

**7:00PM Board of Selectmen Meeting
Topsham Municipal Building
Donald A. Russell Meeting Room
October 3, 2019**

Pledge of Allegiance –

Roll Call of Board Members –

Town Manager's Report –

Board and Committee Reports and Updates-

- Update from Denise Tepler, Representative House District #54

Public Comment –

Correspondence –

Adjustments to the Agenda –

Consent Calendar –

1. Approval of the minutes of the Regular Selectmen meeting September 19, 2019.
2. Approval to open polls at 8:00am on November 5, 2019 for the State wide Referendum Election and Municipal Annual Election, approval to extend the Registrar's office hours on Thursday, October 24, 2019 to remain open until 7:00pm for purpose of additional hours for voter registration as required by state statute 21-A§ 122.6. , appoint Linda Dumont as Warden for the State Election.

Public Hearing –

19-73- Consideration and any appropriate action on signing the Warrant for the Municipal Annual Town Meeting on November 5, 2019.

19-74- Consideration and any appropriate action on a Special Amusements License for Corey Edwin Garver Post 202 American Legion.

Unfinished Business –

Old Business –

New Business –

19-75- Consideration and any appropriate action on selling a land locked town owned parcel.

19-76- Consideration and any appropriate action on the acceptance of the bid for the RFP for the roof line/fascia repair and replacement on the Municipal Building.

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: 10/03/2019

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 09-19-2019.

Brief Description of Consent or Agenda Item: see attached

Submitted by Rich Roedner, Town Manager

Date: 09/19/2019

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
DONALD A. RUSSELL MEETING ROOM
SEPTEMBER 19, 2019 – 7:00 P.M

MEMBERS PRESENT: Marie Brilliant
William Thompson
Roland Tufts

MEMBER(S) ABSENT: David Douglass, Ruth Lyons

STAFF PRESENT: Assistant Town Manager Derek Scrapchansky

A meeting of the Topsham Board of Selectmen was held on Thursday September 19, 2019 in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine.

CALL TO ORDER

Vice Chairman William Thompson 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 Mr. Douglass and Ms. Lyons had been excused.

TOWN MANAGER'S REPORT

Our Assistant Town Planner, Carol Eyerman, has recently departed her position with the Town. We wish her the best, both professionally and personally, as she moves into her new position with the Town of Gorham. While we will miss the day-to-day interaction and her outstanding work, we know she will continue to do well and achieve success. Thank you Carol for your outstanding service.

The Topsham Public Library is offering its patrons more value with the rolling out of a state-wide pilot program which allows our patrons in good standing to check out items from participating libraries. The Maine Reciprocal Borrowing Program allows anyone with a valid library card from one of 68 participating libraries to visit any of the other participating libraries and check out materials in person. It is referred to as “walk-in” borrowing because it essentially turns your local library card into a “statewide” library card! Please visit the library for more information.

The Fire and Rescue Department will be hosting its annual Open House on October 6 from 12:00 p.m. to 4:00 p.m. They will have a bounce house, a smoke trailer and a CPR demonstration.

The public may call the fire station at 725-7581 if they have questions. The Fire Department will also send notification flyers to the schools.

Household Hazardous Waste Day is scheduled for October 19th from 9:00 a.m. to 1:00 p.m. in Brunswick. This is available to Topsham residents. Registration is required and may be done on the Town of Brunswick's website (www.brunswickme.org). Registration will be located on the public works page under "Household Hazardous Waste." It should be up and available for registration by tomorrow morning. You may call 725-6654 if you have any issues or questions.

Lastly, this year's tax bills are in the mail. Everyone should be receiving them soon.

BOARD AND COMMITTEE REPORTS AND UPDATES

Update from John Shattuck, Topsham Economic and Community Development, Inc. Director

Mr. Shattuck began his report in a playful manner, saying he was surprised to get a message from Chairman Douglass saying this would be a good evening (in his absence) to give a detailed, in depth report of all activity in the Town for the past year...so said he will begin to read his 45-page report!

Topsham Annex Park Water System Problem – This past Tuesday Steve Levesque hosted a meeting at the Town Office with all stakeholders, property owners, Town Staff, Highland Green representatives and the Water District to look at alternative approaches that could be developed for funding for the infrastructure. He is looking at making the system itself eligible for grant funding for USDA, Rural Water and the like by taking it from a private water system to being an established water utility. That should take approximately three to six months and should make the MRRA water system eligible for direct funding.

Affordable Housing – Looking at a number of tools for affordable housing that could be supported with grant work for infrastructure. This dovetails nicely with our last two Comprehensive Plans in trying to get more work force housing into the Town. It has great site work, has good highway connection, it is quiet and close to schools.

Highland Green, Phase 4 – Last Tuesday, Highland Green, Phase 4 came before the Planning Board and is very close to being completed. It was tabled for a more detailed plan of access and egress from the site. The applicant will be working with the Planning Staff.

Lawsuit - A lawsuit has been filed to appeal or revoke the permit for the replacement of the Topsham/Brunswick Frank J. Wood Bridge. This Board, together with the Brunswick Council, overwhelmingly supported this project. At least 90% of both communities have voted to support this project. Hopefully, this will be resolved quickly. The project has already been delayed from an RFP date of January 1st and next summer due to permitting issues with Hydro and regulatory commission. We are hopeful that construction will go forward in the spring of 2020.

PUBLIC COMMENT – None noted

CORRESPONDENCE – None noted

ADJUSTMENTS TO THE AGENDA

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

VOTED

To add Item 19-72 **CONSIDERATION AND ANY APPROPRIATE ACTION ON AUTHORIZING A POLE EASEMENT TO CMP**

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen's Meeting of September 5, 2019.

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

VOTED

To approve the minutes of the regular Selectmen's Meeting of September 5, 2019, as written.

PUBLIC HEARING – None Noted

UNFINISHED BUSINESS – None noted

OLD BUSINESS – None noted

NEW BUSINESS

19-71 CONSIDERATION AND ANY APPROPRIATE ACTION ON AUTHORIZING TOPSHAM SOLAR ALTERNATIVES TO PREPARE A DRAFT REQUEST FOR PROPOSALS FOR A MUNICIPAL SOLAR PROJECT ON THE TOWN'S BEHALF

Nick Whatley represented the Topsham Solar Advocates (TSA) and presented an update to the Board of what they have accomplished to date. A written report dated September 10, 2019 was given to the Board and is filed with these minutes. Accomplishments to date include:

- Investigated several forms of municipal solar projects
- Researched 24 municipal solar contracts
- Reviewed potential for developing a solar project on Town-owned land and determined that proximity to three-phase power and land development costs are not currently conducive to a cost-effective project
- Learned through research that there are a number of solar power contractors in a position to build large-scale, cost-effective projects on private land, either in Topsham or in a neighboring town
- Found the most cost-effective systems have been in the form of power purchase agreements which include non-binding system purchase option after seven years

Topsham Solar Advocate members include: Alice Elliott, Bob Garver, Victor Langelo, Yvette Meunier, Matt Nixon, Steve Pelletier, Dan Tompkins, Laura Whatley, Nick Whatley and John Berry.

Following Mr. Whatley's presentation, motion was made by Vice Chairman Thompson, seconded by Selectman Brilliant, and it was unanimously

VOTED

To authorize the Topsham Solar Advocates to prepare a draft report for a proposal for a Municipal Solar Project on the Town's behalf.

19-72 CONSIDERATION AND ANY APPROPRIATE ACTION ON AUTHORIZING A POLE EASEMENT TO CMP

Memo is in file from the Town Manager dated September 17, 2019 explaining that CMP is proceeding with a pole replacement/upgrade project that runs through Topsham. The location is along the power lines by Home Depot at the Topsham Fair Mall with total easement area being approximately 3,200 s.f. for a guy wire. It was noted that the easement will not affect any natural resource areas.

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

VOTED

To authorize the Town Manager to sign the easement to CMP and to proceed with closing.

EXECUTIVE SESSION – None noted

ADJOURN

Motion was made, seconded, and it was unanimously

VOTED

To adjourn the meeting at 7:18 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary

Members of the Board of Selectmen,

9/10/2019

As a follow-up to our 8/1/19 presentation to the Board, the Topsham Solar Advocates (TSA) have done the following:

- Investigated several forms of municipal solar projects
- Researched ~24 municipal solar contracts
- Reviewed potential for developing a solar project on town-owned land, and determined that proximity to three-phase power and land development costs are not currently conducive to a cost-effective project
- Learned through our research that there are a number of solar power contractors in a position to build large-scale, cost-effective projects on private land either in Topsham or in a neighboring town
- Found the most cost-effective systems have been in the form of power purchase agreements which include non-binding system purchase option after seven years.

Until the town has actual bids from solar companies for power purchase agreements, any true understanding of potential project costs and benefits will only be theoretical. In order to obtain actual cost-saving information for the town we request that the Board appoint the Topsham Solar Advocates as an ad-hoc committee to draft a non-binding RFP for the Board's review and approval. The ad-hoc committee would review all received proposals, and present the findings to the Board of Selectmen.

We feel strongly that given Maine's new solar policies and the phase out of the federal tax credits, we are now counting down the months the town has to investigate the potential costs savings at no risk to the town through a non-binding RFP.

Our team has the knowledge, expertise and interest to work on behalf of the town. We are comprised of a former solar installer, commercial and residential solar array owners, energy consultants and local business owners. Our research to date overwhelmingly indicates the economics will be favorable for Topsham. Attached is an analysis of how Topsham's current electrical costs compare to recent power purchase agreements of two local towns.

Thank you for your time and consideration.

