

## **Board of Selectmen's Meeting Minutes September 27, 2016; 5:00 P.M.**

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

Administration Present: Town Manager Robert Peabody; Town Clerk Laurie Chadbourne; Public Works Director Jim Kidder; Recreation Director Gary Colello

### **1. Call to Order**

Chairman Watkins 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. September 13, 2016

b. September 20, 2016

**Motion** was made by Selectman McHatton for approval of the minutes from the September 13, 2016 and September 20, 2016 board meetings; 2<sup>nd</sup> from Selectman Hoyt. 5 approve/0 oppose

### **4. Public Comments and Presentations**

There were no public comment or presentations.

### **5. Correspondence and Other pertinent information**

a. Correspondence from Karen Lewis Regarding the Transfer Station Store

Town Manager Peabody reported that Karen Lewis submitted a concern regarding the Transfer Station Store. Transfer Station Manager Fitzcharles also submitted his response to the complaint. Discussion ensued.

**Motion** was made by Selectman King to accept the correspondence and place it on file; 2<sup>nd</sup> from Selectman McHatton. 5 approve/0 oppose

### **6. New Business**

a. Permits/Documents Requiring Board Approval

1. Forest Hills Annex Cemetery Deed to Gilbert and Carolyn Cross

**Motion** was made by Selectman King for approval of the Forest Hills Annex Cemetery Deed to Gilbert and Carolyn Cross (3B, Section I, 2 grave lot); 2<sup>nd</sup> from Selectman McHatton. 5 approve/0 oppose

2. Designate the Town Manager as Voting Delegate to the Maine Municipal Association Annual Business Meeting

**Motion** was made by Selectman McHatton to designate Town Manager Peabody as the voting delegate to the Maine Municipal Association Annual Business Meeting for the Town of Bridgton; 2<sup>nd</sup> from Vice-Chairman Zaidman. 5 approve/0 oppose

3. Land Use Agreement with ATV Club

Town Manager Peabody reported that the ATV Club is requesting renewal of their yearly trail use agreement through Town property at Sandy Creek. **Motion** was made by Selectman McHatton to approve the Land Use Agreement with Lakes Region ATV Club over Town owned property identified as Map 5 Lot 64 for a term not to exceed one year; 2<sup>nd</sup> from Selectman King. 4 approve/1 oppose (Selectman Hoyt was opposed)

b. Awards and Other Administrative Recommendations

Town Manager Peabody reported Fire Chief Glen Garland has submitted resignation effective September 29<sup>th</sup> and he has appointed Todd Perreault as Interim Fire Chief and requested Board confirmation.

Mr. Perreault will serve until the new full time chief is hired. Town Manager Peabody is in the process of conducting background checks on two of the replacement candidates. **Motion** was made by Selectman King to confirm Town Manager Peabody's appointment of Todd Perreault as Interim Fire Chief; 2<sup>nd</sup> from Selectman McHatton. 5 approve/0 oppose

#### 1. Department Recommendation for a Recreation Facility

Recreation Director Colello reported that when the town was evaluating the Town Hall on North High Street for renovations, it became clear that, though there is rich culture history in this building, the building itself does not meet the needs of the growing recreational programming. We need a building that offers something for all ages. We need a recreational facility that matches and backs our philosophy on what recreation means to this town. A recreation facility just makes sense for our developing economy and the future of this town. It's a safe place for youth, it has health benefits for everyone who uses it and it's a great way to have community awareness and development. Director Colello presented a power point of his proposal and ideas for a new recreation facility. **Motion** was made by Selectman Hoyt to send this proposal to the Capital Improvement Committee; 2<sup>nd</sup> from Selectman King. 5 approve/0 oppose

#### 2. FEMA Flood Map Review Proposal

Town Manager Peabody reported that several Board members questioned the accuracy of the FEMA Flood Maps for the area around Corn Shop Brook. HEB has provided a Letter Agreement proposing to review FEMA Flood Map information, review the proposed FEMA Flood Map information, identify potential accuracy of flood information for Corn Shop Brook and prepare a report with their findings. The lump sum cost for this service is \$2,600. It is suggested that funding would come from the FEMA Reimbursement Account which currently has a balance of approximately \$60,000. No action was taken.

#### 3. Proposed Amendments to Salmon Point Rules & Regulations

Selectman Hoyt recused himself due to a conflict of interest.

Salmon Point Manager Bob Morse reported several proposed amendments to the Rules and Regulations.

Salmon Point Camper, Paul Hoyt, reported that son-in-law and daughter-in-law are not defined under family and suggested that the Board amend the rules to include both as family members; the Board concurred.

Mr. Hoyt requested that guests be allowed to stay for three nights rather than only two.

At 6:00 P.M., Chairman Watkins brought agenda item 7 forward.

#### 7. Public Hearing

##### a. Special Amusement Permit Application from Shawnee Peak Holdings, LLC

Chairman Watkins called the public hearing to order at 6:01 P.M. There were no public comments. The public hearing was closed at 6:02 P.M.

##### b. Automobile Graveyard/Junkyard Applications from Powerhouse Salvage and Ovide's Used Cars

Chairman Watkins called the public hearing to order at 6:02 P.M. David Martin voiced concerns regarding both establishments being in compliance with state laws. He requested a full review of both businesses prior to issuing the permits. Selectman King asked if the Code Enforcement Officer conducted a site visit. Town Manager Peabody responded that CEO Baker did sign off on the impact statements but is not able to confirm if he inspected the site. The public hearing was closed at 6:10 P.M.

#### 8. Action Items Following Public Hearing

##### a. Special Amusement Permit to Shawnee Peak Holdings, LLC

**Motion** by Selectman King for approval of the Special Amusement Permit to Shawnee Peak Holdings, LLC; 2<sup>nd</sup> from Selectman McHatton. 5 approve/0 oppose

b. Automobile Graveyard/Junkyard Applications from Powerhouse Salvage and Ovide's Used Cars

**Motion** was made by Vice-Chairman Zaidman to table the application from Powerhouse Salvage pending an inspection by the CEO for compliance of state law; 2<sup>nd</sup> from Selectman King. 5 approve/0 oppose

**Motion** was made by Selectman King for approval of the application from Ovide's Used Cars; 2<sup>nd</sup> from Selectman McHatton (Board requested that the CEO also inspect for compliance of state law). Selectman Hoyt suggested that both applications be tabled pending review and inspection. Selectman McHatton moved the question and closed debate. 4 approve/1 oppose (Selectman Hoyt was opposed)

Chairman Watkins continued with agenda item 6.b.3.

3. Proposed Amendments to Salmon Point Rules & Regulations

Selectman Hoyt recused himself due to a conflict of interest.

**Motion** was made by Selectman McHatton to amend the section regarding guests of Rules and Regulations from two nights to three; 2<sup>nd</sup> from Selectman King. Selectman McHatton withdrew the motion; Selectman King withdrew his second.

The consensus of the Board was to increase the overnight guest stay from two nights to three nights.

Paul Hoyt requested that the rules be amended to include approval from the CEO regarding size and placement of camper trailers. The Board opted not to amend this section.

Paul Hoyt was concerned with the language for additional fees being charged for boats that are moored. Consensus of the Board was to amend the language from camper to lessee and guests.

**Motion** was made by Selectman McHatton for approval of the Rules and Regulations and amended; 2<sup>nd</sup> from Selectman King. 4 approve/0 oppose

c. Selectmen's Concerns

- **Selectman McHatton** asked for the status of the lake levels. Public Works Director Kidder responded that some of the lakes are already at winter levels and he will continue to monitor both the weather and the lake levels.
- **Selectman McHatton** requested that the Town Manager explain the issues with the Woods Pond Bathhouse. Town Manager Peabody responded that the Town is in the process of reconstructing the bathhouse, the chambers have been reset to eight inches above grade. There have been generous donations to assist. The Town Attorney is monitoring and providing documentation as we rebuild; legal action is under review and the Board will meet in executive session to discuss potential future legal action.
- **Selectman McHatton** encouraged a "no" vote on the citizens petition referendum question regarding the Farmer's Market. He noted that Depot Street was not reconstructed to, in part, accommodate the use of green space by the Farmer's Market as indicated by the Market Members. He believes that moving them to that green space will make a mess. Selectman McHatton added that of the seventeen farms that participate in the market, only two or three are from Bridgton and the Town receives \$25 annually from their group.
- **Selectman Hoyt** encouraged citizens to vote at the November election, he added that each vote matters.
- **Selectman Hoyt** hopes that the Board will not change the swing set at Salmon Point; he does not believe that \$5,000 is a good use of funds when the current set is fine.
- **Selectman Hoyt** received flowers but does not know who sent them; he thanked the sender.
- **Selectman Hoyt** asked for the status of the Salmon Point Bathroom. Town Manager Peabody responded that the plans have been prepared and Director Krieg is showing them to the Building

Committee, the Town Attorney is revising the contract and the project will be going out to bid next week.

- **Selectman King** asked if it is legal for people to stand at the Transfer Station to gather signatures to which Town Manager Peabody responded that it would be a matter of policy and the Board may adopt a policy at any time. He added that the Town Office has a “no solicitation” sign displayed.
- **Selectman King** was approached by a local business person asking why there is an out of town company working on the Woods Pond Bathroom, the local business was not contacted and was concerned that the standard bid process was not followed. Town Manager Peabody responded that the out of town company is donating their time and equipment. Selectman King requested that local businesses be contacted in the future.
- **Vice-Chairman Zaidman** believes that the Board needs to educate the Town on why major decisions have been made by the Board. He suggested articles in the Bridgton News to bullet point how and why the Board came to their conclusion; he also suggested the information be put up on the website. **Motion** was made by Vice-Chairman Zaidman to move the website update up on the Manager’s list of priorities; 2<sup>nd</sup> from Selectman King. Selectman McHatton was concerned that bringing up and voting on an issue under concerns does not allow the Town Manager time to review and provide his recommendation. 4 approve/1 oppose (McHatton was opposed) The Board agreed to add this item to the next agenda for additional discussion.
- **Vice-Chairman Zaidman** requested that public education through the newspaper and website be added to the next agenda for discussion; the Board concurred.
- **Chairman Watkins** asked about the CMP poles to which Public Works Director Kidder responded that the permits have been issued to place the poles but they don’t seem to be in a rush to get them up. Chairman Watkins noted some damage to the pavement which Public Works Director Kidder will look in to.
- **Chairman Watkins** asked if the Town will employ a “clerk of the works” for oversight of the Salmon Point project to which Town Manager Peabody confirmed, he added that the “clerk” would report directly to the Manager.
- **Chairman Watkins** noted that there may be matching grant fund opportunities for the Salmon Point Playground and suggested that this issue be discussed at a future meeting; the Board concurred.
- **Chairman Watkins** noted that this is Selectman Hoyt’s last meeting and thanked him for serving on the Board and his commitment to the Town. The Board agreed.

b. Town Manager’s Report

Town Manager Peabody submitted and read the following report into the record:

**“Manager’s Report  
09/27/16**

October is Domestic Violence Awareness Month and the Purple Lights Nights™ Campaign. Development Director Anne Krieg has been working with the staff at Family Crisis Services here in Bridgton as well as with our Police Chief Rick Stillman on our participation in this campaign. Events are planned mid-month as a fundraiser for Family Crisis Services as well as an information event to make the public aware of the services available here in Bridgton. The message we are sending is that domestic violence is not tolerated in our community in order to protect our citizenry and show our dedication to eradicating this issue. Residents and businesses are encouraged to display purple lights at their homes and businesses for the month of October to remember the victims who lost their lives from domestic violence, support those who survived domestic violence, and to give hope for those still living with abuse. Anne will be at the October 11<sup>th</sup> Select Board meeting to request the Select Board endorse a proclamation regarding this campaign.

This Thursday morning we will be holding mandatory annual staff training in two sessions. The Town Office will remain open.

Before you tonight are the August financials and the Revenue and Expenditure Summary Report. As you will note, the benchmark is 16.7% for the month. Revenues are at 27.2% and Expenditures at 19.3%.”

Town Manager Peabody thanked Selectman Hoyt for his service to the Town and has enjoyed working with him. He appreciates the positive attitude that he brings to the meeting.

9. Treasurer's Warrants

**Motion** was made by Selectman McHatton for approval of Treasurer's Warrants numbered 25, 26, 27 and 28; 2<sup>nd</sup> from Vice-Chairman Zaidman. 5 approve/0 oppose

10. Committee Reports

There were no Committee Reports.

11. MSAD 61

Chairman Watkins noted that school is back in session and asked the Board if they want to pursue a new student representative to the Board. The consensus of the Board was to pursue.

Town Manager Peabody reported that he will be meeting with the Superintendent in the next couple of weeks.

Chairman Watkins reported that the annual homecoming parade will take place in Bridgton on Thursday, September 29<sup>th</sup> at 6:00 P.M. The parade begins at Highland Lake Beach parking lot and will continue down main street turning south at Pondicherry Park to the elementary school for a bonfire.

12. Public Comments and Presentations

There were no public comments or presentations.

13. Old Business

There was no old business.

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

October 11, 2016 and October 26, 2016

15. Executive Session

a. Per MRS Title 1, Chapter 13 § 405.6.A.; Committee Member Application Review

**Motion** was made by Selectman Hoyt to enter into the executive session at 7:35 P.M. per MRS Title 1, Chapter 13 § 405.6.A. for review of Committee Member Applications; 2<sup>nd</sup> from Selectman King. 5 approve/0 oppose

**Motion** was made by Selectman King to exit the executive session at 7:48 P.M.; 2<sup>nd</sup> from Vice-Chairman Zaidman. 5 approve/0 oppose

16. Action Items Following Executive Session

a. Committee Member Appointments

**Motion** was made by Selectman Hoyt to appoint Norman Huntress, James Burke, Mark Lopez, Ed Rock, Wayne Warner and Patricia Webber to the Capital Improvement Committee; 2<sup>nd</sup> from Vice-Chairman Zaidman. 5 approve/0 oppose

17. Adjourn

Chairman Watkins adjourned the meeting at 7:50 P.M.

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk