

**6:00PM Board will hold interviews via zoom
6:30PM Board of Selectmen Meeting
Virtual Meeting (TV Ch. 3)
June 18, 2020**

Pledge of Allegiance –

Roll Call of Board Members –

Town Manager's Report –

Board and Committee Reports and Updates-

- Update TDI/ECD- John Shattuck, Topsham Economic and Community Development, Inc. Director

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 4, 2020.

Public Hearing –

.

Unfinished Business –

Old Business –

New Business –

20-39- Consideration and any appropriate action on annual appointments.

20-40- Consideration and any appropriate action on the appointment of Ed Caron to the Government Review Committee and Sarah Curran to the Topsham Development Inc, Board.

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.

20-42- Consideration and any appropriate action on authorizing the Town Manager to sign a Quitclaim 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 St. Topsham, Maine.

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: 06/18/2020

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 4, 2020.

Brief Description of Consent or Agenda Item: see attached

Submitted by Derek Scrapchansky, Town Manager **Date:** 06-08- 2020

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
HELD VIA ZOOM FROM INDIVIDUAL RESIDENCES
JUNE 4, 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 4, 2020, with individuals joining the meeting from their residences via Zoom.

CALL TO ORDER

Chairman Douglass called the regular meeting to order at 6:30 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.

TOWN MANAGER'S REPORT

“Good Evening:

- The Town of Topsham Tax and Clerk Office operating hours for in-person transactions are M-W 9:00-4:30, TH 9:00-6:00, and F 9:00-3:00. Please call the Tax Office for an appointment. For the safety of our citizens and staff, social distancing markings, queuing chains, and face coverings are being utilized. All other municipal building departments will continue to operate via phone, email, and on-line services.
- Since the Tax/Clerk office opened on Monday, the staff processed 380 transactions which is double the usual 4-day average. The Tax/Clerk staff extends their appreciation and thanks for the numerous positive comments from the residents this week.
- Central Maine Health has announced plans to expand its Topsham facilities with the construction of a \$14.2M outpatient surgery center. This excellent news for Topsham, especially as CMH is proceeding despite the uncertainty and adverse impacts of the C19 emergency. John Shattuck, our Economic Development Director, has been meeting with CHM representatives to determine how the Town can best support this effort.

- The Crooker Construction rezoning request proposal has returned to the Planning Board in a workshop this past Tuesday for further consideration. Public comments are welcomed – please see the Planning Department page on the Town website.
- Topsham Public Library began curbside service this week and the feedback from our residents has been absolutely positive. This service will be available Monday-Friday 9-5 and Saturday 9-1. Please check the library website to find out more about this service. Please note that you may return items through the book drops on Sat. and Sun. only. Summer Reading programs for Teen and Adults begin on June 15. Children’s summer reading will begin later in the month—check the website or call for more info.

Thank you and have a good night.”

Following the Town Manager’s report, Chairman Douglass asked for an update on the Crooker Construction Rezoning request (Workshop) that the Planning Board held on June 2nd. Assistant Planner Deci reported that the Crooker firm has hired new consultants to assist in their rezoning effort and the process will probably take up to 6 to 9 months. All documents concerning Crooker are on line and can be viewed @topshammaine.com/crooker.

BOARD AND COMMITTEE REPORTS AND UPDATES – None noted.

CORRESPONDENCE

Chairman Douglass noted correspondence he received from Joan LeMole of New Hope for Woman, an organization offering help for domestic violence, dating violence and stalking, based in Rockland. The organization serves the counties of Sagadahoc, Lincoln, Knox and Waldo. The letter asked for a donation of \$500. This request will be considered in the next budget cycle.

Chairman Douglass said he and the Board received a letter from Attorney Liz Armstrong regarding one of the agenda items. He will read the letter during consideration of that agenda item.

ADJUSTMENTS TO THE AGENDA – Chairman Douglass said at this time the Board will be taking phone calls for any comments/questions that members of the public may have on this agenda at 373-5090. It is requested that the caller state their name, address and brief comments/questions.

There were no calls to address so the meeting moved forward.

Motion was made, seconded, and it was unanimously

VOTED

To add the following item to the agenda under Unfinished Business: **20-32 CONSIDERATION AND ANY APPROPRIATE ACTION REGARDING THE REVISED VERSION OF REVISION REMOTE-SITED MUNICIPAL SOLAR PPA CONTRACT**

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen's meeting of May 21, 2020.

Motion was made by Chairman Douglass, seconded by Selectman Tufts to accept the Consent Calendar approving the minutes of the May 21, 2020 Board of Selectmen's Meeting. Vote was called and it was unanimously **VOTED** to accept the minutes of the May 21, 2020 meeting as written.

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS

20-32 CONSIDERATION AND ANY APPROPRIATE ACTION REGARDING THE REVISED VERSION OF REVISION REMOTE-SITED MUNICIPAL SOLAR PPA CONTRACT

John Shattuck, Economic Community Development Director, spoke to this item. Mr. Shattuck said on May 21, 2020 the Board of Selectmen's acceptance of the ReVision Contract was sent to both the Town attorney and attorney for ReVision. The Board requested an adjustment to the contract stating that ReVision capture the 70% shortfall. Mr. Shattuck explained the revision to the contract which gives the Town and ReVision an out if they achieve the desired result.

Chairman Douglass said he was satisfied if ReVision can get to 90%. If the Town wants to get more, there will be other projects to consider in the future. The Board agreed with Mr. Douglass' comment.

Motion was made by Chairman Douglass, seconded by Selectman Tufts, that the Board of Selectmen authorize the Town Manager to execute the following documents when he is satisfied that they are all accurate consistent with the underlying ReVision Remote-Sited PPA Agreement, ReVision Remote-Sited PPA-Topsham, ReVision PPA Sited Agreement with 90% Provision, Public Utilities Commission Net Energy Billing Disclosure, and ReVision Loan Assignment Consent. Further I move the Selectmen to authorize the Town Manager to execute any customary and reasonable documents required by the project financing in the future.

Vote was called and the motion passed 5-0.

OLD BUSINESS – None noted.

NEW BUSINESS

20-35 CONSIDERATION AND ANY APPROPRIATE ACTION TO PURCHASE A NEW "RIDE ON" TANDEM COMPACT ROLLER

Public Works Director Dennis Cox reviewed the results of bids received to replace the existing 2000 roller, which was budgeted for in the 2019-2020 budget for \$20,000. He said the roller is used by the department to compact pavement patches and repairs.

The following bids were received:

Jordan Equipment	Wacker RD12	\$16,460
	Same with folding roll bar	\$17,240
Easy Rent Corp.	DynaPac	\$18,845
C. N. Wood Company	Bomag	\$20,667
Central Equipment	Wacker RD12A	\$15,149

Mr. Cox recommended accepting the low bid from Central Equipment.

Motion was made by Chairman Douglass, seconded by Selectman Nixon to accept the bid from Central Equipment for a Wacker RD12A roller in the amount of \$15,149.

Vote was called and the motion passed 5-0.

20-36 CONSIDERATION AND ANY APPROPRIATE ACTION ON A REQUEST FROM THE FRIENDS OF MERRYMEETING BAY TO SIGN A LETTER OF SUPPORT ON THE ANDROSCOGGIN RIVER RECLASSIFICATION

Assistant Planner Deci said this is an annual request for the Town’s support on the Androscoggin River Reclassification. He said the Planning Office received information from a citizen of Brunswick who has some environmental history and background. The letter contained information as to why the river has not been classified. Mr. Deci said he and Planner Melanson redrafted the suggested support letter to reflect that we support making the Androscoggin River a clean river but there is a specific process that needs to be followed for that reclassification to take place. This doesn’t commit the Town to anything, just a support letter to the Friends of Merrymeeting Bay to support their initiative.

Chairman Douglass said the letter Planner Deci referenced was from Attorney Liz Armstrong and he read the letter (filed with these minutes) aloud. Selectman Lyons urged the Board to take Attorney Armstrong’s letter under advisement.

Motion was made by Chairman Douglass, seconded by Selectman Tufts that the Board approve and sign the revised letter to the Maine Board of Environmental Protection, that we support Friends of Merrymeeting Bay’s goals, but we defer judgment to the DEP and Legislature.

Vote was called and the motion passed 5-0.

At 7:00 p.m., motion was made, seconded, and it was unanimously

VOTED

To move into Executive Session. All Board members were present, as well as the Town Manager.

At 7:31, motion was made, seconded, and it was unanimously

VOTED

To come out of Executive Session and return to the regular meeting.

EXECUTIVE SESSION

20-37 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO M.R.S.A. §405 (6) (C) TO DISCUSS DISPOSITION OF TOWN-OWNED PROPERTY

Motion was made, seconded, and it was unanimously

VOTED

To take no action on Agenda Item 20-37.

20-38 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO M.R.S.A. §405 (6) (C) TO DISCUSS DISPOSITION OF TOWN-OWNED PROPERTY

Motion was made by Chairman Douglass, seconded by Selectman Lyons to direct the Town Manager to hire a real estate agent to begin the process of accepting bids on Town owned property on Monroe Lane.

Vote was called and result was 5-0 in approving the motion.

ADJOURNMENT

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

VOTED

To adjourn the meeting at 7:35 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary

Board of Selectmen Meeting

For the date of: 06/18/2020

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: 20-39

(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 annual appointments:

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

Brief Description of Consent or Agenda Item:

Submitted by: Derek Scrapchansky, Town Manager **Date:** 06-29-2020

Board of Selectmen Meeting

For the date of: 06/18/2020

Type of Item:

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

Type of Submission:

 x Regular Submission
_____ Additional Agenda Item
_____ Additional Information

Agenda Number: 20-40

(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 appointment of Ed Caron to the Government Review Committee and Sarah Curran to the Topsham Development, Inc Board.

Brief Description of Consent or Agenda Item:

Submitted by: Derek Scrapchansky, Town Manager

Date: 05-03-2020

Board of Selectmen Meeting

For the date of: 06/18/2020

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: 20-41

(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 extending all Boards/Committee members expiration date of June 30th to July 31st for the year 2020.

Brief Description of Consent or Agenda Item:

Submitted by: Derek Scrapchansky, Town Manager **Date:** 05-03-2020

Board of Selectmen Meeting

For the date of: 06/18/2020

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: _____

(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 authorizing the Town Manager to sign a Quitclaim Deed to the Pejepsco Industrial Park, Inc and /or assigns in the amount of one (1) dollar for property located at 14 Pejepsco Village , Main St. Topsham, Maine

Brief Description of Consent or Agenda Item:

Submitted by: Derek Scrapchansky, Town Manager

Date: 05-11-2020

TOWN OF TOPSHAM, MAINE



Office of the Town Manager
100 Main Street
Topsham, Maine 04086
Telephone: (207) 725-5821
FAX: (207) 725-1731
Website: www.topshammaine.com

June 10, 2020

To: Board of Selectmen
From: Derek Scrapchansky, Town Manager
RE: Pejepsco School Quitclaim Release Deed

Background:

On November 9th, 1899, The Pejepsco Paper Company submitted a Quit Claim Deed to the Town of Topsham which was received by the Sagadahoc Registry of Deeds on November 15th, 1899. The deed included the following provision: 'To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to them, the said Inhabitants of the Town of Topsham, their successors and assigns, as long as the same premises shall be used for school purposes and not longer: so that in case the same shall at any time be turned to any other use, or if they shall at any time cease to be used for school purposes, this deed shall be and become void and the title shall revert to said Pejepsco Paper Company. Ordinary vacations between school terms shall not avoid this conveyance.'" On June 1st, 1976, the Town of Topsham granted the property to MSAD 75 with the same covenants that were attached to the Town in 1899. On March 28, 2007, a memo from then Town Manager to the Board of Selectmen, stated the MSAD 75 had been leasing the property to Head Start and mentioned that Head Start wanted to abandon the property which meant it would revert back to the Town. The memo suggested the Board of Selectmen had three options if the Town were to accept the transfer of the school from MSAD 75. Head Start would have to remain in the building and could lease the property for an extended period of time, negotiate with the company who purchased the Pejepsco Paper Co. to see if the town could retain the property for an alternative use, or the Town could let the deed restrictions be exercised and surrender the property to the company who purchased the Pejepsco Paper Company. On August 29th, 2007, SAD 75 transferred the property back to the Town of Topsham through a Quitclaim Release Deed and Head Start continued to lease the property from the Town of Topsham.

Issue:

Earlier this year, contact was made with Head Start and MidCoast Maine Community Action (MMCA) to determine if they intended on renewing their lease which expires on June 30, 2020. They indicated they were looking to consolidate schools at a different location. I contacted a representative for Pejepsco Industrial Park, Inc. and discussed a Quitclaim option, given the possibility that a school may not occupy the building. The owner of Pejepsco Industrial Park, Inc. is aware of the covenant terms and graciously considered the possibility of Head Start wanting to stay in the building and drafted a Term Sheet that would allow MMCA to enter into a lease agreement of one (1) year with ten (10) one (1) year renewals. For many years, the ongoing issue has been

the possibility of the building not being used as a school and ownership inevitably being transferred from the Town in accordance with the covenant of 1899. The transfer of this property and providing an option for the Head Start to continue operations would resolve this issue and release the Town from liability and costs associated with the building.

Recommendation:

Authorize the Town Manager to sign a Quit Claim deed to Pejepscot Industrial Park, Inc. and/or assigns in the amount of one (1) dollar for the property located at 14 Pejepscot Village Main Street, Topsham, Maine as fully described in Quitclaim Release Deed from School Administrative District No. 75 to Town of Topsham dated August 29, 2007 recorded in the Sagadahoc County Registry of Deeds at Book 2906, Page 266.

Respectfully,

Derek Scrapchansky
Town Manager