

Board of Selectmen's Meeting Minutes
July 26, 2022; 2:30 P.M.

Board Members Present: Carmen E. Lone, Chairman; Robert J. McHatton, Sr., Vice-Chairman; Paul A. Tworog; G Frederick Packard; Kenneth J. Murphy

Administration Present: Town Manager Robert A. Peabody, Jr.; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Executive Assistant Nikki Hodgkins; Community Development Director Linda LaCroix; Deputy Community Development Director Victoria Hill; Public Services Director David Madsen; Police Chief Phillip Jones ; Fire Chief Glen Garland

1. Call to Order

Chairman Lone called the meeting to order at 2:30 P.M.

2. Pledge of Allegiance

The Board recited the "Pledge of Allegiance."

3. 2:30 P.M. Site Walk to Pump Station

Board members went on a site walk to view the pump station.

Chairman Lone recessed the meeting to conduct a Special Town Meeting at 4:00 P.M.

4:00 P.M. Special Town Meeting

Chairman Lone called the meeting back to order at 4:19 P.M.

4. Approval of RUS Bulletin 1780-27 Loan Resolution

Motion was made by Chairman Lone that the resolution entitled, "RUS Bulletin 1780-27 Loan Resolution," be adopted in form presented to this meeting, which Resolution provides for the Town to have a bond resolution or ordinance prepared providing for the Town's issuance of bonds in the principal amount of up to \$1,400,000 in such form and containing such items as the United States Department of Agriculture (the "Government") shall require to fund a portion of the costs of a Sanitary Sewer Facility Project (the "Project"), for the Town to accept a grant of up to \$1,400,000 upon terms offered by the Government to fund other costs of the Project, and for the Town to give various assurances and security to the Government with respect to the Bonds and the Project (the "RUS Loan Resolution"); that the RUS Loan Resolution bearing the results of this vote completed by the Clerk be executed and delivered under seal in the name of the Town by the Chair of the Board of Selectmen and attested by the Clerk; and that the Clerk file an attested copy of the completed RUS Loan Resolution with the minutes of this meeting; second from Vice-Chairman McHatton. 5 approve/0 oppose (attested copy of resolution attached)

Motion was made by Chairman Lone for approval of the resolution entitled "Resolution to Authorize Issuance and Sale of General Obligation Bonds in Principal Amount of \$1,400,000 for Wastewater System Upgrades," be adopted in form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of this meeting; second from Selectman Murphy. 5 approve/0 oppose (attested copy of resolution attached)

Motion was made by Chairman Lone for approval of the resolution entitled, "Resolution to Authorize Acceptance of \$1,400,000 Grant for Sewer Project" be adopted in form presented to this meeting and that the Clerk include an attested copy of said Resolution with the minutes of this meeting; second from Selectman Packard. 5 approve/0 oppose (attested copy of resolution attached)

Town Manager Peabody recognized and thanked Brent Bridges, P.E. for his hard work. He also thanked Community Development Director LaCroix and her department for their review of funding options. Lastly, he thanked Mike Jenkins for his effort in securing the funding.

5. Approval of Minutes

a. July 12, 2022

Motion was made by Selectman Murphy for approval of the minutes from the July 12, 2022 Select Board Meeting; second from Vice-Chairman McHatton. 5 approve/0 oppose

6. Public Comments on Non-Agenda Items

There were no public comments on non-agenda items.

7. Committee/Liaison Reports

a. Application from Suzanne Schrader to Join the Comprehensive Plan Update Task Force

Community Development Director Linda LaCroix introduced Suzanne Schrader to the Board and is pleased to have her join the committee. **Motion** was made by Selectman Packard to appointment Suzanne Packard to the Comprehensive Plan Update Task Force; second from Selectman Murphy. 5 approve/0 oppose

8. Correspondence, Presentations and Other Pertinent Information

a. Citizen Life Saving Awards by Police Chief Phil Jones

(This item was reviewed after item 9.3.a.).

b. Request from American Legion Post 67 to Close Depot Street from The Post to the Bridge on August 20, 2022

Representatives from the American Legion Post 67 were present to request closure of a section of Depot Street on August 20, 2022 from 8AM until 5PM for the purpose of creating safe space for a yard sale. They will put up signage as well. It was suggested that they also contact Maine Eco Homes to request parking on their property. **Motion** was made by Vice-Chairman McHatton to approve the closure of a section from Depot Street, from the eastly side of the American Post 67 building to the bridge from 8AM until 5PM on August 20, 2022; second from Selectman Murphy. 5 approve/0 oppose

9. New Business

a. Awards and Other Administrative Recommendations

1. Confirmation of Town Manager's Appointment of Victoria Hill as Community Development Director

Town Manager Peabody reported that Linda LaCroix is retiring and thanked her for her service. He stated that she has been an effective department head and leader. Town Manager Peabody has appointed Victoria Hill as the new Community Development Director subject to Select Board confirmation. Board Members sated that they are impressed with Ms. Hill, her abilities, and achievements. **Motion** was made by Selectman Murphy to confirm the Town Manager's appointment of Victoria Hill as Community Development Director; second from Selectman Packard 5 approve/0 oppose

2. Discussion of Select Board Policy for Non-Citizen-Initiated Referendum Questions

Chairman Lone suggested that the policy be amended to eliminate pressure on Boards and Committees that prepare for the warrants, she added that the Select Board often waives this policy. **Motion** was made by Chairman Lone to approve a 30-day protocol for submitting non-citizen-initiated referendum questions to the Board for inclusion on the Town Meeting Warrant; second from Vice-Chairman McHatton. 5 approve/0 oppose

3. Resignation of G. Frederick Packard from Select Board (Effective 11/7/2022)

a. Discussion of Conducting a Special Town Meeting on November 8, 2022 to Elect a Qualified Person to Fill the Vacancy

Chairman Lone read Selectman Packard's resignation into the record: "It is with regret that I formally tender my resignation from the Town of Bridgton Select Board, effective Monday, November 7, 2022. Though it would have been my pleasure to remain a part of this dedicated Select Board team, for personal reasons, I have

made the difficult decision to resign from the board prior to the end of my elected term. I am grateful for the support of the towns' people and having had the opportunity to serve the residents of the Town of Bridgton as a Select Board member over the last several years and I will look forward to watching our town continue to grow to its full potential." **Motion** was made by Vice-Chairman McHatton to accept G. Frederick Packard's resignation from the Select Board effective November 7, 2022, and to fill the vacancy at a Special Town Meeting on November 8, 2022; second from Selectman Murphy. 5 approve/0 oppose All Board members thanked Mr. Packard for his service to the Town.

Chairman Lone returned to agenda item 8. Correspondence, Presentations and Other Pertinent Information.

a. Citizen Life Saving Awards by Police Chief Phil Jones

Police Chief Phillip Jones reported that on July 9, 2022 a crash near the intersection of North High Street and Mountain Road resulted in the male operator being ejected from his motorcycle and landing approximately one hundred and seventy feet from the scene in an embankment. The crash victim sustained serious life threatening injuries. William Janelle and Wesley Wild rendered aid until first responders arrived. Both men used their shirts to apply tourniquets to the injured male. Statements from EMS, the Life Flight Crew as well as Maine Medical Center Operating Room Surgeons all corroborated and praised the actions of Wesley and William. Both men acted heroically, while maintaining an unwavering calm in a truly harrowing scenario. It is a direct result of their actions that the victim of this incident is alive today. Wesley Wild and William Janelle were officially recognized for their life saving actions. Chief Jones presented a letter of recognition to Mr. Janelle at the meeting and Mr. Wild was not able to attend as he is in California. The two men received a standing ovation.

b. Permits/Documents Requiring Board Approval

1. New Road Name Request: Snowball Alley Road

Motion was made by Vice-Chairman McHatton to approve Snowball Alley Road for the private road sited on Map 5 Lot 3; second from Selectman Murphy. 5 approve/0 oppose

2. Maine Municipal Association Voting Ballot, Election of MMA Vice-President, and Executive Committee Members

Motion was made by Selectman Tworog to approve the slate of candidates as presented; second from Selectman Packard. 5 approve/0 oppose

3. Certificate of Commitment of Sewer User Rate Commitment #265

Motion was made by Vice-Chairman McHatton to commit the April 1, 2022 to June 30, 2022 Sewer User Rate Commitment #265 comprising of three pages totaling \$2,871.46 to the Treasurer for collection; second from Selectman Packard. 5 approve/0 oppose

4. Application for Use of Town Owned Property (various locations) from Al Bottone IV dba Happy Valley Popcorn

Al Bottone was present and responded to questions regarding his request to use Highland Lake Beach and Woods Pond Beach areas to sell goods. Town Manager Peabody directed Mr. Bottone to work with the Public Services Director and Recreation Director to designate location. **Motion** was made by Selectman Tworog to approve the request to use town property for the location, dates and times submitted with the application; second from Vice-Chairman McHatton. 4 approve/1 oppose (Chairman Lone was opposed)

5. Business Licenses

a. Victualer's License to the Greenhouse by SOA for Food Truck (15 Depot Street on August 20, 2022 from 2PM until 4PM)

Motion was made by Vice-Chairman McHatton to approve a Victualer's License to Greenhouse by SOA; second from Selectman Murphy. 5 approve/0 oppose

b. Victualer's License to Sail Away Coffee Co. for Food Truck (151 Portland Road)

Motion was made by Vice-Chairman McHatton to approve a Victualer's License to Sail Away Coffee Co.; second from Selectman Packard. 5 approve/0 oppose

c. Victualer's License to Snowfox, Sushi Kiosk at Hannaford 8167 (109 Portland Road)

Motion was made by Vice-Chairman McHatton to approve a Victualer's License to Snowfox; second from Selectman Packard. 5 approve/0 oppose

d. Victualer's License to Lakeside Pines Campground (54 Lakeside Pines Road)

Motion was made by Vice-Chairman McHatton to approve a Victualer's License to Lakeside Pines Campground; second from Selectman Packard. 5 approve/0 oppose

6. Accept Payment for Tax Acquired Property and Approve Quit Claim Deed to Dennis Riley , Map 13A Lot 13 (Land Only on Mockingbird Lane)

Motion was made by Vice-Chairman McHatton to accept payment and approve a Quit Claim Deed to Dennis Riley for property described as Map 13A, Lot 13 Town of Bridgton tax maps; second from Selectman Tworog. 5 approve/0 oppose

c. Selectmen's Concerns

- **Vice-Chairman McHatton** asked for the status of the crosswalks to which Public Services Director Madsen responded that there are a few to be finished.
- **Selectman Tworog** asked if there is anything in the Land Use Ordinance regarding regulation for dog parks to which Town Manager Peabody referred this to the Code Enforcement Officer to provide a response.
- **Selectman Tworog** suggested holding a workshop to determine how the Town wants to move forward with growth to which Town Manager Peabody responded that the law is taking away the ability to limit growth locally.
- **Selectman Tworog** noted that he sometimes receives Town notices late, with the notification arriving after the fact to which Executive Assistant Hodgkins requested that he notify her if this happens again.
- **Selectman Murphy** voiced concerns on a pieces or property that should be cleaned up and cited as a junkyard to which Chairman Lone responded the Code Enforcement Officer has an extensive list of properties that she is reviewing.
- **Selectman Murphy** noted that every business and building is required to have a number on it but not all do. Fire Chief Garland will provide reminders at public events. Town Manager Peabody will work with the E-911 Addressing Officer to review options for public notification of compliance.
- **Selectman Packard** is pleased that the projects are coming along and looks forward to the roads getting better.
- **Vice-Chairman McHatton** asked if work is being done at the snack shack at BRAG fields to which Public Services Director Madsen responded that Larry Carter is organizing the electrical work at this time.
- **Chairman Lone** would like to add the Memorial School Property to a future agenda for discussion.
- **Chairman Lone** thanked all involved in the site walk and thanked everyone that participated in the Special Town Meeting.

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

Deputy Town Manager Fleck read the following July 26, Report into the record:

"General

Applications are being accepted by the Town of Bridgton for the Senior Tax Assistance Program. This program was approved at Town Meeting on June 14, 2022. Applications must be submitted by Monday, August 1st for review. Appointments will be scheduled with each applicant on Monday, August 15th to discuss eligibility. Please call the Town Office at 207-647-8786 and ask for the Senior Tax Program or send an email request to taxrelief@bridgtonmaine.org. The Senior Tax Assistance

Ordinance, information flyer, and a copy of the application can be found on our website at www.bridgtonmaine.org. To date we have received 8 applications for consideration.

Bridgton Recreation

Unfortunately, COVID made it way into Bridgton Recreation's K-2 Summer Rec Camp and impacted the staff so on Monday, July 25th the program closed for the week and will reopen as usual for the K-2 group on August 1st. We appreciate your understanding and apologize for any inconvenience.

Bridgton Police Department

Summer continues to be busy on the roads and beaches. Please remember to keep an eye on the posted speed limits, our officers are performing regular traffic enforcement and may be issuing traffic citations for speeding and distracted driving violations. Please also remember that Salmon Point, Highland, and Woods Pond beaches are posted for no possession of alcohol. Drinking and possessing alcohol at these locations is prohibited by Town rules and State law. Violations can result in removal from the beach and criminal charges. PSAA Grace Gendron was trained and certified this week as a National Child Passenger Safety technician. She is now able to assist the public with installation and education about their child safety seats. For more information, please call the office and set an appointment.

The Bridgton Police Department is excited to announce our participation in the 2022 National Night Out! We will be joining 38 million neighbors across 16 thousand communities from all 50 states for this community engaging event. The event is held nationally on Tuesday, August 2, 2022 from 5:00p.m. to 8:00p.m. at the Bridgton Memorial School. Activities will include food, live music, dunk tank, games, simulated operating under the influence driving course, interactive 911 simulator, K9 demo, activities with our Bridgton Arts and Culture and much more. For more details or to find out how your business can participate or help sponsor a portion of this event please contact Grace Gendron at the Bridgton Police Department at 207-647-8815 / ggendron@bridgtonmaine.org

Until next time....be safe and be well.

Respectfully submitted, Georgiann M. Fleck, Deputy Town Manager"

10. Old Business

a. Wastewater Status Update

There were no additional status updates on the wastewater system.

11. Treasurer's Warrants

Motion was made by Chairman Lone for approval of Treasurer's Warrants numbered 134, 136, 137, 138, 1001, 1002, 1003 and 1004; second from Selectman Packard. 5 approve/0 oppose

12. Public Comments on Non-Agenda Items

Vice-Chairman McHatton expressed his sadness on the passing of Ursula Flaherty. Ms. Flaherty was Chairman of the Community Development Advisory Committee; she was a dynamic person that will be missed in our community. Chairman Lone added that she was passionate, creative, and persistent with an enthusiastic sense of humor.

13. Dates for the Next Board of Selectmen's Meetings

August 3, 2022 (8AM Annual Board Training), August 9, 2022, August 23, 2022

14. Adjourn

Motion was made by Vice-Chairman McHatton to adjourn the meeting at 5:40 P.M.; second from Selectman Murphy. 5 approve/0 oppose

Respectfully submitted,



Laurie L. Chadbourne

Town Clerk

Town of Bridgton
Motion for RUS Bulletin 1780-27 Loan Resolution
(RUS Bulletin 1780-27 Loan Resolution is attached)

July 26, 2022

Motion: That the resolution entitled, "RUS Bulletin 1780-27 Loan Resolution," be adopted in form presented to this meeting, which Resolution provides for the Town to have a bond resolution or ordinance prepared providing for the Town's issuance of bonds in the principal amount of up to \$1,400,000 in such form and containing such items as the United States Department of Agriculture (the "Government") shall require to fund a portion of the costs of a Sanitary Sewer Facility Project (the "Project"), for the Town to accept a grant of up to \$1,400,000 upon terms offered by the Government to fund other costs of the Project, and for the Town to give various assurances and security to the Government with respect to the Bonds and the Project (the "RUS Loan Resolution"); that the RUS Loan Resolution bearing the results of this vote completed by the Clerk be executed and delivered under seal in the name of the Town by the Chair of the Board of Selectmen and attested by the Clerk; and that the Clerk file an attested copy of the completed RUS Loan Resolution with the minutes of this meeting.

Instructions:

Upon adoption of this motion, the Clerk should add the results of the vote to the attached Loan Resolution where indicated, Chair should date and sign the Loan Resolution where indicated, the Clerk should attest the signature and apply the Town seal, and include a completed signed copy of the Loan Resolution with meeting minutes. The original should be returned to Drummond Woodsum for Rural Development. The "Certification to be Executed at Loan Closing" on the last page of the Loan Resolution should be left blank at the current time.

LOAN RESOLUTION
(Public Bodies)A RESOLUTION OF THE Select BoardOF THE Town of Bridgton, Maine

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

Wastewater System

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Bridgton

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

\$1,400,000.00pursuant to the provisions of the laws of Maine and vote of Town Meeting held July 26, 2022; and**WHEREAS**, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:**NOW THEREFORE**, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$ \$1,400,000.00

under the terms offered by the Government; that the Chair of the Select Board

and Town Manager of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was:

Yeas 5

Nays 0

Absent 0

IN WITNESS WHEREOF, the Select Board of the

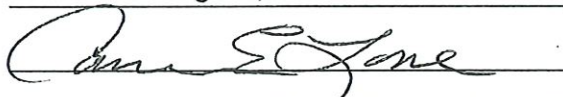
Town of Bridgton, Maine has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this 2022, the 26th day of July

Town of Bridgton, Maine

(SEAL)

By



Title

Carmen E. Lone, Chair of the Select Board

Attest:



Title Laurie L. Chadbourne, Town Clerk

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as Town Clerk of the Town of Bridgton, Maine

hereby certify that the Select Board of such Association is composed of

Five (5) members, of whom, _____ constituting a quorum, were present at a meeting thereof duly called and

held on the 26th day of July, 2022; and that the foregoing resolution was adopted at such meeting

by the vote shown above, I further certify that as of _____, 20____, the date of closing of the loan from the United States Department of Agriculture, said resolution remains in effect and has not been rescinded or amended in any way.

Dated, this _____ day of _____

Title _____, Town Clerk

Town of Bridgton
Motion for Bond Resolution

ATTEST: A TRUE COPY
Laurie L. Chadbourne
Laurie L. Chadbourne
Town Clerk, Bridgton

July 26, 2022

Motion: I move that the resolution entitled, "Resolution to Authorize Issuance and Sale of General Obligation Bonds in Principal Amount of \$1,400,000 for Wastewater System Upgrades," be adopted in form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of this meeting.

**RESOLUTION TO AUTHORIZE ISSUANCE AND SALE OF GENERAL OBLIGATION
BONDS IN PRINCIPAL AMOUNT OF \$1,400,000 FOR WASTEWATER SYSTEM
UPGRADES**

The Select Board (the "Select Board") of the Town of Bridgton resolves as follows:

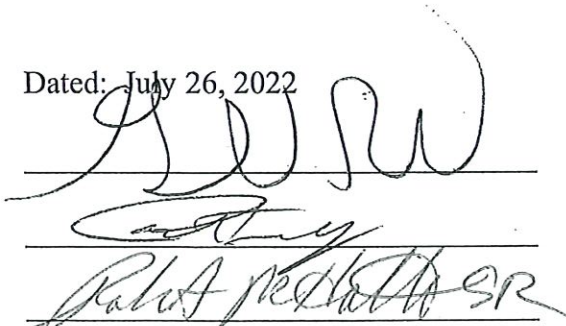
1. That under and pursuant to town meeting approval of the voters of the Town of Bridgton (the "Town") on July 26, 2022; section 5772 of Title 30-A of the Maine Revised Statutes; the terms and conditions of the United States Department of Agriculture Rural Development by letter dated June 29, 2022; and resolutions by this Select Board entitled "RUS Bulletin 1780-27 Loan Resolution" and "Resolution to Authorize Acceptance of \$1,400,000 Grant for Sewer Project," the Chair of the Select Board (the "Chair") and the Town Manager (the "Town Manager") of the Town, acting singly, in the name and on behalf of the Town, are authorized to accept United States Department of Agriculture grant funding of up to \$1,400,000 and loan funding of up to \$1,400,000 to pay certain additional costs of expanding the Town's wastewater system (the "Project"); and to agree to issue the Town's general obligation bonds or notes in an amount not to exceed \$1,400,000 to fund the loan portion of the Project (the "Bonds");
2. That the Town Treasurer (the "Treasurer") is authorized to prepare, issue, and provide for sale of the Bonds at one time or from time to time, as one or more separate issues, and to determine the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, call(s) for redemption with or without premium, form(s), and other details of said Bonds, including execution and delivery of said Bonds against payment therefor;
3. That the Bonds be executed and delivered by the Treasurer, countersigned by a majority of the Select Board members, and attested by the Town Clerk (the "Clerk") under the official seal of the Town, and otherwise be in such form and contain such terms and provisions not inconsistent herewith, as they shall approve, their approval to be conclusively evidenced by their execution thereof, and that any signature thereon may be by facsimile to the extent permitted by law;
4. That the Bonds be issued in the name of the Town and in registered form transferable only on the registration books of the Town, which registration books may be kept by the Town or its transfer agent, upon surrender thereof with a written instrument of transfer, duly executed by the registered owner or his/her attorney duly authorized in writing;

5. That the Chair and the Treasurer, acting singly, are authorized to arrange for the sale of the Bonds at public or private sale to such parties as they determine to be in the Town's interest, to execute and deliver loan agreements and other contracts for that purpose, and to hire such financial advisors, underwriters, registrars, paying agents, transfer agents, and other consultants, if any, as they deem necessary to assist with the sale of the Bonds, all on such terms not inconsistent with this Resolution as they shall approve;
6. That any of the Bonds may but are not required to be designated as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code");
7. That no part of the proceeds of the Bonds shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Bonds to be "arbitrage bonds" or "private activity bonds" within the meaning of Sections 148 and 141 of the Code;
8. That in connection with the Bonds, the Treasurer is authorized to execute and deliver on behalf of the Town an Arbitrage and Use of Proceeds Certificate in form approved by the Town's bond counsel, and 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 Bonds, and to take all other lawful actions necessary to ensure that the interest on the Bonds 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 interest on the Bonds to become includable in the gross income of the owners thereof;
9. That appropriate officials of the Town are authorized to execute and deliver on behalf of the Town such other documents and certificates as may be necessary or convenient to the issuance, execution, or delivery of the Bonds, including without limitation, as may be applicable, Forms RD 400-1, Equal Opportunity Agreement, and RD 400-4, Assurance Agreement; that all such documents and certificates previously executed and delivered are hereby ratified in all respects, including the Certification Approval dated June 29, 2022, Form AD-3031, Assurance Regarding Felony Conviction or Tax Delinquent Status for Corporate Applicants dated June 29, 2022, the Application Conference Certification dated June 29, 2022, Form RD 1942-46, Letter of Intent to Meet Conditions dated June 29, 2022, Form RD 1940-1, Request for Obligation of Funds, the ADA Accessibility Borrower Certification dated June 29, 2022, the Rural Development Application Conference – RUS document of agreements dated June 2022; and that the conditions and terms of the United States Department of Agriculture Rural Development Letter of Conditions FY 2022 Cost Overrun for the FY 2018 Wastewater System Upgrades Project dated June 29, 2022 are accepted and ratified in all respects;
10. That the Treasurer, Chair, Clerk, and other proper officials of the Town are authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, not inconsistent herewith, as may be necessary or desirable in order to effect the

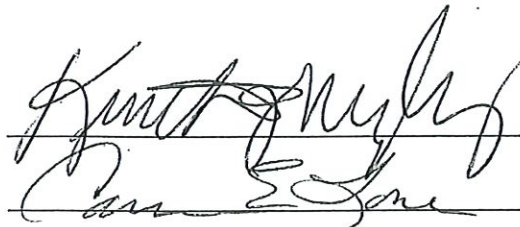
issuance, sale and delivery of the Bonds and the accomplishment of the Project herein authorized;

11. That if the Treasurer, Chair, or Clerk for any reason are unavailable to, as applicable, approve, execute, or attest the Bonds or any related financing documents, the person or persons then acting in any such capacity, whether as assistant, deputy, or otherwise, is authorized to act for such unavailable official with the same force and effect as if such official had himself/herself performed such act;
12. That if any of the officers or officials of the Town who have signed, attested, or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed, attested, and sealed shall have been actually authenticated or delivered by the Town, such Bonds nevertheless may be authenticated, delivered, and issued with the same force and effect as though the person or persons who signed, attested, or sealed the Bonds had not ceased to be such officer or official; and also, any such Bonds may be signed, attested, or sealed on behalf of the Town by those persons who, at the actual date of execution of the Bonds, shall be the proper officers or officials of the Town, although at the nominal date of the Bonds any such person shall not have been such officer or official;
13. That the Treasurer in consultation with Bond Counsel is authorized to implement written procedures with respect to the Bonds for the purpose of: (i) ensuring timely "remedial action" for any portion of the Bonds that may become "non-qualified bonds," as those terms are defined in the Code and regulations thereunder; and (ii) monitoring the Town's compliance following the issuance of the Bonds with the arbitrage, yield restriction and rebate requirements of the Code and regulations thereunder; and
14. 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 Bonds to reimburse certain original expenditures from the Town's general or other fund, paid not earlier than 60 days prior to adoption of this Resolution or to be paid, which original expenditures have been or will be incurred in connection with costs of the Project; and that the Town reasonably expects that the maximum principal amount that the Town will issue to finance the Project is \$1,400,000.00; and
15. That the Clerk file an attested copy of this Resolution with the minutes of this meeting.

Dated: July 26, 2022



Being a majority of the members of the Select Board



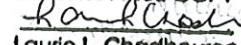
[SEAL]

A true copy, attest:

Laurie L. Chadbourne
Town Clerk, Bridgton

(File an attested copy of this Resolution with the meeting minutes)

ATTEST: A TRUE COPY


Laurie L. Chadbourne
Town Clerk, Bridgton

Town of Bridgton
Motion for Grant Resolution

July 26, 2022

Motion: That the resolution entitled, "Resolution to Authorize Acceptance of \$1,400,000 Grant for Sewer Project" be adopted in form presented to this meeting and that the Clerk include an attested copy of said Resolution with the minutes of this meeting.

RESOLUTION TO AUTHORIZE ACCEPTANCE OF \$1,400,000 GRANT FOR SEWER PROJECT

Be it Resolved that under and pursuant to Sections 5729 and 5773 of Title 30-A of the Maine Revised Statutes, the Town of Bridgton (the "Town") accept a grant of up to \$1,400,000 from the United States Department of Agriculture to pay certain additional costs of expanding the Town's wastewater system (the "Project"); that the Chair of the Select Board and Town Manager, acting singly, be authorized to execute and deliver under seal, and the Town Clerk to attest, "RUS Bulletin 1780-12, Water and Waste System Grant Agreement, United States Department of Agriculture, Rural Utilities Service" for the Project with such changes and additions as they deem necessary and appropriate, and such other or additional grant agreements as the Department of Agriculture may require for the Project grant (collectively, the "Grant Agreement"); and that the Town, acting through its appropriate officers, be authorized to execute and deliver such other documents, and to execute and deliver such amendments to grant documents previously delivered, and take such other actions as may be necessary and appropriate to carry out the transactions contemplated by the Grant Agreement.

Dated:









Being a majority of the Board of Selectmen

Attest: 

Laurie L. Chadbourne, Clerk

Instructions:

Upon adoption of this motion, the Board members should date and sign, and the Clerk should attest their signatures and include a completed signed copy of the Grant Resolution with meeting minutes. The original should be delivered to Rural Development.