Respectfully,

Alice Elliott, Bob Garver, Victor Langelo, Yvette Meunier, Matt Nixon, Steve Pelletier, Dan Tompkins, Laura Whatley, Nick Whatley, John Berry

Cc: David Douglas, Marie Brilliant, Ruth Lyons, Bill Thompson, Roland Tufts

Account Number	Service Location	Amount Due	Date Due
3501-0961-791	TOWN OF TOPSHAM 100 MAIN ST		04/22/2019
Invoice Number 712000438331	TOPSHAM ME 04086		

Your Account Summary	
Prior Balance	\$1,166.55
Payments received through 03/25/2019 - Thank you	-\$1,166.55
Balance Forward	\$0.00
Electricity Delivery Central Maine Power	+\$421.29
Electricity Supply CONSTELLATION NEWENERGY INC.	+\$620.83
Solar System Credit 9280KWh @ \$0.1294/KWh*	-\$1200.83
Please pay by 04/22/2019	\$0.00
Banked Credits	\$158.71

*Estimate based on legislation and current standard offer price.

PPA at \$.08 per KWh

PPA at \$.091 per KWh w 7 yr buyout

Example Month	
KWh generated	9280
CMP Credit at \$0.1294/KWh*	\$1200.83
Billed cost for generation	\$742.40
Savings this period	\$458.43

Example Month	
KWh generated	9280
CMP Credit at \$0.1294/KWh*	\$1200.83
Billed cost for generation	\$844.48
Savings this period	\$356.35
After buyout:	
Billed cost for generation	\$0.00
Savings this period	\$1200.83

Yearly Savings across all accounts

Total KWh/year	750,000
PPA credits	\$97,050
PPA cost	\$60,000
Yearly Savings	\$37,050

Total KWh/year	750,000
PPA credits	\$97,050
PPA cost	\$68,250
Yearly savings before buyout	\$28,800
Yearly savings after buyout	\$97,050

Board of Selectmen Meeting

For the date of: 10/3/2019

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 to open the polls at 8:00 am on November 5, 2019 for the State wide Referendum Election and the Municipal Annual Election.

Approval to extend the the Registrar's office hours on Thursday October 24, 2019 to remain open until 7:00 pm for the purpose of additional hours for voter registration as required by state statue 21-A§122.6

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

Brief Description of Consent or Agenda Item:

Submitted by: Linda Dumont, Town Clerk

Date: 9/19/2019

Board of Selectmen Meeting

For the date of: 10/03/2019

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 19-73

(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 signing the Warrant for the Municipal Annual Town Meeting on November 5, 2019.

Brief Description of Consent or Agenda Item:

Submitted by: Linda Dumont, Town Clerk

Date: 9-19-2019

WARRANT FOR THE ANNUAL TOWN MEETING

Topsham, Maine
Sagadahoc, ss

October 3, 2019

TO: Police Chief Christopher Lewis, Constable of the Town of Topsham

GREETING:

You are hereby required in the name of the State of Maine to notify and warn the Inhabitants of the Town of Topsham, qualified to Vote on Town Affairs, to assemble at the Exhibition Building at the Topsham Fairgrounds on the Fifth day of November, AD 2019 at 8:00 a. m. Eastern Standard Time then and there to act on Articles 1 through 2 to wit:

ARTICLE 1 – To elect a Moderator to preside at said meeting.

ARTICLE 2 – To elect by secret ballot two Selectman/Overseer of the Poor, each for a three-year term, and to elect one M.S.A.D. No. 75 School Board Director for a three-term and to elect two members to fill the remainder of the unexpired term through November 2020, by secret ballot in accordance with the provisions of Title 30-A, Section 2538 of the Maine Revised Statues of 1964 amended and recodified.

The place of Voting shall be as follows:

All residents are to vote at the Exhibition Building located at the Topsham Fairgrounds 32 Community Way.

All voting shall be held on the First Tuesday after the first Monday in November.

The polls will be open at eight o'clock in the morning Eastern Standard Time and they shall remain open until eight o'clock in the evening Eastern Standard Time.

Processing absentee ballots will occur on Election Day November 5th at 10:00 a.m., 11:00 a.m., 1:00 p.m., 2:00 p.m. 3:00 p.m., 4:00 p.m., 6:00 p.m. and 7:00 p.m.

Given under our hands this first day of October 3, 2019

The Registrar's office located at the Municipal Complex is open Monday-Friday during regular business hours and on Thursday, October 24th until 7:00 pm for the purpose of registering to vote, voting, and to make changes to current voter information.

David Douglass, Chairman

William Thompson, Vice Chair

Ruth Lyons

Marie Brilliant

Roland Tufts

A true copy of the warrant

Attest: _____
Clerk of: Topsham

NOTICE
PUBLIC HEARING
TOWN OF TOPSHAM

NOTICE IS HEREBY GIVEN that the Board of Selectmen of the Town of Topsham shall hold a Public Hearing on October 3, 2019 at the Topsham Municipal Building at 7:00 p.m. for the purpose of reviewing, discussing and taking possible action on the Warrant Articles for the Town Meeting to be held November 5, 2019.

All interested persons are invited to attend the public hearings and will be given opportunity to be heard at that time.

Board of Selectmen Meeting

For the date of: 10/03/2019

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: 19-74

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

Brief Title of consent or Agenda Item: Consideration and any appropriate action on a Special Amusements License for Corey Edwin Garver Post 202 American Legion.

Brief Description of Consent or Agenda Item:

Submitted by: Linda Dumont, Town Clerk

Date: 09-24/2019

TOWN OF TOPSHAM

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

APPLICATION FOR LICENSE OR PERMIT

Please complete:

Type of Business:

- Partnership- Partner's Names: _____
- Corporation- Corporation Name _____
Incorporation Date: _____ Incorporation State _____

Type of License SPECIAL Amusement
~~Amusement License & Entertainment~~

New License: Opening Date _____ Renewal

Business Name: Corey E Garver 202
American Legion Post E-Mail: AmericanLegionPost202me@gmail.com

Business Address: 79 Foreside Rd Business Phone Number 207-729-9870
Name of Contact Person: Nancy Gillespie Contact's Phone Number 207-975-1923
Mailing Address for Correspondence: Same as Above

Signature of Applicant: [Signature] Date: 9/18/19

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

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

Corporations Please Complete:
Address of Incorporation: _____ Phone#: _____
Name of Corp. Officer, Owner, or Partners: Title Address % of Stock ownership

Office Use Only (Make copy of signed State application for office file)
Type of License: SA Permit Fee \$ 50 Paid Advertising Fee \$ 100 Paid
For Peddler-Police Chief sign off required: _____
Required Approvals for Special Amusement and new Liquor license: BOS Fire Police
Public Hearing Posted Public Notice Dates 9/30, 10/1+2 Copy of current State liquor license
Town Clerk Signature [Signature]
Comments: Everything is in order.

Complete back

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

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

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

*** Include supplemental pages 3 &4**

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

*Provide a diagram of room to be used

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

Number of machines/ Pinball_____ Number of machines/ Video_____

*Copy of application to Police Department

Victualer (Food Service Establishment to include Bed and Breakfast) Expires May 31st

Describe food to be sold_____

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

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

FSE Outside Liquor Service Extension of Premise

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

Describe food to be sold_____

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

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

Description of nature of business and goods to be sold_____

Name and address of employer and evidence of employment

Vehicle Description: Make_____ Model_____ Year_____ Color_____ License plate # _____

Photo of applicant taken with- in 60 days of application

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

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

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

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

Number of Taxicabs for which license is desired_____

Taxicab Driver \$25 annually

SUPPLEMENTAL APPLICATION IS REQUIRED

***Supplemental page for Special Amusement Permit**

Describe in detail the type and nature of entertainment:

DJ, Bands

Pot of Gold

Sealed tickets

3-card challenge

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

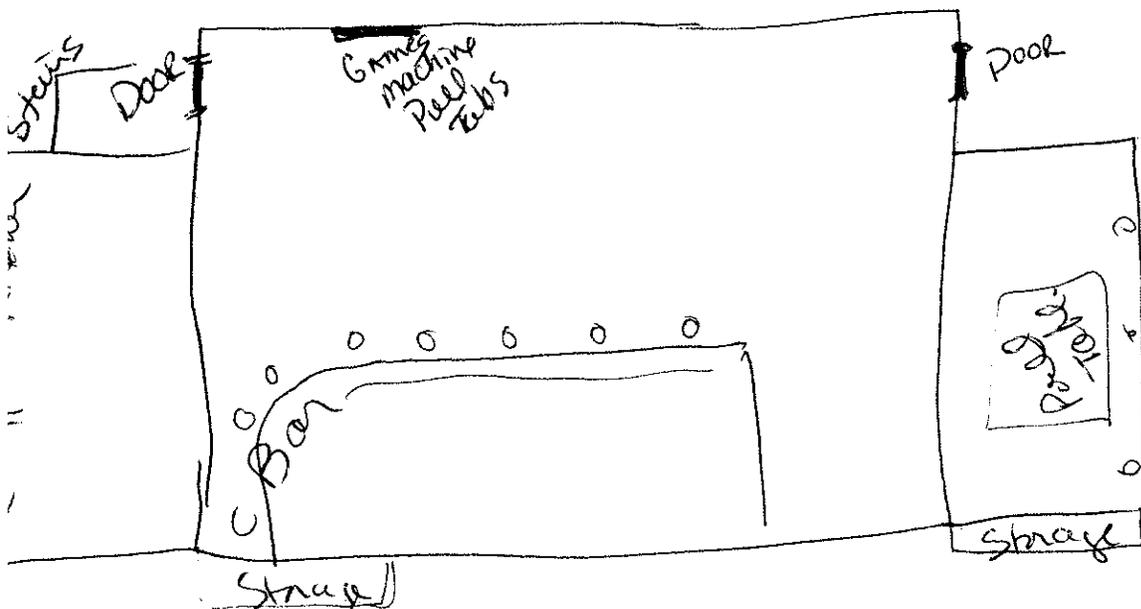
downstairs lounge - capacity 81

upstairs hall - capacity 263

List the hours of entertainment

M-W 3pm-8pm Th-Sun 1pm-9pm

DIAGRAM



Topsham Board of Selectmen

Signatures:

Date: _____

Linda Dumont

From: Chris Lewis
Sent: Wednesday, September 18, 2019 11:30 AM
To: Linda Dumont
Subject: RE: inspections

The Police Department does not have any concerns regarding the renewal for the American Legion.

Christopher A. Lewis
Chief of Police
Topsham Police Department
100 Main Street
Topsham, ME 04086
207-725-4337
Fax: 207-725-4604
Email: clewis@topshammaine.com

From: Linda Dumont
Sent: Tuesday, September 17, 2019 3:48 PM
To: Chris Lewis <clewis@topshammaine.com>; Chris McLaughlin <cmclaughlin@topshammaine.com>
Cc: Mike Labbe <mlabbe@topshammaine.com>
Subject: inspections

Hi Guys,
The American Legion will be submitting a special amusement application and their liquor renewal application. Please let me know if you have any concerns. Thanks, Linda

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

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

Linda Dumont

From: Mike Labbe
Sent: Wednesday, September 25, 2019 11:49 AM
To: Linda Dumont
Subject: American Legion

Linda

We did an inspection at the American Legion, found 2 minor issues which they will address. We have no issues with them renewing their licence for another year.

Mike



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

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

MAINE BUREAU OF Alcoholic Beverages & Lottery Operations	MAINE BUREAU OF Alcoholic Beverages & Lottery Operations								
Liquor License Status Search Service	Liquor License Status Search Service								
Home BABLO More Online Services									
<p>SERVICE INFORMATION</p> <p>FAQ</p> <p>State Monthly Summary Reports</p> <p>LICENSE STATUS SEARCH</p> <p>License No.: <input type="text"/></p> <p>or</p> <p>Account Name (DBA): <input type="text"/></p> <p>or</p> <p>Street Address: <input type="text" value="foreside"/></p> <p>City: <input type="text" value="topsham"/></p> <p><input type="button" value="Search"/></p>	<p>License Status Search: Details</p> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">Licensee Information</p> <p>Business Name: AMERICAN LEGION COREY EDWIN GARVER POST #202</p> <p>License Number: 3016</p> <p>In Business: Yes</p> <p>Location Address: 79 FORESIDE ROAD</p> <p>City/Town: TOPSHAM</p> <p>State: ME</p> <p>Telephone Number: 729-9870</p> </div> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">License Held</th> <th style="text-align: center;">License Status</th> <th style="text-align: center;">License Effective Date</th> <th style="text-align: center;">Licensee Expiration Date</th> </tr> </thead> <tbody> <tr> <td>CLASS I - SPIRIT, WINE, AND MALT LIQUOR</td> <td style="text-align: center;">Active</td> <td style="text-align: center;">10/10/2018</td> <td style="text-align: center;">10/9/2019</td> </tr> </tbody> </table> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="text-align: center;">Premise Description</p> <p>CLUB WITH CATERING PRIVILEGES</p> </div> <p style="text-align: center; margin-top: 20px;"><input type="button" value="New Search"/></p> <p style="text-align: center; font-size: small;"> Questions about this Service? Contact Liquor Licensing at: (207) 624-7220 or Email: liquor_licensing@maine.gov </p>	License Held	License Status	License Effective Date	Licensee Expiration Date	CLASS I - SPIRIT, WINE, AND MALT LIQUOR	Active	10/10/2018	10/9/2019
License Held	License Status	License Effective Date	Licensee Expiration Date						
CLASS I - SPIRIT, WINE, AND MALT LIQUOR	Active	10/10/2018	10/9/2019						
Technical Assistance BABLO Maine.gov Privacy Security									
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Board of Selectmen Meeting

For the date of: 10/03/2019

Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
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- Old Business
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Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number 19-75

(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 selling a land locked town owned parcel.

Brief Description of Consent or Agenda Item: see attached

Submitted by Rich Roedner, Town Manager **Date:** 09/25/2019

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: September 25, 2019
Re: Request to purchase Town-owned property
Map R08, Lot 52

We recently received a letter from a resident asking if we would consider selling a piece of property, Map R08, Lot 52, located off of Middlesex Road, behind Clearview Lane (see attached property card information). We acquired this parcel in 1938.

Attached to this memo are:

- Email from resident, with my initial reply
- Comments from Dennis Cox
- Comments from Justin Hennessey
- Comments from Rod Melanson
- Comments from Conservation Commission.

As you will see, Public Works has no interest in the property.

Justin asked whether this parcel is adjacent to the Merrymeeting Trail as planned. The answer is yes, this is adjacent to the planned pathway of the Trail, which DOT is considering as a Trail of Statewide Significance.

Rod noted that the parcel is adjacent to the Clearview Subdivision, which has a possible future road connection. However, since this is a private road, future access is not at all guaranteed. In addition, he sited the presence of wetlands, the likelihood of vernal pools, and the adjacency to the Merrymeeting Trail.

The Conservation Commission is recommending that the Town retain the property, due to the high water table, the likelihood of significant vernal pools, and the significant impediments to developing this lot.

Based on these comments, it would seem reasonable to retain this property, as selling it for a building lot would result in environmental impacts that we should be trying to avoid.

Rich Roedner

From: Rich Roedner
Sent: Thursday, September 5, 2019 12:29 PM
To: Eric Gilbert
Cc: Rich Roedner
Subject: RE: Lot 52 map r08

Eric

Thank you for your request. I will send the request to various town departments and committees for any comments that they may have, and then I will bring your request to the Board of Selectmen, along with the staff/committee comments.

Ultimately, it is the Board that will decide whether to dispose of the property or not, and under what manner. Typically, we put such things out to bid, and seek proposals from interested buyers. I would guess that this item will be ready for the Board's first meeting in October, which will be October 3. We will send you notice ahead of time, along with any staff/committee comments that we receive.

Please let me know if you have any questions.

Thanks

Rich

Rich Roedner
Town Manager

207-725-5821

From: Eric Gilbert <ff_empt2008@yahoo.com>
Sent: Thursday, September 5, 2019 11:43 AM
To: Rich Roedner <rroedner@topshammaine.com>
Subject: Lot 52 map r08

Good morning

I am just wonder if the town of topsham is interested in sell lot 52 on map r08

Thank you
Eric Gilbert

Total Control Panel

[Login](#)

To: rroedner@topshammaine.com
From: ff_empt2008@yahoo.com

Message Score: 1
My Spam Blocking Level: Medium

High (60): Pass
Medium (75): Pass
Low (90): Pass

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Rich Roedner

From: Dennis Cox
Sent: Tuesday, September 10, 2019 8:15 AM
To: Rich Roedner
Subject: RE: Lot 52 map r08

I have looked over the area in general and don't see any concerns to Public Works, for or against giving it up.

Dennis Cox
Public Works Director
Town of Topsham
100 Main Street (mailing)
10 Maintenance Way (Actual)
Topsham, Me 04086

(207) 725-1728

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

From: Rich Roedner
Sent: Thursday, September 05, 2019 12:41 PM
To: Rod Melanson; Pam Leduc; Dennis Cox; Justin Hennessey
Cc: Rich Roedner; Derek Scrapchansky; Rose Woodd
Subject: FW: Lot 52 map r08

We have received a request from Eric Gilbert about Map R08, Lot 52, which is a town-owned parcel about 8.6 acres in size. It is landlocked, with frontage on the RR tracks. It lies behind the lots on Clearview Lane, and parcels off of what shows up on the tax maps as Portage Way.

I would like your comments on the parcel, any benefit to the Town in holding on to the parcel, information on the parcel, how we acquired it, etc.

Rod, can you also pull the Conservation Commission in on this for their recommendation?

Please reply by Sept. 20 so I can prepare it for the October 3 BoS meeting.

Thanks

Rich

Rich Roedner
Town Manager

207-725-5821

Rose Woodd

From: Justin Hennessey
Sent: Thursday, September 05, 2019 1:00 PM
To: Rich Roedner; Rod Melanson; Pam Leduc; Dennis Cox
Cc: Derek Scrapchansky; Rose Woodd
Subject: RE: Lot 52 map r08
Attachments: R08-052 Property Card.pdf; BK0204 PG0359.pdf

Deeded to the Town in 1938. Copies of the property card and the deed are attached. No surveys that I am aware of.

For consideration, is the abutting railroad the one proposed as a rail trail to Augusta?

Justin Hennessey, CMA
Assessor / Addressing Officer
Town of Topsham
100 Main Street
Topsham, ME 04086
Phone 207-725-1722
Fax 207-725-1736

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

From: Rich Roedner
Sent: Thursday, September 05, 2019 12:41 PM
To: Rod Melanson <rmelanson@topshammaine.com>; Pam Leduc <pledud@topshammaine.com>; Dennis Cox <dcox@topshammaine.com>; Justin Hennessey <jhennessey@topshammaine.com>
Cc: Rich Roedner <rroedner@topshammaine.com>; Derek Scrapchansky <dscrapchansky@topshammaine.com>; Rose Woodd <rwoodd@topshammaine.com>
Subject: FW: Lot 52 map r08

We have received a request from Eric Gilbert about Map R08, Lot 52, which is a town-owned parcel about 8.6 acres in size. It is landlocked, with frontage on the RR tracks. It lies behind the lots on Clearview Lane, and parcels off of what shows up on the tax maps as Portage Way.

I would like your comments on the parcel, any benefit to the Town in holding on to the parcel, information on the parcel, how we acquired it, etc.

Rod, can you also pull the Conservation Commission in on this for their recommendation?

