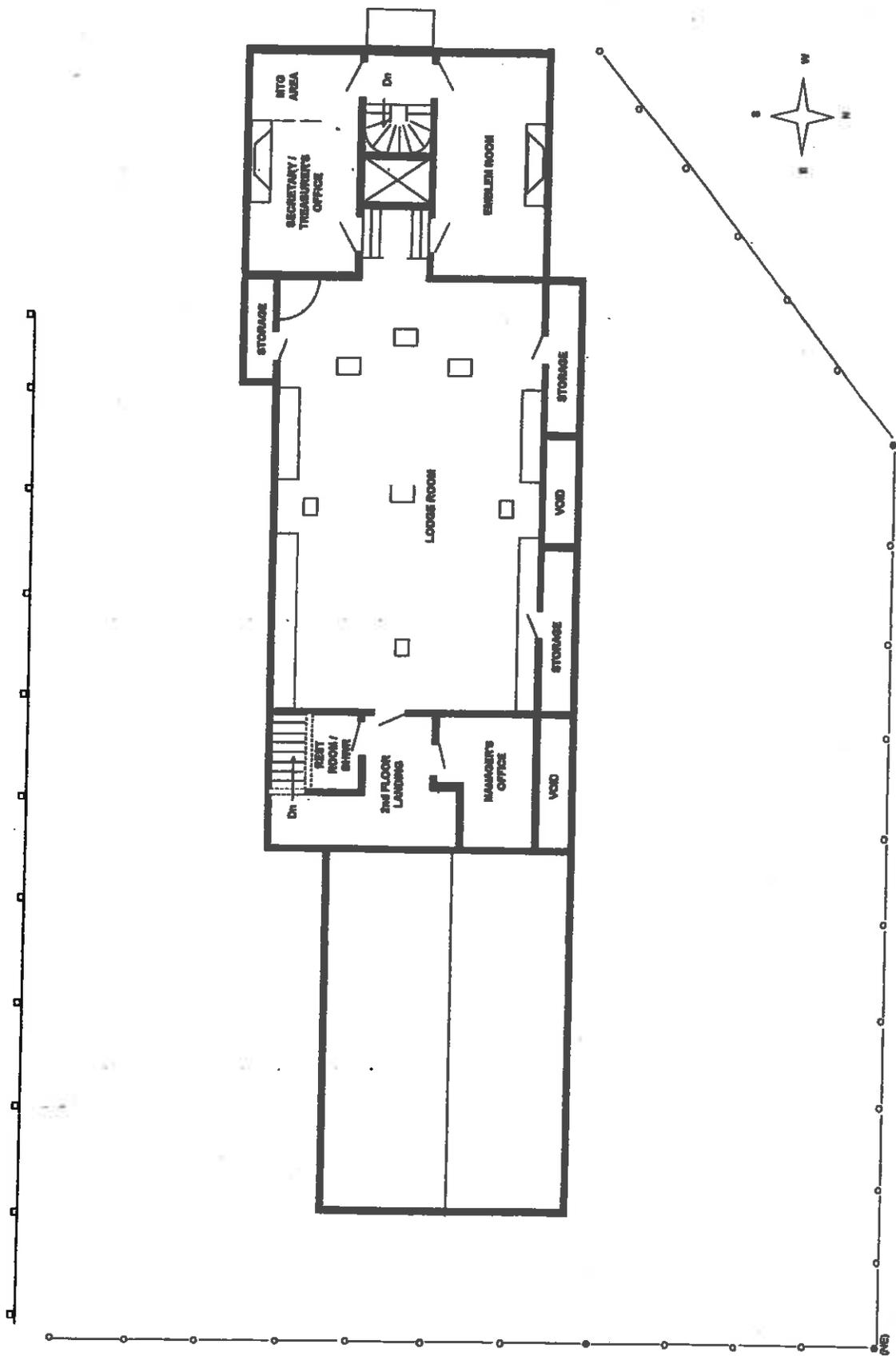
FRONT PARKING



BRUNSWICK ELKS LODGE - Building 1st Floor and Parking  
(NOT TO SCALE)

From the North Eastern most fence post, Go west along the fence to the fence post (2) most adjacent to the North East corner of the building. Then West along the North west of the building to the North Western most corner of the building. Then East along the fence to the North Eastern most fence post.

1st Floor



BRUNSWICK ELKS LODGE - BUILDING 2ND FLOOR  
(NOT TO SCALE)

2nd Floor

5.

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## **Public Notice**

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### **PUBLIC HEARING**

The Municipal Officers of the Town of Brunswick will hold a Public Hearing at the Council Chamber, Municipal Office Building, 85 Union Street, Brunswick, at 6:30 P.M. on January 21, 2020 on the following license applications:

#### **Special Amusement**

Brunswick Lodge of Elks # 2043  
Ms. Angela Brackett  
D/B/A: Brunswick Lodge of Elks  
179 Park Row

Odd Duck FSE, Inc.                      Rebecca Marcos  
D/B/A: Odd Duck FSE  
11 Pleasant St.

All persons may appear to show cause, if any they may have, why such applications should or should not be approved.

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

**Fran Smith  
Town Clerk**

**TOWN OF BRUNSWICK**

*Odd Duck*

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

**APPLICATION FOR SPECIAL AMUSEMENT LICENSE**

Please complete:

Type of Business:  Sole Proprietor-Owner's Name: \_\_\_\_\_

Partnership-Partner's Names: \_\_\_\_\_

Corporation-Corporation Name: Odd Duck FSE

Incorporation Date: 9/27/2017 Incorporation State: ME

New License: Opening Date \_\_\_\_\_  Renewal License

Business Name: Odd Duck FSE E-Mail: \_\_\_\_\_

Business Address: 11 Pleasant St. Business Phone Number: 207-406-4695

Name of Contact Person: Rebecca Marcos Contact's Phone Number: 978-994-2988

Mailing Address for Correspondence: \_\_\_\_\_

Signature of Owner, Officer, Partner or Agent: Rebecca Marcos

Date: 12/16/19

**Corporations Please Complete:**

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

The fee is \$150 permit fee and \$50 inspection/application fee for a total of \$200. (In addition, if you are required to have more than 2 inspections, there will be an additional fee of \$25 per inspection to be paid prior to issuance of license.)

**Town Clerk Use Only**

License Fee \$150.00 Plus \$50 application fee DEC 16 2019 Advertising Fee \$52.03  
 Paid  Paid

Required Approvals:  Finance  Codes/Fire  Council PH Date: 1/21/20

Mailed or Issued Date: \_\_\_\_\_

Clerk Notes:

**OVER**

**Describe in detail the kind and nature of entertainment:**

DJ, live entertainment, piano players, jazz

**Describe in detail the room or rooms to be used under this license:**

main bar / mezzanine area of restaurant  
Ballroom

**During what hours will your live entertainment occur?**

10:00 A.M. - 12:30 P.M.

**Did the Town Council place any specific restrictions on your license over the past three years? If so, what were those restrictions?** no.

### **DIAGRAM**

(ATTACH SEPARATE SHEET, IF NECESSARY)

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see attached

David Maturo  
Architecture

100 East Street  
Suite 100  
Boston, MA 02109  
Tel: 617.552.1111  
www.davidmaturo.com



Standards

Buildings  
Chapter 18A  
Subchapter B  
Section 18A.02  
Section 18A.03

11 Pleasant  
Street  
Somerville, MA 02148

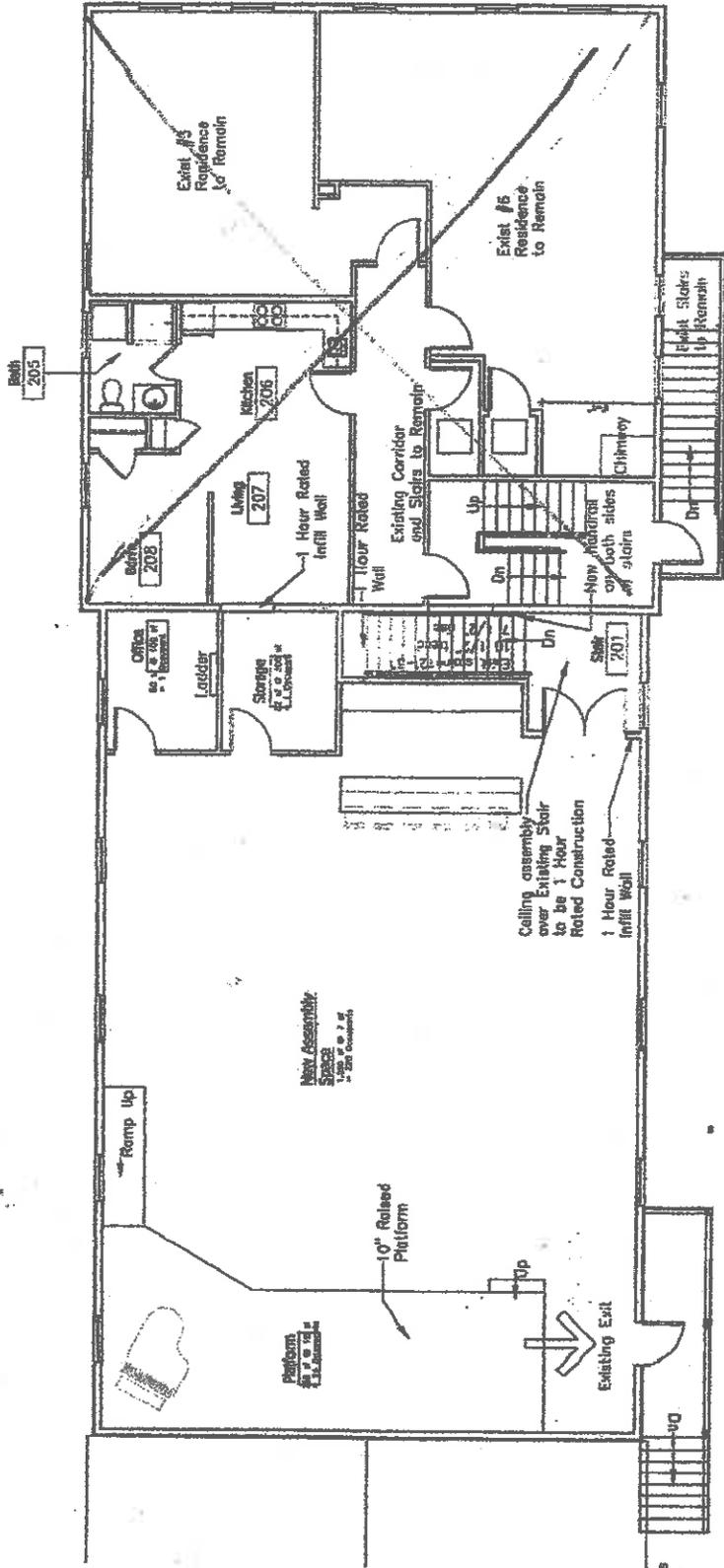


Job Number: 14022  
Project: 042417  
Scale: 1/8" = 1'-0"  
Drawing Title:

**New  
Assembly  
Second  
Floor Plan**

**A1.2**  
Issued for  
Permit

DATE: 04/24/17



② New Assembly Floor Plan

Scale: 1/8" = 1'-0"





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## **Public Notice**

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#### **Special Amusement**

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Ms. Angela Brackett  
D/B/A: Brunswick Lodge of Elks  
179 Park Row

Odd Duck FSE, Inc.                      Rebecca Marcos  
D/B/A: Odd Duck FSE  
11 Pleasant St.

All persons may appear to show cause, if any they may have, why such applications should or should not be approved.

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

Fran Smith  
Town Clerk

ITEM 4  
BACKUP

# Memo

To: John Perreault, Chair, Brunswick Town Council  
Members of the Brunswick Town Council  
John Eldridge, Town Manager

From: Thomas M. Farrell, Director of Parks and Recreation

Date: January 16, 2020

Re: ***Brunswick Farmers Market Relocation Recommendation***

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At its meeting on December 16, 2019, the Town Council raised a number of questions seeking further clarification from staff regarding the recommendation to relocate the Farmers Market from the Lower Mall to Lower Park Row. The following is a summary of the primary questions asked at the meeting and corresponding answers for further consideration by Council members.

Numerous questions were asked at the meeting, and the following is a grouping of the various topical areas and questions for which additional information was sought.

**1. Can the sidewalk be extended at its current width the remainder of the distance from Green Street to Fitch Place and what are the implications of doing so?**

- *The sidewalk can be extended from its current terminus at Green Street to Fitch Place at a 6-foot width; a total of 550 linear feet for a cost of \$29,000. The sidewalk in certain locations would be encumbered with existing telephone poles. This cost reflects installation of a new sidewalk that would include concrete pavers to match the existing on adjacent sidewalks. There would be minimal impact on adjacent trees located on the Lower Mall.*

**2. Tents being located near the curb may present a tripping hazard. Could curb be removed altogether or sidewalk widened to a ten-foot width and what are the cost and use implications of both alternatives?**

- *The curb could be removed, but was originally installed to preclude motor vehicles from driving upon the Lower Mall. The existing curb also functions to divert and direct runoff to existing catch basins along Lower Park Row.*
- *If the existing sidewalk was widened to a ten-foot width between School and Green Streets there would be a corresponding loss of the mature trees along this stretch of the Lower Mall. There is insufficient distance from the trees and their corresponding root*

systems to the inner edge of the newly widened sidewalk. The trauma done to the trees by the widening project along this area would result in a rapid decline and death of the hardwoods growing there.

- *The cost to expand the width of the sidewalk from 5 to 10 feet from School Street south to Green Street for a distance of 275 feet would be \$24,167. Installation of a new 10 foot wide sidewalk from Green Street to Fitch Place, a distance of 550 feet, would cost approximately \$48,333. A 10-foot wide sidewalk along this alignment would encroach into the root systems of some of the trees that parallel Park Row on the Lower Mall. The trees would most probably be subject to a slow decline over time if the sidewalk were to be installed at a ten foot width in this area. The further south one travels along this alignment the more dramatic the drop off and steepness of slope becomes down into the Lower Mall.*
- *An alternative would be to consider installing a 10-foot wide sidewalk from Green Street to Fitch Place, for a distance of 550 feet, and narrowing the roadway by 3 feet to allow for more protection of the trees in this area. Lower Park Row is wider in this area than the corresponding width of the road between School and Green Streets. The cost for this work would be \$48,333 plus the costs of resetting the curb line and adjusting/relocating catch basins at an additional cost of \$49,000.*

**3. Could temporary transition ramps be procured to ensure safety of pedestrians accessing vendor tents from the curb and what are the cost implications of an adequate number of ramps along the curb frontage where necessary?**

- *A product could be procured that will afford a 4" Maximum Rise to the edge of curb sloping back to the street from the company Discount Ramps. The product is "Silver Spring Rubber 3 Channel Threshold Ramp". Sections are 24 inches by 42 inches with a 4 inch height at the curb. Weight per section is 57 pounds. Based on 2 ramps per vendor and a total maximum vendor count of 15, staff would recommend the purchase of 30 sections of rubber ramps at a total cost of \$4,500, to provide for a series of transition access points to the market from the sidewalk into the vendor areas that would be located on the street.*

**4. Could we see a visual of what a widening of the current sidewalk along Lower Park Row to a ten foot width would look like?**

- *Staff will display a street view of Lower Park Row using Google Earth at the Town Council meeting on January 21<sup>st</sup> to depict the edges of the different width alignments of the various sidewalk sections that were examined and articulated in answers to the above questions.*

**5. Please confirm whether or not the Town is open to the market sharing in the daily deployment and retrieval of barricades to reduce the cost associated with the town performing the work solely.**

- *Staff has recalculated the costs if the market were to assist in the deployment and pick up of the barricades daily during market days. Purchase of the barricades remains the same at \$5,600. The cost for parks and recreation department staff to solely perform the deployment and pickup of barricades daily during the market operations season was*

*previously estimated to be \$9,750. With assistance from the vendors at the market in the set up and breakdown of the barricades on days when the market is in operation the town's cost would be reduced to a figure of \$3,248 per year.*

**6. Please consider a fee increase to \$5,000 in the first year up from the \$3,500 currently charged the Farmers Market annually with an additional incremental increase over the next 2 years to \$13,500 as currently proposed.**

- *Various representatives of the Farmers Market noted that the proposed fee schedule for the 2020 season represented a considerable increase. Members further requested that the increase from the current \$3,500 annual fee to the proposed \$13,500 fee be phased in over a minimum two year period.*

**7. Is moving the curb out further into the street an option, and if so, what are the implications of doing so?**

- *Moving the curb further out into the street is possible from that section of road between Green Street and Fitch Place as the road width is greater along this stretch of Lower Park Row than the width of road between School and Green Streets. Implications of doing so include costs as described in the answer to question 2 above.*

Taking into consideration all the feedback we have received, the preferred option to address most if not all of the concerns we have heard is to extend the sidewalk along Park Row from Green Street up to and along Fitch Place to Maine Street. Conceivably the installation could occur this spring prior to the Farmer's Market opening. For this year the sidewalk surface would be asphalt and the Farmer's Market would not be able to open until after Memorial Day. A conservative estimate for the sidewalk extension is \$60,000. This option would also require the Farmer's Market to set up their displays immediately adjacent to the curb, or provide their own portable platform of sufficient height. Patrons could walk directly from the sidewalk into vendor display areas eliminating the potential tripping hazard from stepping down off the sidewalk. A typical layout will be presented at the meeting.

The preferred option also necessitates Park Row and Fitch Place be permanently designated one-way as depicted on the attached diagram. Independent of the Farmer's Market, staff feels one-way traffic is the safest alternative for a roadway of this width.

One of the biggest benefits of the preferred option is that the improvements contemplated by the Town have far reaching benefits beyond the Farmer's Market.

Staff will be present at the Council meeting to answer questions.

# Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

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## MEMORANDUM

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**TO:** Town Council

**FROM:** John Eldridge  
Town Manager

**DATE:** December 12, 2019

**SUBJECT:** Farmers Market

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At the November 18<sup>th</sup> Town Council meeting, you heard a presentation and recommendations for the relocation of the Farmer's Market from Tom Farrell, Parks & Recreation Director, and members of the Brunswick Farmers Market Site Location Workgroup. You will recall that we established a committee to review the location of the Farmers Market given that its current location on the Mall has left large areas where grass has been worn away and where the soil has become heavily compacted. The worn spots result in muddy spots during inclement weather, and the compacted soils prevent air and water penetration, resulting in stress on the shade trees.

The committee was charged with reviewing possible downtown sites where the Market could be relocated. Downtown sites were preferred since the Market draws hundreds of people, which contributes to the vibrancy of the area. The committee reviewed 24 locations using three criteria; Adequate Size, Public Safety Access, and Public/Private Access. Only two locations met all three criteria; Park Row, utilizing the existing parking spaces, and the Lower Mall by widening of, or adding to, the existing walkways that cross the green space.

