

**Board of Selectmen's Meeting Minutes
Board of Selectmen's Meeting Room
May 22, 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 PM - Call to Order

Chairman McHatton called the meeting to order at 5:00 P.M.

2. Executive Session

Per MRSA Title 1, Chapter 13, Subsection 405.6.A. "Discussion with the Town's Attorney regarding matters related to the current status of Management and Labor in the Police Department." **Motion** was made by Mr. Woodward to enter into executive session at 5:00 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.A to discuss matters related to the current status of Management and Labor in the Police Department; 2nd from Ms. Gardner.

5 approve/0 oppose

Motion was made by Mr. Woodward to come out of executive session at 6:10 P.M.; 2nd from Ms. Gardner. 5 approve/0 oppose

3. Public Hearing; Referendum Ballot Questions (June 12, 2007)

Chairman McHatton opened the public hearing regarding referendum ballot questions at 6:10 P.M.

- Shall an ordinance entitled "Street Naming, Addressing and Driveway/Entrance Opening Ordinance" be amended?
- 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 "Alarm Systems Ordinance" be amended?
- Shall an ordinance entitled "Ordinance to Control Disorderly Houses" be enacted?
- Shall an ordinance entitled "Ordinance Requiring a Referendum Vote to Enact, Amend or Repeal a Town Ordinance" be enacted?
- Shall an ordinance entitled "Ordinance to Establish Uniform Procedures for Appeals to the Bridgton Board of Appeals" be enacted?
- Shall an ordinance entitled "Ordinance to Regulate the Establishment and Enforcement of Designated Safe Zone Areas" be enacted?
- Shall the Town of Bridgton establish a Tax Increment Financing (TIF) District that shall include portions of both the downtown and Portland Road as well as a Development Program which shall be funded by the TIF as part of the Town's Economic and Community Development Program?

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3. Public Hearing; Referendum Ballot Questions (June 12, 2007) (continued)

Micah Niemy, Assistant Economic Development Director, provided a final map of the Tax Increment Financing District and reviewed the area. David MacFarland questioned how the loss of funds would affect the tax rate. Mr. Niemy replied that taxes from the incremental value only will be set aside and used for economic development; he noted that any expenditure above \$50,000 will require town meeting approval. The public hearing was closed at 6:25 P.M.

4. Public Hearing; Special Amusement Permit Application for Live Music at The Big Kahuna Café, LLC

Chairman McHatton opened the public hearing regarding a special amusement permit application for the Big Kahuna Café, LLC at 6:26 P.M. The Department Heads have reviewed the application and reported no problems. There were no public comments. **Motion** made by Mr. McHatton for approval of the special amusement permit application; 2nd from Mr. Bell. 5 approve/0 oppose The public hearing was closed at 6:27 P.M.

5. Public Hearing; New Liquor License Application for Lake Region House of Pizza and Family Restaurant

Chairman McHatton opened the public hearing regarding a new liquor license application for Lake Region House of Pizza at 6:27 P.M. **Motion** made by Mr. Bell for approval of the new liquor license application for Lake Region House of Pizza and Family Restaurant; 2nd from Mr. Triglione. 5 approve/0 oppose The public hearing was closed at 6:28 P.M.

6. Approval of Minutes; May 8, 2007 and May 10, 2007

Motion made by Mr. Triglione for approval of the minutes of May 8, 2007 and May 10, 2007; 2nd from Mr. Bell. 5 approve/0 oppose

7. Public Comments; Non-Agenda Items

Town Manager Berkowitz reported that Attorney Jonathan Goodman has completed his investigation report regarding the Bridgton Police Department "No Confidence Vote." Motion was made by Mr. Woodward to accept this report and provide general information to the public; 2nd from Ms. Gardner. 5 approve/0 oppose Attorney Goodman recommended that Mr. Berkowitz work with the Chief to develop an action plan that identifies specific goals for Chief Lyons to fulfill, with the assistance of his subordinates, in order to improve operations within the Department. He also recommended that the Chief and his employees engage in meaningful conflict resolution, which would be mediated by a professional mediator from outside the Department; this person should be an expert in both law enforcement and conflict resolution so that he or she can analyze whether operational and administrative goals are being met while simultaneously evaluating whether the parties are making meaningful efforts to work together to meet those goals. Throughout this process, Mr. Berkowitz should analyze and evaluate the progress of the parties in moving toward the goal of improving the professional operation of the Department.

Richard Sens commended the Board for presenting a budget that meets LD1.

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8 **Presentations and Discussions**
There were no presentations.

9. **Correspondence and Other Pertinent Information**
a. Report on the Town Ice Skating Rink-Dee Miller

Many improvements have been made to the town ice skating rink including a new floor and a new larger door for easier access to the building. A new roof will be installed soon and thank you to Lee Eastman (Everlast Roofing) for providing the materials at a very reasonable cost.

b. Town owned land for temporary Parking during Construction- Micah Niemy

Motion was made by Ms. Gardner to allow Reny's employees use of the parking lot on the north side of Park Street from June 1 until further notice due to the renovations; 2nd from Mr. Woodward. 5 approve/0 oppose

c. Summary Report regarding the Police Department Review

This item was reviewed under public participation.

10. Town Manager's Report

FEMA Mobile Unit in Bridgton: Arrangements by the County EMA agency and the Town of Bridgton paid dividends for those area citizens who were seeking to file damage claims from the Patriot's Day storm. The unit was in Town last Friday and Saturday. For individuals still looking for information we recommend you contact FEMA at 1-800-621-FEMA. Additional information regarding the filing for Disaster Unemployment Assistance is also available by calling FEMA at 1-800-593-7660.

In addition to the mobile unit, the Governor paid Bridgton a visit last Friday and met with several members of the Select Board and then toured some of Bridgton's damaged roads and bridges. We extended an invitation to surrounding communities to join the meeting with the Governor since Western Maine received some of the harshest water damages to public and private property.

Position Advertisements: The following is a summary of the various positions that are being advertised by the Town. These include a full time patrol officer, temporary full time Transfer Station attendant, and summer lifeguards. Please contact the Police and Recreation Departments or the Transfer Station for more information.

Finalized Budget on the Town's Website: All of the materials provided to the Select Board this evening regarding the finalized budget for FY 2008 are on the Town's Website at Bridgton Maine.org. This includes summary information and the complete budget by line item. These will also appear as part of the Town Meeting Warrant Articles for the June 13 Town Meeting.

Rapid Renewal Report: Laurie Chadbourne, Town Clerk reports that over 68 people have used the Rapid Renewal program on line since December of 2006. In the past four months we have seen the number jump from 7 to 19 on line renewals per month. The cost to the Town is \$3.00 per on line renewal and those individuals who use this service do so in the comfort of their homes.

Meeting with United Ambulance Service: As requested by the Board, Bob Bell and myself met with Paul Gosselin, the Executive Director. In discussion are the issues of the level of services and the Town's annual subsidy. Paul will be meeting with his Board in the next week and will then prepare a proposal to the Town.

Revenue Sharing Receipts: To date the Town has received a total of \$361,573 dollars of State Revenue Sharing. We had projected \$400,670. We can only hope the last payment in June will bring in the balance due or \$39,097.

Tax Collections Update: Thus far for this tax collection from July 1, 2006 we have collected 91.5% of all property and personal property taxes. We are encouraging every tax payer who still has outstanding taxes to make the payments soon. In June, we will be facing the Lien Notices for delinquent taxes which is required by law. This becomes the process that could lead to tax foreclosure in another 18 months.

Respectfully,

Mitchell A. Berkowitz, Town Manager

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11. Old Business

a. Approve and Sign Annual Town Meeting Warrant

Motion was made by Ms. Gardner for approval of the Annual Town Meeting Warrant; 2nd from Mr. Woodward. 5 approve/0 oppose

b. Copy of Sample Ballot - Local and State

The Board received a copy of the sample ballots for the June Election.

12. New Business

a. Permits/Documents Requiring Board Approval

1. Business Licenses

- New Liquor License Application/Victualer's License for Lake Region House of Pizza and Family Restaurant
- Liquor License Renewal/Victualer's License/Special Amusement Permit for The Big Kahuna Café, LLC
- Liquor License Renewal/Victualer's License for Black Horse Tavern
- Victualer's License for Bailey's Coffee House
- Victualer's License for Ruby Food
- Victualer's License for emg³
- Victualer's License for The Big Apple (CN Brown)
- Victualer's License for On The Run (CN Brown)
- Hawker & Peddlar License for North East Ice Cream (mobile ice cream truck)

Motion was made by Mr. Woodward for approval of a.1; 2nd from Mr. Bell.

5 approve/0 oppose

2. Sewer Commitment #25

3. Forest Hills Annex Cemetery Deed to Judy Floster (Section C Lot 50); 2 grave lot

4. Quit Claim Deed to Richard Brewer to release old tax liens

5. Road Name – Daniel Richards – Three Oaks Lane (amended to Cranberry Lane)

At the request of the E-911 Addressing Officer, Mr. Richards withdrew the name Three Oaks Lane and suggested Cranberry Lane instead.

Motion was made by Mr. Bell for approval of 12a2 through 12a5; 2nd from Ms. Gardner.

5 approve/0 oppose

6. Memorandum of Understanding – Magic Lantern Parking Lots

Motion was made by Ms. Gardner for approval of the memorandum of understanding between the Town of Bridgton and Snapdragon; 2nd from Mr. Woodward. 5 approve/0 oppose
This agreement pertains to the parking lot adjacent to the Magic Lantern and is on file at the Town Office.

7. Easement Deed

For signature purposes only as this item was approved at the last meeting.

b. Legal Matters

Town Manager Berkowitz provided information regarding the Fifield Property on Route 117.

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c. Selectmen's Concerns

Selectmen Woodward asked the Town Manager to write a synopsis of the proposed ordinance amendments for the public to review.

Selectman Triglione and **Selectman Gardner** had no concerns.

Vice-Chairman Bell said that it was the intention of the Board not to increase the hourly rate of pay for volunteer fire personnel; their pay will continue at \$8.00 per hour.

Vice-Chairman Bell received a complaint from Glen Zaidman at Camp Wildwood. He is concerned that if the Transfer Station closed 2 days per week problems may arise from food waste that is normally deposited at the Transfer Station on a daily basis. The Board will review the schedule.

Chairman McHatton had no concerns.

d. Other Matters

- A Stevens Brook Trail Dedication will take place on June 16th at 10:00 A.M.
- Town Manager Berkowitz reported that the Fire Association is not currently paying half of the insurance premium as was agreed to.
- Town Manager Berkowitz reported that any employee that is on the Fire Department can not receive fire pay in addition to his regular pay.

13. Agendas for the Next Board of Selectmen's Meeting/Workshops

Regular Meeting and Election Day June 12, Annual Town Meeting June 13

14. Treasurer's Warrants

Motion was made by Mr. Bell for approval of Treasurer's Warrant numbered 646, 647, 773, 774, and 775; 2nd from Mr. Triglione. 5 approve/0 oppose.

15. Executive Session

Per MRSA Title 1, Chapter 13, Subsection 405.6.A. "Discussion and review of the Manager's Performance Evaluation". **Motion** was made by Mr. Woodward to enter into executive session at 7:30 P.M. to discuss and review the Town Manager's Performance evaluation and the public works contract; 2nd from Ms. Gardner. 5 approve/0 oppose

Motion was made by Mr. Bell to come out of executive session at 8:39 P.M.; 2nd from Ms. Gardner. 5 approve/0 oppose

16. Adjourn

The meeting was adjourned at 8:30 P.M.

Respectfully submitted,

Patti A. Meehan
Deputy Town Clerk

Next Regular Meeting: June 12, 2007

Annual Town Meeting: June 12, 2007 (Election Day) and June 13, 2007 (Town Meeting)