

**Board of Selectmen's Meeting Minutes  
Board of Selectmen's Meeting Room  
March 25, 2008; 5:00 P.M.**

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

**Board Members Absent:** Joan M. Gardner (*resignation submitted and accepted at this meeting*)

**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.

Chairman Triglione brought agenda item 6c forward.

**6. Correspondence and Other Pertinent Information; None**

**c. Letter from Member Joan Gardner**

Chairman Triglione read the following letter from Joan Gardner: "Dear Chairman Triglione, Please accept this letter as my intent to resign my seat as Selectman for the Town of Bridgton. I request that the Board consider and accept this resignation. This resignation would become effective immediately upon formal acknowledgment by the Board. Thank you for your consideration. Sincerely yours, (s/) Joan M. Gardner."

**Motion** was made by Vice-Chairman Woodward to accept Ms. Gardner's resignation; 2<sup>nd</sup> from Selectman Bell. 4 approve/ 0 oppose

**Motion** was made by Selectman McHatton to shorten the period in which nomination papers are available for the 2008 Annual Town Meeting to thirty-one (31) days for the position of one regular member of the Board of Selectmen for a one (1) year term to fill a vacancy in office due to a resignation; 2<sup>nd</sup> from Vice-Chairman Woodward. 4 approve/0 oppose

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

Bill Felts asked the Board to consider implementing a recall procedure for Municipal Officers. The Town Manager offered to gather additional information. **Motion** was made by Selectman McHatton not to pursue a recall procedure for municipal officers at this time; 2<sup>nd</sup> from Chairman Triglione.

3 approve/1 oppose; *Vice-Chairman Woodward was opposed*

**4. Presentations and Discussions**

**a. Recommendations of Investment Committee to Include Policy & Procedures**

Town Manager reported that in its capacity, the Investment Committee is charged with the role of reviewing the strategies as they relate to the investment of Town funds in the two trust funds and making the recommendations to the Board of Selectmen that reflect the fiduciary responsibilities, preservation of principal and return on investments. When the financial markets reflect swings that may impact the Committee's primary charge, the time it would take for the Committee to meet, for the Select Board to receive their recommendations and take their appropriate action, and for the Town to implement those actions could cause a major delay. The results may place the principal of the funds at risk. Simply, the market reaction time versus local decision making time may be incongruent and to the Town's detriment. Town Manager Berkowitz provided the Board with a recommendation for a policy to address the problems. The Board will review and take action at their next meeting.

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

b. Letter for LELET and Grant for Pleasant Mt.

**Motion** was made by Vice-Chairman Woodward for approval of a letter of support for Loon Echo Land Trust and the Nature Conservancy in their application to the Land for Maine's Future to fund the purchase of approximately 800 acres of additional mountain land; 2<sup>nd</sup> from Selectman Bell. 4 approve/0 oppose.

**5. Approval of Minutes; March 11, 2008**

**Motion** was made by Selectman Bell for approval of the minutes from the March 11, 2008 Board Meeting; 2<sup>nd</sup> from Vice-Chairman Woodward. 4 approve/0 oppose

**6. Correspondence and Other Pertinent Information; None**

a. Request from Town of Casco

The Town Manager from the Town of Casco submitted a request for the Town of Bridgton to employ the current Town of Casco Constable/Animal Control Officer under the auspices of the Bridgton Police Department. Town Manager Berkowitz reported that the Constable/Animal Control Officer of Casco has resigned and no further action on this request is required at this time.

b. Request for Information; MDOT, Impacts of the Naples Bridge

Maine DOT held a public meeting in Naples on January 30<sup>th</sup> to explore the replacement options for the Naples Bay Bridge, on Route 302 on the causeway. Deputy Commissioner, Bruce A. Van Note asked the Town Manager and Board of Selectmen to let him know their preference for the replacement structure, either a new moveable span, or a new fixed span. The Board agreed that the final type of bridge rests with the Town of Naples and the Department.

c. Letter from Member Joan Gardner; This item was taken up at the beginning of the meeting.

