

TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
JULY 18, 2013, 7:00 P.M.

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MEMBERS PRESENT: Donald Russell  
Marie Brilliant  
David Douglass  
Ronald Riendeau  
James Trusiani

MEMBERS ABSENT: All present

STAFF PRESENT: Town Manager, Cornell Knight

A meeting of the Topsham Board of Selectmen was held on Thursday, July 18, 2013 at the Municipal Building at 100 Main Street, Topsham, Maine.

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE/ROLL CALL**

Chairman Russell called the regular 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:

- Residents are invited to a meeting on Tiff's that will include information on an Affordable Housing TIF and a Main Street TIF, next Thursday, July 25, 2013 at 6:00 p.m. at the municipal building.
- The Annual Tour de Merrymeeting Bay will be on August 3, 2013. Space is still available for 25 and 50 mile participants. Register on line at the Town's website. Volunteers are also needed. If interested, contact the Parks and Recreation Department.
- There is still limited space available for Youth Soccer League and next week is the Annual Youth Soccer camp hosted by the Mt. Ararat High School coaches. Contact the Parks and Recreation Department for more information.
- The Cathance Road Bridge will have major repair work done next month and the road will be closed from August 19 to 30th. The Head of Tide Park will be closed as well.

Following Mr. Knight's report the suggestion was made to post a sign that the Head of Tide Park will be closed. Concern was also expressed that school starts on August 28th, which will cause a hardship with the school busses. The Town Manager agreed to discuss this with the school department for re-routing plans.

**BOARD AND COMMITTEE REPORTS AND UPDATES**

**Progress report from the Midcoast Regional Redevelopment Authority** - Steve Levesque, Executive Director of the Midcoast Regional Redevelopment Authority gave a positive report on progress of redevelopment at Brunswick Landing, Topsham Commerce Park and the Brunswick Executive Airport. A full report was included in the Board package and is filed with these minutes.

**Update TDI/ECD** - John Shattuck, Topsham Economic and Community Development, Inc. Director, invited members of the public to attend a public meeting on Thursday, July 25, 2013 at 6:00 p.m. to receive information on TIF's being proposed. He also presented a report on economic development in Topsham.

**Update from the Lower Village Committee on Traffic Study and other activities** - Doug Bennett, Chairman of the Lower Village Committee on Traffic Study brought the Board and members of the public up to date on work the committee is doing. Other members of the committee include Jim Howard, Gary Smart, Angela Twitchel, Jane Scease and Fred Wigand.

A lengthy discussion ensued regarding the merits of a roundabout at the intersection of Main Street and Green Street which is being proposed by Gorrill and Palmer, Consulting Engineers. A letter report from the firm was included with the Board package and is filed with these minutes. Some positive and some negative comments were expressed. Mr. Bennett also talked about the need for access to the river, the development of a river-front park and trail to connect through the lower village and back up to Elm Street.

Concern was expressed of where the funds will come from for the proposed projects. No action was taken except to encourage citizens to attend future upcoming committee meetings and to share their ideas to improve the area. Chairman Russell thanked Mr. Bennett and the Committee members for the work they have done and encouraged them to continue ahead.

**PUBLIC COMMENT** - Bill Littlefield urged the Committee to continue to be aware of safety issues on Green Street and expressed the need for a sidewalk along Green Street. Fred Wigand spoke in favor of the proposed roundabout.

**CORRESPONDENCE** - Selectman Douglass shared the content of a phone call he received concerning the memorialization of Sgt. Cory Garber who is buried in Arlington National Cemetery. Request was made to Mr. Douglass to consider ways Mr. Garber could be honored in Topsham.

**ADJUSTMENTS TO THE AGENDA** - Motion was made by Mr. Riendeau, seconded by Mr. Douglass, and it was unanimously

**VOTED**

**To add Item 63-13 to the agenda: CONSIDERATION AND ANY APPROPRIATE ACTION TO REPAIR A CABLE ON THE SWINGING BRIDGE**

**CONSENT CALENDAR**

**1. APPROVAL OF THE MINUTES OF THE REGULAR SELECTMEN MEETING OF JUNE 20, 2013**

Motion was made by Mr. Trusiani, seconded by Mr. Douglass, and it was unanimously

**VOTED**

**To approve the minutes of the Regular Selectmen Meeting of June 20, 2013 as written.**

**PUBLIC HEARING** - None noted.

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**57-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE CREATION OF A NEIGHBORHOOD REVITALIZATION PLAN FOR THE ELM AND GREEN STREET AREA**

Economic and Community Development Director, John Shattuck, reviewed a memo to the Town Manager and Board of Selectmen dated July 10, 2013 talking about the creation of a Neighborhood Revitalization Plan for the Elm and Green Street Areas. The Elm and Green Street areas is not included in Topsham's Main Street Plan and does not have a specific redevelopment plan of its own. A preliminary plan is being considered by the Town Manager, Planning Staff and the Lower Village Development Committee. It was expressed that this would be the right time to consider such a plan, then it could be included in the update of the Comprehensive Plan which is due in the next couple of years.

Mr. Shattuck recommended retaining the Downtown Revitalization Collaborative on an hourly basis for a maximum amount of \$5,000, rather than rebidding, as this firm has been working with the Town and is familiar with the project. To do so would require waiving the Town's Purchasing Policy's informal Bidding Process. A discussion followed with some Board Members objecting to waiving the bidding process in place, saying it was not fair not to put such an item out to bid. Concern was also expressed that perhaps more than just two streets be included.

Following discussion, motion was made by Chairman Russell, seconded by Ms. Brilliant, and it was unanimously

**VOTED**

**To approve the continuation of the Scope of Work for the Downtown Revitalization Collaborative in the amount of \$5,000 and to waive the Bid Policy to be able to write the contract.**

Selectman Trusiani asked to go on record that although he voted in the affirmative for this item tonight does not mean he will support the project in the future.

**58-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE PURCHASE OF COMMUNICATION EQUIPMENT FOR THE TOWN'S CABLE TV CHANNEL STUDIO ROOM**

Pam LeDuc explained the need for an upgrade to the Town's cable TV channel studio room and the why it would be best to go with Connectivity Point per their estimate which was included in the Board package for review.

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

**VOTED**

**To approve \$15,812.95 for the purchase of a video, computer upgrade and server from Connectivity Point.**

**59-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON 4 REQUESTS SUBMITTED FOR NEW CROSSWALKS TO BE INSTALLED IN TOPSHAM**

Dennis Cox, Public Works Director, explain the request for four new crosswalks as follows:

1. Request made by Donna Lorraine on behalf of Santec Consulting - 30 Park Drive to 25 Park Drive. *Mr. Cox does NOT recommend because it does not lead from a public sidewalk to a public sidewalk and is between two privately owned parcels in a middle of a block.*
2. Request made by Donna Lorraine on behalf of Santec Consulting - Park Drive to the Mall, across Topsham Fair Mall Road. *Mr. Cox recommended this crosswalk be installed with consideration also of a pedestrian light.*
3. Requested by the Head of Tide Park Committee - Cathance Road at Head of Tide Park. *Recommended by Mr. Cox.*
4. Requested by Betty Foster - Granite Hill Drive and Winter Street. *Recommended by Mr. Cox.*

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

**VOTED**

**To deny a crosswalk at 30 Park Drive to 25 Park Drive, known as #1; to approve a crosswalk at the Head of Tide Park, known as #3; and to approve a crosswalk at Granite Hill Drive and Winter Street, known as #4.**

No action was taken on #2 at this time.

**60-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE MAINE DEPARTMENT OF TRANSPORTATION'S PLAN TO REMOVE THE HIGHWAY PORTION OF THE BLACK BRIDGE**

**APPROVED VERSION**

Town Manager Cornell Knight, began the discussion of the Maine Department of Transportation's decision to remove the suspended highway portion of the Black Bridge. The Bridge has been closed for approximately 2 years after a determination by the State that the deterioration of the bridge, as a whole, was no longer safe for traffic. To replace the bridge would cost approximately \$1 to \$2 million under one alternative. The second alternative, to replace the bridge with a new two-span galvanized, self-supporting truss would cost an estimated \$900,000 to \$1 million.

Maine DOT's letter to the Town Manager and also to Gary Brown, Town Manager of Brunswick, said it will cost \$250,000 to remove the bridge, which they will fund. An alternative was presented to both Topsham and Brunswick that if either town was interested in funding the difference of between the removal cost (\$250,000) and the estimated replacement cost (\$1 million plus or minus) the bridge could be replaced. It was learned that the Town of Brunswick has agreed to not fund a new bridge.

Chairman Russell asked for comments from members of the public and a lengthy discussion ensued. It was noted that the bridge is approximately 104 years old and there is nothing like it in the state.

Topsham Heights Resident Dorothy Riendeau said the bridge was of great historic value and should not be torn down. Ms. Riendeau inquired what would happen to the pieces of the historic bridge when taken down and suggested they be creatively used as some sort of memorial to the Town. Ms. Riendeau told the Board, if the bridge is demolished that the team can haul the pieces to a big field at her residence for use by her daughter to incorporate same into a new home under consideration.

Historian Ralph Williams spoke to the uniqueness of the bridge, a one-of-a-kind structure. Mr. Williams said various covered bridges get funding and asked why can't this bridge receive funding?

Bill Morin said he could understand DOT's position, but more time needs to be given to think about what can be done and wondered if the public might have ideas to raise the money needed to replace the bridge. He asked citizens to not give up on saving the Black Bridge.

Suggestion was made to send the DOT historical information obtained by Mr. Williams. Response was 1) The Bridge is owned by the State; 2) The State wants a decision by August 2, 2013; and 3) we simply do not have the money to replace.

Nancy Randolph spoke in favor of saving the bridge but said it would be difficult to raise the necessary amount of funds needed.

After everyone who wanted to was offered the opportunity to speak, motion was made by Mr. Trusiani, seconded by Mr. Douglass, and it was unanimously

**VOTED**

**To notify the Maine Department of Transportation that the Town of Topsham does not have an interest or the means to replace and maintain the Black Bridge.**

**61-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON AMENDING CHAPTER 210-39L OF THE TOPSHAM CODE OF ORDINANCES RESTRICTING PARKING ON PLEASANT STREET**

Town Manager spoke of the problems with cars backing out onto Pleasant Street and the solution to amend Chapter 210-39L restricting parking on Pleasant Street.

Motion was made by Mr. Douglass, seconded by Mr. Riendeau, and it was unanimously  
**VOTED**

**To amend Chapter 210-39L of the Topsham Code to read as follows: "There shall be no parking of vehicles on either side of Pleasant Street. "**

**62-13 CONSIDERATION AND ANY APPROPRIATE ACTION ON CHANGES TO THE 2013-14 MUNICIPAL BUDGET**

The Town Manager explained that changes to revenue sharing in the final State Budget left Topsham with a \$209,000 shortfall to the already approved budget. To make up for the shortfall, during workshops it was worked out to....

- Carry \$22,004 in Revenue Sharing Funds;
- not spend \$65,585 from the Assessing Budget;
- not spend \$25,000 from the Public Works Budget;
- not spend \$22,500 from the Solid Waste Budget;
- not spend \$72,530 from the Paving Budget;
- and apply \$2,300 from the equipment account towards the sweeper purchase....

...resulting in a reduction in Revenue Sharing of \$209,919, which the Finance Committee was in agreement with.

A discussion ensued with several concerns expressed. Selectman Douglass said he was unable to attend the workshop. He said when this was first put before him the question was asked "What's the plan if we don't see the full revenue?" He added there does not seem to be a plan. He said his issue is the Assistant Assessors position - not filling that - and a very large issue with the paving reduction. We have known for several years that the Town needs to put in approximately \$450,000 to \$500,000 a year to have a 30-year rotation of doing our streets. We haven't put more than \$325,000, and that was this year for the first time in 4, 5 or 6 years and the first thing we do is cut \$72,530 from the budget. It was made very clear that we wanted to remain as close to 100% assessment as possible to get our whole value. The person for the assistant assessor's position decided to take another job, so that was an easy decision.

Selectman Douglass added that Topsham does not have a spending problem, but Topsham has a salary and benefits problem. A few years ago we approved a contract for the Town with a salary increase of 2.5% to 3.5% increases to employees. Every year when we work on the budget we are told that is nothing we can do about salary and benefits that we have to do them. He said there is something we can do about it and that he does not support the two reductions noted and that there are some hard decisions that have to be made.

Selectman Trusiani continued the discussion along the same line as Selectman Douglass. He said he has been on the Board for approximately 10 years and is concerned that even greater cuts will follow. He said he concurred with Selectman Douglass and doesn't blame the Town Manager, but blames himself as an elected official by accepting the status quo and accepting payroll increases. He said he will not vote for the easy way out, and does not accept not filling the assistant assessor's position as it is important to visit properties to keep records up to date.

Selectman Trusiani said "If we are going to make cuts, we need to look at places where we can cut. We need to ask these questions." He went on to question the need for two administrative positions in combining fire and rescue that total \$129,000 in salaries and \$35,000 in benefits to run one department. He asked if we really need two planners or an overseer of 3 people at the landfill. During the past winter, the Public Works Department was down 2 people and the Town survived with part-time workers. He added that somebody has to make some serious cuts and that we will not vote for the easy way out.

With no further comments to be heard, motion was made by Mr. Russell, seconded by Ms. Brilliant to support the budget changes to make up for the difference as stated above and in the Town Managers memo of July 10, 2013.

**VOTE was called and the motion failed with two voting for (Russell and Brilliant) and three against (Douglass, Riendeau and Trusiani).**

A discussion followed of how to solve the problem. Suggestion was made for another workshop, but it was agreed that several workshops had already been held. After several minutes of discussion, Selectman Trusiani said he would take his vote to defeat off the table and asked for a second vote, saying between now and fall the Board could come up with a solution.

**Motion was made by Mr. Trusiani and seconded by Mr. Russell and it was voted 3 in favor (Russell, Brilliant, Trusiani) to 2 opposed (Riendeau, Douglass) to reconsider the previous vote.**

**Motion was made by Mr. Russell and seconded by Ms. Brilliant to go forward with the proposal of reductions as presented to raise \$209,919 for the revenue shortfall.**

**VOTE was called and the motion passed with 3 in favor (Russell, Brilliant and Trusiani) and 2 opposed (Douglass and Riendeau).**

**63-13 CONSIDERATION AND ANY APPROPRIATE ACTION TO REPAIR A CABLE ON THE SWINGING BRIDGE**

Nancy Randolph spoke to this agenda item asking the Board of Selectmen to authorize the Save Our Swinging Bridge.Org to contract with Atlantic Mechanical for immediate repair of the secondary cable connected to the tower and for the future reseating. Ms. Randolph said Larry Paul, from Atlantic Mechanical estimated the cost for the repair to be approximately \$3,560 and that the Committee has ample funds to pay for same for the Town. Following Ms. Randolph's presentation, motion was made by Mr. Douglass, seconded by Mr. Riendeau and it was unanimously

**VOTED**

**To allow the Save Our Swinging Bridge Organization Board to enter into an agreement with Atlantic Mechanical and provide the funding at no cost to the Town and to forward a letter for the Town's records that Save Our Swinging Bridge Organization will pay the cost of the repair.**

**ADJOURN**

With no further business to discuss, motion was made, seconded, and it was unanimously,

**VOTED**

To adjourn the meeting at 10:05 p.m.

Respectfully submitted,

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Patty Williams, Recording Secretary