

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
AUGUST 16, 2012, 7:00 P.M.

MEMBERS PRESENT: Donald Russell
David Douglass
Andrew Mason
Ronald Riendeau

MEMBERS ABSENT: Marie Brilliant

STAFF PRESENT: Town Manager, Cornell Knight

A meeting of the Topsham, Maine Board of Selectmen was held on Thursday, August 16, 2012 at the Municipal Building at 100 Main Street, Topsham, Maine.

CALL TO ORDER

Chairman Russell called the 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.

TOWN MANAGER'S REPORT

The Town Manager's Report included:

- Tax bills are due October 15, 2012 and are scheduled to be mailed out next week.
- The library will be closed next week for construction of handicapped parking spaces and replacement of the pavers at the front entrance.
- The shelters at the Head of Tide Park are nearing completion. The National Guard unit has one more weekend of work next month to finish the roofing. Bids for landscape work will go out next month.
- The Department of Transportation will be doing another inspection of the Frank Wood Bridge on August 20, 2012. North-bound traffic will be detoured and south-bound traffic can pass over the bridge. It will be a one-day lane closing.
- The Recreation Department's Soccer Program starts next week with 37 teams, which is 2 less than last year. There are 4 teams still in need of sponsorships at \$200 each.

BOARD AND COMMITTEE REPORTS AND UPDATES

UPDATE ON OVERNIGHT PARAMEDIC COVERAGE SINCE JULY 1, 2012 - This item was postponed to the 9/1/12 meeting.

TDI/ECD UPDATE

TDI

- John Shattuck expressed regrets from TDI Chair Don Spann for not being able to attend the meeting because of a family commitment.
- Thanks were extended to the Board of Selectmen Chair and Town Manager for participating in the July TDI Strategic Meeting. Mr. Spann will present TDI's new Strategic Plan for 2012-2013 after the plan is formally approved by the TDI Board.
- Two new directors are joining TDI; names to soon be announced.
- Feedback will soon be in from the TDI Public Outreach resulting from community leader interviews and the summer summit.

ECD

- 2 national companies are moving forward with plans to occupy space at the Topsham Fair Mall and several smaller projects are in the works.

- The Lower Village Traffic Study is scheduled to begin in September. TDI is funding the study and the Lower Village Development Committee is managing the study.
- Consideration is being given to the Eastside Infill Bus Park possibilities.
- Work is proceeding on the Vernal Pools Pilot Program with work continuing to be done by myself (Shattuck) and the Town Planner and with good support from the State (Liz Hertz) and coordination with federal agencies.
- The CDBG Planning Grant for a transit study has been completed with long-term goals for the Bath to Freeport spine and short-term extending the Explorer route in Topsham. More information on this work will be forthcoming.
- Meeting is scheduled for August 28 with Rich Roedner, and the MRRA Board to receive full conveyance of the whole annex in September.

PUBLIC COMMENT - None noted.

CORRESPONDENCE - None noted.

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

VOTED

To add and show agenda item No. 95-12 - FOR THE CONSIDERATION AND ACTION ON AWARDED A BID FOR CONSTRUCTION OF THE ANDROSCOGGIN RIVER TRAIL and to renumber the executive session item to 96-12.

CONSENT CALENDAR

1. APPROVAL OF THE MINUTES OF THE REGULAR SELECTMEN MEETING OF 8/2/12

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

VOTED

To approve the minutes of the August 2, 2012 meeting as written.

PUBLIC HEARING - None noted.

UNFINISHED BUSINESS - None Noted.

OLD BUSINESS - None Noted.

NEW BUSINESS

89-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE DEPARTMENT OF TRANSPORTATION'S PLAN TO REPAIR THE CATHANCE RIVER BRIDGE

Mark Parlin, an engineer with MDOT gave a Power Point presentation with results of preliminary engineering studies on repairing the Cathance River Bridge. Mr. Parlin said that after the detailed inspection, engineers have determined that the bridge is not in as bad condition as previously thought. He explained that only the south abutment needs work which would require the bridge to be closed for 7 to 10 days.

Following the Utility Meeting held on Tuesday at the bridge site, the Town Manager forwarded MDOT several questions in writing which Mr. Parlin responded to at the meeting.

Grace Lewis McLaren asked to be recognized and questioned if speed bumps would be appropriate to slow traffic at the Head of Tide Park. She also asked about making it a one-lane bridge with a light. During discussion it was noted there are approximately 1,400 cars crossing the bridge each day, too many for a one-way bridge.

Pam LeDuc spoke in place of Angela Twitchell, Chair of the Tide Park Committee, who was out of town, telling the group that flashing lights are already in the plans for both sides of the bridge and will be in place this fall.

John Cullen asked how long the bridge would be closed for repairs and the response was between 10 and 14 days. Stage construction was discussed but determined not to be cost effective.

Selectman Douglass asked what was preventing the Town from doing the vegetative work right away. Public Works Director Cox responded that it could be done in consideration of a 33-foot right of way from the center line on each side. The Town Manager said there was nothing preventing the vegetative work from being done at this time.

No action was taken at the meeting.

90-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON AUTHORIZING THE REFINANCING OF BONDS IN THE AMOUNT OF \$7,475,000 FOR THE PURPOSE OF REFINANCING ON AN ADVANCE BASIS, THE TOWN'S BONDS FROM AUGUST 12, 2005

Town Manager Knight said that while interest rates are at a historic low, it is a good time for the Town to borrow the \$7,475,000 needed. The money would be placed in an escrow account with the Bank of New York and Mellon and money would be disbursed to pay the current bond holders in 2016.

Dick Ranagin from Gorham Savings Bank explained the bond process and answered questions posed by the Board. There were no questions from members of the public following the presentation. Reference was made to a list of 7 items under the title "VOTE REGARDING THE ISSUANCE OF REFUNDING BONDS" which is filed with these minutes.

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

VOTED

That the Board adopt the vote presented to this meeting regarding the issuance of bonds in the amount of \$7,475,000 for the purpose of refunding on the advance basis certain bonds issued by the Town on August 12, 2005 and being those bonds which are callable as of November 1, 2015.

Items 1 through 7 listed below under "VOTE REGARDING THE ISSUANCE OF REFUNDING BONDS"

- "(1) That, under and pursuant to Title 30-A, Section 5772 of the Maine Revised Statutes, there be and hereby is authorized the issuance of Refunding Bonds in such amount as the Treasurer and Chair deem appropriate, but not to exceed an aggregate principal amount of \$7,475,000, for the purpose of refunding, on an advance basis, certain bonds issued by the Town on August 12, 2005 as part of an issue in the aggregate principal amount of \$13,475,000 (the "Refunded Bonds"), said funding to include transaction costs and other expenses reasonably related to the refunding.
- (2) That the Town Treasurer and the Chair of the Select Board are hereby authorized to issue the Refunding Bonds to Piper Jaffray, or its designees, by negotiated sale, said Refunding Bonds to be signed by the Treasurer and countersigned by the Chair.
- (3) That the Bonds may be issued with or without call or early redemption provisions, and with or without premium, as may be approved by the Treasurer and Chair.
- (4) That the Treasurer and Chair are further authorized to determine the form and details of the Bonds, including the dates, maturities, denominations, interest rate and place of payment.
- (5) That the Treasurer and Chair are further authorized to take any and all additional action necessary or convenient to carry out the provisions of this voting, including the delivery of the Bonds against payment therefore.
- (6) That the Bonds are hereby designated bank-qualified, tax-exempt obligations for the 2012 calendar year pursuant to Section 365(b)(3) of the Internal Revenue Code of 1986.
- (7) That the Refunded Bonds, when issued, met a requirement of the Internal Revenue Code that the term not exceed 120% of the economic life of the projects for which the Refunded Bonds were issued, and that the term of the Refunding Bonds does not exceed the remaining term of the Refunded bonds."

91-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON DESIGNATING NEW VALUE IN THE MUNICIPAL TIF DISTRICT TO A FUND FOR ECONOMIC DEVELOPMENT ACTIVITIES

Town Manager Knight spoke to this item, the Tax Increment Financing Plan which was adopted at a Special Town Meeting on March 25, 2004. It was noted that qualified TIF valuation is sheltered and not included in the Town's total valuation when the State calculated the amount of revenue sharing and aid to education funds to be allocated to the Town and saves the Town money.

Following a period of questions and answers, motion was made by Mr. Russell, seconded by Mr. Riendeau and it was unanimously

VOTED

That we add the revenues from new development in the Municipal TIF District to the Enterprise Fund to be used for economic development purposes.

92-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON A NEW APPOINTMENT TO THE TOPSHAM DEVELOPMENT, INC. BOARD

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

VOTED

To appoint Curtis Picard to the Topsham Development Inc. Board.

93-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE BIDS FOR THE ADMINISTRATION CAR

Bids that were opened on August 14, 2012 were reviewed and motion was made by Mr. Douglass, seconded by Mr. Mason and it was unanimously

VOTED

To accept the bid of \$821.99 from Sean Sypniewski for the sale of the blue administration vehicle.

94-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON HAVING VIDEOS OF THE SELECTMEN AND PLANNING BOARD MEETINGS ON DEMAND ON THE TOWN'S WEBSITE

Town Manager Knight said he has received several requests to have videos of meetings of the Selectmen and Planning Board on demand on the Town's web site so citizens can watch at their leisure. The cost would be \$60.00 to purchase a subscription and \$300.00 to be able to load the program. The monies would come from the Video Account and involve a franchise agreement from Comcast.

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

VOTED

To accept Option 1 and enter into an agreement to establish a video account for the Town's website and to purchase the required software for a total of \$359.95.

95-12 FOR THE CONSIDERATION AND ACTION ON AWARDING A BID FOR CONSTRUCTION OF THE ANDROSCOGGIN RIVER TRAIL

Town Planner Roedner told the Board that in May of 2010 Town Meeting voted to endorse the plan for the Androscoggin Riverwalk Trail. On August 15, 2012, sealed bids were opened for the construction of the riverwalk, a 2,115 linear foot multi-use trail to be located along the Androscoggin River, stretching from the Swinging Bridge parking area to Summer Street. Bids were requested in accordance with DOT requirements as came in as follows: Harry Crooker & Sons: \$89,215; Hagar Enterprises: \$103,819; Farley & Son: \$144,855.17; Pratt & Sons: \$184,222.50.

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

VOTED

To accept the low bid from Crooker & Sons in the amount of \$89,215 for pavement and work at the Androscoggin River Walkway pending approval from the DOT.

EXECUTIVE SESSION

96-12 CONSIDERATION AND ANY APPROPRIATE ACTION ON ENTERING INTO EXECUTIVE SESSION PURSUANT TO M.R.S.A. §405 (6) (A) - UNION CONTRACT REVIEW

Motion was made by Mr. Mason, seconded by Mr. Riendeau, and it was unanimously

VOTED

To enter into Executive Session at approximately 8:20 p.m.

The Board moved from the public meeting area to the private area to hold the Executive Session. At 8:38 p.m. the Board moved back to the public meeting area. Motion was made by Mr. Douglass, seconded by Mr. Mason, and it was unanimous

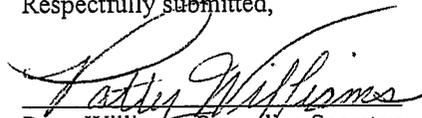
VOTED

To approve 3-year contracts for Supervisors & Operations, wage increase, Year 1: 2.5%; Year 3.0%; Year 3, 3.5% and change from Plan A to Plan C health coverage, provided the Town's lead negotiators agree.

ADJOURN

Motion was made, seconded and it was unanimously VOTED to adjourn the meeting at 8:39 p.m.

Respectfully submitted,


Patty Williams, Recording Secretary