

WARRANT FOR SPECIAL TOWN MEETING

May 20, 1998

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 Mr. Ararat School on the twentieth day of May, A.D. at 7:00 o'clock p.m. Daylight Savings Time and then and there to act on Article 1 thru 36 to wit:

ARTICLE 1 - To elect a Moderator to preside at said meeting. John Loyd

ARTICLE 2 - To see what sum the Town will vote to spend for General Government under the following accounts and to see what sum the Town will vote to raise and appropriate for the same.

1998-99
Selectmen's budget

General Government	
1. Administration	118,806
2. Municipal Officers	19,537
3. Treasurer	57,619
4. Town Clerk	72,156
5. Tax Collector	74,814
6. Code Enforcement	53,938
7. Assessing	84,294
8. Elections/Registration	13,515
9. Planning Board	7,040
10. Town Planner	99,083
11. Municipal Insurance	30,650
12. Municipal Building	31,230
13. Police/Rescue Bldg.	9,860
14. Shade Trees	2,400
15. History Committee	0
16. Historic District	810
17. General Celebrations	1,000
18. General Assistance	35,218
19. Contractual Services	71,485
20. Debt Service	0
21. Public Utilities	187,980
22. Emergency Fund	20,000
23. Central Services	24,811
24. EMM Approp.	25,351
25. Wage/Sal Contingency	32,281

TOTAL: 1,073,878

Selectmen's Recommendation: (Allocated Below)

\$ 270,636	Estimated Revenue
\$ 239,764	Taxation/State Reimb. For Homestead Property Tax Exemption
\$ 538,127	Unappropriated Fund Balance
\$ 25,351	General Ledger Accounts
\$1,073,878	Total

ARTICLE 3 - To see what sum the Town will vote to spend from the Capital Reserve Fund and to see what sum the Town will vote to raise and appropriate for same.

1998-99
Selectmen's Budget

Capital Reserve Funds		
Gen. Govt-Record Storage	0	21,280
Gen. Got. Voting Machines	2,000	2,000
Gen. Govt. Computer Upgrade	15,000	0
Public Wks. Pick up Ttk.	0	0
Public Wks. Trucks	76,200	76,200
Pub. Wks. Roads	175,000	175,000
Police Cruisers	11,946	34,446
Rescue - Amb. Replace	10,000	0

Pub. Wrks. Sidewalk	0	0
Capt. Proj. Municipal Bldgs.	100,000	0
Recreation: Field Develop.	11,000	11,000
Consolidated Dispatch	0	0
Police/Telephone recorder	5,000	20,000
Fire Dept. Scott Packs/Alarms	7,525	7,525
Fire Dept. 25 Frames	0	0
Rec-Warning Lights	2,000	2,000
Library Building	40,000	10,000
TOTALS	455,671	365,451

Selectmen's Recommendation

\$ 64,780	Capital Reserves Prior Years
\$ 400,000	State Revenue Sharing
\$ 55,671	Taxation/State Reimb. For Homestead
	Property Tax Exemption
	Total
\$ 520,451	Not to be spent
\$ 155,000	Adjusted to be spent 98-99
\$ 365,451	

ARTICLE 4 - To see what sum the Town will vote to transfer from a reserve account for the purchase of police cruisers and a reserve account for the purchase of a public works truck, to new capital reserve accounts for the same purposes and to see what sum the town will vote to spend from the new capital reserve accounts.

1998-99
Selectmen's Budget

1. Police Cruisers	\$ 5,154
2. PW-Truck	\$ 3,800
Total:	\$ 8,954

Selectmen's Recommendation:
\$ 8,954 Capital Reserve Accounts

ARTICLE 5 - To see if the Town will vote to authorize the Board of Selectmen to enter into a contract for the purchase two (2) voting machines with a total cost not to exceed twelve thousand dollars (\$12,000) and to be paid over a term not to exceed two (2) years.

Selectmen's Recommendation: To approve

ARTICLE 6 - To see what sum the Town will vote to spend for **Public Safety** under the following accounts and to see what sum the Town will vote to raise and appropriate for same:

Selectmen's Budget

Public Safety	616,129
Police Protection	160,131
Communications	136,676
Fire Protection	99,546
Emergency Rescue	1,012,482
TOTAL:	

Selectmen's Recommendation: (Allocated Below)
\$ 181,382 Taxation/State Reimb. For Homestead

\$ 90,000	Property Tax Exemption
\$ 1,100	Estimated Revenue
\$ 740,000	Dog Ordinance
	Excise Tax
\$1,012,482	TOTAL

ARTICLE 7 - To see what sum the Town will vote to spend for **Recreational purposes** under the following accounts and to see what sum the Town will vote to raise and appropriate for same.

Selectmen's Budget

Recreational Operations	99,948
Recreation Programs	92,100
TOTAL:	192,048

Pub. Wrks. Main St. Project	0	0	0
Pub. Wrks. Sidewalk	0	0	0
Capt. Proj. Municipal Bldgs.	100,000	0	0
Recreation: Field Develop.	11,000	11,000	11,000
Consolidated Dispatch	0	0	0
Police/Telephone recorder	5,000	20,000	20,000
Fire Dept. Scott Packs/Alarms	7,525	7,525	7,525
Fire Dept. 25 Frames	0	0	0
Rec-Warring Lights	2,000	2,000	2,000
Library Building	40,000	10,000	10,000
TOTALS	455,671	365,451	

Selectmen's Recommendation

\$ 64,780	Capital Reserves Prior Years
\$ 400,000	State Revenue Sharing
\$ 55,671	Taxation/State Reimb. For Homestead
	Property Tax Exemption
\$ 520,451	Total
\$ 155,000	Not to be spent
\$ 365,451	Adjusted to be spent 98-99

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1998-99
Selectmen's Budget

1. Police Cruisers \$ 5,154
2. PW-Truck \$ 3,800

Total: \$ 8,954

Selectmen's Recommendation:
\$ 8,954 Capital Reserve Accounts

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TOTAL:	1,012,482

Selectmen's Recommendation: (Allocated Below)

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	Property Tax Exemption
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\$1,012,482 TOTAL

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Selectmen's Budget

Recreational Operations

99,948

Recreation Programs	92,100
TOTAL:	192,048
Selectmen's Recommendation: (Allocated Below)	
\$ 92,100 Estimated Revenue	
\$ 99,948 Taxation/State Reimb. For Homestead	
Property Tax Exemption	
TOTAL	\$192,048

ARTICLE 8 - To see what sum the Town will spend for **Public Works, Recycling Program and Transfer Station Management** under the following accounts and to see what sum the Town will vote raise and appropriate for same.

1998-99	
Selectmen's Budget	

Public Works	585,500
Recycling Program	166,120
Transfer Station Man.	143,682

TOTAL: 895,302

Selectmen's Recommendation: (Allocated Below)

\$ 18,000 SWF User Fees	
\$ 50,000 Unappropriated Fund	
\$377,770 Taxation/State Reimb. For Homestead	
Property Tax Exemption	
Bags/Sticker Sales	
Highway Block Grant	
State Revenue Sharing	
\$ 94,278 Reallocations / SRS	
\$ 11,124 Reallocations / Block Grants	
\$ 9,000 Boat Excise	

\$895,302 TOTAL

ARTICLE 9 - To see what sum the Town will vote to spend for **Grant** purposes under the following accounts and to see what sum the Town will vote to receive and appropriate for same.

1998-99	
Selectmen's Budget	

Grant Projects	0
Grant Projects;	
Breakdown	
COPS/Sm Comm. Grant	6,500
Community Policing	2,000
Law Enforcement	1,000
T-2000 Bike Path	77,120
General Planning Grant	10,000
Economic Dev. Grant	0

TOTAL: 96,620

Selectmen's Recommendation: (Allocated Below)

All grant funds received will be place in General Ledger Accounts with expenditures made from the General Ledger, to not exceed receipts.

ARTICLE 10 - To see what sum the Town will vote to spend for **Topsham Economic Development (TDD)** and to see what sum the Town will vote to raise and appropriate for same.

1998-99	
Selectmen's budget	

Economic Devel.	74,000
Enterprise Fund	0
TOTAL:	74,000

Selectmen's Recommendation: (Allocated Below)

\$74,000 Taxation/State Reimb. For Homestead	
Property Tax Exemption	

ARTICLE 11 - To see what sum the Town will vote to spend for **Library Services** and to see what sum the Town will vote to raise and appropriate for same.

	1998-99
	Selectmen's Budget
Library Services	76,779
A motion was made to increase by	32,689
The amendment passed	
TOTAL:	109,468

Mr. Lepari amended his original motion to raise and spend \$109,468 (\$76,779 of same from taxation and \$32,689 to come from unappropriated surplus). This was seconded and the amendment passed.

Selectmen's Recommendation: (Allocated Below)	
\$ 76,779	Taxation/State Reimb. For Homestead
	Property Tax Exemption
\$ 32,689	From unappropriated surplus
	TOTAL:
\$109,468	\$109,468

ARTICLE 12 - To see what sum the Town will contribute to each of the following **Community Welfare and Service Organizations I & II** to supplement their respective incomes and to see what sum the Town will vote to raise and appropriate for same.

	1998-99
	Selectmen's Budget
Coastal Econ. Deve.	2,449
Bath-Brunns. Child Care	1,500
Coastal Trans	1,000
Jessie Albert Dental	1,800
Independence Assoc.	5,760
C.H.A.N.S.	4,000
Shoreline Mental Health	7,075
C.M.A.A.A. (Senior Spec)	2,000
Hospice	800
Catholic Charities	0
A WARE	0
Family Crisis Shelter	750
Bath-Brunns. Child Abuse	781
Brunswick Area Respite	2,000
Big Brother/Big Sister	2,300
Merrymeters	1,200
Brunns Area Chamber	0
WCBB-TV	750
Pejepscot Historical	500
*55 Plus Center	3,615
Grandstand Restor.	500
MidCoast Sexual Assault	1,000
TOTALS:	39,780

* Amended to increase from 2,800 to 3,615. A difference of 815.

Selectmen's Recommendation: (Allocated Below)	
\$38,965	Taxation/State Reimb. For Homestead
	Property Tax Exemption

ARTICLE 13 - Shall the Town of Topsham, Maine ("Town") designate the Village Candle Municipal Development and Tax Increment Financing District and adopt the Development Program for the District presented to the Board of Selectmen; such designation and adoption to be pursuant to the following terms and provisions.

WHEREAS, the Town is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the Town as a Municipal Development and Tax Increment Financing District (the "District") and to adopt a Development Program for such District; and

WHEREAS, there is a need for industrial development in the Town; and
 WHEREAS, Aldrich Enterprises, L.L.C., Village Candle, inc. and P&S Retail, Inc. D/b/a Village Candle Factory Store (collectively, the "Developer") intend to acquire, renovate and equip a manufacturing facility to be located within the proposed District; and

WHEREAS, there is a need to provide new employment opportunities for the citizens of the Town and the surrounding region; to improve and broaden the tax base of the town and to improve the general economy of the Town, the surrounding region and the State of Maine; and

WHEREAS, the expansion will help provide new employment for the citizens of the Town of Topsham and the surrounding region; improve and broaden the tax base in the Town and improve the economy of the Town and the State of Maine; and

WHEREAS, there is a need to encourage the expansion, improvement and continuation of manufacturing facilities through the establishment of Municipal Development and Tax Increment Financing Districts in accordance with the provisions of Chapter 207 of Title 30-A; and

WHEREAS, the Town has held a public hearing on the question of establishing the District in accordance with the requirements of 30-A M.R.S.A. ss 5253, upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, the Town desires to designate the Village Candle Municipal Development and Tax Increment Financing District and adopt a Development Program for such District; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development, approving the designation of the District and the adoption of the Development Program for the District;

NOW THEREFORE, BE IT HEREBY VOTED BY THE TOWN;

Section 1 The Town hereby finds and determines that:

At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is suitable for industrial sites as defined in 30-A M.R.S.A. ss 5253; and

The total area of the District does not exceed two percent (2%) if the total acreage of the Town, and the total area of all development districts within the Town (including the District) does not exceed five percent (5%) of the total acreage of the Town; and

The aggregate value of equalized taxable property of the District as of April 1, 1998 does not exceed five percent (5%) of the total value of equalized taxable property within the Town as of April 1, 1998; and

The aggregate value of indebtedness financed by the proceeds from tax increment financing districts within Sagadahoc County, including the proposed District, does not exceed \$50 million; and

The Town expects that the Developer's project as described in the Development Program will be completed within five (5) years of the designation of the District by the Department of Economic and Community Development; and

The designation of the District and pursuit of the Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 2. Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby designates the Village Candle Municipal Development and Tax Increment Financing District, designated and described as more particularly set forth in the "Village Candle Municipal Development and Tax Increment Financing District, Program" presented to the Board of Selectmen in the form attached hereto and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. The Town Manager be, and hereby, is authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the State or Maine Department of Economic and Community Development ("DECD") for review and approval pursuant to the requirements of 30-A M.R.S.A. ss 5253 (1)(F).

Section 4. The foregoing designation of the District and the adoption of the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the designation of the District and adoption of the Development Program by the DECD, without requirements of further action by the Town, the Board of Selectmen, or any other party.

Section 5. The Town Manager be and hereby is authorized and empowered, at her discretion, from time to time to make such technical revisions to the Development Program for the District as DECD

deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the Department of Economic and Community Development, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

Section 6. The Town Manager, with the approval of the Board of Selectmen, be and hereby is authorized and directed to enter into the Credit Enhancement Agreement contemplated by the Development Program, and in the name of and on behalf of the Town, such agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the said Town Manager and Board of Selectmen may approve.

Selectmen's Recommendation: Approval Passed

ARTICLE 14- To see if the Town will vote to establish a date of business for **1999 SPECIAL TOWN MEETING.**

Selectmen's Recommendation: That the 1999 Annual Town Meeting be held on the same day in November as the State Elections to conduct election of Municipal Officer's and Special Town Meeting shall be held on the third Wednesday in May to conduct non-election business. Passed

ARTICLE 15- to see if the Town in a non-binding vote will direct the Municipal Officers to continue developing a plan for a regional dispatch center with Bath, Brunswick, and Sagadahoc County to be presented to a future Town Meeting for approval.

Selectmen's Recommendation: Approval Passed

ARTICLE 16- To see if the Town will allow the Tax Collector to accept the prepayment of taxes and to see if the Town will fix the rate of interest to be paid on said taxes.

Selectmen's Recommendation: Approval, 0.0% Passed

ARTICLE 17- To see if the Town will fix dates when taxes are due and payable and to see if the Town will fix a rate of interest to be charged on taxes after said date.

Selectmen's Recommendation: October 15, 1998 10.75% Passed
April 15, 1999 10.75% Passed
Or maximum amount determined by the State Treasurer

ARTICLE 18- To see if the Town will establish a maximum interest rate to be paid on abated taxes.

Selectmen's Recommendation: 6.75% Passed
Or a rate established by the State Treasurer for delinquent taxes reduced by 4%.

ARTICLE 19- To see if the Town will authorize the Selectmen to dispose of Town-owned personal property with value of \$5,000 or less under such terms as they deem advisable.

Selectmen's Recommendation: Approval Passed

ARTICLE 20- To see if the Town will authorize the Selectmen to accept gifts with a value of \$1,000 or less under such terms they deem advisable.

Selectmen's Recommendation: Approval Passed

ARTICLE 21- To see if the Town will authorize the Treasurer with the consent of the Selectmen, to convey by deeds of quit-claim title and interest of the Town of Topsham in and to any real estate acquired by the Town by virtue of the Revised Statutes of the State of Maine, at any sale for such considerations as the Treasurer and the Selectmen may in each case determine.

Selectmen's Recommendation: Approval Passed

ARTICLE 22- To see if the Town will vote to authorize the Selectmen if they so elect to become a member of the Maine Municipal Association Property and Casualty Risk Pool, including but not limited to the execution of any contract required for such membership and appropriate funds under the General Government category for "Insurance" for the payment of any required fee or charges. The authority granted shall continue until revoked.

Selectmen's Recommendation: Approval Passed

ARTICLE 23- To see if the Town will authorize the Treasurer to waive the foreclosure of tax lien mortgages.

Selectmen's Recommendation: Approval Passed

ARTICLE 24- To appropriate the 1998-99 Excise Tax to the following accounts.

ARTICLE 6- Public Safety

ARTICLE 8- Public Works, Recycling Program and Transfer Station Management

Selectmen's Recommendation: Approval Passed

ARTICLE 25- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 91, Building Construction, Subsection 91-3 H (Section 1005.5), I and J" be enacted?

Selectmen's Recommendation: Approval Passed

ARTICLE 26- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 91, Building Construction, Subsection 91-3 H (Section 1806.1), I and J" be enacted?

Selectmen's Recommendation: Approval Passed

ARTICLE 27- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 115, Electrical Standards, Subsection 115-3 B (b)" be enacted?

Selectmen's Recommendation: Approval Passed

ARTICLE 28- To see if the Town will vote to accept an Argus Thermal Imaging Camera being donated by the Topsham Fire Department Association with a value amount of \$18,000.

Selectmen's Recommendation: Approval Passed

ARTICLE 29- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 85, Blasting, ss 85-5.c.(2)." be adopted?

Planning Board Recommendation: Approval Passed

ARTICLE 30- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 175, Site Plan Review, ss 175-2 and ss 175-8.R." be enacted?

Planning Board Recommendation: Approval Passed

ARTICLE 31- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 191, Subdivision Ordinance, ss 191-1, to add four definitions; ss 191-2; ss 191-5; ss 191-18; ss 191-19." be adopted?

Planning Board Recommendation: Approval Defeated

ARTICLE 32- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 191, Subdivision Ordinance, Subsection 191-8, Public Hearing" be enacted?

Planning Board Recommendation: Approval Passed

ARTICLE 33- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 225, Zoning Ordinance, subsection 225-6, Definitions, by amending the definition of official business direction sign, and subsection 225-33." Be enacted?

Planning Board Recommendation: Approval Passed

ARTICLE 34- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 225, Zoning Ordinance, Subsection 225-33C (4), (17), (18) and 0" be enacted?

Planning Board Recommendation: Approval Passed

ARTICLE 35- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 225, Zoning Ordinance, Subsection 225-59 A (3) and Subsections 225-67 C and D" be enacted?

Planning Board Recommendation: Approval Passed

ARTICLE 36- Shall an ordinance entitled "An ordinance to amend the Town of Topsham Code, Chapter 225, Zoning Ordinance, Subsection 225-79" be adopted?

Planning Board Recommendation:

Approval

Passed

GIVEN UNDER OUR HANDS THIS 1ST DAY OF MAY, 1998

Peter Lepari, Chair, James Bongiorno, Vice Chair, Roger Caouette,
William Larrabee, Ronald McKinnon

BOARD OF SELECTMEN

ATTEST: Paul J. Lessard, Police Chief, Town of Topsham