

TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
JUNE 19, 2014 - 7:00 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; Economic and Community Development Director, John Shattuck; Town Clerk, Ruth Lyons; and General Assistance Director, Linda Dumont.

A meeting of the Topsham Board of Selectmen was held on Thursday, June 19, 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.

**PRESENTATION**

Chairman Russell asked Ruth Lyons to join him at the podium. On behalf of the Board of Selectmen, he presented Ms. Lyons with a plaque honoring her dedicated and conscientious service to the Town in various capacities from 1990 to her retirement as Town Clerk in 2014.

**TOWN MANAGER'S REPORT**

The Town Manager's Report included:

- The Selectmen met last night with the Library Board in the first of what will likely be multiple meetings designed to better understand the Library's Long Range Plan and the funding mechanisms open to the Town.
- The Board of Selectmen are meeting next week at 5:00 p.m. on the 25th and 26th in workshop sessions to create a Strategic Plan for the next several years.
- The Board is tentatively meeting on July 3 at 6:00 p.m. in a workshop session to develop a set of evaluation criteria for the Town Manager.
- The Police Department is accepting applications for several vacant positions. If you are interested, contact the Topsham Police Department.

**BOARD AND COMMITTEE REPORTS AND UPDATES** - Update TDI/ECD

John Shattuck, Topsham Economic and Development, Inc. Director presented an update of activities of Topsham Development and Economic Community Development including:

- TDI has started working on the Strategic Plan (3 to 10 year plan) process with emphasis of making it more of an action plan to be in concert with the Comprehensive Plan.
- TDI has joined the Library Business Round Table
- Topsham Commerce Park marking effort is under way with MRRA.
- River Landing project closed last week with the Maine Housing Authority and has the "green light" to move forward. Work has begun and construction is expected to be completed early next year with an opening in March or April.
- Looking at what we need to do with the original Municipal TIF at the interchange at the Topsham Fair Mall - incorporate with the Downtown TIF.

**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 JUNE 5, 2014**

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

**VOTED**

To approve the Consent Calendar as presented.

**PUBLIC HEARING**

**38-14 CONSIDERATION AND ANY APPROPRIATE ACTION FOR A LIQUOR LICENSE REQUEST FROM SYLVESTER'S RESTAURANT, LLC, FORMERLY BOOT AND BUCKLE**

Chairman Russell reviewed the application from Darin Sylvester for a liquor license to offer beer and wine at the former Boot and Buckle Restaurant at 235 Lewiston Road. The application was found to be in order.

The Public Hearing was declared open. Mr. Sylvester said he purchased the furniture and equipment from the former Boot and Buckle and planned to start his new family-dining business from 6:00 a.m. to 2:00 p.m. 7 days a week at the 65-seat restaurant. No outside seating is planned. He is currently working with the State to establish the average water use per day at the establishment, saying the State's current standards appear to be excessive as currently on record.

There were no questions from members of the public following Mr. Sylvester's presentation and the Public Hearing was declared closed.

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

**VOTED**

To approve the request for a Liquor License for Sylvester's Restaurant, LLC at 235 Lewiston Road.

**UNFINISHED BUSINESS** - None noted.

**34-14 CONSIDERATION AND ANY APPROPRIATE ACTION FOR A CONTRACT WITH SMITH & ASSOCIATES TO CONDUCT THE 2014 FINANCIAL AUDIT**

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

**VOTED**

To put Item 34-14 back on the table for consideration.

In consideration of various changes in the Town; i.e., new Town Manager and change in the Clerk's Office, the question was posed at the last Board of Selectmen's meeting if consideration should be given to stepping up the audit to a higher level. The Town Manager was charged with contacting Smith and Associates to inquire what a more thorough audit might involve and what the cost would be. Included in the Board package was response from Lori-Anne Wilson at Smith & Associates explaining the next steps above a "regular" audit - Audit Engagements vs. GAGAS (*Generally Accepted Government Auditing Standards*) vs. Single Audit and the costs involved.

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

**VOTED**

To accept the original contract presented to us from Smith & Associates to conduct the 2014 Financial Audit, a regular financial audit, for a cost of \$9,950.

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**39-14 CONSIDERATION AND ANY APPROPRIATE ACTION ALLOWING THE FIRE/RESCUE DEPARTMENT TO UTILIZE A PREFERRED VENDOR FOR THE PURCHASE OF CARDIAC MACHINES**

Fire Chief Brian Stockdale explained why the best process to purchase cardiac equipment is direct from the actual manufacturer. The equipment is compatible with that used in local hospitals. (See memo in file from Chief Stockdale dated June 12, 2014.)

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

**VOTED**

To waive the Bid Process for cardiac monitors and go directly to the Zoll manufacturer.

**40-14 CONSIDERATION AND ANY APPROPRIATE ACTION TO ALLOW THE FIRE/RESCUE DEPARTMENT TO USE THE MASSACHUSETTS STATE BID PROGRAM FOR THE FIRE TRUCK PURCHASE**

Chief Stockdale told the Board that Topsham Fire & Rescue would like to utilize the Fire Chief's Association of Massachusetts Apparatus Purchasing Program for the purchase of the upcoming rescue pumper. He said the program, a competitive bid system, is administered by the Metropolitan Area Planning Council and is designed to consistent quality, price and configuration choices to participating members and is comparable to the MCOG System in Maine. Cost to join the program is \$350.

Following discussion, the Board said they would like to know what the total fees involved would be. Motion was made by Selectman Douglass, seconded by Selectman Riendeau, and it was unanimously

**VOTED**

To table Item 40-14 until the next Board of Selectmen's meeting to hear back what the total fees involved will be.

**41-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE RE-APPOINTMENTS, NEW APPOINTMENTS AND VARIOUS APPOINTMENTS TO POSITIONS**

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

**VOTED**

To appoint the following individuals to the Boards listed:

<u>Individual</u>	<u>Board</u>	<u>-</u>
Michael Baribeau	Board of Assessment Review	
Gordon Donley	Board of Assessment Review	
Gordon Donley	Board of Appeals	
Jotham Trafton	Board of Appeals	
Jeff Deletetsky	Finance Committee	
Michael Whitney	Finance Committee	
John Chonko	History Committee	
Ralph Williams	History Committee	
Ron Bisson	Planning Board	
Don Spann	Planning Board	
Scott Libby	Planning Board	
Cynthia Chase	Historic District Commission	
Dennis Paine	Topsham Housing Authority	
William Fitzsimmons	Topsham Sewer District	

Motion was made by Chairman Russell, seconded by Selectman Riendeau, and it was

**VOTED**

To appoint Yvette Meunier to the Topsham Water District. (Vote was 3 in favor with 1 opposed [Douglass]).

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

**VOTED**

To appoint Nancy Randolph to the Lower Village Committee.

Chairman Russell appointed the following individuals to the Police Interview Committee:

- Selectman Douglass
- Selectman Riendeau
- Lt. Fred Dunn
- Sgt. Robert Ramsey
- Roland Tuffs (citizen representative)

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

**VOTED**

To appoint the following individuals to the positions listed:

<u>Individual</u>	<u>Board</u>
Tom Lister	CEO, including Licensed Building, Electrical and Plumbing Inspector
Jeffrey Hutchinson	Alternate Building Official/Electrical/Plumbing
Carl Adams	Alternate Building Official/Electrical/Plumbing
Rod Melanson	Alternate CEO (duties include administration and enforcement of Land Use and Zoning Ordinances
Brian Stockdale	Fire Warden/Health Officer
Mike Labbe	Civil Emergency/Alternate Health Officer
Louis Levesque	Sealer of Weights and Measures
Kyle Rosenberg	Tree Warden
Dennis Cox	Road Commissioner

**42-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE CREATION OF THE POSITION OF DIRECTOR OF TAX OFFICE, THE APPOINTMENT OF ITS DIRECTOR, THE APPOINTMENT OF MOTOR VEHICLE AGENT, AND THE APPOINTMENT OF INLAND FISHERIES AND WILDLIFE AGENT**

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

**VOTED**

To create the position of Director of Tax Office.

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

**VOTED**

To endorse Ed Bobalek to the position of Director of Tax Office, Motor Vehicle Agent and Inland Fisheries and Wildlife Agent, effective July 1, 2014.

**43-14 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT OF TOWN CLERK AND REGISTRAR OF VOTERS**

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

**VOTED**

To appoint Linda Dumont to the position of Town Clerk and Registrar of Voters, effective July 1, 2014.

**EXECUTIVE SESSION**

**37-14 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)**

The regular meeting was closed and the Board entered into Executive Session at 8:15 p.m.

The Board re-convened at 8:25 p.m., with all members present.

Chairman Russell noted that the Board had discussed the Abatement request under Agenda Item 37-14.

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

**VOTED**

To deny the abatement request, as it was premature to grant an abatement at this time as the taxes levied were still current and not subject to lien or foreclosure for months, and that in the meantime, the applicant should attempt to make any partial payments possible, and seek credits from the State under the Circuit Breaker Program.

**ADJOURNMENT**

On a motion by Selectman Thompson, seconded by Selectman Douglass, the Board voted unanimously to adjourn at 8:26 p.m.

Respectfully submitted,

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Patty Williams, Recording Secretary