

Board of Selectmen's Meeting Minutes

April 9, 2019; 4:00 P.M.

Board Members Present: Liston E. Eastman, Chairman; Glenn R. Zaidman, Vice-Chairman; Robert P. Murphy; Carmen E. Lone;
G. Frederick Packard joined the meeting at 4:30 P.M.

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

1. Call to Order

Chairman Eastman called the meeting to order at 4:00 P.M.

2. Pledge of Allegiance

The Board recited the "Pledge of Allegiance."

3. Executive Session per MRS 36 §841: Review of Poverty Tax Abatement Case PA2019.1

Motion was made by Chairman Eastman to enter executive session at 4:00 P.M. per MRS 36 §841 to review poverty tax abatement 2019.1; second from Vice-Chairman Zaidman. 4 approve/0 oppose **Motion** was made by Vice-Chairman Zaidman to exit executive session at 4:26 P.M.; second from Selectman Lone. 4 approve/0 oppose

4. Action Items Following Executive Session

Motion was made by Vice-Chairman to deny the poverty abatement application case 2019.1; second from Selectman Lone. 4 approve/0 oppose

5. Approval of Minutes

a. March 26, 2019

Motion was made by Selectman Murphy for approval of the minutes from the March 26, 2019 Board Meeting; second from Vice-Chairman Zaidman. 4 approve/0 oppose

Chairman Eastman brought agenda item 7 forward.

7. Committee Reports

Representing the Ordinance Review Committee, Deb Brusini reported that the Committee amended six ordinances which were directed to the Planning Board for public hearing. Five went through unchanged and the sixth is not ready for voter consideration at this time.

Vice-Chairman Zaidman suggested that the Board create a policy that ordinances must be submitted to the Board at least two months prior to the deadline to allow time for the details to be reviewed by the Board. Chairman Eastman directed this to the next agenda for discussion.

Town Manager Peabody will also review the charge for the ordinance review committee and submit recommendations back to the Board for their consideration.

Chairman Eastman brought agenda item 9.a.2. forward.

2. Sewer System: a. Sewer Operator / b. New User Information / c. Existing User Information

The Board would like to move as quickly as possible on filling the sewer system operator position so the person in that position will be familiar with the old system and the new system. Town Manager Peabody will move forward with the hiring process to fill the position by July 1st.

The Board would like to set up a meeting with the Town Engineer to talk about the new and existing user hook up charges.

The Board would also like to create language for the website as the source for questions regarding the system.

Chairman Eastman brought agenda item 9.a.4. forward.

4. Correspondence to Select Board from Town Manager

Chairman Eastman requested that the Town Manager keep the Board better informed on important issues with the Town to which Town Manager Peabody responded that he keeps the Board up to date except on the rare occasion when conversation must remain confidential.

Chairman Eastman brought agenda item 9.a.7. forward.

7. Museum Sign

Vice-Chairman Zaidman reported that the sign is not in the Town's right of way and there are already two signs on top of existing road signs directing people to the museum. A representative from the Historical Society added that they want a sign that specifically reads "Bridgton Historical Society" and asked if the Town would be willing to help with the expense of approximately \$200.00 to which Selectman Lone suggested that the recent donation of funds be used to cover the expense. The Town will assist with the installation after approval by the Code Enforcement Officer.

6. Public Comments on Non-Agenda Items

There were no public comments on non-agenda items.

8. Correspondence

a. MSAD #61 Budget

Superintendent Al Smith thanked the Board and Community for their support of the Crooked River Elementary School Project.

Superintendent Smith reviewed the proposed MSAD #61 Budget and responded to questions asked by the Board.

Chairman Eastman reported that Jim Chalmers is reviewing the possibility of a "Boys and Girls Club" at the old Bridgton Memorial School. Chairman Eastman also suggested that recreation for seniors be included. Mr. Chalmers is in the early stages of review and will bring his proposal to the Board.

6. *Public Comments on Non-Agenda Items (Each speaker **may** be limited to 3 minutes.)*

This item was addressed earlier in the meeting.

7. *Committee Reports*

This item was addressed earlier in the meeting.

8. *Correspondence, Presentations and Other Pertinent Information*

a. *MSAD #61 Budget: Superintendent Al Smith*

This item was addressed earlier in the meeting.

9. New Business

a. Awards and Other Administrative Recommendations

1. Building on 20 Depot Street encroaching Within the Town's Right of Way

Peter Motel purchased 20 Depot Street and has submitted a request to the Planning Board to demolish the current duplex and construct a two-story commercial building. The plan shows the proposed structure's entrance encroaching within the Town's right of way. **Motion** was made by Vice-Chairman Zaidman to refer submitted materials to the Town Attorney with all costs, including review and recording, to be borne by Peter Motel; second from Selectman Packard.

5 approve/0 oppose

Vice-Chairman Zaidman requested additional discussion regarding the other properties that may be encroaching within the Town's right of way. This item will be added to the next agenda.

2. Sewer System

- a. Sewer Operator
- b. New User Information
- c. Existing User Information

This item was addressed earlier in the meeting.

3. Pondicherry Park Committee (Roles and Responsibilities)

Town Manager Peabody provided the Board with the Committee Agreement: Pondicherry Park Stewardship Committee which establishes a joint committee comprising Loon Echo Land Trust, Inc., Lakes Environmental Association and the Town of Bridgton. As stated, "The purpose of the Committee is to develop and amend the Pondicherry Management Plan ("Management Plan") and implement the management activities, all in accordance with the terms and restrictions of the Conservation Easement, under direction of the Town of Bridgton."

Board received the committee agreement (see manager notes)

4. Correspondence to Select Board from Town Manager

This item was addressed earlier in the meeting.

5. Community Development Committee Meeting (Manager Role and Responsibility)

Town Manager Peabody provided the Board with a copy of the Community Development Committee Charge, Mission and Authority. When the Town has had a Community Development Director they functioned as the staff representative on the Committee and the Town Manager would occasionally attend a meeting. Selectman Lone reported that she appreciates Town Manager Peabody's presence. Committee Member Robert McHatton is also appreciative of the Town Manager attending the meetings.

6. Water District as Enterprise Funded Group

Water District Trustees Todd Perreault, Wesley Gorman and Barry Gilman were present. The Board asked if the Trustees have any interest in the restructuring of the Water District to an enterprise funded group. The Trustees will meet for discussion and report their vote back to the Board.

7. Museum Sign Status

This item was addressed earlier in the meeting.

8. Settlement and Dismissal of Dangerous Building Proceeding: 177 South High Street

Motion was made by Selectman Lone that, on behalf of Town of Bridgton, the Code Enforcement Officer is authorized and directed to enter into a settlement agreement, on reasonable terms, with the Defendant in the dangerous building proceeding in Cumberland County Superior Court, Docket No. PORSC-RE-201911, fully resolving the matter; second from Vice-Chairman Zaidman. 5 approve/0 oppose

Motion was made by Selectman Lone that upon entering into a settlement agreement fully resolving the matter, the Town Attorneys are authorized and directed to file a Stipulation of Dismissal, executed by all parties or their attorneys, dismissing the proceeding with prejudice and without costs; second from Vice-Chairman Zaidman.

5 approve/0 oppose

b. Permits/Documents Requiring Board Approval

1. 2019 Cumberland County Assessment

Motion was made by Vice-Chairman Zaidman to sign the Tax Assessor's Return pursuant to a Warrant from James H. Gailey, Clerk of Cumberland County dated March 12, 2019; second from Selectman Lone. 5 approve/0 oppose

2. Letter Agreement for Lower Main Street: HEB Engineers

Motion was made by Vice-Chairman Zaidman to table this item to the next meeting on April 23rd; second from Selectman Packard. 5 approve/0 oppose

3. Certificate of Commitment of Sewer User Rates Commitment #225

Motion was made by Vice-Chairman Zaidman to commit the November 1, 2018 to January 31, 2019 Sewer User Rate Commitment #225 comprising of three pages totaling \$13,703.64 to the Treasurer for collection; second from Selectman Packard. 5 approve/0 oppose

4. Accept Payment and Approve Quit Claim Deed to Gallinari:

1. Parcel 43-10-7

Motion was made by Vice-Chairman Zaidman to accept payment and approve a municipal quit claim deed to Paul Gallinari for property described as Map 43 Lot 10-7; second from Selectman Packard. 5 approve/0 oppose

2. Parcel 43-10-9

Motion was made by Vice-Chairman Zaidman to accept payment and approve a municipal quit claim deed to Paul Gallinari for property described as Map 43 Lot 10-9; second from Selectman Lone. 5 approve/0 oppose

3. Parcel 29-15

Motion was made by Vice-Chairman Zaidman to accept payment and approve a municipal quit claim deed to Judith A. Gallinari, Joseph P. Gallinari, Antonio Gallinari, Debra Dutton, Paul Gallinari, ETAL for property described as Map 29 Lot 15; second from Selectman Murphy. 5 approve/0 oppose

4. Parcel 9-49

Motion was made by Vice-Chairman Zaidman to accept payment and approve a municipal quit claim deed to Judith A. Gallinari, Joseph P. Gallinari, Antonio Gallinari, Debra Dutton, Paul Gallinari, ETAL for property described as Map 9 Lot 49; second from Selectman Murphy. 5 approve/0 oppose

5. Victualer's Licenses: Worth the Wait BBQ; Bear Bones Beer; Big Apple #1107; Big Apple #1000; Corn Shop Trading Company; Hannaford Supermarket & Pharmacy; Food City; Sammy's Scoops; Chao Thai Restaurant Inc.

Motion was made by Chairman Eastman for approval of Victualer's Licenses to Worth the Wait BBQ; Bear Bones Beer; Big Apple #1107; Big Apple #1000; Corn Shop Trading Company; Hannaford Supermarket & Pharmacy; Food City; Sammy's Scoops; Chao Thai Restaurant Inc.; second from Vice-Chairman Zaidman. 5 approve/0 oppose

6. Warrant to Call Maine School Administrative District No. 61 Budget Validation Referendum on May 21, 2019

Motion was made by Selectman Lone to sign the Town of Bridgton Maine School Administrative District No. 61 Budget Validation Referendum Warrant and Notice of Election; second from Selectman Packard. 5 approve/0 oppose

7. Documents Related to Annual Town Meeting

a. Orders for Placement of Referendum Questions on Ballot:

1. Shall an ordinance entitled "Amendments to Town of Bridgton's Willett Brook Aquifer Protection Ordinance" be enacted?

Motion was made by Vice-Chairman Zaidman to place referendum ballot question "Shall an ordinance entitled "Amendments to Town of Bridgton's Willett Brook Aquifer Protection Ordinance" be enacted?" before the voters on June 11, 2019; second from Selectman Murphy. 5 approve/0 oppose

Motion was made by Vice-Chairman Zaidman not to make any Board recommendations on the Annual Town Meeting Referendum Ballot; second from Selectman Packard. 5 approve/0 oppose

2. Shall an ordinance entitled "Town of Bridgton Land Use Ordinance" be enacted?
Motion was made by Vice-Chairman Zaidman to place referendum ballot question "Shall an ordinance entitled "Town of Bridgton Land Use Ordinance" be enacted?" before the voters on June 11, 2019; second from Selectman Lone.
5 approve/0 oppose
3. Shall an ordinance entitled "Town of Bridgton Amendments to Town of Bridgton Site Plan Review Ordinance and Proposed Land Use Ordinance to Permit and Regulate Medical Marijuana Establishments" be enacted?
Attorney Dixon recommends amending the language to read "Shall an ordinance entitled "Town of Bridgton Amendments to the town ordinances to allow and regulate medicate marijuana establishments" be enacted?"
Motion was made by Vice-Chairman Zaidman not to place referendum ballot question Shall an ordinance entitled "Town of Bridgton Amendments to Town of Bridgton Site Plan Review Ordinance and Proposed Land Use Ordinance to Permit and Regulate Medical Marijuana Establishments" be enacted? Before the voters on June 22, 2019; second from Selectman Murphy.
5 approve/0 oppose
4. Shall an ordinance entitled "Repeal of Town of Bridgton Affordable Housing Preference Ordinance" be enacted?
Motion was made by Selectman Lone to place referendum ballot question "Shall an ordinance entitled "Repeal of Town of Bridgton Affordable Housing Preference Ordinance" be enacted?" before the voters on June 11, 2019; second from Vice-Chairman Zaidman. 5 approve/0 oppose
5. Shall an ordinance entitled "Amendments to Town of Bridgton Anti-Litter Ordinance" be enacted?
Motion was made by Vice-Chairman Zaidman to place referendum ballot question "Shall an ordinance entitled "Amendments to Town of Bridgton Anti-Litter Ordinance" be enacted?" before the voters on June 11, 2019; second from Selectman Murphy. 5 approve/0 oppose
6. Shall an ordinance entitled "Amendments to the Town of Bridgton Bicycle Ordinance" be enacted?
Motion was made by Selectman Murphy to place referendum ballot question "Shall an ordinance entitled "Amendments to the Town of Bridgton Bicycle Ordinance" be enacted?" before the voters on June 11, 2019; second from Selectman Packard. 5 approve/0 oppose
7. Shall an ordinance entitled "Amendments to the Town of Bridgton CATV Ordinance" be enacted?
Motion was made by Vice-Chairman Zaidman to place referendum ballot question "Shall an ordinance entitled "Amendments to the Town of Bridgton CATV Ordinance" be enacted?" before the voters on June 11, 2019; second from Selectman Packard. 5 approve/0 oppose
8. Shall an ordinance entitled "Repeal of Town of Bridgton Ordinance for the Adoption of the Internal Residential Code for One and Two-Family Dwellings" be enacted?
Attorney Dixon, the Planning Board and the Code Enforcement Officer recommended not sending this to the voters at this time. The Board passed over this item (no action was taken).

9. Shall an ordinance entitled “Amendments to Town of Bridgton Ordinance to Regulate Automobile Graveyards, Junkyards, and Automobile Recycling Businesses” be enacted?

