

TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
JUNE 16, 2016 - 7:00 P.M.

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MEMBERS PRESENT: David Douglass  
Marie Brilliant  
Ruth Lyons  
William Thompson

MEMBER(S) ABSENT: Roland Tufts

STAFF PRESENT: Town Manager, Richard Roedner

A meeting of the Topsham Board of Selectmen was held on Thursday, June 16, 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, except for Selectman Tufts who had been excused.

**TOWN MANAGER'S REPORT**

- Primary elections were held this past Tuesday; 884 people voted (12.6%).
- We had a fire at the Grimmel Facility earlier in the week. Appreciation and thanks was extended to 12 different communities that responded to the fire. Accumulatively, we pumped over 2.5 million gallons of water; 700,000 of that came from the Androscoggin River. 1.8 million gallons of water was trucked to the facility. 11 different pumper trucks were involved running relays from Ivanhoe and White House Crossing. We were pumping about 5,000 gallons per minute. 11 trucks rotated constantly for 8 about hours. 59 fire fighters were there. The Ladies Auxiliary did a great job. One fire fighter from Topsham was taken to the hospital because of heat exhaustion. He was released in a couple of hours. The mutual aid system works very well.
- A notice was received from the State Attorney Generals Office regarding criminal forfeiture, which requires Board approval to accept what they collected.

**BOARD AND COMMITTEE REPORTS AND UPDATES**

**Update from the History Committee** - Ralph Williams presented a report to the Board of activities happening with the History Committee. He said the group is busy cataloging new material. The Committee has received approximately 2,000 pages of shipping records and books from the library. The group will do a fall display with the Topsham Historical Society entitled Main Street working with Maine Street, to include the Brunswick Historical Society. The Committee is asking for donations from individuals of historical interest.

Mr. Williams noted the group would like some assistance in identifying individuals in a photograph of those who worked in the Feldspar Mill. The Committee meets on Thursdays at 2:00 p.m. and currently is two members short.

**Update from People Plus** - Stacy Frizzle, Executive Director at People Plus presented a report on the organization which is celebrating its 40th anniversary this year. She explained the many activities and services available to seniors and distributed a People Plus newspaper. Ms. Frizzle requested consideration from the Board for a Recreation Department line item in the budget adding a donation line which would go to the Teen Center Program,

**Update on the Topsham Bike Path** - Planner Rod Melanson presented an update on the bike path project which is scheduled for construction this year. MDOT review was completed in late May and we are now waiting for approval from the Army Corps of Engineers. Bid documents are ready to be mailed and the project will be advertised next week. The Town will work closely with the MDOT project manager. Select Board approval is expected at the July 21, 2016 meeting. More details will be provided as soon as the bids are opened.

**PUBLIC COMMENT** - None noted.

**CORRESPONDENCE** - Chairman Douglass noted a letter received by the Board regarding the Brown Tail Moth problem. This item will be placed on the agenda for the July Select Board meeting.

Letter was also read into the record from Douglas Bennett of 53 Elm Street with suggestions of working with the redesign of the new bridge.

A third letter was noted, signed by 9 residents of Summer Street. The group is asking that Ann Carroll be placed on the Bridge Redesign Committee.

(All three letters are filed with these minutes.)

**ADJUSTMENTS TO THE AGENDA** - Motion was made by Selectman Lyons, seconded by Selectman Thompson, and it was unanimously

**VOTED**

To add to the agenda: item **16-62** - **DRUG FORFEITURE PROPERTY CONSIDERATION**

**CONSENT CALENDAR**

- 1. Approval of the minutes of the Special Selectmen Meeting of May 26, 2016**
- 2. Approval of the minutes of the Regular Selectmen Meeting of June 2, 2016**

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

**VOTED**

To approve the Consent Calendar as submitted.

**PUBLIC HEARING** - None noted.

**UNFINISHED BUSINESS** - None noted.

**OLD BUSINESS** - None noted.

**NEW BUSINESS** -

**16-43 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPROVAL OF LABOR CONTRACTS WITH IAMAW SUPERVISORY AND OPERATIONAL UNITS**

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

**VOTED**

To approve the IAMAW Supervisory and Operational Unit Contracts July 1, 2016 to June 30, 2019.

**16-47 CONSIDERATION AND ANY APPROPRIATE ACTION ON APPOINTING MEMBERS TO A JOINT TOPSHAM/BRUNSWICK DESIGN ADVISORY COMMITTEE FOR THE NEW BRIDGE**

In previous meetings, the Select Board endorsed MDOT's recommendation for a new bridge. MDOT will work with Topsham and Brunswick to receive comments and ideas on how to improve the design of the bridge. It was previously voted to establish a Design Advisory Committee to work with MDOT. It was agreed to name 7 individuals from Topsham to work on the committee, with Brunswick also naming 7 members from Brunswick. A list of proposed members was included in the Board package for consideration.

Members of the public wishing to comment were recognized, including:

**Scott Hanson** - Mr. Hanson spoke as a representative of Friends of the Frank J. Woods Bridge and urged the Board to add an additional member to the list (Ann Carroll of 24 Summer Street). The letter mentioned early in these minutes from people living on Summer Street asked the Board to add Ms. Carroll to represent Summer Street.

**John Shattuck** - Mr. Shattuck said the reason the particular group was selected is because it represents members of standing committees who have been interactive with both towns. These folks have already made a commitment on behalf of the town and have been through an interview process for their respective committees. The project impacts every member of the 4,000 members of the Town and not just those in close proximity.

**Ann Carroll** - Ms. Carroll said "We sleep there, we live there. Our lives are affected." She urged the Board to include her on the advisory committee to represent the folks on Summer Street.

Chairman Douglass told Ms. Carroll that he was concerned as she is an advocate of keeping the bridge, implying she may be biased in her considerations. Ms. Carroll responded that she was in favor of rehabilitating the bridge but assured him she should not be an obstruction to the group, that she simply wants to represent the residents of Summer Street.

Selectman Thompson inquired if Ms. Carroll would be interviewed as the other members of the committee had gone through. He also noted that the recommended committee was structured to have the same number of members as Brunswick will have. (During discussion, the Board was in agreement that Ms. Carroll would need to go through the interview process) The majority of the Board agreed to interview and put Ms. Carroll on the committee.

**Mark Ponziani** - Mr. Ponziani said there is a water line under the bridge that will have to be replaced and expressed concerned that the rate payers will have to pay for the water line replacement under the bridge. He said he wants to be sure MDOT knows about the water line. (The Town Manager responded that MDOT is aware of the water line.)

**Stu Kay** - Mr. Kay is a Trustee of the Brunswick/Topsham Water District. He said there is a 70 to 90 year old waterline under the bridge which is deteriorating and undersized which must be replaced. The District will need to replace the line with either a new bridge or a renovated bridge at the expense of the tax payers. Mr. Kay said more information will be provided to both towns as soon as it is available.

Motion was made by Chairman Douglass, seconded by Selectman Brilliant, and it was

**VOTED**

That Topsham appoint the following 7 current committee members to serve on the Joint Advisory Committee, together with an eighth joint appointed at-large member to represent both towns, being:

- |                |   |
|----------------|---|
| Bruce Van Note | Planning Board                                |
| Nancy Randolph | Swinging Bridge Committee                     |
| Doug Bennett   | Lower Village Development Committee           |
| Don Spann      | Topsham Development, Inc.                     |
| Jim Howard     | Lower Village Development Committee           |
| Gary Smart     | Historic District Commission                  |
| Victor Langelo | Topsham Community Fund                        |
| Cathy Lamb     | Riverwalk Committee (At large/both towns).... |

...and that we hold an interview for Summer Street residents who wish to be a part of this group and to officially add the additional at the next Board meeting.

(The vote was 3 in favor with 1 being opposed [Selectman Douglass])

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**16-55 CONSIDERATION AND ANY APPROPRIATE ACTION ON AMENDING THE FEE SCHEDULE FOR PLANNING DEPARTMENT APPLICATIONS**

Planner Melanson noted that as part of the annual budget review process, the Planning Office was assigned the task of reviewing revenues. He said the fee schedule had not been updated since 2004. Town Meeting in May voted to give authority to the Select Board to set the fee schedules. A proposed fee schedule based upon a comparison of neighboring communities (Bath, Brunswick, Freeport, Scarborough and Windham) was included in the Board package for

review and comparison. When compiling the fee schedules, the goal was to maintain our simple to follow fee schedule while capturing project review costs.

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

**VOTED**

To approve the amended Fee Schedule for Planning Department Applications as presented in submission 16-55.

(The vote was 3 in favor with 1 opposed [Selectman Brilliant])

**16-56 CONSIDERATION AND ANY APPROPRIATE ACTION ON APPOINTING A STEERING COMMITTEE FOR THE TOPSHAM FAIR MALL ROAD TRANSPORTATION STUDY**

Rod Melanson gave some background on considerations for a Master Plan Steering Committee for the Topsham Fair Mall Road Transportation Study. A public meeting will be held in the Donald A. Russell Meeting Room on June 28, 2016. A total of 21 public meetings are planned and 4 advisory committee meetings. The advisory committee will be for a short-term duration with final plan being completed by November.

Individuals on the Steering Committee consist of:

Kevin Kelly, Property Owner  
Dana Cary, Bike/Ped Interest  
Dan Catlin, Property Owner  
Don Spann, Planning Board Chairman  
Jim Howard, Property Owner  
John Larson, Property Owner  
Scott Libby, Member of the Planning Board  
Curtis Neufeld, Local Engineer  
Bruce Van Note, Member of the Planning Board  
Jeannette MacNeille, Bike/Ped Interest  
Tom Thompson, Member of the Planning Board  
Steve Pelletier, Property/Business Owner

Following discussion, the Board was in unanimous agreement that no action needed to be taken on this item as members represent a focus group of short duration.

**16-57 CONSIDERATION AND ANY APPROPRIATE ACTION ON SUBMITTING A SECTION 319 STORMWATER GRANT APPLICATION TO DEP FOR CULVERT REPLACEMENT**

Rod Melanson addressed this item saying the Planning Office is seeking approval from the Select Board to prepare and submit an application for Maine DEP 319 Stormwater Grant Application for culvert replacement funding (60% federal and 40% local). Currently fish cannot pass the River Road area and installation of this culvert will allow the fish to pass through. If the SEP funding does not become available, we will not pursue any grant if awarded.

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

**VOTED**

To approve the submission of a Section 319 Stormwater Grant Application to DEP for culvert replacement.

**16-58 CONSIDERATION AND ANY APPROPRIATE ACTION ON APPROVING BIDS TO REPLACE THE MUNICIPAL COMPLEX PHONE SYSTEM**

EMS Director, Mike Labbe, told the Board that the phone system in Town Hall and Public Safety Building was purchased in the last 80's and needs to be replaced. Bids have been received and narrowed down to two vendors: Central Maine Communications (CMC) and Wolf Technologies. CMC's bid is \$24,584 with a 5-year warrantee for \$1,500 and a \$250/year support fee. Wolf Tech's bid is \$25,547 with a support and yearly fee of \$1,795. Mr. Labbe recommended accepting the bid from CMC. \$35,000 has been budgeted for this change.

Memo from the Town Manager dated June 8, 2016 noted that the \$35,000 referenced by Mike is in this year's capital budget. He said considering the changes that Mike reference, specifically the wiring concerns (\$3,500 max) warrantee (\$1,500) and first year support (\$250), we should be right about \$29,850. Mr. Roedner also noted that the CMC Tech proposal was derived from the National Joint Powers Alliance bid process, which the town is already a member, there is no need to waive any portion of the purchasing policy. Mr. Roedner recommended putting a "not to exceed" total of \$30,000 on a motion to approve.

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

**VOTED**

To accept the bid from CMC Technology to replace the municipal complex phone system, along with the extended warrantee, \$250 support fee, and to provide a buffer should any additional work need to be done, not to exceed of \$30,000.

**16-59 CONSIDERATION AND ANY APPROPRIATE ACTION ON APPROVAL OF SMITH AND ASSOCIATES AS OUR AUDITOR FOR THE 2015-2016 FISCAL YEAR**

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

**VOTED**

To approve contracting with Smith and Associates as the Town's Auditor for the 2015-2016 fiscal year.

**16-60 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE RE-APPOINTMENTS AND NEW APPOINTMENTS TO THE ATTACHED LIST OF BOARDS/COMMITTEES**

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

**VOTED**

To reappoint/appoint the following individuals to boards and committees:

Mark Ponziani	Sewer District
Stuart Kay III	Water District
Linda Dumont	Topsham Housing Authority
Gail Eaton	Finance Committee
Peter Davison	Historic District Commission
Gary Smart	Historic District Commission
Robert Barry	Assessment Review
Jay Prindall	Planning Board
Steven Pelletier	TDI
Fred Wigand	TDI
Joshua Spooner	TDI
Donald Russell	TDI
Earle Harvey	TDI
Victor Langelo	Conservation Commission
David Marcello	Board of Appeals

**16-61 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE ATTACHED LIST OF ANNUAL APPOINTMENTS**

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

**VOTED**

To make the following annual appointments:

Tom Lister	Codes/Health Officer
Carol Eyerman	Alternate CEO, Administrative/Enforcement
Jeffery Hutchinson	Alternate Building/Electrical/Plumbing (Brunswick)
Carl Adams	Alternate Building/Electrical/Plumbing (Brunswick)
Mike Labbe	Civil Emergency
Brian Stockdale	Fire Warden/Health Officer
Dennis Cox	Road Commissioner

**16-62 - DRUG FORFEITURE PROPERTY CONSIDERATION**

Motion was made, seconded, and it was unanimously

**VOTED**

To approve the acceptance of drug forfeiture property as referenced in letter from the Attorney General's Office.

**EXECUTIVE SESSION** - None noted.

**ADJOURN**

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

**VOTED**

To adjourn the meeting at 8:55 p.m.