

**Board of Selectmen's Meeting Minutes**  
**Board of Selectmen's Meeting Room**  
**April 10, 2007; 5:00 P.M.**

**Board Members Present:** Robert J. McHatton, Sr., Chairman; Robert C. Bell, Vice-Chairman;  
Joan M. Gardner; Arthur D. Triglione, Sr.; Robert F. Woodward

**Town Manager,** Mitchell A. Berkowitz was also present.

**1. 5:00 P.M.; Workshop Session with Building Committee**

Present for the workshop session were Building Committee Members: Town Manager Mitchell Berkowitz, Rob Baker, Jim Kidder, Laurie Chadbourne, Chief David Lyons, Bill Morrisseau, Fire Chief Glen Garland and Micah Niemy. The Board reviewed the report and recommendations of the Committee. Lengthy discussion ensued. The Board agreed to create a new assessing office to accommodate the needs of the public and the position. The Assistant Economic Development Director will re-locate to the old assessing office and the Fire Chief/Emergency Preparedness Director will re-locate to the conference room beside the Town Manager's Office. The Board also agreed to modifications to the front office collections area. The Board suggested that more time is put into planning for additional modifications to the downstairs area to be considered during the next budget process.

**2. Call to Order**

Chairman McHatton called the meeting to order at 6:00 P.M.

Chairman McHatton reviewed the workshop session results and thanked the Building Committee Members for their time and effort.

**3. Approval of Minutes; March 27, 2007**

**Motion** was made by Mr. Bell for approval of the minutes from the March 27, 2007 meeting; 2<sup>nd</sup> from Ms. Gardner. 5 approve/0 oppose

**4. Public Comments; Non-Agenda Items**

Chief Lyons recognized Derek Durant and his parents Rhonda and Robert Durant. Derek is a 15 year old student from Lake Region High School that administered the Heimlich maneuver on his teacher, Mrs. Griffith, to dislodge an object in her throat. Chief Lyons commended Derek for his quick thinking in conducting this life saving technique. Derek learned the Heimlich maneuver from his health teacher in elementary school and from pamphlets that his mother reviewed with him. Derek received a standing ovation from the crowd for a job well done. Chief Lyons will be presenting an award to Derek in recognition of this accomplishment.

Mahlon Johnson encouraged the Board to attend a single sort recycling seminar at Eco-Maine on May 1, 2007. He thanked the Board for listening to his ideas and suggestions and allowing him to represent the Town of Bridgton on the Board of Directors. Selectman Triglione recognized that at the Boards request, Mr. Johnson has put a lot of time and effort into researching single sort recycling; he recommended that the Board seek voter consideration at the annual town meeting in June. Chairman McHatton noted that the Town Manager has not been working on this issue as he has been busy preparing the budget, the Town Manager intends to finish gathering information for the Board. There is ample time to seek voter consideration if the Board chooses; they will consider single sort recycling during the budget process.

**5. Presentations and Discussions**

**a. Mr. John Andrews; Creamery Street**

This item was removed from the agenda.

**Board of Selectmen's Meeting Minutes**  
**Board of Selectmen's Meeting Room**  
**April 10, 2007; 5:00 P.M.**

**5. Presentations and Discussions (continued)**  
**b. Presentation of the Proposed FY 2008 Budget**

The Board received a copy of the FY 2007 Budget for their review. Town Manager Berkowitz read the following aloud:

Dear Select Board Members;

This letter formally transmits the proposed budget for fiscal year 2008 which begins July 1, 2007. This budget is representative of both the Town's operational and capital needs. The budget request for operations would increase by 3.3% over the current year. This accounts for many of the increases we have witnessed this past year. The capital investments would increase by 90% to reflect the ongoing discussions related to the fire apparatus replacement. When combined the Town budget would increase by \$368,237 or about 7%.

The Department Heads have completed their work and have reflected increases only where they were permitted such as energy costs and those consumables that are essential for the operations. As has been expected the major categories of increases over the current year came from energy and utilities, health insurance and personnel related costs and in capital investments. They have done an admirable job in their budget efforts.

In the fall of 2006 the Select Board requested that we attempt to bring our budget in at the same tax rate impact as the current year. We missed that mark. From an operations standpoint the proposed budget would increase the tax rate by 19 cents and the capital requirements would increase by 46 cents. The Town side of the tax rate has been preliminarily targeted to increase from \$3.37 to \$3.78 when accounting for operations and capital investments. This is subject to further budget deliberations. The proposed budget does reduce one full time position at the Transfer station and calls for a reduced work week of five days. If the current schedule of seven days is to be maintained, this budget will require increased funding.

**Revenues:**

Our revenues are expected to increase by about 9% excluding enterprise funds and special revenues. Additionally, the revenues from our Community Development Block Grant funds are stabilizing the Economic Development expenses. With the proposal to maintain the position of Director as full time, the Town share has remained constant while the CDBG funding will contribute \$27,000 towards operations. This will permit the continued efforts targeted for the downtown redevelopment as well as gateway corridor redevelopment.

The administration will continue to use the target fund balance policy of maintaining two to three months of operating expenses in the fund. It is expected that at year end, we will be able to apply at least \$200,000 of surplus to reduce taxes or to help fund some of the capital improvements. Both actions will help to reduce the final tax rate and impacts to our citizens.

Because Salmon Point and the Sewer System are enterprise funds, their budgets will be developed more specifically over the next several months for the Select Board to take action. Please note that as of this budget, the Salmon Point enterprise fund will now cover 50% of the Director's compensation, providing some relief to the tax rate.

**Trust Funds:**

Unlike last year, the understanding of our two major trust funds has evolved. The Moose Pond Land Trust Fund and the Bridgton Trust Fund together will make available some \$82,000 to the Town. You will note that these funds appear in the revenue portion of the budget. By doing so they will offset the proposed expenditures in General Assistance, Parks and Cemeteries and be available towards the Town's challenge to BRAG to raise \$450,000 and receive a match of \$225,000 from the Moose Pond Fund. The wording of the Warrant Article will generate the details for our citizens.

**LD-1:**

Over one year ago, the State legislature approved a spending cap bill called LD-1. We are now into the second year of this spending control measure. Last year Bridgton's Town Meeting experienced the effects of LD-1 when they approved a warrant article to "increase" the spending limit to allow for the budget expenditures they had approved. In preparing the proposed budget the limits and growth caps were applied. As such, the bottom line is such that this budget exceeds the limits by \$390,108 which is just about the total amount of capital investments being requested for the year. Because the budget is subject to the Board's review, adjustments and continuous testing will be conducted so that it would be clear as to the need to have a warrant article asking the Town Meeting Voters to increase the limit for this proposed year.

**Board of Selectmen's Meeting Minutes**  
**Board of Selectmen's Meeting Room**  
**April 10, 2007; 5:00 P.M.**

**5. Presentations and Discussions (continued)**

**b. Presentation of the Proposed FY 2008 Budget (continued)**

**Policy Issues Facing the Select Board:**

A budget is a policy tool by which an organization would deliver its services. This proposed budget does that with minimal interruption at the Transfer Station. Yet to be analyzed will be the concept of single sorting and how this might affect our Station operations. We will take this analysis up in the latter part of April as I had indicated to you in March. There are still other policy decisions for the Board to address. These include:

- \*Continuation of service levels as reflected by this budget
- \*Continued Downtown redevelopment and grant administration
- \*If approved, the Downtown-Rte. 302 TIF must be further detailed with a work plan
- \*Sustain the full time Economic Development Director position
- \*Determine the need for the Fire Apparatus replacement and acquisition cost impacts
- \*Review the Capital Investment Plan by Department and amend to "fit" future budgets
- \*Complete the analysis of the Transfer Station and single sort
- \*Determine our role as a Service Center and the fiscal implications
- \*Support a warrant article to increase the local commitment-LD-1 Cap

The Department Heads have been working on their budgets since late fall. They are to be commended for working through their requirements which included a new preparation format. After meeting with those members who had questions, none of the Department personnel requested a meeting with the Board to further explain their requests. Including them in any budget discussions would still provide the Board with further insights.

