

# **Board of Selectmen's Meeting Minutes**

## **November 12, 2013; 5:00 P.M.**

**Board Members Present:** Douglas A. Taft, Chairman; Bernard N. King, Jr., Vice-Chairman;  
Paul E. Hoyt; Kenneth J. Murphy

**Board Members Absent:** Robert J. McHatton, Sr.

**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 – October 22, 2013**

**Motion** was made by Vice-Chairman King for approval of the minutes from the October 22, 2013 Board Meeting; 2<sup>nd</sup> from Selectman Hoyt. 3 approve/0 oppose/1 abstention (Chairman Taft abstained as he was absent from the 10/22/2013 Board Meeting.)

**4. Correspondence and Other Pertinent Information**

**a. Review Draft Report of Old Town Hall; Eric Dube Presentation**

Eric Dube, Vice-President and Co-Founder of Casco Bay Engineering and Sara Peters, Design Engineer, were present. Mr. Dube reviewed the Bridgton Town Hall Building Evaluation Report. The report details the findings from the building evaluation for the Bridgton Old Town Hall in Bridgton, Maine. The expert team involved in the study is comprised of Casco Bay Engineering and Bennett Engineering. In general, the study includes an evaluation of the existing conditions and identifies the rehabilitation needs of the building. The building evaluation covers several common issues often experienced by historic structures. Each of the subsequent concerns is detailed in the report: structural integrity of the existing building, moisture intrusion issues, energy efficiency, accessibility, code compliance, and mechanical and electrical systems. In addition to identifying the deficiencies in the systems, preliminary options for remediation were presented. The original Bridgton Town Hall, located at 26 North High Street in Bridgton, is a vintage building with turn-of-the-century construction consisting of granite perimeter foundations, wood floor framing, and a timber truss roof framing system. The building is used for a multitude of activities including but not limited to; group exercise classes, table tennis, basketball, baseball and other sports related activities. The facility includes a gymnasium, a storage room, a large entry, two bathrooms and open storage at the rear of the building. The gymnasium is equipped for both basketball and volleyball. Not only is the Center used for all the above, but it is also the primary voting place for elections. The building evaluation involved several site visits. The initial visit was a review of the project objectives with the Client and assigning tasks to the project team. Subsequent site visits were used to document the existing building conditions and involved an investigation of the entire structure and surrounding property. This documentation was used to make assessments of the indoor and outdoor conditions of the building. Findings from the comprehensive building evaluation were discussed along with recommendations for improving the overall building systems. A full copy of the report is available for public viewing at the Town Office.

Mr. Dube will provide an electronic report by December 4<sup>th</sup> for Board review and discussion at their meeting on December 10<sup>th</sup>. Chairman Taft thanked Mr. Dube for providing an excellent presentation.

At 6:00 P.M. Chairman Taft brought agenda item 9 forward.

**9. Hearings – 6:00 P.M.**

Public Hearing (none)/ Informational Hearing (none)

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## Executive Session

**Motion** was made by Selectman Hoyt to enter into executive session at 6:05 P.M. with Assessor Mike O'Donnell and Assessor Denis Berube per MRSA Title 1, Section 13, Subsection 405.6.E. [*E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage*] to discuss matters related to abatements; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose (The Board invited the Town Manager and Town Clerk to attend the executive session.) **Motion** was made by Selectman Hoyt to exit executive session at 6:35 P.M.; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

Chairman Taft called the meeting back to order at 6:38 P.M.

## 4. Correspondence and Other Pertinent Information (continued)

### b. Legal Opinion; Building Permits/Veterans Exemption

Town Manager Berkowitz reported that Mark Lopez had previously recommended the possibility of waiving building permit fees for veterans. MMA attorneys advised that the Board has the ability to adopt any fee structure for building permits. Selectman Hoyt, Vice-Chairman King, Selectman Murphy and Chairman Taft all disclosed a potential conflict of interest; they are all veterans. Town Manager Berkowitz advised on "the rule of necessity" otherwise the Board would not be able to conduct the business of the Town. The Board directed Town Manager Berkowitz to create a policy for their review on December 10<sup>th</sup>. The policy should specify that "Veteran" shall include all active duty and veteran of military or uniform personnel (all branches), the waiver shall be for any permit for their primary residence which must be occupied and must provide honorable discharge (Chairman Taft disagreed with the honorable discharge provision).

## 5. New Business

### a. Permits/Documents Requiring Board Approval

#### 1. Cemetery Deed to Mody Botros; Forest Hills Annex Section I, Lot 1B

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

4 approve/0 oppose

#### 2. Abatements and Supplements

##### ABATEMENTS

| Tax Year            | Abate No. | Type | Account No. | Map/Lot  | Owner                             | Abated Value | Abated Tax | Reason                             |
|---------------------|-----------|------|-------------|----------|-----------------------------------|--------------|------------|------------------------------------|
| 2011                | 11-35     | PP   | 0141        | 0/0      | Maria Cunningham                  | \$620.00     | \$7.87     | Out of business.                   |
| 2012                | 12-36     | PP   | 0141        | 0/0      | Maria Cunningham                  | \$830.00     | \$10.87    | Out of business.                   |
| 2013                | 13-01     | PP   | 0387        | 0/0      | Select Medical Corp. #41307       | \$19,010.00  | \$257.21   | This is a duplicate assessment.    |
| 2013                | 13-02     | RE   | 1426        | 10/53/3  | Lillian Sullivan & Vicki Sullivan | \$66,031.00  | \$893.40   | To assess to the correct owner.    |
| 2013                | 13-03     | RE   | 1884        | 13/85/10 | Deborah L. Weiss                  | \$8,077.00   | \$109.28   | To correct square footage of shed. |
| <b>GRAND TOTALS</b> |           |      |             |          |                                   | \$94,568.00  | \$1,278.63 |                                    |

##### SUPPLEMENTS

| Tax Year            | Abate No. | Type | Account No. | Map/Lot | Owner                      | Taxable Value | Tax        | Reason                                 |
|---------------------|-----------|------|-------------|---------|----------------------------|---------------|------------|--|
| 2013                | 13-01     | PP   | 0420        | 0/0     | Williams Scotsman, Inc.    | \$640.00      | \$8.66     | Piece of equipment left off tax rolls. |
| 2013                | 13-02     | RE   | 1426        | 10/53-3 | Weymouth Bedor, Vicki      | \$66,031.00   | \$893.40   | To assess to the correct owner.        |
| 2013                | 13-03     | RE   | 5166        | 19A/40  | Al Sulaiman, Asma Abdullah | \$33,948.00   | \$459.32   | To assess to the correct owner.        |
| <b>GRAND TOTALS</b> |           |      |             |         |                            | \$100,619.00  | \$1,361.38 |  |

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**4. Correspondence and Other Pertinent Information**

**2. Abatements and Supplements (continued)**

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

4 approve/0 oppose

**3. Quit Claim Deeds for New Sanctuary Cove, LLC (Map 9, Lot 124; Map 9, Lot 12-5; Map 9, Lot 12-6)**

**Motion** was made by Selectman Hoyt for approval of 5.a.3.; 2<sup>nd</sup> from Vice-Chairman King.

4 approve/0 oppose

**4. Road Name Saras Trail**

**Motion** was made by Selectman Hoyt for approval of 5.a.4.; 2<sup>nd</sup> from Selectman Murphy.

4 approve/0 oppose

**5. Transfer Station Fees**

The Transfer Station Manager recommended the following changes in fees:

| <u>Items:</u>     | <u>Current:</u> | <u>New Price:</u> |
|-------------------|-----------------|-------------------|
| Tires             | \$2.00          | \$0.75            |
| Freon Items       | \$15.00         | \$0.00            |
| Propane BBQ Tanks | \$1.00          | \$0.00            |
| T.V.              | \$4.00-8.00     | \$0.00            |
| Monitors          | \$2.00-4.00     | \$0.00            |

This reflects the changing markets, legislation and our ability to reduce costs to the users. Selectman Hoyt disagreed with reducing the cost to zero because there is a cost involved for the time it takes personnel to care for the item; he encouraged reduction but not elimination of the fees. **Motion** was made by Vice-Chairman King to support and approve the recommendation of the Transfer Station Manager; 2<sup>nd</sup> from Selectman Murphy. 3 approve/1 oppose (Selectman Hoyt opposed)

**6. Lake Region Caterers; Wine Appreciation at Bridgton Academy on 11/23/2013**

**Motion** was made by Vice-Chairman King for approval of 5.a.6.; 2<sup>nd</sup> from Selectman Hoyt.

4 approve/0 oppose

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

**1. Award Bid – Central Fire Station Electrical Repairs**

The receipt of bids was closed on November 8, 2013 at 2:00 P.M. To follow is the only bid received and the amount: **J.P. Gallinari Electric; Bridgton, Maine - \$340.00**

**Motion** was made by Selectman Hoyt to award the bid to J.P. Gallinari, 2<sup>nd</sup> from Selectman Murphy.

4 approve/0 oppose

**2. Authorize the Police Department to Apply for and Receive Safety Grants from the Bureau of Highway Safety and to Implement the Grant Programs in Bridgton**

**Motion** was made by Selectman Hoyt to authorize the Police Department to apply for the grant, and to accept the funds and implement the program; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

**3. Bridgton Historical Society Proposal for Records**

The Bridgton Historical Society reported that they are about one third of the way through the scanning process of the old tax records. They suggested that the original documents be retained with them at their location and will provide the Town with an electronic file. **Motion** was made by Selectman Hoyt to accept the proposal; 2<sup>nd</sup> from Selectman Murphy. 4 approve/0 oppose

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### 4. Correspondence and Other Pertinent Information (continued)

#### 4. Approval of the Electricity Contract for 3 Medium Accounts for 11 Months

**Motion** was made by Selectman Hoyt for approval the electricity contract for three medium accounts for eleven months; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

#### 5. Loon Echo Land Trust (LELT) Drawdown for the Perley Mills Project

**Motion** was made by Selectman Hoyt to authorize the Town Manager to drawdown the funds from the Moose Pond Land Trust Fund (as approved by the voters at Annual Town Meeting) and allocate to Loon Echo Land Trust; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose Town Manager Berkowitz will draft a conditional letter to LELT.

### 5. New Business

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

##### 6. Appointment to the FY 2015 Budget Advisory Committee

**Motion** was made by Selectman Hoyt to re-appoint Steve Stevens, Vanessa Jones and Bill Vincent to the Fiscal Year 2015 Budget Advisory Committee; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose The Board encouraged additional volunteers to submit interest in committee membership.

##### 7. Appointment to the Bridgton Board of Appeals

Discussion of appointment to the Bridgton Board of Appeals will be discussed in executive session.

##### 8. Award of the Bid to Hardypond Construction for a CDBG Funded Project at the Moses House

Director of Planning, Economic and Community Development Anne Krieg requested that the Board enter into a contract for \$20,000 with Hardypond Construction. The project is fully funded by the Community Development Block Grant to make façade improvements at the property on Main Hill known as the Moses House. **Motion** was made by Selectman Hoyt to award the bid to the low bidder (Hardypond Construction); 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

##### 9. Award the Bid for the Annual Town Report

Three quotes were received for the printing of the 2012/2013 Annual Town Report.

- Park Street Press, South Paris, ME; 100 for \$298.00
- The Printery, Bridgton, ME; 100 for \$239.00
- Cardinal Printing Company, Denmark, ME; 100 for \$367.50

**Motion** was made by Selectman Hoyt to award the bid to the low bidder (The Printery); 2<sup>nd</sup> from Selectman Murphy. 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 Hoyt** requested that the Code Enforcement Officer review McDonald's for compliance with the sign ordinance; they have many small signs on their property.
- **Selectman Hoyt** requested that Department Heads carefully review their budgets and cut any line item that is not a necessity. Town Manager Berkowitz has already directed department heads to try to reduce their budgets and stipulated that any increase must include back up justification.

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### **4. Correspondence and Other Pertinent Information**

#### **d. Selectmen's Concerns (continued)**

- **Vice-Chairman King** echoed Selectman Hoyt's concern regarding signage at McDonald's and is also concerned with the numerous signs in Pondicherry Square. Bob Wiser commented that the Town is trying to be business friendly and it's hard to get word out without sandwich board sign options. Selectman Murphy commented that he strongly supports businesses but there are too many signs in the median at Pondicherry Square.
- **Vice-Chairman King** noted that the Salmon Point sign is very small and should be much larger. Recreation Gary Colello has been designated to manage and market the campground.
- **Vice-Chairman King** reported that Glen Zaidman provided the Board with a print of the Town Charter from Massachusetts; he suggested that the document be framed and displayed in the Board Meeting Room. Town Manager Berkowitz will obtain cost estimates for Board review.
- **Selectman Murphy** reiterated the importance of the numbering of buildings for security purposes.
- **Chairman Taft** had no concerns.

#### **e. Other Matters**

- Town Manager Berkowitz reminded the public that the second installment tax payment is due on or before November 15, 2013.
- Town Manager Berkowitz provided the Board with the monthly financial report.
- Town Manager Berkowitz reported that the 2014/2015 Transfer Station stickers are now available for sale.
- Town Manager Berkowitz reported the new FEMA maps are available for viewing at the Town Office.
- Selectman Hoyt reported that he attended the Vigilant Guard '14 Exercise. Over 40 people participated dedicating over 111 hours of work and preparations. We tested some of our readiness only to determine that our ability to complete the delivery of emergency services would be hampered by the lack of back up electrical power. Sheltering, cooking, communications, fuel dispensing, rescue and safety services all require some form of back up and in turn allow for the delivery of services. The Board looks forward to receiving the evaluation report from the Emergency Management Director.
- Selectman Hoyt noted that the Veterans Day Ceremony went very well and thanked the Police Department for their cooperation in closing off the road. He encouraged public attendance at these very important events.

### **6. Treasurer's Warrant**

**Motion** was made by Selectman Hoyt for approval of Treasurer's Warrants numbered 40, 41, 42, 43, 44 and 45; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

### **7. Committee Reports**

#### **a. Comprehensive Plan Committee**

Bob Wiser reported that the committee is working on the housing chapter and needs to add growth management to that chapter.

On behalf of Selectman McHatton, Chairman Taft asked Mr. Wiser for clarification of the "Comprehensive Plan." Mr. Wiser replied that the "Plan" is a vision of the future and should be used to guide future ordinances.

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### 7. Committee Reports (continued)

#### b. Community Development Committee

Director of Planning, Economic and Community Development Director Anne Krieg proposed a concept to demarcate on the sidewalk a trail to alert walkers in the downtown how far they have gone. This type of project goes well with the historic walk, as well as the map proposed to be prepared for this winter in time for the 2014 summer season.

Chuck Renneker requested Board input regarding items the Board would like the CDC to work on and continue to work on. Selectman Hoyt suggested that they work on downtown improvements (including signage, parking, sidewalks, etc.).

#### c. Wastewater Committee (no report)

#### d. Recycling Committee

Town Manager Berkowitz reported that the meeting with Ecomaine on Friday (11/15) has been rescheduled due to a conflict.

#### e. Investment Committee

Town Manager Berkowitz reported that all three trust funds have been invested and are moving forward in compliance.

### 8. SAD #61

Selectman Hoyt believes that the lunch for veterans at the high school is a great idea and encouraged better promotion of the event for a better turnout.

### 9. Hearings – 6:00 P.M. - Public Hearing (none) / Informational Hearing (none)

### 10. Public Comments and Presentations

#### a. Non-Agenda Items

- Chuck Renneker requested that the “Committee Reports” be moved to the beginning of the meeting.
- Chuck Renneker voiced a concern for lack of enforcement of the sign rules and regulations.
- Chuck Renneker voiced a concern that the annual auditor’s report is not back in house as of yet.
- Mike Tarantino encouraged the Board to start thinking about a center to be used for recreational purposes; it’s much needed in Bridgton.
- Recreation Director Gary Colello reported that as he moves into the management of Salmon Point, he will be reviewing the signage.
- Recreation Director Gary Colello reported that he has been working with Cheryl Turpin at Stevens Brook Elementary School to establish a program that would be run before school to target children to be physically active. The program is called BOKS (Build Our Kid’s Success) and is energized by Reebok. The BOKS program is designed to jump start children’s brains and prepare them for a day of learning. The program combines play, physical activity, team games and short talks on nutrition to create healthier habits for children to achieve life-long fitness. **Motion** was made by Selectman Hoyt to authorize the Recreation Director to apply for, accept and use grant funds for this program; 2<sup>nd</sup> from Selectman Murphy. 4 approve/0 oppose
- Town Manager Berkowitz thanked the Recreation Director for helping the community (all ages, all people) to move into a healthier life style. He noted that Gary (Colello) has only been in Bridgton a few short months but is extremely pleased with his efforts in connecting with the community. The Board commended Mr. Colello.

#### b. Agenda Items (none)

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

**a. Report on the Status of the Trails Grant – Anne Krieg**

Director of Planning, Economic and Community Development Anne Krieg requested approval to pursue funds from the Maine Recreation Trails Grant Program for two projects. The first would be to reapply for funds to build a walking path along the perimeter of the property at BRAG field. The cost for this project is \$30,000. **Motion** was made by Selectman Hoyt to authorize the application for a walking path; 2<sup>nd</sup> from Selectman Murphy. Ms. Krieg noted that funding is conditional upon ownership of the property to which the Board had concerns about. 2 approve/2 oppose (motion fails)

When Pondicherry Park was first constructed, it was intended for the lower trail that connects from the Dunning Memorial Bridge over to Willet Road and to the Hamm Bridge to be accessible. Diverse trail use is a positive focus in this year's grant round so this is a good opportunity to complete this former intention. The project, then, would be re-constructing this trail with pervious materials sturdy enough for both wheelchairs and baby stroller as well making the footbridge accessible. The cost for this project is \$62,500.00. **Motion** was made by Selectman Hoyt to authorize the application as requested; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

Selectman Hoyt asked for a report regarding vandalism at Pondicherry Park. Karen Eller will gather information and report back to the Board.

**b. Discussion with the Select Board as to the Role of the Third Party for Memorial School Project (note: RFP Memorial School and Third Party Draft for 11/26/13)**

Director of Planning, Economic and Community Development Anne Krieg Director requested Board input regarding the future use of the Memorial School and the role of the third party. Discussion ensued. Ms. Krieg stated that the second charette is scheduled for tomorrow night (11/13/2013) and Board and public attendance was encouraged.

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

November 26, 2013 (Selectman Hoyt will not be able to attend this meeting)

December 10, 2013

December 17, 2013 (if needed)

January 14, 2014

**13. Executive Session – MRSA Title 1, Chapter 13, Subsection 405.6.A. "Discussion of Matters Related to Personnel," – the Continued Review with the Fire Chief Regarding Reorganization**

**Motion** was made by Selectman Hoyt to enter executive session at 8:57 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.A.; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

**Motion** was made by Selectman Hoyt to exit executive session at 9:43 P.M.; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

**OTHER**

**Motion** was made by Selectman Hoyt to appoint Marita Wisser to the Board of Appeals as an alternate member; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

**Motion** was made by Selectman Hoyt to appoint Julie Whelchel to the Board of Appeals as an alternate member; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

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**OTHER** (continued)

Town Manager Berkowitz made a proposal to amend the personnel policy to allow for an additional paid holiday for all non-union employees. Chairman Taft disclosed a potential conflict of interest because his daughter is an employee of the Town. **Motion** was made by Selectman Hoyt to allow Chairman Taft to remain for discussion and voting on this issue; 2<sup>nd</sup> from Vice-Chairman King. 3 approve/0 oppose **Motion** was made by Selectman Hoyt to approve the amendment to the personnel policy as proposed by the Town Manager, effective immediately; 2<sup>nd</sup> from Vice-Chairman King. 4 approve/0 oppose

**14. Adjourn**

Chairman Taft adjourned the meeting at 9:48 P.M.

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk