

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
APRIL 19, 2012, 7:00 P.M.

MEMBERS PRESENT: Donald Russell
Marie Brilliant
David Douglass
Andrew Mason
Ronald Riendeau

MEMBERS ABSENT: All present

STAFF PRESENT: Town Manager, Cornell Knight

A meeting of the Topsham, Maine Board of Selectmen was held on Thursday, April 19, 2012 at the Municipal Building at 100 Main Street, Topsham, Maine. The Finance Committee was also present and sitting at the Board table, including: Jeff Deletetsky, William Thompson, Gail Eaton, Phyllis Ponziani, Mike Whitney and Denise Tepler.

CALL TO ORDER

Chairman Russell called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE - All present were invited to stand and recite the Pledge of Allegiance to the Flag.

ROLL CALL

The recording secretary took the roll call and noted that all Selectmen were present, as were the members of the Finance Committee.

TOWN MANAGER'S REPORT

The Town Manager's Report included:

- The Water District will be doing water main work on Wilson Street from April 24, 2012 through May 4, 2012.
- The road and street striping for center lines, crosswalks and traffic controls is more than half done, which is well ahead of schedule. Normally, it is done just before Memorial Day. The Town budgets \$31,000 for the contracted work.
- There will be another prescription medication collection on April 28, 2012 at the Municipal Building.
- Big Truck Day is being sponsored at the library on Friday, April 20, 2012 from 10:00 a.m. until noon. Drivers are asked to park at the recreational field.

BOARD AND COMMITTEE REPORTS AND UPDATES

TDI/ECD Update - John Shattuck, ECD Director and TDI Board Member, presented a report on EDI and ECD saying activity is increasing along the lines of inquiries and phone calls. The three

projects at the Topsham Fair Mall are moving along and look like a go at this point. Mr. Shattuck asked if the Board wished to have any input on the new TIF requirements being proposed by the State.

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 5, 2012

Motion was made by Mr. Mason, seconded by Mr. Riendeau, and it was VOTED

To approve the minutes of the April 5, 2012 meeting as written.
(Vote was 4 in favor with 1 abstention - M. Brilliant).

48-12 PUBLIC HEARING FOR THE MAY 16, 2012 SPECIAL TOWN MEETING WARRANT

Discussion began with the Town Manager's review of the budget. Mil rate for this year is estimated to be 16.22, up from 16.15 last year.

Chairman Russell explained the procedure, saying he will read each article and look for any comments from the public, move to the next item and work his way through the total proposed agenda for the Town Meeting and ask for comments from the Board and Finance Committee. The Public Hearing will then be closed and the Selectmen will be asked to approve the budget as printed or adjusted.

The Public Hearing was declared open with articles address as follows:

Article 2 - To have the Town vote to raise, appropriate and spend the sum of \$1,535,435 -
There were no questions on this article.

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. (Items 1 through 17 were read aloud). There were no questions on this article.

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 same. There were no questions on this article.

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 same.

The Selectmen's figure is \$21,000 less than the Finance Committee as agreement was not reached whether or not to have 24-hour coverage for emergency calls.

Several citizens asked to be recognized to speak to the importance of the Town having 24-hour coverage and gave examples of situations where quick response was a life saving issue. Those urging the Board to support 24-hour service included:

Joan Sianna
 Bill Boyd
 Joyce Morgan
 Lorraine Hodgins
 John Zapp

John Cofflin
 Ken Thomson
 Mike Whitney
 Gail Kendrick
 Gordon Donley

Chairman Russell told the group that during discussions on this item two Selectmen supported full-time coverage beginning in October and two members who felt it not prudent at this time because of the increase in taxes. Mr. Russell said he would be willing to go with full coverage in July and said he would actually be a strong supporter of full coverage whenever it began. He added that it appears to take longer now for the ambulance to arrive as two individuals are required to arrive in the ambulance. Selectman Mason added that no matter what decision is made at this meeting, ultimately, the decision is going to be made by the citizens at Town Meeting. Selectman Douglass said he believes that the Town has the ability to provide coverage as it stands now. Emergency equipment was purchased by the Ladies Auxiliary to be placed in the police cruiser to provide immediate help and he questioned if that equipment is currently being used. He said he is not going to support any addition monies for EMS. He said last year the Police Chief asked for an additional daytime coverage. We lost a police office this year in this budget without any conversation about it. These are tough times and Topsham can't afford it. It is only \$8.00 per night but there are people who cannot pay their taxes today. Selectman Riendeau echoed Selectman Douglass' statements. Selectman Brilliant said she understood the need for a tight budget, but would like to see the coverage provided.

Article 6 through 20 was read by the chair with brief remarks made relative to each article. The Public Hearing was declared closed at this point in the meeting.

After all comments were heard, motion was made by Mr. Russell, seconded by Mr. Mason that the figure on Article 5 recommended by the Selectmen be \$2,046,808.00. The vote passed with 3 voting in favor (Brilliant, Mason and Russell) and two against (Douglass and Riendeau).

Motion was then made by Mr. Russell, seconded by Mr. Mason and it was unanimously
 VOTED

To forward all articles as they appear on the draft warrant with the correction of Article 5, reflecting the number of \$2,046,808.00, to go on the Warrant for Town Meeting.

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

To recommend Article 2, 3, 4, 6 and 7 to be placed on the warrant with recommendation from the Board of Selectmen of ought to pass.

Motion was made by Mr. Whitney, seconded by Ms. Eaton and it was unanimously

VOTED

To recommend Article 2, 3, 4, 6 and 7 to be placed on the warrant with recommendation from the Finance Committee of ought to pass.

Motion was made by Mr. Russell, seconded by Mr. Mason and it was

VOTED

To send Article 5 to the warrant with a recommendation of ought to pass from the Board of Selectmen.

(The motion carried with 3 in favor (Brillant, Mason and Russell) and two against (Douglass and Riendeau).

Motion was made by Mr. Whitney, seconded by Ms. Eaton and it was unanimously

VOTED

To send Article 5 to the warrant with a recommendation of ought to pass from the Finance Committee with the figure of \$2,046,808.00.

(The motion carried with 5 in favor and 1 opposed (Ponziani).

Article 8 - Shall the voters adopt an ordinance entitled "An Ordinance to Amend the Topsham Town Code, Chapter 76, Animals, Article 1, Dog Control."

Motion was made by Mr. Russell, seconded by Mr. Mason and it was unanimously

VOTED

To move Article 8 to the Town Meeting Warrant with a recommendation of ought to pass.

Articles 8 through 11 were approved to be placed on the Town Warrant with recommended from the Planning Board of ought to pass.

Article 12 - 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.

Motion was made by Mr. Russell, seconded by Mr. Mason and it was unanimously

VOTED

To move Article 12 to the Town Meeting Warrant with a recommendation of ought not to pass from the Board of Selectmen.

Motion was made by Mr. Whitney, seconded by Ms. Eaton and it was unanimously

VOTED

To move Article 12 to the Town Meeting Warrant with a recommendation of ought not to pass from the Finance Committee.

Article 13 - Shall the Town of Topsham vote to approve a Community Development block Grant application for the following program and dollar amounts: Program: Housing \$300,000.00.....

Article 14 - To see if the Town will fix the date of the May 2013 Special Town Meeting.

Article 15 - 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. 7% or the maximum amount determined by the State Treasurer.

Article 16 - To see if the Town will establish a maximum interest rate to be paid on abated taxes.

Article 17 - 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.

Article 18 - To see if the Town will authorize the Selectmen to accept gifts on behalf of the Town under such terms as they deem advisable.

Article 19 - 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.

Article 20 - To see if the Town will authorize the Board of Selectmen to apply for grants, approve the acceptance of grants, receive grants, appropriate the Town's share of the grants from funds raised at a Town meeting and expend the grant for the purpose stated in the grant.

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

To send Article 13 through and including Article 20 to the Town Meeting Warrant with a recommendation of ought to pass from the Board of Selectmen.

New wording on Article 11 - Motion was made by Mr. Douglass, seconded by Mr. Mason and it was unanimously

VOTED

That when the warrant is printed, the ordinance wording will reflect an increase in road from 16-foot wide to 18-foot wide.

Members of the Finance Committee existed the meeting at this point.

49-12 PUBLIC HEARING FOR ORDINANCES REGARDING THE SALE AND USE OF FIREWORKS FOR THE JUNE 12, 2012 REFERENDUM BALLOT

The Public Hearing was declared open. Chairman Russell presented a brief history on this item and why it was up for placement on the up-coming referendum and read the proposed questions aloud.

Jeff Deletetsky came to the podium and said he wanted to go on record saying it was his opinion that this item shouldn't be on the referendum and the issue should have been decided at a regular Town Meeting.

Ed Caron commented that he would have preferred to see the question on a referendum in November rather than June.

With no further comments to be heard, the Public Hearing was declared closed.

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

To accept the questions as proposed for the referendum vote in June.

UNFINISHED BUSINESS - None noted.

OLD BUSINESS - None noted.

NEW BUSINESS

50-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENTS TO THE LOWER VILLAGE WATERFRONT PARK COMMITTEE

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

VOTED

To appoint Douglas Bennett, James Howard, Angela Twitchell, Jane Scease, Gary Smart and Frederick Wigand to serve on the Lower Village Waterfront Park Committee.

51-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON CHANGING THE PRICE OF COMPOST AT THE SOLID WASTE FACILITY

After listening to a presentation by Ed Caron, Solid Waste Director, motion was made by Mr. Mason, seconded by Mr. Douglass and it was unanimously

VOTED

To change the price of compost, effective immediately, as follows:

Free to residents if they load themselves	\$12 to load bigger trucks
\$6 to load up to a 1-ton truck with loader	\$12 per yard for non-residents

52-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON AWARDING BIDS ON A TANK AND ROTO PHASE AT THE SOLID WASTE FACILITY

Solid Waste Director Ed Caron reviewed the bids received on the tank as follows: M. W. Sewall, \$501.00; Steve Bisson, \$500.00; Harold Sandelin, \$379.00 and John Donovan, \$107.77. Bids were received as follows on the Roto Phase: \$279.00 from Harold Sandelin and \$412.77 from John Donovan.

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

VOTED

To accept the bid of \$501.00 from M. W. Sewall on the tank and \$412.77 from John Donovan for the Roto Phase.

53-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON APPROVING ELECTION WORKERS TO WORK AT THE POLLS

In accordance with Title 21-A §, every two years the Board of Selectmen must appoint election workers to work at the polls by May 1st.

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

VOTED

To approve the list of names of election workers as submitted by the Town Clerk in memo dated 4/11/12.

54-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON INCREASING THE FEE FOR RETURNED CHECKS FROM \$17.00 TO \$26.00

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

VOTED

To increase the fee for returned checks from \$17.00 to \$26.00.

55-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON A REQUEST FROM ANNABELLE SMITH TO PURCHASE HER PROPERTY FROM THE TOWN, WHICH WENT TO FORECLOSURE LAST YEAR

The Town Manager reported that the property was put out to bid last year and no bidders responded. Annabelle Smith has now paid the entire amount of back taxes, lien charges, interest and the amount of taxes for this year in the amount of \$3,843.00 and is requesting to repurchase the property.

Motion was made by Mr. Mason, seconded by Ms. Brilliant and it was unanimously

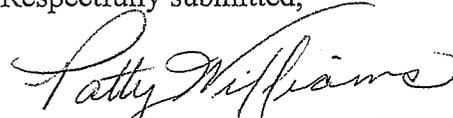
VOTED

To accept payment from Annabelle Smith in the amount of \$3,843 and to Quit Claim the property back to Ms. Smith.

ADJOURN

Motion was made, seconded and unanimously VOTED to adjourn at 8:56 p.m.

Respectfully submitted,



Patty Williams, Recording Secretary