

# **Board of Selectmen's Meeting Minutes November 26, 2013; 5:00 P.M.**

**Board Members Present:** Douglas A. Taft, Chairman; Bernard N. King, Jr., Vice-Chairman;  
Robert J. McHatton, Sr.; Kenneth J. Murphy

**Board Members Absent:** Paul E. Hoyt

**1. Call to Order**

Chairman Taft called the meeting to order at 5:00 P.M.

**2. Pledge of Allegiance**

The Board recited the "Pledge of Allegiance."

**3. Approval of Minutes – November 12, 2013**

**Motion** was made by Vice-Chairman King for approval of the minutes from the November 12, 2013 Board Meeting; 2<sup>nd</sup> from Selectman Murphy. 3 approve/0 oppose/1 abstention (Selectman McHatton abstained because he was absent from the 11/12/2013 Board Meeting.)

**4. Correspondence and Other Pertinent Information**

**a. Request from the Gilroy Trust to Lease Two Additional Parcels in the Downtown With the Same Terms as the Lease for the Nulty Street Property**

On behalf of The Frederick & Wardner Gilroy Charitable Trust, Glen Niemy, requested approval to lease town owned property on Depot Street and a small lot on Gibbs Avenue. These lots would be used to grow organic food for our local food bank. Recognizing that there may be major changes to Depot Street that may not allow for a permanent organic garden, the request was for a lease similar to that for property on Park Street through the growing season of 2015. Chairman Taft voiced a concern involving a garden memorial that was previously designated in that area. Glen Zaidman suggested that the Board review the Shoreland Zoning Ordinance to ensure that the proposed use complies with the ordinance. Selectman Murphy suggested that Mr. Cossey be contacted to discuss any potential impacts to the Four on the Fourth Road Race. The Board directed the Town Manager to gather additional information. **Motion** was made by Vice-Chairman King to table this item until January of 2014; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

**b. Update of the CDBG Funded Projects for Your Review in Advance of the December 10, 2013 Discussion of the Projects Review Process and the Federal FY 2014 CDBG Funding**

Director of Planning, Economic & Community Development Anne Krieg provided the Board with a report regarding CDBG funded projects for their review.

**c. Other/Bridgton Academy FAME Bond Application**

Trustees of Bridgton Academy propose to use FAME (Finance Authority of Maine) funds for the following purposes: 1) to renovate four dormitories and the Hamlin Study Center and other routine capital improvements to the Academy's facilities and 2) refinance up to \$2,091,206 of the Academy's prior taxable and tax exempt loans and 3) pay costs of issuance. The Academy's prior loans refinanced the purchase and renovation of faculty housing and construction of an academic building / study center to house classrooms, college counseling, the library, and a lecture hall. Town Manager Berkowitz advised the Board that with respect to public facilities administered by the Town, the Town has adequate public facilities to accommodate the prior projects and, as such prior projects are currently in place, the Town does not anticipate any increased demand on its public facilities that might result from their continued use following issuance of the bonds and the refinancing of the prior Academy loans. He further advised that with respect to future remodeling projects, if any, and public facilities administered by the Town, such projects will not involve expansion of any building footprint. The Town's public facilities have adequate capacity to meet the demand resulting from the

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**4. Correspondence and Other Pertinent Information**

**c. Other/Bridgton Academy FAME Bond Application (continued)**

remodeling projects, any issues regarding such increased demand will be addressed as part of the Town’s review and approval process, if any and as applicable. Bridgton Academy requested a signed document from the Town indicating there would be no tax burden increase to the taxpayers. **Motion** was made by Selectman McHatton to authorize the Town Manager to execute the document to FAME regarding the Bridgton Academy FAME Bond Application; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

Chairman Taft requested advance notice of any document that requires Board approval.

**5. New Business**

**a. Permits/Documents Requiring Board Approval**

**1. Sewer Commitment #131**

**Motion** was made by Vice-Chairman King for approval of 5.a.1.; 2<sup>nd</sup> from Selectman McHatton.

4 approve/0 oppose

**2. Abatements**

**ABATEMENTS**

Tax Year	Abate No.	Type	Account No.	Map/Lot	Owner	Abated Value	Abated Tax	Reason
2013	13-04	RE	5453	7/1A/16	Aleksandar Millosavljevic-Cook	\$39,896.00	\$506.68	The valuation was adjusted to reflect the current real estate market.
<b>GRAND TOTALS</b>						39,896.00	\$506.68	

**Motion** was made by Vice-Chairman King for approval of 5.a.2.; 2<sup>nd</sup> from Selectman Murphy.

4 approve/0 oppose

**b. Bids, Awards and Other Administrative Recommendations**

**1. Review of a Student Member to the Select Board**

Town Manager Berkowitz provided a draft “Student Representative Policy” for Board review. **Motion** was made by Selectman Murphy to table this item until December 10, 2013; 2<sup>nd</sup> from Vice-Chairman King.

4 approve/0 oppose

**2. Request for Reversal of the Road Name to “The Birches”**

Kevin Duffy, Secretary of The Birches Homeowners Association, submitted correspondence noting that recently the name of their road was changed from “The Birches” to “The Birches Lane.” Discussion amongst the residents indicated that many were opposed to the new name (10 residents voted to change the name back to “The Birches” and 1 voted to keep the new name of the “The Birches Lane”). **Motion** was made by Vice-Chairman King to reconsider the vote previously taken for approval to change the road name from “The Birches” to “The Birches Lane”; 2<sup>nd</sup> from Selectman Murphy. 3 approve/0 oppose/1 abstention (Chairman Taft abstained because he did not vote in favor of the original motion) **Motion** was made by Selectman McHatton to change the name back to “The Birches” as requested; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

**3. Street Addressing Policy**

Town Manager Berkowitz provided a “Street and Road Naming Policy” for Board consideration. **Motion** was made by Vice-Chairman King for approval of the policy; 2<sup>nd</sup> from Selectman Murphy.

4 approve/0 oppose

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**5. New Business**

**b. Bids, Awards and Other Administrative Recommendations (continued)**

**4. Approve the Quit Claim Deed for the #342 Main Street Property for Payment of Prior Wastewater Payments Due**

**Motion** was made by Selectman McHatton for approval of the Quit Claim Deed for the 342 Main Street Property to release any interest the Town may have as a result of unpaid sewer liens; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

**5. Recommendation to Amend Casco Bay Engineering Agreement to Include Engineering Span Requirements for Downstairs Meeting Room**

Town Manager Berkowitz reported that a Committee is reviewing options for renovation of the downstairs meeting room. Casco Bay Engineering provided a contract for engineering services to provide a structural analysis of existing floor framing in order to determine the feasibility of removing the existing basement columns in the existing town meeting room. **Motion** was made by Selectman McHatton to amend the Agreement with Casco Bay Engineering to include engineering span requirements for the downstairs meeting room; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

**c. Legal Matters**

Town Manager Berkowitz reported that legal matters will be discussed in executive session.

**d. Selectmen's Concerns**

- **Selectman McHatton** was informed by the Comprehensive Plan Committee that the Towns' website notes 100 places to visit in Bridgton but there are only 44 currently listed; he requested that the Community Development Committee add to that list to come up with 100.
- **Selectman McHatton** requested a meeting with Director of Planning, Economic and Community Development Anne Krieg for discussion of the Comprehensive Plan and potential zoning.
- **Vice-Chairman King** had no concerns.
- **Selectman Murphy** had no concerns and wished everyone a Happy Thanksgiving.
- **Chairman Taft** had no concerns and also wished everyone a Happy Thanksgiving.

**e. Other Matters**

Town Manager Berkowitz reported that Selectman Murphy also serves as the Chamber President. He commended Mr. Murphy for a job well done with the Chamber dinner. He added that he thoroughly enjoyed the guest speaker, Angus King.

Fire Chief Glen Garland requested approval to move forward with an agreement for short term storage of the Lake Region Vocational Center's fire apparatus at the bay at South Bridgton Station. **Motion** was made by Selectman McHatton to authorize the Fire Chief and Town Manager to draft a memorandum of understanding (to include liability issues) for Board review; 2<sup>nd</sup> from Selectman Murphy. 4 approve/0 oppose

**6. Treasurer's Warrant**

**Motion** was made by Selectman Murphy for approval of Treasurer's Warrants numbered 46, 47, 48, 49 and 50; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

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**7. Committee Reports**

**a. Comprehensive Plan Committee**

There was no report submitted.

**b. Community Development Committee**

There was no report submitted.

**c. Wastewater Committee**

Glen Zaidman asked when the feasibility study will be back. Town Manager Berkowitz will research this issue and report his findings to the Committee and the Board.

**d. Recycling Committee**

Town Manager Berkowitz reported that the Recycling Committee intends to provide information to the Board on December 10<sup>th</sup> regarding alternatives to EcoMaine for decision making in January.

**e. Investment Committee**

Town Manager Berkowitz reported that all three trust funds are invested and the Committee is meeting with representatives from Norway Savings Bank on December 20<sup>th</sup>.

**8. SAD #61**

There was no information or report submitted.

**9. Hearings – 6:00 P.M.**

Public Hearing (none) / Informational Hearing (none)

Chairman Taft acknowledged that there are no public or informational hearings scheduled.

**10. Public Comments and Presentations**

**a. Non-Agenda Items**

Emergency Management Director Todd Perreault reported that on November 6<sup>th</sup> over forty participated in the Vigilant Guard '14 Exercise. The exercise helped to identify strengths and weaknesses. Mr. Perreault is in the process of preparing a plan for Board review.

**b. Agenda Items**

There was no public comment.

**11. Old Business (Select Board Discussion)**

**a. RFP – Memorial School and Third Party Draft**

Director of Planning, Economic and Community Development Director Anne M. Krieg submitted and reviewed the first draft of a Request for Proposals for a third party/developer for the Memorial School property. This work is in response to a request from the Select Board at their meeting on November 12, 2013. The intent is to release the RFP on December 11, 2013. The RFP seeks to find a third party/developer to pursue and receive funds from the EPA for the cleanup of the Memorial School, working with the Town. **Motion** was made by Vice-Chairman King to change the percentages (under the "Criteria" section) as follows: use ~~50% weight~~ 30% weight; ability to perform the Brownfield clean up or a plan to work with town officials to perform the same ~~30% weight~~ 50% weight; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

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**11. Old Business (Select Board Discussion) (continued)  
b. Salmon Point Policy Issues Tabled from August 27, 2013**

- 1. Accessory Structures and Limitations**
- 2. Open Space Minimum Requirements Per Site**

The Board agreed to allow campers to have a deck off their trailer to match the length of the trailer and no greater than twelve feet in depth; allow a platform for a cookout; and allow an 8x8 or 8x10 trash or storage unit. The campers that have already executed their lease for 2014 will be grandfathered from this amendment for the 2014 season only; new leases must conform to the new standards. Town Manager Berkowitz will provide a draft for Board approval on December 10<sup>th</sup>.

**3. Estimated Cost for Dredging the Lagoon**

Town Manager Berkowitz reported that the cost for dredging the lagoon is estimated at \$1,000 per day and will take several days to complete. Town Manager Berkowitz hired Mr. Kheil to provide additional information and will report his findings back to the Board.

**c. Review the Next Steps for the Local Housing Preference Ordinance**

Mark Lopez had raised some questions regarding the Local Housing Preference Ordinance. **Motion** was made by Vice-Chairman King to expend additional funds to follow through with the process and authorized the Town Manager to submit the questions to the Town Attorney for review and reply; 2<sup>nd</sup> from Selectman Murphy. 3 approve/1 oppose (Selectman McHatton opposed)

**d. Summary of Additional Sales of Tax Acquired Property**

After the meeting of November 12<sup>th</sup>, Town Manager Berkowitz followed up with Justin McIver as requested. To follow is the summary of that follow up:

<b>Property Address</b>	<b>Town’s Offer</b>	<b>Justin’s Offer</b>	<b>Settle</b>
250 South Bridgton Road	\$10,900	\$7,000	\$7,000
Wildwood Road	\$2,500	\$1,625	\$1,625

**Motion** was made by Selectman McHatton to accept the two offers; 2<sup>nd</sup> from Selectman Murphy. 4 approve/0 oppose

<b>Property Address</b>	<b>Town’s Offer</b>	<b>Justin’s Offer</b>	<b>Settle</b>
Main Street (if sewer available)	\$5,299	\$4,100	\$4,100
Hio Ridge Parcel	\$15,000	\$10,500*	
Sunnybrook	\$6,000	\$4,300*	

\*At the last meeting Justin as going to review whether he would take a chance on the Hio Ridge parcel since a defined access could yet be determined. If he does want to pursue this parcel his offer is \$10,500 and is coupled with the purchase of the Sunnybrook parcel. If he decides not to take the Hio Ridge parcel then he would still want the Sunnybrook parcel but would only offer \$3,000.

**Motion** was made by Selectman McHatton to accept the offer conditional upon compliance with the Sewage Ordinance; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

Town Manager Berkowitz will keep the Board informed on the status.

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### **11. Old Business (Select Board Discussion) (continued)**

#### **e. Other**

#### **Radio Expenses**

Town Manager Berkowitz reported that several important tasks related to the Town's radio communications system have been completed. The goal was to create an improved radio system using the Shawnee Peak tower as our primary antennae and link to the Harrison Tower for the purposes of communicating with the Cumberland County Regional Communications Center. That segment has been operating for over a year. Staff then proceeded to comply with the narrow banding requirements placed upon us by the Federal Communications Commission. We found that all of our frequencies had to be relicensed. We have now completed all of that work and the appropriate master files are going to be set up to retain this information since we will need to relicense in 10 years. The last segment was the installation of the smaller antennas atop our Town Office building. This is part of the backup system and utilized the Ham radio during emergency operations. This segment was completed for the Vigilant Guard '14 exercise. The cost of completing these elements will be about \$9,000. The original capital account does not have sufficient funding for this but we do have a payment option. We are proposing that the bills be paid by the general ledger FEMA account which has approximately \$148,000. Once paid, we will seek reimbursement of all eligible expenses which could be upwards of 50% of the original amount. Any funds we receive will then be placed back in this FEMA account. **Motion** was made by Vice-Chairman King for approval of the radio expenses; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

#### **Tax Collection**

Town Manager Berkowitz reported that 47.7% of real estate taxes have been collected to date. He added that personal property tax collections are at 60.2%.

#### **Local Road Assistance Funds**

The Town received the full amount of the estimated road assistance funding from the State.

#### **Waste Water Monthly Report**

The October report regarding our flows at both fields was sent by George Sawyer, our Waste Water Contracted Operator.

#### **Holiday Schedule**

The Town Office will be closed on Thursday and Friday to in recognition of the Thanksgiving Holiday.

#### **Festival of Lights**

The Festival of Lights parade and events are scheduled for Saturday December 7<sup>th</sup>, at 5:30 P.M. Stores will be open for you to browse and continue with your holiday shopping.

### **12. Agendas for the Next Board of Selectmen's Meetings/Workshops**

December 10, 2013

December 17, 2013

January 14, 2014

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- 13. Executive Session – MRSA Title 1, Chapter 13, Subsection 405.6.A. “Discussion of Matters Related to Personnel,” Specifically to Interview Candidates for the Budget Advisory Committee and the Recycling Committee; the Semi-Annual Review of the Town Manager; Per Subsection 405.6C – Relative to Real Estate that if Revealed Prematurely Could Prejudice the Bargaining Position of the Town and Contract Negotiation**

**Motion** was made by Vice-Chairman King to enter executive session at 7:40 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.A. for discussion of matters related to personnel, specifically to interview candidates for the Budget Advisory Committee and the Recycling Committee; the semi-annual review of the Town Manager and per Subsection 405.6C – relative to real estate that if revealed prematurely could prejudice the bargaining position of the Town and Contract Negotiation; 2<sup>nd</sup> from Selectman Murphy. 4 approve/0 oppose

**Motion** was made by Vice-Chairman King to exit executive session at 8:59 P.M.; 2<sup>nd</sup> from Selectman Murphy. 4 approve/0 oppose

**Motion** was made by Vice-Chairman King to appoint Greg Jones to the Budget Advisory Committee; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

**Motion** was made by Vice-Chairman King to appoint Maureen McDevitt to the Recycling Committee; 2<sup>nd</sup> from Selectman Murphy. 4 approve/0 oppose

- 14. Adjourn**  
Chairman Taft adjourned the meeting at 9:02 P.M.

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk