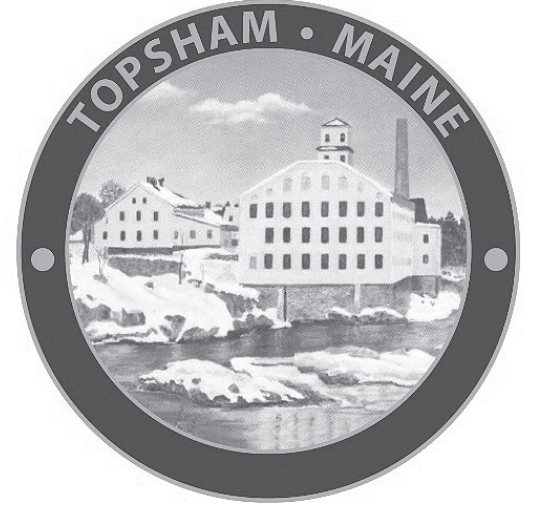


WARRANT FOR SPECIAL TOWN MEETING

CALLED TO ORDER @ 7:03; ADJOURNED @ 9:29; ATTENDANCE 107; ORANGE BALLOTS

Topsham, Maine
 May 16, 2018
 Sagadahoc, ss



TO: Chris Lewis, a Constable for the Town of Topsham
 FROM: Municipal Officers 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 Mt. Ararat High School Commons on Wednesday, the 16th day of May, 2018 A.D. at 7:00 o'clock p.m. in the evening and then and there to act on Articles 1 thru 19 to wit:

Article 1 - To elect a **Moderator** to preside at said meeting. ELECTED ROBERT LENNA

Article 2 - To have the Town vote to raise, appropriate and spend the sum of **\$1,398,979** for Debt Service.

	<u>2018-19</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>Allocation</u>	<u>2018-19</u> <u>Finance Committee</u> <u>Recommendation</u>
Library	\$ 101,938	Taxation	\$ 101,938
Monument Place Extension	\$ 180,287	Interchange TIF	\$ 180,287
Municipal Building	\$ 111,223	By-Pass TIF	\$ 111,223
	\$ 100,000	Frost St. TIF	\$ 100,000
	\$ 557,366	Taxation	\$ 557,366
Municipal Complex (Includes Sidewalks)	\$ 63,000	Taxation	\$ 63,000
Fire Truck	\$ 31,791	Taxation	\$ 31,791
	\$ 11,997	By-Pass North TIF	\$ 11,997
	\$ 1,800	By-Pass TIF	\$ 1,800
	\$ 300	Village Candle TIF	\$ 300
	\$ 300	Bowdoin Mill TIF	\$ 300
	\$ 2,999	Interchange TIF	\$ 2,999
	\$ 8,998	Frost Street TIF	\$ 8,998
	\$ 1,200	Downtown TIF	\$ 1,200
	\$ 600	Affordable Housing TIF	\$ 600
Equipment Bond (2015)	\$ 47,073	Taxation	\$ 47,073
	\$ 1,308	By-Pass TIF	\$ 1,308
	\$ 2,397	Village Candle TIF	\$ 2,397
	\$ 2,397	Bowdoin Mill TIF	\$ 2,397
	\$ 10,897	By-Pass North TIF	\$ 10,897
	\$ 8,717	Interchange TIF	\$ 8,717
	\$ 6,538	Frost Street TIF	\$ 6,538
	\$ 5,230	Downtown TIF	\$ 5,230
	\$ 2,615	Affordable Housing TIF	\$ 2,615
Equipment Bond (2017)	\$ 74,525	Taxation	\$ 74,525
	\$ 2,070	By-Pass TIF	\$ 2,070
	\$ 3,795	Village Candle TIF	\$ 3,795
	\$ 3,795	Bowdoin Mill TIF	\$ 3,795
	\$ 17,251	By-Pass North TIF	\$ 17,251
	\$ 13,801	Interchange TIF	\$ 13,801
	\$ 10,351	Frost Street TIF	\$ 10,351
	\$ 8,280	Downtown TIF	\$ 8,280
	\$ 4,140	Affordable Housing TIF	\$ 4,140
	\$ 1,398,979	TOTAL	\$ 1,398,979

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Ought to Pass
Ought to Pass PASSED

Article 3 - 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:

	<u>2017-18</u> <u>Approved</u> <u>Appropriation</u>	<u>2018-19</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>2018-19</u> <u>Finance Committee</u> <u>Recommendation</u>
General Government			
1. Administration	\$ 218,017	\$ 345,885	\$ 345,885
2. Municipal Officers	\$ 18,621	\$ 18,621	\$ 18,621
3. Finance Manager	\$ 87,235	\$ 88,589	\$ 88,589
4. Central Services	\$ 108,800	\$ 133,100	\$ 133,100
5. Tax/Clerk	\$ 293,691	\$ 309,965	\$ 309,965
6. Codes	\$ 89,816	\$ 92,312	\$ 92,312
7. Assessing	\$ 139,535	\$ 128,270	\$ 128,270
8. Elections/Registration	\$ 10,684	\$ 13,064	\$ 13,064
9. Planning Office	\$ 231,970	\$ 242,006	\$ 242,006
10. Economic Development	\$ 118,866	\$ 124,400	\$ 124,400
11. Municipal Insurance	\$ 213,548	\$ 186,980	\$ 186,980
12. Facilities Maintenance	\$ 172,514	\$ 166,275	\$ 166,275
13. Parks & Recreation	\$ 382,385	\$ 408,582	\$ 408,582
14. Library	\$ 595,225	\$ 651,146	\$ 651,146
15. General Assistance	\$ 20,700	\$ 20,600	\$ 20,600
16. Contractual Services	\$ 131,100	\$ 117,600	\$ 117,600
17. Public Utilities	\$ 355,012	\$ 370,763	\$ 370,763
18. Municipal TIF Fund	\$ 32,493	\$ 106,147	\$ 106,147
TOTALS	\$ 3,220,212	\$ 3,524,305	\$ 3,524,305

<u>2018-19</u> <u>Board of Selectmen</u> <u>Recommendation</u>	<u>Allocation</u>	<u>2018-19</u> <u>Finance Committee</u> <u>Recommendation</u>
\$ 399,590	Interchange TIF	\$ 399,590
\$ 467,450	State Revenue Sharing	\$ 467,450
\$ 931,655	General Revenue	\$ 931,655
\$ 500,000	Homestead Exemption	\$ 500,000
\$ 37,000	BETE Reimbursement	\$ 37,000
\$ 222,854	Surplus	\$ 222,854
\$ 965,756	Taxation	\$ 965,756
\$ 3,524,305	Total	\$ 3,524,305

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Ought to Pass
Ought to Pass PASSED

Article 4 - To see what sum the Town will vote to spend for the **Capital Projects Fund** under the following accounts and to see what sum the Town will vote to raise and appropriate for the same:

	<u>2017-18</u> <u>Approved</u> <u>Appropriation</u>	<u>2018-19</u> <u>Board of Selectmen</u> <u>Recommendation</u>		<u>2018-19</u> <u>Finance Committee</u> <u>Recommendation</u>	
		Raise	Spend	Raise	Spend
Administration					
Computers/Photo Copier	\$ 14,000	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000
Aerials	\$ 10,000	\$ 0	\$ 0	\$ 0	\$ 0
Capital Maintenance	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Facility System Replacement (Furnaces, A/C, Roof, etc.)	\$ 0	\$100,000	\$100,000	\$100,000	\$100,000
Software	\$220,000	\$ 0	\$ 0	\$ 0	\$ 0
Assessing					
Commercial Appraisal	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
Revaluation	\$ 5,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
CAMA Upgrade	\$ 0	\$ 12,000	\$ 12,000	\$ 12,000	\$ 12,000
Fire Protection/Rescue					
Brush Vehicle #1	\$ 45,000	\$ 0	\$ 0	\$ 0	\$ 0
Old Fire Station Demolition	\$ 15,000	\$ 0	\$ 0	\$ 0	\$ 0
Tanker #1 Repairs	\$ 0	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000
Library					
Exterior Lights	\$ 10,000	\$ 0	\$ 0	\$ 0	\$ 0
Interior Renovations	\$ 10,000	\$ 0	\$ 0	\$ 0	\$ 0
Police					
Cruiser	\$ 90,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000
Speed Sign Trailer	\$ 0	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000

Article 4 -continued on page 3

	2017-18 Approved Appropriation	2018-19 Board of Selectmen Recommendation		2018-19 Finance Committee Recommendation	
		Raise	Spend	Raise	Spend
Public Works					
3/4 ton Pick up w/ plow	\$ 40,000	\$ 0	\$ 0	\$ 0	\$ 0
Road Construction	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000
Mower	\$ 0	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
Elm St. Culvert	\$ 0	\$ 122,855	\$ 0	\$ 122,855	\$ 0
Elm St. Ext. Reconstruction	\$ 0	\$ 327,000	\$ 327,000	\$ 327,000	\$ 327,000
1 Ton Pick Up with Plow	\$ 0	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000
Main Street Culvert	\$ 265,000	\$ 0	\$ 0	\$ 0	\$ 0
Trackless Sidewalk Plow	\$ 140,000	\$ 0	\$ 0	\$ 0	\$ 0
Storage Building	\$ 180,000	\$ 0	\$ 0	\$ 0	\$ 0
Bike Path Landscaping	\$ 20,000	\$ 0	\$ 0	\$ 0	\$ 0
Lower Village Traffic	\$ 50,000	\$ 0	\$ 0	\$ 0	\$ 0
Recreation					
Recreation Field Lighting	\$ 10,000	\$ 0	\$ 0	\$ 0	\$ 0
Court Resurfacing	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
Building Repairs	\$ 0	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000
Zero Turn Mower	\$ 0	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000
Solid Waste					
Compactor Improvements	\$ 8,400	\$ 0	\$ 0	\$ 0	\$ 0
Totals	\$1,647,900	\$1,355,355	\$1,232,500	\$1,355,355	\$1,232,500

2018-19 Board of Selectmen Recommendation	Allocation	2018-19 Finance Committee Recommendation
\$ 314,550	Taxation	\$ 314,550
\$ 5,050	By-Pass TIF	\$ 5,050
\$ 12,300	Village Candle TIF	\$ 12,300
\$ 9,050	Bowdoin Mill TIF	\$ 9,050
\$ 20,750	By-Pass North TIF	\$ 20,750
\$ 32,500	Interchange TIF	\$ 32,500
\$ 10,300	Frost Street TIF	\$ 10,300
\$ 20,650	Downtown TIF	\$ 20,650
\$ 9,350	Affordable Housing TIF	\$ 9,350
\$ 0	Capital Reserves	\$ 0
\$ 98,000	URIP	\$ 98,000
\$ 122,855	Surplus	\$ 122,855
\$ 700,000	Excise	\$ 700,000
\$1,355,355	Total	\$1,355,355

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Ought to Pass
Ought to Pass PASSED

Article 5 - 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 the same:

	2017-18 Approved Appropriation	2018-19 Board of Selectmen Recommendation	2018-19 Finance Committee Recommendation
Public Safety			
Police Protection	\$1,625,070	\$ 1,807,432	\$ 1,807,432
Fire Protection/Rescue	\$ 841,531	\$ 1,002,511	\$ 1,002,511
Totals	\$2,466,601	\$ 2,809,943	\$ 2,809,943

2018-19 Board of Selectmen Recommendation	Allocation	2018-19 Finance Committee Recommendation
\$ 800,000	Excise	\$ 800,000
\$1,000,000	General Revenue	\$1,000,000
\$ 300,000	Surplus	\$ 300,000
\$ 709,943	Taxation	\$ 709,943
\$2,809,943	Total	\$2,809,943

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Ought to Pass
Ought to Pass PASSED

Article 6 - To see what sum the Town will vote to spend for **Public Works, Solid Waste and Recycling Program** under the following accounts and to see what sum the Town will vote to raise and appropriate for the same: (The Public Works Department is authorized to spend funds from this article in support of Capital Projects.)

	2017-18 Approved Appropriation	2018-19 Board of Selectmen Recommendation	2018-19 Finance Committee Recommendation
Public Works	\$1,173,907	\$1,228,995	\$1,228,995
Solid Waste/Recycling	\$ 386,937	\$ 393,820	\$ 393,820
Totals	\$1,560,844	\$1,622,815	\$1,622,815

2018-19 Board of Selectmen Recommendation	Allocation	2018-19 Finance Committee Recommendation
\$1,000,000	General Revenues	\$1,000,000
\$ 400,000	Excise	\$ 400,000
\$ 222,815	Taxation	\$ 222,815
\$1,622,815	Total	\$1,622,815

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Ought to Pass
Ought to Pass PASSED

Article 7 - To see what sum of money the Town will vote to spend for the **Topsham Community Fund**, which will be held in reserve for future projects, including unanticipated Topsham Bike Path expenses and local match or development expenses for the acquisition and development the Town's Head of Tide Park and to see what sum the Town will vote to raise and appropriate for the same:

	2017-18 Approved Appropriation	2018-19 Board of Selectmen Recommendation	2018-19 Finance Committee Recommendation
Community Fund	\$ 10,000	\$ 15,000	\$ 15,000
Totals	\$ 10,000	\$ 15,000	\$ 15,000

2018-19 Board of Selectmen Recommendation	Allocation	2018-19 Finance Committee Recommendation
\$ 5,000	Targeted Cap. Reserve	\$ 5,000
\$ 10,000	Taxation	\$ 10,000
\$ 15,000	Total	\$ 15,000

Board of Selectmen Recommendation:
Finance Committee Recommendation:

Ought to Pass
Ought to Pass PASSED

Article 8 - To see what sum the Town will vote to increase the maximum property tax levy limit established by State Law (L.D. 1) in the event that the municipal budget approved at this Town Meeting results in a tax commitment in excess of the maximum property tax levy otherwise applicable such that the increased maximum property tax levy hereby established will equal the amount committed: (By State Law, the vote on this article must be by written ballot.)

Board of Selectmen Recommendation:
Finance Committee Recommendation:

No recommendation
No recommendation A SILENT VOTE OF \$0.00

Article 9 - To see if the Voters will adopt an Ordinance to amend the Town Code, Chapter 225-6, Definitions and 225-16 Attachment 1:3, Table of Use Regulations-to amend the definitions section to add a definition of retail marijuana establishment and to amend the Use Table to prohibit retail marijuana establishments throughout town.
(Additions are underlined; deletions are struck through)

225-6 Definitions

Retail Marijuana Establishment

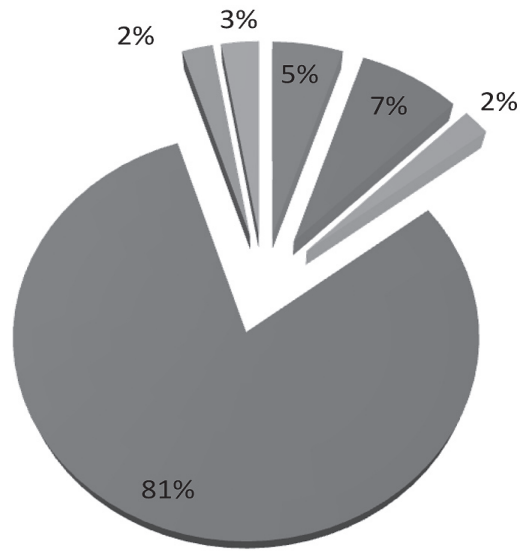
Retail marijuana establishment means "retail marijuana store", "retail marijuana cultivation facility", "retail marijuana products manufacturing facility", "retail marijuana testing facility", "retail marijuana social club". The term retail marijuana establishment also includes any establishment which resembles a retail storefront in terms of signage, hours of operation and accessibility to patrons or clients which is operated, staffed, or serviced by one or more "registered primary caregiver", "medical provider" or any other individuals or entities for the purpose of sale or distribution of "marijuana", "marijuana product", "marijuana concentrate" to a "qualifying patient" or any other individuals or entities. Where above referenced terms are not defined by this ordinance, such terms shall have the same meaning ascribed to them in MRS Title 7 §2442 and MRS Title 22 §2422.

Use	District																	
	R-1	R-2	R-3	CC	RCU	MUL	MUC	MUC-1	BP	CC196	I	BP2	R-4	LI	VC	MV	LV	R2B
<u>Retail marijuana establishment</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Planning Board Recommendation:

Ought to Pass DEFEATED

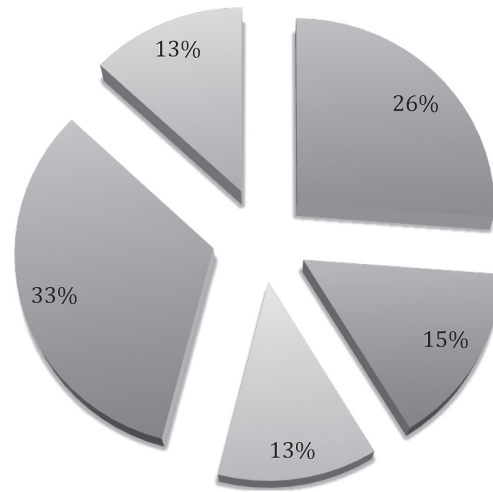
2019 REVENUE



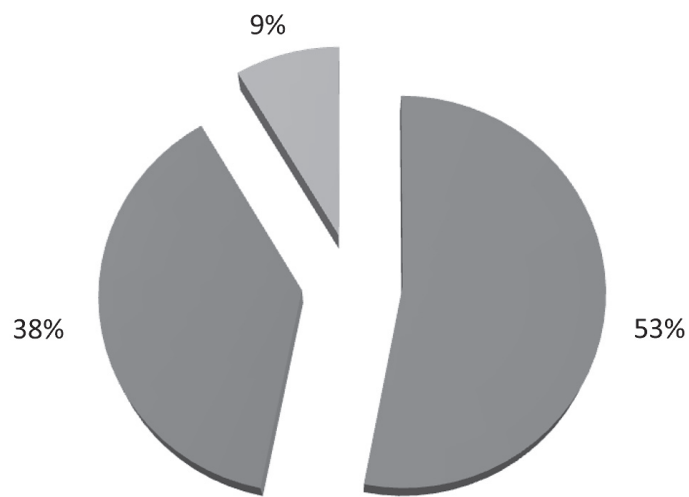
- GENERAL (5%)
- EXCISE TAX (7%)
- REVENUE SHARING (2%)
- PROPERTY TAX (81%)
- HOMESTEAD/BETE (2%)
- OTHER (3%)

2019 EXPENSE

- PUBLIC SAFETY (26%)
- PUBLIC WORKS & SOLID WASTE (15%)
- CAPITAL PROGRAM (13%)
- GENERAL GOVERNMENT (33%)
- DEBT (13%)

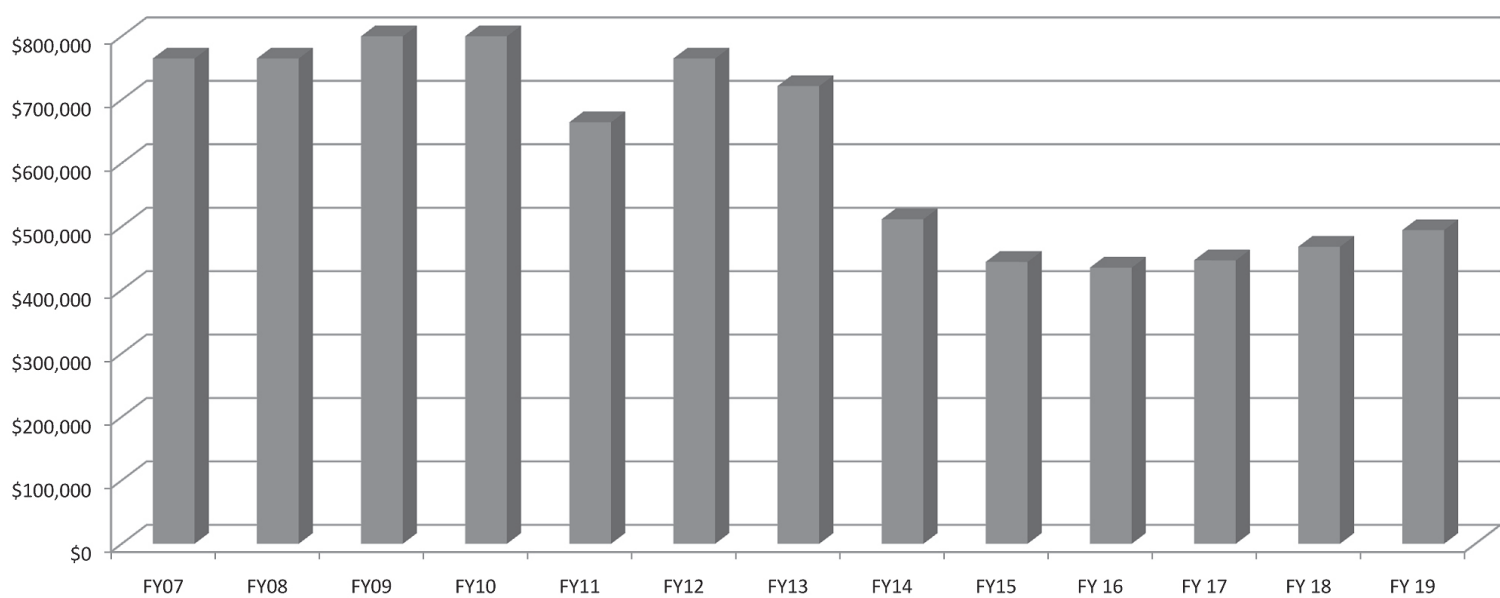


2019 COMMITMENT



- M.S.A.D. NO. 75 (53%)
- MUNICIPAL (38%)
- COUNTY (9%)

REVENUE SHARING



Article 10 - To see if the Voters will adopt an Ordinance to amend the Town Code, Chapter 225-50, Apartment buildings and multifamily developments- to amend the section to correct omissions and error (Additions are underlined; deletions are struck through).

§ 225-50 Apartment buildings and multifamily developments.
[Amended 5-21-1997 STM, Art. 42; 5-19-1999 STM, Art. 13]

A. All proposals to construct apartment buildings and multifamily developments shall be in conformance with the general performance standards of Article VII, Chapter 191 Subdivision of Land, Chapter 175 Site Plan and the design requirements listed below. Apartment buildings and multifamily housing, including dwelling units within a mixed-use building, that are part of a planned mixed-use development shall be exempt from the requirements of § 225-50, provided that they are served by public water and public sewerage and are consistent with the approved master plan for the development. **[Amended 5-24-2007 STM, Art. 15]**

B. Applications for approval shall include a map of the area; dimensions, boundaries and principal elevations of the land for which approval is sought; the names of all property owners within 200 feet of the proposed site, as found on the most recent tax list; building layout and general construction plans; a site plan of all driveways and parking areas proposed to be constructed; and other information which addresses all appropriate performance standards and design requirements and all appropriate factors to be considered in evaluating proposals.

C. Design requirements.

(1) Density. The net residential density shall not exceed the density required for single-family dwellings in the zone or district in which the apartment buildings or multifamily development is proposed, except in the LV, VC and LI Zones in accordance with 225-50C(1)(i). **that: [Amended 5-17-2000 STM, Art. 6; 11-13-2008 STM, Art. 8; 5-20-2009 STM, Art. 15]**

- (a) Any dwelling in the R-1 Zone existing prior to enactment of this chapter shall require 10,000 square feet for the first unit plus 2,000 square feet for each additional unit.
- (b) New multifamily developments built on lots vacated by the demolition of a single-family dwelling which existed prior to the enactment of this chapter shall not exceed the density required for single-family dwellings in the zone, except in the LV, VC and LI Zones in accordance with § 225-50C(1)(i).
- (c) New multifamily dwellings built in the R-1 Zone and connected to public sewer and water shall require 30,000 square feet of usable land for each two dwelling units.
- (d) New multifamily dwellings built in the R-2 Zone and connected to public sewer and water shall require 40,000 square feet of usable land for each two dwelling units.
- (e) New multifamily dwellings or apartments built in the Mixed Use Limited (MUL) Zone and connected to public sewer and water must have a minimum of 12,500 square feet of lot for each dwelling unit.
- (f) New multifamily dwellings built in the CC, RCU, MUC, LV, MV, VC, and LI Zones shall be connected to public sewer and water and shall have a minimum lot area of at least the minimum lot size for the first unit plus 1/2 of the minimum lot size of usable land for each additional unit.
- (g) ~~New multifamily developments of more than eight dwelling units must be designed according to the cluster principles as found in this chapter or as a planned development if planned developments are permitted in the zone.~~
- (h) ~~(g)~~ New multifamily developments located in the R4 Zone shall be connected to public sewer and water and shall be allowed at the density specified in the Topsham Annex Reuse Master Plan, in the areas so identified. In those areas of the R4 not included in the Topsham Annex Reuse Master Plan, new multifamily dwellings may be constructed at a density of four (4) units per acre.
- (i) ~~(h)~~ In the LV, VC and LI Zones, the first two dwelling units do not count towards the maximum density calculations in mixed-use developments. Each additional unit shall have 1/4 the minimum lot size for the zone and shall meet all other applicable dimensional and performance standards.

Planning Board Recommendation:

Ought to Pass

PASSED

Article 11 - To see if the Voters will adopt an Ordinance to amend the Town Code, Chapter 225-16 Attachment 1:1 Table of Use Regulations- to amend the table to delete, add and allow certain existing uses within all zoning districts.

Use	District																	
	R-1	R-2	R-3	CC	RCU	MUL	MUC	MUC-1	BP	CC196	I	BP2	R-4	LI	VC	MV	LV	R2B
Amusement Park												X	X	X	X	X	X	X
Batch Plant	X	X	X	C	C	X	X	X	X	X	P	X	X	C	X	X	X	X
Concrete product manufacturing	X	X	X	C	C	X	X	X	X	X	P	X	X	C	X	X	X	X
Food processing	X	X	X	C	C	C	C	C	P	P	P	C	X	P	X	X	X	X
Mobile food service	X	X	X	P	P	P	P	P	P	P	P	P	X	P	P	X	P	P
Small wind energy conversion systems	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Notes:																		
8	Maximum 5,000 square feet of gross floor area.																	
18	Maximum of 6,500 square feet of building footprint per use																	
20	Limited to 15,000 square feet of building footprint per lot																	

Planning Board Recommendation:

Ought to Pass

DEFEATED

Article 12 - To see if the voters will vote to pay for tax abatements and applicable interest granted during the fiscal year of 2018/2019 from Overlay. (Explanation: The Assessor is authorized to raise Overlay under 36 MRSA, Section 710, but voter authorization is required to spend Overlay. Overlay cannot be more than 5% of the Tax Commitment)

Board of Selectmen Recommendation: **Ought to Pass** PASSED

ARTICLE 13, 14, 15, 16, 18 & 19 VOTED AS ONE ARTICLE AS PASSED

Article 13 - To see if the Town will fix the date of May 15, 2019 for the Special Town Meeting.

Board of Selectmen Recommendation: **Ought to Pass**

Article 14 -To see if the Town will fix the dates when taxes are due and payable, Monday, October 15, 2018 and Tuesday, April 16, 2019 and to see if the Town will fix a rate of interest to be charged on taxes after said date at 8% or the maximum amount determined by the State Treasurer.

Board of Selectmen Recommendation: **Ought to Pass**

Article 15 - To see if the Town will establish a **maximum interest rate** to be paid on abated taxes:

8% or the maximum rate established by the State Treasurer

For delinquent taxes the interest rate to be paid by the Town reduced by 2%

Board of Selectmen Recommendation: **Ought to Pass**

Article 16 - 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 they deem advisable.

Board of Selectmen Recommendation: **Ought to Pass**

Article 17 - To see if the Town will authorize the Selectmen to **accept gifts** on behalf of the Town under such terms they deem advisable.

Board of Selectmen Recommendation: **Ought to Pass** PASSED

Article 18 - To see if the Town will authorize the Selectmen to convey by deeds of quit-claim title or other titles as appropriate any real estate acquired by the Town to such persons for such considerations as the Selectmen may in each case determine.

Board of Selectmen Recommendation: **Ought to Pass**

Article 19 - To see if the Town will authorize the Selectmen to apply for grants, approve the acceptance of grants, receive grants, appropriate the Town's share of the grant from funds raised at a Town Meeting and expend the grant for the purpose stated in the grant.

Board of Selectmen Recommendation: **Ought to Pass**

GIVEN UNDER OUR HANDS THIS 12th DAY OF April, 2018 BY THE BOARD OF SELECTMEN:

David Douglass, Chair

William Thompson, Vice-Chair

Marie Brilliant

Roland Tufts

Ruth Lyons

The Registrar of Voters office located at the Municipal Building is open Monday - Friday during regular business hours; for the purpose of accepting new registrations and to make address, name and /or enrollment changes. In addition, the Deputy Registrar will be present at the Special Town Meeting from 6 p.m. - 7 p.m. on May 16, 2018.

A true copy of the warrant.

Attest: _____

Clerk of: Topsham