

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

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MEMBERS PRESENT: Donald Russell  
Marie Brilliant  
David Douglass  
Ruth Lyons  
William Thompson

MEMBER(S) ABSENT: All present

STAFF PRESENT: Town Manager, Richard Roedner

A meeting of the Topsham Board of Selectmen was held on Thursday, November 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 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.

Chairman Russell welcomed the newly elected members to the Board, David Douglass and Ruth Lyons.

**TOWN MANAGER'S REPORT**

For those of you who haven't heard, our local vote went very smoothly this past Tuesday, despite a turn out that far exceeded the Secretary of State's prediction of a low turnout. We registered over 300 new people on Tuesday, including a group of new 18-year olds who showed up to vote for the very first time. We ended the day with 7,045 registered voters, and 5,058 of them turned out to vote, for a voting rate of 72%!

Linda Dumont, our Town Clerk, has asked me to extend a very big thank you to all of those who helped out to make Tuesday go so smoothly, including the Public Works crews who were there before 6 in the morning to set up, all of the volunteers who helped at the polls, the warden and deputy wardens who put in an extremely long day, and the other Town-staff who assisted with new registrations, traffic flow, and answers to questions. Linda noted that we are very fortunate to have such a great dedicated group of volunteers who help with elections.

Lastly, congratulations to all of those who came out on top in the individual races, and a note of appreciation to those who didn't for running good campaigns.

Dennis Cox is still looking for 'on-call' drivers for this winter. If you are interested, contact the Town Office.

We have received all of our paperwork from DECD for the Wicked Joe's Coffee grant. You have agreed to the grant and the grantee's security plan to the Town. The only item left is to sign the standard agreement with DECD, which I plan on doing tomorrow, with no objection from the Board.

The FY 2104 Audit has been received, and copies were in your boxes for this evening. There are two minor items to follow up on, which we will do. The other issue with the audit is whether you would like to have a joint meeting with the Auditor's and Finance Committee, and if so, when.

With the seating of the new Board, I will ask about your annual meeting with the Town Attorney on Roles and Responsibilities, and when you would like to have that scheduled.

The Board of Selectmen is holding a series of Neighborhood Meetings to hear from the public about the good things that are happening in town, things that could be improved, things that we are doing that we shouldn't be doing, and things that we are not doing that we should be. Bring your ideas for Topsham's future to share with the Board.

Our first meeting is next Wednesday, the 12th, at 6:00 p.m. at the Frost Mansion. This will be followed by meetings on Sunday, Nov. 16 at 2:00 p.m., Monday, Nov. 17 at 6:00 p.m. and Monday Nov. 24 at 6:00 p.m. The last three meetings will be at the Library. Post cards have gone out for the first three meetings, and the post card for the last meeting will go out next week. We ask people to come to the meeting for which they get a post card if possible, but you are welcome to come to any other meeting if you can't make yours.

A welcome was extended to Malcolm Marshall who was recently sworn in as Topsham's newest police officer. We now have a full compliment of employees in the Police Department.

**BOARD AND COMMITTEE REPORTS AND UPDATES** - None noted.

**PUBLIC COMMENT** - Ruth Lyons extended thanks to the people of Topsham for having faith in her in electing her to the Board of Selectmen. Ms. Lyons said she considers it an honor that has been bestowed upon her and that she will do her very best.

David Douglass said he was excited to be back and happy to be a part of Topsham's future happenings.

**CORRESPONDENCE** - None noted.

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

**VOTED**

To add as Item **74-14 - CONSIDERATION AND ANY APPROPRIATE ACTION ON A PROPOSED GRANT APPLICATION UNDER THE STATE'S RECREATIONAL TRAIL PROGRAM, FOR THE CONSTRUCTION OF THE TOWN LANDING TRAIL**

**75-14 - EXECUTIVE SESSION**

**76-14 - EXECUTIVE SESSION**

**CONSENT CALENDAR**

**1. APPROVAL OF THE MINUTES OF THE REGULAR SELECTMENS MEETING OF OCTOBER 16, 2014**

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

**VOTED**

To approve the Consent Calendar as presented. (The vote was 3 in favor with 1 abstention (Selectman Lyons).

**PUBLIC HEARING** - None noted.

**UNFINISHED BUSINESS** - None noted.

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**69-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON NEW APPOINTMENTS TO THE CONSERVATION COMMITTEE, FINANCE COMMITTEE AND THE LOWER VILLAGE DEVELOPMENT COMMITTEE**

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

**VOTED**

To appoint Jessica Costa to the Conservation Commission; Kenneth Stockford to the Finance Committee; and Bernardo Feliciano to the Lower Village Development Committee.

It was noted that 4 openings remain on the Finance Committee.

**70-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE PROPOSED AMENDMENT TO DESIGN CONTRACT FOR THE BIKE PATH**

The Town Manager reported that as part of the process of finalizing the design for the bike path, DOT has requested some additional geo-technical work on a portion of the trail behind Wright-Pierce, where there are areas to be filled. A year or two ago, similar geo-tech work was done along Route 196.

TY Lin estimates this work to cost approximately \$11,500, including bringing in the equipment, doing the work and the analysis and the site repair afterwards. Mr. Roedner said he considered having DPW do the repair work but felt it was better not to have Town crews doing the work on private property.

Mr. Roedner has contacted DOT to ask whether DOT has any funds that would be available to help defray the cost of the planned work. A response from DOT has not been received at this time, but it is expected at most DOT might cover 80% of the cost. The completion of this work will allow this part of the path to be approved and then the issues

along Route 196 and around the sign for the Highlands can be finalized. DOT has bumped the construction schedule on this project to 2016.

Mr. Roedner asked the Board if they want to fund the additional geo-tech work this fall so the design work can be finished. A discussion followed inquiring where the funds will come from. Response was the Contracted Services Account. It was noted that we have \$95,000 in design funds with 80% coming from the state and 20% from the Town. The 20% will be received from donations and work in kind so as not to involve tax dollars. Selectman Thompson asked if this was the last change in the design. Response was that it should be. Selectman Douglass also noted that he did not want to see this item coming back for more funding.

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

**VOTED**

To approve the proposed amendment to the design contract for the bike path with TY Lin as outlined in the memo from the Town Manager dated October 30, 2014.

**71-14 ELECTION OF CHAIRMAN FOR THE BOARD OF SELECTMEN**

Selectman Brilliant nominated Donald Russell to serve as Chairman of the Board; this was seconded by Selectman Douglass. There being no further nominations, nominations ceased. **VOTE** was called and Donald Russell was elected as Chairman of the Board of Selectmen for the coming year. (Vote was 4 in favor with 1 abstention (Russell).

**72-14 ELECTION OF VICE CHAIRMAN FOR THE BOARD OF SELECTMEN**

Chairman Russell nominated David Douglass to serve as Vice Chairman of the Board; this was seconded by Selectman Thompson. There being no further nominations, nominations ceased. **VOTE** was called and Donald Douglass was elected Vice Chairman of the Board of Selectmen for the coming year. (Vote was unanimous.)

**74-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE PROPOSED GRANT APPLICATION UNDER THE STATE'S RECREATIONAL TRAIL PROGRAM, FOR THE CONSTRUCTION OF THE TOWN LANDING TRAIL**

Planner Melanson said that last November, the Board approved the submission of the RTP Grant. He said in the repackaging of this grant he noticed the deadline was two weeks sooner than in the past and the reason this is coming before the Board at this time. The grant was not successful last year when submitted, but Topsham was encouraged to resubmit for this upcoming cycle. The deadline for submission is November 14. This grant program is an 80/20 program, in that the grant will cover 80% of the cost and the Town would be responsible for the remaining 20%. Mr. Melanson asked for the Board's re-approval to put the application together. It will come back before the Board for final action is the submission is successful. The \$2,000 will come from in-kind volunteer labor.

During discussion, comment was made regarding public access through a cemetery. It was noted that scenario came from the Cemetery Association.

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

**VOTED**

To submit the grant application under the State's Recreational Trail; Program for the construction of the Town Landing.

At 7:30 p.m., motion was made by Selectman Douglass, seconded by Selectman Thompson, and it was unanimously

**VOTED**

To move into Executive Session to discuss Agenda Items 73-14, 75-14 and 76-14.

**EXECUTIVE SESSION**

**73-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER PER 1 M.R.S.A. §405 (6) (A)**

**75-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS LABOR NEGOTIATIONS PER 1 M.R.S.A. §405 (6) (D)**

**76-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO HAVE CONSULTATION WITH LEGAL COUNSEL PER 1 M.R.S.A. §405 (6) (E)**

The Board came out of Executive Session at 8:10 p.m. and reported that it concurred with the Manager's recommendation regarding the personnel issue discussed, and instructed the Manager, after conferring with the Town Attorney, to respond to the Board of Labor as proposed. There was no other action.

**ADJOURN** - Motion was made, seconded, and it was unanimously voted to adjourn the meeting at 8:11 p.m.

Respectfully submitted,

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Patty Williams, Recording Secretary