d. Proposal from Mr. Benware for Additional Cemetery Land

The Board agreed to table this proposal to allow the Public Works Director time to review the area.

e. Request from Town of Sweden

The Town of Sweden is currently evaluating a variety of options relative to their Volunteer Fire Department. They asked if Bridgton would consider providing fire services to Sweden. Town Manager Berkowitz and Fire Chief Garland will gather additional information on this request for the Board to review.

f. Sewer Rate Information

Micah Niemy, Economic Development Director, provided a report of sewer rate information to the Board. It has been determined that the average residential account uses approximately 55 cubic feet per year. At the current user rate of \$7.10 the average annual bill for residential users is \$390.50. If the Board were to increase the rate to \$10.00 that bill would increase to \$550.00, an increase of \$159.50 (29%). In FY 2010 the bill would increase to \$660.00. It is also possible to compare the Town's rate to the state average. Using data from the Maine Rural Water Association's 2006 Sewer Rate Survey, it can be determined that the state average, 55 cubic feet per year, is \$165.00. This would be a state wide average of \$3.00 per 100CF. It was also noted that Bridgton has only a fraction of the users of most other communities. On average communities with a municipal sewer system have 1,927 users; Bridgton has 62. As a result, the Town is unable to recap the benefits of economy of scale that many larger systems enjoy. The limited number of users results in a larger percentage of the burden being placed on each account.

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**7. Town Manager's Report**

Town Manager Berkowitz reviewed the following in part:

**USDA Loan Program:** The District representative to the USDA program, Mr. Alton W. Wedberg contacted me and did a follow up letter dated March 17. He reminds us that the USDA operates a waste disposal loan and grant program. Since the Town population is under 10,000 and we are rebuilding our waste water septic system we become eligible for the loans since it is unlikely they will be able to award any grants in the near future. At 4.625% we will keep this in mind when the time comes based upon authorizations needed. However I will contact Mr. Wedberg to again explore a combination loan and grant program if possible thereby lessening the amount to be borrowed.

**Fuel Collaborative Report:** Carmon Lone reports for the year to date 17 families in Bridgton and Harrison have been assisted with two more applications pending. The Income to date is \$11,559 with funds committed at \$5,109. The Rotary Club has committed the proceeds of this year's annual Taste of the Lakes Dinner/Auction to the Collaborative which will then help to jump start the next heating season promotion and contributions efforts. The application review team consists of Sandra Collins, Joanne Diller and Muffet Crowell who have worked diligently to complete their reviews of applications and render their decisions in a very timely manner. This Program speaks well of the two communities, the contributors and the volunteers.

**Winter Operations:** Like every community Bridgton continues to complete the winter operations though spring has arrived. To date we have over spent our line items by \$95,000 with a maximum allowed of just under \$121,000. To fund this amount we will rely upon both year end revenue surplus and year end unexpended funds. At this time no special town meeting is requested. However, if winter weather persists, the Select Board will be asked to authorize a special town meeting at which we would ask voters to approve expenditures necessary to continue the winter operations. We would rely on the above noted surplus and would not ask for a supplemental tax commitment.

The Select Board, Public Works Director and Town Manager will need to review our practice and your policy and the state laws regarding the repair and/or replacement of snow damaged private property when it is established that it was caused by the Town plow. We expect more notifications as the snow mounds melt.

**BRAG Files for DEP Permit:** Through BRAG's Engineers, a Stormwater Law permit will be filed with the Maine DEP on or about March 21, 2008. The application is on file at the Portland DEP office for viewing. Written public comments may be sent to the regional MDEP office at 312 Canco Road, Portland, Maine 04103. As BRAG has indicated, it is moving ahead.

**Community Center Developing their Five Year Plan:** I have met with Nelle Ely and Shirley Howell, two of the volunteers working on the Center's five year plan. They want to make sure their efforts tie into the Town's ongoing efforts for the Depot Street area and the community as a whole. I have offered to facilitate one of their meetings in the near future to assist as they focus on key elements for their plan.

Chairman Triglione thanked Mahlon Johnson for his enthusiastic representation of Bridgton on the Eco-Maine Board. He congratulated Mr. Johnson for being the recipient of the Eco-excellence award this past week and is proud of his accomplishments. He thanked Mr. Johnson for his continued efforts.

**8. Old Business**

a. Review of the Proposed FY 2009 Budget  
*This item was tabled until later in the meeting.*

**9. SAD 61; None**

**10. New Business**

a. Permits/Documents Requiring Board Approval

- Liquor License & Victualer License Renewals for Trailside Restaurant

**Motion** was made by Vice-Chairman Woodward for approval of the liquor license and victualer license applications for Trailside Restaurant; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

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**10. New Business**

a. Permits/Documents Requiring Board Approval (continued)

- Multi-Use Land Use Permit to Lakes Region ATV Club

**Motion** was made by Selectman Bell for approval of the Multi-Use Land Use Permit to the Lakes Region ATV Club; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

- 2008 Municipal Warrant for Prosecuting Unlicensed Dog Owners/Keepers

**Motion** was made by Selectman Bell for approval of the 2008 Municipal Warrant for Prosecuting Unlicensed Dog Owners/Keepers; 2<sup>nd</sup> from Vice-Chairman Woodward. 4 approve/0 oppose

- Request to Redeem Tax Acquired Property

The Board received a request from R & G LLC to redeem their tax acquired property by paying all taxes, interest and costs including the 2008 anticipated taxes. **Motion** was made by Selectman Bell to deed the property back to the prior owner as requested, 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

- Street Name; Rileys Run

**Motion** was made by Vice-Chairman Woodward for approval of the street name, Rileys Run; 2<sup>nd</sup> from Selectman McHatton. 4 approve/0 oppose

b. Legal Matters

There were no legal matters.

c. Selectmen's Concerns

Vice-Chairman Woodward, Selectman McHatton and Chairman Triglione had no concerns.

Selectman Bell asked the Town Manager if Micah Niemy has formally resigned. Town Manager Berkowitz replied that Mr. Niemy has resigned from his full time position but will continue to work part time.

d. Other Matters

Lifeguards

The Board received a memorandum from Recreation Director Phil Gutekunst regarding the decision of the Town Manager to remove the expenditure for lifeguards from the budget. If there is any desire from the Board not to eliminate these positions, the decision will need to be made very soon as the window of opportunity to retain qualified lifeguards is shrinking very fast.

Transfer Station Rules

Town Manager Berkowitz provided the Board with a "Bridgton Transfer Station Rules" hand-out. This handout provides detail regarding the rules, hours of operation, acceptable and unacceptable items and will be made available to the public.

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

The Board reviewed their agenda for the next meeting.

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**8. Old Business**

a. Review of the Proposed FY 2009 Budget

Chairman Triglione thanked Town Manager Berkowitz for submitting a budget within the LD1 guidelines. Discussion continued regarding the budget. Selectman Bell asked several questions regarding the police department budget which resulted in the scheduling of a meeting between the Town Manager, Selectman Bell and Police Chief Lyons to discuss his concerns; the meeting was to be held the following day. Vice-Chairman Woodward reminded the Board that their role as a Selectman is not to micromanage. Chairman Triglione added that the Board has an obligation to fully review the budget. A full report of the meeting will be made to the Board at their next meeting.

A representative from the Rape Education and Crisis Hotline (REACH) asked the Board to consider appropriating \$500.00 to their organization. She provided a brief summary of the services offered by REACH.

Lengthy discussion ensued regarding budget details. The Board scheduled a budget workshop for Tuesday, April 1, 2008 at 5:00 P.M.

**12. Treasurer's Warrants**

**Motion** was made by Vice-Chairman Woodward for approval of Treasurer's Warrants numbered 101, 102, 103, 104, 105 and 106; 2<sup>nd</sup> from Selectman Bell. 4 approve/0 oppose

**13. Executive Session: None**

**14. Adjourn**

Chairman Triglione adjourned the meeting at 8:05 P.M.

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk

*Next Board of Selectmen's Workshop/Meeting: April 1, 2008*  
*Next Board of Selectmen's Meeting: April 9, 2008*