

TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
APRIL 11, 2013, 7:00 P.M.

MEMBERS PRESENT: Donald Russell
David Douglass
Ronald Riendeau
James Trusiani

MEMBERS ABSENT: Marie Brilliant

STAFF PRESENT: Town Manager, Cornell Knight

A combined meeting of the Topsham, Maine Board of Selectmen and Finance Committee was held on Thursday, April 11, 2013 at the Municipal Building at 100 Main Street, Topsham, Maine. Attending from the Finance Committee included: Gail Eaton, Phyllis Ponziani, Denise Tepler, William Thompson and Mike Whitney.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE/ROLL CALL

Chairman Russell called the meeting to order at 7:00 p.m. The recording secretary took the roll call and noted that all Selectmen were present.

TOWN MANAGER'S REPORT - The Town Manager's report included:

- The second half of property taxes are due Tuesday. Interest will accrue after that date.
- The office will be closed on Monday for Patriots Day.
- There will not be a Selectmen's meeting next Thursday, but there will be a special meeting on Thursday, April 25, 2013 at 7:00 p.m. to review a zoning ordinance change.
- A prescription medication drop-off day is scheduled for Saturday, April 29, 2013 from 10:00 a.m. to 2:00 p.m. here at the Municipal Building.
- At the library there are a few events to mention:
 - Joy of the Lens Photography reception and Awards will be held this Saturday from 1:00 p.m. to 3:00 p.m. Music will be provided by Kate and Bill Gray. Refreshments will be served and all are welcome.
 - Big Truck Day will be held on Friday, April 19, 2013 from 10:00 a.m. to 12 noon. Attendees are asked to park at the Recreation Field and walk to the library. Only traffic activity at the library allowed will be drop offs and handicapped parking.

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 SELECTMEN MEETING OF APRIL 4, 2013**

Motion was made by Mr. Riendeau, seconded by Mr. Douglass, and it was unanimously

VOTED

To approve the consent calendar granting approval of the minutes of the regular Selectmen Meeting of April 4, 2013 as written.

PUBLIC HEARING - None noted.

22-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE TOWN MEETING WARRANT FOR MAY 15, 2013

The Town Manager presented an overview of the Warrant for the May 15, 2013 Town Meeting, developed from the final budget that the Finance Committee, Board of Selectmen and Staff prepared. If passed as presented, the municipal budget would go up 4.81% from last year and property tax rate will increase from \$16.21 last year to \$16.84, a 3.86% increase.

Chairman Russell explained the process by which the meeting will be conducted.

- Open the Public Hearing;
- Go down through each Warrant item;
- Allow the public to make comments, ask questions, or the members of the Board of Selectmen and/or the Finance Committee to make comments;
- Go through the entire proposed Warrant;
- Close the Public Hearing;
- Go back to Article 2 and take action on each item by the Board of Selectmen; then
- Look to the Finance Committee to take action on their part - and work our way through the document.

The Public Hearing was declared open.

Chairman Russell read each article aloud and comments/discussions/suggestions were received from members of the public, the Board of Selectmen and the Finance Committee. With all comments having been heard, the Public Hearing was declared closed.

Chairman Russell explained how the meeting will be conducted through each article:

- The Selectmen will make a motion
- The Finance Committee will make a motion on their items
- Continue through to the end of the Warrant
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Article 2

To have the Town vote to raise, appropriate and spend the sum of \$1,450,029 for Debt Service.

Motion was made by Selectman (S) Riendeau, seconded by S Douglas, and it was unanimously VOTED, of those present, to move Article 2 forward for placement on the

5/15/13 Special Town Meeting Warrant with a recommendation from the Board of Selectmen of "Ought to Pass."

Motion was made by Finance Board Member (FBM)Whitney, seconded by FBM Eaton and it was unanimously VOTED, of those present, to move Article 2 forward for placement on the 5/15/13 Special Town Meeting Warrant with 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 under the following accounts and to see what sum the Town will vote to raise and appropriate for the same:

	<u>2012-2013</u>	<u>2013-2014</u>
1. Administration	196,421	202,520
2. Municipal Officers	18,836	18,837
3. Finance Manager	67,341	74,491
4. Central Services	96,000	97,000
5. Tax/Clerk	227,633	235,670
6. Codes	81,160	85,319
7. Assessing	154,828	163,964
8. Elections/Registration	14,975	9,125
9. Planning Office	225,855	237,741
10. Economic Development	95,192	100,881
11. Municipal Insurance	81,588	79,352
12. Facilities Maintenance	153,846	161,868
13. Parks/Recreation	331,769	346,959
14. Library	390,000	400,900
15. General Assistance	73,757	70,861
16. Contractual Services	125,425	106,500
17. Public Utilities	<u>290,420</u>	<u>295,100</u>
<i>Total</i>	\$2,625,046	\$2,687,088

Board of Selectmen Recommendation

\$2,687,088

Finance Committee Recommendation

\$2,687,088

Motion was made S Riendeau, seconded by S Douglas, and it was unanimously VOTED, of those present, to move Article 3 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Board of Selectmen of "Ought to Pass."

Motion was made FCM Whitney seconded by FCM Tepler, and it was unanimously VOTED, of those present, to move Article 3 forward for placement on the 5/15/13 Special Town Meeting Warrant with 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 under the following accounts and to see what sum the Town will vote to raise and appropriate for the same:

	<u>2012-2013</u>	<u>2013-2014</u>	
	\$416,500	\$668,500	New Appropriation
	<u>\$7,100</u>	\$ 80,000*	Targeted Revenues-
Total	\$423,600	\$748,500	Bike Path Fund

Board of Selectmen Recommendation
Finance Committee Recommendation

\$748,500
\$748,500

*Whittier Fund \$19,000; Planning Board Open Space Fund \$16,000; Insurance Fund \$45,000

Motion was made Selectman Chairman Russell, seconded by S Trusiani, to move Article 4 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Board of Selectmen of "Ought to Pass."

VOTE was called and the motion failed (vote was 2 in favor and 2 opposed).

Motion was made FCM Whitney, seconded by FCM Eaton, and it was unanimously VOTED, of those present, to move Article 4 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Finance Committee of "Ought to Pass."

Motion was made S Douglass, seconded by S Riendeau, and it was unanimously VOTED, of those present, to move Article 4 forward for \$748,500 for placement on the 5/15/13 Special Town Meeting Warrant with recommendation from the Board of Selectmen as "Ought to pass." Mr. Douglass went on record to say he wants to speak to this item at Town Meeting.

Article 5

To see what sum the Town will vote to spend for Public Safety under the following accounts and to see what sum the Town will vote to raise and appropriate for the same:

	<u>2012-2013</u>	<u>2013-2014</u>
Police Protection	\$1,318,904	\$1,431,028
Fire Protection/Rescue	<u>\$706,201</u>	<u>\$739,382</u>
Total	\$2,025,105	\$2,170,410

Board of Selectmen Recommendation
Finance Committee Recommendation

\$2,170,410
\$2,170,410

Motion was made S Trusiani, seconded by S Douglas, and it was unanimously VOTED, of those present, to move Article 5 forward for placement on the 5/15/13 Special Town

Meeting Warrant with a recommendation from the Board of Selectmen of "Ought to Pass."

Motion was made FCM Whitney, seconded by FCM Tepler, and it was unanimously VOTED, of those present, to move Article 5 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Finance Committee of "Ought to Pass."

Article 6

To see what sum the town will vote to spend for Public Works, Solid Waste, and Recycling under the following accounts and to see what sum the Town will vote to raise and appropriate for the same: (The Public Works Department is authorized to spend funds from this article in support of Capital Projects)

	<u>2012-2013</u>	<u>2013-2014</u>
Public Works	\$1,083,894	\$1,114,250
Solid Waste/Recycling	\$ 359,567	\$ 360,752
Total	\$1,443,461	\$1,475,002
		<u>\$1,475,002</u>
		<u>\$1,475,002</u>

Motion was made S Trusiani, seconded by S Riendeau, and it was unanimously VOTED, of those present, to move Article 6 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Board of Selectmen of "Ought to Pass."

Motion was made FCM Whitney, seconded by FCM Eaton, and it was unanimously VOTED, of those present, to move Article 6 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Finance Committee of "Ought to Pass."

Article 7

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, and to see what sum the Town will vote to raise and appropriate for the same.

<u>Board of Selectmen Recommendation</u>	<u>\$10,000</u>
<u>Finance Committee Recommendation</u>	<u>\$10,000</u>

Motion was made S Trusiani, seconded by S Douglas, and it was unanimously VOTED, of those present, to move Article 7 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Board of Selectmen of "Ought to Pass."

Motion was made FCM Whitney, seconded by FCM Tepler, and it was unanimously VOTED, of those present, to move Article 7 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Finance Committee of "Ought to Pass."

Article 8

To see whether the voters will vote to accept Serenity Lane off of West Merrill Road as a Public Road?

Planning Board Recommendation

Ought to Pass

Motion was made S Trusiani, seconded by S Riendeau, and it was unanimously VOTED, of those present, to move Article 8 forward for placement on the 5/15/13 Special Town Meeting Warrant.

Article 9

Shall the voters adopt an ordinance entitled “An Ordinance to Amend the Topsham Town Codes, Chapter 225-72, 225-67, 109 and 175-15, regarding the appeals process from Planning Board decisions”?

Planning Board Recommendation

Ought to Pass

Motion was made S Trusiani, seconded by S Douglass, and it was unanimously VOTED, of those present, to move Article 9 forward for placement on the 5/15/13 Special Town Meeting Warrant.

Article 10

Shall the voters approve an ordinance entitled “An ordinance to amend Chapter 109-7, by amending the Permit Fee Schedule”?

Board of Selectmen Recommendation

Ought to Pass

Motion was made S Trusiani, seconded by S Riendeau, and it was unanimously VOTED, of those present, to move Article 10 forward for placement on the 5/15/13 Special Town Meeting Warrant, with the condition that reference to Street Banners be eliminated from the wording, with a recommendation from the Board of Selectmen of "Ought to Pass."

Article 11

Shall the voters adopt an ordinance entitled “An Ordinance to Amend the Official Zoning Map for the Town by re-zoning an area on Rt. 201 from R-3 to RCU as shown in the attached map”?

Planning Board Recommendation

Ought to Pass/Ought not to Pass

Motion was made S Trusiani, seconded by S Douglas, and it was unanimously VOTED, of those present, to move Article 11 forward for placement on the 5/15/13 Special Town Meeting Warrant.

Article 12

Shall the voters adopt an ordinance entitled “An Ordinance to amend the Topsham Town Code, Chapter 161 Parks and Recreation, to clarify operating rules of Parks and Trails”?

Board of Selectmen Recommendation

Ought to Pass/Ought not to Pass

Motion was made S Trusiani, seconded by S Riendeau, and it was unanimously VOTED, of those present, to move Article 12 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Board of Selectmen of "Ought to Pass."

Article 13

Shall the Town of Topsham vote to authorize the municipal officers to submit a Community Development Block Grant application for the following program and dollar amount:

Program: Economic Development Program Amount: \$240,000

and to submit same to the Department of Economic and Community Development and if said program is approved, to authorize the municipal officers to accept said grant funds, to make such assurances, assume such responsibilities, and exercise such authority as are necessary and reasonable to implement such programs. Furthermore, the Town of Topsham is cognizant of the requirement that should the intended National Objective of the CDBG program not be met all CDBG funds must be repaid to the State of Maine CDBG program.

Board of Selectmen Recommendation

Ought to Pass/Ought not to Pass

Motion was made S Riendeau, seconded by S Douglas, and it was unanimously VOTED, of those present, to move Article 13 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Board of Selectmen of "Ought to Pass."

Article 14

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 otherwise applicable such that the increased maximum property tax levy hereby established will equal the amount committed:

Board of Selectmen Recommendation

Ought to Pass/Ought not to Pass

Finance Committee Recommendation

Ought to Pass/Ought not to Pass

Motion was made S Trusiani and seconded by S Riendeau to move Article 14 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Board of Selectmen of "Ought **Not** to Pass."

Following discussion, Selectmen Trusiani withdrew his motion, and Selectman Riendeau withdrew his second.

Motion was then made by S. Trusiani, seconded by S. Riendeau to move Article 14 forward to Town Meeting as presented.

Motion was made by FCM Whitney, seconded by FCM Eaton to move Article 14 forward to Town Meeting as presented.

Article 15

To see if the Town will fix the date of the May 2014 Special Town Meeting:

Board of Selectmen Recommendation

May 21, 2014

Motion was made S Trusiani, seconded by S Douglas, and it was unanimously VOTED, of those present, to move Article 15 forward for placement on the 5/15/13 Special Town Meeting Warrant with the date May 21, 2014, as presented.

Article 16

To see if the Town will fix the dates when taxes are due and payable and to see if the Town will fix a rate of interest to be charged on taxes after said date:

Board of Selectmen Recommendation

Tuesday, October 15, 2013

Tuesday, April 15, 2014

7% or the Maximum amount determined by the State Treasurer

Motion was made S Trusiani, seconded by S Riendeau, and it was unanimously VOTED, of those present, to move Article 16 forward for placement on the 5/15/13 Special Town Meeting Warrant with a recommendation from the Board of Selectmen of "Ought to Pass."

Motion was made by S Douglass, seconded by S Riendeau, and it was unanimously, VOTED, of those present, that Article 17, 18, 19, 20 and 21 all move forward as written to Town Meeting with a recommendation by the Board of Selectmen of "Ought to pass."

Article 17

To see if the Town will establish a maximum interest rate to be paid on abated 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%

Board of Selectmen Recommendation

Ought to Pass/Ought not to Pass

Move forward as written to Town Meeting with a recommendation by the Board of Selectmen of "Ought to pass."

Article 18

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:

Board of Selectmen Recommendation

Ought to Pass/Ought not to Pass

Move forward as written to Town Meeting with a recommendation by the Board of Selectmen of "Ought to pass."

Article 19

To see if the Town will authorize the Selectmen to accept gifts on behalf of the Town under such terms as they deem advisable:

Board of Selectmen Recommendation

Ought to Pass/Ought not to Pass

