

Board of Selectmen's Meeting Minutes
Board of Selectmen's Meeting Room
September 25, 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

Board Members Absent: Joan M. Gardner

Town Manager, Mitchell A. Berkowitz was also present.

1. Call to Order

Chairman Triglione called the meeting to order at 5:00 P.M.

2. The **Public Hearing** to consider applications from Jack Knight (Knight's Garage), Paul A. Gallinari (Powerhouse Salvage) and Ovide Corbeil (Ovide's Used Cars) for renewal of their Automobile Junkyard Permit to be issued from October 2007 until October 2008 pursuant to the provisions of 30-A MRSA 3751 et seq. was opened at 5:00 P.M. by Chairman Triglione. There were no public comments. The public hearing was closed at 5:01 P.M.

3. Public Comments; Non-Agenda Items

Joe Beecher, representing Bridgton Art Guild, presented a framed "2007 Art in the Park Poster" to the Board of Selectmen. Mr. Beecher submitted donations to the Police Department and Public Works Department for their assistance with the *Art in the Park* event. He also thanked the Board for their support and the opportunity to use the park annually.

John Andrews asked the Board to revisit the ongoing problems associated with Creamery Street traffic. He requested help in reducing through traffic noting that the street is not designed for the volume of speeding traffic that use the road on a regular basis. He suggested a "no right turn" sign from Highland Road and a "no left turn" sign from Route 302 and signage to prohibit large trucks from using the road. Discussion ensued. The Board opted to table discussion of this issue until their next meeting.

4. Presentations and Discussions

a. Review of Mr. Acker's Request for Use of Shorey Park

Elihu Acker requested use of Shorey Park to display an exhibit of black and white portraits of people that he has come in contact with on a daily basis. The purpose is to celebrate their lives from the simplest cup of coffee to a major order from the feed store; he added that these people touch our lives in many ways. The display would be mounted on black ABS plastic pipe which would be tied to the trees in two parallel lines. The portraits would then be attached to the pipes; no harm would come to any part of the trees or grounds. **Motion** was made by Selectman McHatton to allow use of Shorey Park as requested, Mr. Acker will coordinate the logistics with the Town Manager; 2nd from Vice-Chairman Woodward. 4 approve/0 oppose

b. Fire Truck Specifications and next steps

This item was tabled until after agenda item 7.

c. County Wide Assessing Services Update; Mitch

Town Manager Berkowitz reported that Cumberland County is conducting a feasibility study to determine if County Wide Assessing Services would be cost effective. He will keep the Board up to date on their efforts.

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4. Presentations and Discussions (continued)

d. Discussion Regarding Seasonal Saturday Hours

The Board reviewed the number of customers that took advantage of Saturday office hours during the summer months. The months of April, May and June were very busy. July brought in 16 customers and August only 4. **Motion** was made by Selectman McHatton to only open on the last Saturday of each month from April until July in the summer; 2nd from Selectman Bell. 4 approve/0 oppose

e. Proposed Parking Ban Ordinance

Town Manager Berkowitz and Public Works Director Kidder prepared and submitted a proposed Parking Ban Policy/Ordinance for the Board to review. The Board scheduled a public hearing for October 9th.

f. Proposed General Policy; Freedom of Access; Right to Know

This item was tabled until the next meeting.

g. Review of Simple Insurance Cost Survey

Town Manager Berkowitz submitted information from various Towns regarding insurance package costs. There is a significant difference between our total insurance costs as compared to other small communities; Town Manager Berkowitz asked the Board if he should prepare a request for proposals for insurance packages. Selectman McHatton believes that we should stay with our current vendors as they are local and contribute to the town in many ways. Vice-Chairman Woodward said that we have an obligation to seek the lowest possible rates for our taxpayers. **Motion** was made by Selectman Bell to issue a request for proposals for insurance; 2nd from Vice-Chairman Woodward. 3 approve/1 oppose *Selectman McHatton opposed.*

5. Approval of Minutes; September 11, 2007

Motion was made by Selectman Bell for approval of the minutes from the September 11, 2007 Board meeting; 2nd from Vice-Chairman Woodward. 4 approve/0 oppose

6. Correspondence and Other Pertinent Information

a. MMA Convention and Other Pertinent Information

Town Manager Berkowitz, Economic Development Director Niemy and Selectman Gardner are attending the Annual Maine Municipal Association Convention in Augusta next week.

7. Town Manager's Report

Town Manager Berkowitz reported the following:

Police Department Personnel: The Chief continues to address position issues that are related to employment and staffing. The last round of oral boards provided us with two viable candidates with one being offered a full time position at that time. The second candidate, Mr. Joshua Muse, was given the opportunity to complete the physical fitness performance test over the course of the summer. The test would be a critical requirement for any candidate to successfully complete the academy. He has now been offered a full time position with the Department effective September 19. He would be scheduled to attend the academy in August of 2008.

Mr. Dave Sanborn has also prepared himself and is being offered a position as a part time police officer. He will continue to be employed full time as one of our dispatchers. The performance of his patrol duties is considered a totally separate job and responsibility.

The Chief received a written resignation from Sgt. Doug Taft who will be leaving October 3, 2007. Doug's career in law enforcement spans several decades. He started in Bridgton on April 27, 1977 and during his tenure he was one of our resources for a variety of activities including drug enforcement, investigation and domestic violence related actions. We wish Doug every success in any of his future endeavors.

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7. Town Manager's Report (continued)

Office Renovation Progress: We are in the final stages of the work awaiting for the doors to be installed with their hardware and then we will complete any of the electronic issues and commence the office moves. Upon conclusion of the work the Board will receive a financial report of the expenses.

Emergency Preparedness: A team of Town department personnel met on Sept. 18 to further review our plans should we face a future town wide emergency. This group will meet October 9 to continue the preparations. We are attempting to have a "table top" exercise in late October to "Test" our plan and seek areas of improvements.

Sand for the Winter: Jim has procured a sand pit site in Sebago that will screen and load the sand. We will use mostly PWD trucks for hauling supplemented with a hired truck. We are planning to purchase over 3500 cu. yds. of sand.

Corn Shop Brook Project: This CDBG project was put out to bid with the bid opening on Sept. 13. A total of six contractors bid the project with Gorham Sand and Gravel Construction Co. being the lowest responsible bid at just under \$246,000. With the Board's bid award tonight, we will plan on a preconstruction conference on Friday at 9:00 AM to move this project to completion by early December.

Bridgton Academy's Bicentennial Celebration: As the Academy approaches their 200th birthday they will kick off the celebration with an academic convocation on campus September 28th from 9-11 AM. Members of the Select Board are invited. We congratulate the Academy on this very special milestone of history.

Cemetery Notice: Jim Kidder reminds the community that as of Monday, October 15, 2007, all baskets, pots and flowers must be removed from all Bridgton town maintained cemeteries.

Holiday Reminder: Monday, October 8 the Town Offices and the Transfer Station will be closed in honor of Columbus Day. We will resume regular operations on Tuesday October 9 at 8:00 AM.

Selectman McHatton asked if David Sanborn will receive overtime pay for working as a part time officer. Town Manager Berkowitz replied that the two positions are separate and that he will not receive overtime until he has worked over 40 hours in each capacity; he added that his primary duty is as a dispatcher.

Selectman Bell asked if the new officer, Joshua Muise, passed the academy agility test. Police Chief Lyons replied that he was tested on a local level based on academy standards and did pass.

4. Presentations and Discussions (continued from page 1)

b. Fire Truck Specifications and next steps

Fire Chief Glen Garland provided the Board with a copy of the request for proposals to prospective bidders for a fire truck. He reviewed the document in part.

8. Old Business

a. Preliminary Discussion; Board's CIP Priorities for 2009

Town Manager Berkowitz asked the Board for feedback regarding CIP priorities for 2009. Selectman McHatton recommended an expansion and improvements to the municipal parking lot on Nulty Street. Selectman Bell recommended renovations at the Town Garage to include a new roof and siding. Chairman Triglione recommended the establishment of a right-of-way to Adams Pond. The Board will continue to submit their recommendations to the Town Manager over the next few weeks.

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8. Old Business (continued)

b. Distribution of FEMA Funds to Various Accounts with Approvals

The Town received reimbursement in the amount of \$72,939 from FEMA as a result of the filing of expenses due to the Patriot's Day storm. The following is a reconciliation that Public Works Director Kidder and Town Manager Berkowitz are recommending for distribution of these funds.

- PWD expenses; \$25,000 to be credited to the appropriate line items;
- Cost of Sand has doubled; current budget is short; \$18,000 to be credited to PWD sand line item;
- Depot Street Design Engineering; \$6,000 (not to exceed, likely \$4,500);
- Balance Remaining in FEMA account; \$23,939 to be carried until used.

Motion was made by Selectman McHatton to distribute the FEMA funds as recommended; 2nd from Selectman Bell. 4 approve/0 oppose

c. Sample Summary Format for Future Abatement and Supplement Form

The Board reviewed a sample summary format for future abatements and supplementals. **Motion** was made by Selectman McHatton to accept the new format; 2nd from Selectman Bell. 4 approve/0 oppose

d. Review of Town's Role; Family Crisis Calls for Service

At the Board of Selectmen's Meeting on September 11, 2007, the Board asked the Town Manager what role the Town might play when a family domestic violence incident occurs. Family Crisis requested that Bridgton become their first "partner" and model which they would use as they meet with other communities. Their expectations dealt with both housing overnight if needed and then transportation to their resources in Portland as being the Town's role. Town Manager Berkowitz reviewed the General Assistance Laws and guidelines and found that such a role for the Town would likely expose us to further costs beyond what we currently have budgeted. As a law enforcement agency, our police department personnel are usually the first on the scene to a family domestic violence incident. The officers are trained to make basic decisions and if Family Crisis personnel are called in, we generally assist in separating the adversarial partners. Absent of the need to arrest and detain, our officers would leave the scene when they believe their primary role has been fulfilled. Further assistance then comes from Family Assistance resources. No one disputes the importance and severity of incidents of a domestic violence nature. However, if we were to expand our primary role as a partner with Family Crisis Services, we are exposing the Town to significant elements we are not prepared for at this time. These can include multiple night lodging, costs associated with providing transportation including overtime if the officers must respond to simultaneous calls and then the likelihood of continued general assistance as needed. Town Manager Berkowitz recommended that the Town's primary role should not be expanded at this time. Secondly, should the Town determine that our role can be expanded, he insisted that the role be clearly understood and that our Town Attorney review the exposures that this would imply to the taxpayers. **Motion** was made by Selectmen McHatton to follow the Town Manager's recommendation; 2nd from Vice-Chairman Woodward. 3 approve/1 oppose *Selectman Bell opposed.*

9. SAD #61

Selectman Gardner had attended the School Consolidation Regional Meeting and asked the Board to appoint her to the committee as a "citizen at large." She believes that she can be more effective as a liaison from the Board to this Committee. She will provide the Board with a report of the progress to date. **Motion** was made by Vice-Chairman Woodward to appoint Selectman Gardner as requested; 2nd from Selectman McHatton. 4 approve/0 oppose

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10. New Business

a. Permits and Documents Requiring Board Approval

1. Automobile/Junkyard Permit Applications

- ① Powerhouse Salvage
- ② Knight's Garage
- ③ Ovide's Used Cars

Motion was made by Selectman McHatton for approval of the automobile junkyard permit applications; 2nd from Selectman Bell. 4 approve/0 oppose

2. Liquor License Renewal for Route 302 Roadhouse Restaurant

Motion was made by Vice-Chairman Woodward for approval of the liquor license renewal application for Route 302 Roadhouse Restaurant; 2nd from Selectman McHatton. 4 approve/0 oppose

3. Corn Shop Brook Redevelopment Project; Award Bid

The Town concluded the bid process for the parking lot portion of the Corn Shop Brook Redevelopment Project on Thursday, September 13th and received six bids. To follow are the bids received and their amounts:

Glidden and Sons; \$293,760.⁰⁰

Pratt and Sons; \$366,160.⁰⁰

Gorham Sand and Gravel; \$245,899.⁰⁰

St. Laurent and Sons; \$284,030.⁰⁰

Kent Co.; \$327,463.⁸⁰

T. Buck Construction; \$313,313.⁰⁰

Micah Niemy, Economic Development Director, recommended awarding the bid to Gorham Sand and Gravel for the bid amount \$245,899.⁰⁰. **Motion** was made by Vice-Chairman Woodward to award the bid to Gorham Sand and Gravel as recommended by the Economic Development Director; 2nd from Selectman Bell. 4 approve/0 oppose

Economic Development Director Micah Niemy reported that the sewer and lighting issues were not part of the original contract with Wright-Pierce for engineering services associated with downtown revitalization. He recommended approval of Amendment No. 1 to the Agreement with funding to come out of the sewer enterprise account. **Motion** was made by Vice-Chairman Woodward for approval of the following amendment: "The AGREEMENT shall be amended in the amount of \$3500.⁰⁰ for additional engineering services outside the original AGREEMENT Scope of Services. These additional services are described as the inclusion of Sewer Design Work by Woodard and Curran in the Bid Package and the NRPA Permit by Rule, as well as lighting design considerations for the Depot Street Parking lot" and to authorize the Town Manager to execute the documents; 2nd from Selectman Bell. 4 approve/0 oppose

4. Sewer Reallocation; Kermit G. Foster, Jr.

Mr. Kermit G. Foster requested sewer reallocation of 60 gallons per day to Map 23, Lot 31 (154 Main Street); Map 23, Lot 32 (156 Main Street); Map 23, Lot 33 (158 Main Street). Mr. Foster currently has a total of 525 gallons. **Motion** was made by Selectman McHatton for approval of the sewer reallocation for Kermit G. Foster, Jr.; 2nd from Selectman Bell. 4 approve/0 oppose

5. Sewer Commitment #29

Motion was made by Vice-Chairman Woodward for approval of Sewer Commitment #29; 2nd from Selectman McHatton. 4 approve/0 oppose

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10. New Business (continued)

b. Legal Matters

There we no legal matters.

c. Selectmen's Concerns

Vice-Chairman Woodward and Chairman Triglione had no concerns.

Selectman McHatton asked the Public Works Director what he intends to do with the peonies. Mr. Kidder replied that he plans to sell the plants with all profits to benefit Veterans Park.

Selectman Bell asked the Town Manager if he has prepared the bid specifications for audit services. Mr. Berkowitz replied that he is waiting for the final audit report from the last fiscal year before preparing specifications for future audits.

d. Other Matters

The Board received a request from the *Knights of Columbus* to place a sign on South High Street. The Board had no problem with the request; however Public Works Director Jim Kidder noted that South High Street is a State road.

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

The Board reviewed the agenda for the next meeting scheduled for October 9, 2007.

12. Treasurer's Warrants

Motion was made by Selectman McHatton for approval of Treasurer's Warrants numbered 33, 34, 35, 36, 37, and 38; 2nd from Vice-Chairman Woodward. 4 approve/0 oppose

13. Executive Session:

MRSA Title 1 Chapter 13 Subsection 405.6D "Discussion of matters related to the current contract negotiations in the Police Department and Personnel Matters"

Motion was made by Vice-Chairman Woodward to enter into executive session at 7:10 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6D for discussion of matters related to the current contract negotiations in the Police Department and Personnel Matters; 2nd from Selectman McHatton. 4 approve/0 oppose

Police Chief David Lyons and Police Lieutenant Peter Madura were invited into executive session.

Motion was made by Selectman Bell to come out of executive session at 8:19 P.M.; 2nd from Selectman McHatton. 4 approve/0 oppose

14. Adjourn

Chairman Triglione adjourned the meeting at 8:10 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk

Next Board Meeting: October 9, 2007