

SELECT BOARD MEETING AGENDA

DATE: Tuesday, September 26, 2023

TIME: 4:00 P.M.

PLACE: Select Board Meeting Room, 10 Iredale Street, Bridgton

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

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1. Call to Order
2. Pledge of Allegiance
3. 4:00 P.M. Executive Session Per 1 MRS § 405.6(A) for Personnel Matters
4. 4:30 P.M. Executive Session Per 1 MRS § 405.6(A) for Personnel Matters
5. Approval of Minutes: September 12, 2023
6. Public Comments on Non-Agenda Items (*Each speaker may be limited to 3 minutes.*)
7. Committee/Liaison Reports
8. Correspondence, Presentations and Other Pertinent Information
9. New Business
 - a. Awards and Other Administrative Recommendations
 1. Acceptance of \$500 from the Ed Rock Community Spirit Fund of the Maine Community Foundation
 2. Wastewater Connection Assistance Program Policy for Hook up to the Public Sewer System
 - b. Permits/Documents Requiring Board Approval
 1. Open Space Committee Discussion
 2. Energy Committee Discussion
 3. Maine Municipal Voting Delegate
 4. Victualer's Licenses to: Bridgton House of Pizza Located at 256 Main Street; Breakroom 248 Located at 248 Main Street; Corn Shop Trading Co. Located at 179 Main Street; Campfire Grille Located at 518 Portland Road; BMR Donuts d/b/a Dunkin Donuts Located at 181 Portland Road
 - c. Select Board Comments
 - d. Town Manager's Report/Deputy Town Manager's Report

10. 5:30 P.M. Public Hearing
 - a. To Accept Written and Oral Comments on a Special Amusement Permit to Tarry-A-While (17 Tarry-A-While Road)
 - b. To Accept Written and Oral Comments on the Adoption of the Local General Assistance Ordinance Yearly Appendices A-H (October 1, 2023 through September 30, 2024)
11. Action Items Following Public Hearing
 - a. Special Amusement Permit to Tarry-A-While (17 Tarry-A-While Road)
 - b. Adoption of the Local General Assistance Ordinance Yearly Appendices A-H (October 1, 2023, through September 30, 2024)
12. Old Business (Select Board Discussion Only)
 - a. Shoreland Zoning Violation Consent Agreement
 - b. Project Status Updates
13. Treasurer's Warrants
14. Public Comments on Non-Agenda Items (*Each speaker **may** be limited to 3 minutes.*)
15. Dates for the Next Select Board Meetings

October 10, 2023
October 19, 2023 at 5PM (Transfer Station Workshop)
October 24, 2023
October 26, 2023 6PM-8PM (NIMS Training Certification)
November 2023 TBD (Goal Setting Session)
16. Adjourn

Town Manager's Notes
Board of Selectmen's Meeting
September 26, 2023

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Executive Session**

Motion: Move to go into Executive Session pursuant to MRS 1 §405.6. A. Personnel Matters.

Motion: Move to come out of Executive Session.

4. **Executive Session**

Motion: Move to go into Executive Session pursuant to MRS 1 §405.6. A. Personnel Matters.

Motion: Move to come out of Executive Session.

5. **Approval of Minutes:**

a. September 12, 2023

Suggested Motion: Move to approve the September 12, 2023, Selectboard Minutes.

7. **Committee/Liaison Reports**

8. **Correspondence, Presentations and Other Pertinent Information**

9. **New Business**

a. Awards and Other Administrative Recommendations

1. The Town is in receipt of a \$500 check from the Ed Rock Community Spirit Fund (please refer to the letter from the Maine Community Foundation). As noted in the memo provided by the Deputy Town Manager, past Boards have allocated the funds to benefit the recreation summer camp program.

Suggested motion: Move to accept the \$500 donation from the Ed Rock Community Spirit Fund and to allocate the donation to the Town of Bridgton Summer Recreation Program.

2. In your binder, please find a draft policy to assist low-income homeowners with the cost of connecting to the public sewer system. There is also a copy of the proposed application for assistance. If approved, a vote to establish the Wastewater Connection Assistance Reserve and determine initial funding.

Suggested motion: Move to approve the Wastewater Hook Up Connection Program effective January 1, 2024.

b. Permits/Documents Requiring Board Approval

1. In your binder, please find a draft committee statement for establishing an Open Space Committee.

Suggested motion: Move to establish an Open Space Committee and approve its Charge, Mission, and Authority.

2. The Board is being asked if you wish to establish an energy task force/ad hoc committee. The Committee would be seeking funding to undertake energy audits of Town owned buildings and advising the Board on implementing the findings of those audits.

Suggested motion: Move to direct the Town Manager to draft a Charge, Mission, and Authority for Energy Efficiency Committee for the approval of the Board.

3. The Maine Municipal Association's (MMA) Annual Business Meeting is held in conjunction with the MMA Annual Convention. For the Town to have a voting delegate at the meeting, one must be designated by a vote of the Selectboard. For

additional information, please refer to the Memorandum from MMA with your materials.

Suggested Motion: Move to designate _____ as the Voting Delegate for the Town of Bridgton.

4. **Suggested motion:** Move to approve a Victualer's License to Bridgton House of Pizza; Breakroom 248; Corn Shop Trading Company; Campfire Grill; and BMR Donuts dba Dunkin Donuts.

10. Public Hearing (5:30PM)

(Note: 1) Open Public Hearing- a) Anyone to speak in favor; b) in opposition; c) offer comments neither for nor against; 2) close Public Hearing)

- a. To accept written and oral comments on a Special Amusement Permit from Tarry-A-While for live music and entertainment.
- b. To accept written and oral comments on the adoption of the local General Assistance Ordinance and Yearly Appendices A-G which shall be in effect from October 1, 2023, through September 30, 2024.

11. Action Items Following Public Hearing

- a. **Suggested Motion:** Move to approve Special Amusement Permit for Tarry-A-While.
- b. **Suggested Motion:** Move to approve the adoption of the local General Assistance Ordinance and Yearly Appendices A-G which shall be in effect from October 1, 2023, through September 30, 2024.

12. Old Business

- a. The Code Enforcement Officer (CEO) has drafted a Consent Agreement between the Town and James Cyr. It calls for additional plantings as suggested by Lakes Environmental Association and a fine. Please refer to the Agreement in your binder. The CEO will be present to answer any questions. Mr. Cyr has been notified.
Suggested motion: Move to approve the Consent Agreement between the Town of Bridgton and James Cyr.
- b. Projects Update

Select Board Meeting Minutes September 12, 2023; 4:30 P.M.

Board Members Present: Carmen E. Lone, Chair; Robert J. McHatton, Sr.; Vice-Chair; Paul A. Tworog; Carrye Castleman-Ross; Kenneth J. Murphy

Department Heads Present: Town Manager Robert Peabody, Jr.; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Police Chief Phil Jones; Recreation Director Gary Colello; Code Enforcement Officer Brenda Day; Community Development Director Victoria Hill

1. Call to Order

Chair Lone called the meeting to order at 5:00 P.M.

2. Pledge of Allegiance

The Board recited the "Pledge of Allegiance."

3. 4:30 P.M. Executive Session Per 1 MRS § 405.6(A) for Personnel Matters

Motion was made by Chair Lone to enter executive session at 4:30 P.M. per 1 MRS Section 405.6.A for discussion of personnel matters; second from Member Tworog. 5 approve/0 oppose

Motion was made by Vice-Chair McHatton to exit executive session at 5:09 P.M.; second from Member Tworog. 5 approve/0 oppose

4. Action Items Following Executive Session

There were no action items following executive session.

5. Approval of Minutes: August 22, 2023

Motion was made by Member Tworog for approval of the August 22, 2023 meeting minutes; second from Chair Lone. 5 approve/0 oppose

6. Public Comments on Non-Agenda Items

There were no public comments on non-agenda items.

7. Committee/Liaison Reports

Member Tworog reported that the Pondicherry Park Committee is seeking membership and encouraged anyone interested to contact the Town Clerk's Office for an application.

8. Correspondence, Presentations and Other Pertinent Information

a. Request from Justin McIver to Extend Approval for Music on Main Events Through 2024

Justin McIver was present to request extension of the outdoor festival permit waiver and victualer's licensing requirement waiver as well as the continuation of Park Street closure for the events. Member Tworog asked if the event would need authorization by the Planning Board to which Code Enforcement Officer Brenda Day responded that technically these events may have required Planning Board review. *[After the meeting, CEO Day confirmed that since this event does not exceed four hours, a mass gathering review by the Planning Board is not required.]* Discussion ensued regarding the waiver of fees and permitting requirements for Music on Main and how these waivers may impact other festivals in Bridgton. The Board commended and thanked Mr. McIver for bringing these events to Bridgton. **Motion** was made by Member Tworog to approve the Music on Main Events through December 31, 2024 under the same terms currently in place; second from Vice-Chair McHatton. 5 approve/0 oppose

Chair Lone brought agenda item 9 forward.

9. 5:30 P.M. Public Hearing

- a. To Accept Written and Oral Comments on a Special Amusement Permit to Breakroom 248 for Live Music and Entertainment

Chair Lone opened the public hearing to accept written and oral comments on a Special Amusement Permit to Breakroom 248 for live music and entertainment at 5:35 P.M. There were no public comments. Chair Lone closed the hearing at 5:36 P.M.

10. Action Items Following Public Hearing

- a. Special Amusement Permit to Breakroom 248 for Live Music and Entertainment

Motion was made by Member Tworog to approve a Special Amusement Permit to Breakroom 248; second from Member Murphy. Chair Lone questioned how many afternoons and days of the week there will be live entertainment. 5 approve/0 oppose

- b. Pleasant Mountain Race: Permission to Use Section of Mountain Road on October 7, 2023

Scott Eugley and Adeline Casali are partnering with Loon Echo to host a trail race on Pleasant Mountain on October 7, 2023. They requested road closure from the lodge to Bald Peak head at the start of the race which is about ¼ mile. Town Manager Peabody will ensure that there is Police Department presence. **Motion** was made by Member Tworog to approve the requested section of Mountain Road for a road race; second from Chair Lone. Member Tworog **withdrew the motion**; Chair Lone withdrew the second. **Motion** was made by Member Tworog to approve closing the requested section of Mountain Road for a road race on October 7, 2023 from 7:45 A.M. until 8:15 A.M.; second from Chair Lone. 5 approve/0 oppose Town Manager Peabody directed Emergency Management Director Todd Perreault to be the contact for this event.

- c. Comprehensive Plan Update

Community Development Director Victoria Hill provided a brief update on the status of the Comprehensive Plan. She reviewed the project work plan, meeting schedules and responded to several questions asked by the Board.

- d. Lakes Environmental Association Concern of Shoreland Zoning Violation

Lakes Environmental Association Director Colin Holme reported concerns of a Shoreland Zoning Violation at 300 North Bridgton Road (Map 21, Lot 34A). Code Enforcement Officer Brenda Day stated that the property owner worked with DEP to correct the violation to which Mr. Holme does not believe that the shoreland zoning violation has been properly mitigated. Discussion ensued. CEO Day will work with LEA Director Holme and the property owner to prepare a consent agreement for Board review at their next meeting.

9. 5:30 P.M. Public Hearing

10. Action Items Following Public Hearing

Agenda item 9 and 10 were addressed earlier in the meeting.

11. New Business

- a. Awards and Other Administrative Recommendations

1. NIMS Certification Training Timeframe, EMA Director Todd Perreault

Emergency Management Director Todd Perreault and the Board set a date for NIMS Certification Training on Thursday, October 26th from 6:00 P.M. until 8:00 P.M.

2. Discussion of Port-A-Potties

Vice-Chair McHatton reported concerns on the lack of cleanliness of the port-a-potties and requested that they be cleaned more often. Recreation Director Gary Colello will review the contract and expense involved with additional cleaning for consideration during the budget process.

b. Permits/Documents Requiring Board Approval

1. Donation of \$500 from Jeffrey Frey and Anne Butter to Before and After School Enrichment Program

Motion was made by Chair Lone to accept the donation of \$500 from Jeffrey Frey and Anne Butter to Before and After School Enrichment Program; second from Member Tworog. 5 approve/0 oppose

2. Senior Tax Assistance Payments

Motion was made by Chair Lone to approve the qualified applicants and assistance amounts for Senior Property Tax Assistance; second from Member Castleman-Ross. 5 approve/0 oppose

3. Victualer's Licenses to Nouria 443 Portland Road (443 Portland Road); Great Scott MacWagon (Mobile); Maine Street Creamery (Mobile); Mister Twister -The Pretzel Guy (Mobile); Mows Munchies (Mobile); Binny's Catering Cart (Mobile); Happy Valley Popcorn (Mobile)

Motion was made by Member Castleman-Ross to approve a Victualer's License to Nouria 443 Portland Road; second from Member Tworog. 5 approve/0 oppose

Motion was made by Chair Lone to forgive the Victualer's License fee and Site Permit fee for any mobile food vendors at Harvest Moon Festival; second from Vice-Chair McHatton. 5 approve/0 oppose

Motion was made by Chair Lone to approve Victualer's Licenses to Great Scott MacWagon, Maine Street Creamery, Mister Twister, Mows Munchies, Binny's Catering Cart and Happy Valley Popcorn; second from Member Castleman-Ross. 5 approve/0 oppose

Town Manager Peabody will direct staff to provide proposed amendments to the festival and licensing policies/ordinances to the Select Board at their first meeting in December.

4. Phosphorus Mitigation Policy

CEO Day provided a brief explanation of the proposed Phosphorus Mitigation Policy. **Motion** was made by Vice-Chair McHatton to approve the Phosphorus Mitigation Policy; second from Member Castleman-Ross. 5 approve/0 oppose

c. Select Board Comments

- **Member Tworog** had no concerns.
- **Member Castleman-Ross** acknowledged and thanked the group of local citizens that voluntarily cleaned up the encampment on Stevens Brook. She really appreciates all their efforts.
- **Member Murphy** asked when the Church Street sidewalk bids are going out to which Town Manager Peabody responded that there are two issues that require resolve prior to issuing the RFP.
- **Vice-Chair McHatton** had no concerns.
- **Chair Lone** asked for a status update of the planting in Farragut Park to which Town Manager Peabody will follow up with Perennial Point of View.

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

Town Manager Peabody read the following report into the record:

"General Information

The Town is accepting applications for full-time Police Officers. The job description and application may be found on the Town's website.

A question for the Board: 1) Scheduling a goal setting session?

Town Clerk/Tax Collector's Office

A reminder that quarterly real estate taxes are due August 15, November 15, February 15, and May 15.

Veronica LaCascia began her position as Deputy Town Clerk last week. She brings solid municipal experience with her and is proving to be great fit for the team. Please stop by the Clerk's Office to say hi and welcome her to Bridgton.

Recreation

The Rec Department is looking for local Actors and Actresses to volunteer to be in our Haunted House this October.

Adult programs such as Jumping Janes Senior Fitness, Tai Chi, Pickleball, Archery, Walking, Ping Pong, and Karate take place weekly at the Bridgton Town Hall.

We have the Fryeburg Fair Shuttle Bus on October 3rd. Residents are free. Pre-registration required.

Magic of Christmas Adult Trip is on December 10th and tickets are \$45 for the show and bus ride.

Halloween Palooza is on Oct. 28th come dressed in your costume! We are looking for parade entries to be in the Halloween Parade at 6PM!

Save the Date to Celebrate Lights on After School with Bridgton Rec. Come out and check out and celebrate Recreation Department and our Community Partners offer to children outside of school hours!

Public Works Department

Received from the Maine Historic Preservation Commission (paraphrased):

Our office has reviewed the proposed project pursuant to the terms of the Preservation Easement the Commission holds on the former Armory Building at 12 Depot Street in Bridgton. Based on the information provided, it is our understanding that the existing ramp and railing on the Depot Street facing elevation of the Community Center would be removed and replaced with a new ramp and railing on the northwest elevation (parking lot facing) of the building. We concur that the new ramp and railing location would be an improvement over the existing design and location. We consider the proposed ramp design to be in accordance with the Standards and the terms of our easement.

Good job, Joe Leighton, for navigating this process.”

The Board opted to set a goal setting session for November, 2023.

Deputy Town Manager Fleck reported that the Harvest Moon Festival is scheduled for September 16th, the next Music on Main is scheduled for September 23rd, and Brewfest is scheduled for September 30th.

12. Old Business

a. Project Status Updates

Town Manager Peabody provided a brief project status update.

Town Manager Peabody will add the proposed policy for financial assistance to hook on to the public sewer system to the next agenda for Board review and consideration.

Town Manager Peabody requested that the October 5th workshop be rescheduled to October 19th due to the Maine Municipal Workshop conflict to which the Board agreed.

13. Treasurer's Warrants

Motion was made by Vice-Chair McHatton for approval of Treasurer's Warrants numbered 1133, and 215 through 224; second from Member Tworog. 5 approve/0 oppose

14. Public Comments on Non-Agenda Items

There were no public comments on non-agenda items.

15. Dates for the Next Select Board Meetings

September 26, 2023 / October 5 19, 2023 at 5PM (Transfer Station Workshop) / October 10, 2023 /
October 24, 2023 / October 26, 2023 6PM-8PM (NIMS Certification Training) / November 2023 (Goal
Setting Session TBD)

16. Adjourn

Motion was made by Member Murphy to adjourn the meeting at 7:35 P.M.; second from Vice-Chair
McHatton. 5 approve/0 oppose

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk

b. Permits/Documents Requiring Board Approval

1. Resignation of Gregory Bullard from the Community Development Advisory Committee
This item was addressed earlier in the meeting under Committee Reports.

2. Abatements and Supplementals

Motion was made by Member Tworog to approve the recommended August 22, 2023 tax abatements totaling \$19,838.51 and supplementals totaling \$20,919.45 and \$228.00; second from Member Castleman-Ross. 5 approve/0 oppose

3. Victualer's License to Hannaford Located at 109 Portland Road
4. Victualer's License to Standard Gastropub Located at 233 Main Street
5. Victualer's License to Parmala, LLC Doing Business As A La Mexicana Located at 243 Portland Road

Motion was made by Member Murphy to approve the Victualer's License renewals to Hannaford, Standard Gastropub and Parmala, LLC DBA A La Mexicana; second from Member Tworog. 5 approve/0 oppose

6. New Road Name Camp Loop Road

Motion was made by Member Tworog to approve Camp Loop Road for the private road sited on Map 6 Lot 40; second from Vice-Chair McHatton. 5 approve/0 oppose

7. Halloween Palooza

Recreation Director Gary Colello was seeking approval to hold a Halloween parade on Depot Street on October 28 at 6:00 P.M. **Motion** was made by Chair Lone to approve a Halloween parade on Depot Street on October 28th commencing at 6:00 P.M.; second from Member Murphy 5 approve/0 oppose

8. Certificate of Commitment of Sewer User Rates #278

Motion was made by Vice-Chair McHatton to commit the May 1, 2023, to July 31, 2023, Sewer User Rate Commitment #278 comprising 3 pages totaling \$9,609.18 to the Treasurer for collection; second from Member Castleman-Ross. 5 approve/0 oppose

9. Revisions to Personnel Policy

Town Manager Peabody provided revisions to the Town of Bridgton personnel Rules and Regulations regarding Earned Paid Leave (EPL) (26 MRS §637). The revisions clarify that it is applicable to part-time employees and does not create additional benefits for any other employee. Additionally, the language found in Addendum #1 has been edited to bring it into conformance with the statute. The revisions have been reviewed and approved by legal counsel. Finance Director Holly Heymann provided a thorough explanation of the proposed amendments and the Board thanked her. **Motion** was made by Vice-Chair McHatton to approve the revisions to the Town of Bridgton Personnel Rules and Regulations effective August 22, 2023; second from Member Murphy. 5 approve/0 oppose

c. Select Board Comments

- **Vice-Chair McHatton** reported that Gerry Walraven had presented information on an energy audit at the last meeting and asked how the Board would like to proceed. Mr. Walraven suggested an energy audit on all public buildings through a grant opportunity. The Board directed Town Manager Peabody to review the grant with Mr. Walraven and bring their recommendations back to the Board at the **second meeting in September.**
- **Vice-Chair McHatton** asked if Mr. Tucker has been evicted from the property to which Town Manager Peabody confirmed that he has. Vice-Chair McHatton asked if the property has been brought up to code to which Town Manager Peabody responded that he will be working with the Public Services Director to determine how to clean the property. He added that Mr. Tucker's former stepson owns five of the vehicles

9/18/2023

Proposed Energy Efficiency Committee

Jerry Walraven is proposing that a committee or task force be formed to assess the energy efficiency of Bridgton public buildings and town properties. The first task would be a town energy audit. This audit would give a detailed accounting of energy consumption of each public building and town-owned property. Each property would receive specific energy saving upgrade recommendations such as insulation, windows, heat pumps, lighting, etc. The audit would also assess any cost savings related to renewable energies, the anticipated benefit being lower electric costs and backup power for critical infrastructure. The committee would be responsible for making recommendations to the Select Board based on the energy audit. There are potential funding opportunities for these upgrades from Efficiency Maine and government agencies.

TOWN OF BRIDGTON

MEMO

TO: Bob A. Peabody Jr., Town Manager
Bridgton Board of Selectmen
FROM: Georgiann M. Fleck, Deputy Town Manager
Cc: Gary Colello, Recreation Director
✓ Laurie Chadbourne, Town Clerk
RE: Maine Community Foundation; Ed Rock Community Spirit Fund
DATE: September 12, 2023

We are in receipt of \$500.00 which are proceeds from the Ed Rock Community Spirit Fund which was a fund set up in 2016 by Chet Homer, owner of Shawnee Peak, on behalf of Ed Rock in recognition of Ed's long-time employment at Shawnee Peak. The Town of Bridgton is the recipient of the proceeds from this fund.

Funds received in 2017 were \$400.00; 2018 was \$300.00 and 2019 was \$360.00 and 2020 was \$370.00; 2021 was \$500.00 and in 2022 was \$500.00. The proceeds for each of these years was allocated by the Board of Selectmen to benefit the Town of Bridgton Summer Recreation program.

The Board needs to determine where you would like the proceeds from 2023 to go.

Thank you for your consideration.

Georgiann



September 6, 2023

Ms. Georgiann M. Fleck, Deputy Town Manager
Town of Bridgton
3 Chase St Suite 1
Bridgton, ME 04009

Dear Ms. Fleck:

Enclosed please find check # 95769 in the amount of \$500.00 that proceeds from the Fund, as determined by the spending policy set by the Community Foundation's Board of Directors, be distributed in the third quarter to: the Town of Bridgton to make an award to a Bridgton community project in Ed Rock's name. This is payment of a designated grant awarded from the Ed Rock Community Spirit Fund of the Maine Community Foundation.

By accepting, endorsing, or depositing this check, your organization agrees to and accepts the terms outlined below:

- The grantee must be either a Section 501(c)(3) nonprofit or a public organization.
- This grant may only be used for the purpose stated in this letter.
- This grant may not be used for a political campaign or to support attempts to influence legislation of any governmental body other than through making available the results of non-partisan analysis, study and research.

Please contact me at kstrout@mainecf.org if you have any questions. We wish you continued success.

Sincerely,

Kassie Strout
Senior Grants Administrator- Designated & Agency

Enclosure

Maine Community Foundation

Check Date: 9/6/2023
Check Number: 95769

To: Town of Bridgton
3 Chase St Suite 1
Bridgton, ME 04009

Invoice Number	Date	Description	Amount	Discount	Net Amount
GE-23-115197 -1	9/6/2023	ERCK- Ed Rock Community Spill Fund	\$500.00	\$0.00	\$500.00
		Totals:	\$500.00	\$0.00	\$500.00

SECURITY FEATURES INCLUDE TRUE WATERMARK AND HEAT SENSITIVE ICON

Maine Community Foundation
245 Main Street
Elsworth, ME 04605

Medias Savings Bank (Operations Acct)
4 Center Street
Medias, ME 04654

PAY Five hundred and 00/100 Dollars

\$ 500.00

TO THE
ORDER OF
Town of Bridgton
3 Chase St Suite 1
Bridgton, ME 04009

CHECKS OVER \$50,000 REQUIRE 2 SIGNATURES
VOID AFTER 180 DAYS

AUTHORIZED SIGNATURE

⑈095769⑈1127453⑈8040327860⑈

CHECK DATE	CHECK NO.
9/6/2023	95769
CHECK AMOUNT	

HEAT SENSITIVE

Security Features Included Details on Back.

Town of Bridgton

Wastewater Connection Assistance Program

Wastewater Connection Assistance

1.1 Purpose.

The purpose of this program is to provide financial assistance to Bridgton single family property owners who, due to their income level, need assistance in paying for connecting to the newly constructed Wastewater System. Under this program, the Town of Bridgton will provide financial assistance to those individuals who own a single-family dwelling in which they reside as their primary residence and meet the criteria established by this program. Assistance will be on a first-come first served basis. The Select Board may discontinue the program at their sole discretion by vote at a scheduled Select Board Meeting.

1.2 Definitions.

As used in this program, the following terms shall have the meanings indicated:

BENEFIT BASE

Actual costs to connect to the Town's Wastewater System by a Town approved contractor.

HOMESTEAD

For purposes of this program, "homestead" shall be defined as an owner-occupied principal dwelling. Generally, a homestead is the principal dwelling owned by the person seeking connection assistance under this program or held in a revocable living trust for the benefit of that person. The dwelling must be occupied by the person making application.

INCOME

Total household income as determined by the total (gross) income reported on the applicant's most recent federal income tax return, plus the total (gross) income reported on the most recent federal income tax return of each additional member of the household if filing separately. If the applicant and/or any member of the household do not file a federal income tax return, income shall be the cumulative amount of all income received by the applicant and each additional member of the household from whatever source derived, including, but not limited to, the following items:

- A. Compensation for services, including wages, salaries, tips, fees, commissions, fringe benefits and similar items;
- B. Gross income derived from business;
- C. Gains derived from dealings in property (capital or other);
- D. Interest;
- E. Rents from real estate;
- F. Royalties;

- G. Dividends;
- H. Alimony and separate maintenance payments received;
- I. Annuities;
- J. Pensions;
- K. Income from discharge of indebtedness;
- L. Distributive share of partnership gross income;
- M. Income from an interest in an estate or trust;
- N. IRA distributions;
- O. Unemployment compensation; and
- P. Social security benefits.

QUALIFYING APPLICANT

A person who is determined by the Town Manager, or his designee, after review of a complete application under § 1.4 of this program, to be eligible for wastewater connection assistance under the terms of this program.

1.3 Criteria for participation.

In order to participate in the wastewater connection assistance program, an applicant shall demonstrate all of the following:

- A. The applicant shall be a resident at the time of application.
- B. The applicant shall have a homestead in the Town of Bridgton at the time of the application.
- C. The applicant shall meet the application and eligibility criteria set forth in §§1.4 and 1.5 of this program.

1.4 Application and payment procedures.

- A. Persons seeking to participate in the Wastewater Connection Assistance Program shall submit an application to the Town Manager prior to connecting to the wastewater system. The application form for the program shall be made available upon request in the Town Manager's office and shall include, at a minimum, the applicant's name, homestead address and contact information. Attached to all applications shall be proof of household income.
- B. Applicants shall also submit proof of estimated wastewater connection fees by a Town approved contractor or contractor of homeowner's choosing.
- C. The Town Manager, or his designee, shall review and determine if the application is complete and accurate and if the applicant is otherwise eligible to participate in the program. The Town Manager, or his designee, shall notify an applicant, by regular mail, if an application is determined to be incomplete. The Town Manager's, or his designee's, decision on eligibility to participate in the program shall be final.

1.5 Determination of eligibility and amount.

Eligibility under this program is designed to provide greater benefits proportionally to applicants with lower income in relation to their benefit base. Applicants with income greater than an amount equal to 80% of the current United States Department of Housing and Urban Development metropolitan area median family income shall not be eligible for benefits under this program. Eligible applicants will receive a benefit totaling the amounts set forth in (1) and (2) as follows:

- (1) The total amount (100%) of the connection fee for Extremely Low Income Limits;
- (2) A percentage of the connection fee as determined by the Wastewater Connection Committee based on the following:
 - (a) 75% for households qualifying as Very Low Income;
 - (b) 50% for households qualifying as Low Income;

1.6 Limitations on payments.

A. The Town Manager shall report to the Select Board for its approval at its first meeting of each month the projected payments and number of eligible applicants requesting assistance from the program fund.

B. Payments under this program shall be conditioned upon the existence of sufficient monies in the program fund for the year in which participation is sought. If there are not sufficient monies in the program fund to pay all qualifying applicants under this program per the calculations set forth in § 1.5, payments shall be limited to the amounts available in the fund and may be prorated accordingly. In the event that a lack of funding results in no payment or less than the full payment to a qualifying applicant, the payment shall be considered final with no unpaid balance being carried forward.

1.7 Creation of program fund.

The program fund from which payments shall be made under the terms of this program shall be created as follows:

- A. The Select Board, pursuant to the Town of Bridgton's Reserve Accounts Policy (approved 04/15/15 as amended), shall establish the Wastewater Connection Assistance Reserve.
- B. An appropriation for funding the program may appear as a budgeted appropriation in the Town's Annual Water Reclamation Budget for approval by the Select Board. An appropriation may also be approved by the Select Board from the Wastewater Unassigned Fund Balance. The Town may also seek grant funding to support the program.

1.8 Timing of payments.

A person who qualifies for payment under this program shall have their connection costs paid directly to the Town approved contractor or contractor of homeowner's choosing upon completion of the connection and receipt of an invoice from said contractor.

1.9 One applicant per homestead.

Only one application per homestead shall be entitled to payment under this program. Eligibility shall be determined based on total household income. The right to file an application under this program is personal to the applicant and does not survive the applicant's death, but the right may be exercised on behalf of an applicant by the applicant's legal guardian or attorney in fact. If an applicant dies after having filed a timely complete application that results in a determination of qualification, the amount determined by the Committee shall be disbursed to the contractor.

Wastewater Connection Assistance Application

Qualifications

Dear Prospective Applicant,

The Town of Bridgton is now accepting applications for the Wastewater Connection Assistance Program. Applications shall only be accepted for the applicant's homestead in the Town of Bridgton. To qualify for this program, you must meet all of the following qualifications:

- 1.) Own a single-family dwelling in the Town of Bridgton
- 2.) Applicant shall be a resident at the time of application.
- 3.) Applicant's combined household income must be below 80% of the current United States Department of Housing and Development metropolitan area median family income

How to Apply for the Wastewater Connection Assistance Program

Step 1 : Please call: 207-647-8786 and ask for the Wastewater Connection Assistance Program or Email wwcap@bridgtonmaine.org to get an application. Applications must be submitted prior to _____.

Step 2 : Fill out the attached application and provide the following information:

- 2022 Federal Tax Filings (1040 or 1040-SR) if you do not file taxes, please submit 1099's or other forms of income verification. *(Please see page 2 for list of qualifying income)*
- Submit proof of estimated wastewater connection fees by a Town approved Contractor *(Please see page 2 for list of pre-approved contractors)* or a contractor of the homeowners choosing.

Step 3 : Please return your application and supporting documentation prior to the _____ deadline to:

Town of Bridgton – Wastewater Connection Assistance
3 Chase Street, Suite 1
Bridgton, ME 04009

OR

Return via email to wwcap@bridgtonmaine.org

Step 4 : If you have submitted a completed application with all supporting income documentation you will NOT need to come in for an in-person meeting. Our team will review your completed application and supporting documentation to determine your estimated assistance amount. We will notify you of this amount via USPS.

Step 4.1 : On _____, we will have in-person appointments with each applicant who DID NOT submit their supporting income documentation along with their completed application to review the necessary documentation and determine eligibility. A program representative will contact you via USPS with an appointment letter after the _____ deadline.

Please be sure to leave current contact information should we need any additional information from you and to notify you of your appointment time.

What Qualifies as income?

Compensation for services: Including wages, salaries, tips, fees, commissions, fringe benefits & similar items	Gains derived from dealings in property (Capital or Other)
Gross income derived from business	Rents from real estate
Interest	Dividends
Royalties	Annuities
Alimony and separate maintenance payments received	Income from discharge of indebtedness
Pensions	Income from an interest in an estate or trust
Distributive share of partnership gross income	Unemployment compensation
IRA distributions	Social security benefits

Number in Household	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Extremely Low (30%) Income Limits	Below \$18,800	Below \$21,500	Below \$24,200	Below \$26,900	Below \$29,050	Below \$31,200	Below \$33,350	Below \$35,500
Low Income (50%) Income Limits	Below \$31,350	Below \$35,850	Below \$40,350	Below \$44,850	Below \$48,400	Below \$52,000	Below \$55,600	Below \$59,200
Moderate Income (80%) Income Limits	Below \$50,200	Below \$57,400	Below \$64,550	Below \$71,750	Below \$77,500	Below \$83,200	Below \$88,950	Below \$94,700

Income Level	Percentage of Connection Fee Covered
Extremely Low (30%) Income Limits	100%
Low Income (50%) Income Limits	75%
Moderate Income (80%) Income Limits	50%

Pre-Approved Contractor	Address	Phone Number
Warren Excavation, Inc.	42 Bruce Warren Lane, Bridgton, ME 04009	207-749-7407
Rolfe Corporation	91 Home Run Lane, Bridgton, ME 04009	207-647-9500
Hatch Excavation, Inc.	80 Wayside Avenue, Bridgton, ME 04009	207-647-2171

Applicant Name								
Number of Persons in Household				Total Household Income		\$		
Physical Address								
City				State			Zip Code	
Mailing Address (if different than above)		<input type="checkbox"/> Same as Above						
City				State			Zip Code	
Phone #				Preferred Method of Contact		<input type="checkbox"/> Phone <input type="checkbox"/> Mail <input type="checkbox"/> Email (Enter Below)		
Email								
Applicant Signature						Date		

TOWN OF BRIDGTON
OPEN SPACE COMMITTEE
CHARGE, MISSION AND AUTHORITY Draft

NARRATIVE: The Town of Bridgton Select Board adopted the Town of Bridgton Open Space Plan on July 25, 2023. This Committee is being formed to implement goals and strategies written in the plan.

MISSION AND CHARGE: The Open Space Committee acts as an advisory committee and resource to the Select Board. The Committee will coordinate with other entities within the Town government including the Comprehensive Plan Update Task Force, Recreation Department, and Community Development Advisory Committee. The key element of the Committee's mission is to carry out the implementation chapter (chapter 7) of the Town of Bridgton Open Space Plan.

AUTHORITY: The Committee shall report to the Select Board at least monthly on their work and progress. As an advisory committee, the Open Space Committee makes recommendations to the Board for consideration. The Community Development Director shall function as staff for the Committee. The Committee may request volunteers to assist their efforts, however such persons are not considered voting members of the Committee. The Committee may request additional authorization from the Select Board for specific activities.

PROCESS AND COMPLIANCE: Every member of the Committee shall comply with existing state law and the policies and procedures of the town including but not limited to the conduct and notice of meetings, the Town's Ethics and Guidelines Policy, conflict of interest laws and the Town Personnel Policies.

APPOINTMENTS: The Committee shall consist of no more than five (5)/seven (7) members appointed by the Select Board and ~~will serve to the conclusion of the Committee's charge; specifically, the completion of the development of three potential uses for the Bridgton Memorial School.~~ The committee members will include a representative from Loon Echo Land Trust, ~~a representative from the Bridgton Economic Development Corporation, a representative from the Comprehensive Plan Update Task Force, a representative from the Community Development Advisory Committee, and~~ fivetwo (52) members from the public. The Town Manager, Recreation Director, and Community Development Director will serve as ex-officio members.

MEETINGS: The Committee shall hold regular public meetings, be responsible for the creation and posting of all agendas and the creation of the public record of each meeting in accordance with the prevailing state law. Such records shall be forwarded to the Select Board and any other entities they are working with.

AMENDMENTS: The Select Board may amend this Charge and Mission as they deem appropriate.



MAINE MUNICIPAL ASSOCIATION SINCE 1936

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428

To: Key Municipal Officials of MMA Member Cities, Towns and Plantations

From Catherine Conlow, MMA Executive Director

Date: September 1, 2023

Re: Announcement of MMA Annual Business Meeting & Voting Credentials

The Maine Municipal Association Annual Business Meeting is being held in conjunction with the MMA Annual Convention and will take place on **Wednesday, October 4, 2023, at 1:15 p.m.** The meeting will be held in person at the Augusta Civic Center, Augusta, Maine.

Following please find the ***MMA Voting Delegates Credential Form*** on which the municipal officers may designate their municipality's voting representative and alternate in addition to the proposed agenda for the MMA Annual Business Meeting. If you plan to be at the MMA Annual Convention and would like to have a Voting Delegate represent your municipality, please complete the form, and return to our office by **Monday, October 2, 2023.**

Please note that the MMA Executive Committee is recommending proposed amendments to the MMA bylaws this year. We have enclosed a separate memo from the MMA Executive Committee that provides information on two proposed amendments and includes tracked changes to the appropriate sections of the MMA bylaws for your easy reference. The current MMA Bylaws as adopted in 2013 may be viewed on the MMA website at:

<https://www.memun.org/About/Governance>

We are pleased to have a great line up of speakers and workshops at this year's convention. Please refer to the Convention Program in the August-September issue of the Maine Town & City or at www.memun.org.

If you have any questions on this information, please contact me at 1-800-452-8786 or 623-8428 ext. 2208 or by email cconlow@memun.org.

We look forward to your participation in MMA's Annual Convention and Business Meeting.

**Maine Municipal Association
Annual Business Meeting
Wednesday, October 4, 2023
1:15 p.m. – 2:35 p.m.
Augusta Civic Center**

AGENDA

1. **Introductions and Welcoming Remarks** – MMA President Elaine Aloes
(Chair of Selectboard, Town of Solon)
2. **Approval of 2023 MMA Annual Business Meeting Minutes** – Elaine Aloes
3. **Proposed Bylaw Amendments – Elaine Aloes**
 - A. Article III, Section 2: Affiliate and Patron Status – See attached support materials.
 - B. Article V, Section 3: Nomination Process - See attached support materials.
4. **MMA President's Report** – Elaine Aloes
5. **Executive Director's Report** – Catherine Conlow, MMA Executive Director
 - A. Executive Committee Election Results & Introduction of New Executive Committee Members
 - B. Recap of Organizational Priorities and Focus Areas for 2023
 - C. Highlights from September Executive Committee Meeting and focus areas for 2024
6. **Other Business** (*comments from the floor*)
7. **Adjournment**



MAINE MUNICIPAL ASSOCIATION **SINCE 1936**

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations
FROM: MMA Executive Committee
RE: Proposed MMA By-law Amendments
DATE: September 1, 2023

Proposed Bylaw Amendment 1 – Article III, Section 2 – Patron Status

In June 2023, the Executive Committee authorized staff to delve into the Patron Status membership bylaws and propose changes for your consideration.

Currently there are three categories of patron membership – Individual, Business and Professional – whose members receive varying benefits, with the fees assessed congruently with the package of services provided.

As staff continues to implement the Executive Committee directive to broaden and improve access to municipal employee training, recruitment and retention initiatives and tools, it has come to our attention that further development of the Association's non-traditional membership products is necessary. Additionally, the changes proposed by staff draw a brighter line among the different users of our products and services.

At a special meeting of the MMA Executive Committee held on August 24, 2023, the Executive Committee supported advancing the proposed changes to **Article III, Section 2: Patron Status** of the MMA By-laws, found in the attached document, to the authorized delegates of municipal members who will convene at the MMA Annual Business Meeting on Wednesday, October 3, 2023 at 1:15 p.m. at the Augusta Civic Center, Augusta, Maine. Incidentally, this meeting will occur on the first day of MMA's two-day conference.

Proposed Bylaw Amendment 2 – Article V, Section 3 – Nomination Process

Last September, at the request of then MMA President, James Bennett, the Executive Committee approved the appointment of a seven member DEI Special Task Force, which was directed to explore and recommend changes to existing MMA processes and guidelines necessary to encourage a more diverse pool of candidates to considered serving on the Association's governing board.

The task force included participation from Jim Bennett; Elaine Aloes, then MMA Vice President; Ella Bowman, Oakland Town Manager; Phil Crowell, Auburn City Manager; Ryan Pelletier, Aroostook County Administrator; and Dustin Ward, New Gloucester Select Board member. The task force met four times in late 2022 and early 2023 to identify and discuss barriers in MMA's nomination process. On March 21, 2023, the group concluded its work by advancing recommended changes to the bylaws regulating membership on the Nominating Committee to the Association's Executive Committee for its consideration.

In summary, the amendments to the MMA bylaws propose to change and expand the make-up of the MMA Nominating Committee by:

- Reducing from two to one participation from an MMA past president.
- Reducing from two to one participation from an elected officer.
- Including representation from a town or city manager or chief administrative official.
- Including representation from a board member from an affiliate organization.
- Including representation from a municipal employee or volunteer, with endorsement from the Council/selectboard or manager.
- Including representation from a community-based organization representing a marginalized group.

At its May 17, 2023 meeting, the Executive Committee supported advancing the proposed changes to **Article V: Annual Elections, Nomination Process** of the MMA By-laws, found in the attached document, to the authorized delegates of municipal members who will convene at the MMA Annual Business Meeting on Wednesday, October 3, 20323 at 1:15 p.m. at the Augusta Civic Center, Augusta, Maine.

If you have any questions about the task force or the proposed bylaw changes, please do not hesitate to contact Catherine Conlow, MMA Executive Director at 1-800-452-8786 ext. 2218. Additionally, please look to the Augusta/September edition of the Maine Town & City for more information about the task force and its recommendations.

Thank you.



MAINE MUNICIPAL ASSOCIATION SINCE 1936

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428

ARTICLE III: Affiliate and Patron Status

~~Section 2. **Patron** status shall be open to individuals, students, professionals, and businesses, whether private or public, for profit or non-profit, that provides direct services to municipalities or that have a general interest in municipal government. There are three Patron status categories: Individual, Professional or Business with varying levels of benefits and annual fees. Active Patron status shall include all Patrons whose fees are current in accordance with policies established by the Executive Committee. The Executive Committee shall establish annual fees and policies relating to payment due dates for Patrons.~~

ARTICLE III: Affiliate and Supporter, Individual, Student, Honorary and Partner Entity Memberships

Section 2. **Supporter Membership: Premier and Standard.** Professionals and businesses, whether private or public, for profit or non-profit, that provide direct services to municipalities or that have a general interest in municipal government are eligible for a Supporter Membership. There are two Supporter categories, Premier and Standard, with varying levels of benefits and annual fees. Active members include all Supporters whose fees are current in accordance with policies established by the Executive Committee. The Executive Committee shall establish annual fees and policies relating to payment due dates for Supporters. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

Section 3. **Individual Membership.** Individuals who have a general interest in municipal government services and operations are eligible for an Individual Membership. The membership provides access to specified MMA resources and services, for an annual fee, and in accordance with policies established by the Executive Committee. Active members include Individuals whose fees are current in accordance with policies established by the Executive Committee. The Executive Committee shall establish annual fees and policies relating to payment due dates for Individuals. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

Section 4. **Student Membership.** A student attending a Maine high school or enrolled in a Maine university, private college, or public college is eligible for a Student Membership. The annual membership provides access to specified MMA resources and services in accordance with policies established by the Executive Committee. The Executive Committee retains the right to terminate membership at any time during the year for a violation of an established term or policy. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

Section 5. **Honorary Membership.** In consultation with the MMA Executive Committee President, the Executive Director may grant an honorary membership to a retired municipal official from a member community or a former MMA employee who left the Association in good standing. The annual membership provides access to MMA resources and services in

accordance with policies established by the Executive Committee. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

Section 6. **Partner Entity Membership.** With approval from the Executive Director and in consultation with the director of Advocacy & Communications and any other department director as deemed necessary by the Executive Director, an entity that partners or collaborates with MMA in the delivery of a product or service that benefits member municipalities is eligible for a Partner Entity Membership. The annual membership provides access to MMA resources and services in accordance with policies established by the Executive Committee. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

ARTICLE V: Annual Elections

Nomination Process

Section 3. No later than the end of February of each year, the President, with recommendations from the Executive Committee, shall appoint a five-member Nominating Committee, composed of two elected officials, two Past Presidents, and one member who is either the President of an affiliate organization or is a town or city manager or chief appointed administrative official. The Chair of the Nominating Committee shall be the Immediate Past President. If the Immediate Past President is unable to serve as the Chair, the MMA President shall appoint another Past President to serve as the Chair.

No later than the end of February of each year, the President, with recommendations from the Executive Committee, shall appoint a six-member Nominating Committee.

The committee shall be composed of: (1) a Past President, other than the immediate Past President; (2) an elected municipal officer; (3) a town or city manager or chief appointed administrative official; (4) a board member of an affiliate organization; (5) a municipal employee or volunteer, appointed to serve on the committee by either the town or city manager or chief appointed administrative official, or in the absence of a manager or administrative official, the chair of the select board; and (6) a representative from a community-based organization with a legislative or governance focused mission that represents a marginalized group with lived experiences. With exception to the community-based organization representative, appointees must represent a member municipality.

The Chair of the Nominating Committee shall be the Immediate Past President, who shall vote only in the case of a tie. If the Immediate Past President is unable to serve as the Chair, the MMA President shall appoint another Past President to serve as the Chair.

MAINE MUNICIPAL ASSOCIATION

VOTING DELEGATE CREDENTIALS

_____ is hereby designated as the official Voting Delegate and
(name)

_____ as the alternate voting delegate for _____
(name) (municipality)

to the Maine Municipal Association Annual Business Meeting, which is scheduled to be held, Wednesday, October 4, 2023, 1:15 p.m., at the Augusta Civic Center, Augusta, Maine.

The Voting Delegate Credentials may be cast by a majority of the municipal officers, or by a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ Municipality: _____

Signature of a Municipal Official designated by a majority of Municipal Officers:

Name: _____ Position: _____

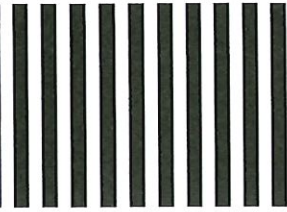
Or Signature of the Majority of Municipal Officers:

Please return this form no later than Monday, October 2, 2023, or bring it with you to the MMA Annual Business Meeting. If mailing, send to:

MMA Annual Business Meeting
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
Email: kmaines@memun.org



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 433 AUGUSTA ME

POSTAGE WILL BE PAID BY ADDRESSEE

MAINE MUNICIPAL ASSOCIATION
60 COMMUNITY DR
AUGUSTA ME 04330-9889

**VOTING BALLOT – ANNUAL BUSINESS
MEETING**

Attn: MMA Executive Office



TOWN OF BRIDGTON

MEMO

TO: Select Board
FROM: Laurie L. Chadbourne, Town Clerk
RE: Business Licenses
DATE: September 14, 2023

September 26, 2023 Select Board Meeting

Victualer's Licenses to:

Bridgton House of Pizza Located at 256 Main Street
☒ CEO (to include any Planning Board requirements) ☒ Fire ☐ Police ☒ Town Clerk

Breakroom 248 Located at 248 Main Street
☒ CEO (to include any Planning Board requirements) ☒ Fire ☐ Police ☒ Town Clerk

Corn Shop Trading Co. Located at 179 Main Street
☒ CEO (to include any Planning Board requirements) ☒ Fire ☒ Police ☒ Town Clerk

Campfire Grille Located at 518 Portland Road
☒ CEO (to include any Planning Board requirements) ☒ Fire ☒ Police ☒ Town Clerk

BMR Donuts d/b/a Dunkin Donuts Located at 181 Portland Road
☒ CEO (to include any Planning Board requirements) ☒ Fire ☒ Police ☒ Town Clerk

Complete applications are on file at the Town Clerk's Office and available for Select Board review.

Laurie Chadbourne

From: Laurie Chadbourne
Sent: Thursday, August 31, 2023 3:02 PM
To: ads@bridgton.com; ad@bridgton.com
Subject: RE: Bridgton Public Hearing Notice

**Town of Bridgton
NOTICE OF PUBLIC HEARING**

The Municipal Officers of the Town of Bridgton will hold a Public Hearing at 5:30 P.M. on Tuesday, September 26, 2023 to accept oral and written comments on a special amusement permit application from Tarry A. While Resort (17 Tarry A. While Road) for live music and entertainment.

Please advertise on September 14, 2023.
Kindly confirm receipt.

Thank you,
Laurie

Laurie L. Chadbourne

Bridgton Town Clerk
Registrar of Voters & General Assistance Administrator
State of Maine – Dedimus Justice & Notary Public

Main 207.647.8786 Direct 207.803.9950

Town of Bridgton
3 Chase Street, Suite 1
Bridgton, ME 04009
www.bridgtonmaine.org

pten 26, 2023

pten 26, 2023

pten 26, 2023

SPECIAL AMUSEMENT PERMIT APPLICATION

As defined in Section 201 of the Town of Bridgton Special Amusement Ordinance, no Licensee for the sale of liquor to be consumed on his licensed premises shall permit, on his licensed premises, any music, except radio or other mechanical device, any dancing or entertainment of any sort unless the licensee shall have first obtained approval from the Board of Selectmen for a Special Amusement Permit.

The application for a Special Amusement Permit should be filed on this form with the Board of Selectmen or its' designated agent (Town Clerk). Payment of a \$25 fee is required at the time the application is filed. A copy of the Special Amusement Permit Ordinance is available upon request from the Bridgton Town Clerk.

The Board of Selectmen shall, prior to granting a permit, hold a public hearing within 30 days of the date you file your completed application at which time testimony will be received from you or your designated agent and/or any interested member of the public. Failure to attend the public hearing may result in a delay in issuing the permit.

Name of applicant: Dan & Roseana Richards

Address of applicant: 17 Tarry A While Rd, Bridgton, ME 04009

Telephone # of applicant: Dan's cell: (404) 386-2166, Roseana's cell: (678) 361-5303

Name of business: Tarry A While Resort, Inc.

Address of business: 17 Tarry A While Rd, Bridgton, ME 04009

Telephone # of business: (207) 647-2522

Location of business (if different from address of business): Same

Is business a: ☒ corporation / ☐ partnership / ☐ proprietorship

Type of Entertainment Planned: Music at events: lobster bakes, weddings, anniversaries, memorials, etc.

Hours of Entertainment Planned: Varies, but not later than 11:00 pm

Has applicant ever had a license to conduct the business described herein denied or revoked or has the applicant or any partner or corporate officer ever been convicted of a felony? ☐ Yes / ☒ No If yes, please provide full details: _____

Current Liquor License #: Town: 2022-91 State: HOF-2015-4324 Expiration Date: June 13, 2024 Oct 13, 2023 ☒ copy attached

Current Dance License #: N/A - outside venue Expiration Date: _____ ☐ copy attached

Signature: Roseana Richards Date: Aug 31, 2023

FOR OFFICE USE ONLY:

AMOUNT PAID \$55.00 (\$25.00 PERMIT+ \$30 ADVERTISING)

DATE SUBMITTED 8 / 31 / 2023

RECEIVED BY: JLE

BOARD OF SELECTMEN

DATE OF APPROVAL ____/____/20____

TOWN CLERK'S OFFICE • 3 CHASE STREET, SUITE 1 • BRIDGTON, ME 04009 • (207) 647-8786

REVISED 07.2015

COMPLIANCE CERTIFICATE

Tarry A While Resort
Liquor & Special Amusement
08/31/2023

Code Enforcement Department

- ☐ Local Inspection Conducted on ____/____/20__ or ☒ Not Required
☒ Compliance with Ordinance and Approval to Issue License

Brenda Day
Code Enforcement Officer or Authorized Representative

Fire Department

- ☐ Local Inspection Conducted on ____/____/20__ or ☐ Not Required
☐ Compliance with Ordinance and Approval to Issue License

Fire Chief or Authorized Representative

Police Department

- ☐ Local Inspection Conducted on ____/____/20__ or ☐ Not Required
☐ Compliance with Ordinance and Approval to Issue License
☐ Yes or ☐ No: Background Check Completed and Attached

Police Chief or Authorized Representative

Tax Collector's Department

- ☐ Real Estate Taxes Paid Through ____/____/20__
☐ Personal Property Taxes Paid Through ____/____/20__

Tax Collector or Authorized Representative

Town Clerk's Department

- ☐ Yes or ☐ No: Current "State License" Provided -or-
Date New Application for "State License" was Submitted ____/____/20__ and is pending

Town Clerk or Authorized Representative

Please return to the Town Clerk.

COMPLIANCE CERTIFICATE

Tarry A While Resort
Liquor & Special Amusement
08/31/2023


Code Enforcement Department

- ☐ Local Inspection Conducted on ____/____/20____ or ☐ Not Required
☐ Compliance with Ordinance and Approval to Issue License

Code Enforcement Officer or Authorized Representative

Fire Department

- ☐ Local Inspection Conducted on ____/____/20____ or ☐ Not Required
☒ Compliance with Ordinance and Approval to Issue License


Fire Chief or Authorized Representative

Police Department

- ☐ Local Inspection Conducted on ____/____/20____ or ☐ Not Required
☐ Compliance with Ordinance and Approval to Issue License
☐ Yes or ☐ No: Background Check Completed and Attached

Police Chief or Authorized Representative

Tax Collector's Department

- ☐ Real Estate Taxes Paid Through ____/____/20____
☐ Personal Property Taxes Paid Through ____/____/20____

Tax Collector or Authorized Representative

Town Clerk's Department

- ☐ Yes or ☐ No: Current "State License" Provided -or-
Date New Application for "State License" was Submitted ____/____/20____ and is pending

Town Clerk or Authorized Representative

Please return to the Town Clerk.

COMPLIANCE CERTIFICATE

Tarry A While Resort
Liquor & Special Amusement
08/31/2023

Code Enforcement Department

- ☐ Local Inspection Conducted on ____/____/20____ or ☐ Not Required
☐ Compliance with Ordinance and Approval to Issue License

Code Enforcement Officer or Authorized Representative

Fire Department

- ☐ Local Inspection Conducted on ____/____/20____ or ☐ Not Required
☐ Compliance with Ordinance and Approval to Issue License

Fire Chief or Authorized Representative

Police Department

- ☐ Local Inspection Conducted on ____/____/20____ or ☒ Not Required
☒ Compliance with Ordinance and Approval to Issue License
☐ Yes or ☒ No: Background Check Completed and Attached



Police Chief or Authorized Representative

Tax Collector's Department

- ☐ Real Estate Taxes Paid Through ____/____/20____
☐ Personal Property Taxes Paid Through ____/____/20____

Tax Collector or Authorized Representative

Town Clerk's Department

- ☐ Yes or ☐ No: Current "State License" Provided -or-
Date New Application for "State License" was Submitted ____/____/20____ and is pending

Town Clerk or Authorized Representative

Please return to the Town Clerk.

COMPLIANCE CERTIFICATE

Tarry A While Resort
Liquor & Special Amusement
08/31/2023

Code Enforcement Department

- ☐ Local Inspection Conducted on ____/____/20____ or ☐ Not Required
☐ Compliance with Ordinance and Approval to Issue License

Code Enforcement Officer or Authorized Representative

Fire Department

- ☐ Local Inspection Conducted on ____/____/20____ or ☐ Not Required
☐ Compliance with Ordinance and Approval to Issue License

Fire Chief or Authorized Representative

Police Department

- ☐ Local Inspection Conducted on ____/____/20____ or ☐ Not Required
☐ Compliance with Ordinance and Approval to Issue License
☐ Yes or ☐ No: Background Check Completed and Attached

Police Chief or Authorized Representative

Tax Collector's Department

- ☒ Real Estate Taxes Paid Through 12/31/2023
☒ Personal Property Taxes Paid Through 12/31/2023

Rand Chad
Tax Collector or Authorized Representative

Town Clerk's Department

- ☒ Yes or ☐ No: Current "State License" Provided -or-
Date New Application for "State License" was Submitted ____/____/20____ and is pending

Rand Chad
Town Clerk or Authorized Representative

Please return to the Town Clerk.

Town of Bridgton; Notice of Public Hearing

The Municipal Officers of the Town of Bridgton will hold a Public Hearing at 5:30 P.M. on Tuesday, September 26, 2023 at the Municipal Building located at 10 Iredale Street in Bridgton to accept oral and written comments on the adoption of the local General Assistance Ordinance Yearly Appendices A-H which shall be in effect from October 1, 2023 through September 30, 2024.

Please advertise in the Bridgton News on:
Thursday, September 14, 2023

Thank you,
Laurie L. Chadbourne
Town Clerk

*Posted at Bridgton Town Office
August 12, 2023*

[For use when adopting updated appendices only without amending the body of an existing GA ordinance]

MUNICIPALITY OF Bridgton
GENERAL ASSISTANCE ORDINANCE

Pursuant to 22 M.R.S. § 4305(1), the municipal officers of the Municipality of Bridgton, after notice and hearing, hereby amend the municipal General Assistance Ordinance by repealing and replacing appendices A through H of the existing ordinance with the attached appendices A through H, which shall be in effect from October 1, 2023 through September 30, 2024. This amendment will be filed with the Maine Department of Health & Human Services (DHHS) pursuant to 22 M.R.S. § 4305(4), and a copy of the ordinance and amended appendices shall be available for public inspection at the municipal office along with a copy of the 22 M.R.S. chapter 1161.

Signed this 26th day of September, 2023, by the municipal officers:

Carmen Lone, Chair
(Print Name)

(Signature)

Robert McHatton, Sr., Vice-Chair
(Print Name)

(Signature)

Paul Tworog
(Print Name)

(Signature)

Carrye Castleman-Ross
(Print Name)

(Signature)

Kenneth Murphy
(Print Name)

(Signature)



[Please send a copy of the enactment page only to DHHS, 109 Capitol Street, SHS 11, Augusta, ME 04330-0011]

Janet T. Mills
Governor

Jeanne M. Lambrew, Ph.D.
Commissioner



Maine Department of Health and Human Services
Office for Family Independence
109 Capitol St.
11 State House Station
Augusta, Maine 04333-0011
Tel.: (207) 624-4168; Toll-Free: (800) 442-6003
TTY: Dial 711 (Maine Relay); Fax: (207) 287-3455

To: Welfare Officials and Contracted Agents
From: Sara Denson, Program Manager, General Assistance
Date: August 28, 2023
Subject: New GA Maximums for October 1, 2023

Enclosed please find the following items:

- MMA's new (October 1, 2023–September 30, 2024) **“General Assistance Ordinance Appendices”** (A – H).
- Recovery Residence Housing Maximums (October 1, 2023–September 30, 2024)
- **“GA Ordinance Adoption Form”** which was developed so that municipalities may easily send DHHS proof of the adoption of any updated or changed GA Ordinance. Once the selectpersons or council adopts the new ordinance, the enclosed form should be signed and submitted to DHHS. (see *“Filing of GA Ordinance and/or Appendices”* below for further information).
- **“GA Maximums Adoption Form”** which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. (see *“Filing of GA Ordinance and/or Appendices”* below for further information).

Updates

Please note that updates have been made to Appendix A (overall maximums), Appendix B (food maximums), and Appendix C (housing maximums) of the General Assistance Ordinance. There is also a new Recovery Residence Housing Maximums guide. You can find information about the MMA Model Ordinance on the Maine Welfare Director's Association (MWDA) website at www.mainewelfaredirectors.org.

Appendix A – H

The enclosed Appendices A – H have been revised for your municipality's General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices A – G. Even if you are not updating your GA Ordinance, **the municipal officers must approve/adopt the new Appendices yearly.**

The Adoption Process

The municipal officers (i.e., selectpersons/council) adopt the local General Assistance Ordinance and yearly Appendices, even in town meeting communities. The law requires that the municipal officers conduct a notice and hearing prior to the adoption of the Ordinance and/or Appendices. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance and/or appendices either in its posted form or as amended in light of public discussion.

Municipalities May Establish Their Own Maximums

Municipalities may establish their own maximum levels of assistance provided that the proposed levels of assistance are reasonable and meet adequate standards sufficient to maintain the health and safety of applicants in the municipality. The municipality must submit to the Department documentation to justify these levels of assistance and verify that the figures developed are appropriate to maintain health and decency.

A municipality's maximum assistance level for Food may not be below the Department provided figures which are issued by the USDA and published annually following a study of cost of food for various family sizes. A market basket survey may be used to establish food maximums if the maximums provided by the USDA are insufficient to maintain health in the municipality. (C.M.R. 10-144, Chapter 323, Section V).

Filing of GA Ordinance and/or Appendices

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted, should that ordinance differ from the MMA Model. Any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that your Municipal Officers have adopted the current MMA Model GA maximums and/or ordinance. If you are not making changes to your adopted ordinance, you are only required to submit verification that the new Appendices have been adopted.

2023-2024 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from October 1, 2023 to September 30, 2024.

APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
	1	2	3	4	5	6
Cumberland	\$1,103	\$1,235	\$1,626	\$2,049	\$2,215	\$2,290

NOTE: For each additional person add \$75 per month.

(The applicable figures from Appendix A, *once adopted*, should be inserted here.)

APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	\$ 67.67	\$ 291.00
2	124.42	535.00
3	178.14	766.00
4	226.28	973.00
5	268.60	1,155.00
6	322.33	1,386.00
7	356.28	1,532.00
8	407.21	1,751.00

NOTE: For each additional person add \$219 per month.

APPENDIX C - HOUSING MAXIMUMS

<u>Number of Bedrooms</u>	<u>Unheated</u>		<u>Heated</u>	
	<u>Weekly</u>	<u>Monthly</u>	<u>Weekly</u>	<u>Monthly</u>
0	\$223	\$959	\$253	\$1,088
1	\$244	\$1,047	\$283	\$1,218
2	\$322	\$1,384	\$373	\$1,605
3	\$408	\$1,755	\$471	\$2,024
4	\$431	\$1,853	\$508	\$2,185

(The applicable figures from Appendix C, *once adopted*, should be inserted here.)

FOR MUNICIPAL USE ONLY

2023

General Assistance Maximums Reference Sheet-Cumberland County HMFA

2024

Oct 1, 2023 to Sept 30, 2024

OVERALL MAXIMUMS (A)

Persons in Household				
1	2	3	4	5
\$1,103	\$1,235	\$1,626	\$2,049	\$2,215

Household of 6 = \$2,290

* Add \$75 for each additional person

HOUSING MAXIMUMS (C)

	UNHEATED		Heated	
	Weekly	Monthly	Weekly	Monthly
BEDROOM	\$223	\$959	\$253	\$1,088
0	\$223	\$959	\$283	\$1,218
1	\$244	\$1,047	\$373	\$1,605
2	\$322	\$1,384	\$471	\$2,024
3	\$408	\$1,755	\$508	\$2,185
4	\$431	\$1,853		

ELECTRIC (D)

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is not automatically entitled to the "maximums" established applicants must demonstrate need.

1) Electricity Maximums for Households Without Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses excluding electric hot water and heat.

Number in Household	Weekly	Monthly
1	\$19.95	\$85.50
2	\$22.52	\$96.50
3	\$24.97	\$107.00
4	\$27.53	\$118.00
5	\$29.88	\$128.50
6	\$32.55	\$139.50

NOTE: For each additional person add \$10.50 per month.

FOOD MAXIMUMS (B)

Persons	Weekly	Monthly
1	\$67.67	\$291
2	\$124.42	\$535
3	\$178.14	\$766
4	\$226.28	\$973
5	\$268.60	\$1,155
6	\$322.33	\$1,386
7	\$356.28	\$1,532
8	\$407.21	\$1,751

Add \$219 per month for each + person

PERSONAL CARE & HOUSEHOLD SUPPLIES (E)

Number in Household	Weekly Amount	Monthly Amount
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

HEATING FUEL (F)

Month	Gallons	Month	Gallons
January	225	June - Aug	0
February	225	September	50
March	125	October	100
April	125	November	200
May	50	December	200

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

Number of Children	Weekly Amount	Monthly Amount
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

MILEAGE RATE (G)

46 cents (\$0.46) per mile

FUNERAL MAXIMUMS (H)

Burial: \$1,475+; Cremation: \$1,025+

2) Electricity Maximums for Households with Electrically Heated Hot Water: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses excluding heat.

Number in Household	Weekly	Monthly
1	\$29.63	\$127.00
2	\$34.07	\$146.00
3	\$39.67	\$170.00
4	\$46.32	\$198.50
5	\$55.65	\$238.50
6	\$58.68	\$251.50

NOTE: For each additional person add \$14.50 per month.

1-800-442-6003

2023-2024 GA Overall Maximums

Metropolitan Areas

COUNTY	Persons in Household				
	1	2	3	4	5*
Bangor HMFA: Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	886	1,029	1,316	1,638	2,241
Cumberland County HMFA: Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	1,103	1,235	1,626	2,049	2,215
Lewiston/Auburn MSA: Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	853	925	1,186	1,543	1,870
Penobscot County HMFA: Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	846	853	1,126	1,408	1,537
Portland HMFA: Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,367	1,593	2,045	2,611	3,201
Sagadahoc HMFA: Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	938	1,118	1,360	1,857	2,219

Appendix A
Effective: 10/01/23-09/30/24

COUNTY	1	2	3	4	5*
York County HMFA: Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	1,154	1,217	1,509	1,961	2,207
York/Kittery/S.Berwick HMFA: Berwick, Eliot, Kittery, South Berwick, York	1,327	1,393	1,834	2,489	3,175

*Note: Add \$75 for each additional person.

Non-Metropolitan Areas

Persons in Household

COUNTY	1	2	3	4	5*
Aroostook County	742	812	951	1,281	1,464
Franklin County	781	834	1,033	1,383	1,695
Hancock County	965	996	1,198	1,521	1,655
Kennebec County	879	899	1,120	1,470	1,587
Knox County	905	913	1,120	1,490	1,592
Lincoln County	1,004	1,013	1,282	1,582	2,069
Oxford County	873	878	1,072	1,514	1,761
Piscataquis County	752	810	1,000	1,326	1,598
Somerset County	810	851	1,098	1,430	1,532
Waldo County	1,041	1,047	1,256	1,558	2,132
Washington County	811	816	1,060	1,328	1,453

* Please Note: Add \$75 for each additional person.

Appendix B

Effective: 10/01/23 to 09/30/24

2023-2024 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the [U.S.D.A. Thrifty Food Plan](#). As of October 1, 2023, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	\$ 67.67	\$ 291.00
2	124.42	535.00
3	178.14	766.00
4	226.28	973.00
5	268.60	1,155.00
6	322.33	1,386.00
7	356.28	1,532.00
8	407.21	1,751.00

Note: For each additional person add \$219 per month.

Appendix C

Effective: 10/01/23-09/30/24

2023-2024 GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! ONLY consider adopting the following numbers if these figures are consistent with local rent values. If not, a market survey should be conducted, and the figures altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (See Instruction Memo for further guidance.)

Non-Metropolitan FMR Areas

<u>Aroostook County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		134	577	169	726
1		139	598	185	794
2		156	672	216	929
3		218	940	292	1,256
4		243	1,044	333	1,434
<u>Franklin County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		143	616	178	765
1		144	620	190	816
2		175	754	235	1,011
3		242	1,042	316	1,358
4		296	1,275	387	1,665
<u>Hancock County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		191	821	221	950
1		191	821	228	979
2		222	956	274	1,177
3		285	1,227	348	1,496
4		301	1,293	378	1,625
<u>Kennebec County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		171	735	201	864
1		171	735	205	882
2		204	878	256	1,099
3		274	1,176	336	1,445
4		285	1,225	362	1,557

Appendix C

Effective: 10/01/23-09/30/24

Non-Metropolitan FMR Areas

Knox County		Unheated		Heated	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		177	761	207	890
1		177	761	208	896
2		204	878	256	1,099
3		278	1,196	341	1,465
4		286	1,230	363	1,562
Lincoln County		Unheated		Heated	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		200	860	230	989
1		200	860	232	996
2		242	1,040	293	1,261
3		300	1,288	362	1,557
4		397	1,707	474	2,039
Oxford County		Unheated		Heated	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		169	729	200	858
1		169	729	200	861
2		193	830	244	1,051
3		284	1,220	346	1,489
4		325	1,399	403	1,731
Piscataquis County		Unheated		Heated	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		136	587	171	736
1		139	596	184	792
2		168	721	227	978
3		229	985	302	1,301
4		274	1,178	365	1,568
Somerset County		Unheated		Heated	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		155	666	185	795
1		155	666	194	834
2		199	856	250	1,077
3		264	1,136	327	1,405
4		272	1,170	349	1,502

Appendix C

Effective: 10/01/23-09/30/24

Non-Metropolitan FMR Areas

<u>Waldo County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	209	897	239	1,026
1	209	897	239	1,030
2	236	1,014	287	1,235
3	294	1,264	357	1,533
4	412	1,770	489	2,102

<u>Washington County</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	155	667	185	796
1	155	667	186	799
2	190	818	242	1,036
3	241	1,034	303	1,303
4	254	1,091	331	1,423

Metropolitan FMR Areas

<u>Bangor HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	172	742	203	871
1	196	841	235	1,012
2	250	1,074	301	1,295
3	313	1,344	375	1,613
4	437	1,879	514	2,211

<u>Cumberland Cty. HMFA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	223	959	253	1,088
1	244	1,047	283	1,218
2	322	1,384	373	1,605
3	408	1,755	471	2,024
4	431	1,853	508	2,185

<u>Lewiston/Auburn MSA</u>	<u>Unheated</u>		<u>Heated</u>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	165	709	195	838
1	171	737	211	908
2	220	944	271	1,165
3	291	1,249	353	1,518
4	351	1,508	428	1,840

Appendix C

Effective: 10/01/23-09/30/24

Metropolitan FMR Areas

Penobscot Cty. HMFA				
Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	163	702	193	831
1	163	702	194	836
2	206	884	257	1,105
3	259	1,114	322	1,383
4	273	1,175	351	1,507
Portland HMFA				
Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	284	1,223	314	1,352
1	327	1,405	366	1,576
2	419	1,803	471	2,024
3	539	2,317	601	2,586
4	660	2,839	738	3,171
Sagadahoc Cty. HMFA				
Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	185	794	215	923
1	216	930	256	1,101
2	260	1,118	311	1,339
3	364	1,563	426	1,832
4	432	1,857	509	2,189
York Cty. HMFA				
Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	235	1,010	265	1,139
1	239	1,029	279	1,200
2	295	1,267	346	1,488
3	388	1,667	450	1,936
4	429	1,845	506	2,177
York/Kittery/S. Berwick HMFA				
Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	275	1,183	305	1,312
1	280	1,205	320	1,376
2	370	1,592	422	1,813
3	511	2,195	573	2,464
4	654	2,813	731	3,145

2023-2024 GA Housing Maximums Recovery Residences

The following Recovery Residence maximums are in effect from 10/1/2023- 9/30/2024

Non-Metropolitan FMR Areas

<u>Aroostook County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	148.88	595.50

<u>Franklin County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	153.00	612.00

<u>Hancock County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	183.56	734.25

<u>Kennebec County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	165.38	661.50

<u>Knox County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	165.38	672.00

<u>Lincoln County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	186.75	747.00

<u>Oxford County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	161.44	645.75

<u>Piscataquis County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	148.50	594.00

<u>Somerset County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	156.38	599.25

<u>Waldo County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	193.13	772.50

<u>Washington County</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	149.81	599.25

Metropolitan FMR Areas

<u>Bangor HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	189.75	759.00

<u>Cumberland Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	228.38	913.50

<u>Lewiston/Auburn MSA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	170.25	681.00

<u>Penobscot Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	156.75	627.00

<u>Portland HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	295.50	1182.00

<u>Sagadahoc Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	206.44	825.75

<u>York Cty. HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	225.00	900.00

<u>York/Kittery/S. Berwick HMFA</u>	<u>Recovery Residence Rates</u>	
	<u>Weekly</u>	<u>Monthly</u>
	258.00	1032.00

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established—applicants must demonstrate need.

1) **Electricity Maximums for Households *Without Electric Hot Water*:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$19.95	\$ 85.50
2	\$22.52	\$ 96.50
3	\$24.97	\$107.00
4	\$27.53	\$118.00
5	\$29.88	\$128.50
6	\$32.55	\$139.50

NOTE: For each additional person add \$10.50 per month.

2) **Electricity Maximums for Households *With Electrically Heated Hot Water*:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$29.63	\$127.00
2	\$34.07	\$146.00
3	\$39.67	\$170.00
4	\$46.32	\$198.50
5	\$55.65	\$238.50
6	\$58.68	\$251.50

NOTE: For each additional person add \$14.50 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

FOR MUNICIPAL USE ONLY

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

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2023-2024 Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Comptroller. The current rate for approved employment and necessary medical travel etc. is 46 cents (46¢) per mile.

Please refer to the Office of the State Controller for changes to this rate at 626-8420 or visit <http://www.state.me.us/osc/>

Funeral Maximums

Burial Maximums

The maximum amount of general assistance granted for the purpose of burial is **\$1,475**. The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- removal of the body from a local residence or institution
- a secured death certificate or obituary
- embalming
- a minimum casket
- a reasonable cost for necessary transportation
- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- the wholesale cost of a cement liner if the cemetery by-laws require one;
- the opening and closing of the grave site; and
- a lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

Cremation Maximums

The maximum amount of assistance granted for a cremation shall be **\$1,025**.

The municipality's obligation to provide funds for cremation purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable cremation expenses are limited to:

- removal and transportation of the body from a local residence or institution
- professional fees
- crematorium fees
- a secured death certificate or obituary

Appendix H

Effective: 10/01/23-9/30/24

- other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- a cremation lot in the least expensive section of the cemetery
- a reasonable cost for a burial urn not to exceed \$55
- transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

CHAPTER 1161

MUNICIPAL GENERAL ASSISTANCE

§4301. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings. [PL 1983, c. 577, §1 (NEW).]

1. Basic necessities. "Basic necessities" means food, potable water, clothing, shelter, fuel, electricity, nonelective medical services as recommended by a physician, nonprescription drugs, telephone where it is necessary for medical reasons and any other commodity or service determined essential by the overseer in accordance with the municipality's ordinance and this chapter. "Basic necessities" do not include security deposits for rental property, except for emergency purposes. For the purposes of this subsection, "emergency purposes" means any situation in which no other permanent lodging is available unless a security deposit is paid. [PL 2019, c. 126, §2 (AMD).]

1-A. Direct costs. "Direct costs" means the total value of general assistance benefits paid out by a municipality that is in compliance with this chapter and the municipality's general assistance ordinance. [PL 1991, c. 9, Pt. U, §2 (NEW).]

2. Dwelling unit. "Dwelling unit" means a building or part thereof used for separate living quarters for one or more persons living as a single housekeeping unit. [PL 1983, c. 577, §1 (NEW).]

3. Eligible person. "Eligible person" means a person who is qualified to receive general assistance from a municipality according to standards of eligibility determined by the municipal officers whether or not that person has applied for general assistance. "Eligible person" does not include a person who is a fugitive from justice as defined in Title 15, section 201, subsection 4. Beginning July 1, 2015, in accordance with 8 United States Code, Section 1621(d), "eligible person" means a person who is lawfully present in the United States or who is pursuing a lawful process to apply for immigration relief, except that assistance for such a person may not exceed 24 months. [PL 2015, c. 324, §1 (AMD).]

4. Emergency. "Emergency" means any life threatening situation or a situation beyond the control of the individual which, if not alleviated immediately, could reasonably be expected to pose a threat to the health or safety of a person. [PL 1983, c. 577, §1 (NEW).]

5. General assistance program. "General assistance program" means a service administered by a municipality for the immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves or their families. A general assistance program provides a specific amount and type of aid for defined needs during a limited period of time and is not intended to be a continuing "grant-in-aid" or "categorical" welfare program. This definition shall not in any way lessen the responsibility of each municipality to provide general assistance to a person each time that the person has need and is found to be otherwise eligible to receive general assistance. [PL 1983, c. 577, §1 (NEW).]

5-A. Homelessness. "Homelessness" means a situation in which a person or household is:

A. Living in a place that is not fit for human habitation; [PL 2019, c. 515, §1 (NEW).]

B. Living in an emergency shelter; [PL 2019, c. 515, §1 (NEW).]

C. Living in temporary housing, including but not limited to a hotel, motel, campground, unlicensed campsite or rehabilitation facility; [PL 2019, c. 515, §1 (NEW).]

D. Exiting a hospital or institution licensed under chapter 405 or a correctional facility where the person or household resided for up to 90 days if the person or household was in an emergency shelter or a place not fit for human habitation before entering the hospital, institution or correctional facility; [PL 2019, c. 515, §1 (NEW).]

E. Losing the person's or household's primary nighttime residence and lacking the resources or support networks to remain in that residence; or [PL 2019, c. 515, §1 (NEW).]

F. Fleeing or attempting to flee violence and has no other residence. [PL 2019, c. 515, §1 (NEW).]
[PL 2019, c. 515, §1 (NEW).]

6. Household. "Household" means an individual or a group of individuals who share a dwelling unit. When an applicant shares a dwelling unit with one or more individuals, even when a landlord-tenant relationship may exist between individuals residing in the dwelling unit, eligible applicants may receive assistance for no more than their pro rata share of the actual costs of the shared basic needs of that household according to the maximum levels of assistance established in the municipal ordinance. The pro rata share is calculated by dividing the maximum level of assistance available to the entire household by the total number of household members. The income of household members not legally liable for supporting the household is considered available to the applicant only when there is a pooling of income.

[PL 2013, c. 368, Pt. OO, §5 (AMD).]

7. Income. "Income" means any form of income in cash or in kind received by the household, including net remuneration for services performed, cash received on either secured or unsecured credit, any payments received as an annuity, retirement or disability benefits, veterans' pensions, workers' compensation, unemployment benefits, benefits under any state or federal categorical assistance program, supplemental security income, social security and any other payments from governmental sources, unless specifically prohibited by any law or regulation, court ordered support payments, income from pension or trust funds, household income from any other source, including relatives or unrelated household members and any benefit received pursuant to Title 36, chapter 907, Title 36, section 5219-II and Title 36, section 5219-KK, unless used for basic necessities as defined in section 4301, subsection 1.

The following items are not available within the meaning of this subsection and subsection 10:

A. Real or personal income-producing property, tools of trade, governmental entitlement specifically treated as exempt assets by state or federal law; [PL 1991, c. 9, Pt. U, §3 (AMD).]

B. Actual work-related expenses, whether itemized or by standard deduction, such as taxes, retirement fund contributions, union dues, transportation costs to and from work, special equipment costs and child care expenses; or [PL 1983, c. 577, §1 (NEW).]

C. Earned income of children below the age of 18 years who are full-time students and who are not working full time. [PL 1991, c. 9, Pt. U, §3 (AMD).]

In determining need, the period of time used as a basis for the calculation is the 30-day period commencing on the date of the application. This prospective calculation does not disqualify an applicant who has exhausted income to purchase basic necessities if that income does not exceed the income standards established by the municipality. Notwithstanding this prospective calculation, if any applicant or recipient receives a lump sum payment prior or subsequent to applying for assistance, that payment must be prorated over future months. The period of proration is determined by disregarding any portion of the lump sum payment that the applicant or recipient has spent to purchase basic necessities, including but not limited to: all basic necessities provided by general assistance; reasonable

payment of funeral or burial expenses for a family member; reasonable travel costs related to the illness or death of a family member; repair or replacement of essentials lost due to fire, flood or other natural disaster; repair or purchase of a motor vehicle essential for employment, education, training or other day-to-day living necessities; repayments of loans or credit, the proceeds of which can be verified as having been spent on basic necessities; and payment of bills earmarked for the purpose for which the lump sum is paid. All income received by the household between the receipt of the lump sum payment and the application for assistance is added to the remainder of the lump sum. The period of proration is then determined by dividing the remainder of the lump sum payment by the verified actual monthly amounts for all of the household's basic necessities. That dividend represents the period of proration determined by the administrator to commence on the date of receipt of the lump sum payment. The prorated sum for each month must be considered available to the household for 12 months from the date of application or during the period of proration, whichever is less.

[PL 2013, c. 551, §1 (AMD).]

8. Just cause. "Just cause" means a valid, verifiable reason that hinders an individual in complying with one or more conditions of eligibility.

[PL 1983, c. 577, §1 (NEW).]

8-A. Lump sum payment. "Lump sum payment" means a one-time or typically nonrecurring sum of money issued to an applicant or recipient. Lump sum payment includes, but is not limited to, retroactive or settlement portions of social security benefits, workers' compensation payments, unemployment benefits, disability income, veterans' benefits, severance pay benefits, or money received from inheritances, lottery winnings, personal injury awards, property damage claims or divorce settlements. A lump sum payment includes only the amount of money available to the applicant after payment of required deductions has been made from the gross lump sum payment. A lump sum payment does not include conversion of a nonliquid resource to a liquid resource if the liquid resource has been used or is intended to be used to replace the converted resource or for other necessary expenses.

[PL 2001, c. 571, §2 (AMD).]

9. Municipality of responsibility. "Municipality of responsibility" means the municipality which is liable for the support of any eligible person at the time of application.

[PL 1983, c. 577, §1 (NEW).]

10. Need. "Need" means the condition whereby a person's income, money, property, credit, assets or other resources available to provide basic necessities for the individual and the individual's family are less than the maximum levels of assistance established by the municipality.

[PL 1985, c. 489, §§2, 14 (AMD).]

11. Net general assistance costs. "Net general assistance costs" means those direct costs incurred by a municipality in providing assistance to eligible persons according to standards established by the municipal officers and does not include the administrative expenses of the general assistance program.

[PL 1983, c. 577, §1 (NEW).]

12. Overseer. "Overseer" means an official designated by a municipality to administer a general assistance program. The municipal officers shall serve as a board of overseers if no other persons are appointed or elected.

[PL 1983, c. 577, §1 (NEW).]

12-A. Pooling of income. "Pooling of income" means the financial relationship among household members who are not legally liable for mutual support in which there occurs any comingling of funds or sharing of income or expenses. Municipalities may by ordinance establish as a rebuttable presumption that persons sharing the same dwelling unit are pooling their income. Applicants who are requesting that the determination of eligibility be calculated as though one or more household members are not pooling their income have the burden of rebutting the presumption of pooling income.

[PL 1991, c. 622, Pt. M, §22 (NEW).]

13. Real estate. "Real estate" means any land, buildings, homes, mobile homes and any other things affixed to that land.

[PL 1983, c. 577, §1 (NEW).]

14. Recovery residence. "Recovery residence" has the same meaning as in Title 5, section 20003, subsection 19-D.

[PL 2021, c. 472, §2 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1985, c. 489, §§1,2,14 (AMD). PL 1989, c. 322, §1 (AMD). PL 1989, c. 840, §§1-3 (AMD). PL 1991, c. 9, §§U1-3 (AMD). PL 1991, c. 622, §§M20-22 (AMD). PL 1993, c. 410, §AAA1 (AMD). PL 2001, c. 571, §§1,2 (AMD). PL 2003, c. 510, §C6 (AMD). PL 2013, c. 368, Pt. OO, §§4-6 (AMD). PL 2013, c. 551, §1 (AMD). PL 2015, c. 324, §1 (AMD). PL 2019, c. 126, §2 (AMD). PL 2019, c. 515, §1 (AMD). PL 2021, c. 472, §2 (AMD).

§4302. Delegation of duties; oath; bond

Overseers may authorize some person whom they shall designate to perform such of the duties imposed upon them by this chapter as they may determine. The overseers may designate more than one person to perform those duties. Before entering upon the performance of those duties, the person or persons so designated shall be sworn and shall give bond to the town for the faithful performance of those duties, in such sum and with such sureties as the overseers order. [PL 1983, c. 577, §1 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW).

§4303. Prosecution and defense of towns

For all purposes provided for in this chapter, the overseers or any person appointed by them in writing may prosecute and defend a town. [PL 1983, c. 577, §1 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW).

§4304. General assistance offices

1. Local office. There must be in each municipality a general assistance office or designated place where any person may apply for general assistance at regular, reasonable times designated by the municipal officers. Notice must be posted of these times, the name of the overseer available to take applications in an emergency at all other times, the fact that the municipality must issue a written decision on all applications within 24 hours and the department's toll-free telephone number for reporting alleged violations in accordance with section 4321.

[PL 1991, c. 209, §1 (AMD).]

2. District office. In situations where in the judgment of a municipality the number of applicants does not justify the establishment of a local office or designated place, or where for other reasons a local office or designated place is not necessary, 2 or more municipalities, by a vote of their respective legislative bodies, may establish a district office for the administration of general assistance and make agreements as to the payment of expenses and any other matters relevant to the operation of the office.

Any district office established pursuant to this subsection shall be located so as to be accessible by a toll-free telephone call from any part of every municipality it is designated to serve.

Every district general assistance officer shall be available for the taking of applications at least 35 hours each week and shall make provision for designated personnel to be available to take applications in an emergency 24 hours a day.

[PL 1983, c. 577, §1 (NEW).]

3. Emergencies. In any case when an applicant is unable, due to illness, disability, lack of transportation, lack of child care or other good cause, to apply in person for assistance or unable to appoint a duly authorized representative, the overseer shall accept an application by telephone subject to verification by mail and a visit to the applicant's home with the consent of the applicant. Municipalities may arrange with emergency shelters for the homeless to presume eligible for municipal assistance persons to whom the emergency shelter provides shelter services.

[PL 1989, c. 322, §2 (AMD).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1989, c. 322, §2 (AMD). PL 1989, c. 699 (AMD). PL 1991, c. 209, §1 (AMD).

§4305. Municipal ordinance required

1. Program required; ordinance. A general assistance program shall be operated by each municipality and shall be administered in accordance with an ordinance enacted, after notice and hearing, by the municipal officers of each municipality.

[PL 1983, c. 577, §1 (NEW).]

2. Availability of ordinance. The ordinance and a copy of this chapter must be available in the town office and be easily accessible to any member of the public. Notice to that effect must be posted. A copy of this chapter must be distributed by the department to each municipality.

[PL 1991, c. 209, §2 (AMD).]

3. Standards of eligibility. Municipalities may establish standards of eligibility, in addition to need, as provided in this chapter. Each ordinance shall establish standards which shall:

A. Govern the determination of eligibility of persons applying for relief and the amount of assistance to be provided to eligible persons; [PL 1983, c. 577, §1 (NEW).]

B. Provide that all individuals wishing to make application for relief shall have the opportunity to do so; and [PL 1983, c. 577, §1 (NEW).]

C. Provide that relief shall be furnished or denied to all eligible applicants within 24 hours of the date of submission of an application. [PL 1983, c. 577, §1 (NEW).]

[PL 1983, c. 577, §1 (NEW).]

3-A. Maximum levels of assistance. Municipalities may establish maximum levels of assistance by ordinance. The maximum levels of assistance must set reasonable and adequate standards sufficient to maintain health and decency. A maximum level of assistance established by municipal ordinance is subject to a review by the department, upon complaint, to ensure compliance with this chapter.

[PL 1993, c. 410, Pt. AAA, §2 (AMD).]

3-B. Temporary maximum levels. Notwithstanding subsection 3-A, municipalities shall establish an aggregate maximum level of assistance that is 110% of the applicable existing housing fair market rents as established by the United States Department of Housing and Urban Development pursuant to 24 Code of Federal Regulations, Section 888.115, applying the zero-bedroom level for one person, the one-bedroom level for 2 persons, the 2-bedroom level for 3 persons, the 3-bedroom level for 4 persons and the 4-bedroom level for 5 persons. For each additional person, the aggregate maximum level increases by \$75. For the purposes of this subsection, municipalities with populations greater than 10,000 are deemed Standard Metropolitan Statistical Areas in those counties for which there are 2 fair market rent values and the aggregate maximum level of assistance for all Standard Metropolitan Statistical Areas is the average of the fair market rental values for the Standard Metropolitan Statistical Areas and areas that are not Standard Metropolitan Statistical Areas for each county in which there are 2 fair market rental values.

Beginning October 2005 and annually thereafter, the aggregate maximum level of assistance must be established at the greater of 110% of the fair market rents as determined in this subsection and the amount achieved by annually increasing the most recent aggregate maximum level of assistance by the percentage increase in the federal poverty level of the current year over the federal poverty level of the prior year.

For the purposes of this subsection, "federal poverty level" means that measure defined by the federal Department of Health and Human Services and updated annually in the Federal Register under authority of 42 United States Code, Section 9902(2).

[PL 2005, c. 231, §1 (AMD).]

3-C. Maximum level of assistance from July 1, 2012 to June 30, 2013. Notwithstanding subsection 3-A or 3-B, for the period from July 1, 2012 to June 30, 2013, the maximum level of assistance is 90% of the maximum level of assistance in effect on April 1, 2012.

[PL 2011, c. 655, Pt. R, §1 (NEW).]

3-D. Maximum level of assistance for fiscal years 2013-14 and 2014-15. Notwithstanding subsection 3-A or 3-B, the aggregate maximum level of assistance for fiscal years 2013-14 and 2014-15 must be set as follows:

A. The aggregate maximum level of assistance for fiscal year 2013-14 must be the amount that is the greater of:

- (1) Ninety percent of 110% of the United States Department of Housing and Urban Development fair market rent for federal fiscal year 2013; and
- (2) The amount achieved by increasing the maximum level of assistance for fiscal year 2012-13 by 90% of the increase in the federal poverty level from 2012 to 2013. [PL 2013, c. 368, Pt. OO, §7 (NEW).]

B. The aggregate maximum level of assistance for fiscal year 2014-15 must be the amount that is the greater of:

- (1) Ninety percent of 110% of the United States Department of Housing and Urban Development fair market rent for federal fiscal year 2014; and
- (2) The amount achieved by increasing the maximum level of assistance for fiscal year 2013-14 by 90% of the increase in the federal poverty level from 2013 to 2014. [PL 2013, c. 368, Pt. OO, §7 (NEW).]

For the purposes of this subsection, "federal poverty level" means that measure defined by the federal Department of Health and Human Services and updated annually in the Federal Register under authority of 42 United States Code, Section 9902(2). For the purposes of this subsection, fair market rent is calculated in the same manner as in subsection 3-B.

[PL 2013, c. 368, Pt. OO, §7 (NEW).]

4. Ordinance filed. Each municipality shall present a copy of the ordinance establishing eligibility standards, maximum levels of assistance, administration and appeal procedures to the Department of Health and Human Services. The ordinance filed must include all forms and notices, including the application form, notice of decision and appeal rights. Any amendment or modification of the municipal ordinance must be submitted to the department.

[PL 1993, c. 410, Pt. AAA, §4 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

5. Review of ordinance.

[PL 1993, c. 410, Pt. AAA, §5 (RP).]

6. Assistance by vouchers or contract. Except when determined impractical by the administrator for good cause shown, assistance is provided in the form of a voucher payable to vendor or vendors or through direct municipal contract with a provider of goods or services.
[PL 1991, c. 209, §3 (NEW); PL 1991, c. 209, §4 (AFF).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1985, c. 489, §§3,4,14 (AMD). PL 1991, c. 9, §U4 (AMD). PL 1991, c. 209, §§2,3 (AMD). PL 1991, c. 209, §4 (AFF). PL 1991, c. 622, §M23 (AMD). PL 1991, c. 780, §111 (AMD). PL 1993, c. 410, §§AAA2-5 (AMD). PL 2003, c. 689, §B6 (REV). PL 2005, c. 231, §1 (AMD). PL 2011, c. 655, Pt. R, §1 (AMD). PL 2013, c. 368, Pt. OO, §7 (AMD).

§4306. Records; confidentiality of information

The overseer shall keep complete and accurate records pertaining to general assistance, including the names of eligible persons assisted and the amounts paid for their assistance. Records, papers, files and communications relating to an applicant or recipient made or received by persons charged with responsibility of administering this chapter are confidential and no information relating to a person who is an applicant or recipient may be disclosed to the general public, unless expressly permitted by that person. [PL 1983, c. 577, §1 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW).

§4307. Municipality of responsibility; residency

1. General assistance required. Municipalities shall provide general assistance to all eligible persons at the expense of that municipality, except as provided in section 4311.

A municipality may not move or transport a person into another municipality to avoid responsibility for general assistance support for that person. A municipality that illegally moves or transports a person, or illegally denies assistance to a person that results in that person's relocation, in addition to the other penalties provided in this chapter, shall reimburse twice the amount of assistance to the municipality that provided the assistance to that person. That reimbursement must be made in accordance with subsection 5.

A. [PL 1987, c. 349, Pt. H, §15 (RP).]

B. [PL 1987, c. 349, Pt. H, §15 (RP).]
[RR 2021, c. 2, Pt. B, §198 (COR).]

2. Municipality of responsibility. Except as provided in subsection 4, a municipality is responsible for the general assistance support of the following individuals:

A. A resident of the municipality. For the purposes of this section, a "resident" means a person who is physically present in a municipality with the intention of remaining in that municipality to maintain or establish a home and who has no other residence; and [PL 1987, c. 349, Pt. H, §15 (NEW).]

B. Eligible persons who apply to the municipality for assistance and who are not residents of that or any other municipality. If a person is not a resident of any municipality, the municipality where that person first applies shall be responsible for support until a new residence is established. [PL 1987, c. 349, Pt. H, §15 (NEW).]
[PL 1987, c. 349, Pt. H, §15 (RPR).]

3. Durational residency requirement prohibited. No municipality may establish a durational residency requirement for general assistance.
[PL 1987, c. 349, Pt. H, §15 (RPR).]

4. Special circumstances. Overseers of a municipality may not move or transport an applicant or recipient into another municipality to relieve their municipality of responsibility for that applicant's or recipient's support. The municipality of responsibility for relocations and institutional settings is as follows.

A. When an applicant or recipient requests relocation to another municipality and the overseers of a municipality assist that person to relocate to another municipality, the municipality from which that person is moving continues to be responsible for the support of the recipient for 30 days after relocation. As used in this paragraph, "assist" includes:

- (1) Granting financial assistance to relocate; and
- (2) Making arrangements for a person to relocate. [RR 2009, c. 2, §58 (COR).]

B. If an applicant is in a group home, shelter, rehabilitation center, nursing home, hospital or other institution at the time of application and has either been in that institution for 6 months or less, or had a residence immediately prior to entering the institution which the applicant had maintained and to which the applicant intends to return, the municipality of responsibility is the municipality where the applicant was a resident immediately prior to entering the institution. For the purpose of this paragraph, a hotel, motel or similar place of temporary lodging is considered an institution when a municipality:

- (1) Grants financial assistance for a person to move to or stay in temporary lodging;
- (2) Makes arrangements for a person to stay in temporary lodging;
- (3) Advises or encourages a person to stay in temporary lodging; or
- (4) Illegally denies housing assistance and, as a result of that denial, the person stays in temporary lodging. [RR 2009, c. 2, §58 (COR).]

C. [PL 2017, c. 130, §1 (RP).]
[PL 2017, c. 130, §1 (AMD).]

5. Disputes between municipalities. Nothing in this section may permit a municipality to deny assistance to an otherwise eligible applicant when there is any dispute regarding residency. In cases of dispute regarding which municipality is the municipality of responsibility, the municipality where the application has been filed shall provide support until responsibility has been determined by the department. The department shall make a written determination within 30 working days of a complaint or notification of a dispute. The department's decision must include the sources of information relied upon, findings of fact and conclusions of law regarding which municipality is responsible and the reimbursement due, if any, from the responsible municipality to the municipality providing assistance. If after 30 days the reimbursement has not been paid, the municipality to which reimbursement is due shall notify the department, the department shall credit the municipality owed the reimbursement and either deduct that amount from the debtor municipality or refer the bill to the Treasurer of State for payment from any taxes, revenue, fines or fees due from the State to the municipality. [RR 2009, c. 2, §59 (COR).]

6. Appeals. Any municipality or person who is aggrieved by any decision or action made by the department pursuant to this section shall have the right to appeal pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375. A request for that appeal shall be in writing and shall be made within 30 days of the written department decision. The appeal shall be held within 30 days of receipt of that request and shall be conducted by one or more fair hearing officers. In no event may an appeal be held before a person or body responsible for the decision or action. Review of any decision under this subsection shall be pursuant to the Maine Rules of Civil Procedure, Rule 80C. [PL 1987, c. 349, Pt. H, §15 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1987, c. 349, §H15 (RPR). RR 2009, c. 2, §§58, 59 (COR). PL 2015, c. 267, Pt. II, §1 (AMD). PL 2017, c. 130, §1 (AMD). RR 2021, c. 2, Pt. B, §198 (COR).

§4308. Applications.

In order to receive assistance from any municipality, the applicant or a duly authorized representative must file a written application with the overseer, except as provided in section 4304, subsection 3. [PL 1993, c. 410, Pt. AAA, §6 (AMD).]

1. Initial and subsequent applications. Except as provided in section 4316-A, subsection 1-A, a person who makes an application for assistance, who has not applied for assistance in that or any other municipality must have that person's eligibility determined solely on the basis of need. All applications for general assistance that are not initial applications are repeat applications. The eligibility of repeat applicants must be determined on the basis of need and all other conditions of eligibility established by this chapter and municipal ordinance.
[PL 1993, c. 410, Pt. AAA, §6 (AMD).]

1-A. Limit on housing assistance. Except as provided in subsections 1-B and 2, housing assistance provided pursuant to this chapter is limited to a maximum of 9 months during the period from July 1, 2012 to June 30, 2013.
[PL 2011, c. 655, Pt. R, §2 (NEW).]

1-B. Extension of housing assistance due to hardship. An applicant is eligible for housing assistance under this chapter beyond the limit established in subsection 1-A if the applicant has a severe and persistent mental or physical condition warranting such an extension or has an application for assistance pending with the federal Social Security Administration.
[PL 2011, c. 655, Pt. R, §2 (NEW).]

2. Emergencies. A person, including a person experiencing or facing homelessness, who does not have sufficient resources to provide one or more basic necessities in an emergency is eligible for emergency general assistance, even when that applicant has been found ineligible for nonemergency general assistance, except as provided in this subsection.

A. A person who is currently disqualified from general assistance for a violation of section 4315, 4316-A or 4317 is ineligible for emergency assistance under this subsection. [PL 1985, c. 489, §§5, 14 (NEW).]

B. Municipalities may by standards adopted in municipal ordinances restrict the disbursement of emergency assistance to alleviate emergency situations to the extent that those situations could not have been averted by the applicant's use of income and resources for basic necessities. The person requesting assistance shall provide evidence of income and resources for the applicable time period. [PL 1991, c. 528, Pt. OOO, §1 (AMD); PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 591, Pt. OOO, §1 (AMD).]

A municipality may provide emergency assistance when the municipality determines that an emergency is imminent and that failure to provide assistance may result in undue hardship and unnecessary costs. [PL 2019, c. 515, §2 (AMD).]

3. Initial applicant. Notwithstanding section 4301, subsection 7, the household of an initial applicant that is otherwise eligible for emergency assistance may not be denied emergency assistance to meet an immediate need solely on the basis of the proration of a lump sum payment. Upon subsequent applications, that household's eligibility is subject to all the standards established by this chapter.
[PL 2001, c. 571, §3 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1985, c. 489, §§5,14 (RPR). PL 1989, c. 322, §3 (AMD). PL 1991, c. 9, §§U5,6 (AMD). PL 1991, c. 528, §OOO1 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, §OOO1 (AMD). PL 1993, c. 410, §AAA6 (AMD). PL 1999, c. 45, §1 (AMD). PL 2001, c. 571, §3 (AMD). PL 2011, c. 655, Pt. R, §2 (AMD). PL 2019, c. 515, §2 (AMD).

§4309. Eligibility

1. Eligibility of applicant; duration of eligibility. The overseer shall determine eligibility each time a person applies or reapplies for general assistance pursuant to this chapter and the ordinance adopted by the municipality in accordance with section 4305. The period of eligibility must not exceed one month. At the expiration of that period the person may reapply for assistance and the person's eligibility may be redetermined.

[PL 1989, c. 840, §4 (AMD).]

1-A. Determination of eligibility; applicant's responsibilities. Applicants for general assistance are responsible for providing to the overseer all information necessary to determine eligibility. If further information or documentation is necessary to demonstrate eligibility, the applicant must have the first opportunity to provide the specific information or documentation required by the overseer. When information required by the overseer is unavailable, the overseer must accept alternative available information, which is subject to verification.

[PL 1989, c. 840, §5 (NEW).]

1-B. Determination of eligibility; overseer's responsibilities. In order to determine an applicant's eligibility for general assistance, the overseer first must seek information and documentation from the applicant. Once the applicant has presented the necessary information, the overseer is responsible for determining eligibility. The overseer may seek verification necessary to determine eligibility. In order to determine eligibility, the overseer may contact sources other than the applicant for verification only with the specific knowledge and consent of the applicant, except that the overseer may examine public records without the applicant's knowledge and consent. Assistance may be denied or terminated if the applicant is unwilling to supply the overseer with necessary information, documentation, or permission to make collateral contacts, or if the overseer can not determine that eligibility exists based on information supplied by the applicant or others.

[PL 1989, c. 840, §5 (NEW).]

2. Redetermination of eligibility. The overseer may redetermine a person's eligibility at any time during the period that person is receiving assistance if the overseer is notified of any change in the recipient's circumstances that may affect the amount of assistance to which the recipient is entitled or that may make the recipient ineligible, provided that once a determination of eligibility has been made for a specific time period, a reduction in assistance for that time period may not be made without prior written notice to the recipient with the reasons for the action and an opportunity for the recipient to receive a fair hearing upon the proposed change.

[PL 1989, c. 840, §6 (AMD).]

3. Eligibility of members of person's household. Failure of an otherwise eligible person to comply with this chapter shall not affect the general assistance eligibility of any member of the person's household who is not capable of working, including at least:

A. A dependent minor child; [PL 1983, c. 577, §1 (NEW).]

B. An elderly, ill or disabled person; and [PL 1983, c. 577, §1 (NEW).]

C. A person whose presence is required in order to provide care for any child under the age of 6 years or for any ill or disabled member of the household. [PL 1983, c. 577, §1 (NEW).]

[PL 1983, c. 577, §1 (NEW).]

4. Eligibility of minors who are parents. An otherwise eligible person under the age of 18 who has never married and who has a dependent child or is pregnant is eligible only if that person and child

reside in a dwelling maintained by a parent or other adult relative as that parent's or relative's own home or in a foster home, maternity home or other adult-supervised supportive living arrangement unless:

- A. The person has no living parent or the whereabouts of both parents are unknown; [PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 528, Pt. SS, §3 (NEW); PL 1991, c. 591, Pt. SS, §3 (NEW).]
- B. No parent will permit the person to live in the parent's home; [PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 528, Pt. SS, §3 (NEW); PL 1991, c. 591, Pt. SS, §3 (NEW).]
- C. The department determines that the physical or emotional health or safety of the person or dependent child would be jeopardized if that person and dependent child lived with a parent; [PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 528, Pt. SS, §3 (NEW); PL 1991, c. 591, Pt. SS, §3 (NEW).]
- D. The individual has lived apart from both parents for a period of at least one year before the birth of any dependent child; or [PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 528, Pt. SS, §3 (NEW); PL 1991, c. 591, Pt. SS, §3 (NEW).]
- E. The department determines, in accordance with rules adopted pursuant to this section, which must be in accordance with federal regulations, that there is good cause to waive this requirement. [PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 528, Pt. SS, §3 (NEW); PL 1991, c. 591, Pt. SS, §3 (NEW).]

For the purposes of this subsection, "parent" includes legal guardian.
[PL 2013, c. 368, Pt. OO, §8 (AMD).]

5. Presumptive eligibility. The overseer in a municipality shall presume eligibility to receive general assistance of a person who is provided shelter in an emergency shelter for the homeless located in that municipality. After 30 days, that person's eligibility must be redetermined. When presumptive eligibility is determined under this subsection, no other municipality may be determined to be the municipality of responsibility during that 30-day period.
[PL 2019, c. 515, §3 (NEW).]

6. Eligibility; recovery residence; exception. The overseer in a municipality may not deny general assistance to a person for the sole reason that the person is residing in a recovery residence. Beginning July 1, 2022, a municipality may not provide housing assistance to a person residing in a recovery residence that has not been certified in accordance with Title 5, section 20005, subsection 22, except that the person may receive housing assistance while residing in an uncertified recovery residence for one 30-day period only and the overseer shall inform the person of the requirements of this subsection. A person who is ineligible for housing assistance under this subsection may remain eligible to receive general assistance for other basic necessities.
[PL 2021, c. 472, §3 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1989, c. 840, §§4-6 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 528, §SS3 (AMD). PL 1991, c. 591, §SS3 (AMD). PL 2013, c. 368, Pt. OO, §8 (AMD). PL 2019, c. 515, §3 (AMD). PL 2021, c. 472, §3 (AMD).

§4310. Emergency benefits prior to full verification

Whenever an eligible person becomes an applicant for general assistance and states to the administrator that the applicant is in an emergency situation and requires immediate assistance to meet basic necessities, the overseer shall, pending verification, issue to the applicant either personally or by mail, as soon as possible but in no event later than 24 hours after application, sufficient benefits to provide the basic necessities needed immediately by the applicant, as long as the following conditions are met. [PL 2015, c. 494, Pt. A, §24 (AMD).]

1. Probability of eligibility for assistance after full verification. As a result of the initial interview with the applicant, the overseer shall have determined that the applicant will probably be eligible for assistance after full verification is completed.
[PL 1983, c. 577, §1 (NEW).]

2. Documentation. Where possible, the applicant shall submit to the overseer at the time of the initial interview, adequate documentation to verify that there is a need for immediate assistance.
[PL 1983, c. 577, §1 (NEW).]

3. Information obtained. When adequate documentation is not available at the time of the initial application, the overseer may contact at least one other person for the purpose of obtaining information to confirm the applicant's statements about the applicant's need for immediate assistance.
[RR 2021, c. 2, Pt. B, §199 (COR).]

4. Limitations. In no case:

A. May the authorization of benefits under this section exceed 30 days; and [PL 1983, c. 577, §1 (NEW).]

B. May there be further authorization of benefits to the applicant until there has been full verification confirming the applicant's eligibility. [PL 1983, c. 577, §1 (NEW).]

[PL 1983, c. 577, §1 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1991, c. 9, §U7 (AMD). PL 2013, c. 368, Pt. OO, §9 (AMD). PL 2015, c. 494, Pt. A, §24 (AMD). RR 2021, c. 2, Pt. B, §199 (COR).

§4311. State reimbursement to municipalities; reports

1. Departmental reimbursement. When a municipality incurs net general assistance costs in any fiscal year prior to July 1, 2015 in excess of .0003 of that municipality's most recent state valuation relative to the state fiscal year for which reimbursement is being issued, as determined by the State Tax Assessor in the statement filed as provided in Title 36, section 381, the Department of Health and Human Services shall reimburse the municipality for 90% of the amount in excess of these expenditures when the department finds that the municipality has been in compliance with all requirements of this chapter. If a municipality elects to determine need without consideration of funds distributed from any municipally-controlled trust fund that must otherwise be considered for purposes of this chapter, the department shall reimburse the municipality for 66 2/3% of the amount in excess of such expenditures when the department finds that the municipality has otherwise been in compliance with all requirements of this chapter.

The department shall reimburse each municipality and each Indian tribe 70% of the direct costs incurred by that municipality or tribe on or after July 1, 2015 for the general assistance program granted by that municipality or tribe. For the purposes of this subsection, "Indian tribe" has the same meaning as in section 411, subsection 8-A.

[PL 2015, c. 267, Pt. SSSS, §1 (AMD).]

1-A. Municipalities reimbursed. When a municipality pays for expenses approved pursuant to section 4313 for hospital inpatient or outpatient care at any hospital on behalf of any person who is otherwise eligible and who would have been entitled to receive payments for hospital care if that care had been rendered prior to May 1, 1984, for services under the Catastrophic Illness Program, section 3185, the department shall reimburse the municipality for 100% of those payments.
[PL 1995, c. 696, Pt. A, §39 (AMD).]

1-B. Reimbursement for administrative expenses. The department shall reimburse each municipality for the costs of a portion of the direct costs of paying benefits incurred prior to July 1, 2015 through its general assistance program if the department finds that the municipality was in

compliance with all requirements of this chapter during the fiscal year for which reimbursement is sought. The amount of reimbursement to each municipality must be an amount equal to:

- A. Fifty percent of all general assistance granted by that municipality below the .0003% of all state valuation amount; or [PL 1991, c. 9, Pt. U, §8 (AMD).]
- B. Ten percent of all general assistance granted. [PL 1991, c. 9, Pt. U, §8 (AMD).]

Each municipality shall elect to be reimbursed under paragraph A or B at the beginning of the fiscal year for which reimbursement is sought.

Notwithstanding any other provision of law, this subsection takes effect on July 1, 1989.
[PL 2015, c. 267, Pt. SSSS, §1 (AMD).]

1-C. Indian tribe reimbursement. The department shall reimburse each Indian tribe for the costs of a portion of the direct costs of paying benefits through its general assistance program if the department finds that the Indian tribe was in compliance with all requirements of this chapter during the fiscal year for which those benefits are sought.

The amount of reimbursement must be calculated for each fiscal year by adding 10% of all general assistance granted up to the threshold amount to 100% of all general assistance granted above the threshold amount.

For the purposes of this subsection, "Indian tribe" has the same meaning as in section 411, subsection 8-A. For purposes of this subsection, "threshold amount" means 0.0003 of the Indian tribe's most recent state valuation, as determined by the State Tax Assessor in the statement filed as provided in Title 36, section 381, relative to the year for which reimbursement is being issued.
[PL 2013, c. 368, Pt. OO, §10 (NEW).]

2. Submission of reports. Each municipality shall report on a schedule determined by the department through rulemaking the direct cost of paying benefits through the general assistance program on forms for reimbursement provided by the department.

- A. [PL 2015, c. 267, Pt. SSSS, §1 (RP).]
- B. [PL 2015, c. 267, Pt. SSSS, §1 (RP).]

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2015, c. 267, Pt. SSSS, §1 (AMD).]

3. Claims. The Department of Health and Human Services may refuse to accept and pay any claim for reimbursement that is not submitted by a municipality to the department within 90 days of the payment on which that claim is based or at the end of the reporting period for which reimbursement is sought unless just cause exists for failure to file a timely claim.
[PL 1991, c. 9, Pt. U, §10 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1983, c. 824, §X4 (AMD). PL 1985, c. 567 (AMD). PL 1987, c. 833 (AMD). PL 1991, c. 9, §§U8-10 (AMD). PL 1993, c. 410, §AAA7 (AMD). PL 1995, c. 696, §A39 (AMD). PL 2003, c. 689, §B6 (REV). PL 2013, c. 368, Pt. OO, §§10, 11 (AMD). PL 2015, c. 267, Pt. SSSS, §1 (AMD).

§4312. Unorganized territory

Residents of the unorganized territory shall be eligible for general assistance in the same manner as provided in this chapter. The commissioner shall establish standards of eligibility for the unorganized territory and shall have the same responsibilities with regard to the unorganized territory as apply to overseers in a municipality. The commissioner may appoint agents to administer the general

assistance program within the unorganized territory. All costs of providing general assistance in the unorganized territory shall be charged to the Unorganized Territory Education and Services Fund established under Title 36, chapter 115, except that costs which the State would reimburse under section 4311, if the unorganized territory were a municipality, shall be paid by the General Fund. [PL 1985, c. 459, Pt. B, §1 (RPR).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1985, c. 459, §B1 (RPR).

§4313. Reimbursement to individuals relieving eligible persons; prior approval; emergencies

Municipalities, as provided in section 4307, shall pay expenses necessarily incurred for providing basic necessities to eligible persons anywhere in the State by any person not liable for their support provided that the municipality of responsibility shall be notified and approve those expenses and services prior to their being made or delivered, except as provided in this section. [PL 1983, c. 577, §1 (NEW).]

1. Emergency care. In the event of an admission of an eligible person to the hospital, the hospital shall notify the overseer of the liable municipality within 5 business days of the person's admission. In no event may hospital services to a person who meets the financial eligibility guidelines adopted pursuant to section 1716 be billed to the patient or to a municipality. [PL 1995, c. 696, Pt. A, §40 (AMD).]

2. Burial or cremation. In the event of the death of an eligible person, the funeral director shall notify the overseer prior to burial or cremation or by the end of 3 business days following the funeral director's receipt of the body, whichever is earlier. Notwithstanding section 4305, subsection 3, paragraph C, a decision on any application for assistance with burial expenses need not be rendered until the overseer has verified that a relative or other resource is not available to pay for the direct burial or cremation costs, but the decision must be rendered within 8 days after receiving an application. The parent, grandparent, children or grandchildren, by consanguinity, or the spouse or domestic partner are responsible for the burial or cremation costs of the eligible person in proportion to their respective abilities. When no legally liable relative possesses a financial capacity to pay either in lump sum or on an installment basis for the direct costs of a burial or cremation, the contribution of a municipality under this subsection is limited to a reasonable calculation of the funeral director's direct costs, less any and all contributions from any other source. [RR 2021, c. 2, Pt. B, §200 (COR).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1983, c. 701, §4 (AMD). PL 1985, c. 245 (AMD). PL 1987, c. 542, §§H4,H8 (AMD). PL 1993, c. 410, §AAA8 (AMD). PL 1995, c. 696, §A40 (AMD). PL 2005, c. 483, §1 (AMD). PL 2007, c. 411, §1 (AMD). PL 2017, c. 62, §1 (AMD). PL 2021, c. 567, §25 (AMD). RR 2021, c. 2, Pt. B, §200 (COR).

§4314. Cooperation in administration of general assistance

1. State departments. Upon the request of any municipal official charged with the responsibility of administering general assistance, the Department of Health and Human Services and any other department of the State having information which has a bearing on the eligibility of any person applying for general assistance shall release that information. The information shall be restricted to those facts necessary for the official to make a determination of eligibility for general assistance. [PL 1983, c. 577, §1 (NEW); PL 2003, c. 689, Pt. B, §6 (REV).]

2. Financial institutions. An officer of any bank, federally or state-chartered credit union, trust company, benefit association, insurance company, safe deposit company or any corporation or association receiving deposits of money shall, upon receipt of a written release signed by a depositor

and a written request signed by the overseer of any municipality or its agents, or by the Commissioner of Health and Human Services or the commissioner's agents or by the Commissioner of Defense, Veterans and Emergency Management or the commissioner's agents, disclose to that overseer or the Department of Health and Human Services or the Maine Bureau of Veterans' Services the amount deposited in the corporation or association to the credit of the named depositor granting the release, who is a charge upon the municipality or the State, or who has applied for support to the municipality or the State. When the named depositor who is a charge upon the municipality is deceased and the municipality or its agents are acting in accordance with section 4313, subsection 2, the officer shall disclose the amount deposited in the corporation or association upon receipt of a written request from the municipality or its agents and a notarized affidavit signed by the overseer of the municipality or its agents stating that the named depositor is deceased.

[PL 2017, c. 28, §1 (AMD); PL 2019, c. 377, §6 (REV).]

3. Verification of employment. The applicant has responsibility for providing documentary verification of benefits received during the period for which assistance is requested, or in the month immediately prior to the application for assistance when those wages and benefits are expected to be the same during the period for which assistance is requested.

The overseer shall give the applicant written notice that if the applicant does not provide the documentary verification within one week of the application, the employer will be contacted.

Notwithstanding any other provision of law, every employer shall, upon written request of the overseer, release information regarding any wages or other financial benefits paid to the applicant or a member of the applicant's household. No employer may discharge or otherwise adversely affect an employee because of any request for information pursuant to this section.

[PL 1983, c. 577, §1 (NEW).]

4. Confidentiality. Any person who seeks and obtains information under this section is subject to the same rules of confidentiality as the person who is caretaker of the information which is by law confidential.

[PL 1983, c. 577, §1 (NEW).]

5. Refusal. Any person who refuses to provide any information to an overseer who requests it in accordance with this section shall state in writing the reasons for the refusal within 3 days of receiving the request.

[PL 1983, c. 577, §1 (NEW).]

6. Refusal; penalty. A person who refuses upon request to provide information under this section without just cause commits a civil violation for which a fine of not less than \$25 and not more than \$100 may be adjudged.

[PL 2003, c. 452, Pt. K, §25 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

7. False information; penalty. A person who intentionally or knowingly renders false information under this section to an administrator commits a Class E crime.

[PL 2003, c. 452, Pt. K, §26 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1991, c. 626, §4 (AMD). PL 1995, c. 86, §2 (AMD). PL 1997, c. 455, §§8,32 (AMD). PL 2003, c. 452, §§K25,26 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2003, c. 689, §§B6,7 (REV). PL 2017, c. 28, §1 (AMD). PL 2019, c. 377, §6 (REV).

§4315. False representation

Whoever knowingly and willfully makes any false representation of a material fact to the overseer of any municipality or to the department or its agents for the purpose of causing that or any other person to be granted assistance by the municipality or by the State is guilty of a Class E crime and shall

reimburse the municipality for that assistance. Further assistance may be denied until that person reimburses the municipality for the assistance or enters into a written agreement, which must be reasonable under the circumstances, to reimburse the municipality or that person has been ineligible for assistance for a period of 120 days, whichever period is longer. [PL 2015, c. 312, §1 (AMD).]

A person disqualified from receiving general assistance for making a false representation must be provided notice and an opportunity for an appeal as provided in sections 4321 and 4322. [PL 1993, c. 410, Pt. AAA, §9 (AMD).]

If the overseer of any municipality or the fair hearing officer finds that a recipient made a false representation to the overseer in violation of this section, that recipient is required to reimburse the municipality for any assistance rendered for which that recipient was ineligible. The recipient is ineligible from receiving further assistance for a period of 120 days or until that person reimburses the municipality for the assistance or enters into a written agreement, which must be reasonable under the circumstances, to reimburse that municipality, whichever period is longer. [PL 2015, c. 312, §2 (AMD).]

Any recipient whose assistance is terminated or denied under this section has the right to appeal that decision pursuant to the Maine Rules of Civil Procedure, Rule 80-B. [PL 1993, c. 410, Pt. AAA, §9 (AMD).]

No recipient who has been granted assistance, in accordance with this chapter, may have that assistance terminated prior to the decision of the fair hearing officer. In the event of any termination of assistance to any recipient, the dependents of that person may still apply for and, if eligible, receive assistance. [PL 1983, c. 577, §1 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1991, c. 622, §M24 (AMD). PL 1993, c. 410, §AAA9 (AMD). PL 2015, c. 312, §§1, 2 (AMD).

§4315-A. Use of income for basic necessities required

All persons requesting general assistance must use their income for basic necessities. Except for initial applicants, recipients are not eligible to receive assistance to replace income that was spent within the 30-day period prior to the application on goods and services that are not basic necessities. The income not spent on goods and services that are basic necessities is considered available to the applicant. A municipality may require recipients to utilize income and resources according to standards established by the municipality, except that a municipality may not reduce assistance to a recipient who has exhausted income to purchase basic necessities. Municipalities shall provide written notice to applicants of the standards established by the municipalities. [PL 1991, c. 528, Pt. OOO, §2 (NEW); PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 591, Pt. OOO, §2 (NEW).]

SECTION HISTORY

PL 1991, c. 528, §OOO2 (NEW). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, §OOO2 (NEW).

§4316. Work requirement

(REPEALED)

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1983, c. 697, §§1,2 (AMD). PL 1985, c. 489, §§6,14 (RP).

§4316-A. Work requirement

1. **Ineligibility for assistance.** An applicant is ineligible for assistance for 120 days in all municipalities in the State when any municipality establishes that the applicant, without just cause:

- A. Refuses to search for employment when that search is reasonable and appropriate; [PL 1985, c. 489, §§7, 14 (NEW).]
- B. Refuses to register for work; [PL 1985, c. 489, §§7, 14 (NEW).]
- C. Refuses to accept a suitable job offer under this section; [PL 1985, c. 489, §§7, 14 (NEW).]
- D. Refuses to participate in a training, educational or rehabilitation program that would assist the applicant in securing employment; [PL 1993, c. 410, Pt. AAA, §10 (AMD).]
- E. [PL 1993, c. 410, Pt. AAA, §10 (RP).]
- F. Refuses to perform or willfully fails to perform a job assigned under subsection 2; or [PL 1993, c. 410, Pt. AAA, §10 (AMD).]
- G. Willfully performs a job assigned under subsection 2 below the average standards of that job. [PL 1993, c. 410, Pt. AAA, §10 (AMD).]
- H. [PL 1993, c. 410, Pt. AAA, §10 (RP).]

If a municipality finds that an applicant has violated a work-related rule without just cause, under this subsection or subsection 1-A, it is the responsibility of that applicant to establish the presence of just cause.

[PL 1993, c. 410, Pt. AAA, §10 (AMD).]

1-A. Period of ineligibility. An applicant, whether an initial or repeat applicant, who quits work or is discharged from employment due to misconduct as defined in Title 26, section 1043, subsection 23, is ineligible to receive assistance for 120 days after the applicant's separation from employment. [PL 1993, c. 410, Pt. AAA, §10 (NEW).]

2. Municipal work program. A municipality may require that an otherwise eligible person who is capable of working be required to perform work for the municipality or work for a nonprofit organization, if that organization has agreed to participate as an employer in the municipal work program, as a condition of receiving general assistance. The municipality may also require recipients, as a part of the municipal work program, to participate in a training, educational or rehabilitative program that would assist the recipient in securing employment. The municipal work program is subject to the following requirements.

- A. A person may not, as a condition of general assistance eligibility, be required to do any amount of work that exceeds the value of the net general assistance that the person would otherwise receive under municipal general assistance standards. Any person performing work under this subsection must be provided with net general assistance, the value of which is computed at a rate of at least the State's minimum wage. [PL 1993, c. 410, Pt. AAA, §10 (AMD).]
- B. A person may not be required to work under this subsection for a nonprofit organization if that work would violate a basic religious belief of that person. [PL 1993, c. 410, Pt. AAA, §10 (AMD).]
- C. An eligible person performing work under this subsection may not replace regular municipal employees or regular employees of a participating nonprofit organization. [PL 1993, c. 410, Pt. AAA, §10 (AMD).]
- D. An eligible person in need of emergency assistance may not be required to perform work under this subsection prior to receiving general assistance. An applicant who is not in need of emergency assistance may be required to satisfactorily fulfill a workfare requirement prior to receiving the nonemergency assistance conditionally granted to that applicant. [PL 1993, c. 410, Pt. AAA, §10 (AMD).]

E. Expenses related to work performed under this subsection by an eligible person must be considered in determining the amount of net general assistance to be provided to the person. [PL 1993, c. 410, Pt. AAA, §10 (AMD).]

F. General assistance provided by a municipality for work performed by an eligible person under this subsection must be:

- (1) Included in the reimbursable net general assistance costs; and
- (2) Itemized separately in reports to the Department of Health and Human Services under section 4311. [PL 1993, c. 410, Pt. AAA, §10 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

G. A person may not be required to work under this subsection if that person is physically or mentally incapable of performing the work assigned. [PL 1991, c. 9, Pt. U, §12 (NEW).]
[PL 1993, c. 410, Pt. AAA, §10 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

3. Limitations of work requirement. In no case may any work requirement or training or educational program under this section interfere with a person's:

- A. Existing employment; [PL 1985, c. 489, §§7, 14 (NEW).]
- B. Ability to pursue a bona fide job offer; [PL 1985, c. 489, §§7, 14 (NEW).]
- C. Ability to attend an interview for possible employment; [PL 1985, c. 489, §§7, 14 (NEW).]
- D. Classroom participation in a primary or secondary educational program intended to lead to a high school diploma; or [PL 1993, c. 410, Pt. AAA, §10 (AMD).]
- E. Classroom or on-site participation in a training program that is either approved or determined, or both, by the Department of Labor to be reasonably expected to assist the individual in securing employment. This paragraph does not include participation in a degree granting program, except when that program is a training program operated under the control of the Department of Health and Human Services or the Department of Labor. [PL 1993, c. 410, Pt. AAA, §10 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

[PL 1993, c. 410, Pt. AAA, §10 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

4. Eligibility regained. A person who has been disqualified by any municipality for not complying with any work requirement of this section may regain eligibility during the 120-day period by becoming employed or otherwise complying with the work requirements of this section. An applicant who is disqualified due to failure to comply with the municipal work program may be given only one opportunity to regain eligibility during the 120-day disqualification period, except that if an applicant who regains eligibility is again disqualified for failing to comply with the municipal work program within the initial period of disqualification, the applicant is ineligible for assistance for 120 days and does not have the opportunity to requalify during the 120-day period.
[PL 1993, c. 410, Pt. AAA, §10 (AMD).]

5. Just cause defined. Just cause for failure to meet work requirements or the use of potential resources must be found when there is reasonable and verifiable evidence of:

- A. Physical or mental illness or disability; [PL 1985, c. 489, §§7, 14 (NEW).]
- B. Below-minimum wages; [PL 1985, c. 489, §§7, 14 (NEW).]
- C. Sexual harassment; [PL 1985, c. 489, §§7, 14 (NEW).]
- D. Physical or mental inability to perform required job tasks; [PL 1985, c. 489, §§7, 14 (NEW).]
- E. Inability to work required hours or to meet piece work standards; [PL 1985, c. 489, §§7, 14 (NEW).]
- F. Lack of transportation to and from work or training; [PL 1985, c. 489, §§7, 14 (NEW).]

G. Inability to arrange for necessary child care or care of an ill or disabled family member; [PL 1993, c. 410, Pt. AAA, §10 (AMD).]

H. Any reason found to be good cause by the Department of Labor; and [PL 1985, c. 489, §§7, 14 (NEW).]

I. Any other evidence that is reasonable and appropriate. [PL 1993, c. 410, Pt. AAA, §10 (AMD).]

The overseer may not require medical verification of medical conditions that are apparent or are of such short duration that a reasonable person would not ordinarily seek medical attention. In any case in which the overseer requires medical verification and the applicant has no means of obtaining such verification, the overseer shall grant assistance for the purpose of obtaining that verification. [PL 1993, c. 410, Pt. AAA, §10 (AMD).]

SECTION HISTORY

PL 1985, c. 489, §§7, 14 (NEW). PL 1991, c. 9, §§U11-14 (AMD). PL 1991, c. 528, §§OOO3, 4 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, §§OOO3, 4 (AMD). PL 1991, c. 622, §§M25, 26 (AMD). PL 1993, c. 410, §AAA10 (AMD). PL 2003, c. 689, §B6 (REV).

§4317. Use of potential resources

An applicant or recipient must make a good faith effort to secure any potential resource that may be available, including, but not limited to, any state or federal assistance program, employment benefits, governmental or private pension programs, available trust funds, support from legally liable relatives, child-support payments and jointly held resources where the applicant or recipient share may be available to the individual. Assistance may not be withheld pending receipt of such resource as long as application has been made or good faith effort is being made to secure the resource. [PL 1993, c. 410, Pt. AAA, §11 (AMD).]

An individual applying for or receiving assistance due to a disability must make a good faith effort to make use of any medical and rehabilitative resources that may be recommended by a physician, psychologist or other professional retraining or rehabilitation specialist that are available without financial burden and would not constitute further physical risk to the individual. [PL 1993, c. 410, Pt. AAA, §11 (AMD).]

An applicant who refuses to utilize potential resources without just cause, after receiving a written 7-day notice, is disqualified from receiving assistance until the applicant has made a good faith effort to secure the resource. [PL 1993, c. 410, Pt. AAA, §11 (AMD).]

An applicant who forfeits receipt of or causes reduction in benefits from another public assistance program because of fraud, misrepresentation or a knowing or intentional violation of program rules or a refusal to comply with program rules without just cause is not eligible to receive general assistance to replace the forfeited assistance for the duration of the forfeiture. [PL 1993, c. 410, Pt. AAA, §11 (AMD).]

An applicant who is found to be ineligible for unemployment compensation benefits because of a finding of fraud by the Department of Labor pursuant to Title 26, section 1051, subsection 1 is ineligible to receive general assistance to replace the forfeited unemployment compensation benefits for the duration of the forfeiture established by the Department of Labor. [PL 2013, c. 368, Pt. OO, §12 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1993, c. 410, §AAA11 (AMD). PL 2013, c. 368, Pt. OO, §12 (AMD).

§4318. Recovery of expenses

A municipality or the State, which has incurred general assistance program costs for the support of any eligible person, may recover the full amount expended for that support either from the person relieved or from any person liable for the recipient's support, their executors or administrators, in a civil action. In no case may a municipality or the State be authorized to recover through a civil action, the full or part of, the amount expended for the support of a previously eligible person, if, as a result of the repayment of that amount, this person would, in all probability, again become eligible for general assistance. [PL 1985, c. 489, §§8, 14 (RPR).]

Notwithstanding any other provision of law, municipalities have a lien for the value of all general assistance payments made to a recipient on any lump sum payment made to that recipient under the former Workers' Compensation Act, the Maine Workers' Compensation Act of 1992 or similar law of any other state. [PL 1995, c. 462, Pt. A, §44 (AMD).]

The department shall enter into an agreement with the Social Security Administration to institute an interim assistance reimbursement for the purpose of the repayment of state and local funds expended for providing assistance to Supplemental Security Income applicants or recipients while the Supplemental Security Income payments are pending or suspended. Written authorization must be given by the recipients. [PL 1991, c. 780, Pt. R, §5 (AMD).]

1. Repayment.

[PL 1985, c. 489, §§8, 14 (RP).]

2. Public assistance.

[PL 1985, c. 489, §§8, 14 (RP).]

A municipality may not recover from any recipient who has been injured while performing work under section 4316-A, subsection 2, any portion of any medical or rehabilitative expenses associated with that injury or any portion of any other general assistance benefits associated with that injury. [PL 1991, c. 9, Pt. U, §15 (AMD).]

Nothing in this section may be construed as limiting or affecting in any way the right of any individual to file an action under the Maine Tort Claims Act, Title 14, chapter 741, except that a municipality that provides general assistance to a minor is absolutely immune from suit on any tort claims seeking recovery or damages by or on behalf of the minor recipient in connection with the provision of general assistance. [PL 1991, c. 9, Pt. U, §15 (AMD).]

All collections, fees and payments received by the department from the Federal Government as a result of an interim assistance reimbursement must be dedicated to support the administration of the General Assistance program. [PL 1993, c. 415, Pt. H, §1 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1985, c. 489, §§8, 14 (RPR). PL 1987, c. 67 (AMD). PL 1991, c. 9, §U15 (AMD). PL 1991, c. 622, §M27 (AMD). PL 1991, c. 780, §R5 (AMD). PL 1993, c. 415, §H1 (AMD). PL 1995, c. 462, §A44 (AMD).

§4319. Liability of relatives for support

1. Relatives liable. A parent of a child under 25 years of age and a spouse living in or owning property in the State shall support their children or husband or wife in proportion to their respective ability. Liability for burial expenses is governed by section 4313. [PL 1993, c. 410, Pt. AAA, §12 (AMD).]

2. Rental payments to relatives. A municipality or the State may decide not to make payments for rental assistance on behalf of an otherwise eligible individual when the rental payments would be made to a parent, grandparent, child, grandchild, sibling, parent's sibling or any of their children, unless

the municipality finds that the rental arrangement has existed for 3 months prior to the application for assistance and is necessary to provide the relative with basic necessities.

[PL 1993, c. 410, Pt. AAA, §12 (AMD).]

3. Recovery of assistance provided. A municipality or the State, after providing general assistance to a dependent of a legally responsible parent or to a person's spouse who is financially capable of providing support, may then seek reimbursement or relief for that support by initiating a complaint to the Superior Court or District Court, including by small claims action, located in the division or county where the legally responsible parent or spouse resides. The court may cause the legally responsible parent or spouse to be summoned and upon hearing or default may assess and apportion a reasonable sum upon those who are found to be of sufficient ability for the support of the eligible person and shall issue a writ of execution. The assessment may not be made to pay any expense for relief provided more than 12 months before the complaint was filed. Any action brought under this section is governed by the Maine Rules of Civil Procedure. The court may, from time to time, make any further order on complaint of an interested party and, after notice is given, alter the assessment or apportionment.

[PL 1993, c. 410, Pt. AAA, §12 (AMD).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1983, c. 701, §5 (AMD). PL 1989, c. 370 (RPR). PL 1991, c. 622, §M28 (AMD). PL 1993, c. 410, §AAA12 (AMD).

§4320. Liens on real estate

A municipality or the State may claim a lien against the owner of real estate for the amount of money spent by it to provide mortgage payments on behalf of an eligible person under this chapter on any real estate that is the subject of a mortgage, whether land or buildings or a combination thereof. In addition, a municipality may claim a lien against the owner of real estate for the amount of money spent by it to make capital improvements to the real estate, whether land or buildings or a combination of land and buildings, on behalf of an eligible person under this chapter. [PL 1991, c. 528, Pt. OOO, §5 (AMD); PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 591, Pt. OOO, §5 (AMD).]

The municipal officers, their designee or the State shall file a notice of the lien with the register of deeds of the county wherein the property is located within 30 days of making a mortgage payment or, if applicable, payment for capital improvements. That filing secures the municipality or State's lien interest for an amount equal to the sum of that mortgage or capital improvement payment and all subsequent mortgage or capital improvement payments made on behalf of the same eligible person. Not less than 10 days prior to the filing, the municipal officers, their designee or the State shall send notification of the proposed action by certified mail, return receipt requested, to the owner of the real estate and any record holder of the mortgage. The lien notification must clearly inform the recipient of the limitations upon enforcement contained in this section; it shall also contain the title, address and telephone number of the municipal official who granted the assistance. A new written notice including these provisions must be given to the recipient each time the amount secured by the lien is increased. The lien is effective until enforced by an action for equitable relief or until discharged. [PL 1991, c. 528, Pt. OOO, §6 (AMD); PL 1991, c. 528, Pt. RRR (AFF); PL 1991, c. 591, Pt. OOO, §6 (AMD).]

Interest on the amount of money secured by the lien may be charged by the State or a municipality, but in no event may the rate exceed the maximum rate of interest allowed by the Treasurer of State, pursuant to Title 36, section 186. For the State, the rate of interest shall be established by the department. For a municipality, the rate of interest shall be established by the municipal officers. Interest shall accrue from and including the date the lien is filed. [PL 1983, c. 697, §3 (RPR).]

The costs of securing and enforcing the lien may be recoverable upon enforcement. [PL 1983, c. 697, §3 (RPR).]

No lien may be enforced under this section while the person named in the lien is either currently receiving any form of public assistance or, as a result of enforcement, would become eligible for general assistance. [PL 1983, c. 697, §3 (RPR).]

In no event may the lien be enforced prior to the death of the recipient of general assistance or the transfer of the property. [PL 1983, c. 697, §3 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1983, c. 697, §3 (RPR). PL 1985, c. 489, §§9,14 (AMD). PL 1991, c. 528, §§0005,6 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, §§0005,6 (AMD).

§4321. Grant, denial, reduction or termination to be communicated in writing; right to a hearing

Any action relative to the grant, denial, reduction, suspension or termination of relief provided under this chapter must be communicated to the applicant in writing. The decision must include the specific reason or reasons for that action and must inform the person affected of the person's right to a hearing, the procedure for requesting the hearing, the right to notify the department and the available means for notifying the department, if the person believes that the municipality has acted in violation of this chapter. Proceedings relating to the grant, denial, reduction, suspension or termination of relief provided under this chapter are not public proceedings under Title 1, chapter 13, unless otherwise requested by the applicant or recipient. [RR 2021, c. 2, Pt. B, §201 (COR).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). RR 2021, c. 2, Pt. B, §201 (COR).

§4322. Right to a fair hearing

A person aggrieved by a decision, act, failure to act or delay in action concerning that person's application for general assistance under this chapter has the right to an appeal. If a person's application has been approved, general assistance may not be revoked during the period of entitlement until that person has been provided notice and an opportunity for hearing as provided in this section. Within 5 working days of receiving a written decision or notice of denial, reduction or termination of assistance, in accordance with the provisions of section 4321, or within 10 working days after any other act or failure to act by the municipality with regard to an application for assistance, the person may request an appeal. A hearing must be held by the fair hearing authority within 5 working days following the receipt of a written request by the applicant for an appeal. The hearing may be conducted by the municipal officers, a board of appeals created under Title 30-A, section 2691, or one or more persons appointed by the municipal officers to act as a fair hearing authority. An appeal may not be held before a person or body responsible for the decision, act, failure to act or delay in action relating to the applicant. [PL 1993, c. 410, Pt. AAA, §13 (AMD).]

The person requesting the appeal and the municipal administrator responsible for the decision being appealed must be afforded the right to confront and cross-examine any witnesses presented at the hearing, present witnesses in their behalf and be represented by counsel or other spokesperson. A claimant must be advised of these rights in writing. The decision of such an appeal must be based solely on evidence adduced at the hearing. The Maine Rules of Evidence do not apply to information presented to the fair hearing authority. The standard of evidence is the standard set in Title 5, section 9057, subsection 2. The person requesting the appeal must, within 5 working days after the appeal, be furnished with a written decision detailing the reasons for that decision. When any decision by a fair hearing authority or court authorizing assistance is made, that assistance must be provided within 24 hours. Review of any action or failure to act under this chapter must be conducted pursuant to the Maine Rules of Civil Procedure, Rule 80-B. The municipality shall make a record of the fair hearing. The municipality's obligation is limited to keeping a taped record of the proceedings. The applicant

shall pay costs for preparing any transcripts required to pursue an appeal of a fair hearing authority's decision. [RR 2009, c. 2, §60 (COR).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1983, c. 697, §4 (AMD). PL 1985, c. 489, §§10,14 (AMD). PL 1987, c. 737, §§C66,C106 (AMD). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,C10 (AMD). PL 1993, c. 410, §AAA13 (AMD). RR 2009, c. 2, §60 (COR).

§4323. Department of Health and Human Services; responsibilities

The Department of Health and Human Services shall, in accordance with this section, share responsibility with municipalities for the proper administration of general assistance. [PL 1993, c. 410, Pt. AAA, §13 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

1. Review. The department shall review the administration of general assistance in each municipality for compliance with this chapter. This review shall be made on a regular basis and may be made in response to a complaint from any person as necessary.

The department shall inspect the municipality's records and discuss the administration of the program with the overseer. The overseer or the overseer's designee shall be available during the department's review and shall cooperate in providing all necessary information.

The department shall report the results of its review in writing to the municipality and, when applicable, to the complainant. The written notice shall set forth the department's findings of whether the municipality is in compliance with this chapter. [RR 2021, c. 2, Pt. B, §202 (COR).]

2. Violation; penalty. If the department finds any violation of this chapter after review, it shall notify the municipality that it has 30 days in which to correct that violation and specify what action shall be taken in order to achieve compliance. The municipality shall file a plan with the department setting forth how it will attain compliance. The department shall notify the municipality if the plan is acceptable and that it will review the municipality for compliance within 60 days of accepting the plan. Any municipality which fails to file an acceptable plan with the department or which is in violation of this chapter at the expiration of the 60-day period shall be subject to a civil penalty of not less than \$500. The Department of Health and Human Services shall enforce this section in any court of competent jurisdiction. Every 30-day period that a municipality is in violation of this chapter after review and notification shall constitute a separate offense. In addition to the civil penalty, the department shall withhold reimbursement to any municipality which is in violation of this chapter until it reaches compliance.

[PL 1983, c. 577, §1 (NEW); PL 2003, c. 689, Pt. B, §6 (REV).]

3. Departmental assistance. Whenever the department finds that a person in immediate need of general assistance has not received that assistance as a result of a municipality's failure to comply with the requirements of this chapter, the department shall, within 24 hours of receiving a request to intervene and after notifying the municipality, grant this assistance in accordance with regulations adopted by it. The expense of that assistance granted, including a reasonable proportion of the State's administrative cost that can be attributed to that assistance, shall be billed by the department to the municipality. Should that bill remain unpaid 30 days after presentation to the municipality, the department shall refer the bill to the Treasurer of State for payment from any taxes, revenue, fines or fees due from the State to the municipality.

A municipality may not be held responsible for reimbursing the department for assistance granted under this subsection if the department failed to intervene within 24 hours of receiving the request to intervene or if the department failed to make a good faith effort, prior to the intervention, to notify the municipality of the department's intention to intervene.

[PL 1989, c. 840, §7 (AMD).]

4. Appeal. Any municipality or person who is aggrieved by any decision or action made by the department pursuant to this section shall have the right to appeal pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter IV. A request for that appeal shall be in writing and shall be made within 30 days of receiving notification. The appeal shall be held within 30 days of receipt of that request and shall be conducted by one or more fair hearing officers. In no event may an appeal be held before a person or body responsible for the decision or action. Review of any decision under this section shall be pursuant to the Maine Rules of Civil Procedure, Rule 80 C.
[PL 1985, c. 489, §§11, 14 (AMD).]

5. Emergency contact information. The department shall collect from each municipality emergency contact information for use by municipal residents in applying for assistance under this section. The department shall forward the municipal emergency contact information periodically to the statewide 2-1-1 telephone number designated pursuant to Title 35-A, section 7108.
[PL 2007, c. 600, §1 (NEW).]

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1985, c. 489, §§11,14 (AMD). PL 1989, c. 840, §7 (AMD). PL 1993, c. 410, §AAA13 (AMD). PL 2003, c. 689, §B6 (REV). PL 2007, c. 600, §1 (AMD). RR 2021, c. 2, Pt. B, §202 (COR).

§4324. Report to the Legislature

(REPEALED)

SECTION HISTORY

PL 1983, c. 577, §1 (NEW). PL 1985, c. 489, §§12,14 (RP).

§4325. Municipal guarantee of safe, decent rental housing and residential neighborhoods

(REPEALED)

SECTION HISTORY

PL 1989, c. 484, §5 (NEW).

§4326. Nonlapsing funds

Any balance remaining in the General Assistance - Reimbursement to Cities and Towns program in the Department of Human Services at the end of any fiscal year must be carried forward for the next fiscal year. [PL 2003, c. 673, Pt. DD, §1 (NEW).]

SECTION HISTORY

PL 2003, c. 673, §DD1 (NEW).

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Town of Bridgton
3 Chase Street, Suite 1, Bridgton, ME 04009
207-647-8786

Consent Agreement

WHEREAS, James Cyr has disturbed soils and vegetation on the land he owns known as Bridgton Tax Map 21 Lot 34A with an address of 300 North Bridgton Rd., Bridgton, and

WHEREAS, Such activity constitutes a violation of Section IV.4 of the Land Use Standards in the Shoreland Zoning Ordinance of the Town of Bridgton; and

WHEREAS, Section VIII-9 Compliance & Enforcement: penalties of the Town of Bridgton Land Use Zoning Ordinance authorizes the Municipal Officers to enter into an administrative Consent Agreement for the purpose of eliminating violation of the Ordinance and recovering fines without court action; and

WHEREAS, the Town of Bridgton and the current owners have been cooperating with each other in an attempt to reach an out-of-court settlement;

NOW THEREFORE, the Town of Bridgton and the Landowners do hereby agree as follows:

1. The landowner/property owner complied with the Department of Environmental Protection mitigation plan on or about May 18, 2022, as result of a site visit preformed by the Department of Environmental Protection and the Code Enforcement Officer. The mitigation plan was as follows:
 - a) The land owner/property owner agreed to fix the Erosion control in place at the stream
 - b) The land owner/property owner agreed to have Erosion control bark mulch placed within 75 feet of the stream.
 - c) The land owner/property owner agreed to apply for an after the fact Permit by Rule which was approved.
 - d) The Land owner/property owner agreed to replant 10 to 12 pine trees.
2. On September 12, 2023, the Board of Selectmen requested to have Lakes Environmental Association intervene with a mitigation plan in addition to the Department of Environmental Protection recommendations.
3. The land owner/property owner agrees to submit a Re-vegetation Plan no Later than 11/1/2023 to the Code Enforcement Officer for approval.
4. The land owner/property owner agrees to replant vegetation according to an approved re-vegetation plan.
5. The Landowners shall pay a voluntary fine of \$1000.00 to the Town of Bridgton on or before November 1, 2023.
6. All trees, plants and shrubs shall be maintained in a healthy condition and shall be allowed to grow to full mature height. For a period of five (5) years, unhealthy or dead trees planted in accordance with this plan shall be removed and shall be replaced within six months of removal with like species and size as that which was originally planted pursuant to this plan The town of Bridgton Code Enforcement Officer shall make annual inspections of the property to make sure the trees, plants and shrubs are being maintained properly.
7. The Town agrees to relinquish its right to prosecute the land owner's/property owner's promise to pay a fine: EXCEPT THAT, if the land owner/property owner breaches the terms of this agreement by failing to pay the fine, or if the land owner/property owner fails to remediate the impacted area by the agreed to deadline or expands this violation or creates another violation, the Town then may institute appropriate court proceedings to enforce the provisions of the Ordinance, without refund of the payment in #5 above and the land owner/property owner shall be liable and reimburse the Town for all expenses incurred by the Town from the date of action against the violation.

Dated: September 26, 2023

TOWN OF BRIDGTON

By _____
Selectman: Carmen E. Lone.

By _____
Selectman: Carrye Castleman-Ross

By _____
Selectman: Robert J. McHatton, Sr.

By _____
Selectman: Paul A. Tworog

By _____
Selectman: Kenneth J. Murphy

State of Maine
County of Cumberland, SS.,

Date: September 26, 2023

Personally appeared the above named Municipal Officers, Selectmen of the Town of Bridgton, thereunto duly authorized, and acknowledged the foregoing instrument to be his/her/their free act and deed, and acting in said capacity, the free act and deed of the municipality

Before me,

Laurie L. Chadbourne, Notary Public
State of Maine
My commission expires:

Accepted and agreed to by Landowners: this 26 day of September 2023

James Cyr

State of Maine
County of Cumberland, SS.,

Date: September 26, 2023

Personally appeared the above named James Cyr and acknowledged the foregoing instrument to be their free act and deed,

Before me,

Laurie L. Chadbourne, Notary Public
State of Maine
My commission expires: 11/14/2019