



# AGENDA

**SELECT BOARD MEETING  
THURSDAY, JULY 2, 2020  
PUBLIC HEARING: 5:30 P.M.  
SPECIAL MEETING: 6:00 P.M.**

## **MULTI-PURPOSE ROOM**

**1. CALL THE MEETING TO ORDER**

**2. PUBLIC HEARINGS:**

- A. Review ordinance amendments to “Chapter 7 of the Land-Use: Article I Zoning Regulations, Article II General Standards of Performance, Article III Land Subdivision, and Article IV Site-Plan Review” and “Chapter 10 of the Land Use, Definitions.”**

**3. NEW BUSINESS**

- A. Review for approval and signature the Annual Town Meeting Warrant for FY2020-2021 to be voted on September 15, 2020.**
- B. Review the Option to Purchase Real Estate Agreement as submitted by Pollution Control Superintendent John Fancy.**

**4. ADJOURN**

# ARTICLE I: ZONING REGULATIONS

## Section 704 Administration

### 704.1 Planning Board

#### 704.1.5 Conditional Use Permits

a) **Purpose and Applicability**

The purpose of this Section is to enable the Planning Board to review certain proposed uses of the land that have the potential of creating unusual or undue impacts on surrounding properties, municipal facilities, or the natural environment. A building, structure, or parcel of land may be used for a conditional use if the use is specifically listed in the regulations governing the zoning district in which the use is proposed, and if a conditional use permit is approved by the Board of Appeals.

### 704.6 Application

704.6.1-All applications for building permits shall be accompanied by plans drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations and dimensions of the proposed building or alteration and the proposed sewage disposal system as certified by a professional engineer registered in accordance with Maine laws, or a plumbing inspector appointed by the *Town of Thomaston*. A digital copy of the plans shall also be supplied via email or on a digital recording device. The application shall include such other information as lawfully may be required by the Thomaston Code Enforcement Officer to determine conformance with and provide for the enforcement of this Ordinance.

## Section 707 Urban Residential District (R3)

### 707.4 Conditional Uses (Subject to approval of the Planning Board)

10) **Food Service** [Renumber following items]

## Section 707A Village Mixed Use District (R3A)

### 707A.4 Conditional Uses (Subject to approval of the Planning Board)

1) **Apartment Building or Unit** [Renumber following items]

## Section 708 Transitional Residential District (TR3)

### 708.4 Conditional Uses (Subject to approval of the Planning Board)

8) **Mobile Home Park** [Renumber following items]

## Section 709 Rural Residential District (R2)

### 709.2 Boundary Description

#### **OLD COUNTY ROAD, HIGH STREET AREA**

Beginning at a point in the center of the thread of Mill River at the Northwest corner of Map 204, Lot 131; thence Easterly along the Northerly boundary of lot 131 to the center line of Old County Road; thence Southwesterly along the center line of Old County Road to the Northerly corner of Map 104, Lot 147; thence Southeasterly, Southwesterly and Northwesterly along the boundary of lot 147 to the center line of Old County Road; thence Southwesterly along the center line of Old County Road extended to the Southwesterly corner of Map 104, Lot 132; thence extended to the center line of US Route One and to the Western corner of Map 104, Lot 153; thence along the Southern boundary of lot 153 to the Southwest corner of lot 151; thence Southerly to a point that is on the Thomaston-South Thomaston Town Line 1,000 feet Easterly of the Westerly Right-of-Way line of High Street; thence Westerly along the said Town Line and the center line of the MCRR ROW to a point on the MCRR Bridge where the Town Line turns South; thence Northerly along the thread of Mill River to the place of beginning.

## Section 710 Rural Residential & Farming District (R1)

### 710.2 Boundary Description

#### **PLEASANT STREET AREA**

Beginning at a point in the center line of Pleasant Street on the Rockland-Thomaston Town Line at the North corner of Map 207, Lot 087; thence Southwesterly to the West corner of Map 207, Lot 087; thence Southeasterly along the boundary lines of Map 207, Lots 087, 085, 083, and 081 to a point directly opposite the Northwest corner of Map 207, Lot 079; thence to the Northwest corner of Map 207, Lot 079; thence continuing Southeasterly along the boundary lines of Map 207, Lots 079, 077, and 075 and 073; thence Easterly along the Southerly boundary of Map 207, Lot 073 075 to the center line of Pleasant Street and the Rockland-Thomaston Town Line; thence Northwesterly along the center line of Pleasant Street and the Rockland-Thomaston Town Line to the North corner of Map 207, Lot 087 and the place of beginning.

#### **HIGH STREET, OLD COUNTY ROAD, ROCKLAND/WARREN TOWN LINES**

Beginning at the North corner of the Town of Thomaston where the Thomaston-Warren-Rockland Town Lines converge; thence Southerly along the Westerly boundary of the Town of Thomaston to the center of the main channel of the Oyster River; thence Southerly along the main channel of the Oyster River and the Thomaston-Warren Town Line to the Northwest corner of Map 203, Lot 043; thence Easterly, Southerly and Easterly along the boundary of Map 203, Lot 043 to the center line of Studley Lane; thence Northerly along the center line of Studley Lane to the Southwest corner of Map 402, Lot 025; thence Easterly along the boundary lines of Map 402, Lots 025 and 023; thence Southerly, Easterly, Northerly and Easterly along the boundary of Map 402, Lot 027; thence Southerly and Easterly along the boundary of Map 402, Lot 029; thence Northeasterly along the boundary lines of Map 402, Lots 029, 033, 051, 049 and 053 to the Northwest corner of Map 402, Lot 049; thence Easterly along the boundary of Map 402, Lot 055; thence Southerly along the boundary lines of Map 402, Lots 073, 067 and 057; thence Easterly along the boundary lines of Map 402, Lots 057, 061 and 089 to the thread of Mill River; thence Southerly along the thread of Mill River to the

Northeast corner of Map 204, Lot 079; thence Westerly and Southerly along the boundary line of Map 204, Lot 079 to the Northeast corner of Map 108, Lot 043; thence Westerly along the boundary of Map 108, Lot 043; thence Northerly along the boundary line of Map 204, Lot 071; thence Westerly and Southwesterly along the boundary lines of Maps 204, Lot 071 and 069 to the center line of Beechwood Street; thence Southerly along the center line of Beechwood Street to the Northwest corner of Map 204, Lot 063; thence Southeasterly along the boundary lines of Map 204, Lots 063, 065, and 067 to the Southeast corner of Map 204, Lot 067; thence in a straight line to the Northerly corner of Map 204, Lot 068; thence Southerly and Westerly by the boundary of Map 204, Lot 068 to the center line of Beechwood Street; thence along the center line of Beechwood Street to the Southwest corner of Map 204, Lot 075; thence along the boundary of Map 204, Lot 075 to the Northeast corner of Map 108, Lot 039; thence Easterly to the Northwest corner of Map 108, Lot 044; thence Easterly along the boundary lines of Map 108, Lot 044 and Map 104, Lot 135 to the thread of Mill River; thence Southerly along the thread of Mill River to the normal high water mark of the Mill River at the Northerly part of Map 104, Lot 005; thence Southerly along the normal high water mark of the Eastern shore of the Mill River to the center line of the MCRR ROW and the Thomaston South Thomaston Town Line; thence Easterly along the MCRR ROW and the said Town Line to a point that is 1,000 feet Easterly of the Westerly Right of Way line of High Street; thence Northerly in a straight line to the Southeast corner of Map 104, Lot 153; thence Northerly along the boundary between Map 104, Lots 151 and 153 to the center line of US Route One; thence Westerly along the center line of US Route One to the intersection with Old County Road; thence Northerly along the center line of Old County Road to the Northerly boundary of Map 104, Lot 149; thence Easterly along the boundary of Map 104, Lot 149 and Map 401, Lot 007 to the center line of US Route One; thence Easterly along US Route One to the center line of the CMP Power line Right of Way located on Map 401, Lot 019 as described in Knox County registry of Deeds Book 503, Page 287, dated December 24, 1969, Parcels #21 and #22; thence Northwesterly along the center line of the CMP Power line Right of Way; thence Northerly along the thread of Mill River to the Northwest corner of Map 204, Lot 131; thence Easterly along the boundary of lot 131 to the center line of Old County Road; thence Northeasterly along the center line of Old County Road to the Thomaston-Rockland Town Line; thence Westerly, Northerly, Westerly, Northerly and Westerly along the Thomaston-Rockland Town Line and the Meadow Brook and the Branch Brook to a point where the Thomaston, Warren and Rockland Town Lines converge and the point of beginning.

#### 710.4 Conditional Uses (Subject to approval of the Planning Board)

~~18) Mobile Home Park~~ [Re-number following items]

## Section 711 Resource Protection District (RP)

#### 711.4 Special Exceptions

In addition to other criteria as may be required by this Ordinance, the Thomaston Board of Appeals may approve a permit for a single-family residential structure in the Resource Protection District may be approved provided that the applicant demonstrates that all of the following conditions are met:

711.4.5-All structures, except functionally water-dependent structures, are set back from the normal high-water line of a water body, tributary stream or upland edge of a wetland to the greatest practical extent, but not less than 75 feet, horizontal distance. In determining the greatest practical extent, the Thomaston Board of Appeals shall consider the depth of the lot, the slope of the land, the potential for soil erosion, the type and amount of vegetation to be removed, the proposed building site's elevation in regard to the floodplain, and its proximity to moderate-value and high-value wetlands shall be considered.

# Section 712 Highway Commercial District (HC)

## 712.2 Boundary Description

### US ROUTE ONE EAST COMMERCIAL DISTRICT (Rockland Line)

Beginning at a point in the center line of New County Road, also known as US Route One, at the Northwest corner of Map 208, Lot 019; thence Southeasterly along the boundary of Map 208, Lot 019; thence Northeasterly along the boundary lines of Map 208, Lots 019, 021 and 023 junction with Buttermilk Drive; thence along the center line of Buttermilk Drive to the corner of lots 013 and 011; thence Southeasterly, Southwesterly Easterly, Northerly and Easterly along the boundary of lot 013 to the center line of Dexter Street Extension; thence Southeasterly along the center line of Dexter Street Extension to the Southwest corner of Map 208, Lot 049; thence Northeasterly along the boundary lines of Map 208, Lots 049, 051, and 055 to a Granite Monument marked PLS# 148 BEAL which marks the Northeasterly points of Map 208, Lots 041 and 043; thence proceeding as depicted on the *Thomaston Commons Subdivision Plan* filed in the Knox County Registry of Deeds in Cabinet 22, Sheet 29, dated September 9, 2011, along the Northerly, Easterly and Southerly boundaries of the parcel identified on said plan as "Property to be Conveyed, George C. Hall & Sons, Inc., Tax Map 208, Lot 33, Portion of Lot 3", along the following bearings and distances as identified on said plan and as corrected: N 62° 19' 21" E 240.94'; S 33° 56' 38" E 628.6' passing through the Wal Mart Super Center Store; S 79° 43' 44" E 378.6'; S 9° 6' 7" W 356.63'; and S 48° 7' 41" W 484.78' Southerly along the boundary of lot 059 to the Northerly corner of lot 033 and Thomaston Commons Way; thence Westerly along the boundary of lot 033 and Thomaston Commons Way to the center of the junction of Dexter Street Extension and Buttermilk lane; thence Westerly along the centerline of Buttermilk lane to the Northwest corner of lot 033; thence Southerly on the same course along the boundary of lot 033 to the center line of the MCRR ROW; thence Northeasterly along the center line of the MCRR ROW to the Thomaston-Rockland Town Line; thence Northerly along the Thomaston-Rockland Town Line crossing US Route One to the Southerly Northerly boundary of Map 207, Lot 073; thence Westerly along the boundary of Map 207, Lot 073; thence Northerly along the boundary lines of Map 207, Lots 073, 075, 077, and 079; thence continuing in a straight line across Map 207, Lot 067 to a point on the boundary of Map 207, Lot 081; thence Northerly along the boundaries of Map 207, Lots 081, 083, 085 and 087; thence Southerly along the boundary of Map 207, Lot 047; thence Westerly along the boundary of Map 207, Lots 047 and 055; thence Southwesterly along the boundary of Map 207, Lot 047 to the center line of Dexter Street; thence Southeasterly along the center line of Dexter Street to the intersection with New County Road, also known as US Route One; thence Westerly along the center line of US Route One to the point of beginning.

### CREEK HILL COMMERCIAL DISTRICT (US Route One at Old County Road)

Beginning at a point at the Southwesterly corner of Map 104, Lot 132; thence Northeasterly along the boundary of lot 132 extended to the center line of Old County Road; thence Northerly along the center line of Old County Road to the Northerly boundary of Map 104, Lot 149; thence Easterly along the boundary of Map 104, Lot 149 and Map 401, Lot 007 to the center line of US Route One; thence Southerly to the Easterly boundary of Map 401, Lot 005; thence Southerly and Westerly along the boundaries of Map 401, Lot 005, and map 104, lots 151 and 153 to the center line of US Route One; thence Westerly along the center line of US Route One extended to the place of beginning.

## Section 712A Village Commercial District (VC)

### 712A-2 Boundary Description

#### ~~CREEK HILL COMMERCIAL DISTRICT (US Route One at Old County Road)~~

Beginning at a point at the intersection of Old County Road and US Route One, also known as New County Road; thence Northerly along the center line of Old County Road to the Northerly boundary of Map 104, Lot 149; thence Easterly along the boundary of Map 104, Lot 149 and Map 401, Lot 007 to the center line of US Route One; thence Westerly along the center line of US Route One to the intersection of Old County Road and the place of beginning.

## ARTICLE II GENERAL STANDARDS OF PERFORMANCE

### Section 720 Street Design Standards

#### 720.8 "As-Built" Plans

All improvements must be certified as built to the design approved by the Planning Board by a Certified Maine Engineer chosen by the Town at the expense of the developer within 90 days of completion. A digital copy of the "as-built" plan shall be supplied via email or on a digital recording device.

## ARTICLE III LAND SUBDIVISIONS

### Section 727 Final Plan Review Procedures (Step Three)

#### 727.2 Submission Requirements - Final Plan

The final plan shall be submitted in two (2) reproducible, stable-based transparent originals, ~~and~~ three (3) copies and a digital copy supplied via email or on a digital recording device. One original will be recorded at the registry of deeds and one filed at the Thomaston Town Office. The plans shall be drawn to not more than one hundred (100) feet to the inch. Where practical, the sheet size of the drawings shall be 24 inches by 36 inches. Space shall be reserved on the drawing for conditions the Thomaston Planning Board may impose and the endorsement of the Thomaston Planning Board. In addition seven (7) copies of the Final Plan reduced to a size of 8½ inches by 11 inches shall be submitted. The application for Final Plan approval shall include the following:

# ARTICLE IV SITE-PLAN REVIEW

## Section 736 Procedures

The following procedure shall govern the submission and review of all mandatory site plans as well as Article II; General Standards of Performance shall be observed.

**736.3** - Every applicant applying for site plan approval shall submit to the Code Enforcement Officer three (3) copies of a complete site plan of the proposed development and a digital copy supplied via email or on a digital recording device, which shall be prepared in accordance with Section 737 of this article, accompanied by a fee as determined by Section 704.9, Thomaston Fee Schedule. The Code Enforcement Officer shall retain two (2) copies of the plan and forward one (1) copy for review by the Town Manager, Fire Chief, Pollution Control Superintendent and Public Works Director. Within ten (10) days after receipt of the site plan, the Town Manager, Fire Chief, Pollution Control Superintendent and Public Works Director shall submit written comments to the Thomaston Planning Board.

## CHAPTER 10

### Definitions

#### 1003 Specific Definitions

Alternative Energy Systems (AECS) – Wind Energy Conversion Systems (WECS) and Solar Energy Collector Arrays (SECA) including photovoltaic and solar heat collecting systems.

Food Service – The business of making, storing and/or transporting prepared foods.

Solar Collectors – Devices or systems that use solar radiation as an energy source for the generation of electricity through photovoltaic (PV) conversion or the transfer of stored heat.

(1) Cell: the basic element of a PV or heat capturing system.

(2) Module/Panel: multiple PV cells electrically connected or multiple heat capturing elements connected into one unit.

(3) Array: multiple separate modules/panels connected together.

(4) Roof-Mount: panels installed directly on the roof or a roof-mounted rack system.

(5) Ground-Mount: specialized racking system anchored to the ground.

**TOWN OF THOMASTON  
ANNUAL TOWN MEETING WARRANT  
FOR FISCAL YEAR  
JULY 1, 2020 THROUGH JUNE 30, 2021**

**TO:** Timothy Hoppe, a Constable of the Town of Thomaston in the County of Knox, State of Maine.

**GREETINGS:** In the name of the State of Maine, you are hereby required to notify and warn the voters of the Town of Thomaston, in the County of Knox, State of Maine, qualified to vote by law in Town affairs, to meet at the THOMASTON MUNICIPAL BUILDING (former Lura Libby School) at 13 Valley Street in said Town on Tuesday, September 15, 2020 at 8:00 AM prevailing time, then and there to act upon articles 1-31 of the Annual Town Meeting Warrant. Polls will open at eight (8) o'clock in the morning and will close at eight (8) o'clock in the evening prevailing time.

**ARTICLE 1:** To choose a moderator to preside at said meeting.

**ARTICLE 2:** Shall ordinance amendments to "Chapter 7 of the Land Use: Article I Zoning Regulations, Article II General Standards of Performance, Article III Land Subdivisions, and Article IV Site-Plan Review" and "Chapter 10 of the Land Use, Definitions" be enacted?

**Planning Board & Select Board Recommends**

*A copy of this ordinance is available for review and inspection at the Town Clerk's Office, on the Town's website at [www.thomastonmaine.gov](http://www.thomastonmaine.gov), and at the polling place prior to voting.*

**ARTICLE 3:** Shall the town vote to authorize the Select Board to enter into a long-term land lease on the lot of land in the Town of Thomaston cemetery under the following conditions?

1. This land shall be leased to Mid-coast Crematory, Inc. solely for the purpose of building and operating a crematorium;
2. The size of the Thomaston cemetery lot is approximately 100 feet by 100 feet and an addition includes an access right-of-way;
3. The crematorium building shall be built in accordance with specific plans agreed by the Select Board;
4. The lease shall require a bond to protect against liens from building contractors, vendors and subcontractors;
5. And to allow the Select Board to enter into such lease agreement under such additional terms and conditions as the Select Board deem appropriate.

**Village Cemetery Trustees Recommends**

**ARTICLE 4:** Shall the Town vote to authorize a one-year contract with Community Concepts Finance Corporation of \$65,000.00 for an Economic Development Director to be funded from the Non-TIF (Tax Increment Financing) funds?

**Economic Development Committee Recommends**

*EXPLANATION: Non-TIF funds are designated for economic development expenditures only and will not increase property taxes.*

**ARTICLE 5:** Shall the Town vote to appropriate and authorize the Thomaston Select Board to borrow on behalf of the Town, a principal amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000.00) through the issuance of general obligation bonds or notes of the Town of Thomaston, which may be callable bonds or notes, the proceeds to be used for the purpose of financing a solar array (the "Project") to be installed on Town property that will provide most of the electricity used by all the municipal accounts; and further to authorize the municipal officers to accept any state and federal grants, which are hereby appropriated for the Project, and to take any and all actions and execute any and all documents, contracts or agreements necessary or convenient to issue the bonds or notes of the Town and to accomplish the Project?

**Select Board Recommends**

**FINANCIAL STATEMENT**

Town of Thomaston

Total Town Indebtedness:

<b>A. Total Debt outstanding and unpaid:</b>	<b>\$5,013,146.26</b>
<b>B. Total Debt authorized and unissued</b>	<b>\$ 0.00</b>
<b>C. Total Debt to be incurred if this article is approved:</b>	<b><u>\$1,200,000.00</u></b>
<b>TOTAL:</b>	<b>\$6,213,146.26</b>

*EXPLANATION: The municipal electric accounts use between 725,000 and 750,000 kWh of electricity per year. Pollution Control uses about 75% and the other departments about 25%. The annual electric cost is about \$150,000. The proposed solar array will generate an estimated \$80,000 a year in credits that will be subtracted from the electric bills. This savings plus the savings from switching the streetlights to LED bulbs (completed in June 2020) will provide funds to repay the \$1.2M loan without raising property taxes or increasing sewer user fees. Once the loan is paid off the Town will save an estimated \$100,000 per year in electric costs.*

**ARTICLE 6:** Shall the Town vote to approve the 2020 Thomaston Comprehensive Plan?

**Select Board and Comprehensive Plan Committee recommends**

**ARTICLE 7:** Shall the Town vote to authorize the Select Board to negotiate the sale of development land to Avesta Housing in the Thomaston Green to not exceed 2 ½ acres of land for the purpose of creating affordable housing for citizens 55 years of age or older, and to be consistent with the Thomaston Green Redevelopment Project as outlined in the Master Plan approved by the voters on June 10, 2008?

**Economic Development Committee recommends**

**ARTICLE 8:** Shall the Town vote to authorize the Select Board to negotiate the sale of development land to Coastal Opportunities in the Thomaston Green to not exceed 33,000 square feet of land for the purpose of constructing a home for up to six (6) developmental challenged residents, and to be consistent with the Thomaston Green Redevelopment Project as outlined in the Master Plan approved by the voters on June 10, 2008?

**Economic Development Committee recommends**

**ARTICLE 9:** Shall the Town vote to lapse all non-real estate/personal property tax revenues to Unassigned Fund Balance (surplus), and to see what sum of money the Town will vote to

appropriate to reduce the property tax assessment for Fiscal Year July 1, 2020 through June 30, 2021?

**Select Board Recommends**

**ARTICLE 10:** Shall the Town vote to appropriate \$100,000.00 from the Assigned Fund, \$35,000.00 from the MEPEERS Retirement Account, and \$22,407.00 from the Computer Reserve, a total of \$157,407.00, and apply these funds to the FY2021 tax commitment as a reduction in the amount to be raised from taxation?

**Select Board and Budget Committee recommends**

**ARTICLE 11:** Shall the Town vote to raise and appropriate \$557,434.77 for GENERAL GOVERNMENT for the 2020/2021 Fiscal Year?

**Select Board and Budget Committee recommends**

**ARTICLE 12:** Shall the Town vote to raise and appropriate \$125,950.00 for maintenance and operation of MUNICIPAL BUILDINGS for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommends**

**ARTICLE 13:** Shall the Town vote to raise and appropriate \$424,403.60 for the POLICE DEPARTMENT for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommends**

**ARTICLE 14:** Shall the Town vote to raise and appropriate \$166,269.44 for the FIRE DEPARTMENT for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommends**

**ARTICLE 15:** Shall the Town vote to raise and appropriate \$224,717.52 for PROTECTION AND PUBLIC SAFETY for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommends**

**ARTICLE 16:** Shall the Town vote to raise and appropriate \$554,927.85 for PUBLIC WORKS for the 2020/2021 fiscal year?

**Select Board and Budget Committee Recommends**

**ARTICLE 17:** Shall the Town vote to raise and appropriate \$331,788.48 for the AMBULANCE DEPARTMENT for the 2020/2021 fiscal year?

**Select Board and Budget Committee Recommends**

*Explanation: Revenues from the ambulance department will offset the costs of ambulance department wages.*

**ARTICLE 18:** Shall the Town vote to raise and appropriate \$255,621.00 for the TRANSFER STATION for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommends**

**ARTICLE 19:** Shall the Town vote to raise and appropriate \$10,000.00 for GENERAL ASSISTANCE for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommends**

**ARTICLE 20:** Shall the Town vote to raise and appropriate \$111,059.56 for the RECREATION & LEISURE SERVICES for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommends**

**ARTICLE 21:** Shall the Town vote to raise and appropriate \$16,075.00 for SOCIAL SERVICES & LOCAL AGENCIES for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommends**

**ARTICLE 22:** Shall the Town vote to raise and appropriate \$779,850.04 for UNCLASSIFIED ACCOUNTS for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommends**

**ARTICLE 23:** Shall the Town vote to raise and appropriate \$390,276.54 for CAPITAL IMPROVEMENTS & RESERVE ACCOUNTS for the 2020/2021 fiscal year?

**Select Board and Budget Committee recommend**

**ARTICLE 24:** Shall the Town vote to authorize the Select Board, on behalf of the Town, TO SELL AND DISPOSE OF ANY REAL ESTATE ACQUIRED BY THE TOWN for non-payment of the taxes thereon and to execute quit claim deeds for said property except that the Municipal Officers shall use the special sale process required by 36 M.R.S.A. §943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner (s)?. Said real estate to be sold is as follows:

1. A notice of intent to sell such property shall be published in a newspaper of general circulation in Knox County at least three weeks prior to such sale, inviting interested parties to submit sealed bids thereon.
2. The parties from whom the property has been taken for non-payment of taxes thereon may purchase said real estate from the Town at any time during the process, the purchase price in the latter case being all unpaid taxes on said property, plus interest, lien costs and the cost of the publication of the notice plus the cost of the quit claim deed.
3. In the event the parties from whom the real estate was taken by the Town for unpaid taxes fails to redeem the property as provided in Paragraph 2, the Select Board may sell the property to the highest sealed bidder.

**Select Board recommends**

**ARTICLE 25:** Shall the Town vote to permit acceptance of PREPAID TAXES and to fix the dates of December 1, 2020 for the first payment and June 1, 2021 for the second payment, when the taxes shall become due and payable; and, to see if the Town will fix the rate of interest at 8 percent to be charged on taxes unpaid after said date for the period July 1, 2020 through June 30, 2021.

**Select Board recommends**

**ARTICLE 26:** Shall the Town vote to set the interest rate of 4% to be paid by the Town on abated taxes pursuant to 36 M.R.S.A. Section 506-A.

*EXPLANATION: If taxes are paid but later abated, the municipality must refund the abated taxes and pay interest on them. Title 36 M.R.S.A § 506-A provides that the rate of interest set by the municipality to be paid on overpayments may not exceed the rate set for delinquent taxes, nor be less than that rate reduced by 4%. For instance, if the unpaid rate is 8%, then the Town Meeting may set a rate not higher than 8% and not lower than 4%; it may pick either of those numbers or any number in between. The statute governing the delinquency interest rate is 36 M.R.S.A. § 505(4). Pursuant to Title 36 M.R.S.A. Section 506-A "Overpayment of Taxes," when a tax collector has demanded and received from a taxpayer more than is due and more than appears to be due according to the lists, the excess must be refunded to the taxpayer, even though the amount has been paid into the Town Treasury.*

**Select Board recommends**

**ARTICLE 27:** Shall the Town vote to authorize the Select Board to accept, on behalf of the Town, GIFTS, DONATIONS AND CONTRIBUTIONS in the form of money, personal services and materials for the benefit of the Town, its government including legal departments and public facilities thereof, for the purpose of aiding and enhancing the delivery of public services? Said gifts to be without conditions and not require the voters to raise additional maintenance money.

**Select Board recommends**

**ARTICLE 28:** Shall the Town vote to authorize the Select Board TO MOVE UP TO 10% OF UNEXPENDED BALANCES from various accounts as needed to provide for the smooth transition of Town business?

**Select Board recommends**

**ARTICLE 29:** Shall the Town vote to appropriate from the unassigned fund balance the sum of \$10,000.00 TO ASSIST THE FOURTH OF JULY COMMITTEE in continuing the annual celebration?

**Select Board recommends**

**ARTICLE 30:** Shall the Town raise and appropriate \$121,500.00 from the Dragon Products TIF (Tax Increment Financing) to purchase 20 air packs for the Fire Department?

**Select Board recommends**

**ARTICLE 31:** Shall the ordinance entitled "Georges River Regional Shellfish Management Ordinance" be amended?

**The Georges River Regional Joint Clam Board recommends**

*A copy of this ordinance is available for review and inspection at the Town Clerk's Office, on the Town's website at [www.thomastonmaine.gov](http://www.thomastonmaine.gov), and at the polling place prior to voting.*

Given under our hands this 2nd day of July in the year of Our Lord Two Thousand Twenty by the vote of the Select Board.

**THOMASTON SELECT BOARD:**

**Peter Lammert, Chair**

\_\_\_\_\_

**Sandra Moore, Vice-Chair**

\_\_\_\_\_

**William Hahn**

\_\_\_\_\_

**Lee-Ann Upham**

\_\_\_\_\_

**Diane Giese**

\_\_\_\_\_

**A true copy of the signed warrant as certified to me by the Thomaston Select Board.**

\_\_\_\_\_  
**Melissa Stevens, Thomaston Town Clerk**

\_\_\_\_\_  
**Date**

**RETURN ON THE PUBLIC HEARING NOTICE**

Thomaston, Maine

Date: August \_\_\_\_, 2020

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of said town, qualified as herein expressed, to meet at said time and place, and for the purposes therein named, by posting an attested copy of said warrant at the Thomaston Town Office at 13 Valley Street, Pik Qwik Store at 138 Main Street, and Thomaston Grocery at 193 Main Street in said town, being public and conspicuous places in said town, on the \_\_\_\_ day of August 2020 A.D., being at least seven days before the meeting.

\_\_\_\_\_  
Timothy Hoppe  
Constable of the Town of Thomaston, Maine

## OPTION TO PURCHASE REAL ESTATE

This agreement made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2020, by and between **PAUL & SANDRA WILSON**, having a place of residence in Cushing, Maine, in consideration of five hundred dollars (\$500.00) and other valuable considerations paid by the **TOWN OF THOMASTON**, a Maine municipal corporation having a place of business in Thomaston, Knox County, Maine, the receipt whereof is hereby acknowledged, does hereby grant to the Town of Thomaston an option to purchase for the sum of Four Thousand Nine Hundred and Fifty Dollars (\$4,950.00) certain land located in said Thomaston, described below. The Wilsons expressly represent that they are the sole owners of the property described below and that it has good and marketable title thereto.

A two hundred (200) by five hundred (500) foot parcel located in the southwest corner of the property identified on the Town of Thomaston, Tax Assessment Map 402 as parcel 029 and being the property conveyed by Dollar to Paul G. and Sandra A. Wilson by Warranty Deed dated May 12, 1995 and recorded in the Knox County, Registry of Deeds, Book 1916, Page 20 and further located on the attached plan.

This option is granted upon the foregoing and upon following terms and conditions:

1. The grantors hereby agree to sell the land described to the Town of Thomaston for the price of Four Thousand Nine Hundred and Fifty Dollars (\$4,950.00) at any time during the period of this option. By entering this option, the Town of Thomaston does not in any way imply that the fair market value of this property is the amount of the selling price. Before the Town of Thomaston can exercise its option to purchase as set forth herein, the voters of the Town of Thomaston must approve this purchase and acquisition.
2. The Town of Thomaston must exercise this option to purchase on or before July 1, 2021 by mailing a written notice of the exercise thereof, postage prepaid, addressed to Paul & Sandra Wilson at the address set forth below or at such other place as the grantor may designate in writing to the Town of Thomaston.
3. The consideration for this option shall be five hundred dollars (\$500.00) to be paid by the Town of Thomaston to Paul & Sandra Wilson upon execution of this Agreement.
4. In the event the Town of Thomaston elects to exercise its option on or before July 1, 2021, the sum of five hundred dollars (\$500.00) paid for this option shall be credited toward the purchase price.
5. In the event the Town of Thomaston fails to exercise this purchase option or elects to exercise this purchase option but fails to consummate the purchase in accordance with the terms hereof, all sums paid to Paul & Sandra Wilson shall be retained by Paul & Sandra Wilson as liquidated damages and Paul & Sandra Wilson's sole remedy.
6. Upon receipt of a notice of the exercise of said option, North Atlantic Products, Incorporated shall within ninety (90) days of such receipt, or such earlier time as mutually agreeable to the parties hereto, tender a good and sufficient warranty deed conveying to the Town of Thomaston good and marketable title to the property in

accordance with the Maine State Bar Association Standards of Title and all those rights of way benefiting the land described in Schedule A.

7. In the event the Town of Thomaston exercises its right to purchase the above described premises, as hereinabove provided, and in the event that Paul & Sandra Wilson cannot convey good and marketable title to the above described premises, free and clear of all liens and encumbrances, the Town of Thomaston may pay Paul & Sandra Wilson the agreed purchase price for their interest in the property and take the property by eminent domain as allowed by Maine State Statues.
8. It is hereby agreed that possession shall be delivered to the Town of Thomaston at the time of transfer of title.
9. Real estate taxes are to be prorated between Paul & Sandra Wilson and the Town of Thomaston as of the delivery of the deed based upon the fiscal year of the Town of Thomaston. Paul & Sandra Wilson and the Town of Thomaston shall each pay its respective statutory share of the State of Maine transfer tax.
10. The Town of Thomaston shall pay the expense of any land survey, soil, water, wetlands delineation, toxic or hazardous materials tests, or any other tests or surveys which it may require, and for this purpose Paul & Sandra Wilson grants to the Town of Thomaston the right to go on the Property with its agents or designees for the purpose of surveying or taking such tests and thereafter will promptly return the land to its prior condition as completely as possible.
11. No modification of this Agreement shall be binding upon either party hereto unless made in writing, signed by each of them, and attached hereto.
12. Any notice by either party to the other, as provided herein, shall be in writing and shall be effective if delivered by certified mail, return receipt requested:

Town of Thomaston  
13 Valley Street  
Thomaston, ME 04861

Paul & Sandra Wilson  
12 Summer Road  
Cushing, ME 04563-3202

This option shall expire at midnight July 1, 2021.

This agreement shall bind and inure to the benefit of the parties hereto, their successors and assigns.

*IN WITNESS* thereof, the parties hereto have hereunto set their hands and seals as of the day and year first mentioned above.

**PAUL & SANDRA WILSON**

By: \_\_\_\_\_

Print or type name as signed \_\_\_\_\_

By: \_\_\_\_\_

Print or type name as signed \_\_\_\_\_

**TOWN OF THOMASTON**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Print or type name as signed \_\_\_\_\_