

**6:00PM Workshop on New State Legislation on  
Medicinal Marijuana  
7:00PM Board of Selectmen Meeting  
Topsham Municipal Building  
Donald A. Russell Meeting Room  
August 2, 2018**

**Pledge of Allegiance –**

**Roll Call of Board Members –**

**Town Manager's Report –**

**Board and Committee Reports and Updates-**

- Update from Susan Preece, Director of Topsham Library

**Public Comment –**

**Correspondence –**

**Adjustments to the Agenda –**

**Consent Calendar –**

1. Approval of the minutes of the Regular Selectmen meeting July 19, 2018.
2. Approval of the minutes of the Special Selectmen meeting July 24, 2018.
3. Approval of voting ballot for Executive Committee members for MMA Election.

**Public Hearing –**

**18-55-** Consideration and any appropriate action on the approval of a Special Amusement Permit for Fairground Café.

**Unfinished Business –**

**Old Business –**

**New Business –**

**18-56-** Consideration and any appropriate action for approval to apply for a grant through Firehouse Subs to purchase a commercial turnout gear dryer.

**18-57-** Consideration and any appropriate action on seeking approval to outsource billing for Emergency Medical Services.

**18-58-** Consideration and any appropriate action on a paving contract for the Town of Topsham.

**18-59-** Consideration and any appropriate action to accept the recommended bid for the purchase of a zero turn lawn mower for the Parks and Recreation Department.

**18-60-** Consideration and any appropriate action to review the proposed lease for the use of Pejepscot School by Headstare of Mid Coast Community Action, and to authorize the Manager to sign the lease with any suggested changes.

**Executive Session-**

**18-48-** Consideration and any appropriate action on entering into executive session pursuant to 1 M.R.S.A. § 405 (6) (A) to discuss personnel matters

Any public member desiring to address the Board shall be recognized by the Chair, shall state name and address for the record, and shall limit remarks to the question under discussion. All remarks and questions addressed to the administration of Town shall be addressed to the Town Manager or the Board of Municipal Officers through the Chair and not to any municipal town employee. No person other than members of the Board and the person having the floor shall enter into any discussion either directly or through a member of the Board without the permission of the presiding officer.

Public members attending Board Meetings also shall observe the same rules of propriety, decorum, and good conduct applicable to the members of the Board. Any person making personal impertinent and slanderous remarks, or who becomes boisterous while addressing the Board or those attending the Board meeting shall be removed from the room if so directed by the presiding officer. Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer. In case the presiding officer should fail to act, any member of the Board may move to require the Chair to act to enforce the rules, and the affirmative vote of the Board shall require the presiding officer to act. 05/29/2003

# Board of Selectmen Meeting

For the date of: 08/02/2018

**Type of Item:**

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- Old Business
- New Business
- Executive Session
- Workshop

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number** 1

(If this is unfinished business, please remember to research and enter the original agenda number above. For regular agenda items, the secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Approval of the minutes of the regular Selectmen meeting 07-19-2018.

**Brief Description of Consent or Agenda Item:** see attached

**Submitted by** Rich Roedner, Town Manager

**Date:** 07-23-2018

MINUTES  
TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
July 19, 2018 - 7:00 p.m.

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MEMBERS PRESENT:     David Douglass  
                              Marie Brilliant  
                              Ruth Lyons  
                              Roland Tufts

MEMBER(S) ABSENT:    William Thompson- excused  
STAFF PRESENT:         Richard Roedner, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, July 19, 2018 in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine. (The Board held interviews for Boards/Committee at 6:30 p.m.)

### **CALL TO ORDER**

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

### **PLEDGE OF ALLEGIANCE/ROLL CALL**

All present were invited to stand and recite the Pledge of Allegiance to the Flag. The Chairman took the roll call and noted that four Selectmen were present, one absent.

### **TOWN MANAGER'S REPORT**

The Town Manager reported that Officer Decker will be leaving the Police Department and has accepted a position with the Brunswick Police Department, we are currently working on getting the Police Department up to full force. He also accepted the resignation of our Assessor Justin Hennessey who accepted a position with the Town of Brunswick. Justin will be greatly missed and we will be working on his replacement. He also reported that sign up for fall soccer through the Recreation Department ended today, if you missed it and still want to sign up there will be an added fee. Representatives from Senator Susan Collins office will be at Town Hall on Wednesday, July 25, 2018 from 3:15PM to 4:15PM in the Don Russell Meeting room to meet with constituites.

### **BOARDS AND COMMITTEE REPORTS AND UPDATES –**

John Shattuck, Director of TDI/ECD stated that they received notice that the Federal Highway Administration would be proceeding with the replacement of the Frank Wood Bridge. He asked the Board if they consider reaffirming their support for the new bridge and for the DAC as representative of the Town in continuing design discussions. BREA continues to work with a health care facility to consolidate two facilities into one. Staff is continuing to work with BTWD on water infrastructure at the former Annex. Head of Tide Park Committee held several events celebrating the opening of Head of Tide, all were well attended.

**PUBLIC COMMENT** – None.

**CORRESPONDENCE** – Letter read by Ruth Lyons that was sent to the Planning Board from Barry and Susan Lohnes in reference to proposed parking lot from Thomas Ave. Letter will be attached with minutes.

**ADJUSTMENTS TO THE AGENDA** –

**CONSENT CALENDAR**

**1. Approval of the minutes of the Regular Selectmen’s Meeting of 06-21-2018.**

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

**VOTED 3-0-1 (Selectman Tufts abstaining)**

To approve the minutes of the Regular Selectmen’s Meeting of June 21, 2018, as written.

**2. Approval of the minutes of the Special Selectmen’s Meeting of 06-28-2018.**

Motion was made by Chairman Douglass, seconded by Selectmen Tufts, and it was unanimously

**VOTED**

To approve the minutes of the Special Selectmen’s Meeting of June 28, 2018, as written

**PUBLIC HEARING**

**UNFINISHED BUSINESS**

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**18-49- CONSIDERATION AND ANY APPROPRIATE ACTION ON PROPOSED LETTER TO FEDERAL HIGHWAY ADMINISTRATION SUPPORTING THE REPLACEMENT OF THE WOOD BRIDGE AND THE CONTINUING ROLE OF DAC**

The Town Manager has included a letter of support from the Town of Brunswick and a draft letter from the Town of Topsham to the Federal Highway Administration, supporting the decision to replace the bridge, and reaffirming the DAC’s role on behalf of the two communities. Bruce Van Note, Chairman of the Design Advisory Committee spoke to the Board and thanked them and the Town of Brunswick for their support; having two Municipality’s speaking as one.

Scott Hanson of 8 Pleasant Street and a member of the Friends of the Frank Wood Bridge

spoke to the Board stating that he did not think this was a done deal.

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

**VOTED**

The Board would sign the letter of support to the Federal Highway Administration supporting the replacement of the Wood Bridge and the continuing role of DAC.

**18-50- CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT OF PATRICK COEN TO THE FINANCE COMMITTEE**

Motion was made by Chairman Douglass, seconded by Selectmen Tufts and it was unanimously

**VOTED**

To appoint Patrick Coen to the Finance Committee.

**18-51- CONSIDERATION AND ANY APPROPRIATE ACTION TO DISCUSS THE CHANGING OF BROOKSIDE, HOMEPLACE AND SUMMER STREETS TO ONE NAME FOR E-911 PURPOSES**

The Town Manager discussed that when the Board discussed traffic issues on Somerset, the question of E-911 was raised, with one long street now having three names. Staff has reviewed our local ordinance and the goals of the E-911 system, and is looking for guidance. We sent notices out to the residents of these roads to let them know that this would be discussed.

Victoria Dute, 2 Somerset Place stated she felt they should not change the name of Somerset, if any changes are made, it should be done on the new section.

Randy Purington, 17 Homeplace wanted to know why they couldn't use GPS to find the addresses.

Justin Hennessey, Town Assessor explained that this issue was compounded due to different subdivisions coming in over time. This is an issue that needs to be addressed and also stated that even though the many different GPS systems take their address's from 911, there in no way to know how often they update the systems. This could cause some confusion on emergency calls, especially when it's a mutual aid call and they don't know the streets. He is looking to the Board for some guidance on how they would like to proceed with this.

After some discussion among the Board a motion was made by Chairman Douglass to begin the process with residents of the possibility of renaming/renumbers the three streets in question. The motion failed for lack of a second.

The Chairman said he would bring item back when we have a full time Assessor on board.

**18-52- CONSIDERATION AND ANY APPROPRIATE ACTION ON THE DEMOLITION OF THE OLD FIRE STATION.**

Dennis Cox, Public Works Director explained that the demolition and removal of debris is the final step in this process. He went out to bid after it was determined that if the Public Works Dept. did the job themselves, it would have cost more to rent the equipment and at least three weeks of lost man power from doing other work that normally would be done. He recommends Copp Excavation, Inc the low bid at \$19,481.43. It was budgeted for \$15,000, and asks the difference come from Down Town TIF fund.

Motion was made by Chairman Douglass, seconded by Selectmen Tufts and it was unanimously

**VOTED**

To award the Copp bid for \$19,481.43, and to use the Downtown TIF account for additional funding, of approximately \$12,336.

**18-53- CONSIDERATION AND ANY APPROPRIATE ACTION TO DISCUSS REQUESTING DOT TO LOOK AT SPEED LIMITS AGAIN ON RIVER ROAD AND REDUCE SPEED FROM 40-30 AT THE INTERSECTION OF RAYMOND ROAD AND RIVER ROAD.**

The Board discussed the recent authorization to hire two new police officers, and of having more police presence in the area. The Board commented that speed details are helpful at the time, but not sure if speed enforcement has any long-term effect in reducing the speeding. The Board noted that the Police are going to do more enforcement so they decided to take no action at this time.

**EXECUTIVE SESSION**

**18-54- CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO 1 M.R.S.A. 405 (6) (F) TO DISCUSS THE RE-PURCHASE OF TAX FORECLOSED PROPERTY**

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**Motion by Selectman Tufts, seconded by Selectman Lyons, all in favor to enter Executive Session at 8:00pm**

The Board returned from Executive Session at 8:19 pm all members present.

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

**VOTED**

To enter into a repayment plan for foreclosed property, based on the discussion held during the Executive session.

**ADJOURNMENT**

At 8:20p.m., motion was made by Chairman Douglass to adjourn, seconded by Selectman Lyons and so voted.

Respectfully submitted,

---

Rose Woodd, Recording Secretary

July 16, 2018

Town Admin.  
Rich Roedner

Dear Planning Committee Members:

As taxpaying residents of 3 Alan Street, Topsham since 1977, my wife and I have been supportive of all education, athletics, and recreation programs. As a family we have promoted use and preservation of green spaces surrounding our neighborhood and Topsham proper. Recently, we have witnessed increased traffic from a new housing development routed to Homeplace from Somerset Place. Now, we understand there is a proposed parking lot accessed from Thomas Avenue to serve as handicapped-accessible parking for a high school soccer field, which is bound to add traffic and noise. This proposal has rekindled longer-standing issues that erode our confidence in Topsham's ability to represent our vision for the neighborhood:

- A. The Arbor Avenue neighborhood has needed street resurfacing for years. Sidewalk construction has not been considered despite increased traffic, accompanied by an influx of pedestrians.
- B. Sidewalks do not exist between Rusty's Market on Middlesex to the Arbor Avenue entrance, a point where the speed limit increases. Heavier commuter traffic endangers walkers of all ages.
- C. Town sewerage is available in adjacent neighborhoods, yet not in ours.
- D. Natural gas is piped to abutting neighborhoods, but not in ours.
- E. There exists two derelict homes in our neighborhood that were once well-maintained residences. Why do Topsham statutes offer no recourse for public nuisances?

You ask for us to contend with increased traffic, noise and loss of green space/buffer zones; we request that our concerns are addressed in return.

Sincerely,

Barry and Susan Lohnes


# Board of Selectmen Meeting

For the date of: 08/02/2018

**Type of Item:**

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- Old Business
- New Business
- Executive Session
- Workshop

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number** 2

(If this is unfinished business, please remember to research and enter the original agenda number above. For regular agenda items, the secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Approval of the minutes of the Special Selectmen meeting 07-24-2018.

**Brief Description of Consent or Agenda Item:** see attached

**Submitted by** Rich Roedner, Town Manager **Date:** 07-23-2018

July 24, 2018  
Draft

## MINUTES

Board of Selectmen  
July 24, 2018

The Chairman called the meeting to order at 6 pm.

All members were present, with Selectman Brilliant joining at 6:15pm

### **Executive Session**

**ITEM 18-48-** Consideration and any appropriate action to enter into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. § 405 (6) (A) .

Mr. Douglass made a motion to enter into Executive Session per 1 MRSA §405 (6) (A) to discuss a personnel matter. The motion was seconded by Ms. Lyons, and all present were in favor. Members of the Board entered into Executive Session at 6:05.

The Board returned from Executive Session at 6:45 pm, all members were still present.

The Chairman reported that there was no report from Executive Session at this time.

Motion from Mr. Douglass to adjourn at 6:46 pm, seconded by Mr. Tufts, and all were in favor.

Submitted by,

Dave Douglass, Chairman

# Board of Selectmen Meeting

For the date of: 08/02/2018

**Type of Item:**

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
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- New Business
- Executive Session
- Workshop

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number** 3

(If this is unfinished business, please remember to research and enter the original agenda number above. For regular agenda items, the secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Approval of the voting ballot for Executive Committee Members for MMA election.

**Brief Description of Consent or Agenda Item:** see attached

**Submitted by** Rich Roedner, Town Manager

**Date:** 07-23-2018



Maine Municipal  
Association

60 COMMUNITY DRIVE  
AUGUSTA, MAINE 04330-9486  
(207) 623-8428  
www.memun.org

7-16-18  
RW

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Stephen W. Gove, MMA Executive Director

DATE: July 11, 2018

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

**Deadline: Friday, August 17, 2018 by 12:00 noon**

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**Nomination Process** – Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and Executive Committee. The MMA Nominating Committee completed its task in May and put forth a Proposed Slate of Nominees for 2018 to member municipalities.

**Petition Process** – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Monday, July 9, by 4:30 pm. There were no municipal officials nominated by petition.

***It is now time for each member municipality to cast its official vote.***

**Election Process** – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “*Write-in Candidates*” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 17. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Linda C. Cohen, Mayor, City of South Portland.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at [www.memun.org](http://www.memun.org) on Monday, August 20. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held *Wednesday, October 3, at 1:30 p.m. at the Augusta Civic Center*. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon as well as the MMA Annual Business Meeting and will officially take office on January 1, 2018.

If you have any questions on the Election Process, please contact me or Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at [tchavarie@memun.org](mailto:tchavarie@memun.org). Thank you.



**MAINE MUNICIPAL ASSOCIATION**  
**VOTING BALLOT**

**Election of MMA Vice President and Executive Committee Members**  
*Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 17, 2018*

**VICE-PRESIDENT - 1 YEAR TERM**

Vote for One

**Proposed by MMA Nominating Committee:**

**Christine Landes, Town Manager, Town of Bethel**

*(Note: Ms. Landes will become the City Manager of Gardiner effective August 13, 2018)*

**EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM**

Vote for Three

**Proposed by MMA Nominating Committee:**

**Elaine Aloes, Chair of Selectboard, Town of Solon**

**William Bridgeo, City Manager, City of Augusta**

**Melissa Doane, Town Manager, Town of Bradley**

*Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.*

*The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.*

**Date:** \_\_\_\_\_ **Municipality:** \_\_\_\_\_

**Signed by a Municipal Official designated by a majority of Municipal Officers:**

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

Signature: \_\_\_\_\_

Position: \_\_\_\_\_

**OR Signed by a Majority of Municipal Officers**

**Current # of Municipal Officers:** \_\_\_\_\_

Print Names:

Signatures:

\_\_\_\_\_  
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**Return To:**

*MMA Annual Election  
Maine Municipal Association  
60 Community Drive  
Augusta, Maine 04330  
FAX: (207) 626-3358 or 626-5947  
Email: [tchavarie@memun.org](mailto:tchavarie@memun.org)*

**MAINE MUNICIPAL ASSOCIATION  
BIOGRAPHICAL SKETCH OF  
PROPOSED SLATE OF NOMINEES FOR 2019 EXECUTIVE COMMITTEE**

**MMA VICE PRESIDENT (1-Year Term)**

**CHRISTINE LANDES (Town Manager, Town of Bethel)**

*(Note: Ms. Landes will become the City Manager of Gardiner effective August 13, 2018)*

**Professional & Municipal Experience:**

- Town Manager, Town of Bethel, Maine (November 2014 – present)
- Deputy Clerk, City of Brewer, Maine (December 2012 – May 2014)
- Deputy Clerk, Town of Veazie, Maine (September 2012 – December 2012)
- Deputy Tax Collector/Counter Clerk – Clay County Tax Collectors Office, Orange Park, Florida (July 2010 – September 2012)
- Town Clerk, Town of Warren, Maine – (August 1998 – June 2010)
- Branch Manager, The Waldoboro Bank, Maine (September 1990 – August 1998)

**Other Experience, Committees and Affiliations:**

- Member, Maine Municipal Association (MMA) Executive Committee (September 2016 – present)
- Member, MMA Strategic & Finance Committee (October 2016 – present)
- Chairperson, MMA Strategic & Finance Committee (2017 – 2018)
- Member, MMA Property & Casualty Pool Board of Directors (Sept 2016 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (Sept 2016 – present)
- Member, Maine Service Centers Coalition Executive Committee (2016 – present); Treasurer (2017-2018)
- Member, Maine Town, City & County Management Association
- Member, Evaluation Committee for ICMA Annual Conference
- 2<sup>nd</sup> Vice President, Maine Welfare Directors Association
- Volunteer, Mahosuc Heat & Soul Volunteer; Member, Hiring Team

**Education:**

- Master's Degree, Business Administration with concentration in Public Administration, Southern New Hampshire University
- Bachelor's Degree, Public Administration University of Maine at Augusta, /cum laude graduate
- Associate's Degree, Arts Program, Florida State College, Jacksonville

**Awards and Certifications:**

- Certified Maine Manager
- Recipient, Dr. Edward F. Dow Student Scholarship Award, Maine Town, City & County Management Association

**MMA EXECUTIVE COMMITTEE MEMBERS (Three 3-Year Terms)**

**ELAINE ALOES (Chair of Selectboard, Town of Solon)**

**Professional & Municipal Experience:**

- Chair of Selectboard, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1998 – present)
- 2nd Selectman, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1990 – March 1994)

- Auto Damage Appraiser, Bishop Adjustment Company (March 1990 – present)
- Owner/Operator, Mid Maine Adjustment Company (independent insurance adjusting company) (June 1987 – March 2005)
- Auto body repair businesses in Massachusetts and Maine (1972 – June 1987)
- Tax Preparer, H & R Block (1985 – 1992)
- Salesperson, Combined Insurance (health and accident insurance) (1985 – 1986)

**Other Experience, Committees and Affiliations:**

- Member, Maine Municipal Association (MMA) Legislative Policy Committee (1999 – present)
- Member, Somerset County Budget Committee (2001 – present); Vice Chair (2012 – 2016); Chair (2017 – 2018)
- Member, MMA Executive Committee (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Strategic & Finance Committee (2002 – 2003) and (2017 – present)
- President, Somerset County Municipal Association (2001 – present)
- Member, Maine Municipal’s Rural/Service Center Committee (2002)
- Member, Somerset County Jail Planning Committee (2006 – 2008)
- Vice Chairman, Somerset County Charter Commission (2008 – 2010)
- Chair, Regional School Planning Committee for MSAD 74, MSAD 59, MSAD 12, MSAD 13 and several small towns (2007 – 2009)

**Education:**

- High school graduate, Medfield High School, Medfield, Massachusetts
- Kennebec Valley Technical College (courses in computers, accounting and supervisory management)
- Insurance Institute of America (Introduction to Claims)
- State of Maine (four part Property Tax Assessment course)
- Maine Municipal Association (many workshops and training on a wide variety of municipal topics such as budget preparation, finance management, personnel issues, right to know, town meetings, assessing)
- Maine Local Roads Center (variety of workshops on road issues and maintenance)

**Awards and Certifications:**

- State of Maine, All Lines Adjuster
- Maine Roads Scholar – Maine Local Roads (completed ten required road related workshops to earn award)

**WILLIAM BRIDGEO (City Manager, City of Augusta)**

**Professional & Municipal Experience:**

- City Manager, Augusta, Maine (1998 – present)
- Adjunct Professor, Government Program, University of Maine at Augusta (2009 – present)
- Adjunct Professor, MBA Leadership and Ethics Courses, Thomas College (2013 – present)
- City Manager, City of Canandaigua, New York (1987 – 1998)
- Assistant Director, Maine State Housing Authority (1985 – 1987)
- City Manager, City of Calais, Maine (1979 – 1985)
- Assistant Town Manager, Town of Killingly, Connecticut (1976 – 1979)

**Other Experience, Committees and Affiliations:**

- Member, Maine Municipal Association (MMA) Executive Committee, (2002 – 2004; July 2015 - present)
- Member, MMA Property & Casualty Pool Board of Directors, Member (2002 – 2004; July 2015 - present)

- Member, Workers Compensation Fund Board of Trustees, Member (2002 – 2004; July 2015 – present)
- Member, Maine Service Centers Coalition, Executive Committee (2002 – present); Chair (2004 – 2007; 2016 – present)
- Member, Ethics Committee, Maine Town, City & County Management Association (present)
- Member, Maine Service Centers Coalition, Steering Committee (2001)
- Member, Maine Town, City & County Management Association, (1979 – 1985) and (1998 – present)
- New York State Municipal Management Association, Member (1987 – 1998); President (1995)
- Charter Member, Board of Regents, International City/County Management Association (1990 – 1996)
- Ex-officio Member, Board of Directors, New York Conference of Mayors & Other Municipal Officials
- Member, Board of Directors, Maine Development Foundation (2000-2005)
- Member, Board of Directors, Augusta YMCA (2009 – present)

**Education:**

- Master’s Degree, Public Administration, University of Hartford
- Bachelor’s Degree, Political Service, St. Michael’s College in Vermont

**Awards and Certifications:**

- Link Stackpole Manager of the Year Award, Maine Town, City & County Management Association

**MELISSA DOANE (Town Manager, Town of Bradley)**

**Professional & Municipal Experience:**

- Town Manager, Clerk, Treasurer, Tax Collector, General Assistance Administrator, Registrar of Voters and Road Commissions, Town of Bradley, Maine (2005 – present)
- Membership Coordinator, GrowSmart of Maine (2016 – present)
- Secretary/Administrative Assistant, Roy Associates, CPAs (2004 – 2005)
- Administrative Assistant/Town Agent, Town of Bradley, Maine (1998 – 2004)
- Coordinator Clinical Operations/Secretary/Patient Accounts/Patient Registrations, Neurology Associates, (1994 – 1998)
- Secretary/Receptionist, Dr. James Iannetta Medical Office (1991 – 1994)

**Other Experience, Committees and Affiliations:**

- Member, Executive Board, Maine Town, City & County Management Association (2016 – present)
- Co-Chair Membership Committee, Maine Town, City & County Management Association (2016 – present)
- President, Executive Board, Living History Museum, Maine Forest and Logging Museum

**Education:**

- Business Management Studies, Husson College
- Associate’s Degree, Business Management, Beal College
- Associate Degree, Office Management, Beal College
- Associate College Preparation, Foxcroft Academy

**Awards and Certifications:**

- Rookie of the Year Award, Maine Town, City & County Management Association

# Board of Selectmen Meeting

For the date of: 08/2/2018

## Type of Item:

- Board or Committee Presentation  
 Consent Agenda Item  
 Public Hearing  
 Unfinished Business  
 New Business  
 Executive Session  
 Workshop

## Type of Submission:

- Regular Submission  
 Additional Agenda Item  
 Additional Information

**Agenda Number:** 18-55

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Consideration and any appropriate action on an application for a Special Amusement permit for Fairground Café

## Brief Description of Consent or Agenda Item:

Department approvals attached  
This is a renewal application  
This application allows establishments licensed to sell liquor to have live music, or entertainment.

**\* Everything is in order for this permit**

**Submitted by:** Linda Dumont, Town Clerk

**Date:** 7/23/2018



# TOWN OF TOPSHAM

Town Clerk's Office  
100 Main Street, 04086  
ldumont@topshammaine.com  
(207)725-1719 Fax: 725-1733

## APPLICATION FOR LICENSE OR PERMIT

**Please complete:**

Type of Business:

Partnership- Partner's Names: Perry J. Leavitt  
 Corporation- Corporation Name Fairground CAFE INC  
Incorporation Date: June 07 Incorporation State Maine

Type of License Special Amusement

**New License:** Opening Date \_\_\_\_\_  **Renewal**

Business Name: Fairground CAFE E-Mail: PerryLeavitt@gmail.com

Business Address: 49 Topsham Fair Mall Rd  
Topsham me 04086 Business Phone Number 729-5366

Name of Contact Person: \_\_\_\_\_ Contact's Phone Number 798-0176

Mailing Address for Correspondence: Same

Signature of Applicant: [Signature] Date: 7-17-18

Any information provided in this application, which is found to be false will result in denial or revocation of this license-  
Per 1 M.R.S.A.17-A§ 453

### SELECT TYPE OF LICENSE YOU ARE APPLYING FOR ON BACK OF THIS PAGE

**Corporations Please Complete:**

Address of Incorporation: \_\_\_\_\_ Phone#: \_\_\_\_\_  
Name of Corp. Officer, Owner, or Partners: Title Address % of Stock ownership

**Office Use Only (Make copy of signed State application for office file)**

Type of License: SA Permit Fee \$ 50.00 Paid  Advertising Fee \$ 108.63 Paid   
**For Peddler-Police Chief sign off required:** \_\_\_\_\_

Required Approvals for Special Amusement and new Liquor license: BOS \_\_\_\_\_ CEO \_\_\_\_\_ Fire  Police

7/30 31 + 8/1  
Public Hearing  Posted  Public Notice Dates  Copy of current State liquor license  **Town**

**Clerk Signature** \_\_\_\_\_

Comments:

Everything is in order -

**Complete back**

**License Fees & Schedule: Please check the type of license you are applying for**

**Entertainment- live music \$50 + 3 day Public Hearing advertising fee**

**Special Amusements** (Title 28-A§1054) Expires annually with liquor license, provide copy of current state certificate with renewal application, requires annual Public Hearing

**\* Include supplemental pages 3 &4**

\*Describe in detail the type and nature of entertainment, the room or rooms to be used, hours of operation of entertainment

\*Provide a diagram of room to be used

**Pinball/Video machines** –Ch. 6 Art. 7 §71-16, 17 & 18

Number of machines/ Pinball \_\_\_\_\_ Number of machines/ Video \_\_\_\_\_

\*Copy of application to Police Department

**Victualer (Food Service Establishment to include Bed and Breakfast)** Expires May 31<sup>st</sup>

Describe food to be sold \_\_\_\_\_

FSE with- out Liquor **\$50** Copy of State Certificate required

FSE with Liquor (Title 28-A§652) **\$100** Copy of State Certificate required (requires Public Hearing on new applications)

FSE Outside Liquor Service Extension of Premise

(deck, lawn) Municipal approval required - submitted in writing to Bureau of Liquor Enforcement

Describe food to be sold \_\_\_\_\_  
\_\_\_\_\_

**Peddler** (The selling of tangible commodities having no established or fixed place of business in Topsham)

**\$25 Resident \$50 Non-Resident \$25** - # \_\_\_ of months (up to 3 months \$25)

Description of nature of business and goods to be sold \_\_\_\_\_

Name and address of employer and evidence of employment

Vehicle Description: Make \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_ Color \_\_\_\_\_ License plate # \_\_\_\_\_

Photo of applicant taken with- in 60 days of application

Description of location if stationary and letter of agreement from owner of record

Names of two reliable property owners, references, or other evidence of good character

A statement of whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, nature of the offense, punishment or penalty assessed

