

Board of Selectmen's Meeting Minutes

April 25, 2017; 5:00 P.M.

Board Members Present: Gregory N. Watkins, Chairman; Glenn R. Zaidman, Vice-Chairman; Bernard N. King, Jr.; Robert J. McHatton, Sr.; Robert P. Murphy

Administration Present: Town Manager Robert Peabody; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Public Works Director Jim Kidder

1. Call to Order

Chairman Watkins 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

a. April 10, 2017

b. April 11, 2017

Motion was made by Selectman King for approval of the minutes from the April 10, 2017 and April 11, 2017 Board Meetings; second from Selectman Murphy. 5 approve/0 oppose

4. Public Comments and Presentations

There were no public comments or presentations.

5. Committee Reports

Vice-Chairman Zaidman reported vandalism at Pondicherry Park; the boxes that hold maps and brochures were broken.

The Community Development Committee (CDC) submitted a report to the Board. On March 29 and April 12, 2017, the CDC met for the purpose of re-writing its charge and determining the priority issues from the Comprehensive Plan that the CDC should recommend to the Board of Selectman (BOS) that it work on in the future. The following charge was recommended to replace the present one: "The Community Development Committee (CDC) act as an advisory committee. Its mission is to identify and prioritize the goals of Bridgton's Comprehensive Plan, recommend an action plan and advise the Select Board accordingly." **Motion** was made by Vice-Chairman Zaidman to accept the charge as presented; motion fails for lack of a second. The Board requested discussion with the Committee Chairman before approving this charge. Chairman Watkins directed this item to the next agenda.

Selectman Murphy reported that there was also vandalism at the skateboard park over the weekend.

6. Correspondence and Other Pertinent Information

a. Correspondence from Planning Board Alternate Member Phyllis Roth

Chairman Watkins read the correspondence from Phyllis Roth into the record: "It has been an honor to serve my fellow residents of Bridgton, Maine as an Alternate Planning Board Member this past term. It is not my intention to stand for election this coming term. The May, 2017, meeting will be the last meeting of my term and will be the last Planning Board Meeting that I plan to attend." On behalf of the Board, Chairman Watkins thanked Ms. Roth for her notification and time served on the Planning Board.

7. New Business

a. Awards and Other Administration Recommendations

1. Documents Relating to June 13, 2017 Town Meeting Referendum

a. Municipal Officer's Certification of Official Text of a Proposed Ordinance: "Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs."

Motion was made by Selectman King to hereby certify the official text of the "Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs; second from Selectman Murphy. 5 approve/0 oppose

b. Secret Ballot Referendum – Recommendation of Municipal Officers (optional for ordinance amendments)

Motion was made by Selectman King to recommend passage of Question 1; second from Selectman McHatton. 5 approve/0 oppose

c. Municipal Officers' Notice of Public Hearing on Secret Ballot Referendum

Motion was made by Vice-Chairman Zaidman to approve the Municipal Officers' Notice of Public Hearing on Secret Ballot Referendum for 6:00 P.M. on Tuesday, May 23, 2017 at the Municipal Building; second from Selectman King. 5 approve/0 oppose

2. Annual Town Meeting Warrant; Open Ended or Capped Warrant Articles

Motion was made by Vice-Chairman Zaidman to designate "capped" warrant articles for appropriation; second from Selectman King. 5 approve/0 oppose

3. Discussion of Farmers' Market Policy to Aid in Communication and Expectations (tabled from 4/11/2017)

Motion was made by Vice-Chairman Zaidman to take this item off the table; second from Selectman McHatton. 5 approve/0 oppose

Chairman Watkins passed over this item and moved on to the next agenda item.

4. Rules & Regulations Regarding Bridgton Outdoor Market

Selectman McHatton reported that he met with the Town Manager, Public Works Director and Deputy Town Manager to create options going forward. The first option is for the Town to run the Bridgton Outdoor Market. He noted that the market would be divided into three sections: Section A is the green area between the crossing sidewalk and entrance to the parking lot facing the Magic Lantern and encompasses ten (10) 10' wide spaces; Section B is the green area between the crossing sidewalk and entrance to the parking lot facing the Bridgton Community Center and encompasses nine (9) 10' wide spaces; Section C is the green space between the Bridgton Community Center and Community Gardens and encompasses nine (9) 10' wide spaces. Also, this includes open market competition with a \$25 fee imposed to each vendor. The dates and times listed on the rules were simply placeholders and subject to change.

Chairman Watkins voiced concerns regarding the amount of insurance carried by each vendor and the Market as a whole. Brenna Mae Thomas-Googins responded that each vendor carries at least a million to two million dollar policy if they are selling food and they accept full legal and financial responsibility; non-food vendors sign a waiver and are covered under the Market umbrella policy. Town Manager Peabody asked what happens if someone is hurt under their tent and how the Town would be indemnified. Ms. Thomas-Googins responded that the Market insurance would deal with the vendor that signed the waiver. Town Manager Peabody added that the Board can set the level of insurance requirements if they choose.

Selectman McHatton reported that the second proposal is that the Farmer's Market would run the Market under the Rules & Regulations provided by the Town in conjunction with their own set of by-laws. This includes Bridgton Farmers having first option of the first few sites.

Selectman McHatton then noted the third option is one that the Board and the Market collectively comes up with tonight. He added that he does not have a personal vendetta against the Market and his intent is to protect the Town.

Kathy Banks, resident of Denmark, stated that she has been a member of the Market for fifteen years and never experienced any problems with traffic flow until two years ago when the vendors were moved. She added that the Market tries to have consistency with the highest quality of products and this takes a lot of work through process and licensing.

Selectman King asked how many markets offer preferential treatment for those vendors that live in the community. Ms. Thomas-Googins responded that she is not aware of any. She added that all vendors come from within a thirty five mile radius and would review the idea of holding space for Bridgton residents on a trial basis.

Brenna Mae Thomas-Googins voiced concerns that the additional outside vendors from Bridgton would not fall under the insurance umbrella and would not have access to use the EBT card machine. She also requested that vendors be allowed to set up on the street side as well as the parking lot side. The \$25 should not be a hardship for most vendors and she said that this is great dialog to make sure it's a functional market for both vendors and the Town.

Chairman Watkins at 6 brought agenda items 11 and 12 forward at 6:00 P.M.

11. Public Hearings

a. Public Hearing on a New Liquor License for Breakroom 248

Chairman Watkins opened the public hearing on a new liquor license application for Breakroom 248 at 6:04 P.M. Co-owner Dan Edwards stated that the new business is opening in the old Wizard of Paws building. No alcohol is expected to be served until after 8:00 P.M. to encourage families to visit the establishment. There were no other public comments. Chairman Watkins closed the public hearing at 6:06 P.M.

12. Action Items Following Public Hearing

a. Action on New Liquor for Breakroom 248

Motion was made by Vice-Chairman Zaidman for approval of the new liquor license to Breakroom 248; second from Selectman King. 5 approve/0 oppose

Chairman Watkins returned to discussion of the Farmers' Market.

Bridgton resident Ursula Flaherty stated that she is not a vendor but an enthusiastic user of the market. She noted that it seems reasonable to have someone run the market that knows how to and work on communication with the Town going forward. She suggested designating a town employee to be a bridge for communication. She added that the Market is wonderful for the community.

Community Center Director Carmen Lone requested clarification of the proposed Section C to which Town Manager Peabody responded that Section C is along the new parking area on the green space, in front of the gardens.

Kathy Banks noted that the proposed Section C is where the market has been situated and created problems with traffic flow and parking. She strongly suggested not having any vendor in that area. She noted that the

proposed rules for the outdoor market were drawn from the Use of Town Owned Property policy and wanted to know why the Market is being singled out while other entity's (for example, Art in the Park) are not being asked to do the same. Selectman McHatton responded that the Board is attempting to correct some of the issues regarding the market.

Brenna Mae Thomas-Googins reported that there are sixteen vendors with three additional spaces (EBT card, music tent and open booth). Additionally there are six vendors that require two spaces. This brings the total number of spaces to 25 (10 vendors/1 space, 6 vendors/2 spaces each, 3 spaces for EBT, music and tent). She requested that all vendors be allowed to utilize the green space, parking lot and street side, to keep all the vendors together; this provides a sense of community and it feels right to be close together.

Claire Berube, Lake Region Nursery and Bridgton vendor, voiced concerns that Bridgton vendors not associated with the Market can set up and not be subject to the same rules. She also noted that duplication of product effects members of the market.

Town Manager Peabody will gather additional information from the Town Attorney and Insurance Agent for the next meeting.

Motion was made by Selectman McHatton to allow the Farmer's Market to open on May 6th to include set up on the sidewalk side and parking lot side as laid out by the Manager and staff as a pilot program subject to potential amendment at the next meeting; second from Vice-Chairman Zaidman. 5 approve/0 oppose

Motion was made by Vice-Chairman Zaidman to charge a \$25 fee to each vendor for a Hawker & Peddler Permit/Use of Space Permit including \$25 each for EBT card space, music space and open booth space; 2nd from Selectman King. 5 approve/0 oppose

Motion was made by Vice-Chairman Zaidman to authorize the Town Clerk to issue licenses to the Market Vendors; 2nd from Selectman King. 5 approve/0 oppose

b. Permits/Documents Requiring Board Approval

1. Use of Town Owned Property Permit to Farmer's Market
2. Hawker & Peddler Permit to Farmer's Market

Discussion of the Farmer's Market will be continued on May 9, 2017.

3. Victualer's License:

- a. Bridgton Lil' Mart
- b. Corn Shop Trading Company
- c. Breakroom 248
- d. Punkin Valley Inn

Motion was made by Vice-Chairman Zaidman to consider items 3a-3d as a block; second from Selectman King. 5 approve/0 oppose

Motion was made by Vice-Chairman Zaidman for approval of items 3a-3d (Victualer's Licenses to Bridgton Lil' Mart, Corn Shop Trading Company, Breakroom 248 and Punkin Valley Inn); second from Selectman King. 5 approve/0 oppose

4. Sewer Commitment #185, Route 3

Motion was made by Vice-Chairman Zaidman to commit the December 1, 2016 to February 28, 2017 Sewer User Rate Commitment #185 comprising of 1 page totaling \$3,505.78 to the Treasurer for collection; second from Selectman McHatton. 5 approve/0 oppose

5. Proposed Street Name; Map 4, Lot 15; Ira Sochet Revocable Trust

a. Amethyst Street

b. Topaz Street

Motion was made by Vice-Chairman Zaidman to approve Amethyst Street and Topaz Street for the roads accessing Map 4, Lot 15; second Selectman McHatton. 5 approve/0 oppose

6. Accept Payment and Approve Quit Claim Deed to Kevin Thurston;
Map 17, Lot 15 (Sweden Road)

Motion was made by Selectman McHatton to accept payment and approve the Quit Claim Deed to Kevin Thurston for property described as Map 17, Lot 15 on the Town of Bridgton Tax Maps; second from Vice-Chairman Zaidman. 5 approve/0 oppose

7. Accept Payment and Approve Quit Claim Deed to Eric O'Connell
Map 13, Lot 37-3 (Noncarrow Way)

Motion was made by Selectman McHatton to accept payment and approve the Quit Claim Deed to Eric O'Connell for property described as Map 13, Lot 37-3 on the Town of Bridgton Tax Maps; second from Selectman King. 5 approve/0 oppose

8. Accept Payment and Approve Quit Claim Deed to Jacqueline Huntress
Map 24, Lot 25 (3 School Street)

Motion was made by Selectman McHatton to accept payment and approve the Quit Claim Deed to Norman Huntress for property described as Map 24, Lot 25 on the Town of Bridgton Tax Maps; second from Selectman Murphy. 5 approve/0 oppose

c. Selectmen's Concerns

- **Selectman McHatton** noted that the Board talked about closing the Transfer Station on Easter Sunday. Town Manager Peabody responded that the Easter holiday is not designated as a benefit in the union contract or in the personnel policy. Selectman McHatton stated that this information should have been brought back to the Board and, in his opinion, the Transfer Station should be closed that day.
- **Selectman Murphy** seconded Selectman McHatton's comments. He asked how many people visited the station on that day to which Deputy Town Manager Fleck responded that she was informed that a few hundred vehicles went through the station and the average is five hundred.
- **Selectman King** had no concerns.
- **Vice-Chairman Zaidman** had no concerns.
- **Chairman Watkins** stated that the Town Meeting Gazette was very useful and asked the Town Manager to prepare the document and make it available to the public as soon as possible.
- **Chairman Watkins** asked for an update on the wayfinding signs to which Town Manager Peabody responded that he received the photos today and will have discussion with the Town Attorney and the Vendor.

d. Town Manager's Report/Deputy Town Manager's Report

Deputy Town Manager Fleck submitted the following report:

"DEPUTY TOWN MANAGER'S REPORT / April 25, 2017

Personnel: Advertising has begun for a new **Community Development Director** with a deadline of Friday, May 12, 2017 at 4:00p.m. for submittal of an application and resume. Information is available on the Town of Bridgton's website at www.bridgtonmaine.org

Advertising has begun for a **Transfer Station Laborer** with a deadline of Tuesday, May 9, 2017 at 4:00p.m. for submittal of an application. Information is available on the Town of Bridgton's website at www.bridgtonmaine.org

I would like to welcome **Robert “Bob” Fitzcharles, Transfer Station Manager**, back after an extended leave and thank **Jim Kidder, Public Works Director**, for supervising the Transfer Station in Bob’s absence to make sure that operations continued without any disruption in services to the community.

George Szok, Town of Bridgton Grant Writer, held a public meeting on Monday, April 24th regarding **Broadband** to comply with one of the requirements for a Planning Grant Application to ConnectME Authority which is due Friday, May 12, 2017.

Salmon Point Campground on Long Lake: We would like to welcome back Bob Morse as **Manager for Salmon Point**. He will officially begin his management duties on Thursday, April 27th.

Linda Goldrup, **Custodian for the Municipal Office**, will migrate to Salmon Point to continue custodial and grounds work at the campground. She will continue to be back-up when necessary for the Municipal Office.

Planning Board: **Phyllis Roth, Planning Board Alternate’s** terms expires in June and she has chosen not to re-run. In 2014 Phyllis was elected as an alternate via write in. Over the years Phyllis also participated in various committees offering her expertise and knowledge. I would like to thank Phyllis for her dedication in the years she served as an alternate on the Planning Board and as a member on various committees.

Before the **Planning Board** on Tuesday, May 2, 2017 is an application for a 55 lot adult community subdivision located on Route 117 near the Denmark Town line known as Bridgton Tax Map 4 Lot 15 owned by Ira Sochet. Also on May 2nd is an application for a 4,300 square foot mixed use building located at 175 Portland Road known as Bridgton Tax Map 9 Lot 64-3 owned by JSM Property LLC. For further information please contact Rob Baker, Code Enforcement Officer or Brenda Day, Administrative Assistant at the Town Office, 207-647-8786, during regular business hours or attend the Planning Board meeting on May 2nd which is open to the public.

General: On May 12, 2017 from 12:30 to 4:30p.m. at Augusta Armory, 179 Western Avenue, Augusta. The Office of Child and Family Services and Maine Housing invite the public to participate in a Strategic Planning Forum about **Ending Youth Homelessness in Maine**. Electronically RSVP no later than May 1st to <https://homelessyouthforum.eventbrite.com>

Financials: Before you tonight is **March’s Revenue and Expenditure Summary Report**. As you will note, the benchmark is 75% for the month. Revenues are at 72.5% and Expenditures are at 76%”

8. Treasurer’s Warrants

Motion was made by Selectman Murphy for approval of Treasurer’s Warrants number 97, 98, 99 and 100; second from Selectman King. 5 approve/0 oppose

9. MSAD 61

Selectman King encouraged public attendance at the MSAD 61 District Budget Meeting on May 16th at 6:30 P.M.

10. Public Comments and Presentations on Non-Agenda Items

Deb Brusini offered comment and question with much respect to the Select Board members recognizing that their positions are challenging at times particularly when a controversial decision is reached. She was dismayed to watch the scene unfold on April 11th in which the nominee for Community Development Director was not confirmed creating an embarrassing and awkward situation for many present and, in her opinion, especially for the Town. She believes it may be more difficult to fill the position given the unexpected public disapproval of the nominee. Knowing the Board voted unanimously to fill the position and given the circumstances of rejecting a nominee who appeared to have been vetted thoroughly. She asked if there have been any applications submitted as of yet to which Town Manager Peabody responded that a handful have been received. She suggested that the Board consider trying to prevent what happened by modifying the process in some way so that the Town Manager can elicit any significant reservations about hiring the person before it gets to final approval.

Cathy Pinkham agreed with Ms. Brusini. She added that she is proud of all Boards and Committees and appreciates what they do. Ms. Pinkham encouraged the Board to move forward and suggested not inviting candidates to attend the meeting until they have been officially hired and confirmed.

Phyllis Roth thanked Deputy Town Manager Fleck for the nice comments she provided in her report. She said that she moved to Bridgton about four years ago. She noted the nice events similar to Bike Maine and would like to see someone in the position of Community Development that would continue bringing events to Town. She believes that a decision was made to not confirm the candidate before they even met her and, in her opinion, Town Manager Peabody would not have recommended someone to the Board that could not do the job.

Ursula Flaherty said that she was mortified when she watched the video of that Board Meeting where the Board did not confirm the candidate to the position of Community Development Director. She cannot imagine doing business in in such an unprofessional manner and encouraged the Board to do better next time.

11. Public Hearings

12. Action Items Following Public Hearing

Agenda items 11 and 12 were addressed earlier in the meeting.

13. Old Business

a. Town Manager's Evaluation Form

Selectman King suggested several amendments to the Town Manager's evaluation form. **Motion** was made to amend the document to strike the word "form" from the title, strike "verbal skills and the ability to be prepared to respond to questions in meetings, as a representative of the town" on page 3, strike "interact with other municipal, county, regional and state committees as needed" on page 5, and strike "represents the community in a professional and courteous manner" from page 6; second from Selectman McHatton.

5 approve/0 oppose

Chairman Watkins requested that the revised document be provided to the Board on May 9th with an executive session on May 23, 2017.

14. Dates for the Next Board of Selectmen's Meetings and /or Workshops

May 9, 2017 and May 23, 2017

Chairman Watkins stated that May 1st is the deadline for filing petition and/or nominations papers for Annual Town Meeting. He noted that nomination papers are available for: two (2) Selectman/Assessor/Overseer of the Poor for three (3) year terms; one (1) Planning Board Member for a three (3) year term; one (1) Planning Board Alternate Member for a three (3) year term; one (1) MSAD 61 Director for a three (3) year term; and one (1) Water District Trustee for a three (3) year term.

15. Adjourn

Chairman Watkins adjourned the meeting at 7:47 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk