

TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
APRIL 10, 2014, 6:00 P.M.

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MEMBERS PRESENT: Donald Russell  
Marie Brillant (joined the meeting at 7:00 p.m.)  
Ronald Riendeau  
William Thompson

MEMBER(S) ABSENT: David Douglass

STAFF PRESENT: Town Manager, Richard Roedner

A meeting of the Topsham Board of Selectmen was held on Thursday, April 10, 2014 at the Municipal Building at 100 Main Street, Topsham, Maine.

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE/ROLL CALL**

Chairman Russell called the meeting to order at 6:00 p.m. (Normally, the meetings began at 7:00 p.m.) All present were invited to stand and recite the Pledge of Allegiance to the Flag. The recording secretary took the roll call and noted that all Selectmen were present, except Selectman Douglass who was excused. (Selectman Brillant joined the meeting at 7:00 p.m.)

**TOWN MANAGER'S REPORT**

The Town Manager's Report included:

- Sagadahoc County will hold a Public Hearing on its draft budget proposal on April 29, 2014 at 6:00 p.m. at the County Courthouse in Bath.
- Openings remain on several Town Boards and Committees, including the Planning Board, Historic District Commission and the Conservation Commission. If you are interested, or would like to learn more, please contact the Town Manager's Office.
- Either already, or very soon, contractors working for CMP will be in Topsham doing tree work along Foreside, Cathance, Middlesex and most of the residential streets off of Middlesex. Questions may be directed to CMP at 721-8071.
- A reminder that April 26 is the next Medication Collection Day. Town Hall is a collection point from 10:00 a.m. to 2:00 p.m.
- A reminder that the Selectmen's regular meeting scheduled for April 17 has been cancelled. The next board of Selectmen Meeting will be on May 1, 2014.
- Linda Dumont was presented a check in the amount of \$2,008, as a donation to the Heating Assistance Fund, from the students at the Williams Cone School who participated in a Read-A-thorn project. I would like to publicly thank the students and staff at Williams Cone for this wonderful donation.

**BOARD AND COMMITTEE REPORTS AND UPDATES** - None noted.

**PUBLIC COMMENT** - None noted.

**CORRESPONDENCE** - None noted.

**ADJUSTMENTS TO THE AGENDA** - None noted.**CONSENT CALENDAR****1. APPROVAL OF THE MINUTES OF THE REGULAR SELECTMENS MEETING OF APRIL 3, 2014**

Motion was made by Selectman Riendeau, seconded by Selectman Thompson, and it was unanimously, of those present and voting

**VOTED**

To approve the Consent Calendar as presented.

**PUBLIC HEARING**

Chairman Russell noted that the process that would be followed would be to hear each of the three public hearing that have been duly advertised separately, open the public hearing, close that one public hearing, and then open the next.

**PRESENTATION BY JOHN SHATTUCK, ECONOMIC & COMMUNITY DEVELOPMENT DIRECTOR ON COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR \$240,000 ON BEHALF OF MAINE HARVEST**

Mr. Shattuck reviewed the proposed Maine Harvest operation seeking to locate in the former Commissary Building in the Topsham Commerce Park. He said the Town approved the submission of CDBG-EDP applications for Maine Harvest Company at the May 15, 2013 Town Maine. However, due to issues of timing and lack of program funds, the project was not funded and is back for acceptance.

Following Mr. Shattuck's presentation, the Public Hearing was declared open. There being no comments to be heard from members of the public, the Public Hearing was declared closed and Maine Harvest was placed under Article 15 for consideration at the regular Selectmen's meeting agenda.

**PRESENTATION BY JOHN SHATTUCK, ECONOMIC & COMMUNITY DEVELOPMENT DIRECTOR ON COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR \$270,000 ON BEHALF OF WICKED JOE COFFEE ROASTERS**

Mr. Shattuck reviewed the proposed Wicked Joe Coffee Roasters operation seeking to locate in the former Commissary Building in the Topsham Commerce Park. He said the Town approved the submission of CDBG-EDP applications for Wicked Joe Coffee Roasters at the September 25, 2013 Town Maine. However, due to issues of timing and lack of program funds, the project was not funded and is back for acceptance.

Following Mr. Shattuck's presentation, the Public Hearing was declared open. There being no comments to be heard from members of the public, the Public Hearing was declared closed and Wicked Joe Coffee Roasters was placed under Article 16 for consideration at the regular Selectmen's meeting agenda.

**PRESENTATION BY JOHN SHATTUCK, ECONOMIC & COMMUNITY DEVELOPMENT DIRECTOR ON COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR \$210,000 ON BEHALF OF FROSTY'S DONUTS**

Mr. Shattuck gave a presentation on Frosty's Donuts, a new applicant currently located in Brunswick. The company plans to continue their operation in Brunswick, but because of requiring additional space, is looking to apply for a \$210,000 Community Development Block Grant to locate in the former Commissary Building in the Topsham Commerce Park.

Following Mr. Shattuck's presentation, the Public Hearing was declared open. Question was posed from

**Mike Whitney, 9 Homeplace** - Mr. Whitney asked if there was any matching nature to this proposal. Mr. Shattuck responded that for each of these grants, the regulations require that the company show a firm commitment or possessions for at least the amount of the grant. There is no financial commitment to the Town for the grant. The Board of Selectman will negotiate the terms to make them comfortable with the agreement, such that the Town is financially protected in case any repayment is required.

**Selectman Thompson** asked if there was a time line to providing jobs. Response was the goal is to complete providing the jobs during a one-year period. Selectman Thompson then asked at what point would the Town be "off the hook." Response was that standards have been met once the jobs are created and this would be during the one-year period.

With no further questions to be heard, the Public Hearing was declared closed at 6:15 p.m. The Board of Selectmen Meeting was recessed until 7:00 p.m.

The meeting was called back to order at 7:00 p.m. at which time Selectman Brilliant joined the group.

**22-14 - CONSIDERATION AND ANY APPROPRIATE ACTION ON THE TOWN MEETING WARRANT FOR MAY 14, 2014**

The Finance Committee joined the Board of Selectman for consideration of Agenda Item 22-14. Attendance representing the Finance Committee included: Gail Eaton, Phyllis Ponziani, Denise Tepler and Mike Whitney.

Town Manager Roedner told the group he put the draft budget together a bit different than the former Town Manager did and explained his process. No questions resulted from the explanation. Mr. Roedner said the losses in State Revenue Sharing was approximately \$300,000 over the last two years. Those cuts, combined with slow growth in valuation and the increases in the county budget and school budget, resulted in looking at different ways of approaching things. The mill rate increase is estimated to increase approximately 74 cents.

Chairman Russell explained the process by which the meeting would be conducted. He said he would open the hearing, read each article, receive comments and questions. Hearing none, he will then move to the next article. Once we have worked our way through the public hearing part he will close the hearing and look to the Selectmen first and ask them to make a motion whether they want to send the article to the Town Meeting for the legislative body to consider

and if so, what their recommendation might be. Then he will turn to the chairman of the Finance Committee and ask them to take a vote to recommend whether to pass or not pass the article.

The Public Hearing was declared open and each article read aloud, allowing time for comments and/or questions. After Chairman Russell read the last article, Mr. Whitney, Chairman of the Finance Committee commented on that committee's work with the budget. Chairman Russell said the Finance Committee and Board of Selectmen did an excellent job in working up the budget presented. Selectman Thompson echoed Mr. Whitney's comments saying one of the most difficult things in working the budget was dealing with increases we don't have control over such as the County and SAD 75 figures.

The Public Hearing was declared closed and Chairman Russell began with Article 2, asking for a motion, as follows:

**ARTICLE 2 - To have the Town vote to raise, appropriate and spend the sum of \$1,407,787 for Debt Service**

Motion was made by Selectman Riendeau, seconded by Selectman Thompson, and it was unanimously **VOTED** to move Article 2 to Town Meeting with a recommendation from the Board of Selectmen of **Ought to Pass**.

Motion was then made by Ms. Tepler, seconded by Ms. Eaton, and it was unanimously **VOTED** to vote a recommendation from the Finance Committee of **Ought to Pass**.

**ARTICLE 3 - To see what sum the Town will vote to spend for General Government .....**

Motion was made by Selectman Thompson, seconded by Selectman Riendeau, and it was unanimously **VOTED** to vote a recommendation from the Finance Committee of **Ought to Pass**.

Motion was then made by Ms. Tepler, seconded by Ms. Eaton, and it was unanimously **VOTED** to vote a recommendation from the Finance Committee of **Ought to Pass**.

**ARTICLE 4 - To see what sum the Town will vote to spend for the Capital Projects Fund....**

Motion was made by Selectman Riendeau, seconded by Selectman Thompson, and it was unanimously **VOTED** to move Article 4 to Town Meeting with a recommendation from the Board of Selectmen of **Ought to Pass**.

Motion was then made by Ms. Eaton, seconded by Ms. Tepler, and it was unanimously **VOTED** to vote a recommendation from the Finance Committee of **Ought to Pass**.

**ARTICLE 5 - To see if the Town will vote to authorize the Board of Selectmen to solicit bids for the purchase and financing of the following items:**

<b>Fire Engine</b>	<b>\$450,000</b>
<b>Plow Truck &amp; Catch Basin</b>	<b>\$215,000</b>
<b>Sidewalk plow</b>	<b>\$ 70,000</b>
<b>Compost Pad</b>	<b>\$ 25,000</b>

Motion was made by Selectman Riendeau, seconded by Selectman Thompson, and it was unanimously **VOTED** to move Article 5 to Town Meeting with a recommendation from the Board of Selectmen of **Ought to Pass**.

Motion was then made by Ms. Eaton, seconded by Ms. Tepler, and it was unanimously **VOTED** to vote a recommendation from the Finance Committee of **Ought to Pass**.

**ARTICLE 6 - To see what sum the town will vote to spend for Public Safety.....**

Motion was made by Selectman Thompson, seconded by Selectman Riendeau, and it was unanimously VOTED to move Article 6 to Town Meeting with a recommendation from the Board of Selectmen of **Ought to Pass**.

Motion was then made by Ms. Tepler, seconded by Ms. Eaton, and it was unanimously VOTED to vote a recommendation from the Finance Committee of **Ought to Pass**.

**ARTICLE 7 - To see what sum the Town will vote to spend for Public Works, Solid Waste and Recycling....**

Motion was made by Selectman Brilliant, seconded by Selectman Thompson, and it was unanimously VOTED to move Article 7 to Town Meeting with a recommendation from the Board of Selectmen of **Ought to Pass**.

Motion was then made by Ms. Eaton, seconded by Ms. Tepler, and it was unanimously VOTED to vote a recommendation from the Finance Committee of **Ought to Pass**.

**ARTICLE 8 - To see what sum of money the Town will vote to spend for the Topsham Community Fund, which will go towards the Androscoggin Bike Path Project.**

Motion was made by Selectman Thompson, seconded by Selectman Riendeau, and it was unanimously VOTED to move Article 8 to Town Meeting with a recommendation from the Board of Selectmen of **Ought to Pass**.

Motion was then made by Ms. Eaton, seconded by Ms. Tepler, and it was unanimously VOTED to vote a recommendation from the Finance Committee of **Ought to Pass**.

**ARTICLE 9 - To see what sum the Town will vote to increase the maximum property tax levy limit established by State Law (L.D.1) in the event that the municipal budget approved at this Town Meeting results in a tax commitment in excess of the maximum property tax levy.....**

Motion was made by Selectman Riendeau, seconded by Selectman Thompson, and it was unanimously VOTED to move Article 9 to Town Meeting with a recommendation from the Board of Selectmen of **Ought Not to Pass**.

Motion was then made by Ms. Tepler, seconded by Ms. Eaton, and it was unanimously VOTED to vote a recommendation from the Finance Committee of **Ought to Pass**.

**ARTICLE 10 - To see if the voters will approve an ordinance entitled "An Ordinance to Regulate Mobile Food Services."**

Motion was made by Selectman Thompson, seconded by Selectman Riendeau, and it was unanimously VOTED to move Articles 10 through 14 to Town Meeting with a recommendation from the Planning Board of **Ought to Pass**.

**ARTICLE 11 - To see if the voters will approve as an amendment to the Topsham Comprehensive Plan, the Route 196 Corridor Plan....**

(See Article 10)

**ARTICLE 12 -To see if the voters will approve an ordinance entitled "An Ordinance to Amend the appeals Process for Decisions Related to the Historic District Commission."**

**ARTICLE 13** - To see if the voters will approve an ordinance entitled "An Ordinance to Amend the Town Code, Chapter 191, Subdivisions, Regarding Open Space Subdivisions."

**ARTICLE 14** - To see if the voters will adopt amendment to the Topsham Zoning Map regarding Shoreland Zoning.

**ARTICLE 15** - Shall the Town of Topsham vote to authorize the municipal officers to submit a Community Development Block Grant application in support of Maine Harvest Company.... in the amount of \$240,00...

Motion was made by Selectman Brilliant, seconded by Selectman Thompson, and it was unanimously VOTED to move Article 15 to Town Meeting with a recommendation from the Board of Selectmen of Ought to Pass

**ARTICLE 16** - Shall the Town of Topsham vote to authorize the municipal officers to submit a Community Development Block Grant application in support of Wicked Joe Coffee Roasting Company...in the amount of \$270,000...

Motion was made by Selectman Thompson, seconded by Selectman Brilliant, and it was unanimously VOTED to move Article 16 to Town Meeting with a recommendation from the Board of Selectmen of Ought to Pass

**ARTICLE 17** - Shall the Town of Topsham vote to authorize the municipal officers to submit a Community Development Block Grant application in support of Frosty's Donuts...in the amount of \$210,000...

Motion was made by Selectman Riendeau, seconded by Selectman Thompson, and it was unanimously VOTED to move Article 17 to Town Meeting with a recommendation from the Board of Selectmen of Ought to Pass

**ARTICLE 18** - To see if the Town will fix the date of the May 2015 Special Town Meeting, May 20, 2015.

Motion was made by Selectman Brilliant, seconded by Selectman Thompson, and it was unanimously VOTED to move Article 18 to Town Meeting with a recommendation from the Board of Selectmen of Ought to Pass

**ARTICLE 19** - To see if the Town will fix the dates when taxes are due and payable, Wednesday, October 15, 2014 and Wednesday, April 15, 2015 and to see if the Town will fix a rate of interest to be charged on taxes after said date at 7% or the Maximum amount determined by the State Treasurer.

Motion was made by Selectman Thompson, seconded by Selectman Brilliant, and it was unanimously VOTED to move Articles 19 through 24 to Town Meeting with a recommendation from the Board of Selectmen of Ought to Pass.

**ARTICLE 20** - To see if the Town will establish a maximum interest rate to be paid on abates taxes: 7% or the maximum rate established by the State Treasurer. For delinquent taxes the interest rate to be paid by the town will be reduced by 2%.

(See Article 19)

**ARTICLE 21** - To see if the Town will authorize the Selectmen to dispose of Town-owned personal property with a value of \$5,000 or less under such terms as they deem advisable.

(See Article 19)

**ARTICLE 22** - To see if the Town will authorize the Selectmen to accept gifts on behalf of the Town under such terms as they deem advisable.

(See Article 19)

**ARTICLE 23** - To see if the Town will authorize the Selectmen to convey by deeds of quit-claim title or other titles as appropriate any real estate acquired by the Town to such persons for such considerations as the Selectmen may in each case determine.

(See Article 19)

**ARTICLE 24** - To see if the Town will authorize the Board of Selectmen to apply for grants...

(See Article 19)

**UNFINISHED BUSINESS** - None noted.

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**23-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE ANNUAL CONTRACT WITH THE COASTAL HUMANE SOCIETY**

Motion was made by Selectman Thompson, seconded by Selectman Riendeau, and it was unanimously

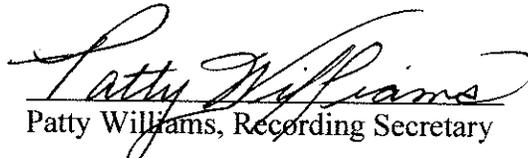
**VOTED**

To approve the contract in the Board Package relevant to the Coastal Humane Society for another year.

**ADJOURNMENT**

With no further business to address, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

  
Patty Williams, Recording Secretary