

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
February 16, 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

On Thursday, February 16, 2017, the Topsham Board of Selectmen met at 6:15 p.m. in the Donald A. Russell meeting room to conduct Board/Committee interviews.

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

The Father/Daughter dance was rescheduled to February 19 due to last weekend's storm. At last check, there were a couple of tickets newly available due to cancellations. They have to be picked up or reserved by 3:00 p.m. on Friday.

With the sudden spate of significant snow storms over the past 10 days or so, it is worthwhile reminding residents that there is a State statute that prohibits the placing or leaving of snow within a roadway. This commonly happens when a plow pushes snow across a street, or when snow blowers direct the snow in the street. Please be aware of this statute and help us keep the roads clear by keeping your snow off them.

We have talked about vernal pools over the past 5 years and vernal pool details have been finalized. A formal application is being submitted to DEP early in March for delegated authority. Part of that application is a third party agreement between the Brunswick Topsham Land Trust and the town for managing funds that are paid to the Town. We have talked about this project many times in the past, so if there is no objection, once BTLT signs the agreement, I will sign on behalf of the Town and authorize our consultant to submit to the DEP for Delegated Authority. The ordinance language and terms will then be on the May Town Meeting for adoption.

Back in December, we talked about brown tail moths. A public forum was held at the library with approximately 60 in attendance. Brown tail moths are viewed as a significant problem by the State. There is not much one can do to get rid of the pests. You can hire someone to apply pesticides, inoculate the trees or arrange for aerial spraying. The Public Works Department has been trimming trees where they can. If you would like another workshop to talk about this problem we can set one up or place on a future agenda.

Town Manager Roedner asked the Board how they wanted to pursue this item. Selectmen Lyons said she would like to have more discussion as the problem is dangerous and hurts people's lungs. Selectman Thompson said just discussing the situation doesn't do much and suggested we urge our two elected officials in Augusta to help us. Chairman Douglass asked if Board members would like to have this subject added to a future agenda. The majority of the Board said yes, so a discussion on Brown Tail Moths will be added to a future Board agenda.

BOARD AND COMMITTEE REPORTS

UPDATE FROM THE TOPSHAM TREE COMMITTEE – Kevin Doran, 5 Brookside Drive gave a brief update of what is going on at the Solid Waste Facility regarding the cutting of trees. He said Paul Larrivee is on top of the project and Ed Caron is working with him. The project is expected to get underway on March 1st. An agreement has been reached with Sappi Fine Paper at a good price. All the boundary lines have been flagged. Abutting landowners have been notified. The trees have been marked for cutting. A harvester, operated by Todd Seavy, will process the trees right in the woods and a forwarder will get them out. CTL or cut-to-length logging is being used. CTL is a mechanized harvesting system in which trees are delimited and cut to length directly at the sumpt. CTL is typically a two-man, two-machine operation with a harvester felling, delimiting and bucking trees and a forwarder transporting the logs from the felling to a landing area close to a road accessible by trucks.

Mr. Doran said he will be happy to conduct a tour for anyone interested in watching the project. A walk-through will take place the second week of the project. The walk-through will be posted on the Town's web page. Chairman Douglass commented that the whole project appeared to have been well planned. It was agreed that the Town Manager will proceed with the Sappi agreement.

TDI/ECD UPDATE – John Shattuck, Director of Economic and Community Development, reported on the §106 Process relative to the Frank Woods Bridge. He said the draft findings were released on Groundhog Day, February 2, 2017. The 241 page document will remain open for comments until March 6th. Generally, there were no adverse impacts to abutting areas, except for the Brunswick-Topsham Industrial Historic District. A public meeting has been scheduled for sometime late in March. If replacement is recommended, construction could be delayed until 2019.

Relative to the Design Advisory Committee, plans are to complete the formal meeting in late March with a report to follow shortly. The report will be presented to the Board of Selectmen and the Brunswick Council.

Mr. Shattuck said Dionysus Management has been meeting since December. They would like to bring a beer festival to Topsham. Michael Parks is heading up the planning. Mr. Parks is a Topsham resident and has returned to town after 20 years of military service. He is looking at holding the festival at the Fairgrounds in September during Labor Day Weekend. Over 50

Maine craft brewers are interested in participating which could result in between 3,500 and 5,000 visitors to the festival. A Maine Wine Festival is being planned to be held at the Fairgrounds the last weekend of June, next year.

PUBLIC COMMENT – None noted.

CORRESPONDENCE – Letter received from Paula Joy with a budget request was acknowledged and will be taken up during the budget process.

ADJUSTMENTS TO THE AGENDA – None noted.

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen’s Meeting of February 2, 2017

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

VOTED

To approve the minutes of the February 2, 2017 meeting as written.

(The vote was 3 in favor with 2 abstentions – Lyons and Thompson)

PUBLIC HEARING

17-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPLICATION FOR A LIQUOR LICENSE FOR WILD DUCK RESTAURANT AND PUB

The Public Hearing was declared open. Craig Lentz spoke to this item telling the Board he has purchased the restaurant (Wild Duck Restaurant and Pub) and plans to expand it. The seating will be increased from 32 to 64 seats. Plans are to open the restaurant on April 1st. The bar will be on the first floor and the dining room will be on the second floor. An outdoor patio is being planned.

It was noted that letters are on file from the Fire Chief, Code Enforcement Officer and Police Chief, all with no concerns.

With no one wishing to comment, the Public Hearing was declared closed.

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

VOTED

To approve the application from the Wild Duck Restaurant and Pub for a Liquor License.

UNFINISHED BUSINESS – None noted.

OLD BUSINESS - None noted.

NEW BUSINESS**17-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPOINTMENT TO THE COMPREHENSIVE PLAN COMMITTEE**

It was noted that Nancy Randolph and Mary Kate Appicelli were interviewed to serve on the Comprehensive Plan Committee. Following the interview, Ms. Randolph withdrew her application, saying she has served on various Town boards and committees and wanted to give Ms. Appicelli an opportunity to become involved in community service.

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

VOTED

To appoint Mary Kate Appicelli to serve on the Comprehensive Plan Committee.

17-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE HIGHLAND GREEN TIF ECONOMIC DEVELOPMENT PLAN

Town Manager Roedner began the discussion saying we met a couple weeks ago with folks from the Highland Green about their proposed TIF changes, received feedback from the Board which have now been incorporated into the plan.

John Shattuck, Director of Economic and Community Development, reviewed his memo dated February 6, 2017 to the Board presenting the Town's Development Plan. He said the list has been reviewed by Shana Cook Mueller, the Town's TIF Attorney. Attorney Mueller has assisted the Town with the last three TIFs (Downtown TIF, Affordable Housing TIF and Revision of Interchange TIF. Mr. Shattuck suggested that the Board meet with the attorney in Executive Session and retain her to work with them in the negotiation process. He suggested that the developer fund the cost of the Town's consultant as has been done for previous TIFS.

Mr. Shattuck asked if there were any questions. Selectman Brilliant questioned the second bullet until Bike/Ped Paths & Connectivity: *"Connecting Topsham built portions of multi-use path via Community Drive and Fairground Road"* as nothing had been discussed to date with the Fairground Association. Following discussion, it was agreed to change the wording on this bullet to read *"Connecting Topsham built portion of multi-use path to the Androscoggin River Bike Path."*

It was noted that the lists in the February 6, 2017 memo from Mr. Shattuck had no specific order of importance; items were simply listed as possibilities on paper for future consideration.

No action was taken, except the Board agreed to go into Executive Session at a future meeting to talk with Attorney Mueller.

At this point in the meeting the Board was in unanimous agreement to take a short recess. The Board returned from recess at 9:02 p.m. and met with Public Works Director, Dennis Cox.

EXECUTIVE SESSION

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

VOTED

To move into Executive Session to discuss Agenda Items 17-15, 17-16 and 17-17.

The Board returned from Executive Session to regular session at 9:59 and the following action was taken:

17-15 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DELIBERATE OVER AN ABATEMENT PURSUANT TO 36 M.R.S.A. §841 AND TITLE 1 405 6 (F)

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

VOTED

To grant an abatement to cover the cost of taxes, interest and fees owed for the 2015 tax year.

17-16 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DELIBERATE OVER AN ABATEMENT PURSUANT TO 36 M.R.S.A. §841 AND TITLE 1 405 6 (F)

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

VOTED

To table Item 17-16 until 5:30 p.m. on Wednesday, March 1, 2017 for receipt of additional information regarding a mortgagee.

17-17 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS M.R.S.A. §405 (6) (A)

No action was taken on this item

ADJOURN

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

VOTED

To adjourn the meeting at 10:00 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary