Board of Selectmen's Meeting Minutes
December 22, 2015; 5:00 P.M.

Board Members Present: Bernard N. King, Jr., Chairman; Robert J. McHatton, Sr., Vice-Chairman; Kenneth J. Murphy; Gregory N. Watkins;
Student Representative Colleen Messina
Board Members Absent: Paul E. Hoyt
Administration Present: Town Manager Robert Peabody; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Public Works Director Jim Kidder

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. December 8, 2015
Motion was made by Selectman Murphy for approval of the minutes from the December 8, 2015 Board Meeting; 2nd from Vice-Chairman McHatton. 4 approve/0 oppose

4. Correspondence and Other Pertinent Information
a. Correspondence from Swett Signs
Sandy Swett, Co-owner of Swett Signs, was present. She stated that they have turned their local business over to their daughter, Jennifer Higgins, owner and operator of Muddy River Signs. She voiced her displeasure in the design and workmanship of the new town signs and believes they are not in line with the image of Bridgton. She encouraged the Board to begin the process again and if not, she requested that the name of the company that produced the sign be displayed on the sign. Chairman King responded that the Board will not mandate that the sign company label their signs. He also asked why her daughter did not put in a bid for the project to which Ms. Swett responded that the specifications were not put together very well. Vice-Chairman McHatton noted that there was a second bidder that did not voice any concerns with the specifications. Ms. Swett said that Bridgton is a four season community and should be displaying professional signage in town. Dale McDaniel stated that the other bidder was an older company which has been around for a long time and the bid they submitted was reasonable; he asked why the Board chose this company. Selectman Murphy responded that the second bidder did not have a sample available and that weighed on the decision making. Vice-Chairman McHatton stated that he preferred the hand sign over the machine sign. Selectman Murphy stated that the CDC recommended that the Board award the bid to Nelle Ely to which Mark Lopez responded that Chuck Renneker made that recommendation as an individual taxpayer and not on behalf of the CDC. Mr. Lopez voiced concerns with the process and the product. Chairman King noted that this issue is in legal limbo and we will know more after January 8th or 9th. Town Manager Peabody added that the contract was supposed to be fulfilled by November 30th and it was not; the contract is in breach and the contractor has 30 days from the notice of breach to rectify the situation and there are also four or five signs that are being rejected. Vice-Chairman McHatton said that some of the conversations are alluding that the signs are in terrible condition and he does not believe there are any issues with these signs representing Bridgton. Mr. Watkins stated that he was not sitting on the Board at the time the bid was awarded which is why he is not making comment. Vice-Chairman McHatton reported that the vote to award the bid was 3/2 (King and Hoyt were opposed). Town Manager Peabody added that Nelle Ely wrote the specifications for the signs to which Ms. Swett noted that conflict of interest. Selectman Murphy added that the signs are not to his specifications. **Motion** was made by Vice-Chairman McHatton to take the letter and comments under advisement; 2nd from Selectman Murphy. 4 approve/0 oppose

5. New Business

a. Permits/Documents Requiring Board Approval

1. Campfire Grille: Victualer License, Liquor License Renewal

Motion was made by Selectman Watkins for approval of the Victualer License and Liquor License renewal to Campfire Grille; 2nd from Vice-Chairman McHatton. 4 approve/0 oppose

b. Awards and Other Administrative Recommendations

1. Consent Agreement: Map 15, Lot 25D-2 (66 Malcolm Road)

Edward and Margaret Balestra, owners of property situated at 66 Malcom Road, Map 15 Lot 25D-2, appear to have constructed a deck in violation of the Town of Bridgton Shoreland Zoning Ordinance. The Code Enforcement Officer recommended that the Town enter into a Consent Agreement with the property owner in lieu of requiring them to correct the violation. The suggested fine is $1,000 payable on or before January 10, 2016. CEO Baker noted that four feet of an eight to ten foot deck is encroaching into the Shoreland Zone. **Motion** was made by Vice-Chairman McHatton to enter into a Consent Agreement between the Town of Bridgton and Edward & Margaret Balestra, owners of property situated at 66 Malcolm Road, Map 15, Lot 25D-2, for constructing a deck in violation of the Town of Bridgton Shoreland Zoning Ordinance; 2nd from Selectman Murphy. 3 approve/1 oppose (Selectman Watkins was opposed)

2. Vote to Authorize Lease Purchase of Two Public Works Trucks

Motion was made by Vice-Chairman McHatton for approval of the vote entitled, "Vote to Authorize Lease Purchase of Two Public Works Trucks in the Principal Amount of $175,322," be adopted in form presented to this meeting.

VOTE TO AUTHORIZE LEASE PURCHASE OF TWO PUBLIC WORKS TRUCKS IN THE PRINCIPAL AMOUNT OF $175,322

The Board of Selectmen of the Town of Bridgton (the 'Town') hereby votes as follows:

That the Town Manager is authorized to accept the proposal of Gorham Savings Leasing Group, LLC, dated November 30, 2015, to provide tax-exempt lease purchase financing for two Public Works Department trucks (the 'Equipment') in the principal amount of $175,322.00 at an interest rate of 3.48% for a term of five years, and any such prior action by the Town Manager is hereby ratified and confirmed;

That under and pursuant to Sections 5721, 5722, and 5728 of Title 30-A of the Maine Revised Statutes, all other applicable law, and approval of Article 20 (raising and appropriating the sum of $88,500 for long term debt) at the Annual Town Meeting held June 10, 2015, the Town Manager is authorized to execute and deliver a Municipal Lease Purchase Agreement with Gorham Savings Leasing Group, LLC, or its nominee, in the name and on behalf of the Town for the Equipment, with an purchase price of $323,338.00, in such form and on such terms not inconsistent herewith as the Town Manager may approve (the 'Lease');

That no part of the proceeds of the Lease shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Lease to be a 'private activity bond' or an 'arbitrage bond' within the meaning of Sections 141 and 148, respectively, of the Internal Revenue Code of 1986, as amended (the 'Code');

That the Lease issued pursuant hereto is designated as a qualified tax-exempt obligation within the meaning of Section 265(b)(3) of the Code;

That the Town Manager is authorized to covenant on behalf of the Town to file any information report and pay any rebate due to the United States in connection with the issuance of the Lease, and to take all other lawful actions necessary to ensure that the interest portion of the rental payments under and pursuant to the Lease will be excludable from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking any action which would cause such interest portion of the rental payments to become includable in the gross income of the owners thereof;

That the appropriate officials of the Town are authorized to execute and deliver such other documents and certificates as may be required in connection with the Lease; and

That an attested copy of this Vote be filed with the minutes of this meeting.

2nd from Selectman Watkins. 4 approve/0 oppose

3. Capital Improvement Plan

Due to the density of the plan, **motion** was made by Selectman Watkins to table this item to the January 12th meeting; 2nd from Selectman Murphy. 4 approve/0 oppose

c. Legal Matters

There were no legal matters.

d. Selectmen's Concerns

- Vice-Chairman McHatton voiced concerns regarding the lack of available sewer allocation for a potential new business in Town. Town Manager Peabody responded that he met with the business owners and since the allocation for that property is being used by the current occupant, there is simply no allocation available to open another business in the same building.
- Selectman Watkins asked if there has been any formal communication with the users of the sewer system to which Town Manager Peabody responded that he has been working with the Wastewater Committee Chairman and expects the correspondence to be finished up after the holidays.
- Selectman Watkins asked for the status of the Woods Pond bathroom bid to which Town Manager Peabody responded that Director Krieg is working on the specifications.
- Selectman Watkins asked for the status of the broadband workshop to which Town Manager Peabody responded that he will be reaching out to Connect Maine after the holidays.
- Selectman Watkins noted that the Board had discussed posting information about Salmon Point on "Good Sam Camping" and other advertising publications and requested that the Town Manager follow up. Selectman Watkins then asked when an ad for 2016 Campground Manager will be put out to which Town Manager Peabody responded that he will first reach out to the 2015 Campground Manager and ask if he intends to return.
- Selectman Murphy had no concerns.
- Chairman King had no concerns.

e. Town Manager's Report

Town Manager Peabody read the following report into the record:

Manager's Report
12/22/15

The Town Office will be closed December 23rd between the hours of 11:30am and 1:00pm for the Annual Holiday Party for staff. Also, the Office, Transfer Station and Public Works will be closing December 24th at noon.
The Town is accepting applications until January 8th for the positions of Laborer/Operator Highway Crew and a position in the Parks Division. Questions should be referred to Jim Kidder, Public Works Director, at 647-2326.
We have temporarily suspended work on the lagoon dredging project at Salmon Point Campground. The ground is too soft for the machinery to operate. Once the ground freezes, we will finish the project.
Central Maine Power Company (CMP) will be conducting tree work on the right-of-ways during 2016. The will be using a limited amount of federally approved herbicides. Landowners who object to the use of herbicides on transmission corridors next to their properties may request a Landowner's Maintenance Agreement with CMP. Information may be obtained by writing to CMP Vegetation Management, 83 Edison Drive, Augusta, ME 04336 or calling Nicholas Hahn at (207) 621-3942. The letter from CMP is posted in the lobby at the Town Office.

Chairman King brought agenda item #8 forward at 6:00 P.M.

8. Public Hearings at 6:00 P.M.

a. Public Hearing to accept written and oral comments on an application from Noble House Bed and Breakfast for a Special Amusement Permit

Chairman King opened the public hearing to accept written and oral comments on an application from Noble House Bed and Breakfast for a Special Amusement Permit at 6:00 P.M. There were no public comments or questions. Chairman King closed the public hearing at 6:01 P.M.

b. Public Hearing to accept written and oral comments on an application from Campfire Grille for a Special Amusement Permit

Chairman King opened the public hearing to accept written and oral comments on an application from Campfire Grille for a Special Amusement Permit at 6:01 P.M. There were no public comments or questions. Chairman King closed the public hearing at 6:01 P.M.

9. Action Items Following Public Hearing

a. Special Amusement Permit to Noble House

Motion was made by Selectman Watkins for approval of the Special Amusement Permit to Noble House; 2nd from Selectman Murphy. 4 approve/0 oppose

b. Special Amusement Permit to Campfire Grille

Motion was made by Selectman Watkins for approval of the Special Amusement Permit to Campfire Grille; 2nd from Selectman Murphy. 4 approve/0 oppose

5. New Business / f. Other Matters

- Selectman Watkins asked for the status of the MOU with the school district to which Town Manager Peabody responded that he has not heard back from them yet.
- Selectman Murphy wished everyone a Merry Christmas and Happy New Year.

6. Treasurer's Warrants

Motion was made by Vice-Chairman McHatton for approval of Treasurer's Warrants 64, 65, 66, 67 and 68; 2nd from Selectman Murphy. 4 approve/0 oppose

7. Committee Reports

Chuck Renneker, Chairman of the CDC, thanked Dave Crowell for doing a great job in Co-chairing the Committee. He reported that the group has been working on new topics, CDBG grants and a promotional plan for Bridgton.

Chuck Renneker, representing the Land Use Committee, reported that the group is working on a management plan for the major arteries. They would like to post this information on the town website and begin having informational public meetings in various locations throughout Town. He also requested approval to place a bi-weekly guest article in the Bridgton News. The consensus of the Board is to allow the guest column. The Board encouraged the group to move forward with the charrettes once the corridor plan is in place.

10. MSAD #61

There was no information regarding MSAD #61.

11. Public Comments and Presentations

- Town Manager Peabody reported that Director Krieg is coordinating the broadband workshop and expects to set the meeting for February.
- Chuck Hamaty, new member of the Wastewater Committee, encouraged the Board to ask the voters why the ordinance amendments were voted down and ask them what they want to happen. Discussion ensued.
- Chuck Renneker suggested that the Board request that LRTV televise the Wastewater Committee Meetings.
- Dale McDaniel asked where town owned vehicles are sent to be repaired after an accident to which Public Works Director Kidder responded that many are typically repaired at Craig's Auto Body Shop in Harrison. Mr. McDaniel said that he owns a business in Bridgton, as does his cousin, and requested the opportunity to write estimates for town vehicle repairs. Public Works Director Kidder stated that this issue has been discussed and there has not been any accidents since that discussion. The Board concurred that the three local garages (Portland Street Garage, Chris McDaniel's Body Shop and Macdonald Motors) be given the opportunity to provide estimates.

12. Old Business

a. Town Hall

Town Manager Peabody reported that the roof is progressing well and the doors are expected to be installed near the middle of January. The furnace is also expected to be in by the middle of January; staff and the contractor are working on the contract extension. Selectman Watkins was concerned with the high cost of electricity.

c. Comprehensive Plan

Selectman Watkins reached out to Pipe and Wire, a website resource and they provided an outline which first concentrates on the brand and then on the website; they are willing to meet with the Board and/or Manager. Chairman King directed this issue to the next agenda.

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

* Jan 5, 2016 (Workshop at 5:00 P.M. with the Wastewater Committee) * Jan 12, 2016 * Jan 26, 2016

14. Executive Session per MRS Title 1, Chapter 13 § 405.6.C.

Motion was made by Selectman Watkins to enter into executive session at 6:45 P.M. per MRS Title 1, Chapter 13 § 405.6.C. for discussion of land acquisition; 2nd from Selectmen Murphy. 4 approve/0 oppose

Motion was made by Selectman Watkins to exit executive session at 7:10 P.M.; 2nd from Vice-Chairman McHatton. 4 approve/0 oppose

15. Executive Session per MRS Title 1, Chapter 13 § 405.6.A.

Motion was made by Selectman Watkins to enter into executive session at 7:10 P.M. per MRS Title 1, Chapter 13 § 405.6.A. to review Board/Committee Applications; 2nd from Selectman Murphy.
4 approve/0 oppose

Motion was made by Selectman Watkins to exit executive session at 7:18 P.M.; 2nd from Selectman Murphy. 4 approve/0 oppose

16. Executive Session per MRS Title 1, Chapter 13 § 405.6.E.

Motion was made by Selectman Watkins to enter into executive session at 7:19 P.M. per MRS Title 1, Chapter 13 § 405.6.E. for legal matters; 2nd from Selectman Murphy. 4 approve/0 oppose

Motion was made by Vice-Chairman McHatton to exit executive session at 8:15 P.M.; 2nd from Selectman Watkins. 4 approve/0 oppose

17. Action Items Following Executive Session

Motion was made by Selectman Murphy to appoint Robert Mawhinney and Deb Brusini as regular members of the Board of Appeals; 2nd from Selectman Watkins. 4 approve/0 oppose

18. Adjourn

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

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk