

**Winthrop Town Council Regular Meeting Agenda**  
**Monday, November 4, 2019**  
**Town Office**  
**17 Highland Avenue**  
**6:00 PM Executive Session**  
**7:00 PM Business Meeting**

**Call To Order – Pledge of Allegiance – Roll Call**

\_\_\_ Chairperson Sarah Fuller, \_\_\_ Vice-Chairperson Priscilla Jenkins,  
\_\_\_ Councilor Linda Caprara, \_\_\_ Councilor Barbara Buck, \_\_\_ Councilor Rita Moran,  
\_\_\_ Councilor Andy Wess, \_\_\_ Councilor Scott Eldridge

**Item 104** To consider entering executive session pursuant to 1 MRSA Section 405.6.A to discuss a personnel matter

**Suggested Motion:** Move to enter executive session pursuant to 1 MRSA 405.6. A to discuss a personnel matter

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Exit**

**Motion:** Move to exit from Executive Session

**Motion by:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Item 105** To consider entering executive session pursuant to 1 MRSA Section 405.6.D to discuss labor negotiations

**Suggested Motion:** Move to enter executive session pursuant to 1 MRSA 405.6.D to discuss labor negotiations

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Exit**

**Motion:** Move to exit from Executive Session

**Motion by:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Item 106** To consider approving council meeting minutes for October 7, 2019 and sign disbursement warrants.

**Suggested Motion:** Move to approve the council meeting minutes for October 7, 2019.

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Item 107** To consider Order 2019-012 non union compensation

**Suggested Motion:** Move to approve Order 2019-012 non union compensation

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Item 108** To consider renewal of liquor license for American Legion Post 40

**Suggested Motion:** Move to approve renewal of liquor license for American Legion Post 40

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Item 109** To consider updating agent fees for motor vehicle registrations as enacted by legislation

**Suggested Motion:** Move to approve updating agent fees for motor vehicle registrations as enacted by legislation

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Item 110** To consider purchase of Fire Department apparatus and acquisition of Attack Pumper

**Suggested Motion:** Move to authorize the manager to execute documents associated with placing an order for 2020 Pierce PUC 1500 gpm, 1000 gal water, 25 gal foam CAFS and associated extrication equipment.

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Item 111** To discuss Welch's Point survey

**Item 112** To consider a Quit Claim Deed granted to Elaine H. Botka Quiron Life Estate and Katherine Botka Quiron

**Suggested Motion:** Move to authorize execution of a Quit Claim Deed granted to Elaine H. Botka Quiron Life Estate and Katherine Botka Quiron

**Motion:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

Other Business:

Manager's Report:

Update - Maranacook Lake Outlet Dam Project

Various Updates

Adjourn.

**Suggested Motion:** Move to adjourn meeting at \_\_\_\_\_ pm

**Motion by:** \_\_\_\_\_ **Second:** \_\_\_\_\_ **Vote:** \_\_\_\_\_

**Winthrop Town Council Regular Meeting Minutes**  
**Monday, October 7, 2019**  
**Town Office**  
**17 Highland Avenue**  
**7:00 PM**

**Call To Order – Pledge of Allegiance – Roll Call**

X\_\_\_ Chairperson Sarah Fuller, \_\_\_X\_\_\_ Vice-Chairperson Priscilla Jenkins,  
\_\_\_X\_\_\_ Councilor Linda Caprara, \_\_\_X\_\_\_ Councilor Barbara Buck, \_\_\_X\_\_\_ Councilor Rita Moran,  
\_\_\_X\_\_\_ Councilor Andy Wess, \_\_\_X\_\_\_ Councilor Scott Eldridge

**Item 92** To consider approving council meeting minutes for September 9, 2019 and sign disbursement warrants.

**Suggested Motion:** Move to approve the council meeting minutes for August 5, 2019.

**Motion:** Jenkins      **Second:** Wess      **Vote:** 6-0-1 Jenkins

**Item 93** Public Hearing – Renewal of Auto Graveyard /Junkyard Permit Earnest and Sharon Flaherty 67 Soper Rd

**Open: 7:02**

CEO Arsenault states there are no issues with this junkyard

**Close: 7:03**

**Item 94** To consider Renewal of Auto Graveyard /Junkyard Permit Earnest and Sharon Flaherty 67 Soper Rd

**Suggested Motion:** Move to approve Renewal of Auto Graveyard /Junkyard Permit Earnest and Sharon Flaherty 67 Soper Rd

**Motion:** Moran      **Second:** Jenkins      **Vote:** 7-0

**Item 95** Public Hearing – Updating General Assistance Ordinance

**Open: 7:03**

It was noted that this is a state requirement that updates assistance amounts to continue receiving reimbursement for GA expenses.

**Close: 7:05**

**Item 96** To consider Updating General Assistance Ordinance

**Suggested Motion:** Move to approve Updating General Assistance Ordinance

**Motion:** Moran            **Second:** Jenkins            **Vote:** 7-0

**Item 97** To consider Resolution 2019-006 Creation of a Care and Conservancy Committee for oversight of cemeteries

**Suggested Motion:** Move to approve Resolution 2019-006 Creation of a Care and Conservancy Committee for oversight of cemeteries

**Motion:** Caprara            **Second:** Moran            **Vote:** 7-0

**Item 98** Consider Fire Department Apparatus and Acquisition of Attack Pumper

**Motion:** Table this item and ask the manager to provide additional information regarding the financing of this purchase

**Motion:** Jenkins            **Second:** Moran            **Vote:** 7-0

**Item 99** To consider Resolution 2019-005 Tax Club Guidelines

**Suggested Motion:** Move to approve Resolution 2019-005 Tax Club Guidelines

**Motion:** Caprara            **Second:** Buck            **Vote:** 7-0

**Item 100** To consider Order 2019 – 013 Authorizing Disposal of Surplus Property

**Suggested Motion:** Move to approve Order 2019 – 013 Authorizing Disposal of Surplus Property

**Motion:** Wess            **Second:** Eldridge            **Vote:** 7-0

**Item 101** Consideration of Delegating Award of Demolition Bid – 36 & 40 Bowdoin St

**Suggested Motion:** Move to delegate authority for awarding demolition bid for 36 & 40 Bowdoin St to the manager.

**Motion:** Wess            **Second:** Eldridge            **Vote:** 7-0

**Item 102** Consideration of Delegating Enforcement of Special Amusement Ordinance

**Suggested Motion:** Move to delegate authority for enforcing the Special Amusement Ordinance to the manager.

**Motion:** Caprara            **Second:** Moran            **Vote:** 7-0

**Item 103** Consideration of Awarding Library Roof Bid

**Suggested Motion:** Move to Award Library Roof Bid to low bidder Hahnel Roofing

**Motion:** Caprara            **Second:** Buck            **Vote:** 7-0

**Other Business:**

A list of town owned properties was requested by Councilor Jenkins.

A property considered likely for cleanup of junk on Turkey Lane was mentioned.

Councilor Wess mentioned that we are expecting the survey for Welch's Point soon.

**Manager's Report:**

**Update - Personnel**

The Finance Director went out on medical leave unexpectedly September 3 and her return is unknown at this point. She is on FMLA until January 3.

**Update - Maranacook Lake Outlet Dam Project**

Project is progressing well even with several weeks lost due to suppliers missing projected deadlines. The "out of water" regulatory deadline may be very tight due to these delays.

**Update - Memorial Drive Improvements**

The ditching/drainage project is finished for this year and excellent progress was made. About 1000 feet remain for next year, but the really tough parts of the project are behind us.

Adjourn.

**Suggested Motion:** Move to adjourn meeting at 8:15 pm

**Motion by:** Moran            **Second:** Jenkins            **Vote:** 7-0

**ORDER #2019-012**  
**TOWN COUNCIL**

**Non Union Raises - FY 20**

**Whereas**, union compensation is defined by Collective Bargaining Agreements,

And non union compensation is authorized by Council as part of the annual budget process,

**Therefore**,

**BE IT ORDERED**, by the Town Council of the Town of Winthrop, as follows:

All non union compensation is increased by 2% on July 1, 2019 for the FY 20 budget.

(Note: there may be other merit/market compensation adjustments beyond this as reflected in the adopted budget, this percentage is applied across the board to non union positions)

Adopted: November 4, 2019

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS**  
**DIVISION OF LIQUOR LICENSING AND ENFORCEMENT**  
**8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)**  
**10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)**  
**TEL: (207) 624-7220 FAX: (207) 287-3434**  
**EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV**

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS & DBA: YES <input type="checkbox"/> NO <input type="checkbox"/>	

**PRESENT LICENSE EXPIRES:** 12/31/2019

NEW application: ☐ Yes ☒ No

If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_

Requested inspection (New Licensees/ Ownership Changes Only) Date : \_\_\_\_\_ Business hours: \_\_\_\_\_

**INDICATE TYPE OF PRIVILEGE:** ☐ MALT ☐ VINOUS ☐ SPIRITUOUS

**INDICATE TYPE OF LICENSE:**

- ☐ RESTAURANT (Class I,II,III,IV)    ☐ RESTAURANT/LOUNGE (Class XI)    ☐ CLASS A LOUNGE (Class X)  
☐ HOTEL (Class I,II,III,IV)    ☐ HOTEL, FOOD OPTIONAL (Class I-A)    ☐ BED & BREAKFAST (Class V)  
☐ CLUB w/o Catering (Class V)    ☒ CLUB with CATERING (Class I)    ☐  
 GOLF COURSE (Class I,II,III,IV),  
☐ TAVERN (Class IV)    ☐ QUALIFIED CATERING    ☐ OTHER: \_\_\_\_\_

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

Corporation Name:		Business Name (D/B/A) Alfred W. Maxwell, Jr. American Legion Post 40	
APPLICANT(S) –(Sole Proprietor)	DOB:	Physical Location: 117 Bowdoin St.	
	DOB:	City/Town Winthrop State Maine Zip Code 04364	
Address		Mailing Address P.O. Box 342	
City/Town	State	Zip Code	City/Town Winthrop State Maine Zip Code 04364
Telephone Number	Fax Number	Business Telephone Number 377-8258 Fax Number	
Federal I.D. #		Seller Certificate #: 0007510 or Sales Tax #:	
Email Address: Please Print		Website:	

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: \_\_\_\_\_
2. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_

3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees

4. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐



5. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

6. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # \_\_\_\_\_ Name of Business \_\_\_\_\_

Physical Location \_\_\_\_\_ City / Town \_\_\_\_\_

7. If manager is to be employed, give name: \_\_\_\_\_

8. Business records are located at: \_\_\_\_\_

9. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐

10. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

11. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth

12. Residence address on all of the above for previous 5 years (Limit answer to city & state)

Name: _____	City: _____	State: _____
Name: _____	City: _____	State: _____
Name: _____	City: _____	State: _____

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United

States? YES ☐ NO ☒

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_

Disposition: \_\_\_\_\_ (use additional sheet(s) if necessary)

14. Will any law enforcement official benefit directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: \_\_\_\_\_

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: \_\_\_\_\_

17. Describe in detail the premises to be licensed: (On Premise Diagram Required) Post Recreation Room, see  
attached diagram.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: \_\_\_\_\_

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel

or parish house by the ordinary course of travel? 1/4 Mile

Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Mortgage for additions to the building

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Winthrop, Maine on \_\_\_\_\_  
Town/City, State

November 1, 2018  
Date

**Please sign in blue ink**

\_\_\_\_\_  
Signature of Applicant or Corporate Officer(s)

\_\_\_\_\_  
Signature of Applicant or Corporate Officer(s)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

#### FEE SCHEDULE

<b>FILING FEE: (must be <u>included</u> on all applications)</b>	<b>\$ 10.00</b>
<b>Class I</b> Spirituous, Vinous and Malt	\$ 900.00
<b>CLASS I:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
<b>Class I-A</b> Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
<b>CLASS I-A:</b> Hotels only that do not serve three meals a day.	
<b>Class II</b> Spirituous Only	\$ 550.00
<b>CLASS II:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
<b>Class III</b> Vinous Only	\$ 220.00
<b>CLASS III:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
<b>Class IV</b> Malt Liquor Only	\$ 220.00
<b>CLASS IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns;	
<b>Class III &amp; IV</b> Malt & Vinous Only	\$ 440.00
<b>CLASS III &amp; IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
<b>Class V</b> Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
<b>CLASS V:</b> Clubs without catering privileges.	
<b>Class X</b> Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
<b>CLASS X:</b> Class A Lounge	
<b>Class XI</b> Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
<b>CLASS XI:</b> Restaurant/Lounge; and OTB.	

**UNORGANIZED TERRITORIES** \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer. All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight address)

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

**TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:**

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: \_\_\_\_\_, Maine \_\_\_\_\_  
City/Town (County)

On: \_\_\_\_\_  
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the  
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: \_\_\_\_\_, Maine

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THIS APPROVAL EXPIRES IN 60 DAYS**

**NOTICE – SPECIAL ATTENTION**

**§653. Hearings; bureau review; appeal**

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended



Department of the Secretary of State  
**Bureau of Motor Vehicles**  
Municipal & Agent Services

Patty A. Morneault  
*Deputy Secretary of State*

Matthew Dunlap  
*Secretary of State*

Stephen P. Ashcroft  
*Director of Vehicle Services*

## Memo

**To:** All Municipalities

**CC:** Stephen Ashcroft, Dir. Vehicle Services; BMV Audit; BMV Municipal & Agent Services; BMV Registrations

**From:** Valerie Grant, Section Manager

**Date:** September 16, 2019

**Re:** New Laws – 129<sup>th</sup> Legislature, First Regular Session

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Public Laws and Resolves Affecting Motor Vehicles  
**Effective Date is September 19, 2019 unless otherwise noted.**  
***(Processing Information memos will be forthcoming.)***

- **PL 2019, Chapter 255 (LD 917), “An Act Increasing Municipal Agent Fees for Motor Vehicle Registrations.”**

This law allows municipal agents to charge higher service fees for registrations for motor vehicles, from \$3 to \$5 for renewals and from \$4 to \$6 for new registrations.

- **PL 2019, Chapter 352 (LD 1528), “An Act To Amend the Laws Regarding Motor Vehicle Fees.”**

This law:

1. Increases the one-time fee for an out-of-rotation registration plate and for a reserved registration number from \$15 to \$25, the same as for a vanity registration plate fee;
2. Increases the registration transfer fee for a trailer under 2,000 pounds from \$5 to \$8, making the fee the same as for other registration transfers;
3. Increases the fee for a duplicate registration certificate from \$2 to \$5

- **PL 2019, Chapter 345 (LD 1627), “An Act To Authorize the Use of Autocycles.”**

This law defines an autocycle as a 3-wheeled motorcycle that has a steering wheel or handlebars, floor pedals for automotive-style controls and seating that does not require the operator to straddle or sit astride a seat and establishes provisions for registration and operator licensing.

*(Autocycle plates will not be available until December or January)*

- **PL 2019, Chapter 390 (LD 1487), “An Act To Exempt Holders of Gold Star Family Registration Plates from Vehicle Registration Fees.”**

This law exempts a person possessing or applying for a registration certificate and a set of gold star family registration plates from the annual motor vehicle registration fee and title fee.

- **Effective December 1, 2019, the maximum registered gross weight for the following specialty plate classes has been increased from 10,000 lbs. to 26,000 lbs.**

The plate classes to be included are:

Support Animal Welfare (AW)

Maine Black Bears (BB)

Breast Cancer Support Services (BC)

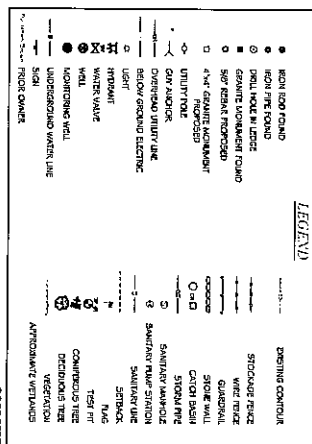
Lobster (LB)

Sportsman (SW)

We Support Our Troops (TS)

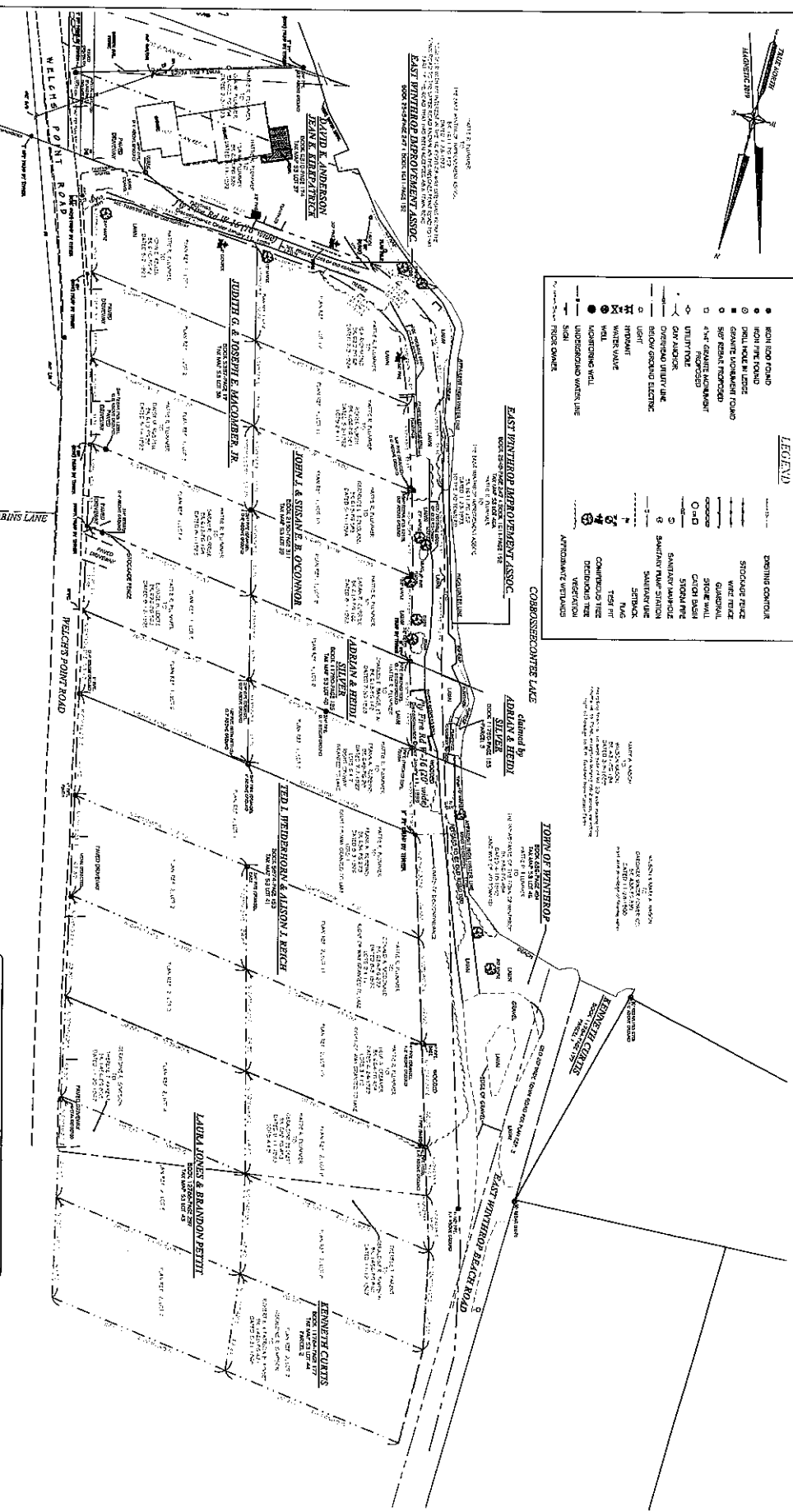
University of Maine System (UM)

ENGINE 1/RESCUE 1 REPLACEMENT	Amount	Pre-pay Discount Estimate	Closing Costs	Interest Rate (current)	Payment 7 years	Interest Paid	1st Payment	Total Costs
Pierce Lease/Purchase	\$698,140.00	\$18,000	\$0	3.13%	\$109,702.27	\$87,775.89	2020	\$855,691.78
Local Bank Lease/Purchase	\$698,140.00		\$1,800	3.27%	\$109,614.53	\$69,161.69	at closing	\$838,263.40
Bond	\$698,140.00		\$2,400	2.2-2.73%	\$109,102.79	\$72,871.60	interest only 6 mo after closing	\$838,991.13



**PLAIN REFERENCES:**

- 1) *Notes of John, Frank L. Wheeler, Earl Widdows, Master by Henry P. 7th, dated April 23, 1923, recorded at Landmark County Registry of Deeds at C.C.D.D. in Book 474, Page 16.*
- 2) *Notes of John, Frank L. Wheeler, Earl Widdows, Master by Henry P. 7th, dated September 11, 1923, recorded at C.C.D.D. in Book 474, Page 20.*
- 3) *Notes, abstract of sales at public sale of land, dated Earl Widdows in deed to Henry P. 7th, dated August 17, 1924, recorded at C.C.D.D. in Book 474, Page 22.*
- 4) *Midway survey by John, Frank L. Wheeler by Henry P. 7th, dated 1923.*
- 5) *Henry P. 7th, Plaintiff v. Constance R. L. Wheeler, Midway, Iowa, Earl Widdows, Master by Henry P. 7th, dated August 16, 1924, recorded at C.C.D.D. in Book 474, Page 27.*
- 6) *Notes of John, Frank L. Wheeler, Earl Widdows, Master by Henry P. 7th, dated May 16, 1924, recorded at C.C.D.D. in Book 474, Page 28.*

[illegible][illegible]

## Jeff Kobrock

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**From:** Lee Bragg <lbragg@bernsteinshur.com>  
**Sent:** Monday, August 06, 2018 2:23 PM  
**To:** 'Ryan Frost'  
**Subject:** Welch's Point Right of Way  
**Attachments:** Pages from East Winthrop Welchs Point ROW #2-2.pdf - Adobe Acrobat.pdf; Pages from East Winthrop Welchs Point ROW 1.pdf - Adobe Acrobat.pdf

Ryan,

I have reviewed the extensive file material regarding this matter, much of which dates back to 1983. I recall the Council having discussions at several meetings over the years about the right of way (shown on the attached tax map copy) and the strip of land that lies between the right of way and the water (Lot 46-A on the map). I believe that the file material, if not my memory, confirms several facts about the situation:

1. The Town conveyed Lot 46-A to the East Winthrop Improvement Association in 1983. The description in the deed (copy attached) is confusing in that it mentions the 16' right of way, but I assume that this happened because the description was taken verbatim from a prior deed.
2. The East Winthrop Improvement Association has been administratively dissolved by the Secretary of State. The EWIA would need to be reinstated before title to Lot 46-A could be conveyed to another entity, but the ownership of Lot 46-A has not been a concern of the Town since 1983. As a result, I have not done additional title work to determine the status of Lot 46-A with greater certainty.
3. Prior to 1999, the Council treated the 16' right of way as a public way. In 1999, the Council took action to discontinue the road, although the discontinuance order retained a public easement. This action essentially changed the Town's maintenance obligation from mandatory to voluntary. Note Cornell Knight's letter of explanation which is attached.
4. The Council has the choice of leaving the 16' strip as it is or maintaining it to any degree that it deems appropriate. I do suggest, however, that a more in-depth review of the title history be undertaken before the Council undertakes any significant improvements.

I will look forward to discussing the matter further to the extent necessary after the Council provides direction.

Lee

Lee Bragg  
Of Counsel  
207 629-6212 direct  
207 623-1596 main  
207 770-2566 fax  
[My Bio](#) | [LinkedIn](#) | [Twitter](#)

**BERNSTEIN SHUR**

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**Confidentiality notice:** This message is intended only for the person to whom addressed in the text above and may contain privileged or confidential information. If you are not that person, any use of this message is prohibited. We





## MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS

**The Inhabitants of the Town of Winthrop, a body corporate and politic, located in Kennebec, County, State of Maine, for consideration paid, releases to Elaine H. Botka Life Estate & Katherine Botka Quirion, with a mailing address of 736 Federal Road, Livermore, Me., a certain parcel of land with buildings thereon, if any, located in Winthrop, Kennebec County, State of Maine, identified as follows:**

**Map 011, Lot 036 on the Tax Maps of the Town of Winthrop dated April 1, 1968, as revised April 1, 2019, on file in the Office of the Winthrop Assessors at; 17 Highland Ave., Winthrop, Maine.**

**Meaning and intending to convey the property interest acquired by the Town by virtue of a tax lien for the 2016 tax year, which lien is recorded in the Kennebec County Registry of Deeds in Book 12670, Page 221.**

**Excepting and Reserving all interests of the Town of Winthrop in and to the above described premises arising by virtue of undischarged tax liens for tax years subsequent to the 2016 tax year.**

**The Inhabitants of the Town of Winthrop have caused this instrument to be signed in its corporate name by the members of the Winthrop Town Council pursuant to a vote duly adopted on November 4, 2019.**

\_\_\_\_\_  
Priscilla Jenkins

\_\_\_\_\_  
Sarah Fuller

\_\_\_\_\_  
Linda Caprara

\_\_\_\_\_  
Scott Eldridge

\_\_\_\_\_  
Rita Moran

\_\_\_\_\_  
Barbara Buck

\_\_\_\_\_  
Anthony Wess

State of Maine  
Kennebec County, ss

Dated November 4, 2019

**Then personally appeared before me the above named members of the Winthrop Town Council, and acknowledged the foregoing to be their free act and deed in their said capacity and the free act and deed of the Inhabitants of the Town of Winthrop.**

Before me,

\_\_\_\_\_  
Notary Public/Attorney at Law



\*18RETTD\*

00

MAINE REAL ESTATE  
TRANSFER TAX DECLARATION

## Form RETTD

Do not use red ink.

1. County KENNEBEC

2. Municipality WINTHROP

BOOK/PAGE - REGISTRY USE ONLY

## 3. GRANTEE/PURCHASER

3a. Last name, first name, MI; or business name

3b. Federal ID

BOTKA, ELAINE H. LIFE ESTATE

3c. Last name, first name, MI; or business name

3d. Federal ID

QUIRION BOTKA, KATHERINE

3e. Mailing address after purchasing this property

3f. Municipality

3g. State 3h. ZIP Code

736 FEDERAL ROAD

LIVERMORE

ME 04253

## 4. GRANTOR/SELLER

4a. Last name, first name, MI; or business name

4b. Federal ID

TOWN OF WINTHROP

1600446

4c. Last name, first name, MI; or Business name

4d. Federal ID

4e. Mailing address

4f. Municipality

4g. State 4h. ZIP Code

17 HIGHLAND AVENUE

WINTHROP

ME 04364

## 5. PROPERTY

5a. Map

Block

Lot

Sub-lot

Check any that apply

5b. Type of property - enter the code number that best describes the property being sold (see instructions).

204

011

036

No maps exist

Multiple parcels

Portion of parcel

Not applicable

5d. Acreage (see instructions)

.0.13

5c. Physical location

8 SHERB'S ISLAND

## 6. TRANSFER TAX

6a. Purchase price (If the transfer is a gift, enter "0")..... 6a.

.00

6b. Fair market value (Enter a value only if you entered "0" or a nominal value on line 6a)..... 6b.

.00

6c. Exemption claim - ☒ Check the box if either grantor or grantee is claiming exemption from transfer tax and enter explanation below.

RELEASING THE LIEN.

## 7. DATE OF TRANSFER (MM-DD-YYYY)

11/04/2019

8. CLASSIFIED. WARNING TO BUYER - If the property is classified as farmland, open space, tree growth, or working waterfront, a substantial financial penalty may be triggered by development, subdivision, partition, or change in use.

CLASSIFIED

9. SPECIAL CIRCUMSTANCES. Were there any special circumstances with the transfer that suggest the price paid was either more or less than its fair market value? If yes, check the box and enter explanation below.

10. INCOME TAX WITHHELD. The buyer is not required to withhold Maine income tax because:

Seller has qualified as a Maine resident

A waiver has been received from the State Tax Assessor

Consideration for the property is less than \$50,000

The transfer is a foreclosure sale

11. OATH. Aware of penalties as set forth in 36 M.R.S. § 4641-K, I declare that I have reviewed this return with the Grantor(s) and Grantee(s) and to the best of my knowledge and belief the information contained herein is true, correct and complete. Declaration of preparer is based on information provided by Grantor(s) and Grantee(s) and of which preparer has any knowledge.

PREPARER. Name of preparer: Lauri Carson

Phone number: 377-7200

Mailing address: 17 Highland Avenue

Email address: lcarson@winthropmaine.org

Fax number: 377-7201

Rev. 3/19

Account	Card #	Name / Location / Map-Lot	Land	Building	Exemption	Total
00522	001	WINTHROP TOWN OF 36 BOWDOIN STREET 031-012	19,900	84,600	104,500	0
00524	001	WINTHROP TOWN OF STURTEVANT HILL ROAD 007-084-B	4,200	0	4,200	0
01343	001	WINTHROP TOWN OF METCALF ROAD 009-023	4,300	0	4,300	0
01981	001	WINTHROP TOWN OF YORKTOWN ROAD 35A-007-029	3,800	0	3,800	0
02026	001	WINTHROP TOWN OF 40 BOWDOIN STREET 031-013	20,700	47,100	67,800	0
02079	001	WINTHROP TOWN OF TRENTON DRIVE 035-004-018	4,300	0	4,300	0
02793	001	WINTHROP TOWN OF FELLOWS LANE 35A-009-012	11,000	0	11,000	0
03051	001	WINTHROP TOWN OF FELLOWS LANE 35A-008-018	10,400	0	10,400	0
03165	001	WINTHROP TOWN OF 57 PINELAND DRIVE 009-057-000-019	0	12,500	12,500	0
03376	001	WINTHROP TOWN OF YORKTOWN ROAD 35A-007-020	4,100	0	4,100	0
03717	001	WINTHROP TOWN OF US ROUTE 202 002-012-000-001	0	188,100	188,100	0
03718	001	WINTHROP TOWN OF 294 ANNABESSACOOK ROAD 002-047	48,900	430,800	479,700	0

**Real Estate**  
Account List by Name (WINTHROP TOWN OF - zzzz)

Account	Card #	Name / Location / Map-Lot	Land	Building	Exemption	Total
03720	001	WINTHROP TOWN OF MT PISGAH ROAD 004-011	100,100	0	100,100	0
03721	001	WINTHROP TOWN OF TURKEY LANE 004-065	35,700	0	35,700	0
03722	001	WINTHROP TOWN OF Glenside Cemetery TURKEY LANE 004-070	87,000	1,000	88,000	0
03723	001	WINTHROP TOWN OF TURKEY LANE 005-010	3,900	0	3,900	0
03724	001	WINTHROP TOWN OF Metcalf Cemetery BEARCE ROAD 008-079	30,200	2,000	32,200	0
03725	001	WINTHROP TOWN OF 31 OLD WESTERN AVENUE 024-005	35,200	620,600	655,800	0
03726	001	WINTHROP TOWN OF CHARLES STREET 026-005	39,700	0	39,700	0
03727	001	WINTHROP TOWN OF 36 MAIN STREET 026-080	34,700	205,700	240,400	0
03728	001	WINTHROP TOWN OF 17 HIGHLAND AVENUE 027-008	147,900	6,105,800	6,253,700	0
03729	001	WINTHROP TOWN OF MORTON STREET 027-029	21,400	0	21,400	0
03730	001	WINTHROP TOWN OF 90 BOWDOIN STREET 031-031	210,300	13,000	223,300	0
03731	001	WINTHROP TOWN OF 39 BOWDOIN STREET 031-043	20,900	458,700	479,600	0

**Real Estate**  
Account List by Name (WINTHROP TOWN OF - zzzz)

Account	Card #	Name / Location / Map-Lot	Land	Building	Exemption	Total
03732	001	WINTHROP TOWN OF 33 BOWDOIN STREET 031-044	20,100	0	20,100	0
03733	001	WINTHROP TOWN OF MAIN STREET 031-051	24,800	4,100	28,900	0
03734	001	WINTHROP TOWN OF UNION STREET 031-066	20,700	900	21,600	0
03735	001	WINTHROP TOWN OF READFIELD TOWN OF BOWDOIN STREET 031-203-000-001	0	103,000	103,000	0
03736	001	WINTHROP TOWN OF MAIN STREET 031-203-000-002	0	0	0	0
03737	001	WINTHROP TOWN OF Maple Cemetery MAIN STREET 031-223	35,800	6,500	42,300	0
03738	001	WINTHROP TOWN OF 130 BOWDOIN STREET 031-224	196,400	0	196,400	0
03739	001	WINTHROP TOWN OF East Winthrop Cemetery TURTLE RUN ROAD 053-016	34,600	6,300	40,900	0
03740	001	WINTHROP TOWN OF EAST WINTHROP BEACH LANE 053-046	194,600	0	194,600	0
03741	001	WINTHROP TOWN OF WINADA DRIVE 002-006-D	71,000	0	71,000	0
03742	001	WINTHROP TOWN OF TRANSFER STATION 1199 US ROUTE 202 002-006-E	170,200	580,000	750,200	0
03743	001	WINTHROP TOWN OF 211 RAMBLER ROAD 005-012-A	571,100	19,411,400	19,982,500	0

# Real Estate

## Account List by Name (WINTHROP TOWN OF - WINTHROP TOWN OFzzzz)

Account	Card #	Name / Location / Map-Lot	Land	Building	Exemption	Total
03744	001	WINTHROP TOWN OF US ROUTE 202 005-034-A	86,200	0	86,200	0
03745	001	WINTHROP TOWN OF US ROUTE 202 005-066-B	195,100	1,502,500	1,697,600	0
03746	001	WINTHROP TOWN OF NARROWS POND ROAD 006-025-A	35,200	6,900	42,100	0
03767	001	WINTHROP TOWN OF 48 ROUTE 133 024-014	36,700	40,100	76,800	0
03804	001	WINTHROP TOWN OF TRENTON DRIVE 035-007-001	4,500	0	4,500	0
<b>Count</b>	41	<b>Total</b>	2,595,600	29,831,600	32,427,200	0