

**7:00PM Board of Selectmen Meeting  
Topsham Municipal Building  
Donald A. Russell Meeting Room  
October 4, 2018**

**Pledge of Allegiance –**

**Roll Call of Board Members –**

**Town Manager's Report –**

**Board and Committee Reports and Updates-**

**Public Comment –**

**Correspondence –**

**Adjustments to the Agenda –**

**Consent Calendar –**

1. Approval of the minutes of the Regular Selectmen meeting September 20, 2018.
2. Approval to open the polls at 8:00am on November 6, 2018 for the State of Maine General and Referendum Election and the Municipal Annual Election
3. Approval to open and process absentee ballots on Saturday, November 3, 2018 beginning at 9:00am and continuing until completed
4. Approval to extend the Registrar's office hours on Thursday, October 25, 2018 to remain open until 7:00pm for the purpose of additional hours for voter registration as required by State Statue 21-A§122.6.
5. Approval to appoint Linda Dumont as Warden for the State Election.

**Public Hearing –**

**18-81-** Consideration and any appropriate action on an application for a Special Amusement permit for American Legion Corey Edwin Garver Post 202.

**18-82-** Consideration and any appropriate action on signing the Warrant for the Municipal Annual Town Meeting on November 6, 2018.

**18-83-** Consideration and any appropriate action on the General Assistance Ordinance Appendix (A-D).

**Unfinished Business –**

**Old Business –**

**New Business –**

**18-84-** Consideration and any appropriate action on amending Topsham's Personnel Policy regarding Per Diem Firefighters purchasing health insurance through the Town.

**Executive Session-**

**18-85-** Consideration and any appropriate action to move into executive session pursuant to 1 M.R.S.A. § 405 (6) (A) to discuss grievance matter.

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: 10/04/2018

**Type of Item:**

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

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number** 1

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

**Brief Title of consent or Agenda Item:** Approval of the minutes of the regular Selectmen meeting 09-20-2018.

**Brief Description of Consent or Agenda Item:** see attached

**Submitted by** Rich Roedner, Town Manager **Date:** 09-25-2018

MINUTES  
TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
SEPTEMBER 20, 2018 - 7:00 p.m.

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

MEMBER(S) ABSENT: All present

STAFF PRESENT: Richard Roedner, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday September 20, 2018 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.

**TOWN MANAGER'S REPORT**

School has started, and that means that flu season is just around the corner. This next Thursday, September 27, at Town Hall, Chans Home Health will holding a flu shot clinic from 2:00 p.m. until 5:00 p.m. Insurance and donations are accepted.

Kennebec Valley Community Action Program is now taking applications for fuel assistance. If you received assistance last year, and have not been contacted by KV CAP yet, call 800-542-8227, or visit their web site at [kvcap.org](http://kvcap.org) to schedule an appointment.

Maine Natural Gas has been working on gas line installation in Topsham this summer, and they have let us know that they will be expanding their work week to include Saturday's to make sure they complete all of the projects before snow flies.

A reminder to all residents that tax bills were mailed out last week. If you haven't received yours yet, please give us a call. You can also pay your tax bills on line from our web site, [topshammaine.com](http://topshammaine.com).

Dennis Cox, Public Works Director reported that the Maple Street sidewalk work is progressing well, with a goal of having it completed prior to winter. Sunday, October 7 from 12:00 noon to 4:00 p.m. is the Annual Fire Prevention Open House at the Topsham Fire Department. There are exhibits and activities planned for the whole family. Check the fire departments web site for full details.

The Maine Department of Transportation has announced another public meeting regarding the Section 106 approval process for the replacement of the Frank Wood Bridge. The meeting will be at Town Hall, on Wednesday, October 3 from 2:00 p.m. to 4:00 p.m.

**BOARDS AND COMMITTEE REPORTS AND UPDATE** – TDI/ECD – John Shattuck, Topsham Economic and Community Development, Inc. Director presented an update of progress happening in Town, including:

Topsham Care Center

- On Friday, September 7, he attended the formal grand opening of the Topsham Care Center, along with the Town Manager and Selectman Lyons. Work has been completed and the facility is operable. Additional care providers have shown interest in joining the group.
- The final component of the Topsham Care Center, the Urgent Care unit, opened this week.
- Since acquisition of most of the main building at 105 Topsham Fair Mall Road, CMH has also acquired the two pad sites in front of the main building.

Comprehensive Plan Committee

- On Monday, September 10 he attended an excellent program on the history of Topsham, along with the Assistant Planner and several Comprehensive Plan Committee members. The program was held at the Topsham Library with Scott Hansen presenting.

Lower Village Development Committee (LVDC) and Topsham Development, Inc. (TDI) - Green Street Realignment

- The Green Street firehouse has been fully demolished and removed.
- Not coincidentally, Fore River Company, the owner of the firehouse parcel and the abutting 3 Green Street properties is meeting with Town staff to create redevelopment plans for this area.
- In support of this effort, TDI commissioned Curt Neufeld, of Sitelines, to work with TDI and the LVDC to explore possibilities for improving the road alignment and pedestrian facilities to encourage high value development, public green space, as well as safe and efficient traffic flows.
- At their respective September meetings, both the LVDC and TDI Board favorably reviewed Curt's preliminary suggestions, which will be part of ongoing discussions with the developers.

Design Advisory Committee (SAC) and Section 106 Process

- The second, and last, Section 106 Meeting hosted by the Federal highway Administration (FHWA) will be held at 2:00 p.m. on Wednesday, October 3, 2018 in the Donald W. Russell meeting Room in the Municipal Building.

**PUBLIC COMMENT** – None noted.

**CORRESPONDENCE** – None noted.

**ADJUSTMENTS TO THE AGENDA** – None noted.

**CONSENT CALENDAR**

**Approval of the minutes of the Regular Selectmen's Meeting of September 6, 2018.**

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

**VOTED**

To approve the minutes of the regular Selectmen's Meeting of September 6, 2018, as written.

**PUBLIC HEARING** – None noted.

**UNFINISHED BUSINESS** – None noted.

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**18-77 CONSIDERATION AND ANY APPROPRIATE ACTION ON ACCEPTING WINTER SAND BIDS**

Public Works Director Dennis Cox reviewed bids for winter sand for the 2018/2019 season. He said he sent out 7 bid packages and received only 2 bids back: \$9.97 per cubic yard delivered from Copp Excavating and \$10.95 per cubic yard delivered from Dube Gravel Company.

Mr. Cox said both bids meet specifications and he recommended accepting the bid from Copp Excavation.

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

**VOTED**

To accept the bid from Copp Excavation in the amount of \$9.97 per cubic yard delivered for winter sand.

**18-78 CONSIDERATION AND ANY APPROPRIATE ACTION ON MOUNTAIN BIKE USE PERMIT AUTHORIZATION WITH SIX RIVERS (6R) NEMBA**

Town Manager Roedner and Town Planner Melanson spoke to this item saying that at the last meeting the Board authorized Town Staff to begin working with Six Rivers, New England Mountain Bide Association (NEMBA) to develop mountain bide trails at the transfer station parcel.

Draft Use Permit Agreement language that provides framework for what is being allowed at the site and sets the parameters of the agreement was included in the Board package, along with a site map.

Selectman Thompson inquired if parking would be an issue. Mr. Melanson said he has worked with Ed Caron to extend a few parking spaces and that Mr. Caron sees no parking issues. There was a discussion of giving thought to volunteers working on Sundays and how they would be able to enter through the gate. Mr. Melanson said that is being worked out with the cooperation of Mr. Caron.

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

**VOTED**

To authorize the Town Manager to sign the Use Permit Agreement with Six Rivers NEMBA.

**18-79 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT OF THE ASSISTANT TOWN MANAGER**

Town Manager Roedner explained the process taken in identifying the hiring of a new Assistant Town Manager. 30 applications were received and narrowed down to 10, then 4 and finally 2. Mr. Roedner introduced Derek Scrapchansky to the Board and members of the public as the individual chosen to serve as Topsham's Assistant Town Manager.

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

**VOTED**

To appoint Derek Scrapchansky to the position of Assistant Town Manager, effective October 1, 2018.

Mr. Scrapchansky extended thanks for being selected for the position and said he was looking forward to being part of the Topsham team.

**EXECUTIVE SESSION**

At 7:21 p.m. Motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously

**VOTED**

To move into Executive Session pursuant to 1 M.R.S.A. §405 (6) (A) to discuss personnel matters. The full Board and Town Manager Roedner moved into Executive Session.

**18-80 CONSIDERATION AND ANY APPROPRIATE ACTION TO MOVE INTO EXECUTIVE SESSION PURSUANT TO 1 M.R.S.A. §405 (6) (A) TO DISCUSS PERSONNEL MATTERS**

At 7:34, motion was made, seconded and it was unanimously

**VOTED**

To come out of Executive Session.

There was no action to be taken.

**ADJOURNMENT**

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

**VOTED**

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

Respectfully submitted,

\_\_\_\_\_  
Patty Williams, Recording Secretary

# Board of Selectmen Meeting

For the date of: 10/04/2018

## Type of Item:

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

## Type of Submission:

- Regular Submission  
 Additional Agenda Item  
 Additional Information

Agenda Number: 18-81

(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 an application for a Special Amusement permit for American Legion Corey Edwin Garver Post 202.

**Brief Description of Consent or Agenda Item:** See approval from PD and FD and CEO

This is a renewal application

This application allows establishments licensed to sell liquor to have live music, or entertainment.

\* Everything is in order for this permit

Submitted by: Linda Dumont, Town Clerk

Date: 9/19/2018

Revised 08-2002

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 American Legion Coley Edwin Corver Post 202
Incorporation Date: Incorporation State Maine

Type of License Special Amusement

New License: Opening Date Renewal

American Legion
Business Name: Coley Edwin Corver Post 202 E-Mail: americanlegionpost202me@gmail.com

Business Address: 79 Foreside Rd. Business Phone Number 729-9870
Name of Contact Person: Mike Hamlin Contact's Phone Number 312-2434
Mailing Address for Correspondence: americanlegionpost202me@gmail.com

Signature of Applicant: [Signature] Date: 7 Sept 2018

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 \$ Paid Advertising Fee \$ Paid
For Peddler-Police Chief sign off required:
Required Approvals for Special Amusement and new Liquor license: BOS CEO Fire Police
Public Hearing Posted Public Notice Dates 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 31<sup>st</sup>

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 1<sup>st</sup> 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:

live bands / DJ's indoors or <sup>outside</sup> on outside decks

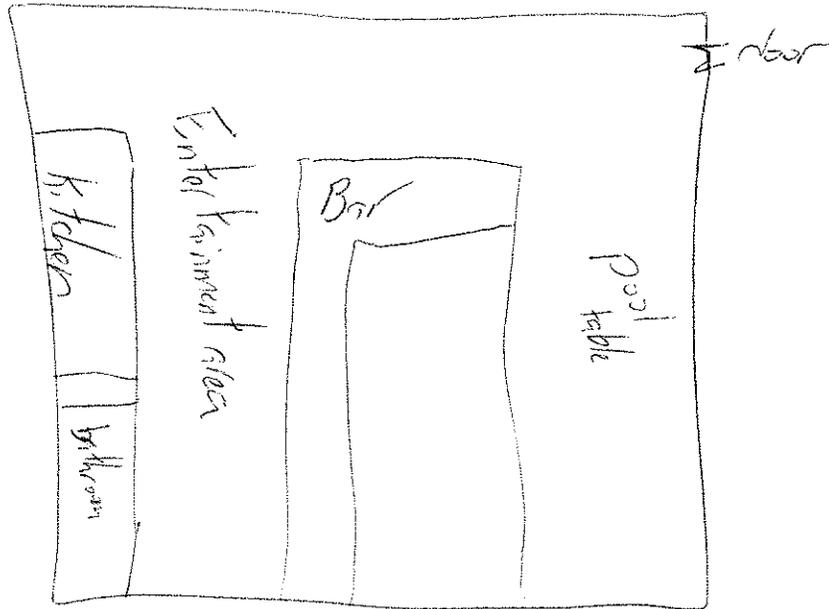
Describe in detail the room or rooms to be used under this license:

large Hall upper  
lounge lower

List the hours of entertainment

1pm - 1am

**DIAGRAM**



Topsham Board of Selectmen

Signatures:

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Date: October 4, 2018

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## Linda Dumont

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**From:** Chris McLaughlin  
**Sent:** Tuesday, September 18, 2018 9:56 AM  
**To:** Linda Dumont  
**Subject:** RE: American Legion Liquor License

Yes.

 Thank You

**From:** Linda Dumont  
**Sent:** Tuesday, September 18, 2018 9:47 AM  
**To:** Chris McLaughlin <cmclaughlin@topshammaine.com>  
**Subject:** RE: American Legion Liquor License

Thanks Chris, are you ok with the Special Amusement as well? It has also been submitted.

**From:** Chris McLaughlin  
**Sent:** Tuesday, September 18, 2018 8:42 AM  
**To:** Linda Dumont <ldumont@topshammaine.com>  
**Cc:** [americanlegionpost202me@gmail.com](mailto:americanlegionpost202me@gmail.com)  
**Subject:** American Legion Liquor License

Linda,

The American Legion has made all of the changes we requested. I am all set with renewing their liquor license.

Thank You,

Chris McLaughlin  
Fire Chief  
Topsham Fire-Rescue  
100 Main St.  
Topsham, ME 04086  
207-725-7581

## Linda Dumont

---

**From:** Chris Lewis  
**Sent:** Friday, September 07, 2018 1:48 PM  
**To:** Linda Dumont  
**Subject:** RE: liquor renewal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

There are no concerns from the Police Department regarding the liquor license or Special Amusement renewal.

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:** Friday, September 07, 2018 12:50 PM  
**To:** Chris McLaughlin <cmclaughlin@topshammaine.com>; Chris Lewis <clewis@topshammaine.com>  
**Subject:** liquor renewal

Hi Guys

American Legion Post 202 has submitted an application for a liquor license, this is a renewal. They also will be submitting an application for Special Amusement renewal next week. Pleases 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](mailto:ldumont@topshammaine.com)  
(207) 373-5091  
Fax (207) 725-1733

## Linda Dumont

---

**From:** Tom Lister  
**Sent:** Tuesday, September 18, 2018 10:31 AM  
**To:** Linda Dumont  
**Subject:** RE: special amusement

No concerns with me.

Tom Lister  
Building Inspection, Code Enforcement  
Town of Topsham  
100 Main Street  
Topsham, ME 04086  
(207) 725-1724  
[tlister@topshammaine.com](mailto:tlister@topshammaine.com)

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.

**From:** Linda Dumont  
**Sent:** Tuesday, September 18, 2018 10:10 AM  
**To:** Tom Lister <[tlister@topshammaine.com](mailto:tlister@topshammaine.com)>  
**Subject:** special amusement

Hi Tom,  
The American Legion has submitted an application for Special Amusement renewal permit, the fire department did request some exit sign and ceiling tile repairs, which Chris informs me that they have since made the required repairs. Do you have any concerns with this application? 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](mailto:ldumont@topshammaine.com)  
(207) 373-5091  
Fax (207) 725-1733

**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 4, 2018 at the Topsham Municipal Building at 7:00 P.M. to consider an application for a Special Amusement permit for American Legion Corey Edwin Garver Post 202 located at 79 Foreside Road.

Any and all person(s) may appear to show cause why said application should or should not be approved.

# Board of Selectmen Meeting

For the date of: 10/04/2018

**Type of Item:**

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

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number:** 18.82

(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 6, 2018.

**Brief Description of Consent or Agenda Item:**

**Submitted by:** Linda Dumont, Town Clerk

**Date:** 9/19/2018

# WARRANT FOR THE ANNUAL TOWN MEETING

Topsham, Maine  
Sagadahoc, ss

October 4, 2018

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 6<sup>th</sup> day of November, 2018 A.D. at 8:00 a. m. Eastern Standard Time then and there to act on Articles 1 through 5 to wit:

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

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

Recent changes to State Statues have prohibited various activities related to both medicinal and adult (recreational) use of marijuana, unless a Town formally votes to allow those uses to take place. The following questions are non-binding to the Town, and are not intended to allow theses uses, but rather to give feedback to the Board of Selectmen in its deliberations and actions, including drafting of local regulations.

**ARTICLE 3** – To see if the voters of Topsham wish to allow Medical Marijuana to be sold in a retail setting?

**ARTICLE 4** – To see if the voters of Topsham wish to allow Adult (Recreational) Use Marijuana to be sold in a retail setting.

**ARTICLE 5** – To see if the voters of Topsham wish to allow commercial growing of Marijuana.

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 6<sup>th</sup> at 9:00 a.m., 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 on this fourth day of October, 2018

The Registrar's office located at the Municipal Complex is open Monday-Friday during regular business hours and on Thursday, October 25<sup>th</sup> 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 4, 2018 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 6, 2018.

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: 10/4/ 2018

## Type of Item:

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

## Type of Submission:

- Regular Submission  
 Additional Agenda Item  
 Additional Information

Agenda Number: 18-83

(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 General Assistance Ordinance Appendix (A - D).

**Brief Description of Consent or Agenda Item.** To adopt MMA's new Oct 1, 2018– September 30, 2019 General Assistance Ordinance Appendix A –D. Represents a slight change in each appendix.

Appendix A, Overall Maximums- slight increase  
Appendix B, Food- slight increase  
Appendix C, Housing-slight increase  
Appendix D, Utilities- no change

**\*Public Hearing**

**\*Adoption page require signatures**

**Submitted by:** Linda Dumont, Town Clerk -General Assistance Director

Date: 9/21/2018

# GENERAL ASSISTANCE ORDINANCE APPENDICES A-D 2018-2019

The Municipality of Topsham adopts the MMA Model Ordinance GA Appendices (A-D) for the period of Oct. 1, 2018—September 30, 2019. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the 4<sup>th</sup> day of October, 2018 by the municipal officers:

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Signature)

**TOWN OF TOPSHAM**

**NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of Selectmen of the Town of Topsham shall hold a Public Hearing for the purpose of review and adoption of the new MMA's General Assistance Ordinance Appendix (A-D)

This meeting will take place on Thursday October 4, 2018 at 7:00 pm in the Donald A. Russell meeting room at the Topsham Municipal Complex.

Any and all person(s) may appear to show cause, why Ordinance Appendix should or should not be approved.

Oct 1, 2018 to Sept 30, 2019

**OVERALL MAXIMUMS**

Persons in Household				
1	2	3	4	5
786	875	1,017	1,345	1,636

Household of 6 = 1,711

\* Add \$75 for each additional person

**Housing Maximums**

BEDROOM	UNHEATED		HEATED	
	Weekly	Monthly	Weekly	Monthly
0	145	623	168	721
1	158	679	187	803
2	185	795	217	932
3	246	1,059	290	1,246
4	302	1,297	354	1,524

**ELECTRIC**

NOTE: For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is not automatically entitled to the "maximums" established applicants must demonstrate need.

1) Electricity Maximums for Households Without Electric Hot Water: The maximum amounts allowed for utilities, for lights, cooking and other electric uses excluding electric hot water and heat:

Number in Household	Weekly	Monthly
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) Electricity Maximums for Households With Electrically Heated Hot Water: The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses excluding heat:

Number in Household	Weekly	Monthly
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

**PERSONAL CARE & HOUSEHOLD SUPPLIES**

Number in Household	Weekly Amount	Monthly Amount
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

**SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5**

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

Number of Children	Weekly Amount	Monthly Amount
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

**HEATING FUEL**

Month	Gallons	Month	Gallons
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

**1-800-442-6003**

Revised 8/31/18 SLR



Maine Department of Health and Human Services  
Office for Family Independence  
19 Union Street  
11 State House Station  
Augusta, Maine 04333-0011

PAUL R. LEPAGE  
GOVERNOR

BETHANY L. HAMM  
ACTING COMMISSIONER

TO: Municipal Officials/Welfare Directors/General Assistance Administrators  
FROM: Sara Russell, General Assistance Program Manager  
RE: 2018-2019 General Assistance Ordinance Maximums  
DATE: August 30, 2018

Enclosed please find the following items:

- MMA's new (October 1, 2018–September 30, 2019) “**General Assistance Ordinance Appendix**” (A - D).
- “**GA Maximums Summary Sheet**” which consolidates GA maximums into one document. Municipalities do have to insert individual locality maximums from Appendix A and C in the summary sheet where indicated in order to complete the information. The “summary” does not have to be adopted, as it is not an Appendix but a tool for municipal officials administering GA.
- “**GA Maximums Quick Reference Sheet**” which consolidates GA maximums onto one form. This is meant to be a quick reference tool for municipal officials administering GA. A copy is being sent to your municipality based on your specific maximums.
- “**GA Maximums Adoption Form**” which was developed so that municipalities may easily send DHHS proof of GA maximums adoption. Once the selectpersons or council adopts the new maximums, the enclosed form should be signed and submitted to DHHS. (*see “Filing of GA Ordinance and/or Appendices” below for further information*).

**Appendix A – D**

The enclosed Appendices A - D have been revised for your municipality’s General Assistance Ordinance. These new Appendices, **once adopted**, should replace the existing Appendices A – D. Even if you have already adopted MMA's model General Assistance Ordinance, **the municipal officers must approve/adopt the new Appendices yearly.**



Maine Department of Health and Human Services  
Office for Family Independence  
19 Union Street  
11 State House Station  
Augusta, Maine 04333-0011

PAUL R. LEPAGE  
GOVERNOR

BETHANY L. HAMM  
ACTING COMMISSIONER

### **The Adoption Process**

The **municipal officers (i.e., selectpersons/council)** adopt the local **General Assistance Ordinance and yearly Appendices**, even in town meeting communities. The law requires that the municipal officers adopt the ordinance and/or Appendices ***after notice and hearing***. Seven days posted notice is recommended, unless local law (or practice) provides otherwise.

At the hearing, the municipal officers should:

- 1) Allow all interested members of the public an opportunity to comment on the proposed ordinance;
- 2) End public discussion, close the hearing; and
- 3) Move and vote to adopt the ordinance either in its posted form or as amended in light of public discussion.

### **Filing of GA Ordinance and/or Appendices**

Please remember that General Assistance law requires each municipality to send DHHS a copy of its ordinance once adopted. *(For a copy of the GA model ordinance, please call MMA's Publication Department, or visit their web site [www.memun.org](http://www.memun.org)).* In addition, any changes or amendments, such as new Appendices, must also be submitted to DHHS. DHHS will accept the enclosed "adoption sheet" as proof that a municipality has adopted the current GA maximums.

## 2018-2019 GA Overall Maximums

Metropolitan Areas

## Persons in Household

COUNTY	1	2	3	4	5*
<b>Bangor HMFA:</b> Bangor, Brewer, Eddington, Glenburn, Hampden, Hermon, Holden, Kenduskeag, Milford, Old Town, Orono, Orrington, Penobscot Indian Island Reservation, Veazie	733	814	1,032	1,294	1,748
<b>Penobscot County HMFA:</b> Alton, Argyle UT, Bradford, Bradley, Burlington, Carmel, Carroll plantation, Charleston, Chester, Clifton, Corinna, Corinth, Dexter, Dixmont, Drew plantation, East Central Penobscot UT, East Millinocket, Edinburg, Enfield, Etna, Exeter, Garland, Greenbush, Howland, Hudson, Kingman UT, Lagrange, Lakeville, Lee, Levant, Lincoln, Lowell town, Mattawamkeag, Maxfield, Medway, Millinocket, Mount Chase, Newburgh Newport, North Penobscot UT, Passadumkeag, Patten, Plymouth, Prentiss UT, Seboeis plantation, Springfield, Stacyville, Stetson, Twombly UT, Webster plantation, Whitney UT, Winn, Woodville	693	697	908	1,137	1,297
<b>Lewiston/Auburn MSA:</b> Auburn, Durham, Greene, Leeds, Lewiston, Lisbon, Livermore, Livermore Falls, Mechanic Falls, Minot, Poland, Sabattus, Turner, Wales	669	736	932	1,193	1,461
<b>Portland HMFA:</b> Cape Elizabeth, Casco, Chebeague Island, Cumberland, Falmouth, Freeport, Frye Island, Gorham, Gray, Long Island, North Yarmouth, Portland, Raymond, Scarborough, South Portland, Standish, Westbrook, Windham, Yarmouth; Buxton, Hollis, Limington, Old Orchard Beach	1,058	1,159	1,483	1,986	2,303
<b>York/Kittery/S.Berwick HMFA:</b> Berwick, Eliot, Kittery, South Berwick, York	989	1,039	1,382	1,749	2,433
<b>Cumberland County HMFA:</b> Baldwin, Bridgton, Brunswick, Harpswell, Harrison, Naples, New Gloucester, Pownal, Sebago	784	831	1,091	1,593	1,820

# Appendix A

Effective: 10/01/18-09/30/19

COUNTY	1	2	3	4	5*
<b>Sagadahoc HMFA:</b> Arrowsic, Bath, Bowdoin, Bowdoinham, Georgetown, Perkins UT, Phippsburg, Richmond, Topsham, West Bath, Woolwich	786	875	1,017	1,345	1,636
<b>York County HMFA:</b> Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, Kennebunk, Kennebunkport, Lebanon, Limerick, Lyman, Newfield, North Berwick, Ogunquit, Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, Wells	766	884	1,098	1,487	1,515

\*Note: Add \$75 for each additional person.

## Non-Metropolitan Areas

### Persons in Household

COUNTY	1	2	3	4	5*
<b>Aroostook County</b>	622	662	773	1,016	1,112
<b>Franklin County</b>	650	680	807	1,005	1,431
<b>Hancock County</b>	698	798	1,009	1,274	1,397
<b>Kennebec County</b>	727	756	944	1,241	1,326
<b>Knox County</b>	759	765	944	1,210	1,344
<b>Lincoln County</b>	788	845	1,004	1,259	1,503
<b>Oxford County</b>	694	699	839	1,221	1,426
<b>Piscataquis County</b>	615	681	843	1,115	1,238
<b>Somerset County</b>	679	714	859	1,156	1,219
<b>Waldo County</b>	696	761	903	1,231	1,389
<b>Washington County</b>	679	683	840	1,062	1,212

\* Please Note: Add \$75 for each additional person.

## Appendix B

Effective: 10/01/18 to 09/30/19

### 2018-2019 Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. As of October 1, 2018, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	44.65	192
2	82.09	353
3	117.44	505
4	149.30	642
5	177.21	762
6	212.56	914
7	235.12	1,011
8	268.60	1,155

**Note: For each additional person add \$144 per month.**

## 2018-2019 GA Housing Maximums (Heated & Unheated Rents)

**NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS!** Municipalities should **ONLY consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. Or, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (*See Instruction Memo for further guidance.*)

### Non-Metropolitan FMR Areas

<b>Aroostook County</b>		<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	112	483	131	565	
1	115	496	140	600	
2	133	572	163	700	
3	180	776	217	932	
4	192	826	236	1,016	
<b>Franklin County</b>		<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	119	511	138	593	
1	120	514	144	618	
2	141	606	171	734	
3	178	765	214	921	
4	266	1,145	310	1,335	
<b>Hancock County</b>		<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	124	535	147	633	
1	140	602	169	726	
2	183	788	215	924	
3	230	988	273	1,175	
4	246	1,058	299	1,285	
<b>Kennebec County</b>		<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	131	564	154	662	
1	131	564	159	684	
2	168	724	200	859	
3	222	955	266	1,142	
4	230	987	282	1,214	

**Non-Metropolitan FMR Areas**

<b>Knox County</b>		<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	139	596	161	694	
1	139	596	161	694	
2	168	724	200	859	
3	215	924	258	1,111	
4	234	1,005	287	1,232	
<b>Lincoln County</b>					
<b>Lincoln County</b>		<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	145	625	168	723	
1	151	649	180	773	
2	182	783	214	919	
3	226	973	270	1,160	
4	271	1,164	323	1,391	
<b>Oxford County</b>					
<b>Oxford County</b>		<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	123	528	146	629	
1	123	528	146	629	
2	140	600	175	754	
3	218	935	261	1,122	
4	253	1,087	306	1,314	
<b>Piscataquis County</b>					
<b>Piscataquis County</b>		<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	110	474	130	559	
1	119	512	144	619	
2	149	640	179	771	
3	203	871	240	1,032	
4	220	946	266	1,142	
<b>Somerset County</b>					
<b>Somerset County</b>		<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly	
0	120	517	143	614	
1	121	519	149	642	
2	147	631	180	774	
3	202	870	246	1,057	
4	205	880	257	1,107	

**Non-Metropolitan FMR Areas**

<b>Waldo County</b>	<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	123	530	147	631
1	131	565	160	689
2	159	683	190	818
3	220	945	263	1,132
4	244	1,050	297	1,277

<b>Washington County</b>	<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	119	513	143	614
1	119	513	143	614
2	140	601	176	755
3	181	776	224	963
4	203	873	256	1,100

**Metropolitan FMR Areas**

<b>Bangor HMFA</b>	<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	132	567	155	668
1	144	618	173	742
2	185	793	220	947
3	234	1,008	278	1,195
4	328	1,409	380	1,636

<b>Penobscot Ctv. HMFA</b>	<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	123	527	146	628
1	123	527	146	628
2	156	669	191	823
3	198	851	241	1,038
4	223	958	276	1,185

<b>Lewiston/Auburn MSA</b>	<b>Unheated</b>		<b>Heated</b>	
Bedrooms	Weekly	Monthly	Weekly	Monthly
0	117	503	140	604
1	125	540	154	664
2	165	711	197	847
3	211	907	254	1,094
4	261	1,122	314	1,349

**Appendix C**  
Effective: 10/01/18-09/30/19

**Metropolitan FMR Areas**

<b><u>Portland HMFA</u></b>	<b><u>Unheated</u></b>		<b><u>Heated</u></b>	
<b>Bedrooms</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	208	892	231	993
1	224	963	253	1,087
2	289	1,244	325	1,398
3	395	1,700	439	1,887
4	457	1,964	510	2,191
<b><u>York/Kittery/S. Berwick HMFA</u></b>				
<b>Bedrooms</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	192	824	215	924
1	196	843	225	967
2	266	1,143	302	1,297
3	340	1,463	384	1,650
4	487	2,094	540	2,321
<b><u>Cumberland Cty. HMFA</u></b>				
<b>Bedrooms</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	144	618	167	719
1	148	635	177	759
2	202	868	234	1,006
3	304	1,307	347	1,494
4	344	1,481	397	1,708
<b><u>Sagadahoc Cty. HMFA</u></b>				
<b>Bedrooms</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	145	623	168	721
1	158	679	187	803
2	185	795	217	932
3	246	1,059	290	1,246
4	302	1,297	354	1,524
<b><u>York Cty. HMFA</u></b>				
<b>Bedrooms</b>	<b>Weekly</b>	<b>Monthly</b>	<b>Weekly</b>	<b>Monthly</b>
0	140	600	163	701
1	160	688	189	812
2	203	875	236	1,013
3	274	1,201	323	1,388
4	274	1,201	326	1,403

## APPENDIX D - UTILITIES

### ELECTRIC

**NOTE:** For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

**NOTE:** For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

**NOTE:** For each additional person add \$10.00 per month.

**NOTE:** For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

## APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

**FOR MUNICIPAL USE ONLY**

**NOTE:** When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

**APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES**

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

**NOTE:** For each additional person add \$1.25 per week or \$5.00 per month.

**SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5**

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

## APPENDIX D - UTILITIES

### ELECTRIC

**NOTE:** For an electrically heated dwelling also see "Heating Fuel" maximums below. But remember, an applicant is *not automatically* entitled to the "maximums" established—applicants must demonstrate need.

1) **Electricity Maximums for Households *Without Electric Hot Water*:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses *excluding* electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

**NOTE:** For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households *With Electrically Heated Hot Water*:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

**NOTE:** For each additional person add \$10.00 per month.

**NOTE:** For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

## APPENDIX E - HEATING FUEL

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		May	50

**FOR MUNICIPAL USE ONLY**

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**NOTE:** For each additional person add \$1.25 per week or \$5.00 per month.

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3	\$23.30	\$100.00
4	\$27.90	\$120.00

*FOR MUNICIPAL USE ONLY*

# Board of Selectmen Meeting

For the date of: 10/04/18

**Type of Item:**

\_\_\_\_\_ Board or Committee Presentation  
\_\_\_\_\_ Consent Agenda Item  
\_\_\_\_\_ Public Hearing  
\_\_\_\_\_ Unfinished Business  
  X   New Business  
\_\_\_\_\_ Executive Session  
\_\_\_\_\_ Workshop

**Type of Submission:**

  X   Regular Submission  
\_\_\_\_\_ Additional Agenda Item  
\_\_\_\_\_ Additional Information

**Agenda Number:**   18-84  

(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 any appropriate action on amending Topsham's Personnel Policy regarding Per Diem Firefighters purchasing health insurance through the Town.

**Brief Description of Consent or Agenda Item:**

See attached memo.

**Submitted by:** Richard Roedner, Town Manager      **Date:** Oct. 4, 2018

## MEMORANDUM

To: Board of Selectmen  
From: Richard Roedner, Town Manager  
Date: September 12, 2018  
Re: Executive Session, Sept. 20, 2018  
Personnel issue

I wanted to discuss with the Board an issue we have with the Fire Department and our per diem staff, specifically the number of hours some of them work, and how that relates to access to health coverage.

Under the Affordable Care Act, employers are supposed to offer health coverage to all employees that average more than 30 hours per week, or 135 hours per month. We now have several per diem employees who work more than 40-50 hours per week on a regular basis. Since we don't offer them access to health care, should they seek coverage via the Health Care Marketplace, we would be subject to a financial penalty. This would likely only be about \$3,000 (our estimate). However, when one employee seeks Marketplace coverage, the IRS then looks at all of our employees, and that penalty is assessed against on behalf of all employees who average the 30 hours per week. For us, that could easily be \$20,000 to \$30,000.

To avoid this trap, I propose that we amend our Personnel Policy to allow per diem employees, who work more than 20 hours per week (MMA's threshold for health care eligibility) to purchase an MMA health plan through the Town of Topsham, as their employer. We would not provide any match or pay for any share of their coverage costs.

I would further propose that, in addition to the PPO 1500 plan that all employees have access to, we also offer the PPO 2500 plan, which is about \$50 less per month. Both plans are rated 'affordable' under the ACA rules.

This would not increase our costs, and would ultimately reduce any penalties that we are currently subject to. Plus, it gives our per diems another reason to choose Topsham, as it gives them an avenue to secure health coverage that they may not currently have. It may also encourage some of our per diems to commit to more hours, leaving fewer open shifts, if they know that they would then be able to purchase health coverage.

I would suggest the following amendment to our Personnel Policy as follows:

## Article VII

### B. Insurance, Retirement and Other Related Benefits

The Town is committed to providing comprehensive employee and dependent health care insurance and supplemental insurance coverage for all regular employees that elect to avail themselves of this benefit. The selection of health insurance and supplemental insurance carriers and the portion of premium costs to be assumed by the employee shall be determined by the Town.

Per Diem firefighters, who average more than 20 hours per week for a six-month period, shall be eligible to purchase health coverage through the Town's Health Plan, at full cost to the employee. Premiums would be paid via payroll deduction. Coverage would be contingent on the employee continuing to meet the minimum qualifications established by the Town's Health Insurance carrier. Per Diem employees are not eligible for participation in the Town's HRA program, but are eligible to enroll in the Town's Flexible Spending Account plan.

The Town shall administer a Section 125 Plan to enable the employee's share of insurance premiums to be paid pre-tax.

# Board of Selectmen Meeting

For the date of: 10/04/2018

## Type of Item:

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

## Type of Submission:

- Regular Submission  
 Additional Agenda Item  
 Additional Information

Agenda Number 18-85

(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 to move into executive session pursuant to 1 M.R.S.A. § 405 (6) (A) to discuss a grievance matter.

**Brief Description of Consent or Agenda Item:**

Submitted by Rich Roedner, Town Manager Date: 09-25-2018