

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
August 3, 2017 - 7:00 p.m.

MEMBERS PRESENT: David Douglass
Marie Brilliant
William Thompson
Roland Tufts

MEMBER(S) ABSENT: Ruth Lyons

STAFF PRESENT: Richard Roedner, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, August 3, 2017 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 Lyons, who had been excused.

TOWN MANAGER'S REPORT

This coming November is local election time, and we have two seats on the Board of Selectmen open, and four on the School District Board. Nomination papers will be available on August 14 from the Town Clerk's Office for those interested in running for any of these seats.

The Comprehensive Plan Committee is planning an extra meeting in August, this coming Monday, August 7 at 6:30 p.m., as they work to prepare for the 5-day Comp Plan Extravaganza in from October 19 to the 23rd. This multi-day event will have a series of formal and informal scheduled activities designed to get residents talking and thinking about the Town's future. So, mark your calendars, and stay tuned for more updates about this upcoming event!

I would like to send a note of thanks to our Fire Department personnel. With the departure of Chief Stockdale, our Officers have stepped up to make sure that we have adequate coverage every night of the week, rather than leaving it to our Deputy Chief to cover those nights. The dedication they are showing is very much appreciated.

There is a growing phenomenon in Topsham and all across the country, centered on painted rocks. Keep your eyes open for them around town, interact with others that have created them via facebook, and maybe even place one of your own. Check out Topsham Maine Painted Rocks or Midcoast Maine Rocks on facebook for the details.

Police Chief Chris Lewis has announced the hiring of a new police officer, Matthew Bowers. Matthew will be starting with the Department on August 21. Welcome aboard Matthew!

BOARD AND COMMITTEE REPORTS

Update From Ripley Mayfield, Bowdoin Intern – Summer Intern Ripley Mayfield gave a slide presentation of the work she accomplished while working with staff during the summer months. Some of the projects included:

- Identifying paper streets and mapping them
- GIS data organization and the creation of a data bank
- Comprehensive Plan mapping
- Bike Share research with the Town of Brunswick
- Bike rack inventory
- Pamphlets: “*A Guide to Paddling Topsham’s Waterways’ & Topsham Trail Guide*”

Following Ms. Mayfield’s presentation, Chairman Douglass thanked her for the work she did and said she compiled important information for the Town to use.

Update TDI/ECD – John Shattuck, Topsham Economic and Community Development, Inc. Director, commended Ms. Riley on doing an astounding job during her tenure with the Town.

Mr. Shattuck’s report included:

BUSINESS RETENTION, EXPANSION AND ATTRACTION (BREA)

- Tucker Ford has withdrawn its plans to relocate to Topsham Regional Retail Center due to cost considerations.
- Meeting was held with Jim Pineau, Small Business Administration, Bangor, regarding the SBA’s efforts to simplify the Hub Zone process for local businesses – preferential access to federal procurement opportunities.
- Ribbon cutting ceremony was held celebrating the new owner at Topsham Meineke Car Care Center. James Chattley, a long-term employee, purchased the business from its retiring owner. The purchase was made possible through the Small Business Administration C7a Program, locally administered by the Coastal Enterprise Institute. Mr. Shattuck said the program helps secure financing for businesses that could not qualify for conventional bank financing. This is the first time the program has been used in Maine.

COMPREHENSIVE PLAN COMMITTEE (CPC)

- Site walk was held on July 17 at the Green Street Fire Station
- Mr. Shattuck said this is a great location for the planned exercise as it is an area that the Town’s planning efforts have been attempting to transform and enhance for many years.
- It is expected that Ric Quesada will support the event with parking spaces

DESIGN ADVISORY COMMITTEE (DAC)

- The DAC met at the Town Office on Wednesday, July 24th. This was their first meeting since March.
- The Committee has been awaiting a preferred alternative decision from the Federal Highway Administration.
- In June, after more than a year in the 106 Process, the Federal Highway Administration announced that the preferred alternative for maintaining the Brunswick-Topsham bridge connection was to replace the Frank Wood Bridge.
- The DAC will meet on Wednesday, August 23 to finalize their Interim Report. When the report is completed, the DAC will make a presentation to the Select Board.

TOPSHAM COMMECE PARK (TCP)

- Meeting was held with Mr. Shattuck, the Town Manager, Alan Frasier and Craig Douglas of the Brunswick-Topsham Water District, to discuss cost-effective approaches to improving the aging water infrastructure in the area of the TCP and former Annex housing. The Water District has outlined a solution that could benefit and be funded by a variety of parties with strong economic interests in this area.
- Mr. Shattuck said stabilizing and improving the water system in this area is a critically important step in attracting a residential development project of about a hundred units under consideration by Helios Management.

PUBLIC COMMENT – None noted.

CORRESPONDENCE – Town Manager Roedner noted receipt of a letter from the Maine Municipal Association regarding upcoming elections. The Board delegated the Town Manager to cast appropriate votes and forward the letter back to MMA.

ADJUSTMENTS TO THE AGENDA – None noted.

CONSENT CALENDAR

- 1. Approval of the minutes of the Regular Selectmen’s Meeting of July 20, 2017**
- 2. Approval of the Executive Session meeting minutes of July 20, 2017**
- 3. Approval of the minutes of the Executive Session of July 27, 2017**

Motion was made by Chairman Douglass, seconded by Selectman Brilliant, and it was unanimously (of those present)

VOTED

To approve items 1, 2, and 3 of the consent calendar as written.

PUBLIC HEARING

17-65 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR THE FAIRGROUND CAFE

The Public Hearing was declared open. Perry Leavitt, owner of the Fairground Café, reviewed his application telling the Board that background music is played on Thursday, Friday and Saturday evenings at the café. Following questions from the Board, request was made for comments from members of the public. There were no comments to be heard and the Public Hearing was declared closed.

The following Finding of Facts was compiled:

FINDING OF FACTS

1. The applicant is Perry Leavitt.
2. Name of the business is the Fairground Café.
3. Location of the café is 49 Topsham Fair Mall Road, Topsham, Maine
4. Expiration date of the current liquor license is September 21, 2017.
5. Entertainment will be located at the front of the café near the cash register area. No furniture will need to be relocated.
6. Entertainment will be held on Thursday, Friday and Saturday evenings, consisting of background music by 1 to 3 individuals.

7. The hours of entertainment will be from 5:30 p.m. to 8:00 p.m.
8. Size of the dining area is approximately 4,500 square feet.
9. Seating capacity in the café is 170.
10. There is adequate parking spaces to accommodate the café clientele.
11. Letter is in file stating no concerns from the Police, Fire and Codes Departments.

CONCLUSION

The Board found that, based on the above findings, the issuance of a Special Amusement Permit would not be detrimental to the public health, safety or welfare and would not violate municipal ordinances, rules or regulations.

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

VOTED

To approve and grant the application for a Special Amusement Permit for the Fairground Café, as meeting requirements of Maine Revised Statutes, Title 25-A, Section 1054 and the Topsham Code, Chapter 71, Article 1, Sections 6 and 7.

UNFINISHED BUSINESS – None noted.

OLD BUSINESS - None noted.

NEW BUSINESS

17-66 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPROVAL OF AN ABATEMENT PURSUANT TO TITLE 36 M.R.S.A, §841 (1)

Tax Collector Justin Hennessey presented a brief overview of the request for the above abatement. Memo dated July 24, 2017 to the Town Manager from Mr. Hennessey explaining the nature of the request is filed with these minutes.

Motion was made by Selectmen Tufts, seconded by Selectman Brilliant, and it was unanimously (of those present)

VOTED

To abate all taxes, interest and fees for property of Erik Robinson, Sr., Map R09, Lot 63-T-44 originally committed September 2015, in accordance with Title 36 MRSA Section 841 (1) in the amount of \$671.42 plus interest.

17-67 CONSIDERATION AND ANY APPROPRIATE ACTION FOR PARTICIPATION I THE DEPARTMENT OF TRANSPORTATION HEADS UP – PEDESTRIAN SAFETY PROJECT

Memo dated 7/19/17 is in file rom Carol Eyeran, Assistant Planner, detailing the Heads-Up Pedestrian Safety Project. Ms. Eyeran told the Board that the Town was contacted several months ago by Patrick Adams, Bicycle and Pedestrian Program Manager from the Maine Department of Transportation (MDOT), Multimodal Planning Division, about participation in the project. A meeting was held with Darcy Whittemore, Bicycle Coalition of Maine, and town officials, to discuss the project further. Ms. Whittemore is the consultant chosen to lead the project for MDOT.

M. Eyerman said a meeting has been scheduled for September 18th at Mt. Ararat and she asked for the Board's permission to participate in the program. After the public forum is held, it is expected that up to 5 problem locations will be identified. A Pedestrian Safety Mitigation Plan will then be developed including both short and long term alternatives for reducing pedestrian crashes. The following individuals will make up a 10-member group:

Rich Roedner, Town Manager
 Rod Melanson, Planning Director
 Dennis Cox, Public Works Director
 John Shattuck, Director of Economic Development
 Pam LeDuc, Parks and Recreation Director
 Chris Lewis, Chief of Police
 Donna Brunette, Mt. Ararat High School Principal
 John Ottow, Mt. Ararat Middle School Principal
 Randa Rineer, Williams-Cone Elementary School Principal
 Rick Dedek, Woodside Elementary School Principal

During discussion, concern was expressed of what the Town's financial share in the program might include and response was that the Town would be able to apply for grants.

Motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously (of those present)

VOTED

To approve participation in the Department of Transportation Heads-Up Pedestrian Safety Project and approve the ten members identified in the memo as part of the project.

17-68 CONSIDERATION AND ANY APPROPRIATE ACTION ON A PROPOSED TEST PLAN FROM THE LOWER VILLAGE DEVELOPMENT COMMITTEE TO MAKE WINTER STREET ONE WAY FOR THE LAST BLOCK AS IT ENTERS MAIN STREET

John Shattuck reviewed his memo of July 26, 2017 to the Board (filed with these minutes) explaining the reasoning behind the testing of changing the traffic pattern on Main and Winter Streets as recommended by the Lower Village Development Committee.

Mr. Shattuck said the following conclusions have been identified:

- The Lower Village Development Committee strongly supports this plan, as does the Committee's support staff.
- Change would eliminate left turns from Main Street onto Winter Street.
- Would redirect such turns approximately 250 feet north to the intersection of Main and Elm Streets, where there is already a left turn lane and protected left turn signal.
- The test is only temporary and meant to determine feasibility – much like the successful Green Street test.
- The diversion of left-turn traffic from Winter Street to the Elm Street connector will not create congestion deficiencies at the Elm Street intersection.
- The left-turn storage bay on northbound Main Street onto the Elm Street Connector will provide insufficient capacity for the 95th% Queue length. Signal timing adjustments that favor this movement should assist in minimizing this issue during peak time periods.
- Left-turns onto Winter Street currently delay northbound Main Street vehicles. This

delay will be eliminated and overall improvement in traffic flow can be expected.

- With the elimination of vehicles turning left onto Winter Street, the Elm Street intersection will operate in free flow control and thus will incur no delays for motorists.

It was noted that Public Works Director, Dennis Cox, expressed some concerns which will be addressed to his satisfaction.

Although this agenda item was not a public hearing, some residents attending asked to speak and were recognized by Chairman Douglass. Comments were heard from:

Bonnie Biedrzycki urged the Board to close the back entrance to the Topsham Fair Mall. She said that was never supposed to have been opened to begin with and that no one was supposed to use winter Street to go into the mall. Ms. Biedrzycki said the neighborhood is not nearly as desirable as it was and she feels like the town pushes traffic towards Winter Street.

Eleanor Leo suggested that motorists not be allowed to turn left onto Winter Street at all and instead get them to use Monument Plan to access the mall.

Dennis Mixon expressed concern that traffic from industrial areas can come into residential areas. Said the town was encouraging business traffic to come through a neighborhood village.

During discussion, Chairman Douglass said closing the mall's rear access does not appear to be in the cards; "That horse has left the barn, so how do we improve what we have?" He said the temporary test change proposed would not change the amount of vehicles on Main Street. He said the six-week traffic pattern change is expected to start in late September or early October, and that it is very important that the selectmen aggressively collect feedback from the people using the road everyday. He noted a similar project in Lewiston where large signs were posted with phone numbers to receive feedback. Public meetings will also be held to discuss the pros and cons of the project.

Motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously (of those present)

VOTED

To move forward with the test plan from the Lower Village Development Committee to make Winter Street one way for the last block as it enters Main Street with the additional provisions of a six-week test, public feedback with multi-faceted approach to be followed up with an open-air meeting.

17-69 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE ANNUAL CONTRACT WITH THE COASTAL HUMANE SOCIETY

The annual contract with Coastal Humane Society was included in the Board package for review. It was the same contract and same price as last year. Following discussion, motion was made by Selectman Tufts, seconded by Chairman Douglass, and it was unanimously (of those present)

VOTED

To approve the annual contract with the Coastal Humane Society.

17-70 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT OF KIMBERLY MONDONEDO TO THE FINANCE COMMITTEE AND BRIAN ROBINSON TO THE TDI, INC BOARD

Motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously (of those present)

VOTED

To appoint Kimberly Mondonedo to the Finance Committee and Brian Robinson to the TDI Board.

EXECUTIVE SESSION

17-63 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER PURSUANT TO 1 M.R.S.A. §405 (6) (A)

Motion was made by Selectman Brilliant, seconded by Selectman Tufts, and it was unanimously (of those present)

VOTED

To move into Executive Session to discuss a personnel matter.

The Board returned to the regular meeting forum at 8:55 p.m. Motion was made by Chairman Douglass, seconded by Selectman Brilliant and it was unanimously (of those present)

VOTED

To accept the Town Manager's evaluation.

ADJOURN

Motion was made by Chairman Douglass, seconded by Selectman Brilliant and it was unanimously (of those present)

VOTED

To adjourn the meeting at 8:56 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary