

Select Board Meeting Minutes
August 23, 2022; 5:00 P.M.

Board Members Present: Carmen E. Lone, Chair; Robert J. McHatton, Sr., Vice-Chair; Paul A. Tworog (remote); G Frederick Packard; Kenneth J. Murphy
Administration Present: Town Manager Robert A. Peabody, Jr, Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Police Chief Phillip Jones; Public Services Director David Madsen; Executive Assistant Nikki Hodgkins; Emergency Management Director Todd Perreault

1. Call to Order

Chair 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

a. August 9, 2022

Motion was made by Selectman Packard for approval of the minutes from the August 9, 2022 Select Board Meeting; second from Selectman Murphy. 5 approve/0 oppose

4. Public Comments on Non-Agenda Items

Pam Ward reported that Hayes True Value will be donating the bouncy house for the Harvest Festival. She added that the event is scheduled from 2:00 P.M. until 10:00 P.M. and would like to close Depot Street from 6:00 A.M. until 10:00 P.M. for the safety of all involved. Vice-Chair McHatton said that the Recycling Committee would like to have a table to hand out material to which Ms. Ward supported.

5. Committee/Liaison Reports

Selectman Tworog reported that the Pondicherry Park official ribbon cutting for the new trail is scheduled for Thursday morning at 10:00 A.M.

6. Correspondence, Presentations and Other Pertinent Information

a. Music on Main / Justin McIver

Justin McIver was present to request extension of the approval for Music on Main Events for another year. He thanked the Town for their support including the Board, Police Department and Fire Department. **Motion** was made by Vice-Chair McHatton to extend approval for the Music on Main Events for another year (from September 15, 2022 until September 14, 2023) under the terms, conditions, and provision of the previous approval (waiver of the outdoor festival permit, subject to submittal of each vendor's current state licenses and proof of insurance with the Town being listed as additionally insured, prior to each event); second from Selectman Murphy. 5 approve/0 oppose

b. Discussion of Bureau of Motor Vehicle Lease for Downstairs Meeting Room

Town Manager Peabody asked the Board if they want to continue leasing the downstairs space to the Bureau of Motor Vehicle under the proposed terms and conditions. Deputy Town Manager Fleck voiced concerns with the lease as presented. Discussion ensued. The Board directed the Town Manager to ask if the State is willing to negotiate the terms.

c. Letter of Concern Regarding LD2003

Deb Brusini introduced Denmark Planning Board Chair Tom Carabine. Mr. Carabine provided a summary of the new affordable housing law (LD2003) and reported that a group of officials and residents of Maine municipalities deeply concerned about the legality and long-term negative impact of LD2003 drafted a letter of concern to Senators and Representatives of the 130th Legislature and requested that the Board support

and sign the letter of concern (see attached). **Motion** was made by Vice-Chair McHatton to sign the letter of concern; second from Selectman Murphy. 5 approve/0 oppose

7. New Business

a. Awards and Other Administrative Recommendations

1. Approval of Carryforwards

Town Manager Peabody reported that \$5113 should be removed from the provided list as it was included on the report two times. **Motion** was made by Chairman Lone to approve the 2022 carry forward requests in the amount of \$1,200,306; second from Vice-Chair McHatton. 5 approve/0 oppose

2. Ordinance Review Committee Application from Suzanne Schrader

Motion was made by Vice-Chair McHatton to appoint Suzanne Schrader to the Ordinance Review Committee; second from Selectman Packard. 5 approve/0 oppose

3. Comprehensive Plan Task Force Committee Application from Michael Davis

Motion was made by Vice-Chair McHatton to appoint Michael Davis to the Comprehensive Plan Task Force Committee; second from Selectman Murphy. 5 approve/0 oppose

b. Permits/Documents Requiring Board Approval

1. Medical Marijuana Large Scale Caregiver Operation License to Armonice Botanicals, LLC located at 527 Portland Road

Motion was made by Vice-Chair McHatton to approve a Medical Marijuana Large Scale Caregiver Operation License to Armonice Botanicals, LLC; second from Selectman Tworog. 5 approve/0 oppose

2. Victualer's License to Nouria located at 443 Portland Road

Motion was made by Selectman Packard to approve a Victualer's License to Nouria; second from Selectman Murphy. 5 approve/0 oppose

3. Victualer's License to McDonalds located at 5 Lumberyard Drive

Motion was made by Vice-Chair McHatton to approve a Victualer's License to McDonalds; second from Selectman Murphy. 5 approve/0 oppose

4. New Road Name, Elysian Way (Map 14, Lot 39-3)

Motion was made by Vice-Chair McHatton to approve Elysian Way for the private road sited on Map 14, Lot 39-3; second from Selectman Packard. 5 approve/0 oppose

5. Certificate of Commitment of Sewer User Rates Commitment #266

Motion was made by Vice-Chair McHatton to approve the Certificate of Sewer User Rates Commitment #266 comprising of three pages totaling \$2,871.46 to the Treasurer for collection; second from Selectman Murphy. 5 approve/0 oppose (see additional votes after 7.c.)

6. Documents Related to the Special Town Meeting on November 8, 2022

a. Certificate of Proposed Ordinances and Orders:

1. Shall an ordinance entitled "Town of Bridgton Municipal Solid Waste Pay-Per-Bag Ordinance" be enacted?

Vice Chair McHatton requested that the Town Manager seek a legal opinion on whether the Select Board can implement pay per bag without an ordinance. **Motion** was made by Selectman Murphy to sign the Municipal Officers' Certification of Official Text proposing "Town of Bridgton Municipal Solid Waste Pay-Per-Bag Ordinance" appearing on the Special Town Meeting Warrant; second from Selectman Packard. 5 approve/0 oppose

2. Shall an ordinance entitled “Amendments to the Town of Bridgton Consumer Fireworks Ordinance” be enacted?

Motion was made by Chair Lone to sign the Municipal Officers’ Certification of Official Text proposing “Amendments to the Town of Bridgton Consumer Fireworks Ordinance” appearing on the Special Town Meeting Warrant; second from Selectman Packard. 5 approve/0 oppose

3. Shall an ordinance entitled “Amendments to the Town of Bridgton Dog Ordinance” be enacted?

Representing the Ordinance Review Committee, Deb Brusini requested amendment: Page 1, Article II, Section 2.1 delete item iii and then renumber iv to be iii. **Motion** was made by Chair Lone to amend page 1, Article II Section 2.1 to remove iii (under voice command or command provided that such control is effective and strictly maintained); second from Selectman Tworog. 5 approve/0 oppose **Motion** was made by Chair Lone to sign the Municipal Officers’ Certification of Official Text proposing “Amendments to the Town of Bridgton Dog Ordinance” appearing on the Special Town Meeting Warrant; second from Vice-Chair McHatton. 5 approve/0 oppose

4. Shall an ordinance entitled “Amendments to the Bridgton Land Use Code to Establish Standards for Solar Energy Facilities and Correct Miscellaneous Errors” be enacted?

Representing the Planning Board, Deb Brusini requested amendment as follows: p39, in the Dimensional table, near the, in the row entitled "Maximum height of principal structure or accessory structure (feet)" - change 18 to 20; p. 170, for the definition "Solar Energy Facility" - first sentence, change 200 square feet to 400 square feet. Selectman Tworog suggested amendment as follows: p.107, Section V.10. B.2. - change very end of paragraph from V-0.C.5. to V-10.C.5. **Motion** was made by Chair Lone to amend p39, in the Dimensional table, near the, in the row entitled "Maximum height of principal structure or accessory structure (feet)" - change 18 to 20 and p.107, Section V.10. B.2. - change very end of paragraph from V-0.C.5. to V-10.C.5 and p. 170, for the definition "Solar Energy Facility" - first sentence, change 200 square feet to 400 square feet; second from Vice-Chair McHatton. 5 approve/0 oppose **Motion** was made by Chair Lone to sign the Municipal Officers’ Certification of Official Text proposing “Amendments to the Bridgton Land Use Code to Establish Standards for Solar Energy Facilities and Correct Miscellaneous Errors” appearing on the Special Town Meeting Warrant; second from Selectman Tworog. 5 approve/0 oppose

b. YES or NO Select Board Recommendation on Questions 1 – 4 (optional)

All in favor of recommending a YES vote on the Town of Bridgton Municipal Solid Waste Pay-Per-Bag Ordinance. All in favor of recommending a YES vote on the Amendments to the Town of Bridgton Consumer Fireworks Ordinance. All in favor of recommending a YES vote on the Amendments to the Town of Bridgton Dog Ordinance. All in favor of recommending a YES vote on the Amendments to the Bridgton Land Use Code to Establish Standards for Solar Energy Facilities and Correct Miscellaneous Errors.

c. Approval of November 8, 2022 Special Town Meeting Warrant

Motion was made by Selectman Packard to approve the November 8, 2022 Special Town Meeting Warrant; second from Selectman Murphy. 5 approve/0 oppose

5. Certificate of Commitment of Sewer User Rates Commitment #266

Town Manager Peabody noted an error on the Sewer Commitment amount. **Motion** was made by Chair Lone to reconsider the vote; second from Selectman Murphy. 5 approve/0 oppose **Motion** was made by Chair Lone to approve the Certificate of Sewer User Rates Commitment #266 comprising of three pages totaling \$10,082.85 to the Treasurer for collection; second from Vice-Chair McHatton. 5 approve/0 oppose

c. Selectmen's Concerns

- **Selectman Tworog** had no concerns.
- **Selectman Packard** had no concerns.
- **Selectman Murphy** had no concerns.
- **Vice-Chair McHatton** hopes Selectman Tworog is feeling better.
- **Chair Lone** requested that the sidewalk be more manageable by the next Select Board Meeting.

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

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

TOWN OF BRIDGTON
DEPUTY TOWN MANAGER'S REPORT
August 23, 2022

General: I would like to take this opportunity to thank summer intern, Athen Hollis, who devoted her time this summer to the Town of Bridgton specifically the Community Development Department. We wish her luck as she moves on with her education. I would also like to thank Madison Douglas, intern for the EMA department. Madison has been instrumental in assisting Todd Perreault, EMA Director, with putting emergency plans in place. Madison will take a small hiatus to continue her studies and will return in the spring to continue her good work for the Town of Bridgton and the EMA department.

There is a Ribbon Cutting ceremony for the new ALL access trail in Pondicherry Park on Thursday, August 25th at 10:00a.m. A tour of the trail will be done after a brief ceremony. All community members are welcome to join.

NOTICE: Night work will be conducted by Sargent Corporation, at various points across Route 302 in Bridgton beginning at 6:00p.m. on Sunday, August 28, Monday August 29, and Tuesday August 30, 2022.

Bridgton Recreation Registration is now open for the Bridgton Recreation Before and After School Care Program, Run Club, Youth Cross Country, After School Karate, Football, and Field Hockey. Rec at Town Hall opens back up for Adult programs and the before and after school program starts on Monday, August 29th.

The Zombie Halloween Walk returns this year for two weekends. The first weekend will be October 21st and 22nd and the second weekend will be October 28th and 29th at the Town Hall/Ice Rink. We are looking for volunteer ZOMBIE'S. Please reach out to Gary Colello, Director of Recreation at 207-647-1126 or rec@bridgtonmaine.org if you would like to volunteer.

Festival of Lights is scheduled for Saturday, December 3rd.

Please visit www.bridgtonmaine.org for a full listing of available activities and for more information on how to register.

Community Development The Town of Bridgton is seeking qualified applicants to fill the position of Deputy Community Development Director. For more information about the position please visit www.bridgtonmaine.org. Interested individuals should submit an employment application, letter of interest, and resume to the Community Development Director, Victoria Hill at vhill@bridgtonmaine.org.

Bridgton Police Department Officer Chaine has recently received his ALICE instructor certification. This certification will enable Officer Chaine to conduct active shooter and preparedness education programs. The Bridgton Police Department is seeking qualified applicants to fill a full-time patrol position. For more information about the position please visit www.Bridgtonmaine.org. Interested individuals should submit an employment application, letter of interest, and resume to the Police Chief at policechief@bridgtonmaine.org. Our two Park Rangers will be ending their season next weekend. Both Libby Blais and Taylor Dastoli have done an outstanding job patrolling the parks and beaches and have been an asset to the town. We wish them the best as they begin their college endeavors.

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

Respectfully submitted, Georgiann M. Fleck, Deputy Town Manager

8. Old Business

a. Wastewater Status Update

Town Manager Peabody provided a brief wastewater status update.

9. Treasurer's Warrants

Motion was made by Selectman Packard for approval of Treasurer's Warrants numbered 1011, 1012, 1013 and 1014; second from Selectman Murphy. 5 approve/0 oppose

10. Public Comments on Non-Agenda Items

Deb Brusini reminded the Board that the Solar Farm Moratorium expires in September and recommended that the Select Board extend the moratorium until after the vote in November.

Vice-Chair McHatton reported that his daughter was visiting and was thrilled and surprised with Pondicherry Park.

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

September 13, 2022 and September 27, 2022

12. Adjourn

Motion was made by Vice-Chair McHatton to adjourn the meeting at 7:00 P.M.; second from Selectman Packard. 5 approve/0 oppose

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk