

BRIDGTON BOARD OF SELECTMEN'S MEETING AGENDA

DATE: Tuesday, December 8, 2020

TIME: 3:30 P.M.

PLACE: VIRTUAL

Please join my meeting from your computer, tablet or smartphone.

Board of Selectmen Meeting Tue, Dec 8, 2020 5:00 PM - 9:00 PM (EST)

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1. Call to Order
2. Pledge of Allegiance
3. 3:30 P.M – 5:00 P.M. Executive Session Per MRS Title 1 § 405.6.E.: Legal Matters
 - a. Consultation with Town Attorney
4. Action Items Following Executive Session (if applicable)
5. Approval of Minutes
 - a. November 10, 2020
6. Public Comments on Non-Agenda Items (*Each speaker **may** be limited to 3 minutes.*)
7. Committee/Liaison Reports
8. Correspondence, Presentations and Other Pertinent Information
 - a. Woodlands Memory Care of Bridgton Tax Increment Financing Amended Proposal
9. New Business
 - a. Awards and Other Administrative Recommendations
 - b. Permits/Documents Requiring Board Approval
 1. Certificate of Commitment of Sewer User Rates Commitment #245
 - c. Selectmen's Concerns
 - d. Town Manager's Report/Deputy Town Manager's Report
10. Old Business (*Board of Selectmen Discussion Only*)
 - a. Wastewater Status Update
 - b. Streetscape: Upper and Lower Main Street Status Update
 - c. Water Level Policy – Lake Level Policy & Procedures.
 - d. Acceptance of Donation from Jim Cossey
 - e. Board Meeting Dates During Holiday Season

11. Treasurer's Warrants
12. Public Comments on Non-Agenda Items (*Each speaker **may** be limited to 3 minutes.*)
13. Dates for the Next Board of Selectmen's Meetings
December 22, 2020 **tentative**
January 12, 2021
14. Adjourn

**Town Manager's Notes
Board of Selectmen's Meeting
December 8, 2020**

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Executive Session**
 - a. **Motion:** *Move to enter Executive Session pursuant to MRS Title 1 §405.6.E to consult with the Town Attorney regarding legal matters.*
5. **Approval of Minutes**
 - a. November 10, 2020
Suggested Motion: *Move to approve the November 10, 2020 Selectboard Minutes.*
8. **Correspondence, Presentations and Other Pertinent Information**
 - a. Matthew Walters, Woodland Senior Living, has updated his TIF request for a Credit Enhancement Agreement for the proposed Woodlands Memory Care of Bridgton project on Route 302. Please refer to his letter in your binder. A Special Town Meeting is also being suggested. Mr. Walters will be participating virtually.
Suggested motion: *Move to direct the Town Manager to _____.*
9. **New Business**
 - b. Permits/Documents Requiring Board Approval
 1. Pursuant to 30-A M.R.S. § 3406 (copy of statute in your packet), please refer to Certificate of Commitment of Sewer User Rates: #245 in your packet.
Suggested motion: *Move to commit the August 1, 2020 to October 31, 2020 Sewer User Rate Commitment #245 comprising 3 pages totaling \$8,304.25 to the Treasurer for collection.*
10. **Old Business**
 - a. Wastewater Update
 - b. Upper and Lower Main Street Status Update
 - c. The lake levels at Woods Pond and Highland Lake is an on-going concern and discussion each year. The matter was discussed at the Board's October 27th meeting where it was decided that the Public Services Director would develop a policy for managing water levels at Highland Lake and Woods Pond. The document has been shared with property owners on both water bodies.
Suggested motion: *Move to approve the policy for managing water levels at Highland Lake and Woods Pond.*
 - d. In your binder, please find a letter from James Cossey donating funds for the purchase of two ElanCity speed control signs.
Suggested motion: *Move to accept the donation from James D. Cossey for the purchase of two ElanCity speed control signs.*

Board of Selectmen's Meeting Minutes

November 10, 2020; 5:00 P.M.

Board Members Present: Liston E. Eastman, Chairman; Glenn R. Zaidman, Vice-Chairman; Carmen E. Lone; Paul A. Tworog
Board Member Virtual: G. Frederick Packard
Administration Present: Town Manager Robert Peabody; Town Clerk Laurie Chadbourne; Community Development Director Linda LaCroix; Police Chief Phillip Jones

1. Call to Order

Chairman Eastman called the meeting to order at 5:00 P.M. and recognized that Selectman Packard is attending remote.

2. Pledge of Allegiance

The Board recited the "Pledge of Allegiance."

3. Approval of Minutes

a. October 27, 2020

Motion was made by Vice-Chairman Zaidman for approval of the minutes from the October 27, 2020 Board meeting; second from Selectman Tworog. 5 approve/0 oppose

4. Public Comments on Non-Agenda Items

Barry Denofrio noted that there are numerous factual errors in the proposal that he received regarding the lake levels and requested that a corrected document be circulated; he added that the document was not referenced as a draft. Selectman Tworog agreed that the notice was sent out without the draft notation for review. Vice-Chairman Zaidman noted point of order that input with full discussion is scheduled for the next meeting.

Deb Brusini, President of Highland Point Association, reported that she did not receive a copy of the draft document to which the Town Manager will ensure that she is provided with a copy.

5. Committee/Liaison Reports

Selectman Tworog reported that he and Vice-Chairman Zaidman attended a productive meeting with the Pondicherry Park Committee. Responsibilities were reviewed and it was suggested that the Town establish a point person for up to four hours each week to become familiar with the trail system and to be the liaison between the Town and Loon Echo.

Selectman Packard reported that the next Fryeburg Airport Authority Meeting is scheduled for December.

Selectman Lone reported that a few members of the Community Development Advisory Committee are present to report to the Select Board suggestions on Cedar Drive and she hopes they will be well received.

6. Correspondence, Presentations and Other Pertinent Information

1. Bridgton Broadband; Michael Forcillo, VP of Sales for RedZone

Michael Forcillo, VP Sales for Red Zone, submitted and reviewed a proposal. Chairman Eastman directed Board Members and Manager to submit their questions to Community Development Director LaCroix.

2. Speed Control Signs on Highland Road; James Cossey

James Cossey and Police Chief Jones met regarding the speed concerns on Highland Road. Mr. Cossey requested a specialized speed control sign be purchased by residents of Highland Road and reimbursement from the Town to the contributors of the purchase price. The Board did not support the donation and refunding. Discussion ensued. Mr. Cossey opted to donate the money to the Town for the purchase of the signs to be left on Highland Road. **Motion** was made by Selectman Tworog to accept the gift to purchase the signs; second from Selectman Packard. 1 approve/4 oppose (Tworog, Zaidman, Lone and Eastman opposed) Chief Jones reported that he is taking active steps to increase patrol and document a traffic study, signs are being moved for visibility as well. Selectman Lone encouraged Chief Jones to consider the purchase of signage during the budget process.

7. New Business

a. Awards and Other Administrative Recommendations

1. Stop Sign on Naramissic Road

Motion was made by Vice-Chairman Zaidman to place a stop sign at the end of Naramissic Road; second from Selectman Lone. 5 approve/0 oppose

2. Town Property on Cedar Drive; Input from Community Development Advisory Committee

On behalf of the Community Development Advisory Committee, Robert McHatton, Sr., reported that the Committee unanimously voted to make the following findings and recommendations to the Select Board regarding the disposition of the property on Cedar Drive: 1. Whereas the Cedar Drive property was transferred to the town from the State with the understanding that the (non-lakeshore) property could be sold if it was deemed not suitable for recreational use by the residents of Bridgton, and 2. Whereas the Committee feels that the property is suitable for recreations use and presents a valuable asset to the town, 3. The committee recommends that the town retain the property and consider the following improvements that would open up access to the property and to Moose Pond: a. Accept offer by Loon Echo Director Matt Markot to clear the two ROW's adjacent to the property with the help of Loon Echo volunteers to enable access from Cedar Drive to Moose Pond before the winter season, and b. Work with Loon Echo to propose a plan to establish a single trail through the Cedar Road property suitable for walking, snowshoeing and cross-country skiing to include an appropriately sized parking area carved out of the property. The Committee believes this plan would enable a safe alternative non-motorized boat access to Moose Pond, would enhance the value of the surrounding properties, and would be in keeping with the intent of the transfer of the property from the State to the Town. Discussion ensued.

3. Assisted Living Facility and Supporting TIF; Matthew Walters

Matthew Walters, Woodland Senior Living, submitted and reviewed a presentation to the Board on his proposed Woodland Memory Care of Bridgton project on Route 302. The Board requested additional information of other similar projects to which Mr. Walters will review at the November 24th meeting. Vice-Chairman Zaidman asked if Mr. Walters would be open to discussion of putting in a sewer pipe at their cost to which Mr. Walters agreed and Town Manager Peabody will have Engineer Bridges reach out directly.

4. Input from Counsel on Ordinance Review Committee Proposed Amendments to Nudity, Fireworks and Disorderly House Ordinances

The Board passed over this item.

5. Recommended Timeline for the Land Use Ordinance Consolidation Project

Community Development Director LaCroix provided the Board with a preliminary timeline (as prepared by the attorney) for the Land Use Ordinance consolidation project.

6. CDBG-CV Program Update

Community Development Director LaCroix provided the Board with an update on the Community Development Block Grant Program COVID Program.

b. Permits/Documents Requiring Board Approval

1. Victualer's License to Standard Gastropub

Motion was made by Vice-Chairman Zaidman for approval of a Victualer's License to Standard Gastropub; second from Selectman Lone. 5 approve/0 oppose

c. Selectmen's Concerns

- **Selectman Packard** asked why the State of Maine is paving on Route 302 by Pondicherry to which Town Manager Peabody will gather information for the Board.
- **Selectman Tworog** had no concerns.
- **Vice-Chairman Zaidman** asked for an update on the RFP for legal services to which the Board opted to hold a workshop session at 4:00 P.M. on December 8th.
- **Vice-Chairman Zaidman** thanked all veterans for their service.
- **Selectman Lone** extended gratitude to all veterans and their families. She expressed regret that the Community Center is not able to hold their annual veteran's day dinner due to COVID.
- **Chairman Eastman** stated that he wants to get the lake level information and process right.

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, 11/10/20

General: A reminder that masks are required at the Town Office. If you are unable to wear one due to an underlying medical condition, please call to set up an appointment so that we can accommodate you in a manner that is safe for you and our staff.

Congratulations to the Town Clerk, her staff and election volunteers, Moderator Marita Wiser, Chief Jones and his officers, and Chief Harriman and his firefighters for a successful election under difficult circumstances.

Sawyer Engineering will be submitting a proposal to survey both sections of the South High Street Cemetery.

Financials: Before you tonight are the September financials and the Revenue and Expenditure Summary Report. As you will note, the benchmark is 25% for the month. Revenues are at 32.3% and Expenditures at 26.6%.

8. Old Business

a. Wastewater Status Update

Town Manager Peabody provided the Board with a brief update on the wastewater status.

b. Streetscape: Upper and Lower Main Street Status Update

Town Manager Peabody provided the Board with a brief update on the upper and lower main street status.

9. Treasurer's Warrants

Motion was made by Selectman Lone for approval of Treasurer's Warrants numbered 58, 59, 60, 61, 62, 63 and 63; second from Chairman Eastman. 5 approve/0 oppose

10. Public Comments on Non-Agenda Items

Community Development Director LaCroix reported that parking lot project on upper main street is scheduled to move forward in the spring.

Deb Brusini reported that a Veterans Day ceremony is scheduled for 10:20 A.M. at the Memorial Park on Depot Street.

Deb Brusini invited the Board and public to the next Ordinance Review Committee scheduled for November 18th at 6:15 P.M.

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

November 24, 2020

December 8, 2020 at 4PM

December 22, 2020

12. Adjourn

Chairman Eastman adjourned the meeting at 8:24 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk



November 25, 2020

Robert A. Peabody Jr.
Town Manager
Town of Bridgton
3 Chase Street
Bridgton, ME 04009

RE: Woodlands Memory Care of Bridgton Tax Increment Financing Amended Proposal

Dear Bob,

Woodlands Senior Living is pleased to present this *revised* proposal for tax increment financing in support of our proposed Woodlands Memory Care of Bridgton project (the “Project”).

As presently planned, the Project consists of the construction and operation of a 48-bed specialized residential care community serving individuals with Alzheimer’s disease and related memory impairments. We plan to dedicate 30 of the beds to serve individuals receiving MaineCare subsidies, and 18 would be available for residents paying with private funds. We believe the Project will be a vital resource to not only the elderly individuals living with memory impairments in the Bridgton area but also their loved ones. Indeed, there are no purpose-built memory care facilities anywhere in or close to the greater Bridgton lakes region.

In order to ensure the financial viability of the Project, we are requesting that the Town designate the land on which the Project will be located as a tax increment financing (TIF) district. We currently have signed purchase and sales agreements on two parcels of land located on North High Street in the Town of Bridgton.

The contract to purchase this site is contingent upon Woodlands Senior Living receiving approval of Tax Increment Financing from the Town of Bridgton.

We offer to use the tax increment revenues in support of the Project in the following manner:

Until the end of the tax year that includes the twentieth anniversary of the Project’s opening, we would propose that:

- Years 1-15: Eighty-Five percent of the incremental tax revenues be returned to the owner each year.

- Years 16-20: One Hundred percent of the incremental tax revenues be returned to the Town of Bridgton for its Development Program each year.

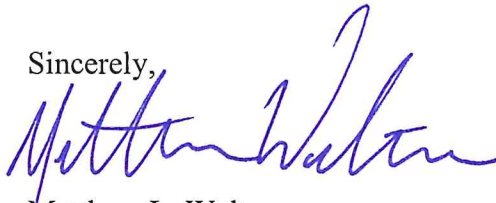
We understand that TIF benefits can continue for up to thirty years, however we are prepared to have our participation terminate after twenty years. If the Town sees a benefit in continuing the TIF beyond twenty years for municipal purposes, we would certainly be amenable to that approach.

We are willing to have our attorneys prepare the materials for adoption of the TIF if the Town prefers.

I would welcome the opportunity to answer any questions or discuss further at your convenience.

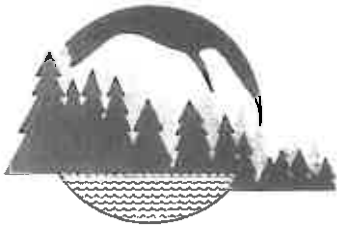
Thank you for your thoughtful consideration.

Sincerely,



Matthew L. Walters
Member

CC: *Linda LaCroix, Community Development Director
Bridgton Board of Selectmen*



THREE CHASE STREET, SUITE #1
BRIDGTON, MAINE 04009

Phone- 207-647-8786
Fax- 207-647-8789

MEMO

FROM: David Madsen, Public Services Director
TO: Liston Eastman; Carmen Lone; Glenn Zaidman; G.Frederick
Packard; Paul Tworog
CC: Robert Peabody, Town Manager; Georgiann Fleck, Deputy Town
Manager
RE: Lake Levels & Dam Operating Procedures
DATE: 11/20/2020

Attached please find the proposed policy of the Lake Levels & Dam Operating Procedures Policy, requested by the select board at the last meeting on Tuesday, October 27, 2020.

Very Respectfully,

A handwritten signature in dark ink, appearing to read 'D. Madsen', written in a cursive style.

David Madsen
Public Services Director

Town of Bridgton
Lake Levels Policy and Procedures

I. Purpose:

To establish a clear policy and procedure for monitoring and maintaining the proper lake levels of the waters of both Highland Lake and Woods Pond, both Fall and Spring.

II. Process in the Fall:

- We will begin lowering the waters at the dams to winter levels (*see sections V & VI*), starting every Fall no later than *October 15th*.
- Winter levels should be achieved on or about *November 15th*.

III. Process in the Spring:

Weather permitting (*ice out*), we will begin adjusting the waters at the dams to summer levels (*see sections V & VI*), starting every Spring no later than *May 1st*.

- Summer levels should be achieved on or about *May 20th*.

IV. Maintenance / Construction Levels:

NOTE: Beginning in the Fall of 2021, we will be lowering the waters to maintenance / construction levels once every 4 years. This will allow lakefront property owners to perform dock repairs, place rip rap and perform other waterfront improvements that may be needed with appropriate town and State (*Natural Resources Protection Act*) permitting.

- Highland Lake's level will be lowered to: 5' with the capability of going lower if approved permitting, as required, has been completed.

V. Highland Lake – Seasonal High's & Low's:

- (Summer) High = 6.2 feet (+/- plus or minus 0.2 feet) at the dam
- (Winter) Low = 5.4 feet (+/- plus or minus 0.2 feet) at the dam

VI. Woods Pond – Seasonal High's & Low's:

- (Summer) High = 4.2 feet (+/- plus or minus 0.2 feet) at the dam
- (Winter) Low = 3.4 feet (+/- plus or minus 0.2 feet) at the dam

VII. Adjustments:

Lake levels will be adjusted, at the discretion of the Public Services Director, for any conditions, including but not limited to weather, at any time.

Suzzanah Forsythe

From: Robert "Bob" Peabody, Jr.
Sent: Friday, November 20, 2020 3:28 PM
To: Suzzanah Forsythe
Cc: David Madsen; Diane Kiriaji; Georgiann M Fleck; Nikki Hamlin
Subject: FW: Woods Pond Association letter of Support for Lake Levels Policy and Procedures

Suzannah-

Please include in the packets and update the electronic version.

Thanks!

Bob

Robert A. Peabody, Jr.
Bridgton Town Manager
3 Chase Street, Suite 1
Bridgton, Maine 04009
rpeabody@bridgtonmaine.org
207.647.8786 Office
207.256.7211 Cell

From: Kelly Margolis <kellywoodspond@gmail.com>
Sent: Friday, November 20, 2020 2:51 PM
To: Robert "Bob" Peabody, Jr. <rpeabody@bridgtonmaine.org>; David Madsen <DMadsen@bridgtonmaine.org>
Subject: Woods Pond Association letter of Support for Lake Levels Policy and Procedures

Woods Pond Association
P.O. Box 485, Bridgton ME 04009
info@woodspond.org Woodspond.org

To: Members of the Bridgton Selectboard,
Bob Peabody, Bridgton Town Manager
David Madsen, Bridgton Public Services Director

From: Kelly Margolis, President
Woods Pond Association

Re: Town of Bridgton Lake Levels Policy and Procedures

The Woods Pond Association supports the town of Bridgton's proposed Lake Levels Policy and Procedures.

- The proposed policy is consistent with how the town has managed the Woods Pond dam in recent years.

- The Public Services Director will continue to make adjustments to the dam, at his discretion, for weather or other conditions.
- The section of the Policy that refers to “Maintenance / Construction Levels” does not apply to the Woods Pond Dam.
- When adjustments to the Woods Pond dam are made or anticipated, whether planned seasonal or interim adjustments, in addition to other methods the town may use, we offer to communicate those changes to our contact list.

Regards,

Kelly Margolis, President
Woods Pond Association
kellywoodspond@gmail.com

JAMES D. COSSEY
338 Highland Road
Bridgton, ME 04009-4316
Tel: 207-647-3724 (H) 207-787-1414 (C)
E-Mail: jcossey193@aol.com

November 16, 2020

Mr. L. E. Eastman, Chairman
Select Board, Town of Bridgton
1 Chase Common
Bridgton, ME 04009


Dear Mr. Eastman:

This letter requests the Select Board reconsider accepting my offer to donate funds to the Bridgton Police Department Donation Fund for the purchase of two ElanCity speed control signs. I submit this request without any other conditions or restrictions.

The check is enclosed.

Sincerely,


James D. Cossey

Encl: as

CERTIFICATE OF COMMITMENT OF SEWER USER RATES
COMMITMENT #245

To: Robert A. Peabody, Jr., the Treasurer of the Municipality of Bridgton, Maine.

Attached is a true list of the sewer rates established by us pursuant to 30-M.R.S. § 3406 for those properties, units and structures on **Route 1**, required by local and State Law to pay a sewer rate to the municipality, for the **period beginning 1 August 2020 and ending 31 October 2020**. This list is comprised of 3 pages which are attached to this certificate.

The date on which the rates included in this list are **due and payable is December 24, 2020**. You are hereby required to collect from each person named in the attached list, his or her respective amount as indicated in the list; **the sum-total being \$8,304.25**. You are hereby required to charge interest at a rate of 6.0% per annum on any unpaid account balance. You are hereby authorized to collect these rates and any accrued interest by any means legally available to you under State Law.

Given under our hands this **24th day of November 2020**.

Liston E. Eastman

Glenn R. Zaidman

Carmen Lone

G. Frederick Packard

Paul Tworog

Billing Edit Report

Seq	Previous	Current	Cons	Water	Sewer	Total	Acct	Name	Location
Book #	1								
*1	1464500	1470000	5500	0.00	1,476.35	1,476.35	198	HILL STREET TERRACE HOUSING CORPORATION 0014-0077	42 WAYSIDE AVE.
*2	11900	12000	100	0.00	102.29	102.29	206	WHERE ITS AT LLC 0023-0019	4 NULTY ST.
*3	28200	28500	300	0.00	109.27	109.27	207	BRIDGTON PUBLIC LIBRARY 0023-0145	1 CHURCH ST.
*4	121500	124100	2600	0.00	979.94	979.94	208	HAYES JR., ALLEN S 0023-0015	112 MAIN ST.
*5	23315	23780	465	0.00	312.63	312.63	209	HEBB, HENRY; ETAL 0023-0146	109 MAIN ST.
*6	222100	227600	5500	0.00	290.75	290.75	210	HAYES JR., ALLEN S 0023-0014	118 MAIN ST.
*7	160600	167000	6400	0.00	717.36	717.36	211	108 MAIN STREET, LLC 0023-0012	108 MAIN ST.
8	0	0	0	0.00	0.00	0.00	9683	N.F.I. North, Inc.	7 Nulty Street
*9	227100	230000	2900	0.00	694.01	694.01	213	BROWN, C N 0022-0094	93 MAIN ST.
*10	21205	24050	2845	0.00	1,284.89	1,284.89	217	CHALMERS BROTHERS, LLC 0022-0092	88 MAIN ST.
*11	2400	2400	0	0.00	197.60	197.60	219	EVERGREEN, JUDITH A 0022-0096	63 MAIN ST.
*13	26050	30987	4937	0.00	567.50	567.50	220	WILE, TIMOTHY S 0022-0090	76 MAIN ST.
*14	76400	76800	400	0.00	211.56	211.56	785	C & P NEW HORIZONS, LLC 0022-0091	82 MAIN ST.
*15	7585	7585	0	0.00	98.80	98.80	221	EVERGREEN, JUDITH A 0022-0097	59 MAIN ST.
*16	163100	166800	3700	0.00	1,018.33	1,018.33	225	LAKE VIEW SUITES, LLC 0022-0099	2 WALKER ST.
*17	35470	36370	900	0.00	130.21	130.21	4091	THE CARRY ALL CORNER, LLC 0023-0147	103 MAIN ST.
*18	12420	12820	400	0.00	112.76	112.76	4092	THE CARRY ALL CORNER, LLC 0023-0147	103 MAIN ST.
Book 1 Total:				0.00	8,304.25	8,304.25			
Total:				0.00	8,304.25	8,304.25			

Consumption Report

Book	SEWER	RESRV	EDU	Sewer						Total
1	36,947	0	0	4	5	6	7	8	9	
				0	0	0	0	0	0	36,947
Total:	36,947	0	0	0	0	0	0	0	0	36,947

Calculation Summary Report

<u>Water</u>		<u>Sewer</u>	
Override	0.00	Override	0.00
Flat	0.00	Flat	0.00
Units	0.00	Units	7,014.80
Consumption	0.00	Consumption	1,289.45
Miscellaneous	0.00	Miscellaneous	0.00
Adjustments	0.00	Adjustments	0.00
Tax	0.00	Tax	0.00
Total	0.00	Total	8,304.25

User Category Summary

Category	<u>Water</u> Count	Cons	Amount	Category	<u>Sewer</u> Count	Cons	Amount
				1 SEWER METER	17	36947	8,304.25