Board of Selectmen's Meeting Minutes
May 12, 2015; 5:00 P.M.

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

Student Representative Anthony Champoli was absent.

Administration Present: Town Manager Robert Peabody; Town Clerk Laurie Chadbourne; Community and Economic Development Director Anne Krieg; Recreation Director Gary Colello

1. Call to Order

Chairman King 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 28, 2015

Motion was made by Selectman Murphy for approval of the minutes from the April 28th 2015 Board Meeting; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

4. Correspondence and Other Pertinent Information

a. Kids to Parks Day Proclamation

Town Manager Peabody reported that the National Park Service Trust, an organization devoted to land conservancy and teaching children environmental stewardship, is requesting that the Board proclaim May 16th as Kids to Parks Day.

Town Manager Peabody read the following proclamation into the record:

"WHEREAS, May 16th, 2015 is the fifth Kids to Parks Day organized and launched by the National Park Trust; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks; and

WHEREAS, it is important to introduce a new generation to our nation's parks because of the decline in Park attendance over the last decades; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and the outdoors; and

NOW THEREFORE, The Bridgton Board of Selectmen in the State of Maine do hereby proclaim to participate in Kids to Parks Day. We urge residents of the Town of Bridgton to make time May 16th, 2015 to take the children in their lives to a neighborhood, state or national park."

Motion was made by Selectman Murphy to proclaim May 16th, 2015 as Kids to Parks Day; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

b. Town Owned Land; Kendal Ham Drive

Town Manager Peabody reported that Mr. Sean Morgan has made an offer on a portion of the Town owned land fronting on Kendal Ham Drive. As requested, he has had the land surveyed and will pay the legal fees and filing fees if the Town accepts his offer of $10,000. **Motion** was made by Selectman Hoyt to approve the sale of .36 acres of land on Kendal Ham Drive by Municipal Quitclaim Deed as delineated on the March 31, 2015 survey by Bliss & Associates, Inc. to Sean P. Morgan for $10,000; 2nd from Vice-Chairman Taft.
5 approve/0 oppose

c. Town Owned Land; Cedar Drive

Town Manager Peabody reported that William and Beverly Warren have made an offer on a portion of the Town owned land abutting their property on Moose Pond. As requested, they have had the land surveyed and will pay the legal fees and filing fees if the Town accepts his officer of $1,630. **Motion** was made by Selectman McHatton to approve the sale of 520 square feet of land by Municipal Quitclaim Deed off Cedar Drive as delineated on the provided survey, subject to a permanent easement for all purposes to the Town, to William and Beverly Warren for $1,630; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

5. New Business

a. Permits/Documents Requiring Board Approval

1. 2015 Annual Town Meeting Warrant

Selectman Hoyt asked for clarification of $125,000 from the Unassigned Fund Balance to reduce taxes to which Town Manager Peabody responded that was the consensus of the Board during the budget process. **Motion** was made by Selectman McHatton for approval of the 2015 Annual Town Meeting Warrant; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

2. Agreement with CGI Communications

Town Manager Peabody reported that Cumberland County has begun a video program for their website. It is being produced by CGI Communications, Inc. Bridgton has been invited to have a video production done of the Town by CGI at no cost. **Motion** was made by Vice-Chairman Taft to approve the 2015 Community Video Program contract with CGI Communications, Inc. at no cost to the Town; 2nd from Selectman Murphy.
5 approve/0 oppose

3. Accept Payment & Approve Quitclaim Deed to Houston (Map 2/Lot 10B)

4. Accept Payment & Approve Quitclaim Deed to Houston (Map 3/Lot 33)

Motion was made by Selectman Hoyt for approval of agenda items 5.a.3 and 5.a.4; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

5. Agreement for Ambulance Service

Chairman King noted that if Annual Town Meeting does not approve funding, the contract would become null and void. **Motion** was made by Vice-Chairman Taft for approval of the "Agreement for Ambulance Service" between the Town of Bridgton and United Ambulance Service; 2nd from Selectman Murphy. 5 approve/0 oppose

6. Forest Hills Annex Cemetery Deed to Dan Managan; H-15B

Motion was made by Vice-Chairman Taft for approval of the Forest Hills Annex Cemetery Deed to Dan Managan for Lot H-15B; 2nd from Selectman Hoyt. 5 approve/0 oppose

b. Bids, Awards and Other Administrative Recommendations

1. Municipal Items for Sale

Public Works Director Jim Kidder requested permission to sell the following items: 2008 Ford Cross Vic with 119,223 miles; 1987 Morbark Chipper; and the old Fire Department Tank Truck F8000 (1973 +/-) with 118,775 miles. **Motion** was made by Vice-Chairman Taft for approval of the request; 2nd from Selectman Hoyt. 5 approve/0 oppose

c. Legal Matters (There were no legal matters.)

d. Selectmen's Concerns

- **Selectman McHatton** had no concerns.
- **Selectman Hoyt** asked for the status of the Land Use Committee to which Chairman King responded that Director Krieg sent an email to all members and scheduled the first meeting for May 27th.
- **Vice-Chairman Taft** requested that the Town Manager review the time line for the hiring of a new police chief. Town Manager Peabody responded as follows: May 8th applications due; May 12th Citizen/SB Appointment; May 15th Copy/Send Resumes; May 21st Review/Rate Applicants; May 22nd Set-Up Interviews; May 27th First Interviews; June 4th Second Interviews; June 18th Offer; July 20th First Day. Town Manger Peabody added that these dates are subject to change.
- **Selectman Murphy** had no concerns.
- **Chairman King** had no concerns.

e. Town Manager's Report

Town Manager Peabody reported that absentee ballots are now available. He also reported that there is no <u>on street</u> parking on Depot Street due to construction but that there is plenty of parking in the public lot.

Town Manager Peabody read the following report into the record: "Manager's Report; 05/12/15
Work is moving along on Depot Street. The sidewalk is roughed in on the other side of street, light pole bases have been set and work continues on the landscaping and other sidewalk.
The bathroom at Highland Beach Park has been demolished and construction has begun on the new bathroom.
The Town received a $500 check from the Maine Department of Transportation for a drainage outlet easement on the property formerly owned by Edward Woolley. The Town took possession of the property for unpaid taxes.
The Police Chief Committee will be meeting May 21st at 2:00pm to review and rate the applications. We are copying them and will be sending them out this week. The Town received 19 applications from both in and out-of-State.
Before you tonight are the April financials and the Revenue and Expenditure Summary Report. As you will note, the benchmark is 83% for the month. Revenues are at 84% and Expenditures at 77%."

f. Other Matters

1. Bridgton Farmer's Market (Re-scheduled to the May 26th Meeting.)

- **Town Manager Peabody** had no other matters for discussion.
- **Selectman McHatton** had no other matters for discussion.
- **Selectman Hoy**t had no other matters for discussion.
- **Vice-Chairman Taft** had no other matters for discussion.
- **Selectman Murphy** reported that the fee to become a member of the Maine Tourism Association is $180 annually. **Motion** was made by Selectman Hoyt to ask the Chamber if the Salmon Point brochures can be displayed under their Maine Tourism membership and if not, to authorize the Town Manager to obtain a membership for the Town of Bridgton; 2nd from Vice-Chairman Taft. 5 approve/0 oppose
- **Chairman King** had no other matters for discussion.

OTHER

Application for a License to Operate Beano/Bingo for St. Joseph's Men's & Women's Club

Motion was made by Vice-Chairman Taft for approval of the Application for a License to Operate Beano/Bingo; 2nd from Selectman Murphy. 5 approve/0 oppose

Application for a License to Operate a "Game of Chance" for St. Joseph's Men & Women's Club

Motion was made by Vice-Chairman Taft for approval of the Application for a License to Operate a Game of Chance; 2nd from Selectman Murphy. 5 approve/0 oppose

6. Treasurer's Warrants

Motion was made by Vice-Chairman Taft for approval of Treasurer's Warrants numbered 106, 107, 108 and 109; 2nd from Selectman Hoyt. 5 approve/0 oppose

7. Committee Reports

Town Manager Peabody reported that two hundred Pondicherry Park brochures have been ordered (at a cost of approximately $275) and he expects delivery in about a week.

8. MSAD #61 (There was no information from M.S.A.D. #61.)

Chairman King brought agenda item 10 forward for discussion.

10. Public Comments and Presentations

Glen "Bear" Zaidman voiced concerns regarding the sidewalk curbing on Depot Street and reqeuseted information of the public lot on public property. Town Manager Peabody responded that he is researching both issues and will report back to the Board.

Public Works Director Kidder reported that the existing tree's crown (tree located on Depot Street) has been compromised due to aggressive pruning due to the power lines; the power lines have been moved and he requested that this tree be removed and new trees be planted with the ability to grow unobstructed. Chairman King and Vice-Chairman Taft agreed with Director Kidder and the other three members will review the area and report their recommendation back to the Town Manager by Friday.

11. Old Business (Board of Selectmen Discussions Only)

a. Town Hall Update

Town Manager Peabody requested that this item be addressed after the public hearing when Director Krieg is present for discussion.

b. Bridgton Memorial School

The Board directed this item to "future issues."

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

- May 26, 2015
- June 9, 2015
- June 10, 2015 (Annual Town Meeting)

Chairman King called for a ten minute recess.

9. Hearings @ 6:00 P.M.

Public hearing to hear public comment on the following questions that will be presented to the voters via referendum ballot on June 9, 2015

Chairman King opened the public hearing to hear public comment on the following questions that will be presented to the voters via referendum ballot on June 9, 2015 at 6:00 P.M. To accommodate the Planning Board Members that have a 7:00 P.M. meeting scheduled, Chairman King brought Questions 4 through 8 forward.

Question 4. Shall an Ordinance entitled "June 9, 2015 Amendments to the Town of Bridgton Tower Ordinance" be enacted?

Bridgton News representative Gail Gerherty asked Planning Board Chairman Steve Collins to summarize the proposed changes to the Tower Ordinance. Chairman Collins reported that notification requirements are being made consistent and other amendments will clarify new applications and requirements.

Question 5. Shall an Ordinance entitled "June 9, 2015 Amendments to the Town of Bridgton Site Plan Review Ordinance" be enacted?

Planning Board Chairman Collins reported that the tower application process has been incorporated into the Site Plan Review Ordinance. Other notification requirements were amended and some inconsistencies within the Ordinance were cleared up. Also, marijuana dispensaries were incorporated into the Ordinance.

Question 6. Shall an Ordinance entitled "June 9, 2015 Amendments to the Town of Bridgton Sign Ordinance" be enacted?

Planning Board Chairman Collins reported that the proposed changes include criteria for changeable signs.

Question 7. Shall an Ordinance entitled "June 9, 2015 Amendments to the Town of Bridgton Shoreland Zoning Ordinance" be enacted?

Planning Board Chairman Collins reported that some of the proposed changes include grammatical clean up and sign stipulations within the general development district.

Question 8. Shall an Ordinance entitled "June 9, 2015 Amendments to the Town of Bridgton An Ordinance to Regulate the Establishment and Designation of Safe Zones" be enacted?

Planning Board Chairman Collins reported that some of the proposed amendments include the addition of Pondicherry Park, BRAG, Sabatus Island and Stevens Brook Trail Properties. He reported that the purpose of the Ordinance is to designate safe zones i.e., athletic fields, park, playgrounds or recreational facilities, within the Town of Bridgton which are frequented by minors for the purpose of protecting said minors, against individuals trafficking, furnishing or cultivating drugs.

Question 1. (By Citizen Petition): "I favor immediate funding of the Lakes Region Bus from Bridgton to Portland as soon as possible by raising Bridgton's mil rate by 1 cent."

Board of Selectmen recommend a "NO" vote

Sally Chappell said (in part) that she has lived in West Bridgton since 1976 and as a long time resident, she spoke in favor of this bus route. She believes the service will enhance Bridgton by taking advantage of an already existing service. By extending the route to Bridgton, it could be such a "boom" to the Town. Ms. Chappell likes where she lives and said that it is not unreasonable for people to expect public transportion in rural areas. She said that, "the moment has arrived" and added that we can't ignore the fact that our population is expanding and we still have the same number of roads; this would reduce traffic on the roadways. She hopes the voters in Bridgton will vote yes to this tiny increase and bring RTP all the way to Bridgton.

Chairman King asked if there is a guarantee from RTP that if this question has passage that the route will be extended to Bridgton. Ms. Chappell replied that the bus stop would be near the Bridgton Community Center noting that while there is no guarantee that all towns will approve the necessary funding, she believes it is worth the risk.

Vice-Chairman Taft asked if RTP would provide the numbers of people that utilize the service from Bridgton to Naples (for the cost of $10,000). Ms. Chappell believes they will be able to provide those numbers upon request.

Selectman Murphy noted that the brochure indicates that if the funding has passage, the routes will begin in the summer of 2015.

George Bradt echoed the belief that this is very important. RTP has committed to begin the service on July 1st if all five towns can raise $50,000; the remainder of the expense will be funded through matching State and Federal Programs. RTP has already mapped out the route and schedule to Bridgton. He reported that one cent on the mil rate calculates to $1.00 if you own a $100,000 piece of property; the cost would be $1.50 on a home valued at $150,000.

Mr. Bradt explained that if a rider takes advantage of all the discounted rates and commuter packages, their travel expense would be cut drastically each year. Vice-Chairman Taft asked if the riders would also be charged (in addition to the Town contribution of $10,000) to which Mr. Bradt responded that the round trip charge would be $3 or $2 for seniors and people under the age of 21.

Mr. Bradt encouraged a "yes" vote on Question 1.

Director Krieg added that a representative from RTP and a representative from GPCOG are scheduled to attend the Board meeting on May 26th to review tracking and ridership with the Board.

Greg Watkins noted that there are seven stops on the route and asked why only five towns are being charged to which Mr. Bradt responded that Portland and Westbrook are not charged for this service. Mr. Bradt added that RTP may be able to address this question on May 26th.

Community Development Committee Member Phyllis Roth believes that public transportation will make Bridgton more attractive.

Question 2. (By Citizen Petition): "The Board of Selectmen shall not spend funds from any source, except for funds that may be received as a result of an insurance claim, to make repairs to the Town Hall building until such time as the Board of Selectmen can determine the total cost of making BOTH interior and exterior repairs to the building and said costs are approved by the voters at a secret ballot election."

Board of Selectmen recommend a "NO" vote

Community Development Committee Member David Crowell said the the question as presented does not make a recommendation for the future of the Town Hall but would allow the voters to make informed decisions going forward.

Selectman McHatton reported that a vote was passed to give the Board authority to spend $400,000 to stabilize the Town Hall which they are planning to do. The Board agreed.

Selectman McHatton added that although he was not present at the meeting where the Board made their ballot recommendation, he would have also voted to recommend a "no" vote.

Mr. Crowell asked if the recommendation passed unanimously or by majority to which Selectman Hoyt responded that the vote was unanimous on Question 2.

Mr. Crowell added that the Town should not move forward without having a total project cost.

Question 3. (By Citizen Petition): "Shall the Town exempt all sewer allocations purchased prior to July 1, 2014 for residential and commercial buildings from any and all amendments to the Bridgton Sewage Ordinance and any and all ordinances, policies, rules and regulations regarding sewer allocations, the public sewage system, design flow value or other laws or regulations promulgated or enacted after July 1, 2014, provided, however, that those portions of any allocations that are actually used by the property owner shall be subject to the Gallons Per Day service charges currently established by the Board of Selectmen and amended from time to time?"

Board of Selectmen recommend a "NO" vote

Selectman McHatton added that although he was not present at the meeting where the Board made their ballot recommendation, he would have also voted to recommend a "no" vote.

Bridgton News Reporter Gail Gerharty asked if this question could be better explained because she doesn't understand the question and believes many voters will not understand it either. Town Manager Peabody suggested that Ms. Gerharty ask the petition circulators for clarification. George Bradt suggested that Ms. Gerharty visit the Town website (under the elections tab) and review the petition document which provides an explanation.

Town Manager Peabody said that his understanding of the question is that it doesn't allow the Board (also known as Sewer Commissioners) to manage the system and if this question has passage, everything remains status quo. Chairman King added that if this question has passage, it would not allow for any new businesses.

David Crowell encouraged public attendance at the Sewer Committee Meetings.

Glen "Bear" Zaidman reported that the system is pretty complicated and explained that people have an allocation that they purchase for the right to flow water into the municipal system. Those numbers were compiled by plumbing codes years ago. The fields by allocation are maxed out but the flow going into the system is about 50%. If the question has passage it will stop any enhancement or new business.

Chairman King brought agenda item 11 back to the table.

11. Old Business (Board of Selectmen Discussions Only)

a. Town Hall Update

Director of Economic and Community Development Krieg reported that, as directed by the Board, the project was advertised on May 14th and the bids are due back by May 28th. She requested that the Board schedule a meeting for June 2nd to accept and award a bid and to execute a contract. The Board scheduled a meeting for June 2, 2015 at 4:00 P.M.

13. Executive Session

a. MRS Title 1, Chapter 13, Subsection 405.6.A.

Motion was made by Vice-Chairman Taft to enter into executive session at 6:55 P.M. per MRS Title 1, Chapter 13, Subsection 405.6.A to review Police Chief Hiring Committee applications and Personnel Matters; 2nd from Selectman Hoyt. 5 approve/0 oppose

Motion was made by Vice-Chairman Taft to exit executive session at 8:05 P.M.; 2nd from Selectman Murphy. 5 approve/0 oppose

14. Appointment of Committee Members

a. Police Chief Hiring Committee

Motion was made by Selectman Murphy to appoint Vice-Chairman Taft to serve on the Police Chief Hiring Committee; 2nd from Selectman McHatton. 4 approve/0 oppose/1 abstention (Taft abstained)

Motion was made by Selectman Hoyt to appoint citizen Stephen Plympton to the Police Chief Hiring Committee; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

Motion was made by Vice-Chairman Taft for approval of the "Town Manager's Employee Agreement Addendum;" 2nd from Selectman Murphy. 5 approve/0 oppose

15. Adjourn

Chairman King adjourned the meeting at 8:17 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk