

TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
February 4, 2016 – 7:00 P.M.

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

MEMBERS ABSENT: All members present

STAFF PRESENT: Town Manager, Richard Roedner

A meeting of the Topsham Board of Selectmen was held on Thursday, February 4, 2015 in the Donald A. Russell Meeting Room, at the Municipal Building at 100 Main Street, Topsham, Maine.

CALL TO ORDER

Chairman Douglass called the regular 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. Tonya Jenusaitis, recording secretary took roll call and noted that all Selectmen were present.

TOWN MANAGER'S REPORT

The Town Manager's Report included:

Today is February 4. If you haven't registered your dog yet, you are now officially late, and State Law requires a late fee be charged.

Sunday, February 14 is Valentine's Day, and that night is Topsham's annual Valentine's Day Father/Daughter Dance. Tickets are on sale now through our Parks and Recreation Office. The dance will be at Mt. Ararat Commons from 2 to 4 pm.

The traffic signal project on Rt. 196 is now in the testing period. The system is monitored routinely by the DOT consultants, and by us, and changes are still being made to the programming. The new system also has a default, so that when a problem occurs, the system will reset itself and start up again, whereas the old system would stay down until someone showed up to reboot it.

This coming Wednesday, February 10 at 6 pm is the next installment of our Back to the Future programs. This session will focus on Topsham's Rural and Natural Resource history and future, and how those assets can be preserved and incorporated into the Topsham of the Future. All are welcome to attend this session, held at the Topsham Public Library on Foreside Road.

We are now officially into budget season. The initial budget review meetings held by the Selectmen and the Finance Committee will be Monday, Feb. 8 and Wednesday, Feb. 10. Both evenings will be at 6 pm in the Don Russell Meeting Room. These meetings are open to the public, and will consist of reviews of proposed departmental budgets. Subsequent meetings will be held on the 25th and the 29th. Our draft budget and associated documents will be on our web page starting tomorrow, www.topshammaine.com, with a link on the lower right corner of the page.

BOARD AND COMMITTEE REPORTS AND UPDATES

Topsham Fair Mall Watershed Grant Update

In regards to the Watershed Implementation – Phase I Grant, Rod Melanson, Town Planner, said that he has met with DEP and management in the Topsham Mall area and together they are working to reduce salt, salt infiltration into the groundwater, and chloride discharge into the stream. Rod said that the stream is on the urban impaired list and that they are taking steps to address the situation.

Staff is working on a parking ordinance as well as a stormwater ordinance but Rod does not believe that either will be ready for the next meeting.

The Planning Department is preparing for some in-field best management practice installations that staff will be doing over the summer; no specific project has been identified at this time.

In regards to the Compensation Fee Utilization Plan, Rod explained that this is an account that applicants / landowner pay into for off-site watershed mitigation to meet the requirements set forth by DEP. The landowner / applicant would pay into a fund from an account that the Town, because they have an Approved Watershed Plan, has set up. Rod clarified this by saying that this would be DEP funds that Topsham could spend on mitigating the watershed and can be used for matching grants that they can apply for. Rod said that he is not looking for approval on this, but is asking the Board to review the information provided to them at the meeting and possibly take action on at the next regularly scheduled meeting. Chairman Douglass asked if anyone has already paid into this fund. Rod replied that this has not been done before, but that they do have interested parties. Town Manager Roedner asked if there was a contract that would be needed with DEP. Rod replied that the materials he provided along with a letter of approval by the DEP and approval and creation of the account by the Town is all that is needed.

Unanimous consensus among Selectmen to add the Compensation Fee Utilization Plan item for discussion / action at the February 18, 2016 meeting.

Curt Neufeld of Sitelines PA and resident, said that this opportunity has come about because Planning Staff has been active in developing a watershed plan for the Topsham Mall area. Curt said that the stream that runs down Crooker’s and then down the mall is classified as urban impaired; per the EPA, if you develop in the urban area, you must treat your own water and you can do no harm to the already impaired watershed. Curt said that the creation of this fund allows landowners / applicant to put money into this account so that they can meet the requirements set forth by DEP and will fund the Watershed Management Plan. Curt said that this is a win, win situation.

PUBLIC COMMENT:

Senator Linda Baker, District 23

- Clarified that Tax Conformity is the decision for Maine to conform to the Federal changes. Linda said that the biggest impact from Tax Conformity would be largely for teachers; the deduction for what teachers spend for classroom would double and accelerated depreciation for small business. This would be retro for tax year 2015.

CORRESPONDENCE: None noted.

ADJUSTMENTS TO THE AGENDA: None noted.

CONSENT CALENDAR

1. **APPROVAL OF THE MINUTES OF THE REGULAR SELECTMEN MEETING JANUARY 21, 2016**

Motion was made by Roland Tufts seconded by Marie Brilliant and it was unanimously

VOTED

To approve the consent calendar granting approval of the minutes of the regular Selectmen Meeting of January 21, 2016 as written.

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS – None noted.

OLD BUSINESS -No old business.

NEW BUSINESS:

- 16-10- **Consideration and any appropriate action to award a proposal from Paul Larivee from Sappi North America to implement the forest management plan on the Transfer Station parcel.**

Jeanne Bamforth, Chairman of the Tree Committee Jeanne said that there were two Forest Management Plans written in 2011, one for the Transfer Station Woodlot and one for the Foreside Recreation Area Woodlot; this proposal is for the Transfer Station Woodlot. Jeanne

reviewed the Tree Committee's recommendation to the Board dated January 26, 2016 and said that the Committee spent a lot of time learning about forestry management; what it is and why it is important. It is the recommendation by the Tree Committee that they begin with the Transfer Station Woodlot because it is more straightforward and likely to produce revenue for the Town. Chairman Douglass asked if public communication regarding the Forest Management for the Transfer Station Woodlot will begin before the tree removal begins or if they plan on waiting until questions arise. Jeanne replied that outreach would be up front and may include a handout, sign posted at the entrance to the lot and possibly an education day. Rod Melanson added that one big component in the decision making process was public outreach and noted that Paul Larrivee of Sappi North America has said they will do whatever is needed to make the process move smoothly. Outreach could also include information on the website, a public forum on what forestry management is as well as notification to abutters. Rod said that the cut would be in the southwest corner near the Hunter's property (south of the pond) and west of the fields and pond. The land comprises of 184 acres with roughly 100 acres to be harvested. Roland Tufts asked who would be doing the work. Rod replied that Sappi would be doing the work and that access will be worked out with neighbors. Ruth Lyons asked what the fees are. Jeanne replied that in going with Sappi, there is no fee. Rod explained that this is a stumpage rate. The forester will predict the market value that they will get from the sale of the wood and when they do this, they lock in the price with the town that already includes their fee. Ruth asked if this goes out to bid. Rod replied that Sappi uses their own logging and contractor. Rod pointed out that if they went with Barbara Brusila, she would manage the bid process and noted that it would be much harder to pin down a price. Manager Roedner clarified that the Tree Committee reviewed two proposals and that they are recommending the SAPPI North America proposal. Ruth asked what the time frame will be. Rod replied that he believed that it would be summertime, but can come back with more details. Roland Tufts asked if this will affect the trail system at all. Rod replied that it will but will be part of the educational process.

John Cullen, 3 Willis Road, said that a good forester will take into account the concerns, recommendations and priorities for the landowner who in this case is the Town. When outreach is done, John said that you will hear from those who use those woods what is important to them and it will be up to the forester to implement these ideas. John said that trail systems can be enhanced by good forestry and can also be trashed by poor forestry; it is the belief of the Tree Committee that they have a good forester and crew.

Chairman Douglass supports what the Tree Committee has put forth in the proposal in starting with the Transfer Station and Sappi, but doesn't support setting aside funds that do not go through the meeting process. Roland Tufts agreed that the revenue should be transparent and up to the voters for allocation, but said that they do need funding in this area. Manager Roedner explained that on the expenditure side, the funds would go through town meeting; the revenue source would be proceeds from the forestry practice. Chairman Douglass asked what the process would be for setting this revenue aside. Manager Roedner said that there is no formal process for setting up reserve accounts. Chairman Douglass asked if it was felt that the funds would be used quickly as it seems there is quite a bit that the funds can be used on. Rod replied that it would be a good idea to generate a list of what the funds can be use on. Rod said that annually, they apply for Project Canopy and having this account will make it much easier as they will have the

matching funds to get that grant. Rod noted that there are other Town properties that are waiting for forestry plans that are not eligible for Project Canopy that they may use this on as well as other small projects.

Motion was made by Roland Tufts seconded by Ruth Lyons and it was unanimously

VOTED

To award the proposal from Paul Larivee from Sappi North America to implement the forest management plan on the Transfer Station Parcel with any revenue generated to be held in a separate account.

16-11- CONSIDERATION AND ANY APPROPRIATE ACTION ON REVIEW AND APPROVAL OF PROPOSED LABOR CONTRACT WITH MAINE ASSOCIATION OF POLICE AND PATROL UNIT.

Chairman Douglass began by thanking those involved and said that negotiations with himself, the Town Manager, Selectman Thompson, Dave Barret of MMA, Police Supervisor and Patrol Units began on April 7, 2015 with a contract to expire on June 30, 2015. Chairman Douglass said that in January 2016, after being unable to reach an agreement, they began mediation and after only two meetings they reached an agreement. The agreement will be two contracts, one as a 1 year agreement from 7/1/2015 to 6/30/2016 and the second to be a 3 year agreement from 7/1/2016 to 6/30/2019.

Major changes include:

- Decision to change healthcare to MMEHT – POSC to help reign in health care costs. Employees will switch to a PPO 1500. It was important that employees were treated fair, had good coverage and they did not want health care to be on the table repeatedly over the next few contracts.
- The Town created HRA's (Health Reimbursement Account) to offset liability and will cover the increase in co-insurance and deductible payments.
- The Town will create a Flexible Spending Account, employee funded, that the employee can use to cover higher co-pays and other medical expenses at a tax free offering.
- Salary:
 - 1% COLA from 1/1/16 until 6/30/16
 - 2.5% for FY 17
 - 2.5% for FY 18
 - 3.0% for FY 19
 - Elimination of entry level on the pay scale in an effort to make Topsham Police Department attractive to other candidates.
 - Effective 7/1/16, Step 8 has been added for Officers 10 years and above
- Lump Sum Payouts:
 - Officers will have the ability to cash out lump sum comp time and holiday time twice per year. Once in November and once in May in a separate check.
 - Comp time can be cashed out weekly, but not in a separate check.

- Vacation:
 - The Town Manager has the discretion to offer a new officer and offer up to 3 weeks of vacation time depending on experience.
 - Sick and vacation are pro-rated for accrual equal to the amount of sick and vacation time being used while on disability.
- Education:
 - Education and course work must be job related.

Ruth Lyons commended the work done in reaching an agreement. Ruth said that she likes the idea of the first level to attract and keep employees. Roland Tufts agreed with Ruth and commended those involved in the work that was one.

Manager Roedner added that all employees will now be required to have direct deposit. This language is not in the current draft, but will be added for final approve. Under the pay plans, there are 3 or 4 cells that there was a discrepancy of .01 cents that they are working out.

Motion was made by Roland Tufts seconded by Ruth Lyons and it was unanimously

VOTED

To approve the proposed labor contract with the Maine Association of Police Supervisor and Patrol Unit beginning on 7/1/2015 and ending on 6/30/2016.

Motion was made by Ruth Lyons seconded by Roland Tufts and it was unanimously

VOTED

To approve the proposed labor contract with the Maine Association of Police Supervisor and Patrol Unit beginning on 7/1/2016 and ending on 6/30/2019.

EXECUTIVE SESSION -No executive session.

ADJOURN

Motion by Roland Tufts, seconded by Ruth Lyons and it was unanimously

VOTED

To adjourn at 8:02 PM.

Attest



Tonya Jenusaitis
Recording Secretary

