

BRIDGTON BOARD OF SELECTMEN'S MEETING AGENDA

DATE: Wednesday, August 26, 2020

TIME: 4:00 P.M.

PLACE: Bridgton Town Office, 10 Iredale Street

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/474765061>

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(571\) 317-3129](tel:+15713173129)

Access Code: 474-765-061

1. Call to Order
2. Pledge of Allegiance
3. Elect Chairman and Vice-Chairman
4. Executive Sessions
 - a. 4:00 P.M. Per MRS Title 36 § 841: Poverty Tax Abatement Hearing
 - b. 4:30 P.M. Per MRS Title 1 § 405.6.E.: Legal Matters
5. Organizational Matters
 - a. Meeting Schedule Dates and Times
 - b. Schedule for Review of Treasurer's Warrants
July-Sept 2020; Oct-Dec 2020; Jan-March 2021; April-June 2021
 - c. Committee Liaisons
6. Approval of Minutes
 - a. August 11, 2020
7. Police Chief Phillip Jones; Oath of Office Ceremony
8. Public Comments on Non-Agenda Items (*Each speaker **may** be limited to 3 minutes.*)
9. Committee Reports
10. Correspondence, Presentations and Other Pertinent Information
11. New Business
 - a. Awards and Other Administrative Recommendations
 1. Disposal of 123 Raspberry Lane
 - b. Permits/Documents Requiring Board Approval
 1. Orders for Placement of Referendum Questions on November 3, 2020 Ballot:
 - a. Shall the Town enact an ordinance entitled, "Amendments to Town of Bridgton Victualers Licensing Ordinance to Require Marijuana Establishments to Obtain a Local License"?

2. Certificate of Commitment of Sewer User Rates Commitment #242
 3. Vote to Authorize Lease Purchase of a 2020 Dodge Ram 2500 4X4 Truck and Related Accessories in Principal Amount of up to \$44,223.00
 4. Amendments to Consolidated Tax Acquired Property Policy and Procedures for the Disposal of Tax Acquired Properties
 5. Police Department Carry Forwards
- c. Selectmen's Concerns
- d. Town Manager's Report/Deputy Town Manager's Report
12. Old Business (Board of Selectmen Discussion Only)
 - a. Wastewater Status Update
 - b. Streetscape: Upper and Lower Main Street Status Update
13. Treasurer's Warrants
14. Public Comments on Non-Agenda Items (Each speaker *may* be limited to 3 minutes.)
15. Dates for the Next Board of Selectmen's Meetings
September 8, 2020
September 22, 2020
16. Adjourn

**Town Manager's Notes
Board of Selectmen's Meeting
August 26, 2020**

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Suggested motion:** Move nominate _____ as Chair of the Board of Selectmen.
Suggested motion: Move nominate _____ as Vice-Chair of the Board of Selectmen.
4. **Executive Sessions**
Suggested motion: Move enter into Executive Session pursuant to MRS Title 36 §841 for a Poverty Abatement Hearing.
Suggested motion: Move enter into Executive Session pursuant to MRS Title 1 §405.E for a discussion with the Town Attorney.
5. **Organizational Matters**
 - a. **Suggested motion:** Move to approve the Board of Selectmen meeting schedule.
 - b. **Suggested motion:** Move to approve the Board of Selectmen assignments for reviewing Treasurer's Warrants.
 - c. **Suggested motion:** Move to approve the Board of Selectmen Committee Liaisons.
6. **Approval of Minutes**
 - d. August 11, 2020
Suggested Motion: Move to approve the August 11, 2020 Selectboard Minutes.
10. **Correspondence, Presentations and Other Pertinent Information**
11. **New Business**
 - a. Awards and Other Administrative Recommendations
 1. In your binder, please find information on the tax acquired property at 123 Raspberry Lane (Map 9 Lot 24 J-11).
Suggested motion: Move to establish a minimum bid of \$ _____ and a required deposit to bid of \$ _____.
 - b. Permits/Documents Requiring Board Approval
 1. In your binder, please find the memo with supporting materials from Community Development Director Linda LaCroix discussing proposed amendments to the Victualers License related to marijuana licensing.
Suggested motion: Move to approve the "Order to Place Referendum Question on the November 3, 2020 Ballot".
 2. Pursuant to 30-A M.R.S. § 3406 (copy of statute in your packet), please refer to Certificate of Commitment of Sewer User Rates: #242 in your packet.
Suggested motion: Move to commit the March 1, 2020 to May 31, 2020 Sewer User Rate Commitment #242 comprising 2 pages totaling \$8,004.57 to the Treasurer for collection.
 3. In your binder is the required vote to authorize the lease purchase of a 2020 Dodge Ram 3500 4x4 Truck for the Fire Department. Please find also the amortization schedule.
Suggested motion: Move to approve the lease purchase of a 2020 Dodge Ram 3500 4x4 Truck and related accessories in the principal amount up to \$44,223.

4. In your binder, please find the proposed revised Consolidated Tax Acquired Property Policy. Section IV. Disposition of Tax-Acquired Property (4.1) expands the procedure and requirements to be followed when the property is being returned to its former owner. It memorializes what the Selectboard has already been doing.

Suggested Motion: Move to approve the revised Consolidated Tax Acquired Property Policy.

5. The Police Chief is requesting additional funds be “carried forward” to off-set the reimbursement for training costs for the recently hired police officer pursuant to MRS Title 25 §2508. (copy in your binder).

Suggested motion: Move to approve the Police Chief's requested carryforwards.

12. Old Business

- a. Project Updates

Town of Bridgton Committee Selectboard Liason Listing

Committee Name	19/20 Selectboard Liason	20/21 Selectboard Liason
Community Development Committee	Carmen Lone	
Investment Committee	Liston "Lee" Eastman	
Ordinance Review Committee	Liston "Lee" Eastman	
Pondicherry Park Committee	Glenn Zaidman	

Board of Selectmen's Meeting Minutes
August 11, 2020; 3:00 P.M.

Board Members Present: Liston E. Eastman, Glenn R. Zaidman; Carmen Lone; G. Frederick Packard

Administration Present: Town Manager Robert Peabody; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Code Enforcement Officer Brenda Day; Community Development Director Linda LaCroix; Community Development Administrative Assistant Courtney Kemp; Recreation Director Gary Colello; Fire Chief Thomas Harriman; Public Services Director David Madsen; Deputy Town Clerk Suzzanah Forsythe; Finance Officer Charisse Keach.

1. Call to Order

Town Manager Peabody called the meeting to order at 5:00 P.M.

2. Pledge of Allegiance

The "Pledge of Allegiance" was recited.

3. Approval of Minutes

a. July 28, 2020

b. August 5, 2020

Motion was made by Selectman Eastman for approval of the minutes from the July 29, 2020 and August 5, 2020 Board Meetings; second from Selectman Lone. 4 approve/0 oppose

4. Public Comments on Non-Agenda Items

Community Development Director Linda LaCroix introduced her new Administrative Assistant Courtney Kemp. The Board welcomed Ms. Kemp.

5. Committee Reports

There were no Committee Reports.

Town Manager Peabody brought agenda item 7a4 forward.

7. New Business

a. Awards and Other Administrative Recommendations

4. Sponsorship from Norway Savings Bank

Recreation Director Gary Colello reported that Norway Savings Bank has graciously donated \$3,000 to sponsor the Fall 2020 Youth Soccer Program. The Bank would like to cover all the registrations for the soccer program therefore the cost to the participant (residents of Bridgton only) and their family is free. Vince Osgood and Heidi Edwards presented their donation to Director Colello. **Motion** was made by Selectman Eastman to accept the donation from Norway Savings Bank of \$3,000 to sponsor the Fall 2020 Youth Soccer Program; second from Selectman Lone. 4 approve/0 oppose

6. Correspondence, Presentations and Other Pertinent Information

a. Moose Pond Proposal by Denmark Town Manager

Denmark's Interim Town Manager, Bertrand Kendall, presented a request to the Board to share in the cost of an engineering assessment for work needed on the Moose Pond Dam. Representatives from the Moose Pond Dam Association were present requesting Bridgton's support as well. Discussion ensued. **Motion** was made by Selectman Lone to approve the expenditure of \$85,000 towards the Woodward and Curran fee estimate for repairs to the Moose Pond Dam to be included in the FY20-21 budget; second from Selectman Eastman. **Motion** was made by Selectman Eastman to amend the motion to add, "subject to the Town of Sweden's participation;" second from Selectman Lone.

Vote on amendment: 4 approve/0 oppose

Vote on amended motion: 4 approve/0 oppose

b. A Petition from the Residents of the Upper Section of Highland Road

A petition signed by residents of the upper portion of Highland Road requesting that the Select Board take appropriate action measures to curtail speeding on the road. Jim Cossey thanked Town Manager Peabody and the Select Board for reviewing this issue. **Motion** was made by Selectman Lone to refer this issue to the Police Department for resolution; second from Selectman Packard. 4 approve/0 oppose

c. MSAD 61 Reopening Plan – Superintendent Al Smith

Superintendent Al Smith reviewed the reopening plan for MSAD 61 and responded to several questions asked by the Board.

d. Extension for Use of Depot Street Dining Area – Christian Cuff

Christian Cuff, the owner of Vivo's was present to request permission that his permitted use of a portion of Depot Street be extended until the end of September. **Motion** was made by Selectman Eastman to approve Christian Cuff's use of Depot Street until September 30, 2020 under the same terms and conditions as previously approved; second from Selectman Packard. **Motion** was made by Selectman Zaidman to amend the motion to include, subject to approval by Downeast; second from Selectman Eastman.

Vote on amendment: 4 approve/0 oppose

Vote on amended motion: 4 approve/0 oppose

e. Health and Sanitation Issue – Lakes Environmental Association

Executive Director of Lake Environmental Association Colin Holme expressed concerns with the level of human feces being found in Long Lake and on private property. He asked the Board to install a porta-potty at the boat launch on Powerhouse Road. Town Manager Peabody noted that this property is owned by the State of Maine and suggested that LEA draft a letter of request to the State which the Board of Selectmen will support.

7. New Business

a. Awards and Other Administrative Recommendations

1. Adult and Medical Marijuana Fees (tabled from 7/28/2020)

Motion was made by Selectman Eastman to appoint Selectman Lone to oversee a working group comprising of the Police Chief, Code Enforcement Officer, Fire Chief and Community Development Director to establish fees to be brought back to the Board for consideration at their first meeting in September; second from Selectman Packard.

4 approve/0 oppose

Town Manager Peabody brought agenda item 7c1 forward.

c. Bookkeeping Questions

Selectman Zaidman had questions regarding the accounting procedures for processing grant funds. Finance Officer Charisse Keach responded that she has been in contact with our auditing firm and they have confirmed that the process she is using is the correct way to process grant funds which is recording them in the General Fund. Discussion ensued.

2. Maine Municipal Associations' Legislative Policy Committee Voting Ballot

Motion was made by Selectman Lone to vote for Lenny Adler to serve on the 2020-22 Legislative Policy Committee; second from Selectman Eastman. 4 approve/0 oppose

3. Maine Municipal Associations' Annual Election – Vice-President and Executive Committee Member Voting Ballot

Motion was made by Selectman Eastman to approve the slate of officers proposed by the MMA nominating committee; second from Selectman Zaidman. 4 approve/0 oppose

4. Sponsorship from Norway Savings Bank for Fall Soccer Program – Recreation Director

This item was addressed earlier in the meeting.

5. Confirmation of Police Chief

Motion was made by Selectman Eastman to confirm Philip Jones to the position of Police Chief; second from Selectman Packard. 4 approve/0 oppose

6. Request from Pondicherry Park Stewardship Committee to Accept Sign Standards

The Bridgton Library wants to do a Storybrook Trail in Pondicherry Park as they have in the past. The Pondicherry Park Steering Committee has established a set of sign standards and are seeking Board approval. **Motion** was made by Selectman Lone to approve the Storybrook Trail Sign Standards; second from Selectman Packard. 4 approve/0 oppose

b. Permits/Documents Requiring Board Approval

1. Certificate of Commitment of Sewer User Rates Commitment #241

Motion was made by Selectmen Eastman to commit the March 1, 2020 to May 31, 2020 Sewer User Rate Commitment #241 comprising of two pages totaling \$3,122.78 to the Treasurer for collection; second from Selectman Zaidman. 4 approve/0 oppose

2. Revision to the Sewer Billing Process per MRS Section 1208

This item was passed over.

3. Approval of Back-hoe Purchase – Public Services Department

Motion was made by Selectman Eastman to approve the lease purchase of a 2018 John Deer 310SL Backhoe Loader and related accessories in the principal amount up to \$107,000; second from Selectman Packard (see attached). 4 approve/0 oppose

4. Accept Payment and Approve Quit Claim Deed to Dale Torres (Map 14, Lot 52A)

This item is pending Code Enforcement Officer approval.

Town Manager Peabody brought agenda item 12 forward at 5:00 P.M.

12. Public Hearing

To hear public comment on the following question that will be presented to the voters at a Special Town Meeting on Tuesday, August 11, 2020 at 6:00 P.M.:

(Affordable Housing TIF) Shall the following vote be adopted:

Shall the voters of the Town of Bridgton, Maine designate an affordable housing development district to be known as the “15 Harrison Road Municipal Affordable Housing Development and Tax Increment Financing District” and adopt the Development Program for the District such designation and adoption to be pursuant to the following findings, terms and provisions?

WHEREAS, the Town of Bridgton (the “Town”) is authorized pursuant to Chapter 206,

Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, to designate specified areas within the Town as Affordable Housing Development Districts and to adopt a development program for such Districts; and

WHEREAS, it has been proposed that the Town designate certain land located at 15 Harrison Road as the “15 Harrison Road Municipal Affordable Housing Development and Tax Increment Financing District” (the “District”) and adopt a development program for the District (the “Development Program”); and

WHEREAS, the Town has held a public hearing on the question of establishing the District

and adopting the Development Program, in accordance with the requirements of 30-A M.R.S.A.

