

SELECT BOARD MEETING AGENDA

DATE: Tuesday, November 14, 2023

TIME: 5:00 P.M.

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

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

<https://www.gotomeet.me/BridgtonMaine/bos>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

Access Code: 189-387-141

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/189387141>

1. Call to Order
2. Pledge of Allegiance
3. Approval of Minutes: October 24, 2023
4. Public Comments on Non-Agenda Items (*Each speaker **may** be limited to 3 minutes.*)
5. Committee/Liaison Reports
 - a. Resignation of Molly Barker from Comprehensive Plan Task Force Committee
6. Correspondence, Presentations and Other Pertinent Information
 - a. Department of Economic and Community Development Grant Discussion
 - b. Horse Drawn Carriages
 - c. Wayside Avenue Culvert
7. 5:30 P.M. Public Hearing
 - a. Special Amusement Permit to Standard Gastropub Located at 233 Main Street
8. Action Items Following Public Hearing
 - a. Special Amusement Permit to Standard Gastropub Located at 233 Main Street
9. New Business
 - a. Awards and Other Administrative Recommendations
 1. Tax Acquired Property Located at 112 Howard Trail
 - b. Permits/Documents Requiring Board Approval
 1. Transfer Station Days of Operation
 2. Abatements & Supplementals
 3. Victualer's Licenses
 - a. Snowfox @ Hannaford Located at 109 Portland Road (renewal)
 - b. The Scale Shack – Mobile Food Truck Located at 91 Homerun Road (new)
 - c. Cookie Mama – Mobile Food Truck Located at Central Fire Station for Craft Fair Event (new)
 - c. Select Board Comments
 - d. Town Manager's Report/Deputy Town Manager's Report

10. Old Business (*Select Board Discussion Only*)
 - a. Project Status Updates
11. Treasurer's Warrants
12. Public Comments on Non-Agenda Items (*Each speaker **may** be limited to 3 minutes.*)
13. Dates for the Next Select Board Meetings
November 14, 2023 @ 5PM (Regular Meeting)
November 27, 2023 @ 5PM (Goal Setting Session)
14. Adjourn

Town Manager's Notes
Board of Selectmen's Meeting
November 14, 2023

3. **Approval of Minutes:**

- a. October 24, 2023

Suggested Motion: Move to approve the October 24, 2023, Selectboard Minutes.

5. **Committee/Liaison Reports**

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

- a. Selectboard member Tworog has posed questions regarding the DECD/GPCOG Grant. Please review the materials in your binder and the provided list of Town owned properties. The CD Director will be present.
- b. A request has been received from Tiffany Payton to provide horse drawn carriage rides during the holiday season. Please refer to her email and provided back-up materials in your binder. She will be present to answer questions.

Suggested motion: Move to approve horse drawn carriage rides in Bridgton offered by Tiffany Payton from _____ to _____ between the hours of _____ to _____ on the established routes provided. A copy of certificate of insurance with the Town listed as co-insured is required to be provided before commencing the service. Ms. Payton will be responsible for any necessary clean-up resulting from the operation.

- c. In your binder, please find a letter from Charles Gionet, 1 Kennard Street, stating his concerns regarding water runoff on his property.

7. **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 an application from Standard Gastropub for a Special Amusement Permit.

8. **Action Items Following Public Hearing**

- a. **Suggested Motion:** Move to a Special Amusement Permit to Standard Gastropub.

9. **New Business**

- a. Awards and Other Administrative Recommendations

1. In your binder, please find back up materials for a discussion on the direction the Board wishes to take regarding the tax acquired property sited at 112 Howard Trail.

- b. Permits/Documents Requiring Board Approval

1. The Board requested that the decision to change the hours at the Transfer Station would be reviewed in the fall. The Public Services Director will be present for the discussion.
2. For your approval, please see real estate tax abatements and supplementals being recommended by the Assessor's Agent. The provided information notes the requested abatement and supplemental value/tax.

Suggested Motion: Move to approve the recommended November 14, 2023, tax abatements totaling \$16,212.89.

Suggested Motion: Move to approve the recommended November 14, 2023, tax supplementals totaling \$13,973.97.

3. **Suggested motion:** Move to approve a Victualer's License to Snowfox, The Scale Shack, and Cookie Mama.

10. **Old Business**

- a. Projects Update

Select Board Meeting Minutes
October 24, 2023; 5:00 P.M.

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

Administration Present: Town Manager Robert Peabody, Jr.; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Community Development Director Victoria Hill; Fire Chief Glen Garland; Public Services Director David Madsen; Finance Officer Holly Heymann.

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. Approval of Minutes: October 10, 2023

Motion was made by Vice-Chair McHatton for approval of the October 10, 2023 minutes; second from Member Murphy. 5 approve/0 oppose

4. Public Comments on Non-Agenda Items

There were no public comments on non-agenda items.

5. Committee/Liaison Reports

Chair Lone reported that Sally Chappel has submitted resignation from the Recycling Committee. **Motion** was made by Vice-Chair McHatton to accept the resignation of Sally Chappel from the Recycling Committee; second from Member Murphy. 5 approve/0 oppose

6. Correspondence, Presentations and Other Pertinent Information

There were no correspondence, presentations, or other pertinent information.

7. New Business

a. Awards and Other Administrative Recommendations

1. Halloween Street Closing: Elm Street, Bennett Street, Iredale Street, and Chase Street

Motion was made by Member Tworog to close Elm Street, Bennett Street, Iredale Street, and Chase Street from 4:00 P.M. until 9:00 P.M. on October 31st for trick or treating; second from Vice-Chair McHatton. 5 approve/0 oppose

Chair Lone noted that the Chamber of Commerce is accepting donations of bags of candy to be distributed to the residents of Elm Street, Bennett Street, Iredale Street, and Chase Street.

Member Castleman-Ross will be handing out full-size candy bars and encouraged trick or treaters to visit her on Halloween.

b. Permits/Documents Requiring Board Approval

1. Reserve Accounts Policy Revision

Town Manager Peabody reported that the proposed revision is for the purpose of adding a Wastewater Connection Assistance Reserve. **Motion** was made by Member Tworog to approve the revised Town of Bridgton Reserve Account Policy as presented; second from Member Castleman-Ross. 5 approve/0 oppose

2. Confirmation of Marita Wiser as Warden for the November 7, 2023 Election

Motion was made by Member Tworog to confirm the Town Clerk's appointment of Marita Wiser as Warden for the Town of Bridgton for the November 7, 2023, State of Maine General Election; second from Member Murphy. 5 approve/0 oppose

3. Adult Use Marijuana Store License to Puffin Company 3 DBA The Great Atlantic Puffin Company Located at 510 Portland Road

Motion was made by Member Tworog to approve an adult use marijuana license to Puffin Company 3 dba The Great Atlantic Puffin Company located at 510 Portland Road; second from Member Castleman-Ross. 5 approve/0 oppose

4. Sewer Billing Change Recommendation

Finance Officer Holly Heymann requested changing the billing period of Route 1 and Route 2 to be consistent with the billing period of Route 3, so they all comply with the fiscal year. **Motion** was made by Member Tworog to approve changing the billing period for Route 1 and Route 2 to follow our fiscal year; second from Member Castleman-Ross. 5 approve/0 oppose

5. Certificate of Commitment of Sewer User Rates Commitment #280

Motion was made by Vice-Chair McHatton to commit the July 1, 2023 to September 30, 2023 Sewer User Rate Commitment #280 comprising of 5 pages totaling \$3,909.61 to the Treasurer for collection; second from Member Murphy. 5 approve/0 oppose

c. Select Board Comments

- **Member Murphy** asked when the holiday lights will be put up to which Director Madsen responded between Veterans Day and Thanksgiving Day weekend.
- **Member Castleman-Ross** wished all a safe and Happy Halloween and encouraged public attendance at the Halloween Parade.
- **Member Tworog** asked about the two-row design at Farragut Park to which Director Madsen responded that the second tree is ten feet from the property.
- **Member Tworog** reported that there have been several break-ins at local businesses over the last few weeks and encouraged the public to pay closer attention to suspicious activity.
- **Vice-Chair McHatton** had no comments.
- **Chair Lone** had no comments.

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

Deputy Town Manager read the following into the record:

"Saturday, October 28th

4:00p.m. – Bridgton's Halloween Palooza Block Party at Stevens Brook School includes all kinds of activities such as face painting, costume contest, music, games, food and more.

6:00p.m. - Bridgton's Halloween Parade begins at Stevens Brook School, registration is required, and the theme is (you guessed it) Halloween.

Tuesday, October 31st

4p.m.-9p.m. - Elm Street, Chase Street, Iredale Street and Bennett Street will be closed for Trick or Treating. The Chamber is taking candy donations for residents on Elm, Chase, Iredale and Bennett Street to be distributed on Monday the 30th just in time for Halloween.

Saturday, October 28th and Sunday, October 29th at the Town Hall, 26 North High Street, is the 3rd annual Haunted Nightmare Walk with Laser tag \$15.00 or Walk only for \$9.00

There are several Trunk or Treats planned both for the 28th and 31st as well as so many other activities throughout town for both days so please refer to the Town of Bridgton website, bridgtonmaine.org, or the Greater Bridgton Chamber of Commerce website, www.gblrcc.org for more information.

General

A new municipal complex sign was recently installed by Public Works. New public parking signs will be installed in the next few weeks.

Ladies Weekend out is scheduled for Saturday, November 18th and Sunday November 19th. Ancora Italian Restaurant, 18a Depot Street, is hosting Women in Business on Wednesday November 15th 5p.m. – 7p.m.

Town Clerks Office

The deadline to request an absentee ballot without a reason for the November 7, 2023 General Election is the close of business on Thursday, November 2, 2023. After this deadline, voters may request an absentee ballot by completing and signing a Special Circumstance Application.

The Town Clerks office will be open on Thursday, November 2nd from 5p.m. to 7p.m. for the purpose of accepting voter registration, and other election related issues. No other town business will be conducted during this time.

Finance Department

Transfer Station Square Stands / Cash Drawers / Receipt Printers have been installed and set up to go live on 11/1/2023 for all sales with the capability of accepting credit cards.

Community Development

Please join your community at the Bridgton Town Hall on Wednesday, November 1st at 6p.m. for the Comprehensive Plan project kick-off! The event includes a brief presentation followed by an open-house style activity to help you learn why a comprehensive plan is important and why you should get involved! Food and beverages will be provided, and children are welcome. Questions or comments? Visit our new comprehensive plan project website accessible through the Town of Bridgton Website or email Community Development Director, Victoria Hill, at vhill@bridgtonmaine.org

Bridgton Recreation

Lights on After School Open House is scheduled for October 26th at Stevens Brook Elementary School Gym beginning at 5p.m. until 7p.m. Haunted Nightmare is scheduled for October 28th and 29th at the Town Hall 7p.m. to 9p.m. An adult trip to the Magic of Christmas with the Portland Symphony Orchestra is scheduled for December 10th at 2p.m. with the bus leaving the Town Hall at 12:15p.m. Cost is \$45.00 per ticket. We are in need of volunteers for athletics, town events and programs. For more information contact the Recreation Department at 207-647-1126 or refer to the website.

Police Department

Bridgton PD will have officers at the PD during trick or treating on Halloween to hand out goodies. Officer Chaine will be at the Bridgton Community Center this Saturday from 10-2 for National Drug Take Back. We are still advertising for two open full-time patrol positions. Applicants can reach out to Chief Jones at pjones@bridgtonmaine.org

Please refer to our website bridgtonmaine.org for more information on these events and more and to subscribe for alerts. Also, check out Greater Bridgton Chamber of Commerce, www.gblrcc.org for these events and more !”

Town Manager Peabody thanked Deputy Town Manager Georgiann Fleck, Executive Assistant Nikki Hodgkins, and the Department Heads for a very quiet vacation week.

8. Old Business

a. Project Status Updates

Community Development Director Hill reported that the updated cost estimate for the Church Street sidewalk project is significantly higher than expected and suggested using the CDBG funds this year and dedicating next year’s funding to this project as well.

Brent Bridges, P.E. reported that we are within a couple of months of actively being able to take wastewater in Town and provided a brief update of the current process. Full completion of the substation to send wastewater to the plant is expected by December 5, 2023. He also responded to several questions asked by the Board.

9. Treasurer's Warrants

Motion was made by Member Castleman-Ross to approve Treasurer's Warrants numbered 233, 234, 235, 236, and 237; second from Member Tworog. 5 approve/0 oppose

10. Public Comments on Non-Agenda Items

Vice-Chair McHatton asked when the next transfer station sticker check is scheduled for which Director Madsen responded it will be conducted prior to Thanksgiving.

11. Dates for the Next Select Board Meetings

October 26, 2023 @ 6PM-8PM (NIMS Training Certification); November 1, 2023 @ 6PM Comprehensive Plan Meeting at Town Hall; November 8, 2023 @ 5PM (Transfer Station Workshop); November 14, 2023 @ 5PM Regular Meeting; November 15, 2023 @ 5PM (Goal Setting Session)

Member Tworog reminded all members to take the mandatory Freedom of Access class.

12. Adjourn

Motion was made by Vice-Chair McHatton to adjourn the meeting at 5:58 P.M.; second from Member Murphy. 5 approve/0 oppose

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk

Victoria Hill

From: Molly Barker <barker.molly@gmail.com>
Sent: Monday, October 2, 2023 2:46 PM
To: Victoria Hill
Subject: Re: FW: Task Force Meeting Wednesday 10/4

Hey Tori,

Unfortunately, I need to resign my position on the Task Force as we are officially relocating to Milo at the end of this month. That said, I'd love to catch up before we head north. We could grab a drink, coffee, or lunch, whatever you prefer; just let me know.

All my best,

Molly

On Mon, Oct 2, 2023 at 1:51 PM Victoria Hill <vhill@bridgtonmaine.org> wrote:

Victoria Hill (she/her)

Community Development Director

[Town of Bridgton 3 Chase Street, Suite 1, Bridgton, Maine 04009](#)

(207) 803-9956 (office) (207) 595-3560 (mobile)

From: Victoria Hill
Sent: Monday, October 2, 2023 1:51 PM
To: Lega Medcalf (legasmedcalf@gmail.com) <legasmedcalf@gmail.com>; baillargeoncc@gmail.com; Al Bottone <inthastixs02@yahoo.com>; 'Suzanne Schrader' <drzanne96@gmail.com>; jquint25@gmail.com; kgibbs@worcester.edu; 'Matt Markot' <execdir@lelt.org>; Keith Pelletier <Goldenpaw7@msn.com>; 'Angela Cook' <director@gblrcc.org>; Therese Johnson (johnson479@roadrunner.com) <johnson479@roadrunner.com>; 'Molly Barker' <mbarker@bridgtonacademy.org>; 'mac2rog@gmail.com' <mac2rog@gmail.com>; bethkmcavoy@gmail.com; 'Mike Davis' <oldentimesmike@gmail.com>
Cc: Paul Tworog <selectmantworog@bridgtonmaine.org>; Kenneth "Ken" Murphy <selectmankmurphy@bridgtonmaine.org>; 'Susan Guthro' <susan.guthro@opportunityalliance.org>; Georgiann M Fleck <gmfleck@bridgtonmaine.org>; Robert "Bob" Peabody, Jr. <rpeabody@bridgtonmaine.org>
Subject: Task Force Meeting Wednesday 10/4

Hello Task Force!

Laurie Chadbourne

From: Carmen E. Lone
Sent: Wednesday, October 18, 2023 6:23 AM
To: Paul Tworog; Robert McHatton Sr; Kenneth "Ken" Murphy; Carrye Castleman-Ross
Cc: Georgiann M Fleck; Laurie Chadbourne
Subject: Re: Agenda for Oct 24 meeting

Thanks, Paul

I got these to late for the agenda meeting (Tues @ 10AM); however, we can add the Elm Street item and put the **DECD discussion on the next meeting agenda.**

Laurie & Georgian, please make this addition.

Thanks,
Carmen

From: Paul Tworog <selectmantworog@bridgtonmaine.org>
Sent: Tuesday, October 17, 2023 6:26 PM
To: Carmen E. Lone <selectmanlone@bridgtonmaine.org>; Robert McHatton Sr <selectmanmchatton@bridgtonmaine.org>; Kenneth "Ken" Murphy <selectmankmurphy@bridgtonmaine.org>; Carrye Castleman-Ross <selectmancastleman-ross@bridgtonmaine.org>
Subject: Re: Agenda for Oct 24 meeting

Also the formality of closing elm Street for trick or treating.
Thanks

Get [Outlook for Android](#)

From: Paul Tworog <selectmantworog@bridgtonmaine.org>
Sent: Tuesday, October 17, 2023 3:42:46 PM
To: Carmen E. Lone <selectmanlone@bridgtonmaine.org>; Robert McHatton Sr <selectmanmchatton@bridgtonmaine.org>; Kenneth "Ken" Murphy <selectmankmurphy@bridgtonmaine.org>; Carrye Castleman-Ross <selectmancastleman-ross@bridgtonmaine.org>
Subject: Re: Agenda for Oct 24 meeting

I would like a discussion of the DECD grant.
Specifically I would like to make sure that 1) the public is aware. 2) the sites selected for study which still seems fluid 3) any ideas on the plans for the town should a site be found suitable 4) the opportunity for public input.

Thanks.

Get [Outlook for Android](#)

From: Carmen E. Lone <selectmanlone@bridgtonmaine.org>
Sent: Monday, October 16, 2023 7:13:11 AM
To: Robert McHatton Sr <selectmanmchatton@bridgtonmaine.org>; Paul Tworog <selectmantworog@bridgtonmaine.org>; Kenneth "Ken" Murphy <selectmankmurphy@bridgtonmaine.org>; Carrye Castleman-Ross <selectmancastleman-ross@bridgtonmaine.org>
Subject: Agenda for Oct 24 meeting

Bridgton Town Owned Properties by Category

St #	Street Name	Map/Lot	Type	Acres	Valuation			Description
					Land	Building	Total	
Government use – Solely								
305	S BRIDGTON RD	0005-0027Z-OTL	lot	1	44,000	50,000	94,000	Fire Station
118	SANDY CREEK RD.	0005-0081-OTL	gov	21	123,500	165,285	288,785	Transfer station
31	WILLETT RD.	0009-0055-OTL	gov	15.94	152,505	469,410	621,915	Town garage
3	CHASE ST.	0023-0093-OTL	gov	2	170,000	1,505,000	1,675,000	Town Offices
923	N HIGH ST.	0054-0010-0012-TL	gov	1	86,000	36,504	122,504	Fire Station
	Total			41	576,005	2,226,199	2,802,204	
Government use - Flexible/partial								
99	PORTLAND RD.	0009-0079-OTL	gov	8.2	40,440	0	40,440	Town garage
	WAYSIDE AVE.	0014-0076-0000TL	lot	20.4	52,930	0	52,930	2 ac Sewer Fields 18 wooded
	N HIGH ST.	0022-0006-TL	gov	0.48	39,486	38,899	78,385	Lot behind town hall
	N HIGH ST.	0022-0015-TL	gov	1.17	95,700	250,000	345,700	Town hall
7	GIBBS AVE.	0023-0111-TL	gov	1.3	59,000	200,000	259,000	Fire Station & Stevens Brook Frontage
15	DEPOT ST.	0027-0005-TL	gov	3.58	107,160	282,450	389,610	Community Ctr
	WILLETT RD.	0027-0006A-TL	gov	6.25	38,100	25,000	63,100	Snow dump
	Total			41	432,816	796,349	1,229,165	
Beaches								
681	S HIGH ST.	0005-0001-00TL	Beach	0.72	370,790	300	371,090	Woods Pond beach
24	HIGHLAND RD.	0022-0059-TL	Beach	0.69	370,580	0	370,580	Highland Lake beach/boat ramp
	SALMON PT RD.	0031-0001-OTL	Beach	0.3	462,600	0	462,600	Salmon Pt Beach
	Total			2	1,203,970	300	1,204,270	
Beach/Campground								
102	SALMON PT RD.	0031-0006-OTL	Beach / Camp ground	13.75	1,152,375	11,491	1,163,866	Salmon Pt Beach / Campground

Parks								
31	N HIGH ST.	0022-0036-TL	Park	0.46	31,035	0	31,035	Memorial Park
	S BRIDGTON RD.	0005-0064-00TL	Park	2.77	33,924		33,924	Park on Willett Brook
20	HIGHLAND RD.	0022-0058-0TL	Park	2	413,000	0	413,000	At Highland Lake beach
	MAIN ST.	0022-0087-TL	Park	0.52	32,115	0	32,115	Shorey Park
507	MAIN ST.	0025-007475-TL	Park	1.83	32,150	4,759	36,909	Ball field
	DEPOT ST.	0027-0045-TL	park	0.5	23,800	0	23,800	Park on Stevens Brook
	N BRIDGTON RD.	0039-0021-0TL	Park	0.47	23,330	0	23,330	Corner lot
	Total			8.55	589,354	4,759	594,113	
Cemetery								
	POWER HOUSE RD.	0029-0011-TL	Cemetery	10	42,600	5,783	48,383	Cemetery
Island								
	ALPENBORG LN.	0013-0029-0TL	Island	1	379,250	0	379,250	Beaver pond Island
Parking								
	HIGHLAND RD.	0022-0082-TL	Parking	0.5	33,800	2,534	36,334	Highland Lake beach parking
	HIGHLAND RD.	0022-0083-TL	Parking	0.16	17,360	0	17,360	Highland Lake beach parking
34	MAIN ST.	0023-0011-TL	Parking	0.51	24,660	0	24,660	Parking behind Chalmers
	PARK ST.	0023-0025-TL	Parking	0.26	1,300	0	1,300	Behind post office
	PARK ST.	0023-0026-TL	Parking	0.23	1,150	0	1,150	Parking
	Total			2	78,270	2,534	80,804	
Lots								
	TOWN FARM RD.	0001-0032-0TL	lot	105.2	282,312	0	282,312	Gravel, wooded, 400' frontage Foster Pond
	GRIST MILL RD.	0003-0015-0TL	lot	19.16	53,592	0	53,592	Marsh on Holt Pond
	WILLIS PARK RD.	0006-0016-0TL	lot	25.34	58,428	0	58,428	Wooded buildable lot(s) near Portland Rd
	WILLIS PARK RD.	0006-0018-0TL	lot	30.83	60,609	0	60,609	Wooded buildable lot(s) near Portland Rd
	S HIGH ST.	0009-0045A-0TL	lot	16.37	48,094	0	48,094	Wooded lot Behind hospital

	SALMON PT RD.	0010-0020A-OTL	lot	26.42	62,220	1,400	63,620	Salmon Pt rear lot
	UPPER RIDGE RD.	0018-0042-0005ONT	lot	0	0	756	756	Lease for repeater tower
23	HIGHLAND RD.	0022-0085-TL	lot	1.4	74,000	0	74,000	Lot behind Saunders Mill
	NULTY ST.	0023-0024A-OTL	Lot	0.02	100	0	100	Behind post office
	GIBBS AVE.	0023-0113-TL	lot	0.11	14,728	0	14,728	Across from fire station
	MAIN ST.	0024-0093-TL	lot	12.99	33,538	0	33,538	Behind laundry on Stevens Brook
	MOORE ST.	0025-0058-TL	lot	0.1	14,140	0	14,140	Small corner lot
	MAPLE ST.	0028-0007-TL	lot	2.3	33,360	0	33,360	Behind laundry on Stevens Brook
	KANSAS RD.	0028-0036-TL	lot	1.72	31,600	0	31,600	Wood lot on Stevens Brook
	KANSAS RD.	0029-0008-TL	lot	1.58	30,900	0	30,900	Wood lot on Stevens Brook
	HARRISON RD.	0039-0056-OTL	lot	0.12	1,200	0	1,200	Small corner lot
	N HIGH ST.	0054-0010-OTL	lot	22	57,000	0	57,000	large lot around fire station
	CEDAR DR.	0060-0001-OTL	lot	9.33	41,796	0	41,796	Limited Moose Pond, Pleasant Mtn views
	CEDAR DR.	0060-0022-OTL	lot	0.91	99,436	0	99,436	lot
	N HIGH ST.	0060-0024-OTL	lot	2.75	122,328	0	122,328	Corner lot Cedar - N High
	Total			281	1,119,381	2,156	1,121,537	
Tax Acquired								
	MAIN ST.	Map 24 Lot 98	TA	.13	6,816	0	6,816	
	SLEIGH BELL LN.	Map 49A Lot 3&4	TA	.69	239,543	0	239,543	
	NORTH BRIDGTON RD.	Map 21 Lot 39	TA	23.03	41,576	0	41,576	
112	HOWARD TRAIL	Map 8 Lot 36D	TA	18.01	45,309	80,786	126,095	
	Total			41.86	333,244	80,786	414,030	
	Total of all Town land		442.16	5,907,265	3,130,357	9,037,622		

*NOT INCLUDED
 Pondicherry PARK
 2) HAM COMPLEX

Victoria Hill

From: Matthew Panfil <mpanfil@gpcog.org>
Sent: Wednesday, October 11, 2023 10:20 AM
To: Victoria Hill
Cc: Robert "Bob" Peabody, Jr.
Subject: DECD Housing Opportunity Grant Awarded

Tori and Robert:

I am pleased to inform you that the Department of Economic and Community Development (DECD) has awarded GPCOG a Housing Opportunity Program Service Provider Grant that will allow us to proceed with the proposed site analysis for affordable housing development as detailed in our application:

The Town of Bridgton is considering the use of at least three specific sites for affordable housing development: two town-owned sites and one site potentially available via tax-acquisition. These include a 13-acre site on Main Street, a 3.2-acre site on Main Street, and a 20.4-acre site on Wayside Avenue. Other sites may arise for tax acquisition or Town purchase in the near future. The Town seeks to identify two of these sites as priorities for housing and understand the potential for context-sensitive development on both.

GPCOG will analyze the available parcels and identify two priority parcels. For the two identified sites, GPCOG will identify the potential scale of context-sensitive development expected to be reasonably possible on the two sites, as well as potential barriers to said development.

The deliverables for this project will include a report providing analysis and recommended next steps, including:

- identification of two priority sites;*
- explanations of the associated opportunities and constraints identified by GPCOG; and*
- a digital pamphlet for each site designed to facilitate developer interest.*

The report will be informed by community engagement activities (i.e., visioning session, community workshop, survey, etc.) following GPCOG's Public Involvement Plan, as detailed in the Community Engagement section, below.

At this time, I ask for the Town to provide a municipal point of contact for this project as we will be trying to schedule a kickoff meeting by early November.

Thank you,

Matt Panfil, AICP CUD, LEED
AP BD+C (he/him)

Planning Director
Greater Portland Council of
Governments

 (708) 227-2754
 mpanfil@gpcog.org
 www.gpcog.org
 970 Baxter Blvd, Suite 201,
Portland, ME 04103



Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast, a leader in email security and cyber resilience. Mimecast integrates email defenses with brand protection, security awareness training, web security, compliance and other essential capabilities. Mimecast helps protect large and small organizations from malicious activity, human error and technology failure; and to lead the movement toward building a more resilient world. To find out more, visit our website.

Laurie Chadbourne

From: Tiffany Payton <carouselhorsefarm1@gmail.com>
Sent: Friday, November 3, 2023 8:42 AM
To: Laurie Chadbourne
Subject: Horse drawn carriages in Bridgton

You don't often get email from carouselhorsefarm1@gmail.com. [Learn why this is important](#)

A few years back I attended a selectboard meeting in Bridgton about carriage services in town during the holidays. Everyone seemed very excited about the prospect. We began doing it but I lost a few employees and could not continue at that time. We were also servicing two other towns at the time.

We have done carriage rides in Freeport at Christmas and Old Orchard and Naples in summer. We had great relationships with the towns and the police and have had 0 accidents. We no longer offer these services due to losing horse boarding in OOB, then, covid stopped us in Freeport.

I'm interested in Bridgton again because it's a very short drive, the increased walkability of the whole main street and its growing community and business activity.

We would offer reserved rides only. Which means we would come to town if we had a minimum number of rides reserved. So attendance will be sporadic. Friday nights, Saturday and Sunday afternoons are the most likely days in winter. We will be out for 3 to 6 hr shifts depending on the weather.

If this season went well I'd be very interested in developing a historic tour that would involve visits to one or both museums. I've also done specialty tours in the past, the most popular being a chocolate tour, but I wonder if a brew tour or other types of informative or event related tours would work in the Main Street area.

I am slowly retiring my trail ride business in Casco and hope to continue to keep horses in the public eye in this way, for years to come. Bridgton would be my only destination besides summer wagon and winter sleigh rides at my farm.

Carriage companies all over southern Maine have closed. There are none south of Bangor or west of Brunswick. And only one along the coast to Bar Harbor.

Bridgton could boast the only carriage service left in Southern and Western Maine. LLBean no longer does them. Both companies that serviced Portland and the cruise lines are retired and Kennebunk closed a few years ago.

I have planned a few routes that will put us on Main St for very short periods of time. I have a few alternate routes for possible historic or light tours with the same goal in mind.

I'd like to come visit again and discuss the possibilities with the selectboard.

Thank you for your time.

Tiffany Payton

Laurie Chadbourne

From: Tiffany Payton <carouselhorsefarm1@gmail.com>
Sent: Tuesday, November 7, 2023 8:05 PM
To: Laurie Chadbourne
Subject: Re: Horse drawn carriages in Bridgton

I got a call today that there were additional information that was needed. Unfortunately I can't remember all 4 pieces. But here is what I do remember.

Manure is caught in manure bags emptied into buckets and brought back to the farm on the trailer.

I generally am insured through The Equestrian Group and Allen financial for 2 million a year, 1 million per occurrence.

The main route would be depot Street to 302 at BHOP take a left turn into the street that goes to the museum, come back to 302, take a left and, depending on time, take a right behind Ruby's taking the next two lefts back to 302 then right onto depot st again.

I have to drive this route to determine timing. But I may use other routes depending on weather, traffic and time if year. I suspect this will be a good cold weather 15 minute route.

I just remembered the last question.

We would like to be a part of all holidays and special events in Bridgton.

I can answer any questions during the meeting as well.

On Mon, Nov 6, 2023, 9:29 AM Tiffany Payton <carouselhorsefarm1@gmail.com> wrote:
Thank you

On Mon, Nov 6, 2023, 9:06 AM Laurie Chadbourne <lchadbourne@bridgtonmaine.org> wrote:

The meeting begins at 5PM and I'll send you a copy of the agenda on Wednesday.

Thank you!

From: Tiffany Payton <carouselhorsefarm1@gmail.com>
Sent: Monday, November 6, 2023 8:55 AM
To: Laurie Chadbourne <lchadbourne@bridgtonmaine.org>
Subject: Re: Horse drawn carriages in Bridgton

That sounds great. What time?

On Mon, Nov 6, 2023, 8:49 AM Laurie Chadbourne <lchadbourne@bridgtonmaine.org> wrote:

October 29, 2023

Wayside Ave. Drainage Ditch and Culvert

Dear Town of Bridgton Officials, Select Board,

As the Owner of Stevens Brook LLC, property location at 1 Kennard and Wayside Ave. Bridgton, ME (map 23, lot 003). I am concerned with and notifying you of the following issues that impact my property at this location and I submit the following for your review and written response.

- 1- Drainage Ditch and Culvert; since about 2019 I have been casually inquiring with various town officials the Drainage Ditch situation along Wayside Ave., its maintenance and/or lack of maintenance. It has come to my attention "My Concern" is that all the water flowing from above the street is pooling in my Lot first before it raises up to a level where it then continues down through the Culvert. At one point in time a neighbor blocked the Culvert pipe with cement causing a back up and water flowing over wayside Ave. later that Culvert was completely rebuilt by the Public Works Dept. which included extended underground piping past the house of the person who blocked the pipe, but Nothing was done to address the Drainage Ditch along Wayside Ave. leading to the New Culvert. During this time I was in touch with the PWD. I was told the drainage ditch would be maintained/ cleaned up in the near future and that it was on a list of other roads to be done. 2022; Still concerned for my pooling issue as the Drainage Ditch hasn't been cleaned up, I called back leaving messages asking for the Public Works person in charge. June 2022: I went to the PWD where I was promised by the Bridgton Department of Public Works manager that the Drainage Ditch along Wayside Ave. leading into the Culvert would be cleaned up and corrected after Wayside Ave construction and paving was completed. Jun, July, Aug, Sept 2023; I called again leaving several messages with David Madsen, Diane Kiriaji, Robert Peabody, Georgiann Fleck, asking each who can I speak with? when will this be addressed?. Oct 26, 2023; on a phone call from David Madsen he informed me (a) the person who told me the Drainage Ditch would be cleaned up had no authority to say that and (b) he just walked the site along Wayside Ave. with Brenda Day and Robert Peabody, David informed me they determined nothing will be done.. Since it has been that way for many years.

My Question: why are other roads in Bridgton that have similar Drainage Ditches and Culverts being cleaned up / maintained but the one along Wayside Ave. is not? I would like to bring this issue and question to the attention of all Town Managers, anyone who might ultimately be in a position to answer this question, and hopefully instruct the Public Works Department to clean up and maintain the Drainage Ditch and Culvert along Wayside Ave.

Again, I submit the above for your review, consideration and written response.

Thank you in advance, warm regards,

Charles Gionet
1 Kennard St.
Bridgton, ME 04009



781-963-0100

CC: Governor Janet Mills

Laurie Chadbourne

From: Laurie Chadbourne
Sent: Thursday, October 12, 2023 5:01 PM
To: ads@bridgton.com
Subject: public hearing

**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, November 14, 2023 to accept oral and written comments on a special amusement permit application from Standard Gastropub (233 Main Street) for live music and entertainment.

Please advertise on November 2, 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

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: STANDARD GASTROPUB, LLC

Address of applicant: 233 Main Street

Telephone # of applicant: 207 693 5431

Name of business:))

Address of business:))

Telephone # of business:))

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

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

Type of Entertainment Planned: as Existing

Hours of Entertainment Planned: as Existing

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 #: 7782 Expiration Date: 10/08/2023 ☒ copy attached

Current Dance License #: _____ Expiration Date: _____ ☐ copy attached

Signature: [Signature] Date: 10/12/2023

FOR OFFICE USE ONLY:

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

DATE SUBMITTED ____/____/20____ RECEIVED BY: _____

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

TOWN OF BRIDGTON

MEMO

TO: Select Board
FROM: Laurie L. Chadbourne, Town Clerk
RE: Special Amusement Permit Application
DATE: November 6, 2023

November 14, 2023 Select Board Meeting

8. Action Items Following Public Hearing
 - a. Special Amusement Permit to Standard Gastropub Located at 233 Main Street
☒ 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.

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: STANDARD GASTROPUB, LLC

Address of applicant: 233 Main Street

Telephone # of applicant: 207 693 5431

Name of business:))

Address of business:))

Telephone # of business:))

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

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

Type of Entertainment Planned: as Existing

Hours of Entertainment Planned: as Existing

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 #: 7782 Expiration Date: 10/08/2023 ☒ copy attached

Current Dance License #: _____ Expiration Date: _____ ☐ copy attached

Signature: [Signature] Date: 10/12/2023

FOR OFFICE USE ONLY:

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

DATE SUBMITTED ____/____/20____ RECEIVED BY: _____

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

TOWN OF BRIDGTON

MEMO

TO: Select Board
FROM: Laurie L. Chadbourne, Town Clerk
RE: Special Amusement Permit Application
DATE: November 6, 2023

November 14, 2023 Select Board Meeting

8. Action Items Following Public Hearing
- a. Special Amusement Permit to Standard Gastropub Located at 233 Main Street
☒ 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.

Legal Services Expense Report

Invoice Date	Invoice #	Vendor	Total Amount
5/3/2021	748822	Drummond Woodsum	\$1,603.18
5/25/2021	752116	Drummond Woodsum	\$370.59
7/27/2021	757660	Drummond Woodsum	\$72.50
5/11/2022	786876	Drummond Woodsum	\$325.50
6/13/2022	790226	Drummond Woodsum	\$875.97
7/15/2022	793279	Drummond Woodsum	\$172.44
8/22/2022	795550	Drummond Woodsum	\$148.40
10/25/2022	801046	Drummond Woodsum	\$225.68
2/24/2023	813829	Drummond Woodsum	\$435.24
3/20/2023	816773	Drummond Woodsum	\$457.60
4/17/2023	820028	Drummond Woodsum	\$499.72
5/19/2023	822333	Drummond Woodsum	\$834.76
6/05/2023	825051	Drummond Woodsum	\$2,377.80
7/17/2023	828126	Drummond Woodsum	\$29.29
9/13/2023	833638	Drummond Woodsum	\$704.60
10/12/2023	836209	Drummond Woodsum	\$109.20
Past Due Taxes	Past Due Taxes	Town of Bridgton	\$9,155.91
			\$18,398.38



MAJOR CHANGES REQUIRED FOR SALES OF TAX-ACQUIRED PROPERTY

MMA Legal Services Guidance

July 21, 2023

A recent U.S. Supreme Court decision and a new Maine law will immediately require municipalities to implement major changes to tax-acquired property sale procedures.

What did the U.S. Supreme Court hold?

In *Tyler v. Hennepin County, Minnesota*, 43 S.Ct. 1369, decided May 25, 2023, the U.S. Supreme Court unanimously held that a government violates the Takings Clause of the U.S. Constitution's Fifth Amendment when it sells tax-acquired property and keeps more sales proceeds than are owed in delinquent taxes, interest, costs.

In *Tyler*, a Minnesota County foreclosed on Geraldine Tyler's condo for unpaid property taxes, later selling the property for more than she owed in back taxes. Minnesota law allows the government to keep all proceeds from sales of tax-acquired property -- which it did in Tyler's case. Tyler sued, claiming the County's action violated the takings clause of the U.S. Constitution's Fifth Amendment, which prohibits the government from taking property for public use without just compensation. Lower courts dismissed her suit for lack of standing on the grounds that she did not have a property interest in the sale proceeds because she did not own the property at the time of sale; full title had previously passed to the government.

The U.S. Supreme Court reversed, holding that Tyler did state a valid claim. The Court held that property owners like Tyler have a property interest in "excess" equity from the sale of tax-acquired property. Although Hennepin County had the right to foreclose on, seize and sell the property, it violated the Constitution when it retained more in sale proceeds than the amount Tyler owed.

Why does the *Tyler* decision matter to Maine municipalities?

The decision is significant because the Minnesota law challenged in *Tyler* is similar to Maine's tax lien mortgage foreclosure law (36 M.R.S. § 942 – 943), which vests full title in the municipality upon lien foreclosure and allows the municipality to keep all sale proceeds received from the sale of tax-acquired property.



As a result of the *Tyler* decision, it is likely unconstitutional for Maine municipalities to retain all proceeds of tax-acquired property sales.

The same principles likely also apply to sale proceeds connected to sale of property acquired through other municipal lien forfeitures, for example, lien foreclosures based on unpaid sewer or stormwater charges.

Does this decision invalidate Maine's tax lien mortgage foreclosure process?

No. The *Tyler* decision does not invalidate Maine's tax lien mortgage foreclosure statute or any past or present municipal tax lien mortgage foreclosure proceeding. The Court's decision only impacts post-foreclosure sale procedures.

Have changes to Maine law resulted?

Yes. Immediately after the *Tyler* decision was issued, Maine's Legislature enacted emergency legislation (PL 2023, c. 358), effective **June 30, 2023**, that independently requires municipalities to return "excess" sale proceeds. The new legislation, "Chapter 358" has:

- **Repealed** the special sale process for tax-acquired homestead property formerly owned by senior low-income persons (36 M.R.S. § 943-C);
- **Reformulated** 36 M.R.S. § 943-C to instead establish sale procedures applicable to virtually all sales of real estate acquired via the tax lien mortgage foreclosure process in 36 M.R.S. §§ 942 - 943; and
- **Defined** excess sale proceeds and required their return to the former owner.

What sale procedures are now required?

Effective June 30, 2023, if tax-acquired real estate will be sold to someone other than the former owner:

- (1) At least 90 days prior to listing property for sale the municipal officers or their designee must send a written notice to the last known address of the "former owner" by U.S. Postal Service certified mail return receipt requested and first-class mail, of the right to require the sale process in 36 M.R.S. § 943-C. (A form to be provided by Maine Revenue Services must be used).
- (2) If the former owner files a written demand within 90 days after notice, the municipal officers or their designee must list the property for sale with a real estate



broker licensed in Maine. The broker may not hold an elected or appointed office in the municipality nor be employed by the municipality.

- (3) The municipal officers must sell the property via quitclaim deed to the successful buyer at the highest price at which the property is able to sell or the price at which the real estate broker anticipates it to sell within 6 months after listing.
- (4) Any excess sale proceeds must be paid to the former owner (see below).
- (5) If the municipal officers are (a) unable to list or sell the property as required above or (b) if the former owner does not file a request for the special sale process, the municipal officers may sell the property in any manner authorized by the municipality's legislative body, **provided that the former owner must still receive any excess sales proceeds.**

Who is the "former owner"?

"Former owner" is defined in the new law as the "owner or owners of record at the time of foreclosure and if deceased, the former owner's heirs, devisees, or personal representative."

How is the amount of "excess sale proceeds" determined?

The excess proceeds to be returned to the former owner is the amount of sale proceeds remaining after the municipality deducts the following amounts (see new § 943-C(3)(C)):

- (1) All taxes owed on the property;
- (2) Property taxes that would have been assessed on the property after foreclosure while the property was owned by the municipality;
- (3) All accrued interest;
- (4) Fees, including property listing and real estate broker's fees;
- (5) Any other expenses incurred by the municipality in selling or maintaining the property, including, but not limited to, an administrative fee equal to 10% of the property taxes owed and reasonable attorney's fees;
- (6) The municipality's lien and foreclosure process costs, including but not limited to, reasonable attorneys' fees; and
- (7) Unpaid sewer, water or other utility charges and fees imposed by the municipality.



Are special forms required to provide notice to the former owner?

Yes. Chapter 358 requires municipalities to use forms, notices and instructions provided by the State Tax Assessor, Maine Revenue Services. Until these forms are available, municipalities will not be able to list tax-acquired property for sale to persons other than the former owner.

Which sales are covered by the new sale procedure?

Chapter 358 applies to sales of tax-acquired real estate made after June 30, 2023 regardless of when the underlying lien foreclosed.

Is updated local authority needed to implement the new law?

Possibly. Although Chapter 358 requires specific sale procedures, it does not actually *authorize* any sale of tax-acquired property – only the municipal legislative body has that authority.

Unfortunately, existing warrant articles, ordinances or charters may not authorize (or may conflict with) the sale procedures now required. For instance, a warrant article or ordinance may require all sales to be conducted by sealed bid, which does not comply with or authorize procedures under the new law (Chapter 358 requires that most properties be listed with a licensed real estate broker).

Some existing municipal articles or ordinances may be consistent with the new law; for example, an article broadly allowing sales within the municipal officers' discretion would remain valid, assuming the municipal officers do comply with the new law. However, it may be better for an article to specifically address the required process and the municipality's duty to return excess proceeds.

Before proceeding with the sale of tax-acquired property, the municipal officers should review any articles, ordinances, charter provisions or internal policies addressing disposition of tax-acquired real estate for compliance with the new law. In many cases, a special town meeting or council action to revise articles or ordinances may be necessary. Charter municipalities should seek legal advice if the charter addresses tax-acquired property sales.



What immediate steps should municipalities take?

Because the law immediately limits tax-acquired property sale procedures, we strongly advise municipalities to:

- (1) Delay all sales of tax-acquired property (except those to the former owner) until required notice forms are available from Maine Revenue Services; and**
- (2) Review and update existing warrant articles, ordinances, charter provisions or policies addressing disposition of tax-acquired property to ensure consistency with the law's new sale requirements.**

Does MMA have sample warrant articles that comply with the law?

The following basic templates are offered as examples of articles that would be consistent with Chapter 358's new requirements. We also recommend review by the municipality's attorney before an article is presented to the town meeting for approval.

Art. __. To see if the Town will vote to authorize the municipal officers to dispose of tax-acquired property as they deem in the best interests of the Town, except that the municipal officers shall first use the sale process in 36 M.R.S. § 943-C if they choose to sell property to anyone other than the former owner. For sales to someone other than the former owner, excess sale proceeds, as defined in 36 M.R.S. § 943-C, shall be returned to the former owner.

Art. __. To see if the Town will vote to require the municipal officers to provide the former owner(s) of tax-acquired property, or if deceased his/her/their heirs, personal representative or devisees _____ months to repurchase the property on terms the board deems in the best interests of the Town; if the former owner does not repurchase the property the municipal officers may sell the property through the sale process in 36 M.R.S. § 943-C, provided that if the former owner does not timely request that process or the board is unable to list or sell the property as required by § 943-C(3), the board may sell the property in any manner it deems in the best interests of the Town. For sales to someone other than the former owner, excess sale proceeds, as defined in 36 M.R.S. § 943-C, shall be returned to the former owner.

Art. __. To see if the Town will vote to authorize the municipal officers to dispose of tax-acquired property via quitclaim deed by either (A) offering the property to the former owner(s) or if deceased, to his/her/their heirs/devisees/personal representative for a price equal to all outstanding taxes, interest, fees and costs; or (B) using the process authorized by 30-A M.R.S. § 943-C, provided that if the former owner does not request that process



or the board is unable to list or sell the property as required by § 943-C(3), the board may sell the property through a competitive sealed bid process in which a notice advertising sale of the property shall be published at least twice in a newspaper of general circulation in the county. For sales other than to the former owner, excess sale proceeds, as defined in 36 M.R.S. § 943-C, shall be returned to the former owner.

Should we require the former owner to agree to, or release claims for, the amount of excess proceeds returned by the municipality?

At a minimum, the municipal officers should require the former owner(s) to acknowledge in writing receipt of any excess proceeds and the municipality's accounting of deductions from total sale proceeds.

Chapter 358 expressly allows municipalities to condition disbursement of excess proceeds on delivery of a quitclaim deed by the former owner releasing any potential interest the former might have in the property. A quitclaim deed is the strongest approach for protecting the municipality's interests. Also, the reassurance that the former owner will release his/her claims on the property at the close of the sale process may address some potential title concerns for prospective buyers, possibly increasing the expected sale price (and former owner's proceeds).

Chapter 358 also provides that receipt of such excess proceeds by the former owner is deemed to be a waiver of the former owner's right to challenge the lien foreclosure pursuant to 36 M.R.S. § 946-B. (Section 946-B normally allows up to 5-years to challenge foreclosures of liens recorded after 10/13/14).

At this time MMA Legal Services has not developed a sample deed for this purpose; until a sample is developed municipal officers will need to work with the municipality's attorney to draft deed and release language, if desired.

Does the new law apply to municipal sewer and stormwater liens?

The newly reformulated 36 M.R.S. § 943-C does not apply to sales of property acquired through a lien foreclosure based on unpaid sewer or stormwater user charges.

However, the constitutional principles stated in the *Tyler* decision likely apply to many types of government forfeitures. Excess sale proceeds received from sale of property acquired through sewer or stormwater lien foreclosures may need to be returned to the former owner. As a result, municipal sale procedures and warrant articles or ordinances governing sale of real estate acquired through other types of lien forfeitures should be reviewed and revised with advice of counsel.



What if the former owner does not request the special sale process?

If the former owner does not respond within 90 days of notice requesting the special sale process, the municipal officers may proceed to sell the property as otherwise allowed by the municipal legislative body. However, **the municipality must still return excess sale proceeds to the former owner.**

The statute (36 M.R.S. § 943-C) allows municipalities the flexibility to determine the sale process *in this limited instance*. Unfortunately, no additional guidance on sale procedures or minimum sale price was provided by the *Tyler* decision. (Note that the sale price impacts the amount of excess proceeds, if any, to be returned to the former owner).

Until additional guidance is provided by statute or the courts, in the few situations where section 943-C allows municipalities to choose sale procedures, the most cautious course of action is to use a sale process intended to obtain a reasonable sale price. To that end, municipalities may wish to incorporate elements such as ample notice, wide-spread advertising, and/or a competitive process. Options might include a well-advertised sealed bid process or a professionally managed auction process. (Note: title issues inherent to tax-acquired property usually mean that the market value will be lower than if the property was not tax-acquired.)

May we sell the property back to the former owner?

The law allows sales back to the former owner assuming the municipal legislative body has provided that authority.

However, neither Chapter 358 nor the *Tyler* decision provides guidance as to the amount the municipality may require the former owner to pay to repurchase tax-acquired property. Based on the constitutional principles stated in *Tyler*, municipalities likely should base the repurchase price for the former owner on the total taxes, interest, fees and administrative costs associated with the property. The list of costs contained in 36 M.R.S. § 943-C(3)(C) may be helpful guidance.

What about municipalities that already adopted ordinances allowing return of excess sale proceeds?

Since 2015, Maine law (36 M.R.S. § 949) has allowed municipalities to adopt ordinances voluntarily returning excess proceeds to the former owner of tax-acquired property. Unfortunately, Chapter 358 does not directly address how its requirements coordinate with existing authority in section 949. However, because Chapter 358 is the more recent legislative enactment, Chapter 358 likely supersedes section 949 in any places where the



two laws conflict. For that reason, municipalities that adopted ordinances under section 949 should review those ordinances with legal counsel and revise them for consistency with Chapter 358.

Unanswered questions:

The *Tyler* decision and the recently enacted Maine legislation (Chapter 358) did not address several important questions, including:

- How should municipalities provide notice and return excess proceeds when tax-acquired property is abandoned or when the former owner is deceased and no personal representative has been appointed?
- How long must property be listed with a real estate agent before the municipal officers may determine they were “unable” to sell the property through a real estate agent?
- How many real estate agents must decline to list tax-acquired property before the municipal officers may determine they were “unable” to list the property?
- If a reasonable offer is received through a real estate broker, is the municipality obligated to seek additional offers?
- What obligations apply when a municipality retains tax-acquired property for municipal use?
- What is required for tax-acquired properties the municipality sold before the *Tyler* decision was issued?
- What obligation does the municipality have to seek the best price (i.e., highest surplus) for such property and what sale procedures are sufficient to meet that obligation?

Chapter 358 established a working group to study issues surrounding tax lien procedures and sale of tax-acquired property. It is hoped that the working group will result in legislative proposals to address many questions left unanswered by the *Tyler* decision.



MMA Legal Services is also continuing to review the *Tyler* decision and conduct further research on questions left unanswered by the Court. **We expect to update this guidance in the future.**

Quick Links to Resources:

Tyler v Hennepin County, Minnesota, 43 S.Ct. 1369 (May 25, 2023)

“An Act to Return to the Former Owner Any Excess Funds Remaining After the Sale of Foreclosed Property,” PL 2023, chapter 358

Real Estate Tax Lien Mortgage Foreclosure statute, Title 36 M.R.S. § § 942 – 949.

“Major U.S. Supreme Court Decision Impacting Municipalities,” MMA Legal Services Update, May 25, 2023

For more information or questions, please contact:

MMA Legal Services at 800-452-8786 or legal@memun.org.

§943-C. Sale of foreclosed properties

Notwithstanding any provision of law to the contrary, after the foreclosure process under sections 942 and 943 or sections 1281 and 1282 is completed and the right of redemption has expired, if a municipality chooses to sell to someone other than the former owner, the municipal officers or their designee shall notify the former owner of the right to require the municipality to use the sale process under subsection 3. For the purpose of this section, "former owner" means the owner or owners of record at the time of foreclosure or, if deceased, the former owner's heirs, devisees or personal representatives. The notice must be sent by United States Postal Service certified mail, return receipt requested, and first-class mail to the last known address of the former owner. If the municipality agrees to sell the property back to the former owner, the alternative sale process under this section does not apply. If the sale to the former owner is not completed, the requirements of this section are reinstated. [PL 2023, c. 358, §1 (AMD).]

1. Subject property.

[PL 2023, c. 358, §1 (RP).]

2. Notification; appeal. At least 90 days prior to listing property for sale, the municipal officers or their designee shall send a written notice to the last known address of the former owner, by United States Postal Service certified mail, return receipt requested, and first-class mail, of the right to require the sale process described in subsection 3. The State Tax Assessor shall prepare application forms, notices and instructions that must be used by municipalities to inform former owners of their right to apply for the sale process provided under subsection 3. [PL 2023, c. 358, §1 (AMD).]

3. Sale process requirements. If the former owner submits a written demand within 90 days after the notification in subsection 2 that the sale process of this subsection be used, the municipal officers or their designee shall:

A. List the property for sale with a real estate broker licensed under Title 32, chapter 114 who does not hold an elected or appointed office in the municipality and is not employed by the municipality; [PL 2017, c. 478, §3 (NEW).]

B. Sell the property via quitclaim deed to the successful buyer at the highest price at which the property is able to sell, or the price at which the property is anticipated by the real estate broker to sell within 6 months after listing; and [PL 2023, c. 358, §1 (AMD).]

C. Pay to the former owner any sale proceeds in excess of:

- (1) The sum of all taxes owed on the property;
- (2) Property taxes that would have been assessed on the property during the period following foreclosure when the property is owned by the municipality;
- (3) All accrued interest;
- (4) Fees, including property listing and real estate broker's fees;
- (5) Any other expenses incurred by the municipality in selling or maintaining the property, including, but not limited to, an administrative fee equal to 10% of the property taxes owed and reasonable attorney's fees;
- (6) The cost to the municipality of the lien and foreclosure process, including, but not limited to, reasonable attorney's fees; and
- (7) Unpaid sewer, water or other utility charges and fees imposed by the municipality. [PL 2023, c. 358, §1 (AMD).]

If the municipal officers are unable to list or sell the property under the requirements of paragraphs A and B, or if the property tax payer does not request that the property be sold according to the sale process in this subsection, the municipal officers may sell the property in any manner authorized by the municipality's legislative body, if the municipal officers pay the former owner any excess sale proceeds as calculated in paragraph C.

[PL 2023, c. 358, §1 (AMD).]

4. Effect of inability to contract or sell property.

[PL 2023, c. 358, §1 (RP).]

5. Property in the unorganized territory. With regard to the sale of property acquired by the State through tax lien foreclosure in the unorganized territory, the State Tax Assessor has the obligations of a municipality under this section.

[PL 2017, c. 478, §3 (NEW).]

6. Quitclaim deed and waiver of former owner. As a condition of disbursement of excess sale proceeds to the former owner under subsection 3, paragraph C, the municipal officers may require the former owner to execute a quitclaim deed without covenant conveying any interest of the former owner in the property to the municipality and to deliver that deed before conveyance by the municipality to the buyer. Receipt of such excess sale proceeds by the former owner is deemed to be a waiver of any right of the former owner to commence any action pursuant to section 946-B.

[PL 2023, c. 358, §1 (NEW).]

SECTION HISTORY

PL 2017, c. 478, §3 (NEW). PL 2019, c. 401, Pt. A, §10 (AMD). PL 2023, c. 358, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

Article 21. To see if the Town will vote to authorize the Select Board to enter into boundary line agreements with abutting property owners to establish the boundary line of any property of the Town, including the boundary lines of the rights-of-way of roads.

Motion was made by Chair Lone to accept Article 21 as written.

Second from Vice-Chair McHatton. All in favor.

Article 21 was passed as written.

Motion was made by Ms. Brusini to pass Article 22 through Article 30 as a block; second from Vice-Chair McHatton. All in favor.

Article 22. To see if the Town will vote to authorize the Select Board to waive the foreclosure of a tax lien mortgage pursuant to 36 MRS § 944 upon a finding by the Select Board that ownership of the property subject to the lien would be contrary to the Town's best interest.

Article 22 was passed as written.

***Article 23.** To see if the Town will vote to authorize the Select Board, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon, on such terms as they deem advisable, and to execute quitclaim deeds for the property; with property to be disposed of by written policy and on terms the Select Board deem advisable, except that the Select Board shall use the special sale process required by 36 MRS § 943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner(s).

Article 23 was passed as written.

Article 24. To see if the Town will vote to authorize the Select Board, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for non-payment of wastewater assessments thereon, on such terms as they deem advisable, and to execute quitclaim deeds for the property; property to be disposed of by written policy and on terms the Select Board deem advisable.

Article 24 was passed as written.

Article 25. To see if the Town will vote to authorize the Select Board to sell Town-owned land that the Select Board has determined to be surplus, other than land acquired for non-payment of taxes or wastewater assessments, and to conduct the sale of such land by sealed bid, public auction or through an agent or multiple listing, whichever the Select Board deems to be in the best interest of the Town; and to deliver a quitclaim deed to the successful purchaser; provided that at least 30 days prior to selling, or obligating the Town to sell, such surplus land, the Town shall mail written notice to the abutters at their addresses on file with the Town, give notice on the Town's website, post at least one notice on a social media platform used by the Town, and publish at least one notice in a newspaper of general circulation in the Town. The net proceeds of any sale shall be deposited into the Town's general fund.

Article 25 was passed as written.

Article 26. To see if the Town will vote to authorize the transfer of all unexpended balances to fund balance, excepting those carried forward funds, and to authorize any overdrafts that may occur in the Town operations in the 2023/2024 fiscal year to be taken from fund balance.

Article 26 was passed as written.



MEMORANDUM

TOWN OF BRIDGTON Assessing Office

3 Chase St., Ste. 1; Bridgton, Maine 04009; Phone 207-647-8786 Fax 207-647-8789

The abatement memo presented on November 14, 2023 and signed by the Assessors contained inaccurate abated valuations and tax amounts. Individual letters to the taxpayers listed will be sent upon your signature of approval at the bottom of the page.

Tax Year	Account #	Owner	Abated Value	Abated Tax	Reason
2023-2024	PP 84	Down East Inc.	\$69,420	\$1,194.02	The business sold the equipment prior to 4/1/2023.
2023-2024	PP 333	About Time Graphics	\$1,650	\$28.38	The business was closed prior to 4/1/2023.
2023-2024	004-025	Pottle, John K	\$79,400	\$1,365.68	The building belong to a different lot.
2023-2024	012-022	Harnum Bridgton Realty Trust	\$749,040	\$12,883.49	The building belong to a different lot.
2023-2024	014-046	Hatch, Robert R & Bosworth, John E	\$3,600	\$61.92	The land area was corrected from 10.54 acres to 7.54 acres.
2023-2024	014-071	Peterson, Micah J & Todd W	\$19,750	\$339.70	The Homestead Exemption was missed in the original commitment.
2023-2024	021-038-005	Sampson Robert & Tara	\$19,750	\$339.70	The Homestead Exemption was missed in the original commitment.
		Totals	\$942,610	\$16,212.89	

The attached list of tax abatements are approved by the Bridgton Assessors/Selectmen on November 14, 2023.

Carmen E. Lone, Chairman

Paul A. Tworog

Robert J. McHatton Sr, Vice Chairman

Carrye Castleman-Ross

Kenneth J. Murphy

Town of Bridgton 11-14-2023
Supplemental Commitment
(FY 2023-2024)

Account	Map/lot	New land	New building	New exempt	New real estate net	New real Estate tax	Reason	Fiscal year
RE 6003	004-025-A	\$0.00	\$63,400.00	\$0.00	\$63,400.00	\$1,090.48	The building was assessed on the wrong lot.	2023-2024
RE 6072	012-022-A	\$0.00	\$749,040.00	\$0.00	\$749,040.00	\$12,883.49	The building was assessed on the wrong lot.	2023-2024
			Totals		\$812,440	\$13,973.97		

SUPPLEMENTAL TAX CERTIFICATE

Title 36 M.R.S.A. Section 713

We, the undersigned, Assessors of the Municipality of Bridgton, hereby certify that the foregoing list of estates and assessments thereon, recorded in page 1 through 1 of this book, were either invalid, void or omitted by mistake from our original invoice and valuation and list of assessments dated the 11th day of July, 2023, that these lists are supplemental to the aforesaid original invoice, valuation and list of assessments dated the 11th day of July, 2023, and are made by virtue of Title 36, Section 713, as amended.

Given under our hands this 14th day of November, 2023.

MUNICIPAL ASSESSOR(S)

Carmen E. Lone, Chairman

Robert J. McHattan Sr. Vice Chair

Carrye Castleman-Ross

Paul A. Tworog

Kenneth J. Murphy

*Attach this form to the inside of the valuation book with a list of persons and their estates.

SUPPLEMENTAL TAX WARRANT

Title 36 M.R.S.A., Section 713

County of Cumberland

To Robert A. Peabody, Jr., Tax Collector of the Municipality of Bridgton, within said County of Cumberland

GREETINGS: Hereby are committed to you a true list of the assessments of the estates of the persons hereinafter named. You are hereby directed to levy and collect each of the persons named in said list his respective portion, therein set down, of the sum of: **Thirteen thousand nine hundred and seventy three dollars and ninety seven cents (\$13,973.97)**, it being the amount of said list; and all powers of the previous warrant for the collection of taxes issued by us to you and dated 11th day of July, 2023 are extended thereto; and we do hereby certify that the list of assessments of the estates of the persons named in said list is a supplemental assessment laid by virtue of Title 36, Section 713, as amended and the assessments and estates thereon as set forth in said list were either invalid, void or omitted by mistake from the original list committed unto you under our warrant dated 11th day of July, 2023.

Given under our hands this 14th day of November, 2023.

MUNICIPAL ASSESSOR(S)

Carmen E. Lone, Chairman

Robert J. McHattan Sr. Vice Chair

Carrye Castleman-Ross

Paul A. Tworog

Kenneth J. Murphy

*Submit this form to the Tax Collector with a list of persons and their estates.

TOWN OF BRIDGTON

MEMO

TO: Select Board
FROM: Laurie L. Chadbourne, Town Clerk
RE: Business Licenses
DATE: November 6, 2023

November 14, 2023 Select Board Meeting

9. New Business

b. Permits/Documents Requiring Board Approval

2. Victualer's Licenses

a. Snowfox @ Hannaford Located at 109 Portland Road (renewal)

☒ CEO (to include any Planning Board requirements) ☒ Fire ☒ Police ☒ Town Clerk

b. The Scale Shack – Mobile Food Truck Located at 91 Homerun Road (new)

☒ CEO (to include any Planning Board requirements) ☒ Fire ☒ Police ☒ Town Clerk

c. Cookie Mama – Mobile Food Truck Located at Central Fire Station for Craft Fair Event (new)

☒ 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.