**Commentary:**

This budget represents the continuation of our services. It also allows for us to continue what I have called capacity building. This is the growing of the people skills within the organization to be better at what they do...provide services. This past year has proven the value of this approach and from my perspective the value to our community and its citizens.

As the Board proceeds with the proposed budget, we will continue to provide you with the updated information that you request and assist in any other way to assure the information and implications of this proposed budget is made available for the public for their understanding.

Town Manager Berkowitz also reviewed the proposed capital improvements. The Board scheduled a workshop session to review the proposed fiscal year 2008 budget on April 17, 2007 at 6:00 P.M.

**c. Approval of the Amended Scope of Services for Woodard & Curran Related to Elevations Along Park Street; Sewer Line Work**

Town Manager Berkowitz reported that in September of 2006 the Town executed an agreement with the engineering firm of Woodard and Curran to supervise an inspection of the municipal sewer pipes. During the inspection a problem was discovered with a pipe that runs along Park Street. Both Dick Mowatt and the engineer from Woodard and Curran (Mike Stein) agreed that the error will need to be corrected. Originally, this issue was to be included in a larger Request for Proposal (RFP) to fix all of the issues discovered by the inspection. Unfortunately, this pipe runs directly under the site of the proposed Park Street parking lot. Mr. Stein and the members of the Waste Water Committee believe that it is imperative to have the pipe fixed prior to the construction of the parking lot. The engineer stated that a survey of the area is necessary to determine the level of repairs necessary. Following the survey, the engineer will be able to provide the Town with a detailed understanding of the extent of the repairs and the cost. The engineer has agreed to amend the original contract, signed in September, to include this additional survey work. The cost of the survey will not exceed \$900.00.

**Motion** was made by Mr. Woodward to approve amending the original contract to include the survey work and to authorize the Town Manager to execute any documents necessary to carry out the survey; 2<sup>nd</sup> from Mr. Triglione. 5 approve/0 oppose

**Board of Selectmen's Meeting Minutes**  
**Board of Selectmen's Meeting Room**  
**April 10, 2007; 5:00 P.M.**

**5. Presentations and Discussions (continued)**

**d. Depot Street and Park Street Parking Lot Design; Micah Niemy**

Assistant Economic Development Director Micah Niemy provided the final designs for the Depot Street and Park Street municipal parking lots. The redevelopment effort is a major component of the Corn Shop Brook Redevelopment Project. Town staff and the project engineer, Wright-Pierce, have held three public information sessions in order to obtain feedback from the public. These sessions have been well attended and the comments provided by the public have heavily influenced the final design. In addition, the Town made a special effort to work closely with the Community Center and area businesses to develop parking lots that met the specific needs of the area. The staff believes that the designs presented today will provide the parking needed for shoppers and visitors and will help support the revitalization of the downtown. The staff requests that the Board of Selectmen review and approve the designs for the Depot Street and Park Street parking lots. Upon approval of the Board of Selectmen, the design will then be presented to the Planning Board April 23, 2007 for their approval. Mr. Niemy also reported that unused funds from the CDBG program may be allocated to this project if they remain unused. **Motion** was made by Mr. Bell for approval of the parking lot final designs as part of the Cornshop Brook Redevelopment Project and to set a deadline of May 1, 2007 for application of grant funds; 2<sup>nd</sup> from Mr. Triglione. 5 approve/0 oppose

**6. Correspondence and Other Pertinent Information**

**a. Recommendation from the Economic Development Committee; TIF (Tax Increment Financing)**

Assistant Economic Development Director Micah Niemy reported that following the decision by the voters at the February 13, 2007 Special Town Meeting the Economic Development Committee began to review the concept of a Tax Increment Financing (TIF) District in Bridgton. During the review process the committee did not lose sight of the greater purpose of the TIF; to help implement the recommendations of the Comprehensive Plan and Bridgton Economic Development Report (Kent Plan). He submitted the following:

As part of the review the committee worked diligently to address the concerns that were raised regarding the last proposal. The Committee believes that this revised proposal addresses five of the most common concerns regarding the Portland Street TIF. **First, the TIF did not focus on the downtown and would draw business away from the village.** The Committee is recommending that the TIF be extended into the downtown in order to fund important infrastructure projects, many of which are called for in the Comprehensive Plan and Economic Development Report. **Second, the Portland Street TIF extended too far South along Route 302.** The Committee decided to end the TIF at approximately the Bridgton Drive-In. The purpose is to adhere to goals of the Comprehensive Plan by providing incentives for business to locate closer to Town. **Third, the TIF would remove too much revenue from the general fund.** The proposed TIF has limited incremental value and as a result will remove a much smaller amount from the general fund. **Fourth, there was not enough oversight of how the TIF revenue was to be spent.** It is the recommendation of the Committee that greater oversight is needed. The staff recommends that all TIF expenditures over \$50,000 be placed, by the Board of Selectmen, on the annual town meeting warrant in June. For any expenditure under \$50,000, the Board of Selectmen, with the recommendation of the Economic Development Committee will make the determination as to the appropriation. The staff will be making this recommendation to the Economic Development Committee at its next meeting on Wednesday, April 11, at which time the Committee will make a recommendation to the Board of Selectmen. **Fifth, the development program did not provide a clear understanding of what the TIF revenue would be used for.** The Committee has worked to draft a development program that provides the public greater specificity as to how the money should be spent. The Economic Development Committee believes that a public infrastructure TIF is one of the most important tools in implementing the vision for Bridgton, as expressed in the Comprehensive Plan and Economic Development Report. Where as the first TIF proposal did not adequately address the economic and community development needs of the community the Committee believes that this proposal does. It is the recommendation of the Economic Development Committee that the Board of Selectmen hold a public hearing to discuss the proposal and that following the public hearing the Board approve the boundaries of the proposed TIF and place the Tax Increment Financing District on the Warrant to seek voter consideration at Annual Town Meeting in June.

**Motion** was made by Mr. Woodward to hold a public hearing on April 24, 2007 at 5:00 for public comment; 2<sup>nd</sup> from Ms. Gardner. 5 approve/0 oppose

**Board of Selectmen's Meeting Minutes**  
**Board of Selectmen's Meeting Room**  
**April 10, 2007; 5:00 P.M.**

**7. Town Manager's Report**

Town Manager Berkowitz reported the following:

**GPCOG Recognition Awards:**

Nominations for the annual recognition awards for best practices are being accepted by COG. If the Select Board is interested in making a submittal we should do so no later than your first meeting in May to meet their May 18 deadline. There are several categories that include growth management, downtown center revitalization, improvements to municipal government and several more categories.

**COG Fuel Bids:**

We received the annual fuel bidding results from COG and will use this as a basis for the Town's efforts to secure its fuel needs for the next year. This past season the Town locked in on a fixed price and experienced a down turn in the market place. We will review whether it is appropriate to lock in on the fixed price or the fixed margin approach. The latter establishes a fixed margin which rides on the daily market rates when deliveries occur. We will make this review during the summer months.

**State Bond Proposal:**

The legislative session has produced a proposed bond package which would be separated into three parts, each being presented to the voters separately in June and November 2007 and June of 2008. Included in the proposals are funding for education, land preservation, transportation and water/ waste water improvements. The details of the bond package are contained in a listing which is available at the Town Clerk's Office upon request.

**Time Warner Cable Issues their Annual Report:**

In their letter to the Select Board, Time Warner indicates they serve approximately #1386 subscribers in Bridgton. Perhaps the most interesting point in their letter is their acquisition of Adelphia communications and their intentions to accelerate the deployment of enhanced video, high speed data, digital voice and other advanced services to its customers. Lastly, they report the increase of the FCC charge by .07 cents. Their full report is on file in the Town Office.

**8. Old Business**

**a. Review of Disorderly House Ordinance and Minor Changes**

The Board reviewed the revised Disorderly House Ordinance as recommended by the Town Attorney. Sgt. Douglas Taft reported that only minor changes were made to the original draft. **Motion** was made by Mr. Woodward to seek voter consideration to enact the Disorderly House Ordinance via referendum ballot; 2<sup>nd</sup> from Ms. Gardner. 5 approve/0 oppose

**b. Review and Discussion Regarding the Frequency of Tax Collection**

Board Members reported several resident concerns regarding additional tax collection dates. One of the concerns was that taxes should not be collected in December. The Town Manager recommended that taxes be collected four times per year to assist with cash flow issues. **Motion** was made by Mr. McHatton to seek voter consideration at annual town meeting for tax collection four times per year (Aug 15/Nov 15/Feb 15/May 15); 2<sup>nd</sup> from Ms. Gardner. 5 approve/0 oppose

**c. Review Proposed Referendum Language "Adoption of Ordinances at Any Referendum"**

On March 27, 2007, the Board asked for language that would amend the ordinance adoption procedure allowing for such final action by the voters at all town elections rather than only at the annual election.

*"Do you favor amending the Ordinance related to Ordinance Adoption and Amendments by allowing such questions to be placed before the voters at any town election?"*

**Motion** was made by Mr. Woodward to seek voter consideration via referendum ballot at annual town meeting; 2<sup>nd</sup> from Ms. Gardner. 5 approve/0 oppose

*The Town Attorney will review the official language of the referendum question.*

**Board of Selectmen's Meeting Minutes  
Board of Selectmen's Meeting Room  
April 10, 2007; 5:00 P.M.**

**8. Old Business (continued)**

**d. Review Amended Language for the Alarm Systems Ordinance**

The Board reviewed the amended Alarm Systems Ordinance. **Motion** was made by Mr. Bell to seek voter consideration via referendum ballot at annual town meeting; 2<sup>nd</sup> from Mr. Triglione. 5 approve/0 oppose

**e. 2007 Budget**

The Board reviewed the Annual Town Meeting Schedule and Referendum Election.

Chairman McHatton reported that nomination papers have been issued to the following:

Selectman/Assessor/Overseer of the Poor: William L. Dyer, Brian K. Spear, Robert F. Woodward

Planning Board Member: Donald S. Collins, George Frederick Packard

School Board Director: Wayne Warner Sr.

**f. Review List of the Proposed Ordinances and Referendum Questions**

The following is a list of proposed ordinances for referendum:

- Shall an ordinance entitled "Ordinance to Establish Uniform Procedures for Appeals to the Bridgton Board of Appeals" be enacted?
- Shall an ordinance entitled "Naming, Addressing and Driveway/Entrance Opening Ordinance" be amended?
- Shall an ordinance entitled "Ordinance to Regulate the Establishment and Enforcement of Designated Safe Zone Areas" be enacted?
- Shall an ordinance entitled "Bear River Aquifer Protection Ordinance" be amended?
- Shall an ordinance entitled "Site Plan Review Ordinance" be amended?  
(Amendment 1)
- Shall an ordinance entitled "Site Plan Review Ordinance" be amended?  
(Amendment 2)
- Shall an ordinance entitled "Shoreland Zoning Ordinance" be amended?  
(Amendment 1)
- Shall an ordinance entitled "Shoreland Zoning Ordinance" be amended?  
(Amendment 2)
- Shall an ordinance entitled "Ordinance to Control Disorderly Houses" be enacted?
- Shall an Ordinance entitled "Alarm Systems Ordinance" be amended?
- Shall an ordinance entitled "Ordinance to Govern Adoption and Amendments to Ordinances" be enacted?

**9. New Business**

**a. Permits/Documents Requiring Board Approval**

**1. Victualer's License & Hawker & Peddlar; Friendly Farmers Ice Cream**

**2. Victualer's License & Liquor License Renewal; Toms Homestead 1921 Rest.**

**Motion** was made by Mr. Woodward for approval of a1 and a2; 2<sup>nd</sup> from Mr. Bell. 5 approve/0 oppose

**3. Cumberland County 2007 Tax Warrant/Tax Rate/Interest Date for Delinquent Taxes**

**Motion** was made by Ms. Gardner for approval of a3 (interest rate 12%); 2<sup>nd</sup> from Mr. Bell.

5 approve/0 oppose

**Board of Selectmen's Meeting Minutes  
Board of Selectmen's Meeting Room  
April 10, 2007; 5:00 P.M.**

**9. New Business**

**4. Sewer Commitment**

**Motion** was made by Mr. Woodward for approval of Sewer Commitment #24; 2<sup>nd</sup> from Ms. Gardner.  
5 approve/0 oppose

**b. Formal Request for Use of Shorey Park; Sarah Reed**

The Board received a request from Sarah Reed for use of Shorey Park on July 28, 2007 for a wedding and reception. **Motion** was made by Mr. Woodward for approval of the request with the following conditions: the town will be named as "additionally insured" on your certificate of liability insurance; there can be no liquor available or served on the Park or Town Property; you will be held financially responsible for any damage to the park as a result of your use or invitees use; 2<sup>nd</sup> from Mr. Bell. 5 approve/0 oppose

**BYOB Permit Application**

**Motion** was made by Mr. McHatton for approval of the BYOB Permit Application for Jeffrey A. Thompson at the Town Hall on April 14, 2007; 2<sup>nd</sup> from Mr. Triglione.  
3 approve/1 oppose (Bell)/1 abstention (Woodward)

*The Board requested that the Town Hall/BYOB Permit Application Policy be reviewed.*

**c. Legal Matters**

Town Manager Berkowitz reported that no appeals have been filed regarding Randall Marina or Snapdragon.

**d. Selectmen's Concerns**

**Selectman Woodward** suggested that the financial detail reports be made available for the Board at the Town Office rather than issued monthly to each Board Member; the Board agreed.

**Selectman Triglione** had no concerns.

**Selectman Gardner** asked the Town Manager if anyone from the public has requested to meet with Attorney Goodman regarding the Police Department. Town Manager Berkowitz replied that Attorney Goodman is handling this issue.

**Vice-Chairman Bell** asked if the funds raised under the D.A.R.E. Program are going to be transferred to D.A.R.E. as the new program is entitled C.H.O.I.C.E. **Selectmen Woodward** replied that the funds will be transferred to C.H.O.I.C.E. as the program is still active and will be used for the same purpose, only the name has been changed.

**Chairman McHatton** had no concerns.

**e. Other Matters; Bid Results; Town Office Settlement**

The receipt of bids was closed at 2:00 P.M. on April 6, 2007. To follow are the bids received and their amounts:

SME, Sevee & Mahar Engineers Inc; Cumberland, ME; \$17,400.00  
Summit Geoengineering Services; Lewiston, ME \$4,300.00 to \$6,600.00  
Woodard & Curran; Portland, ME; Declined to Bid

**Motion** was made by Ms. Gardner to award the bid to low bidder, Summit Geoengineering Services; 2<sup>nd</sup> from Mr. Woodward. 5 approve/0 oppose

**Board of Selectmen's Meeting Minutes  
Board of Selectmen's Meeting Room  
April 10, 2007; 5:00 P.M.**

**10. Agenda for the Next Board of Selectmen's Meeting/Workshop**

The Board will meet on April 17, 2007 at 6:00 P.M. for a budget workshop. The Board also reviewed their agenda for their April 24, 2007 meeting. This meeting will begin at 5:00 P.M.

**11. Treasurer's Warrants**

**Motion** was made by Mr. Woodward for approval of Treasurer's Warrants numbered 640, 641, 763, 764 and 765; 2<sup>nd</sup> from Mr. Triglione. 5 approve/0 oppose

**12. Executive Session; Per 1 MRSA Title 1, Chapter 13, Subsection 405.6A "Discussion of matters related to the current status of Management and Labor in the Police Department and the performance evaluation of the Town Manager."**

**Motion** was made by Mr. Bell to enter into executive session at 8:10 P.M. per 1 MRSA Title 1, Chapter 13, Subsection 405.6A to discuss the Town Manager's performance evaluation; 2<sup>nd</sup> from Mr. Woodward. 5 approve/0 oppose

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk

*Workshop Session: April 17, 2007  
Next Regular Meeting: April 24, 2007*