

WARRANT FOR SPECIAL TOWN MEETING

Topsham, Maine
May 13, 2026
Sagadahoc, ss

TO: Marc Hagan, a Constable for the Town of Topsham
 FROM: Municipal Officers of Topsham

GREETINGS: 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 Mt. Ararat High School Forum Room on Wednesday, the 13th day of May 2026 A.D. at 7:00 o'clock p.m. in the evening, with a back-up date on Thursday, May 14th and then and there to act on Articles 1 thru 24 to wit:

Article 1: To elect a Moderator to preside at said meeting.

Article 2: To see if the Town will ratify the change to allow the Select Board, by a two-thirds majority, to waive the interest penalty on property taxes for up to six months beyond the due date during a declared state of emergency within the past six months.

Article 3: To have the Town vote to raise, appropriate and spend the sum of \$122,188 for Debt Service.

	2026-2027 Select Board Recommendation	2026-2027 Finance Committee Recommendation
Equipment Bond (2016)	\$ 122,188	\$ 122,188
Total	\$ 122,188	\$ 122,188

Select Board Recommendation: Ought to Pass
Finance Committee Recommendation: Ought to Pass

Article 4: 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, and to authorize the Select Board to transfer funds from Municipal Insurance to departments outside of General Government, for employee wage and benefit adjustments.

	2025-2026 Approved Appropriation	2026-2027 Select Board Recommendation	2026-2027 Finance Committee Recommendation
General Government			
1. Administration	\$ 428,903	\$ 474,144	\$ 474,144
2. Municipal Officers	\$ 20,301	\$ 20,684	\$ 20,684
3. Finance & Tax Collector	\$ 444,568	\$ 496,459	\$ 496,459
4. Central Services	\$ 325,265	\$ 348,842	\$ 348,842
5. Town Clerk/Elections	\$ 219,019	\$ 213,380	\$ 213,380
7. Assessing	\$ 161,336	\$ 184,912	\$ 184,912
8. Planning & Codes	\$ 448,837	\$ 495,562	\$ 495,562
9. Economic Development/TDI	\$ 27,500	\$ 47,600	\$ 47,600
10. Municipal Insurance	\$ 483,368	\$ 233,890	\$ 233,890
11. Facilities Maintenance	\$ 368,072	\$ 392,095	\$ 392,095
12. Parks & Recreation	\$ 395,497	\$ 426,749	\$ 426,749
13. Library	\$ 904,700	\$ 969,486	\$ 969,486
14. General Assistance	\$ 20,100	\$ 20,016	\$ 20,016
15. Contractual Services	\$ 144,900	\$ 99,400	\$ 99,400
16. Public Utilities	\$ 485,500	\$ 515,300	\$ 515,300
TOTAL	\$ 4,877,866	\$ 4,938,519	\$ 4,938,519

Select Board Recommendation: Ought to Pass
Finance Committee Recommendation: Ought to Pass

Article 5: To see what sum the Town will vote to spend for the Capital Projects Fund under the following accounts and see what sum the Town will vote to raise and appropriate for the same.

	2025-2026 Approved Appropriation	2026-2027 Select Board Recommendation	2026-2027 Finance Committee Recommendation
Administration			
IT/Comms/Office Replacement	\$ 30,000	\$ 30,000	\$ 30,000
Capital Maintenance	\$ 75,000	\$ 50,000	\$ 50,000
Capital Replacement	\$ 0	\$ 0	\$ 0
Revaluation	\$ 25,000	\$ 25,000	\$ 25,000

Fire Protection/Rescue			
Vehicle/Equipment Replacement (1)	\$ 371,000	\$ 178,000	\$ 178,000
Police			
Vehicle/Equipment Replacement (3)	\$ 65,000	\$ 175,000	\$ 175,000
Public Works			
Road Construction	\$ 500,000	\$ 750,000	\$ 750,000
Vehicle/Equipment Replacement	\$ 38,000	\$ 186,000	\$ 186,000
Development and Construction Projects (2)	\$ 800,000	\$ 400,000	\$ 400,000
Parks & Recreation			
Recreation Field Improvements	11,000	\$ 22,000	\$ 22,000
TOTALS	\$ 1,915,000	\$ 1,816,000	\$ 1,816,000

- (1) Includes replacement of Command Vehicle, Engine 2 pump repair, battery powered extrication tools, CPR device, and dry hydrants repairs.
(2) Rather than separating Development and Construction, propose \$400,000 which would be spent on engineering and/or construction at the discretion of the Select Board for the following projects: Tedford Road improvements/design; Pleasant Point Road improvements/design and Solid Waste Facility improvements/design.
(3) Includes replacement of 2 Police vehicles, \$15,000 for replacement of police canine.

Select Board Recommendation: Ought to Pass
Finance Committee Recommendation: Ought to Pass *

* (except for replacement of Police Department K-9 that resulted in 3-3 vote of members present)

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 the same.

	2025-2026 Approved Appropriation	2026-2027 Select Board Recommendation	2026-2027 Finance Committee Recommendation
Public Safety			
Police Protection	\$ 2,548,423	\$ 2,875,339	\$ 2,875,339
Fire Protection/Rescue	\$ 2,157,431	\$ 2,510,330	\$ 2,510,330
TOTAL	\$ 4,705,854	\$ 5,385,669	\$ 5,385,669

Select Board Recommendation: Ought to Pass
Finance Committee Recommendation: Ought to Pass

Article 7: To see what sum the Town will vote to spend for Public Works and Solid Waste/Recycling 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).

	2025-2026 Approved Appropriation	2026-2027 Select Board Recommendation	2026-2027 Finance Committee Recommendation
Public Works	\$ 1,820,615	\$ 1,929,419	\$ 1,929,419
Solid Waste/Recycling	\$ 601,921	\$ 652,645	\$ 652,645
TOTAL	\$ 2,422,536	\$ 2,582,064	\$ 2,582,064

Select Board Recommendation: Ought to Pass
Finance Committee Recommendation: Ought to Pass

Article 8: To see if the Town will vote to authorize the Select Board to enter into agreements or other documentation with Park Drive Lot 11 LLC and Park Drive Lot 12 LLC to grant them an easement to maintain joint signage on Town property and to extinguish the former sign easement location upon such terms and conditions as the Select Board may deem in the best interests of the Town.

Explanation: There is an easement for an existing sign for the Goodwill store located on Park Drive as the sign is located on Town property (a portion of the right of way). A new combined sign is planned for the Goodwill store as well as the apartment complex being built next to it. During the survey process it was discovered that the current sign was not built in the location where the Town previously granted an easement. This article gives the Select Board the authority to consent to the relocation of the easement on behalf of the Town and allow both entities to use the same easement area.

Select Board Recommendation: Ought to Pass

Article 9: To see if the Town will vote to authorize the Select Board to enter into agreements or other documentation with the Sagadahoc Agricultural and Horticultural Society, Inc. (the "Topsham Fair") which will commit the Topsham Fair to providing a 50 foot wide easement from Community Way to the 21 acre town-owned lot that sits between the property of the Topsham Fair and the Route 196 Bypass, in return for the Topsham Fair (1) being granted access to any utilities installed within the easement, (2) the Town installing a gate at a location selected by the Topsham Fair to control access and (3) the Town providing the Emergency Medical Service coverage it has customarily provided the Topsham Fair each year (for a fee), on an ongoing basis at no charge, all upon such terms and conditions as the Select Board may deem in the best interests of the Town.

Explanation: The preferred site for the proposed Community Center is a 21-acre parcel of Town owned land which is landlocked between the Topsham Fairgrounds and the Route 196 Bypass. Any further planning and design of the Community Center is site specific and would not be prudent to proceed with unless there is a guaranty that the site can be accessed. The Town and the Topsham Fair have had discussions and are negotiating a draft of an agreement along the lines of the terms outlined above. The cost of the EMS coverage contemplated by the article is about \$10,000 per year. This is an agreement to grant an easement rather than an easement itself because it will not go into effect until such time that the Town takes an affirmative vote at a future town meeting to construct a community center. Accordingly, the Topsham Fair will not have granted a right of way if the Community Center is not built and the Town has no financial obligations to the Topsham Fair if the project does not proceed.

Select Board Recommendation: Ought to Pass

Article 10: *Shall the voters of the Town of Topsham, Maine amend the affordable housing municipal tax increment financing district known as the "Union Park Road Affordable Housing Municipal Development and Tax Increment Financing District," and amend the development program for such district, pursuant to the following findings, terms and provisions?*

Explanation: This article amends the Affordable Housing TIF passed at the November town meeting to reduce the TIF district from being the entire lot upon which the new apartment building will be built to an area comprised of the footprint of the new apartment building and associated parking area requested by the Maine State Housing Authority.

Select Board Recommendation: Ought to Pass

WHEREAS, the Town of Topsham (the "Town") is authorized pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area or areas within the Town as an affordable housing development district and adopt a development program for such district; and

WHEREAS, there is a need for the development of affordable, livable housing and the containment of the costs of unplanned growth in the Town of Topsham, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to provide impetus for affordable housing development within a district of the municipality; and

WHEREAS, implementation of the development program for the new affordable housing municipal development and tax increment financing district will help improve and broaden the tax base in the Town and improve the economy in the Town and the region by attracting business development and creating affordable housing in the area of these districts; and

WHEREAS, the Town designated an affordable housing municipal development and tax increment financing district entitled the *Union Park Road Affordable Housing Municipal Development and Tax Increment Financing District* (the "District") and adopted a development program for the District on November 4, 2025;

WHEREAS, the Town wishes to adopt a first amendment to the District and Development Program to reduce the size of District by 1.0 acres to remove the commercial building and to incorporate comments from MaineHousing; and

WHEREAS, it is expected that approval will be obtained from the Maine State Housing Authority ("MaineHousing") approving the designation of the *Union Park Road Affordable Housing Municipal Development and Tax Increment Financing District Development Program*; and

NOW THEREFORE, BE IT ORDERED BY THE TOWN OF TOPSHAM, MAINE:

Section 1 Pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby amends the *Union Park Road Affordable Housing Municipal Development and Tax Increment Financing District* and adopts the associated Development Program for the District as described more particularly herein and set forth in the documents presented to the Select Board and Town Meeting in conjunction with this Order.

Section 2 The Town hereby finds and determines that:

a. At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is suitable for residential use, blighted area, or is in need of rehabilitation or redevelopment; and

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

c. The original assessed value of the District plus the original assessed value of all existing affordable housing development districts within the Town does not exceed five percent (5%) of the total value of taxable property in the Town as of April 1, 2026.

d. The District and pursuit of the District Development Program will contribute to the expansion of affordable housing opportunities within the municipality or to the betterment of the health, welfare or safety of the inhabitants of the Town. The Town has considered all evidence, if any, presented to it with regard to any substantial detriment to another party's existing property interests in the Town and has found and determined that such interested party's property interests in the Town are outweighed by the contribution made by the District or its development program to the availability of affordable housing within the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

Section 3 Pursuant to the provisions of 30-A M.R.S. § 5250-A, the percentage of captured assessed value to be retained in the District is hereby established as set forth in the District development program.

Section 4 The Town Manager be, and hereby is, authorized, empowered and directed to submit the proposed amendments to the District and Development program for the District to the MaineHousing for review and approval pursuant to the requirements of 30-A M.R.S. Chapter 206, Subchapter 3; and further is authorized to execute a credit enhancement agreement consistent with the provisions of the District Development Program as presented and approved herein, and to create the accounts and take all the actions described in such agreements.

Section 5 The Town Manager be and hereby is authorized and empowered at his direction from time to time to make such revisions to the District Development Program for the District as he deems reasonably necessary or convenient in order to facilitate the process of review and approval of the District by MaineHousing, or for any other reason, so long as such provisions are not inconsistent with these resolutions or the basic structure and intent of the District Development Program. The Town Manager is also hereby authorized and directed to submit any reports to MaineHousing regarding the District and development program throughout the term of the District.

Section 6 The foregoing amendment District Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the Town of approval by MaineHousing without requirements of further action by the Town, Town Meeting or any other party

Article 11: Shall an ordinance be enacted to amend the Town Code, **Chapter 175 Site Plan Review**, to amend thresholds and requirements related to staff approvals as well as several other changes related to clean-up of language and compliance with current practices. A copy of the proposed text is available on the Town's website (www.topshammaine.com) or by contacting the Town Clerk.

Explanation: This chapter was updated to allow the Planning Director to approve small projects and amendments to projects previously approved by the Planning Board. The requirement differences between Planning Director and Planning Board approval have been clarified, and language to provide the Director with the ability to request more information and levy certain requirements has been added. Several clean-up actions were also undertaken such as removing inaccurate definitions, altering landscape material recommendations, extending the length of time approvals remain valid for, and bringing language up to date with current practices related to application completeness and submission requirements.

Planning Board Recommendation: Ought to Pass

Article 12: To see if the Town will vote to authorize up to \$57,000.00 to be spent out of the Open Space Payment in Lieu Capital Fund for the purpose of updating the 2010 Town of Topsham Natural Areas Plan at the discretion of the Select Board.

Explanation: The Open Space Payment in Lieu Capital Fund was established by ordinance to foster open space conservation, however expenditures from it must be authorized by Town Meeting. It is the intention of the Conservation Commission to seek supplemental funding to help offset project costs to the extent possible, so a maximum amount has been requested rather than an exact number.

Select Board Recommendation Ought to Pass
Finance Committee Recommendation Ought to Pass
Conservation Commission Recommendation: Ought to Pass

Article 13: To see if the Town will vote to authorize up to \$74,000.00 to be spent out of the Topsham Fair Mall Area Traffic Impact Fee Fund for the purpose of constructing a sidewalk at the western end of Park Drive at the discretion of the Select Board.

Explanation: As lots are developed in the Topsham Fair Mall Area developers make payments into a traffic impact fee fund to make capital improvements to the roads in the area. The developer of the Residences at Park Drive is funding the construction of a section of sidewalk on Park Drive. The public works crew propose to build a connecting sidewalk to the western intersection of Park Drive and Topsham Fair Mall Road. This vote will allow the Select Board to expend funds from the impact fee fund in support of the project for materials and work that cannot be done in house.

Select Board Recommendation: Ought to Pass
Finance Committee Recommendation: Ought to Pass

Article 14: To see if the voters will vote to pay for tax abatements and applicable interest granted during the fiscal year of 2026/2027 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

Select Board Recommendation: Ought to Pass

Article 15: To see if the Town will fix the date of Wednesday, May 19, 2027, for the Special Town Meeting.

Select Board Recommendation: Ought to Pass

Article 16: To see if the Town will fix the dates when taxes are due and payable October 15, 2026, and April 15, 2027, and to see if the Town will fix a rate of interest to be charged on taxes after said date at 7 % or the maximum amount determined by the State Treasurer.

Select Board Recommendation: Ought to Pass

Article 17: To see if the Town will establish a **maximum interest rate** to be paid on abated taxes

7 % or the maximum rate established by the State Treasurer

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

Select Board Recommendation: Ought to Pass

Article 18: To see if the Town will vote to authorize the Select Board to sell, convey, and otherwise dispose of any Town-owned property the Select Board determines not to be needed for Town use upon such terms and conditions as the Select Board may deem in the best interests of the Town as otherwise allowed by law.

Select Board Recommendation: Ought to Pass

Article 19: To see if the Town will authorize the Select Board to accept gifts, real estate, and certain funds, including trust funds (hereinafter collectively referred to as “the Gifts”) on behalf of the Town under such terms as they deem advisable, spend the Gifts for the purposes intended as allowed by law and establish reserve funds as necessary in order to give effect to the Gifts.

Select Board Recommendation: Ought to Pass

Article 20: To see if the Town will vote to authorize the Select Board to accept and convey any easements on behalf of the Town of Topsham which the Select Board deem appropriate.

Select Board Recommendation: Ought to Pass

Article 21: To see if the Town will authorize the Treasurer, with the approval of the Select Board, to waive foreclosure on any tax lien during the course of the fiscal year, leaving the Tax Lien Mortgage in full force and effect as provided for in 36 M.R.S.A. Sec. 944(1).

Select Board Recommendation: Ought to Pass

Article 22: To see if the Town will authorize the Select Board to establish reserve accounts for Town accounts holding donated money, spend such donations for the purposes intended as allowed by law in order to give effect to the donation and transfer the current balances of existing donation accounts into the corresponding reserve account.

Select Board Recommendation: Ought to Pass

Article 23: To see if the Town will authorize the Select Board to establish reserve accounts for capital or other statutorily authorized purposes, spend such reserves for the purposes intended as allowed by law and transfer the current balances of existing accounts into the corresponding reserve account.

Select Board Recommendation: Ought to Pass

Article 24: To see if the Town will authorize the Select Board 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, expend the grants for the purposes stated in the grant and enter into agreements or other documentation required in connection therewith. These expenditures may be reflected outside of the Town’s approved budget.

Select Board Recommendation: Ought to Pass

GIVEN UNDER OUR HANDS 16th DAY OF APRIL 2026 BY THE SELECT BOARD

Roland Tufts, Chair

Ryan Holmes, Vice-Chair

Michael Labbe

Ann Callahan

David Kenney

The Registrar of Voters located at the Municipal Building is open Monday- Friday during regular business hours; for the purpose of accepting new registration and to make address, name and /or enrollment changes. In addition, the Deputy Registrar will be present at the Special Town Meeting from 6:00pm-7:00pm on May 13, 2026.

ATTEST A TRUE COPY
OF ORIGINAL DOCUMENT

CLERK
TOWN OF TOPSHAM, MAINE

DATE _____

DRAFT