~~Please reply by Sept. 20 so I can prepare it for the October 3 BoS meeting.~~

Thanks

Rich

Know all Men by these Presents, That

I, Eustache Martin of Brunswick in the County of Cumberland and the State of Maine

In consideration of one dollar and other good considerations (no documentary stamp being paid by ^{required})
The Inhabitants of the Town of Topsham in the County of Sagadahoc and the State of Maine

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Inhabitants of the Town of Topsham, their successors and assigns forever.

A certain lot or parcel of land situated in said Topsham and being bounded north-erly by land now or formerly of George R. Tedford; easterly and westerly by land now or formerly of the Diamond Match Company and southerly by land of the Maine Central Railroad; being all and the same premises described in the deed of Tele- phone Lapoint to Henry Beaulieu dated December 15, 1926 and recorded in the Sagada- hoc County Registry of Deeds in Book 165, page 107 to which deed with its ^{record} reference is hereby made for a further description of the premises herein conveyed.

To Have and to Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Inhabitants of the Town of Topsham, their successors and their use and behoof forever. And I do covenant with the said Grantee, their heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances;

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs, shall and will warrant and defend the same to the said Grantee, their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, the said Eustache Martin and I, Antionette Martin wife of the said Eustache Martin joining in this deed as Grantor and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hand and seal this fifth day of April in the year of our Lord one thousand nine hundred and thirty-eight.

Signed, Sealed and Delivered in presence of

Joseph A. Aldred to both

Eustache Martin Seal
Antoinette Martin Seal

State of Maine, Sagadahoc ss. April 5, 1938
the above named Eustache Martin
and acknowledged the above instrument to be his free act and deed.

Personally appeared

Before me, Joseph A. Aldred
Notary Public. Seal

Received Apr 6, 1938, at 10 h - m, A. M., and recorded from the original.

Property Location: 0 MIDDLESEX RD #REAR

MAP ID: R08/052///

Bldg Name:

State Use: 903V

Vision ID: 922

Account #924

Bldg #: 1 of 1

Sec #: 1 of 1 Card 1 of 1

Print Date: 09/05/2019 12:54

CURRENT OWNER	TOPO	UTILITIES	STRT/ROAD	LOCATION	CURRENT ASSESSMENT			
TOWN OF TOPSHAM	2 Above Street		3 Unpaved	3 Rural	Description	Code	Appraised Value	Assessed Value
100 MAIN ST	4 Rolling				EXM LAND	9030	16,600	16,600
TOPSHAM, ME 04086					EXM LAND	9900	1,000	1,000
Additional Owners:	SUPPLEMENTAL DATA				Total			
	Other ID:	SUBD / SURVDEED						
	TIF CODE 0	VISIT						
	TELEPHONE 0	APPROVAL						
	TG ENROLL Y10	SOLAR						
	TG PLAN YR 0	ASSOC PID#						
	Ref 1							
	GIS ID: R08-052							

4108
TOPSHAM, ME
VISION

RECORD OF OWNERSHIP	BK-VOL/PAGE	SALE DATE	q/u	v/i	SALE PRICE	V.C.	PREVIOUS ASSESSMENTS (HISTORY)								
TOWN OF TOPSHAM	204/ 359	04/06/1938	U	V		0 IN	Yr	Code	Assessed Value	Yr	Code	Assessed Value	Yr	Code	Assessed Value
MARTIN EUSTACHE	16S/ 107	12/15/1926	U	V		0 IN	2018	9030	16,600	2018	9030	16,600	2017	9030	16,600
							2018	9900	1,000	2018	9900	1,000	2017	9900	1,000
							Total:			Total:			Total:		

EXEMPTIONS				OTHER ASSESSMENTS			
Year	Type	Description	Amount	Code	Description	Number	Amount
2007	13	TOWN PROPERTY	0.00				
Total:			0.00				

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD				
NBHD/SUB	NBHD Name	Street Index Name	Tracing	Batch
0001/A				

APPRAISED VALUE SUMMARY	
Appraised Bldg. Value (Card)	0
Appraised XF (B) Value (Bldg)	0
Appraised OB (L) Value (Bldg)	0
Appraised Land Value (Bldg)	17,600
Special Land Value	0
Total Appraised Parcel Value	17,600
Valuation Method:	C
Exemptions	0
Adjustment:	0
Net Total Appraised Parcel Value	17,600

NOTES
CONSERVATION COMMISSION SUGGESTS
RETAIN FOR POTENTIAL PUBLIC ACCESS

BUILDING PERMIT RECORD									VISIT/ CHANGE HISTORY					
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments	Date	Type	IS	ID	Cd	Purpose/Result
									09/05/2019			JH	99	Vacant Land
									10/03/2012			JH	99	Vacant Land
									01/16/2007			KN	99	Vacant Land

LAND LINE VALUATION SECTION																			
B #	Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	L Factor	S.A.	Acre Disc	C Factor	ST Idx	Adj.	Notes-Adj	Special Pricing	S Adj Fact	Adj. Unit Price	Land Value
1	903V	TOPSHAM VAC MDL-0	R2				43.560	SF	1.89	1.0000	1	1.0000	0.25	40	0.90	LL	.98	0.25	10,700
1	903V	TOPSHAM VAC MDL-0	R2				5.48	AC	5,000.00	1.0000	0	0.9600	0.25	40	0.90	LL	1.00	1,080.00	5,900
1	993W	EXEMPT WETLAND	R2				2.12	AC	500.00	1.0000	0	1.0000	1.00	40	0.90		1.00	450.00	1,000
Total Card Land Units:							8.60	AC	Parcel Total Land Area: 8.6 AC							Total Land Value: 17,600			

Property Location: 0 MIDDLESEX RD #REAR

MAP ID: R08/ 052/ 11

Bldg Name:

State Use: 903V

Vision ID: 922

Account #924

Bldg #: 1 of 1 Sec #: 1 of 1 Card 1 of 1

Print Date: 09/05/2019 12:54

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)								
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description					
Model	90											
MIXED USE												
			<i>Code</i>	<i>Description</i>			<i>Percentage</i>					
			903V	TOPSHAM VAC MDL-06			100					
COST/MARKET VALUATION												
			Adj. Base Rate:				0.00					
			Replace Cost				0					
			AYB				0					
			EYB				0					
			Dep Code									
			Remodel Rating									
			Year Remodeled									
			Dep %									
			Functional Obslnc									
			External Obslnc									
			Cost Trend Factor				0					
			Condition									
			% Complete									
			Overall % Cond									
			Apprais Val									
			Dep % Ovr				0					
			Dep Ovr Comment									
			Misc Imp Ovr				0					
			Misc Imp Ovr Comment									
			Cost to Cure Ovr				0					
			Cost to Cure Ovr Comment									
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
<i>Code</i>	<i>Description</i>	<i>Sub</i>	<i>Sub Descript</i>	<i>LB</i>	<i>Units</i>	<i>Unit Price</i>	<i>Yr</i>	<i>Gde</i>	<i>Dp Rt</i>	<i>Cnd</i>	<i>%Cnd</i>	<i>Apr Value</i>
BUILDING SUB-AREA SUMMARY SECTION												
<i>Code</i>	<i>Description</i>	<i>Living Area</i>	<i>Gross Area</i>	<i>Eff Area</i>	<i>Unit Cost</i>	<i>Undeprec. Value</i>						
<i>Ttl. Gross Liv/Lease Area:</i>		0	0	0								



Rich Roedner

From: Rod Melanson
Sent: Thursday, September 26, 2019 11:06 AM
To: Rich Roedner
Subject: R08 -52

Rich,

In looking at this parcel, it abuts the Clearview Estates subdivision where there is a provision on the plan for a possible future road extension. Clearview is still a private road, so access to the town parcel (for development purpose) would need to be worked out with the landowners.

As stated from the conservation commission town owned inventory reviews, and looking within our GIS mapping of the area, there are significant wetlands throughout the site.

The site abuts the rail corridor where recent planning on creating a trail corridor that connects to Head of Tide Park area, and continuing through to neighboring communities has been supported by the community.

The parcel is within the R2 zoning district, as well as within the Vernal Pool overlay district. No other overlay zoning effects the parcel.

Rod Melanson
Director-Planning, Development & Codes
Town of Topsham
100 Main Street
Topsham, ME 04086
(207) 725-1724
rmelanson@topshammaine.com

 Be Green! Only print this email when necessary.

Per 1 MRSA § 402(3), correspondence to/from municipal offices/officials (with limited exceptions) is a public record and available for review by any interested party.

Rich Roedner

From: Victor Langelo <vlangelo@eclipseservices.com>
Sent: Tuesday, September 17, 2019 9:44 PM
To: Rich Roedner; Rod Melanson
Cc: Steve Pelletier; Shana Deeds; Raija Suomela
Subject: Review and recommendation for Lot R08-52
Attachments: Recommendation for Lot R08-52.pdf; Property Conservation Value Lot R08-52.pdf

Dear Rich,

Here's the Conservation Commissions recommendation for Lot R08-52. I've also included our worksheet for conservation values.

Let me know if you need any more information about the property.

--Victor

Total Control Panel

[Login](#)

To: rroedner@topshammaine.com
From: vlangelo@eclipseservices.com

Message Score: 1
My Spam Blocking Level: Medium

High (60): Pass
Medium (75): Pass
Low (90): Pass

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This message was delivered because the content filter score did not exceed your filter level.

Rich Roedner

From: Pelletier, Steve <steve.pelletier@stantec.com>
Sent: Thursday, September 19, 2019 3:19 PM
To: Victor Langelo; Rich Roedner; Rod Melanson
Cc: Shana Deeds; Raija Suomela
Subject: RE: Review and recommendation for Lot R08-52

My apologies for this delayed reply. Victor and I had the opportunity to walk the site Saturday. He then graciously forwarded a draft for my review on Monday but I was up north without e-access and unable to review until after a final was sent.

The account of our findings is essentially correct and factual. I will however offer the following to further support the reported findings relative to wetland and vernal pool habitat.

The entire site is forested with significant portions dominated by forested wetland exhibiting pit and mound topography. The lower, pit areas are dominated by water stained leaves that indicate a relatively high water table and sustained pooling (i.e., there's a prolonged hyroperiod). A high percentage of these depressions include physical features that are often associated with vernal pools. Whether these pools are regulated and considered Significant in terms of their amphibian breeding quality can only be assessed by a properly timed spring site review(s). Given the extent of pooling on the parcel (as well as the documented presence of other mapped vernal pools w/in the local area), we could expect a high likelihood of some use by vernal pool (indicator) species. We recommend that an early (typically late March/early April) and late (May) season field assessment be conducted during the vernal pool breeding period to assess presence/absence of indicator species.

Hope that's helpful. Again, apologies for the delayed reply. skp

-----Original Message-----

From: Victor Langelo <vlangelo@eclipseservices.com>
Sent: Tuesday, September 17, 2019 9:44 PM
To: Rich Roedner <Rroedner@topshammaine.com>; Rod Melanson <rmelanson@topshammaine.com>
Cc: Pelletier, Steve <steve.pelletier@stantec.com>; Shana Deeds <ssdeeds@bowdoin.edu>; Raija Suomela <suomelar@gmail.com>
Subject: Review and recommendation for Lot R08-52

Dear Rich,

Here's the Conservation Commissions recommendation for Lot R08-52. I've also included our worksheet for conservation values.

Let me know if you need any more information about the property.

--Victor

Total Control Panel

[Login](#)

To: rroedner@topshammaine.com [Remove this sender from my allow list](#)
From: steve.pelletier@stantec.com

Town of Topsham



Conservation Commission

100 Main Street
Topsham, Maine 04086

Planning Office: (207) 725-1724
Codes Office: (207) 725-1723

September 16, 2019

Rich Roedner, Town Manager
100 Main Street
Topsham, ME 04086

Dear Mr Roedner,

The conservation commission reviewed the existing information on town owned Lot# R08-52 which is a back lot between Clearview Lane and Portage Way. This and the neighboring parcel are identified in the focus areas for conservation in our Natural Areas Plan. Steve Pelletier and I conducted a site walk there this past Saturday to reaccess and confirm the existing evaluation in our inventory.

The property is forested with mostly new growth and a few old hemlocks. The forest floor is pit and mounds. Most pits are clearly very wet in the spring. It's our opinion that there are significant vernal pools on this property. We would need to return in the spring to confirm. The wet nature would present several obstacles to development including limited potential for septic. There is ample evidence that this area provides habitat for deer and is an established hunting grounds. There is also an informal ATV trail connecting neighbors with the railroad corridor.

Considering the low potential for development, the wildlife habitat and current recreational value, we believe the town should hold on to this property at least until the presence of significant vernal pools can be determined.

Sincerely,

A handwritten signature in black ink that reads "Victor J. Langelo".

Victor Langelo
Chair, Topsham Conservation Commission

Property Conservation Value

Property Location: Map Lot R08-52 between Clearview Lane and Portage Way.

Principal Qualifying Criteria

Criteria	High Yes	Med	Low No	Comments
Lands located within or adjacent to an identified Focus Area	X			NAP Focus area
Lands located within or adjacent to identified un-fragmented habitat blocks		X		
Working farm or forestland			X	
Wetland value		X		Pit and mound
Permanent stream and/or stream channel			X	
Riparian land			X	
Wildlife corridor (provides connectivity between high value habitat areas)		X		
Recreational trail potential and/or connective value supporting outdoor recreation		X		Borders future trail corridor
Water access			X	
Rare species habitat or state listed natural community	X			Potential Vernal Pools
Scenic value			X	
General outdoor recreational value		X		Hunting
and Historic or archeological value			X	

Secondary Factors:

The decayed leaves and forest floor growth on this and the neighboring tree growth property indicate a significant number of vernal pools. Some are wet even in September. A few large hemlocks. Mostly forested with younger trees and stump sprouts.

Dear scat, tracks and a number of hunting stands indicate dear habitat and recreational hunting.

Board of Selectmen Meeting

For the date of: 10/03/2019

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 19-710

(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 acceptance of the bid for the RFP for the roof line/fascia repair and replacement on the Municipal Building.

Brief Description of Consent or Agenda Item: see attached

Submitted by Derek Scrapchansky, Assistant Town Manager

Date: 09/25/2019

MEMORANDUM

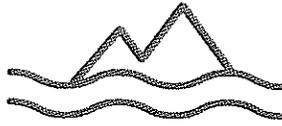
To: Richard Roedner, Town Manager
From: Derek Scrapchansky, Asst. Town Manager
Date: September 26, 2019
Re: Painting and Replacing Trim/Fascia/Soffits on the Municipal and Public Safety buildings

Since the last update was presented to the Board of Selectmen on June 6, 2019, an inspection and assessment report was provided by SMRT Architects and Engineers. SMRT is the same company that designed the Municipal and Public Safety buildings. The report recommends that repair work to the municipal building occur as soon as possible given the extent of deterioration and immediate risk of water damage to other parts of the building. The repairs include the removal of all vertical and horizontal fiber cement trim boards on the dormer and those bound by the metal roof drip edge to the soffit vent and replace with new PVC material of the same dimensions. The project would also include installing new flashing, painting, and sealing of the entire trim/fascia/soffits. The assessment report also suggested that repair work for the public safety building could be deferred one to two years if necessary. During the development of the assessment report, it was discovered the Town approved a material change (PVC to cement board) prior to the construction of the Municipal Complex to reduce cost. The decision to change to cement board was not questioned as it was also advertised to be as durable and require low maintenance.

Following receipt of the SMRT assessment report, a Request for Proposals (RFP) was developed with the assistance of Frontline Construction Services, a commercial construction management company, using SMRT's assessment report recommendations. The RFP was advertised in the Times Record and posted on the Maine Municipal and the Town of Topsham's websites. On September 20, 2019 a mandatory pre-bid meeting was held and only one contractor, Lajoie Bros. Inc. was present. Lajoie Bros. stated the work would be done by the beginning of December, but due to the cold weather settling in, the new material will have one coat of paint and will be sealed when installed. A second coat of paint would be applied in the spring/summer next year. Lajoie Bros. bid for the municipal building project is \$74,777. This bid does not include any contingencies for damage or rot that may be discovered during the project. The project would be funded through the remaining FY2020 Capital Replacement line and the remaining funds, to include any contingencies, from FY2019 Capital Reserve Replacement account.

Recommendation(s):

- Accept Lajoie Bros. bid of \$74,777 and approve recommended repairs for the Municipal building immediately.
- Prepare to budget and submit an RFP for similar work on the Public Safety building during FY 2021.



Frontline Construction Services

Commercial Construction Management

Request for Proposals

Town of Topsham, Maine Municipal Complex

Roof Line Eave/Fascia Repair & Replacement

The Town of Topsham is seeking proposals from qualified contractors for the replacement of the existing roof line eave, fascia trim and cornice on the Municipal Building located at 100 Main Street, Topsham, Maine. There will be a mandatory pre-bid meeting held at the site Friday, September 20, 2019 at 8:00 AM. Sealed bids shall be addressed to Derek Scrapchansky, Assistant Town Manager, 100 Main Street, Topsham, ME 04086 and delivered no later than 1:00 PM Thursday, September 26, 2019.

General Project Summary

The proposed project includes the removal of a portion of the existing pre-finished fiber cement eave/fascia/cornice profile, replacement with new PVC trim boards, caulking and painting in accordance with manufacturers recommended practices.

Scope Specifics

Municipal Building:

Remove all vertical and horizontal fiber cement trim boards bound by the metal roof drip edge to the soffit vent, including the Fypon cornice moldings.

Trim boards that are inboard of the soffit vent (including the frieze board) vent shall remain.

Replace all removed fiber cement trim boards with new PVC trim of the same dimensions as those removed, caulk/seal all joints and fastener holes.

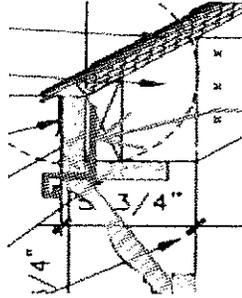
Remove and replace existing soffit vent insect screen. The new vent assembly's free area shall not be less than what is currently in place.

Replace the removed Fypon cornice molding with new PVC molding matching the existing cornice profile. Install new paintable flashing at the horizontal head joint at the top of the molding. New thru-wall flashing shall have a 4" vertical back-leg head behind the adjacent new PVC trim, as well as a +/-1" drip projection with hemmed edge (see Sketch).



Frontline Construction Services

Commercial Construction Management



The pediment rake trim assemblies over the main entries are not to be included in the removal and replacement scope.

While the work is being performed any deterioration of the soffit framing, defects in the inboard trim, frieze board or any other materials to remain shall be immediately brought to the Owner's attention.

Provide new joint sealant to all new and existing work in accordance with manufacturer's recommendations.

Apply new paint system in compliance with manufacturer's recommendations to entire eave/fascia profile including frieze board to ensure visual consistency between the new and existing materials.

Coordination:

Contractor will be required to coordinate the execution of the work with the Owner to minimize the impact on the operations of the Owner and to maintain a safe work environment for the Owner's staff.

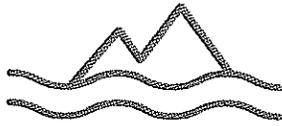
Bidder Qualifications:

Minimum insurance requirements are as follows:

Town of Topsham be named as "Additional Insured" on the contractor's policy.

Workers' Compensation insurance for all employees on the Project Site in accordance with the requirements of the Workers' Compensation law of the State of Maine. Minimum acceptable limits for Employer's Liability are:

Bodily Injury by Accident	\$500,000
Bodily Injury by Disease	\$500,000 Each Employee
Bodily Injury by Disease	\$500,000 Policy Limit



Frontline Construction Services

Commercial Construction Management

Commercial General Liability insurance providing coverage for bodily injury and property damage liability for all hazards of the Project including premise and operations, products and completed operations, contractual, and personal injury liabilities. The policy shall include collapse and underground coverage as well as explosion coverage if explosion hazards exist. Aggregate limits shall apply on a location or project basis. Minimum acceptable limits are:

Each occurrence (combined single limit per occurrence)	\$1,000,000
Bodily Injury and Property Damage Liability	\$1,000,000
Independent Contractors Liability	\$1,000,000
Contractual Liability	\$1,000,000
Products and completed operations Liability	\$1,000,000
General aggregate limit	\$2,000,000
Excess/Umbrella Liability per occurrence	\$1,000,000

Automobile Liability insurance against claims for bodily injury, death or property damage resulting from the maintenance, ownership or use of all owned, non-owned and hired automobiles, trucks and trailers. Minimum acceptable limit is:

Any one accident or loss	\$1,000,000
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Experience:

Bidders experience in projects of similar or greater size and complexity. Provide a list of recently completed projects.

Describe the qualifications and experience of the project manager/supervisor and workers who will provide the services required by this RFP.

Describe of the qualifications and experience of subcontractors proposed. Provide a list with the name, address, phone number, contact person, and a brief description of the entity's organizational capacity and qualifications.



Frontline Construction Services

Commercial Construction Management

Basis of Award:

The Town of Topsham reserves the right to accept or reject any or all proposals submitted in response to this RFP. The Town of Topsham is not obligated to select or accept the lowest price proposal. If only one proposal is received, it may be selected, accepted or rejected at The Town of Topsham's sole discretion.

The Town of Topsham reserves the right to select any proposal considered by it to be in its best interest or the most satisfactory. By submitting a proposal, the bidder agrees that if its proposal is selected by The Town of Topsham, the bidder will negotiate in good faith with The Town of Topsham for a reasonable period.

In assessing a Proposal, The Town of Topsham may consider, and may select, accept or reject any proposal based upon the following criteria, in no particular order.

- The Bid Price
- The level of experience, ability and qualifications of the bidder and its subcontractors
- Any previous work the bidder or its design team or subcontractors have completed for the Town of Topsham in the past.
- The extent in which the bidder will utilize local labor and/or suppliers.

Any other factor appropriate to the Town of Topsham in its sole discretion.

The Town of Topsham reserves the right to reject all proposals if none are considered to be satisfactory and, in that event, at its option, to call for additional proposals. The Town of Topsham may select one or none of the proposals.

The Town of Topsham shall be entitled, at its sole discretion, to waive any irregularity, informality or non-conformance with these instructions in any proposal received by the Town of Topsham or to reject any proposal containing any such irregularity or non-conformity.

No term or condition shall be implied, based upon any industry or trade practice or custom, any practice or policy of the Town of Topsham or any other basis which is consistent or in conflict with the foregoing provisions.

Compliance with Terms and Conditions:

No terms or conditions other than those contained in the bid package shall be binding upon the Town of Topsham, unless specifically agrees to in writing.

The successful bidder will be required to submit proof on insurance in the amounts shown within.

The successful bidder will also submit a W-9 to the Town of Topsham.

PO Box 42, Belgrade, Maine 04917 | Office: 207.495.2308 | Cell: 207.446.0408

Email: CCooke@Frontlinecm.com | Website: www.Frontlinecms.com



Frontline Construction Services

COMMERCIAL CONSTRUCTION MANAGEMENT

Special Considerations:

The contract will include a retainage equal to 5% of the contract cost.

This project has been deemed non-taxable.

PO Box 42 Belgrade, Maine 04917 | Office: 207.495.2308 | Cell: 207.446.0408

Email: CCooke@Frontlinecm.com | Website: www.Frontlinecms.com



July 25, 2019

Derek Scrapchansky,
Asst. Town Manager
Town of Topsham
100 Main Street
Topsham, ME 04086

RE: Topsham Municipal Complex
Assesment of Existing Eave/Fascia

Dear Derek,

Please find SMRT's assessment and condition report of the Topsham Municipal Complex's existing roof line trim assembly attached. This report summarizes our field observations and provides recommendations for addressing condition issues.

Please feel free to contact us if you have any questions, or would like to discuss the report findings further.

Sincerely,
SMRT

A handwritten signature in black ink, appearing to read 'Andrew Bradley'.

Andrew Bradley, P.E.
Senior Principal
abradley@smrtinc.com

A handwritten signature in black ink, appearing to read 'Scott Pakulski'.

Scott Pakulski
Senior Architectural Job Captain
spakulski@smrtinc.com

SMRT Architects and Engineers
144 Fore Street
P.O. Box 618
Portland, ME 04104
p 207.772.3846
f 207.772.1070

Encl: Topsham Municipal Complex – Existing Eave Assessment Report

City of Topsham, Maine

Municipal Complex Fascia Assessment Report



July 25, 2019

Project # 19126

Submitted by:

SMRT Architects and Engineers

877.700.7678

Smrtinc.com

Introduction

In summary, and per our agreement dated July 12, the Town of Topsham has asked SMRT to provide an independent assessment for possible sources of deterioration due to water infiltration of the fascia and soffit system for both the municipal and public safety buildings, and recommendations for repair.

Prior to SMRT's involvement, the Town of Topsham engaged Lajoie Bros., Inc. to provide a proposal (dated June 5, 2019) for repairs based on their field observations. The purpose of SMRT's task is to validate their assumptions, and provide additional insight and recommendations for the Town of Topsham to consider prior to any construction activity.

Based on our review of the original documents and site observations, SMRT's recommendations for repair included in this report reflect current best practices to insure longevity for these systems, and best value for dollars spent.

Existing Conditions

Existing Drawing and Specifications Review

SMRT originally created the design and construction documents for both of the Town's municipal buildings on the site. Full construction drawings and specifications dated August 25, 2006 were retrieved, printed and reviewed. Particular attention was focused on details specifically associated with the roof/external wall interface. A few items were noted that have direct application to this report:

1. Although both buildings are similar in design and detailing, there are subtle differences in the level of detailing at the eaves. The municipal building contains more elaborate detailing, whereas the public safety building is simpler given its function. In particular, an extruded resin molding (Fypon MLD- 453-16) was specified and included within the municipal building, and is located just below the topmost section of vertical trim. This molding was not used on the public safety building.
2. The specifications indicate that the basis of design for eave construction was a PVC material (Azek trim boards), with a deduct alternate for pre-finished fiber cement trim boards. Based on our observations, it appears that fiber cement trim was accepted as a value engineering measure during the bid period for both buildings.
3. Based on the time of the original installation, standard product warranties have expired.

Site Observations

SMRT performed a site visit on July 17 with the Town of Topsham management staff to discuss the scope of work and to observe firsthand the extent of deterioration. The air temperature was approximately 75 °(F) with occasional downpours.

SMRT and Town staff observed varying degrees of deterioration while walking the perimeter of each building:

- **Municipal Building**

The greatest area of paint delamination at trim boards was just below the drip edges exposing the core material, with the greatest concentrations at each valley where the discharge water runs over the eaves. The absence of factory paint finish is allowing water to absorb directly into the fiber cement core, which is accelerating the rate of deteriorations. Other areas of delamination were observed, particularly at the 90° joints between the bottom of fascia and outermost section of the soffit, as well as at mitered outside corners. (See Images 2 and 4.) However, the trim boards that were inboard of the continuous soffit vents are protected from direct exposure to the elements, and therefore did not exhibit the same level of deterioration. The Fypon cornice molding appears to be in fair condition, but has a running horizontal joint at the top edge. At the time of the site visit, water from a heavy downpour was observed draining out of the soffit significantly. (See Image 1.) The source of water appears to be coming from the eave cavity through the horizontal joint above the Fypon cornice molding, which then runs down the interior surface of the trim and exiting through the continuous soffit joint. (See Sketch A.)
- **Public Safety Building**

Trim board delamination was not as severe at this location since the details were much simpler, providing fewer points for water to penetrate the eave. Water appears to shed more directly from the roof drip edge, but still impacts the trim boards in a similar manner as seen on the municipal building. The cornice assemblies serving the flat roof areas appear to be pristine in comparison and show no degradation when observed from grade. (See Images 5 thru 8.)

Recommendations

Based on our review of the existing documents and field observations, we offer the following recommendations:

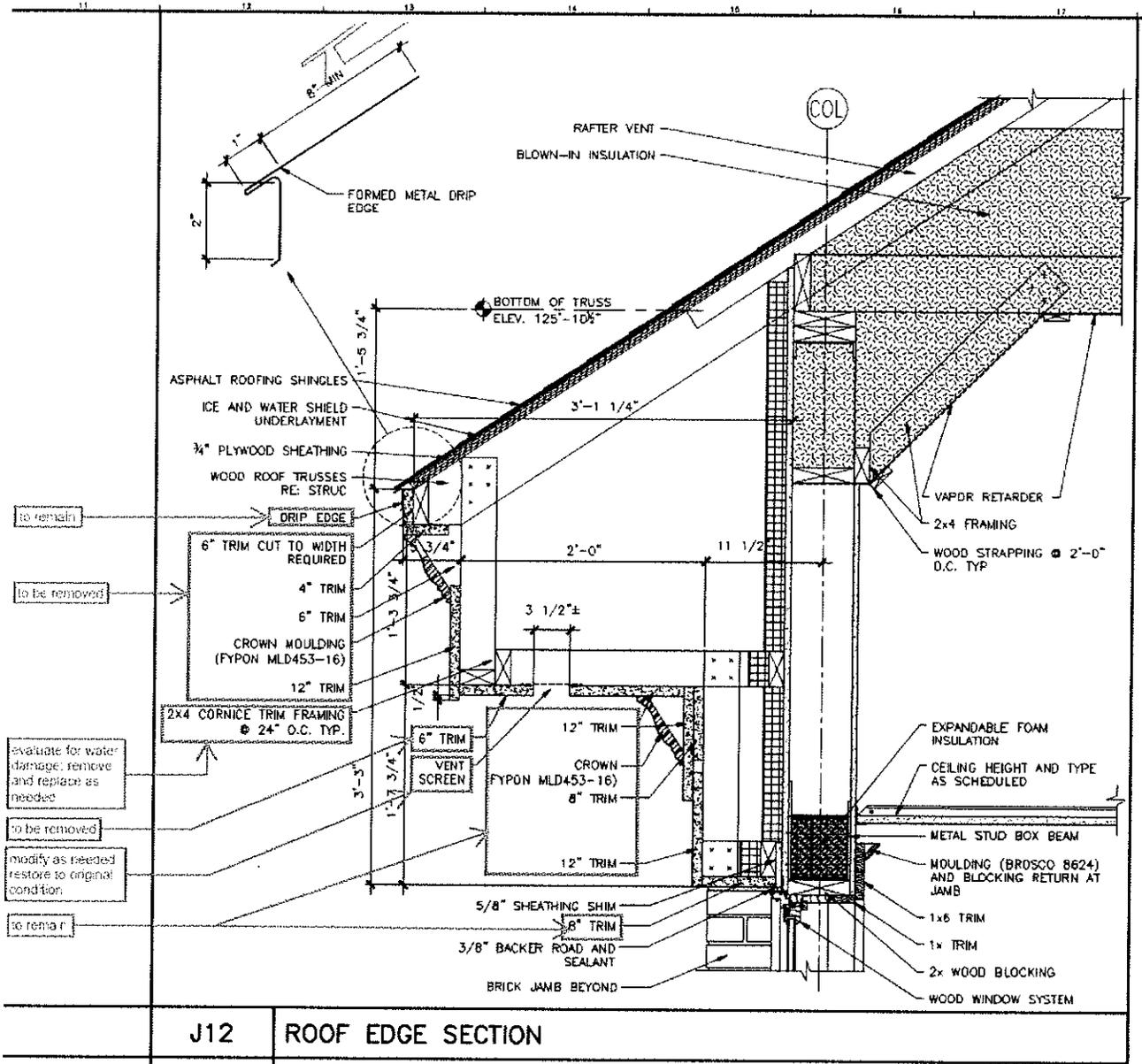
- **Municipal Building**
 - Remove all vertical and horizontal fiber cement trim boards bound by the metal roof drip edge down to the soffit vent, including the Fypon cornice moldings.
 - Trim boards that are inboard of the soffit (including the frieze board) vent are in good condition and ought to remain. While work is being performed on the outer soffit/eave area, any defects noted in the inboard trim should be treated. In particular any open joints should be caulked/sealed and new finish coat(s) of paint applied.
 - Replace all existing fiber cement trim boards with new PVC trim, caulk/seal all joints and fastener holes, and apply a paint system in compliance with the manufacturer's recommendations.
 - The existing soffit vent insect screen will need to be temporarily removed to access soffit trim board removal and replacement. If this vent material is not easily removed, the selected contractor may choose to replace the insect screen in total. The finished vent assembly's free-area shall not be less than what is currently in place. This free area is required to supply the needed air flow from the soffits, through the roof vent space, and out through the ridge vent.
 - Replace the Fypon cornice molding, matched to the existing profile. Include a new paintable flashing at the horizontal head joint at the top of the molding. The new thru-wall flashing should have a +/-4" vertical back-leg head behind the adjacent new PVC trim, as well as a +/-1" drip projection with hemmed edge (see Sketch B). This added flashing is intended to prohibit water from wicking into the cornice's complex joint profile.

- It may also be possible to select a PVC molding to replace the Fypon molding, and deepen the top fascia trim board and position the PVC molding behind it. This would create a natural drip condition and eliminates the running horizontal joint and need for thru-wall flashing. This would need to be coordinated with the CM performing the work to confirm feasibility, and would slightly alter the shadow lines of the eave composition. (See Sketch B).
- Since water has been entering the soffit cavity for a period of time, we suggest that an allowance for rough carpentry repair be added to the repair budget. We assume that the observed water infiltration has caused some deterioration of the soffit framing, but this cannot be quantified until the existing trim boards have been removed.
- The pediment rake trim assemblies over the municipal building main entries are in good condition and do not need to be replaced. Provide only new joint sealant and paint to ensure visually consistency with other new work.
- **Public Safety Building:**
 - The recommended scope of repair is similar to the municipal building; however, given that the deterioration is less severe, repairs for this building could be deferred one or two years, provided that interim stabilization, such as joint sealant and paint, is addressed at the time of the municipal building repairs.

Final Summary

1. SMRT recommends that repair work to the municipal center occur as soon as possible given the extent of deterioration and immediate risk of water damage to other parts of the building.
2. If preferred by the Town of Topsham, repair work for the public safety building could be deferred one or two years as long as interim stabilization is undertaken.
3. The Lajoie Bros. preliminary estimate seems reasonable, although it is lacking in specific detail regarding mobilization costs, contingencies, and execution schedule. However, SMRT recommends that obtaining competitive bids from multiple general contractors remains the best means to determine the current market value for the work.

Details

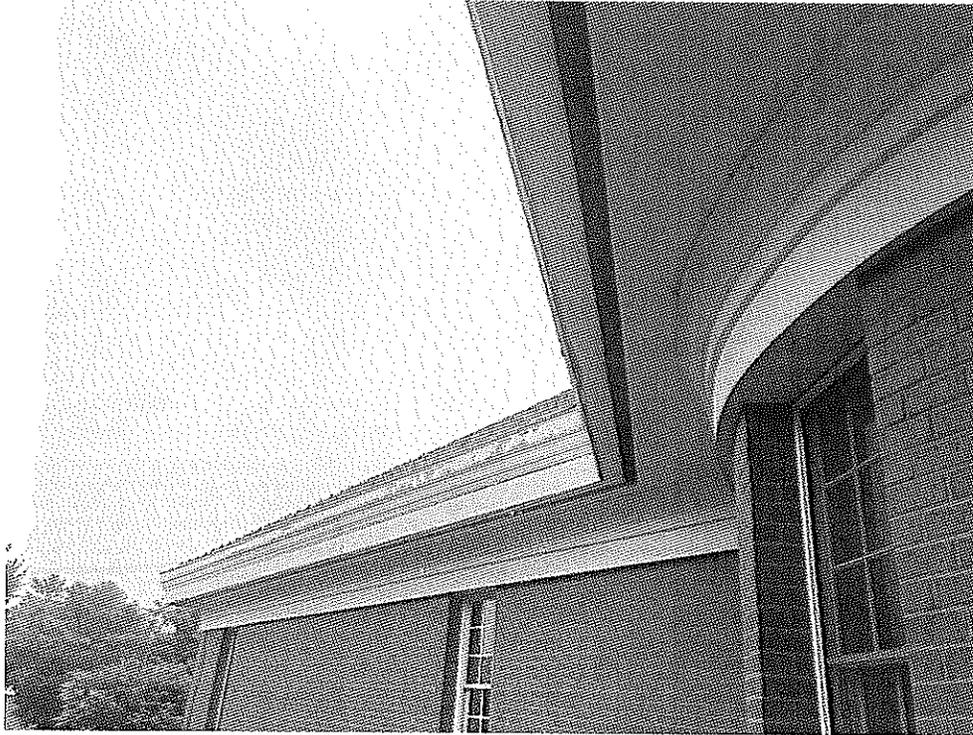


J12 ROOF EDGE SECTION

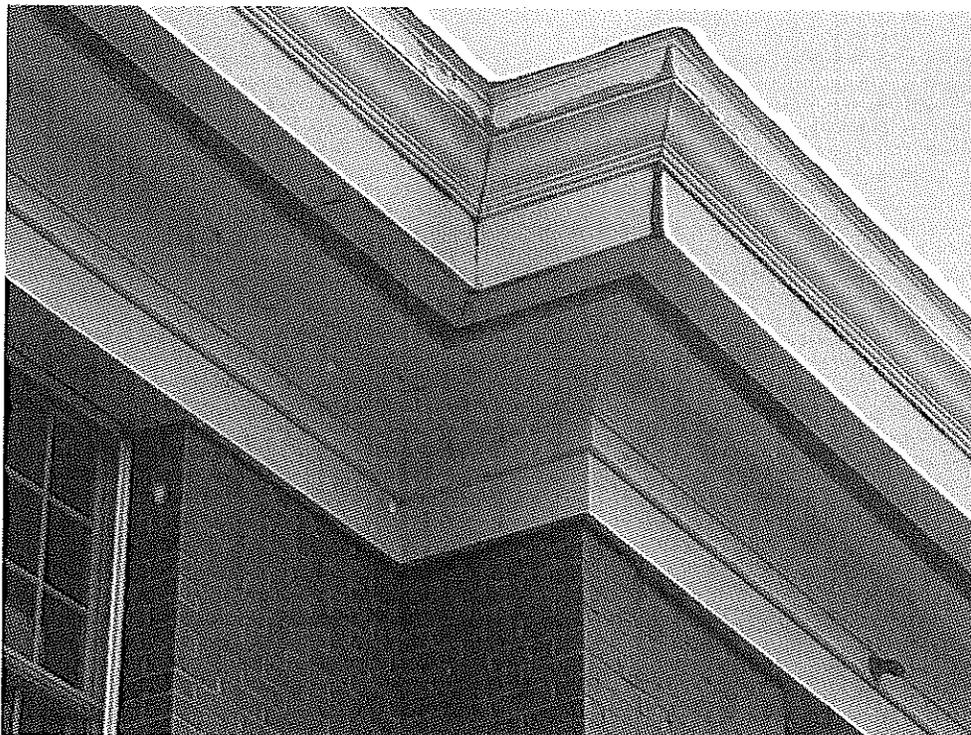
Sketch A: Typical Existing Roof Edge at Municipal Building

Photographs:

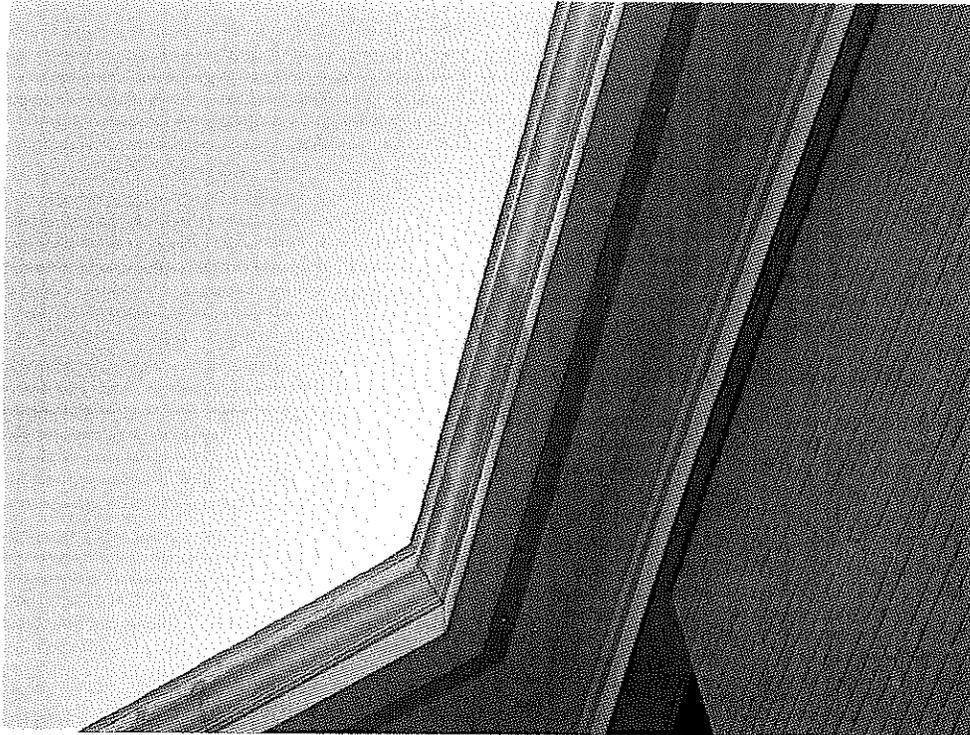
1. Municipal Building: Detail View at Soffit Vent



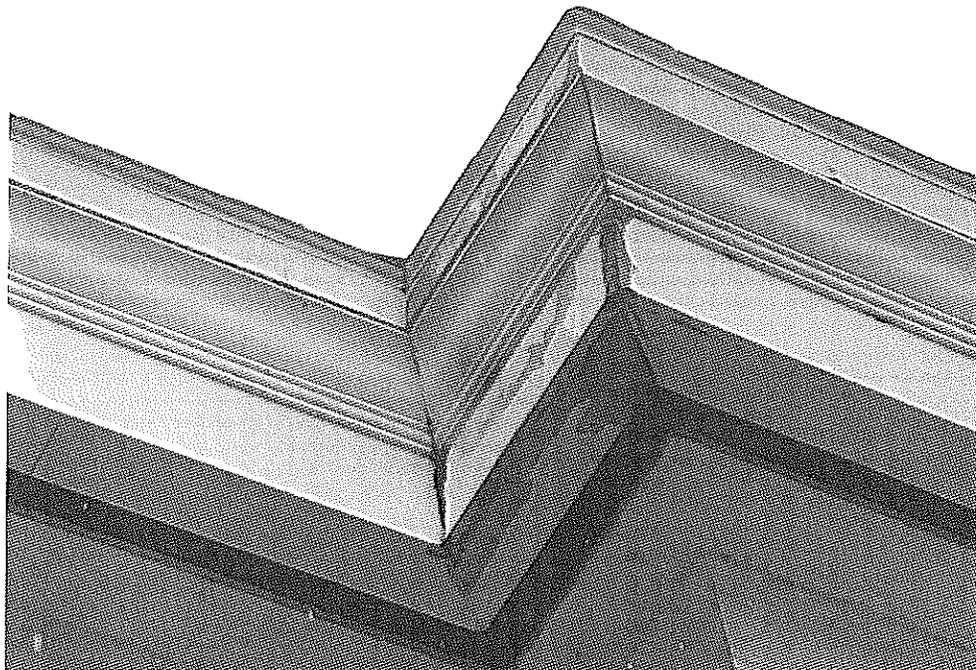
2. Municipal Building: Detail View at Outside Corner



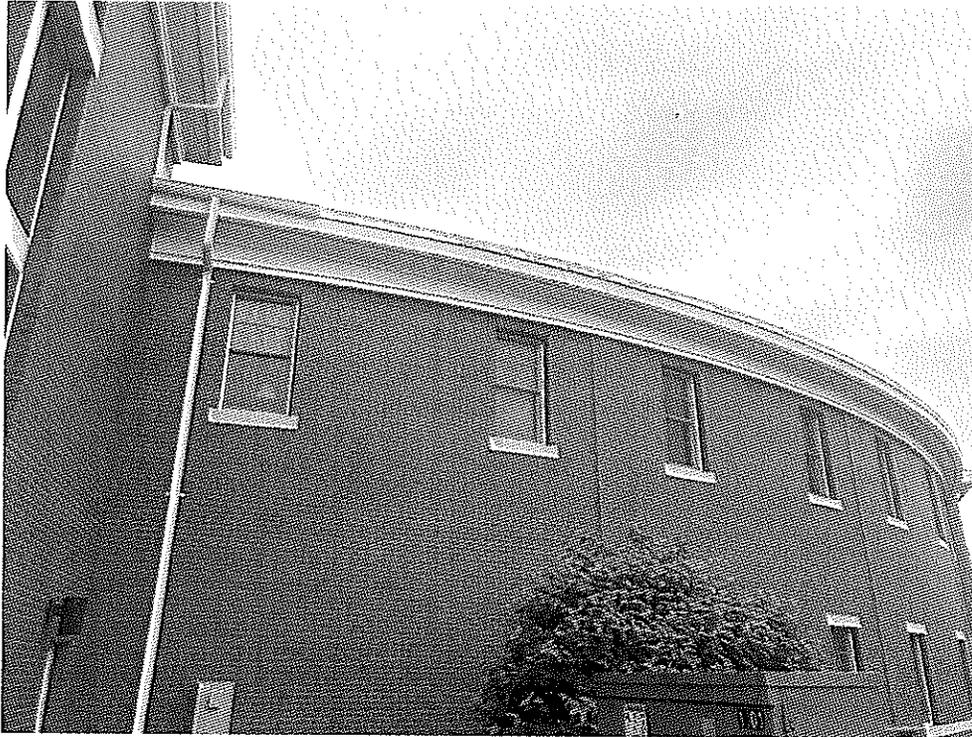
3. Municipal Building: Detail View at Valley



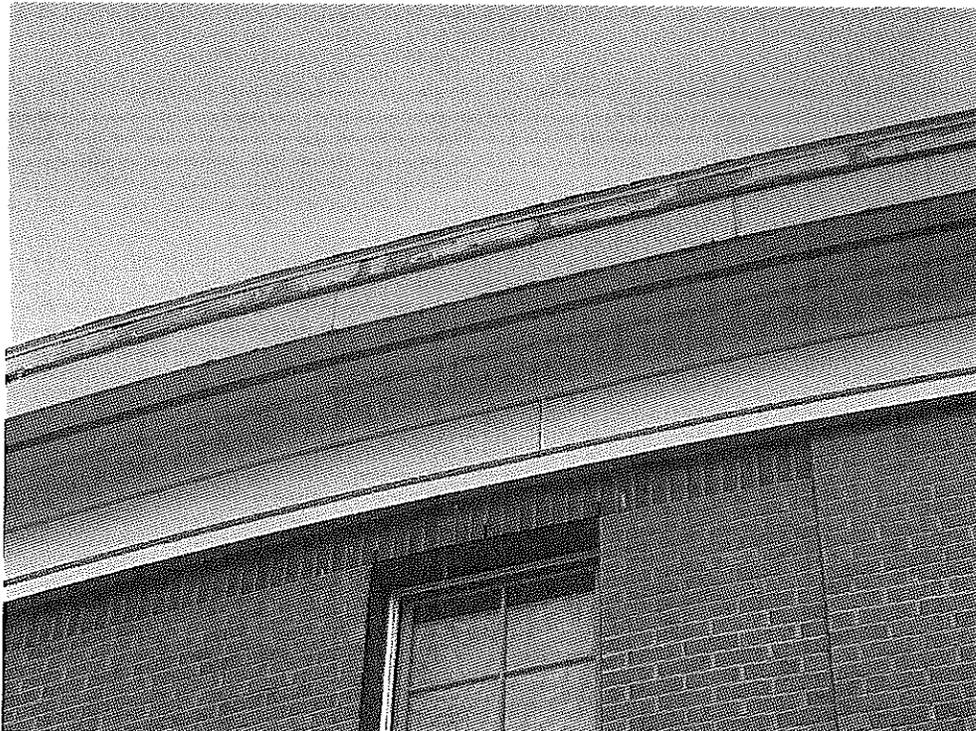
4. Municipal Building: Detail View at Outside Corner



5. Public Safety Building: Overall View at Curved Eave



6. Public Safety Building: Detail View at Curved Eave



7. Public Safety Building: Overall View



8. Public Safety Building: Overall View at Apparatus Bays

