

Board of Selectmen's Meeting Minutes

April 26, 2016; 5:00 P.M.

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

Absent: Student Representative Colleen Messina

Administration Present: Town Manager Robert Peabody, Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Public Works Director Jim Kidder; Community 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."

Chairman King called for a moment of silence to recognize the passing of Adam Perron, a valued member of the community and member of Pondicherry Park Stewardship Committee.

3. Approval of Minutes

a. April 12, 2016

Motion was made by Selectman Hoyt for approval of the minutes from the April 12, 2016 Board Meeting; 2nd from Selectman Murphy. 5 approve/0 oppose

4. Correspondence and Other Pertinent Information

a. Bridgton Farmer's Market; Helen Ramsdell

Helen Ramsdell, President of the Bridgton Farmer's Market, was present. She noted that each member carries their own individual insurance and the Board had previously mandated that the Market provide an insurance document as a group. She stated that the bylaws are clear and that each vendor is carefully considered before being allowed entry; there are four new vendors that were approved for the upcoming season. The Market is being expanded and the group is concerned that other vendors are being allowed to set up in the same area.

Selectman Watkins asked how many members are from Bridgton to which Ms. Ramsdell responded that there are two or three vendors from Bridgton. Jessica Glendenning, a Bridgton resident and Market Vendor, has been part of the Market for several years and reported that there have not been many residents or businesses from Bridgton apply and that the Market does not select their vendors based on where they are from.

Brenna Mae Googins, owner/operator of Patch Farm and Assistant Manager of the Market, reported that there are fourteen returning vendors and three new vendors; she added that some of those vendors occupy two spaces and there are also two tents, one for music and the other for EBT use and information which is a total of nineteen tents including five double spots.

Vice-Chairman McHatton asked if a specific amount of space is allocated to the Market under the policy to which Town Clerk Chadbourne responded that the amount of space is not restricted or part of the permit process. Vice-Chairman McHatton asked how many Victualer's Licenses are issued and the cost to which Town Clerk Chadbourne responded that one permit is issued to the Market for a fee of \$25.00.

Members of the Market responded to several questions asked by the Board. Lengthy discussion ensued.

Vice-Chairman McHatton suggested that the Market and Board hold a workshop session to establish guidelines going forward. He believes the Market provides a great benefit to the Town. Town Manager Peabody requested that Ms. Ramsdell reach out to the Town after Town Meeting to set up a workshop session.

Ms. Googins requested that the Board reconsider approval of the permit for the vendor to set up close to the Market. Julie Mannix, owner of Old School Creamery, thanked the Market for their due consideration of her application and reported that she has secured a location on private property and will not be using the permit on public property.

1. Alternate Location of the Market

Chairman King removed this item from the agenda.

b. Next Generation Strategies

Greg Lane, representing Next Generation Strategies, was present. The group was retained by the Town to educate residents and voters on the Wastewater Ordinance Amendments being presented at Town Meeting. Mr. Lane updated the Board on their strategies and progress to date. On behalf of the Board, Chairman King thanked the group.

c. Proclamation: Kids to Parks Day; Saturday, May 21, 2016

Motion was made by Selectman Hoyt to proclaim Saturday, May 21, 2016 as Kids to Parks Day; 2nd from Selectman Murphy. 5 approve/0 oppose

d. Garden on Park Street; Marguerite Wiser

Bob Wiser, representing Marguerite Wiser, was present to respond to any questions. Ms. Wiser has been tending the vegetable garden, formerly known as the Maine Native American Garden, sited on Town owned property for two summers. She wishes to continue doing so with the bounty to be given to the local food pantry. The Board directed Town Manager Peabody to gather additional information regarding paving and insurance requirements and report back to the Board on May 10th.

5. New Business

a. Permits/Documents Requiring Board Approval

1. Victualer's License to the Gazebo

Motion was made by Selectman Hoyt for approval of the Victualer's License to the Gazebo; 2nd from Selectman Murphy. 5 approve/0 oppose

2. Victualer's License to Ricky's Diner

Motion was made by Selectman Watkins for approval of the Victualer's License to Ricky's Diner; 2nd from Selectman Hoyt. 5 approve/0 oppose

3. Victualer's License & Liquor License Renewal & One Pinball Machine Permit to Punkin Valley Inn

Motion was made by Selectman Murphy for approval of the Victualer's License and Liquor License Renewal and One Pinball Machine to Punkin Valley Inn; 2nd from Selectman Watkins. Pursuant to the Victualer's Licensing Ordinance enacted on November 8, 2011, the Board of Selectmen may deny licensing for taxes owed the town (§4.3). Robert Grace, Owner and Operator of Punkin Valley Inn, was present and requested twenty-four months to bring his personal property taxes up to date (to include 2016-17 taxes). **Motion** was made by Selectman Murphy to amend the motion to include "subject to the payment of past due personal property taxes (though a payment plan)"; 2nd from Selectman Watkins. 5 approve/0 oppose

4. Division of Liquor Licensing & Enforcement; On Premise Transfer Application from Campfire Grille (from 656 North High Street to 518 Portland Road)

Motion was made by Selectman Hoyt for approval of the Division of Liquor Licensing & Enforcement; On Premise Transfer Application from Campfire Grille (from 656 North High Street to 518 Portland Road); 2nd from Selectman Watkins. 5 approve/0 oppose

5. Orders for Placement of Citizen's Petition on Ballot "To Allocate \$10,000 to Community H.E.L.P. in FY 2016-17 to cover moving expenses, purchase new fixtures, and rent in a new location in downtown Bridgton"

a. Secret Ballot Referendum- Recommendation of the Municipal Officers per MRS Title 30-A § 2528.5.B.

b. Request for Petition Withdrawal from Patti Wininger, Community H.E.L.P. and Attorney Recommendation

Patti Wininger, Director/Founder of Community H.E.L.P., submitted a request to withdraw the petition. Ms. Wininger thanked the Board for taking the time to consider the petition and thanked the supporters and George Bradt for their support and efforts on gathering signatures. The Town Attorney has advised the Board that they could decline to place the matter before the voters. Discussion ensued. **Motion** was made by Selectman Watkins to forward the Citizen's Petition to the voters for their consideration via Referendum Ballot on June 14, 2016; 2nd from Selectman Hoyt. 0 approve/5 oppose

6. Orders for Placement of Citizen's Petition on Ballot "Set town funding of the Bridgton Food Pantry at \$10,000 per year starting in the FY 2016-17 to cover increased expenses and costs of running our vitally important local food pantry"

Penny Robbins, representing the Food Pantry, was present. She reported that the pantry serves an average of seventy five families (about one hundred seventy five individuals) per week. She noted that any resident of Bridgton qualifies for free food regardless of their income.

Vice-Chairman McHatton asked the group why they did not make a funding request to the Board prior to circulating a citizen's petition to which Ms. Robbins responded that George Bradt had suggested this route.

Robert Cassimiro was opposed to using tax dollars to support the local food pantry and believes their organization should be supported through private donations.

Director Krieg noted that block grant funds are dedicated to the food pantry and those funds are dedicated for low income households to which evidence is required.

Town Manager Peabody noted that you cannot set town funding from now until forever, the vote to fund is binding for the fiscal year only.

Motion was made by Selectman Hoyt to forward the referendum ballot question regarding Bridgton Food Pantry Funding to the voters for their consideration on June 14, 2016; 2nd from Selectman Murphy. 4 approve/1 oppose (Watkins opposed)

a. Secret Ballot Referendum- Recommendation of the Municipal Officers per MRS Title 30-A § 2528.5.B.

Motion was made by Selectman Hoyt to not recommend passage; 2nd from Selectman Watkins. 3 approve/2 oppose (McHatton and Murphy opposed)

b. Awards and Other Administrative Recommendations

1. Secret Ballot Referendum – Recommendation of the Municipal Officers (optional for ordinance amendments)

Motion was made by Vice-Chairman McHatton to recommend passage of Question 1 (amendments to the Sewer Ordinance); 2nd from Selectman Hoyt. 5 approve/0 oppose

Motion was made by Selectman Hoyt to recommend passage of Question 2 (amendments to the Shoreland Zoning Ordinance); 2nd from Selectman Watkins. 5 approve/0 oppose

Motion was made by Selectman Hoyt to recommend passage of Question 3 (amendments to the Site Plan Review Ordinance); 2nd from Vice-Chairman McHatton. 5 approve/0 oppose

Motion was made by Selectman Hoyt to recommend passage of Question 4 (amendments to the Tower Ordinance); 2nd from Vice-Chairman McHatton. 5 approve/0 oppose

2. Municipal Officers' Notice of Public Hearing on Secret Ballot Referendum

Motion was made by Selectman Hoyt for approval of the amended Municipal Officers' Notice of Public Hearing on Secret Ballot Referendum scheduled for Tuesday, May 10th at 6:00 P.M.; 2nd from Selectman Watkins. 5 approve/0 oppose

3. Annual Town Meeting Warrant; Open Ended or Capped Warrant Articles

The Board opted to address this item after a review of the draft warrant.

4. Review of the DRAFT 2016 Annual Town Meeting Warrant and Budget

Advisory Committee Recommendations 2016

Selectman Watkins asked what the "School Fund" refers to under the Bridgton Trust Fund to which Town Manager Peabody responded that it was part of a small group of trust funds that were established and they become part of revenue to reduce taxes.

Vice-Chairman McHatton stated that the Budget Advisory Committee recommendations are noted on the Town Meeting Warrant in appreciation for their work on the budget.

Chairman King read the Budget Advisory Committee Recommendations 2016 into the record:

"Budget Advisory Committee Recommendations 2016"

Committee comprised of: Earl Cash, Art Triglione, Bill Vincent (absent), Vanessa Jones

009 General Government— BAC voted (2-1), to keep the Administrative Assistant at current status of 32 hours per week.

BAC voted unanimously to support the Manager's recommended stipend increase for Selectmen, and to institute a stipend for Planning Board members.

Regarding the possibility of a Grant Writer, two members voted against any grant writer at all, while one supports the addition of a full time grant writer.

022 Library—BAC voted unanimously to fund the library as the manager recommends, which is at \$79,000.

223 Police Department— BAC unanimously voted to have the current Public Safety Administrative Assistant devoted exclusively to the police department (including handling the public that works through the door during business hours and fire permits).

BAC voted (2-1) at the meeting to refrain from hiring an additional police officer. After the meeting, Bill Vincent, who had been absent, contacted committee members to communicate that he is strongly in favor of hiring an additional officer. This brings the consensus to 2-2 on the topic of hiring of an additional police officer.

BAC unanimously recommends that the Police Chief attend the conference in San Diego for \$1,800.

235 Fire Department—BAC voted (2-1) to not hire a full time Fire Chief.

322 Public Works-- BAC voted 2-1 to redirect the money budgeted for Town Garage paving in line 856-8-9020 toward street paving on public town roads.

345 HAM Complex—Arthur Triglione and Earl Cash feel that "this project is not in the best interest of the taxpayer at the time. The project was approved originally as a turnkey operation. We feel that the BOS has overstepped its bounds by telling the taxpayers one thing and then doing another. When BRAG meets its end of the bargain we would agree to it." The BAC voted (2-1) not to fund this project at all.

348 Transfer Station—BAC voted 2-1 to redirect the money budgeted for Transfer Station paving toward street paving on public town roads.

353 Cemeteries—BAC voted unanimously to approve the recommended full time employee and recommended part time employee.
522 Outside Agencies—The BAC voted unanimously to reduce funding by 20% per line (based on last year's amounts or requested amount, whichever is lower). The committee discussed at length the need for a policy regarding Outside Agencies. The BAC proposes this policy: Outside Agencies will be funded at a 20% reduction per year (based on either last year's amount, or the requested amount, whichever is lower), each year over the next 5 years, down to zero.
The BAC unanimously recommends that LRTV become its own cost center, and have this line removed from Outside Agencies.
Undesignated Fund Balance—The BAC unanimously recommends taking an additional \$125,000 from the Undesignated Fund Balance to mitigate the increase in the tax rate.”

Motion was made by Selectman Hoyt to fund the library at \$79,000; 2nd from Selectman Watkins.
4 approve/1 oppose (McHatton was opposed)

Motion was made by Selectman Hoyt not to fund the paving project at the Transfer Station (856-8-9077); 2nd from Vice-Chairman McHatton. 4 approve/1 oppose (Murphy opposed)

Motion was made by Selectman Watkins not to include the article for acceptance of Home Run Road; 2nd from Selectman Murphy. Vice-Chairman McHatton encouraged the Board to include this article on the warrant. Selectman Watkins **withdrew the motion**; 2nd was withdrawn by Selectman Murphy.

Motion was made by Selectman Hoyt to recommend a YES vote on the article to purchase parcels and structures on Nulty Street; 2nd from Selectman Watkins. 4 approve/1 oppose (King opposed)

Motion was made by Selectman Watkins to remove the article to appropriate \$150,000 from the Unassigned Fund Balance to re-pave the existing parking area on Nulty Street and renovate the existing structure; 2nd from Chairman King. 0 approve/5 oppose

Motion was made by Selectman Hoyt to recommend a YES vote on the article to appropriate \$150,000 from the Unassigned Fund Balance to re-pave the existing parking area on Nulty Street and renovate the existing structure; 2nd from Selectman Watkins. 4 approve/1 oppose (King opposed)

Motion was made by Selectman Murphy to authorize the Town Manager to execute the purchase and sales agreement with Andrew and Lisa Clark; 2nd from Selectman Watkins. 5 approve/0 oppose

5. Memorandum of Understanding between Town of Bridgton, Maine and Bridgton Recreational Advancement Group; “The Town of Bridgton Kendal and Anna Ham Recreational Complex”

6. Formal Acceptance of “The Town of Bridgton Kendal and Anna Ham Recreational Complex”

Chairman King opted to discuss items 5 and 6 together. Selectman Hoyt asked about the drainage issues to which Town Manager Peabody read an email from Code Enforcement Officer Baker into the record: “It is my understanding that the 4th underdrain pipe shown on the plan dated March 26 2009 was not installed. It is my opinion that this is a major change and should be sent back to the Planning Board for review. A new drainage plan done by George Sawyer dated November 15 2015 has been installed. It makes no difference to the code office who brings this revision to the Planning Board, the Town of Bridgton or the Brag Committee. Robert Baker, CEO”

Town Manager Peabody then read an email from Bill Macdonald into the record: “Hi Bob, I just returned from vacation and understand BRAG is on the agenda for tomorrow night's meeting. Unfortunately, I will be unable to attend. In my absence I did want to email you regarding a topic which has been brought to my attention by a couple people. The drainage plan, which was drawn up and approved by George Sawyer, was created to address standing water and wet areas of the complex after everything sub grade was completed. Approximately half of the Sawyer Engineering plan has been completed (softball field, babe ruth field, Macdonald Field). The remaining areas to be addressed are the unnamed baseball field and the large multipurpose field. The material (piping, etc) have already been purchased and are on site. Some sand, gravel, grass seed will need to be purchased once the job is performed. I want to assure you and the selectboard that

BRAG fully intends to complete this project as funds or professional volunteers become available. Please let me know if you have any questions. Sincerely, Bill Macdonald”

Selectman Watkins noted that Section IV referenced a document dated June 15, 2010 which he is not aware of; Town Manager Peabody then provided a copy of the document (mortgage agreement) to each Board Member.

