

Board of Selectmen's Meeting Minutes December 10, 2013; 5:00 P.M.

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

Board Members Absent: None

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 26, 2013

Motion was made by Selectman Murphy for approval of the minutes from the November 26, 2013 Board Meeting; 2nd from Vice Chairman King. 4 approve/0 oppose/1 abstention (Selectman Hoyt abstained because he was absent from the 11/26/2013 Board Meeting.)

4. Correspondence and Other Pertinent Information

As the Representative for the auditors was not present, Chairman Taft moved agenda item b forward.

b. Review the Cost Estimates and Priorities for the Town Hall Analysis - Eric Dube Casco Bay Engineering

Mr. Dube of Casco Bay Engineering presented the Board of Selectman with a document listing the cost estimates for the repairs to the Town Hall on North High Street. Mr. Dube responded to several questions from the audience and the Board of Selectmen, which included the cost to put in a foundation, replace the building, the code requirements and the cost benefit of the energy saving improvements. The consensus of the Board of Selectmen was to hold a workshop to review the proposal on January 21, 2014.

a. Presentation of the Annual Audit for the year ending June 30, 2013

Mr. Tim Gill representing the auditing firm of Runyon, Kersteen and Ouellette, reviewed the audit that the company has completed for the year ending June 30, 2013. Mr. Gill replied to several question from the public.

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

9. Hearings – 6:00 P.M.

Public Hearing (none) / Informational Hearing (none)

b. Review the Cost Estimates and Priorities for the Town Hall Analysis - Eric Dube Casco Bay Engineering – addressed earlier in the meeting.

c. Woods Pond Erosion Control Grant Information - Barry DeNofrio, Jeff Stern

Mr. Barry DeNofrio informed the Board of Selectmen that Maine Department of Environmental Protection has awarded a \$60,000.00 grant for the Woods Pond Watershed Improvement Project. The total project cost is \$102,810.00. The remaining matching portion of \$42,810.00 will be comprised of money from the allocated funds from Town Meeting, the local landowners, donations and in-kind services match from various other sources. Mr. DeNofrio stated that there were two phases for the project and Phase 2 may not need to be done.

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4. Correspondence and Other Pertinent Information CONTINUED

d. FEMA Flood Maps and Property Owners

Town Manager Berkowitz reminded the public that the new proposed flood maps are available through the Code Enforcement Office for review by the property owners. The Town Manager reviewed the history behind the revised maps and the Town's current role in this process. There was brief discussion on how the changes could impact the individual property owners. Mr. Renneker reminded the Board of Selectmen that they should review the maps as well since the Town owns several properties.

5. New Business

a. Permits/Documents Requiring Board Approval

Sewer

Motion was made by Vice Chairman King to allow the sewer clerk to issue the invoices for the sewer users and have the commitment papers available for the January 14, 2014 Board meeting; 2nd from Selectman Murphy. 5 approve/0 oppose

1. Annual Appointment of the Town Manager

Motion was made by Selectman McHatton for approval of 5.a.1.; 2nd from Selectman Hoyt. 5 approve/0 oppose

2. Confirmation of the Town Manager's Appointments

Motion was made by Vice Chairman King for approval of 5.a.2.; 2nd from Selectman McHatton. 5 approve/0 oppose

3. Quit Claim Deed - Eileen G. Szeto, Map 2 Lot 37-1

Motion was made by Selectman Murphy for approval of 5.a.3.; 2nd from Selectman Hoyt. 5 approve/0 oppose

b. Bids, Awards and Other Administrative Recommendations

1. Recommendation to award the Depot Street Project Bid

Ms. Anne Krieg, Economic and Community Development Director, briefly reviewed her memorandum and the recommendation of the awarding the project to Milone & McBroom. When Vice Chairman King asked about the parking issues, Ms. Krieg stated that the issue would be addressed during the design process. **Motion** was made by Selectman Hoyt to award the project to Milone & McBroom; 2nd by Vice Chairman King. 5 approve/0 oppose

2. Review the 2014 CDBG Program

Ms. Krieg announced that the Applications for the CDBG Program would be made available on the website. Selectman McHatton requested a list of all projects that may be eligible for the funds as well as those that applied with the recommendations of the committee. **Motion** was made by Selectman Hoyt to appoint, Greg Watkins, Rosie Schacht, Michael Tarantino and Madelyn Litz to the CDBG Review Committee that Ms. Krieg recommended; 2nd by Vice Chairman King. 5 approve/0 oppose

3. Main Hill Traffic – Rick and Julie Whelchel

Town Manager Berkowitz highlighted the concerns that Mr. & Mrs. Whelchel brought forward in their letter. Chairman Taft acknowledged their concerns and with the consensus of the Board of Selectman determined that they would review the issues at a future meeting.

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5. New Business CONTINUED

c. Legal Matters (See Executive Session)

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

d. Selectmen's Concerns

- **Selectman McHatton** reminded people to register their dogs.
- **Selectman McHatton** asked to be the Board of Selectmen's representative to the Budget Advisory Committee. The Board agreed to the request.
- **Selectman McHatton** stated that he asked for the Chain of Command chart from the Fire Department and in the future there may be a need for further adjustment to the chart.
- **Selectman Hoyt** stated that the Festival of Lights program went very well on Saturday.
- **Selectman Hoyt** stated that the erosion control measures at Salmon Point seemed to be done nicely.
- **Selectman Hoyt** questioned the fact that there are lights on at the campground. Salmon Point Administrator, Gary Collelo stated he would look into the issue by the end of the week.
- **Vice-Chairman King** had no topics for discussion.
- **Selectman Murphy** concurred with Selectman Hoyt on the Festival of Lights program.
- **Selectman Murphy** wished everyone a Merry Christmas.
- **Chairman Taft** had no topics for discussion.

e. Other Matters – none.

6. Treasurer's Warrant

Motion was made by Selectman Hoyt for approval of Treasurer's Warrants numbered 51, 52, 53, 54 and 55; 2nd from Vice Chairman King. 5 approve/0 oppose

7. Committee Reports

a. Comprehensive Plan Committee

Ms. Krieg, at the urging of Selectman McHatton, explained that it is imperative that if you have land use regulation (zoning) there is a need to have policy behind that zoning in the Comprehensive Plan. Ms. Krieg indicated that the courts are now making those connections very clear. Selectman Hoyt asked how to have a change occur. Ms. Krieg replied that Comprehensive Plan would need to be changed. Ms. Krieg indicated that there may be a need for a workshop in January.

Selectman McHatton and Ms. Krieg reminded the public that there will be a Comprehensive Plan Committee meeting on Monday, December 16th, 2013.

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7. Committee Reports Continued

b. Community Development Committee

Mr. Charles Renneker spoke about the amount of funding in the TIF (Tax Increment Financing District) Fund and where it is located in the Town's budget. Town Manager Berkowitz informed Mr. Renneker of the location of the money as well as how and where those funds can be spent. Selectman Hoyt asked if this would fall under the 4% rule. Town Manager Berkowitz stated no, the 4% cap is on the trust funds only but if the dollar amount exceeds \$50,000 than the request would need to go to Town Meeting for approval.

c. Wastewater Committee

Town Manager Berkowitz indicated that the Engineer's Report will be provided to the Sewer Committee on Thursday, December 12, 2013 at 6:00 P.M. The Board will be provided copies as well.

d. Recycling Committee

Town Manager Berkowitz indicated that the Recycling Committee will be presenting to the Board of Selectmen Tuesday, December 17, 2013 with a draft copy of the Cost Benefit Analysis for leaving ECO Maine to other alternatives. Selectman Hoyt asked if anybody had shown interest in the store. Town Manager Berkowitz stated that he did not believe so but would have to talk to Mr. Fitzcharles. Chairman Taft asked if anybody outside the scope had interest in the store. Town Manager again restated that he would check with Mr. Fitzcharles.

e. Investment Committee

Town Manager Berkowitz stated that the Committee will be holding a telephone conference with the Management Group at Norway Savings Bank on December 20, 2013.

8. SAD #61

There was no information or report submitted.

9. Hearings – 6:00 P.M.

Public Hearing (none) / Informational Hearing (none) – addressed earlier in the meeting

10. Public Comments and Presentations

a. Non-Agenda Items

- Mr. Renneker expressed his concern about a single sided entry adjustment by the auditors. He also suggested that the computer system needed to be upgraded as not all of the modules had been purchased.
- Mr. Mike Tarantino suggested that some of TIF money could be used for projects within and outside of the TIF District and prepare a long term plan for the use of the TIF money.
- Mr. Glen Zaidman asked about the tabled Community Garden project. Town Manager Berkowitz indicated that there is some language conflict in the Shoreland Zoning Ordinance and that needs clarification from the State.

b. Agenda Items – none.

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11. Old Business (Select Board Discussion)

a. Review of the Draft for an Exemption from Building Permit Fees for Veterans

Town Manager Berkowitz provided a summary of the language change and a copy of the Building, Razing and Plumbing Permit Ordinance with the proposed changes for the Board's review. **Motion** was made by Vice Chairman King to approve the Town exemption from fees for Veterans with the changes; 2nd by Selectman Murphy. 5 approve/0 oppose

Chairman Taft asked Town Manager Berkowitz to forward the changes to the Attorney for review as soon as possible.

b. Review of the Student Representative Proposal and Language

Vice Chairman King made the following suggested changes:

1st page paragraph 3-add Bridgton Student in place of student;

2nd page paragraph 1-remove duplicate language;

3rd page Elective Credit-remove from the policy and allow the School Board make the determination on any course credits;

4th page Reimbursement of Expenses-there should be no reimbursement for expenses.

Selectman Hoyt questioned the Selection Process and felt that the Board of Selectmen should have the determination. Vice Chairman King explained the process at the school level. Mr. Dave Crowell suggested that the teachers and principals have a better feel of the students that have applied for this position. After further discussion the consensus of the Board was to leave the language as it is. Selectman Hoyt asked who sets the guidelines for the applicants and Town Manager Berkowitz suggested that the Board of Selectmen compile a list of guidelines to submit to the leadership team. The guidelines need to be done by the next Board or Selectmen meeting.

c. Review of the "Site Limits" Policy for Salmon Point

Selectman Hoyt recused himself from the Board table at 7:50 P.M.

Mr. Hoyt asked for clarification on some of the language being proposed. Including the difference in Park Models, how the trailer is measured and the Board recommended that there be a couple of changes. Mr. Zaidman asked about the grandfathering of existing structures. Selectman McHatton and the Town Manager indicated that there would be a need to check with the Code Enforcement Officer. There was further discussion. **Motion** was made by Selectman McHatton to table this discussion to January 28, 2014; 2nd by Selectman Murphy. 4 approve/0 oppose

Selectman Hoyt returned to the table at 8:17 P.M.

d. Report on the Erosion Control Measures at Salmon Point

Town Manager Berkowitz stated that the erosion control work had been done. The snow may have prevented the ability to do the test pits. Chairman Taft asked if there was a special permit for the test pits. Town Manager Berkowitz stated that he checked with the Code Enforcement Officer and no there are no special permit requirements.

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**11. Old Business (Select Board Discussion) CONTINUED
e. Memorial School Update**

Ms. Krieg provided the Board of Selectmen with the information that was given at the second meeting with the Greater Portland Council of Government (GPCOG) and the results from that meeting. Ms. Krieg also stated that the information and Request for Proposals (RFP) would be released on the website. There was also an estimated budget for the cleanup costs for the project which was provided to the Board of Selectmen. There have been several inquiries especially in reference to the skateboard park and what the Town intends to do with it. Mr. Zaidman asked about the cost for the cleanup and does that leave the building. Ms. Krieg replied the cost was \$500,000.00 and that leaves the building. Mr. Tarantino asked on how much money the Brownfield Grant is providing. Ms. Krieg stated the maximum was \$200,000.00. Town Manager Berkowitz stated that since there was no comment about the skateboard park the third party will make their recommendations and include whether to keep the skateboard park. Selectman Hoyt asked how many people attended the meeting. Ms. Krieg replied there were nineteen people in attendance.

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

December 17, 2013?; January 14, 2014; January 21, 2014-Workshop; January 28, 2014; February 11, 2014 and February 25, 2014. The Board of Selectmen determined they will meet on December 17, 2013.

13. Executive Session – MRSA Title 1, Chapter 13, Subsection 405.6.A. “Discussion of Matters Related to Personnel”, and 405.6.E “Legal Matters”

Motion was made by Selectman Hoyt to enter executive session at 8:26 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.A. for discussion of matters related to personnel, and 405.6.E legal matters; 2nd from Vice Chairman King. 5 approve/0 oppose

Motion was made by Selectman Hoyt to exit executive session at 9:22 P.M.; 2nd from Vice Chairman King. 5 approve/0 oppose

After the close of the executive session **motion** was made by Selectman Murphy to accept the contract elements as proposed between the Public Works Association and the Town Manager/Negotiation Team for three (3) years with a cost of living increase of 2% each year beginning July 1, 2013; 2nd by Selectman Hoyt. 5 approve/0 oppose

14. Adjourn

Chairman Taft adjourned the meeting at 9:25 P.M.

Respectfully submitted,

Dawn E. Taft
Deputy Town Clerk