Board of Selectmen’s Meeting Minutes
May 28, 2013; 5:00 P.M.

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

1. **Call to Order**  
Chairman Hoyt 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 – May 14, 2013**  
Motion was made by Selectman McHatton for approval of the minutes from the May 14, 2013 Board meeting; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

4. **New Business**  
a. **Permits/Documents Requiring Board Approval**  
   1. Liquor License/Victualer License to Depot Street Tap House (Note: Public Hearing at 6 PM)  
   2. Special Amusement Permit to Punkin Valley Inn (Note: Public Hearing at 6 PM)  

   *Items 4.a.1 and 4.a.2 were approved after the public hearing.*

   3. Victualer License to Beth’s Kitchen Cafe  
   4. Liquor License/Victualer License to Bridgton House of Pizza  
   5. Victualer License to Bridgton Lil’ Mart  
   6. Victualer License to Big Apple Bridgton Citgo #1000  
   7. Victualer License to Big Apple Bridgton Shell #1107  
   9. Hawker & Peddler to Hidden Acres Farm  
   10. Victualer License to Noble House Inn  
   11. Victualer License to Morning Glory Diner  
   12. Victualer License to McDonald’s Bridgton  
   13. Victualer License to Ruby Food  
   14. Victualer License to Shawnee Peak Holdings, Inc.  
   15. Victualer’s License to Lakeside Pines Campground  

   Motion by Selectman King for approval of agenda items 4.a.3 through 4.a.15; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

16. Bridgton Literacy Taskforce; George Bradt  
George Bradt and William Brucker were present to provide information regarding the Bridgton Literacy Taskforce. The BLT is a group dedicated to improving literacy for all Bridgton’s citizens, this year the focus is on the age group from birth through eight years old. Summer goals include reading to children at Woods Pond, Highland Lake and Salmon Point Beaches wherever they can find a concentration of children and offering free, age appropriate books. Since the BLT aims to coordinate the activities with those sponsored by the Town of Bridgton on public property, they requested the Board’s approval to move forward with the program. The group will provide proper identification. Vice-Chairman Taft suggested that this issue be tabled until the group is able to provide identification labels and conduct background checks on their volunteers. The group will start with the identification and background checks to ensure the security and safety of the program. **Motion** was made by Vice-Chairman Taft for conditional approval and requested that the group come back to the Board on June 11, 2013; 2nd from Selectman McHatton. 5 approve/0 oppose
4. New Business (continued)
b. Bids, Awards and Other Administrative Recommendations

1. Report Regarding Filing Procedures for Salmon Point

Town Manager Berkowitz reported that a question was raised regarding reporting to the State and Federal Government on Salmon Point activity and was informed that the municipalities are subdivisions of the State and therefore do not have a filing requirement. Because a campground is not an essential function of the Town, the Manager asked the Town Attorney to review the filing requirements for clarification.

2. Review Recommendation to Amend the Code of Ethics Policy

Town Manager Berkowitz reported that as the Board continues to refine its policies, it has been brought to our attention that the Code of Ethics policy adopted in 2008 makes indirect references to its applicability for committees as well as Boards and Employees. He believes that it has always been the intent of the Select Board that this policy applies to all groups within the town government including committees. Therefore, he recommended that the Board move to amend the Code so that the term “committees” or “committee members” be inserted at the appropriate places in the Code such as in the Preamble and the Purpose and Obligation, and sections A, B, C, D, E, F, and G. Motion was made by Selectman McHatton to amend the policy and implement the changes; 2nd from Selectman Woodward. 5 approve/0 oppose

3. Reappointment of Tom Smith to the Opportunity Alliance Board

Motion was made by Vice-Chairman Taft to reappoint Tom Smith to the Opportunity Alliance for a one year term with the option to continue for a second three year term; 2nd from Selectman King. 5 approve/0 oppose

4. Request to Have the Fire Suppression Committee Continue its Work to Include the Development of an Ordinance at the Request of the Planning Board

At the request of the Planning Board, Fire Chief Garland asked the Board of Selectmen to confirm that the existing fire suppression committee be allowed to continue with the process, working with the Planning Board to create some language that will be brought forth in a standalone ordinance. Motion was made by Selectman McHatton to authorize the present committee to work on a standalone ordinance with the Planning Board; 2nd from Selectman Woodward. 5 approve/0 oppose

5. Investment Committee Recommendations:

a. Advisory Investment Agreement with Norway Savings Bank

At their meeting on May 20, 2013, the Investment Committee recommended that the Board approve the execution of the Norway Savings Asset Management Group document with all attachments to satisfy the State Statutes regarding investments by municipal trusts. All of the terms and conditions satisfy the requirements and should be immediately executed. Motion was made by Selectman King to approve the execution of the Norway Asset Management Group document with all attachments; 2nd from Selectman McHatton. 5 approve/0 oppose

b. Committee Recommendation Regarding the Portfolio and Investments

At their May 20, 2013 meeting, the Investment Committee recommended that the Board maintain the status quo of the portfolio allocation and investments under the Town’s trust fund. Motion was made by Selectman McHatton to maintain the status quo of the portfolio allocation and investments under the Town’s trust fund; 2nd from Selectman Woodward. 5 approve/0 oppose

6. Approval of the Rufus Porter Museum CDBG Rehabilitation Contract

Motion was made by Vice-Chairman Taft to table this item until the June 11th Board Meeting; 2nd from Selectman King. 5 approve/0 oppose
4. **New Business**

**b. Bids, Awards and Other Administrative Recommendations (continued)**

7. Award Bid for Town Hall Inspection and Analysis Services (Subject to Town Meeting Approval)

The receipt of bids was closed at 2:11 P.M. on April 18, 2013. There were no representatives present. To follow are the bids received and their amounts:

- Casco Bay Engineering – Portland, ME $11,872.00
- Turner Building Science & Design LLC – Harrison, ME $15,600.00
- Lachman – Portland, ME $17,880.00

**Motion** was made by Selectman Woodward to award the bid to the low bidder, Casco Bay Engineering; 2nd from Selectman McHatton. 5 approve/0 oppose

Town Manager Berkowitz asked the Board what the intended future use of the building is. Bill Vincent suggested that the Board gather various cost estimates prior to deciding the uses. Chuck Renneker suggested that the Board determine what will serve the needs of the community going forward; look into a space that would service many different functions. Selectman McHatton suggested that the Board review the current uses and review the policy. Vice-Chairman Taft agreed that baseball/softball activities be prohibited in the Town Hall unless a net is put up to protect the ceiling. Chairman Hoyt tabled discussion to hold the 6:00 P.M. public hearings.

8. **Hearings (6:00 P.M.):**

1. Public Hearing to Accept Oral and Written Comments on an Application from Depot Street Tap House (18 Depot Street) for a New Liquor License

Chairman Hoyt opened the Public Hearing at 6:02 P.M. to accept oral and written comments on an application from Depot Street Tap House for a new liquor license. Chairman Hoyt asked where the patrons will park; Town Manager Berkowitz replied that patrons will park in the parking lot for the establishment. There were no other public comments. Chairman Hoyt closed the Public Hearing at 6:03 P.M.

2. Public Hearing to Accept Written and Oral Comments on an Application from Punkin Valley Inn (1256 North High Street) for a Special Amusement Permit (karaoke, soloist, small bands, etc.)

Chairman Hoyt opened the public hearing at 6:03 P.M. to accept oral and written comments on an application from Punkin Valley Inn for a Special Amusement Permit. There were no public comments. Chairman Hoyt closed the public hearing at 6:03 P.M.


1. Liquor License/Victualer License to Depot Street Tap House
2. Special Amusement Permit to Punkin Valley Inn

**Motion** was made by Selectman King for approval of 4.a.1 and 4.a.2; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

7. Award Bid for Town Hall Inspection and Analysis Services (continued)

Town Manager Berkowitz reported that Recreation Director Tom Tash has submitted his resignation and thanked him for his time and commitment to the Town over the past three years. The Board wished Mr. Tash well in his future endeavors.

The Board directed the Town Manager to contact Bridgton Academy to request feedback regarding various uses at their gym facility. The Board will have additional discussion on the future use of the Town Hall.

**c. Legal Matters:** There were no legal matters.
4. **New Business (continued)**

   d. **Selectmen’s Concerns**
      - Selectman Woodward, Selectman McHatton, Vice-Chairman Taft and Chairman Hoyt had no concerns.
      - Selectman King received a report that a black bear is in the Pondicherry Park area and encouraged the public to be cautious and not to run if they come across the bear.

   e. **Other Matters**
      - Vice-Chairman Taft reported that a breakfast to raise money for the 4th of July fireworks will be held on June 22nd at 7:30 A.M. at the Masonic Hall. The event is a collaboration of efforts from many non-profit organizations in the community, including the Masons, Lions, Rotary, and Community Center. He encouraged public attendance.
      - Chairman Hoyt reported that the official opening of the BRAG (Bridgton Recreation Advancement Group) Fields will be held on Saturday, June 1st beginning at 7:30 A.M.; activities are planned for the entire day. He encouraged public attendance.
      - Chairman Hoyt reminded the volunteers and employees of the b-b-q recognition that is scheduled for June 4th from 3:00 P.M. until 6:00 P.M. at Camp Wildwood.
      - Chairman Hoyt announced that the Annual Town Meeting is scheduled for June 11th and June 12th (Election on June 11th, polls open 8:00 A.M. until 8:00 P.M. and Town Meeting on June 12th at 7:00 P.M.)
      - Town Manager Berkowitz reported that the Town has started to search for a replacement Recreation Director. **Motion** was made by Selectman Woodward to add management of the Salmon Point Campground to the position description of the Recreation Director; 2nd from Selectman McHatton. 4 approve/1 oppose (Vice-Chairman Taft opposed)
      - Chairman Hoyt reported that he met with the auditing firm, Runyon Kersteen Ouellette, and encouraged any Board Member to contact the representative with any questions or concerns. Town Manager Berkowitz reported on the time line for the audit this year.

5. **Treasurer’s Warrants**
   - **Motion** was made by Vice-Chairman Taft for approval of Treasurer’s Warrants numbered 119, 120, 121, 122 and 123; 2nd from Selectman Woodward. 5 approve/0 oppose

6. **Committee Reports**
   - **Sewer Committee**: Glenn Zaidman reported that the Sewer Committee took a vote at their last meeting to have two of their committee members removed due to lack of attendance. This matter will be discussed in executive session.
   - **Comprehensive Plan Committee**: Chairman Hoyt noted that the CPC is nearing completion of the first draft of the Comprehensive Plan and will soon be presenting it to the citizens for their input; he voiced concerns regarding holding Town sanctioned public meetings at an establishment where alcohol is being served. Glenn Zaidman responded that the intention is to hold a public meeting to bring awareness to the citizens and the Magic Lantern had offered to host the meeting on a Monday when they are normally closed. Discussion ensued regarding the location and expenses. Selectman McHatton suggested that public meeting expenses be reviewed and brought back to the Board for review and possible consideration.
7. **SAD #61**
   a. **Election Results**

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8. **Hearings (6:00 P.M.):**
   *The hearings were held earlier in the meeting.*

9. **Public Comments and Presentations**
   a. **Non-Agenda Items**
      - Robert Casimiro, resident, reported that he has noticed that businesses seem to be thriving in Bridgton.

      - Robert Casimiro voiced concerns regarding the green light and the pedestrian crossing at the intersection on Main Street; he indicated that they are not synchronized properly. The Board directed the Town Manager and Public Works Director to coordinate the lighting system and rectify the situation.

      - Robert Casimiro reported that he attended the Memorial Day Ceremony at Veterans Park and voiced concerns with the lack of traffic enforcement; Selectman King agreed with the concern and encouraged the event coordinator to make contact with the Police Department.

      - Robert Casimiro noted that there was a meeting regarding immigration at the Community Center on May 17th and there were not any Board Members in attendance; he noted that the next meeting is in Augusta with Senator Collins on June 4th and encouraged the Board to attend. He also submitted a request to present a formal presentation to the Board at their next meeting regarding the same.

      - Chuck Renneker noted that the Community Development Block Grant funds are not appropriated by the Town but the money may have been better spent by putting in a new sewer system rather than spending $800,000 in repairs and another $80,000 on reports.

      - Chuck Renneker has asked the Manager to send him the legal opinion regarding the payback to the Moose Pond Land Trust Fund if Salmon Point is sold. He noted that the Town purchased salmon point with two sources of funding; Mike Tarantino added that in addition to Moose Pond Funds, tax dollars may also have been used but the town meeting minutes are unclear. Selectman McHatton confirmed that tax dollars were used to make payment on the bond and the proceeds from Salmon Point were put into the general fund to offset those payments. The Board opted to wait until the results from the vote on June 11th before doing any additional research on possible payback.

   b. **Agenda Items**
      Glenn Zaidman asked for clarification of how the sewer user rates are being proposed. Town Manager Berkowitz reported that he developed the consumptions for the year based upon the sewer warrants approved by the Board of Selectmen. The Sewer Committee developed the annual consumption based upon the actual meter reading data. The Manager reviewed the updated version after the agenda was created with the proposed budget and sewer rate sheet included. The Manager has adjusted his recommendation of the sewer user rate to $14.14.
10. **Old Business (Select Board Discussion)**
   a. **Approval of the FY 2014 Wastewater Budget and Sewer User Rate**
   
   Motion was made by Selectman King for approval of the sewer user rate of $14.14; 2nd from Vice-Chairman Taft. Selectman Woodward disclosed that he owns property on the sewer system; motion was made by Selectman King to direct Selectman Woodward to recuse himself; 2nd from Vice-Chairman Taft. 2 approve/2 oppose (motion fails) vote on original motion: 5 approve/0 oppose

   b. **Clarification of the $3,000 Reduction in Economic Development**
   
   Town Manager Berkowitz reported that the Board cited a reduction of $3,000 in account 950 and requested clarification. Motion was made by Selectman McHatton to split the $3,000 reduction as follows, $1,500 from the Economic Development Director’s travel expense and $1,500 from the Economic Development Corporation; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

11. **Agendas for the Next Board of Selectmen’s Meetings/Workshops**
   - June 4, 2013 – Employee & Volunteer Appreciation Barbeque
   - June 11, 2013 - Elections and Regular BOS Meeting
   - June 12, 2013 – Annual Town Meeting
   - June 25, 2013 – Regular BOS Meeting

12. **Executive Session** – MRSA Title 1, Chapter 13, Subsection 405.6.A. “Discussion of Matters Related to Personnel,” Specifically to Conduct the Annual Performance Evaluation of the Town Manager and Other Personnel and Legal Matters

   Motion was made by Vice-Chairman Taft to enter into executive session at 7:10 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.A. for discussion of matters related to personnel; 2nd from Selectman King. 5 approve/0 oppose

   Motion was made by Selectman King to exit executive session at 8:30 P.M.; 2nd from Selectman Woodward. 5 approve/0 oppose

   Motion was made by Selectman King to accept the resignation of two members of the Sewer Committee and directed the Town Manager to submit thank you letters to them for their service to the Committee; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

13. **Adjourn**

   Chairman Hoyt adjourned the meeting at 8:31 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk