

TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
APRIL 2, 2015 - 7:00 P.M.

MEMBERS PRESENT: Donald Russell
Marie Brilliant
David Douglass
Ruth Lyons
William Thompson

MEMBER(S) ABSENT: All present

STAFF PRESENT: Town Manager, Richard Roedner

A meeting of the Topsham Board of Selectmen was held on Thursday, April 2, 2015 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 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.

TOWN MANAGER'S REPORT

Notice has been received from DECD that we have successfully complied with the paperwork requirements of our CDBG Grant for Wicked Joes. The last step in the process is tonight's public hearing and then this project will be finished, except for having a new corporate citizen in Town, additional employees and a thriving company.

Notice has also been received that we are all set for our bond closing in May. This is for the Equipment Bond that voters approved last year.

Reminder that this Saturday is the "Joy of the Lens" reception at the Topsham Library at 1:00 p.m., and also to make sure people are aware that "Bid Truck Day" is scheduled for Friday, April 24, 2015.

Topsham's Solid Waste Facility is now on summer hours. They are Tuesday through Thursday from 8:00 a.m. to 6:00 p.m. and Friday/Saturday from 8:00 a.m. to 5:00 p.m.

Because of the weather, there are changes planned for this year's Easter Egg Hunt. Please call the Parks and Recreation Office for changes and/or cancellation notices.

BOARD AND COMMITTEE REPORTS AND UPDATES - Update on Ambulance Fees - Fire Chief Brian Stockdale and EMS Director Mike Labbe came before the Board and provided schedules of current medical billing rates, making a comparison with what Topsham charges

compared to several other communities. These were provided for both the EMS and Fire Rescue Department.

The Fire Chief and EMS Director suggested that they meet with the Town Manager to discuss updating the billing schedules and to develop a plan to be both up to date and fair to members of the public. Consideration will be given on how to deal with uncollectibles, write-offs and compensation from Medicare and insurance companies.

Selectman Douglass noted the importance of developing a plan in a timely matter with the need to update same every 4 or 5 years, and suggested discussing same at the meeting. The consensus of the Board was to have the Fire Chief and EMS Director meet with the Town Manager first, develop a draft plan, and place same on the agenda for an upcoming Selectmen's meeting for further discussion; no further action was taken.

PUBLIC COMMENT - None noted.

CORRESPONDENCE - None noted.

ADJUSTMENTS TO THE AGENDA - It was noted, and unanimously agreed, that the Executive Session was cancelled and deleted from the agenda.

CONSENT CALENDAR

1. APPROVAL OF THE MINUTES OF THE REGULAR SELECTMENS MEETING OF MARCH 19, 2015

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

VOTED

To approve the minutes of March 19, 2015 as written.

UNFINISHED BUSINESS

65-14 PUBLIC HEARING - CONSIDERATION AND ANY APPROPRIATE ACTION ON FINAL DRAWDOWN FOR CLOSE-OUT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT WITH WICKED JOE COFFEE ROASTERS

The Public Hearing was declared open.

Economic and Community Development Director, John Shattuck, reported that this is the final hearing and report to be given for Wicked Joe Coffee Roasters, which is required by law. He said Wicked Joe Coffee has met all grant requirements, including meeting hiring goals and documenting both reimbursable expenses and matching fund expenditures - all well ahead of schedule. 9 new jobs have been created. Their final grant funds drawdown has been submitted and paid through DECD and, today, we received DECE's closeout letter acknowledging that the Town and Wicked Joe have satisfied all grant requirements. This hearing is the final element of the closeout process, which will serve as a public reporting and record for the performance of the grant.

Mr. Shattuck said that Wicked Joe Coffee is an industry leader in sustainable practices in both coffee growing and roasting, and has converted the historic, iconic former Navy Commissary into a state-of-the-art exemplar of modern manufacturing techniques and energy efficiency. He added that we are proud and grateful, that Wicked Joe Coffee has chosen to build their business in Topsham.

Bob Garver, president and owner of Wicked Joe Coffee Roasters, said he wanted to take this opportunity to say thank you to the Town of Topsham. He said he worked with several agencies in Town and encountered a high level of professionalism from those that run the town. Chairman Russell told Mr. Garver that he was happy he chose the Town of Topsham to settle in. The Board unanimously accepted the final report given for Wicked Joe Coffee Roasters.

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

84-14 PUBLIC HEARING - CONSIDERATION AND ANY APPROPRIATE ACTION ON AMENDMENTS TO THE MUNICIPAL INFRASTRUCTURE MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT

The Public Hearing was declared open. Economic and Community Development Director, John Shattuck noted that tonight's hearing follows up the Selectmen's March 5, 2015 workshop with our TIF Attorney, Shana Cook Mueller, and the formal presentation of proposed amendments to the Municipal TIF at the regular Selectmen's meeting on March 19, 2015.

The Municipal TIF is formally named the Municipal Infrastructure Municipal Development and Tax Increment Financing District, and includes about 300 acres in the vicinity of the 196/295 Interchange. The proposed amendments would create additional qualified uses for the TIF district revenues, including the ability to transfer municipal TIF revenues for use in the Town's Downtown TIF District, which is also a Municipal TIF. At the request of DECD, the proposed amendments would also clarify and restate the existing TIF program, and include the above additions to the program in a single document.

These amendments are being proposed for consideration at the May 2015 Town Meeting, and therefore will be considered again at next week's public hearing on the Town Meeting Warrant. There is no action to be taken by the Board on this item, but as part of the state-mandated process, this separate public hearing is required by law. Mr. Shattuck said Attorney Mueller was present to address any questions or concerns. None were expressed. Town Manager Roedner noted that next week, when the Warrant Hearing is addressed, there will be no need for legal representation. However, legal representation will be present at the actual Town Meeting.

The Public Hearing was declared closed. No action was taken except to note that this agenda item will be moved forward to next weeks meeting for inclusion on the Town Meeting Warrant.

NEW BUSINESS

15-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON ADOPTION OF BOND POST ISSUANCE COMPLIANCE POLICY

Town Manager Roedner said that agencies are taking a closer look at municipal bonds. The IRS has increased its enforcement activity in recent years and there is now a box on the tax form that

must be filed when bonds are issued to disclose whether or not the issuer has such a policy in place. The bond bank's counsel requires that the participating issuers check this box. As the Town has never had a written policy on this, a draft policy "Town of Topsham Post Issuance Compliance Policy" has been drafted by the Town Attorney and included in the Board Package prior to the meeting for review. Mr. Roedner said the policy was nothing out of the ordinary, but states what we are going to do and simply says we are going to do them.

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

VOTED

That we approve the adoption of the Town of Topsham Post Issuance Compliance Policy as presented.

15-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON AUTHORIZING THE TREASURER AND CHAIRMAN OF THE BOARD TO EXECUTE DOCUMENTS AND CONFIRM THE ISSUANCE OF BONDS

Motion was made by Selectman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To authorize the Treasurer and the Chairman of the Board to sign documents on behalf of the Board for the issuance of bonds as stated in Exhibit B to Certificate of Clerk, items 1 through 7 as follows:

1. That a project consisting of a fire engine, plow truck with a catch basin cleaner, sidewalk plow and a compost pad, including design work, transaction costs and all related expenses are hereby approved.
2. That the Town Treasurer and Chairman of the Select Board be authorized to issue a general obligation bond or bonds to the Maine Municipal Bond Bank in an amount not to exceed \$760,000, for the purpose of funding the project.
3. That the Treasurer and Chairman be further authorized to fix the dates, maturities, denominations, interest rate, place of payment, form and other details of said securities, including the execution, sale and delivery of said securities against payment therefore.
4. That the Treasurer and Chairman be further authorized to execute a Loan Agreement with the Maine Municipal Bond Bank in such form as the Bank may require; that the Clerk is directed to affix the corporate seal there to and attest the signatures of the Treasurer and chairman, and to file a copy of said Loan Agreement, when signed, with the records of this meeting, although the attesting and affixing of the corporate seal thereto shall not be deemed essential to the validity of the Loan Agreement; and that the bonds are hereby said to the Maine Municipal Bond Bank at par.
5. That the economic life of the Project is hereby determined to be in excess of 20 years, thereby meeting the IRS requirement which states that the term of the Bond may not exceed 120% of the economic life of the acquisition.

6. That the bonds are designated "qualified tax-exempt obligations" of the Town under the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.
7. That the Treasurer and chairman of the Select Board are hereby authorized to execute and deliver any and all documents and certificates, and to take any and all actions, including affixing the seal of the Town, as may be necessary or convenient to carry out the full purpose and intent of the foregoing vote.

15-15 CONSIDERATION AND ANY APPROPRIATE ACTION ON SIGNING AN AGREEMENT WITH THE MAINE DEPARTMENT OF TRANSPORTATION REGARDING CONSTRUCTION PRACTICES RELATED TO REPAIRS OF THE FRANK WOOD BRIDGE

Town Manager Roedner spoke to this agenda item saying the State is seeking permission to exceed weight limits if such action becomes necessary during the repairs scheduled for the Frank Wood Bridge. The contractor is not known at this time and when identified, the Town may request a bond for any damage that might occur to the roads.

Motion was made by Selectman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To sign the agreement with the Maine Department of Transportation regarding construction practices related to repairs to the Frank J. Woods Bridge.

EXECUTIVE SESSION - Removed from agenda.

ADJOURN - With no further business to address, motion was made by Selectman Lyons, seconded by Selectman Brilliant, and it was unanimously

VOTED

To adjourn the meeting at 7:40 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary