

Board of Selectmen's Meeting Minutes

February 11, 2014; 5:00 P.M.

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

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

a. January 28, 2014

Motion was made by Vice-Chairman King for approval of the minutes from the January 28, 2014 Board Meeting; 2nd from Selectman Hoyt. 5 approve/0 oppose

Selectman McHatton noted that the minutes indicate that the Board agreed that any permit holder whose system causes the transmission of a non-emergency alarm in excess of three such alarms in any one calendar year period shall pay a fine of \$100 for the fourth offense and each additional offense thereafter. He added that the amended ordinance as presented in the agenda packet this evening does not reflect this.

4. Correspondence and Other Pertinent Information

a. Flood Insurance; FEMA Maps Update

Town Manager Berkowitz provided a brief update to the Board regarding the FEMA maps.

b. Ryan Vogel; Use of the Town Hall for Lacrosse

Dan Harden and Ryan Vogel were present to request use of the Town Hall for grade 3-4 lacrosse practice. Mr. Harden stated that the group will use soft balls in the confined space for safety reasons as well as to eliminate damage to the building. Recreation Director Gary Colello encouraged the Board to approve use of the Town Hall as requested.

c. Drummond Woodsum; Rate for General Municipal Services

The Board received correspondence that Drummond Woodsum rates for general municipal services will increase to \$145 per hour for shareholders and \$135 per hour for associates to be effective March 1st. **Motion** was made by Selectman McHatton to accept the rate increase and continue to use the firm; 2nd from Vice-Chairman King. Chairman Taft reported that Hastings Law Firm in Fryeburg submitted a proposal to provide legal services at \$165 per hour. 5 approve/0 oppose Town Manager Berkowitz will send a thank you letter to Hastings Law Firm for submitting a proposal.

5. New Business

a. Permits/Documents Requiring Board Approval

b. Bids, Awards and Other Administrative Recommendations

1. Recreation Department Reports

Netting Options for Town Hall

Recreation Director Gary Colello submitted information and quotes for mesh netting for the Town Hall. The Board asked if the item was included in the current budget to which Director Colello responded that it is not. Discussion ensued. **Motion** was made by Selectman McHatton to direct this request to the budget process for review and consideration; 2nd from Selectman Murphy. Selectman Hoyt suggested that the expense be included with the renovation and insulation building expense. 4 approve/1 oppose (Hoyt opposed)

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5. New Business

b. Bids, Awards and Other Administrative Recommendations

1. Recreation Department Reports

Netting Options for Town Hall (continued)

Motion was made by Selectman McHatton to authorize the use of the Town Hall for the grade 3-4 lacrosse program for the 2014 season providing that use does not result in any damage to the building; 2nd from Chairman Taft. 5 approve/0 oppose

Motion was made by Selectman Hoyt to authorize use of the Town Hall for baseball/softball for the 2014 season, with batting prohibited, providing that use does not result in any damage to the building; 2nd from Selectman Murphy. 5 approve/0 oppose

Promotions and Revenue Generation

Recreation Director Gary Colello provided the Board with a draft copy of a spring fundraising calendar for recreation programs. He reviewed the concept of the proposed calendar. **Motion** was made by Selectman Hoyt to authorize the Director to move forward with the fundraiser; 2nd from Selectman Murphy. 5 approve/0 oppose

Introduce the BOKS Trainer

Recreation Director Gary Colello reported that the BOKS program begins March 3rd. He provided a brief program overview and introduced instructor Meghan Hill. Ms. Hill is excited to be working with the program. Her focus for this program is for the students to not only learn basic skills, but also to focus on activities that will help with self-control of the body, keeping their brains active and growing, along with problem solving and team work that can be applied in the classrooms. The Board thanked Ms. Hill and welcomed her.

2. Review the Annual Volunteer and Employee Appreciation BBQ

The Board opted to sponsor an annual volunteer and employee appreciation barbeque on Monday, June 2nd from 3:00 P.M. until 6:00 P.M. at Camp Wildwood (if available).

3. Review of Proposed Consolidation Tax Acquired Property Policy

Town Manager Berkowitz Manager submitted and reviewed the proposed "Consolidated Tax Acquired Property Policy Bid Procedures for the Disposition of Tax Acquired Properties." He noted that this policy would follow State Law and encouraged the Board to take some time to review the document. Chairman Taft asked why payment plans are included as an option as they are not recommended by MMA. Town Manager Berkowitz responded that the law allows for a payment plan but it would be discouraged. Selectman Hoyt noted that the policy indicates "shall" in one location and "may" in another and suggested consistent language. Selectman McHatton stated that Selectmen are also Overseers of the Poor and payment plans may be the only way to return property to the prior owner.

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

9. Hearings – 6:00 P.M.

a. Public Hearings (none)

b. Informational Hearing (none)

c. Legal Matters

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

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5. New Business (continued)

d. Selectmen's Concerns

- **Selectman Murphy** had no concerns.
- **Vice-Chairman King** had no concerns.
- **Selectman Hoyt** asked Salmon Point Administrator Gary Colello for the status of the Salmon Point radio ads. Mr. Colello responded that he should have a clip ready for Board review at the next meeting.
- **Selectman McHatton** had no concerns.
- **Chairman Taft** had no concerns.

e. Other Matters: Report by the Chair

Town Manager Hiring Process

Chairman Taft provided public information regarding the hiring process of a new Town Manager. He reported that the Board started reviewing the position description through personnel matters in executive session. The Board decided not to hire an outside group but will take responsibility in selecting the next Town Manager. There will be an application committee (Stan Cohen, Mike Tarantino, Karen Eller, Eileen Rounds, Georgiann Fleck, Steve Stevens and Wayne Rivet) to review all of the applications and bring the top five (5) who are the most qualified with a report that indicates why these five were selected. Applications/Resumes will be accepted until March 14th, any application postmarked after March 14th will NOT be considered. Advertisements will be in the Press Herald, Bangor Daily, ICMA Magazine, New England Municipal Association and on the Town Website. The Committee will meet on March 17th. After the Committee submits their recommendations, they will go dormant or sunset. The Board will begin the interview process in April and hope to make an offer to the selected candidate in May. The salary range is \$67,000+/- . Chairman Taft thanked Charles Renneker for his interest in serving on the selection committee.

Correspondence Due to a Fire or Natural Disaster

Town Manager Berkowitz provided a Board with a blank template of correspondence to interested parties regarding a level of loss due to a fire or natural disaster. **Motion** was made by Selectman Hoyt for approval to use this correspondence when necessary; 2nd from Selectman Murphy. 5 approve/0 oppose

6. Treasurer's Warrants

Vice-Chairman King asked why a bill from Pine Tree Waste had a note in large red letters, "do not pay." Transfer Station Manager Bob Fitzcharles responded that the red was to ensure that the circled portion of that bill would not be paid.

Motion was made by Vice-Chairman King for approval of Treasurer's Warrants numbered 72, 73, 74, 76 and 77 (75 was voided); 2nd from Selectman Hoyt. 5 approve/0 oppose

7. Committee Reports

a. Comprehensive Plan Committee; no report was submitted.

b. Community Development Committee; no report was submitted.

c. Wastewater Committee

Glen Zaidman encouraged the Board of Selectmen to review the Wastewater Committee Meeting Minutes prior to the joint workshop on February 27th at 6:00 P.M.

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7. Committee Reports (continued)

d. Recycling Committee

Recycling Committee Chairman Heather Rorer submitted the final "Municipal Solid Waste & Recycling: Bridgton Future Challenges Report" to the Board. She introduced Committee Members Nancy Donovan, Kate Fitzcharles, Maureen McDevitt and Advisor Bob Fitzcharles. Discussion ensued. The Board opted to hold a workshop session with the Committee on March 4th at 6:00 P.M. The Board thanked the Committee for their hard work and efforts in preparing the report.

e. Investment Committee

Town Manager Mitchell Berkowitz reported on two pieces of litigation which occurred between 1992 and 2011. **Motion** was made by Selectman Hoyt to acknowledge that the Board was apprised of the derivatives and to remain part of a class action suit against General Electric; 2nd from Vice-Chairman King.

5 approve/0 oppose

f. Budget Committee

Selectman McHatton provided Budget Committee Chairman Bill Vincent with information regarding telephone billing.

8. SAD #61

Motion was made by Selectman Murphy to accept the resignation of Peter Morrison from the MSAD 61 Board of Directors; 2nd from Vice-Chairman King. 5 approve/0 oppose Chairman Taft thanked Mr. Morrison for his term and service.

Motion was made by Selectman McHatton to NOT advertise and to review and consider two applicants for the position in executive session; 2nd from Selectman Hoyt. 5 approve/0 oppose

9. Hearings – 6:00 P.M. / a. Public Hearings (none) / b. Informational Hearing (none)

10. Public Comments and Presentations

a. Non-Agenda Items

There was no public comment.

b. Agenda Items

Mike Tarantino encouraged the Board to implement a policy that building permits will not be issued until real estate tax payments are current.

11. Old Business (Select Board Discussion)

a. Appoint the Memorial School Bids Review Committee

The Board will discuss membership to the Memorial School Bids Review Committee in executive session.

b. Review and Affirm the CDBG Project Priority List

Director of Planning, Economic and Community Development Anne Krieg submitted a memorandum to confirm the Select Board's priority municipal project list. CDBG funds can be used for municipal facilities, which include are not limited to, work in the right of way, as well as town owned buildings. The projects, in their priority are as follows as recommended for Select Board consideration and discussion at their January 14, 2014 meeting:

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11. Old Business (Select Board Discussion)

b. Review and Affirm the CDBG Project Priority List (continued)

- Finishing Depot Street (that is, construction of streetscape improvements)
- New directional signs
- Possible work with Memorial School (not clear if this will be requested or necessary until the RFP process has been completed)
- New lights on Main Street
- Start replacing sidewalks on Main Street (perhaps block by block with lighting changes?)

Select Board members have also informally indicated the Town Hall on High Street might also receive these funds. The purpose of this agenda item is to confirm the list and edit accordingly as per the Select Board regarding the Town Hall building.

To review the process, she will submit to the reviewing committee, if the Board is amenable, the Depot Street project for the next fiscal year. The deadline to submit the application is Friday, February 14th. The Committee will bring forth their recommendations for the BOS meeting March 11th. The Board will hold a public hearing on March 25th. Final applications will be sent to the County Office on April 1st.

Glen Zaidman encouraged the Board to use some of the funds for generation of sewer pumps and/or the rebuilding of old pumps.

Mark Lopez stated that town projects should take priority over private projects.

Selectman Hoyt noted his top three priorities as 1) Depot Street, 2) Town Hall and 3) sewer pumps/generators.

Vice-Chairman King noted his top three priorities as 1) Depot Street, 2) sewer pumps/generators and 3) Town Hall.

The Board directed Ms. Krieg to gather additional information regarding the use of funding for sewer pumps/generation and report her findings back to the Board at the next meeting.

c. Host/Hostess Decision at Salmon Point (tabled 1/28/14)

Motion was made by Vice-Chairman King to remove the Host/Hostess Decision at Salmon Point from the table; 2nd from Selectman McHatton. 5 approve/0 oppose

Selectman Hoyt disclosed that he rents a site at Salmon Point. **Motion** was made by Selectman McHatton to allow Selectman Hoyt to remain at the table for discussion; 2nd from Vice-Chairman King. 3 approve/1 oppose (Murphy oppose)

Town Manager Berkowitz recommended a coverage schedule that would allow each person to work 22 hours per week and provide coverage from 8 AM to approximately 3 PM. On the weekends it would be extended to 4 PM. This would be in addition to our maintenance personnel who generally are in the campground Monday through Saturday. Overnight campers and visitors usually are known by early afternoon but if they do come in at night they would seek assistance from the H&H or get registered the next morning. Any additional hours up to 30 would be paid or given as time off. We do not expect to pay overtime at all. Selectman Hoyt suggested that the responsibilities be reviewed before the number of hours is considered. Lengthy discussion ensued. Motion was made by Selectman McHatton to accept the recommendation of the Town Manager and adjust the hours as needed; 2nd from Selectman Murphy. Selectman McHatton withdrew the motion; Selectman Murphy withdrew his 2nd. **Motion** was made by Selectman McHatton to table this issue until the next meeting and consider the number of hours in conjunction with the job description responsibilities; 2nd from Vice-Chairman King. 5 approve/0 oppose

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11. Old Business (Select Board Discussion) (continued)

d. Revisit Site Limitations Policy to Add Dock Removal and Penalty

Selectman Hoyt recused himself due to a potential conflict of interest and joined the audience.

Paul Hoyt questioned the stipulation, "Docks must be annually removed from the water and may be stored on the site for the winter season only. Docks may not be stored throughout the summer on a campsite and are subject to the same violation and penalties to the Lessee as stated above if stored during the summer on the campsite." Town Manager Berkowitz responded that the dock removal penalty is to ensure compliance. Discussion ensued. Paul Hoyt rejoined the Board.

e. Review and Act on the Proposed Ordinance – Local Preference for Affordable Housing and the Warrant Language

Selectman Hoyt asked for family member clarification to which Town Manager Berkowitz responded that legal provided their best possible definition within the ordinance. **Motion** was made by Vice-Chairman King to accept the Ordinance as recommended by the Town Attorney and direct it to the referendum election in June; 2nd from Selectman Murphy. 3 approve/2 oppose (McHatton/Hoyt opposed)

Motion was made by Vice-Chairman King for approval of the ballot question "Shall an ordinance entitled "Town of Bridgton Affordable Housing Preference Ordinance" be enacted?"; 2nd from Selectman Murphy. 3 approve/2 oppose (McHatton/Hoyt opposed)

f. Amended Alarm Systems Ordinance Review and Authorize for a Warrant on the Ballot; June 2014

Selectman McHatton noted that the minutes indicate that the Board agreed that any permit holder whose system causes the transmission of a non-emergency alarm in excess of three such alarms in any one calendar year period shall pay a fine of \$100 for the fourth offense and each additional offense thereafter. He added that the amended ordinance as presented this evening does not reflect this vote. **Motion** was made by Vice-Chairman King for approval of the amended Alarm Systems Ordinance and to direct it the Town Meeting Ballot in June for voter consideration; 2nd from Selectman Hoyt. 5 approve/0 oppose

g. Veteran's Exemptions from Fees

Motion was made by Selectman Hoyt for approval of the Veteran's Exemptions from Fees Policy (and fee schedule) as submitted by the Town Manager; 2nd from Selectman Murphy. 5 approve/0 oppose

h. Review and Execute the Memorandum of Understanding with the Lake Region Vocational Center for the Storage of the Fire Science Program Vehicle and Equipment

Selectman Hoyt noted a typo on page 2 of 4 (LRTV should be LRVC). **Motion** was made by Selectman Hoyt for approval of the (amended) "Memorandum of Understanding with the Lake Region Vocational Center for the Storage of the Fire Science Program Vehicle and Equipment" and to authorize the Town Manager to execute the document; 2nd from Selectman Murphy. 5 approve/0 oppose

Monthly Financial Report

Town Manager Berkowitz provided the Board with the monthly financial report.

MSAD 61 Board of Directors

Jim Mains encouraged the Board to appoint a Director to the School Board that is an experienced educator with the understanding of day to day knowledge; someone who is dedicated with a strong voice and reputation for speaking out. Qualities should also include someone that would work to improve education benefits for children without a negative agenda. A working knowledge of the school system would also be beneficial as well as a candidate with business experience.

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

February 25, 2014; February 27, 2014 (Joint Meeting with Wastewater Committee); March 11, 2014; March 4th (Joint Meeting with Recycling Committee); March 25, 2014

Future Issues

The Board directed the Town Manager to modify the "future issues" by removing a) Alarm System Ordinance Amendments and adding d) Bidding and Procurement Policy Review to the next agenda.

13. 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"

Motion was made by Selectman Hoyt to enter executive session at 8:05 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.A. to discuss matters related to personnel and per Chapter 13, subsection 405.6.E to discuss legal matters; 2nd from Vice-Chairman King. 5 approve/0 oppose

Motion was made by Vice-Chairman King to exit executive session at 9:38 P.M.; 2nd from Selectman Murphy. 5 approve/0 oppose

Streetscape Watercolor Prints

The Board Directed the Town Manager to follow up with Anne Marie Ameil regarding the streetscape watercolor prints.

MSAD 61 Board of Directors

Motion was made by Selectman Hoyt to appoint Lee Martel-Bearse as MSAD 61 Director until the next annual election (June 2014); 2nd from Vice-Chairman King. 5 approve/0 oppose

The Board directed the Town Manager to submit a thank you letter to Peter Morrison.

Deputy Town Manager

Motion was made by Selectman Hoyt to direct the Town Manager to create a draft position description for a "Deputy Town Manager;" 2nd from Vice-Chairman King. 5 approve/0 oppose

14. Adjourn

Chairman Taft adjourned the meeting the meeting at 9:49 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk