

## Select Board Meeting Minutes August 22, 2023; 5:00 P.M.

Board Members Present: Carmen E. Lone, Chair; Robert J. McHatton, Sr., Vice-Chair; Paul A. Tworog; Carrye Castleman-Ross; Kenneth J. Murphy

Department Heads Present: Town Manager Robert Peabody, Jr.; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Police Chief Phil Jones; Recreation Director Gary Colello; Finance Director Holly Heymann.

### 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."

Chair Lone noted that with the Boards permission, a permit to the Lakes Region ATV Club for a game of chance, will be considered at this meeting.

Chair Lone reported that the Bridgton Hospital presentation by Interim President Stephany Jacques has been moved to a future agenda.

Chair Lone noted that public comments will be allowed under the agenda item "Recommendation From Planning Board Concerning Overnight Living/Lodging on Bridgton Lakes."

### 3. Approval of Minutes: August 8, 2023

**Motion** was made by Vice-Chair McHatton for approval of August 8, 2023 Select Board Meeting Minutes as amended (to correct a typographical error and a correction to the vote under 8a); second from Member Tworog. 5 approve/0 oppose

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

Planning Board Chair Deb Brusini reported that workshops on LD2003 are ongoing. The Planning Board will be making changes through a series of hearings and workshops over the next few years.

Lakes Region ATV Club President Ronny Gerard requested approval of a permit for a game of chance at Five Field Farms on Sunday, September 24, 2023. This event is held annually and the State requires consent of approval by the Municipality. **Motion** was made by Member Tworog to approve the game of chance permit to Lakes Region ATV Club; second from Vice-Chair McHatton. 5 approve/0 oppose

### 5. Committee/Liaison Reports

**Motion** was made by Vice-Chair McHatton to accept the resignation of Gregory Bullard from the Community Development Advisory Committee; second from Member Murphy. 5 approve/0 oppose

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

a. Bridgton Hospital Presentation by Interim President Stephany Jacques

*This item was removed from the agenda and will be added to a future agenda.*

## 7. New Business

### a. Awards and Other Administrative Recommendations

#### 1. Recommendation From Planning Board Concerning Overnight Living/Lodging on Bridgton Lakes

Planning Board Chair Deb Brusini submitted and reviewed the following recommendation. The Planning Board recommends prohibiting or regulating overnight stays, lodging, or living on our lakes. The primary reason for this is protection of the lakes and its recreational activities and insuring lakefront homeowner value, privacy, and peace. A converted pontoon boat acting as a type of “houseboat” has been launching on Highland lake as a short-term rental. It is reported the owner has stated there is no sanitation on-board. Additionally, there have been concerns voiced to LEA and the Planning Board. LEA proposed adopting an ordinance to prohibit houseboats and has provided an example (see attachments). Prohibiting houseboats per se may not be legal. However, the Belgrade ordinance does not specifically prohibit houseboats, but prohibits the overnight mooring, tethering, anchoring, or docking of vessels with certain characteristics. The Belgrade ordinance has been approved by that Town’s legal counsel. Note that State law prohibits operating a rented or leased personal watercraft in Bridgton without an identification decal identifying the “rental agency”. Main concerns are Sanitation/Wastewater treatment and dumping. Boats used for temporary or permanent overnighing are typically designed with holding tanks that require pumping and others contain marine sanitation devices (MSDs). For those with holding tanks, Bridgton has no pumping station. For those with MSD devices, these “treat” sewage with chlorine before dumping but do not treat pollutants like phosphorus. It is illegal in Maine to dump wastewater into inland waters but most MSDs are designed to do exactly that. Chlorine is not safe for lakes. Additionally, many primitive “houseboats” use composting toilets or simple 5-gallon buckets, and it is far too easy to dump waste in the cover of darkness - either in the water or at the shoreline. The Town would not permit a house without a bathroom or any septic/wastewater system; boats with sleeping quarters and/or a galley and/or a head, regardless of type, would not be able to conform to this residential standard in Bridgton. Greywater dumping. Cooking sinks, hand washing, cleaning water are often drained straight into the water on marine vessels. This is not healthy for our lakes. Maine statute prohibits discharges from watercraft, including sewage, septic fluids, garbage, or other pollutants from watercraft. (Title 38, section 423). Potential Reduction in assessed value for shorefront property. Overnight mooring in front of properties where owners have made significant financial investments and paid a premium in property taxes would detract from their enjoyment of those investments (for instance, obstructing their view, noise, privacy, light pollution), and potentially reduce the assessed value of their shorefront property. Mooring in front of waterfront homes has become an issue in several towns. Fairness. Overnight lodging or living in a floating structure on our lakes represents a tax-free business or residence on the lake. Noise. Noise carries very well across the water, and routine overnighing can disturb others but also may disrupt wildlife, particularly areas close to shore like loon nesting sites. Light pollution. Our lakes are generally dark and not lit up. Potential for obstructing boat traffic. Since we do not have a mooring ordinance, we cannot monitor this, and, we cannot assure that state law is being adhered to. Availability of Emergency Services. This needs to be better understood if overnight stays became more prolific on our lakes. The airboat may be deployed for emergencies or sporadically s but is not suitable as a routine enforcement watercraft, per the Fire Chief. Enforcement. Enforcement is a sticking point, as we do not have a harbormaster or a mooring ordinance. We recommend evaluating if regulating or prohibiting overnight stays / living / lodging could be accomplished without a harbormaster, given the sporadic use of “houseboats” today in Bridgton. Would simple signage at the launch areas be a start, with someone present to advise boaters? As with Belgrade, we are not suggesting to restrict all types of overnight mooring, but overnight living, whether temporary or permanent. Could the EMA drone be deployed in some fashion? Could the airboat be used on a case-by-case basis to approach a “houseboat” and educate the occupants on the regulations? If a mooring ordinance and/or harbormaster is legally required, we suggest doing this as simply as possible. Belgrade uses their CEO as the harbormaster, however - the CEO must be trained and certified to the State harbormaster standards. Towns that prohibit or restrict overnight lodging / stays / living on floating structures in their waters (not an exhaustive list): 1. Ellsworth 2. Boothbay Harbor 3. Rangeley - restricted through their Land Use Code, not in their mooring ordnance. 4. York 5. Belgrade 6. Palermo - modeled after Belgrade ordinance 7. Edgcomb - restricted through their Land Use Code, not in their mooring ordinance. 8. Harrison Towns Working on

Restrictions (not an exhaustive list): 1. Naples - in progress. The Naples intent would be to restrict “houseboats” to be moored at a marina. Houseboat rentals are allowed in Naples. 2. Winthrop - in progress; using the Belgrade ordinance as a model and consulting the State attorney general and the Department of Inland Fisheries and Wildlife. Parting thoughts, Bridgton’s lakes are not of the size (as is Sebago, Moosehead lake, ocean harbors and bays, etc.) that would support overnight stays, either as rentals or longer-term residential living for reasons of environmental concerns, safety and protecting shorefront property values. We recommend initiating staff research to determine if /how Bridgton could prohibit or regulate overnight stays / living / lodging on our lakes. The Town Manager of Winthrop (formerly Town Manager of Belgrade) has offered to discuss their work and findings in this area with our Town Manager. The Naples and Harrison Harbor Masters, as well as the Warden service, and our legislators may also be helpful. Assuming this could be done, the Board would recommend putting a warrant question and associated ordinances on the June or November 2024 ballot.

Member Tworog suggested that we work to get an ordinance before the voters in June, 2024 to which Ms. Brusini responded that more time may be needed to prepare.

Bruce Taylor from Sweden has had experience with water contamination and noted the numerous problems with gray water, coliform, pet waste, chemicals, and medications. Not only can you have problems with ingestion but staph infection is also a serious concern.

Susan Hatch has noticed some blatant disrespect for boats on the dock and being proactive is key. She encouraged the Board to act sooner than later.

On behalf of Moose Pond Association, Bill Dexter applauded Ms. Brusini who wrote a wonderful summary. He thanked the Board for moving forward with regulation in prohibiting overnight parking on the lakes and noted that boating has become more popular but behaviors don’t always conform to regulations and sometimes create unsafe situations. He supports the hiring of a Harbor Master to regulate and enforce the laws.

Director of Lakes Environmental Association Colin Holme reiterated that the issues are ongoing with the biggest concern being sanitation. State law prohibits refuse and gray water dumping yet there is no pumping station in Bridgton. He added the Bridgton is overdue for a Harbor Master as there are ten lakes in Bridgton.

Will Libby thanked Ms. Brusini and Mr. Holme for organizing this meeting. He voiced concerns about the sanitation around a houseboat about thirty feet off shore which the Warden Service had referred his concerns to the Department of Environmental Protection and they requested proof.

Brook Sulloway noted the points have been well made. He stated that Bridgton needs both a mooring ordinance and houseboat restrictions. He added that the person that moors their boat in front of his property seems to be acting with malice.

Donna Joss thanked the Planning Board hoping that Bridgton does not get the reputation that mooring is allowed and encouraged addressing the issues soon. She also has hygiene concerns.

Planning Board Chair Brusini said that she has had informal conversations with Naples and Harrison regarding a Harbor Master and found these discussions highly valuable. She added that it is best to get ahead of the issue and the Planning Board will do whatever they can.

On behalf of the Board, Chair Lone expressed appreciation to the Planning Boards and public for all their input. Consensus of the Board is to move forward with drafting language to address overnight living/lodging on Bridgton Lakes.

b. Permits/Documents Requiring Board Approval

1. Resignation of Gregory Bullard from the Community Development Advisory Committee  
*This item was addressed earlier in the meeting under Committee Reports.*

2. Abatements and Supplementals

**Motion** was made by Member Tworog to approve the recommended August 22, 2023 tax abatements totaling \$19,838.51 and supplementals totaling \$20,919.45 and \$228.00; second from Member Castleman-Ross. 5 approve/0 oppose

3. Victualer's License to Hannaford Located at 109 Portland Road

4. Victualer's License to Standard Gastropub Located at 233 Main Street

5. Victualer's License to Parmala, LLC Doing Business As A La Mexicana Located at 243 Portland Road

**Motion** was made by Member Murphy to approve the Victualer's License renewals to Hannaford, Standard Gastropub and Parmala, LLC DBA A La Mexicana; second from Member Tworog. 5 approve/0 oppose

6. New Road Name Camp Loop Road

**Motion** was made by Member Tworog to approve Camp Loop Road for the private road sited on Map 6 Lot 40; second from Vice-Chair McHatton. 5 approve/0 oppose

7. Halloween Palooza

Recreation Director Gary Colello was seeking approval to hold a Halloween parade on Depot Street on October 28 at 6:00 P.M. **Motion** was made by Chair Lone to approve a Halloween parade on Depot Street on October 28<sup>th</sup> commencing at 6:00 P.M.; second from Member Murphy 5 approve/0 oppose

8. Certificate of Commitment of Sewer User Rates #278

**Motion** was made by Vice-Chair McHatton to commit the May 1, 2023, to July 31, 2023, Sewer User Rate Commitment #278 comprising 3 pages totaling \$9,609.18 to the Treasurer for collection; second from Member Castleman-Ross. 5 approve/0 oppose

9. Revisions to Personnel Policy

Town Manager Peabody provided revisions to the Town of Bridgton personnel Rules and Regulations regarding Earned Paid Leave (EPL) (26 MRS §637). The revisions clarify that it is applicable to part-time employees and does not create additional benefits for any other employee. Additionally, the language found in Addendum #1 has been edited to bring it into conformance with the statute. The revisions have been reviewed and approved by legal counsel. Finance Director Holly Heymann provided a thorough explanation of the proposed amendments and the Board thanked her. **Motion** was made by Vice-Chair McHatton to approve the revisions to the Town of Bridgton Personnel Rules and Regulations effective August 22, 2023; second from Member Murphy. 5 approve/0 oppose

c. Select Board Comments

- **Vice-Chair McHatton** reported that Gerry Walraven had presented information on an energy audit at the last meeting and asked how the Board would like to proceed. Mr. Walraven suggested an energy audit on all public buildings through a grant opportunity. The Board directed Town Manager Peabody to review the grant with Mr. Walraven and bring their recommendations back to the Board at the second meeting in September.
- **Vice-Chair McHatton** asked if Mr. Tucker has been evicted from the property to which Town Manager Peabody confirmed that he has. Vice-Chair McHatton asked if the property has been brought up to code to which Town Manager Peabody responded that he will be working with the Public Services Director to determine how to clean the property. He added that Mr. Tucker's former stepson owns five of the vehicles

and will be removing them soon. Vice-Chair McHatton asked if Mr. Tucker will have the opportunity for repurchase to which Town Manager Peabody responded that the law mandates that specific steps are followed; he will review and report his findings back to the Board.

- **Member Tworog** had no concerns.
- **Member Castleman-Ross** thanked Nate and Carol Sunday for their Dog Days Event. She noted that it was well attended and they do a lot to raise money for shelters and other pet related organizations.
- **Member Castleman-Ross** thanked Colin and Lakes Environmental Association for all their hard work and encouraged memberships and donations to LEA. She added that they work to keep the lakes pristine which helps in keeping the property values high.
- **Member Murphy** requested that Town Manager Peabody conduct a regional meeting with other Town Managers and interested parties that share the lakes with Bridgton to find out their long-term plan.
- **Chair Lone** had no concerns.

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

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

##### "General

Bridgton is hosting the 19<sup>th</sup> annual Maine Lakes Brewfest on Saturday, September 30<sup>th</sup> beginning at 12PM until 4PM; at Ham Complex, 40 Brag Way, Bridgton. This is a rain or shine event. If you have any questions, please contact the Greater Bridgton Lakes Region Chamber of Commerce at 207-647-3472 or [www.gblrcc.org](http://www.gblrcc.org).

##### Bridgton Recreation

Registration is currently open for the Before and After School Enrichment Program. 6AM to 8:30AM and 3PM to 6PM. Open most school vacation days, half days and most snow days 6AM-6PM. \$115 Monthly. Town Hall programs return August 28; First day of Enrichment Program August 28<sup>th</sup>; Lights on After School Open House October 20<sup>th</sup> and Fryeburg Fair Adults trip October 3. We are in need of volunteers for athletics, town events and programs. For more information contact the Recreation Department or refer to our website.

##### Police Department

Bridgton PD is currently hiring Patrol Officers and Park Rangers, please call or stop in if interested. On Monday, August 14, Public Safety Administrative Assistant, Grace Gendron, was sworn in as a reserve police officer. Officer Gendron will continue to manage the duties of the office and the PD lobby but now has the authority to swear to court documents, take minor reports of crime at the PD window, hold and manage the checks of prisoners in the cell block, and many other minor administrative law enforcement duties. To complete her reserve certification status, Officer Gendron will train a minimum of 80 hours while supervised by a Field Training Officer learning the daily duties of a Bridgton Patrol Officer. We are extremely proud of Grace and all that she has accomplished. On Wednesday August 16<sup>th</sup> Officer McKenzie Lee was sworn in as a full-time patrol officer. He has begun his nine to twelve weeks of field training time and will likely attend the next police academy in January. Prior to this Officer McKenzie served our country in the United States Marine Corps. Officer Jake Hammond has begun his 18 weeks of training at the Maine Criminal Justice Academy. He will graduate in November. Officer Charles (Charlie) Deshensky has begun his training as a reserve officer. Prior to joining the BPD, Charles was a certified officer in NY where he served as a firearms, taser and police bicycle operations instructor. You will likely see him on the BPD bike patrol at events like Music on Main.

Please refer to our website [bridgtonmaine.org](http://bridgtonmaine.org) for more information on these events and more and to subscribe for alerts."

Chief Jones reported that there are still two full time openings in the Police Department.

8.

#### Old Business

##### a. Project Status Updates

Town Manager Peabody provided brief project status updates.

9. Treasurer's Warrants

**Motion** was made by Vice-Chair McHatton for approval of Treasurer's Warrants numbered 212, 213, and 214; second from Member Tworog. 5 approve/0 oppose

10. Public Comments on Non-Agenda Items

Recreation Director Gary Colello acknowledged and thanked Edward Frank for all his Halloween donations of decoration.

11. Dates for the Next Select Board Meetings

September 12, 2023, September 26, 2023, October 5, 2023 at 5PM (Transfer Station Workshop)

12. Adjourn

**Motion** was made by Vice-Chair McHatton to adjourn the meeting at 6:45 P.M.; second from Member Murphy. 5 approve/ 0 oppose

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk