

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
DONALD A. RUSSELL MEETING ROOM
MAY 2, 2019 – 7:00 P.M

MEMBERS PRESENT: David Douglass
Marie Brilliant
Ruth Lyons
William Thompson (Joined the meeting in progress)
Roland Tufts

MEMBER(S) ABSENT: All present

STAFF PRESENT: Richard Roedner, Town Manager; and Derek Scrapchansky,
Assistant Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, May 2, 2019, 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 Thompson, who joined the meeting in progress.

TOWN MANAGER'S REPORT

Town Meeting is scheduled for Wednesday, May 15 at the Mt. Ararat Commons. Doors open at 6:00 p.m. for registration, and the meeting will start promptly at 7:00 p.m.

This past week, we (Town Manager, David Douglass and Linda Dumont) honored Pat Lowery, who lives at the Westrum House, with the Boston Post Cane as Topsham's oldest resident. Pat's family all were in attendance, as were many of the residents of the Westrum House.

There will be no Selectboard meeting on Thursday, May 16.

And since there is not another Selectboard meeting in May, I will also announce that Town offices are closed on Monday, May 27 for Memorial Day.

Two new police officers, Laura Shorette and Nicholas George, will be sworn in this week. They will begin their duties on May 6. The hiring of these two officers has reduced the vacancies in the Police Department to zero.

Selectman Lyons noted that the Memorial Day Parade will take place on May 27 and the line-up will be here at 100 Main Street.

BOARDS AND COMMITTEE REPORTS AND UPDATES – None noted.

PUBLIC COMMENT

Bruce Flaherty, President of Maine Spirit of America, talked about the Spirit of America Program and urged the Selectmen to select a local person, project or group to receive the 2019 Topsham Spirit of America Foundation Tribute for outstanding community service. He noted a list of towns who participate in the program.

Chairman Douglass thanked Mr. Flaherty for his presentation. He asked why the selection of a group or individual was assigned to the Selectboard and said there is such a large number of participants and groups who volunteer and do good things for the Town that it would be difficult to pick only one group or person, and the reason Topsham hasn't participated in the past. He asked if there were criteria to make suggestions on how to pick an individual or group. Response was that there are no criteria, but the decision is strictly left to the Board. The Topsham Fair Association was mentioned as one possibility. Chairman Douglass said this subject will be considered and discussed further.

Victor Langelo reviewed a letter from Topsham Solar Advocates and asked the Board to help brainstorm of how best to explore what the Town can do to participate with community solar or as individuals. Selectman Lyons suggested that the group occupy a table at the Town Meeting polls and perhaps conduct a survey to determine interest.

CORRESPONDENCE – None noted.

ADJUSTMENTS TO THE AGENDA – None noted.

CONSENT CALENDAR

1. **Approval of the minutes of the Regular Selectmen's Meeting of April 4, 2019.**
2. **Approval of the minutes of the Special Selectmen's Meeting of April 11, 2019.**
3. **Approval of the minutes of the Regular Selectmen's Meeting of April 18, 2019.**
4. **Approval to open the polls on June 11, 2019 at 8:00 a.m. for the Municipal election – MSAD #75 Budget Validation Referendum Election, to extend the Registrar's office until 7:00 p.m. on May 30, 2019 per State Statute 21-A Subsection 122.6 and appoint Linda Dumont as Moderator for the Municipal Election.**

1. **Approval of the minutes of the Regular Selectmen's Meeting of April 4, 2019.**

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

VOTED

To approve the minutes of the Regular Selectman's Meeting of April 4, 2019 as written. (Vote was 3 in favor with 1 abstention.)

2. Approval of the minutes of the Special Selectmen's Meeting of April 11, 2019.

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

VOTED

To approve the minutes of the Regular Selectman's Meeting of April 11, 2019 as written.

3. Approval of the minutes of the Regular Selectmen's Meeting of April 18, 2019.

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

VOTED

To table acceptance of the minutes of the Regular Selectmen's Meeting of April 18, 2019.

4. Approval to open the polls on June 11, 2019 at 8:00 a.m. for the Municipal election – MSAD #75 Budget Validation Referendum Election, to extend the Registrar's office until 7:00 p.m. on May 30, 2019 per State Statute 21-A Subsection 122.6 and appoint Linda Dumont as Moderator for the Municipal Election.

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

VOTED

To approve Consent Calendar Item #4 as written on the agenda.

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS

19-20 CONSIDERATION AND ANY APPROPRIATE ACTION ON UNION GRIEVANCE RELATED TO HEALTH REIMBURSEMENT ACCOUNTS (HRA)

The Town Manager noted his memo to the Board dated March 28, 2019 (filed with these minutes) explaining a technical error in providing notice which was brought to his attention when this item was reviewed at the last meeting. He said in talking to union members, they have additional information they want to provide to the Town Manager, which he will forward to the Town Attorney and proceed from there. The Union representatives would like the Board to postpone this item until the June Selectboard meeting.

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

VOTED

To postpone this item to the June 6, 2019 meeting of the Selectboard.

OLD BUSINESS – None noted.

NEW BUSINESS

19-28 CONSIDERATION AND ANY APPROPRIATE ACTION ON DISCUSSING LIBRARY BOARD REQUEST TO AN EXCEPTION ON TOWN POLICY REGARDING ALCOHOLIC BEVERAGES

Susan Preece, Library Director explained an event planned for the evening of June 7, 2019 at the library, by invitation only, to include a posthumous presentation of the Sarah Whitten Community Award to former Topsham resident Janice Solomon. The award is given annually to an individual, group or business in recognition of outstanding contributions to the Topsham Public Library. Ms. Preece asked for an exception from Town policy to be able to serve wine at the event. She said the library has been holding this 2-hour event for the past 4 years where they serve hors d’oeuvres, wine and cheese. An outside caterer handles the event and is responsible for the licenses, etc.

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

VOTED

To approve the Library Board request to an exception of Town Policy regarding alcoholic beverages at their Sarah Whitten event on June 7, 2019.

(Selectman Thompson joined the meeting at this point.)

19-29 CONSIDERATION AND ANY APPROPRIATE ACTION ON ADOPTING A FEE SCHEDULE RELATED TO MARIJUANA LICENSING ORDINANCES

Planner Rod Melanson distributed the latest edition of licensing fees received from the State. He noted a memo from him to the Town Manager and Selectboard dated April 23, 2019 regarding medical marijuana licensing. The memo noted three major items to have prepared prior to the roll out of the licensing program, as follows:

- 1. Finalizing a fee schedule
 - a. A suggested municipal fee was suggested as of 12/2018

Suggested fees were noted:

Caregiver Retail Store	\$1,500
Marijuana Products Manf. Facility	1,000
Marijuana Cultivation Facility	
1. Tier 1	500
2. Tier 2	1,000
3. Tier 3	2,000
4. Tier 4	3,000
5. Nursery	1,000
Marijuana Testing Facility	500

During discussion, comments were made including:

- The State makes all the money, but the Town has to take on all the responsibilities.
 - Figures from State too high for small businesses trying to start.
 - This whole marijuana thing is money, money, money.
 - This is not going to be a small business thing. In 2 or 3 years, it is going to be big business all around.
 - We need to charge as much as we can.
 - Caregiver Retail Store at \$1,500 seems fair, but all other categories should be doubled.
 - Can the adjusted amounts be in effect for Town Meeting? (Response was that the effective date of code will be enacted when the Board of Selectmen adopt the numbers or on January 1st.)
2. License Application Form
 - a. A proposed application form was included
 3. Policy – Suggested that this be included in the June 6 Board package.

Planner Melanson was charged with adjusting the numbers as suggested by the Board and bring back before the Board for consideration.

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

VOTED

To table Item 19-29 to the June 6, 2019 meeting.

19-30 CONSIDERATION AND ANY APROPRIATE ACTION ON THE RESIGNATION LETTER FROM A MEMBER OF THE MSAD #75 SCHOOL BOARD OF DIRECTORS

Chairman Douglass noted Letter of Resignation from Matthew Drewette Card dated April 19, 2019, who is in the middle of his second term as a member of MSAD #75 School Board of Directors. Mr. Drewette Card said the reason for his resignation is not related to any of the challenging events that have affected the School Board over the last months but for personal, family and professional commitments and obligations. The resignation is to take effect on July 1, 2019.

The Town Manager said this item is placed on the agenda at an early date so the Board can accept the resignation and announce the vacancy. It was noted, when appointing a member to fill this vacancy, it will be only until the annual meeting in November and then nominations will begin July 29 to complete the rest of the unexpired term (11/2000) at the November election.

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

VOTED

To accept the Letter of Resignation from Mathew Drewette Card, thank him for his time and efforts on the School Board and accept applications and Letters of Interest until May 24th and look to appoint someone at the June 6, 2019 Selectboard Meeting to begin on July 1st.

19-31 CONSIDERATION AND ANY APPROPRIATE ACTION ON CREATING AN AD HOC GOVERNMENT REVIEW COMMITTEE

Town Manager Roedner explained that our Town Code §6-25 Revision, directs the “Town to revise and bring up to date this chapter as least once in every ten (10) years, and a committee of seven (7) citizens, three of whom may be Selectmen, shall be chosen for this purpose.” He said this was last done in 2009.

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

VOTED

To begin the process of choosing an Ad Hoc Committee for Government Review to include 7 citizens and 1 or 2 members from the Selectboard.

Selectman Lyons – Prior entering into Executive Session, Selectman Lyons asked to be recognized and urged citizens to attend the District Budget Hearings of MSAD 75 in May and before their vote on June 11. She said we all support our schools and teachers, but there needs to be people in attendance at the budget meetings. She said it is a major budget and everyone should know what they are voting for.

EXECUTIVE SESSION

At 7:58 p.m., motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To move into Executive Session to discuss Agenda Item 19-32. (All members of the Board, the Town Manager and Assistant Town Manager entered into the Executive Session.)

19-32 CONSIDERATION AND ANY APPROPRIATE ACTION TO MOVE INTO EXECUTIVE SESSION PURSUANT TO 36 M.R.S.A. TITLE 1 § 405 (6) (F) TO DISCUSS TAX ACQUIRED PROPERTY

At 8:05 p.m., motion was made, seconded and it was unanimously

VOTED

To come out of Executive Session and to go back into regular session. (All members of the Board were still present.)

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

VOTED

To write off all taxes owed, including interest and penalties, currently at \$250.22, for the foreclosed property in question.

ADJOURNMENT

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

VOTED

To adjourn the meeting at 8:06 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary