

TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
MARCH 7, 2013, 7:00 P.M.

MEMBERS PRESENT: Donald Russell
Marie Brilliant
David Douglass
James Trusiani

MEMBERS ABSENT: Ronald Riendeau

STAFF PRESENT: Town Manager, Cornell Knight; Planning Director, Richard Roedner; Parks and Recreation Director, Pam Leduc, and others.

A meeting of the Topsham Board of Selectmen was held on Thursday, March 7, 2013 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 Mr. Riendeau, who had been excused.

TOWN MANAGER'S REPORT

The Town Manager's Report included:

- A reminder that the second half of this year's property tax payment is due next month. Payments can be dropped off in the drive-up lock box located in the parking lot.
- Selectmen and the Finance Committee will hold another budget session next Thursday at 6:00 p.m. at the Municipal Building.
- The Route 196 Corridor Committee will meet next Wednesday, March 13, 2013 at 6:00 p.m. at the library to seek input from members of the public and businesses on land use issues. The Committee is working on a Master Plan to be completed in the spring.
- It is time for youth baseball and softball registrations. Sign-ups close on March 25. A softball clinic starts on March 17, 2013 and will run for 4 weeks. Additional information can be found at the schools or on the Town's website.
- The Town received \$20,000 from Comcast last week as part of the franchise renewal. Those funds will be used to purchase equipment in the video studio downstairs. The equipment will make it easier to run the studio with one person and it will have more features.

BOARD AND COMMITTEE REPORTS AND UPDATES

TDI/ECD UPDATE - John Shattuck, Topsham Economic and Development, Inc. Director updated the Board on recent happenings in Town, including:

- Permit process has begun for a new building for Agren Appliance.

- Walls are up on the Panera Bread building. They plan to open the beginning of April.
- MidCoast Health is working on a new medical building near the entrance of the Highlands.
- Mallett Woods subdivision is working on its subdivision approval.
- Dan Catlin is in the process of permitting a 3-unit retail business building at the Topsham Fair Mall.
- Red Mill, Brunswick PT, plans to open the 1st of April.

ROUTE 24 TRANSPORTATION PLAN UPDATE - Town Planner Roedner brought the Board up to date on the work being done by the DOT on the Route 24 Transportation Study. The MidCoast Council contracted with DOT to do the study as part of a program they have in place to look at all their state highways. A committee was formed of interested citizens, town committees, etc. to look into things such as

- Signage on Route 24
- Ways to realign Route 24 with the Coastal connector
- Determine what could be done to widen where the truss passes overhead on Elm Street.
- In addition to looking at problems in Harpswell, Brunswick, Bowdoinham and Richmond

A public meeting is currently being scheduled to take place the first part of April to consider safety and maintenance alternatives. The timeline to complete the Study is some time in May.

Concern was expressed that caution should be taken to be sure Topsham doesn't lose federal dollars if Route 24 is no longer designated as a state highway.

CORRESPONDENCE - Selectman Douglass said he received an e-mail from Kevin Bell of 73 Fox Run expressing concern regarding the donation box for clothing and another for books at the Topsham Landfill. He inquired what the process was for placing the boxes at the landfill and what, if any, benefit the Town was receiving from them.

The Town Manager said that non-profit companies approach Eddie Caron, Manager of the Solid Waste Department, and Mr. Caron determines if the particular request will benefit the Town. Mr. Caron said the boxes provide another way for residents to easily dispose of unwanted items at no cost and that the books are often donated to local libraries.

Motion was made by Mr. Douglass, seconded by Mr. Trusiani, and it was unanimously

VOTED

To develop a policy for an approval process to come before the Board of Selectmen to decide the placement of future boxes to be placed at the landfill if there are many requests for same.

ADJUSTMENTS TO THE AGENDA - None noted.

CONSENT CALENDAR

1. APPROVAL OF THE MINUTES OF THE REGULAR SELECTMEN MEETING OF FEBRUARY 7, 2013

Motion was made by Mr. Douglass, seconded by Mr. Trusiani, and it was

VOTED

To approve the consent calendar granting approval of the minutes of the regular Selectmen Meeting of February 7, 2013.

PUBLIC HEARING - None Noted.

UNFINISHED BUSINESS - None noted.

OLD BUSINESS - None noted.

NEW BUSINESS

08-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON A MEMORDANUM OF UNDERSTANDING FOR MAINTENANCE WITH THE LIBRARY BOARD OF TRUSTEES

Town Manager Knight presented an update from a joint Board of Selectmen and Library Trustees meeting held last month to discuss maintenance issues. It was agreed at the meeting that the Town should handle building maintenance issues as the owner of the building. The Trustees handle operating and basic tenant maintenance issues.

A copy of the Memorandum of Understanding approved in 2004 was included in the Board package, as well as a draft of an update Memorandum of Understanding Between the Topsham Public Library and the Town of Topsham for 2013. The draft was reviewed and questions and answers were exchanged. Library Director Susan Preece participated in the discussion. Concern was expressed that #3 on page 1 should be worded more clearly stating that the responsibility for employees is the responsibility of the library association. It was agreed to add ceiling tiles and embedded entrance mats to the Town's responsibility in Exhibit A.

Following discussion, motion was made by Mr. Douglass, seconded by Mr. Trusiani and it was unanimously

VOTED

To accept the 2013 Memorandum of Understanding Between the Topsham Public Library and the Town of Topsham with the two changes in that memorandum dated 2/21/13.

09-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON A LETTER OF SUPPORT FOR THE SALE OF APPROXIMATELY ONE THIRD OF AN ACRE OF LAND IN TOPSHAM COMMERCE PARK TO AN ABUTTING PROPERTY OWNER

John Shattuck, Topsham Economic and Development, Inc. Director said that Precast of Maine would like to purchase about one-third of an acre of land from the abutting Topsham Commerce Park which is owned by MRRA. This purchase would enable Precast to seek permitting for an entrance onto Canam Drive, which would allow Precast to move their products more efficiently and directly from their production line.

Following a brief discussion, motion was made by Mr. Trusiani, seconded by Mr. Douglass, and it was unanimously

VOTED

To approve the Letter of Support dated February 15, 2013 to MMRA for the purchase of approximately one third of an acre of land in Topsham Commerce Park with the stipulation that any changes in the zoning use of same go before the Planning Board.

10-13 CONSIDERATION AND ANY APPROPRIATE ACTION TO RE-APPOINT RUTH A LYONS AS REGISTRAR OF VOTERS

Motion was made by Mr. Douglass, seconded by Ms. Brilliant, and it was unanimously

VOTED

To re-appoint Ruth A. Lyons as the Registrar of Voters for a two-year term.

11-13 CONSIDERATION AND ANY APPROPRIATE ACTION TO REVIEW THE PROPOSED ORDINANCE CHANGES THAT INCLUDE THE HEAD OF TIDE PARK FOR TOWN MEETING IN MAY OF 2013

Pam Leduc, Director of Parks and Recreation, said the Rec. Department is requesting the Board of Selectmen to consider adding the Head of Tide Park to the General Department Facility Ordinance. In addition Ms. Leduc explained why the department would like the town meeting body to consider some adjustments to the Solid Waste Facility Ponds hours of operation.

Following discussion, it was agreed to postpone this item until the next meeting of the Board to give Ms. Leduc time to discuss suggestions made regarding hours to access the ponds with the Chief of Police and Mr. Caron.

12-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE BID PROPOSALS TO PROVIDE MONITORING SERVICES AT THE CAPPED LANDFILL ON THE TOWNSEND ROAD

The firm of Wright-Pierce who has provided monitoring services at the capped landfill on the Townsend Road is no longer doing environmental monitoring. Bids were forwarded to approximately 20 companies doing this work with 10 responses received. The Town Manager recommended awarding the bid to the low bidder, Summit Environmental from Lewiston. Summits bid did not include arsenic testing.

Mr. Douglass noted that the Board had agreed earlier in the year that prior to making a decision on a bid the department head would complete a form which reported to the Board as to why the particular bidder was chosen and he noted that was not done relative to item 12-13. The Town Manager said the Wright-Pierce highly recommended the firm of Summit Environmental in addition to them being the low bidder.

Motion was made by Mr. Trusiani, seconded by Ms. Brilliant, and it was unanimously

VOTED to accept the low bid from Summit Environmental not to exceed \$15,015 for testing at the landfill, for a 3-year contract.

13-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON AWARDING BIDS FOR THE LOWER VILLAGE RIVERFRONT TRAIL FEASIBILITY STUDY

Rich Roedner, Town Planner, spoke to this item. He said the Lower Village Development Committee received four bids for the completion of a Feasibility Study for a riverfront trail running from the area of the old fire station up to the area of the Riverview Cemetery on Elm Street. The project cost is approximately \$13,000 with a matching amount of \$5,597.28 and is largely funded through a Maine Coastal Program Shore and Harbor Grant. Four responses were received from the bids sent out.

Motion was then made by Mr. Trusiani, seconded by Ms. Brilliant and it was unanimously

VOTED

To accept the recommendation of the Planning Director to award the planning portion of the project to the firm of Downtown Revitalization Collaborative, the amount not to exceed \$13,000 and to authorize the Town Manager to authorize the contract.

14-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON PROPOSED ADJUSTMENTS TO THE BUILDING PERMIT FEE SCHEDULE, CHAPTER 109-7

Mr. Roedner spoke to this agenda item saying that five years ago, the Town adopted Chapter 109-7, which established a fee structure for issuing permits, including the full suite of permits issued by the Codes Officer. Over the last year the Codes Officer has been reviewing the fees and has made several recommendations that would make the fees more equitable and more efficient. A document listing the full thought process of why to make the proposed changes was included in the Board package and Mr. Roedner reviewed them also. Chairman Russell noted that most of the fees are for items that the Town never charged for previously.

Motion was made by Mr. Trusiani, seconded by Mr. Douglass, and it was unanimously

VOTED

To instruct the Planning Department and Codes Department to instruct staff to move forward with plans to update costs associated with the Building Code.

15-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE LIST OF TAX ACQUIRED PROPERTIES

Town Manager Knight reviewed the memo that was included in the Board package stating the total owed for 2011 (all taxes, lien charges and interest) as follows:

	<u>2011</u>	<u>Total Owed (all taxes, lien charges and interest)</u>
Norman Dizenzo	\$325.22	\$968.14 (has been paid in full)
Joseph Hagar	\$158.40	\$423.12
Michael Kelly	\$296.50	\$638.50
Doug Nichols	\$150.14	\$162.52

Motion was made by Mr. Trusiani, seconded by Mr. Douglass, and it was unanimously

VOTED

To issue a quit claim deed on Direccion back to the original owners or family of the original owners.

Motion was made by Mr. Trusiani, seconded by Mr. Douglass, and it was unanimously

VOTED

To contact the previous owner (Hagar) to learn if there is any interest in purchasing the property and if there is no interest, to then contact Central Maine Power Company to learn if they have any interest in purchasing said property.

Motion was made by Mr. Trusiani, seconded by Mr. Douglass, and it was unanimously

VOTED

To instruct the Town Manager to issue a quit claim deed to the previous owner (Kelly) or family of the previous owner, as the Homestead Exemption will cover the taxes.

Motion was made by Mr. Trusiani, seconded by Ms. Douglass, and it was unanimously

VOTED

To instruct the Town Manager to issue a quit claim deed to the previous owner (Nichols) or family of the previous owner, as the Homestead Exemption will cover the future taxes.

Mr. Trusiani moved to take his motion on the Kelly property off the table and Mr. Douglass also took back his second.

Motion was then made by Mr. Trusiani, seconded by Mr. Douglass, and it was unanimously

VOTED

To instruct the Town Manager to issue a quit claim deed on the Kelly property going forward from this date as the Homestead Exemption covers the future taxes.

ADJOURN

Motion was made, seconded, and it was unanimously

VOTED to adjourn the meeting at 8:30 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary