

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

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MEMBERS PRESENT: David Douglass  
Ruth Lyons  
William Thompson  
Roland Tufts

MEMBER(S) ABSENT: Marie Brilliant

STAFF PRESENT: Richard Roedner, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, December 7, 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, except for Selectman Brilliant, who had been excused.

**TOWN MANAGER'S REPORT**

We have a lot of things happening in Town, so if you are interested in receiving agendas for specific committees, I would direct you to our home page, [www.topshammaine.com](http://www.topshammaine.com), and under e-mail E-alerts, where you can sign up to receive agendas for various committees.

We received a report that James Delaman, who has been serving on the Comprehensive Plan Committee, has submitted his resignation. He is moving to Portland, and will no longer be a resident of Topsham. So, if there are people interested in serving on the Comp Plan Committee, call the Manager's Office for a copy of our committee member application. The Comprehensive Plan Committee has six active members at this time.

The Topsham Public Library is now accepting applications for its Joy of Art program. Contact the library, or visit its web site, for copies of the application forms.

Registration for our Recreation Department's Learn to Ski Program is open, but it is closing next Thursday, so hurry and sign up!

We held a Town Meeting last night, with three items on the warrant. Voters adopted a 6-month moratorium on Medicinal Marijuana Storefronts, enacted a new 6 month moratorium on Recreational Marijuana businesses, and adopted a technical change to the sign ordinance regarding the background color of the DOT directional signs that are along our roadsides, following a new standard established by DOT and the Federal Highway Administration

**BOARDS AND COMMITTEE REPORTS AND UPDATES** – None noted.

**PUBLIC COMMENT** – None noted.

**CORRESPONDENCE** – Chairman Douglass told the Board he received a letter addressed to “Mayor” Douglass asking if the Town wants to participate in School Choice Week. No action was taken on this item.

Selectman Lyons noted that she received a couple of telephone calls, one that is an agenda item for this evening expressing concern about the traffic and speed on the Middlesex Road, and one expressing concerns about the detention pond on Ivanhoe Drive. The detention pond concern has been passed on the Public Works Director to look into.

**ADJUSTMENTS TO THE AGENDA** – None noted

**CONSENT CALENDAR**

**1. Approval of the minutes of the Regular Selectmen’s Meeting of 11/6/17.**

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

**VOTED**

To approve the minutes of the Regular Selectmen’s Meeting of November 16, 2017, as written.

**PUBLIC HEARING** – None noted.

**UNFINISHED BUSINESS** – None noted.

**OLD BUSINESS** – None noted.

**NEW BUSINESS**

**17-100 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE BID FOR THE PUBLIC WORKS STORAGE BUILDING PROPOSALS**

Public Works Director, Dennis Cox, reviewed the bids received for a storage building for the Public Works Department. He said originally he went out to bid for a 75’x75’ building, but the bids came back \$100,000 over budget and therefore the bid for a 50’x50’ building. Bids were received from JARR Management for \$175,520; DiMatteo Construction Management Services for \$203,900; and Great Falls Construction at \$363,098. Mr. Cox said a late bid was received for \$112,409 but could not be considered as it was late and also the bid was just for the building structure and did not include site work, foundation, electrical and interior build out.

The proposed building will be of wood frame construction with a sheet metal exterior, including the roof. Mr. Cox recommended accepting the bid from JARR Management, Inc.

During discussion between the Board questions were asked if the size was changed, could the building be made with a total metal frame. Mr. Cox explained it would be difficult to find someone to work on a metal building. Selectman Lyons said she trusted Mr. Cox’s judgment, but asked if there was any way the people bidding could have supply Board members with the bid so it could be reviewed prior to the meeting. She said the only way she knew about this agenda item was that she saw the bid package sitting on the table in the manager’s office, which doesn’t give Board members time to review them. Mr. Cox said he had received 6 copies of the bid and they were available in the Manager’s Office several weeks ago. He said he will make them available to individual Board members in the future. Selectman Thompson said the 50’x50’ building will be good in 2018 but will it be appropriate in 2028? Mr. Cox said it is difficult to plan that far out, but the building will be built so that heat could be added in the future if needed, but the 50’x50’ is within budget limitations.

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

**VOTED**

To accept the bid from JARR Management, Inc. for \$175,520 for a Public Works Storage Building.

**17-101 CONSIDERATION AND ANY APPROPRIATE ACTION ON PLEASANT POINT ROAD STABILIZATION PROJECT**

Public Works Director, Dennis Cox, spoke to this item saying erosion has been building along the Pleasant Point Road and the wind storm in late October has caused a problem with the road base and banking which needs to be repaired before further damage occurs. Mr. Cox said quotes have been received from area contractors for stabilizing the bank with large rocks and fabric in three of the worse areas totaling approximately 300 linear feet of shoreline. The quotes include the removal of several large tree stumps that have pulled up along the shoulder of the road during the latest storm (stumps which are too large for Town equipment to remove).

Bids submitted are from:	Ray Labbe and Sons, Inc.	\$60,000
	Crooker Construction, LLC	\$44,050
	Barton Construction	\$35,000

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

**VOTED**

To accept the bid in the amount of \$35,000 from Barton Construction for stump removal and road stabilization.

**17-102 CONSIDERATION AND ANY APPROPRIATE ACTION REQUESTING A SPEED STUDY ON MIDDLESEX ROAD TO THE MEDOT**

Town Manager Roedner said he received a couple of phone calls from the same individual who called Selectman Lyons regarding concerns of speeding vehicles on the Middlesex Road, passing

on double lines, etc. Mr. Roedner noted a speed study has not been done for a while on this road. He questioned if a letter should be sent to MDOT asking them to evaluate that area, the loop road with speed limit changes and further along the Middlesex as well.

Chairman Douglass asked that the Board table this item until Agenda Item 103 is addressed and then come back and revisit this item (17-102). He said we are being asked to go to the State to get a magical new number put up on a sign. It might make the Board feel as if they are doing something, but questioned if they really were addressing the speeding problem as drivers don't obey the reduced new numbers. Selectman Lyons said the person she spoke with wasn't actually asking for new signs with lower numbers but simply was expressing concern that the situation was dangerous.

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

### **VOTED**

To table consideration of Agenda Item 17-102 until after action is taken on 17-103.

### **17-103 CONSIDERATION AND ANY APPROPRIATE ACTION ON TOPSHAM POLICE DEPARTMENT SPEED ENFORCEMENT REPORT**

Chairman Douglass explained that Agenda Item 17-103 resulted from the Board holding a workshop on November 8, 2017, subject of which was to discuss making the left hand turn onto Winter Street permanent. He said the workshop continued to a discussion of speeding in Town. Selectman Thompson reported on standing on a crosswalk with cars speeding by and Gary Smart talked about how the flashing sign on Elm Street early this year was ignored while people were constantly texting while driving. Chairman Douglass said he went home thinking more and more about how his neighbors constantly tell him about cars speeding. Conversations with friends usually end up with frustrations being expressed about speeding cars and people ignoring the speed limits. On November 16<sup>th</sup> a group of citizens came before the Board asking for side walks because of the road condition and speed on Maple Street and asked for side walks. Mr. Douglass said he agreed with Selectman Lyons that Board members want to "feel like they are doing something." He added he didn't want to feel like the Board is doing something any longer, but take charge and make sure the Board **is** doing something. He said we supported adding an extra couple feet on the side of roads to make pedestrians feel safer. We are restriping roads to make it feel tighter to calm traffic down. We have put up signage. We hear the conversation all the time about speed in Topsham. We acknowledge it and there is nothing more we can do. It's a problem everywhere. Mr. Douglass said, "Tonight, I am going to make a motion that speed enforcement in this Town becomes a priority of this Board and that we direct the Town Manager to communicate that to the Police Chief." We actually have never brought the Police Chief in to say this is a priority of this Board. He asked for a report from the Police Department describing the speed enforcement process, where enforcement was taking place, how tickets were issued, how warnings were done, number of vehicles with radar, etc.

Police Chief Christopher Lewis prepared a written report with all the numbers and information Chairman Douglass had requested and a copy of same with included in the Board package for the Board to review. He gave a lengthy presentation to the Board discussing traffic complaints and how they are responded to. He said the department checks road, distracted driving, road rage, texting, etc. and said there is no simple answer. Erected signs do temporarily slow drivers now and a sign has been placed on the Middlesex Road. Percentages of number of vehicles and

speeds were included in the reports which show that only 2% of drivers are actually speeding with 16% traveling 6 to 10 miles per hour over the speed limit. Chief Lewis explained that the department is never fully staffed. There are two reserve officers but they simply cannot cover all needs. Chief Lewis said he has become aware of four grants being offered by the State. However, deadline for paperwork to the State on the first grant (speed grant) is due on Friday, December 8.

Following Chief Lewis's presentation, Chairman Douglass made a motion that speed enforcement becomes a priority to the Board and to direct the Town manager to communicate same to the Policy Chief. The motion failed for lack of a second.

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

#### **VOTED**

That speed enforcement is to become a priority to the Board and to direct the Town Manager to communicate same to the Police Chief and to also direct the Town Manager to allow the Police Chief to accept the State Grant for Speed Enforcement that has been awarded to the Town of Topsham to kick off this priority.

The Board was in agreement to request the Chief to come back to the Board with a quarterly report.

#### **17-102 CONSIDERATION AND ANY APPROPRIATE ACTION REQUESTING A SPEED STUDY ON MIDDLESEX ROAD TO THE MEDOT**

(See discussion of this item above.)

Following consideration of 17-103, motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously (of those present)

#### **VOTED**

To allow the Police Department an opportunity to enforce the citizen complaint regarding the Middlesex Road and to come up with a plan to address the concerns.

#### **17-104 CONSIDERATION AND ANY APPROPRIATE ACTION ON PROPOSAL FOR INVESTMENT OF MUNICIPAL FUNDS**

Town Manager Roedner said he and the Town Clerk have talked with Androscoggin Savings about investment options and said Androscoggin has increased the earned interest rates on our deposits up to .70% ICS rate and the checking account (Androsweep) up to .50%. In keeping with the recently adopted Investment Policy, Mr. Roedner said he requesting information on CD rates. 1 month CDARS = .75% and 3 month = .96%. He suggested a staggered approach to investing so that we ultimately have funds coming due every month as needed. The first account would start at 30 days, and then convert to 3 months; the second account would start at 30 days for two months and then convert to 3 months; and the third account would start at 30 days for three months and then convert to 3 months. Mr. Roedner said this pattern would result in three CD's, one coming due each 30 days, just in case the money is needed. He suggested the Board consider \$100,000 in each CD which should be fine with the seasonal cash flow.

Selectman Tufts asked if Mr. Roedner shopped around for rates from other financial institutions. Mr. Roedner said he had not inquired of other financial institutions. Chairman Douglass said he liked what has been done, but would like to see a higher safer amount and also to shop with other financial institutions.

Motion was made by Chairman Douglass, seconded by Selectman Lyons to table 17-104 until the Town Manager can come back with a report of rates from other finance institutions.

**ADJOURNMENT**

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

**VOTED**

To adjourn the meeting at 8:35 p.m.

Respectfully submitted,

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Patty Williams, Recording Secretary