Motion was made by Vice-Chairman Zaidman to place referendum ballot question “Shall an ordinance entitled “Amendments to Town of Bridgton Ordinance to Regulate Automobile Graveyards, Junkyards, and Automobile Recycling Businesses” be enacted?” before the voters on June 11, 2019; second from Selectman Murphy. 5 approve/0 oppose

10. Shall an ordinance entitled “Town of Bridgton Uniform Fee Ordinance and Related Amendments to Other Ordinances” be enacted?

Motion was made by Selectman Murphy to place referendum ballot question “Shall an ordinance entitled “Town of Bridgton Uniform Fee Ordinance and Related Amendments to Other Ordinances” be enacted?” before the voters on June 11, 2019; second from Selectman Packard. 5 approve/0 oppose

c. Selectmen’s Concerns

- **Selectman Packard** stated that officials all work under the rules and have taken an oath of office. He added that sometimes we forget what those rules are, and oaths may have been broken. He suggested all officials review the meaning of ex parte.
- **Selectman Murphy** would like to have the tree roots reviewed in the South High Street Cemetery. Public Works Director Kidder responded that as the roots grow, you must be careful around the old gravesites; he added that he is reviewing the area.
- **Vice-Chairman Zaidman** has received many complaints regarding dog waste on the beach at Woods Pond. Town Manager Peabody responded that a warning letter has been written to the suspected dog owner and cameras have been put back to up monitor the area.
- **Vice –Chairman Zaidman** has asked to meet with the Planning Board a few times to discuss matters of importance to both Boards. He would like to find a way to work together and hold regular workshop sessions.
- **Selectman Lone** suggested that the Town review the rules for municipal parking lots. Public Works Director Kidder noted that a prior Board voted to allow overnight parking when Depot Street was reconstructed but agreed that the Board may need to revisit the regulations.
- **Chairman Eastman** asked if the lights at the Town Office have been fixed. Public Works Director Kidder responded that one has been fixed and there are two that he is working on.
- **Chairman Eastman** noted that communication between various groups is sometimes non-existent and would like to find a better way to communicate.

d. Town Manager’s Report/Deputy Town Manager’s Report

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

“Manager’s Report / 04/09/19

An important reminder that with winter weather upon us, it is important to keep your driveways and private roads cleared and sanded so that, if the need arises, emergency personnel can safely access your property.

Regarding weather events, please be aware that we post information on the Town’s Facebook page and the Town’s website. Additionally, all the local television channels are notified when the Town Office closes.

The deadline for submitting nomination papers is Friday, April 12th. The following positions are open: One (1) Selectman/Assessor/Overseer of the Poor for a three (3) year term; Two (2) Planning Board Member for a three (3) year term; One (1) Planning Board Alternate Member for a three (3) year term; One (1) MSAD 61 Director for a two (2) year term; Two (2) MSAD 61 Director for a three (3) year term; and One (1) Trustee of the Water District for a three (3) year term. Nomination papers are available at the Town Office.

Deputy Town Clerk Dawn Taft has resigned her position. The Town has begun advertising the position. Dawn is a long-time employee and we wish her well with her future endeavors.

As an update, the Town is interviewing Fire Chief candidates, a Community Development Director candidate and Salmon Point Maintenance position candidate.

The Bridgton Police Department will be hosting it's third Youth Safety Day at Steven's Brook Elementary on Saturday May 4th from 10am till 2pm. Last year's event had over 100 attendees. Too often youth and the Police become involved when either they are in trouble or when there are negative circumstances involving them. The goal of the Department is to create positive interactions between the public safety members and the youth creating a relationship based on trust. MacDonald Motors, Hannaford and the Bridgton Lake Region Rotary have provided substantial support to the event in the past. All are welcome to become a sponsor. Please contact Ashley Bedard, Public Safety Administrative Assistant, at (207) 647-3110 for additional information.

George Szok has provided an update on his grant activities. The following is a recently submitted grant application: Maine Forestry Service Project Canopy for \$8,000 for Main Street Trees – due 4/12/2019
In-process grant applications:
TD Charitable Foundation for \$3,000 (?) for Youth Safety Day – no set due date.”

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

a. Wastewater Status Update

Town Manager Peabody reported that coordination with HEB is ongoing.

b. Streetscape: Upper and Lower Main Street Status Update

Town Manager Peabody reviewed the status report dated March 29, 2019 (see attached).

11. Treasurer's Warrants

Motion was made by Selectman Lone for approval of Treasurer's Warrants numbered 85, 86 and 87; second from Vice-Chairman Zaidman. 5 approve/0 oppose

12. Public Comments on Non-Agenda Items (*Each speaker **may** be limited to 3 minutes.*)

Gregory Bullard voiced concerns with the Proposed Land Use Ordinance and requested that the Board ensure that the public is educated before voting. Mr. Bullard will submit a list of questions to the Town Manager.

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

April 23, 2019

May 14, 2019

14. Adjourn

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

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk