

Board of Selectmen's Meeting Minutes  
February 9, 2021; 3:30 P.M.

Board Members Present: Liston E. Eastman, Chairman; Glenn R. Zaidman, Vice-Chairman; Paul A. Tworog  
Board Members Present (Virtual): Carmen E. Lone; G. Frederick Packard

Administration Present: Town Manager Robert Peabody; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Public Services Director David Madsen; Police Chief Phillip Jones; Recreation Director Gary Colello; Community Development Director Linda LaCroix

1. Call to Order

Chairman Eastman called the meeting to order at 3:30 P.M.

2. Pledge of Allegiance

The Board recited the "Pledge of Allegiance."

3. Executive Session(s)

a. **3:30 P.M.** Per MRS Title 1, Section 405.6.A. for Discussion of Personnel

**Motion** was made by Vice-Chairman Zaidman to enter executive session at 3:30 P.M. per MRS Title 1, Section 405.6.A. for discussion of personnel matters; second from Selectman Tworog. 3 approve/0 oppose

**Motion** was made by Vice-Chairman to exit executive session at 4:03 P.M.; second from Selectman Tworog. 3 approve/0 oppose

b. **4:00 P.M.** Per MRS Title 1, Section 405.6.C. for Discussion of Land Acquisition

**Motion** was made by Vice-Chairman Zaidman to enter executive session at 4:05 P.M. per MRS Title 1, section 405.6.C. for discussion of land acquisition; second from Selectman Tworog. 3 approve/0 oppose

**Motion** was made by Vice-Chairman to exit executive session at 5:09 P.M.; second from Selectman Tworog. 5 approve/0 oppose

4. **5:00 P.M.** Public Meeting and Informational Session: Maine Waste Discharge License/Maine Pollutant Discharge Elimination System Permit Application

Chairman Eastman opened the meeting and informational session at 5:00 P.M. Engineer Brent Bridges from Woodard and Curran reviewed the following notice of intent to file.

**NOTICE OF INTENT TO FILE  
MAINE WASTE DISCHARGE  
LICENSE/MAINE POLLUTANT  
DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION**

Please take note that, pursuant to 38 MRS, Sections 413 and 414-A, the Bridgton Sewer Department of 3 Chase Street Bridgton, ME, intends to file a wastewater discharge permit application with the Maine Department of Environmental Protection (ME DEP). The application is for the discharge of 116,250 gallons per day of treated municipal wastewater into the a below ground disposal system on the WWTF property.

The application will be filed on or about February 15, 2021, and will be available for public inspection at DEP's Augusta office during normal business hours. A copy may also be seen at the municipal offices in the Town of Bridgton, Town Office.

A request for public hearing or request that the Board of Environmental Protection assume jurisdiction over this application must be received by the DEP, in writing, no later than 20 days after the application is found acceptable for processing, or 30 days from the date of this notice, whichever is longer. Requests shall state the nature of the issue(s) to be raised. Unless otherwise provided by law, a hearing is discretionary and may be held if the Commissioner or the Board finds significant public interest or there is conflicting technical information.

During the time specified above, persons wishing to receive copies of draft permits and supporting documents, when available, may request them from the ME DEP. Persons receiving a draft permit shall have 30 days in which to submit comments or to request a public hearing on the draft.

Public comment will be accepted until a final administrative action is taken to approve, approve with conditions or deny this application. Written public comments or requests for information may be made to the Division of Water Quality Management, Department of Environmental Protection, State House Station #17, Augusta, ME 04333-0017. Telephone: 207-287-3901.

A public meeting and information session will be held at 5 p.m. on February 9, 2021. We appreciate your attention to this matter. Please contact the Town of Bridgton at 207-647-8786 should you have any questions or require additional information.

There were no questions or comments.

## 5. Approval of Minutes

### a. January 26, 2021

**Motion** was made by Vice-Chairman Zaidman for approval of the minutes from the January 26, 2021 Board Meeting; second from Selectman Tworog. Selectman Tworog noted that page four of the minutes reflect that he was strongly opposed to charging residents for use of the Town Hall and he clarified that he is opposed to adding fees when there used to be no fees, he then noted that this issue will be discussed later in the meeting as well. 5 approve/0 oppose

## 6. Public Comments on Non-Agenda Items

There were no public comments on non-agenda items.

## 7. Committee/Liaison Reports

### a. Ordinance Review Advisory Committee Recommended Amendments

Community Development Director LaCroix reported that the proposed amendments were submitted to the Maine Municipal Association as directed by the Board, she was advised that MMA does not do legal review so she sent them off to the town attorney. Vice-Chairman Zaidman requested that, going forward, changes from the Committee be separated from any changes made by the attorney for ease of reference.

#### 1. Consumer Fireworks Ordinance

The Board reviewed the proposed amendments from the Ordinance Review Committee. Selectman Lone and Selectman Tworog supported seeking voter consideration; Chairman Eastman, Vice-Chairman Zaidman and Selectman Packard did not support seeking voter consideration. The Board opted not to seek voter consideration for the proposed amendments.

#### 2. Ordinance to Control Disorderly Houses

The Board reviewed the proposed amendments from the Ordinance Review Committee. **Motion** was made by Selectman Packard to direct the amendments to town meeting; second from Selectman Tworog. 5 approve/0 oppose

#### 3. Ordinance Controlling Nudity in Commercial or Business Activities Not Requiring a Special Amusement Permit

The Board reviewed the proposed amendments from the Ordinance Review Committee. **Motion** was made by Vice-Chairman Zaidman to direct the amendments to town meeting; second from Chairman Eastman.

4 approve/1 oppose (Zaidman was opposed)

## 8. Correspondence, Presentations and Other Pertinent Information

### a. Wastewater Policy for Consideration of Low Income

Engineer Brent Bridges has been working with Community Development Director LaCroix and Public Services Director Madsen in reviewing CDBG funding that may have a program which would provide hook up fee assistance for low to moderate income households. They will continue to explore options for assistance. Selectman Lone suggested that private foundation funding be explored as well.

Chairman Eastman brought agenda item 9 forward at 6:00 P.M.

## 9. 6:00 P.M. Public Hearing: Special Amusement Permit to Campfire Grille

Chairman Eastman opened the public hearing on a Special Amusement Permit Application for Campfire Grille at 6:05 P.M. There were no public comments. The hearing was closed at 6:05 P.M.

10. Approval of the Special Amusement Permit to Campfire Grille

**Motion** was made by Vice-Chairman Zaidman for approval of the Special Amusement Permit to Campfire Grille; second from Selectman Packard. 5 approve/0 oppose

Return to wastewater policy for consideration

Vice-Chairman Zaidman requested that this item be a regular agenda item for progress updates.

b. Separate Victualer's License Requirements from Marijuana License Requirements

Board members have received complaints regarding the now lengthy process to obtain their Victualer's License and the Board had concerns regarding the necessity of a obtaining a criminal background check. Community Development Director LaCroix said that the ordinance language was recommended and developed by the town attorney. Discussion ensued. The Board opted to meet with the Town Attorney at their next meeting to discuss the legal mandates for licensing.

c. Discussion of Recycling Committee

Vice-Chairman Zaidman reported on a bill pending in Maine to make producers pay for disposal of packaging due to collapse of recycling markets and encouraged board members to review the proposed bill. Vice-Chairman Zaidman also reported that the Recycling Committee was previously directed to gather information on pay per bag disposal and would like for them to work on that as well as education on recycling.

d. Review of Town Committees and Their Charges

Selectman Lone suggested that the charge for the Community Development Committee be adjusted in conjunction with the priorities of the Community Development Director. The Board opted to hold a workshop session after the budget process to review all committee charges.

e. Discussion of Economic Development

Community Development Director LaCroix had provided the Board, via email, information on accomplishments and goals related to development.

*9. 6:00 P.M. Public Hearing: Special Amusement Permit to Campfire Grille*

*10. Approval of the Special Amusement Permit to Campfire Grille*

*These two items were addressed earlier in the meeting.*

11. New Business

a. Awards and Other Administrative Recommendations

1. Proposed Addition to the Development Program for the Woodland Senior Living Tax Increment

Financing District

Community Development Director LaCroix reported that the Covid-19 pandemic has impacted residents of Bridgton on many levels, not the least of which is pressures on Bridgton families to find, pay for, and get their children to licensed day care facilities in and around Bridgton. For any one of these reasons, or combination of these reasons, parents can find themselves unable to keep or maintain a job without a safe, certified place to leave their children. There is no indication that we can be assured this circumstance will change post-pandemic given the impact of long-term unemployment, reduced employment, or voluntary unemployment generated by the need to care for children for whom daycare is not feasible. We recently learned that subsidies for and transportation to a child day care facility, including before and after school care, can be included in the development program of the economic development TIF approved for the proposed senior living facility. For the reasons we noted above we propose taking advantage of this option by amending the approved development program related to the Woodlands Senior Living TIF to include \$50,000 to be spent on subsidies that would reduce or eliminate the cost of daycare, and for the establishment of a transportation service for those families who cannot transport their children to local daycare either because of a lack of a vehicle, or timing for drop-off and pick-up at a day care facility that interferes with their required work hours. Discussion ensued. No action was taken.

## 2. Consideration of Placement of Ballot Question for Zoning Change to 2 Cottage Street on the March 30, 2021 Special Town Meeting Referendum

Planning Board Chairman Deb Brusini reported that the Bridgton Planning Board conducted a Public Hearing on February 9th, 2021 on a proposed zoning change to the lot at 2 Cottage Street (Map 23, lot 148). The property is owned by The Carry All Corner, LLC. The proposal requests that the Land Use Ordinance is amended to redistrict the lot from the Downtown Village Neighborhood (DVN) to the Downton Village Business I (DVBI). The proposal was submitted by Mark Bower, Esq., on behalf of his client Justin McIver. The proposal was declared complete by the Planning Board on January 21st, 2021, and the public hearing was noticed and held as specified in the Land Use Ordinance Article V. Section 5B. As specified by the Land Use Ordinance in Art. V., 5.B.2.g., the Planning Board must make a recommendation to the Select Board. The Planning Board recommends inclusion of the amendment, as written, on the Town warrant for Special Town Meeting on March 30th, 2021. The Community Development Director and the Code Enforcement Officer are also in support of this proposal.

Deputy Town Manager Fleck read the following letter from Amy Maguire into the record: "An application has been filed with the panning board to rezone the property at 2 Cottage St. Map: 23, Lot: 148 by The Carry All Corner. Changing the property/ neighborhood from Downtown Village Neighborhood (DVN) to Downtown Village Business 1 (DVB-1). As property owners affected by this change, we request that you deny the pending application. This is a residential neighborhood that will be directly affected by the change. Parking is already a problem in the parking lot now and adding a restaurant will cause the parking to spill onto Cottage St and the surrounding neighborhood. Thank you in advance for considering the consequences this will have on Cottage St and all affected areas of the proposed zoning change. Amy Maguire"

### a. Approval of the Order, Certification and Referendum Language

**Motion** was made by Vice-Chairman Zaidman to certify the proposed ordinance entitled, "Amendment to the Town of Bridgton Official Zoning Maps to Rezone a Parcel of Land Located at 2 Cottage Street," and Order that the municipal clerk keep this certified copy as a public record for the Special Town Meeting Referendum on March 30, 2021; second from Selectman Lone. 5 approve/0 oppose

### 3. Approval of Special Town Meeting Warrant for March 30, 2021

**Motion** was made by Vice-Chairman Zaidman Move to approve the Tuesday, March 30, 2021 Special Town Meeting Warrant; second from Selectman Tworog. 5 approve/0 oppose

### 4. Order to Authorize Award of Wastewater Collection Systems Upgrade Project Contract

**Motion** was made by Vice-Chairman Zaidman to approve the order entitled, "Order to Authorize Award of Wastewater Collection Systems Upgrade Project Contract," and that an attested copy of said Order be included with the minutes of this meeting; second from Chairman Eastman. 5 approve/0 oppose

### b. Permits/Documents Requiring Board Approval

#### 1. Victualer's License to Campfire Grille

**Motion** was made by Selectman Packard to approve a Victualer's License to Campfire Grille; second from Selectman Lone. 5 approve/0 oppose

#### 2. Victualer's License to KJ's

**Motion** was made by Vice-Chairman Zaidman to approve a Victualer's License to KJ's; second from Selectman Packard. 5 approve/0 oppose

c. Selectmen's Concerns

- **Selectman Packard** had no concerns.
- **Selectman Lone** welcomed the two new Ashley's to the Town Clerk's Office.
- **Selectman Tworog** reported that the streetlight is out in front of his house on Elm Street. Town Manager Peabody will ensure that Central Maine Power is notified.
- **Vice-Chairman Zaidman** noted that the Town Manager and Public Services Director are working on the crosswalk problems but they continue to deteriorate and he hopes they replace the tiles to match and not patchwork the replacements.
- **Chairman Eastman** reported that Public Works Director Madsen is being deployed and noted that he will be missed.

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

**Town Manager Peabody** read the following into the record:

Manager's Report, **02/09/21**

**General:** A reminder that masks are required at the Town Office and Transfer Station. 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.

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.

**Recreation:** The Skating Rink is open weekdays from 4-7pm, Saturday from 12-8pm and Sunday from 9am-5pm. Due to COVID-19 restrictions, the maximum number allowed in the building is 10. Face coverings are required and sign-in required.

**Legal:** Susan Hatch, Sigvard Von Sicard, and Judy Von Sicard through their attorney, David Lourie, have filed lawsuit #2 concerning Bridgton Hotel. This is separate from the prior lawsuit. In short, his clients are appealing the Planning Board's supplemental decision issued after the Court remanded the matter back to the Planning Board. Under the Maine Rules of Civil Procedure, the Planning Board's supplemental decision is a separate action that requires the filing of a new appeal. We have forwarded this new lawsuit to our insurer to see if we can get coverage.

**Fire Department:** The Department conducted their annual mandated training. They wish to thank Public Safety Chaplain Mike Zullo for allowing the use of the Alliance Church helping firefighters to socially distance during the training. 12 firefighters have received their first COVID-19 shots and another 6 are scheduled this week. Thanks go out to EMA Director Perrault for coordinating the shots with Cumberland County EMA. The Department remains busy with calls, fires, and mutual aid assistance.

**Town Office:** Ashley Albrecht and Ashley Collette, our new Deputy Town Clerks, began work on Monday.

**Financials:** Before you tonight are the October financials and the Revenue and Expenditure Summary Report. As you will note, the benchmark is 33% for the month. Revenues are at 36.6% and Expenditures at 33.6%.

Before you tonight are the December financials and the Revenue and Expenditure Summary Report. As you will note, the benchmark is 50% for the month. Revenues are at 49.7% and Expenditures at 48.5%.

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

**General:** The Town of Bridgton received a recognition certificate from Dr. Steven D. Dillingham, Director of the U.S. Census Bureau, as a thank you for our efforts in making the Partnership Program a success and helping to achieve a successful 2020 Census.

I would like to welcome Ashley Albrecht and Ashley Collette, both Deputy Town Clerks, to our office staff. They are coming to a great working environment with great office staff. Both began work yesterday, Monday, February 8, 2021.

**Bridgton Health Officer:** I would like to thank Catherine Pinkham, Bridgton Health Officer, for her participation in the Bridgton Hospital bi-monthly conference call and the CDC briefing to keep up on the ever-changing COVID 19 virus and vaccinations.

## 12. Old Business

### a. Wastewater Status Update

Engineer Brent Bridges provided a brief wastewater status update.

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

Town Manager Peabody had no updates to report.

### c. Water Level Policy Administration

Selectman Tworog volunteered to be the point person on administration of the water level policy. The Board appreciates the offer while noting that the policy is overseen by the Public Services Director and he is following the policy accurately and appropriately.

### d. Town Hall Fees

Selectman Tworog is concerned with charging groups to use the town hall when the policy exempts certain charitable or nonprofit groups, he added that the existing policy charges for special events and now the approved rec events also require a fee for use. Recreation Director Colello responded that, due to COVID, the only ongoing programs running out of the Town Hall are the day care and snowshoe program, all other programming has been suspended. The intent of charging for use is to offset the staff salary required to keep the building open since supervision is required as well as additional cleaning measures. Vice-Chairman Zaidman added that this is a small facility and a difficult situation adding that if a family would like to rent the facility and they cannot afford to do so, the recreation director would make provisions; he added that Director Colello is doing a great job. Dot Kimball also voiced her support of the Recreation Director and how he is managing his department.

### e. Planning and Development Status

Community Development Director LaCroix reported that planning and development is administered through the Code Enforcement Office. Code Enforcement Officer Brenda Day submitted a report which included project applications and their status.

## 13. Treasurer's Warrants

**Motion** was made by Selectman Lone for approval of Treasurer's Warrants numbered 101 through 107; second from Selectmen Tworog. 5 approve/0 oppose

## 14. Public Comments on Non-Agenda Items

Community Development Director LaCroix reported that she will be presenting grant information at the next meeting.

Deb Brusini commented that she supports the day care and before/after school program run by the recreation department.

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

February 23, 2021

March 1, 2021 at 9:00 A.M. (Budget Workshop)

March 2, 2021 at 3:00 P.M. (Budget Workshop)

March 9, 2021

## 16. Adjourn

Chairman Eastman adjourned the meeting at 8:14 P.M.

Respectfully submitted,

Laurie L. Chadbourne, Town Clerk