

**Board of Selectmen's Meeting Minutes
Board of Selectmen's Meeting Room
January 22, 2008; 5:00 P.M.**

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

Town Manager, Mitchell A. Berkowitz was also present.

1. Public Hearing; None

2. Call to Order

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

3. Public Comments; Non-Agenda Items

Mahlon Johnson expressed sincere appreciation for the honor of the nomination to the Eco-Maine Excellence Award. Town Manager Berkowitz stated that the nomination is to honor and thank Mr. Johnson for his hard work within the community and all of his recycling efforts. Mr. Johnson reported that a video is forthcoming which will be shown on LRTV and also made available for viewing on the Town website. He added that he will be writing a column on a monthly basis for the Bridgton News in an effort to keep the citizens informed on what's happening with Eco-Maine.

Micah Niemy submitted updated information to the Board regarding the fuel collaborative. The working committee has created a monitoring system and included income brackets on the application. The Board will review this information and requested that monthly reports to the Board be part of the process. Mr. Niemy will keep the Board informed on the progress.

4. Presentations and Discussions

a. Continued discussion regarding the Sewer System Renovations w/ Items

Ray Turner, Mark Hatch and Micah Niemy were present representing the Wastewater Committee. The Board and Committee reviewed a summary of the sewer field renovation report which contained:

“The following is an effort to preliminarily identify some of the alternatives the Town may have and how they might address the field status problem. The Town operates two fields, the Dodge Field located off Wayside Avenue and the Ball Field located east of Main Street.

I)	Accept the engineer's proposal as is		Estimated Cost \$2,178,750 plus interest charges
II)	Renovate part of existing system	Dodge Field	\$975,000
	And major expansion		
	Add pretreatment and	Ball Field	\$450,000
	Add four beds		\$1,425,000 plus interest charges
III)	No renovation-major expansion	Dodge Field	\$625,000
	And add pretreatment and		\$200,000
	Offer water conservation grant		\$40,000
	Reduces allocation/consumptions-Town recaptures allocated gallons=reduced construction costs		
	Possible tie in with Water District???		
	Complete Ball Field as proposed	Ball Field	\$450,000
			\$1,315,000 plus interest charges
IV)	Redirect some flows to the Ball Field-Reduce capacity and cost of Dodge Field		
V)	Identify cost benefits of building new field under Depot Street Lot		

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4. Presentations and Discussions (continued)

a. Continued discussion regarding the Sewer System Renovations w/ Items

Staff Recommendations:

- 1) Prepare an engineering RFP with a complete scope of services and engage a firm to:
Conduct an alternative analysis of the above and other key options with
BOS selection, design the two fields project and break out funding years
- 2) Engineer will then provide site construction administration based upon a fixed hourly rate not to exceed total quote for Dodge Field
- 3) Engineer will provide a quote in the third year for construction administration of the Ball Field project

This will allow us to deal with one engineering firm for the balance of this project and align the project elements to funding cycles. It complies with the CDBG grant procurement process. Micah has confirmed that the County has allocated administration costs against our first year funding to start with #1."

Lengthy discussion ensued. The Board directed the Town Manager to create a short term plan for immediate remedy to the problems. The Town Manager will review this plan with the Wastewater Committee and bring it back to the Board for consideration.

b. Overview of the FY 2009 budget development and summary

Town Manager Berkowitz prepared a preliminary snapshot of the proposed '09 budget for the Board to review. The goal is to stay within the LD-1 requirements. He encouraged Board input during the budget process.

c. Seek Approval to Accept Full Payment for Tax Acquired Property

In 2005, the Town foreclosed on two 2003 tax liens for property owned by Kamfas Real Estate Corp (parcel 19A/52 and 19A/53). Due to a death in the family that occurred in 2005, the family had no knowledge of ownership of the property until this point. The family requested approval from the Board to redeem their property. **Motion** was made by Selectman McHatton to allow the family to pay all outstanding taxes, interest and costs to redeem the two tax acquired properties; 2nd from Selectman Gardner. 5 approve/0 oppose

d. Review a formal policy regarding payments on foreclosed property

Town Manager Berkowitz reviewed the following proposed policy regarding payments on foreclosed property.

Tax Acquired Policy and Procedures

Purpose: To clarify the uniform policy and procedures related to Tax Acquired properties originally adopted on March 31, 1992.

Relevant Statutes: 36 MRSA §§ 942 and 943- unpaid real estate taxes may be enforced by means of a tax lien mortgage (foreclosure).

Foreclosure: Upon automatic foreclosure, the Town shall conduct a title search of the tax acquired property (s) at the Registry of Deeds. This would verify that correct information of the mortgage holders has been identified.

Town Officials shall conduct an inspection of the tax acquired property prior to any action being taken.

A Notice of Sale for all tax acquired property being put out to bid shall be published in the Bridgton News for at least two weeks.

A copy of the Notice of Sale will be sent to mortgage holders and abutting property owners by regular mail. The Town Manager shall be free to ask the Board to waive any part(s) of this Policy if the costs exceed the likely return from the sale(s).

Redemption of the Property: *THE INTENT OF THIS PROCESS IS TO MAKE A REASONABLE EFFORT TO RETURN THE PROPERTY TO ITS OWNERS WHEN THERE ARE EXTENUATING CIRCUMSTANCES. THIS MUST OCCUR PRIOR TO THE TOWN FORMALLY ADVERTISING THE PROPERTY.*

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4. Presentations and Discussions (continued)

d. Review a formal policy regarding payments on foreclosed property

Under the statute, the mortgage holder retains the right for 18 months from the date of the Notice of Lien to redeem the property(s) for all taxes, interest, fees and charges due. However, the Board of Selectmen will permit the original property owner to redeem a property up to the date the Town places the advertisements for the sale of the tax acquired property. The Select Board, upon written request to them by the original property owner, may return the property to its owner upon payment of all taxes, interest, fees and charges due.

Once the Town proceeds with the advertisement of the bid process, there will be no redemption of the property by the original owners. The Town reserves the right to reject any and all bids and may accept the highest bid for the advertised property. Failure by the highest bidder to complete their purchase transaction in ten business days, will permit the Town Manager to award the bid to the next highest bidder for the advertised property.

The bidding process shall comply with the Town of Bridgton's standard policy on purchasing and procurement as to notification, advertisement, minimum information and value required and other bid requirements. The Town Manager on behalf of the Board of Selectmen will consider all bids received and reserves the right to reject any or all bids received.

This item was tabled until the February 12, 2008 Board Meeting to allow time for Board Members to further review the proposed policy.

5. Approval of Minutes; January 8, 2008

Motion was made by Selectman Bell for approval of the minutes from the January 8, 2008 Board Meeting; 2nd from Selectman McHatton. 4 approve/0 oppose/1 abstention

Selectman Gardner abstained because she was absent from the 1/8/08 meeting.

6. Correspondence and Other Pertinent Information

➤Cumberland County has arranged for a prescription discount card for county residents in an effort to provide assistance to qualified citizens. The Town Manager will keep the Board informed on their progress.

➤At the Boards' request, Town Manager Berkowitz had advertised for anyone interested in discussing land acquisitions for the purpose of building ball fields. He received one phone call with no follow up.

➤A public hearing is scheduled for February 5, 2008 at 6:45 P.M for the purpose of receiving public input on a Special Amusement Permit Application for the Magic Lantern Theater.

7. Town Manager's Report

Town Manager Berkowitz reported the following:

Variety of Legislation in the "Hopper":

Ray Turner dropped off three bills all, related to governing the use of water craft and safety related. They have limits on ages, minimum safety training and limit on horsepower. Long Lake is included in the limit of horsepower.

We are also watching the following:

Tax Reform and limits on government spending; Education Consolidation "fixes;" County Jail Consolidation

Fuel Collaborative Moving Ahead:

At this point the Town Select Boards of Harrison and Bridgton and the Executive Committee for the Bridgton Community Center have all agreed in principle to establishing the Fuel Collaborative. Details of the By Laws, application and procedures are in their final stages and we hope that all three will again approve those as the Collaborative is ready to receive private donations. Checks may be made out to: The Bridgton Community Center-Fuel Collaborative. Donations may be sent to the Community Center directly though each town will turn over any donations they receive, on a daily basis. We are in hopes of announcing the starting date to receive applications, in the very near future.

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7. Town Manager's Report (continued)

Noteworthy Events:

Bridgton and the region are enjoying a very festive period. The Winter Carnival, sponsored by the Chamber of Commerce got under way this past weekend. The Magic Lantern will host their grand opening on Friday, February 8. There was a limit of 350 tickets which have all been sold as I was told.

Internal Review of Safety Requirements:

We have implemented the first of our internal reviews related to re-inspection of each department's ongoing compliance with the Bureau of Labor Standards original inspection. Each department has received a short list of what has been found in compliance and what needs further attention. One of the major areas we are working on relates to employee record keeping. We are in hopes of applying to the Bureau to become part of their voluntary SHAPE program which will further provide our department's with an understanding of what else we should be doing to make our workplace a safe environment for employees.

8. Old Business

a. Tabled Motion to consider payment to the electrical subcontractor

The Board had previously requested information regarding local contractors who may not have been paid by the general contractor hired to complete the office renovations project. Town Manager Berkowitz found that one invoice for the electrical work which came to \$315 from D.M. Electric, Inc. and Sons remains unpaid. This issue had been tabled from the previous meeting to allow for the vote by all five Board Members. Selectman McHatton said that the work was completed and the sub-contractor should be paid. Selectman Bell said that the sub-contractor was hired by the contractor and that the appropriate course is through the legal system; the sub-contractor should take the contractor to small claims court. Vice-Chairman Woodward said the Town received the value of the service and the sub-contractor should be paid. Chairman Triglione said that it is not the Town's responsibility as the sub-contractor was hired by the contractor and not the Town. **Motion** was made by Selectman McHatton to pay the sub-contractor for his work but not to set a precedence; 2nd from Vice-Chairman Woodward. 3 approve/2 oppose *Chairman Triglione/Selectman Bell opposed*

b. Formally accept financing for Police Cruiser

Motion was made by Vice-Chairman Woodward for approval of the following:

"That under and pursuant to the provisions of Title 30-A of the Maine Revised Statutes of 1964, as amended to date and authorization of the voters of the Town of Bridgton at town meeting on June 13, 2007, the Treasurer of the Town be and hereby is authorized to execute and deliver a tax-exempt lease purchase agreement with Key Government Finance, Inc., or its nominee, in the name and on behalf of the Town of Bridgton, for a police car, said lease purchase agreement to be in the aggregate principal amount of Twenty One Thousand Sixty Nine Dollars (\$21,069) payable over a term not to exceed two years with interest at an annual rate not to exceed 5.5%, and otherwise in such form and on such terms not inconsistent herewith as the Treasurer in consultation with the Town's legal counsel deems to be in the best interests of the Town; and that the tax-exempt lease purchase agreement issued pursuant hereto be designated as a qualified tax-exempt obligation within the meaning of Section 265(b)(3) of said Code; and that the Clerk of the Town be and hereby is authorized to execute and deliver any certificates with respect to proceedings of the Town in connection therewith, and that the Treasurer and Chair of the Board of Selectmen, acting singly, be and hereby are authorized to execute and deliver on behalf of the Town such other documents and certificates as may be required in connection with such tax-exempt lease purchase agreement; and that no part of the proceeds of said tax-exempt lease purchase agreement shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the tax-exempt lease purchase agreement to be a "private activity bond" or an "arbitrage bond" within the meaning of Sections 141 and 148, respectively, of the Internal Revenue Code of 1986, as amended (the "Code"); and that the Treasurer and Chair of the Board of Selectmen, acting singly, be and they hereby are authorized to covenant on behalf of the Town to file any information report and pay any rebate due to the United States in connection with the issuance of said tax-exempt lease purchase agreement, and to take all other lawful actions necessary to insure the interest portion of the rental payments under and pursuant to the tax-exempt lease purchase agreement will be excluded from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking any action which would cause such interest portion of the rental payments to become includable in the gross income of the owners thereof."

2nd from Selectman Gardner. 5 approve/0 oppose

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9. SAD #61

a. Reminder of the Meeting with the Supt. on Feb 12, 2008

10. New Business

a. Permit/Documents Requiring Board Approval

▪Sewer Abatements

▪Sewer Commitment #34

Motion was made by Vice-Chairman Woodward for approval of the sewer abatements and sewer commitment #34; 2nd from Selectman Bell. 5 approve/0 oppose

▪Special Town Meeting Warrant; 02/05/2008

Motion was made by Vice-Chairman Woodward for approval of the Special Town Meeting Warrant; 2nd from Selectman Bell. 5 approve/0 oppose

▪Amend the North Bridgton Cemetery Contract

Motion was made by Vice-Chairman Woodward to seek voter consideration at the 2008 Annual Town Meeting for the contract between the Town of Bridgton and the North Bridgton Cemetery Association; 2nd from Selectman Bell. 5 approve/0 oppose

▪John O'Donnell & Associates Contract for FY 2009

Motion was made by Selectman Gardner for approval of the contract between the Town of Bridgton and John O'Donnell & Associates for FY 2009 (with the \$2,000 increase); 2nd from Vice-Chairman Woodward. 5 approve/0 oppose

▪G & K Associates Contract for FY 2009

Motion was made by Vice-Chairman Woodward for approval of the contract between the Town of Bridgton and G & K Associates for FY 2009; 2nd from Selectman Gardner. 4 approve/1 oppose

Selectman McHatton opposed because he does not agree with taxing personal property.

▪Sawyer Engineering & Surveying Contract

Motion was made by Selectman Bell for approval of the contract between the Town of Bridgton and Sawyer Engineering & Surveying to assist with the purchase of two parcels and to complete a boundary survey *subject to Town Meeting approval*; 2nd from Selectman McHatton. 5 approve/0 oppose

▪Request \$1,000 for Regional Efficiency Grant Match

Motion was made by Vice-Chairman Woodward for approval of the \$1,000 request to participate in the Regional Efficiency Grant; 2nd from Selectman Gardner. 5 approve/0 oppose

**▪Forest Hills Annex Cemetery Deed to Norman & Linda Nielson
Section H, Lot 6A; 2 grave lot**

Motion was made by Selectman Bell for approval of the cemetery deed; 2nd from Selectman Gardner. 5 approve/0 oppose

b. Legal Matters

There were no legal matters.

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10. New Business (continued)
c. Selectmen's Concerns

Vice-Chairman Woodward announced that the Winter Carnival basketball game between the Chamber and C.H.O.I.C.E.S. is scheduled for 7:30 P.M. on Thursday 1/24/2008 at Bridgton Academy gym.

Selectman Bell reported that a vehicle has been parking overnight in the parking lot at the municipal complex. Town Manager Berkowitz will follow up.

Selectman McHatton, Selectman Gardner and Chairman Triglione had no concerns.

d. Other Matters

There were no other matters.

11. Agendas for the Next Board of Selectmen's Meeting
February 5, 2008; February 12, 2008

Selectman Gardner requested that the Board meet in executive session on February 12, 2008 per MRSA 13, Section 405.6.

12. Treasurer's Warrants

Motion was made by Vice-Chairman Woodward for approval of Treasurer's Warrants numbered 78, 79, 80 and 81; 2nd from Selectman Gardner. 5 approve/0 oppose

13. Executive Session; None

14. Adjourn

Chairman Triglione adjourned the meeting at 7:25 P.M.

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk

Next Board of Selectmen's Meeting: February 5, 2008
February 12, 2008