

**Board of Selectmen's Meeting Minutes**  
**Board of Selectmen's Meeting Room**  
**October 9, 2007; 5:00 P.M.**

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

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

1. The **Public Hearing** to consider a Special Amusement Permit Application from Route 302 Roadhouse Restaurant for live entertainment was opened at 5:00 P.M. by Chairman Triglione. There were no public comments. The public hearing was closed at 5:01 P.M.

The **Public Hearing** for discussion of a proposed Parking Ban Policy/Ordinance was opened at 5:02 P.M. by Chairman Triglione. Town Manager Berkowitz reviewed the following:

Town of Bridgton  
Parking Ban Policy/Ordinance

**I. Authority-** The Select Board of the Town of Bridgton is authorized by Title 30-A MRSA Section #3009 to enact an ordinance that establishes a parking ban on all town ways and town streets. This is embodied in the statute, "Municipal officers have the exclusive authority to enact all traffic ordinances in the municipality".

**II Parking Ban Established-** With the advice of the Chair of the Select Board, the Public Works Director and/or the Town Manager, may issue a parking ban to prohibit any vehicular parking on any town way or town street. Conditions for which a parking ban may be issued include but are not limited to snow and ice events, flooding or other events that may impact the public's safety and welfare. At its discretion, the Parking Ban may be extended to municipal parking lots.

**III Notice Provided-** When a parking ban notice is issued, the Police Dispatch shall be immediately notified. All uniformed officers working during the duration of the Parking Ban shall be so notified at the beginning of their shift(s). Dispatch shall also contact Channel 6, Channel 8 and Channel 13 News providing them with the Notice and duration. If possible, the Town Clerk shall be notified for placement of the Notice on the town's website.

**IV. Duration-** The Parking Ban shall remain in effect until such time as the Public Works Director or the Town Manager issue a notice of a partial or full repeal. The conditions shall govern the duration. When practical, the Notice of a Parking Ban may be made in anticipation of the elements that would cause the Ban and may be reported as extending to a date and time certain which may be further extended based upon circumstances. Upon revocation of a Parking Ban Notice, Police Dispatch shall notify the same entities allowing for the public to be informed of the status of the Parking Ban.

**V. Enforcement-** Once a Notice is issued, all vehicles parked on the town ways, town streets or municipal parking lots, if included in the Notice, shall be deemed to be in violation of this Ordinance. Law Enforcement Officers may attempt notification of the vehicle owners however, the severity of the storms allows for the immediate tagging and towing of such vehicles in violation so as not to diminish the Public Works Department responses. All costs, including fees for transport, storage and penalties imposed shall become the sole responsibility of the owner of the vehicle in violation.

There were no public comments. The public hearing was closed at 5:06 P.M.

2. **Call to Order**  
Chairman Triglione called the meeting to order at 5:07 P.M.

3. **Public Comments; Non-Agenda Items**  
There was no public participation.

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**3. Presentations and Discussions**

**a. Recognition of Appeals Board Member; Chester Parker**

Chairman Triglione read the following letter from Sharon Smith Abbot, Vice-Chairman of the Bridgton Board of Appeals: *"8 October 2007; Board of Selectmen; Bridgton, Maine 04009; Gentlemen: I am delighted that Chet Parker is finally getting the recognition he deserves as the Grand Old Man of the Appeals Board. When I first came on the board in 1992 knowing nothing about the processes involved, Chet was a mentor: he was patience personified. His experience and values guided me through the learning stage and beyond. We all relied on his judgment and opinions. So long as our community has people like Chester Parker willing to serve in thankless, stressful positions, Bridgton will be just fine. Please add my respectful thanks to those who are recognizing his valuable service. I wish I could be present to personally read this letter into the record, but thankfully I am well enough to be out of town on business. Sincerely, Sharon Smith Abbott, Vice Chair, Bridgton Board of Appeals"* (original letter attached)

On behalf of the Board, Chairman Triglione presented a plaque to Chester Parker in appreciation of this 20 plus years of service as a member of the Appeals Board. Chairman Triglione added that he has been a very valuable volunteer and he appreciates his dedicated service to the Town of Bridgton. John Schuettinger, Chairman of the Board of Appeals, thanked Mr. Parker and said that he appreciates all of his time and effort. Mr. Parker said that Bridgton has come a long way since he first joined the Appeals Board and he thanked everyone for the recognition.

The Board brought agenda item 3c forward.

**c. Review estimated investment costs for single sort start up; Town Manager**

Town Manager Berkowitz submitted and reviewed the following:

**TO: SELECTBOARD  
FROM: TOWN MANAGER  
RE: SINGLE SORT INVESTMENT SUMMARY  
DATE: SEPTEMBER 27, 2007**

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At your August 14, 2007 meeting, you requested the Manager review the preferred scenario to go to a single sort operation. This scenario would require the purchase a similar compactor to that which is currently used for your MSW ( Garbage ). Installing this below grade allows for customer ease of use and with the grade in that area. There are two options that were reviewed. The first was with the use of 50 cu.yd. containers and the second was with the use of two 75 cu. yd. trailers which would double our haul capacity but not double our haul cost.

The attached spread sheets were based upon my discussions with one of the distributors and gives us a good estimate of cost for each. The final costs will really be the subject of a bid process. The elements of costs were also reviewed by Bob Fitzcharles and adjusted per any recommendation he may have made.

The cost to the Town can be viewed in several ways. Knowing that our current compactor has only a few years of life, the investment at this time can be seen as pre-emptive. However if we did not buy this one, we would still end up buying a much smaller and less efficient model for the single sorting and still face a major replacement in the next few years. (Going with the smaller above grade model also reduces our options to use the 100 yard trailer system.) Using the 50 yard container approach we have annualized the investment over 15 years and at \$6,334 per year can begin to establish what it would take to break even. The third element of single sort is the loss of some \$51,000 in recycling revenue that would be given to EcoMaine. The fourth element is that of hauling costs which based upon the recycling tonnages thus far and would cost us an additional \$8,700 for a total of \$66,034 per year. We did save some of this already by reducing the staff by one full time person as of July 1, 2007. However, looking forward our savings would have to come from encouraging more people to use single sort and reducing the amount of MSW being hauled and disposed. For each ton that migrates from MSW to Single Sort, we save \$144. A 15% migration would save us \$62,208. 15% is about #432 additional tons from the MSW stream. As you can see it would take a little more than a 15% migration to cover future costs.

Going with the two 75 cu. yd. trailers brings an interesting point to the annualized costs.

The two trailers will cost about \$95,000 to acquire and have the same life span being used, 15 years. When this is factored in the annualized cost of the investment is \$11,667 but the anticipated savings for less hauls would be \$13,725. This reflects the reduction in MSW hauling costs. Note that we would still use the 50 yard containers for single sort since the compactor unit is lower and the cost to raise it to fit the trailers would be a future estimate and cost.

With this approach I would recommend that all existing bailers be held for at least 1 full fiscal year beyond the date we implement single sort incase we choose to return to current practices.

Mitch

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**3. Presentations and Discussions**

**c. Review estimated investment costs for single sort start up; Town Manager (continued)**

Discussion ensued. The Board scheduled a public hearing for November 13, 2007.

**b. Discussion regarding a possible site for the new gazebo**

Ron Hatch, representing Bridgton Community Band, was present. Mr. Hatch reported three options for the gazebo: option 1, continue at the present site; option 2, relocate to the Community Center; option 3, relocate to Highland Lake Park. Discussion ensued. The Board scheduled a public hearing for October 23, 2007 at 5:00 P.M. for further discussion and to receive public input.

**d. Transfer Station; Review of Sticker Policy**

The Board reviewed the current Transfer Station Sticker Policy. The Board will again review the sticker policy during the budget process for the following year. **Motion** was made by Selectman McHatton to reaffirm the Transfer Station Sticker Issuing Procedures dated September 12, 2006; 2<sup>nd</sup> from Vice-Chairman Woodward. 5 approve/0 oppose

**e. Sewer Abatement; Atanasios K. & Sarah E. Katsanos**

**Motion** was made by Selectman McHatton for approval of the following sewer user abatements:

Abatement #	Sewer Account #	Abatement Amount	Reason
05/07-1	569	\$117. <sup>15</sup>	administrative abatement due to error in assessments
05/07-2	717	\$18. <sup>95</sup>	
05/07-3	718	\$47. <sup>05</sup>	
<b>Total Amount Abated</b>		<b>\$183.<sup>15</sup></b>	

2<sup>nd</sup> from Selectman Gardner. 5 approve/0 oppose

**Sewer Policies**

Town Manager Berkowitz prepared a Sewer Policy and Procedures for Board review. The purpose is to establish a clear policy and procedure to allow for the placement of sewer liens on sewer accounts deemed to be delinquent, to establish a formal policy for the abatement of incorrect sewer charges and supplements to assure new accounts and revenues are accounted for when they occur. **Motion** was made by Selectman McHatton to adopt the Sewer Policy and Procedures; 2<sup>nd</sup> from Vice-Chairman Woodward. 5 approve/0 oppose

**f. Proposed General Policy; Freedom of Access, Right to Know**

Town Manager Berkowitz prepared a “Right to Know and Freedom of Access for Public Information General Policy” for Board review. Selectman Bell said that he does not see a need for such a policy as the *right to know* is dictated by State Law. Town Manager Berkowitz replied that the policy is consistent with the law and simply creates a policy in which employees can refer to. **Motion** was made by Selectman McHatton to adopt the “Right to Know and Freedom of Access for Public Information General Policy”; 2<sup>nd</sup> from Vice-Chairman Woodward. 4 approve/1 oppose *Selectman Bell opposed*

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**3. Presentations and Discussions  
g. Quarterly Financial Report Snapshot**

Town Manager Berkowitz prepared a quarterly financial report as follows:

As part of our efforts to keep the Select Board and the community informed I am starting a quarterly reporting of our financial position. The report is a quick snap shot of where we are in terms of our revenues and expenditures and our cash position. We can continue to adjust our format but for now a memo form seemed to be the best approach.

**General Fund Only:**

<u>Amt. Projected for this Fiscal Year</u>	<u>Actual YTD Collected</u>	<u>%</u>	<u>9/30/07 Target</u>
Revenues \$1,943,604	\$715,223	36.7%	25%
Expenditures \$12,875,557	\$3,172,180	24.6%	25%

**Cash Position and Cash Flow:**

	<u>Balance:</u>
As of 9/30/07	\$4,122,952
Projected for October- Payables and Payroll	(\$900,000)
County Tax	(\$471,000)
November- Payables and Payroll	(\$450,000)
Sub Total:	\$2,301,952
November Tax collections: Est.	\$2,400,000

**Based upon our projected cash position, we do not believe we will need to execute a Tax Anticipation Note in the next Quarter.**

**Enterprise Funds: Sewer and Salmon Point**

Revenues: \$121,620	\$19,325	15.9%
Expenditures: \$96,640	\$29,897	30.94%

**Note that the enterprise funds will be updated in October after this season's operations are closed.**

**5. Approval of Minutes; September 25, 2007**

**Motion** was made by Selectman Bell for approval of the minutes from the September 25, 2007 Board meeting; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose/1 abstention

*Selectman Gardner abstained because she was absent from the 9/25/07 meeting.*

**6. Correspondence and Other Pertinent Information**

There was no correspondence and other pertinent information.

**7. Town Manager's Report**

Town Manager Berkowitz reported the following:

**Project Status Reports:**

The Office renovation project is in its final stages. We are in hopes of completing the moving by the end of this week and having all of the electronics fully operational.

The parking lot project has started. As of today, the contractor crew was working on the Depot Street parking lot and sewer line.

**Audit Report Status:**

The Town Auditor is tentatively planning on meeting with the Board to present the year ending 6/30/07 audit and answer your questions. He will also be making a proposal to the Board at that time.

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**7. Town Manager's Report (continued)**

**Depot Bridge:**

We have a confirmation that used steel beams for the proposed rebuild of the depot street bridge will be available. Our engineer and I will be talking with the State to determine the details of procuring the steel which is located in two places in the state. Our hopes are to be able to pick the steel up in Skowhegan rather than Presque Isle. We estimate the total tonnage of steel to be about #19 tons.

**Maine Municipal Association Convention:**

This year's convention was modified based upon feed back from prior year participants. The most noticeable change was from three days to two days allowing for some affiliate groups to meet on Wednesday morning. The program highlights included Knight Kiplinger as a keynote speaker and his assessment of Maine, topics related to LD-1, Personnel, Conflict resolution, FEMA funds and training requirements, and the School consolidation requirements. The Exhibitors were available for discussions regarding their services and products. MMA's Legislative Policy Committee affirmed their strategy for the next session and MMA conducted their annual business meeting. Also discussed was the Tabor II which is being introduced in this second half of the session and continues to place further requirements and caps on local budget growth as well as the use of a standardized budget format state wide.

**Fire Department Bids:**

Fire Chief Glen Garland has mailed a CD version of the specifications to the various bidders to start that process. Over the next month they will be responding and in November we hope to have a recommendation for the Board to act on.

**Claims Report for Worker's Compensation:**

The Town has an 81% claims ratio which means that for each \$1 of premium paid into the fund, less than 81cents is paid out. Any percentage over 100% would indicate a serious problem with accidents and injuries and a likely increase in our premium. I recently reported our dividend return from Workers Compensation which supports our employee's positive safety record.

**Cumberland County Surplus Property:**

We have been notified that the County has several pieces of equipment and 11 excess vehicles. I will turn the list over to Jim for the equipment and recommend that we not pursue any of the 11 cruisers, all of which have an average of #120,000 miles.

**School Consolidation:**

Part of the MMA Convention focused on the efforts of districts to seek consolidation partners. Under a separate report I have provided a thumbnail sketch of this meeting. The flavor of the efforts thus far can be summarized as follows:

Most school districts have filed their plans and many are still trying to find the cost savings with consolidation.

The law is complex and some of the approval steps through referendum votes do not follow the requirements of the state election laws.

The Governor and Commissioner fully support this effort and have booked a savings in FY 2009 on the assumption that such consolidation will occur.

There are as many as a half dozen initiatives that are pointed at repealing or delaying the consolidation and penalties.

Stay Tuned!

The Board brought agenda item 9 forward.

**9. SAD #61**

Selectman Gardner has been attending the school consolidation meetings and reported some pertinent information to the Board. She advised the Board of a timeline for a January 15, 2008 referendum as follows (in part): 11/30/2007, last business day for proposed reorganization plans to be submitted to the Commissioner of Education; 12/13/2007, last business day for school boards of SADs to sign election warrants for 01/15/2008 election, 12/14/2007, last business day for Commissioner of Education to approve reorganization plans or return them with specific suggestions for improvement; 01/08/2008, last day for public hearing on referendum articles in SADs; 01/15/2008, statutory referendum date. Selectman Gardner noted several cautions with this timeline including that adequate time should be provided for the District to deliver warrants to the town clerks and for the municipal officers to meet and counter sign the warrants. She also added that unless the plans are submitted to and approved by the Commissioner before the statutory deadline, it will be almost impossible to conduct the January 15, 2008 referendum in accordance with all applicable legal requirements. **Motion** was made by Vice-Chairman Woodward to appoint Selectman Joan Gardner to the School Consolidation Committee as a Board liaison; 2<sup>nd</sup> from Selectman McHatton. 5 approve/0 oppose

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**8. Old Business**

**a. Discussion of Creamery Street Traffic Concerns**

The Board reviewed the ongoing traffic concerns brought to their attention at the last meeting by Mr. John Andrews, Creamery Street resident. Discussion ensued. The Board took no further action on this item.

**b. Business Grant Program Amendments; Economic Development Director**

Economic Development Director Micah Niemy provided the Board with several amendments to the Business Grant Program for their consideration. He recommended adding the following language:

Section III. Program Guidelines & Eligibility

Loans must be structured so that the interest is amortized evenly throughout the life of the loan. Loans in which interest in front loaded do not qualify under this program.

Section IV. Scoring

Each Façade Grant application will be scored according to the following criteria. All applications will be judged on a 12 point scale.

- Strength of applicants Grant Application (Up To: 4 points)
- Recommendation by the lending institution (Up To: 2 points)
- Ability to create additional employment opportunities (Up To: 2 points)
  1. Business that will be relocating in Bridgton and the creating of new jobs. (Up To: 2 points)
  2. Existing businesses that will be creating additional jobs. (Up To: 2 points)
  3. Business that do not intend to immediately create new jobs. (Up To: 1 point)
- Ability of applicants business to meet an unmet service need of the community. (Up To: 1 point)
- Compliance with the Town's Economic Development and Comprehensive Plan. (Up To: 1 point)
- Loan Advisory Committee's overall impression of the applicant's proposal. (Up To: 2 points)

**Motion** was made by Vice-Chairman Woodward for approval of amendments to the Business Grant Program as recommended by the Economic Development Director; 2<sup>nd</sup> from Selectman Bell.  
5 approve/0 oppose

**10. New Business**

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

**Special Amusement Permit Application; Route 302 Roadhouse Restaurant**

**Motion** was made by Vice-Chairman Woodward for approval of the Special Amusement Permit Application for Route 302 Roadhouse Restaurant; 2<sup>nd</sup> from Selectman Gardner. 5 approve/0 oppose

**1. Accept Donations from Bridgton Art Guild;**

⇒\$100.00 to Public Works Department; \$200.00 to Police Department

**Motion** was made by Vice-Chairman Woodward for approval of the donation of funds; 2<sup>nd</sup> from Selectman Gardner. 5 approve/0 oppose

**2. Application for Catered Function by Qualified Catering Organization**

⇒ AMF Catering on 10/13/07 at 36 Old Elm Road

**Motion** was made by Selectman McHatton for approval of the application for catered function by qualified catering organization; 2<sup>nd</sup> from Selectman Gardner. 5 approve/0 oppose

**Parking Ban Policy/Ordinance**

**Motion** was made by Selectman Gardner to adopt the Parking Ban Policy/Ordinance; 2<sup>nd</sup> from Selectman McHatton. 5 approve/0 oppose

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**10. New Business**

**a. Permits and Documents Requiring Board Approval (continued)**

**3. Award bid for Public Works Dump Body and Plow Equipment**

The Town concluded the bid process for the Public Works Dump Body and Plow Equipment today at 1:00 P.M. To follow are the bids received and their amounts:

Tenco; Berwick, Maine; \$51,745.<sup>00</sup>

Howard P. Fairfield, LLC; Skowhegan, Maine; \$50,875.<sup>00</sup>

Option-Henderson Body with asphalt style tail gate (additional \$1,500.<sup>00</sup>)

Jim Kidder, Public Works Director, recommended awarding the bid to the low bidder. **Motion** was made by Selectman Bell to award the bid to Howard P. Fairfield, LLC for the bid amount of \$50,875.<sup>00</sup> as recommended by the Public Works Director; 2<sup>nd</sup> from Vice-Chairman Woodward. 5 approve/0 oppose

**Exchange of Plow Truck for Use of Sander**

Public Works Director Jim Kidder asked the Board to consider allowing him to lease a sander for the winter months; payment to the lessor shall be a plow truck at the end of the winter months. **Motion** was made by Selectman McHatton to authorize the lease of a private sander/salt box to fit in the back of a town owned vehicle, the value of the lease shall be the same as the salvage value of the truck at the end of the winter months; the truck shall be turned over to the lessor of the sander/salt box at the end of the winter season; no money shall exchange hands; 2<sup>nd</sup> from Selectman Gardner. 5 approve/0 oppose

**4. Award of the Tax Anticipation Notes to TD Bank North**

In accordance with the Towns solicitation and Request for Proposal regarding a Tax Anticipation Note for the Fiscal Year ending June 30, 2008, the Town opened a total of three proposals on Friday, August 10, 2007 at 3:00 P.M. To follow are the bids received and their amounts:

Norway Savings Bank 4.25%

Key Bank 3.93%

TD Banknorth 3.79%

Town Manager Berkowitz recommended awarding the bid to the low bidder. **Motion** was made by Selectman Bell to award the bid to TD Banknorth for the bid amount of 3.79% as recommended by the Town Manager; 2<sup>nd</sup> from Vice-Chairman Woodward. 5 approve/0 oppose

**5. Adoption of the Revised General Assistance Schedules for FY '08**

**Motion** was made by Selectman Gardner for adoption of the revised General Assistance Schedules for Fiscal Year 2008; 2<sup>nd</sup> from Selectman Bell. 5 approve/0 oppose

*General Assistance Schedules for FY '08 on file at the Town Office.*

**b. Legal Matters**

**1. Verbal update on the Fifield/Ducas issue; Town Manager**

Town Manager Berkowitz reported that Mr. Fifield and Mr. Ducas are working together to resolve the property access issues. He noted that the Board had previously agreed to abandon and discontinue the Town right of way providing that Mr. Ducas receives access to his property. **Motion** was made by Selectman Gardner to reaffirm their position to seek voter consideration at Town Meeting to discontinue the Towns' right of way after Mr. Ducas receives legal access to his property, 2<sup>nd</sup> from Selectman McHatton. 5 approve/0 oppose

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**10. New Business (continued)**

***Resolution***

*On this day of October 9, 2006, the Bridgton Board of Selectman do hereby resolve that:*

*Chambers of Commerce in the State of Maine continue to provide the necessary partnership with communities to promote the many qualities of their regions within the State of Maine, and*

*The partnership is represented by the Greater Bridgton Lakes Region Chamber of Commerce and the Maine Association of Chambers of Commerce Executives Collectively, and*

*The Maine Association of Chambers of Commerce Executives provides a unique leadership role during these challenging economic times, and*

*Their annual meeting and convention hosted in Bridgton will be an opportunity to showcase the Lakes Region and to formulate new strategies to promote all of the regions within the State.*

*Now therefore be it resolved by the Bridgton Board of Selectmen that:*

*The Maine Association of Chambers of Commerce Executives is welcomed to the Greater Lakes Region and we hope their meeting provides them with a better understanding of this region's unique qualities and contributions to the economy of the State of Maine.*

*The Bridgton Board of Selectmen by its' Chair:*

*Arthur D. Triglione, Sr.*

**c. Selectmen's Concerns**

**Vice-Chairman Woodward** asked if there will be parking spaces in front of the new Renys Store. Public Works Director, Jim Kidder, replied that there will not be parking on Main Street in front of the new building.

**Selectman Gardner** had no concerns.

**Selectman Bell** asked if the walkway near the Oberg property on Main Street will be improved. Public Works Director, Jim Kidder, replied the walkway by the Oberg property is not town owned property; the public pedestrian walkway is beside Kit Fosters' property.

**Donation of Tables**

**Selectman McHatton** said that the Bridgton Lions Club would like to donate ten 8ft tables to the Town. **Motion** was made by Vice-Chairman Woodward to accept the donation of tables from the Lions Club; 2<sup>nd</sup> from Selectman Gardner. 3 approve/0 oppose/2 abstentions

*Selectman McHatton and Selectmen Bell abstained because they are both active members of the Lions Club.*

**d. Other Matters**

Town Manager Berkowitz encouraged the Board to complete a survey from the *Concerned Partners of Cumberland County Government*.

Town Manager Berkowitz invited all Board Members to an Emergency Management table top exercise scheduled for November 15<sup>th</sup> from 10:00 A.M. until 2:00 P.M. in the Selectmen's Meeting Room.

**11. Agendas for the Next Board of Selectmen's Meetings/Workshops**

The Board reviewed the agenda for the next meeting scheduled for October 23, 2007.

**12. Treasurer's Warrants**

**Motion** was made by Selectman Bell for approval of Treasurer's Warrants numbered 41, 42 and 43; 2<sup>nd</sup> from Vice-Chairman Woodward. 5 approve/0 oppose

**Motion** was made by Selectman McHatton for approval of Treasurer's Warrants numbered 39 and 40; 2<sup>nd</sup> from Selectman Gardner. 5 approve/0 oppose

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**13. Executive Session:**

**MRSA Title 1 Chapter 13 Subsection 405.6D "Discussion of matters related to the current contract negotiations in the Police Department and Personnel Matters"**

The Board opted not to enter into executive session.

**14. Adjourn**

**Motion** was made by Selectman McHatton to adjourn the meeting at 7:15 P.M.; 2<sup>nd</sup> from Vice-Chairman Woodward. 5 approve/0 oppose

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk

*Next Board Meeting: October 23, 2007*