Subsection 5250, upon at least ten (10) days prior notice published in the Portland Press Herald, a newspaper of general circulation within the Town; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine State

Housing Authority (the Authority) approving the designation of the District and the adoption of the Development Program for the District; and

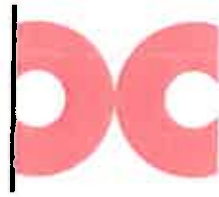
WHEREAS, at least 25% of the property within the District is suitable for residential use,

and in need of rehabilitation or redevelopment; and

NOW, THEREFORE BE IT HEREBY RESOLVED BY THE TOWN:

1. The designation of the District and pursuit of the Development Program will create affordable, livable housing within the Town of Bridgton, and therefore constitutes a good and valid public purpose.
2. Pursuant to Chapter 206, subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby designates the 15 Harrison Road Municipal Affordable Housing Development and Tax Increment Financing District as more particularly described in the documents presented to the Town Meeting in the form attached hereto.
3. Pursuant to the provisions of 30-A M.R.S.A., Subsection 5250-A, the percentage of captured assessed value to be retained in accordance with the Development Program is to be established as set forth in the Development Program.
4. The Town Manager be and is hereby authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the Maine State Housing Authority for review and approval pursuant to the requirements of 30-A M.R.S.A. Chapter 206, subchapter 3.
5. The Town Manager be and is hereby authorized and empowered at his discretion from time to time to make such revisions to the Development Program for the District as he/she deems reasonably necessary or convenient in order to facilitate the process of review and approval of the District by the Maine State Housing Authority, or for any other reason so long as such provisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.
6. The foregoing designation of the District and the adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the Town Board of Selectmen of approval of the designation of the District and adoption of the Development Program by the Maine State Housing Authority, without requirements of further action by the Town, the Board of Selectmen or any other party. Upon approval of the District and Development Program by Maine State Housing Authority, the Town Manager is further authorized to execute and deliver a Credit Enhancement Agreement between the Town and the owner of all land in the District in form and substance substantially identical to that attached as an exhibit to the Development Program.
7. The Town Manager be and is hereby authorized to create a Municipal Project Cost Account, as contemplated by the Development Program in the name of and on behalf of the Town, such Account to be in such form and to contain such terms and provisions, not inconsistent with the Development Program and this Order, and a percentage of the proceeds of the Municipal Project Cost account, as specified in the Development Program, shall be used to defray operating expenses for eligible projects within the District, consistent with the Development Program. Said Development Program and Account to be reviewed and approved by the Town Solicitor or his/her designee.
8. The Town Manager is authorized to file the yearly reports required by 30-A M.R.S.A. § 5250-E and otherwise to take all lawful actions required in the administration of the District and Development program.

Town Manager Peabody opened the Public Hearing at 5:00 P.M. Director of Affordable Housing Laura Reading was present. Ms. Reading provided and reviewed the following information (document attached):



**DEVELOPERS
COLLABORATIVE**

Laura Reading
Director of Affordable Housing

Google Maps 15 Harrison Rd





Current Status

- Received Planning Board Approval at their July 21 meeting for 48 one bedroom units of affordable senior (55+) housing
- Preparing to submit Low Income Housing Tax Credit (LIHTC) Application to MaineHousing which is due on September 24

Affordable Housing for Seniors (55+)

- Bridgton and Lakes Region need affordable housing, particularly for seniors, to provide a diversity of housing options for residents
- This site fits in well with the priorities of MaineHousing's Low Income Housing Tax Credit (LIHTC) program, the primary source of funding for affordable housing in Maine, and priorities = points
 - Walking distance to essential businesses (Norway Savings Bank, Food City, Walgreens, etc.)
 - Strong need for affordable housing for seniors (6 out of 8 possible points)
 - High Opportunity Area (communities with above average access to health care, services, economic activity and quality education): 3 points, not available next year
 - Community support and property tax relief through Affordable Housing TIF District?

Affordable Housing for Seniors (55+)

MaineHousing - Rent Restricted Programs Income Eligibility Limits and Maximum Rent Levels

Incomes and Rents Effective 4-1-2020

FedHOME Rents Effective 7-1-2020

Housing Trust Fund Income and Rents Effective 7-1-2020

	% Median Income - Adjusted by Family Size								Maximum Gross Rents				
	One	Two	Three	Four	Five	Six	Seven	Eight	0BR	1BR	2BR	3BR	4BR
Cumberland HMFA													
HERA 30%	16,440	18,780	21,120	23,460	25,350	27,240	29,100	30,990	411	440	528	610	681
HERA 40%	21,920	25,040	28,160	31,280	33,800	36,320	38,800	41,320	548	587	704	813	908
HERA 50%	27,400	31,300	35,200	39,100	42,250	45,400	48,500	51,650	685	733	880	1,016	1,135
HERA 60%	32,880	37,560	42,240	46,920	50,700	54,480	58,200	61,980	822	880	1,056	1,220	1,362
50% AMI	27,350	31,250	35,150	39,050	42,200	45,300	48,450	51,550	683	732	878	1,015	1,132
60% AMI	32,820	37,500	42,180	46,860	50,640	54,360	58,140	61,860	820	879	1,054	1,218	1,359
80% AMI	43,750	50,000	56,250	62,500	67,500	72,500	77,500	82,500	1,093	1,171	1,406	1,625	1,812
Low HOME	27,350	31,250	35,150	39,050	42,200	45,300	48,450	51,550	683	732	878	1,015	1,132
High HOME	32,820	37,500	42,180	46,860	50,640	54,360	58,140	61,860	776	815	1,051	1,340	1,424
HTF	16,450	18,800	21,720	26,200	30,680	35,160	39,640	44,120	411	440	543	711	879
FMR Effective 10-1-2019									776	815	1,051	1,415	1,424

Affordable Housing TIF District

- AHTIF District can be created to support the creation of new affordable housing units by providing property tax relief to the project but also as a way to demonstrate community support of the project and shelter the increased valuation from tax shift formulas which would otherwise decrease state aid for education and municipal revenue sharing and increase county tax
- 15 Harrison Road has a current assessed value (\$153,028), which brings \$2,295 in taxes to the town
- If we can build these 48 units of affordable housing we could increase the assessed value by approximately \$2,208,000 (\$46,000/unit based on Lakewood Apartments)
- At current tax rate of \$0.015, the property taxes on that increased value of \$2.2 million would be \$33,120/year
- Without a TIF, that \$33k generates approximately \$19,505 in fiscal impacts (loss of state aid for education, loss of municipal revenue sharing, increased county tax), bringing net revenues to the town of \$13,615
- Credit Enhancement Agreement that returns 50% of the increased property taxes (\$16,560) to the project's operating expenses (about 5% of estimated \$300k annual operating expenses) and 50% to the town (\$16,560)

TIF Year	Tax Year Assessed	Total Added Valuation	Sheltered Valuation	Avoided Loss of State Aid to Tax Payers	Avoided Loss of State Municipal Revenue Sharing	Avoided Increase in County Tax	Total Avoided Revenue
1	2021	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
2	2022	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
3	2023	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
4	2024	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
5	2025	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
6	2026	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
7	2027	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
8	2028	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
9	2029	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
10	2030	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
11	2031	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
12	2032	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
13	2033	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
14	2034	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
15	2035	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
16	2036	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
17	2037	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
18	2038	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
19	2039	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
20	2040	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
21	2041	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
22	2042	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
23	2043	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
24	2044	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
25	2045	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
26	2046	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
27	2047	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
28	2048	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
29	2049	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
30	2050	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,000	\$19,506
31 Year TIF Total		\$66,240,000	\$66,240,000	\$510,062	\$30,124	\$30,000	\$570,186

This model is based on 100% of incremental value on captured within the TIF District and 50% of captured revenues are for the municipal development fund and 50% for the developer project fund.

Prepared by Carve-In Associates, www.carveinassociates.com

TIF Vs. NO TIF: Town of Bridgton - 15 Harrison Affordable Housing Tax Increment Financing District										
TIF: 100% Sheltered - 50% to Developer Project Account - 50% to Municipal Project Account										
TIF Year	Total Added Valuation	Estimated EIR Rate	Tax Assessment on added Valuation	No TIF Revenue Loss due to Fiscal Revenues	Net G.F. Revenues to City	Total Captured Revenues	General Fund Revenues	Revenue Loss due to Fiscal Revenues	Net Revenues in TIF	Difference in Net Revenues TIF vs. No TIF
1	\$2,208,000	15.00	\$33,120	\$18,805	\$13,615	\$33,120	\$0	\$0	\$16,580	\$2,945
2	\$2,208,000	15.00	\$33,120	\$18,577	\$13,543	\$33,120	\$0	\$0	\$16,580	\$3,017
3	\$2,208,000	15.00	\$33,120	\$18,652	\$13,468	\$33,120	\$0	\$0	\$16,580	\$3,082
4	\$2,208,000	15.00	\$33,120	\$18,730	\$13,390	\$33,120	\$0	\$0	\$16,580	\$3,170
5	\$2,208,000	15.00	\$33,120	\$18,812	\$13,308	\$33,120	\$0	\$0	\$16,580	\$3,252
6	\$2,208,000	15.00	\$33,120	\$18,899	\$13,221	\$33,120	\$0	\$0	\$16,580	\$3,339
7	\$2,208,000	15.00	\$33,120	\$18,989	\$13,131	\$33,120	\$0	\$0	\$16,580	\$3,429
8	\$2,208,000	15.00	\$33,120	\$20,083	\$13,037	\$33,120	\$0	\$0	\$16,580	\$3,523
9	\$2,208,000	15.00	\$33,120	\$20,182	\$12,938	\$33,120	\$0	\$0	\$16,580	\$3,622
10	\$2,208,000	15.00	\$33,120	\$20,286	\$12,834	\$33,120	\$0	\$0	\$16,580	\$3,728
11	\$2,208,000	15.00	\$33,120	\$20,385	\$12,725	\$33,120	\$0	\$0	\$16,580	\$3,835
12	\$2,208,000	15.00	\$33,120	\$20,502	\$12,611	\$33,120	\$0	\$0	\$16,580	\$3,949
13	\$2,208,000	15.00	\$33,120	\$20,623	\$12,498	\$33,120	\$0	\$0	\$16,580	\$4,069
14	\$2,208,000	15.00	\$33,120	\$20,753	\$12,387	\$33,120	\$0	\$0	\$16,580	\$4,193
15	\$2,208,000	15.00	\$33,120	\$20,884	\$12,278	\$33,120	\$0	\$0	\$16,580	\$4,324
16	\$2,208,000	15.00	\$33,120	\$21,022	\$12,169	\$33,120	\$0	\$0	\$16,580	\$4,462
17	\$2,208,000	15.00	\$33,120	\$21,165	\$12,060	\$33,120	\$0	\$0	\$16,580	\$4,605
18	\$2,208,000	15.00	\$33,120	\$21,316	\$11,954	\$33,120	\$0	\$0	\$16,580	\$4,756
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20	\$2,208,000	15.00	\$33,120	\$21,639	\$11,741	\$33,120	\$0	\$0	\$16,580	\$5,079
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25	\$2,208,000	15.00	\$33,120	\$22,592	\$11,208	\$33,120	\$0	\$0	\$16,580	\$6,032
26	\$2,208,000	15.00	\$33,120	\$22,811	\$11,099	\$33,120	\$0	\$0	\$16,580	\$6,251
27	\$2,208,000	15.00	\$33,120	\$23,040	\$10,990	\$33,120	\$0	\$0	\$16,580	\$6,480
28	\$2,208,000	15.00	\$33,120	\$23,280	\$10,880	\$33,120	\$0	\$0	\$16,580	\$6,720
29	\$2,208,000	15.00	\$33,120	\$23,532	\$10,768	\$33,120	\$0	\$0	\$16,580	\$6,972
30	\$2,208,000	15.00	\$33,120	\$23,795	\$10,655	\$33,120	\$0	\$0	\$16,580	\$7,236
30 Year	\$66,240,000		\$993,600	\$535,896	\$357,674	\$993,600	\$0	\$0	\$496,800	\$138,128

Prepared by: Camoin Associates, www.camoinassociates.com

TIF v. No TIF

- Financially feasible operating budget for the project
- 50% TIF over 30 years is worth 3 points on LIHTC application (last year: 14 applicants, only 5 successful – those 5 all had at least 50% TIF; this year: 17 pre-applications, 4 are in Portland and 3 have 75% TIF)
- 3 points are important but even more important is that AHTIFs are a way for towns to show they support a project and want it to be successful
- Creation of 48 new affordable housing units for seniors and a greater diversity of housing options so that Bridgton residents don't have to leave Bridgton to find quality affordable housing
- The Town would be able to capture at least \$139k more in property tax revenue than if the increased value was not sheltered and resulted in loss of state aid for education, loss of municipal revenue sharing, and increased county taxes

Timeline

- In order to count towards our score on the tax credit application, the AHTIF application would need to be submitted to MaineHousing by August 24
- LIHTC Application due September 24
- LIHTC Allocations are typically announced in late November/early December
- If successful, could start construction around June 2021, completing construction around June 2022

Resident Therese Johnson supports the project noting that this situation is close to her heart. She has worked with the elderly over the years and believes that many people must leave the area because they cannot afford to live here.

Resident Paul Tworog supports the project as there is a huge need for senior affordable housing. He believes this is a positive development for the Town. Mr. Tworog suggested that the TIF be reduced from a 30-year program to a 20-year program.

Resident Deb Brusini supports the project.

Resident Cathy Pinkham supports the project for a senior community. She asked where individuals would apply to which Ms. Reading responded that Avesta Housing will be processing the tenant applications.

Resident Steve Collins noted that the amendment suggested by Mr. Tworog would be a substantive change to the existing information to which Community Development Director Linda LaCroix confirmed that substantive changes would require that the process start over from the beginning.

Selectman Zaidman asked if the project intends to hook into the wastewater system to which Ms. Reading responded, "yes."

Town Manager Peabody closed the hearing at 5:34 P.M.

The regular portion of the meeting resumed.

c. Selectmen's Concerns

- **Selectman Zaidman** had no concerns.
- **Selectman Packard** had no concerns.
- **Selectman Lone** tried to do some research on MMA over the weekend and was disappointed that she had to wait until Monday to gain access to parts of the site; she suggested that members have access upon election.
- **Selectman Eastman** received a concern from someone that received a tax bill for a house he does not own to which Town Manager Peabody will review this issue with the Town Clerk.

d. Town Manager's Report/Deputy Town Manager's Report

Manager's Report -08/11/20

General: A reminder that masks are required at the Town Office. If you are unable to wear one due to an underlying medical condition, please call to set up an appointment so that we can accommodate you in a manner that is safe for you and our staff. The Fire Department, Police Department and Public Services Department were all kept busy by Tropical Storm Isaiiah both during and cleaning up afterwards.

Due to State COVID Mandates, fireworks will not be held on Labor Day Weekend. The Town does not have the resources, staffing, or funding to adhere to the COVID-19 Prevention Checklist for a successful safe event for the community and visitors.

A reminder of the Selectboard Run-Off Election on August 25th, 8am to 8pm at the Bridgton Town Hall 26 North High Street.

Absentee ballots are available at the Town Office. Absentee ballot applications can be found on the Town's website.

Fire Department: The 2020 service truck bids were received July 31st. MacDonald Motors, Inc. was awarded the bid. Delivery is expected in October.

The Department will be joining the Harrison Fire Department for a joint vehicle extraction training on August 11th and 18th.

Recreation: Starting September 14th, the Town of Bridgton Recreation Department will create a temporary elementary school aged childcare option for children unable to physically attend school due to the nature of the Lake Region School District back to school plan. The program will be based out of the Town Hall Gym and Ice Rink.

Children from grades 2-6 can attend the childcare program on days they are not in school.

Hours for Bridgton Rec Childcare will be Monday through Friday from 7am to 6pm. 9am to 4pm will cost \$20 per child per day. 7am-8am is \$5 and 4pm-6pm is \$5. The program can accept up to 45 children per day.

8. Old Business

a. Wastewater Status Update

Town Manager Peabody provided a brief update on the Wastewater Status.

b. Streetscape: Upper and Lower Main Street Status Update

Town Manager Peabody provided a brief update on the Upper and Lower Main Street Status.

9. Treasurer's Warrants

Motion was made by Selectman Zaidman for approval of Treasurer's Warrants numbered 9, 10, 11, 12, 13, 14, 15 and 16; second from Selectman Packard. 4 approve/0 oppose

10. Public Comments on Non-Agenda Items

There were no public comments.

11. Dates for the Next Board of Selectmen's Meeting

August 25, 2020 (Town Manager Peabody will poll the Board.)

September 8, 2020

12. Public Hearing

This item was addressed earlier in the meeting.

13. Adjourn

Town Manager Peabody adjourned the meeting at 5:46 P.M.

Respectfully submitted,

Laurie L. Chadbourne

Town Clerk

August 11, 2020

VOTE TO AUTHORIZE LEASE PURCHASE OF 2018 JOHN DEERE 310SL HL BACKHOE
LOADER AND RELATED ACCESSORIES IN PRINCIPAL AMOUNT OF UP TO \$107,000.00

Under and pursuant to the provisions of Title 30-A M.R.S., Sections 5721, 5722, and 5728, approval of the voters of the Town of Bridgton (the "Town") at a Town Meeting duly called and held on July 14, 2020 and all other applicable law, the Select Board of the Town hereby VOTES as follows:

1. That the Town Manager of the Town (the "Town Manager") is authorized to solicit proposals from lease purchase companies and to execute and deliver a lease purchase agreement in the name and on behalf of the Town to provide financing for 2018 JOHN DEERE 310SL HL BACKHOE LOADER and related accessories (the "Equipment") in a principal amount not to exceed \$107,000.00 (the "Maximum Principal Amount") in such form and on such terms not inconsistent with said Town Meeting approval and this Vote, as the Town Manager may approve (the "Lease");
2. That, to the extent not inconsistent with said Town Meeting approval and this Vote, the Town Manager is authorized to select such date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, form(s), and other details of the Lease as the Town Manager may approve, said approval to be conclusively evidenced by the execution and delivery thereof;
3. That the Town Manager is authorized to execute and deliver on behalf of the Town such tax compliance certificates and arbitrage and use of proceeds certificates as may, in the Town Manager's judgment, be necessary or convenient to effect the transactions authorized by this Vote;
4. That the Town Manager is authorized to covenant on behalf of the Town that (i) no part of the proceeds of the Lease shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Lease to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, (the "Code"), and (ii) the proceeds of the Lease and the Equipment financed by the Lease shall not be used in a manner that would cause the Lease to be a "private activity bond" within the meaning of Section 141 of the Code;
5. That the Town Manager is 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 the Lease, and to take all other lawful actions necessary to ensure the interest portion of the rental payments under and pursuant to the Lease will be excludable 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;
6. That the Town Manager may, as applicable, designate the Lease as a qualified tax-exempt obligation within the meaning of Section 265(b)(3) of the Code;
7. That the Town hereby resolves and declares its official intent pursuant to Section 1.150-2(e) of the Treasury Regulations that the Town reasonably expects to use the proceeds of the Lease to reimburse certain original expenditures from the Town's general or other fund, paid not earlier than 60 days prior to adoption of this Vote or to be paid, which original expenditures have been or will be incurred in connection with costs of the Equipment; and that the Town reasonably expects that the maximum principal amount that the Town will issue to finance the Equipment is the Maximum Principal Amount, as stated hereinabove, and further that an attested copy of this declaration of official intent be kept in the permanent records of the Town;

8. That the appropriate officials of the Town, acting singly, are authorized to execute and deliver on behalf of the Town such other documents and certificates as may be required in connection with the Lease;
9. That if the Town Manager or any other officer or official of the Town is for any reason unavailable to, as applicable, approve, execute, or attest the Lease or any related financing documents, the person acting in any such capacity, whether as a successor, assistant, deputy, or otherwise, is authorized to act for such officer or official with the same force and effect as if such officer or official had performed such act; and
10. That an attested copy of this Vote is to be filed with the minutes of this meeting.

A true copy, attest:



Town Clerk

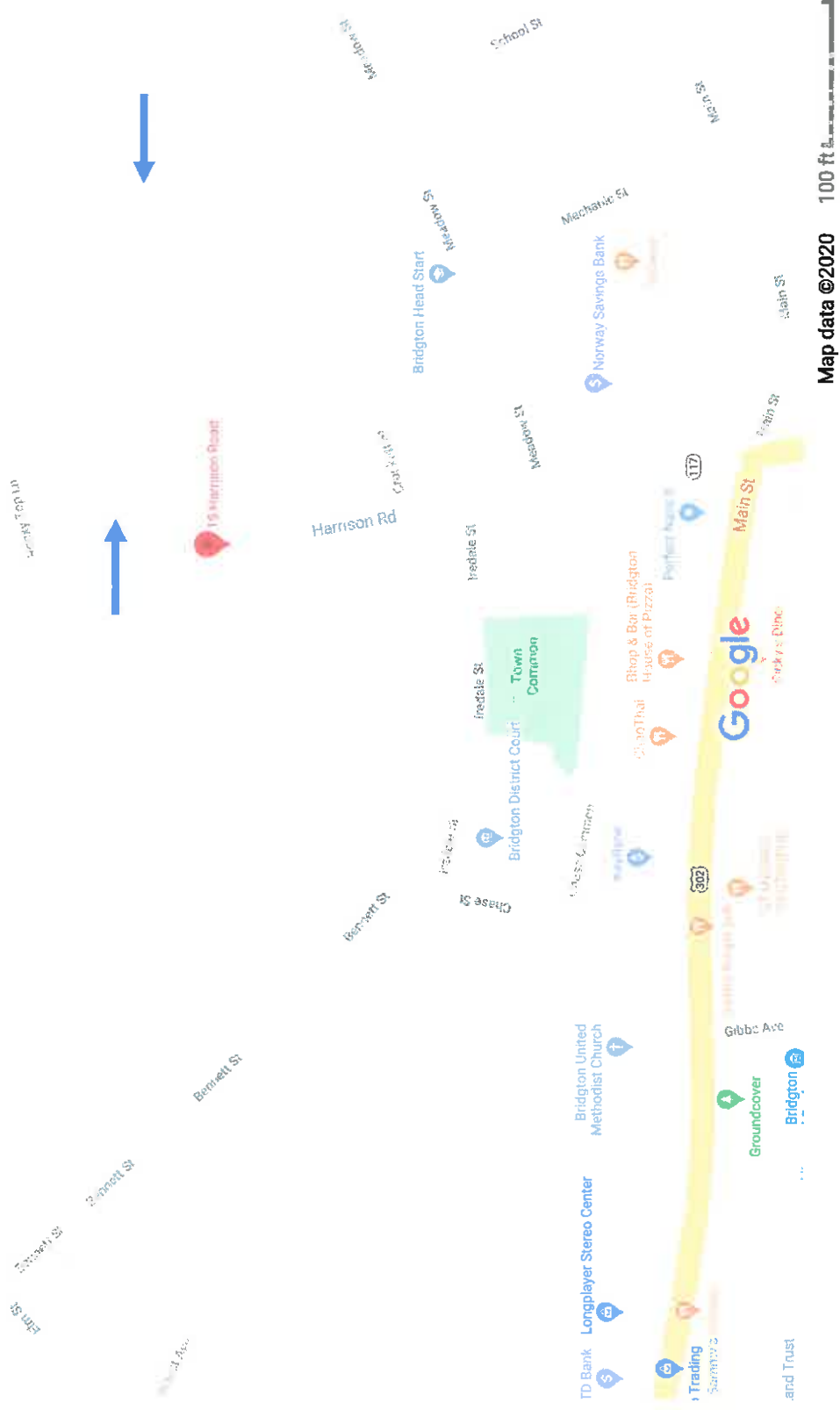
Town of Bridgton



**DEVELOPERS
COLLABORATIVE**

Laura Reading
Director of Affordable Housing

Google Maps 15 Harrison Rd





Current Status

- Received Planning Board Approval at their July 21 meeting for 48 one bedroom units of affordable senior (55+) housing
- Preparing to submit Low Income Housing Tax Credit (LIHTC) Application to MaineHousing which is due on September 24

Affordable Housing for Seniors (55+)

- Bridgton and Lakes Region need affordable housing, particularly for seniors, to provide a diversity of housing options for residents
- This site fits in well with the priorities of MaineHousing's Low Income Housing Tax Credit (LIHTC) program, the primary source of funding for affordable housing in Maine, and priorities = points
 - Walking distance to essential businesses (Norway Savings Bank, Food City, Walgreens, etc.)
 - Strong need for affordable housing for seniors (6 out of 8 possible points)
 - High Opportunity Area (communities with above average access to health care, services, economic activity and quality education): 3 points, not available next year
 - Community support and property tax relief through Affordable Housing TIF District?

Affordable Housing for Seniors (55+)

MaineHousing - Rent Restricted Programs

Income Eligibility Limits and

Maximum Rent Levels

Incomes and Rents Effective 4-1-2020

FedHOME Rents Effective 7-1-2020

Housing Trust Fund Income and Rents Effective 7-1-2020

Cumberland HMFA													
% Median Income - Adjusted by Family Size									Maximum Gross Rents				
	One	Two	Three	Four	Five	Six	Seven	Eight	0BR	1BR	2BR	3BR	4BR
HERA 30%	16,440	18,780	21,120	23,460	25,350	27,240	29,100	30,990	411	440	528	610	681
HERA 40%	21,920	25,040	28,160	31,280	33,800	36,320	38,800	41,320	548	587	704	813	908
HERA 50%	27,400	31,300	35,200	39,100	42,250	45,400	48,500	51,650	685	733	880	1,016	1,135
HERA 60%	32,880	37,560	42,240	46,920	50,700	54,480	58,200	61,980	822	880	1,056	1,220	1,362
50% AMI	27,350	31,250	35,150	39,050	42,200	45,300	48,450	51,550	683	732	878	1,015	1,132
60% AMI	32,820	37,500	42,180	46,860	50,640	54,360	58,140	61,860	820	879	1,054	1,218	1,359
80% AMI	43,750	50,000	56,250	62,500	67,500	72,500	77,500	82,500	1,093	1,171	1,406	1,625	1,812
Low HOME	27,350	31,250	35,150	39,050	42,200	45,300	48,450	51,550	683	732	878	1,015	1,132
High HOME	32,820	37,500	42,180	46,860	50,640	54,360	58,140	61,860	776	815	1,051	1,340	1,424
HTF	16,450	18,800	21,720	26,200	30,680	35,160	39,640	44,120	411	440	543	711	879
FMR Effective 10-1-2019									776	815	1,051	1,415	1,424

Affordable Housing TIF District

- AHTIF District can be created to support the creation of new affordable housing units by providing property tax relief to the project but also as a way to demonstrate community support of the project and shelter the increased valuation from tax shift formulas which would otherwise decrease state aid for education and municipal revenue sharing and increase county tax
- 15 Harrison Road has a current assessed value (\$153,028), which brings \$2,295 in taxes to the town
- If we can build these 48 units of affordable housing we could increase the assessed value by approximately \$2,208,000 (\$46,000/unit based on Lakewood Apartments)
- At current tax rate of \$0.015, the property taxes on that increased value of \$2.2 million would be \$33,120/year
- Without a TIF, that \$33k generates approximately \$19,505 in fiscal impacts (loss of state aid for education, loss of municipal revenue sharing, increased county tax), bringing net revenues to the town of \$13,615
- Credit Enhancement Agreement that returns 50% of the increased property taxes (\$16,560) to the project's operating expenses (about 5% of estimated \$300k annual operating expenses) and 50% to the town (\$16,560)

**Tax Shifts-Avoided Formula Impacts from Sheltering of Valuation: Town of Bridgton - 15 Harrison
Affordable Housing Tax Increment Financing District**

TIF: 100% Sheltered - 50% to Developer Project Account - 50% to Municipal Project Account

		Avoided Formula Impacts on Municipality from Sheltering of Valuation						
TIF Year	Tax Year- April 1	Total Added Valuation	Sheltered Valuation	Avoided Loss of State Aid to for Education	Avoided Loss of State Municipal Revenue Sharing	Avoided Increase in County Tax	Total Avoided Impacts	
1	2021	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,500	\$19,505	
2	2022	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,571	\$19,577	
3	2023	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,646	\$19,652	
4	2024	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,725	\$19,730	
5	2025	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,807	\$19,812	
6	2026	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,893	\$19,899	
7	2027	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$1,983	\$19,989	
8	2028	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$2,078	\$20,083	
9	2029	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$2,177	\$20,182	
10	2030	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$2,281	\$20,286	
11	2031	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$2,389	\$20,395	
12	2032	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$2,503	\$20,509	
13	2033	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$2,623	\$20,628	
14	2034	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$2,748	\$20,753	
15	2035	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$2,879	\$20,884	
16	2036	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$3,016	\$21,022	
17	2037	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$3,160	\$21,165	
18	2038	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$3,311	\$21,316	
19	2039	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$3,468	\$21,474	
20	2040	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$3,634	\$21,639	
21	2041	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$3,807	\$21,813	
22	2042	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$3,989	\$21,994	
23	2043	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$4,179	\$22,184	
24	2044	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$4,378	\$22,384	
25	2045	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$4,587	\$22,592	
26	2046	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$4,805	\$22,811	
27	2047	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$5,035	\$23,040	
28	2048	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$5,275	\$23,280	
29	2049	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$5,526	\$23,532	
30	2050	\$2,208,000	\$2,208,000	\$17,002	\$1,004	\$5,790	\$23,795	
30 Year TIF Total		\$66,240,000	\$66,240,000	\$510,948	\$30,119	\$85,759	\$635,928	

This model is based on 100% of incremental valuation captured within the TIF District and 50% of captured revenues are for the municipal development fund and 50% for the developer project fund.

Prepared by Camolin Associates, www.camolinassociates.com

TIF Vs. NO TIF: Town of Bridgton - 15 Harrison Affordable Housing Tax Increment Financing District										
TIF: 100% Sheltered - 50% to Developer Project Account - 50% to Municipal Project Account										
TIF Year	Total added Valuation	Estimated Mill Rate	Tax Assessment on added Valuation	No TIF			TIF			
				Revenue Loss due to Fiscal Formulas	Net G.F. Revenues to City	Total Captured Revenue	General Fund Revenues	Revenue Loss due to Fiscal Formulas	Net Revenues to City	Difference in Net Revenues TIF-No TIF
1	\$2,208,000	15.00	\$33,120	\$19,505	\$13,615	\$33,120	\$0	\$0	\$16,560	\$2,945
2	\$2,208,000	15.00	\$33,120	\$19,577	\$13,543	\$33,120	\$0	\$0	\$16,560	\$3,017
3	\$2,208,000	15.00	\$33,120	\$19,652	\$13,468	\$33,120	\$0	\$0	\$16,560	\$3,092
4	\$2,208,000	15.00	\$33,120	\$19,730	\$13,390	\$33,120	\$0	\$0	\$16,560	\$3,170
5	\$2,208,000	15.00	\$33,120	\$19,812	\$13,308	\$33,120	\$0	\$0	\$16,560	\$3,252
6	\$2,208,000	15.00	\$33,120	\$19,899	\$13,221	\$33,120	\$0	\$0	\$16,560	\$3,339
7	\$2,208,000	15.00	\$33,120	\$19,989	\$13,131	\$33,120	\$0	\$0	\$16,560	\$3,429
8	\$2,208,000	15.00	\$33,120	\$20,083	\$13,037	\$33,120	\$0	\$0	\$16,560	\$3,523
9	\$2,208,000	15.00	\$33,120	\$20,182	\$12,938	\$33,120	\$0	\$0	\$16,560	\$3,622
10	\$2,208,000	15.00	\$33,120	\$20,286	\$12,834	\$33,120	\$0	\$0	\$16,560	\$3,726
11	\$2,208,000	15.00	\$33,120	\$20,395	\$12,725	\$33,120	\$0	\$0	\$16,560	\$3,835
12	\$2,208,000	15.00	\$33,120	\$20,509	\$12,611	\$33,120	\$0	\$0	\$16,560	\$3,949
13	\$2,208,000	15.00	\$33,120	\$20,628	\$12,492	\$33,120	\$0	\$0	\$16,560	\$4,068
14	\$2,208,000	15.00	\$33,120	\$20,753	\$12,367	\$33,120	\$0	\$0	\$16,560	\$4,193
15	\$2,208,000	15.00	\$33,120	\$20,884	\$12,236	\$33,120	\$0	\$0	\$16,560	\$4,324
16	\$2,208,000	15.00	\$33,120	\$21,022	\$12,098	\$33,120	\$0	\$0	\$16,560	\$4,462
17	\$2,208,000	15.00	\$33,120	\$21,165	\$11,955	\$33,120	\$0	\$0	\$16,560	\$4,605
18	\$2,208,000	15.00	\$33,120	\$21,316	\$11,804	\$33,120	\$0	\$0	\$16,560	\$4,756
19	\$2,208,000	15.00	\$33,120	\$21,474	\$11,646	\$33,120	\$0	\$0	\$16,560	\$4,914
20	\$2,208,000	15.00	\$33,120	\$21,639	\$11,481	\$33,120	\$0	\$0	\$16,560	\$5,079
21	\$2,208,000	15.00	\$33,120	\$21,813	\$11,307	\$33,120	\$0	\$0	\$16,560	\$5,253
22	\$2,208,000	15.00	\$33,120	\$21,994	\$11,126	\$33,120	\$0	\$0	\$16,560	\$5,434
23	\$2,208,000	15.00	\$33,120	\$22,184	\$10,936	\$33,120	\$0	\$0	\$16,560	\$5,624
24	\$2,208,000	15.00	\$33,120	\$22,384	\$10,736	\$33,120	\$0	\$0	\$16,560	\$5,824
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27	\$2,208,000	15.00	\$33,120	\$23,040	\$10,080	\$33,120	\$0	\$0	\$16,560	\$6,480
28	\$2,208,000	15.00	\$33,120	\$23,280	\$9,840	\$33,120	\$0	\$0	\$16,560	\$6,720
29	\$2,208,000	15.00	\$33,120	\$23,532	\$9,588	\$33,120	\$0	\$0	\$16,560	\$6,972
30	\$2,208,000	15.00	\$33,120	\$23,795	\$9,325	\$33,120	\$0	\$0	\$16,560	\$7,235
30 Year	\$66,240,000		\$993,600	\$635,926	\$357,674	\$993,600	\$0	\$0	\$496,800	\$139,126

Prepared by Camdin Associates, www.camdinassociates.com

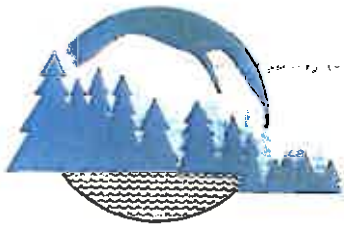
Prepared by Camolin Associates, www.camolinassociates.com

TIF v. No TIF

- Financially feasible operating budget for the project
- 50% TIF over 30 years is worth 3 points on LIHTC application (last year: 14 applicants, only 5 successful – those 5 all had at least 50% TIF; this year: 17 pre-applications, 4 are in Portland and 3 have 75% TIF)
- 3 points are important but even more important is that AHTIFs are a way for towns to show they support a project and want it to be successful
- Creation of 48 new affordable housing units for seniors and a greater diversity of housing options so that Bridgton residents don't have to leave Bridgton to find quality affordable housing
- The Town would be able to capture at least \$139k more in property tax revenue than if the increased value was not sheltered and resulted in loss of state aid for education, loss of municipal revenue sharing, and increased county taxes

Timeline

- In order to count towards our score on the tax credit application, the AHTIF application would need to be submitted to MaineHousing by August 24
- LIHTC Application due September 24
- LIHTC Allocations are typically announced in late November/early December
- If successful, could start construction around June 2021, completing construction around June 2022



THREE CHASE STREET, SUITE #1
BRIDGTON, MAINE 04009

Phone- 207-647-8786
Fax- 207-647-8789

MEMO

FROM: Nikki L. Hamlin, Executive Secretary
TO: Selectboard
CC: Robert A. Peabody, Jr., Town Manager
Georgiann M. Fleck, Deputy Town Manager
RE: Tax Acquired Property – 123 Raspberry Ln
DATE:

The Town of Bridgton has tax-acquired the property at 123 Raspberry Ln, Map 9, Lot 24 J-11. The town is recommending a sale via sealed bid. To date the town has \$20,456.00 in current and expected expenses. The proposed timeline is detailed below:

Site Walk: Monday, September 14th, 2020 from 1:00 p.m. – 4:00 p.m.

Bids Due: Thursday, September 17th, 2020 by 2:00 p.m.

Sealed Bid Opening: Thursday, September 17th, 2020 at 2:00 p.m. at the Bridgton Town Office. Summary of bids will be provided to the Board of Selectmen for consideration.

Sealed Bid Results Review: Tuesday, September 22nd, 2020 at Selectboard Meeting for Board of Selectmen to award the winning bidder.

Attached please find the list of comparable sales over the last 12-months to aid in the decision-making process for assigning the minimum bid amount and required deposit.

Sincerely,
Nikki L. Hamlin
Executive Secretary

Enclosure

Next Available Property Raspberry Lane - Comparable Sales Report

PROPERTY NAME	RASPBERRY LANE	LAND VALUE	\$553,676
LOCATION	123 RASPBERRY LN, BRIDGTON	BUILDING VALUE	\$138,797
ID	MAP 6, LOT 24 J, SUB 11, TYPE 0	ASSESSED PROPERTY VALUE	\$192,473
ACERAGE	6.73 ac		

Property Address	Price Paid & Lot #	Property Type	Acres	Land Value	Assessed Value	Int'l Assessed Value	Sale Date	Net Income	Property Status
346 Burnham Road	Map 6, Lot 19, Sub 13, Type 0	Single Family	1.54 ac	\$36,611.00	\$128,156.00	\$164,767.00	12/2/2019	\$189,900.00	Similar Size, Lower Quality, No Garage
11 Hannab's Way	Map 5, Lot 0, Sub 961, Type 0	Single Family	1.87 ac	\$47,740.00	\$116,360.00	\$164,100.00	2/13/2020	\$205,000.00	Similar Size, Lower Quality, Smaller Lot
250 Willis Park Road	Map 6, Lot 19, Sub 12, Type 0	Single Family	3.23 ac	\$38,724.00	\$118,963.00	\$157,687.00	11/4/2019	\$174,000.00	Similar Size & Quality - No Garage, Smaller Lot
50 Stonehedge Drive	Map 10, Lot 38A, Sub 18, Type 0	Single Family	0.33 ac	\$31,096.00	\$110,816.00	\$141,912.00	8/15/2019	\$195,000.00	Similar Size & Quality - No Garage, Smaller Lot
AVERAGE SELL PRICE FOR COMPARABLE HOMES						\$157,116.50			

Notice of Sealed Bid for Tax-Acquired Property

123 Raspberry Ln, Bridgton, Maine, 04009

Notice is hereby given that in accordance with MRS Title 36, §943 and the Town of Bridgton Policy on Disposition of Tax Acquired Properties, a sealed bid for the purchase of the Town's interest in the following tax-acquired property: 123 Raspberry Ln, Bridgton, ME 04009 – Map 6, Lot 24 J-11 will take place at the Bridgton Town Office, 3 Chase Street, Suite 1, Bridgton, ME 04009 on **Thursday, September 17th, at 2:00 p.m.**

Real Estate: Consists of a 6.3 +/- acre parcel sold as-is, where-is. Refer to Tax Map 6, Lot 24 J-11.

Preview: A site visit will be conducted on **Monday, September 14th from 1:00 p.m. to 4:00 p.m.**

Terms: The property will be sold by sealed bid subject to all outstanding municipal assessments. **Minimum bid: [\$]**. **Required deposit: [\$]**. Deposit is to be paid by certified check or money order and made payable to the Town of Bridgton. The winning bidder will be notified within 3-Days. Conveyance of the property will be by Municipal Quitclaim Deed. For more information please visit our website at www.bridgtonmaine.org or contact the Town Manager Robert Peabody, Jr at 207-647-8786.



LEGEND
PARCEL NUMBERS ----- 1
ADJACENT MAPS ----- 2
MATCH LINE ----- 3
TREE GROWTH ----- T.G.

TL = TOWN LOT

Policy for the Disposition of Tax Acquired Properties and the Bid Procedures

I. **Purpose:** The purpose of this policy is to establish procedures for the management, administration and disposition of real property acquired by reason of non-payment of taxes to the Town of Bridgton in accordance with Title 36 MRSA Sections 942 and 943, as amended. Nothing in this policy shall be interpreted to give additional substantive or procedural rights to owners of properties forfeited for non-payment of taxes.

II. **Management of Tax-Acquired Property:** Once a property has been foreclosed due to unpaid taxes to the Town, the municipal treasurer or Tax collector shall notify the last known owner of record that his or her right to redeem the property has expired. The notification shall advise the last known owner of record that the real estate property will be disposed of in accordance with this policy, a copy of which shall be included with the notification.

2.2 The Tax Collector shall annually notify the Select Board of those properties that have not been redeemed and provide the Board with a listing of the properties.

2.3 The responsibility for the management of tax-acquired property rests with the Select Board. Pending the Board's decision regarding the final disposition of property, the Board and the Town Manager may:

- a. determine in light of potential liability inherent in owning the property whether the Town's best interest would be served by immediately disposing of the property or disposing of the property at such times as the Board of Selectmen and Town Manager deem advisable without regard to any other provisions of this policy, and/or
- b. determine and obtain, if necessary, insurance in the amount required to protect the Town's interest in the property and to protect the Town from liability. The Town may also determine with its Town's Attorney that there will be no collection of rents which may protect the Town from incurring landlord imposed maintenance and repairs and further liability exposure, and or
- c. determine if and when any occupants of tax-acquired property shall be required to vacate the property, and/or
- d. chose to meet with the delinquent taxpayer to determine a possible payment plan.
(note- This is not a preferred option nor is it recommended by MMA)

III. Review of Tax-Acquired Properties:

3.1 Any interested Department may make recommendations to the Town Manager regarding the disposition of property for the Select Board to consider. The Town Manager shall prepare a summary of all of the tax-acquired properties and provide the Select Board with a recommendation for each property that may include:

- a. to sell the property with or without any conditions, or

- b. to retain the property for a specific purpose, or
- c. to retain the property on an interim basis if it is a single family residence occupied by the taxpayer and if the sale of the property would result in the taxpayer requesting general assistance. In such a case, the Select Board must determine if a payment plan shall be developed for which the taxpayer makes full payment of all taxes, interest and fees due allowing for the property to be quit claim deeded to the original property owner. A payment plan approach is not encouraged as a matter of practice and by the Maine Municipal Association.

3.2 The Town Manager shall forward the recommendations to the Select Board which shall make the final determination regarding the final disposition of tax-acquired property. The Select Board shall also determine the conditions, if any, for sales of tax-acquired property.

IV. Disposition of Tax-Acquired Property:

4.1 Those properties that the Select Board has determined to be sold, they shall decide the appropriate method of sale. This can be through a licensed third party or by the Town. If the Town is to sell this property it can be by a written sealed bid process or by a live auction which the Select Board must determine. The Board may also authorize a negotiated sale of the property. Whichever the method, the Town is required to properly publish the method and inform the public as to the steps that will be required, conditions and terms of the sale and any other relevant points. The Town must also notify the prior owner(s) at their last known address or residence of record or by other means easily available to the Town.

4.2 Bidding Process: In accordance with Town Bidding policy, the Town shall accept sealed bids unless a live auction is being conducted. The Town does not offer any warranties or guarantees regarding the property being sold and will only issue a Quit Claim Deed.

- a. When sealed bidding is conducted bids must be sealed and clearly marked "Tax Acquired Property Bid". Bids must be submitted to the Bridgton Town Office, Three Chase Street Suite #1, Bridgton, Maine 04009 on or before the due date. Each bid must identify by map and lot number the parcel being bid on. Each bid must conform with the bid payment instructions issued for the bid including that full payment of the bid price must be received within ten (10) days of the bid acceptance unless otherwise agreed to by the Town. Any collection of bid bonds or minimum payments shall be held by the Town and will be returned to unsuccessful bidders following the completion of the transaction with the successful bidder.
- b. Should the successful bidder default and forfeit their bid bond or payment, the property will then be offered to the next highest bidder at the bid price. If there is no second highest bidder, or the second highest bidder is not able to meet the high bid, the Town may solely at its discretion re-advertise the property for sale or negotiate a satisfactory price with any potential buyer, as the Board of Selectmen deems necessary.

- c. The Board of Selectmen will consider all bids received at a public meeting duly noticed. The Board also reserves the right to return the property to its owners when there are extenuating circumstances (7/13/93)
- d. 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 (10) business days will permit the Town Manager to award the bid to the next highest bidder for the advertised property. A bid may be rejected if the intended buyer has a history of being or is currently delinquent on any of their properties' taxes or is under a violation through the Code Enforcement Office for having a property that is classified as being neglected, in disrepair and in violation of any building or health codes.
- e. 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.
- f. The Select Board may deviate from the regular bidding process if, in its judgment, the retaining or transfer of the property to another entity serves the public interest. Any such deviation must be thoroughly reviewed at a public meeting before such action takes place.
- g. If the bidding or sale of any tax-acquired property fails to have a successful purchaser, the Select Board may authorize the Town Manager to negotiate with the next highest bidder. If this process fails to achieve a purchase and sales agreement, the Board may decide to re-advertise the unsold properties at a later date or combine them with other parcels and tax-acquired properties.

This policy and the bid procedures may be amended from time to time as the Board of Selectmen deem necessary.

Town of Bridgton
Office of the Community Development Director

MEMORANDUM

To: Select Board, Town Manager
From: Linda LaCroix, Community Development Director
RE: Victualers License Amendments
Date: 08/17/2020

Attached please find proposed amendments to the Victualers License related to marijuana licensing, along with the ballot question for a November 2020 Town Meeting vote on the amendments. Also included are emails from Counsel detailing the proposed changes and certifications to be signed by the Town Clerk.

The proposed amendments can be edited based on the Select Board's review; however, the ballot question needs to be voted on at the August 26th meeting to meet deadlines for the November meeting. Edits to the proposed amendment, if any, should be concluded by the September 8 meeting of the Board.

Note that Counsel advised that "the marijuana licensing ordinance can be standalone, or it can be structured as an amendment to the victualer's ordinance" as she has done in the attached. After discussing with the CEO and CDD, Counsel chose to include in the victualer's license as the most efficient approach.

Attachments:

Item 1 - Order of BOS to Place Question on Ballot
Item 2 - Amendments to Victualers Licensing Ordinance
Item 3 - Certification and Order re Ordinance to Amend Victualers License
Emails from Counsel regarding Draft Amendments to Victualers Licensing Ordinance to include Marijuana

August __, 2020

Motion: I move that the Order entitled, "Order to Place Referendum Question on the November 3, 2020 Ballot," be adopted in form presented to this meeting, and that an attested copy of this Order be filed with the minutes of this meeting.

**TOWN OF BRIDGTON SELECTBOARD
ORDER TO PLACE REFERENDUM QUESTION ON THE NOVEMBER 3, 2020 BALLOT**

30-A M.R.S. § 2528(5)

BE IT ORDERED by the municipal officers of the Town of Bridgton (the "Town"), pursuant to Title 30-A, Section 2528, sub-section 5, that the Town Clerk place the following question on the warrant and ballot of the referendum election of the Town, scheduled for November 3, 2020:

Question 1. Shall the Town enact an ordinance entitled, "Amendments to Town of Bridgton Victualers Licensing Ordinance to Require Marijuana Establishments to Obtain a Local License"?

(Note: Copies of the text of the ordinance are available from the Town Clerk.)

A true copy, attest:

Laurie Chadbourne, Town Clerk
Town of Bridgton

**AMENDMENTS TO TOWN OF BRIDGTON
VICTUALERS LICENSING ORDINANCE TO
REQUIRE MARIJUANA ESTABLISHMENTS TO
OBTAIN A LOCAL LICENSE**

**PREPARED FOR TOWN OF BRIDGTON REFERENDUM ELECTION
TO BE HELD ON NOVEMBER 3, 2020**

The Town of Bridgton Victualers Licensing Ordinance is proposed to be renamed to the "Town of Bridgton Business Licensing Ordinance" and is further proposed to be amended by deleting the words shown below in strikethrough (~~strikethrough~~) form and by adding the words shown below in underline (underline) form.

TOWN OF BRIDGTON BUSINESS LICENSING ORDINANCE

Enacted 11/08/2011 (as the Town of Bridgton "Victualers Licensing Ordinance")
Revised _____, 2020 (as the Town of Bridgton "Business Licensing Ordinance")

I. PURPOSE AND AUTHORITY

This Business Licensing Ordinance (the "Ordinance") is enacted pursuant to 30-A M.R.S. § 3001, 22 M.R.S. § 2429-D and 28-B M.R.S. § 402. The purpose of this Ordinance is to (a) ensure that establishments serving food or drink prepare their food and drink in a safe and sanitary environment and (b) to set forth procedures and standards for the issuance of municipal licenses for Marijuana Establishments in order to protect the public health, safety and welfare.

II. DEFINITIONS

For purposes of this Ordinance, the following terms shall have the meanings set forth in the Town of Bridgton Land Use Ordinance, as may be amended from time to time: Marijuana Establishment; Marijuana Home Cultivation; Medical Marijuana Small-Scale Caregiver Operation.

III. LICENSE REQUIRED

A. Victualer's License. Except as provided in Section II.A.1, below, any establishment that serves food or drink prepared for consumption by the public within the corporate boundaries of the Town of Bridgton shall be required to annually apply for and possess a Victualer's License. A Victualer's License shall be specific to the premises and entity which is requesting the license. For example, a facility which is owned or operated at more than one location, or in the same location and is operated by different parties or personnel or which are physically separated, shall require separate permits. However, no license shall be required for an establishment which only serves food or drink prepared by a licensed establishment or by a licensed catering firm.

1. Exemptions. The following establishments are exempt from applying for and possessing a Victualer's License:

- a. A Public or Private School, Public Service Organization, Private Club, Church Organization, Fire Department, or any other non-profit organization selling food or drink on an infrequent basis to solely raise money for a charitable cause.
- b. Grocery stores, except those selling food items prepared on the premises
- c. Establishments selling food and drink only through vending machines.

This local exemption does not relieve an establishment of state requirements or other applicable ordinances, laws, and regulations. The Municipal Officers shall have the authority to decide if an establishment is exempt.

- B. Marijuana Establishment License. Except as provided in Section II.B.1, below, effective January 1, 2021 (the “Effective Date”), a Marijuana Establishment may not begin or continue operations unless it has received and is in possession of a Marijuana Establishment License issued pursuant to this Ordinance. A Marijuana Establishment that holds a Town of Bridgton site plan review permit and/or is operating as of the Effective Date shall submit a completed license application within 30 days of the Effective Date but shall have a grace period of 60 days after the Effective Date to receive a Marijuana Establishment License, which grace period may be extended by order of the Municipal Officers for good cause shown. A Marijuana Establishment License shall be specific to the premises, the Licensee, and the category of Marijuana Establishment identified in the application and approved in the license. A Licensee who intends to include a new category of Marijuana Establishment on the same premises or convert a Marijuana Establishment to another category that is not specifically approved in a license must obtain a new license for the expansion or change of use of the Marijuana Establishment.

1. Exemptions. The following establishments are exempt from applying for and possessing a Marijuana Establishment License:

- a. Marijuana Home Cultivation.
- b. Medical Marijuana Small-Scale Caregiver Operations.

This local exemption does not relieve an establishment of state requirements or other applicable ordinances, laws, and regulations. The Municipal Officers shall have the authority to decide if an establishment is exempt.

IV. LICENSING AUTHORITY

The Municipal Officers shall have the authority to approve or disapprove all applications and renewal applications for Victualer’s Licenses or Marijuana Establishment Licenses.

V. APPLICATIONS; REVIEW PROCEDURES

The following review procedures shall apply for initial license applications, as well as renewal license applications. In reviewing a license application, the Municipal Officers may consider the requirements under this Ordinance and other applicable ordinances, laws, and regulations and, for license renewals, the Licensee’s record of compliance with the same.

- A. Applicant: For the purposes of this Ordinance, the applicant shall be the owner of the establishment. If the owner is a business entity, the applicant shall be every officer, director, member, manager, and general partner of the business entity. If the applicant is not the person primarily responsible for the actual operation of the establishment, then the person(s) primarily responsible for the actual operation of the establishment shall be co-applicant(s) together with the applicant. The applicants and co-applicants are collectively referred to as “Applicant” in this Ordinance.
- B. Applications and Fees: An Applicant for a Victualer’s or Marijuana Establishment License shall file with the Town Clerk a license application on a form prescribed by the Town Clerk, together with the following:

1. A nonrefundable license application fee as provided in the Town of Bridgton Fee Schedule.
 2. Evidence of all state approvals or conditional approvals and other municipal approvals required to operate the establishment. If an application for such approval is pending as of the date a license application is filed with the Town, the Applicant must submit a copy of the state licensing application.
 3. A statement identifying all owners, officers, directors, members, managers, and general partners comprising the Applicant; their ownership interests in the establishment; and their places of residence at the time of the application and for the immediately preceding three years. Supporting documents, including but not limited to motor vehicle operator's license, motor vehicle registration, voter registration, or utility bills shall be provided.
 4. A release for each Applicant allowing the Town to obtain criminal records and other background information related to the individual(s). Failure to submit required releases for a background check is grounds for denial of a license. The cost of the background check shall be borne by the Applicant and shall be in addition to the application fee.
 5. A description and plan of the establishment for which a license is being sought.
 6. If the application is for a Marijuana Establishment License, (i) the specific categories of Marijuana Establishment for which the license is being sought (i.e., adult use marijuana cultivation facility, adult use marijuana products manufacturing facility, adult use marijuana store, adult use marijuana testing facility, medical marijuana caregiver retail store, medical marijuana inherently hazardous substances extraction operation, medical marijuana large-scale caregiver operation, medical marijuana manufacturing facility, medical marijuana registered dispensary, or medical marijuana testing facility); (ii) copies of any state or municipal licenses or registrations held by the Applicant for any other marijuana establishments owned or operated by the Applicant in Maine, as well as any notices of violation received from the state or any municipality for such marijuana establishment and proof that any violation has been resolved.
- C. Initial Screening: The Town Clerk shall initially review the license application to ensure that it is complete and to obtain review comments from the Town's Police Chief, Fire Chief, and Code Enforcement Officer. If the Town Clerk determines that an application is incomplete, the Town Clerk shall notify the Applicant of the additional information required to process the application. If such additional information is not submitted within 30 days of the Town Clerk's request, the Town Clerk may return the application as incomplete and the application shall be deemed denied.
- D. Renewals: Renewal license applications must be submitted to the Town Clerk in accordance with subsections B and C, above. The Municipal Officers shall annually review all renewal applications based on the review criteria set forth in Section V.A, below, and for the purpose of determining the status of the Applicant's previous conformance to this Ordinance and all other applicable ordinances, laws, and rules and at such time make a decision to (1) approve the renewal request, (2) table the renewal request, setting a date for the Applicant to come before the Municipal Officers to answer questions affecting consideration of the renewal request, or (3) for reason(s) noted, disapprove the request. Applicants for renewal shall submit a completed application with fees annually to the Town Clerk at least 30 days prior to the expiration date of the license.

VI. ISSUANCE OR DENIAL OF A LICENSE; INSPECTIONS

A. Review Criteria: The Municipal Officers shall license persons of good moral character to establish or operate an establishment in accordance with the requirements set forth in this Ordinance and all other applicable ordinances, laws, and regulations. In determining whether to issue a license or deny a license application, the Municipal Officers shall consider:

1. Whether the Applicant has failed any part of a state inspection or local health inspection.
2. Whether the Applicant has failed to provide sufficient evidence of compliance with applicable ordinances, laws, and regulations.
3. Whether the Applicant is of good moral character. In determining good moral character, the Municipal Officers shall consider all evidence presented but shall, in addition, check the Applicant's criminal record, if any. Conviction of a class D or more serious crime is considered *prima facie* evidence that the Applicant lacks good moral character.
4. Whether the Applicant has failed to pay an outstanding fine, penalty, or tax owed to the Town of Bridgton.
5. If the Applicant is requesting a Marijuana Establishment License, whether the Applicant has had a license or registration required for a Marijuana Establishment suspended or revoked by the Town, by another Maine municipality, or by the State.
6. Whether the Applicant has provided false or misleading information in connection with the license application.

In reviewing any license application pursuant to this Ordinance, the Municipal Officers may require and solicit review comments concerning the above-identified considerations from any public officers, departments, or boards of the Town.

- B. Condition Precedent: If a Licensee or establishment licensed under this Ordinance is also required to be licensed or registered by a state authority created for the purpose of regulating and controlling the licensing of eating establishments or marijuana establishments, any license granted under this Ordinance shall not become effective until such date that the required state license or registration issues; provided, however, that the failure to secure a required state license or registration before obtaining a license from the Municipal Officers shall not toll the expiration date of the license as provided in subsection D, below.
- C. Conditions of Approval: Establishments must operate in accordance with all material representations made in the license application. The Municipal Officers may attach to any license issued pursuant to this Ordinance additional conditions and requirements that are reasonably designed to promote the health, safety, or welfare of the public.
- D. License Term: A license, when granted, shall be valid immediately following said granting of license and will expire one year from the date the license was granted. A Licensee who fails to obtain a renewal license prior to the expiration of the license shall cease operations until a renewal license is granted.

E. Inspections:

1. Initial License Inspection: An Applicant requesting a license for the first time shall have the establishment inspected by the Code Enforcement Officer, Police Chief, and Fire Chief prior to any action being taken on the license application by the Municipal Officers. Any alterations or changes to an establishment during the course of the Municipal Officers' review will require additional inspections.
2. Compliance Inspections: The Code Enforcement Officer, Police Chief, and Fire Chief shall have the authority to enter, with or without notice, a Licensee's premises to make any inspection reasonably necessary to determine compliance with the requirements of this Ordinance.

VII. SUSPENSION OR REVOCATION OF LICENSE; DETERMINATION OF VIOLATIONS

If after investigation, notice, and hearing, the Municipal Officers conclude that a Licensee is unfit to hold a license granted under this Ordinance, the Municipal Officers may suspend or revoke the license at any time. The suspension or revocation of a license issued by the State, the failure of a Licensee to acquire and maintain all necessary local and state approvals, or the violation by a Licensee of any applicable ordinances, laws, and regulations (including without limitation life safety code requirements) shall be *prima facie* evidence that the Licensee is unfit to hold a license. The Municipal Officers may suspend a license for any period of time that it considers proper. The Municipal Officers may also determine that an establishment which has not obtained a license is required to obtain a license, or that a licensed establishment has violated conditions and restrictions applicable to its license. Prior to ordering the suspension or revocation of a license or determining a license violation, the Municipal Officers shall provide the Licensee, at least three days prior to the hearing date, notice of the time and place of the hearing at which the license suspension, revocation, or violation will be considered. At the hearing, the Licensee shall be given an opportunity to hear the evidence in support of the charges against the Licensee and to be heard in the Licensee's own defense.

VIII. ASSIGNMENT OR TRANSFER

No license issued under this Ordinance may be assigned or transferred to another entity. Any change in ownership of a licensed establishment shall require a new license. Licenses are limited to the premises for which they are issued and are not transferrable to another location. A Licensee seeking to operate in a new location must first acquire a license for that location.

IX. APPEALS

An appeal from any final decision of the Municipal Officers made pursuant to this Ordinance shall be taken by any party to the Superior Court in accordance with the provisions of Rule 80B of the Maine Rules of Civil Procedure.

X. PENALTY

Any act made unlawful by this Ordinance and any violation of this Ordinance shall be a civil violation subject to a penalty in accordance with 30-A M.R.S. § 4452. Each day that such unlawful act or violation continues shall be considered a separate offense. The Municipal Officers or their designee shall enforce the provisions of this Ordinance.

XI. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

TOWN CLERK'S CERTIFICATION

To the extent that the August ___, 2020 meeting of the Selectboard was conducted through telephonic, video, electronic, or other similar means of remote participation, I certify that:

- A. Notice of the meeting was given in accordance with 1 M.R.S. § 406, and the notice included the method by which the public may attend in accordance with paragraph C; and
- B. Each member of the Selectboard who participated in the meeting was able to hear and speak to all the other members during the meeting and members of the public attending the meeting in the location identified in the notice given pursuant to paragraph A were able to hear all members participating at other locations; and
- C. The Selectboard determined that participation by the public is through telephonic, video, electronic, or other similar means of remote participation; and
- D. The Selectboard's vote on the Order to Place Referendum Questions on the July 14, 2020 Ballot was taken by roll call as follows:

Selectboard Members	PARTICIPATION			ORDER		
	Physically Present	Attending Remotely	Not Attending	YES	NO	ABSTAIN

Dated: _____, 2020

Laurie Chadbourne, Town Clerk
Town of Bridgton

**CERTIFICATION OF PROPOSED AMENDMENTS TO TOWN OF BRIDGTON
VICTUALERS LICENSING ORDINANCE TO REQUIRE MARIJUANA
ESTABLISHMENTS TO OBTAIN A LOCAL LICENSE**

The municipal officers of the Town of Bridgton hereby certify to the municipal clerk of the Town of Bridgton, pursuant to 30-A M.R.S. § 3002, that attached hereto is a true copy of the proposed ordinance entitled, "Amendments to Town of Bridgton Victualers Licensing Ordinance to Require Marijuana Establishments to Obtain a Local License," to be voted on at a referendum election of the Town of Bridgton on November 3, 2020 under Question 1, "Shall an ordinance entitled, 'Amendments to Town of Bridgton Victualers Licensing Ordinance to Require Marijuana Establishments to Obtain a Local License,' be enacted?"

It is further Ordered, pursuant to 30-A M.R.S. § 3002(1), that the municipal clerk shall keep this certified copy as a public record and shall make copies of said proposed ordinance available for distribution to the voters of the Town of Bridgton from the time of this certification. Copies of said proposed ordinance shall also be attested by the municipal clerk and posted in the same manner as the warrant calling the Referendum Election on November 3, 2020 and shall be made available to the voters at the Referendum Election on November 3, 2020.

Dated: _____, 2020

A majority of the municipal officers
of the Town of Bridgton

A true copy of the proposed ordinance entitled, "Amendments to Town of Bridgton Victualers Licensing Ordinance to Require Marijuana Establishments to Obtain a Local License," is attached hereto.

Attest: _____
Laurie Chadbourne, Town Clerk
Town of Bridgton

RETURN

Cumberland County, ss.

State of Maine

I certify that I have posted an attested copy of the proposed ordinance entitled, "Amendments to Town of Bridgton Victualers Licensing Ordinance to Require Marijuana Establishments to Obtain a Local License," at

being conspicuous public places within the Town of Bridgton on _____, 2020, which is at least seven (7) days next prior to the date of the November 3, 2020 Referendum Election.

Laurie Chadbourne, Town Clerk
Town of Bridgton

From: Agnieszka A. (Pinette) Dixon <ADixon@dwmlaw.com>
Sent: Sunday, August 16, 2020 3:29 AM
To: Linda LaCroix; Brenda Day
Cc: Malina E. Dumas
Subject: Draft Amendments to Victualers Licensing Ordinance to include Marijuana Establishments
Attachments: Item 1 - Order of BOS to Place Question on Warrant-Ballot.docx; Item 2 - Amendments to Victualers Licensing Ordinance.docx; Item 2 - Amendments to Victualers Licensing Ordinance.docx; Item 2 - Amendments to Victualers Licensing Ordinance.pdf

Hi Linda and Brenda:

Attached are the three items you'll need for the BOS packet next week: The amended ordinance (in Word and PDF format), the BOS vote to place the ordinance on the ballot, and the certification of the ordinance.

And here's a section-by-section explanation of the ordinance amendments that I'm recommending:

- I renamed the ordinance to "Business Licensing Ordinance." This will simplify the process of consolidating your other licensing ordinances (e.g., auto junk yard, short term rentals, etc.) that you have or may wish to adopt in the future.
- In **Section I**, I added a purpose statement for the marijuana licensing and statutory authority references.
- **Section II** includes cross-references to the definitions in the land use ordinance.
- **Section III** now has two parts: Part A deals with the victualer's license and Part B deals with the marijuana establishments license. I've exempted from licensing the two categories of marijuana establishments that don't require site plan review.
- **Section IV** just clarifies that the BOS is the licensing authority.
- **Section V** identifies the process for filing and reviewing a license application (including renewal applications).
 - Part A updates the definition of "Applicant" to be current with the new business laws in Maine
 - Part B is a new section that puts in one place all the application requirements (including fees). Basically, this requires all applicants to submit evidence of state approvals (either their "eating license" or their marijuana license from the state licensing authority); a statement identifying business entity owners and information about those owners that will allow the Town to run a criminal background check; and recommended information about the marijuana establishments that will help the BOS decide whether the applicant is of "good moral character"
 - Part C is a new section directs the Town Clerk to do an initial screening to make sure the application is complete and to check in with the Fire Chief, Police Chief, and CEO on their recommendations. This new section will hopefully avoid having the BOS waste time reviewing incomplete applications.
 - Part D clarifies that the review criteria in Section VI also apply to renewal applications.
- **Section VI:**
 - Part A beefs up the review criteria by which the BOS will decide whether or not the license should be granted. The standard remains "good moral character," but the section now lists

specific considerations that the BOS can take into account in making that decision. This new language is recommended to avoid due process challenges.

- Part B makes clear that if state licensing is not in place, the local license doesn't go into effect until the state license is secured. Please discuss with Malina if you'd prefer to have the state licenses in place before entertaining an application for a local license. (Note that this will affect both types of licenses - victualers may be put on hold until they secure their eating license and marijuana establishments may be on hold until they secure their state licenses.)
- Part C continues to allow the BOS to impose conditions on any license.
- Part D is new. Instead of a May 31st expiration date, the license would be valid for a year from the date of issuance. I believe May 31st is a relic from when state law required licenses to be issued by a certain date, but if you want it to remain May 31st, let Malina know and she'll update the language.
- Part E is a new section that clarifies that an inspection is required for first-time applicants, but can also occur at any time after a license is issued.
- **Section VII** provides some guidance to the BOS on when a license may be suspended or revoked.
 - Old sections A-D have been deleted because their content is redundant with other sections of the Ordinance. But all the requirements contained in those sections still remain; they've just been relocated and slightly reworked.
- **Sections VIII and IX** are new but legally required.
- **Section X** has been updated to conform to state law requirements on imposing penalties.
- **Section XI** hasn't been changed.

I hope this captures what you need! Please review these ordinance amendments carefully and coordinate with Malina ahead of next week's deadline to finalize this draft.

Thanks,
Aga

Agnieszka A. (Pinette) Dixon
Attorney

207.772.1941 ext. 532
ADixon@dwmlaw.com

84 Marginal Way, Suite 600, Portland, ME 04101
800.727.1941 | 207.772.3627 Fax | dwmlaw.com



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Linda LaCroix

From: Malina E. Dumas <MDumas@dwmlaw.com>
Sent: Tuesday, August 18, 2020 3:41 PM
To: Linda LaCroix
Cc: Brenda Day; Courtney Kemp
Subject: RE: Question on state licensing
Attachments: Item 2 - Amendments to Victualers Licensing Ordinance -updated.DOCX; Item 2 - Amendments to Victualers Licensing Ordinance -updated.pdf

Hi Linda,

Aga had asked me to take a look at the draft ordinance she sent around before she left on vacation and asked me to reach out with any other changes I think would be helpful. I am proposing a few very minor changes in the attached, updated version.

There is one change I would recommend because the "municipal regulation" section of the Medical Use of Marijuana Statute has moved and the reference is now 22 M.R.S. §2429-D.

I am also making a suggested change in Section V(B)(2). I do not think you need to require an applicant for a local license to submit a copy of their state application in all circumstances. As a practical matter, for adult use licenses, applications are generally filed through an electronic platform so there isn't an easy way to generate a complete copy of what was submitted. I made a quick note about that in the e-mail I sent around last week and on our call. A lot of the information is inputted through the electronic form, and then supplemental documents are uploaded. The Office of Marijuana Policy strongly urges applicants to take this route because then their office does not have to go in and manually input information submitted through hard copy. That's why you can't find a copy of the application on their website. For that reason, I would suggest that it should be sufficient for the applicant to provide a copy of the state's conditional approval (the conditional license for the state application in the case of adult use marijuana businesses). If they do not have that approval yet, then it makes more sense to ask them to provide a copy of the application just to confirm that they have started the process. Some towns do that. OMP confirmed that it is their position that an applicant can apply for a local permit/license without obtaining the conditional license first, but the town cannot sign off on the local authorization form until the applicant provides the town with the conditional license and corresponding authorization form. The way Aga drafted the ordinance covers this sequence of events so you're set there. You can keep the requirement in if you want, but I was thinking it might create unnecessary paperwork because the required documentation will already be provided through the local permitting and licensing process in another, more workable, format.

Finally, I added in language referring to "registrations" after the references to state "licenses" in just a few places. This is because, like I explained in my e-mail earlier this week, the medical marijuana program currently issues "registrations" and I just thought using that terminology might help clarify that the requirements cover both sets of approvals equally.

I am out of the office tomorrow as I am moving from Portland to Windham (to be closer to you all, of course). It's not very convenient that the moving day ended up being in the middle of the week, and I just wanted to let you know because I will likely not be very accessible by e-mail tomorrow and I believe that was when you

were printing the packets. If you need something, please call me at 207-578-0480 and I will do my best to get back to you. Have a nice afternoon,

Malina

From: Linda LaCroix <llaCroix@bridgtonmaine.org>
Sent: Monday, August 17, 2020 12:18 PM
To: Malina E. Dumas <MDumas@dwmlaw.com>
Cc: Brenda Day <bday@bridgtonmaine.org>; Courtney Kemp <ckemp@bridgtonmaine.org>
Subject: RE: Question on state licensing

Very helpful Malina thank you!

Linda L. LaCroix
Community Development Director
Town of Bridgton
3 Chase Street, Suite 1
Bridgton, Maine 04009
www.bridgtonmaine.org
llaCroix@bridgtonmaine.org
(207) 803-9956 (office)
(207) 595-3560 (cell)

From: Malina E. Dumas <MDumas@dwmlaw.com>
Sent: Monday, August 17, 2020 11:16 AM
To: Linda LaCroix <llaCroix@bridgtonmaine.org>
Cc: Brenda Day <bday@bridgtonmaine.org>; Courtney Kemp <ckemp@bridgtonmaine.org>
Subject: RE: Question on state licensing

Hi Linda,

Thanks for reaching out for clarification. State approvals in the adult use marijuana program are referred to as "licenses" and approvals in the medical marijuana program are referred to as "registrations" pretty much across the board. The exception is that testing facilities in both programs also obtain "certifications." I think the different terminology can be confusing, but technically there aren't any caregiver-specific "licenses" so I just wanted to point that out for the sake of clarity. The first step for these businesses is obtaining either a state conditional license (for an adult use marijuana business) or a state registration (for a small-scale caregiver, large-scale caregiver, or other medical marijuana business).

The definition in your ordinance for a small scale caregiver refers to a registered caregiver. A small scale registered caregiver, as defined in your ordinance, must obtain a state registration just like a large scale caregiver. There is no distinction between the credentials registered caregivers receive at the state level, but you chose to impose different performance standards on caregiver businesses (and/or allow them in different zones) depending on their size, which makes sense. At the state level, caregivers do pay different registration fees depending on the number of plants they will cultivate and/or how much marijuana they intend to possess, but they all receive the same type of caregiver registration card in the mail.

You have a definition for “Marijuana Home Cultivation” in your ordinance that encompasses cultivation of adult use marijuana for personal use by adults over the age of 21 and cultivation of medical marijuana by qualifying patients and exempt caregivers (caregivers that engage in a more limited set of authorized activities and are not required to register with the State). Those are the only categories that do not require a state registration or a state license issued by the Office of Marijuana Policy.

For reference, below is an excerpt from the application to become a registered caregiver in Maine. When caregivers apply for their state registration, they must check the boxes for any kind of authorized activity they intend to engage in once they are registered. As you can see, they pay their fees in accordance with the number of plants or the amount of plant canopy they cultivate and/or amount of harvested marijuana they possess, but they no longer need to indicate the number of patients they serve. The activities highlighted in yellow do not require municipal opt-in or any additional state licenses or registrations. If a caregiver is manufacturing edible marijuana products and/or selling those products, they must obtain a food establishment license from the Department of Agriculture, Conservation and Forestry. They may only manufacture edibles from the marijuana they cultivate themselves; otherwise, they are engaging in third party manufacturing which requires a separate state registration and municipal opt-in. Note that Section 6 references a local authorization form that has not yet been developed for the medical marijuana program.

SECTION 4: Registered Caregiver Authorized Activities. Please check all that apply.

☐ Standard caregiver cultivation activities
☐ Standard caregiver processing and manufacturing activities (no inherently hazardous substance extraction)
☐ Processing or manufacturing of marijuana from a patient, caregiver, or dispensary
☐ Processing or manufacturing marijuana using inherently hazardous substances
☐ Manufacturing edible marijuana products
☐ Standard caregiver transfer, donation and/or sale of medical marijuana, concentrate and products to patients
☐ Operation of one caregiver retail store
☐ Purchase or other receipt of wholesale marijuana from other caregivers or dispensaries
☐ Sale or other transfer of wholesale marijuana to other caregivers or dispensaries

SECTION 5: Fees. The fee is \$240 for each group of up to six (6) mature marijuana plants cultivated by a caregiver.

Caregiver cultivating/servicing patients (Elect either plant count or canopy.)		Caregiver non-cultivating/servicing patients (Purchasing from a registered caregiver or dispensary)	
Plants	Fee	Harvested marijuana from:	Fee
<input type="checkbox"/> 6 mature/12 immature plants	\$240	<input type="checkbox"/> 6 mature/12 immature plants	\$240
<input type="checkbox"/> 12 mature/24 immature plants	\$480	<input type="checkbox"/> 12 mature/24 immature plants	\$480
<input type="checkbox"/> 18 mature/36 immature plants	\$720	<input type="checkbox"/> 18 mature/36 immature plants	\$720
<input type="checkbox"/> 24 mature/48 immature plants	\$960	<input type="checkbox"/> 24 mature/48 immature plants	\$960
<input type="checkbox"/> 30 mature/60 immature plants	\$1200	<input type="checkbox"/> 30 mature/60 immature plants	\$1200
Canopy <input type="checkbox"/> 500 Sq. Ft. Canopy Number of mature plants to be cultivated within canopy: _____ \$ _____		Application Fee: _____ Background Check Fee: <u>\$31.00</u> Total Enclosed: _____	
Example plant canopy fees: • 31-36 mature marijuana plants, \$1440 • 37-42 mature marijuana plants, \$1680 • 43-48 mature marijuana plants, \$1920 • 49-54 mature marijuana plants, \$2160 • 55-60 mature marijuana plants, \$2400			
Application Fee: _____ Background Check Fee: <u>\$31.00</u> Total Enclosed: _____			

SECTION 6: Local Authorization.

Upon receipt of the completed application, the Office of Marijuana Policy will send a Local Authorization form to the applicant. It will be the applicant's responsibility to obtain Local Authorization pursuant to Title 22, Section 2429-D.

SECTION 7: Required Submissions.

☐ A cashier's check or money order made payable to "Treasurer, State of Maine." All fees are non-refundable.
☐ Copy of Maine-issued photo ID or copy of government-issued photo ID and proof of Maine address.
☐ Copy of food establishment/processing license, if applicable.

I hope this helps. Please let me know if this isn't fully responsive to your question.

Malina

From: Linda LaCroix <llaCroix@bridgtonmaine.org>
 Sent: Monday, August 17, 2020 10:00 AM
 To: Malina E. Dumas <MDumas@dwmlaw.com>
 Cc: Brenda Day <bday@bridgtonmaine.org>; Courtney Kemp <ckemp@bridgtonmaine.org>
 Subject: Question on state licensing

Good morning Malina,

Just a quick question on MJ establishment licensing – Of the establishments in our MJ ordinance that would be licensed (listed in the initial recommendation to the Select Board on fees, attached – we are reviewing initial recommendations

now), I just want to confirm that all such establishments are required to get a state license, including the large-scale caregiver operation. It is my understanding that the small scale caregiver operation is not required to get a state license. Please let me know if I have that wrong. I am writing up a flow chart of sorts for the Select Board to go with the changes to the victualer's license and final recommendations on fees that we will be providing for the Select Board, and I want to make sure that the first step is state license for all establishments except as noted above. Thank you!

Linda L. LaCroix

Community Development Director

Town of Bridgton

3 Chase Street, Suite 1

Bridgton, Maine 04009

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llacroix@bridgtonmaine.org

(207) 803-9956 (office)

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CERTIFICATE OF COMMITMENT OF SEWER USER RATES
COMMITMENT #242

To: Robert A. Peabody, Jr., the Treasurer of the Municipality of Bridgton, Maine.

Attached is a true list of the sewer rates established by us pursuant to 30-M.R.S. § 3406 for those properties, units and structures on **Route 1**, required by local and State Law to pay a sewer rate to the municipality, for the **period beginning 1 May 2020 and ending 31 July 2020**. This list is comprised of 2 pages which are attached to this certificate.

The date on which the rates included in this list are **due and payable is September 17, 2020**. You are hereby required to collect from each person named in the attached list, his or her respective amount as indicated in the list; **the sum-total being \$8,004.57**. You are hereby required to charge interest at a rate of 6.0% per annum on any unpaid account balance. You are hereby authorized to collect these rates and any accrued interest by any means legally available to you under State Law.

Given under our hands this **25th day of August 2020**.

Liston E. Eastman

Glenn R. Zaidman

Carmen Lone

G. Frederick Packard

Billing Edit Report

Seq	Previous	Current	Cons	Water	Sewer	Total	Acct	Name	Location
Book #	1								
*1	1459200	1464500	5300	0.00	1,469.37	1,469.37	198	HILL STREET TERRACE HOUSING CORPORATION 0014-0077	42 WAYSIDE AVE.
*2	11800	11900	100	0.00	102.29	102.29	206	WHERE ITS AT LLC 0023-0019	4 NULTY ST.
*3	27900	28200	300	0.00	109.27	109.27	207	BRIDGTON PUBLIC LIBRARY 0023-0145	1 CHURCH ST.
*4	119500	121500	2000	0.00	959.00	959.00	208	HAYES JR., ALLEN S 0023-0015	112 MAIN ST.
*5	22885	23315	430	0.00	311.41	311.41	209	HEBB, HENRY; ETAL 0023-0146	109 MAIN ST.
*6	218100	222100	4000	0.00	238.40	238.40	210	HAYES JR., ALLEN S 0023-0014	118 MAIN ST.
*7	156400	160600	4200	0.00	640.58	640.58	211	108 MAIN STREET, LLC 0023-0012	108 MAIN ST.
*9	224500	227100	2600	0.00	683.54	683.54	213	BROWN, C N 0022-0094	93 MAIN ST.
*10	21070	21205	135	0.00	1,190.31	1,190.31	217	CHALMERS BROTHERS, LLC 0022-0092	88 MAIN ST.
*11	2400	2400	0	0.00	197.60	197.60	219	EVERGREEN, JUDITH A 0022-0096	63 MAIN ST.
*13	21755	26050	4295	0.00	545.10	545.10	220	WILE, TIMOTHY S 0022-0090	76 MAIN ST.
*14	76200	76400	200	0.00	204.58	204.58	785	C & P NEW HORIZONS, LLC 0022-0091	82 MAIN ST.
*15	7585	7585	0	0.00	98.80	98.80	221	EVERGREEN, JUDITH A 0022-0097	59 MAIN ST.
*16	159800	163100	3300	0.00	1,004.37	1,004.37	225	LAKE VIEW SUITES, LLC 0022-0099	2 WALKER ST.
*17	34570	35470	900	0.00	130.21	130.21	4091	THE CARRY ALL CORNER, LLC 0023-0147	103 MAIN ST.
*18	11820	12420	600	0.00	119.74	119.74	4092	THE CARRY ALL CORNER, LLC 0023-0147	103 MAIN ST.

Book 1 Total: 0.00 8,004.57 8,004.57

Total: 0.00 8,004.57 8,004.57

Consumption Report

- - - - Sewer - - - -

Book	SEWER	RESRV	EDU	4	5	6	7	8	9	Total
1	28,360	0	0	0	0	0	0	0	0	28,360
Total:	28,360	0	0	0	0	0	0	0	0	28,360

Billing Edit Report

Calculation Summary Report

<u>Water</u>		<u>Sewer</u>	
Override	0.00	Override	0.00
Flat	0.00	Flat	0.00
Units	0.00	Units	7,014.80
Consumption	0.00	Consumption	989.77
Miscellaneous	0.00	Miscellaneous	0.00
Adjustments	0.00	Adjustments	0.00
Tax	0.00	Tax	0.00
Total	0.00	Total	8,004.57

User Category Summary

<u>Category</u>	<u>Water</u> Count	Cons	Amount	<u>Category</u>	<u>Sewer</u> Count	Cons	Amount
				1 SEWER METER	16	28360	8,004.57

Compounding Period: Annual

Nominal Annual Rate: 2.000%

Cash Flow Data - Leases and Lease Payments

Event	Date	Amount	Number	Period	End Date
1 Lease	09/01/2020	44,223.00	1		
2 Lease Payment	09/15/2020	15,045.39	3	Annual	09/15/2022

TValue Amortization Schedule - Normal, 365 Day Year

	Date	Lease Payment	Interest	Principal	Balance
Lease	09/01/2020				44,223.00
1	09/15/2020	15,045.39	33.92	15,011.47	29,211.53
2020 Totals		15,045.39	33.92	15,011.47	
2	09/15/2021	15,045.39	584.23	14,461.16	14,750.37
2021 Totals		15,045.39	584.23	14,461.16	
3	09/15/2022	15,045.39	295.02	14,750.37	0.00
2022 Totals		15,045.39	295.02	14,750.37	
Grand Totals		45,136.17	913.17	44,223.00	

Last interest amount increased by 0.01 due to rounding.

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
1.999%	\$913.17	\$44,223.00	\$45,136.17

Date: SEPTEMBER 8, 2020

**VOTE TO AUTHORIZE LEASE PURCHASE OF A 2020 DODGE RAM 3500 4X4 TRUCK
AND RELATED ACCESSORIES IN PRINCIPAL AMOUNT OF UP TO \$44,223.00**

Under and pursuant to the provisions of Title 30-A M.R.S., Sections 5721, 5722, and 5728, approval of the voters of the Town of Bridgton (the "Town") at a Town Meeting duly called and held on July 14, 2020, and all other applicable law, the Select Board of the Town hereby VOTES as follows:

1. That the Town Manager of the Town (the "Town Manager") is authorized to solicit proposals from lease purchase companies and to execute and deliver a lease purchase agreement in the name and on behalf of the Town to provide financing for a 2020 DODGE RAM 3500 4X4 TRUCK and related accessories (the "Equipment") in a principal amount not to exceed \$44,223.00 (the "Maximum Principal Amount") in such form and on such terms not inconsistent with said Town Meeting approval and this Vote, as the Town Manager may approve (the "Lease");
2. That, to the extent not inconsistent with said Town Meeting approval and this Vote, the Town Manager is authorized to select such date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, form(s), and other details of the Lease as the Town Manager may approve, said approval to be conclusively evidenced by the execution and delivery thereof;
3. That the Town Manager is authorized to execute and deliver on behalf of the Town such tax compliance certificates and arbitrage and use of proceeds certificates as may, in the Town Manager's judgment, be necessary or convenient to effect the transactions authorized by this Vote;
4. That the Town Manager is authorized to covenant on behalf of the Town that (i) no part of the proceeds of the Lease shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Lease to be an "arbitrage bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, (the "Code"), and (ii) the proceeds of the Lease and the Equipment financed by the Lease shall not be used in a manner that would cause the Lease to be a "private activity bond" within the meaning of Section 141 of the Code;
5. That the Town Manager is 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 the Lease, and to take all other lawful actions necessary to ensure the interest portion of the rental payments under and pursuant to the Lease will be excludable 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;
6. That the Town Manager may, as applicable, designate the Lease as a qualified tax-exempt obligation within the meaning of Section 265(b)(3) of the Code;
7. That the Town hereby resolves and declares its official intent pursuant to Section 1.150-2(e) of the Treasury Regulations that the Town reasonably expects to use the proceeds of the Lease to reimburse certain original expenditures from the Town's general or other fund, paid not earlier than 60 days prior to adoption of this Vote or to be paid, which original expenditures have been or will be incurred in connection with costs of the Equipment; and that the Town reasonably expects that the maximum principal amount that the Town will issue to finance the Equipment is the Maximum Principal Amount, as stated hereinabove, and further that an attested copy of this declaration of official intent be kept in the permanent records of the Town;

8. That the appropriate officials of the Town, acting singly, are authorized to execute and deliver on behalf of the Town such other documents and certificates as may be required in connection with the Lease;
9. That if the Town Manager or any other officer or official of the Town is for any reason unavailable to, as applicable, approve, execute, or attest the Lease or any related financing documents, the person acting in any such capacity, whether as a successor, assistant, deputy, or otherwise, is authorized to act for such officer or official with the same force and effect as if such officer or official had performed such act; and
10. That an attested copy of this Vote is to be filed with the minutes of this meeting.

A true copy, attest:

Town Clerk
Town of Bridgton

Laurie Chadbourne

From: Robert "Bob" Peabody, Jr.
Sent: Friday, August 14, 2020 10:58 AM
To: Laurie Chadbourne
Cc: Georgiann M Fleck; David Madsen; Brenda Day; Bridgton Fire Chief; Chief Phillip Jones
Subject: 130810 consolidated Tax Acquired Policies Rev2020
Attachments: 130810 consolidated Tax Acquired Policies Rev2020.pdf

Laurie-

For the August 26th Agenda. Changes are underlined!

Thanks!

Bob

Robert A. Peabody, Jr.
Bridgton Town Manager
3 Chase Street, Suite 1
Bridgton, Maine 04009
rpeabody@bridgtonmaine.org
207.647.8786 Office
207.256.7211 Cell

**Consolidated Tax Acquired Property Policy
Bid Procedures for the Disposition of Tax Acquired Properties**

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

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

III. Policy: It shall be the policy of the Town of Bridgton to follow the prevailing statutes and Supreme Judicial Court decisions (Maine) regarding unpaid real estate taxes, notifications, collections, liens and foreclosures.

IV. Prevailing Statutes and Decisions:

Title 36 M.R.S. §§ 942 and 943

Court Decisions:

Jones v. Flowers 2006

Irving McNaughton et Al. v. Richard Kelsey, et Al. August 8, 1997

Jeffrey Stoops et al. v. Richard Nelson et al. March 5, 2013

Campbell Cary v. Town of Harrington December 9, 1987

Town of Pownal v. George Anderson et al. April 29, 1999

Policy for the Disposition of Tax Acquired Properties and the Bid Procedures

I. Purpose: The purpose of this policy is to establish procedures for the management, administration and disposition of real property acquired by reason of non-payment of taxes to the Town of Bridgton in accordance with Title 36 MRSA Sections 942 and 943, as amended. Nothing in this policy shall be interpreted to give additional substantive or procedural rights o owners of properties forfeited for non-payment of taxes.

II. Management of Tax-Acquired Property: Once a property has been foreclosed due to unpaid taxes to the Town, the municipal treasurer or Tax collector shall notify the last known owner of record that his or her right to redeem the property has expired. The notification shall advise the last known owner of record that the real estate property will be disposed of in accordance with this policy, a copy of which shall be included with the notification.

2.2 The Tax Collector shall annually notify the Select Board of those properties that have not been redeemed and provide the Board with a listing of the properties.

2.3 The responsibility for the management of tax-acquired property rests with the Select Board. Pending the Board's decision regarding the final disposition of property, the Board and the Town Manager may:

- a. determine in light of potential liability inherent in owning the property whether the Town's best interest would be served by immediately disposing of the property or disposing of the property at such times as the Board of Selectmen and Town Manager deem advisable without regard to any other provisions of this policy, and/or
- b. determine and obtain, if necessary, insurance in the amount required to protect the Town's interest in the property and to protect the Town from liability. The Town may also determine with its Town's Attorney that there will be no collection of rents which may protect the Town from incurring landlord-imposed maintenance and repairs and further liability exposure, and or
- c. determine if and when any occupants of tax-acquired property shall be required to vacate the property, and/or
- d. chose to meet with the delinquent taxpayer to determine a possible payment plan.
(note- This is not a preferred option nor is it recommended by MMA)

III. Review of Tax-Acquired Properties:

3.1 Any interested Department may make recommendations to the Town Manager regarding the disposition of property for the Select Board to consider. The Town Manager shall prepare a summary of all of the tax-acquired properties and provide the Select Board with a recommendation for each property that may include:

- a. to sell the property with or without any conditions, or
- b. to retain the property for a specific purpose, or

c. to retain the property on an interim basis if it is a single-family residence occupied by the taxpayer and if the sale of the property would result in the taxpayer requesting general assistance. In such a case, the Select Board must determine if a payment plan shall be developed for which the taxpayer makes full payment of all taxes, interest and fees due allowing for the property to be quit claim deeded to the original property owner. A payment plan approach is not encouraged as a matter of practice and by the Maine Municipal Association.

3.2 The Town Manager shall forward the recommendations to the Select Board which shall make the final determination regarding the final disposition of tax-acquired property. The Select Board shall also determine the conditions, if any, for sales of tax-acquired property.

IV. Disposition of Tax-Acquired Property:

4.1 The Board reserves the right to return the property to its owners when there are extenuating circumstances subject to the following procedure and requirements:

a. A written request from the former owner to redeem the property is received within 12 months of the date of automatic foreclosure.

b. Included with the request is a bank check in the amount of all back taxes, interest and fees; current year's taxes; and outstanding wastewater fees.

c. Prior to Board action on the request, there will be a meeting of the Code Enforcement Officer, Police Chief and Fire Chief to identify any health or safety violations needing to be cured prior to redemption of the property.

4.2 For properties that the Select Board has determined to be sold, they shall decide the appropriate method of sale. This can be through a licensed third party or by the Town. If the Town is to sell this property it can be by a written sealed bid process or by a live auction which the Select Board must determine. The Board may also authorize a negotiated sale of the property. Whichever the method, the Town is required to properly publish the method and inform the public as to the steps that will be required, conditions and terms of the sale and any other relevant points. The Town must also notify the prior owner(s) at their last known address or residence of record or by other means easily available to the Town.

4.3 Bidding Process: In accordance with Town Bidding policy, the Town shall accept sealed bids unless a live auction is being conducted. The Town does not offer any warranties or guarantees regarding the property being sold and will only issue a Quit Claim Deed.

a. When sealed bidding is conducted bids must be sealed and clearly marked "Tax Acquired Property Bid". Bids must be submitted to the Bridgton Town Office, Three Chase Street Suite #1, Bridgton, Maine 04009 on or before the due date. Each bid must identify by map and lot number the parcel being bid on. Each bid must conform with the bid payment instructions issued for the bid including that full payment of the bid price must be received within ten (10) days of the bid acceptance unless otherwise agreed to by the Town. Any collection of bid bonds or minimum payments shall be held by the Town and will be returned to unsuccessful bidders following the completion of the transaction with the successful bidder.

b. Should the successful bidder default and forfeit their bid bond or payment, the property will then be offered to the next highest bidder at the bid price. If there is no second highest bidder, or the second highest bidder is not able to meet the high bid, the Town may solely

at its discretion re-advertise the property for sale or negotiate a satisfactory price with any potential buyer, as the Board of Selectmen deems necessary.

c. The Board of Selectmen will consider all bids received at a public meeting duly noticed.

d. 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 (10) business days will permit the Town Manager to award the bid to the next highest bidder for the advertised property. A bid may be rejected if the intended buyer has a history of being or is currently delinquent on any of their properties' taxes or is under a violation through the Code Enforcement Office for having a property that is classified as being neglected, in disrepair and in violation of any building or health codes.

e. 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.

f. The Select Board may deviate from the regular bidding process if, in its judgment, the retaining or transfer of the property to another entity serves the public interest. Any such deviation must be thoroughly reviewed at a public meeting before such action takes place.

g. If the bidding or sale of any tax-acquired property fails to have a successful purchaser, the Select Board may authorize the Town Manager to negotiate with the next highest bidder. If this process fails to achieve a purchase and sales agreement, the Board may decide to re-advertise the unsold properties at a later date or combine them with other parcels and tax-acquired properties.

This policy and the bid procedures may be amended from time to time as the Board of Selectmen deem necessary.

§2808. Sharing of training costs

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Governmental entity" means the State or any city, town, plantation or county. [PL 1985, c. 506, Pt. A, §50 (NEW).]
- B. "Training" means the basic training provided to a full-time law enforcement officer by the Maine Criminal Justice Academy, as described in section 2804-C. [PL 2005, c. 331, §29 (AMD).]
- C. "Training costs" means a fixed dollar amount determined by the board. In making the determination, the board shall include the following costs:
 - (1) The full cost of the salary, including fringe benefits, paid to the officer while in training;
 - (2) The full cost of the tuition charged by the Maine Criminal Justice Academy;
 - (3) The full cost of uniforms for training and graduation provided to the officer in training; and
 - (4) The full cost of the salary, inclusive of overtime, paid to officers to provide police protection that would otherwise have been lost during the absence of the officer in training.

The board shall review the determination of training costs annually, make any necessary adjustments and provide that determination to all law enforcement agencies in the State. [PL 2005, c. 331, §30 (RPR).]

[PL 2005, c. 331, §§29, 30 (AMD).]

2. Reimbursement for training costs.

[PL 2005, c. 331, §31 (RP).]

3. Reimbursement for training costs. Whenever a full-time law enforcement officer, trained at the Maine Criminal Justice Academy at the expense of a particular governmental entity, is subsequently hired by another governmental entity as a full-time law enforcement officer within 5 years of graduation from the academy, the governmental entity shall reimburse the first governmental entity according to the following formula, unless a mutual agreement is reached.

- A. If the officer is hired by the other governmental entity during the first year after graduation, that governmental entity shall reimburse the first governmental entity the full cost of the training costs. [PL 1989, c. 521, §13 (NEW).]
- B. If the officer is hired by the other governmental entity during the 2nd year after graduation, that governmental entity shall reimburse the first governmental entity 80% of the training costs. [PL 1989, c. 521, §13 (NEW).]
- C. If the officer is hired by the other governmental entity during the 3rd year after graduation, that governmental entity shall reimburse the first governmental entity 60% of the training costs. [PL 1989, c. 521, §13 (NEW).]
- D. If the officer is hired by the other governmental entity during the 4th year after graduation, that governmental entity shall reimburse the first governmental entity 40% of the training costs. [PL 1989, c. 521, §13 (NEW).]
- E. If the officer is hired by the other governmental entity during the 5th year after graduation, that governmental entity shall reimburse the first governmental entity 20% of the training costs. [PL 1989, c. 521, §13 (NEW).]

F. If the officer graduated more than 5 years before subsequently being hired by the other governmental entity, that governmental entity is not obligated to reimburse the first governmental entity. [PL 2005, c. 331, §32 (AMD).]

If the officer is subsequently hired by additional governmental entities within 5 years of graduation from the academy, each of those governmental entities is liable to the governmental employer immediately preceding it for the training costs paid by that governmental entity under this subsection. The extent of financial liability must be determined according to the formula established by this subsection.

[PL 2013, c. 147, §41 (AMD).]

SECTION HISTORY

PL 1985, c. 506, §A50 (NEW). PL 1989, c. 454 (AMD). PL 1989, c. 521, §§11-13, 17 (AMD). PL 1991, c. 581 (AMD). PL 2005, c. 331, §§29-32 (AMD). PL 2013, c. 147, §41 (AMD).

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