

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
MARCH 15, 2018 - 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, March 15, 2018 in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine. (The Board held a Budget Workshop which began at 6:00 p.m.)

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

Our budget process is ongoing. The Finance Committee is meeting tomorrow evening at 5:30 p.m. here at Town Hall to continue its deliberation on the proposed FY19 budget. Next Wednesday the Board and the Finance Committee will meet at 6:00 p.m. to review the two budget proposals with an eye toward reconciling any differences. A Public Hearing will be held on April 12 at 6:00 p.m. to accept comments on the proposed budget.

BOARDS AND COMMITTEE REPORTS AND UPDATES – TDI/ECD John Shattuck, Economic and Community Development Director, began his presentation by announcing Maine's 198th Birthday before reporting on the following:

Business Retention, Expansion and Attraction

- Industrial Zone Adjustments:
Presentation was given to the February 6 Planning Board meeting. Changes will build upon concepts outlined in the 2005-2008 Comprehensive Plan and the 2013 196 Corridor Plan. If adopted, the changes would enable the relocation of Crooker to the quarry area on the River Road. Relocation would include a new road that would remove all Crooker traffic from the River Road. Possible changes will come before the Planning Board with all reviews done in a public process.

Lower Village Development Committee (LVDC)

- Tom Errico's traffic study says restoring two-way traffic to Elm Street Ext. (ESE) is feasible.
- Staff is developing an RFP for construction and design plans to rebuild ESE for two-way traffic. Funding for these plans are included in this year's budget (FY18).
- It is anticipated that an RFP will be ready for the Board of Selectmen to review in the near future.

Design Advisory Committee (DAC)

- Images from DAC's Preliminary Report on Design Recommendations recently displayed at both the Topsham and Brunswick libraries received a very positive feedback.
- DAC met last night (Wednesday, March 14th) to finalize its Preliminary Report.
- MDOT has indicated that the Federal Highway Administration (FHWA) expects a final repair/replace decision on the bridge in June.
- There will be a final FHWA-MDOT public bridge meeting on Wednesday, March 28, 2018 at 6:00 p.m. at Mt. Ararat High School in the Commons.

PUBLIC COMMENT – None noted.

CORRESPONDENCE – Chairman Douglass said he received a telephone call asking if Topsham's Board would consider meeting with the Lisbon Town Council to talk about the future of the vacant Celotex property adjacent to both the Lisbon and Topsham town lines. When Celotex vacated the property they left some debris on the lot which could pose a safety problem. Following discussion, the Board was in agreement that the Town Manager should talk to Lisbon's Town Manager and set up a time for a meeting prior to our Town Meeting. Mr. Roedner will report back to the Board.

BROOKFIELD CONCERN

Mr. Roedner said he talked with John Eldrich, Brunswick's Town Manager, regarding Brookfield's concern with water safety issues. Mr. Eldrich said that swimming is not an issue on the Brunswick side so they are not doing anything in the line of an ordinance, etc. Mr. Roedner also spoke with the Brookfield representative who suggested that the draft ordinance regarding limits on swimming can be added to the warrant for Town Meeting if we want to regulate swimming. Chairman Douglass suggested the Town Manager call Mr. Eldrich and remind him that the boat access in on his side as they use their air boat for rescues and they may want to rethink their stance.

ADJUSTMENTS TO THE AGENDA – None noted.**CONSENT CALENDAR****1. Approval of the minutes of the Regular Selectmen's Meeting of 3/1/18.**

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

VOTED

To approve the minutes of the Regular Selectmen's Meeting of March 1, 2018, as written.

PUBLIC HEARING – None noted.

OLD BUSINESS - None noted.

NEW BUSINESS

18-19 CONSIDERATION AND ANY APPROPRIATE ACTION CONFIRMING THE APPOINTMENT OF THE FIRE CHIEF

Town Manager Roedner reviewed his memo to the Board dated March 7, 2018 regarding the appointment of a Fire Chief. He said we recently advertised to fill the position of Fire Chief which has been vacant since Chief Stockdale resigned this past summer. Following receipt of applications, a staff committee was appointed, including an outside Fire Chief, to review the applications and to select candidates for interviewing. The committee interviewed five candidates and reported back to Mr. Roedner with their top candidate. Mr. Roedner interviewed Christopher McLaughlin, Deputy Fire Chief for West Gardiner, former Chief in West Gardiner and a full-time fire fighter for the City of Augusta. Mr. Roedner said he was impressed with Mr. McLaughlin's background, both hands-on experience, as well as his educational background. Mr. Roedner asked for the Board's endorsement of Christopher McLaughlin as Topsham's next Fire Chief.

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

VOTED

To confirm the appointment of Christopher McLaughlin as Fire Chief for the Town of Topsham.

Mr. McLaughlin gave an acceptance speech and signed an Employment Acceptance Form. His first day on the job will be April 2, 2018. Acting Fire Chief Mike Labbe presented the new Chief with a T-Shirt, hat, shield and a key to the Fire Station.

18-20 CONSIDERATION AND ANY APPROPRIATE ACTION ON ADOPTING A GIFT ACCEPTANCE POLICY

The Town Manager said the Town was recently offered several paintings as gifts, which raised the issue that the Town does not have any guidelines for accepting gifts. Most often our gifts are monetary and geared toward a specific use such as the fuel fund, community chest, K9 vests, etc.

A couple of gift policies were included in the Board package for the Board to review and a discussion ensued. The Board was in agreement that they liked the policy the library has on file and asked the Town Manager to tweak a policy to be fitting to the Town, including comments made at the meeting, and to put same on a future agenda for consideration.

18-21 CONSIDERATION AND ANY APPROPRIATE ACTION ON INSTALING TIMED PARKING FOR TWO PARKING SPACES ON MAIN STREET

The Town received a request from Alison Hawkes, owner of 19 Main Street (across Thompson Lane from Michaud's Market) about limiting parking for the two spaces in front of the two businesses to 15 minutes. She and the Michaud's have noticed that people frequently park in one or both of those spaces for extended periods of time, interfering with the flow of customers. Mr. Roedner's memo dated March 7, 2018, and filed with these minutes, says Chapter 210 of the

Town Code spells out the authority the Board has to amend the ordinance, including limited parking. During discussion by the Board it was noted that the Police Department does not have the capacity to monitor times parking, resulting in very limited enforcement. An informal inventory of public and private parking in the Lower Village was included in the Board package and this was reviewed. It was noted a couple of parking spaces will become available with the proposed changes to Winter Street. One thought was mentioned that people who go into Michaud's Market for lunch need to be parked for longer than 15 minutes and signs stating "Customer Parking Only" were suggested.

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

VOTED

That signage be implemented at the two parking spaces near Michaud's Market and 19 Main Street to say "Customer Parking Only."

The vote was 4 in favor and 1 opposed (Chairman Douglass).

18-22 CONSIDERATION AND ANY APPROPRIATE ACTION ON ADOPTING A BOARD POLICY IDENTIFYING A BOARD SPOKESPERSON

The Town Manager said at the last meeting of the Board, Selectman Thompson posed the question of who should speak for the Board during a crisis event or emergency situation. Mr. Roedner said if he declared an emergency, the emergency responders would set aside general policies for the duration of the emergency. This would allow for required overtime and things of that nature. He added that there is training available for elected officials as Public Information Officers, and their roles during emergency situations.

Mr. Roedner suggested the following "Board of Selectman Policy on Emergency Spokesperson."

1. When an emergency has been declared by the Town Manager, the Board of Selectmen shall be represented by the Chairman of the Board in all public statements.
2. Questions or requests for information directed to the Board shall be addressed by the Chair, or by whosoever the Chair designates to respond.
3. When the Chairperson is unavailable, the Vice Chair shall become the official spokesperson for the Board.

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

VOTED

To adopt the proposed policy identifying a Board spokesperson as outlined in the Town Manager's Memo to the Board dated March 6, 2018.

18-23 CONSIDERATION AND ANY APPROPRIATE ACTION ON DECLARING VACANCIES ON THE COMPREHENSIVE PLAN COMMITTEE AND FINANCE COMMITTEE, DUE TO MEMBERS MISSING MORE THAN THREE CONSECUTIVE MEETINGS

It was noted that Town Code, Section 6-17, says that when a member of a standing committee has three or more consecutive unexcused absences from committee meetings, then a vacancy

occurs. The Town Manager noted that one member of the Finance Committee has missed at least five scheduled meetings since February. Based on the Code, that position is now vacant. Mr. Roedner asked the Board to confirm that the position is vacant and then solicit applications from residents to fill that position.

The Comprehensive Plan Committee is not a standing committee, but has a member who has not attended a meeting since October, and has not responded to repeated attempts to find out what is happening. The Board has the authority to declare this position vacant as well and seek a new member to the Comp Plan Committee.

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

VOTED

To declare two vacancies on the Comprehensive Plan Committee and one position on the Finance Committee due to members missing more than three consecutive meetings.

18-24 CONSIDERATION AND ANY APPROPRIATE ACTION ON WRITING OFF STALE PAST DUE ACCOUNTS

The Town Manager gave the Board a list of personal property accounts that have not been paid back to 2004 to 2014. He said each year the town ends up with certain non-real estate accounts that go uncollected. Over time, monitoring them becomes a difficult task, and eventually the auditors write them off the books, either in total or partially. Back in 2011 uncollectible accounts were given to the Thomas Collection Agency. One batch was approximately \$2,900 and the other \$28,500. They collected a total of \$8,132 with fees totaling \$2,400, for a net collection rate of approximately 26%. The accounts on the list given to the Board have all been written off by our auditors.

During discussion, Selectman Thompson said some of these people are still in business and it is outrageous that they are ignoring these taxes. Chairman Douglass said from here on out, people that are still in business in Topsham should not be paid by the Town until their personal property taxes are paid. Selectman Lyons added that if these individuals come to the office for licenses such as vicular licenses or permits, there should be a good standing clause that their personal property takes have to be paid prior to any license issuance.

Following discussion, the Board unanimously agreed to table this item with request that the manager come back to the Board with two lists – one showing businesses that are gone and one showing those still having a connection to Topsham either still in business or as vendors.

ADJOURNMENT

At 8:05 p.m., motion was made by Selectman Tufts to adjourn, seconded by Chairman Douglass and it was so voted.

Respectfully submitted,

Patty Williams, Recording Secretary