

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
DONALD A. RUSSELL MEETING ROOM
JUNE 6, 2019 – 7:00 P.M

MEMBERS PRESENT: David Douglass
Marie Brilliant
Ruth Lyons
William Thompson

MEMBER(S) ABSENT: Roland Tufts

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

A meeting of the Topsham Board of Selectmen was held on Thursday, June 6, 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 Tufts, who was excused.

TOWN MANAGER'S REPORT

The Board of Selectmen will be meeting over the next several weeks to draft a work plan, stemming from the recent series of neighborhood meetings. Once that draft is done, there will be an effort to present a work plan and seek public input.

Next Tuesday, June 11, will be the public vote on ratifying the proposed SAD 75 Budget that was recommended by the District Wide Budget meeting held on May 23. Make sure you take a moment to show up to the polls and vote. The polls open at 8:00 a.m. at the Topsham Fairground Exhibition Hall.

When you get to the polls on Tuesday, you will notice a change. You will now be directed to enter the building from the other end. We are trying this new pattern to see if it will work better than what we used this past fall, when the processing time on the voting machines caused long lines and backups.

As part of the Town's approved budget for next year, we plan on creating a Facilities Committee to consider and advise the Board on a Community Center concept and/or added capacity at the Library. With the Board's concurrence, I would like to start accepting applications from residents who might be interested in serving on such a committee.

Comments following the Manager's report – Chairman Douglass commented that he had not heard about expansion of the library, but was in favor of a community center. Selectman Thompson asked if the proposed committee would look at both the library expansion and the community center. Selectman Lyons said she was told the Library Board wanted both considered together four months ago. Following discussion, it was agreed to place this item on the agenda for discussion at a future Selectmen's meeting.

The Board reached agreement to schedule June 24, 2019 at 6:00 p.m. for the first meeting to discuss drafting a work plan resulting from the recent series of neighborhood meetings. Board members will also reserve June 27th in case there is a need to meet for two evenings.

BOARDS AND COMMITTEE REPORTS AND UPDATES

Update from Topsham Representatives on the SAD #75 Board of Directors

Representatives from the SAD #75 Board of Directors presented an update on school activities.

- The new Superintendent and Assistant Superintendent will begin their positions on July 1st
- Reported on bus routes – schedules to be announced at a later date to begin on January 1
- Principals will hold a meeting on June 10 at the Williams Cone School
- 151 students will graduate on June 9
- The Highland Green Golf Scramble is scheduled for June 24
- Reported on progress on the new high school to be completed in May of 2020

Chairman Douglass said he was disappointed with the work done on the baseball field and the practice field. It was noted that the builder did an inadequate job and the results are unacceptable. SAD 75 Representative said the field has not been accepted yet and will not be until the contractors make it right.

Jane Scease reported that the students did a good job in designing a new school flag for the new building. She spoke of a new program underway to help homeless students. Host families are being sought to house these students.

Update from History Committee – Ralph Williams brought the Board up to date on what the History Committee is working on. He said a major project is underway to index the complete collection of pictures in the archives. Currently the information is in Mr. Williams' personal computer and he said he would like to have access to a laptop in the archives room at the municipal building. Work is being done to duplicate the oral history from cassette tapes to updated media. Work is being done to place photographs on line so citizens can view them.

Work is also being done to update the Policy Book. The Committee will bring same to the Selectboard for acceptance when it is completed. Mr. Williams said the Boston Post Cane plaque needs to be updated. He would also like to have a plaque placed on the bell in the Municipal yard.

Selectman Lyons asked if a new laptop is in the budget. Mr. Williams responded that it was not. The Town Manager said there may be money currently available in the budget for same. Selectman Lyons noted the importance of keeping the history on the Pejepscot Village.

Update on Solid Waste Recycling changes coming in the new year

Ed Caron, Solid Waste Director, distributed a “Topsham Solid Waste 2019 Recycling Guide.” The guide explains Zero-Sort Recycling, trash and items to keep out of zero-sort, hours of operation both for winter and summer months, user fees, coupon fees, fees for demo wood, brush and debris.

Mr. Caron talked about the concerns with future recycling fees and the need to educate the public. He is working on identifying ways to reduce costs. Mr. Caron said the market will recover, but no one is sure when. He plans to speak with Maine Recycling concerning their acceptance of clear glass.

PUBLIC COMMENT – None Noted.

CORRESPONDENCE – None noted.

ADJUSTMENTS TO THE AGENDA – None noted.

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen’s Meeting of April 18, 2019.

Motion was made, seconded and unanimously **VOTED** to table acceptance of the minutes of April 18, 2019.

2. Approval of the minutes of the Regular Selectmen’s Meeting of May 2, 2019.

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

VOTED

To approve the minutes of the Regular Selectmen’s Meeting of May 2, 2019 as written.

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS – None Noted

OLD BUSINESS

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

Town Planner, Rod Melanson, reviewed his May 28, 2019 memo regarding medical marijuana licensing. Fee schedules were discussed at a prior meeting of the Board and based on instructions from the Board and the draft State of Maine license fees review, the following fees are proposed:

Proposed Fee Language:

A \$250 non-refundable deposit is required with each application and shall be applied to the balance of the remaining application fee due seven calendar days upon the notice of an approved license from the Board of Selectmen.

Caregiver Retail Store	\$3,000
Marijuana Products Manufacturing Facility	\$2,000
Marijuana Cultivation Facility	
Tier 1	\$1,000
Tier 2	\$2,000
Tier 3	\$4,000
Tier 4	\$6,000
Nursery	\$2,000
Marijuana Testing Facility	\$1,000

The Board agreed on an implementation date to have applications available on July 1st. An application package will be available on that date also.

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

VOTED

To adopt the fee schedule proposed in memo from Town Planner dated May 28, 2019 and to support an effective enactment date of July 1, 2019.

NEW BUSINESS

19-33 CONSIDERATION AND ANY APPROPRIATE ACTION ON AWARDING THE BID FOR PAVING THE TOWN’S STREETS TO CROOKER CONSTRUCTION

Public Works Director Dennis Cox spoke to this item and recommended that the Town hire Crooker Construction to do the paving work this season. He said the Crooker firm works with the Town scheduling the work as Public Works gets a road ready and historically they do quality work. He added that the price to Topsham is a competitive price when comparing the tonnages being placed over all and on individual jobs.

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

VOTED

To award the bid for paving the Town’s streets to Crooker Construction per the rates stated in Mr. Cox’s memo dated May 15, 2019 of \$71.95 per ton plus the escalator cost of tar.

19-34 CONSIDERATION AND ANY APPROPRIATE ACTION ON AWARDING THE PROPOSAL FOR CULVERT ON BROOKSIDE DRIVE

Public Works Director Dennis Cox spoke to this item and recommended that the Selectmen award the culvert replacement under Brookside Drive to Barton Construction. Bids were

received from Crooker Construction (\$47,500), Barton Construction (\$7,500) and Ray Labbe (\$60,000).

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

VOTED

To accept the bid from Barton Construction in the amount of \$7,500 to replace the culvert under Brookside Drive.

19-35 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT TO THE SAD #75 BOARD TO COMPLETE AN UNFINISHED TERM UNTIL THE NOVEMBER ELECTION

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

VOTED

To appoint Patrick Coen to complete the unfinished term on the SAD #75 Board of Directors.

19-36 CONSIDERATION AND ANY APPROPRIATE ACTION ON ANNUAL RE-APPOINTMENTS

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

VOTED

To approve the following annual appointments:

Tom Lister	Codes, Plumbing Inspector and Health Officer
Carol Eyerman	Alternate CEO, Administrative/Enforcement
Mike Labbe	Civil Emergency
Chris McLaughlin	Fire Warden/Health Officer
Dennis Cox	Road Commissioner

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

VOTED

To appoint Justin Hennessey as Town Assessor for a 5-year term.

19-37 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENTS AND RE-APPOINTMENTS OF VARIOUS BOARDS AND COMMITTEES

To approve the following re-appointments:

Bryan Bachelder	Weights & Measures
Gary Smart	Historic District Commission
Gail Eaton	Finance Committee
Tori Ryan	Finance Committee
Stuart Kay	Water District Trustee
Robert Barry	Board of Assessment Review
Mark Ponziani	Sewer District
Christopher LeClerc	Sewer District
David Marcello	Board of Appeals
Don Russell	Topsham Development, Inc.
Steve Pelletier	Topsham Development, Inc.

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

VOTED

To appoint Andrew Sturgeon to the Topsham Development, Inc. Board.

EXECUTIVE SESSION

At 8:30 p.m., motion was made by Chairman Douglass, seconded by Selectman Brilliant, and it was

VOTED

To move into Executive Session to discuss Agenda Items 19-38, 19-39, 19-40, 19-41 and 19-42.

(The voted was 3-0-1 with Selectman Thompson abstaining.)

All Board members entered the Executive Session, along with Town Manager Roedner and Assistant Town Manager, Scrapchansky.

The Board returned from Executive Session and back to regular session at 9:18 pm. All members and staff were still present.

19-38 CONSIDERATION AND ANY APPROPRIATE ACTION ON ENTERING INTO EXECUTIVE SESSION PURSUANT TO 1 M.R.S.A. § 405 (6) (A) TO DISCUSS PERSONNEL MATTERS

No action was taken on this item.

19-39 CONSIDERATION AND ANY APPROPRIATE ACTION ON ENTERING INTO EXECUTIVE SESSION PURSUANT TO 36 M.R.S.A. § TITLE 1 405 (6) (F) TO DISCUSS TAX ACQUIRED PROPERTY

Motion was made by Chairman Douglass to deny the request to enter into a Repurchase Agreement for this income-producing property. The motion was seconded by Selectman Lyons. Vote was called and all were in favor.

19-40 CONSIDERATION AND ANY APPROPRIATE ACTION ON ENTERING INTO EXECUTIVE SESSION PURSUANT TO 36 M.R.S.A. § TITLE 1 405 (6) (F) TO DISCUSS TAX ACQUIRED PROPERTY

Motion was made by Chairman Douglass to deny the request to enter into a Repurchase Agreement for this income-producing property. The motion was seconded by Selectman Lyons. Vote was called and all were in favor.

19-41 CONSIDERATION AND ANY APPROPRIATE ACTION ON ENTERING INTO EXECUTIVE SESSION PURSUANT TO 36 M.R.S.A. § TITLE 1 405 (6) (F) TO DISCUSS TAX ACQUIRED PROPERTY

Motion was made by Chairman Douglass to authorize the Town Manager to enter into a Repurchase Agreement with the homeowner. Motion was seconded by Selectman Lyons. Vote was called and all were in favor.

19-42 CONSIDERATION AND ANY APPROPRIATE ACTION ON ENTERING INTO EXECUTIVE SESSION PURSUANT TO 36 M.R.S.A. § TITLE 1 405 (6) (F) TO DISCUSS TAX ACQUIRED PROPERTY

Motion was made by Chairman Douglass to authorize the Town Manager to enter into a Repurchase Agreement with the homeowner. Motion was seconded by Selectman Lyons. Vote was called and all were in favor.

ADJOURNMENT

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

VOTED

To adjourn the meeting at 9:22 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary