

Board of Selectmen's Meeting Minutes

Board of Selectmen's Meeting Room

November 27, 2007; 5:00 P.M.

Board Members Present: Arthur D. Triglione, Sr., Chairman; Robert F. Woodward, Vice-Chairman; Robert J. McHatton, Sr.; Robert C. Bell; Joan M. Gardner

Town Manager, Mitchell A. Berkowitz was also present.

1. The **Public Hearing** to receive public comment regarding the possible relocation of the Town Gazebo was opened at 5:00 P.M. by Chairman Triglione. Chairman Triglione reported that the Gazebo is currently located at Stevens Brook Elementary. There are three options for the future of the Gazebo, leave it at SBES, relocate to the Community Center or relocate to Shorey Park near Highland Lake.

- Bob Mawhinney encouraged the Board to relocate the Gazebo to Shorey Park. He noted that many of the band members are also in favor of that location. He provided a visual presentation using a map of the area noting that this location would create an amphitheater effect. He added that the location is beautiful and the Gazebo would only enhance the area. Mr. Mawhinney suggested closing off the roadway to allow the entire area to be open for pedestrians and listeners.
- Pauline Polstein said that locating the Gazebo at Shorey Park would be esthetically pleasing, more so than placing it near the parking lot at the Community Center. She added that the Shorey Park location would expand business opportunities situated at that end of town.
- Joanne Diller agreed with Ms. Polstein. She added that Shorey Park provides for more room and a quieter setting away from the new parking lot, Reny's and the Magic Lantern.
- Karen Aller said that the Gazebo would be the crowning jewel on that end of Town if placed at Shorey Park.
- Chairman Triglione reported that several residents have submitted correspondence in favor of placing the Gazebo at Shorey Park. Many other residents have submitted their input in favor of Shorey Park by placing telephone calls to various Board Members.
- Selectman McHatton said that his first choice would be Shorey Park, second choice would be the Community Center and third choice would be Stevens Brook Elementary. He added that all three sites are more than suitable.
- Selectman Gardner agreed that Shorey Park is the ideal location; the acoustics and ambiance would be excellent. She was concerned with the idea of potentially closing the roadway.
- Vice-Chairman Woodward also agreed that Shorey Park would be a beautiful location. Many seniors attend the concerts and he was concerned that there may not be adequate seating in the proposed area.
- Selectman Bell thanked the public for all of their valuable input. He agreed that Shorey Park would be an ideal location for the Gazebo.
- Chairman Triglione said that placing the Gazebo in Shorey Park would add charm to the area. He added that if the Gazebo were at the Community Center, it may take green space away from the Farmers Market and may also interfere with business at the Magic Lantern.
- Scott Finlayson proposed relocating the Gazebo to the end of Depot Street across from the Skateboard Park. He added that this location provides enough room for seating and would be away from local businesses and the loud trucks and motorcycles crossing the main roadways.

Lengthy discussion ensued. Chairman Triglione thanked the public for their input. Chairman Triglione closed the public hearing at 5:35 P.M.

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The **Public Hearing** to receive public comments regarding the possibility of transferring 7.8 acres under the Pines Tree Zone from Route 302 to Everlast Roofing Company on South High Street was opened at 5:35 P.M. by Chairman Triglione. Economic Development Director Micah Niemy proposed an amendment to its Pine Tree Development Zones which will result in the removing of 7.81 acres from a 14 acre parcel currently designated as a PTZ. These acres would be reallocated to Everlast Roofing Company, thereby including this parcel into the Town's Pine Tree Development Program. Everlast Roofing Company is a national company that manufactures and distributes metal roofing and siding for use in commercial, residential, and industrial construction. Located at 24 JR Mains Drive, Everlast Roofing has recently constructed an 11,000 sq. ft. addition to its facility, at a cost of approximately \$175,000.00. Everlast Roofing currently has six employees and intends to increase the workforce to approximately eighteen. According to Lee Eastman, the Director of North East Operations, the benefits afforded by the Pine Tree Zone Designation will be very important in helping the company to increase its workforce and to make full use of the recent expansion. In an effort to assist Everlast Roofing, Mr. Niemy recommended reallocation of a portion of the Town's existing Pine Tree land as follows:

Add: Allocate 7.81 acres to Map 26, Lot 8A (Everlast Roofing Property)

Remove: Remove 7.81 acres from the Town owned parcel on Map 24, Lot 93. The area being removed is currently not developable due to the Town's Shoreland Zoning Ordinance. Following this removal, the parcel will continue to have 6.19 acres of PTZ land.

Pine Tree Zone Limitations: The Town of Bridgton has PTZ sites totaling 96.25 acres. There will be no change in the total acreage as a result of the proposed amendment. Discussion ensued. Chairman Triglione closed the public hearing at 5:50 P.M.

Pine Tree Zone Correction of Lot Numbers

Mr. Niemy also reported that when Map 9, Lot 60 was divided into two lots (lot 60 and lot 60A), the Pine Tree Zone was not amended to include this change of lot numbers. Mr. Niemy requested that the Pine Tree Zone be amended to include Map 9, Lot 60A which was approved as part of the original PTZ.

2. Call to Order

Chairman Triglione called the meeting to order at 5:50 P.M.

3. Public Comments; Non-Agenda Items

David Ehrman asked the Board to consider establishing public restrooms near the entrance to Pondicherry Park. Restrooms are needed to maintain Bridgton as a "tourist friendly town." Jim Cossey agreed with Mr. Ehrman and encouraged the Board to establish new restrooms. Mr. Cossey also urged the Board to clean up the existing rest area at Highland Park. The Board agreed and directed the Town Manager to gather additional information on the financial feasibility of new restrooms and also to review the Highland Lake rest area for clean up and modifications.

Mrs. Deanna Woodward, 5th grade teacher at Stevens Brook Elementary, introduced Donny Eaton. In civics class, the group was asked to prepare a paper on "how to be an effective citizen." Mrs. Woodward said that Donny Eaton exceeded the 5th grade standards and asked him to read his report in part. Donny said that the 5 ways to be an effective citizen are 1) volunteer in the armed forces to make our country safe; 2) pay taxes; 3) obey laws; 4) community service; and 5) vote. He added that his favorite is #2) pay taxes because we all take public services for granted and taxes are used to pay for our teachers, public roads and many other services. Donny received a round of applause. The Board congratulated Donny for a job well done and thanked him for sharing his work.

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4. Presentations and Discussions

a. Bridgton Easy Riders Annual Approval to Cross Public Lands

Blaine Chapman, President of Bridgton Easy Riders Snowmobile Club, was present. Mr. Chapman requested permission to maintain the trail system on the following town owned properties: Map 5 Lot 64 (Sandy Creek); Map 29, Lot 11 (border of Kansas Road Cemetery); Map 25, Lot 58 (corner of Moore Street and Plummers Landing Road); Map 6 Lot 16 (Willis Park); Map 6, Lot 18 (Willis Park); Map 9, Lot 55 (border of Town Garage); Grist Mill Road (which is not plowed in the winter). This permission allows the Club to keep 67 miles of trails intact without rerouting. All trails are maintained to state recommendations. **Motion** was made by Vice-Chairman Woodward for approval of the request; 2nd from Selectman Bell. 5 approve/0 oppose. The snowmobile club was directed to contact Jim Kidder, Public Works Director, with any questions.

b. Economic Development Committee Proposal

Peter Lowell reported that the Economic Development Committee has been working with members of the Planning Board to develop a master plan for the Depot Street area. Mike Tarantino added that this plan will include review of parking issues and other concerns. Lee Eastman told the Board that the Comprehensive Plan and also the Kent Plan cite Depot Street as the second busiest street in the downtown area. The Committee asked for Board feedback and approval to move forward in the planning stages. The Board requested additional information to include possible concerns and also a description of the area to be included in the plan.

Pondicherry Park

Peter Lowell reported that the final plans for Pondicherry Park should be completed by the end of the year. He provided a report of progress to date which included that \$363,000 has been raised with \$210,000 left to be raised for the project. The Board thanked Mr. Lowell.

Recent Passing of Bob Dunning

Chairman Triglione expressed sincere condolences to the family of Bob Dunning. He always appreciated Bob's informative and educational input; he will be missed tremendously.

5. Approval of Minutes; November 13, 2007

Vice-Chairman Woodward noted several amendments to the minutes as presented. **Motion** was made by Selectman Bell for approval of the amended minutes from the November 13, 2007 meeting; 2nd from Selectman McHatton. 5 approve/0 oppose

6. Correspondence and Other Pertinent Information

a. Health and Dental Insurance Rates; Town Manager

Town Manager Berkowitz reported that the Maine Municipal Employees Health Trust has informed participating members of the January 1, 2008 premium increases. For the Town of Bridgton the health and dental rates will increase by 4%. There are no changes to the life insurance, income protection or long term disability plans. When we calculated the costs for the FY 08 budget we used a 7.9% projected increase. The result of this lower increase is a savings in the budget as follows:

Health & Dental: Projected \$392,667; Revised \$386,763; Savings \$6,104

Disorderly House

The Board received information from the Police Department regarding a violation of the Disorderly House Ordinance. The Board scheduled a public hearing (as required by the Ordinance) for December 11, 2007 at 4:00 P.M. to determine whether the evidence supports a finding that the individual(s) named by the Police Department have maintained a Disorderly House.

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7. Town Manager's Report

Town Manager Berkowitz reported the following:

Time Warner Cable January Rates:

Each year about this time, Time Warner Cable issues its rate adjustments for the year beginning January 1. While they have a list of rate changes based upon the kind of services you subscribe to the current basis rate of \$16.91 will increase to \$17.85 or about 5.6%. for more information you can contact the Company at 1-800-833-2252 or go on line to www.timewarnercable.com/newengland

Downtown Project:

As reported by Micah, we have met our target of having the first course of pavement on the two lots just in time for the holidays. The granite curbing is being installed on the perimeters of the lots leaving the islands for next season. We expect the lighting work at Depot Street to be completed within the next month. Micah will create a punch list of spring work with the Engineer and the Contractor. We will inform the Board of the spring start date when we are notified.

Public Works:

With the first snow fall last Tuesday, our sand and salt trucks were dispatched to section of the community where the roads became slippery. This was in addition to the work the crews completed in time for the annual parade and tree lighting ceremonies.

We want to remind our public that there is an overnight parking ban in effect until 6 AM each day. New this year will be a special parking ban pending the severity of storms and it prohibits day time parking on the public streets until it is lifted. We will post this information on the Town's website and notify TV stations Channel 6, 8 and 13 news rooms.

State Revenue Report:

According to the State it expects to revise downward the revenues it expected to collect this year. This may result in reduced revenues to Town's and Cities. When our FY 2008 budget was developed we reduced our state revenue sharing expectations. It is too early to tell what the exact impact will be and will keep the Board informed.

Energy Conservation:

We are exploring several ways in which the Town might be able to conserve on energy costs. One current approach is through the conversion of our overhead florescent lights to electronic ballasts and in some spaces converting to motion sensor light switches. We will also be looking at other methods that may be cost effective, all as part of the FY 2009 budget.

CD Account Opened at Norway Savings:

As recommended by the Investment Committee and concurred by the Select Board we are opening a CD account at the Norway Savings Bank to maximize our annually authorized draw downs from the Moose Pond Land Trust Funds. In the past these have been parked in a standard checking account without any real interest appreciation. The current negotiated yield will be 4% and in three months we will revisit this with the Bank.

Tax Collections:

Thus far with two of the four tax payments being collected our records are showing that our tax payers are paying their taxes. We have a collection rate of almost 52% half way through this year. We must also remember that some of our tax payers have prepaid their taxes and that the third collection due on February 15, 2008 will be a better indicator of how the overall projected collection rate will be for this year.

Recycling Report:

Bob Fitzcharles has completed the recycling report for the period of July through October in 2006 and 2007. The numbers continue to support the community's efforts to increase recycling.

	<u>2007-2008</u>	<u>2006-2007</u>	<u>Change</u>
All recyclables	#258.10 tons	#242.01 tons	Inc. #16.09 tons
Revenues	\$23,663	\$17,180	Inc. \$6,483
Additional Savings	#16.09 Tons X \$88 (tip fee)	Dec. \$1,416	
Haul Savings	#16.09/12=1.34X\$183	Dec. \$245	

If these numbers continue for the balance of the year our increase in recycling could be about 50 tons over the previous year or about 8% with an increase in revenues to \$71,000 or about 40% over the \$51,000 estimated!

Respectfully Submitted,
Mitchell A. Berkowitz, Town Manager

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8. Old Business

a. Review Policy Guidelines for the Approval of the Bottle and Can Drives

Town Manager Berkowitz prepared and reviewed some guidelines for the bottle and can collection at the Transfer Station. The Board slightly amended the guidelines as presented. **Motion** was made by Selectman McHatton for approval of the following policy guidelines:

- ❖ Any non-profit club, group or organization may apply for a scheduled month
- ❖ Any entity scheduled may only have one month in each fiscal year. However, at the sole discretion of the Transfer Station Manager, any entity may be scheduled for a second month if a month remains unscheduled.
- ❖ Approval of any entity rests with the Transfer Station Manager.
- ❖ The non-profit entity must have a majority of its members as Bridgton residents and be able to demonstrate a benefit to the community of Bridgton as a result of granting the request.
- ❖ None of the proceeds from the collection may be used for compensation of any part time or full time entity personnel.
- ❖ The responsibility to empty the collection bin rests solely with the approved entity. If after the monthly collection, the bin remains unemptied, the Town may at its discretion remove the redeemable containers as part of its revenue efforts.
- ❖ Decisions by the Transfer Station Manager shall also consider the value of the programs and services that may result from granting approval for a monthly collection, prior performance of the entity at the Transfer Station and the public benefit that may occur.

2nd from Vice-Chairman Woodward. 5 approve/0 oppose

b. Review the Audit Forms Proposal for a Three Year Contract

The Board reviewed the proposal for a three year contract for auditing services by Runyon, Kersteen and Ouellette. The fees for audit would be as follows: June 30, 2008 \$12,500; June 30, 2009 \$13,000; June 30, 2010 \$ 13,500. **Motion** was made by Selectman Bell to enter into a three year contract for audit services with Runyon, Kersteen and Ouellette, audit services at the end of the contract will go through the bid process; 2nd from Vice-Chairman Woodward. 5 approve/0 oppose

9. SAD #61

Vice-Chairman Woodward stated that he was surprised to learn that Superintendent Frank Gorham is resigning/retiring. He added the Mr. Gorham has done an excellent job and is sad to see him leave.

10. New Business

a. Permits/Documents Requiring Board Approval

1. Award Fire Truck Bid

The receipt of bids was closed at 2:30 P.M. on November 2, 2007. To follow are the bids received and their amounts:

- New England Fire Apparatus and Equipment representing Smeal \$856,421
- Bulldog Fire Apparatus representing KME \$881,843 (stock/spec unit)
- Bulldog Fire Apparatus representing KME \$928,854 (built to our specs)
- Yankee Fire and Rescue representing Rosenbauer/Metz \$905,302
- Ferrara Fire Apparatus \$867,720 *bid withdrawn on 11/14/2007*

After careful review of the bids submitted to ensure compliance with the Bridgton Fire Department's specification package, the Department recommended that the Board accept the bid package submitted by New England Fire Apparatus for a Smeal Truck. This review process included not only the bid package for the truck but also contacting previous customers and reviewing the service capabilities and histories of each of the prospective vendors. **Motion** was made by Selectman McHatton to award the fire truck bid to New England Fire Apparatus for a Smeal Truck not to exceed \$872,634 as recommended by Fire Chief Glen Garland; 2nd from Selectman Gardner. 5 approve/0 oppose

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10. New Business (continued)

2. Application for Catered Function by Qualified Catering Organization

Lake Region Caterers; Bridgton Hospital Christmas Party

December 14, 2007 @ Bridgton Town Hall

Motion was made by Vice-Chairman Woodward for approval of the application for a Catered Function by Qualified Catering Organization; 2nd from Selectman McHatton. 5 approve/0 oppose

b. Legal Matters

Town Manager Berkowitz reported that mediation between Shawnee Peak & Lakeside Condominiums has been successful.

Pine Tree Zone

Motion was made by Vice-Chairman Woodward to allocate 7.81 acres to Map 26, Lot 8A (Everlast Roofing Property) and remove 7.81 acres from the Town owned parcel on Map 24, Lot 93 (following this removal, Map 24, Lot 93 will continue to have 6.19 acres of PTZ land); 2nd from Selectman McHatton. 5 approve/0 oppose

Motion was made by Vice-Chairman Woodward to authorize the Town Manager to amend the Pine Tree Zone to include Map9, Lot 60A which was divided from Map 9, Lot 60 and approved as part of the original PTZ; 2nd from Selectman McHatton. 5 approve/0 oppose

Gazebo

Motion was made by Selectman McHatton to authorize the Town Manager to begin the review process to see if relocating the Gazebo to Shorey Park is possible and also to authorize the Town Manager to appropriate any expenses incurred with the review process from the *gazebo reserve account*; 2nd from Selectman Gardner. 5 approve/0 oppose

Fire Pond

Motion was made by Vice-Chairman Woodward to direct the Town Manager to explore the possibility of creating a fire pond at the outlet of Highland Lake; 2nd from Selectman Bell. 5 approve/0 oppose
This research will begin after the Gazebo location review process.

c. Selectmen's Concerns

On behalf of the Choices Committee, Vice-Chairman Woodward recommended appointing Mary Cleveland to the Choices Committee. **Motion** was made by Selectman McHatton to appoint Mary Cleveland to the Choices Committee; 2nd from Selectman Gardner. 5 approve/0 oppose

Vice-Chairman Woodward suggested that mortar be added to the bricks between Reny's and Kargas. Public Works Direct Jim Kidder will review the area.

Vice-Chairman Woodward commended the Public Works Department for a great job with the downtown decorations. The Board agreed.

Selectman McHatton said that the Community Center would also be a great location for the Gazebo. The Town, Magic Lantern and Reny's have made huge investments and he would have no hesitation in relocating the Gazebo to Depot Street.

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10. New Business

c. Selectmen's Concerns (continued)

Selectman Gardner had no concerns.

Selectman Bell said the downtown decorations look great. He added that the improvements to Depot Street enhance the Town.

Chairman Triglione said that the entire Town has been involved with the Depot Street improvements.

d. Other Matters

Town Manager Berkowitz provided an update on the Depot Street Bridge. He reported that the State intends to remove the bridge around the end of this year. The Town's engineer has created a workable design for the restructuring.

11. Agendas for the Next Board of Selectmen's Meeting/Workshops

The Board reviewed the agenda for the December 11, 2007 Selectman's Meeting. *The Board will only be meeting one time in December due to the Christmas Holiday.*

12. Treasurer's Warrants

Motion was made by Selectman Bell for approval of Treasurer's Warrants numbered 57, 58, 59, 60 and 61; 2nd from Selectman Gardner. 5 approve/0 oppose

13. Executive Session

MRSA Title 1, Chapter 13, Subsection 405.6.A. "Discussion of matters related to the current status of the collective bargaining in the Police Department."

Motion was made by Vice-Chairman Woodward to enter into executive session at 7:30 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.A; 2nd from Selectman McHatton. 5 approve/0 oppose

Motion was made by Vice-Chairman Woodward to come out of executive session at 7:55 P.M.; 2nd from Selectman Bell. 5 approve/0 oppose

14. Possible Action Regarding the Collective Bargaining Agreement

Motion was made by Vice-Chairman Woodward to authorize the Town Manager to execute the Police Department Contract conditional upon the Union Agreement; 2nd from Selectman Bell. 5 approve/0 oppose

15. Adjourn

Chairman Triglione adjourned the meeting at 8:15 P.M.

Respectfully Submitted,

Laurie L. Chadbourne
Town Clerk

Next Board of Selectmen's Meeting: December 11, 2007