

Board of Selectmen's Meeting Minutes

December 27, 2011; 6:00 P.M.

Board Members Present: Arthur D. Triglione, Sr., Chairman; Douglas A. Taft; Paul E. Hoyt; Bernard N. King, Jr.

Board Members Absent: Robert F. Woodward, Vice Chairman

1. Call to Order

Chairman Triglione called the meeting to order at 6:00 P.M.

2. Public Hearing – None

3. Comments; Non Agenda Items – None.

4. Presentations and Discussions

a. Discussions Regarding the MSAD Budget Development and Other Issues

MSAD #61 School Board Member Laura Ordway was present and joined by Member Karla Swanson-Murphy. Ms. Ordway explained the handout of the Basic EPS Funding model (see ATTACHMENT #1). The EPS formula hurts small rural communities. Ms. Ordway stated that the State is still not paying their 55% of the School Budget.

Ms. Ordway stated that the Finance Committee has directed the Leadership Committee to establish a level budget. Ms. Ordway stated the Finance Committee will then review the submitted budget starting in February and the full Board will do their review starting in March. Ms. Swanson-Murphy stated that new this year the Superintendent will be running a blog for people with questions about the budget and budget process. The address for the blog is <http://msad61superintendent.blogspot.com>. Town Manager Berkowitz stated that there would be a link up on the website by Wednesday afternoon.

Selectman King thanked Ms. Ordway and Ms. Swanson-Murphy for coming and asked if the LD1274 could have further discussion. Ms. Ordway indicated that it was unlikely to happen. Selectman Hoyt also thanked the two School Board members and asked who comprised the Leadership Team. Ms. Ordway responded that it was the Superintendent, Principals of each school, Department Directors, for a total of 10 members. Selectman Hoyt asked that several taxpayers had mentioned to him that there were a lot of administrators in the district, when the budgets are looked at instead of programs are those positions looked at for cuts. It was indicated that all things in the budget are on the table for cuts; however, both members feel that the administration saves the district money because of their knowledge of potential legal issues. Selectman Hoyt then asked if there was a criterion for Special Education and is this school district higher than others and can the child test out of the program. Ms. Swanson-Murphy stated that 20% of the children in the school district are part of the Special Education program which is high and some do test out of the program. Ms. Swanson-Murphy and Ms. Ordway also indicated that there are different levels of Special Education. Selectman Hoyt stated that he hoped the School District and the Town maintain open lines of communication. Selectman King asked Ms. Ordway to explain what an IEP was. Ms. Ordway stated that it stood for Individual Education Program. Ms. Ordway and Town Manager Berkowitz also stated that there were a lot Federal and State mandated programs that receive no funding but have to be provided. Selectman Hoyt asked how someone finds out where the weight is placed in the EPS Formula. Ms. Ordway stated that there have been attempts made to find out; however, no one has been able to determine who knows about that part of the formula. Ms. Swanson-Murphy asked the Board if they would like to have the Superintendent and Finance Director meet with the Board of Selectmen for a more detail explanation. Town Manager Berkowitz suggested that they meet with the Budget Advisory Committee on Mondays.

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4. Presentations and Discussions CONTINUED

a. Discussions Regarding the MSAD Budget Development and Other Issues CONTINUED

Chairman Triglione indicated that the Board would take the suggestion under advisement, thanked the School Board Members and reiterated Selectman Hoyt's wish of open lines of communication between the School District and the Town.

Ms. Swanson-Murphy stated that Ms. Kathleen Beecher is the new full time Superintendent of MSAD #61.

- Chairman Triglione indicated that Vice Chairman Woodward could not be at the meeting because of a minor medical concern and the Board wished him a speedy recovery.

b. Discussions Regarding the Proposed Sidewalk at Hannaford's and Whether the Town Wants to Coordinate Work to Extend the Sidewalks Northerly Beyond the Chamber Offices

Chairman Triglione stated that Hannaford Brothers was in the process of designing a sidewalk on the Route 302 side of their property, he asked if the Board of Selectmen would consider extending the sidewalk beyond the Chamber of Commerce. Town Manager Berkowitz indicated that there is money through the "Safe School Routes Grant" and there is TIF money available. Selectmen King, Selectman Taft and Selectman Hoyt all concur that it is a good idea. Selectman Hoyt did ask Public Works Director Jim Kidder about the cost to maintain that extra piece of sidewalk. Mr. Kidder responded that it is not going out of the way as the department is already plowing part of the area. Town Manager Berkowitz stated that everything is in the planning stage and he will need to contact Hannaford and what was presented to the Maine Department of Transportation and will report back to the Board of Selectmen at the next meeting.

5. Approval of Minutes; December 13, 2011

Motion was made by Selectman King for approval of the minutes from the December 13, 2011 Board Meeting; 2nd by Selectman Hoyt. 4 approve/0 oppose

6. Correspondence and Other Pertinent Information – None.

7. Town Manager's Report

Discussions with MDOT: I have had some discussions with the MDOT regarding both the speed request and the rebuild of Rt. 302 in the vicinity of Hio Ridge Road. The rebuild project would be scheduled for the 2014 or 2015 season based upon available funding. However, if the Town were to come up with some funds to work with the MDOT, that project could take place sooner. A though about this simply would be if we could think about a large community septic field in that vicinity and use our funds to help pay for the placement of a main interceptor line which would be in place as future development occurs.

Discussions with BRAG: We had a good meeting with BRAG officials last Tuesday. In discussion were the various policy issues that come with the operations, maintenance and scheduling for the use of the fields. In addition, Bill Macdonald indicated that BRAG wants to work with the Town to continue the development of the complex to make it the best field complex in the region. Bill also indicated that the discussions regarding the title of the complex are a works in progress and suggested that I share the following with the Select Board.

The Town of Bridgton's
Kendall and Anna Hamm
Recreation Complex

Another Bridgton Recreation Advancement Group Development

This is offered as a discussion point with the Select Board and not meant to rule out other considerations.

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7. Town Manager's Report CONTINUED

TREECO: I talked with the representative from TREECO and after discussion asked that he coordinated with Jim Kidder as to what tree and limb work would be done at the Causeway Island Park. The offer to do this work was for "free" and there are no expectations of any payment or favored status as a result of this offer. If the unusual weather holds, this work may be done in the next few weeks.

Legislation: We are watching both the Legislature and the Committees as they weigh through various items and trying to determine their impacts on Bridgton.

As we close out this calendar year, all of the employees of the Town wish to express their appreciation to the public for another good year for Bridgton and extend their hopes that everyone has a happy, safe and health New Year.

Respectfully Submitted, Mitchell Berkowitz, Town Manager

8. Old Business

a. Discussion Regarding CDC Recommendation – Parking on Depot St. and at the Parking Lot

Chairman Triglione opened this item up for discussion. Selectman Hoyt stated that there were only two buildings right now that might need to have overnight parking. Selectman Hoyt also stated that he could not tell where the property lines are and that during a discussion about the Planning Board it was stated that anyone wanting rental property had to show that they had overnight parking accommodations. Selectman Hoyt then stated he did not feel in necessary to allow overnight parking for one building. Chairman Triglione concurred as did Selectman Taft and Selectman King. Selectman Taft also questioned when the property is turned over to the Community Center will they own the parking lot. Town Manager Berkowitz replied that we developed the parking lot and when we turn the property over the Town should subdivide the property to maintain the control over the parking.

Selectman King stated that it is a safety issue as far as parking on Depot St. and recommended that the Community Center side of Depot St. should be posted no parking for the entire length. Selectman Hoyt suggested that there be no parking on both sides of the street. Chairman Triglione concurred with Selectman Hoyt's suggestion. Mr. Ken Murphy asked if a diagram or drawing of Depot St. had been done on what the future plans look like. Town Manager Berkowitz stated that nothing had been done since the Charette. Mr. Murphy suggested that a drawing be done. Selectman King stated that he felt it was not necessary to have a drawing. Town Manager Berkowitz suggested that Public Works measure the width of Depot St. with parking and a sidewalk. Selectman Taft stated that there is too much pedestrian traffic to allow what is happening to continue. Public Works Director Jim Kidder stated that there is a difference between the road at the Ricky's Diner end and the Reny's end of Depot St. Mr. Kidder also stated that he thought if there is parking allowed on that portion of Depot St. then the street needs to be a one way street. Selectman Hoyt reminded the Board that the Board of Selectmen had already done something about the parking at the beginning of Depot St. when they were discussing the sidewalk. Town Manager Berkowitz stated that he needed to contact the Reny's management about the building that might be in the right of way in order for the Town to extend the sidewalk and establish a crosswalk. **Motion** was made by Selectman King to post Depot St. from Main St. (Reny's & Magic Lantern Theater) to the bridge as No Parking; 2nd by Selectman Hoyt. 4 approve/0 oppose

b. Budget Advisory Committee – Revised Charge

Motion was made by Selectman Taft to adopt the Budget Advisory Committee Charge; 2nd by Selectman Hoyt. 4 approve/0 oppose

c. BEDC Appointment Considerations (Executive Session)

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9. **SAD #61** – See 4a. above

10. New Business

a. Permits/Documents Requiring Board Approval

1. Sewer Commitment #98

Motion was made by Selectman Hoyt for approval of the Sewer Commitment #98; 2nd from Selectman Taft. 4 approve/0 oppose

2. BYOB – Town Hall - December 17, 2011 – Corey & Holly Lane

Motion was made by Selectman Taft for approval of the BYOB Permit (after the fact) for Corey & Holly Lane; 2nd from Selectman Hoyt. 4 approve/0 oppose

3. Quit Claim Deed to John Goddard; Map 3 Lot 35

4. Quit Claim Deed to Steven & Tracy Ludwig; Map 7 Block 7 Lot 3

Motion was made by Selectman King for approval of the quit claim deeds for Steven & Tracy Ludwig and John D. Goddard; 2nd from Selectman Taft. 4 approve/0 oppose

5. Abatement

Tax Year	Abate No.	Type	Account No.	Map/Lot	Owner	Abated Value	Abated Tax	Reason
2011	11-17	RE	4429	55/0/7/0	Peter M. Roth	\$103,127.00	\$1,309.71	The property was reviewed on December 7, 2011. The story height, grade and condition was adjusted to reflect the property's current status.
GRAND TOTALS						\$103,127.00	\$1,309.71	

Acting as the Board of Assessors **motion** was made by Selectman Hoyt for approval of the abatements; 2nd from Selectman Taft. 4 approve/0 oppose

b. Bids, Awards and other Administrative Recommendations

1. Investment Committee Recommendations

Town Manager Berkowitz explained that the current distribution of investments needs to be redistributed for a balanced portfolio. **Motion** was made by Selectman Hoyt to approve the recommendations of the Investment Committee; 2nd by Selectman King. 4 approve/0 oppose

Selectman Hoyt felt that the Board of Selectmen review the Trust Fund Ordinance and possibly make changes to the amount of money that can be withdrawn for use. Town Manager Berkowitz suggested the Board of Selectmen get the opinion of the Investment Committee. Mr. Earl Cash felt that this was not the correct thing to do as it takes to long to rebuild the balance. Chairman Triglione suggested that this item be addressed when the full Board was present.

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10. New Business CONTINUED

b. Bids, Awards and other Administrative Recommendations CONTINUED

- Chairman Triglione mentioned that the Memorandum of Understanding with the School District for the Memorial School has expired and asked School Board member Ordway if the school is currently using the Memorial School. Ms. Ordway stated yes it was currently being used and suggested that Andy Madura would like to continue dialog with the Town about the building. Town Manager Berkowitz stated that the Board and School District needs to renew the Memorandum of Understanding, which would help the School District when they apply for the Brownfield Grant. Selectman King asked if there was an asbestos problem how the school district could use the building. Ms. Ordway and Town Manager Berkowitz stated the School District is only using part of the structure and the rest of the structure is encapsulated to prevent contamination. **Motion** was made by Selectman Taft to have Town Manager Berkowitz negotiate a new Memorandum of Understanding; 2nd by Selectman Hoyt. 4 approve/0 oppose

2. Investment Committee Annual Report

This was information only.

3. Draft Policy on Use of Funds from Timber Harvesting

Selectman Taft asked if the language on page 2 would allow the Moose Pond Trust Fund and the timber harvesting funds for any proposed projects as this could tie up a large amount of money that could be used somewhere else. Town Manager Berkowitz stated when the document was proposed (it has never been acted on) it was intended that could happen. Town Manager stated that with the exception of the Willis Park, which has to be invested in similar use, so when the forestry fund proposal was created a similar format was applied. Selectman Hoyt stated that there are no guidelines to spend the money with the exception of Willis Park. Town Manager Berkowitz stated that was true. Chairman Triglione asked how the Board of Selectmen should proceed. Town Manager Berkowitz stated that the Board of Selectmen should review what and how the funds should be handled. Mr. Cash suggested that the Board should be careful on how to proceed, he also suggested that possibly the "Town Farm" property be included. Selectman Hoyt suggested that the Board resume this discussion on January 10th when a full Board would be present. Mr. Kidder also mentioned that the gravel could be prohibited based on the changes to the Site Plan Ordinance.

c. Legal Matters

Town Manager Berkowitz stated that the Town has a signed agreement by the court in reference to the Randall property; he will now contact Mr. Randall for the next payment.

Town Manager Berkowitz also stated that Fire Chief Garland has visited the two dangerous properties that Chairman Triglione mentioned and reports the following:

- North High Street is unsuitable for a practice burn as the structure is too close trees and neighboring property.
- The Burnham Road property is unsuitable as well because there is not enough structure.

Selectman Taft stated he saw somebody burning the excess lumber at the North High Street property.

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10. New Business CONTINUED

d. Selectmen's Concerns

Selectman Hoyt – asked about moving the Veterans Monuments to one central location. Town Manager Berkowitz stated that he believed that there had been preliminary discussion about the change in location with a couple of individuals who questioned what the area would look like. Mr. Berkowitz also stated that a committee of one or two should formalize the discussions. Public Works Director Kidder stated that an artist rendition should help with the concept. Selectman Taft suggested using the students at the High School for the design. Selectman Hoyt asked MSAD 61 School Board Member Laura Ordway if she could make contact with the appropriate people to see if it could be done. Ms. Ordway stated that she would contact the head of the Vocational Department. Town Manager Berkowitz stated that all Veteran's organizations should be contacted. Mr. Cash stated that there is only one in Bridgton, the American Legion, which is headed by Dennis Moynihan. Mr. Triglione also suggested that maybe Steve Wentworth from the VFW and Selectman Taft suggested Wayne Cadman would be good contacts. **Motion** was made by Selectman Taft to appoint Selectman Hoyt to chair the committee; 2nd by Selectman King. 4 approve/0 oppose

Selectman Taft – None.

Selectman King – None.

Chairman Triglione – None.

e. Other Matters

Selectman Taft wished everyone a happy and healthy New Year.

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

January 10, 2012 and January 24, 2012

The Board received their agendas for the January 10, 2012 and January 24, 2012 Board meetings.

12. Treasurer's Warrants

Motion was made by Selectman King for approval of Treasurer's Warrants numbered 58, 59, 60 and 61; 2nd from Selectman Taft. 4 approve/0 oppose

13. Executive Session; MRSA Title 1, Chapter 13, Subsection 405.6.A. – Discussion of Personnel Matters and Possible Appointments

Motion was made by Selectman Taft to enter executive session per MRSA Title 1, Chapter 13, Subsection 405.6.A. – Discussion of Personnel Matters and Possible Appointments at 8:02 P.M.; 2nd by Selectman Hoyt. 4 approve/0 oppose

Motion was made by Selectman Taft to exit executive session per MRSA Title 1, Chapter 13, Subsection 405.6.A. – Discussion of Personnel Matters and Possible Appointments at 10:49 P.M.; 2nd by Selectman King. 4 approve/0 oppose

13. Adjourn

Chairman Triglione adjourned the meeting at 10:49 P.M.

Respectfully submitted,

Dawn E. Taft, Deputy Town Clerk

EPS – Essential Programs and Services School Funding Model

The Basics

December 27, 2011 - MSAD #61 School Board member L.H. Ordway

- **“BEPS”:** prior to 2005 the State allocated education funding, put very simply, by *what was available* for a basic equation (student enrollment, transportation reimbursement, special education, etc.)
- **Why the change to EPS:** in 2005 LD 1 (State mandated by the voters to pay for 55% of educational costs) EPS was adopted and put into practice as a response to the new law
- **Goals of EPS funding model:** equitable funding and opportunity for all Maine students; regardless of where a student lives in the state, they will have “ACCESS to adequate resources to provide core education”
- **What does EPS calculate/consider:** The funding model considers the Learning Results to be the benchmark, therefore it considers eight areas of content (English, Math, PE, etc.) and then the model breaks down how much it should cost to provide these content areas per student by formulas for teacher’s salaries, professional development, system administration, operations, etc.; i.e. confusing!
- **What does EPS NOT calculate /consider:** The funding model was never intended to account for all educational needs & spending; does not address sports, extracurricular activities, lunch programs, etc. It also does not address unique characteristics of a small, rural school district.
- **How does it calculate the funding model:** State determines the “cost of education” (see below – Allocation Equation), which is then split between the State and the local property tax payers.

THE ALLOCATION EQUATION:

- Student enrollment by town determines the Town Allocation
- State valuation x mill expectation = Town Contribution
- (Towns cannot contribute more than 7.47 mill exp; 3 of the 4 SAD #61 are at this minimum receivership status; Casco is the one town not at min receivership)
- The State “splits” the cost of the EPS funding by paying the difference between the Town Allocation and Mill Expectation

2011-12 Bridgton: 2010 State Valuation x Mill Expectation = Town Contribution OR Town Allocation
\$1,060,000,000 X 7.470 = \$7,918,200.00 OR \$5,973,378.21

Add Bridgton’s Allocation to the three other towns and the total = \$18,620,378.49, our Local Contribution
The differences the State pays \$258,819.40 or 4.42% of EPS

MSAD #61 is unreasonably penalized in several areas of the funding model: local enrollments and student-teacher ratios, Labor Market Area rates, property market valuations. Also, the funding model does not take into account several factors crucial to smaller, rural districts like MSAD #61, namely low-income population, unemployment rates, and student achievement rates.

- **What has this meant for MSAD #61:** Over the past six years the average annual budget increase for MSAD #61 has been 0.84%, yet the average annual State subsidy loss has been \$973,083.00 *(\$5,529,589 loss over six years)*
- **Is there any GOOD news:** Three of our four towns are at minimum receivership which means we cannot decrease much further; MSAD #61 past Superintendents, Finance managers and Boards planned for this as best as possible by increasing the annual balance forward; LD 1274 – An Act to Restore Equality in Education signed into law June 2011 for the 2012-13 budget year (MSAD # 61 POSSIBLE increase = \$564,803.59) – March/April
- **Other BUDGET factors:** Medicaid law changes; Anthem insurance rates; negotiated contracts