

TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
FEBRUARY 6, 2014, 7:00 P.M.

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MEMBERS PRESENT: Donald Russell  
David Douglass  
Ronald Riendeau  
William Thompson

MEMBER(S) ABSENT: Marie Brilliant

STAFF PRESENT: Town Manager, Cornell Knight

A meeting of the Topsham Board of Selectmen was held on Thursday, February 6, 2014 at the Municipal Building at 100 Main Street, Topsham, Maine.

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE/ROLL CALL**

Chairman Russell called the regular meeting to order at 7:00 p.m. 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, except for Selectman Brilliant, who was absent.

**TOWN MANAGER'S REPORT**

The Town Manager's Report included:

- Tickets for the 14th Annual Father/Daughter Valentine Dance scheduled for this Saturday, February 9, 2014 from 2:00 p.m. to 4:00 p.m. at the Middle school Gym have been completely sold out.
- The Great Maine Outdoor Weekend is February 15 and 16. Events scheduled are on Saturday at 9:15 a.m. at the Topsham Public Library. There will be a hands-on winter tree ID program. At 10:00 a.m. there will be a DIY Bird Feeders and Winter Garden Exploration where you can build an easy-to-make bird feeder. On Sunday, February 16th at 1:00 p.m., at the Topsham Municipal Building, the Topsham Historical Society will give a talk on the Historical Perspective of Topsham's Ski Jumping, Ski runs, and outdoor activists over the years. From 2:00 p.m. to 4:00 p.m. at the Foreside Recreation Area, there will be sledding, a bon fire and a skating party.
- Last month, Standard & Poor's did their annual review of the Town's finances as part of their credit rating updates. Due to the Town's excellent financial standing, S&P boosted the Town's credit rating two notches from AA- to AA+. This will help the Town get a good interest rate the next time it borrows funds for a capital expense.

**BOARD AND COMMITTEE REPORTS AND UPDATES**

**TREE COMMITTEE** - John Cullen represented the Tree Committee. Mr. Cullen came to the podium and asked for a moment of silence in memory of Chris Cole, a member of the Committee who passed away recently.

Mr. Cullen brought the Board up to date on the work of the Tree Committee. He talked about

- the Town Tree Nursery, which has approximately 100 species on site;
- Donation from Gary and Glen Cloutier;
- The Tree Inventory Project's use of a Canopy Grant;
- and the threat of the Emerald Ash Tree Borer, which has made its way to the Massachusetts and New Hampshire border.

Mr. Cullen thanked Rod Melanson for his help with the Committee and said Mr. Melanson's advice has been invaluable.

**MERRYMEETING TRAIL COMMITTEE** - Victor Langelo reported on the happenings of the Merrymeeting Trail Committee and reviewed the Merrymeeting Trail Interlocal Agreement, and asked the Board to approve/adopt same for placement on the May Town Meeting Warrant. He said the Town signed a Memorandum of Agreement to support the regional planning effort for the Merrymeeting Trail in January of 2009. One aspect of the group's work has focused on an organizational structure for a regional trail to include the Towns of Topsham, Bowdoinham, Richmond and Gardiner. The Agreement Mr. Langelo presented is similar to the Inter-Local Agreement between Gardiner, Farmingdale, Hallowell and Augusta for the Kennebec River Rail Trail, and each town is being asked to approve the same agreement.

**PUBLIC COMMENT** - None noted.

### **CORRESPONDENCE**

**Letter of Resignation** - Chairman Russell read a Letter of Resignation from Town Manager Knight stating his last day of work for Topsham will be March 4, 2014. He said the reason for his decision is that he will moving to Washington, D.C. and not the result of any job dissatisfaction.

On behalf of the Board, Chairman Russell thanked the Town Manager for his productive years of service.

**Letter from Citizen** - Selectman Douglass noted that the Board received a letter from Vivian McHale of 2 Green Street. Receipt of the letter was acknowledged and placed in the Town's files. Selectman Douglass said a big part of the letter referenced him and that Ms. McHale asked for an apology for his comments during a recent meeting. Selectman Douglass said he viewed the video at least two times and feels he did nothing wrong and therefore will not offer an apology. He suggested the matter was simply a difference of point of view.

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

### **CONSENT CALENDAR**

#### **1. APPROVAL OF THE MINUTES OF THE REGULAR SELECTMENS MEETING OF JANUARY 6, 2014**

Motion was made by Selectman Douglass, seconded by Selectman Thompson, and it was

#### **VOTED**

To approve the Consent Calendar, including the minutes of the regular meeting of January 6, 2014. [The vote was three in favor with one abstention (Selectmen Riendeau).]

**PUBLIC HEARING** - None noted.

**UNFINISHED BUSINESS** - None noted.

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**05-14 CONSIDERATION AND ANY APPROPRIATE ACTION FOR THE MERRYMEETING TRAIL INTERLOCAL AGREEMENT TO BE PLACED ON THE MAY TOWN MEETING WARRANT**

Mr. Langelo said the contents of the Letter of Agreement he presented to the Board were a result of wording required by the State and he asked the Board to endorse same for presentation to the May Town Meeting.

He said a Feasibility Study was completed in 2011 and the group has worked with MCOG and local land trusts to raise \$100,000 in funding for planning and promotion efforts. Some highlights of recent efforts include:

- Petitioning the State MDOT for a trail of statewide significance designation, and incorporating the Topsham Bike Path and the Bath-to-Brunswick Bike Path with no matching contributions; and
- Regional cooperation between MCOG, Land Trust, Allied Organizations and citizens at large.

Board members reviewed the plan and were in consensus that they would like to see the agreement contain more detail and to receive a report if the other communities approved it. Concerning the suggested two members from Topsham on the Committee, the Board asked to see appropriate language explaining more detail. Mr. Langelo agreed to take the agreement back to the Committee, address the concerns, and bring the agreement back before the Board at its February 20th meeting.

Motion was made by Chairman Russell, seconded by Selectman Riendeau, and it was unanimously (of those present)

**VOTED**

To table Item 05-14 to the February 20, 2014 Board of Selectmen meeting.

**06-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON A REQUEST FROM THE TOPSHAM GARDEN CLUB TO HOLD THEIR ANNUAL PERENNIAL SALE IN THE MUNICIPAL PARKING LOT**

Kathleen Filtranti, President of the Topsham Garden Club, asked the Board for permission for the Garden Club to hold their Annual Perennial Sale in the municipal parking lot from 9:00 a.m. to 2:00 p.m. on either Saturday, May 31 or Sunday, June 7, with the possibility of this becoming a yearly event.

The Board was in agreement with allowing the Garden Club's proposition and heartfelt thanks were extended to Ms. Filtranti for the good work the Club does in maintaining the Town gardens.

Motion was made by Selectman Douglass, seconded by Selectman Riendeau, and it was unanimously (of those present)

**VOTED**

To allow the Topsham Garden Club to hold their annual sale of perennials in the Municipal Parking Lot.

**07-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON ACCEPTING A PROJECT CANOPY GRANT FOR THE CREATION OF A 250TH ANNIVERSARY COMMEMORATIVE PARK AT TOWN HALL**

The Planner spoke to this agenda item saying that this past November, the Board approved submitting an application for Project Canopy funds totaling \$8,000 to the Maine Forest Service. Notice was received on January 16, 2014 that the grant was approved by the State.

The project consists of a meandering path off of the bike path along Monument Way, with plantings of shrubs and trees. A sitting area(s) will be provided along with a commemorative feature celebrating Topsham's 250th anniversary. The \$8,000 grant will be matched by in-kind services, primarily staff/equipment time from the Public Works Department. Work on the park would begin after July 1 and would be completed in time for a fall dedication in honor of the Town's year-long celebration of its heritage.

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

**VOTED**

To accept the Project Canopy Grant and to authorize the Town Manager, or his designee, to sign for that grant.

**08-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON BIDS TO PURCHASE A NEW STREET SWEEPER**

Public Works Director Dennis Cox said the Town budgeted last year at Town Meeting for a new street sweeper and \$200,000 was appropriated for same. Request for bids were sent out with one response.

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

**VOTED**

To accept the bid from H.P. Fairfield, Scarborough, Maine for a new 2014 Global MX3 street sweeper and to trade in our the sweeper for a \$4,000 credit, with amount not to exceed \$189,318.

**09-14 CONSIDERATION AND ANY APPROPRIATE ACTION IN ADDING THE TITLES OF INTERIM TAX COLLECTOR, INTERIM TREASURER TO RICHARD ROEDNER WHEN HE STARTS AS INTERIM TOWN MANAGER ON MARCH 5, 2014**

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

**VOTED**

To add the titles of Interim Tax Collector and Interim Treasurer to Richard Roedner's position along with Interim Town Manager, effective March 5, 2014 and to follow pay structures as we have in the past.

**010-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO WRITE OFF 2004-2006 PERSONAL PROPERTY TAX**

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

**VOTED**

To write off 2004-2006 personal property tax in the amount \$57.34 under Doug Reil Painting.

**011-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON AMENDING THE RULES OF ORDER AND PROCEDURE FOR THE TOPSHAM BOARD OF MUNICIPAL OFFICERS, REGARDING APPOINTMENTS TO THE TOWN BOARD, COMMITTEES AND COMMISSIONS**

Selectman Douglass requested that this item be placed on the agenda. He referenced the document, "Rules of Order and Procedure for Topsham Board of Municipal Officers" and noted that under Item 3 - Appointments to the Town Boards, Committees and Commissions, states "Appointees may not be full-time employees of the Town and shall not be members of more than one standing Town Board, Committee or Commission at one time." Selectman Douglass said the Board often hears of committees, such as the Tree Committee, that currently only has 2 members. He said he didn't understand why we want to turn away interested citizens who want to volunteer for the Town. He suggested that the wording be dropped after "of the Town."

Following discussion, motion was made by Selectman Thompson, seconded by Selectman Douglass, and it was unanimously (of those present)

**VOTED**

That members of Standing Town Boards, Committees or Commissions may serve on more than one committee, board or commission at the same time, with the approval of the Board of Selectmen.

Therefore, the first two sentences of Item 3 of "Appointments to the Town Boards, Committees and Commissions" shall read as follows: "these shall be made in accordance with State Statues and the following guidelines. Appointees may not be full-time employees of the Town. Members of Standing Town Boards, Committees or Commissions may serve on more than one committee, board or commission at the same time, with the approval of the Board of Selectmen..."

**ADJOURN**

Motion was made, seconded, and it was unanimously

**VOTED**

To adjourn the meeting at 8:10 p.m.

Respectfully submitted,

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Patty Williams, Recording Secretary