The committee held a public meeting and invited area abutters to attend and comment on the proposals. After considering public input, the committee concluded that utilizing the Park Row parking as vendor stalls was its preference. The committee pointed out that there was no ideal location that would support all of the various activities on the Mall while providing desirable public green space.

To implement the Park Row option the Town would need to amend several portions of the Municipal Code of Ordinances. Those amendments are included in your packet:

Amendments to the Municipal Code of Ordinances, Chapter 15 – Traffic and Vehicles

Sec. 15-46. - One-way streets. To add the following:

*Fitch Place*, westerly for its entire length, Park Row to Maine Street  
*Park Row*, southerly from School Street to Fitch Place

Sec. 15-76. - Restricted on-street parking areas. To add the following:

(f) Notwithstanding any other provisions of this chapter, a person shall not park a vehicle on Park Row from School Street to Fitch Place, between the hours of 6:00 a.m. and 3:00 p.m. on Tuesdays and Fridays from April 15<sup>th</sup> to November 30<sup>th</sup>.

Because the annual operating cost of the Park Row option is almost \$10,000, your packet also includes an amendment to APPENDIX B MASTER SCHEDULE OF REVENUES, CHARGES, FEES AND FINES to increase the Market's annual license fee from \$3,500 to \$10,000.

Your packet also includes the following information:

- Memo from Parks and Recreation Director Thomas Farrell dated December 11, 2019
- Diagram illustrating the proposed traffic flow around the Mall area.
- PowerPoint Slides from the November 18<sup>th</sup> presentation to the Town Council
- Public Hearing Notice for the Ordinance Amendments

In order for the recommendation to be implemented for the 2020 season, the Town needs to adopt the ordinance amendments and have them effective by March of 2020. The first opportunity for a public hearing on these changes is the Council's January 21<sup>st</sup> meeting.

Tom Farrell and others from the committee will attend your December 16<sup>th</sup> meeting to answer your questions.

Attachments

TOWN OF BRUNSWICK  
NOTICE OF PUBLIC HEARING

The Town Council will hold a public hearing on January 21, 2020 at 6:30 P.M. in the Town Council Chambers of the Brunswick Town Hall, 85 Union Street, to consider the following:

1. Amendments to the Municipal Code of Ordinances, Chapter 15 – Traffic and Vehicles

Sec. 15-46. - One-way streets. To add the following:

Fitch Place, westerly for its entire length, Park Row to Maine Street  
Park Row, southerly from School Street to Fitch Place

Sec. 15-76. - Restricted on-street parking areas. To add the following:

(f) Notwithstanding any other provisions of this chapter, a person shall not park a vehicle on Park Row from School Street to Fitch Place, between the hours of 6:00 a.m. and 3:00 p.m. on Tuesdays and Fridays from April 15th to November 30th.

2. An Amendment to APPENDIX B MASTER SCHEDULE OF REVENUES, CHARGES, FEES AND FINES

Sec. 10-26(6). License fee for sellers of prepared food at the farmer's market to be increased to \$13,500.

Anyone having questions about the proposed ordinance or wishing to obtain copies of it should contact the Brunswick Town Clerk's or Town Manager's Office during regular office hours (Mon - Wed 8:30 am to 4:30 pm, Thursday 8:30 am to 6:00 pm, and Friday 8:30 am to 3:00 pm).

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

Frances, M. Smith  
Town Clerk of Brunswick, Maine

**APPENDIX B MASTER SCHEDULE OF REVENUES, CHARGES, FEES AND FINES**

Sec. 10-26(3)	5/15/2017	Peddler's license: Weekly	\$30.00
		Up to 3 months	\$60.00
		Up to 6 months	\$90.00
		Up to 12 months	\$125.00
Sec. 10-26(4)	5/15/2017	Pawnbroker's license	\$150.00
Sec. 10-26(5)	5/15/2017	Pinball machines and other amusement devices	\$40.00 each
Sec. 10-26(6)	5/15/2017	License fee for sellers of prepared food on a public way	\$150.00
	12/19/2016	License fee for sellers of prepared food at the mall	\$2,000.00
	<del>12/19/2016</del> Proposed 12/16/19	License fee for sellers of prepared food at the farmer's market	<del>\$3,500.00</del> <u>\$13,500.00</u>
	5/15/2017	FSE temporary 1 to 3 days	\$30.00
Sec. 10-26(7)	5/15/2017	License for indoor or drive-in theater as follows: per screen	\$175.00 Not to exceed \$1,575.00 per business location
Sec. 10-26(8)	5/15/2017	Food service establishment with malt, vinous, and spirituous liquor	\$300.00
		FSE with malt and vinous	\$250.00
		FSE with malt or vinous	\$210.00
		FSE with no alcohol—Sit-down	\$125.00
		FSE with mobile carts, take-out coffee, popcorn, deli, pizza, etc.	\$90.00

Sec. 15-46. - One-way streets.

The following public ways are one-way streets, and vehicles may move only in the indicated directions:

*Bath Road*, easterly from junction of Maine Street to C.M.P. Co. Pole No. 2.

*Center Street*, easterly from Maine Street to Federal Street.

*Cleveland Street*, westerly from Federal Street to Maine Street.

*Cumberland Street*, westerly from Maine Street to Union Street.

*Dunlap Street*, easterly from Maine Street to Federal Street.

*Elm Street*, westerly from a point three hundred seventy (370) feet westerly from Maine Street to Union Street.

***Fitch Place*, westerly for its entire length, Park Row to Maine Street**

*Gilman Avenue*, westerly from Maine Street to Union Street.

*Green Street*, easterly from Park Row to Federal Street.

*Harriet Beecher Stowe School Access Road*, westerly from one hundred and ten (110) feet west of Spring Street to Armory Street.

*Lincoln Street*, easterly from Union Street to Maine Street.

*Mill Street*, northerly from a point east of the traffic island Pleasant Street to C.M.P. Pole No. 28.

*Noble Street*, westerly from Maine Street to Union Street.

*Park Row*, from "No Name Street," north bound to Fitch Place.

*Park Row*, northerly from College Street to Maine Street.

*Park Row*, southerly from Bath Road to College Street.

***Park Row*, southerly from School Street to Fitch Place**

*Pleasant Street*, easterly from the junction of Mill Street to Maine Street.

*Ramp A. on Route 1*, relocation as shown on State Highway Commission Plan relating to Federal Aid Project #U-01-1(18), westerly from Maine Street to end of Ramp A.

*Ramp B. on Route 1*, relocation as shown on State Highway Commission Plan relating to Federal Aid Project #U-01-1(18), easterly from the westerly end of Ramp B. to Maine Street.

*Ramp C. on Route 1*, relocation as shown on State Highway Commission Plan relating to Federal Aid Project #U-01-1(18), westerly from U.S. Route 1 to Maine Street.

*Ramp D. on Route 1*, relocation as shown on State Highway Commission Plan relating to Federal Aid Project #U-01-1(18), easterly from Progress Road to U.S. Route 1.

*School Street*, westerly from Federal Street to Maine Street.

*South Street*, commencing one hundred fifty-five (155) feet east of Park Row to Coffin Street.

*Unnamed public way*, from the First Parish Church on Bath Road to Maine Street, northerly on this way.

*Unnamed public way*, from Sills Drive to U.S. Route #24, the easterly portion of the triangle, northerly on this way.

(Ord. of 5-2-88, § 11; Ord. of 8-7-95; Emergency/Regular Ord. of 6-16-97; Ord. of 1-18-00(3); Ord. of 2-7-00; Ord. of 2-22-00(2); Ord. of 12-21-05(1); Ord. of 1-17-12; Ord. of 5-6-13; Ord. of 2-16-16)

Sec. 15-76. - Restricted on-street parking areas.

- (a) A person shall not park a vehicle for more than two (2) consecutive hours in any parking space adjacent to a curb, nor in any other parking space adjacent to a curb on the same block, between the hours of 8:00 a.m. and 6:00 p.m. on any day except Sunday, and a public holiday in the following areas:

*Bow Street*, north side, at 18-26 Bow Street.

*Cleaveland Street*, north side, from Federal Street to Maine Street.

*Cumberland Street*, north side, at Maine Street and extending westerly to Union Street.

*Cumberland Street*, south side commencing thirty (30) feet west of Maine Street, and extending one hundred ten (110) feet.

*Dunlap Street*, north side commencing one hundred ninety (190) feet easterly of Maine Street and extending to Federal Street.

*Elm Street*, north side commencing at Maine Street, and extending westerly one hundred eighteen (118) feet.

*Federal Street*, east side, commencing three hundred sixty-five (365) feet north of Bath Road and extending northerly three hundred seventy (370) feet.

*Federal Street*, east side, commencing at Mason Street and extending southerly to a point opposite Center Street.

*Federal Street*, west side, commencing at School Street and extending northerly to Center Street.

*Gilman Avenue*, south side, commencing at Maine Street and extending westerly one hundred (100) feet.

*Lincoln Street*, south side commencing one hundred fifty (150) feet west of Maine Street and extending west eighty-five (85) feet.

*Lincoln Street*, south side commencing two hundred eighty (280) feet west of Maine Street and extending to Union Street.

*Lincoln Street*, north side commencing forty (40) feet west of Maine Street and extending for a distance of forty-five (45) feet.

*Lincoln Street*, north side commencing one hundred ninety (190) feet west of Maine Street and extending for a distance of three hundred sixty-seven (367) feet from April 15 to November 15.

*Maine Street*, east side, commencing at Route #1 overpass and extending southerly to Bath Road.

*Maine Street*, west side, commencing at Mill Street and extending southerly to Potter Street.

*Middle Street*, west side commencing at Pleasant Street and extending southerly two hundred fifty (250) feet.

*Mill Street*, south side, commencing twenty (20) feet west of Maine Street and extending westerly two hundred eighty (280) feet.

*No Name Street*, west side, commencing thirty (30) feet northwest of Bath Road and continuing northwesterly forty-five (45) feet.

*Park Row*, commencing at the driveway/footpath on the south side of the Walker Art Museum and continuing north to the driveway/footpath on the north side of the Walker Art Museum.

*Park Row*, east side, commencing at Cleaveland Street and extending northerly one hundred fifty (150) feet.

*Park Row*, east side, commencing at a point one hundred thirty-five (135) feet north of South Street and continuing north to College Street.

*Park Row*, west side commencing at School Street and extending southerly to the "No Name Street."

*Pine Street*, north side, commencing at Bath Road and extending easterly to Bowker Street.

*Pleasant Street*, north side, commencing at Union Street and extending easterly to Maine Street.

*Pleasant Street*, south side, commencing at Union Street and extending easterly to Maine Street.

*Spring Street*, east side, between Page Street and McKeen Street.

*Station Avenue*, all marked on-street parking spaces, both sides commencing at Maine Street and extending westerly to Union Street (excluding the seven (7) parking spaces located in front of the Midcoast Federal Credit Union).

*Union Street*, west side, commencing one hundred fifteen (115) feet southerly of Mill Street and extending southerly forty-five (45) feet.

- (b) A person shall not park a vehicle for more than fifteen (15) consecutive minutes in designated zones as signed.

*Federal Street*, east side, commencing four hundred (400) feet north of Franklin Street and extending northerly forty (40) feet (two (2) parking spaces).

- (c) A person shall not park a vehicle for more than three (3) consecutive hours in any parking space adjacent to a curb between the hours of 8:00 a.m. and 6:00 p.m. on any day except Friday, Sunday, and a public holiday and between the hours of 8:00 a.m. and 9:00 p.m. on Friday in the following areas:

*School Street*, north side, commencing at Maine Street and extending easterly to Federal Street.

- (d) Notwithstanding any other provisions of this chapter, a person shall not park a vehicle for more than five (5) consecutive minutes in the following signed designated zone:

*Middle Street*, west side, the three (3) northernmost spaces between Elm Street and Pleasant Street.

- (e) Notwithstanding any other provisions of this chapter, a person shall not park a vehicle for more than thirty (30) consecutive minutes in the following signed designated zones:

*Maine Street*, west side, the two (2) northernmost parking spaces (excluding any spaces which designated as disability parking spaces) on each block between Gilman Avenue and Town Hall Place;

*Maine Street*, east side, the two (2) southernmost parking spaces (excluding any spaces which designated as disability parking spaces) on each block between School Street and Mason Street;

*Union Street*, Town Hall parking lot located at 85 Union Street, the three westernmost spaces in each of the two northernmost rows, 8:00 a.m. to 5:00 p.m., Monday through Friday.

**(f) Notwithstanding any other provisions of this chapter, a person shall not park a vehicle on Park Row from School Street to Fitch Place, between the hours of 6:00 a.m. and 3:00 p.m. on Tuesdays and Fridays from April 1<sup>st</sup> to November 30<sup>th</sup>.**

(Ord. of 5-2-88, § 28; Mo. of 12-4-89; Ord. of 3-21-94; Emergency/Regular Ord. of 6-20-94; Ord. of 8-7-95; Ord. of 1-18-00(5); Emergency/Regular Ord. of 12-3-01; Ord. of 8-4-03); Ord. of 12-20-05; Ord. of 12-21-05(2); Ord. of 5-31-06; Ord. of 10-5-09; Ord. of 1-17-12; Ord. of 1-12-13; Ord. of 9-17-13; Ord. of 7-21-14; Ord. of 7-20-15(2))



School Street

ONE WAY

ONE WAY

Green Street

ONE WAY

Maine Street

Park Row

ONE WAY

Fitch Place

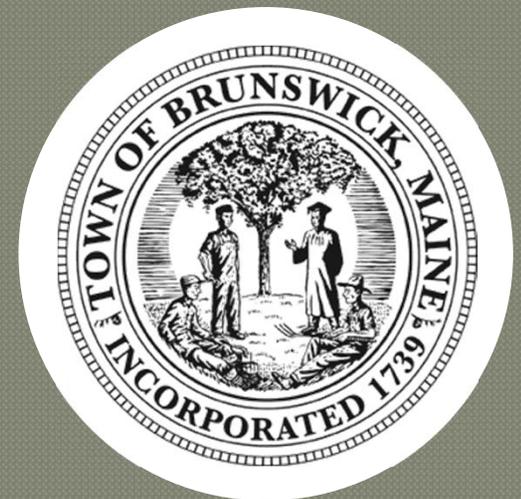
ONE WAY

**TRAFFIC FLOW**



# Brunswick Farmers Market on the Lower Mall

Town Council Meeting  
November 18, 2019



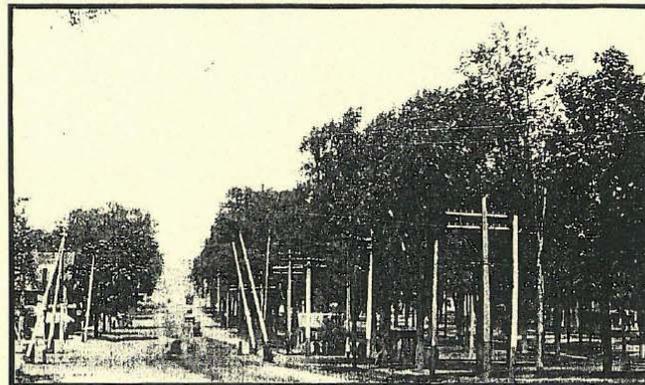
# Farmers Market Site Investigation Workgroup Members

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- ◎ *Jay Astle, Director, Brunswick Public Works Department*
- ◎ *Ken Brilliant, Chief, Brunswick Fire Department*
- ◎ *Thomas Farrell, Director, Parks & Recreation Department*
- ◎ *Debora King, Executive Director, Brunswick Downtown Association*
- ◎ *Ryan Leighton, Assistant Manager, Town of Brunswick*
- ◎ *Jane Millett, District 6 Town Council Member*
- ◎ *Richard Rizzo, Chief, Brunswick Police Department*
- ◎ *Abby Sadauckas, President, Brunswick Farmers Market Association*

