

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
NOVEMBER 2, 2017 - 7:00 p.m.

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

MEMBER(S) ABSENT: All present

STAFF PRESENT: Richard Roedner, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, November 2, 2017 in the Donald A. Russell Meeting Room, at the Municipal Building, 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. The recording secretary took the roll call and noted that all Selectmen were present.

TOWN MANAGER'S REPORT

It has been a busy week keeping on top of the windstorm event. We all witnessed a great team effort with crews working overtime to remove trees from roads and to clean up debris while most of the Town was without power. Mike Labbe, as well as others, worked double duty between the Fire Department and EMS calls. 40 fire calls were received on Monday alone. We are very proud of these folks who did a great job.

Because of the storm, with trees and wires in the roadways, the Halloween parade has been changed to Friday, beginning at 4:15 lining up in Smitty's parking lot in the Topsham Fair Mall.

BOARDS AND COMMITTEE REPORTS AND UPDATES

UPDATE CONSERVATION COMMISSION – Victor Langelo, Chairman of the Conservation Commission, presented a report of some of the activities of the Commission during the past year, including:

- Working on a revised plan for The Glades at Homeplace, looking at the open space requirements. Agreement was reached for payment in lieu. They revised the plan adding another lot. An easement is now in place for a trail from Homeplace to the power line.
- The Town now owns three easements: Mallet Woods, Pleasant Woods and Glades at Homeplace. Signs are being developed to be placed at strategic locations to identify the trails.
- The Topsham Trail Rivers are proposing some changes to their trails. These changes are being reviewed to be sure they are in line with
- Have been working with an intern during the summer on the Comprehensive Plan. Some mapping has been done during the summer which will be helpful to the Commission. Wildlife habitats are being identified to assure their protection.
- Working on ways of soliciting public comments and information are being considering, such as an application form online so people can provide their thoughts any time during the year.

Chairman Douglass thanked Mr. Langelo for his report and asked if the committee had any vacancies. Response was that there is currently one vacancy.

PUBLIC COMMENT

Selectman Lyons said Public Works and EMS (everybody who did what they needed to do) did the job well. She said she witnessed a wonderful thing of people coming together at the American Legion to serve hot meals to those without power for three straight days.

Selectman Brilliant noted that the Superintendent opened the high school so people could use the shower facilities. It was a BYOT event (bring your own towel).

Selectman Thompson added that the response from the Town of Topsham employees, SAD 75 and private organizations was remarkable. There was excellent communication through e-mails. He said under the circumstances, he was very proud of how the storm event was handled and commended the Town Staff. He added that the planned event downtown last week was also very impressive. He said getting the Town, businesses and citizens communicating together isn't an easy task and was certainly well done, money well spent and that he looked forward to the future events planned for Topsham.

Selectman Lyons encouraged everyone to visit the new business at the Topsham Fair Mall stocking only Maine-Made items.

CORRESPONDENCE – None noted.

ADJUSTMENTS TO THE AGENDA – None noted.

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen's Meeting of 10/19/17.

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

VOTED

To approve the minutes of the Regular Selectmen's Meeting of October 19, 2017, as written. (Vote was 4 in favor with one abstention [Selectman Tufts]).

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS – None noted.

OLD BUSINESS – None noted.

NEW BUSINESS

17-95 CONSIDERATION AND ANY APPROPRIATE ACTION ON REVIEW OF DRAFT TOWN MEETING WARRANT FOR DECEMBER 6, 2017

Town Manager Roedner said there are two items on the warrant for the December 6, 2017 Special Town Meeting.

- (1) He said a shop recently opened up at the Topsham Fair Mall that caught everyone by surprise. On the outside it looks and behaves like a recreational marijuana store, which we have a moratorium on, but actually it is a medicinal facility. This was brought to the Board's attention at a prior meeting and the Board opted to schedule a Town Meeting for a Moratorium Ordinance of Medical Marijuana Storefronts. These are medicinal facilities that in all respect look like recreational facilities. However, they are a commercial entity with retail facility up front and a variety of accessory items with a unique operating model that provides for customer traffic, rather than the limited number of clients that the law attended on going to this type of facility.
- (2) The State and Federal Government have come up with requirements on the DOT signs one can see at the side of the road. Years ago, Topsham adopted an ordinance saying these DOT signs should have a green background, so the new ones in Topsham are green. The State and Federal people have since adopted a code that says the background shall be blue. We have businesses that want to install the signs, and they have bought them in blue, but Topsham's ordinance says they shall be green. Therefore, the Town can't give them a permit as the color is different than our ordinance.

Mr. Roedner said if the Board agrees, these items will be scheduled to come before a Public Hearing, followed by a Special Town Meeting.

Following discussion, the Board was in unanimous agreement to accept the Draft for the Town Meeting Warrant as written with a Public Hearing to be held on November 17, 2017 at 7:00 p.m. in the Donald A. Russell Meeting Room, with the Special Town Meeting to be held on Wednesday, December 6, 2017 at the Topsham Library at 7:00 p.m.

Comments from those with expiring terms on the Board

Chairman Douglass noted, with the upcoming elections on November 7, and his term expiring, these may be his parting words to the Board and citizens (although he is in the run for reelection). He said it has been a pleasure to serve the Town. He wished Ruth Lyons the best and John Graham the best in their effort to serve on the Board for the coming three year term.

Selectman Lyons said it has been a pleasure to serve the people of the Town of Topsham. She said she feels very bonded with the people of Topsham and has very much enjoyed working with the other board members. The current Board has always acted in a professional manner, has never been decisive and has acted in the best interest of the Town. She added that whatever the Town's interest is, we do what the majority of the people tell us. She said she thinks she and Chairman Douglass will still be sitting on the Board after the election, but wished Dave and John good luck.

At 7:35 p.m., motion was made by Selectman Tufts, seconded by Selectman Brilliant, and it was unanimously voted to adjourn the meeting and enter into Executive Session.

EXECUTIVE SESSION

17-84 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER PURSUANT TO 1 MRSA §405 (6) (A)

At 8:10 p.m. motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To come out of Executive Session and return to the regular session.

Chairman Douglass reported that no action would be taken.

At 8:11 p.m., motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To adjourn the meeting.

Respectfully submitted,

Patty Williams, Recording Secretary