Selectman Watkins noted that Section V refers to management of property and asked what would happen if this item was voted down to which Town Manager Peabody responded that it would depend on how the vote is structured; he added that although the detail is provided on the warrant, the voters approve the lump sum amount and the Town Manager has the authority to amend the detail within.

Selectman Watkins voiced concerns with two Board members being appointed to the Committee. **Motion** was made by Selectman Watkins to amend the Advisory Committee to be comprised of three community members, two members from BRAG and one Board liaison; 2nd from Selectman Hoyt. 4 approve/1 oppose (Murphy was opposed)

Selectman Watkins noted a spelling error within the Memorandum; Kendal is spelled both with one l and with two ll's.

Selectman Watkins noted that Section VIII refers to the continuing role of BRAG and was concerned with the lack of a mutual agreement regarding the standards for new tennis courts or facilities.

Motion was made by Selectman Murphy to table this item until the first meeting in September; 2nd from Selectman Watkins. 3 approve/2 oppose (McHatton and Hoyt opposed)

Motion was made by Selectman Watkins to fund the HAM complex at zero and add \$50,000 funding for BRAG as an outside agency; 2nd from Selectman Murphy. 2 approve/3 oppose (King, McHatton and Hoyt opposed)

Motion was made by Selectman Hoyt for approval of formal acceptance of “The Town of Bridgton Kendal and Anna Ham Recreational Complex;” 2nd from Vice-Chairman McHatton. 2 approve/3 oppose (King, Murphy and Watkins opposed)

Motion was made by Vice-Chairman McHatton to let the voters decide and forward formal acceptance of “The Town of Bridgton Kendal and Anna Ham Recreational Complex” to the voters for their consideration at Town Meeting; 2nd from Selectman Hoyt. 2 approve/3 oppose (King, Murphy and Watkins opposed)

The Board opted to seek voter consideration for Homerun Road on the warrant. **Motion** was made by Selectman Watkins to recommend a “NO” vote; **motion fails** for lack of a second. **Motion** was made by Selectman Hoyt to recommend a “YES” vote; 2nd from Vice-Chairman McHatton. 3 approve/2 oppose (King and Watkins opposed)

3. Annual Town Meeting Warrant; Open Ended or Capped Warrant Articles

Motion was made by Selectman Watkins to designate “open-ended” warrant articles for appropriations; 2nd from Vice-Chairman McHatton. 2 approve/3 oppose (McHatton, Murphy and King opposed)

The warrant will be presented to the voters with capped warrant articles.

c. Selectmen's Concerns

- **Vice-Chairman McHatton** had no concerns.
- **Selectman Hoyt** had no concerns.

- **Selectman Watkins** asked if the Town has a contract with the vendor that picks tires up at the Transfer Station after noting a double price increase.
- **Selectman Watkins** questioned why the original amount for the Salmon Point bathroom was at \$75,000 and the final recommendation was at \$85,000. Town Manager Peabody will follow up.
- **Selectman Murphy** suggested that the Town be more active through the Maine Townsman to which Director Krieg responded that she will follow up.
- **Selectman Murphy** asked why Bridgton does not have an updated street map.
- **Selectman Hoyt** asked if the Board had decided how much to take out of the undesignated fund balance to which Chairman King responded "\$125,000." (formal vote below)
- **Chairman King** requested that Board Members direct their questions/concerns to the Town Manager prior to the meeting so that he is prepared to respond.

d. Town Manager's Report

Deputy Town Manager Fleck read the following report into the record:

"TOWN OF BRIDGTON / DEPUTY TOWN MANAGER'S REPORT / April 25, 2016

Salmon Point:

- a. The Campground will open on May 1st.
- b. The County Work Crew did clean up in and around the campground April 19, 2016 - April 21, 2016. I have made arrangements for a late fall clean-up to expedite the spring clean-up.
- c. The six new RV sites are currently under construction.
- d. Public Works crew is currently in the process of preparing the road for paving.
- e. Newly hired campground manager, Robert Morse and his wife, are enroute from Florida with an expected arrival date of Monday, May 2, 2016.

Other:

Brenda Day, Administrative Assistant, started work on Monday, April 18th. There will be a brief carry-over of time between Kayla and Brenda so Brenda can get acclimated to pending projects before Kayla leaves.

We received 5 bids for the Transfer Station Concrete Slab ranging in price from \$15,132.00 to \$34,900.00. The bid was awarded to Henry's Concrete in Harrison for \$15,132.00. Bob Fitzcharles and his crew will do the prep work.

We received \$521.15 for the month of March 2016 from the redeemable bottles at the Transfer Station. In keeping with Board of Selectmen and Budget Committee recommendation proceeds will go toward the purchase of Christmas Wreaths to display around town. The Town also has the bottles for the month of April. Currently the sign at the Transfer Station references proceeds going toward the fireworks, therefore, I am in the process of having a new sign made to reference proceeds going toward Christmas Wreaths. The County Work Crew will be back June 20 through June 24 and June 27 and 28th. During this time they will work on the gazebo which will include painting. If weather does not allow outside work they will be able to work inside painting several offices in the court area and some touch up in and around the municipal office.

Respectfully submitted,

Georgiann M. Fleck

Deputy Town Manager"

6. Treasurer's Warrants

Motion was made by Selectman Watkins for approval of Treasurer's Warrants numbered 111, 112, 113, 114, and 115; 2nd from Selectman Hoyt. 5 approve/0 oppose

7. Committee Reports

- The Wastewater Committee meets on Thursday, April 28th at 6:00 P.M.
- The Pondicherry Park Stewardship Committee meets on Thursday, April 28th at 4:30 P.M.
- The Community Development Committee meets on Wednesday, April 27th at 8:00 A.M.

8. MSAD #61

There was no information from MSAD #61.

9. Public Comments and Presentations (*Each speaker **may** be limited to 3 minutes.*)

There were no public comments.

10. Old Business (*Board of Selectmen Discussion Only*)

a. Comprehensive Plan

Director Krieg has been working on a timeline for the November Election based off deadlines provided by Town Clerk Chadbourne.

Director Krieg provided the Board with a draft document to restart the microloan program; she requested that the Board formalize this at their next meeting.

b. Streetscape Project

Director Krieg reminded the Board that the design and engineering team will be available for meeting on May 9th from 8:30 A.M. until 12:30 P.M. in the upstairs meeting room (formerly Board of Selectmen's Meeting Room). She also encouraged the public to submit a place audit survey (available at the Town Office or through the website: <https://bridgtonmainstreet.wordpress.com/>)

c. Spirit of America Tribute

Selectman Watkins has reviewed various ways to make selection and suggested that open nominations are accepted at the Town Office with a posted understanding of what the award is about. Consensus of the Board was to pursue this and Selectman Watkins will bring back a selection process recommendation for full Board review.

\$125,000 from the Unassigned Fund Balance

Motion was made by Selectman Hoyt to recommend \$125,000 from the Unassigned Fund Balance to reduce taxes; 2nd from Selectman Murphy. 5 approve/0 oppose

11. Dates for the Next Board of Selectmen's Meeting and/or Workshop

May 10, 2016 / May 24, 2016 / June 14, 2016

Other

Town Manager Peabody reported that the Town received the permit to remove the rocks from Shorey Park.

Town Manager Peabody reported that he has started the process to sell the tax acquired property and accept sealed bids for the property located at 15 Walker Street.

12. Adjourn

Chairman King adjourned the meeting at 10:01 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk