

TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
JANUARY 21, 2016 - 7:00 P.M.

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MEMBERS PRESENT: David Douglass  
Marie Brilliant  
Ruth Lyons  
William Thompson  
Roland Tufts

MEMBER(S) ABSENT: All present

STAFF PRESENT: Town Manager, Richard Roedner

A meeting of the Topsham Board of Selectmen was held on Thursday, January 21, 2016, in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine.

**CALL TO ORDER**

Chairman Douglass called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE/ROLL CALL** - All present were invited to stand and recite the Pledge of Allegiance to the Flag. The recording secretary took the roll call and noted that all Selectmen were present.

**TOWN MANAGER'S REPORT**

A reminder that the deadline for registering your dog is quickly approaching. After January 31, a fine of \$25 is levied.

February 14, Valentine's Day, is the day of the 16th Annual Father/Daughter Valentine's Dance. It will be held at the Mt. Ararat High School Commons, from 2 – 4 pm.

Work on the Rt. 196 Traffic Signals is progressing, and MDOT has addressed the majority of our issues. Other remaining issues will be addressed over the next couple of months as the kinks are worked out of the system.

Our next Back to the Future session is scheduled for Wednesday, February 10 at 6:30 pm at the library. The topic will be Topsham's Rural and Natural Resource History, and Future. The session on our Historic Resources, which was scheduled for earlier in January, was rescheduled to March 9 at 6:30 pm.

Tomorrow, January 22, the Clerk's Office will remain open until 5:00 pm to accept petitions only.

Following the Town Manager's Report, Selectman Lyons inquired if the Town was going to have to pay for some items we requested the contractor to replace. Mr. Roedner responded that the State has agreed to pay for the replacement items. Chairman Douglass asked if the DOT had come to a decision on the Frank J. Woods Bridge. Last consideration was whether to rehab the

bridge, which would last 30 years at a cost of \$9 million, or replace the bridge, which would last 100 years at a cost of \$13 million. It was noted that Mr. Shattuck would respond to the question when he gives his report later in the meeting.

## **BOARD AND COMMITTEE REPORTS AND UPDATES**

**TREE COMMITTEE** - Jeanne Bamforth, Chairman of the Tree Committee, presented a report on activities of that committee to the Board. She said the committee meets on a monthly basis and is busy setting priorities. They are looking at the 2011 Forest Management Plans for the Transfer Station woodlot and Recreation Fields woodlot and what the implementation of the plans might involve. The group has been talking with foresters and both plans call for a selective harvest of trees in the woodlots to allow for the most benefits for wildlife habitat, for people who use the forest for recreation, for the health of the forest, and to set the forests up for future management.

The Committee continues to work in the Trap Tree Program. The pest, Emerald Ash Borer, although not detected yet in our area, is expected to arrive in the near future. Testing will continue to be done. Work is going on to designate the Town the designation of a Tree City which would raise awareness of Topsham's public spaces and forests and community pride.

**TDI/ECD** - John Shattuck, Topsham Economic and Community Development, Inc. Director, began his report by thanking Selectman Tufts for moderating the Small Business Forum held recently at the library.

### **Business Retention, Expansion and Attraction (BREA)**

- Merrymeeting Food Council's Processing Committee  
-Goal: Increase affordable agricultural processing facility - active local farming community
- Ribbon cutting ceremony was held for a new US Cellular store at Winner's Circle
- Prospective food truck business in Topsham, the first under the new mobile food provisions of Code

### **Head of Tide Park Committee (HTPC)**

- Phase 1 Environmental Review Report is expected this month
- Prerequisite for the Land Trust to receive the \$50K in Land For Maine's Future (LMF) funds will be released as soon as the funds are released in Augusta
- LMF officials are optimistic that these funds will be released this winter

### **Lower Village Development Committee (LVDC)**

- Mr. Shattuck heard from the Project Manager on the Frank J. Woods Bridge this afternoon. Still no decision has been reached regarding repair or replace
- -\$9MM rehabilitation (30 yrs) or \$15.3MM replacement (100 years)
- -So, a 70% increase in cost would yield a 333% increase in functional life span
- BOS-LVD Workshop in one week. 6:00 p.m. on Thursday, January 28, 2016
- LVD and TDI both recommend remaining R study funds be re-directed to other elements of LV plan

### **MRRA and Topsham Commerce Park (TCP)**

- Working with MRRA to secure approval for the demolition of Building 333 at the former Annex Triangle

- Cost of rehab would be over \$1MM and far exceeds a likely sale price of \$250K
- Town will benefit from the expedited, redevelopment of this parcel
- Town needs to be cautious about taking the lead role in advocating for the demolition of SHPO Building
- The Town Manager and Mr. Shattuck will meet with the MRRA Team to consider options later this month

Following Mr. Shattuck's presentation, Senator Linda Baker, District 23, reported that the Senate passed, unanimously, reauthorizing the balance of the 2009 Bond Issue for Conservation Projects in the excess of \$6MM.

**PUBLIC COMMENT** - None noted.

### **CORRESPONDENCE**

Chairman Douglass noted receipt of letter from Sagadahoc County - a Public Notice for the Budget Advisory Committee. Mr. Douglass' term expires this year and he said he is not interested in renewing. Selectman Lyons expressed interest in serving and vote will be cast at the meeting on Tuesday, February 2, 2016 at the caucus.

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

### **CONSENT CALENDAR**

#### **1. APPROVAL OF THE MINUTES OF THE REGULAR SELECTMENS MEETING OF JANUARY 7, 2016**

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

#### **VOTED**

To approve the Consent Calendar, approving minutes of the January 7, 2016 meeting as written.

### **PUBLIC HEARING**

#### **16-08 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR SEADOG BREWING COMPANY**

The Public Hearing was declared open. Seth Hale represented the Seadog Brewing Company and told the Board he was seeking renewal of a Special Amusement Permit for entertainment the same as has been practiced for the past 10 years. Entertainment includes a single act on Friday evenings from 9:30 to 11:00 p.m., Karaoke on Saturday evenings and Trivia Night on Thursday evenings. The band sits up in front of the bar area and it was noted the dining room can accommodate up to 265 people. Mr. Hale said there is more than adequate parking on site.

Chairman Douglass asked for comments from members of the public. There were no comments to be made and the Public Hearing was declared closed.

The following **Finding of Facts** were established:

1. The applicant is the Seadog Brewing Company.
2. Location of the Seadog Brewing Company is 1 Main Street, Topsham.
3. The liquor license #9169 is current and will expire on February 10, 2017.
4. Location of entertainment is in the bar area.
5. Nights of entertainment include Thursday, Friday and Saturday.
6. Hours of operation at from 9:30 a.m. to 11:00 p.m.
7. The dining room can seat up to 265 people.
8. There is adequate parking on site.
9. Usually the entertainment is up to 3 people.
10. Letters are in file from the Fire Department, Police Department and Codes Enforcement Officer that they have no objection to the issuance of the permit.

**Conclusions**

Based on the Findings, it is concluded that the issuance of the Special Amusement Permit to Seadog Brewing Company would not be detrimental to the public health, safety or welfare, or would not violate municipal ordinances, rules or regulations.

Members of the Board were in unanimous agreement with the above Finding of Facts and Conclusions.

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

**VOTED**

To grant the application for a Special Amusement Permit to the Seadog Brewing Company as meeting requirements of Maine Revised Statute Title 25-A, §1054 and the Topsham Codes, Chapter 71, Article 1, Sections 6 and 7.

**UNFINISHED BUSINESS**

**16-07 CONSIDERATION AND ANY APPROPRIATE ACTION ON APPEAL OF MANAGER'S DECISION ON GRIEVANCE FILED BY IAM SUPERVISORY UNIT REGARDING MERIT REVIEWS AND PAY**

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

**VOTED**

To place agenda item 16-07 after 16-09.

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**16-09 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT OF KEVIN DORAN TO THE TOPSHAM TREE COMMITTEE**

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

**VOTED**

To appoint Kevin Doran as a member of the Topsham Tree Committee.

**EXECUTIVE SESSION**

**16-07 CONSIDERATION AND ANY APPROPRIATE ACTION ON APPEAL OF  
MANAGER'S DECISION ON GRIEVANCE FILED BY IAM SUPERVISORY  
UNIT REGARDING MERIT REVIEWS AND PAY**

At 7:40 p.m., motion was made by Selectman Tufts, seconded by Selectman Lyons, and it was unanimously

**VOTED**

To move into Executive Session pursuant to MRSA, Section 4056 (A) to discuss personal matters regarding merit reviews.

At \_\_\_\_\_ p.m., the Board it was moved, seconded and unanimously voted that the Board come out of Executive Session and return to regular session.

**ADJOURN**

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

**VOTED**

To adjourn the meeting at \_\_\_\_\_ p.m.

Respectfully submitted,

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