

**6:30PM Board of Selectmen Meeting
Virtual Meeting (TV Ch. 3)
July 2, 2020**

Pledge of Allegiance –

Roll Call of Board Members –

Town Manager's Report –

Board and Committee Reports and Updates-

Correspondence – If you have any comments/questions on an agenda topic, email them to info@topshammaine.com by Tuesday, the week of meeting. Please include your full name and address in the email. Emails will be reviewed and addressed during the meeting which will be televised on channel 3.

Adjustments to the Agenda – At this time we will be taking phone calls for any comments/question you have on this agenda at 373-5090. We will be asking for you name, address and brief comment/question.

Consent Calendar –

1. Approval of the minutes of the Regular Selectmen meeting June 18, 2020.
2. Approval to open the polls at 8:00am on July 14, 2020 for the State Primary and Special Referendum Election and MSAD #75 Budget Validation Referendum Election. Approve the extended Registrar's office hours on Thursday, July 9, 2020 to remain open until 6:30pm for the purpose of additional hours for voter registration as required by state statute 21-A§122.6. Approval to open and process absentee ballots on July 10, 2020, 10:30am to 3pm and additional dates if needed on July 11, 12, and 13 from 10:30am to 3pm with inspections beginning at 9:30am each of the dates. Approval to appoint Linda Dumont as Warden for the State Election.

Public Hearing –

20-43- Consideration and any appropriate action on the draft Town Meeting Warrant. (Click link for backup material):

<https://www.topshammaine.com/index.asp?SEC=BEB14D26-A10D-4EF4-866E-36837D71E6D4&DE=BE70391D-CA16-45AA-B4B6-A8B9F4923BB4>

Unfinished Business –

Old Business –

New Business –

20-44- Consideration and any appropriate action on awarding audit services contract to Smith and Associates.

Executive Session-

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: 07/02/2020

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 June 18, 2020.

Brief Description of Consent or Agenda Item: see attached

Submitted by Derek Scrapchansky, Town Manager **Date:** 06-24- 2020

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
HELD VIA ZOOM FROM INDIVIDUAL RESIDENCES
JUNE 18, 2020 – 6:30 P.M.

MEMBERS PRESENT: David Douglass
Marie Brilliant
Ruth Lyons
Matt Nixon
Roland Tufts

MEMBER(S) ABSENT: All present

STAFF PRESENT: Derek Scrapchansky, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, June 18, 2020, with individuals joining the meeting from their residences via Zoom.

CALL TO ORDER

Chairman Douglass called the regular meeting to order at 6:35 p.m.

PLEDGE OF ALLEGIANCE/ROLL CALL

Chairman David Douglass stood and recited the Pledge of Allegiance to the Flag. The recording secretary took the roll call and noted that all Selectmen were present.

New Way to Broadcast Zoom

Chairman Douglass noted that the meeting tonight will be trying a new way to broadcast Zoom. Residents can now watch the meeting on Zoom or on Channel 3. However, when wishing to comment, raising hands will no longer work and those wishing to comment or ask questions will need to call in at (207) 373-5090.

TOWN MANAGER'S REPORT

The Town Clerk's Office has received over 1,000 absentee ballot requests and is in the process of mailing them out to voters. The Town Clerk's Office will be utilizing the Donald Russell Meeting room at Town Hall to allow for in-person (and socially distanced) absentee voting.

The Recreation Department would like everyone to know that the basketball court has been resurfaced and new LED lights will be installed starting next Wednesday. We ask that residents maintain a safe distance from the construction area until complete.

Computer and copier services are now available at Topsham Public Library. No tech support available. Call (207) 725-1727 for appointment. Parking lot pick-up available Monday-Friday 9-5 and Saturdays 9-1. Book returns are available through the book drops on Saturday and Sunday only.

LT Fred Dunn has resigned from the Topsham Police Department and he is on his way to a warmer climate. On behalf of the Town of Topsham, I thank you for the many years of dedicated service to the community. It is very much appreciated and we wish you and your family well.

Thank you and have a good night.

BOARD AND COMMITTEE REPORTS AND UPDATES

John Shattuck, Topsham Economic and Community Development, Inc. Director presented an update on TDI/ECD as follows:

CD UPDATE

Elm Street Extension Survey:

- The survey of the public right of way on Elm Street Extension is expected to be completed this summer – abutters will be receiving advance notice of the planned work schedule when it's finalized.
- A preliminary survey was conducted last year as part of an assessment of the feasibility of restoring two-way travel on Elm Street Extension.
- The Selectmen decided to not to pursue this approach and, accordingly, it has not been included in the Town's capital planning.
- The Selectmen, however, do support completing a full survey to accurately determine the dimensions of the public right of way on Elm Street Extension, as well as the setting of boundary monuments/pins to clearly and legally mark the boundaries of the ROW.
- To be clear, this survey is **not** part of a project to restore two-way travel on Elm Street Extension.
- The survey will serve only to establish and protect the Town's *existing* interests in the public way.

Topsham-ReVision Municipal Solar Project:

- At their regular meeting on June 4th, the Selectmen approved the final version of the ReVision Solar PPA which included a 90% provision.
- We have heard from ReVision regarding this 90% threshold and they hope to have an answer for us soon.

Wicked Joe, LLC CDBG Application

- MCEDD staff expects that DECD will make a decision on the Wicked Joe application by the end of the month.

Gendron Canam HP Waterline

- TDI has completed payment for the extension of the HP waterline to the boundary, so it is available to serve business and residential in the former Annex area.

CORRESPONDENCE – Information was included on the agenda informing citizens who wished to offer comments or questions as follows: *“If you have any comments/questions on an agenda topic, email them to infor@topshammaine.com by Thursday, the week of the meeting. Please include your full name and address in the email. Emails will be reviewed and addressed during the meeting which will be televised on Channel 3.”*

While allowing time to take any phone calls, Chairman Douglass noted that he received 4 pieces of correspondence. However, 3 of them were in reference to the Pejepscot School and will be taken up under consideration of that agenda item. The 4th email was received from Matthew Streeter and was sent only to Chairman Douglass. Chairman Douglass read the email out loud and responded to the comments. A copy of the email is filed with these minutes.

Selectman Brilliant said she attended the Graduation Festivities of the Class of 2020 at the Topsham Fairgrounds. She said the event was well attended. Those attending could turn to a radio station and could clearly hear everything that was being said. Selectman Brilliant questioned if this same venue could be used to stage a Town Meeting.

There being no phone calls to answer, the meeting moved forward.

ADJUSTMENTS TO THE AGENDA – There were no additions to the agenda.

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen’s meeting of June 4, 2020.

Motion was made by Chairman Douglass, seconded by Selectman Tufts to accept the Consent Calendar approving the minutes of the June 4, 2020 Board of Selectmen’s Meeting. Vote was called and it was unanimously **VOTED** to accept the minutes of the June 4, 2020 meeting as written.

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS

OLD BUSINESS – None noted.

NEW BUSINESS

20-39 CONSIDERATION AND ANY APPROPRIATE ACTION ON ANNUAL APPOINTMENTS

Motion was made by Chairman Douglass, seconded by Selectman Nixon, to make the following appoints for the coming year:

Tom Lister as Codes/Health Officer
Andrew Deci as Alternate CEO, Administrative/Enforcement
Mike Labbe to Civil Emergency
Chris McLaughlin as Fire Warden and Health Officer
Dennis Cox as Road Commissioner
Bryan Bachelder to Weights and Measures

Vote was called and it was unanimously **VOTED** to make the appointments as listed.

20-40 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT OF ED CARON TO THE GOVERNMENT REVIEW COMMITTEE

Motion was made by Chairman Douglass, seconded by Selectman Lyons, to appoint Ed Caron to the Government Review Committee.

Vote was called and it was unanimously **VOTED** to appoint Ed Caron to the Government Review Committee.

20-41 CONSIDERATION AND ANY APPROPRIATE ACTION ON EXTENDING ALL BOARDS/COMMITTEE MEMBERS EXPIRATION DATE OF JUNE 30TH TO JULY 31ST FOR THE YEAR 2020

Chairman Douglass said this process usually begins in April or May but, due to the current pandemic, the first interview was held this evening. Five individuals have submitted applications and will all be interviewed for the 4 positions.

Motion was made by Chairman Douglass, seconded by Selectman Lyons to extend all boards/committee members expiration date of June 30, 2020 to July 31, 2020 for the year 2020.

Vote was called and the motion was unanimously passed.

20-42 CONSIDERATION AND ANY APPROPRIATE ACTION ON AUTHORIZING THE TOWN MANAGER TO SIGN A QUIT CLAIM DEED TO THE PEJEPSCOT INDUSTRIAL PARK, INC. AND/OR ASSIGNS IN THE AMOUNT OF ONE (1) DOLLAR FOR PROPERTY LOCATED AT 14 PEJEPSCOT VILLAGE, MAIN STREET, TOPSHAM, MAINE

A lengthy discussion was held on this agenda item in consideration of the Town's best interest whether to authorize the Town Manager to sign a Quit Claim Deed to on the Pejepscot School building to the Pejepscot Industrial Park Inc. Town Manager Scrapchansky referenced a memo he sent to the Board of Selectmen dated June 10, 2020 which is filed with these minutes. The memo presents a complete history of the various conveyances of the school building. The current lease on the building will expire on June 30, 2020.

Chairman Douglass read the 3 emails he referenced earlier in the meeting (all are filed with these minutes). The first was from John Graham, 10 Pleasant Street. Mr. Graham said the sale of the Pejepscot School House for \$1.00 is insane. The building has value to the Town and the Historic District Commission should guide the Town in this instance. Mr. Graham said he would purchase the building for \$1,000. Chairman Douglass said he copied all the Board members and responded to Mr. Graham of how this came about.

The second email was from Laurie Howard of 23 Whitehouse Crossing Road. Her question was if the Town turns the school property over to the Grimmel's and Head Start does not renew its lease, then will Grimmel have the right to do anything with that property, including demolishing the 120 year old building? She asked if there was any historical protection for it? (It was noted that the Town Manager responded to Ms. Howard.)

The third email was from Rachel Reynolds of 637 River Road. Ms. Reynolds objected to turning the building over to Grimmel Industries. She said they have a history of tearing down buildings and that the building should be preserved as historic value. She questioned if there was some "back-room interaction between Grimmel Industries and the Town." Chairman Douglass expressed that neither he, nor any elected officials have benefited by any background negotiations.

After all comments were heard, motion was made by Chairman Douglass, seconded by Selectman Lyons, to authorize the Town Manager to sign a Quit Claim Deed to Pejepscot Industrial Park, Inc. and/or Assigns in the amount of one dollar for the property located at 14 Pejepscot Village, Main Street, Topsham Maine as fully described in the Quit Claim Release Deed to the School Administrative District, No. 75 to the Town of Topsham dated August 29, 2007, recorded in the Sagadahoc County Registry of Deeds, Book 2906, Page 266.

Vote was called and the motion passed with 4 in favor and 1 opposed (Selectman Nixon).

EXECUTIVE SESSION – None noted.

ADJOURNMENT

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

VOTED

To adjourn the meeting a 7:30 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary

Board of Selectmen Meeting

For the date of: 07/02/2020

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 to open the polls at 8:00 am on July 14, 2020 for the State Primary and Special Referendum Election and MSAD #75 Budget Validation Referendum Election.

Approval to extend the Registrar's office hours on Thursday July 9, 2020 to remain open until 6:30 pm for the purpose of additional hours for voter registration as required by state statute 21-A§122.6

Approval to open and process absentee ballots on July 10, 10:30am to 3pm and additional dates if needed on July 11, 12 and 13 from 10:30 am to 3pm with inspections beginning at 9:30am each of the dates.

Approval to appoint Linda Dumont as Warden for the State Election.

Brief Description of Consent or Agenda Item:

Submitted by: Linda Dumont, Town Clerk

Date: 6/23/2020

Board of Selectmen Meeting

For the date of: 07/02/2020

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 20-43

(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 the draft Town Meeting Warrant

Brief Description of Consent or Agenda Item:

Submitted by Derek Scrapchansky, Town Manager

Date: 06-24/2020

WARRANT FOR SPECIAL TOWN MEETING

Topsham, Maine
July 2, 2020
Sagadahoc, ss

TO: Chris Lewis, a Constable for the Town of Topsham
FROM: Municipal Officers of Topsham

GREETINGS: You are hereby required in the name of the State of Maine to notify and warn the Inhabitants of the Town of Topsham, qualified to vote on Town Affairs, to assemble at the Topsham Fair Grounds on Wednesday, the 29th day of July, 2020 A.D. at 6:00 o'clock p.m. in the evening, with back up dates in the event of inclement weather on July 30 and/or July 31 and then and there to act on Articles 1 thru 25 to wit:

Article 1 - To elect a **Moderator** to preside at said meeting.

Article 2 - To see if the Town will ratify the change in the date for the Special Town Meeting from May 20, 2020 to July 29, 2020, due to the emergency management orders in response to the COVID-19 Pandemic.

Article 3 - To see if the Town will ratify the change to allow the Board of Selectmen, by a two-thirds majority, to waive the interest penalty on property taxes for up to six months beyond the due date during a declared state of emergency within the past six months.

Article 4 - To have the Town vote to raise, appropriate and spend the sum of **\$1,226,283** for Debt Service.

	<u>2020-21 Board of Selectmen Recommendation</u>	<u>Allocation</u>	<u>2020-21 Finance Committee Recommendation</u>
Monument Place Ext	\$168,815	Interchange TIF	\$168,815
Municipal Building	\$98,893	By-Pass North TIF	\$98,893
	\$98,892	Frost Street TIF	\$98,892
	\$551,400	Taxation	\$551,400
Municipal Complex (Includes Sidewalks)	\$29,500	Taxation	\$29,500
Fire Truck	\$31,777	Taxation	\$31,777
	\$11,879	By-Pass North TIF	\$11,879
	\$1,782	By- Pass TIF	\$1,782
	\$297	Bowdoin Mill TIF	\$297
	\$2,970	Interchange TIF	\$2,970
	\$8,909	Frost Street TIF	\$8,909
	\$1,188	Downtown TIF	\$1,188
	\$594	Affordable TIF	\$594
Equipment Bond (2015)	\$47,969	Taxation	\$47,969
	\$1,268	By-Pass TIF	\$1,268
	\$2,325	Bowdoin Mill TIF	\$2,325
	\$10,566	By-Pass North TIF	\$10,566
	\$8,453	Interchange TIF	\$8,453
	\$6,340	Frost Street TIF	\$6,340
	\$5,072	Downtown TIF	\$5,072
	\$2,536	Affordable TIF	\$2,536
Equipment Bond (2016)	\$76,532	Taxation	\$76,532
	\$2,023	By-Pass TIF	\$2,023
	\$3,709	Bowdoin Mill TIF	\$3,709
	\$16,857	By-Pass North TIF	\$16,857
	\$13,486	Interchange TIF	\$13,486
	\$10,114	Frost Street TIF	\$10,114
	\$8,091	Downtown TIF	\$8,091
	\$4,046	Affordable TIF	\$4,046
	\$1,226,283	Total	\$1,226,283

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Ought to Pass
Ought to Pass

Article 5 - 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, and to authorize the Board of Selectmen to transfer funds from the Payroll Adjustment line in Insurance, to departments outside of General Government, for anticipated employee wage and benefit adjustments.

	2019-20 Approved Appropriation	2020-21 Board of Selectmen Recommendation	2020-21 Finance Committee Recommendation
General Government			
1. Administration	\$348,684	\$383,953	\$383,953
2. Municipal Officers	\$18,723	\$19,037	\$19,037
3. Finance Manager	\$161,434	\$189,375	\$189,375
4. Central Services	\$136,600	\$255,878	\$255,878
5. Tax/Clerk	\$321,032	\$312,465	\$312,465
6. Codes	\$95,676	\$101,789	\$101,789
7. Assessing	\$139,831	\$141,861	\$141,861
8. Elections/Registration	\$16,664	\$31,879	\$31,879
9. Planning Office	\$251,434	\$262,722	\$262,722
10. Economic Development	\$132,485	\$139,638	\$139,638
11. Municipal Insurance	\$363,782	\$247,000	\$247,000
12. Facilities Maintenance	\$175,006	\$203,772	\$203,772
13. Parks & Recreation	\$481,250	\$538,028	\$538,028
14. Library	\$715,278	\$775,726	\$772,566
15. General Assistance	\$12,300	\$13,550	\$13,550
16. Contractual Services	\$129,100	\$134,000	\$134,000
17. Public Utilities	\$382,000	\$411,125	\$411,125
18. Municipal TIF Fund	\$82,265	\$0	\$0
19. TDI Enterprise Account	\$100,000	\$150,000	\$150,000
TOTALS	\$4,063,544	\$4,311,798	\$4,308,638

**Board of Selectmen
Recommendation**

\$467,825
\$720,994
\$679,350
\$750,000
\$75,000
\$202,287
\$1,231,841
\$184,501
\$4,311,798

Allocation

Interchange TIF
State Revenue Sharing
General Revenue
Homestead Exemption
BETE Reimbursement
Surplus
Taxation
Excise
Total

**Finance Committee
Recommendation**

\$467,825
\$720,994
\$679,350
\$750,000
\$75,000
\$202,287
\$1,228,681
\$184,501
\$4,308,638

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Ought to Pass
Ought to Pass

Article 6 -- 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:

	2019-20 Approved Appropriation	2020-21 Board of Selectmen Recommendation		2020-21 Finance Committee Recommendation	
		<u>Raise</u>	<u>Spend</u>	<u>Raise</u>	<u>Spend</u>
<u>Administration</u>					
Server/Computers	\$24,000	\$20,000	\$20,000	\$20,000	\$20,000
Capital Maintenance	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Capital Replacement	\$100,000	\$150,000	\$150,000	\$150,000	\$150,000
TV Studio Upgrade	\$0	\$15,000	\$15,000	\$15,000	\$15,000
<u>Assessing</u>					
Commercial Appraisal	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
Revaluation	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
<u>Fire Protection/Rescue</u>					
Rescue Vehicle	\$0	\$325,000	\$325,000	\$325,000	\$325,000
<u>Police</u>					
Cruiser	\$65,000	\$35,000	\$35,000	\$35,000	\$35,000
In-Vehicle Radar	\$0	\$27,500	\$27,500	\$27,500	\$27,500
In-Vehicle MOT	\$25,000	\$0	\$0	\$0	\$0
Women's Locker Room Exp.	\$20,000	\$0	\$0	\$0	\$0
<u>Public Works</u>					
Dump Body	\$16,000	\$0	\$0	\$0	\$0
Road Construction	\$600,000	\$350,000	\$350,000	\$350,000	\$350,000

	<u>2019-20</u> <u>Approved</u> <u>Appropriation</u>	<u>2020-21</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>2020-21</u> <u>Finance Committee</u> <u>Recommendation</u>
Public Works	\$1,319,447	\$1,369,771	\$1,369,771
Solid Waste/Recycling	\$444,593	\$446,869	\$446,869
TOTALS	\$1,764,040	\$1,816,640	\$1,816,640

<u>2020-21</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>Allocation</u>	<u>2020-21</u> <u>Finance Committee</u> <u>Recommendation</u>
\$292,000	General Revenues	\$292,000
\$1,150,000	Excise	\$1,150,000
<u>\$374,640</u>	<u>Taxation</u>	<u>\$374,640</u>
\$1,816,640	Total	\$1,816,640

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Ought to Pass
Ought to Pass

Article 9- To see what sum the Town will vote to increase the maximum property tax levy limit established by State Law (L.D. 1) in the event that the municipal budget approved at this Town Meeting results in a tax commitment in excess of the maximum property tax levy otherwise applicable such that the increased maximum property tax levy hereby established will equal the amount committed: (By State Law, the vote on this article must be by written ballot.)

Board of Selectmen Recommendation:
Finance Committee Recommendation:

No recommendation
No recommendation

Article 10- To see if the voters will adopt an Ordinance to amend the Topsham Code Chapter 225, that revises the performance standards for uses within the Aquifer Protection Zone and amends the Zoning Map to revise the boundaries of the Aquifer Protection Zone. Specific Land Use Chapter changes include: 225-12 Rules Governing Zone Boundaries, 225-20 Aquifer Protection Overlay District.

Exhibit 10

Planning Board Recommendation:

Ought to Pass

Article 11- To see if the voters will adopt an Ordinance to amend the Topsham Code Chapter 225, that defines Solar Energy Conversion Systems (solar farms) and establishes performance standards for the use. Specific Land Use Chapter changes include: 225-6 Definitions, 225-16 Use Regulations, 225-60.19 Solar Energy Conversion Systems.

Exhibit 11

Planning Board Recommendation:

Ought to Pass

Article 12- To see if the voters will adopt an Ordinance to amend the Topsham Code Chapter 225, A proposed ordinance amendment to amend the Topsham Zoning Map to expand the Mobile Home Overlay Zone and Rural Residential (R-3) Zone and amend Chapter 225-85 to reflect the proposed boundary descriptions.

Exhibit 12

Planning Board Recommendation:

Ought to Pass

Article 13 – To see if the voters will accept Forest Glen, Merryman Way, Marilynne Way as town owned ways (Mallet Woods Subdivision Roads)

Exhibit 13

Planning Board Recommendation:

Ought to Pass

Article 14- To see if the voters will accept Granite Hill Drive and Beryl Loop as town owned ways (Oak Hill Subdivision Roads)

Exhibit 14

Planning Board Recommendation:

Ought to Pass

Article 15- To see if the voters will adopt an Ordinance to add a new ordinance to the Topsham Code entitled- Cost Recovery for Fire-Based Emergency Response Services that defines emergency response services and allows the select board to set fees for restitution of those services.

Exhibit 15

Board of Selectmen Recommendation:

Ought to Pass

Article 25- To see if the Town will authorize the Selectmen to apply for grants, approve the acceptance of grants, receive grants, appropriate the Town's share of the grant from funds raised at a Town Meeting and expend the grant for the purpose stated in the grant.

Board of Selectmen Recommendation:

Ought to Pass

GIVEN UNDER OUR HANDS 2nd DAY OF July, 2020 BY THE BOARD OF SELECTMEN:

David Douglass, Chair

Roland Tufts, Vice-Chair

Marie Brilliant

Matthew Nixon

Ruth Lyons

The Registrar of Voters office located at the Municipal Building is open Monday - Friday during regular business hours; for the purpose of accepting new registrations and to make address, name and /or enrollment changes. In addition, the Deputy Registrar will be present at the Special Town Meeting from 5:00pm -6pm on July 29, 2020.

A true copy of the warrant.

Attest: _____
Clerk of: Topsham

DRAFT

Board of Selectmen Meeting

For the date of: 07/02/2020

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- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 20-44

(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 awarding audit services contract to Smith and Associates.

Brief Description of Consent or Agenda Item: Attached is a proposal from Smith and Associates to conduct the FY2020 audit for the Town of Topsham.

Submitted by: Derek Scrapchansky, Town Manager

Date: 06-24-2020

AN AUDIT PROPOSAL TO

TOWN OF TOPSHAM

FOR THE YEAR ENDING

JUNE 30, 2020

SMITH & ASSOCIATES, CPAs
A Professional Association

Yarmouth, Maine

AUDIT PROPOSAL

TOWN OF TOPSHAM

Topsham, Maine

For the Year Ending

June 30, 2020

FIRM

SMITH & ASSOCIATES, CPAs

A Professional Association

500 US Route One– Suite 102

Yarmouth, Maine 04096

(207) 846-8881

(207) 846-8882

www.smithassociatescpa.com

CONTACT PERSON

Peter J. Hall, CPA

Shareholder

DATE OF PROPOSAL

June 4, 2020

TOWN OF TOPSHAM

AUDIT PROPOSAL

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Smith & Associates, CPAs

A Professional Association

500 US Route One, Suite 102 • Yarmouth, Maine 04096
Ph (207) 846-8881 • Fax (207) 846-8882
www.smithassociatescpa.com

TOWN OF TOPSHAM

~ Audit Proposal ~

SECTION A - LETTER OF TRANSMITTAL

Town of Topsham
Board of Selectmen, Town Manager, and Finance Director
100 Main Street
Topsham, Maine 04086

Dear Board, Derek, and Debbie,

We are pleased to submit a proposal to perform the independent audit of the financial statements of Town of Topsham, Maine, for the year ending June 30, 2020. We would appreciate the opportunity to serve as your independent auditors and submit the following information for your consideration.

Scope of Examination

We would audit and issue our opinion on the financial statements of Town of Topsham, Maine, for the year ending June 30, 2020. We would conduct our audit in accordance with auditing standards generally accepted in the United States of America. Our audit and reports would encompass all of the funds and accounts of the Town, and include such tests of the accounting records and such other auditing procedures as we consider necessary in the circumstances. Our engagement to assess the fair presentation of the Towns' financial information would meet or exceed all relevant professional standards.

Services to be Performed

As a result of our audit, we would prepare and submit the following documents and perform the following services:

- Audited financial statements and related internal control correspondence to the Board of Selectmen of Town of Topsham, Maine for the year ending June 30, 2020.
- Assist the Town with preparation of the financial statements, exhibits, and note disclosures, to the extent permitted by professional standards.

SECTION A - LETTER OF TRANSMITTAL (CONTINUED)

Services to be Performed (Continued)

- Review and discuss the financial statements with the Board of Selectmen, Finance Director and Town Manager prior to final issuance, if you desire. It is our firm policy to issue preliminary draft copies of the financial statements and internal control correspondence for your approval prior to finalization of these reports.
- We will be available for consultation on accounting, auditing, reporting, or management questions, which might arise during the course of a year. We will provide the Town with information on current developments and relevant professional pronouncements relating to financial operations and management.

Best Practices

Smith and Associates, CPAs is dedicated to providing quality professional services at reasonable fees. Our Peer Review results provide evidence of our audit quality and commitment to professionalism. Firms can receive a rating of *pass*, *pass with deficiency(ies)*, or *fail*. Smith & Associates, CPAs has received a peer review rating of *pass*. The system of quality control for the accounting and auditing practice of Smith & Associates, CPAs has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects.

Our Commitment to You

We appreciate the opportunity to submit this proposal and are confident that we have the unique combination of resources, depth, responsiveness, and commitment necessary to serve the Town of Topsham, Maine, in this capacity.

You may be assured of our sincere desire to be your independent Certified Public Accountants and of our commitment to serve you in the finest professional sense.

Very truly yours,

Peter J. Hall

Peter J. Hall, Shareholder
SMITH & ASSOCIATES, CPAs
A Professional Association

SECTION B - QUALIFICATIONS OF THE FIRM

Overview

Smith & Associates, CPAs, has been providing quality audit and accounting services to Maine municipal entities and non-profits since 1987. Our office is located in Yarmouth, Maine and employs three CPAs, an IRS Enrolled Agent, and an Administrative Manager. The practice offers a complete line of professional services including accounting, auditing, peer review, tax planning, and tax preparation. Our audit and accounting practice includes financial and compliance audit services as well as financial statement review and compilation services. The firm offers management advisory services for a variety of clients. We take pride in offering a full range of services to a full spectrum of clients in many industries. Experience in servicing clients of many types and sizes is invaluable to our professionals, who may draw upon this experience and skill to service all engagements for which they are responsible.

Peer Review

Vachon, Clukay & Company PC, a Certified Public Accounting firm located in New Hampshire, recently performed a peer review of our firm in accordance with the standards established by the American Institute of Certified Public Accountants. The peer review included detailed reviews of governmental, commercial, and non-profit engagements. After a thorough study of our procedures and work practices, our firm was awarded a report rating of Pass. (See our Peer Review Report below.) *We have received the highest possible ranking for our eighth consecutive peer review spanning a period of twenty-four years.*

Licensure and Continuing Professional Education

The firm and all assigned key professional staff are properly licensed to practice in the State of Maine. We certify that there have never been any disciplinary actions taken or pending against the firm. Neither the provider nor any of the provider's employees have been proposed for debarment, debarred, or suspended by a federal agency. All individuals have met or exceeded the continuing professional education requirements established by the American Institute of Certified Public Accountants, Maine Board of Accountancy and have complied with Government Auditing Standards contained in the Yellow Book for financial and compliance audits.

Compliance Audits

Over the years our firm has performed various Federal compliance engagements including audits of Community Development Block Grants, U.S. Department of Education Grants, Rural Development Public Works Grants, and Department of the Interior Grants, among others. Numerous Single Audit reports have been issued and approved by all relevant cognizant agencies.

Equal Opportunity

It is the policy of Smith & Associates CPAs not to discriminate against any employee or prospective employee on the basis of race, creed, age, sex, national origin, religion, political affiliation, sexual orientation, gender identity, status as a protected veteran, status as an individual with a disability, or other legally protected characteristics.

SECTION B – QUALIFICATIONS OF THE FIRM (CONTINUED)

The Engagement Team

Amanda J. Schultz Brown, CPA, Principal

Amanda is a Maine Certified Public Accountant with more than a decade of auditing and accounting experience focused in the municipal and nonprofit industries. As the firm's Quality Control Partner, she is designated with firm-wide responsibility for the design of and compliance with the firm's system of quality control as it relates to its audit practice. She also conducts the technical reviews of firm engagements ensuring that they have been performed in accordance with professional standards. She qualifies as a Peer Reviewer under the AICPA Practice Monitoring Program for firms without SEC clients, and currently serves on the Executive Committee and Review Acceptance Body of New England Peer Review. She holds a Bachelor of Science Degree in Accounting from Husson College. Professional memberships include the American Institute of Certified Public Accountants and the Maine Society of CPAs. Amanda would serve as the engagement partner on this engagement.

Peter J. Hall, CPA, Shareholder

Peter is a graduate of Amherst College with a degree in Economics (Magna Cum Laude, Phi Beta Kappa) and has also studied at the University of Southern Maine as well as the Harvard Graduate School of Business Administration Executive Education Program. He has over 25 years' experience in private and public accounting, with the last eighteen years devoted primarily to financial and compliance audits of not-for-profit and governmental entities. He is well versed in the application of OMB's *Uniform Guidance* as well as state compliance audits, and over the years has conducted a number of peer-to-peer training sessions on these subject matters. Peter is a Certified Public Accountant, and holds membership in the Maine Society of Certified Public Accountants and the American Institute of Certified Public Accountants. He has served several local not-for-profit organizations in various capacities, including as director and treasurer of a local arts organization, and has also been active in municipal government in a volunteer capacity. He is currently a member of the Board of Trustees and Finance and Audit Committees of Woodfords Family Services and serves as the President of the Board of Governors of the Maine Society of Certified Public Accountants. Peter would serve as the lead auditor on this engagement.

Jason Foster, Associate Auditor

Jason graduated from the University of Southern Maine in 2016 with a Bachelor of Science degree in Business Administration, Major in Accounting, followed by a year working as an intern at a Public Accounting firm as an Associate Auditor. Jason then moved on to private accounting serving as Staff Accountant for first a manufacturing company and then a waste disposal company. In the Fall of 2019 Jason joined Smith & Associates as an Associate Auditor. He is currently a CPA exam candidate and is working towards gaining this credential. Jason will work closely with Peter in the performance of our audit procedures and report preparation.

SECTION B – QUALIFICATIONS OF THE FIRM (CONTINUED)



CERTIFIED PUBLIC ACCOUNTANTS
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(603) 622-7070 • Fax: (603) 622-1452 • www.vachonclukay.com

Report on the Firm's System of Quality Control

December 13, 2018

To the Shareholder of Smith & Associates, CPAs, A Professional Association and the Peer Review Committee of New England Peer Review, Inc.

We have reviewed the system of quality control for the accounting and auditing practice of Smith & Associates, CPAs, A Professional Association (the firm) in effect for the year ended June 30, 2018. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at <https://www.aicpa.org/prsummary>. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included an engagement performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Sullivan, Powers & Co. P.C. in effect for the year ended June 30, 2018, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiencies*, or *fail*. **Smith & Associates, CPAs, A Professional Association has received a peer review rating of *pass*.**

Vachon, Clukay & Company PC

SECTION C - INDEPENDENCE

Independence

Auditor independence is the foundation principle of our profession, and in keeping with professional standards, Smith & Associates, CPAs conducts a yearly independence review of our existing and potential clients. We evaluate our independence by following the guidelines established in the most recent *Government Auditing Standards* (GAO-12-331G), Chapter 3. Documentation of such is kept on site and reviewed by a Peer Reviewer. Smith & Associates, CPAs is independent with respect to Town of Topsham.

For recurring audit engagements, such as for the Town of Topsham, our engagement team commences the audit process with “brainstorming” and other procedures to identify audit areas which may deserve greater or less scrutiny than in prior engagements, to ensure an appropriate degree of unpredictability, as called for by professional standards. Doing so allows us to capitalize on our prior experience with the recurring client while at the same time introducing a fresh approach to the audit process each year.

SECTION D - RELEVANT EXPERIENCE

Members of our staff have provided audit, attest and accounting services to many other clients throughout Maine, New Hampshire and Florida, including governmental entities, business enterprises and not-for-profit organizations. We currently provide such services to a number of municipal and quasi-municipal clients including those listed below. Please feel free to contact any of these clients for information on their experience with our firm.

Municipalities

Town of Arundel, Maine
Town of Bowdoinham, Maine
Town of Buckfield, Maine
Town of Chebeague Island, Maine
Town of Dayton, Maine
Town of Eliot, Maine
Town of Hebron, Maine
Town of Mechanic Falls, Maine
Town of Minot, Maine
Town of Randolph, Maine
Town of Raymond, Maine
Town of South Berwick, Maine
Town of Stoneham, Maine
Town of Stow, Maine
Town of Vinalhaven, Maine
Town of Weld, Maine

Special Districts and Departments

Buckfield Village Corporation, Buckfield, Maine
Cumberland County Soil and Water Conservation District, Windham, Maine
Dayton School Department, Biddeford, Maine
Eustis School Department, Eustis, Maine
Long Creek Watershed Management District, Windham, Maine
Maine School Administrative District No. 8, Vinalhaven, Maine
Northport School Department, Northport, Maine
Portsmouth School Foodservice, Portsmouth, New Hampshire
South Berwick Water District, South Berwick, Maine

SECTION E - TECHNICAL APPROACH

We view the audit as being comprised primarily of three phases: planning, testing and review, and reporting, each with its own specific tasks.

Planning

The purpose of the planning phase is to establish a proper foundation for the direction of the audit and to minimize costs and increase effectiveness. The tasks in this phase would be undertaken to enable us to understand the financial systems and to tailor the audit to the condition of the Town.

The tasks include:

Review Procedures and Controls

We would identify internal control strengths and weaknesses in the accounting, administrative and data processing systems to enable us to decide on the appropriate amount of audit testing and to facilitate the design of our audit procedures.

This review would be conducted using our unique evaluation approach, which places emphasis on analysis of the important characteristics of the accounting information systems.

This is accomplished by preparing flowcharts or narrative descriptions and obtaining documentation of the major transaction cycles that enable us to understand the accounting and financial reporting systems and highlight major internal control strengths and weaknesses.

Our review would include, but not be limited to, the areas of physical security, systems and program documentation, input/output controls and control over use and retention of electronic files. The end product of this approach will be a well-documented overview of the major accounting systems.

Perform Analytical Review

Analytical review is an important feature of our audit approach. It entails a review of account balances for trends, fluctuations, relationships and an overall review of operations. The review is designed to obtain the proper perspective as to the Town's financial position.

Identify Major Areas of Audit Concern

Based on the understanding achieved by performing the aforementioned reviews, we will identify those areas of significant accounting and auditing implication. These areas generally entail greater financial exposure and receive a greater share of our audit effort.

Develop Tailored Program

The tailored audit program will reflect the identified areas of concern, guiding our work in such a manner as to ensure that such areas are afforded the proper degree of audit consideration.

SECTION E - TECHNICAL APPROACH (CONTINUED)

Testing and Review

The second phase of our audit approach is the testing of transactions and review of systems. Detailed audit tests can be classified as either control or substantive tests. Control tests are used to determine whether the controls in the accounting system are operating as prescribed. Substantive tests are performed to secure reasonable assurance as to the validity of the information produced by those accounting systems and to verify financial statement account balances. The extent of substantive testing will be determined by the conclusions drawn from our control tests and the materiality of account balances to the financial statements.

Reporting

The third phase of our audit is the reporting phase to our clients. We will render our opinion on the fair presentation of the financial statements in accordance with accounting principles prescribed by our governing bodies.

We will also prepare letters of internal control correspondence, which will contain constructive suggestions regarding the Town of Topsham, Maine's operational and accounting procedures; observations, comments and suggestions on significant matters affecting internal controls; and any other matters, which we consider worthy of managements' attention. All matters contained in these letters will be discussed with the Town of Topsham, Maine management to assure that they understand and agree with our findings and in order that we may provide guidance in implementing the suggestions.

Other Matters

The Governmental Accounting Standards Board (GASB) is the independent organization that establishes and improves standards of accounting and financial reporting for U.S. state and local governments. The GASB, in keeping with its mission issues standards and other communications that result in decision-useful information for users of government financial reports. Standards also help government officials demonstrate to their constituents their accountability and stewardship over public resources. Additionally, the GASB works to educate the public, including financial statement preparers, auditors, and users, about its standards and the information those standards require governments to present in their financial reports.

When new issues for which accounting and financial reporting guidance are needed or if any issues with the interpretation or implementation of GASB standards or with the financial reporting information that results from application of existing guidance, we will assist your staff in implementation and with identifying emerging issues. Our professional staff undertake ongoing continuing education activities to stay fully knowledgeable of the ever-changing financial reporting environment in which local governments operate. We anticipate that implementation of several recently released GASB pronouncements, including GASB Statement No. 75 relating to other post-employment benefits (OPEB), will continue to impact many of our municipal clients in some fashion, and we are committed to assisting the Town with any of these or other developments as they may become applicable.

The audit will be conducted to satisfy the requirements of the State of Maine Department of Audit and Title 30-A M.R.S.A 5823.

SECTION F – FEES, SCHEDULING, AND CONCLUSION

Fees and Scheduling

Based upon our understanding of the scope of services requested, our audit fees would not exceed the following for the year ending June 30, 2020:

<u>Engagement</u>	<u>Fee</u>
Financial Audit	\$12,950

Fees for assistance and consultation beyond the scope of the audit engagement would be billed at the standard hourly rates, which range from \$90 to \$150 per hour depending on the level of professional experience required. Attendance at Board meetings is billable in a similar fashion. Should the scope of our engagement be required to expand beyond that as proposed here, such as in the event of a Federal Single Audit also needing to be conducted, we would work with the Town at that time to arrive at an appropriate fee for such additional work.

Our fees are predicated upon the normal level of participation of members of your staff or consultant. Such involvement would include the reconciliation of cash accounts and the obtaining of required documentation (paid invoices, cancelled checks, warrants, etc.) in support of transactions selected for review in an expeditious manner. It is our expectation that the Trial Balance will be adjusted at fiscal year end and all balance sheet accounts will have evidentiary documentation.

We will begin our audit on a mutually agreeable time and complete our fieldwork thereafter. Drafts of the audited financial statements will be issued as soon as practicable thereafter, and we will issue our finalized report no later than December 31, 2020. The final payment for the annual audit shall become due after the submission of all reports and their acceptance by the Town of Topsham.

Conclusion

We appreciate the opportunity to submit this proposal to continue serving as the Town's audit firm. We strongly believe that our firm's size, our knowledge of and history with the Town, and our recent introduction of new personnel to our team coupled with our expansion of our cloud-based auditing capabilities place us in a unique position to provide the highest quality and most cost effective audit of the Town of Topsham.