Board of Selectmen's Meeting Minutes
February 10, 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

Administration Present: Town Manager Robert Peabody; Town Clerk Laurie Chadbourne; Community and Economic Development Director Anne Krieg; Police Chief Kevin Schofield; Public Works Director Jim Kidder; 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. January 13, 2015

Motion was made by Vice-Chairman Taft for approval of the minutes from the January 13, 2015 Board Meeting; 2nd from Selectman Murphy. 5 approve/0 oppose

4. Correspondence and Other Pertinent Information

a. Year Ending June 30, 2014 Annual Audit Presentation

Chris Backman from RHR Smith & Company, the Town auditors, presented Bridgton's audited financial statements for the year ending June 30, 2014. He reviewed some of the comparison schedules. He noted that Bridgton maintains a healthy operating budget and then responded to several questions asked by the Board. Chairman King thanked Mr. Backman for his presentation and attending the meeting.

Fire in South Bridgton

Chief Schofield reported a major fire in South Bridgton this afternoon. He recognized and thanked the surrounding Fire Departments for their assistance.

b. Discussion of "Use of Town Owned Vehicles Policy"

The current Town policy on the use of Town vehicles allows only resident Department Heads or their designee to take home a town owned vehicle. The Police Chief would like the policy to allow, at his discretion, resident on-call police officers to also be able to take their cruiser home. Chief Schofield reported that several months ago, he made a decision to allow two of the officers that reside in the center of Town who are primarily the only officer assigned to their vehicle to take them home. The goal is to have senior officers more accessible for emergency call outs, by having the ability to respond directly to a scene. This practice makes the department more efficient and effective in responding to emergency events. He also mentioned that an ancillary benefit has been having police cruisers more visible in areas of Town where they have been requested. Vice-Chairman Taft reported that the policy was put together after much thought and consideration and still supports the intent to allow the Police Chief or their designee (2nd in command) to take their assigned vehicles home at the end of the day. He then asked how many vehicles are currently being taken home to which Chief Schofield responded "three cars." Selectman McHatton noted that if there are three vehicles not needed for officers on duty, that perhaps there are too many cruisers. Chief Schofield responded that maintaining a larger fleet with low mileage is more beneficial than having fewer vehicles with higher mileage and in need of additional maintenance and repair.

Motion was made by Selectman McHatton to amend the policy to read "Department heads ~~or~~ **and** their designee who may.…"; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

c. Moose Pond Causeway Discussion

The Maine Department of Transportation is resurfacing Route 302 beginning .25 mile north of the intersection of Sweden Road (Route 93) and extending northerly for 3.98 miles to .09 mile north of the intersection of Stack Em Inn Road. As part of the project they are installing a guardrail in front of the granite blocks on the Moose Pond causeway. Staff raised concern regarding the installation of the guardrail and its detrimental aesthetic impact particularly given the lack of accidents to support the need.

Chairman King noted that a better place for the guardrail would be in front of Sporthaus. Selectman Murphy noted that a better and more appropriate place for a guardrail is on Route 302 by Stevens Brook Elementary School (the road beside the hill where the children slide).

Motion was made by Selectman Hoyt to direct Town Manager Peabody to draft a letter to MDOT that the Board does not support the installation of guardrails in front of the granite blocks on the Moose Pond causeway; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

d. Grant Funds for Electric Vehicles Charging Station

Director of Economic and Community Development Anne Krieg reported that GPCOG has recently secured grant funds from the Iberdrola Foundation (parent company of CMP) to purchase and install a number of EV charging stations in Maine. Director Krieg is investigating the garage next to Pondicherry Park as a possible location. The requirements of the grant are that the Town would pay for the on-going electrical costs and Iberdrola and CMP would like some joint signage near the project to show who funded it. Costs associated with this provision have been shown to be approximately $300 a year; however this can vary dependent upon use. Please note the laws require that we cannot charge for this supply. Staff recommendation is to pursue this service and execute a contract as it will help out downtown and improve our services. **Motion** was made by Selectman Hoyt to approve pursuing the grant for an Electronic Vehicle Charging and authorize the Town Manager to enter into a contract with Greater Portland Council of Governments; 2nd from Selectman Murphy.
3 approve/2 oppose (Taft and McHatton opposed)

Chairman King brought agenda item 9 forward at 6:05 P.M.

9. Hearings @ 6:00 P.M.; Public Hearings/Informational Hearings

a. Public Hearing to accept oral and written comments on an application from Campfire Grille, LLC (656 North High St) for a special amusement permit

Chairman King opened the public hearing at 6:05 P.M. to accept oral and written comments on an application from Campfire Grill, LLC for a Special Amusement Permit. There were no public comments. Chairman King closed the hearing at 6:06 P.M.

b. Public Hearing to accept oral and written comments on an application from Magic Lantern, LLC (9 Depot St) for a special amusement permit

Chairman King opened the public hearing at 6:06 P.M. to accept oral and written comments on an application from Magic Lantern, LLC for a Special Amusement Permit. There were no public comments. Chairman King closed the hearing at 6:06 P.M.

c. Public Hearing to Discuss Public Facilities and Infrastructure Projects Utilizing the Community Development Grant Fund

Chairman King opened the public hearing at 6:07 P.M. to discuss public facilities and infrastructure projects utilizing the Community Development Grant Fund. Director of Economic and Community Development Anne Krieg reported that the purpose of the public hearing is to allow ample opportunity for the public to participate in the discussions of the use of the CDBG funds. Cumberland County wants to ensure there is clear opportunity for the public to fully contribute to these discussions. No decisions are required as a

result of this hearing; however a general agreement/direction to staff of the use of the funds should result. This agreement/direction from the BOS can then be provided to the CDC for their discussion and then, the CDC returns a recommendation for the public hearing in March. The March BOS public hearing is to hear, deliberate and decide. This BOS hearing, in contrast, is to hear and discuss the use of public facilities and infrastructure projects. To review: total funds planned for 2015 is a conservative $180,000; slightly less than the current year as it's always easier to add than subtract when it comes to funding. From this figure, $25,000 cap for services and the administration cap of $35,500, leaving $119,500 for public facilities and infrastructure projects.

Vice-Chairman Taft asked Director Krieg if she has been in contact with the property owner on Main Hill regarding the public parking lot to which Ms. Krieg responded that she has not been able to reach him.

Selectman Hoyt asked if additional funds are required to complete the Depot Street project to which Director Krieg responded that, through donation, the local banks and businesses are financially participating to complete the project.

Selectman Hoyt asked if the downtown sewer project is a viable option for use of the funds to which Director Krieg responded that she is reviewing different funding sources for the sewer project.

Selectman Murphy stated that he has talked with Mr. Stevens and he is still very much interested in public parking at his location; Director Krieg will attempt to make contact again.

Chairman King closed the public hearing at 6:20 P.M.

Police Sergeant

Chief Schofield reported that he has established a promotion policy. Three internal applicants were considered for the position and Officer Timothy Reese attained the highest score and was offered the position as police sergeant. Chief Schofield introduced Sergeant TJ Reese. The Board congratulated Sergeant Reese.

5. New Business

a. Permits/Documents Requiring Board Approval

1. Victualer's License and Liquor License Renewal to Campfire Grille

Motion was made by Selectman Hoyt for approval of the Victualer's License and Liquor License Renewal to Campfire Group, LLC dba Campfire Grille; 2nd from Selectman Murphy. 5 approve/0 oppose

2. Sewer Commitment #151

Motion was made by Selectman McHatton for approval of Sewer Commitment #151 totaling $3,238.56; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

3. Supplemental Bureau of Alcoholic Beverages Application; Beth's Kitchen Café

Beth's Kitchen Café has filed a Supplemental Bureau of Alcoholic Beverages Application to include the seasonal exterior roped off area. **Motion** was made by Selectman Hoyt for approval of the supplemental Bureau of Alcoholic Beverages Application from Beth's Kitchen Café; 2nd from Selectman Murphy.
5 approve/0 oppose

b. Bids, Awards and Other Administrative Recommendations

1. Review of Town Manager's Performance Evaluation Form

Motion was made by Selectman Hoyt to conduct the Town Manager's formal evaluation annually; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

c. Legal Matters
There were no legal matters.

d. Selectmen's Concerns

- **Selectman McHatton** encouraged anyone that lives near a fire hydrant to clear the snow away.
- **Selectman McHatton** reported that the returnables are available to non-profit organizations upon request and encouraged interested groups to contact the Transfer Station Manager to participate. If there is a month that there are no requests, the funds are designated to the Town 4th of July fireworks display. Selectman Hoyt requested a schedule of monthly use; Vice-Chairman Taft also suggested that this schedule be made available on the website.
- **Selectman McHatton** noted that the monthly report from the Fire Department indicates twenty eight calls but does not provide the requested detailed information (including how many trucks are dispatched from each station, etc). Town Manager Peabody will follow up with the Fire Chief.
- **Selectman Hoyt** asked who is responsible to repair the road damage on South High Street to which Public Works Director Kidder responded that the contractor would repair the damage. Director Kidder and Town Manager Peabody will follow up on this concern.
- **Vice-Chairman Taft** had no concerns.
- **Selectman Murphy** asked the Town Manager if MMA is planning another gathering regarding Revenue Sharing. It was noted that there are several meetings scheduled regarding Revenue Sharing.
- **Chairman King** had no concerns.

e. Town Manager's Report; *This item will be addressed later in the meeting.*

f. Other Matters

- **Selectman Hoyt** asked for the status of the proposed amendments to the Wastewater Ordinance to which Town Manager Peabody responded that he and the Wastewater Committee Chairman are scheduled to meet with the Town Attorney on March 12th.
- **Selectman Hoyt** asked for the status of the two properties that the Board voted to sell to which Town Manager Peabody responded that the property transfers are on his list of "things to do."
- **Selectman Hoyt** asked for the status of the wastewater tri-fold to which Lucia Terry responded that she will be submitting the tri-fold under committee reports.
- **Selectman Hoyt** asked for the status of distribution locations for the Salmon Point brochure to which Town Manager Peabody will follow up.
- **Selectman Hoyt** asked what the next step is regarding the proposed traffic light near Macdonald Motors to which Town Manager Peabody will follow up.
- **Vice-Chairman Taft** encouraged the public to vote for the community center to receive the Betterment Grant sponsored by the Masonic Charitable Foundation. He encouraged the public to vote once per day at http://www.masoniccharitablefoundation.org/.
- **Selectman Murphy** encouraged public attendance at the Winter Carnival Events this weekend sponsored by the Greater Bridgton Lakes Region Chamber of Commerce.
- **Chairman King** reported that the Fire Department Study is still in process; PSSG did not receive the numbers they requested until very late in December and they could not open the data in the format which was sent. PSSG also reported that some of the information they requested was not supplied. Town Manager Peabody directed the Fire Chief to re-submit the data to include all requested information. He will keep the Board updated.
- **Chairman King** reported that he attended a "Bike Maine" meeting with the Town Manager, Director Krieg and two members of the Chamber; the event is coming to Bridgton in September. Chairman King has been selected as the advocate for Bridgton and Director Krieg is one of the coordinators.

- **Chairman King** reported that State Representative for Maine State House District 68 Christine Powers supports fighting the Governor's proposal to eliminate Revenue Sharing and will be attending the Revenue Sharing meeting in March.
- **Chairman King** requested that the Town Manager provide the priority chart to the Board for a check in and update.
- **Selectman Hoyt** asked for a status update regarding the Memorial School to which Town Manager Peabody responded that he did submit a letter and is waiting for a response. Selectman Hoyt requested that the Town Manager contact the School Board to add this issue to their next meeting agenda.

6. Treasurer's Warrants

Motion was made by Selectman Murphy for approval of Treasurer's Warrants numbered 69, 70, 71, 72, 73, 74, 75, 76 and 77; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

5. New Business (continued)

e. Town Manager's Report

Town Manager Peabody read the following into the record:

"Manager's Report; 02/10/15

The Town Office will be closed Monday, February 16th, for President's Day.

I would like to make the public aware of a recent change in the Police Department. Timothy Reese has been promoted to Sergeant. With the recent retirement of the Lieutenant, a decision was made to not fill that position and instead fill the Sergeant's position. Congratulations TJ.

As you are all aware, there have been multiple snow events during the last few weeks. The Public Works crew has been putting in a lot of ours plowing, cleaning up, and servicing the equipment. I would like to acknowledge Jim Kidder and his department for their efforts in keeping Bridgton's roads cleared. I would also thank the public for their patience and understanding as we deal with all the snow.

Before you tonight are the January financials and the Revenue and Expenditure Summary Report. As you will note, the benchmark is 58% for the month. Revenues are at 56.9% and Expenditures at 56.9%."

7. Committee Reports

a. Medical Marijuana Dispensaries Ad Hoc Committee Progress Report

Committee member Katherine Pinkham was present and responded to questions asked by the Board.

The Medical Marijuana Dispensaries Ad Hoc Committee submitted the following progress report:

"MEDICAL MARIJUANA DISPENSARIES AD HOC COMMITTEE
PROGRESS REPORT
AS OF FEBRUARY 02, 2015

The Medical Marijuana Dispensaries (MMD) Ad Hoc Committee consists of members Cathy Pinkham (Chair), Karen Hawkins, Phyllis Roth, Brian Thomas (Secretary), and Support Staff Rob Baker, Gary Colello, Georgiann Fleck and Ann Krieg.

The Committee first met on January 8, 2015 and meets every Thursday at 10 AM in the Bridgton Select Board meeting room.

Significant Committee actions:

- Set goals as follows:
  - Adhere to the "Mission and Charge" of the "MMD Ad Hoc Committee Charge, Mission and Authority " document dated Nov. 18, 2014
  - Understand the existing Maine State Statutes and local Town laws/regulations governing Medical Marijuana Dispensaries
  - Create Medical Marijuana Dispensary regulations for the Town of Bridgton
  - Have a working draft of Medical Marijuana Dispensary regulations no later than Feb. 12, 2015
  - Present a Final Draft of Medical Marijuana Dispensary regulations to the Select Board on March 3, 2105
- Reviewed Maine Medical Use Of Marijuana Statutes, Maine DHHS Rules Governing Maine Medical Use of Marijuana Program and MMD regulations from towns of Lewiston, Windham and York

- Held discussions on January 22, 2015 with Bridgton Police Chief Kevin Schofield on his concerns with medical marijuana dispensaries
- Held discussions on January 22, 2015 with Wellness Connection of Maine's Director of Community & Education Becky DeKeuster to hear firsthand knowledge on four current Maine medical marijuana dispensaries
- Moved and passed motion to include Bridgton MMD regulations in the Bridgton Site Plan Review Ordinance
- Requesting Town Attorney respond to the following question - Will the "Town of Bridgton an Ordinance to Regulate the Establishment and Designation of Safe Zones" prohibit a medical marijuana dispensary from locating within 1000 feet of a designated safe zone?
- Produced a first draft of Bridgton Medical Marijuana Dispensaries regulations.
- Reviewing current Site Plan Review Ordinance for possible modifications due to MMD regulations

Respectfully Submitted,

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Brian Thomas, Secretary, Bridgton MMD Ad Hoc Committee"

Wastewater Committee

Lucia Terry submitted the final brochure which incorporated the suggestions made by the Board. Selectman Hoyt suggested that the cost estimates be included in the brochure to provide as much information to the public as possible; Ms. Terry responded that accurate cost estimates are not available at this time. **Motion** was made by Vice-Chairman Taft to send the brochure as submitted to the printers; 2nd from Selectman Murphy. 4 approve/1 oppose (Hoyt opposed)

8. MSAD #61

There were no additional comments regarding MSAD #61.

9. Hearings @ 6:00 P.M; *This item was addressed earlier in the meeting.*

10. Action Items Following Public Hearing:

a. Approval of Special Amusement Permit to Campfire Grille, LLC

Motion was made by Selectman Hoyt for approval of the Special Amusement Permit to Campfire Grille, LLC; 2nd from Vice-Chairman Taft. 5 approve/0 oppose

b. Approval of Special Amusement Permit to Magic Lantern, LLC

Motion was made by Selectman Murphy for approval of the Special Amusement Permit to Magic Lantern, LLC; 2nd from Selectman Hoyt. 5 approve/0 oppose

c. Possible Action on Proposed Public Facilities Projects

No action was required.

11. Public Comments and Presentations

There were no public comments and presentations.

12. Old Business

a. Route 302 Corridor Development Ad Hoc Committee Charge, Mission and Authority

Motion was made by Vice-Chairman Taft to take this issue off the table; 2nd from Selectman Hoyt. 5 approve/0 oppose Town Manager Peabody provided a revised Town of Bridgton Route 302 Corridor Development Ad Hoc Committee Charge, Mission and Authority as requested by the Board at the January 13th meeting. It has been re-titled as the Town of Bridgton Land Use Planning Ad Hoc Committee with an expanded charge which encompasses the entire Town. Selectman McHatton asked why this charge does not include zoning to which Director Krieg responded that land use regulation and zoning are interchangeable terms; Selectman McHatton requested that the term zoning be added for clarification. **Motion** was made by Selectman Hoyt for approval of the Town of Bridgton Land Use Planning Ad Hoc Committee Charge, Mission and

Authority with the amendment to include zoning and authorized Director Krieg to advertise for membership; 2nd from Selectman McHatton. 5 approve/0 oppose

b. Town Hall Update

Economic and Community Development Director Anne Krieg reported that she is working with the engineers and will provide the full scope of work and bid package to the Board at their next meeting.

Upper Ridge Road

Vice-Chairman Taft asked for the status of the repairs to the Upper Ridge Road. Public Works Director Jim Kidder responded that it is the responsibility of Fairpoint Communications since they caused the damage but until the strike is settled, he won't have an answer as to when.

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

February 24, 2015; March 10, 2015; March 24, 2015; April 14, 2015; April 28, 2015; May 12, 2015; May 26, 2015; June 9, 2015

The Board opted to hold a workshop meeting on Wednesday, February 18th with the Budget Advisory Committee and Department Heads.

14. Executive Session

a. MRSA Title 1, Chapter 13, Subsection 405.6.D.; Discussion of a Contract Proposal from Bruce Manzer
b. MRSA Title 1, Chapter 13, Subsection 405.6.C.; Discussion of Land Negotiations
c. MRSA Title 1, Chapter 13, Subsection 405.6.A.; Town Manager's Six Month Informal Evaluation

Motion was made by Vice-Chairman Taft to enter into executive session at 7:25 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.D. and per MRSA Title 1, Chapter 13, Subsection 405.6.C. and per MRSA Title 1, Chapter 13, Subsection 405.6.A. 2nd from Selectman Murphy. 5 approve/0 oppose

Motion was made by Vice-Chairman Taft to exit executive session at 8:20 P.M.; 2nd from Selectman Murphy. 5 approve/0 oppose

15. Adjourn

Chairman King adjourned the meeting at 8:20 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk