

Board of Selectmen's Meeting Minutes
September 14, 2021; 5:00 P.M.

Board Members Present: Carmen E. Lone, Chairman; Glenn R. Zaidman, Vice-Chairman; Paul A. Tworog; G. Frederick Packard; Robert J. McHatton, Sr.; G. Frederick Packard.
Administration Present: Town Manager Robert Peabody, Jr.; Deputy Town Manager Georgiann Fleck; Deputy Town Clerk Ashley Albrecht; Community Development Director Linda LaCroix; Code Enforcement Officer Brenda Day.

1. Call to Order

Chairman Lone 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: August 24, 2021

Motion was made by Vice-Chairman Zaidman for approval of the minutes from the August 24, 2021 meeting; second from Selectman Packard. 5 approve/0 oppose

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

Dee Miller called attention to the closure of the OBGYN department at Bridgton Hospital. She feels there has not been enough notice of closure to the public and is also concerned this will drive people to other towns and consequently drive away business. **Motion** made by Vice-Chairman Zaidman to set up a meeting with Town Manager Peabody and Peter Wright to discuss this matter; second from Selectman Packard. 5 approve/0 oppose

Jesse Walsh commented on concerns with hospital billing. Response from Bill MacDonald stating that there will be a Community Health Needs Assessment Meeting Oct 26, 2021, time and location to be determined, this will be a platform voices can be heard from the community regarding the changes at the hospital.

Praise received for Gary Colello from Bill MacDonald regarding Recreation Department success.

5. Committee/Liaison Reports

There were no committee reports.

6. Correspondence, Presentations and Other Pertinent Information

a. Ordinance Violations

1. 43 Grover Way, Map 14, Lot 24C

Motion was made by Vice-Chairman Zaidman to assess a \$3,952 fine against H. Gail Chaiken 43 Grover Way (*Map 14 Lot 24C*) for violating Town ordinances; second from Selectman McHatton. 5 approve/0 oppose

2. 34 Aspen Drive, Map 12, Lot 58-8

Motion was made by Vice-Chairman Zaidman to table this matter to allow the Board time to review the violation before making an informed decision; second from Selectman Packard. (tabled to November 9, 2021 meeting) 4 approve/ 1 opposed (Chairman Lone opposed)

b. Pondicherry Park Trail Upgrade and Other Project Updates; Loon Echo Trust

1. Matt Marcott of Loon Echo Trust, requested support for improvements to be made on the Town Farm Brook Trail, requesting permission to gain access from the Town to complete the project. Chairman Lone would like to table this matter for further review of the land in question. (tabled to future agenda)

2. Lower Trail improvements discussed to increase accessibility for park users and access for maintenance. **Motion** was made by Selectman McHatton to provide a letter of support to Loon Eco Trust for improvements to be made on Lower Trail; second by Vice-Chairman Zaidman. 5 approve/0 oppose

c. Recycling Committee; Select Board Direction for Committee

Selectman McHatton spoke as liaison of the Recycling Committee to request that Sally Chapel be notified to allow the Committee to be present and allow time to meet with the public to discuss bringing a Pay as You Throw (PAYT) Ordinance to the voters. (tabled to future agenda)

d. Lake Region Future Community Leaders Project

Motion was made by Selectman McHatton to support the Lake Region Community Leaders Program Proposal; second by Vice-Chairman Zaidman. 5 approve/0 oppose

7. Public Hearing at 5:30 P.M.

Annual Adoption of the Maine Municipal Association Local General Assistance Ordinance and Appendices A through H for the Period of October 1, 2021 through September 30, 2022
Public hearing opened at 5:30 P.M. and closed at 5:35 P.M.

8. Action Items Following Public Hearing

Annual Adoption of the Maine Municipal Association Local General Assistance Ordinance and Appendices A through H for the Period of October 1, 2021 through September 30, 2022

Motion was made by Vice-Chairman Zaidman to approve a Maine Municipal Association Model Ordinance for General Assistance including Appendices A through H for the period of October 1, 2021, until September 30, 2022; second by Selectman Packard. 5 approve/0 oppose

9. New Business

a. Awards and Other Administrative Recommendations

b. Permits/Documents Requiring Board Approval

1. Music on Main Event

a. Request for Use of Town Owned Property

Motion was made by Selectman Packard to approve Music on Main, LLC's request for use of the Town owned property for a 1-year period commencing September 14, 2021, until September 13th, 2022, for a monthly event, serving food and alcohol subject to the Town's discretion; second by Vice-Chairman Zaidman. 5 approve/0 oppose

b. Outdoor Festival Permit Application

Motion was made by Vice-Chairman Zaidman to approve the Outdoor Musical Festival application for a 1-year period waiving the noted requirements; second from Selectman Packard. 5 approve/0 oppose

c. Victualer's Licenses to: Mister Twister; SAO Cooks and Catering LLC
dba The Greenhouse by SAO; Fred's Fried Dough; Crepe Elizabeth;
Bickford Box's

Motion was made by Vice-Chairman Zaidman to approve Victualers Licenses for Music on Main, LLC events for any State licensed vendor, subject to submittal of good standing State license and proof of insurance with the Town being listed as additionally insured, prior to each event; second from Selectman Packard. 5 approve/0 oppose

2. Adult Use Marijuana Store License to Maine Only Adult Use Cannabis at 316 Portland Road, Unit 4.

Motion made by Vice-Chairman Zaidman to approve an Adult Use Marijuana Store License for Maine Only Adult Use Cannabis at 316 Portland Road, Unit 4; second by Selectman Tworog. 5 approve/0 oppose

3. Request for New Road Name: Sunshine Circle

Motion made by Vice-Chairman Zaidman to approve the road name Sunshine Circle for the private way sited on Map 10 Lot 10 owned by Eco Estates, LLC; second from Selectman McHatton. 5 approve/0 oppose

4. Vote to Authorize the Lease Purchase of a 2021 John Deer 672G Grader and Related Accessories

Motion made by Vice Chairman Zaidman to authorize the lease purchase of the 2021 John Deer 672G Grader and related accessories (see attached); second from Selectman Packard. 5 approve/0 oppose

5. Quitclaim Deed to Everett Snow III (To Release 1985 & 1987 Undischarged Tax Liens)

Motion made by Vice-Chairman Zaidman to approve a Quitclaim Deed without Covenant to Everett F. Snow III, releasing both a 1985 and 1987 undischarged tax lien; second from Selectman Tworog. 4 approve/0 opposed (Selectman McHatton absent for vote)

c. Selectmen's Concerns

- **Selectman Packard** had no concerns.
- **Selectman Tworog** would like more signage for public parking behind the businesses on Main St. Parking lot on Upper Main also needs more signage because they are being under-utilized to which Town Manager Peabody responded that the signage was delayed allowing the landscaping to be completed but can be put up sooner. For additional signage Town Manager Peabody asks if it will be required to use the same signage that was previously authorized by the Board. Vice-Chairman Zaidman suggests that the signage should match the sign by Bridgton House of Pizza and the Break Room. Selectman Tworog would like more visibility. Town Manager Peabody responded that he will review the existing sign and see what can be done to improve signage at other lots. Selectman Tworog also stressed the importance of maintaining the Elm Street sidewalks.
- **Selectman Zaidman** expressed concerns regarding the construction and conditions of the roads. Contractors promised they would keep the roads as even as possible and now there are holes and edges that can potentially cause vehicle damage to which Town Manager Peabody responded that they have reached out to Brent Bridges and the Water District to address the concerns.
- **Selectman McHatton** mentioned that the road to Woods Pond needs more signage leading up to the beach area and perhaps a 25 mph speed limit sign. Town Manager Peabody responded that a "Park Ahead" sign has been added and we are also looking at putting more solar-powered electric signs up in that area. Selectman McHatton also feels some direction from the Board should be given to the Town Manager regarding the crosswalks. Vice-Chairman Zaidman suggested that we let it go through the winter because we have a year on the warranty and it may bring it up over the 5% needed for the company to have to repair it for this year, and we can put the matter in the budget for future consideration to which Selectman McHatton agreed.

- **Chairman Lone** had no concerns.

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

Deputy Town Manager read the following into the record:

TOWN OF BRIDGTON, DEPUTY TOWN MANAGER'S REPORT

September 14, 2021

General: Erin O'Connor, Administrative Assistant to the Code Enforcement Officer, recently passed her legal class with a score of 86. This completes her training and certification to become a certified Local Plumbing Inspector. Now she can perform inspections of internal plumbing and subsurface wastewater and deal with legal issues. Congratulations Erin! Kayli Nystrom, Deputy Town Clerk, submitted her resignation effective September 24, 2021. We wish her luck in her next endeavor. 13 tax acquired properties (land only) were put out to bid with a closing and opening date of today at 2:00p.m. There were approximately 30 bids received in total. A spreadsheet of the bid amounts will be available in the next few days. The bids will be reviewed with a recommendation to the Board of Selectmen for official award at their meeting scheduled for Tuesday, September 28th. I would like to thank Nikki Hamlin, Executive Secretary, for her assistance in putting the tax acquired properties out to bid. Good Job Nikki! The auditors RHR Smith will be on site beginning September 30th and October 1st to begin the FY 21 audit for the Town of Bridgton.

The following positions are currently open and waiting for you to submit your resume and application! Finance Director; Deputy Town Clerk; Parks and Cemeteries; Parks, Cemeteries and Transfer Station; and Police Officer. For information on each of these positions please refer to the Town of Bridgton's website at www.bridgtonmaine.org or call our office at 207-647-8786.

Public Works Department

Public Works recently finished the installation of 4 solar speed signs which are currently located at North High Street by the Town Hall; Kansas Road by Robinson Way and Fawn Lane; Route 107 by Adams Pond; and Woods Pond by the bridge. The installation of culverts in and around Highland Pines Development with 4 sections completed and 2 more sections to be completed. Ditching and shoulder work has been done in Highland Pines and Winn Road. Also, ditched and shouldered Raspberry Lane last week. Beavers are keeping the Public Works Department busy on the Monk Road.

Bridgton Recreation Department

Gary Colello, Recreation Director, is in the preliminary stages of planning a Town Hall and Ice Rink Haunted Halloween which is proving to be absolutely spooktacular! AND Interactive! Volunteers are needed to make this DRAFT plan a REALITY! So please contact Gary at 207-647-1126 if you, or someone you know, is interested in volunteering and the information is posted on our website.

Health Officer

Catherine Pinkham, Health Officer, reports that she continues to monitor COVID 19 and actively participates in the briefings with CDC. All reports are sent to Georgiann Fleck, Deputy Town Manager for review and necessary distribution.

Until next time....be safe and be well.

Respectfully submitted, Georgiann M. Fleck, Deputy Town Manager

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

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 a brief Upper and Lower Main Street status update.

11. Treasurer's Warrants

Motion made by Selectman Tworog to approve Treasurer's Warrants numbered 17 to 28 all inclusive; second by Selectman Packard. 5 approve/0 oppose

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

There were no public comments.

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

September 28, 2021

October 12, 2021

October 19, 2021: Goal Setting Workshop at 5:00 P.M.

October 26, 2021

14. Adjourn

Motion was made by Selectman McHatton to adjourn the meeting at 7:20 P.M.; second from Vice-Chairman Zaidman. 5 approve/0 oppose

Respectfully submitted,



Ashley Albrecht

Deputy Town Clerk

Date: September 14, 2021

VOTE TO AUTHORIZE LEASE PURCHASE OF A 2021 JOHN DEERE 672G GRADER
AND RELATED ACCESSORIES IN PRINCIPAL AMOUNT OF UP TO \$294,000.00

Under and pursuant to the provisions of Title 30-A M.R.S., Sections 5721, 5722, and 5728, budgetary appropriations approved by the voters of the Town of Bridgton (the "Town") at a Town Meeting duly called and held on June 8, 2021, and all other applicable law, the Select Board of the Town hereby VOTES as follows:

1. That the Town Manager of the Town (the "Town Manager") is authorized to solicit proposals from lease purchase companies and to execute and deliver a lease purchase agreement subject to annual appropriation in the name and on behalf of the Town to provide financing for a 2021 John Deere 672G Grader and related accessories (the "Equipment") in a principal amount not to exceed \$294,000.00 (the "Maximum Principal Amount") in such form and on such terms not inconsistent with this Vote, as the Town Manager may approve (the "Lease"), provided, however, that the Town has appropriated funds sufficient to make any and all payments due under the Lease during the current fiscal year;
2. That, to the extent not inconsistent with this Vote, the Town Manager is authorized to select such date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, form(s), and other details of the Lease as the Town Manager may approve, said approval to be conclusively evidenced by the execution and delivery thereof;
3. That the Town Manager is authorized to execute and deliver on behalf of the Town such tax compliance certificates and arbitrage and use of proceeds certificates as may, in the Town Manager's judgment, be necessary or convenient to effect the transactions authorized by this Vote;
4. That the Town Manager is authorized to covenant on behalf of the Town that (i) no part of the proceeds of the Lease shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Lease to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, (the "Code"), and (ii) the proceeds of the Lease and the Equipment financed by the Lease shall not be used in a manner that would cause the Lease to be a "private activity bond" within the meaning of Section 141 of the Code;
5. That the Town Manager is authorized to covenant on behalf of the Town to file any information report and pay any rebate due to the United States in connection with the issuance of the Lease, and to take all other lawful actions necessary to ensure the interest portion of the rental payments under and pursuant to the Lease will be excludable from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking any action which would cause such interest portion of the rental payments to become includable in the gross income of the owners thereof;
6. That the Town Manager may, as applicable, designate the Lease as a qualified tax-exempt obligation within the meaning of Section 265(b)(3) of the Code;
7. That the Town hereby resolves and declares its official intent pursuant to Section 1.150-2(e) of the Treasury Regulations that the Town reasonably expects to use the proceeds of the Lease to reimburse certain original expenditures from the Town's general or other fund, paid not earlier than 60 days prior to adoption of this Vote or to be paid, which original expenditures have been or will be incurred in connection with costs of the Equipment; and that the Town reasonably expects that the maximum principal amount that the Town will issue to finance the Equipment is the Maximum Principal

Amount, as stated hereinabove, and further that an attested copy of this declaration of official intent be kept in the permanent records of the Town;

8. That the appropriate officials of the Town, acting singly, are authorized to execute and deliver on behalf of the Town such other documents and certificates as may be required in connection with the Lease;
9. That if the Town Manager or any other officer or official of the Town is for any reason unavailable to, as applicable, approve, execute, or attest the Lease or any related financing documents, the person acting in any such capacity, whether as a successor, assistant, deputy, or otherwise, is authorized to act for such officer or official with the same force and effect as if such officer or official had performed such act; and
10. That an attested copy of this Vote is to be filed with the minutes of this meeting.

A true copy, attest:



Town Clerk
Town of Bridgton