# 2000 Mall Management Plan

THE MALL  
Brunswick, Maine



MANAGEMENT PLAN  
April 2000

Town of Brunswick, Maine  
&  
Richardson & Associates, *Landscape Architects*

# Mall Management Plan Market Relocation Option 1

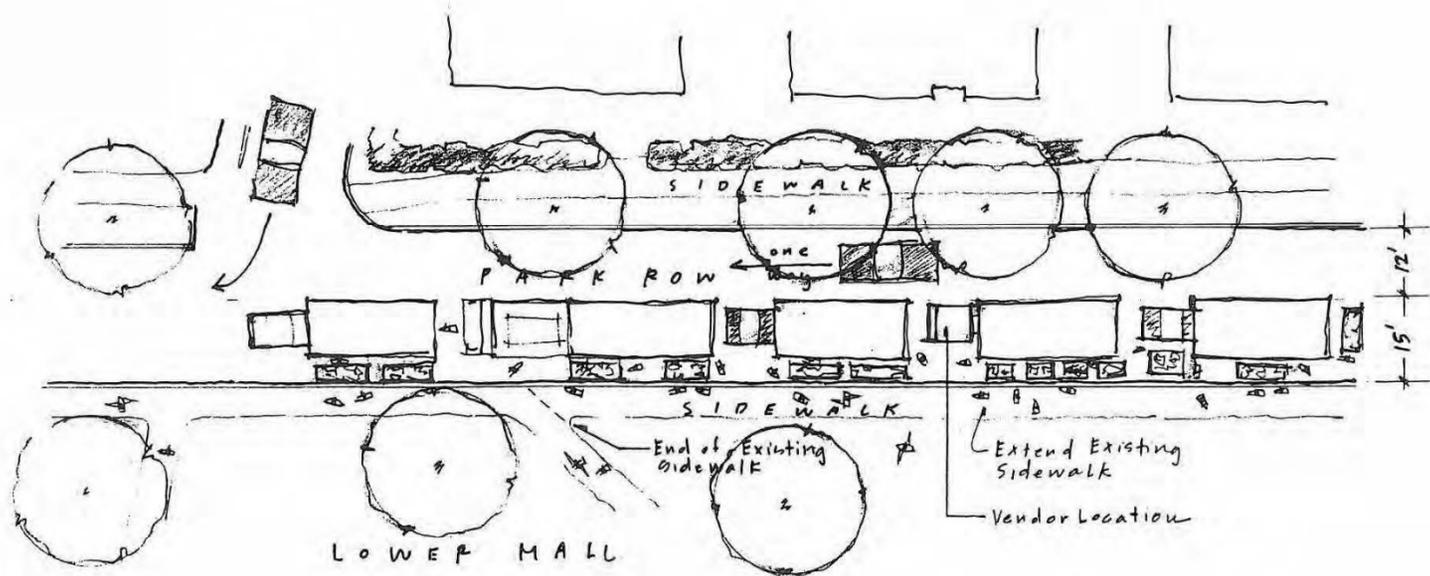


Figure 12: Conceptual sketch showing relocation of Farmers Market to Park Row

# Mall Management Plan Market Relocation Option 2

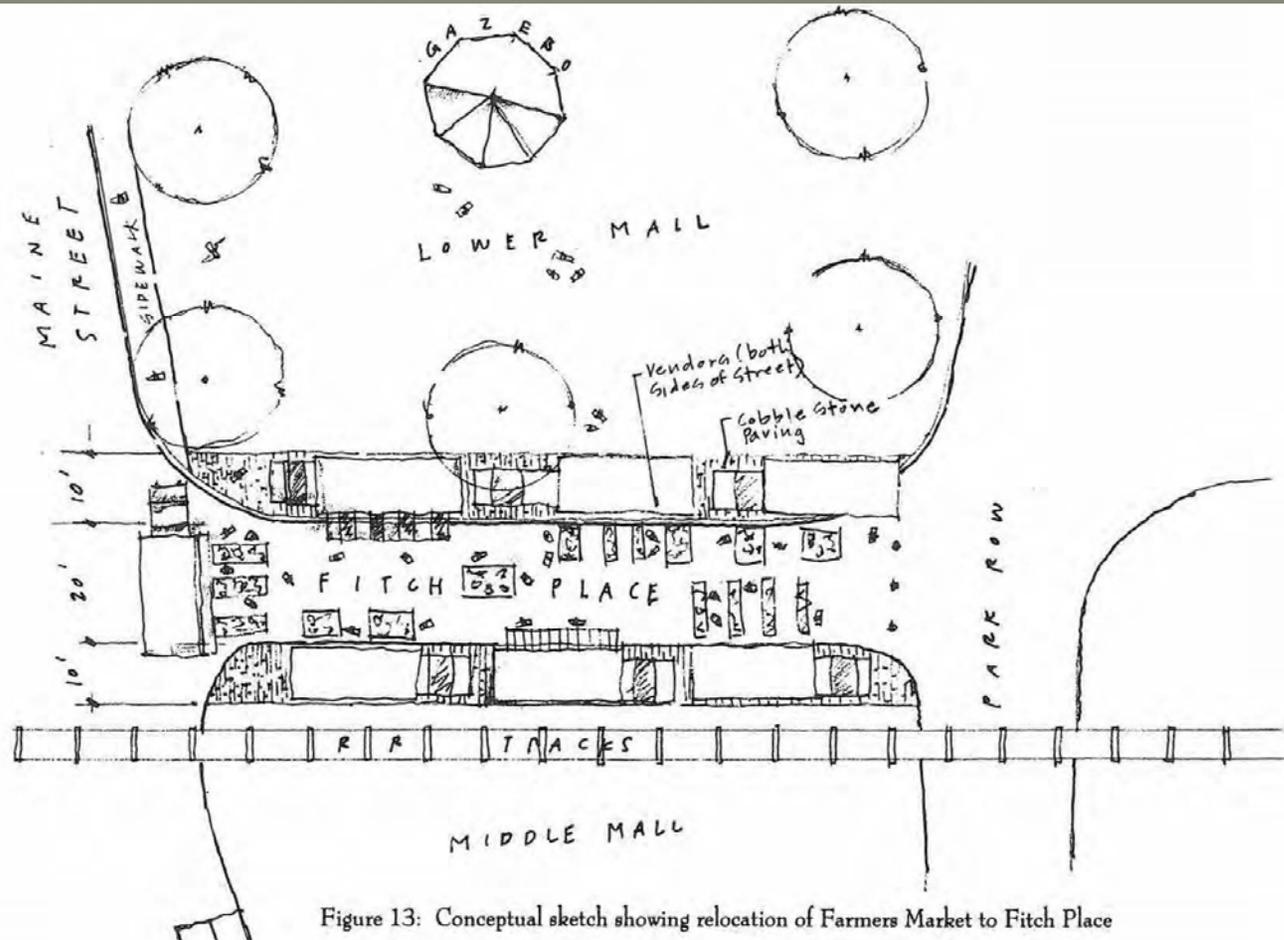


Figure 13: Conceptual sketch showing relocation of Farmers Market to Fitch Place

# Mall Management Plan Market Relocation Option 3

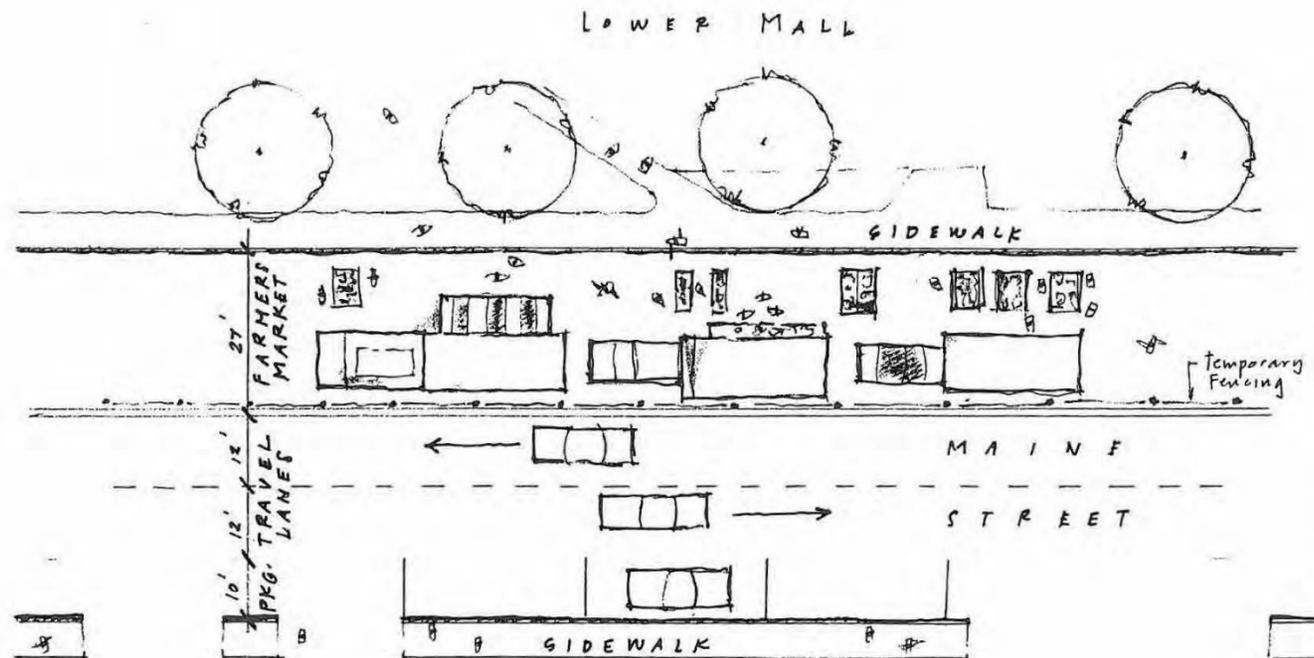


Figure 14: Conceptual sketch showing relocation of Farmers Market to Maine Street

# Mall Management Plan Market Relocation Option 4

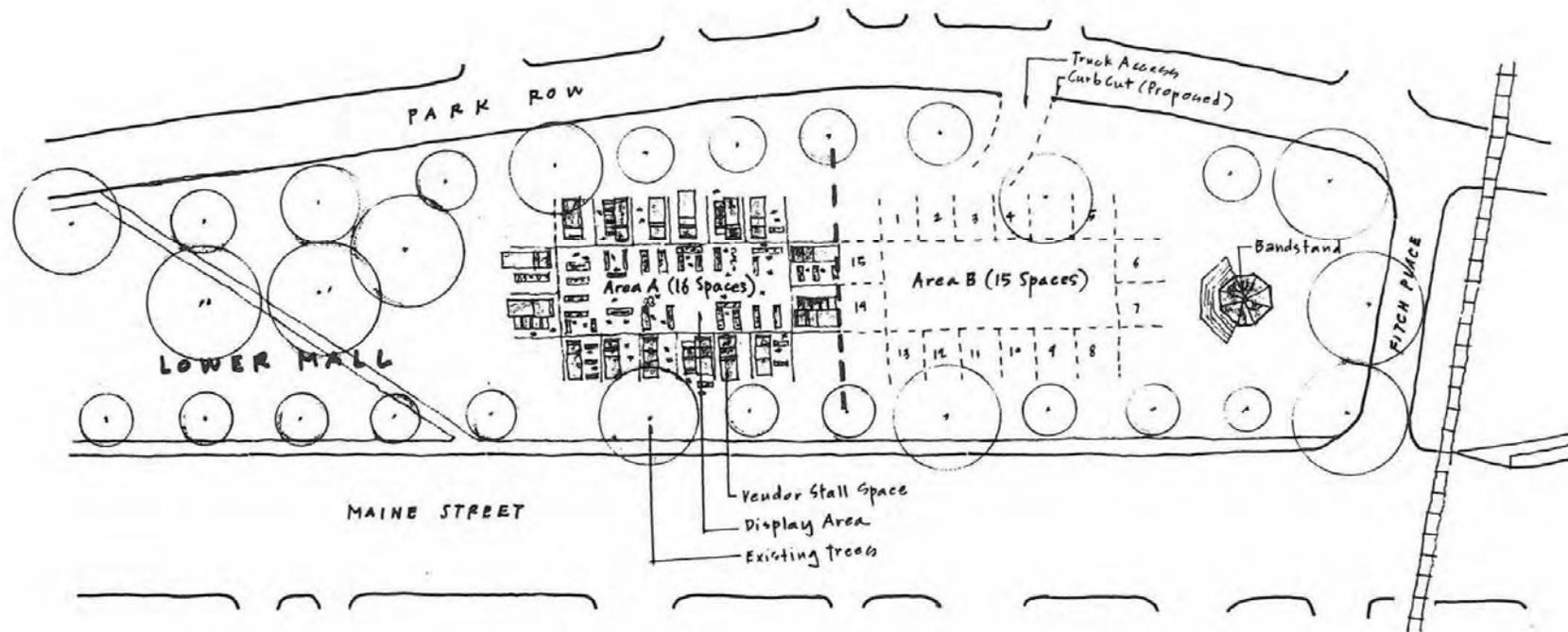
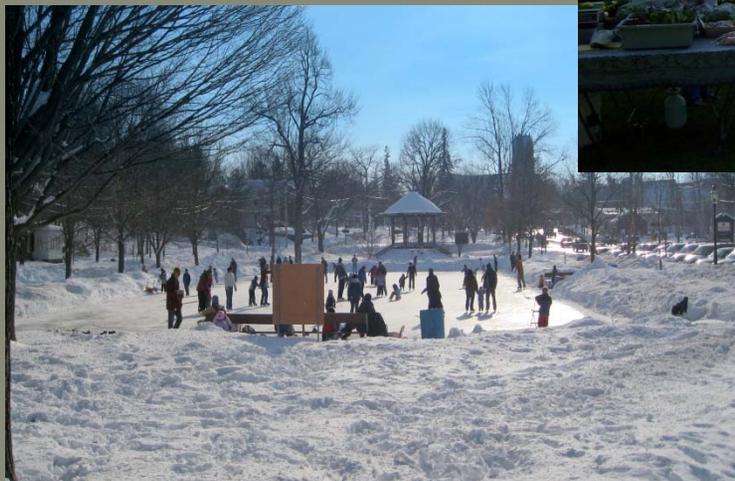


Figure 15: Conceptual sketch showing short-term relocation of Farmers Market to skating lawn (Town and BFMA to determine final layout)

# User & Event Management



# BDA's Music on the Mall Summer Concert Series



# Existing Conditions at the Current Location



Before (2012)



After (2018)

# Existing Conditions at the Current Location



# Rain and Compacted Soils



# Tree Damage



# Conditions of Former Market Site in 2012



# Re-sodding of Former Market Site in 2012



2012 Cost  
\$12,260

2019 Cost  
Estimate  
\$18,000

# Re-sodding of Former Market Site in 2012 (5 Weeks Post Install)



# 2020 Veterans Plaza Project



# Current Needs of the Farmers Market

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- The market has 15 vendors.
- Each vendor has between 1-4 10' x 10' tents.
- Average vendor needs 750-900 sf, incl. truck.
- Depending on the market configuration, the total area needed is 7,500-23,200 sf.
- Vendors would prefer to have their tents and trucks co-located.
- Vendors would prefer to be located in the downtown core with parking available for patrons.

# Possible Market Locations



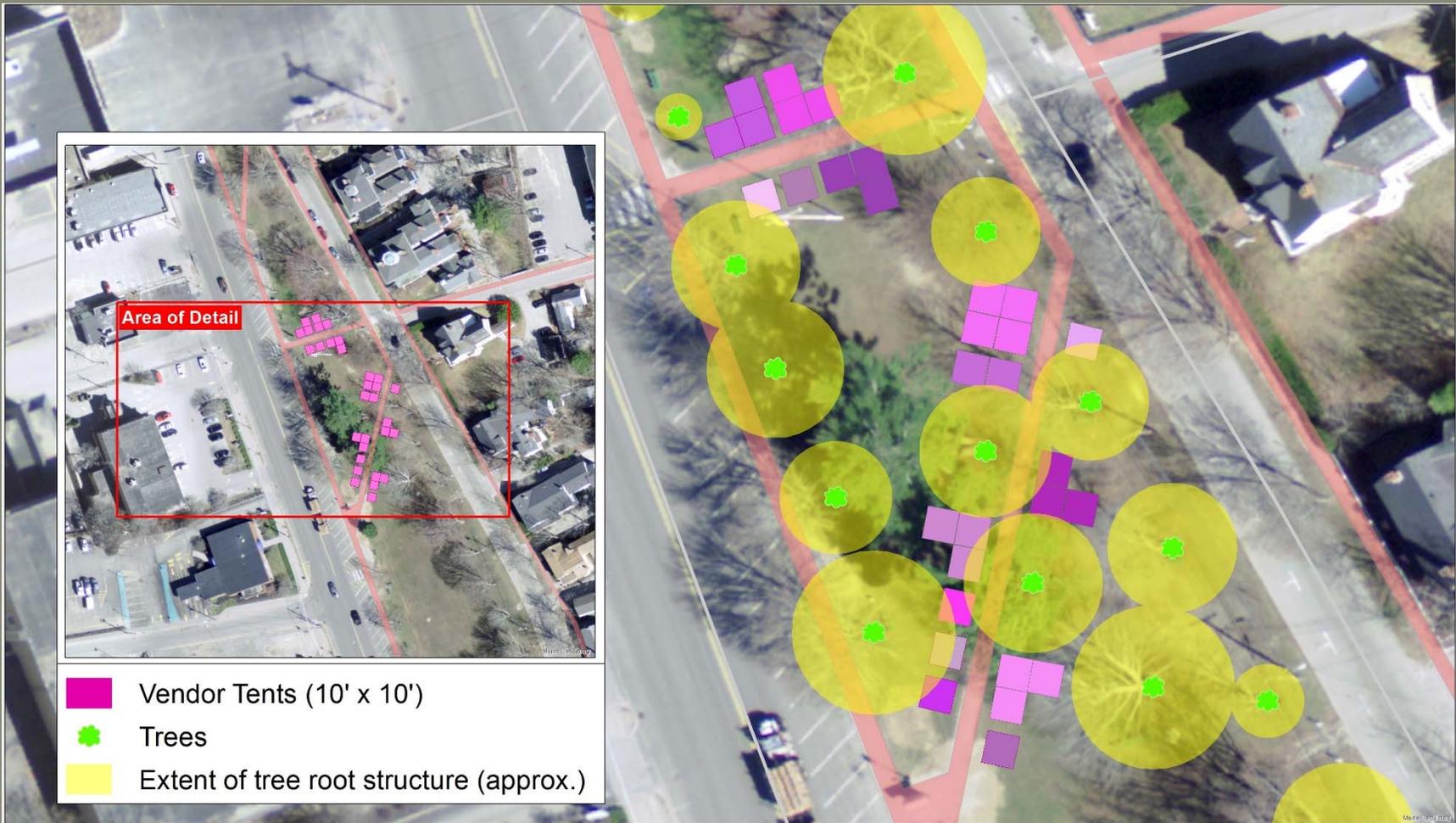
# Possible Market Locations

<i>Location</i>	<i>Adequate Size for the Market</i>	<i>Public Safety Access</i>	<i>Public/Private Access</i>
<b>Bank Street</b>	<b>YES</b>	<b>YES</b>	<b>No</b>
<b>Bank Street parking lot</b>	<b>YES</b>	<b>YES</b>	<b>No</b>
<b>Cedar Street lot (MDOT)</b>	<b>YES</b>	<b>YES</b>	<b>No</b>
<b>Center Street</b>	<b>No</b>	<b>YES</b>	<b>No</b>
<b>Cleveland Street</b>	<b>No</b>	<b>YES</b>	<b>No</b>
<b>Cumberland Street</b>	<b>YES</b>	<b>No</b>	<b>No</b>
<b>Cumberland Street parking lot</b>	<b>YES</b>	<b>No</b>	<b>No</b>
<b>Dunlap Street</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Elm Street</b>	<b>No</b>	<b>YES</b>	<b>No</b>
<b>Everett Street</b>	<b>YES</b>	<b>No</b>	<b>No</b>
<b>Gilman Street</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Green Street</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>Lincoln Street</b>	<b>YES</b>	<b>No</b>	<b>No</b>
<b>Lower Mall</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>
<b>Mill Street</b>	<b>YES</b>	<b>YES</b>	<b>No</b>
<b>Park Row at Lower Mall</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>
<b>Park Row at Upper Mall</b>	<b>YES</b>	<b>YES</b>	<b>No</b>
<b>Pleasant Street lot (St. John)</b>	<b>YES</b>	<b>YES</b>	<b>No</b>
<b>School Street</b>	<b>YES</b>	<b>No</b>	<b>No</b>

# Lower Mall – Ice Rink Area



# Lower Mall – Sidewalks



# Park Row at Lower Mall



# Park Row at Lower Mall



# Park Row at Lower Mall



# Portland Farmers' Market at Deering Oaks Park



# Farmers Market Site Investigation Committee's Analysis of Options

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- ◎ Committee has met, reviewed and discussed public input gathered from members of the general public as well as the input gathered at the July 25, 2019 Abutters Meeting.
- ◎ Town Staff evaluated cost implications of the top two relocation options:
  1. Aligning all Farmers Market vendor stalls and associated delivery vehicles along the western side of Lower Park Row.
  2. Remaining on the Mall utilizing existing sidewalks and adjacent grass area in conjunction with the installation of new permeable pavers and anti-compaction grids.
- ◎ Town Staff also discussed the two options with Landscape Architect, Todd Richardson author of the Town's Mall Management Plan for his input and recommendation.

# Public Input

## A compilation of public comments made at the Abutters Meeting and comments received via email are included in Councilors packets.

Farmer Market Activities of Abutter Public Comments  
From Email Correspondence and July 27<sup>th</sup> Meeting

### Comments received during the meeting

#### Chas Gill - 25 year member of BMSA

Several safety issues with the option of creating the market along Lower Park Row. Insufficient room to allow for traffic, safety of children and guests cars at corners and Lower Mall. Concerned about comingling of the way traffic with the farmers market. Recommended consideration of installing a green/painted blue surface on the market area when the Veterans Plaza project is completed.

#### Wanda Dwyer - Brunswick resident

Has the committee considered closing off Park Row on Tuesday's and Friday's and allowing only vendor trucks to use the area? How about much an option?

#### Geena Maysler - Who has been a vendor at the market since 2003

Protects the Lower Mall either side of the sidewalk option as it keeps the market closest to what it currently is. This option comes closest to maintaining the feel of the market which is centered the best in Maine. Realized that this was long when the Town was reviewed a few years ago from a mostly area with less vendors there was a displacement of the grass to one location.

#### Bill Fedirko - Attorney with the Farm Station Property

Wanted to know access to the Business on Lower Park Row. School comments regarding safety implications as identified by Chas Gill. Like the idea of using the sidewalks and finding more parking within the park using concrete pavers that allow for the growth of grass. Would like to see the market kept within the park envelope other than the street. Would like to see the sidewalk option to be used the better utilizing the street. Need to use modern techniques for turf installation.

#### Sally Thomas - Employee of Seaw Farms

Wanted to know access to the Business on Lower Park Row. School comments regarding safety implications as identified by Chas Gill. Like the idea of using the sidewalks and finding more parking within the park using concrete pavers that allow for the growth of grass. Would like to see the market kept within the park envelope other than the street. Would like to see the sidewalk option to be used the better utilizing the street. Need to use modern techniques for turf installation.

#### Elaine Thomas - Owner and operator of the Brunswick Ice Cream Lounge Park Row

Can the market move to Park Row only during the 6 week period when the road needs time to establish? Many comments on parking and dealing with carts is a problem.

Comments that are very large and the is not sure how the market and its partners can best to the use of the Mall side of Park Row and it can be a real safety concern. Loves the market and would like to see a large parking lot for the business.

#### Steve Thibault - Retired Civil Engineer

Comments on the form of all grass and trees. Movement likely to toward structural walls. Perhaps the option of changing the market on the Mall utilizing the existing sidewalks. Once there is there again, the way the soil, install the grid and the green grass on through it and vehicles can be driven on it. The product eliminates compaction. A structural solution is needed.

#### Melissa Daugherty - Farmer, Dawn Canned Cakes

One of the street and both terms related to the sign. Putting the market on the street would be very problematic for abutter partners especially having to turn the truck. Accidents waiting to happen if the market is moved to the street. Don't see road work. Consider using structural walls and a light the the time. Cars, buses and trucks can be on the various grid systems. Feels that the market is one of the greatest, highest and most one of the spots. How about a sign?

#### Kevin Dennis - Forward Market Abutter

The Brunswick market does not have these problems. Explain the soils conditions at different corners and use what you can. The Mall should be regarded as above the water to drive out. Install better drainage. Install ground cover and grass so a result's impact is easy and just cut and set on the ground. Bring in water and increased the experience for growing for people with mobility issues. Extend the sidewalks. Brunswick has the best markets in Maine. Do not move the market and abutter business on the Lower Mall actually.

#### Louise Hart - Brunswick resident

Had anyone considered the School Department parking lot behind the Superintendent's office Building on Green Street? Park Row is the parking lot and use space to transport goods to the Mall. This would reduce the amount of space needed at the Lower Mall. Impact on the street is minimal. One of the pros is the location of the lot is the best. The School's location is the only green space left in town. Limit the market to the street and use what is available to maintain both a green landscape and the market at its present location. One can not use additional parking to be open the perimeter parking. The market is located on the Mall and would like to see that the street. Expanding the sidewalks within the green space is not spending \$200,000 on traffic on Lower Park Row to be considered as a permanent solution?

#### Walter Walker - at other places than the downtown Mall

The option of being vendor to get produce from one location to another is not something the would support. Expanding the width of the sidewalks seems to be the best solution the has heard. Bright Park Row is very necessary for cars. Many people turn behind each corner which is difficult problem. People will have to walk across the Mall to get to the vendors if they are situated on Park Row which will create road competition.

Melissa Daugherty - Brunswick resident, downtown business owner, Dawn Canned Cakes

Regarding the Mall was a combination of good and bad to restore some things. There has been a connection to this area of land to be having one of the very early parts of Brunswick's existence. Not just parking but also the street and the sidewalk and the sidewalk. The different kind of sidewalks that can be installed around the park, etc. are not all the same. There are ways to make a better sidewalk and pavement system. There is a way to make the area suitable to be a mixed use environment. Has there been consideration of making a road to be a better street?

#### Gaila Kavanagh - Farmer, Dawn Canned Cakes

One of the best expansion options might be to relate the location again on the Lower Mall using these different features.

#### Comments received outside of the meeting

#### Jason Hager - Brunswick's Jefferson Motors

The intention is to explore the concept of relocating the downtown farmers market. The downtown green is a public space currently managed by the city and it is an important part of the downtown. The market is a public space and it is important to have it in the downtown. The market is a public space and it is important to have it in the downtown. The market is a public space and it is important to have it in the downtown.

#### Louise Hart - Brunswick resident

Also support relocating the market to a good location because currently only further downtown within the specific area it is and from the other side of the street. A lot of people from the Brunswick would see other options like utilizing the school parking lot, or allowing the market between the area used as an ice rink the road area every other year. The vendors who rely on the road need to be considered at the forefront of the decision.

#### Louise Hart - Brunswick resident at Seaw Farms

This sign is located with always the sign displayed on the base of the lower mall, which immediately turned into a sign. The sign and the sign are more green. The sign and the sign are more green. The sign and the sign are more green. The sign and the sign are more green.

What will be the sign? I have heard of a sign being considered to move the market onto Park Row, but with traffic continuing to go down the street (over the wall) sounds dangerous and awkward, and the parking would also be a lot. Brunswick's market traffic is already fairly congested and I'd like to see a solution that isn't even closer around the wall.

#### Don Thibault - Brunswick resident 170 Park Row

I live at 170 Park Row and would support a relocation of Thursday's hearing. I know it may be a bit to where, but I wish you good luck. Without doubt, you will make me really happy regardless of what you do!

#### What you do!

What you do! I think it is a great idea to have the market on the street, but it may be too late to simply close off Park Row and move the vendors to the street. It is a move for a few of us, but not for the whole town. This might be an option to consider of partial relocation, but you have already always thought of it.

Consider having a sign between market stalls along Park Row to allow for necessary turning traffic to access abutting properties. Also consider a person to possibly direct traffic, with the Lower Park Row area when the market is in session.

#### Louise Hart - Brunswick resident at Seaw Farms

Thanks for meeting on the morning about the farmer's market relocation meeting. I cannot make it tomorrow night and don't think that would be the best time to do about it. I hope you do also have the market set from on Tuesday's both for our own benefit and for the general activity, but it doesn't directly impact on me as one of the other abutter's.

#### Barbara Smith - Brunswick resident at Seaw Farms

One idea - perhaps a sign to be placed on the wall of the lower mall, which immediately turned into a sign. The sign and the sign are more green. The sign and the sign are more green. The sign and the sign are more green. The sign and the sign are more green.

Could it not be something similar to what is Brunswick, allowing the Market Street parking along the Mall to be a parking lot on Saturday mornings, and have people buy from the vendors? If the sidewalk there would need widening, maybe that could be added to the sidewalk project that is currently being planned.

Using the Mall - a public park - as a parking lot for trucks before early of the market is just one thought that I have.

There is a perfect solution, but allocating a number of parking spaces along Maine Street to the vendors' trucks would seem to be a great idea. Customers who would normally park there for a while in the morning on the Mall and around the lower mall, but

that will be to not such an extreme liability to both cutting the grass and the trees on the Mall, during 5 or 6 months in wet weather and a dust bowl in dry weather.

The people who want the market to remain in this general location should be willing, BMSA, to give me the other relocation parking spaces and with 500,000, some hardship seems would be helped for those who really need to park their cars.

Like the Park Row at Lower Mall location, but would suggest adding a wide sidewalk to increase pedestrian circulation for customers visiting the vendor's trucks and stalls. Otherwise how the many feet will trample on the Mall and create a mud hole next to the stalls.

I think this could probably be accomplished for the coming spring, but if that does not happen, perhaps the sidewalk could be installed in the existing sidewalk area for 2022 while a better and more permanent solution is found.

With all the attention, getting the mall expanded might not be necessary, but if you and your colleagues would like to add it, I would have no objection at all. I think it might be another potential solution if the Lower Mall has the expansion.

#### Steve Thomas - Brunswick resident at Thompson Street

I'd like to talk about possible plans for Tuesday traffic areas. I've seen these used in some interesting ways at markets, websites, etc. Two projects I know about are:

1. Turfstone [www.turfstone.com](http://www.turfstone.com), especially the Turfstone soft product - attached photo.
2. Turfstone [www.turfstone.com](http://www.turfstone.com), especially the Turfstone black product - industrial and rubber mats, attached photos.

Is wondering whether something like this might be good for the area where the farmer's market is set up.

#### Debbie White - Director of Operations, K.J. Management, Inc., Platts & Kelly Commercial Development

I work for a business at 180 Park Row. We also manage the buildings at 187 and 188 Park Row.

I have been hearing rumors that the Town is considering making Park Row one way, moving the farmer's market on the street, and closing Park Row to parking on Tuesdays and Fridays. I am surprised and disappointed that the Town has made no effort to reach out to business owners on Park Row considering this proposal.

In case there is any serious consideration of this idea, on behalf of my building's owner, management, and the businesses we have on each, I want to express our very great objection to this idea - both because of safety considerations, and also because of what we

our farmer's clients and partners.

Shouldn't I have your say, I'd like to add I understand the issue is the condition of the wall. I believe the farmer's market is a wonderful benefit to doing business in Brunswick and keeping on the mall and that the Town should meet what it needs to in order to maintain the condition of the wall and continue to have it in the Farmer's Market.

Thank you for considering our comment!

# Cost Associated with the Two Relocation Options

<b>Park Row</b>	<b>Lower Mall</b>
<p data-bbox="485 626 785 737"><b>Initial Cost</b> <b><u>\$5,600</u></b></p> <ul data-bbox="241 755 789 792" style="list-style-type: none"><li data-bbox="241 755 789 792">• Pedestrian barricades</li></ul> <p data-bbox="241 865 1016 902"><i>* If desired, add \$29,000 for sidewalk extension</i></p>	<p data-bbox="1312 626 1612 737"><b>Initial Cost</b> <b><u>\$102,500</u></b></p> <ul data-bbox="1071 755 1845 1024" style="list-style-type: none"><li data-bbox="1071 755 1845 800">• Sidewalk enlargement (10' wide)</li><li data-bbox="1071 808 1509 854">• New curb cuts (4)</li><li data-bbox="1071 862 1619 907">• Anti-compaction grids</li><li data-bbox="1071 915 1598 961">• Utility pole relocation</li><li data-bbox="1071 969 1350 1015">• Tree work</li></ul>
<p data-bbox="323 1146 949 1256"><b>Annual Operations Cost</b> <b><u>\$9,750</u></b></p> <ul data-bbox="241 1271 942 1317" style="list-style-type: none"><li data-bbox="241 1271 942 1317">• Barricade set-up and pick-up</li></ul>	<p data-bbox="1148 1146 1774 1256"><b>Annual Operations Cost</b> <b><u>\$1,500</u></b></p> <ul data-bbox="1071 1271 1749 1317" style="list-style-type: none"><li data-bbox="1071 1271 1749 1317">• Turf repair and maintenance</li></ul>

# Landscape Architect Review of the Two Options

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- Mall Management Plan of 2001 addressed this issue and looked at options to rotate the market location year to year on the Lower Mall as well as moving the market to the adjacent paved streets to minimize impacts.
- The market vehicular and pedestrian traffic is contributing to the decline of certain trees upon the Lower Mall.
- Anti-compaction grids will not be as aesthetically pleasing as many people think, nor will they solve all the problems.
- Maintaining a healthy stand of turf grass is not compatible nor sustainable with the present volume of traffic associated with the Tuesday/Friday Farmers Market on the Lower Mall.

# Final Recommendation of the Farmers Market Site Investigation Workgroup

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Relocate the Farmers Market along Lower Park Row for future years and make Park Row a one way street running north to south.

# ITEM 5 BACKUP

# Town of Brunswick, Maine

OFFICE OF THE TOWN CLERK

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## MEMORANDUM

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**TO:** Town Council

**FROM:** Fran Smith, Town Clerk

**DATE:** December 9, 2019

**SUBJECT:** Proposed changes to outdoor seating on public ways

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Please find attached proposed changes to the use of public ways as it pertains to outdoor seating for restaurants.

The changes to sidewalk seating will set the time that seating is allowed from April 15 to November 1. This is a result of concerns expressed by Public Works, who had difficulty maintaining the sidewalks with seats still in place after ice or snow events. This time restriction would apply to both those businesses we license and those who own their outdoor seating area, since the Town is responsible for maintaining the full sidewalk.

In addition, we have modified the licensing period to be from April 15 to November 1, along with increasing the cost for outdoor seating to \$200.00 for those with 9 or more seats. Those with 8 or less will continue to pay \$150.00. In the past, Councilors has expressed an interest in increasing this fee and this is in response to that. The fee was last updated in 2017.

We are requesting you set a public hearing for January 21, 2020 so these fees will be in effect for the 2020 licensing year.

**Chapter 10 – Licenses and Business Regulations and Chapter 14 - Streets, Sidewalks, and  
Other Public Places**  
**Proposed amendments regulations for outdoor seating and adjust fees for restaurant  
seating on a public way.**  
**Drafted 12-06-2019**

**Chapter 10 – Licenses and Business Regulations**

- (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 paid in accordance with the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B to this Municipal Code of Ordinances. All fees for licenses to sell prepared food on the town mall 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.
- The license for outdoor seating on public ways will be from April 15 to November 1. Applications for outdoor seating will be considered by the town council at the first council meeting in April and and applications must be filed with the town clerk seven (7) days prior to this meeting. A late fee as set in accordance with the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B will apply to renewal licenses applications that are not received by the town clerk's office prior to April 15<sup>th</sup>.
- b. The town council may authorize the issuance of a temporary food license for a per vendor in accordance with the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B to this Municipal Code of Ordinances. The provisions of subsection (b)(6)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 five (5) 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. Except as otherwise provided herein, no equipment may remain on the mall or public way when the

vendor is not open for business. Equipment may remain on the mall overnight for no more than ten (10) nights per year, provided the vendor provides advance notice via e-mail or telephone, to the director of parks and recreation.

2. The licensee shall keep and maintain the area adjacent to its activities free of litter and debris. Vendors shall provide at least one (1) trash receptacle and one (1) recycling receptacle conveniently located near their cart. Those receptacles shall be covered and have a capacity of at least thirty-three (33) gallons. The receptacles shall be emptied, and the trash and recycling removed from the premises by the vendors, on a daily basis.
  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 subsection (b)(6)d.3. above, and impose such conditions, not inconsistent with this article, as it deems reasonable and necessary.
  - 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 food service establishment 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 sixty (60) inches with a minimum vertical clearance of eight (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.

**Chapter 14 - Streets, Sidewalks, and Other Public Places**

ARTICLE III. - SIDEWALKS

**Sec. 14-47. Outdoor Seating**

**Outdoor seating for restaurants that are located on sidewalks maintained by the town will be permitted to be in place from April 15 to November 1. Outdoor seating on sidewalks has a requirement that the business maintain a minimum unobstructed paved pedestrian walkway of sixty (60) inches with a minimum vertical clearance of eight (8) feet.**

**APPENDIX B MASTER SCHEDULE OF REVENUES, CHARGES, FEES AND FINES**

Reference		Date	Description	Amount
Sec. 10-26(6)	5/15/2017		License fee for sellers of prepared food on a public way	
			<u>8 or less seats</u>	\$150.00
			<u>9 or more seats</u>	\$200.00

ITEM 6  
BACKUP

# Town of Brunswick, Maine

OFFICE OF THE TOWN CLERK

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## MEMORANDUM

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**TO:** Town Council  
**FROM:** Fran Smith, Town Clerk  
**DATE:** December 9, 2019  
**SUBJECT:** Proposed increase in mooring fees

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Please find attached proposed changes to the mooring fees. We will be implementing an on-line mooring registration system that will be paid for by a per mooring charge. Therefore, in addition to \$50 or \$100 registration fee, we are proposing an additional \$10 administrative fee. Of this fee, six dollars is for the on-line service, and four dollars is for administrative costs related to approving moorings and the new reporting requirement for work done within the Clerk's office. We also will be processing those applications that are mailed to us so this fee would include our time to do so.

We are requesting you set a public hearing for January 21, 2020 so these fees will be in effect for the 2020 licensing year.

**Draft Mooring Fee Changes  
Proposed 12-5-2019**

APPENDIX B MASTER SCHEDULE OF REVENUES, CHARGES, FEES AND FINES

Reference	Date	Description	Amount
<b>Chapter 11—Marine Activities, Structures and Ways</b>			
Sec. 11-4	11/16/2015	Resident mooring <u>registration fee</u> <u>Administrative fee</u>	\$50.00 <u>\$10.00</u>
		Non-resident mooring <u>registration fee</u> <u>Administrative fee</u>	\$100.00 <u>\$10.00</u>
		Moorings in a commercial field <u>registration fee</u> <u>Administrative fee</u>	\$50.00 <u>\$10.00</u>
		Moorings in a public mooring field <u>registration fee</u> <u>Administrative fee</u>	\$50.00 <u>\$10.00</u>
		Helix mooring (replacement of regular) <u>Administrative fee</u>	Free for 5 years <u>\$10.00</u>
		Late registration (after deadline)	Double fee

ITEM 7  
BACKUP



January 2, 2020

Ms. Fran Smith, Town Clerk  
Town of  
Brunswick 85  
Union Street  
Brunswick, ME 0401 1

Re: 2020 Community Barbecue

Dear Fran,

On behalf of the Brunswick Downtown Association ("BDA") and the Events Committee, I would like to make our formal application to the Brunswick Town Council for the 2020 Community Barbecue.

The BDA, working with several supporting sponsors is planning to host the 2020 Community Barbecue on the Town Mall on Saturday, June 20 from 11:30 — 2:00 pm. The event will feature grilled hamburgers and hotdogs, children's games and activities and music. The BDA will work in cooperation with the Brunswick Police, Fire, Public Works, and Parks and Recreation Departments to ensure that this community event continues to be a safe and entertaining family-oriented destination.

In the past, the Town Council has agreed to waive the \$500 event fee for similar BDA events in Downtown. If possible, we ask the Town Council to waive this event fee. There is minimal income raised and this will help to offset the cost of promotional material, portopotties, and music.

Thank you for your consideration in this matter. Please contact me if you need any additional information regarding this application for the Community Barbecue event.

Sincerely,

Debora King, Executive Director





Promoting Downtown Brunswick as a vibrant and attractive place to live, work, play and do business.

January 2, 2020

Ms. Fran Smith, Town Clerk  
Town of Brunswick  
85 Union Street  
Brunswick, ME 04011

RE: Application for 2020 Brunswick Outdoor Art Festival

Dear Fran,

On behalf of the Brunswick Downtown Association (BDA) and the Brunswick Outdoor Arts Festival Committee, we would like to make our formal application to the Brunswick Town Council for the 2020 Brunswick Outdoor Arts Festival.

As in the past thirteen years, we propose holding the 2020 Brunswick Outdoor Arts Festival on the third Saturday of the month in August. The proposed date for the 2020 festival will be August 15th. As in the past thirteen years, the BDA proposes holding the festival from 9AM to 5PM on the sidewalks of Maine Street between the intersections of Pleasant, Mason and Mill Streets, the Mall, and the parking lot in front of Bull Moose. The proposed festival will once again include a juried art exhibit featuring artists' booths, live music, and performances by local theater groups.

The BDA has worked in cooperation for the prior thirteen years with the Brunswick Police, Public Works, and Parks and Recreation Departments to bring this successful event to our community in order to showcase Brunswick as an arts destination. The Town Council agreed to waive the \$500 event fee for the 2019 festival. If possible, we once again ask the Town Council to waive this event fee. A considerable part of the budget for this event includes marketing Brunswick and the festival as well as providing public rest room facilities (porto-potties) for the day of the festival. The \$500 that will have been paid to the Town will be applied to the cost of these marketing efforts and public rest room facilities.

Thank you for your consideration in this matter. Please contact me if you need any additional information regarding this application or the Brunswick Outdoor Arts Festival. Please contact the BDA as soon as possible to advise if our application has been accepted and if our request to hold the 2020 Brunswick Outdoor Arts Festival has been approved.

Sincerely,

  
Keith Garovoy, Events Chair  
  
Debora King, Executive Director  
Brunswick Downtown Association



85 Maine Street / PO Box 15, Brunswick, ME 04011 207-729-4439 [www.brunswickdowntown.org](http://www.brunswickdowntown.org)

Brunswick Downtown Association is a 501(c)3 non-profit organization. Contributions are tax deductible to the extent allowed by law.

ITEM 8  
BACKUP



November 7, 2019

3914

Mr. John Perreault  
Town Council Chair  
Town of Brunswick  
85 Union Street  
Brunswick, ME 04011  
<via email>

**RE: Request for Shoreland Boundary Change  
Gurnet Road (Route 24)  
Tax Map 42, Lot 20, Lot 21, Lot 28, Lot 30, and Lot 31**

Dear Mr. Perreault:

Sitelines is requesting the Town of Brunswick revise the Shoreland Protection Overlay (SPO) boundaries on Tax Map 42, Lot 20, Lot 21, Lot 28, Lot 30, and Lot 31. The area mapped as being with the SPO encompasses almost the entirety of the parcels. The basis for designating the area as Shoreland Protection Overlay is not understood. The wetlands identified in the parcels by the Town of Brunswick and National Wetland Inventory are Forested Wetlands and the shape and location of the wetland are not consistent with the SPO as shown on the Town of Brunswick GIS and Zoning Map. According to the Town of Brunswick Ordinances, a 125' SPO setback is delineated around Freshwater wetlands, not Forested.

An evaluation of the wetlands was completed by Atlantic Environmental (Tim Forrester) in 2018 that identified the upland areas and other differences in the shape and extent of the wetland areas. That report includes a more detailed narrative of the wetland classification and is enclosed for reference.

The classification and extent of the wetlands were reviewed with Town of Brunswick staff, who concurred the wetlands and associated Shoreland Overlay area are not consistent with the ordinances.

The parcels are within the designated Growth Zone; however, the SPO precludes development on land with good access and proximity to the Cooks Corner area. Sitelines has been approached by people interested in developing the parcels, but no solution has been found that works with the SPO as designated. Since the SPO crosses Gurnet Road (Route 24), it also impacts the housing outside Brunswick Landing. This has restricted

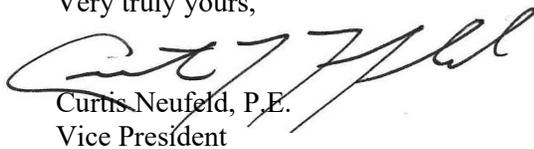
**SITELINES • CIVIL ENGINEERS • LAND SURVEYORS**  
119 Purinton Road, Suite A, Brunswick Landing, Brunswick, ME 04011  
207-725-1200 • [www.sitelinespa.com](http://www.sitelinespa.com)

the owner from considering adding housing to that popular neighborhood. If the SPO is removed from the parcels, land within the Growth Zone will be available for suitable development.

We request the council consider the evidence and forward this request to the Town of Brunswick Planning Board for consideration and recommendation to amend the Shoreland Overlay Zone as depicted on the Zoning Map and GIS database to reflect the field verified conditions. This amendment will make available several acres of land for appropriate development within the zone. This request is intended to be concurrent with another, similar Shoreland Zone Amendment to address two areas as efficiently as possible.

We look forward to meeting with the Town Council to discuss this request at the December 2, 2019 meeting. Should you have any questions regarding this proposal, please contact me.

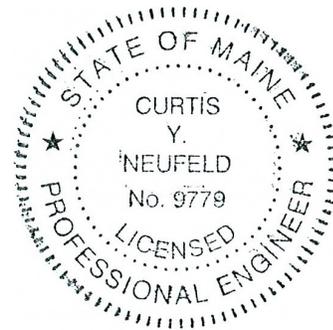
Very truly yours,



Curtis Neufeld, P.E.  
Vice President

Enclosure

cc: John Eldridge  
Chris Rhoades  
Matt Panfil  
Jared Woolston



Request for Shoreland Overlay Amendment  
Tax Map 42, Lot 20, Lot 21, Lot 28, Lot 30, and Lot 31

**Attachment A**  
**2018 Wetland Evaluation**

A copy of the wetland evaluation from Atlantic Environmental is enclosed.

A

Wetland Delineation



135 River Road • Woolwich, ME 04579  
207-837-2199 • tim@atlanticenviromaine.com  
www.atlanticenviromaine.com

March 19, 2018

Curt Neufeld  
Sitelines PA  
8 Cumberland Street  
Brunswick, ME 04011

**RE: Wetland Cover Type determination for the Brunswick Landing Condominiums on Route 24, Brunswick, Maine.**

Dear Curt,

At the request of Sitelines PA, I evaluated the wetland cover type to the east of the Brunswick Landing Condominiums and across Route 24 in Brunswick, Maine. The subject area is shown on the Town of Brunswick GIS Map as mapped wetland (May 2017 USFWS NWI) (see Town of Brunswick Zoning Map). The wetland is mapped as four (4) separate polygons and further defined by the Cowardin Classification of Wetlands and Deepwater Habitats of the United States (See NWI map) as:

- PSS1B-** Palustrine, Scrub-Shrub, Broad-Leaved Deciduous, Seasonally Saturated.
- PSS3/1Ba-** Palustrine, Scrub-Shrub, Broad-Leaved Deciduous, Broad-Leaved Evergreen, Seasonally Saturated, acidic pH.
- PFO2B-** Palustrine, Forested, Needle-Leaved Deciduous, Seasonally Saturated.

According to the Town of Brunswick's Zoning Ordinance, the mapped wetlands are identified as Freshwater Wetlands and within the Shoreland Protection Overlay (SPO) District which requires a 125 foot setback from the upland edge of the wetland. The Town defines Freshwater Wetlands and Forested Wetlands as:

**Wetland, Freshwater:** A freshwater swamp, marsh, bog, or similar area other than a forested wetland which is:

- (1) Of ten (10) or more contiguous acres; or of less than ten (10) contiguous acres and adjacent to a surface water body, excluding any river or stream, such that in a natural state, the combined surface area is in excess of ten (10) acres; and

(2) Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and that under normal circumstances does support, a prevalence of wetland vegetation typically adapted for life in saturated soils. Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

**Wetland, Forested:** A freshwater wetland dominated by woody vegetation that is six (6) meters tall (approximately 20 feet) or taller.

Attached please find a series of photographs documenting the overstory and regeneration growth within the site. As you can see, what remains of the overstory is greater than 6 meters (20 feet) tall and is dominated by 4"-7" DBH red maple and 4" DBH white birch. Several large white pine (8" DBH +/- were also noted). The shrub layer is dominated by stump sprout maple and white pine saplings as a result of recent timber harvesting which is evident by the skidder ruts, stump sprouts, and aerial images (see Google Images). Given that the site was recently harvested for timber and dominated by trees greater than 20 feet in height, the area is best described as a forested wetland and not scrub-shrub wetland.

As defined above, Forested Wetlands are not subject to the SPO definition and therefore the 125' setback from the edge of the wetland should not apply.

Please let me know if you require any additional information in order to process this application. I look forward to speaking with you at the site visit and Town meeting. Please inform me of the time and date of the both the site visit and the Town meeting.

Sincerely,  
Atlantic Environmental LLC.



Timothy A. Forrester, Owner  
PWS- #1933



**Image One: View of the Brunswick GIS database. Subject area is in the upper right corner.**  
 Source: Town of Brunswick. <https://axisgis.com/brunswickme/> March 19, 2018



**Image Two: View of NWI data. Subject wetland is shown as 4 polygons. Note the opens areas as a result of timber harvesting.** Source: US Fish and Wildlife Service, NWI <https://www.fws.gov/wetlands/data/mapper.html>. March 19, 2018



**Photograph One: View of the overstory, skidder ruts, and stump sprouts within a forested wetland adjacent to Route 24 in Brunswick, Maine.**

**Photographer: Tim Forrester, Atlantic Environmental, LLC.**

**March 19, 2018.**



**Photograph Two: Additional view of the overstory, skidder ruts, and stump sprouts within a forested wetland adjacent to Route 24 in Brunswick, Maine.**

**Photographer: Tim Forrester, Atlantic Environmental, LLC.**

**March 19, 2018.**



**Photograph Three: Additional View of the overstory, skidder ruts, and stump sprouts within a forested wetland adjacent to Route 24 in Brunswick, Maine.**

**Photographer: Tim Forrester, Atlantic Environmental, LLC.**

**March 19, 2018.**

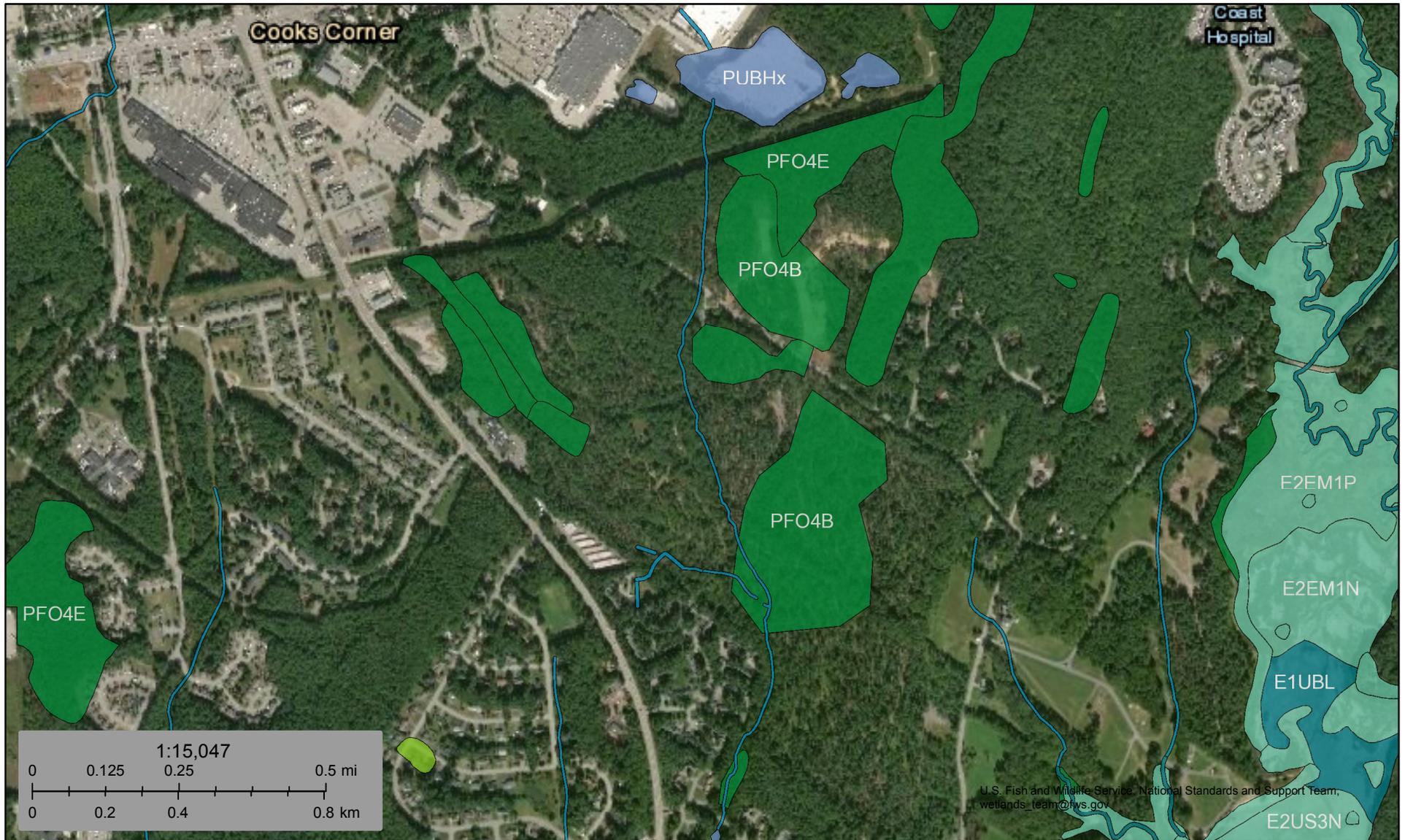
Request for Shoreland Overlay Amendment  
Tax Map 42, Lot 20, Lot 21, Lot 28, Lot 30, and Lot 31

**Attachment B**  
**NWI Wetland Map**

A depiction of the NWI wetland limits is included for reference.

B

NWI Wetland Map



November 7, 2019

### Wetlands

- |  |   |  |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland       |  Lake     |
|  Estuarine and Marine Wetland   |  Freshwater Forested/Shrub Wetland |  Other    |
|  |  Freshwater Pond                   |  Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Request for Shoreland Overlay Amendment  
Tax Map 42, Lot 20, Lot 21, Lot 28, Lot 30, and Lot 31

**Attachment C**  
**Supporting Graphics**

C

A copy of the Shoreland Overlay from the Town GIS and tax maps are included for reference.

Supporting Graphics



# Parcel Boundaries and Wetlands from Town GIS

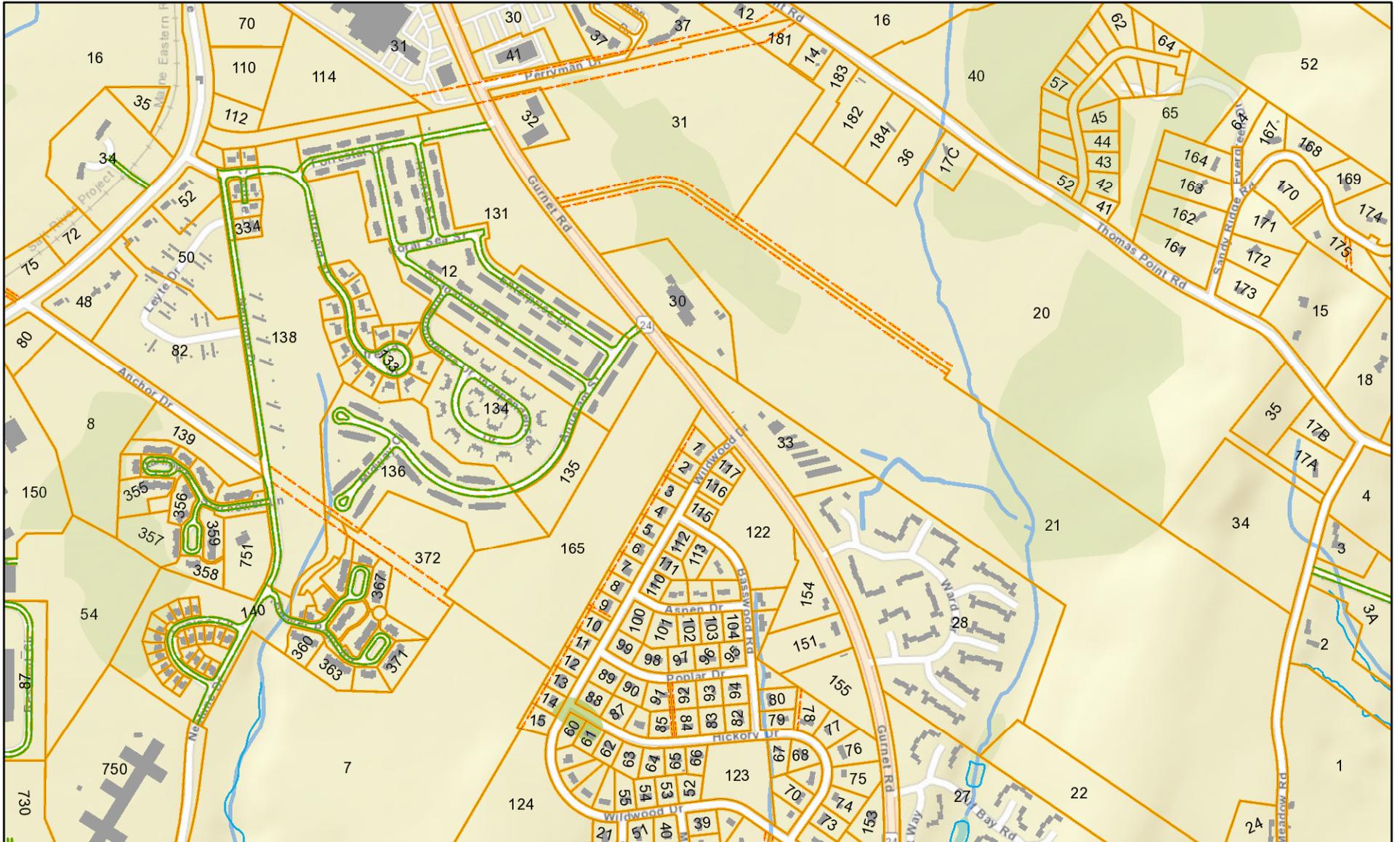
Brunswick, ME



November 7, 2019

1 inch = 700 Feet

www.cai-tech.com



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# Wetlands and SPO

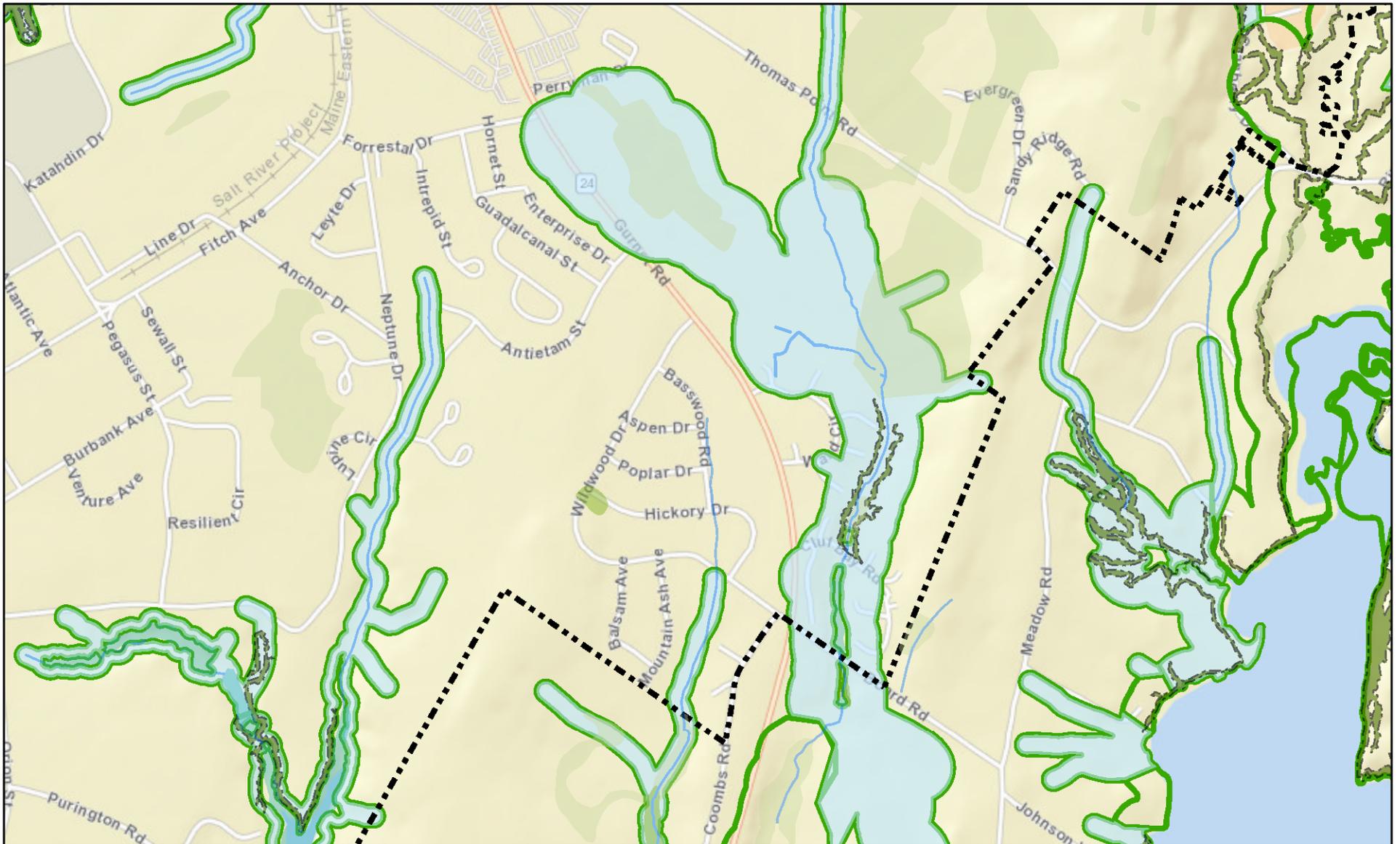
Brunswick, ME



November 7, 2019

1 inch = 1085 Feet

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# Parcels, Wetlands and SPO

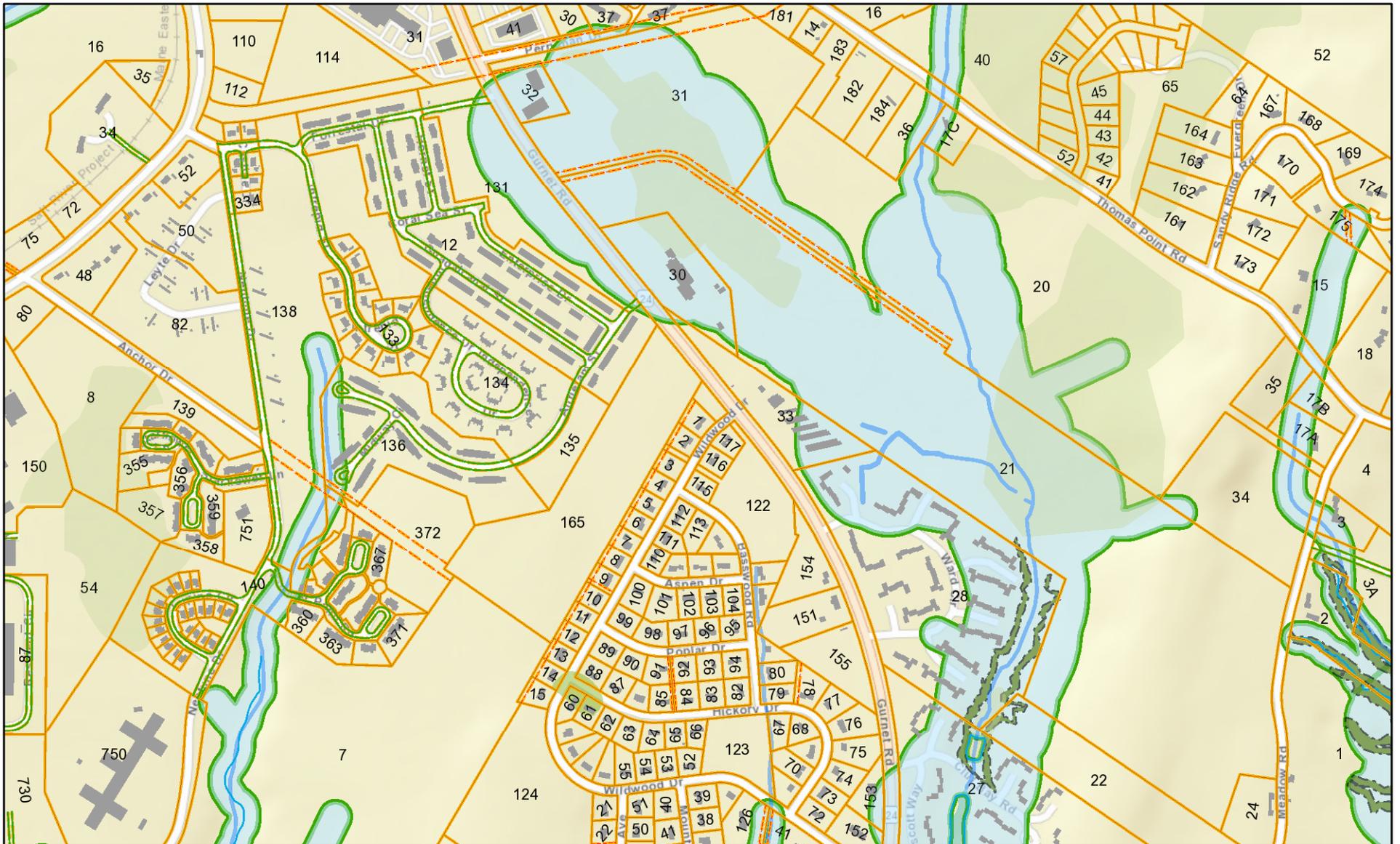
Brunswick, ME



November 7, 2019

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# Aerial Photograph with Wetlands and SPO

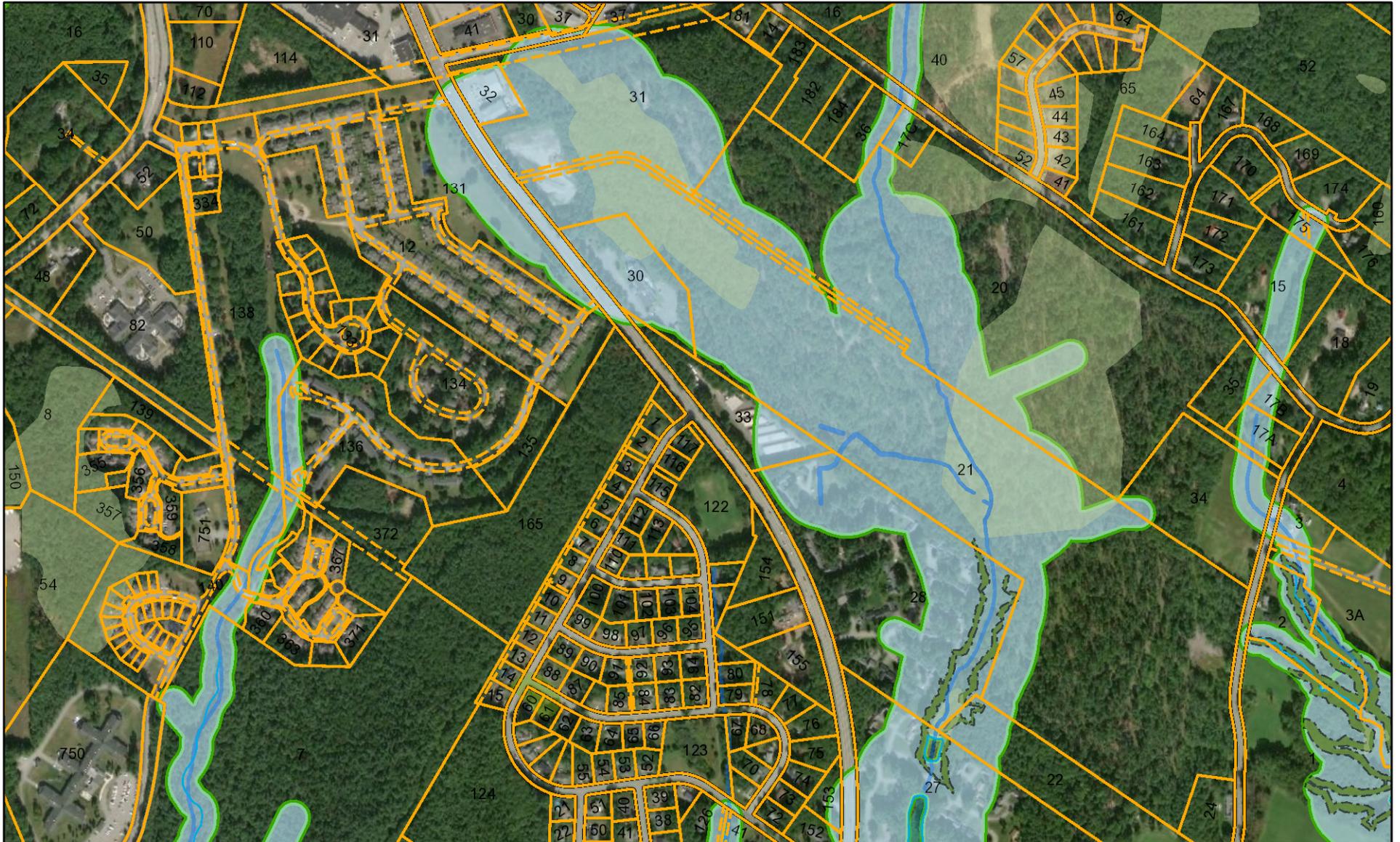
Brunswick, ME



November 7, 2019

1 inch = 700 Feet

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ITEM 9  
BACKUP

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## MEMORANDUM

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**TO:** Brunswick Town Council

**FROM:** John Hodge, Executive Director  
Brunswick Housing Authority

**DATE:** January 15, 2020

**SUBJECT:** Voluntary Conversion Program

---

### ***Background***

The Brunswick Housing Authority (BHA) was established by the inhabitants of Brunswick in 1967 to address the need for affordable housing. The BHA was created in accordance with State Law, MSRA Title 30-A whereby a municipality could create a local housing authority. Under state law, the governing body of the municipality would appoint members to a Board of Commissioners which would act autonomously within the municipality. A Cooperation Agreement between the Town and the housing authority was agreed upon and remains in existence to this day.

The BHA's first action was to apply for assistance under the Public Housing Program under section 9 of the U.S. Housing Act of 1937 (the Act). Woodlawn Towers (100 units, 1971), Perryman Village (50 units, 1974) and Woodlawn Terrace (41 units, 1982) were constructed and are still in operation today providing subsidized housing to 191 low income households in Brunswick. By accepting the funds necessary to build these units, the BHA essentially relinquished all control of these units to the federal government through a Declaration of Trust which is tied to the properties. While the units are owned and deeded to the BHA, we cannot take any action with respect to these units without prior U.S. Department of Housing & Urban Development (HUD) approval. This arrangement has worked sufficiently up until about 10-15 years ago when significant under funding in the program began to impede our ability to properly manage and maintain these properties. HUD and Congress has acknowledged this chronic under funding by creating new opportunities for local housing authorities to reposition their public housing portfolio.

### ***Opportunity***

The BHA is eligible to convert its Section 9 (of the US Housing Act of 1937) Public Housing Program to Section 8 assistance, the Housing Choice Voucher (HCV) program under Section 22 of the Act 1937. Section 22 and its implementing regulations at 24 CFR (Code of Federal Regulations) part 972, subpart B, authorize a Public Housing Agency (PHA) to convert public housing to tenant-based assistance.

When the 1937 Act was amended to allow Voluntary Conversion, it was initially only applicable to housing authorities with 50 units or less of Public Housing. The U.S. Department of Housing & Urban Development (HUD) is using its waiver authority under the act to redefine a small PHA as those with 250 units or less of public housing.

### ***Advantages/Risks***

The two biggest opportunities for the BHA under this conversion are:

1. Regain Local Control and
2. Increased funding.

If the units are converted under the program, HUD will release the properties from the Declaration of Trust which will allow the BHA to access private capital. Presently the BHA cannot go to a bank for a loan without HUD approval and the lender MAY NOT attach a mortgage to the property which is the lender's first safeguard to ensuring the loan is repaid. Releasing the Declaration of Trust allows the BHA to access private capital in times of need and provides greater security to a lender in doing so.

*It is important to note that while the BHA will be released from the Declaration of Trust, the property will continue to be owned by the BHA and serve low income residents. The only change will be what form of subsidy and how much we receive from the federal government. The Cooperation Agreement with the Town and BHA would remain in place.*

The biggest advantage to converting will be additional revenue for our properties. Currently we receive an Operating Subsidy and Capital Funding through annual appropriations in addition to the rents we collect from tenants which amounts to 30% of their gross adjusted income. In FY 2020 we project our total revenue for Public Housing will be \$1,696,875. If we successfully convert to the Section 8 HCV program, we project our total revenue for these properties will be \$2,234,355. The reason for this differential is the new rents will be based on the Payment Standards used for our Housing Choice Voucher program which as you can see provides greater revenue than the current Public Housing Program.

The Risks of this conversion would be that future revenue will be subject to congressional appropriations. This is the same risk we face in Public Housing so there is no additional risk. Also, the BHA has some control over what the Payment Standards (PS) are in the HCV program as the Board approves the PS based upon the published Fair Market Rents established by HUD. An additional risk would be if there is an extreme emergency such as a building system failure (roof or heating system fails). Currently under the Public Housing Program, HUD has a responsibility to assist the BHA in making these repairs. If we opt out of the PH program, we would be on our own to solve the problem. This risk is mitigated by the additional revenues which will allow us to build a replacement reserve for future needs and provide us with borrowing capacity so we could obtain a loan from a local bank.

For the reasons stated above, the BHA Board has reviewed this option and determined it is in the best interest of the BHA to consider moving forward with an application to convert our public housing program. A submission of an application is not final acceptance and the Board retains the right to withdraw the application.

### ***The Application Process***

As a part of the conversion, the BHA must obtain a certification from an approving entity that our plan is consistent with a Consolidated Plan. This certification will be obtained through Maine Housing (the Maine State Housing Authority) which is responsible for creating and maintaining a Consolidated Plan for the balance of the state where such a plan does not exist at the local level. The process also refers to consulting with local government on the conversion plan hence the BHA is presenting this plan to the Town of Brunswick for their information and for comment. A letter from Town that we have consulted with the local government on our plans for conversion will be very helpful in our submission to HUD should we take this final step.

The Voluntary Conversion program is promulgated under section 22 of the Act. A Public Housing Authority (PHA) may convert a Section 9 public housing project(s) to Section 8 Housing Choice Voucher (HCV) assistance if the PHA demonstrates conversion:

1. is not more expensive than continuing to operate as public housing;
2. principally benefits residents, the PHA, and the community; and
3. has no adverse effect on the availability of affordable housing in the community.

As a part of HUD's new streamlined conversion program, HUD is also using its waiver authority to waive the conversion assessment and will not require a streamlined conversion assessment for any public housing project or class of public housing projects for housing authorities with less than 250 public housing units. The BHA has 191 PH units. The conversion assessment would typically involve of a cost analysis, market value analysis, rental market analysis, and an impact analysis on the neighborhood. Recognizing that small PHAs typically have reduced staff and limited funding available to conduct a full conversion assessment, HUD is waiving this assessment.

To be eligible for conversion a PHA must meet the following:

1. As of the date of application submission, the project or projects are owned by a small PHA, as defined in Section 1 of notice 2019-5, that confirms its intent to close-out its public housing program after all units are converted; and
2. Conversion of the project or projects will result in the conversion of all public housing units owned by the PHA.

The *process to convert* the properties is fairly straight forward:

1. PHA Plan. Explicit reference to the proposed conversion in the PHA Annual Plan.
2. PHA Board Resolution approving the conversion application.
3. Resident Consultation: PHAs need to consult with its residents and clearly inform them of their rights under the conversion.

4. The PHA must summarize resident comments and provide its responses to significant issues raised by the commenters including a description of actions taken by the PHA as a result of the comments.
5. Complete form HUD-5286, Inventories Removal Application.
6. Describe the Future use of the Assets including how it will convey the property or if it will dispose of the property.
7. Environmental Requirements. Conversion plans must have environmental clearance before HUD approves a conversion plan.
8. Discussion of any outstanding legal issues, voluntary compliance agreements or settlement agreements.
9. Statement of compliance with Civil Rights and equal opportunity requirements.
10. Agreement with the administering agency for the Tenant Protection Vouchers.
11. Identification of any existing financing such as Capital Fund Financing Program or Energy Performance Contract loans.
12. Local government consultation.

### ***Frequently Asked Questions***

1. *What happens to our residents?*

Residents will be issued a Tenant Protection Voucher (TPV). If the units are to remain as housing rental units, they have a right to stay and use the voucher in their existing unit. They may also choose to relocate with their voucher. It is the intent of the BHA to keep the units as affordable rental housing. The impact to the majority of our residents will be very minimal as they would continue to pay only 30% of their gross adjusted income towards their rent as they currently do. Whereas the conversion will result in significant additional revenues, it should impact them positively in that more resources would be available to maintain and improve the properties.

2. *What happens to the units?*

To participate in this program, HUD expects the local authority to remove the units from the public housing program which they define as “Disposing”. The BHA determines how it will dispose of the existing public housing units. They could be sold, demolished or retained as rental units. Given the need for affordable housing in our area, the Board wishes to keep these units as affordable and retain ownership of the units. If we follow through with the conversion, BHA has the option of requesting that each resident that has been issued a TPV (which is a tenant-based voucher which allows the subsidy to move with the tenant) to allow the BHA to convert the TPV to a Project Based Voucher (PBV) in which the subsidy will remain with the unit. This choice is solely at the option of

the tenant. If they choose to keep as tenant-based voucher they can stay or move. If they move with the voucher, the BHA is free to rent the unit to whomever it likes. The BHA will have the option to project base one of its existing vouchers to the unit. (This assumes the BHA has vouchers available)

3. *Who will own the properties?*

The ownership of the property will remain with the Brunswick Housing Authority. This will ensure that the current Cooperation Agreement remains in place with the Town of Brunswick.

4. *Who sets the rents?*

The rents will be set by the BHA Board of Commissioners and will likely be set at the current Payment Standards established by the Board. Payment standards for the voucher program must be established using the published Fair Market Rents (FMRs) as set by the federal government. The Board must stay within 90-110% of the published FMRs.

5. *What other concerns are there?*

This a new initiative for HUD and PHAs should be very cautious as they consider this move. The federal government is embarking on an initiative to de-federalize an existing public asset as they want to remove these units from any future federal obligations. As the units stand now, if a major disaster were to occur, one would presume the federal government has an obligation to assist the PHA in getting units back online. This would cease to exist if a PHA removes the units from the PH program and eliminates the Declaration of Trust. One should be weary of HUD's motivation in this regard but also cautiously optimistic that HUD is trying to assist smaller PHAs that have capacity to administer affordable housing in their community. Removing the Declaration of Trust provides greater control to the local community and permits the owner to obtain private financing without need of HUD's approval.

**Conclusion**

We should also be very cautious about the future. While the proforma projections we have developed look very promising, we do not know how future administrations or Congresses will act. A future administration may conclude the current Secretary exceeded his waiver authority when he declared a small housing authority is now one with up to 250 units. Section 8 assistance is subject to the same congressional authority as section 9 funding and as our country struggles to deal with budgets and deficits, no one knows how these programs will be funded in the future. One thing would remain clear, without HUD's binding authority through a declaration of trust tied to the deed, a local owner of these units should have more power to act in the future to save and preserve these units.

I am happy to address any questions or concerns at your January 21<sup>st</sup> meeting.

Cc: Brunswick Town Manager



# Town of Brunswick, Maine

INCORPORATED 1739

TOWN COUNCIL

85 UNION STREET

BRUNSWICK, MAINE 04011-2418

TELEPHONE 207-725-6659

FAX 207-725-6663

January 21, 2020

Jane Hornstein, Director  
HUD, Special Applications Center (SAC)  
77 W. Jackson Blvd.  
Chicago, IL 60604

Re: Brunswick Housing Authority (BHA)  
Voluntary Conversion

Dear Ms. Hornstein:

On behalf of the Town of Brunswick, Maine, I write to acknowledge the Brunswick Housing Authority's plan to submit an application to convert its existing public housing units under HUD's Streamlined Voluntary Conversion program. In accordance with the program's regulations, the Brunswick Housing Authority has consulted with the Brunswick Town Council on its plans to convert its public housing units to assistance under Section 8 of the U.S. Housing Act of 1937.

The Brunswick Housing Authority has disclosed its intent to retain these units under its ownership and continue to operate them as affordable housing. Brunswick, as with many communities across this nation, is lacking in decent, affordable housing therefore we applaud the Housing Authority's efforts to preserve these as affordable units.

We look forward to continuing to work with the Brunswick Housing Authority to preserve and expand the number of rental housing units for low and moderate income families within our community.

Sincerely,

John M. Perreault, Chair  
Brunswick Town Council

Cc: Brunswick Housing Authority

# ITEM 10 BACKUP



# Town of Brunswick, Maine

INCORPORATED 1739

MARINE RESOURCES COMMITTEE

85 UNION STREET

BRUNSWICK, MAINE 04011

TELEPHONE 207-721-4027 FAX 207-725-6627

Email – [ddevereaux@brunswickme.org](mailto:ddevereaux@brunswickme.org)

Chairman  
Susan Olcott

Vice Chairman  
Tony Yuodsnukis

January 14, 2020

TO: Fran Smith, Town Clerk

CC: Chairman Susan Olcott, Marine Resources

FROM: Daniel Devereaux MRO/HM

RE: Marine Resource Committee Authority

Dear Ms. Smith,

The Brunswick Marine Resource Committee is respectfully seeking its annual authority from the Brunswick Town Council to open in close coastal waters within the Town of Brunswick jurisdiction.

This request is under direction of the **Brunswick Municipal Code Chapter 11, Marine Activities Structures and Ways Section 11-161 Opening and Closing of Coastal Waters**. See below:

- a) *The marine resource committee, with the approval of the commissioner of marine resources, and the direct consent of the town council, and this consent to be given by the town council on an annual basis at their first regular meeting after the organization meeting, may open and close coastal waters. Except for emergency closures, or openings, the marine resource committee shall call a public hearing and shall send a copy of the notice to the Department of Marine Resources. At the hearing, the staff shall present evidence obtained from its survey and other sources, and members of the public may present evidence in support or refutation of the evidence presented by the staff. In the event of an emergency closure, or openings, the marine resource committee shall hold a public hearing as soon as practical, considering the need for adequate public notice and participation.*

*The chair may determine that an opening or closing shall be placed on the agenda and shall direct staff to give notice of the hearing. Notice shall be posted at the town office, and published in a newspaper of general circulation no less than seven (7) days before the date of the hearing.*

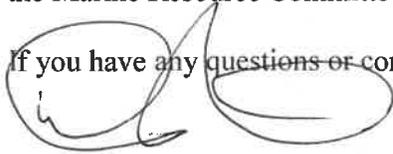
- b) *After the hearing is closed, the marine resource committee shall make findings of fact on the relevant evidence presented. They shall then make a conclusion based on those findings of fact as to whether opening of coastal waters as requested is warranted by the recovery of the resource; or the freedom from predation, competition or other resource problem. If so, the marine resource committee with the concurrence of the department of marine resources shall order the coastal waters opening and shall set such time limitations and other harvesting conditions as are consistent with good conservation practices. If the request is to close the coastal waters, the marine resource committee shall make a conclusion based on their findings of fact as to whether closing the coastal waters is warranted by depletion of the shellfish, destruction of existing seed; or predation, competition or other resource problem. If so, the marine resource committee shall order the coastal waters closed until further request for opening by the staff. Any*

*proposal for opening or closing of coastal waters shall be approved by the commissioner of marine resources prior to enactment.*

*(c) When the marine resource committee opens or closes the coastal waters, the committee's action may be reviewed at a regularly or specially scheduled town council meeting. The town council may uphold, reverse or amend the opening or closing decision of the marine resource committee.*

With this authority the Brunswick Marine Resource Committee is authorized to open and close shellfishing grounds for conservation based on evidence provided to them by staff or the public. It alleviates the Town Council from public hearings concerning the closure of coastal waters. It however does not prohibit the Town Council from reviewing and reversing decisions made by the Marine Resource Committee.

If you have any questions or concerns please contact me.

A handwritten signature in black ink, appearing to be a cursive name, possibly "John D. ...".

Respectfully Submitted,

ITEM 11  
BACKUP

# Town of Brunswick, Maine

OFFICE OF THE TOWN MANAGER

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## MEMORANDUM

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**TO:** Town Council

**FROM:** E. Ryan Leighton  
Assistant Town Manager

**DATE:** January 15, 2020

**SUBJECT:** Contract Negotiations with Teamsters Local Union #340 for the Brunswick Parks and Recreation Maintenance Workers

---

Members of Town Management and the Negotiating Team for Teamsters Local Union #340 for the Brunswick Parks and Recreation Maintenance Workers began meeting in September 2019 in an effort to negotiate an agreement for the period of July 1, 2019 through June 30, 2022. On December 17, 2019 the Union's Negotiating Team and Town Management reached a tentative three year agreement.

Below is a summary of the changes from the previous agreement:

### Article 6 - Wages

Replace existing language with the language below:

- A. Effective July 1, 2019, wages shall be paid in accordance with the scale attached to this agreement.

Effective July 1, 2020, the salary schedule in effect shall increase by 2.0%.

Effective July 1, 2021, the salary schedule in effect shall increase by 2.0%.

For the scale effective July 1, 2019, employees will be placed on the new scale at an equivalent, or higher, rate of pay based on the sum of their current base pay rate. In the event that the placement provides less than a 2.0% increase in pay, the employee shall be placed at the next higher step on the scale.

The pay rates for J. Manson, J. Normand, and M. Wiesner fall outside the new scale range for their positions and will be grandfathered at a 2.0% increase effective July 1, 2019 and will receive applicable COLA adjustments on July 1<sup>st</sup> of each year going forward. The following will be the rates of pay for grandfathered employees:

J. Manson shall receive a 2% increase in his current pay rate of \$19.4382 (to \$19.8270).  
J. Normand shall receive a 2% increase in his current pay rate of \$19.8269 (to \$20.2234).

M. Wiesner shall receive a 2% increase in his current pay rate of \$30.1239 (to \$30.7264).

- B. Those employees at top step on the old scale as of June 30, 2019 will be placed on the new scale as of July 1, 2019 and have a stepping date of July 1 of each year thereafter. Employees not at top step as of July 1, 2019 shall be placed on the new scale and maintain their anniversary stepping date.
- C. Provide a \$16.66 per month cell phone stipend.

### **Article 7 - Overtime**

Added new language below:

- C. Employees will be allowed to choose Compensatory Time instead of overtime pay up to a maximum annual accumulation of twenty (20) hours. Employees opting for such Compensatory Time shall notify the Parks and Recreation Director by the end of the pay week where such time has been earned. Compensatory Time will be earned on a time and one half basis (1 ½). Compensatory Leave Time will be requested and approved in the same manner as vacation leave. Any remaining accumulated Compensatory Time as of June 30th will be paid at that time to the employee by the Town at their current pay rate.

### **Article 8 - Holidays**

Add Indigeneous People Day Language

### **Article 16 - Clothing and Safety Equipment**

Replace existing language in B and C with the following:

- B. The Town shall reimburse up to seven hundred fifty dollars (\$750.00) per employee per contract year for the purchase of department approved clothing, including appropriate safety footwear.
- C. It is intended that the member shall purchase appropriate Town approved and Town specified clothing suitable to the employee's work site and should be neat, clean, in good repair and good taste and not constitute a safety hazard.

We request authorization to finalize the Agreement between the Town of Brunswick and Teamsters Local Union #340 for the Brunswick Parks and Recreation Maintenance Workers.

Attached are the new pay scales. I am happy to answer ay questions you may have.

Attachments

**Town of Brunswick  
Teamsters Brunswick Parks Recreation Department  
New Wage Scale FY20**

		2.00% 2.00% 2.00% 2.00% 2.00% 1.50% 1.50% 1.50% 1.50% 1.50% 1.00% 1.00% 1.00% 1.00% 1.00%														
<b>Hourly - Proposed</b>	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Maintenance Worker	\$ 15.0000	\$ 15.3000	\$ 15.6060	\$ 15.9181	\$ 16.2365	\$ 16.5612	\$ 16.8096	\$ 17.0618	\$ 17.3177	\$ 17.5775	\$ 17.8411	\$ 18.0195	\$ 18.1997	\$ 18.3817	\$ 18.5656	\$ 18.7512
Maintenance Supervisor	\$ 22.0000	\$ 22.4400	\$ 22.8888	\$ 23.3466	\$ 23.8135	\$ 24.2898	\$ 24.6541	\$ 25.0239	\$ 25.3993	\$ 25.7803	\$ 26.1670	\$ 26.4287	\$ 26.6929	\$ 26.9599	\$ 27.2295	\$ 27.5018

**Town of Brunswick  
Teamsters Brunswick Parks Recreation Department  
New Wage Scale FY21**

		2.00%	2.00%	2.00%	2.00%	2.00%	1.50%	1.50%	1.50%	1.50%	1.50%	1.00%	1.00%	1.00%	1.00%	1.00%
<b>Hourly - Proposed</b>	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Maintenance Worker	\$ 15.3000	\$ 15.6060	\$ 15.9181	\$ 16.2365	\$ 16.5612	\$ 16.8924	\$ 17.1458	\$ 17.4030	\$ 17.6641	\$ 17.9290	\$ 18.1980	\$ 18.3799	\$ 18.5637	\$ 18.7494	\$ 18.9369	\$ 19.1262
Maintenance Supervisor	\$ 22.4400	\$ 22.8888	\$ 23.3466	\$ 23.8135	\$ 24.2898	\$ 24.7756	\$ 25.1472	\$ 25.5244	\$ 25.9073	\$ 26.2959	\$ 26.6903	\$ 26.9572	\$ 27.2268	\$ 27.4991	\$ 27.7741	\$ 28.0518

**Town of Brunswick**  
**Teamsters Brunswick Parks Recreation Department**  
**New Wage Scale FY22**

		2.00%	2.00%	2.00%	2.00%	2.00%	1.50%	1.50%	1.50%	1.50%	1.50%	1.00%	1.00%	1.00%	1.00%	1.00%
<b>Hourly - Proposed</b>	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Maintenance Worker	\$ 15.6060	\$ 15.9181	\$ 16.2365	\$ 16.5612	\$ 16.8924	\$ 17.2303	\$ 17.4887	\$ 17.7511	\$ 18.0173	\$ 18.2876	\$ 18.5619	\$ 18.7475	\$ 18.9350	\$ 19.1244	\$ 19.3156	\$ 19.5088
Maintenance Supervisor	\$ 22.8888	\$ 23.3466	\$ 23.8135	\$ 24.2898	\$ 24.7756	\$ 25.2711	\$ 25.6502	\$ 26.0349	\$ 26.4254	\$ 26.8218	\$ 27.2241	\$ 27.4964	\$ 27.7713	\$ 28.0491	\$ 28.3295	\$ 28.6128

ITEM 12  
NO BACKUP

# CONSENT AGENDA - A BACK UP MATERIALS

**DRAFT**  
**BRUNSWICK TOWN COUNCIL**  
**Minutes**  
**December 16, 2019**  
**Regular Meeting – 6:30 P.M.**  
**Council Chambers**  
**Town Hall**  
**85 Union Street**

**Councilors Present:** W. David Watson, Stephen S. Walker, Dan Jenkins, John Perreault, Christopher Watkinson, Jane F. Millett, James Mason, Kathy Wilson, and Dan Ankeles

**Councilors Absent:** None

**Town Staff Present:** John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Tom Farrell, Director of Parks and Recreation; Matt Panfil, Director of Planning and Development; Jay Astle, Public Works Director; Dennis Wilson, Parks and Recreation Facilities Manager; Branden Perreault, Deputy Finance Director; and TV video crew

Chair John Perreault called the meeting to order, asked for roll call and led the Pledge of Allegiance.

**Adjustments to Agenda:** None

**Recognition of outgoing Councilor Jane Millett**

Chair Perreault presented a plaque and flowers to thank Councilor Millett.

Councilor Millett thanked staff and fellow Councilors.

Councilor Ankeles thanked Councilor Millett and presented her with a gift.

**Marybeth Burbank**, President of Northwest Neighborhood Association, thanked Councilor Millett for her work in District 6.

**Courtney Neff**, Board member of Northwest Neighborhood Association, thanked Councilor Millett for her service.

**Public Comments/Announcements** (for items not on the agenda) *(This item was discussed at 6:40 p.m.)*

**Lucy Derbyshire**, Bath, spoke regarding Russell Williams' freezing to death and of the tragedy of his loss. She spoke regarding building a homeless shelter for soldiers in honor of her deceased husband (Derbyshire House).

**Kathleen Funderburk**, 18 High Street, spoke regarding transportation of new Mainers and asked the Town to speak with the Explorer to get consistent bus stops on Brunswick Landing.

**Town Council Minutes**

**December 16, 2019**

**Page 2**

**Courtney Neff**, 19 High Street, also spoke of the bus and transportation issues.

Manager Eldridge responded to these concerns; the Explorer has indicated that they need more resources and said it is more difficult than it appears to add stops. He responded to questions from Councilor Jenkins.

Councilor Ankeles, Councilor Watson, Councilor Millett, Councilor Watkinson, Councilor Mason, Councilor Wilson, and Chair Perreault spoke regarding this item.

**MANAGER'S REPORT** *(This item was discussed at 7:06 p.m.)*

**a) Financial update**

Manager Eldridge provided this update.

**b) Holiday Trash Pick-up/Graham Road Landfill Hours**

Manager Eldridge provided this update.

**c) Dog Licenses**

Manager Eldridge and Fran Smith, Town Clerk, provided this update.

**d) Senior Tax Rebate Program**

Manager Eldridge provided this update.

Councilor Millett, Chair Perreault, Councilor Watkinson, and Councilor Mason spoke regarding this item.

**e) Bond Issue**

Manager Eldridge provided this update.

**f) Fire Station**

Manager Eldridge provided this update.

**g) Cedar Street Parking**

Manager Eldridge provided this update.

**h) Maine Street Sidewalk and Streetscape Project**

Manager Eldridge provided this update.

**Town Council Minutes**

**December 16, 2019**

**Page 3**

**i) December 24th**

Manager Eldridge provided this update.

**NEW BUSINESS**

- 173. The Town Council will consider adopting “A Resolution Establishing the Compensation of the School Board of the Town of Brunswick, Maine”, and will take any appropriate action. (Council Chair Perreault and Councilor Mason) (This item was discussed at 7:18 p.m.)**

Chair Perreault introduced this item.

Manager Eldridge responded to a question from Councilor Watson.

Councilor Watkinson spoke regarding this item.

**MOTION**

**Councilor Millett moved, Councilor Mason seconded, to adopt “A Resolution Establishing the Compensation of the School Board of the Town of Brunswick, Maine” to \$3,000 per year.**

Jim Grant and Ben Tucker, Chair and Vice Chair of School Board, spoke regarding this item.

Councilor Mason, Councilor Ankeles, Councilor Jenkins, Councilor Millett, Councilor Watkinson, Councilor Watson, and Chair Perreault spoke regarding this item.

**VOTE ON MOTION**

**Councilor Millett moved, Councilor Mason seconded, to adopt “A Resolution Establishing the Compensation of the School Board of the Town of Brunswick, Maine”. The motion carried with seven (7) yeas. Councilor Jenkins and Councilor Ankeles were opposed.**

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

- 174. The Town Council will consider setting a public hearing for January 21, 2020, regarding the recommended relocation of the Farmer’s Market to Park Row, with accompanying fee increase and changes in the parking ordinance, and will take any appropriate action. (Town Manager Eldridge) (This item was discussed at 7:39 p.m.)**

Manager Eldridge introduced this item.

Councilor Ankeles, Councilor Watson, Councilor Watkinson, Councilor Jenkins, Councilor Millett, and Councilor Watson spoke regarding this item.

**Abby Sadauckas**, President of Brunswick Farmer’s Market Association, spoke regarding this item.

**Town Council Minutes**

**December 16, 2019**

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**Nate Drummond**, Treasurer of Brunswick Farmer's Market, spoke regarding this item.

**Kathy Caron**, Fairwinds Farm owner, spoke regarding this item.

**Bob Spears**, Spears Vegetable Farm, spoke regarding this item.

Councilor Millett, Councilor Watkinson, and Councilor Ankeles spoke regarding this item.

Jay Astle, Public Works Director, responded to questions from Chair Perreault, Councilor Watkinson, and Councilor Watson.

**Councilor Wilson moved, Councilor Watson seconded, to set a public hearing for January 21, 2020 for the relocation of the Farmers Market to Park Row, and for amendments to the Municipal Code of Ordinances, Chapter 15 – Traffic and Vehicles, and to the Master Schedule of Revenues, Charges, Fees and Fines for the increase in fees and possibility of increasing the sidewalk. The motion carried with nine (9) yeas.**

**175. The Town Council will consider setting a public hearing for January 21, 2020, regarding proposed changes to outdoor seating on public ways for the 2020 licensing year and will take any appropriate action. (Town Manager Eldridge) (This item was discussed at 8:15 p.m.)**

Fran Smith, Town Clerk, introduced this item.

**Councilor Millett moved, Councilor Ankeles seconded, to set a public hearing for January 21, 2020 for proposed changes to Chapter 10 – Licenses and Business Regulations and to the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B. The motion carried with nine (9) yeas.**

**176. The Town Council will consider setting a public hearing for January 21, 2020, regarding changes to mooring fees, and will take any appropriate action. (Town Manager Eldridge) (This item was discussed at 8:19 p.m.)**

Fran Smith, Town Clerk, introduced this item.

**Councilor Millett moved, Councilor Mason seconded, to set a public hearing for January 21, 2020 on proposed changes to mooring fees. The motion carried with nine (9) yeas.**

**177. 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) (This item was discussed at 8:22 p.m.)**

Julia Henze, Finance Director, introduced this item and responded to questions from Councilor Ankeles.

**Town Council Minutes**

**December 16, 2019**

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**Councilor Millett moved, Councilor Watkinson seconded, to adopt a “Resolution Authorizing the Town Treasurer to Waive Foreclosure on Certain Real Estate Tax Lien Mortgages”. The motion carried with nine (9) yeas.**

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

**CORRESPONDENCE/COMMITTEE REPORTS** *(This item was discussed at 8:25 p.m.)*

Reports were given for Teen Center Advisory Board, Finance Committee, Comprehensive Plan Steering Committee and Veteran’s Plaza project.

**CONSENT AGENDA** *(This item was discussed at 8:28 p.m.)*

- a) **Approval of the minutes of December 2, 2019**
- b) **Approval of a cribbage license for 2020 for the Knights of Columbus**

**Councilor Millett moved, Councilor Ankeles seconded, to approve the consent agenda. The motion carried with nine (9) yeas.**

**Councilor Millett moved, Councilor Jenkins seconded, to adjourn. The motion carried with nine (9) yeas.**

The meeting adjourned at 8:30 p.m.

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

*Frances M. Smith  
Town Clerk  
December 19, 2019*

January 21, 2019  
*Date of Approval*

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Council Chair

**BRUNSWICK TOWN COUNCIL**

**Agenda**

**January 21, 2020**

**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
- c) Bond Issue – Elementary School
- d) Fire Station
- e) Mere Creek Golf Course
- f) Public Transportation – Explorer
- g) Public Transportation – Metro Breez
- h) Winter Operations

**PUBLIC HEARING**

3. The Town Council will hear public comments on applications for Special Amusement licenses, and will take any appropriate action. (Town Manager Eldridge)

**Special Amusement**

Brunswick Lodge of Elks #2043  
D/B/A: Brunswick Lodge of Elks  
179 Park Row

Angela Brackett

Odd Duck FSE, INC.  
D/B/A: Odd Duck FSE  
11 Pleasant Street

Rebecca Marcos

**HEARING/ACTION**

4. The Town Council will hear public comments regarding the recommended relocation of the Farmer's Market to Park Row, with accompanying fee increase and changes in the parking ordinance, and will take any appropriate action. (Town Manager Eldridge)

**HEARING/ACTION**

5. The Town Council will hear public comments regarding proposed changes to outdoor seating on public ways for the 2020 licensing year, and will take any appropriate action. (Town Manager Eldridge)

**HEARING/ACTION**

6. The Town Council will hear public comments regarding changes to mooring fees, and will take any appropriate action. (Town Manager Eldridge)

**HEARING/ACTION**

**NEW BUSINESS**

7. The Town Council will consider a request from the Brunswick Downtown Association for a waiver of fees for the 2020 Community Barbecue and the 2020 Brunswick Outdoor Arts Festival, and will take any appropriate action. (Town Manager Eldridge)

**ACTION**

8. The Town Council will consider forwarding a request from Sitelines to the Planning Board for a boundary change to the Shoreland Protection Overlay (SPO) to be consistent with the Town of Brunswick's GIS and Zoning Map, and will take any appropriate action. (Town Manager Eldridge)

**ACTION**

9. The Town Council will hear a proposal from Brunswick Housing Authority to convert its Section 9 Public Housing Program to Section 8 assistance, and will take any appropriate action. (Town Manager Eldridge)

**DISCUSSION**

10. The Town Council will consider giving its annual authority to the Brunswick Marine Resource Committee to open and close coastal waters within the Town's jurisdiction, and will take any appropriate action. (Town Manager Eldridge)

**ACTION**

11. The Town Council will consider ratifying a contract between the Town of Brunswick and the Teamsters Local Union #340 for the Brunswick Parks & Recreation Maintenance Workers, and will take any appropriate action. (Town Manager Eldridge)

**ACTION**

12. 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 16, 2019
- b) Approval of the minutes of January 6, 2020

**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](mailto:towncouncil@brunswickme.org)

**Brunswick Town  
Council Agenda  
January 21, 2020  
Council Notes and Suggested Motions**

**MANAGER’S REPORT**

*Please see the Manager’s Report memo for more information on the items below.*

- a) Financial Update
- b) Dog Licenses
- c) Bond Issue – Elementary School
- d) Fire Station
- e) Mere Creek Golf Course
- f) Public Transportation – Explorer
- g) Public Transportation – Metro Breez
- h) Winter Operations

**PUBLIC HEARING**

3. **Notes:** This is the public hearing for Special Amusement licenses for the Brunswick Lodge of Elks, 179 Park Row, and Odd Duck FSE, 11 Pleasant Street. The Brunswick Lodge of Elks would like to have DJs and small bands in the lounge and banquet hall for catered events, from 7:00 pm to 11:00 pm, and a DJ on weekends from 7:00 pm to 11:00 pm or 8:00 pm to 12:00 pm. Odd Duck would like to have DJs and live entertainment, such as piano players and jazz, in the main bar/mezzanine area and ballroom, from 10:00 am to 12:00 pm. Copies of the applications are included in the packet.

**Suggested Motion:**

Motion to approve Special Amusement licenses for the Brunswick Lodge of Elks, 179 Park Row, and Odd Duck FSE, 11 Pleasant Street.

4. **Notes:** This is the public hearing regarding the relocation of the Farmer’s Market to Park Row. The Brunswick Farmers Market Site Location Workgroup reviewed 24 downtown locations where the Market could be relocated. Two locations met their criteria; Park Row, utilizing existing parking spaces, and the Lower Mall. After a public meeting, the committee concluded that Park Row was their preference, although there was no ideal location. To implement the Park Row option, the Town would need to amend several portions of the Municipal Code of Ordinances, Chapter 16 – Traffic and Vehicles, to add one-way and restricted on-street parking areas for the vendors, and to add a fee increase to the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B. The Council asked questions about sidewalks, curbs and fees at the December 16, 2019 meeting, and those questions are answered in Tom Farrell’s memo of January 16, 2020. Any change in fees should be done this evening in order to have them in effect for the 2020 licensing season. The amendments are detailed in a copy of a memo from Town Manager John Eldridge. The packet also includes a packet of Farmers Market information, a diagram illustrating the proposed traffic flow around the Mall area, and the public hearing notice for the ordinance amendments.

**Suggested Motions:**

Motion to relocate the Farmer’s Market to Park Row (or other).

Motion to amend portions of the Municipal Code of Ordinances, Chapter 16 – Traffic and Vehicles, to add one-way and restricted on-street parking areas on Park Row (if necessary).

Motion to increase the fee for the Farmers’ Market in the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B, from \$3,500.00 to \$13,500.00.

5. **Notes:** This is the public hearing regarding proposed changes to Chapter 10 – Licenses and Business Regulations, Chapter 14 – Streets, Sidewalks and Other Public Places, and the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B. The proposed changes include increasing the fee from \$150.00 to \$200.00 for vendors with more than nine (9) outdoor seats. In addition, Both Chapter 10 and Chapter 14 have proposed changes to set the time outdoor seating is allowed from April 15<sup>th</sup> to November 1<sup>st</sup>. This is a result of difficulty maintaining the sidewalks during icy weather events when outdoor seating is still present, and would apply to all sidewalk vendors. If approved, these fees would be in effect for the 2020 licensing year. A copy of a memo from Town Clerk Fran Smith and the proposed changes to Chapter 10, Chapter 14, and the Appendix B Master Schedule of Revenues, Charges, Fees and Fines are included in the packet.

**Suggested Motion:**

Motion to adopt changes to Chapter 10 – Licenses and Business Regulations, Chapter 14 – Streets, Sidewalks and Other Public Places, and the Master Schedule of Revenues, Charges, Fees and Fines, Appendix B, to increase the fee from \$150.00 to \$200.00 for vendors with nine (9) or more outdoor seats, and to set the time outdoor seating is allowed to the period between April 15<sup>th</sup> and November 1<sup>st</sup>.

6. **Notes:** This is the public hearing regarding proposed increases in mooring fees, which are the result of the clerk’s office implementing a new online registration system that will be paid for by a per mooring charge. The \$10.00 administrative fee suggested will cover the \$6.00 charge and administrative costs related to approval, the reporting requirement, and applications mailed to the office. A copy of a memo from Town Clerk Fran Smith is included in the packet.

**Suggested Motion:**

Motion to adopt the proposed changes to mooring fees.

**NEW BUSINESS**

7. **Notes:** The Brunswick Downtown Association (BDA) is requesting that the Town Council waive the \$500.00 event fee on two (2) events scheduled for this summer. The first is their annual Community Barbeque, Saturday, June 20, 2020, which is a community event and a family-oriented destination featuring food, games, activities and music. The other event is their annual Outdoor Arts Festival on August 15, 2020, which

will include a juried art exhibit featuring artists' booths, live music and performances by local theater groups. Both of these events are sponsored by local businesses, and the amount raised is used to provide marketing for the event and portable toilets. Copies of the letters of request from BDA Executive Director Debora King are included in the packet.

**Suggested Motion:**

Motion to waive the \$500.00 event fees for the BDA events "Community Barbeque" and "Brunswick Outdoor Arts Festival", taking place in June and August of 2020 respectively.

8. **Notes:** The area mapped as being with the Shoreland Protection Overlay (SPO) boundaries encompasses almost the entirety of the parcels in Tax Map 43, Lot 20, Lot 21, Lot 28, Lot 30 and Lot 31. It is not understood why the Forested Wetlands are included in the boundaries when, according to the Town of Brunswick Ordinances, a 125 foot setback is only needed around Freshwater Wetlands. Staff has concurred that the wetlands and associated Shoreland Overlay area are not consistent with the ordinances. This has restricted growth in a Growth Area outside of Brunswick Landing. Sitelines is asking the Town Council to forward this request to the Town of Brunswick Planning Board for consideration. A copy of a letter from Sitelines, along with an evaluation and report done in 2018 by Atlantic Environmental, with maps, are included in the packet.

**Suggested Motion:**

Motion to forward a request to the Planning Board for consideration of amendments to the Shoreland Protection Overlay (SPO) to reflect the field verified conditions.

9. **Notes:** The Brunswick Housing Authority (BHA) is eligible to convert public housing to tenant-based assistance, due to The U.S. Department of Housing & Urban Development (HUD) using its waiver authority under the amendment of the U.S. Housing Act of 1937 to redefine a small PHA as those with 250 units or less of public housing. The opportunities for BHA include regaining local control and increased funding, while risks include that future revenue will be subject to congressional appropriations. The BHA Board has reviewed this option and determined it is in the best interest of the BHA to consider moving forward with an application, while still retaining the right to withdraw its application. The process of conversion includes consultation with local government, which is accomplished with this Council meeting. A copy of a memo from John Hodge, Executive Director of the Brunswick Housing Authority, is included in the packet, and Mr. Hodge will be at the meeting to answer any questions.
10. **Notes:** The Marine Resource Committee is asking for approval to open and close shellfishing grounds for conservation, based on evidence provided to them by staff or the public. The annual approval request will alleviate the Town Council from public hearings concerning the closure, but does not prohibit the Town Council from reviewing and/or reversing decisions made by the Marine Resource Committee. A copy of a letter from Dan Devereaux, Harbormaster, is included in the packet.

**Suggested Motion:**

Motion to allow the Marine Resource Committee the authority to open and close coastal waters within the Town of Brunswick’s jurisdiction for the year 2020.

11. **Notes:** The Town of Brunswick and Teamsters Local Union #340 representing the Brunswick Parks and Recreation maintenance workers have reached a tentative 3-year agreement for the period of July 1, 2019 through June 30, 2022, and are asking the Council to ratify this agreement. A copy of a memo from Assistant Town Manager Ryan Leighton that includes a summary of changes from the previous agreement, and the pay scales for the three (3) years of the contract are included in the packet.

**Suggested Motion:**

Motion to ratify the 3-year contract between the Town of Brunswick and the Teamsters Local Union #340 for the time period of July 1, 2019 through June 30, 2022.

12. **Notes:** The Town Council Chair 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 16, 2019:** A copy of the minutes is included in your packet.
- b) **Approval of the Minutes of January 6, 2020:** 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.*

**Suggested motion:**

Motion to approve the Consent Agenda.

**Suggested Motion:**

Motion to adjourn the meeting.

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# CONSENT AGENDA - B BACK UP MATERIALS

**Draft**  
**BRUNSWICK TOWN COUNCIL**  
**Minutes**  
**January 6, 2020**  
**6:30 P.M.**  
**Council Chambers**  
**Town Hall**  
**85 Union Street**

**Councilors Present:** W. David Watson, Stephen S. Walker, Dan Jenkins, John M. Perreault, Christopher Watkinson, Toby McGrath, James Mason, Kathy Wilson, and Dan Ankeles

**Councilors Absent:** None

**Town Staff Present:** John S. Eldridge, III, Town Manager; Fran Smith, Town Clerk; Ryan Leighton, Assistant Town Manager; Matt Panfil, Director of Planning and Development; Julia Henze, Finance Director; Richard Rizzo, Police Chief; Tom Farrell, Director of Parks and Recreation; Sally Costello, Director of Economic Development; Jay Astle, Public Works Director; Ryan Barnes, Town Engineer; and TV video crew

Fran Smith, Town Clerk, called the meeting to order, provided roll call and acknowledged the meeting was properly noticed.

**1. Elections and Appointments**

**a. Election of Council Chair.**

Ms. Smith requested nominations for 2020 Council Chair.

Councilor Wilson nominated Councilor Perreault.

Ms. Smith asked for other additional nominations; hearing none, she closed nominations and called for a vote.

The council voted unanimously for Councilor Perreault for the 2020 Brunswick Town Council Chair.

**b. Election of Council Vice Chair.**

Chair Perreault requested nominations for 2020 Council Vice Chair.

Councilor Watkinson nominated Councilor Mason.

Chair Perreault asked for additional nominations; seeing none, he closed nominations and called for a vote.

**Town Council Minutes**

**January 6, 2020**

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The council voted unanimously for Councilor Mason for the 2020 Brunswick Town Council Vice Chair.

**c. The Town Council will appoint the Town Attorney.**

Chair Perreault nominated the law firm of Preti Flaherty to be the Town Attorney for 2020.

There were no other nominations.

The council voted unanimously for Preti Flaherty to be the Town Attorney for 2020.

**d.**

**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 (1 member to fill vacancy)**
- **Fire Station Task Force (1 member to fill vacancy)**
- **Recycling and Sustainability Committee**
- **Rivers and Coastal Waters Commission**
- **Solid Waste Task Force (1 member to fill vacancy)**
- **Teen Center Advisory Board**
- **TIF – MRRA Districts Committee**
- **Tree Committee**
- **Trust Fund Advisory Committee**

No committee members were appointed at this meeting.

**2. The Town Council will set the dates for the 2020 Regular Council Meetings, and will take any appropriate action.**

The Council approved the calendar below for 2020.

<b>Date</b>
<b><u>January</u></b>
January 6 <sup>th</sup> (Inauguration)
January 21 <sup>st</sup> (Tuesday – Martin Luther King Day on Monday)
<b><u>February</u></b>
February 3 <sup>rd</sup>
February 18 <sup>th</sup> (Tuesday – President’s Day on Monday)
<b><u>March</u></b>

**Town Council Minutes**

**January 6, 2020**

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March 2 <sup>nd</sup>
March 16 <sup>th</sup>
<b><u>April</u></b>
April 6 <sup>th</sup>
April 21 <sup>st</sup> (Tuesday – Patriot’s Day on Monday)
<b><u>May</u></b>
May 4 <sup>th</sup>
May 18 <sup>th</sup>
<b><u>June</u></b> (Election Tuesday, June 9 <sup>th</sup> )
June 1 <sup>st</sup>
June 15 <sup>th</sup>
June 23 <sup>rd</sup> (Year end – last date in Month)
<b><u>July</u></b>
July 6 <sup>th</sup> (Holiday celebrated Friday 3 <sup>rd</sup> for July 4 <sup>th</sup> )
July 20 <sup>th</sup>
<b><u>August</u></b>
August 3 <sup>rd</sup>
August 17 <sup>th</sup>
<b><u>September</u></b>
September 8 <sup>th</sup> (Tuesday – Labor Day on Monday)
September 21 <sup>st</sup>
<b><u>October</u></b>
October 5 <sup>th</sup>
October 19 <sup>th</sup>
<b><u>November</u></b> (Election Day, Tuesday, November 3 <sup>rd</sup> )
November 2 <sup>nd</sup>
November 16 <sup>th</sup>
<b><u>December</u></b>
December 7 <sup>th</sup>
December 21 <sup>st</sup>

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

The meeting adjourned at 6:50 p.m.

**PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT [WWW.BRUNSWICKME.ORG](http://WWW.BRUNSWICKME.ORG).**

**Town Council Minutes**  
**January 6, 2020**  
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*Frances M. Smith*  
*Town Clerk*  
*January 8, 2020*

January 21, 2020  
*Date of Approval*

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Council Chair