

TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
MAY 1, 2014, 6:00 P.M.

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MEMBERS PRESENT: Donald Russell  
Marie Brilliant  
David Douglass  
Ronald Riendeau  
William Thompson

MEMBER(S) ABSENT: All present

STAFF PRESENT: Town Manager, Richard Roedner; Interim Planning Director, Rod Melanson; Public Works Director, Dennis Cox

A meeting of the Topsham Board of Selectmen was held on Thursday, May 1, 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.

**TOWN MANAGER'S REPORT**

The Town Manager's Report included:

- May 17 is Household Hazardous Waste Collection Day. The drop off will be at the Bath Public Works Facility. You must pre-register, starting on May 5. Details will be available on our web page.
- This past Saturday was the state-wide medication collection day. Over 27,000 pounds - 13.5 tons of medication - were collected in Maine. We have now had 8 collection days in Maine and a staggering 133,600 pounds of medications have been collected. This has prevented them from being flushed and ending up in waterways, incinerated and ending up in the air, taken by children or been the object of a home robbery. Thank you to all who participated. These totals include 278 pounds that we have collected via the lobby drop box at the Police Department.
- As most of you have seen, Frosty's Donuts has opted to pursue a facility in Brunswick, which only became available after we had worked with them to put together a CDBG grant. This new facility better meets their needs than the one in Topsham. In either case, this is a local company that is expanding locally to the benefit of both communities. We wish them well.
- Need help with your computer skills, tablet, I Pad, Galaxy, Nexus, etc., or e-Reader. Computer and e-Reader Drop In, Fridays from 12:00 noon to 2:00 p.m.
- Want to be a Topsham Library Champion? Join the Library's National Crowd Funding Opportunity on Tuesday, May 6, 2014. Go to [www.topshamlibrary.org](http://www.topshamlibrary.org). or check out the

library's Facebook page. Click on the Give Local Everywhere link to find out how to help. You can also become a Champion in person by stopping by the Library in person on Tuesday.

- Topsham has made another list. This time it is ranked #23 in the State of Maine for safety, based on crime statistics. Another example of why Topsham is such a wonderful community.

## **BOARD AND COMMITTEE REPORTS AND UPDATES**

**Update from Memorial Day Parade Committee** - Tasha Connor, Chairman of the Memorial Day Parade Committee, invited the Town's participation in the upcoming Memorial Day Parade. The parade will gather at the Town Complex. American Legion Post 202, will have a ceremony starting at 8:30 a.m. with the parade beginning at 9:00 a.m. More information on the parade may be found at [www.memorialdaycommittee.org](http://www.memorialdaycommittee.org).

**Presentation from the American Cancer Society Relay for Life** - Wendy McKinney, Chairperson of the Brunswick Relay for Life, presented a participation sign to the Town for display. Accompanying Ms. McKinney was Amy St. John and Irene Dubreuil, members of the committee.

**Update on Black Free Bridge** - Joe Stilwall, Project Engineer from the Maine Department of Transportation, along with Joel Kittredge, Project Manager for the removal of the Black Free Bridge brought the Board up to date on the State's plans for the demolition of the bridge. Plans are to advertise the project on May 7, 2014 with work to begin in late June or early July. The estimated removal cost of the structure, installing a guard rail, loaming and seeding is estimated to be approximately \$187,000, with the total project approximately \$233,160.

During the removal, there will be two 11-foot lanes on Route 1 in Brunswick at all times from 6:00 a.m. to 9:00 p.m. From 9:00 p.m. to 6:00 a.m. crews will be allowed to reduce traffic to one 11-foot lane. At the Topsham end, one 9-foot lane on Twin Pine Road will be maintained. It was noted that PanAm Railway owns the trestle which is used occasionally to go to the scrap metal yard in Pejepscot.

Questions and comments were received following the presentation and Terry Smith of 3 North Street expressed concern over potential degradation of the railroad trestle. He said if the bridge has to come out, the railroad trestle is as old or older and questioned if any testing had been done on the trestle. He asked why not take the whole structure down, which would reduce the cost greatly considering selling the metal. He also asked if there was a rush on the project. Mr. Smith said there is only one industry (Grimmel Industries) who uses the rail and they have not used it in the past 9 months. Mr. Smith said he talked to the owner of property on the Topsham side of the bridge and that he would be willing to grant the Town an easement so the trail along the river could be continued.

Project Manager Kittredge responded that the project wasn't a "rush" but had been in the pipeline for quite some time.

Chairman Russell said he was surprised that the Selectmen had not heard from any of the residents who have sent letters to the State in an effort to try to preserve the bridge and to hold off on demolition to allow time to seek funding.

**PUBLIC COMMENT** - None noted.

**CORRESPONDENCE** - None noted.

**ADJUSTMENTS TO THE AGENDA** - None noted.

**CONSENT CALENDAR**

**1. APPROVAL OF THE MINUTES OF THE REGULAR SELECTMENS MEETING OF APRIL 10, 2014**

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

**VOTED**

To approve the Consent Calendar as presented. (Vote was 3 in favor with 2 abstentions.)

**PUBLIC HEARING**

**24-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE 2013 MMA MODEL GENERAL ASSISTANCE ORDINANCE**

Following a presentation by Linda Dumont, asking the Board to adopt the 2013 MMA Model General Assistance Ordinance, the Public Hearing was declared open. With no comments to be heard, the Public Hearing was declared closed.

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

**VOTED**

To adopt the 2013 MMA Model General Assistance Ordinance as presented.

**UNFINISHED BUSINESS** - None noted.

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**25-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO APPROVE THE TOPSHAM FAIR MALL WATERSHED PLAN**

Interim Planning Director Rod Melanson talked about the Topsham Fair Mall Watershed Plan, which the Board reviewed at its March 20, 2014 meeting. Comments received at that meeting were incorporated and it was noted that the plan still needs to come before a formal Town Meeting for adoption at a future date.

It was noted that the items discussed at the March 20 Board of Selectmen meeting are solely recommendations and there is no obligation to implement each and every one. Mr. Melanson said the committee would like to continue the momentum of working with landowners, state

agencies and the public to address some of the items within the plan and take a proactive approach to address the identified issues.

Concerns were expressed of the importance of working with the Legislature to obtain the revenue sharing to identify the problems with the impaired stream and how best to fix them. Chairman Russell noted it was important to be proactive to work with this voluntary plan to identify solutions before they become mandated a few years down the road.

Following discussion, motion was made by Selectman Thompson, seconded by Selectman Riendeau, and it was unanimously

**VOTED**

To accept the Topsham Fair Mall Watershed Plan as presented.

**26-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON APPROVING THE PROPOSED DESIGN OF THE 250TH ANNIVERSARY COMMEMORATIVE LANDSCAPE AT TOWN HALL**

Town Manager Roedner reviewed the end result of review of several plans for the design of the 250th Anniversary Commemorative Landscape Plan at Town Hall, copies of which were included in the Board package. The goal is to dedicate the project in July as part of the anniversary celebration.

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

**VOTED**

To endorse the 250th Anniversary Commemorative Landscape Plan as presented.

**27-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE CLOSING OF ELM STREET DURING THE CONTROLLED TRAINING BURN OF AMENITY MANOR**

Fire Chief Brian Stockdale reviewed plans involving the closing of a portion of Elm Street on May 3 and 4, where approximately 60 firefighters from 7 departments will be participating in a training exercise during the burn of the former Amenity Manor. Hours of the burn will be from 7:00 a.m. to 7:00 p.m. on both days. Chief Stockdale said he has been working with residents within a 1/4 to 1/2 mile radius of the project, advising them of the department training, including all the Highlands residents. Notifications have been placed on the local cable channel, Town website and the department website. A total of 3 public information sessions were held on April 15th at the Highlands, April 23 at the Fire Station and April 24 at the Town Hall Conference Room.

Concern was expressed regarding a car-swap event scheduled for the burn dates at the Topsham Fairgrounds. Suggestion was made that the fair put signs in place encouraging fair participants to use the entrance to the fair off Route 196 Coastal Connector.

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

**VOTED**

To approve the closing of Elm Street during the controlled training burn of Amenity Manor from 7:00 a.m. to 7:00 p.m. on Saturday and Sunday, May 3 and 4, 2014.

**28-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO APPROVE THE FIRE/RESCUE DEPARTMENT APPLYING FOR A GRANT FROM FIRE HOUSE SUBS**

Fire Chief Stockdale informed the Board of a possible grant from Fire House Subs, where up to \$20,000 of equipment may be able to be purchased. He said tentatively the department will try to acquire materials for the Life Safety and Education Program. Potential items include:

- Fire extinguisher training simulator
- Life safety hazard house simulator
- CPR manikins
- AED training simulators

Selectman Douglass said he would like to see a fire fighter talk about fire safety training in schools included. The Fire Chief responded that the department is looking into starting a pilot program in the fall for training in schools at the lower grade levels.

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

**VOTED**

To allow the Fire Rescue Department to apply for a grant from Fire House Subs.

**29-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON ACCEPTANCE OF HARRY C. CROOKER PAVING PRICE FOR 2014**

Following discussion, motion was made by Selectman Douglass, seconded by Selectman Riendeau, and it was unanimously

**VOTED**

To waive the Bid Process for 2014 paving due to the fact that last year's recipient held the same cost and to award the paving contract for 2014 to Harry C. Crooker & Sons holding the same paving costs as in 2013.

**30-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO APPROVE TOPSHAM DEVELOPMENT, INC. TO HIRE GOQODE TO REDESIGN THEIR WEB PAGE**

In the absence of Mr. Shattuck, the Town Manager reviewed a memo to the Board from Mr. Shattuck explaining the reasons for a request to change website developers (a copy of the memo is filed with these minutes). Following discussion, motion was made by Selectman Douglass, seconded by Selectman Thompson, and it was unanimously

**VOTED**

To approve Topsham Development, Inc. to hire GoQode to redesign the web page for a sum of \$3,111.00.

**31-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO THE CITIZENS' INSTITUTE OF RURAL DESIGN**

The Board discussed whether or not to move forward with submitting a grant application to the Citizens' Institute of Rural Design (CIRD) referred by MCOG. It was learned that the deadline for submission of the grant is next week so the process has begun, awaiting a decision from the Board whether or not to proceed. There are only 4 awards given annually by CIRD across the nation. Annually, they give 4 awards nationwide to smaller communities who are looking at revitalization and development of downtowns, to give them the professional capacity to conduct an intensive citizen-based design process. The program comes in two stages. One is a \$7,000 grant funding that would be matched by in-kind matching. A 2 to 2-1/2 day program would be designed with CIRD coming to us with professions to provide technical support during the event. They would work with residents to envision what we want to see down there, strengths-weaknesses, etc. and they would then work on plans and designs and come back within the 2-day period with a positive plan for consideration.

There has been a lot of talk about various pedestrian, parking, and traffic challenges in the Lower Village and how they impact the community's long-term goal of establishing a waterfront park in the vicinity of Green Street and the former fire station, as part of an attractive, walkable downtown. Question was posed of whether or not there really is a traffic/pedestrian issue at the site and how best to evaluate the needs.

Chairman Russell offered the thought that we ought to put this consideration to bed once and for all and that it would behoove us to go through a real comprehensive study. He said the time has come to focus on the plan, move forward or end the considerations.

Following discussion, motion was made by Selectman Douglass, seconded by Selectman Riendeau, and it was unanimously

**VOTED**

To authorize the submission of a grant application to the Citizen's Institute for Rural Design.

**32-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO APPROVE THE ICE STORM RESULTUION FOR DECEMBER 21, 2013 THROUGH JANUARY 1, 2014**

Town Manager Roedner presented some history regarding last year's ice storm, our submission to FEMA of approximately \$11,000 to \$15,000 worth of time involved, and their denial of same.

A "*Resolution of the Board of Selectmen of the Town of Topsham*" has been developed (a copy of which was included in the Board package) with the hope of getting FEMA to reconsider their rules. If nothing comes of the resolution, it at least expresses our "voice" from the State of Maine.

Dennis Cox, Public Works Director, said if the federal government is going to have us do the work, we should be recognized. The storm was not a normal storm, but a 3-day event.

Following discussion, motion was made by Selectman Thompson, seconded by Selectman Riendeau, and it was unanimously

**VOTED**

To approve the Ice Storm Resolution for the ice storm from December 21, 2013 thru January 1, 2014.

**EXECUTIVE SESSION**

**33-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTER PURSUANT TO M.R.S.A. § TITLE 1, 405 (6) SECTIONS (A) AND (D)**

At 8:45 p.m. motion was made by Selectman Douglass, seconded by Selectman Thompson, and it was unanimously

**VOTED**

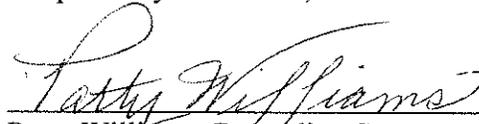
To move into Executive Session to discuss a personnel matter.

Following discussion, the Board came out of Executive Session and back to the regular session. No action was taken.

**ADJOURNMENT**

With no further business to address, the meeting was adjourned.

Respectfully submitted,

  
Patty Williams, Recording Secretary