

**6:00pm Budget Workshop (tentative)
7:00PM Board of Selectmen Meeting
Topsham Municipal Building
Donald A. Russell Meeting Room
March 15, 2018**

Pledge of Allegiance –

Roll Call of Board Members –

Town Manager's Report –

Board and Committee Reports and Updates-

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

Public Comment –

Correspondence –

Adjustments to the Agenda –

Consent Calendar –

1. Approval of the minutes of the Regular Selectmen meeting 03-01-2018.

Public Hearing –

Unfinished Business –

Old Business –

New Business –

- ✓ 18-19- Consideration and any appropriate action confirming the appointment of the Fire Chief.
- 18-20- Consideration and any appropriate action on adopting a Gift Acceptance Policy.
- ✓ 18-21- Consideration and any appropriate action on instating timed parking for two parking spaces on Main Street.
- ✓ 18-22- Consideration and any appropriate action on adopting a Board policy identifying a Board spokesperson.
- ✓ 18-23- Consideration and any appropriate action on declaring vacancies on Comprehensive Plan Committee and Finance Committee, due to members missing more than 3 consecutive meetings.
- ✓ 18-24- Consideration and any appropriate action on writing off stale past due accounts.

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: 03/15/2018

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 03-01-2018.

Brief Description of Consent or Agenda Item: see attached

Submitted by Rich Roedner, Town Manager

Date: 03-01-2018

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
MARCH 1, 2018 - 7:00 p.m.

MEMBERS PRESENT: David Douglass
Marie Brilliant
Ruth Lyons
William Thompson
Roland Tufts

MEMBER(S) ABSENT: All present

STAFF PRESENT: Richard Roedner, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, March 1, 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 6:15 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 recording secretary took the roll call and noted that all Selectmen were present.

TOWN MANAGER'S REPORT

Following a recent meeting where we discussed a potential contract with Bowdoinham to provide EMS services, I talked to the Town Manager about our difficulty in filling all of our slots, and our concern about extending guaranteed service to another community. I have talked to him again more recently, and he reported that Northeast is still responding, so not all of the calls are coming to us, even though our calls to Bowdoinham are currently running about 7% of our total EMS calls. He did say that they are looking at options for the coming year, and would love to get a proposal from us (if we are interested) in what it would take for us to provide EMS coverage.

This past summer, Officer Lucas Shirland became involved in apprehending a driver that left the scene of a car/pedestrian accident in Brunswick. Officer Shirland heard the radio traffic from Brunswick about the accident, and the lack of any witnesses that could help identify the vehicle. Officer Shirland positioned himself on the Coastal Connector and pulled over a vehicle with front end damage, which turned out to be the car involved. The case resulted in a guilty plea, a 6-year sentence, fines and loss of license. We received a letter of appreciation from the Brunswick PD, acknowledging Officer Shirland's efforts and the successful conclusion of the case.

After some discussions, the SAD 75 Board meeting with elected officials from all communities will remain on Monday, March 12 at 6:30 p.m. in Room 201 at Mount Ararat High School.

Our last joint Selectman/Finance committee workshop is this coming Monday, March 5 at 6:00 p.m. Both groups will hold workshops over the next two weeks to discuss the budgets, and they will re-convene together on March 26 to see if they can agree on a draft budget for Town Meeting. The Public Hearing on the budget, and on the rest of the Town Meeting Warrant items, will be held on April 12 at 7:00 p.m.

Memorial Day is coming up soon, and the bi-town committee is seeking members from Topsham. So, if you are interested in helping organize the Memorial Day Parade, you can contact my office and we will put you in touch with the organizing committee.

There were no questions following the town Manager's report. Chairman Douglass referenced the request from Bowdoinham and whether or not the Board was interested in doing an RFP to provide EMS coverage to Bowdoinham. He said if the Board is interested, the item can be placed on the next agenda for discussion. There was no response from Board members, so no action was taken.

BOARDS AND COMMITTEE REPORTS AND UPDATES – None noted.

PUBLIC COMMENT – Selectman Thompson asked about the handout the Town Manager distributed relative to how to handle emergency incidents that might arise. Mr. Roedner said the Town has a specific Emergency Action Plan for the Municipal Building and the Public Safety Departments have Emergency Management Plans. Selectman Thompson expressed concerned if the high school, for example, had an emergency crises and news media positioned themselves in Town and looked for coverage from Town officials, who would respond. Response was the Town Manager would or Board of Selectmen would assign the questions to either the Police Chief or Fire Chief, depending on the emergency.

CORRESPONDENCE – None noted.

ADJUSTMENTS TO THE AGENDA – Motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously

VOTED

To add three items to the agenda, as follows:

18-16 – CONSIDERATION AND ANY APPROPRIATE ACTION ON AUTHORIZING EXPENDITURES FROM THE CAPITAL LINE FOR EXTERIOR LIGHTS FOR THE LIBRARY FURNACE REPAIR

18-17 (Under Executive Session) – CONSIDERATION AND ANY APPROPRIATE ACTION ON THE REDEMPTION OF A FORECLOSED PIECE OF PROPERTY

18-18 – CONSIDERATION AND ANY APPROPRIATE ACTION ON THE ACCEPTANCE OF A GIFT

CONSENT CALENDAR**1. Approval of the minutes of the Regular Selectmen's Meeting of 2/15/18.**

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

VOTED

To approve the minutes of the Regular Selectmen's Meeting of February 15, 2018, as written.

PUBLIC HEARING

18-11 CONSIDERATION AND ANY APPROPRIATE ACTION ON POSTING THE FOLLOWING ROADS FROM MARCH 1, 2018 TO APRIL 30, 2018 OR SOONER IF CONDITIONS ALLOW: WINTER STREET/RIVER ROAD FROM MAIN STREET TO WHITEHOUSE CROSSING ROAD, WHITEHOUSE CROSSING ROAD, CATHANCE ROAD, MEADOW CROSS ROAD, WARD ROAD, WEST MERRILL ROAD, ROBERT'S HILL ROAD, AND FORESIDE ROAD FROM TOWNSEND WAY TO THE MIDDLESEX ROAD

The Public Hearing was declared open. There being no one wishing to comment, the Public Hearing was declared closed.

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

VOTED

To allow the following roads to be posted from March 1, 2018 to April 30, 2018, or sooner if conditions allow: Winter Street/River Road from Main Street to Whitehouse Crossing Road, Whitehouse Crossing Road, Cathance Road, Meadow Cross Road, Ward Road, West Merrill Road, Robert's Hill Road, and the Foreside Road from Townsend Way to the Middlesex Road.

UNFINISHED BUSINESS

18-10 CONSIDERATION AND ANY APPROPRIATE ACTION REGARDING DRAFT WATER SAFETY ZONE ORDINANCE LANGUAGE FOR THE ANDROSCOGGIN RIVER ADJACENT TO THE BRUNSWICK HYDROELECTRIC FACILITY

The Town Manager said he contacted the Inland Fisheries & Wildlife as a result of discussions with Brookfield who suggested restricting use of some water areas adjacent to the Brunswick Hydroelectric facility for safety reasons. The letter from Inland Fisheries, from Timothy E. Peabody, Deputy Commissioner, dated February 27, 2018 is filed with these minutes. In the letter, Commissioner Peabody said "This is a follow-up o our conversation regarding your proposed water safety ordinance on the Androscoggin River in Topsham. After careful review, the department believes the proposed ordinance is preempted by 12 M.R.S. § 13201 to the extent that it regulates fishing and boating in the "no water contact zones." With certain limited exceptions not applicable here, § 13201 prohibits the regulation, by local ordinance, of fishing and boating activities. In addition, public trust rights exist for the use of the Androscoggin River for fishing, fowling and navigation. Notwithstanding the limitations imposed by § 13201, the extent of municipal authority to restrict public trust uses through local ordinances, if at all, is unclear. The department is authorized by law

to regulate fishing and boating. If the town believes restrictions on these activities are needed in certain areas for safety or other reasons it can request that the department consider the adoption of appropriate rules....”

Mr. Roedner said that Inland Fisheries & Wildlife has regular discussions with Brookfield, but this concern with Topsham has never come up. Chairman Douglass said his opinion on this issue has not changed. All the hazards that have been talked about over the past month are potential hazards and pose a risk to our citizens. He suggested the Board direct the Town Manager to work with the Department of Inland Fishers & Wildlife to take a look at the boating. If they do nothing, that will be on them. The swimming still is on our watch. Other members of the Board chimed in. It was noted that Brunswick took the item off their agenda after seeing the letter from Commissioner Peabody. Concern was expressed that Brunswick doing nothing is disappointing. Question was asked why Brookfield wasn't at the meeting this evening. At this point, all the ordinance can say is that you can't enter the river from Topsham. The Board reached a consensus that the Board needs to meet with Brunswick.

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

VOTED

To direct the Town Manager to begin conversations with the Brunswick Town Manager regarding the objectives of the Water Safety Ordinance with the thought that the two Boards need to get together in a workshop session to get this solved.

OLD BUSINESS - None noted.

NEW BUSINESS

18-12 CONSIDERATION AND ANY APPROPRIATE ACTION TO APPROVE SUBMISSION OF A FY 2018 CERTIFIED LOCAL GOVERNMENT HISTORIC PRESERVATION GRANT APPLICATION FOR THE SAGADAHOC AGRICULTURAL SOCIETY FAIRGROUNDS GRANDSTAND ROOF

Selectman Brillant recused herself from consideration of this item due to a possible conflict of interest.

Assistant Planning Director Carol Eyerman reviewed some history saying that in November 2016 the Board approved submission of the FY2017 Federal Historic Preservation Fund CLG Grant for \$24,000 to replace the Topsham Fairgrounds grandstand roof. The grant application was submitted to the Maine Historic Preservation Commission in December, 2016.

In February, 2017, Topsham received an award letter from the State for only \$2,500. They requested more detail in the plans and specifications before they would consider the larger grant. James Herrick, Architect, as hired to provide the plans and specs. The new application showing total project cost at \$56,037.28 with request for \$24,995 in CLG Grant funding is now completed. The rest of the funding will be through volunteer in kind donation of time and cash by the Agricultural Society. Ms. Eyerman said the balance of in kind donation of time by Town staff will be minor.

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

VOTED (4 in favor with 1 abstention [Selectman Brilliant])

To approve the submission of the fiscal year 2018 Certified Local Government Historic Preservation Grant Application.

18-13 CONSIDERATION AND ANY APPROPRIATE ACTION IN THE APPOINTMENT OF WILLIAM GREENWOOD TO THE TREE COMMITTEE AND SHANA STEWART DEEDS TO THE CONSERVATION COMMISSION

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

VOTED

To table Agenda Item 18-13.

18-16 CONSIDERATION AND ANY APPROPRIATE ACTION TO AUTHORIZE EXPENDITURE OF \$8,000 FROM 26-50-74 ON LIBRARY EXTERIOR LIGHT REPLACEMENTS FOR FURNACE REPAIRS

The Town Manager asked for the Board's authorization to spend money from the account set aside for the exterior lights (set aside \$10,000, but budget came to only \$2,000). He said that will give us \$8,000 and the balance can come out of our Capital Maintenance Account and/or Facilities Maintenance Account. The total cost for the repair is anticipated to come to approximately \$12,000.

Chairman Douglass said he is uncomfortable using maintenance funds and moved that the Manager come up with the necessary funds out of this year's Capital Improvement Budget for the furnace repair at the library and if the cost goes above the \$12,000 to come back before the Board. Selectman Lyons seconded the motion.

VOTE was called and the motion passed with all in favor.

18-18 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE ACCEPTANCE OF A GIFT

Chairman Douglass said the Town Manager was contacted by a gentlemen in Town saying his sister left him three Lithographs and that he would like to donate them to the Town. It was noted that the Town does not have a policy on accepting gifts and the Town Manager included a couple examples for the Board to consider.

Accepting the gift was discussed and the Board noted appreciation of the gesture. The Boards consensus was that the lithographs would not fit anywhere in the Town Hall. The Board instructed the Town Manager to thank the gentlemen for his kindness and to decline acceptance of the lithographs.

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

VOTED

To table consideration of a Gift Acceptance Policy to the March 15th meeting.

At 7:45 p.m., Selectman Tufts made a motion to enter into Executive Session. Selectman Lyons seconded the motion and it was unanimously

VOTED

To move into Executive Session to discuss Agenda Items 18-14, 18-15 and 18-17/

EXECUTIVE SESSION

18-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DELIBERATE AN ABATEMENT PURSUANT TO 36 MRSA §841 AND TITLE 1 405 6 (F)

Following discussion, motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously

VOTED

To grant an abatement on Agenda Item 18-14 in the amount of \$2,958.62

18-15 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DELIBERATE AN ABATEMENT PURSUANT TO 36 MRSA §841 AND TITLE 1 405 6 (F)

Following discussion, motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To deny the request for abatement on Agenda Item 18-15 as the applicant had not demonstrated hardship and there is a mortgage holder on the property that can cover the outstanding taxes.

18-17 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE REDEMPTION OF A FORECLOSED PIECE OF PROPERTY

Following discussion, motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To authorize the Town Manager to accept payment of foreclosed taxes, and to sign a Quit Claim Deed on the subject property.

ADJOURNMENT

At 8:05 p.m., motion was made by Selectman Tufts to adjourn, seconded by Selectman Lyons and so voted.

Respectfully submitted,

Patty Williams, Recording Secretary

Board of Selectmen Meeting

For the date of: 03/15/2018

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: 18-19

(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 confirming the appointment of the Fire Chief.

Brief Description of Consent or Agenda Item:

Submitted by Rich Roedner, Town Manager

Date: 03-02-2018

Board of Selectmen Meeting

For the date of: 03/15/2018

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: 18-20

(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 adopting a Gift Acceptance Policy.

Brief Description of Consent or Agenda Item:

Submitted by Rich Roedner, Town Manager

Date: 03-02-2018

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: March 7, 2018
Re: Gift Acceptance Policy

The Town was recently offered several paintings as gifts, which raised the issue of not having any guidelines for accepting gifts. Most often, our gifts are monetary, and geared toward a specific use – fuel fund, community chest, K9 vests, etc.

In the case of items, we should be clear as to what we will accept, and what we will do with them if we do accept. Do they have to be displayed? Can we sell them? Do we just put them in storage?

My thought is that since the Board is authorized to accept gifts on behalf of the Town, we should consider the following criteria:

- Gifts should have some connection to Topsham;
 - Art depicting Topsham
 - Documents/artifacts related to Topsham
 - Items from people who lived in Topsham
- We should maintain complete authority over the item, once donated
 - No prohibitions or requirements for display
 - No prohibitions or requirements for selling, loaning or disposing of as we determine to best

Other considerations

- Dedication plates
- Maintenance
- Insurance

I have attached a couple of gift policies from other entities for your review.

Topsham Public Library Gift Acceptance Policy

Acceptance of any contribution, gift, grant or other physical item is at the discretion of the Topsham Public Library. The Topsham Public Library will not accept any gift unless it can be used or expended consistently with the purpose and mission of the library. With regard to gifts of artwork, photographs or other personal property: such items become the property of the Topsham Public Library and will be used, sold, stored or discarded as it sees fit.

No irrevocable gift, whether outright or life-income in character, will be accepted if under any reasonable set of circumstances the gift would jeopardize the donor's financial security.

The Topsham Public Library will refrain from providing advice about the tax or other treatment of gifts and will encourage donors to seek guidance from their own professional advisors to assist them in the process of making their gifts.

The Topsham Public Library will accept donations of cash or publicly traded securities under the terms outlined in the Topsham Public Library's Financial and Investment Policies. Gifts of in-kind services will be accepted at the discretion of the Director or Board of Trustees of the Topsham Public Library.

Certain other gifts, real property, personal property, in-kind gifts, non-liquid securities, and contributions whose sources are not transparent or whose use is restricted in some manner, must be reviewed prior to acceptance due to the special obligations raised or liabilities they may pose for the Topsham Public Library.

The Topsham Public Library will provide acknowledgments to donors meeting IRS substantiation requirements for property received by the charity as a gift. However, except for gifts of cash and publicly traded securities, no value shall be ascribed to any receipt or other form of substantiation of a gift received by Topsham Public Library.

The Topsham Public Library will respect the intent of the donor relating to gifts for restricted purposes and those relating to the desire to remain anonymous. With respect to anonymous gifts, the Topsham Public Library will restrict information about the donor to only those staff members with a need to know.

The Topsham Public Library will not compensate, whether through commissions, finders' fees, or other means, any third party for directing a gift or a donor to the Topsham Public Library.

**TOWN OF HARPSWELL
ACCEPTANCE OF GIFTS ORDINANCE**

Purpose: The purpose of this Ordinance is to provide an orderly method for receiving certain types of gifts and to authorize the Board of Selectmen to accept such gifts. This Ordinance is adopted pursuant to 30-A M.R.S.A. §§ 5654 and 5655, as may be amended from time to time.

1. Delegation of Authority to Board of Selectmen

The Inhabitants of the Town of Harpswell hereby delegate to the Board of Selectmen the authority of the municipality to accept (i) conditional gifts as referenced in 30-A M.R.S.A. § 5654, and (ii) unconditional gifts as referenced in 30-A M.R.S.A. § 5655; subject, however to the exceptions set forth in Section 3 of this Ordinance. Any gifts to the Town of Harpswell (the "Town") pursuant to 30-A M.R.S.A. §§ 5652 (donation of money) and 5653 (gifts of money or property in trust) as may be amended from time to time, remain unaffected by this Ordinance.

2. Gifts Originating from the Donor

When the Board of Selectmen receives a written notice from a prospective donor or a representative regarding a proposed gift, the Board of Selectmen shall submit the matter to public comment as an agenda item during any duly noticed Board of Selectmen meeting. Input from the community may include, but not be limited to, comment relating to the amount and scope of the gift received, the type of conditions, if any, that should be attached to it, the duration of the conditions of the gift, if any, and any other related comments and/or suggestions. The Board of Selectmen shall consider such comments from the public, but at all times the Board of Selectmen shall retain independent discretion to accept the gift and/or other conditions associated with said prospective gift. Within 10 days after the meeting at which a decision is made to accept or reject a proposed conditional or unconditional gift, the Board of Selectmen shall send written notice of their acceptance or rejection to the donor or the donor's representative.

3. Exceptions

- (a) If a proposed conditional or unconditional gift would obligate the Town to incur liabilities that total \$300 or more per year, as determined by the Board of Selectmen, such proposed conditional or unconditional gift shall only be accepted by Town meeting.
- (b) If a proposed conditional or unconditional gift of property is valued at \$3,000 or greater, as determined by the Board of Selectmen, that gift shall only be accepted by Town meeting.
- (c) No conditional gift may be accepted which requires any form of naming, recognition or representation of any religious or political symbols or affiliation.

4. Effective Date

Adopted by Town Meeting on March 20, 2010

Effective Date:

Amended Date:

TOWN OF RICHMOND
PUBLIC ART POLICY

PURPOSE:

Display of public art is an important part of providing welcoming and amenable facilities and is an enriching aspect of the Town's services, educational, and outreach programs. This policy covers gifts and loans of art to the Town of Richmond, as well as art currently on display.

PROCEDURES:

When the Town is offered a piece of art for display in a public area, other than display at the Isaac F. Umberhine Public Library, a brief description of the art, estimated value of the art, and any special needs or special circumstances related to the gift or loan shall be evaluated by the Town Manager. The Town Manager shall make recommendation to the Richmond Board of Selectmen regarding the loan or gift.

When the Town, through the Isaac F. Umberhine Public Library, is offered a piece of art for display in a public area, a brief description of the art, estimated value of the art, and any special needs or special circumstances related to the gift or loan shall be evaluated by the Library Trustees. The Library Trustees shall make recommendation to the Richmond Board of Selectmen regarding the loan or gift.

ACCEPTANCE GUIDELINES:

The decision to accept artwork for display in a Town facility rests entirely with the Richmond Board of Selectmen. Upon acceptance, the Department Head of the particular facility will make all decisions regarding placement, length of time for the display, publicity, and display removal.

When accepting a work of art on loan, the Town reserves the right to:

- a. Exhibit any object in a manner that is consistent with town policies, needs, and available space. Acceptance of a work of art does not imply that it will be on permanent public display.
- b. Move and relocate art work for any reason it deems necessary.
- c. Remove and return artwork to the owner at any time.

Gifts of works of art will be accepted without limitations or conditions placed on the Town by the donor or artist unless those limitations or conditions are approved by the Richmond Board of Selectmen. Title to all gifts of art will pass to the Town of Richmond.

SELECTION CRITERIA:

Overall, the Town has limited space for the display of art, and therefore it is important to consider very carefully the acceptance of a piece of art for loan or as a gift.

Style and nature: The art should be appropriate in scale, material, form and content for the town building.

Effective Date:

Amended Date:

Quality and Elements of design: Public art may have other functions in addition to aesthetic enjoyment. For example, a work of art may establish a focal point, modify or enhance a space or identify a building function. As far as possible, the work of art should complement and enhance the building and its purpose. The reputation of the artist may be a factor in the decision.

Durability: Works of art will be examined for durability, taking the building environment and the condition of the piece into consideration. Extremely fragile items or those that are potential targets for vandalism are not appropriate for a town building setting.

Installation/Maintenance costs: When selecting a work of art to have on loan or determining if a gift may be accepted, the board of Selectmen will take into consideration any security issues, the cost of installation, and the cost of maintaining the work over its lifetime. Start-up and ongoing costs for cleaning and mounting will also be considered.

Public liability: Works will not be selected or accepted that create unsafe conditions or contain other factors that may bear on public liability.

Conditions of acceptance: In the case of gifts or donations, the donor's conditions may affect whether or not the gift will be accepted.

Board discretion: The Board of Selectmen, in its sole discretion, will determine whether to review and accept or reject any gift or proposed artwork.

Dated: _____

Peter Warner, Chairman

David Thompson, Vice-Chair

Gary Poulin

O'Neil LaPlante

Robert Bodge

Board of Selectmen Meeting

For the date of: 03/15/2018

Type of Item:

- Board or Committee Presentation
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- Public Hearing
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- New Business
- Executive Session
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Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 18-21

(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 instating timed parking for two parking spaces on Main Street.

Brief Description of Consent or Agenda Item:

Submitted by Rich Roedner, Town Manager

Date: 03-02-2018

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: March 7, 2018
Re: Timed Parking, Main St.

We have received a request from Alison Hawkes, owner of 19 Main St (across Thompson Lane from Michaud's) about limiting parking for the two spaces in front of the two businesses to 15 minutes. She and the Michaud's have noticed that there are frequently people who park in one or both of those spaces for extended periods of time, interfering with the flow of customers.

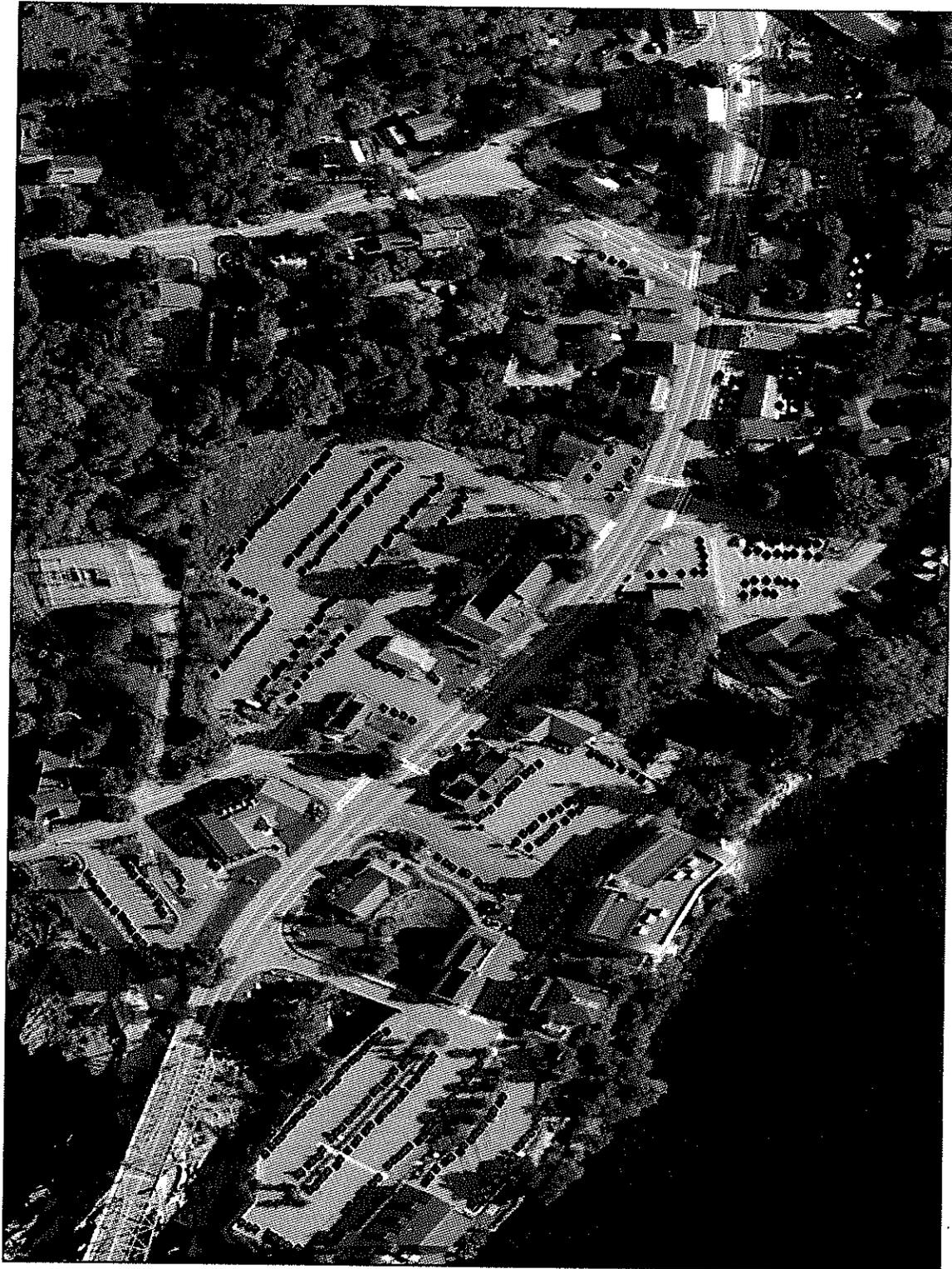
Chapter 210 of our Town Code, spells out the authority the Board has to amend the ordinance, including limiting parking.

It should be pointed out that the PD does not have the capacity to monitor timed parking, resulting in very limited enforcement.

Another suggestion was parking meters for these two locations, which can easily be monitored by an officer driving by, rather than by marking tires every 15 minutes.

I have asked Ms. Hawkes about neighboring businesses (her response is attached) and whether they see a need for timed parking as well.

We also have an informal inventory of public and private parking in the Lower Village, which is also attached.



Parking In the Lower Village

0.03 0.015 0 0.03 Miles



Legend

- ◆ Designated Parking
 - Potential Public Parking
 - ◆ Sometimes Public
 - ◆ Public Parking
- | |
|-------------------------------------|
| 355 Designated Parking Spaces |
| 7 Potential Parking Spaces |
| 124 Sometimes Public Parking Spaces |
| 45 Public Parking Spaces |



Rich Roedner

From: Alison Hawkes <hawkes457@gmail.com>
Sent: Sunday, March 04, 2018 1:01 PM
To: Rich Roedner
Subject: Re: Timed Parking on Main St.

Rich,
Thank you for your time on the parking. I have only spoken with Jim. My other neighbor has plenty of parking and in the past has used the spots at great length. I, also, have had tenants (which i asked not to) abuse the spaces out front. Across the street both of those stores are closed right now. I'm open to options. As of right now, it looks like I will be able to attend the March 15th meeting. Please let me know what the BoS have to suggest.

Thank you again,
Alison Hawkes

On Mon, Feb 26, 2018 at 3:56 PM, Rich Roedner <rroedner@topshammaine.com> wrote:

Alison

We are going to add this item to the March 15 BoS agenda for their consideration. I have asked for input from our various departments as part of the consideration. One comment so far has been about outreach to other businesses in the area whose customers might utilize those spaces as well. Have you talked to anyone other than the Michauds?

Thanks

Rich

Richard Roedner

Town Manager

100 Main St.

Topsham, ME 04086

207-725-5821 ext. 2110

Board of Selectmen Meeting

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Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 18-22

(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 adopting a Board policy identifying a Board Spokesperson.

Brief Description of Consent or Agenda Item:

Submitted by Rich Roedner, Town Manager

Date: 03-02-2018

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: March 6, 2018
Re: Board Policy on Board Spokesperson

At our last meeting, the question arose as to who should speak for the Board during a crisis event. I wasn't clear if this policy would also govern routine events or not, so I am focused on emergency situations. I would define an emergency as an event that causes the Town Manager to declare an emergency. For reference, I believe I have declared one emergency as Town Manager (perhaps two). This authorizes the emergency responders to set aside general policies (such as purchasing) for the duration of the emergency. It also allows for required overtime and things of that nature.

As an aside, there is training available for Elected Officials as Public Information Officers, and roles during emergency situations.

The simplest policy would say:

Board of Selectman Policy on Emergency Spokesperson

1. When an emergency has been declared by the Town Manager, the Board of Selectman shall be represented by the Chairman of the Board in all public statements.
2. Questions or requests for information directed to the Board shall be addressed by the Chair, or by whosoever the Chair designates to respond.
3. When the Chairperson is unavailable, the Vice Chair shall become the official spokesperson for the Board.

Board of Selectmen Meeting

For the date of: 03/15/2018

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: 18-23

(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 declaring vacancies on Comprehensive Plan Committee and Finance Committee, due to members missing more than 3 consecutive meetings.

Brief Description of Consent or Agenda Item:

Submitted by Rich Roedner, Town Manager

Date: 03-02-2018

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: March 6, 2018
Re: Committee Vacancies

Our Town Code (Section 6-17) says that when a member of a standing committee has three or more consecutive unexcused absences from committee meetings, then a vacancy occurs.

We have one member of the Finance Committee that has missed at least five scheduled meetings of the Finance Committee since February, so based on our Code, that position is now vacant. My recommendation is that the Board confirm that the position is vacant, and then solicit applications from residents to fill that position.

Our Comprehensive Plan Committee is not a standing committee, but we have a member who has not attended a meeting since October, and has not responded to repeated attempts to find out what is happening. I believe the Board has the authority to declare this position vacant as well, and seek a new member to the Comp Plan Committee.

Board of Selectmen Meeting

For the date of: 03/15/2018

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: 18-24

(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 writing off stale past due accounts.

Brief Description of Consent or Agenda Item:

Submitted by Rich Roedner, Town Manager

Date: 03-02-2018

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: March 7, 2018
Re: Write off stale accounts

Each year, we end up with certain non-real estate accounts that go un-collected. Over time, monitoring them becomes a difficult task, and eventually the auditors write them off the books, either in total or partially.

Back in 2011, we referred accounts to the Thomas Collection Agency. One batch was about \$2,900 and the other was \$18,500. They have collected a total of about \$8,132, with fees totaling about \$2,440, for a net collection rate of about 26%.

We have had some success over the past couple of months either collecting bad checks, or determining that the check writer has moved and is no longer in the area. We have referred some to Motor Vehicles, and they are pursuing suspending registrations until good checks are written.

In the past, we have referred some to a collection agency. We showed a net recovery rate of

With that brief background, I would like to recommend that the Board write off the following as uncollectible. These have been fully written off by our auditors.

Non Zero Balance on All Accounts

Topsham

03/07/2018

Tax Year: 2004-1 To 2014-2

11:52 AM

Page 1

Table with 7 columns: Acct, Name ----, Year, Original Tax, Payment / Adjustments, Amount Due. It lists various accounts such as 111 MAINE, ACTIVE COMMUNICATIONS INC, ACTIVE EDGE REHAB & FITNESS, ALL CLEAN CARPET CARE, ALL SEASON BRICK & STONE, ALLURE INTERACTIVE WEB LLC, and BEAU BELLA DAY SPA.

Acct	Name ----	Year	Original Tax	Payment / Adjustments	Amount Due
27	P BEAU BELLA DAY SPA	2012	329.62	0.00	329.62
802	P BOOT & BUCKLE CAFE	2012	331.24	0.00	331.24
802	P BOOT & BUCKLE CAFE	2013	312.85	0.00	312.85
802	P BOOT & BUCKLE CAFE	2014	281.22	0.00	281.22
29	P BOWIE HOME CONSTRUCTION	2011	190.13	13.45	176.68
29	P BOWIE HOME CONSTRUCTION	2012	175.87	0.00	175.87
29	P BOWIE HOME CONSTRUCTION	2013	144.11	0.00	144.11
29	P BOWIE HOME CONSTRUCTION	2014	114.72	0.00	114.72
35	P BRILLANT MOTORS INC	2013	35.50	33.18	2.32
35	P BRILLANT MOTORS INC	2014	34.80	0.00	34.80
39	P CARROT SIGNS	2013	79.10	39.55	39.55
744	P CATHANCE MARINE CANVAS	2012	20.35	0.00	20.35
744	P CATHANCE MARINE CANVAS	2013	17.51	0.00	17.51
55	P CENTURY 21	2011	59.44	0.00	59.44
55	P CENTURY 21	2012	64.28	0.00	64.28
55	P CENTURY 21	2013	64.52	0.00	64.52
55	P CENTURY 21	2014	66.27	0.00	66.27
443	P COASTAL EAR NOSE & THROAT PA	2013	589.88	544.26	45.62
443	P COASTAL EAR NOSE & THROAT PA	2014	605.89	0.00	605.89
63	P COLEMAN NANCY	2014	54.78	53.14	1.64
72	P COX AGENCY	2014	38.13	0.00	38.13
74	P CROSBY CHARLES III	2012	29.07	0.00	29.07
74	P CROSBY CHARLES III	2013	29.18	0.00	29.18
74	P CROSBY CHARLES III	2014	29.97	0.00	29.97
82	P DAVIS CONSTRUCTION	2014	778.55	0.00	778.55
600	P DESIGN WRITE	2011	46.46	0.00	46.46
600	P DESIGN WRITE	2012	36.34	0.00	36.34
600	P DESIGN WRITE	2013	21.88	0.00	21.88
600	P DESIGN WRITE	2014	22.48	0.00	22.48
714	P DOLORES BRANCATO	2013	24.32	0.00	24.32
714	P DOLORES BRANCATO	2014	22.81	0.00	22.81
799	P GEARHEADS	2013	185.60	0.00	185.60
799	P GEARHEADS	2014	179.99	0.00	179.99
848	P GM POLLACK & SONS	2014	395.44	0.00	395.44
583	P GOSSELIN BUILDERS INC	2013	276.22	250.60	25.62
583	P GOSSELIN BUILDERS INC	2014	236.43	0.00	236.43
335	P GROUND COVERS INC	2012	382.92	168.74	214.18
335	P GROUND COVERS INC	2013	369.59	0.00	369.59
151	P ITI HOLDING INC	2012	91.89	0.00	91.89
151	P ITI HOLDING INC	2013	92.23	0.00	92.23
242	P LIL MUNCHKINS DAY CARE	2012	21.32	0.00	21.32
539	P MANSON HAROLD	2006	203.39	0.00	203.39
539	P MANSON HAROLD	2007	225.53	0.00	225.53
539	P MANSON HAROLD	2010	193.20	0.00	193.20
539	P MANSON HAROLD	2011	206.50	0.00	206.50
539	P MANSON HAROLD	2012	226.10	0.00	226.10
539	P MANSON HAROLD	2013	226.94	0.00	226.94
539	P MANSON HAROLD	2014	233.10	0.00	233.10
539	P MASON HAROLD	2008	225.96	0.00	225.96

Acct	Name ----	Year	Original Tax	Payment / Adjustments	Amount Due
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186	P MERRYMEETING AUTO REPAIR	2014	125.37	0.00	125.37
19	P MICHAELS FURNITURE RESTORATION	2008	136.81	92.73	44.08
19	P MICHAELS FURNITURE RESTORATION	2009	128.66	0.00	128.66
19	P MICHAELS FURNITURE RESTORATION	2010	118.68	0.00	118.68
19	P MICHAELS FURNITURE RESTORATION	2011	119.33	0.00	119.33
19	P MICHAELS FURNITURE RESTORATION	2012	128.23	0.00	128.23
193	P MIDCOAST GYMNASTICS	2013	65.65	0.00	65.65
193	P MIDCOAST GYMNASTICS	2014	67.43	0.00	67.43
662	P MUSIC AND MOORE	2013	107.80	0.00	107.80
134	P NEILS HEATING SERVICE	2008	13.92	0.00	13.92
134	P NEILS HEATING SERVICE	2009	14.04	0.00	14.04
134	P NEILS HEATING SERVICE	2010	14.35	0.00	14.35
134	P NEILS HEATING SERVICE	2011	15.34	0.00	15.34
134	P NEILS HEATING SERVICE	2012	16.80	0.00	16.80
134	P NEILS HEATING SERVICE	2013	16.86	0.00	16.86
134	P NEILS HEATING SERVICE	2014	17.32	0.00	17.32
204	P NEW ENGLAND VENDING	2011	24.93	0.34	24.59
204	P NEW ENGLAND VENDING	2012	27.29	0.00	27.29
204	P NEW ENGLAND VENDING	2013	27.39	0.00	27.39
204	P NEW ENGLAND VENDING	2014	28.14	0.00	28.14
703	P PEARLE VISION	2011	820.98	794.85	26.13
703	P PEARLE VISION	2012	833.99	0.00	833.99
851	P PERCYS BURROW	2014	79.09	0.00	79.09
684	P PHEONIX EMBROIDERY LLC	2009	315.63	97.73	217.90
684	P PHEONIX EMBROIDERY LLC	2010	301.25	0.00	301.25
684	P PHEONIX EMBROIDERY LLC	2011	297.07	0.00	297.07
684	P PHEONIX EMBROIDERY LLC	2012	289.89	0.00	289.89
684	P PHOENIX EMBROIDERY LLC	2013	257.90	0.00	257.90
684	P PHOENIX EMBROIDERY LLC	2014	227.94	0.00	227.94
850	P REVOLVING DRAWERS LLC	2014	27.14	0.00	27.14
520	P RUBY DESIGNS	2013	19.29	9.65	9.64
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236	P RUSTYS STORE	2009	47.79	0.00	47.79
236	P RUSTYS STORE	2010	48.85	0.00	48.85
236	P RUSTYS STORE	2011	52.22	0.00	52.22
236	P RUSTYS STORE	2012	57.17	0.00	57.17
236	P RUSTYS STORE	2013	57.38	0.00	57.38
236	P RUSTY'S STORE	2007	67.43	0.00	67.43
726	P STC NEW ENGLAND LLC	2014	2,039.96	388.93	1,651.03
278	P SUNSHINE WORKS	2011	20.65	0.00	20.65
278	P SUNSHINE WORKS	2012	22.61	0.00	22.61
278	P SUNSHINE WORKS	2013	22.69	0.00	22.69
278	P SUNSHINE WORKS	2014	23.31	0.00	23.31
721	P TOPSHAM AUTO REPAIR	2010	89.70	0.00	89.70
721	P TOPSHAM AUTO REPAIR	2011	95.88	0.00	95.88
721	P TOPSHAM AUTO REPAIR	2012	104.97	0.00	104.97
678	P TOPSHAM LEARNING CENTER	2011	60.47	0.00	60.47

Acct	Name ----	Year	Original Tax	Payment / Adjustments	Amount Due
678	P TOPSHAM LEARNING CENTER	2012	62.50	0.00	62.50
678	P TOPSHAM LEARNING CENTER	2013	58.68	0.00	58.68
666	P TRA WIRELESS LLC	2014	726.77	299.31	427.46
311	P TRI SPORTS INC	2014	381.95	378.31	3.64
719	P WHITCO TOPSHAM LLC	2013	1,763.81	863.77	900.04
Total for 120 Bills:		46			
Accounts		21,297.14	4,387.08	16,910.06	

Payment Summary

Type	Principal	Interest	Costs	Total
P - Payment	4,387.08	0.00	0.00	4,387.08
Total	4,387.08	0.00	0.00	4,387.08

Non Lien Summary

2006-1	1	203.39
2007-1		
	2	292.96
	5	552.16
2008-1		
2009-1		
	6	722.13
2010-1		
	7	864.84
2011-1		
	15	1,643.56
2012-1		
	21	3,108.26
2013-1		
	32	3,367.90
2014-1		
	31	6,154.86
Total	120	16,910.06

In addition to these accounts, the Solid Waste Department has one outstanding bill dating to 2009, for \$262.50, owed by Pinnacle Professional Services.

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: March 7, 2018
Re: Write off stale accounts

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807	P 111 MAINE	2014	157.34	0.00	157.34
344	P ACTIVE COMMUNICATIONS INC	2013	26.58	0.00	26.58
534	P ACTIVE EDGE REHAB & FITNESS	2008	208.93	0.00	208.93
534	P ACTIVE EDGE REHAB & FITNESS	2009	124.74	0.00	124.74
534	P ACTIVE EDGE REHAB & FITNESS	2010	98.81	0.00	98.81
534	P ACTIVE EDGE REHAB & FITNESS	2011	105.61	0.00	105.61
534	P ACTIVE EDGE REHAB & FITNESS	2012	24.55	0.00	24.55
534	P ACTIVE EDGE REHAB & FITNESS	2013	23.34	0.00	23.34
534	P ACTIVE EDGE REHAB & FITNESS	2014	22.64	0.00	22.64
8	P ALL CLEAN CARPET CARE	2013	168.58	153.69	14.89
8	P ALL CLEAN CARPET CARE	2014	173.16	0.00	173.16
720	P ALL SEASON BRICK & STONE	2013	40.53	0.00	40.53
720	P ALL SEASON BRICK & STONE	2014	41.62	0.00	41.62
673	P ALLURE INTERACTIVE WEB LLC	2013	39.71	38.87	0.84
673	P ALLURE INTERACTIVE WEB LLC	2014	40.79	0.00	40.79
27	P BEAU BELLA DAY SPA	2011	337.19	0.00	337.19

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278	P SUNSHINE WORKS	2012	22.61	0.00	22.61
278	P SUNSHINE WORKS	2013	22.69	0.00	22.69
278	P SUNSHINE WORKS	2014	23.31	0.00	23.31
721	P TOPSHAM AUTO REPAIR	2010	89.70	0.00	89.70
721	P TOPSHAM AUTO REPAIR	2011	95.88	0.00	95.88
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Non Lien Summary		
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	5	552.16
2008-1		
2009-1		
	6	722.13
2010-1		
	7	864.84
2011-1		
	15	1,643.56
2012-1		
	21	3,108.26
2013-1		
	32	3,367.90
2014-1		
	31	6,154.86
Total		
	120	16,910.06

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