

## Board of Selectmen's Meeting Minutes

October 22, 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

Administration Present: Town Manager Robert Peabody; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Public Works Director Jim Kidder; Police Chief Richard Stillman; Recreation Director Gary Colello; Finance Officer Charisse Keach; Code Enforcement Officer Rob Baker

### 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. Workshop Session to Review Amendments to the Personnel Policy

Chairman Eastman opened the workshop session at 4:00 P.M. The proposed amendments to the Personnel Policy were reviewed. Finance Officer Charisse Keach proposed a few amendments regarding retirement accounts to which the Board requested more information. The Board will revisit this item in November. Chairman Eastman closed the workshop session at 4:44 P.M.

### 4. Approval of Minutes

#### a. October 8, 2019

**Motion** was made by Vice-Chairman Zaidman for approval of the minutes from the October 8, 2019 Board Meeting; second from Selectman Murphy. 5 approve/0 oppose

### 5. Public Comments on Non-Agenda Items

Bernard King voiced concerns regarding the junction of Route 302 and Sandy Creek. Town Manager Peabody responded that the conclusion to the traffic study was a work schedule for possible traffic light funding in 2020; he offered to share the complete analysis with Mr. King.

Bernard King stated that the State had indicated that the stones on the Moose Pond Causeway would be raised to match the rise in pavement to which Town Manager Peabody will follow up.

Catherine Pinkham provided a brief update on her role as the new Health Officer.

### 6. Committee Reports

Robert McHatton, Sr. reported that Recreation Director Colello will be sharing the video with the Community Development Committee at their next meeting; he will follow up with the Board.

### 7. Correspondence, Presentations and Other Pertinent Information

#### a. Request from Charles & Patricia Peabody to Reopen Access to Boulder Hill

Charles and Patricia Peabody are requesting that the "abandoned" section of Boulder Hill Road be reopened. Discussion ensued. **Motion** was made by Vice-Chairman Zaidman to table this item indefinitely; second from Selectman Packard. 5 approve/0 oppose

### 8. Public Hearing on Referendum Questions

This item was addressed later in the meeting.

## 9. New Business

### a. Awards and Other Administrative Recommendations

#### 1. Donation of Electric Wheelchair Lift from Keith Wallace

Keith Wallace has donated a used electric chairlift (\$950) to the Recreation Department to provide handicap accessibility to the ice rink and summer camp. **Motion** was made by Selectman Lone to gratefully accept the donation of an electric wheelchair lift from Keith Wallace to benefit the ice rink and summer camp; second from Selectman Packard. 5 approve/0 oppose

#### 2. Resignation of Patti Schulte from Ordinance Review Committee

Patti Schulte has resigned from the Ordinance Review Committee. **Motion** was made by Selectman Lone to accept with regret the resignation of Patti Schulte from the Ordinance Review Committee; second from Vice-Chairman Zaidman. 5 approve/0 oppose

#### 3. Confirmation of Linda LaCroix as Community Development Director

This item was addressed later in the meeting.

### b. Permits/Documents Requiring Board Approval

#### 1. Certificate of Commitment of Sewer User Rates Commitment #232

**Motion** was made by Vice-Chairman Zaidman to commit the June 1, 2019 to August 31, 2019 Sewer User Rate Commitment #232 comprising two pages totaling \$2,713.47 to the Treasurer for collection; second from Selectman Murphy. 5 approve/0 oppose

#### 2. Powerhouse Salvage Re-licensing

**Motion** was made by Selectman Packard to table this item; second from Selectman Lone. Code Enforcement Officer Baker reported that he met with the owner and mandated that a fence be put up of the junk vehicles be moved to the back and that has not been done as of yet; he has not been able to verify the sales tax number as of yet and recommended that the Board take no action at this time. 5 approve/0 oppose

#### 3. Municipal Valuation Return

**Motion** was made by Vice-Chairman Zaidman to sign the 2019 Municipal Valuation Return; second from Selectman Packard. 5 approve/0 oppose

#### 4. MainePERS Resolution

Town of Bridgton to join MainePERS effective January 1, 2020 for its Police Officers.

To see if the Town of Bridgton will vote to join the Maine Public Employees Retirement System as a Participating Local District effective January 1, 2020, and:

a) To offer Special Plan 3C to its police officers who work at least 40 hours per week;

b) To authorize Robert Peabody, Jr, Town Manager to sign the contract between the Town and Maine Public Employees Retirement System;

c) To exclude all other employees from participating in MainePERS;

d) To allow its eligible police officers who are currently employed by the Town on January 1, 2020, who elect to join MainePERS, to purchase past service upon the employee's full payment of all associated costs. The Town of Bridgton will not participate in the purchase of past service and so employees are responsible for paying the full liability associated with this service.

**Motion** was made by Selectman Lone to approve the article approving joining the Maine Public Employees Retirement System as a Participating Local District effective January 1, 2020; second from Selectman Packard. 5 approve/0 oppose

### c. Selectmen's Concerns

- **Selectman Packard** had no concerns.
- **Selectman Murphy** had no concerns.

- **Vice-Chairman Zaidman** requested that a workshop be set up as soon as possible regarding the new sewer system to which the Board directed this to the second meeting in November.
- **Selectman Lone** reported that her concerns for a dangerous building (at 271 Main Street) have been rectified; she commented that they did a good job.
- **Chairman Eastman** had no concerns.

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

Deputy Town Manager Fleck submitted and read the following into the record:

DEPUTY TOWN MANAGER'S REPORT  
October 22, 2019

Bridgton Fire Department

The Department has assisted the Town of Farmington Fire Department with staffing for station coverage. The Department sent two firefighters to a week-end school at the National Fire Academy in Maryland for leadership training. A new sign for the South Bridgton Fire Station is finished and will be installed soon. The Department provided a Fire Prevention detail for the SAD #61 Bridgton Elementary School. The Department assisted the EMA Director with the installation of a new water pump at the West Bridgton Fire Station. The engine exhaust removal system (Air Vac 911), funding was approved, and the Department is completing preliminary information for the company to begin the installation soon in each fire station. Fire Chief Harriman met with the local snowmobile club, Bridgton Easy Riders, reference Emergency Response and to discuss other possible training opportunities.

Bridgton Police Department

Matt Regis, new hire, is in his 13<sup>th</sup> week at the Maine Criminal Justice Academy in Vassalboro. He graduates November 29<sup>th</sup>. The Chief will be attending the "Chief's Inspection" this Wednesday at the academy. Officers completed a Non-Fatal Strangulation Training last week as part of a series of Domestic Violence trainings offered through a partnership with *Through These Doors*.

General

The Town of Bridgton currently has an opening for a Public Works Director with an application deadline of November 1<sup>st</sup>. If interested, please submit a letter of interest, resume and employment application to Executive Secretary, Town of Bridgton, 3 Chase Street, Suite #1, Bridgton Maine 04009. Additional information is available on our website at [www.bridgtonmaine.org](http://www.bridgtonmaine.org).

"Promising to be the gala event of the century", American Legion Post 67 will be hosting the American Legion Military Ball on Saturday, November 9<sup>th</sup> at the Old Town Hall beginning at 5:00p.m. Tickets must be purchased by Friday, October 25<sup>th</sup> (No tickets will be available at the door.) More information is available by contacting Don or Line Mulcahy at 890-8874 or 890-8887.

Don't forget to vote! Polls open at 8:00a. m. to 8:00p.m. on Tuesday, November 5<sup>th</sup> at the Town Hall on North High Street. Absentee ballots are currently available.

Bridgton Recreation

It's not too early to plan for Christmas....Bridgton's Festival of Lights is planned for December 7<sup>th</sup> with decorations contests, caroling, craft fair, parade and so much more. Registrations are open for Lake Region Youth Basketball with a deadline of November 21<sup>st</sup>. Information on these events is available at [www.bridgtonmaine.org](http://www.bridgtonmaine.org) or by contacting Gary Colello, Recreation Director, at 647-1126 and as always volunteers are always needed and appreciated!

Bridgton's Annual Community Halloween Party will be held on Thursday, October 31<sup>st</sup> at the Old Town Hall and Ice Rink. The Party begins at 5:00p.m., Age 1-4 Costume Contest at 5:30p.m., Age -9 at 5:45-p.m. and age 10-12 at 6:15p.m. and at 6:30p.m. in the Ice Rink a FREE Community Dinner and movie.

Iredale, Bennett, Chase & Elm Streets will be closed off beginning at 4:00p.m. on October 31<sup>st</sup>, Halloween, for the safety of our Trick and/or Treaters. The 8<sup>th</sup> Annual Lake Region Trunk or Treat is scheduled for Saturday, October 26<sup>th</sup> from 1PM to 4PM at Lake Region High School.

There are other local Halloween parties being hosted by restaurants and adjacent towns, please check with the Chamber of Commerce at 647-3472 or their website at [www.mainelakeschamber.com](http://www.mainelakeschamber.com) for more information.

Respectfully submitted,  
Georgiann M. Fleck, Deputy Town Manager

8. Public Hearing on Referendum Questions that will be presented to the voters on November 5, 2019

Chairman Eastman opened the public hearing on Question 1 at 5:30 P.M. [**Question 1.** Shall an Ordinance entitled "Proposed Land Use Ordinance Amendments" be enacted?]

On behalf of the Planning Board, Deb Brusini reviewed the proposed amendments. Selectman Packard voiced concerns about the setbacks on Route 302.

Robert McHatton asked who determines the vegetation plan to which Ms. Brusini responded that the Planning Board approves the plan and the Code Enforcement Officer administers enforcement.

Chairman Eastman closed the hearing at 5:45 P.M.

Chairman Eastman opened the public hearing on Question 2 at 5:45 P.M. [**Question 2.** Shall an Ordinance entitled "November 5, 2019 Repeal of the Town of Bridgton Affordable Housing Local Preference Ordinance" be enacted?]

Bernard King asked why this ordinance is being repealed to which Ms. Brusini responded that the primary issue is that it has potential for litigation against the town because of the preferences. Chairman Eastman closed the hearing at 5:52 P.M.

Chairman Eastman stated that question 3 is a hot topic and cautioned those speaking to stay with the facts. He then opened the public hearing on Question 3 at 5:53 P.M. [**Question 3.** (BY CITIZENS PETITION) "Shall the Town adopt the Town of Bridgton Adult Use Marijuana Ordinance?"]

Police Chief Stillman noted that the proposed ordinance has little to no restriction except that you are prohibited from operating an adult use facility within 1,000 ft from a school. He voiced concerns with the lack of security measures. Chief Stillman does not support this ordinance and would like the town to create an ordinance that fits Bridgton.

Katherine DiPietro agreed with Chief Stillman and added that there are no other medical drugs that are also used for recreational purposes.

Chairman Eastman read the following: "I am unable to attend the Select Board meeting today. If the following questions are not addressed, could you please submit them for discussion. Thank you. Therese Johnson 1) How will the Town cap the number of retail stores under the ordinance? Portland with a population of 70,000, the State's largest city, has capped at 20. What number is now expected in Bridgton? 2) How will the size of cultivation be regulated? 3) What regulation dictates setbacks from residential homes? 4) How will the types of products be monitored to prevent sales of those created to attract children such as lollipops? 5) If there is no increased revenue available to the town, how will we fund extra police coverage?"

Josh Quint stated that the ordinance was created and submitted to the town through the citizen's petition process. The group will be hosting a meeting on Wednesday, October 30. He added that the Planning Board recently started dealing with the adult use and most of their work prior was focused on medical use. Mr. Quint stated that we will still be required to follow state law.

Ken Gibbs said that there are state regulations and municipalities may put additional regulations on the business of growing cannabis.

Kathy Pinkham reiterated the importance of putting a cap on the number of facilities. She will be disappointed if the caregiver retailers suffer as a result of adult use.

Chief Stillman reminded everyone that if you vote no and the ordinance does not pass, there is no adult use. He added that there will continue to be a black market on marijuana whether this ordinance passes or not.

Ken Gibbs noted that passage of question 3 will not accomplish what he believes Bridgton is looking for.

Bernie King is going to vote no on this question. He believes that if the ordinance passes, the area will be flooded with stores and clutter up the whole area since there are no limits in the ordinance on the number or size. It's a lucrative business with a lot of competition.

Glenn Peterson noted that the ordinance is only six pages long because there are hundreds of pages of State regulation.

Deb Brusini questioned some of the definitions noting that a yes vote would allow retail stores in Bridgton. Mr. Brusini reiterated that the Planning Board has been working diligently on the issue of medical use and adult use since July.

Robert McHatton stated that if this ordinance has passage on the 5<sup>th</sup>, a store cannot be opened until after June 30, 2020. He asked what would happen to any application received prior to that time to which Ms. Brusini responded that this would be a question for legal.

Josh Quint said that the concept of their being a flood or applications is not realistic; he reiterated that all applications must be approved at the state level first and this is a long process.

Code Enforcement Officer Rob Baker said that the Town would need legal advice but that an ordinance may be retroactive if written accordingly.

Chairman Eastman closed the hearing at 6:53 P.M.

#### 9. New Business

##### a. Awards and Other Administrative Recommendations

##### 3. Confirmation of Linda LaCroix as Community Development Director

Linda LaCroix introduced herself and responded to several questions asked by the Board. **Motion** was made by Chairman Eastman to confirm Linda LaCroix to the position of Community Development Director; second from Selectman Packard. 5 approve/0 oppose

#### 10. Old Business

##### a. Wastewater Status Update

Town Manager Peabody provided a brief wastewater status update.

##### b. Streetscape: Upper and Lower Main Street Status Update

Town Manager Peabody provided an upper and lower main street status update.

##### c. Disposal of Light Poles

Anyone interested in purchasing the old light poles should contact Town Manager Peabody.

#### 11. Treasurer's Warrants

**Motion** was made by Vice-Chairman Zaidman for approval of Treasurer's Warrants numbered 43, 44, 45, 46, 47, 48, 49 and 50; second from Selectman Lone. 5 approve/0 oppose

#### 12. Public Comments on Non-Agenda Items

There were no public comments on non-agenda items.

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

November 12, 2019 (Chairman Eastman will be absent from this meeting.) and November 26, 2019

#### 14. Adjourn

Chairman Eastman adjourned the meeting at 7:36 P.M.

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk