

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

## **February 26, 2013; 6:00 P.M.**

**Board Members Present:** Paul E. Hoyt, Chairman; Robert F. Woodward; Bernard N. King, Jr.  
Robert J. McHatton, Sr.

**Board Member Absent:** Douglas A. Taft, Vice-Chairman

**1. Call to Order**

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

**2. Pledge of Allegiance**

The Board recited the "Pledge of Allegiance."

**3. Public Hearing (None)**

**4. Public Comments (Non-Agenda Items)**

Mike Tarantino reported that since November of 2012, the Fuel Collaborative Program has assisted forty-three Bridgton families with one hundred gallons of heating fuel each; the total expended was \$13,572. With the exception of \$1,900, the funding contributions came from individuals and service groups. The available balance is less than \$1,000 and the program has been cut off with the balance used only if a real emergency situation comes through the Police Department, Town Office or other organization. If additional donations come in, the program will resume. Mr. Tarantino thanked the Town for their help.

**5. Presentations and Discussions**

**a. Walking Path Project; Bridgton Historical Society (B.H.S.) and the CDC**

Tom Stone, Ken Gibbs, Lega Medcalf and Kathleen Vincent were present representing the Bridgton Historical Society. Mr. Stone proposed a historical walking trail be established for tourists, which will be focused on downtown historical homes and businesses. The anticipated date for the implementation of phase one is Memorial Day (May 27, 2013). The idea for the Historical Walking Trail was brought to the B.H.S. by local residents, and all are enthusiastically convinced that the trail will enhance tourism and promote downtown businesses. The following are the particulars for Phase One of the Walking Trail:

1. Street Locations and Starting Point: The street locations are South High Street, North High Street to Farragut Park, the Fowler/Church Street area, Depot Street, and Main Street. The starting point will be at a new bulletin board to be installed in the Town parking lot next to the short sidewalk to Reny's.

2. House Selection Criteria: Houses and commercial establishments that are shown on the Bridgton Town Map of 1871 will constitute the basis for selection. Exceptions to this date may be granted by petitioning the B.H.S.

3. Signage: Signs will be placed on all buildings included in the historical walk. The Historical Society has determined the size and shape for an appropriate sign, costing approximately \$50. The cost will be borne by the individual home owners. The results of the survey of the twenty-one potential homes for the Trail indicate that the cost of the sign presents no problem to the owners.

4. Bulletin Board: A weather-proof, well-made bulletin board frame with a glass enclosure inside the structure will be constructed that will feature a large map of the housing brochure describing the Walking Trail.

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### 5. Presentations and Discussions

a. Walking Path Project Project; Bridgton Historical Society and the CDC (continued)

5. Brochures: The brochures will have a copy of the trail map on one side with the houses identified, and on the other side, there will be a brief description of the houses and other buildings chosen for signage. For the convenience of those walking the Trail, digital media such as QR codes can be a part of the brochures.

The following is a breakdown of the costs necessary to implement the program this first year:

1. Aluminum/glass water-tight enclosure for map*	\$550
2. Exterior wood frame for Bulletin Board*	\$250
3. Installation of Bulletin Board	\$400
4. Laminated Map for Bulletin Board	\$200
5. Brochures (1000), production and printing	\$1,000
6. B.H.S. overhead and research	\$700
Total	\$3,100

\*A brochure picturing the aluminum/glass water-tight enclosure and the specifications for the construction of the wood frame bulletin board was provided to the Board. The wood frame will be constructed by the Lake Region Vocational Center.

When funded, the following will be the responsibilities of the B.H.S.:

1. Identifying the houses and business sites for participation in the Historical Walking Trail.
2. Invite participation of the owners of historical building by mail and by advertising in local media.
3. Cooperate with owners to provide a historical description for each structure.
4. Compose brochures and keep them current.

The success of Phase One of the Walking Trail will lead to the expansion of the number of historic structures and the extent of the Trail to other street locations.

Selectman King suggested that this project be funded from the Moose Pond Land Trust Fund. While Selectman McHatton supports the project, he is leery about using the Moose Pond Land Trust Fund and requested that the Town Manager obtain a legal opinion regarding qualification.

Selectman Woodward reported the Bridgton Business Group supports the project and there may be available funding through their organization. The Board opted to table this item until the March 12<sup>th</sup> meeting to allow Selectman Woodward time to explore funding options from the business group.

b. Bridgton Public Library Annual Report to the Select Board

Librarian Holly Hancock reviewed their annual statistical report and responded to several questions asked by the Board. Other members of staff were present as well. The Board thanked Ms. Hancock for her presentation.

c. Review of the Community Center MOU with their Directors

Town Manager Berkowitz reported that after he spoke with Mr. Tarantino, he submitted a revised memo of understanding. The following original language was deleted: "the parties contemplate that the annual appropriation by the Town for the Center during the term of this MOU shall not exceed \$75,000 per year or 45% of the Centers annual budget, whichever is less, unless suggested by mutual agreement." The original language has been reinserted without the "45% of the Centers annual budget" clause. Town Manager Berkowitz encouraged the Board to review the document for future discussion.

Ken Murphy stated that the last fundraising event brought in approximately \$12,000 in donations from full and part time Bridgton residents. The funds will be used in part to repair and paint the building. He noted that the Center will be closed from April 1<sup>st</sup> through the 12<sup>th</sup> and eleven inmates from the Cumberland County Corrections system will be painting the building inside as part of their community service.

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### 5. Presentations and Discussions (continued)

#### d. Woods Pond Report and Funding Request – Jeff Stern

Jeff Stern and Barry Denofrio were present representing the Woods Pond Water Quality Committee. Mr. Stern submitted a copy of the “watershed study” to the Board and reported that the study is also available on line by visiting the Lakes Environmental Association website. The Committee will be applying for a grant and requested funding to assist with the implementation of erosion control. This request will be considered during the budget process. The Board directed Public Works Director Jim Kidder to research the prices for a culvert.

#### e. CDBG Annual Projects and Funding Process

Anne Krieg requested that the Board appoint Greg Watkins, Rosie Schacht and Madelyn Litz to the CDBG Application Review Task Force. The charge for the committee is to review and grade applications using a given matrix following HUD guidelines. **Motion** was made by Selectman Woodward to accept the charge and appoint the membership as requested by Ms. Krieg; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

#### f. Discussion of Ways in Which the Town Can Recognize Volunteers

The Board discussed ideas of how the Town can recognize volunteers and opted to have detailed discussion at the next meeting when Vice-Chairman Taft is present.

#### g. Rob Baker, CEO; Building Permit Fees

Code Enforcement Officer Rob Baker provided the Board with a current fee schedule summary for review and consideration as they develop the budget for the upcoming fiscal year. CEO Baker noted that the building permit fees have not changed in the last eight years. **Motion** was made by Selectman McHatton to increase the fees by twelve cents; 2<sup>nd</sup> from Selectman King. Selectman Woodward voiced concerns regarding the high increase for new construction and made a **motion to amend** the increase to ten cents; 2<sup>nd</sup> from Selectman McHatton.

(vote on amendment) 4 approve/0 oppose / (vote on amended main motion) 4 approve/0 oppose

### 6. Approval of Minutes; February 12, 2013

**Motion** was made by Selectman King for approval of the amended minutes (*amend motion item 12.a.1. to “motion was made by Selectman McHatton to authorize the Public Works Director to remove any trees on Main Street as he deems necessary*) from the February 12, 2013 Board Meeting; 2<sup>nd</sup> from Selectman Woodward. 4 approve/0 oppose

Selectman McHatton requested that LRTV televise the Sewer Committee meeting on March 7<sup>th</sup>.

### 7. Correspondence and Other Pertinent Information

#### a. Request for the Use of Shorey Park; Bridgton Alliance Church

On behalf of the Bridgton Alliance Church, Richard Hagerstrom thanked the Board for supporting SPARK week by approving the highway cleanup project during the week of May 18<sup>th</sup> - 26<sup>th</sup>. He then requested permission to hold a live performance event at Shorey Park on Saturday, May 25<sup>th</sup> from 6:30 P.M. until sunset. The event will have a skilled gospel music team, a first class puppet troupe and a juggler. They do not intend to sell any items or ask for donations. Mr. Hagerstrom also requested access to the electrical hook-up if possible. **Motion** was made by Selectman McHatton to grant permission as requested; 2<sup>nd</sup> from Selectman Woodward.

4 approve/0 oppose

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

#### b. Request for Use of Parking Spaces for Outside Seating; Beth's Café

Beth Doonan, owner of Beth's Café, is in the process of purchasing 108 Main Street, the former Cool Moose Building. Ms. Doonan requested permission to create outdoor seating using the first two parking spaces on the left side of the building just behind the garden that separates the seating areas from the sidewalk and Main Street. The dimensions are 20'x24' and she intends to create an attractive border surrounding the seating area to ensure safety. She reported that all members of the parking lot association are in favor of the café having outdoor seating. **Motion** was made by Selectman King to grant permission as requested; 2<sup>nd</sup> from Selectman Woodward. **Motion** was made by Selectman McHatton to add that permission is contingent upon safe use of the lot and her agreement to make modifications as necessary; 2<sup>nd</sup> from Selectman King. (vote on amendment) 4 approve/0 oppose (vote on amended motion) 4 approve/0 oppose

*The Board brought agenda item 12.a.14 forward.*

### 12. New Business

#### a. Permits/Documents Requiring Board Approval

##### 14. Liquor License Extension of Privilege; Shawnee Peak

**Motion** was made by Selectman King for approval of 12.a.14; 2<sup>nd</sup> from Selectman Woodward.

4 approve/0 oppose

### 8. Town Manager's Report

Town Manager Berkowitz reported the following:

**MDOT Light Paving Projects:** We have been notified by MDOT of their paving schedule for light paving mix or about 5/8 inch for the following areas in and around Bridgton for this summer: Routes 93,35, 37, Knights Hill Road and South High Street. For more information please contact Rick Paraschak at 592-3132.

**Communications Tower Moved to Shawnee Peak:** The next phase of assuring the integrity of the Town's Communications system is almost complete. We started during the summer of 2011 when we changed over to the County Regional Dispatching Center and recognized that our current tower system and equipment was aging. With the approved funding and the agreement with Shawnee Peak we planned to have all radio communications come off the Mountain leaving our existing system as a back-up. By the end of this week the system will have been transferred to the mountain and fine-tuned to assure continued two way communications with the County. Both public safety Chiefs, staff members and Dirigo Communications, our contractor are to be commended for the implementation of this strategy that will serve our community.

**Snow Removal Operations:** The Public Works Department worked on primary snow removal from early Sunday morning to Sunday evening. Jim had a small team out sanding and salting the day before which save us some overtime. The actual snow removal started on Monday morning and continued through the day. We continue to do snow removal at straight time except in emergency or public safety situations.

**Managing Freedom of Access Requests:** Several local people including Georgiann and I attended the training sponsored by MMA last Thursday. As the designated Officer and Deputy for such requests, we have now been certified by the course and will continue to assist all departments which may receive such requests in the future.

**Impacts of the Proposed State Reductions:** Despite the political log jam that is occurring in Augusta, our efforts to anticipate a budget for June continues. At this point there is no change in the proposal nor do we have any numbers we can count on. I will be meeting with the Budget Advisory Committee on March 5 to further discuss this and will strategize with the Select Board how we may deal with the budget and the warrant articles. We are still facing upwards of a \$.42 per \$1000 of value tax rate impact as well as the impacts to our property owners and renters with the loss of the exemptions for those under age 65. If our citizens do not realize it yet, please understand that the proposal to balance the state budget is being placed upon property tax payers.

**Property Tax Collections Update:** February 15<sup>th</sup> was the due date for the third payment of property taxes. That sets a benchmark of 75%. Our actual collections were 70% for property taxes and 74.4% for personal property. Needless to say, we are working with folks to encourage their payments and to also minimize those who are on the automatic foreclosure list as is evidenced in the agenda under new business tonight.

Respectfully Submitted,  
Mitchell A. Berkowitz  
Town Manager

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### **9. Old Business**

a. Maine Service Center Coalition Membership and Services (Feb. 12, 2013)

The Board directed the Town Manager to gather additional information on the organization and their efforts and opted to further discuss this issue at their next meeting when Vice-Chairman Taft is present.

b. Report by Chief Garland; Internal Interest in Fire Inspector Position

Chief Garland reported that there is one fire department member that is interested in the position and this individual does have inspection training. **Motion** was made by Selectman Woodward to authorize the appointment of the inspector for an average of eight hours per week; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose Reporter Gail Geraghty asked who was appointed to the position. Chief Garland replied that he will make the name available after the position is accepted.

c. Draft #7 to the Social Media Policy and Seek Clarification of the Feb 12, 2013

**Motion** was made by Selectman Woodward for approval of the Social Media Policy; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

The Board clarified that their intent was to prohibit the arrest log and photos on the Police Department Facebook page and to authorize the posting of this content on the Town website.

### **10. Committee Reports**

a. Comprehensive Plan (no report)

b. Community Development Committee

1. CDC Directional Sign Report

Anne Krieg reported that the Committee is in the early stages of a way finding plan. The purpose is to have a cohesive sign design that is consistent throughout the downtown area. The signs will alert drivers where public parking areas are and other points of interest such as the Municipal Building, Post Office, Library, Community Center, Pondicherry Park, as well as Depot Street and Main Street shopping areas. Ms. Krieg will keep the Board informed of the progress.

2. Local Preference Recommendations

The Board received a copy of the committee-prepared draft of a local preference ordinance. **Motion** was made by Selectman King to direct the Town Manager to forward the document to the Town Attorney for recommendation providing the expense does not exceed \$2,500; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

3. Several Recommendations Included in the Feb. 13, 2013 Record

The Committee voted to recommend to the Board that they charge the Town Manager to come up with a plan or recommendation on which parcels of Town owned land can be sold and that it be done by using a professional realtor. **Motion** was made by Selectman Woodward to establish a policy that if there is land to be sold, that the Town Manager and Board look into the use of a realtor; 2<sup>nd</sup> from Selectman King. 4 approve/0 oppose

The Committee voted to recommend to the Board of Selectmen that the Recycling Committee be charged with looking into the Single Sort Program to review decline in revenue, any cost savings, and possible other beneficial options for recycling. Selectman McHatton requested that accurate figures regarding single sort recycling be provided before any action is taken.

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### 10. Committee Reports (continued)

#### c. Sewer Committee

Glen Zaidman reported that the Committee voted to bring recommendations to the Board regarding the enforcement of over use of allocation and also spreadsheet recommendations. These items will be discussed at the workshop on March 7<sup>th</sup>.

#### d. Recycling Committee (no report)

#### e. Investment Committee (no report)

#### f. Other Committees

Budget Committee Members Bill Vincent and Karen Eller were present. Mr. Vincent reported that the Committee has met with all but one department head and will finalize their recommendations on March 5<sup>th</sup>.

### 11. SAD #61 (none)

### 12. New Business

#### a. Permits/Documents Requiring Board Approval

1. Quit Claim Deed to Daniel K. Johnson & Michelle Lymburner
2. Quit Claim Deed to Herman Mederios
3. Quit Claim Deed to Eric O'Connell (Map 13, Lot 37-3)
4. Quit Claim Deed to Eric O'Connell (Map 13, Lot 94C)
5. Quit Claim Deed to Dennis Riley
6. Land Purchase Installment Contract (Eric O'Connell)
- ~~7. Land Purchase Installment Contract (New Sanctuary Cove, LLC)~~
- ~~8. Land Purchase Installment Contract (Tamisa Rowe)~~
9. Land Purchase Installment Contract (Joseph R. Walsh)
15. Land Purchase Installment Contract (Wayne Dadmun) (*additional agenda item*)

**Motion** was made by Selectman Woodward for approval of 10.a.1 through 10.a.6, 10.a.9 and 10.a.15; 2<sup>nd</sup> from Selectman King. 4 approve/0 oppose

#### 10. Cumberland County Tax Assessor's Return

**Motion** was made by Selectman Woodward for approval of 12.a.10; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

#### 11. Victualer (under 50 seating capacity) & Liquor License Renewal Antonietta Orlandella; Venezia Ristorante

#### 12. Victualer (under 50 seating capacity) & Liquor License Renewal Kirk Wohlmuth; Chao Thai Restaurant

**Motion** was made by Selectman Woodward for approval of 10.a.11 and 10.a.12; 2<sup>nd</sup> from Selectman King. 4 approve/0 oppose

#### 13. CMP Pole Permit; Pond Road

**Motion** was made by Selectman King for approval of 10.a.13; 2<sup>nd</sup> from Selectman Woodward. 4 approve/0 oppose

14. Liquor License Extension of Privilege; Shawnee Peak  
*This item was approved earlier in the meeting.*

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### **12. New Business**

#### b. Bids, Awards and other Administrative Recommendations

1. Request to Negotiate by the Bridgton Police Officers; Select the Town's Negotiating Team Members
2. Select the Town's Negotiating Team for the Public Works Contract

Selectman Woodward will serve on the negotiating team for the Bridgton Police Department. Selectman McHatton and Chairman Hoyt are available to serve on whichever team that Vice-Chairman Taft does not serve on.

#### c. Legal Matters; Legal matters will be discussed in executive session.

#### d. Selectmen's Concerns

- **Selectman Woodward** had no concerns.
- **Selectman McHatton** voiced concerns regarding the information submitted regarding the sale of Salmon Point and requested discussion at the March 12<sup>th</sup> meeting. Selectman McHatton believes that the question should be as simple as possible asking the voters if they want to sell the land (excluding the beach area) or not. Town Manager Berkowitz is waiting for the legal opinion regarding the intention of use and any potential reimbursement to the fund upon sale.
- **Selectman King** had no concerns.
- **Chairman Hoyt** had no concerns.

#### e. Other Matters

### **Town Manager Evaluation**

Selectman King noted that the Town Manager's evaluation process will begin next month and requested that the Manager forward the evaluation form to all Board members for review and amendment recommendations.

### **Juniper Ridge Landfill**

**Motion** was made by Selectman Woodward to authorize the Town Manager to construct a letter to the Maine Department of Environmental Protection and support denial of the Juniper Ridge Landfill application (additional information to follow); 2<sup>nd</sup> from Selectman McHatton 4 approve/0 oppose

*The Juniper Ridge Amendment Application is seeking fundamental changes that would break with over 20 years of state solid waste policy. This application, if approved, would allow for the acceptance of raw MSW at the Juniper Ridge Landfill (JRL). Allowing the disposal of raw MSW at the Juniper Ridge Landfill (JRL) is in conflict with Maine's Solid Waste Hierarchy, is not necessary, and is not the best use of the capacity at JRL.*

### **Board of Selectmen Stipend**

Chairman Hoyt asked the Town Manager to forward the Board of Selectmen stipend information to the Budget Committee. Town Manager Berkowitz responded that the information has already been submitted to the Committee.

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

March 7<sup>th</sup> workshop at 6PM

March 12, 2013

March 26, 2013

April 3, 2013 – follow up with committees

Chairman Hoyt requested that the April 3<sup>rd</sup> meeting be moved to April 10<sup>th</sup>. The Town Manager will coordinate the reschedule.

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**14. Treasurer's Warrants**

**Motion** was made by Selectman King for approval of Treasurer's Warrants numbered 86, 87, 88, 89, 90, and 91; 2<sup>nd</sup> from Selectman Woodward. 4 approve/0 oppose

**15. Executive Session** -MRSA Title 1, Chapter 13, Subsection 405.6.A. "Discussion of Matters Related to Personnel" and MRSA Title 1, Chapter 13, Subsection 405.6.E "Legal Matters Subject to Attorney Client Privilege"

**Motion** was made by Selectman King to enter into executive session at 9:40 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.A for discussion of matters related to personnel and per MRSA Title 1, Chapter 13, Subsection 405.6.E for discussion of legal matters subject to attorney/client privilege; 2<sup>nd</sup> from Selectman Woodward. 4 approve/0 oppose

*Selectman Woodward excused himself from the executive session at 9:45 P.M.*

**Motion** was made by Selectman King to come out of executive session at 10:26 P.M.; 2<sup>nd</sup> from Selectman McHatton. 3 approve/0 oppose

The Board had general discussion which included local preference, implementation of the comprehensive plan and long term sewer issues.

**16. Adjourn**

Chairman Hoyt adjourned the meeting at 10:52 P.M.

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk