

**Board of Selectmen's Meeting Minutes
Board of Selectmen's Meeting Room
March 11, 2008; 5:00 P.M.**

Board Members Present: Arthur D. Triglione, Sr., Chairman; Robert F. Woodward, Vice-Chairman;
Robert C. Bell.

Board Members Absent: Joan M. Gardner; Robert J. McHatton, Sr.

Town Manager, Mitchell A. Berkowitz was also present.

1. Public Hearings; None

2. Call to Order

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

3. Public Comments; Non-Agenda Items

William Felts, citizen and registered voter of Bridgton, formally requested the resignation of Selectman Joan Gardner. Due to her recent guilty plea for a fraudulent transaction, he believes that she has an ethical obligation to resign as public officials are placed at a higher level of standards. He also requested that the Board make a "vote of no confidence" in Ms. Gardner's ability to serve both morally and ethically as a Board Member. He asked if there is anything that the Board can do to effect her impeachment or what a private citizen can do to recall her position. Chairman Triglione replied that what has transpired is personal. There is no recall option or procedure. He suggested that Mr. Felts direct his questions to Ms. Gardner to allow her the ability to respond. Town Manager Berkowitz cited "*MRSA Title 30-A, § 2602 1. When vacancy exists. A vacancy in a municipal office may occur by the following means: A. Non acceptance; B. Resignation; C. Death; D. Removal from the municipality; E. Permanent disability or incompetency; F. Failure to qualify for the office within 10 days after written demand by the municipal officers; or G. Failure of the municipality to elect a person to office.*" He added that absent of a local ordinance to recall, there is no local authority to mandate her removal from office.

Lengthy discussion ensued. **Motion** was made by Chairman Triglione for a "vote of no confidence" in Ms. Gardner's ability to represent the Town in the capacity which she was elected to; 2nd from Selectmen Bell. Selectman Bell suggested that the motion be tabled until the next regular meeting to allow the full Board to vote on this issue. **Chairman Triglione retracted the motion.** Vice-Chairman Woodward suggested that the Town develop a local recall procedure for Municipal Officers. Resident Robert Casella asked the Board to request that Ms. Gardner be present at the next meeting to address these concerns.

4. Presentations and Discussions

a. Fiscal Year 2009 Budget Proposal; Town Manager

Town Manager Berkowitz submitted the fiscal year 2009 budget proposal to the Board. He read the letter of transmittal as follows:

TO: BRIDGTON SELECT BOARD
FROM: TOWN MANAGER
RE: PROPOSED BUDGET 2009 LETTER OF TRANSMITTAL

To the Members of the Select Board, Tax payers and Citizens:

Preparations for this budget began last August, 2007. At that time, we began to review and assemble information regarding the Town's assets and those that would require investments to retain, maintain or rebuild them. Even at the onset of this process, we were aware of the rebuilding of the Depot Street Bridge, the construction of the two new parking lots and our central sewer system status. We also knew that we were heading into un-chartered economic waters which carried higher prices for energy related products. During the year, our Select Board indicated their ongoing priorities for capital expenditures which included the possible purchasing of the balance of land on Park Street, improvements to the restrooms and park facilities at Highland Lake Park, the Depot Street Bridge, seek funding for the Town's transfer station to more efficiently handle single sort recycling and begin the development of public restrooms off the Depot Street Parking Lot. With the return of a traditional winter, energy and snow related commodities were expended at a greater rate and amount than had been initially estimated. This would be accounted for in the year end surplus and represent an increase in the FY 09 budget as well.

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4. Presentations and Discussions; a. Fiscal Year 2009 Budget Proposal; Town Manager (continued)

Having those challenges imposed upon our commitment to continue with the core services we provide, each department reviewed their operations and budgets which were presented reflecting a tighter bottom line. I must compliment all department heads since they realize that some departments will get less while allowing for others to have additional funding for services.

Like any proposed budget, there is a strategy that is usually laid out and the decisions are based upon the elements of that strategy. The strategy utilized by the Manager's Office was basic: Fund the necessary services based upon new information such as weather conditions, retain as much of the existing services as possible, utilize all revenues and one time surplus expenditures so as not to create future revenue problems and bring this budget in at or under the Maine Statute for local governments referred to as LD-1. We have done this. However, the viewers of this budget will also see that there are several stand alone warrant articles that, if approved, will cause this proposed budget to exceed our LD-1 limit and require separate town meeting approval to increase our LD-1 limit.

This letter of transmittal is much the same as a game plan and after it is reviewed, there will be a better understanding of what is expected of local government and you, the taxpayer.

The Expenditure Side of the Budget: The proposed budget increases expenditures by \$14,545 over the current year. The major sources of those expenditures are driven by capital expenditures, energy related costs for electricity, heating fuels, sand and salt increased quantities and prices, and personnel costs including cost of living adjustments and basic insurance benefits. This also was the direct result of reaching agreements with those employees covered by collective bargaining agreements and fair treatment for non covered employees.

Not included in the town side of the budget is the County Tax which is due to rise by about \$47,000 and the MSAD #61 budgets which still is in the process of being refined. The estimates indicate this could rise to as much as \$733,000.

Our Capital Investments are part of the strategy put forth in this budget. The proposed funding would cover projects such as:

Fire Dept. Extraction Equipment, Station Renovations and reserves-	\$50,500
Continue Cruiser lease/purchase-	\$13,000
Public Works- Plow Truck, Add'l pavement, Bridge and reserves-	\$285,000
Parks-Bathrooms Highland Lake, Depot Street Reserves	\$10,000
Other Buildings Reserves-	\$16,500
Energy Conservation Investments-	\$15,000
TOTAL	\$390,000

To meet the Select Board's expectations we are recommending several capital improvement warrant articles as follows:

To raise and appropriate \$175,000 to convert to Single Sort Recycling at the Transfer Station.

To raise and appropriate \$76,500 to purchase the balance of the land off Park street for future municipal uses including off street parking.

To raise and appropriate \$50,000 towards the renovation of the proposed Depot Street public restrooms.

At the current estimated value of the Town, these, if approved, would increase the tax rate by \$.33 unless added surplus is used to reduce some of the impact. As noted, if these are approved, the town meeting will be asked to approve authorization for the Town to exceed its LD-1 tax cap by the amount of these and any other special warrant articles, as approved.

We have also developed an energy conservation plan that is a separate document but part of this year's budget plan. It reviews options in three different time frames; short term over the next one to three years, mid term over the next two to five years and long term over the next three to seven years. Included in this plan are some thoughts regarding both conservation and energy generation which coupled with reduction of energy could assist the town in savings either by cost reductions or cost avoidance as prices increase over the next few years. We are also asking the Select Board to consider the formulation of an energy advisory committee who would work with the town's staff members in fine tuning our whole approach to energy.

Revenues to this Budget: The sources of revenues are straight forward. We derive funds from the Federal government such as CDGB or FEMA, State Revenues and locally collected revenues. Any balance needed is made up by real estate and personal property taxes. In our estimates for the next year we have maintained the state revenue sharing which continues to be the trend for this source of funds. As we look at those fees and taxes collected for auto, OHRV's and other recreational vehicles we expect minimal increases. We are expecting the second round of CDBG funds which are dedicated to the upgrading of the municipal sewer system. This amounts to \$175,000 plus our administrative fees. We have also removed the recycling revenues since this would now be going to Eco-Maine as part of our single sort recycling program. Remember this is based upon the theory that Eco-Maine can derive higher revenue prices in the market than we can and as they do, these revenues will offset some of our ongoing costs reflected in our solid waste disposal operations. Last year this was estimated at about \$51,000 and could be as high as \$62,000 in current market conditions.

This budget represents the first year of funds collected by the Downtown-Rt. 302 TIF, \$25,000 to be used towards the reconstruction of the Depot Street Bridge.

One source that always receives questions is that of using some of the undesignated fund balance or surplus as it is sometimes referred to. Our fiscal policy guides us on this source. We maintain between two and three months of working funds, which becomes our cash flow and we can avoid borrowing funds in anticipation of taxes. At a monthly expense of about \$900,000 we should maintain between \$1.8 to \$2.4 Million in this fund. Our estimates indicate we should be able to use about \$455,000 to help reduce taxes. To avoid a future problem, these are earmarked for one time only expenses and therefore are not made up in future years' tax collections.

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Property Taxes: These are what you pay to the Town after all other revenues are applied to the approved expenses. The Tax Rate is based upon two simple targets. The first would be what we need to raise after all revenues are applied. This becomes the Tax Commitment. The second target is what our towns' total valuation is less the TIF values. For the purposes of estimating we are using \$946,000,000 million of value. This proposed budget before any other approved warrant articles would indicate we need to raise about \$3,198,000. By dividing this number by 946,000 we would get a local tax rate of \$3.38. Then we would have to add the county portion and the MSAD portion to get the full rate. Our current local rate is \$3.28 and this would be about a 3.1% local tax rate increase. If the additional warrant articles are approved then our local tax rate projection would be about \$3.71.

Future Challenges: There are several variables that will affect the Town's final tax rate.

We already know that the County tax will increase to \$.55 from the current level of \$.50.

The MSAD still faces several important consolidation questions related to funding and until those are resolved our only estimate of increase is now about \$733,000 for Bridgton.

If the warrant article related to recycling is not approved, the Town will still face a complete refurbishing of the existing below grade compactor unit estimated around \$100,000. We should be spreading that over a two year period since we are almost at the end of its useful life now. The current strategy for the upgrades of our community sewer system still may require some local tax dollars to pick up where the grant funds fall short. As of this letter, the numbers have yet to be accurately determined.

On a brighter side, as the Downtown-Rt. 302 TIF accrues additional values, there will be funds to assure that various improvements to the corridor and the downtown to the intersection of Depot and Main streets can be made. As indicated, the sum of \$25,000 is now proposed as part of this budget for the Depot Street Bridge.

Economic Development will continue to drive our town's viability and our community's success. In part it is more than bricks and mortar. With the advent of three major parks within walking distance for downtown shoppers and visitors, Bridgton has something special to offer. Promotional efforts will require investments, both from the town and from the private sector who make the downtown and our town wide economy successful. This is a continuation of the full time work initiated in FY 2008 and is funded full time for FY 2009 with some \$26,000 coming from the CDBG grant.

Energy issues will continue to challenge our operational costs. With an Energy Conservation Committee we hope to explore new technologies that can have a viable cost effective presence in our community.

Our community will still face the daunting task of paring some services in the future. This budget does represent a reduction in the lifeguard and beach attendant services at the beaches and we will review additional services in the future as well. Valued as important services, we are already prioritizing outside agency requests, and some are not recommended for funding. The same will occur as we look at our core services. Through this paring process we should not forget what values our community represents. The establishment of the Fuel Collaborative, lead by the Community Center in cooperation with the Towns of Bridgton and Harrison, is just another way of expressing the true spirit of our communities and our values.

We are also recommending the Select Board review our building needs and specifically ask why we are retaining some of those buildings which present annual operational costs and long term capital expenses. The Board should also review our public road policy with the idea of determining whether the town should discontinue the use of those roads that may only be servicing one or two properties and may be nothing more than an extended driveway. This recommendation is not taken lightly and also implies the Town will not take any new requests for public roads since this affects winter and summer operational expenses.

With this information and my compliments to our hard working Town employees and our pledge to work with our Select Board, I hereby transmit the Manager's proposed budget for Fiscal Year 2009.

Respectfully Submitted,

Mitchell A. Berkowitz, Town Manager

b. Discussion by the Board on How to Proceed With Budget Review

The Board agreed that they will meet with any Department Head that does not agree with the budget recommendation of the Town Manager. They will discuss the proposed budget at their next meeting and encouraged public input.

c. Key Dates for Actions on Proposed Budget and Town Meeting

Town Clerk Laurie Chadbourne provided the Board with the Annual Town Meeting Timeline. Key dates were reported as follows: nomination papers will be made available on 3/17/2008 for 2 Board of Selectmen, 1 SAD 61 Director, 1 Planning Board Member, and 1 Water District Trustee; the deadline for filing nomination papers is 4/26/2008; the deadline for voters to submit a petition for placement of referendum questions on the ballot is 4/26/2008; the deadline for voters to submit a petition for placement of article on the town meeting warrant is 5/02/2008; Annual Town Meeting is 6/10/2008 and 6/11/2008.

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Public Participation

BRAG; Dispersement of Funds

Richard Sens asked the Board how the funds to BRAG will be dispersed. Chairman Triglione replied that BRAG will request a drawdown of the funds that were approved at Town Meeting. He added that Selectman McHatton is the liaison between BRAG and the Board of Selectmen.

Sand for Public Use

Richard Sens reported that the public sand supply is not being adequately maintained. Public Works Director Jim Kidder replied that due to the large number of storms this year, there has not been enough sand to keep the "public sand box" full. Town Manager Berkowitz added that the priority of the Town is to first sand the roads and sidewalks, any remaining sand is made available for public use. The Board agreed that if there is extra sand, it will be made available to the public.

5. Approval of Minutes; March 4, 2008

Motion was made by Vice-Chairman Woodward for approval of the minutes from the March 4, 2008 Board Meeting; 2nd from Selectman Bell. 3 approve/0 oppose

6. Correspondence and Other Pertinent Information; None

a. Appointments to the Bridgton Baseball/Softball Committee

Motion was made by Selectmen Bell to appoint Brad Scammon, Tina Axtman, Andy Clark, Lisa Clark, Damon Brooks, Mitch Sanborn, John Mayo, Brian Fox, Chuck Robbins, Bill Clark, Martha Clark, Bill Schrader, Bill Dyer, John Evans, Gary Laplante, Brad Wears, and Jeff Douglass; 2nd from Vice-Chairman Woodward. 3 approve/0 oppose

7. Town Manager's Report

Town Manager Berkowitz reviewed the following in part:

- Year to date ongoing bank activity as prepared by the Finance Officer.
- An e-mail from Superintendent Frank Gorham regarding EPS funding.
- Property tax exemption applications are available at the Town Office and on the website, www.bridgtonmaine.org.
- Mahlon Johnson submitted information regarding Eco-Maine for Board review.
- BRAG construction timeline.
- Correspondence regarding mandatory Board of Selectmen recommendations regarding appropriations at town meeting.
- Information from Neal Allen from GPCOG regarding MDOT Projects.
- Letter of support for the continuing discussions between the Town of Naples and the Maine Department of Transportation regarding the future causeway bridge.

8. Old Business; None

9. SAD 61; None

10. New Business

a. Permits/Documents Requiring Board Approval

- Liquor License & Victualer License Renewals for Venezia Ristorante

Motion was made by Vice-Chairman Woodward for approval of the liquor license and victualer license applications for the Venezia Ristorante; 2nd from Selectman Bell. 3 approve/0 oppose

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10. New Business; a. Permits/Documents Requiring Board Approval (continued)

- Appointment of Election Clerks per MRSA Title 21-A §503

Motion was made by Vice-Chairman Woodward to appoint the following Election Clerks: D. Steve Collins, Betsy Curtis, Susan Rock, Barbara Ryan, Laura Ordway, Kathleen Stevens, Dan Abbott, Sharon Abbott, Melissa Norton, Janice Chadbourne, Marita Wisner, Roseanne Dombek, Bruce Hancock, Margaret Reimer, Dawn Taft, Joyce Barter, John Anderson, Eva Abreu, Betty Cross, Linda Johnson, Evelyn Lamb, Christina Lowell and Robert Mawhinney; 2nd from Selectman Bell. 3 approve/0 oppose

- Sewer Commitment #37

Motion was made by Vice-Chairman Woodward for approval of Sewer Commitment #37; 2nd from Selectman Bell. 3 approve/0 oppose

b. Legal Matters

There were no legal matters.

c. Selectmen's Concerns

There were no Selectmen's concerns.

d. Other Matters

There were no other matters.

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

The Board reviewed their agenda for the next meeting.

12. Treasurer's Warrants

Motion was made by Vice-Chairman Woodward for approval of Treasurer's Warrants numbered 99 and 100; 2nd from Selectman Bell. 3 approve/0 oppose

13. Executive Session: MRSA Title 1, Chapter 13, Subsection 405.6.A

"Discussion of matters that if done publicly could affect the reputation of one of the members."

Motion was made by Selectman Bell to enter into executive session at 6:40 P.M. per MRSA Title 1, Chapter 13, Subsection 405.6.A; 2nd from Vice-Chairman Woodward. 3 approve/0 oppose

Motion was made by Selectman Bell to come out of executive session at 6:58 P.M.; 2nd from Vice-Chairman Woodward. 3 approve/0 oppose

14. Adjourn

Chairman Triglione adjourned the meeting at 6:58 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk

Next Board of Selectmen's Meeting: March 25, 2008