**Taxicabs/Vehicles for Hire** 30A- §3009(1) (F) **\$50 per vehicle** Expires April 1<sup>st</sup> each year.

Number of Taxicabs for which license is desired \_\_\_\_\_

**Taxicab Driver \$25 annually**

**SUPPLEMENTAL APPLICATION IS REQUIRED**

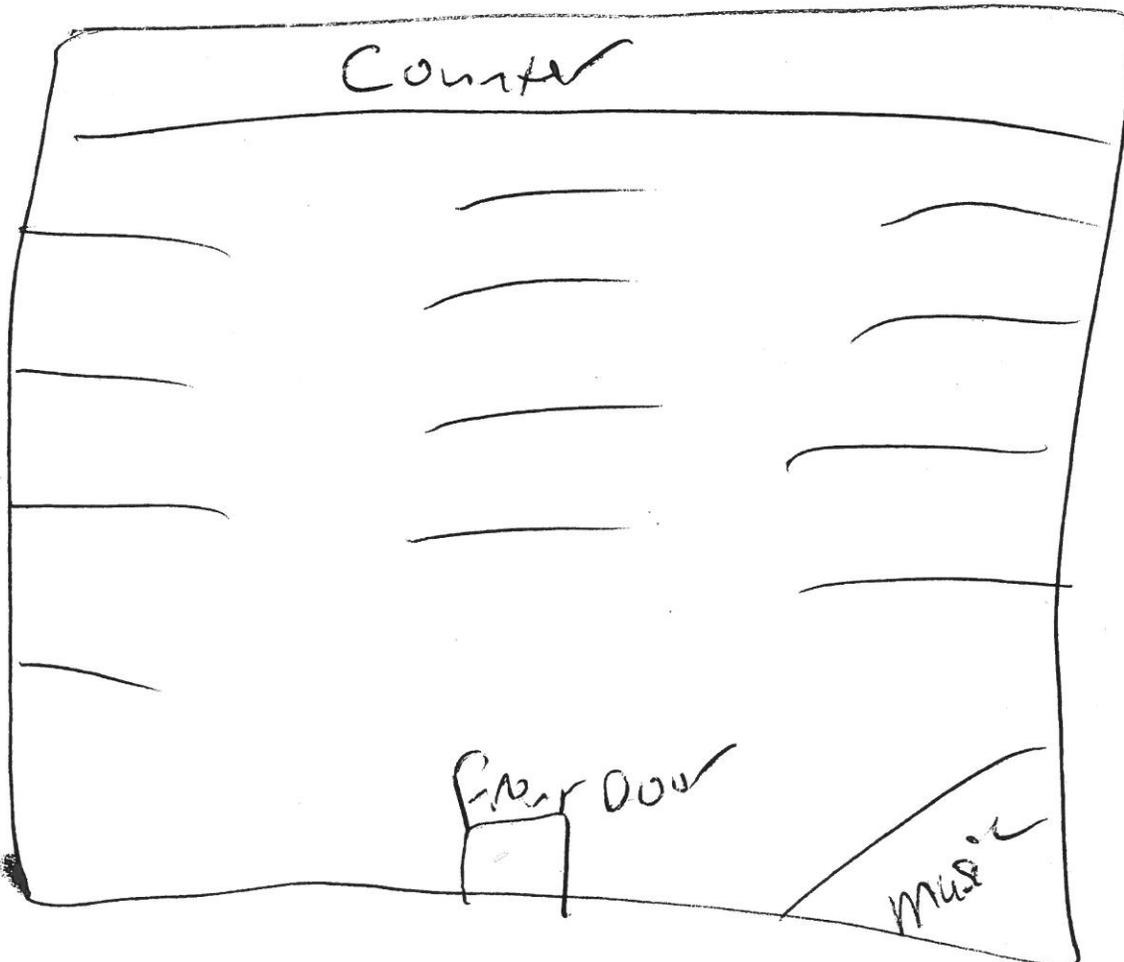
Describe in detail the type and nature of entertainment:

1 TO possible 3 people playing  
DINNER BACKGROUND music

Describe in detail the room or rooms to be used under this license:

170 seat Dining Room

**DIAGRAM**



# Special Amusements Application

Topsham Board of Selectmen

Signatures:

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Date: August 2, 2018

MAINE BUREAU OF Alcoholic Beverages & Lottery Operations	MAINE BUREAU OF Alcoholic Beverages & Lottery Operations																								
Liquor License Status Search Service	Liquor License Status Search Service																								
<a href="#">Home</a>   <a href="#">BABLO</a>   <a href="#">More Online Services</a>																									
<div style="border: 1px solid black; padding: 2px;">                 SERVICE INFORMATION             </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"> <a href="#">FAQ</a> </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"> <a href="#">State Monthly Summary Reports</a> </div> <div style="border: 1px solid black; padding: 2px;">                 LICENSE STATUS SEARCH             </div> <div style="padding: 5px;">                 License No.:  <input style="width: 100%;" type="text" value="5310"/> <p style="text-align: center;">or</p>                 Account Name (DBA):  <input style="width: 100%;" type="text" value="FAIRGROUND CAFE II"/> <p style="text-align: center;">or</p>                 Street Address:  <input style="width: 100%;" type="text"/> <p style="text-align: center;">City:</p> <input style="width: 100%;" type="text" value="TOPSHAM"/> <p style="text-align: center;"> <input type="button" value="Search"/> </p> </div>	<div style="border: 1px solid black; padding: 5px;"> <h3 style="margin: 0;">License Status Search: Details</h3> <table style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center; border-bottom: 1px solid black;"><b>Licensee Information</b></td> </tr> <tr> <td style="width:40%;">Business Name:</td> <td>FAIRGROUND CAFE INC</td> </tr> <tr> <td>License Number:</td> <td>5310</td> </tr> <tr> <td>In Business:</td> <td>Yes</td> </tr> <tr> <td>Location Address:</td> <td>49 TOPSHAM FAIR MALL ROAD</td> </tr> <tr> <td>City/Town:</td> <td>TOPSHAM</td> </tr> <tr> <td>State:</td> <td>ME</td> </tr> <tr> <td>Telephone Number:</td> <td>729-5366</td> </tr> </table>   <table style="width:100%; border-collapse: collapse; border: 1px solid black;"> <thead> <tr> <th style="text-align: center;">License Held</th> <th style="text-align: center;">License Status</th> <th style="text-align: center;">License Effective Date</th> <th style="text-align: center;">Licensee Expiration Date</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">CLASS I - SPIRIT, WINE, AND MALT LIQUOR</td> <td style="text-align: center;"><b>Active</b></td> <td style="text-align: center;">9/22/2017</td> <td style="text-align: center;">9/21/2018</td> </tr> </tbody> </table>   <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>Premise Description</b>                      CLASS "A" RESTAURANT                 </div> <p style="text-align: center; margin-top: 10px;"> <input type="button" value="Back to Results"/>    <input type="button" value="New Search"/> </p> <p style="text-align: center; font-size: small; margin-top: 10px;">                     Questions about this Service? Contact Liquor Licensing at: (207) 624-7220 or Email: <a href="mailto:liquor.licensing@maine.gov">liquor.licensing@maine.gov</a> </p> </div>	<b>Licensee Information</b>		Business Name:	FAIRGROUND CAFE INC	License Number:	5310	In Business:	Yes	Location Address:	49 TOPSHAM FAIR MALL ROAD	City/Town:	TOPSHAM	State:	ME	Telephone Number:	729-5366	License Held	License Status	License Effective Date	Licensee Expiration Date	CLASS I - SPIRIT, WINE, AND MALT LIQUOR	<b>Active</b>	9/22/2017	9/21/2018
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<a href="#">Technical Assistance</a>   <a href="#">BABLO</a>   <a href="#">Maine.gov</a>   <a href="#">Privacy</a>   <a href="#">Security</a>																									
	Copyright © 2005 All rights reserved.																								

