

**5:15PM Interviews for Boards/Committees
7:00PM Board of Selectmen Meeting
Topsham Municipal Building
Donald A. Russell Meeting Room
June 6, 2019**

Pledge of Allegiance –

Roll Call of Board Members –

Town Manager's Report –

Board and Committee Reports and Updates-

- Update from Topsham Representatives on the SAD #75 Board of Directors
- Update from History Committee- Ralph Williams
- Update on Solid Waste Recycling changes coming in the new year- Ed Caron, Solid Waste Director

Public Comment –

Correspondence –

Adjustments to the Agenda –

Consent Calendar –

1. Approval of the minutes of the Regular Selectmen meeting April 18, 2019
2. Approval of the minutes of the Regular Selectmen meeting May 2, 2019.

Public Hearing –

Unfinished Business –

Old Business –

19-29- Consideration and any appropriate action on adopting a fee schedule related to Marijuana licensing ordinances.

New Business –

19-33- Consideration and any appropriate action on awarding the bid for paving the town's streets to Crookers Construction.

19-34- Consideration and any appropriate action on awarding the proposal for culvert on Brookside Drive.

19-35- Consideration and any appropriate action on the appointment to the SAD #75 Board to complete an unfinished term until the November election.

19-36- Consideration and any appropriate action on annual re-appointments.

19-37- Consideration and any appropriate action on the appointments/re-appointments of various Boards/Committees.

Executive Session-

19-38- Consideration and any appropriate action on entering into Executive session pursuant to 1 M.R.S.A. § 405 (6) (A) to discuss personnel matters.

19-39- Consideration and any appropriate action on entering into Executive session pursuant to 36 M.R.S.A. § Title 1 405 (6) (F) to discuss tax acquired property

19-40- Consideration and any appropriate action on entering into Executive session pursuant to 36 M.R.S.A. § Title 1 405 (6) (F) to discuss tax acquired property

19-41- Consideration and any appropriate action on entering into Executive session pursuant to 36 M.R.S.A. § Title 1 405 (6) (F) to discuss tax acquired property

19-42- Consideration and any appropriate action on entering into Executive session pursuant to 36 M.R.S.A. § Title 1 405 (6) (F) to discuss tax acquired property

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: 06/06/2019

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 04-18-2019.

Brief Description of Consent or Agenda Item: see attached

Submitted by Rich Roedner, Town Manager **Date:** 04-11-19

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
DONALD A. RUSSELL MEETING ROOM
APRIL 18, 2019 – 7:00 P.M

MEMBERS PRESENT: David Douglass
William Thompson
Roland Tufts

MEMBER(S) ABSENT: Marie Brilliant and Ruth Lyons

STAFF PRESENT: Richard Roedner, Town Manager and Derek Scrapchansky, Assistant
Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, April 18, 2019, in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine.

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, except for Selectman Brilliant and Selectman Lyons, both of whom had been excused.

TOWN MANAGER'S REPORT

- BIG TRUCK day is tomorrow, Friday, April 19, at the Topsham Public Library, from 10:00 a.m. to Noon. We are asking visitors to park at the Recreation Fields on Foreside Road and walk down to the library, due to space constraints.
- The next Household Hazardous Waste collection day is almost upon us. The date is Saturday April 27, 9:00 a.m. to 1:00 p.m. Information is available on the Topsham website. Please note that you must pre-register in order for your items to be accepted.
- Also on Saturday, April 27, is the next Drug Take Back Collection at the Topsham Police Department 10:00 a.m. until 2:00 p.m. Bring in your old, unused, expired medications for proper disposal. We cannot accept liquids or any needles.
- Last news concerns the annual Easter Egg Hunt. Friday's Flashlight Hunt will take place as scheduled at the Foreside Field. This is for 8, 9, and 10 year olds only. The event starts at 8:00 p.m.

- On Saturday, McDonald's is sponsoring breakfast with the Easter Bunny from 8:00 a.m. until 9:30 a.m. at McDonalds.
- Due to the weather, Saturday's Hunts are being relocated from the Foreside Field to the Mount Ararat High School Gym. The times are also changing to allow late stragglers to get there on time. 2, 3, and 4 year olds will be at 10:30 a.m.

BOARDS AND COMMITTEE REPORTS AND UPDATES

Update from Denise Tepler, Representative House District #54

Representative Denise Tepler presented an update of happenings at the House of Representatives in Augusta, including:

- Municipal Revenue Sharing
- Hearing this coming Wednesday on three bills on the Brown Tail Moth problem
- Her work on the Brunswick Naval Museum and Memorial Garden
- LD 1177 – Improving the Public Sector - Labor and Health Commission
- LD 900 – Bill that would grant public legislative court, municipal county court house, teachers, etc. the right to strike...would give employees the right to shut down government
- Talked about new site where people can post on line and become a part of public records
- Representative Tepler extended an open invitation to kids in her district to come to Augusta to be pages. The kids would have to bring along a chaperone. Also welcomed anyone from the district to come to Augusts to shadow her.

Update from Steven Levesque, Executive Director of MidCoast Regional Redevelopment Authority (MRRA)

The Board previously sent a letter to Mr. Levesque asked for an update on the water infrastructure situation at the annex and he presented an overview of the problems involved in getting the matter resolved.

Mr. Levesque explained the steps that have already been taken and the many conveyances from the Navy to address the problem and the roadblocks that have to be worked through to get the issues addressed, including how the new BRAC works. Money is a big problem as there are no funds available from the Navy and it seems everything needed to be done on this end has to be funded by MRRA. Plans are to remove the water tower at a cost of \$100,000. The tower can be removed without affecting the water system currently in use. There are 1.75 miles of waterline in Topsham that need to be replaced. The Federal Government has been notified that it should be a moral obligation of theirs to help, but they have not responded. The decaying waterlines were put in in the 40's and 50's and it is anticipated to cost approximately \$3 million to replace them. Mr. Levesque was told by the USDA that Topsham is too wealthy to be able to apply for a grant.

Chairman Douglass said it is important to get this situation solved as we have 200 residents living in the annex area. He asked if there have been conversations with Senator Collins. Mr. Levesque said "yes" and response was that they couldn't help. Suggestion was made to look into a Community Development Block Grant.

The Town Manager said he talked to Representative Tepler to inquire about the possibility of applying for an Infrastructure Bond. She agreed to put a request in at the November session.

PUBLIC COMMENT – Jane Scease commented on LD 1177 and LD 900. She said the Teacher’s Union is pushing these and their passing could be very costly. She urged the Board to help in any way they can.

CORRESPONDENCE – Chairman Douglass noted receipt of a letter from Karen Murphy (the one she read at the last Board meeting) and said the letter has been placed in file.

ADJUSTMENTS TO THE AGENDA – Letter dated April 18, 2019 to Senator Diamond, Chair and Members of the Joint Committee on Transportation from the Board of Selectmen regarding LD 1141 Resolve, Directing the Department of Transportation to Construct the Merrymeeting Trail from Topsham to Gardiner was noted and filed with these minutes. It was agreed that the Board would sign the original letter and put in the mail.

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen’s Meeting of April 4, 2019.

No action was taken on the minutes.

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS – None noted.

OLD BUSINESS – None noted.

NEW BUSINESS

19-25 CONSIDERATION AND ANY APPROPRIATE ACTION TO APPROVE HIRING WILLIAMS CONSTRUCTION FOR THE SAGADAHOC AGRICULTURAL SOCIETY FAIRGROUNDS GRANDSTAND ROOF/CERTIFIED LOCAL GOVERNMENT GRANT PROGRAM

Assistant Planner Carol Eyerman reviewed the 5 bids sent out and explained that only 2 of them met the specifications. The Historic District’s and Planning Board’s recommendation is to award the project to Williams Construction.

Following Ms. Eyerman’s presentation, motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously

VOTED

To approve the hiring of Williams Construction for the Sagadahoc Agricultural Society Fairgrounds Grandstand Roof/Certified Local Government Grant Project.

**-19-26 CONSIDERATION AND ANY APROPRIATE ACTION ON WRITING OFF
OUTSTANDING PERSONAL PROPERTY TAXES FOR A DECEASED
BUSINESS OWNER**

Town Manager Roedner explained that the business owner is deceased and the Town is unable to collect the amount of back taxes due.

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

VOTED

To write off the outstanding personal property taxes going back to 2014 for Davis Construction in the amount of \$4,791,06, plus interest.

**19-27 CONSIDERATION AND ANY APPROPRIATE ACTION ON AMENDING
TRAFFIC ORDINANCE TO REMOVE THE YIELD SIGN AT THE BOTTOM
OF ELM STREET EXTENSION**

The Town Manager said this item came up at the Neighborhood Meetings. Elm Street Extension is now a one way, so the yield sign is no longer needed. Both Police Chief Chris Lewis and Public Works Director Dennis Cox have indicated that the sign can be safely removed.

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

VOTED

To remove the yield sign at the bottom of Elm Street Extension and the subsequent amendment to the Inventory List of Traffic Control Signs.

ADJOURNMENT

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

VOTED

To adjourn the meeting at 8:15 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary

Board of Selectmen Meeting

For the date of: 06/06/2019

Type of Item:

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

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number 2

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

Brief Title of consent or Agenda Item: Approval of the minutes of the regular Selectmen meeting 05-02-2019.

Brief Description of Consent or Agenda Item: see attached

Submitted by Rich Roedner, Town Manager

Date: 04-11-19

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
DONALD A. RUSSELL MEETING ROOM
MAY 2, 2019 – 7:00 P.M

MEMBERS PRESENT: David Douglass
Marie Brilliant
Ruth Lyons
William Thompson (Joined the meeting in progress)
Roland Tufts

MEMBER(S) ABSENT: All present

STAFF PRESENT: Richard Roedner, Town Manager; and Derek Scapicci, Assistant Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, May 2, 2019, in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine.

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, except for Selectman Thompson, who joined the meeting in progress.

TOWN MANAGER'S REPORT

Town Meeting is scheduled for Wednesday, May 15 at the Mt. Ararat Commons. Doors open at 6:00 p.m. for registration, and the meeting will start promptly at 7:00 p.m.

This past week, we (Town Manager, David Douglass and Linda Dumont) honored Pat Lowery, who lives at the Westrum House, with the Boston Post Cane as Topsham's oldest resident. Pat's family all were in attendance, as were many of the residents of the Westrum House.

There will be no Selectboard meeting on Thursday, May 16.

And since there is not another Selectboard meeting in May, I will also announce that Town offices are closed on Monday, May 27 for Memorial Day.

Two new police officers, Laura Shorette and Nicholas George, will be sworn in this week. They will begin their duties on May 6. The hiring of these two officers has reduced the vacancies in the Police Department to zero.

Selectman Lyons noted that the Memorial Day Parade will take place on May 27 and the line-up will be here at 100 Main Street.

BOARDS AND COMMITTEE REPORTS AND UPDATES – None noted.

PUBLIC COMMENT

Bruce Flaherty, President of Maine Spirit of America, talked about the Spirit of America Program and urged the Selectmen to select a local person, project or group to receive the 2019 Topsham Spirit of America Foundation Tribute for outstanding community service. He noted a list of towns who participate in the program.

Chairman Douglass thanked Mr. Flaherty for his presentation. He asked why the selection of a group or individual was assigned to the Selectboard and said there is such a large number of participants and groups who volunteer and do good things for the Town that it would be difficult to pick only one group or person, and the reason Topsham hasn't participated in the past. He asked if there were criteria to make suggestions on how to pick an individual or group. Response was that there are no criteria, but the decision is strictly left to the Board. The Topsham Fair Association was mentioned as one possibility. Chairman Douglass said this subject will be considered and discussed further.

Victor Langelo reviewed a letter from Topsham Solar Advocates and asked the Board to help brainstorm of how best to explore what the Town can do to participate with community solar or as individuals. Selectman Lyons suggested that the group occupy a table at the Town Meeting polls and perhaps conduct a survey to determine interest.

CORRESPONDENCE – None noted.

ADJUSTMENTS TO THE AGENDA – None noted.

CONSENT CALENDAR

1. **Approval of the minutes of the Regular Selectmen's Meeting of April 4, 2019.**
2. **Approval of the minutes of the Special Selectmen's Meeting of April 11, 2019.**
3. **Approval of the minutes of the Regular Selectmen's Meeting of April 18, 2019.**
4. **Approval to open the polls on June 11, 2019 at 8:00 a.m. for the Municipal election – MSAD #75 Budget Validation Referendum Election, to extend the Registrar's office until 7:00 p.m. on May 30, 2019 per State Statute 21-A Subsection 122.6 and appoint Linda Dumont as Moderator for the Municipal Election.**

1. **Approval of the minutes of the Regular Selectmen's Meeting of April 4, 2019.**

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

VOTED

To approve the minutes of the Regular Selectman's Meeting of April 4, 2019 as written. (Vote was 3 in favor with 1 abstention.)

2. Approval of the minutes of the Special Selectmen's Meeting of April 11, 2019.

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

VOTED

To approve the minutes of the Regular Selectman's Meeting of April 11, 2019 as written.

3. Approval of the minutes of the Regular Selectmen's Meeting of April 18, 2019.

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

VOTED

To table acceptance of the minutes of the Regular Selectmen's Meeting of April 18, 2019.

4. Approval to open the polls on June 11, 2019 at 8:00 a.m. for the Municipal election – MSAD #75 Budget Validation Referendum Election, to extend the Registrar's office until 7:00 p.m. on May 30, 2019 per State Statute 21-A Subsection 122.6 and appoint Linda Dumont as Moderator for the Municipal Election.

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

VOTED

To approve Consent Calendar Item #4 as written on the agenda.

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS

19-20 CONSIDERATION AND ANY APPROPRIATE ACTION ON UNION GRIEVANCE RELATED TO HEALTH REIMBURSEMENT ACCOUNTS (HRA)

The Town Manager noted his memo to the Board dated March 28, 2019 (filed with these minutes) explaining a technical error in providing notice which was brought to his attention when this item was reviewed at the last meeting. He said in talking to union members, they have additional information they want to provide to the Town Manager, which he will forward to the Town Attorney and proceed from there. The Union representatives would like the Board to postpone this item until the June Selectboard meeting.

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

VOTED

To postpone this item to the June 6, 2019 meeting of the Selectboard.

OLD BUSINESS – None noted.

NEW BUSINESS

19-28 CONSIDERATION AND ANY APPROPRIATE ACTION ON DISCUSSING LIBRARY BOARD REQUEST TO AN EXCEPTION ON TOWN POLICY REGARDING ALCOHOLIC BEVERAGES

Susan Preece, Library Director explained an event planned for the evening of June 7, 2019 at the library, by invitation only, to include a posthumous presentation of the Sarah Whitten Community Award to former Topsham resident Janice Solomon. The award is given annually to an individual, group or business in recognition of outstanding contributions to the Topsham Public Library. Ms. Preece asked for an exception from Town policy to be able to serve wine at the event. She said the library has been holding this 2-hour event for the past 4 years where they serve hors d'oeuvres, wine and cheese. An outside caterer handles the event and is responsible for the licenses, etc.

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

VOTED

To approve the Library Board request to an exception of Town Policy regarding alcoholic beverages at their Sarah Whitten event on June 7, 2019.

(Selectman Thompson joined the meeting at this point.)

19-29 CONSIDERATION AND ANY APPROPRIATE ACTION ON ADOPTING A FEE SCHEDULE RELATED TO MARIJUANA LICENSING ORDINANCES

Planner Rod Melanson distributed the latest edition of licensing fees received from the State. He noted a memo from him to the Town Manager and Selectboard dated April 23, 2019 regarding medical marijuana licensing. The memo noted three major items to have prepared prior to the roll out of the licensing program, as follows:

1. Finalizing a fee schedule
 - a. A suggested municipal fee was suggested as of 12/2018

Suggested fees were noted:

Caregiver Retail Store	\$1,500
Marijuana Products Manf. Facility	1,000
Marijuana Cultivation Facility	
1. Tier 1	500
2. Tier 2	1,000
3. Tier 3	2,000
4. Tier 4	3,000
5. Nursery	1,000
Marijuana Testing Facility	500

During discussion, comments were made including:

- The State makes all the money, but the Town has to take on all the responsibilities.
- Figures from State too high for small businesses trying to start.
- This whole marijuana thing is money, money, money.
- This is not going to be a small business thing. In 2 or 3 years, it is going to be big business all around.
- We need to charge as much as we can.
- Caregiver Retail Store at \$1,500 seems fair, but all other categories should be doubled.
- Can the adjusted amounts be in effect for Town Meeting? (Response was that the effective date of code will be enacted when the Board of Selectmen adopt the numbers or on January 1st.)

2. License Application Form

- a. A proposed application form was included

3. Policy – Suggested that this be included in the June 6 Board package.

Planner Melanson was charged with adjusting the numbers as suggested by the Board and bring back before the Board for consideration.

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

VOTED

To table Item 19-29 to the June 6, 2019 meeting.

19-30 CONSIDERATION AND ANY APROPRIATE ACTION ON THE RESIGNATION LETTER FROM A MEMBER OF THE MSAD #75 SCHOOL BOARD OF DIRECTORS

Chairman Douglass noted Letter of Resignation from Matthew Drewette Card dated April 19, 2019, who is in the middle of his second term as a member of MSAD #75 School Board of Directors. Mr. Drewette Card said the reason for his resignation is not related to any of the challenging events that have affected the School Board over the last months but for personal, family and professional commitments and obligations. The resignation is to take effect on July 1, 2019.

The Town Manager said this item is placed on the agenda at an early date so the Board can accept the resignation and announce the vacancy. It was noted, when appointing a member to fill this vacancy, it will be only until the annual meeting in November and then nominations will begin July 29 to complete the rest of the unexpired term (11/2000) at the November election.

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

VOTED

To accept the Letter of Resignation from Mathew Drewette Card, thank him for his time and efforts on the School Board and accept applications and Letters of Interest until May 24th and look to appoint someone at the June 6, 2019 Selectboard Meeting to begin on July 1st.

19-31 CONSIDERATION AND ANY APPROPRIATE ACTION ON CREATING AN AD HOC GOVERNMENT REVIEW COMMITTEE

Town Manager Roedner explained that our Town Code §6-25 Revision, directs the “Town to revise and bring up to date this chapter as least once in every ten (10) years, and a committee of seven (7) citizens, three of whom may be Selectmen, shall be chosen for this purpose.” He said this was last done in 2009.

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

VOTED

To begin the process of choosing an Ad Hoc Committee for Government Review to include 7 citizens and 1 or 2 members from the Selectboard.

Selectman Lyons – Prior entering into Executive Session, Selectman Lyons asked to be recognized and urged citizens to attend the District Budget Hearings of MSAD 75 in May and before their vote on June 11. She said we all support our schools and teachers, but there needs to be people in attendance at the budget meetings. She said it is a major budget and everyone should know what they are voting for.

EXECUTIVE SESSION

At 7:58 p.m., motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To move into Executive Session to discuss Agenda Item 19-32. (All members of the Board, the Town Manager and Assistant Town Manager entered into the Executive Session.)

19-32 CONSIDERATION AND ANY APPROPRIATE ACTION TO MOVE INTO EXECUTIVE SESSION PURSUANT TO 36 M.R.S.A. TITLE 1 § 405 (6) (F) TO DISCUSS TAX ACQUIRED PROPERTY

At 8:05 p.m., motion was made, seconded and it was unanimously

VOTED

To come out of Executive Session and to go back into regular session. (All members of the Board were still present.)

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

VOTED

To write off all taxes owed, including interest and penalties, currently at \$250.22, for the foreclosed property in question.

ADJOURNMENT

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

VOTED

To adjourn the meeting at 8:06 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19.29

(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 fee schedule related to Marijuana licensing ordinances.

Brief Description of Consent or Agenda Item: see attached

Submitted by: Rod Melanson, Town Planner

Date: 04-19-2019

MEMORANDUM

To: Rich Roedner, Town Manager
Selectboard
Planning Board
From: Rod Melanson, Planning Director
Date: May 28, 2019
Re: Medical Marijuana licensing

Town Meeting has now approved the licensing and land use ordinances to allow for caregiver retail stores, and cultivation, product manufacturing and testing of marijuana.

The following are the items to have prepared prior to the roll out of the Licensing program:

1. Finalizing a fee schedule
 - a. Doubled the fee amounts discussed at our last meeting (below)
2. License Application Form
 - a. Attached proposed application form
 - b. Discussion Below
3. Priority Policy and roll out
 - a. Discussion below

Fee Schedule:

Based on our last meeting, and the draft State of Maine license fees we reviewed, the selectboard requested that we increase our amounts locally...Below is the proposed schedule of fees:

License Fee code language (from the approved license code):

Fees for a Marijuana Business License shall be as set forth in the Schedule of License, Permit, Inspection and Application Fees established by Selectboard order and shall be paid annually.

Proposed Fee Language:

A \$250 non-refundable deposit is required with each application and shall be applied to the balance of the remaining application fee due seven (7) calendar days upon the notice of an approved license from the Board of Selectmen.

Caregiver Retail Store	\$3,000previously \$1,500
Marijuana Products Manufacturing Facility	\$2,000.....previously \$1,000
Marijuana Cultivation Facility	
1. Tier 1	\$1,000.....previously \$500
2. Tier 2	\$2,000.....previously \$1,000
3. Tier 3	\$4,000....previously \$2,000
4. Tier 4	\$6,000....previously \$3,000
5. Nursery	\$2,000....previously \$1,000
Marijuana Testing Facility	\$1,000....previously \$500

License Application Form:

The attached form works as a checklist, and provides the applicant with all of the items from the licensing code that need to be addressed. The intent of this form is to provide the reviewing authority with a checklist of “findings” that may be acted upon during a public hearing.

Priority Policy and Licensing “Roll Out”:

Below is the language in the proposed code:

1. Prioritization of License Review.
 - a. Marijuana Businesses that were operating with Town approval prior to December 13, 2018 shall have a priority of review for license issuance by the Selectboard, provided that the owner/operator of the business submits a completed application for a license within ninety days of enactment of this ordinance. Such businesses shall be included in the maximum number of licenses permitted in each category.
 - b. Any change in ownership or change in officers of an owner of an existing Marijuana Business License shall have a priority of review to maintain the issued license, provided that a completed license application is submitted prior to the change of ownership.
2. Licensing procedures.
 - (a) Applications shall be reviewed in the order they are received and determined to be complete.

Two areas within the code give attention to priority of review...we specifically placed currently operating business within a priority review, as well as transfer of ownership (to enable upstanding businesses to maintain their business within town).

Otherwise...licenses are reviewed in the order they are received, and are deemed to be complete (by staff).

Rich and I had discussed the potential of “opening up the floodgates” once the chapter gets enacted by the selectboard, and the thought of having a line of applicants at the door at 8:30am to get there spot in line.

To alleviate that potential situation, we thought that only having hardcopies of licenses available on the day the code gets enacted may be a solution...in other words we have a stack of printed applications to hand out, and we receive them and time stamp them as they come back in (hopefully in more of a trickle in manner).

A discussion of the schedule moving forward if in fact the code passes at the May 15 Town Meeting:

The effective date of enactment of the license articles

June 6th - Selectboard adopts a fee schedule, application form and sets effective date of article enactment

July 1st – Applications distribution (pick up hardcopies at Town Hall)

October 1st – Review of applications (90 days after distribution)

Nov/ Dec – BOS may hold Public Hearings

Board of Selectmen Meeting

For the date of: 06/20/2019

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: 19.33

(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 the bid for paving the town's streets to Crookers Construction.

Brief Description of Consent or Agenda Item: See memo

Submitted by: Dennis Cox, Public Works Director

Date: 05-16-2019



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



To: Rich Roedner
From: Dennis Cox
Subject: Awarding Paving Work for 2019-2020
Date: May 15, 2019

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

Crooker is willing to hold their price of \$ 71.95 per ton plus the escalator cost of tar. This per ton price is the same as last year.

For informational purposes, the tar price right now is \$ 550 per liquid ton compared to \$ 415 last year at this time. This increase in the liquid brings the current price to approximately \$74 per ton.

I am recommending that the Town hires Crooker Construction to do the paving work this season. Crooker works with the Town scheduling this work as Public Works gets a road ready and historically they do quality work. This price to Topsham is a competitive price when comparing the tonnages being placed over all and on individual jobs.

Please contact me if there are any questions.

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19-34

(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 the proposal for culvert on Brookside Drive.

Brief Description of Consent or Agenda Item: The culvert on Brookside Drive needs to be replaced, attached are 3 proposals along with pictures.

Submitted by: Dennis Cox, Public Works Director

Date: 05-16-2019



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



To: Rich Roedner
From: Dennis Cox
Subject: Award Repair Project for Brookside Drive Culvert
Date: May 16, 2019

The purpose of this memo is to ask the selectmen to award the culvert replacement under Brookside Drive to Barton Construction.

This past spring, a sink hole appeared near 2 Brookside Drive and after further investigation, it was determined the cause was because the culvert failed underneath it. I have included a couple of pictures showing the area and the culvert's condition. The pipe is approximately 15 feet deep and 100 feet long, too deep for Public Works to safely do the replacement. I have three proposals for this work:

Crooker Construction	\$ 47,500
Barton Construction	\$ 7,500
Ray Labbe	\$ 60,000

Both Labbe's and Crooker's proposals are for them to do the project complete. I would like to recommend Barton Construction, which allows the Public Works department to do some of the work and supply the materials for an overall cost savings.

The funding for this project will come from the Street Paving account.

Please contact me if there are any questions.

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19-35

(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 to the SAD #75 Board to complete an unfinished term until the November election.

Brief Description of Consent or Agenda Item: See attached list

Submitted by: Rich Roedner, Town Manager

Date: 05-02-2019

LIST OF SAD #75 Interviews

SAD #75 Board, Compete unfinished term until November Election 1 opening:

Weldon Larkin

Patrick Coen

Catherine Meier

Donald Koslosky, Jr

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19-36

(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
Carol Eyeran	Alternate CEO, Administrative/Enforcement
Mike Labbe	Civil Emergency
Chris McLaughlin	Fire Warden/Health Officer
Dennis Cox	Road Commissioner

Justin Hennessey Town Assessor – this appointment is for 5-years

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 05-02-2019

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19-37

(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 attached list of re-appointments and new applicants to Boards/Committees.

Brief Description of Consent or Agenda Item: See attached list

Submitted by: Rich Roedner, Town Manager

Date: 05-02-2019

List of Re-appointments

Bryan Bachelder	Weights & Measures	1 Potential opening
Gary Smart	Historic District	1 Potential opening
Gail Eaton	Finance Committee	3 Potential openings
Tori Ryan	Finance Committee	3 Potential openings
Stuart Kay	Water District Trustee	1 Potential openings
Robert Barry	Board of Assessment Review	1 Potential opening
Mark Ponziani	Sewer District	2 Potential openings
Christopher LeClerc	Sewer District	2 Potential openings
David Marcello	Board of Appeals	4 openings
Don Russell	Topsham Development, Inc	4 Potential openings
Steve Pelletier	Topsham Development, Inc	4 Potential openings

List of New appointments

Topsham Development, Inc Board	4 Potential openings
Andrew Sturgeon	

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19-38

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

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

Brief Description of Consent or Agenda Item: see attached

Submitted by: Rich Roedner, Town Manager

Date: 05-10-2019

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19-39

(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 entering into Executive Session pursuant to 36 M.R.S.A. § Title 1 405 (6) (F) to discuss tax acquired property.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 05-16-2019

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19-40

(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 entering into Executive Session pursuant to 36 M.R.S.A. § Title 1 405 (6) (F) to discuss tax acquired property.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 05-16-2019

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19-41

(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 entering into Executive Session pursuant to 36 M.R.S.A. § Title 1 405 (6) (F) to discuss tax acquired property.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 05-16-2019

Board of Selectmen Meeting

For the date of: 06/06/2019

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: 19-42

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

Brief Title of consent or Agenda Item: Consideration and any appropriate action on entering into Executive Session pursuant to 36 M.R.S.A. § Title 1 405 (6) (F) to discuss tax acquired property.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 05-16-2019