## Linda Dumont

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**From:** Chris Lewis  
**Sent:** Tuesday, July 10, 2018 3:22 PM  
**To:** Linda Dumont  
**Subject:** Re: special amusement and liquor license renewal

No concerns from the police department.

Chief Lewis.

Sent from my iPhone

On Jul 10, 2018, at 2:51 PM, Linda Dumont <[ldumont@topshammaine.com](mailto:ldumont@topshammaine.com)> wrote:

Hello

Fairgrounds Café will be submitting a liquor application renewal and the Special Amusements application, they will be on the Aug 2 BOS agenda with public hearing on SA. Please let me know if you have any concerns. Thanks, Linda

Linda J. Dumont  
Town Clerk & Registrar of Voters  
General Assistance Coordinator  
Town of Topsham  
100 Main Street  
Topsham, Maine 04086  
[ldumont@topshammaine.com](mailto:ldumont@topshammaine.com)  
(207) 373-5091  
Fax (207) 725-1733

## Linda Dumont

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**From:** Mike Labbe  
**Sent:** Wednesday, July 18, 2018 11:04 AM  
**To:** Linda Dumont  
**Subject:** Fair Ground Cafe

Linda

I have done a safety check at the Fair Ground café, found 6 emergency lights inoperable, no other issues found. Perry called his electrician to have these repaired ASAP, I plan to go back first of the week to check repairs where done. With that we have no issues with their Special Amusement and Liquor renewal application for the Fair Ground café.

Mike

Michael Labbe, Deputy Chief, EMS/EMA  
Topsham Fire Rescue  
100 Main Street  
Topsham, ME 04086-1209  
mlabbe@topshammaine.com  
207 725-1729

Please be advised that pursuant to Title 1 M.R.S.A. Section 402(3), a public record includes any written, printed or graphic matter or any mechanical or electronic data in the possession or custody of an agency or public official that has been received or prepared for use in connection with the transaction of public or governmental business and contains information relating to the transaction of said business; therefore, the public is advised that any correspondence, whether by traditional method or e-mail with Town offices or Town officials, with certain limited exceptions, is public record and is available for review by any interested party.

**NOTICE  
PUBLIC HEARING  
TOWN OF TOPSHAM**

NOTICE IS HEREBY GIVEN that the Board of Selectmen of the Town of Topsham shall hold a Public Hearing on August 2, 2018 at the Topsham Municipal Building at 7:00 P.M. to consider an application for a Special Amusement permit for Fairground Café located at 49 Topsham Fair Mall Road.

Any and all person(s) may appear to show cause why said application should or should not be approved.

# Board of Selectmen Meeting

For the date of: 08/02/2018

**Type of Item:**

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- New Business
- Executive Session
- Workshop

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number:** 18-56

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Consideration and any appropriate action for approval to apply for a grant through Firehouse Subs to purchase a commercial turnout gear dryer.

**Brief Description of Consent or Agenda Item:**

**Submitted by:** Chris McLaughlin, Fire Chief

**Date:** 07-23-2018-

# Memo

#

**To:** Rich Roedner, Town Manager  
**From:** Chris McLaughlin, Fire Chief  
**CC:** Board of Selectmen  
**Date:** July 23rd, 2018  
**Re:** Firehouse Subs Grant

---

The fire department is looking for approval to apply for a grant through Firehouse Subs to purchase a commercial turnout gear dryer. The grant request is for a RAM Air 6 Unit Turnout Gear Dryer at the cost of \$9,407.84. This is a 100% funded grant with no matching requirements.

Current studies in the fire service industry show a rise in cancer among firefighters. To help combat this, we have increased our training on cancer awareness and developed tools to mitigate the exposure of carcinogens to our members. We currently do not allow gear to be stored in living quarters or common places. We have also developed a system and a policy regarding the washing of our turnout gear. At this time we do not have a tool to dry our gear in a timely and safe manner. Leaving gear out in the sun to dry is not recommended and hanging the gear in the station can take days to dry. Obtaining a grant to purchase a commercial turnout gear dryer will encourage members to wash their gear more frequently and ultimately provide a safer working environment for the members of our department and the public.

Thank you for considering this request.

Chris McLaughlin  
Fire Chief

# Board of Selectmen Meeting

For the date of: 08/02/2018

**Type of Item:**

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- New Business
- Executive Session
- Workshop

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number:** 18.57

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Consideration and any appropriate action on seeking approval to outsource billing for Emergency Medical Services.

**Brief Description of Consent or Agenda Item:**

**Submitted by:** Chris McLaughlin, Fire Chief

**Date:** 07-23-2018-

## MEMORANDUM

To: Board of Selectmen  
From: Richard Roedner, Town Manager  
Date: July 24, 2018  
Re: Joint FD/PD clerical position

I met with the two Chiefs concerning the upcoming vacancy in the PD clerical position, and whether it could be restructured to include the FD billing operations. This question was raised recently when we discussed the FD looking to an outside billing agency to handle our insurance claims.

The PD position has a wide ranging job description, not all of which has been fully utilized by the Department in the past. This has left much clerical work being done by the Chief and Lieutenant. The plan is to assign much of this clerical work – grant billing, correspondence and other similar work – to this existing position. In addition, the PD will be shifting to a new reporting software (to match State and Federal data bases), so this position will become the point on learning that new software and making the routine data entry and reports.

When it comes to ambulance billing, it sounds like the State is moving toward a certification for insurance coding, meaning that not just anyone can step in and do it. Training would be involved to get, and keep, the certification. 20 hours week may be enough some of the time, but in tracking payments, and seeking payments on balances, could easily balloon to more than 20 hours in any given week.

By going to a billing/payment service, the certification and training will be dealt with, as will the follow up on billing which is where we have always had difficulty. We have never allotted sufficient time to track underpayments, in an effort to be fully reimbursed. The cost associated with the service, based on other community's experience, would be more than offset by the increased collections. That is something that we would obviously monitor to make sure that is the case.

The bottom line is that I don't think sharing a position will serve either department, will result in higher paid Administrators doing more clerical-style duties, and will not enhance either revenues, or services to the community.

# Memo

#

**To:** Rich Roedner, Town Manager  
**From:** Chris McLaughlin, Fire Chief  
**CC:** Board of Selectmen  
**Date:** June 13<sup>th</sup>, 2018  
**Re:** EMS Billing

---

To reduce the administrative workload of the Fire-Rescue department and potentially increase our Emergency Medical Services (EMS) revenues I am seeking permission to hire an outside EMS billing company.

EMS billing can be complex and continues to change constantly. We do a very good job with our internal billing, but with the increase in call volume and time required for billing we are missing out on potential revenues. EMS billing companies specialize in collecting monies and following up on bills. They are motivated to collect all they can for their clients.

Some immediate benefits include; eliminating our EMS billing software (currently \$4,000/year), reducing the administrative workload and hours spent on billing by working staff, billing will be more streamlined, efficient, and productive. Generally, municipalities that switch to an outside company see additional revenues even after paying for the service as collection rates typically increase.

Pricing proposals that I have received range from 4%-12%. Based on our anticipated revenues of \$300,000 this proposal would be an annual cost of \$12,000-\$36000 depending on which company we hire.

I have received proposals from the following companies:

- Comstar Ambulance Billing, Rowley MA – 4% of revenues.
- Medical Reimbursement Services, Windham ME – 6% of revenues.
- New England Ambulance Billing – 12% of revenues.

Based on my research and recommendations by other municipalities I am recommending we hire Medical Reimbursement Services. They are a local company with 30 years of experience, that services over 50 providers in Maine.

Thank You,

Chris McLaughlin, Fire Chief

# Board of Selectmen Meeting

For the date of: 08/02/2018

**Type of Item:**

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- Old Business
- New Business
- Executive Session
- Workshop

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number** 18-58

(If this is unfinished business, please remember to research and enter the original agenda number above. For regular agenda items, the secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Consideration and any appropriate action on a paving contract for the Town Of Topsham.

**Brief Description of Consent or Agenda Item:** see memo

**Submitted by** Dennis Cox, Public Works Director

**Date:** 07-03-2018

Revised 08-2002



TOPSHAM PUBLIC WORKS  
100 MAIN STREET / 10 MAINTENANCE WAY  
TOPSHAM, ME 04086  
207-725-1728 / FAX 207-725-1739



To: Rich Roedner  
From: Dennis Cox  
Reason: Awarding Paving Work for 2018 – 2019 Budget Year  
Date: July 10, 2018

The purpose of this memo is to acknowledge the cost to pave town streets this fiscal year and getting the approval to work with a paving contractor to do Topsham's work.

It is a challenging year for paving companies to quote a specific price per ton because of the fluctuation of asphalt prices. Most of the companies include a price per ton and then include an "escalator figure" to add in depending upon the asphalt price at the time the actual work is done. For instance, in April the selling price for asphalt was \$415 per liquid ton and as of June 18 the price was \$537.50 per ton. This converts to an escalator cost to be added on to the base price of \$7.96 per ton. All paving contractors I spoke with include an escalator figure.

I have contacted Pike Industries, Lane Construction and Crooker Construction for pricing this season. Crooker Construction is willing to hold the same price as last year, \$71.95 per ton plus the escalator. Pike Industries estimated the cost to be \$86 plus the escalator and Lane Construction gave an estimate to a neighboring community of \$73.10 plus the escalator.

I would like to recommend that the Town choose Crooker Construction who is willing to hold the price again this year. As in the past, they are local and do their best to work with us on all of our paving projects during the year.

Please contact me with any questions.

I have included a print out of asphalt prices given this year, on the Maine Department of Transportation website, showing the increase in the "escalator" portion of the paving costs.

## 2018 Liquid Asphalt Prices

### East Coast/North East Selling Prices

<b>Date</b>	<b>English Price</b>	<b>Metric Price</b>
1/1/2018	422.50	465.72
1/8/2018	430.00	473.99
1/15/2018	430.00	473.99
1/22/2018	430.00	473.99
1/29/2018	430.00	473.99
2/5/2018	450.00	496.03
2/12/2018	450.00	496.03
2/19/2018	450.00	496.03
2/26/2018	457.50	504.30
3/5/2018	457.50	504.30
3/12/2018	462.50	509.81
3/19/2018	462.50	509.81
3/26/2018	462.50	509.81
4/2/2018	462.50	509.81
4/9/2018	477.50	526.34
4/16/2018	477.50	526.34
4/23/2018	477.50	526.34
4/30/2018	485.00	534.61
5/7/2018	485.00	534.61
5/14/2018	485.00	534.61
5/21/2018	492.50	542.88
5/28/2018	492.50	542.88
6/4/2018	525.00	578.70
6/11/2018	532.50	586.97
6/18/2018	537.50	592.48
6/25/2018	537.50	592.48
7/1/2018	540.00	595.24
7/9/2018	540.00	595.24
7/16/2018	540.00	595.24
7/23/2018	540.00	595.24

# Board of Selectmen Meeting

For the date of: 08/02/2018

## Type of Item:

- Board or Committee Presentation  
 Consent Agenda Item  
 Public Hearing  
 Unfinished Business  
 Old Business  
 New Business  
 Executive Session  
 Workshop

## Type of Submission:

- Regular Submission  
 Additional Agenda Item  
 Additional Information

Agenda Number

18-59

(If this is unfinished business, please remember to research and enter the original agenda number above. For regular agenda items, the secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Consideration and any appropriate action to accept the recommended bid for the purchase of a zero turn lawn mower for the Parks and Recreation Department.

**Brief Description of Consent or Agenda Item:** see memo

Submitted by Pam LeDuc, Parks and Recreation Director

Date: 07-18-2018

**Topsham Parks and  
Recreation**

# Memo

**To:** Members of the Board of Selectmen  
**From:** Pam LeDuc, Director of Parks and Recreation  
**cc:** Rich Roedner, Town Manager  
**Date:** 7/26/18  
**Re:** Zero Turn Mower Bid

---

At the Bid Opening we had received 2 bids;

**Chad Little Power, Brunswick, ME –**  
Exmark LZX - \$14,416.00  
**Xtreme Performance, Windham, ME –**  
Ferris IS 3200 – Vanguard Engine - \$13,799.00  
Ferris IS 3200 – Kawasaki FX100 Engine - \$13,299.00

We did receive a request from Brunswick Lawn and Garden on Thursday at 11:00 am to submit a bid, although the deadline had passed. I notified them that at this time bids were closed.

Our Capital Budget for the Mower was \$9,000.. I do have a limited amount of money in our Outlay Account that could be used in meeting the needed amount.

After reviewing the bids with the Public Works Director who is much more familiar with the mowers than myself. I am recommended that we purchase the mower from Chad Little in Brunswick, they are extremely closer in location for service and needs. I will also note that the Public Works Department currently owns 2 of these mowers, and has had nothing but positive experiences with the machines.

# Board of Selectmen Meeting

For the date of: 08/02/2018

## Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- Old Business
- New Business
- Executive Session
- Workshop

## Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number 18-60

(If this is unfinished business, please remember to research and enter the original agenda number above. For regular agenda items, the secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Consideration and any appropriate action to review the proposed lease for the use of Pejepsct School by Headstart of Mid Coast Community Action, and to authorize the Manager to sign the lease with any suggested changes.

**Brief Description of Consent or Agenda Item:** The Lease/Contract for Pejepsct School was due for renew on July 1<sup>st</sup>. Notification of the need was in May. We finally met with the Director last week and reviewed the contract and have made the highlighted changes on the attached contract. Looking for the Boards feedback, and authorization of the Manger to sign the contract.

Submitted by Pam LeDuc, Parks and Recreation Director

Date: 07-18-2018

## LEASE AGREEMENT

**LEASE AGREEMENT** made by and between Town of Topsham, a Maine municipal corporation with principal offices in Topsham, County of Sagadahoc and State of Maine (hereinafter referred to as The Town), and **MidCoast Maine Community Action**, a Maine corporation with principal offices in Bath, County of Sagadahoc and State of Maine (hereinafter referred to as "Head Start"). This new lease agreement shall go into effect **on July 1, 2018 at the conclusion of the expiring lease on June 30, 2020.**

1. Leased premises. The Town hereby leases to Head start, and Head Start hereby agrees to lease and take from The Town a portion of the premises known as the Pejepscoot School, in Topsham, Sagadahoc County, Maine, hereinafter referred to as the "School." More particularly, said premises includes three classrooms and a storage room at the back of the central hall way.
2. Term. The term of this lease shall be for a period of twenty four (24) months commencing on **July 1, 2018 and ending June 30, 2021.**

The option to terminate the lease shall be exercisable by The Town giving written notice to Head Start at least six (6) months prior to the date of termination. If The Town shall fail to exercise its option to terminate the lease, at the time and in the manner described, such option shall be void and of no effect.

3. Rent. The total base rent for the leased premises for the term of this Lease shall be five thousand dollars (\$5,000) for each year, payable in the amount of \$2,500 on January 1, 2019; June 30, 2019; January 1, 2020; and June 30, 2020. Should The Town exercise their right to terminate this lease as provided in paragraph 2 above and cancel the lease, Head Start will not be responsible for making rental payments beyond the date of such cancellation.
4. Utilities & Services. Head Start shall be responsible for, in addition to the base rent, as additional rent, the full cost of the following utilities & services: heat, electricity, water, basic and long-distance telephone service (one line on one telephone), rubbish removal, snow removal & sanding, building maintenance, labor (5 hours/week), and alarm systems including fees for testing of well water it being the intention of The Town and Head Start that the base rent be net of all costs to The Town for leasing the premises to Head Start. The Town will determine the cost of such services and bill Head Start for the cost of these services on the same dates the bi-annual rent is due and Head Start will reimburse The Town for the cost of these services within thirty days of the invoice date as additional rent. **The Town reserves the right to notify Head Start that provision of snow removal and sanding may be removed from the Town billable Services with appropriate notice. It is understood that as of July 1, 2018 Head Start shall be responsible for the mowing of play area and surrounding grounds.**

5. Care of Facility. Head Start agrees to be responsible for and maintain all equipment and facilities while in use of them and to pay for any damage caused by Head Start's, its agents', guests' or invitees' utilization of the facility, ordinary wear and tear excepted. Head Start agrees to provide, at its own expense, general cleaning of the leased premises, to leave the premises broom-clean at the end of each day's usage and to maintain the premises in the same condition as received at the beginning of this lease. **Head Start agrees that there will be no storage of equipment, etc. in the basement.**
6. Facility Utilization. Head Start shall have full access to the leased premises during the term of the lease without regard to time of day or day of the year. The Town shall have a right of access and right to enter such premises as The Town may require from time to time to inspect the premises.
7. Capital Improvements. With prior written approval from The Town, Head Start may, at its own option and expense, make and fund additional capital improvements to the School. Upon expiration or termination of this lease, any such capital improvements shall be the property of the Town if Head Start is in default of this lease at the option of The Town. To the extent such capital improvements are trade fixtures of Head Start, and may be removed by Head Start upon termination or expiration of this lease and without damage to the premises after removal, Head Start may remove such trade fixtures at Head Start's expense, restore the premises to the same condition prior to any approved installations, and shall remove such fixtures in the event The Town so requires upon default of this lease by Head Start.
8. Liability. Head Start shall hold The Town harmless and indemnified from all injury, loss, claim or damages to any person, persons or property while on or within the premises or occasioned by any use or nuisance made or suffered on the premises, and from and against all injury, loss, claim or damage to any person or property anywhere occasioned, or claimed to have been occasioned, by any act, neglect, or default of Head Start, its agents, employees, licenses or contractors. Head start indemnification of The Town shall include indemnity against all cost, expenses and liabilities incurred in connection with any such injury, loss, claim or damages, or defense thereof, including attorney's fees. Further Head Start agrees to look solely to The Town's interest in the building for recovery of any judgment from The Town it being agreed that The Town is not personally liable for any such judgement.
9. Insurance. The Town shall keep the School of which the premises are part insured against loss or damage by fire, or the casualties included in the extended coverage or supplementary contract endorsements. Head Start shall maintain and be responsible for fire insurance coverage of its personal property and equipment and maintain commercial general liability coverage, in such amounts and with such companies and against such risks as The Town may require and approve and name The Town as an additional insured.

10. Notwithstanding the foregoing terms of indemnification and insurance, such indemnification and insurance shall only provide indemnification and insurance coverage for The Town to the extent The Town does not have immunity under the Maine Torts Claims Act 14 MRSA sect 801 et seq. and as the same may be modified from time to time. Head Start's insurance shall contain language approved by The Town.

11. Assignments. Head Start will not assign or sublet the premises or any part thereof.

12. Default and Termination. The following Head Start actions will constitute grounds for default and termination of this lease:

- a. Failure to pay base rent or additional rent as set forth herein in Paragraph Number 3 or Paragraph Number 4 above;
- b. Use of the premises for non-intended use;
- c. Damage or unreasonable wear or tear;
- d. Noncompliance with any local, state or federal statutes or regulations; and
- e. Failure of Head Start to comply with any of other covenants set forth in this Lease Agreement.

In the event of any such default, The Town shall be entitled to all remedies available to the Town at law and equity including without limitation, the remedy of forcible entry and detainer, and upon any such default The Town may, immediately or at any time thereafter terminate this Lease. Head Start shall be responsible to pay The Town for any legal fees, costs or expenses in enforcing this lease.

13. Permits and Approvals and Compliance with Laws. Head Start shall maintain all appropriate licenses and approvals from all government authorities required for the operation of a Head Start Program and comply with all laws regarding use and occupancy of the premises. Such approvals shall include without limitations, the maintaining of a current license from the Maine Department of Human Services for the Head Start facility.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement on this \_\_\_\_\_ day of August, 2018.

TOWN OF TOPSHAM

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Richard Roedner  
Its: Town Manager

MidCoast Maine Community Action

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Jessica Tysen  
Its: Executive Director

HEAD START PROGRAM

\_\_\_\_\_  
By:  
Its: \_\_\_\_\_

# Board of Selectmen Meeting

For the date of: 08/02/2018

**Type of Item:**

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- New Business
- Executive Session
- Workshop

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number:** 18-48

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

**Brief Title of consent or Agenda Item:** Consideration and any appropriate action on entering into executive session pursuant to 1 M.R.S.A. § 405 (6) (A) to discuss personnel matters.

**Brief Description of Consent or Agenda Item:**

**Submitted by:** Rich Roedner, Town Manager **Date:** 07-03-2018