

TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
AUGUST 4, 2016 - 7:00 P.M.

MEMBERS PRESENT: David Douglass
Ruth Lyons
Roland Tufts

MEMBER(S) ABSENT: Marie Brilliant, William Thompson

STAFF PRESENT: Town Manager, Richard Roedner

A meeting of the Topsham Board of Selectmen was held on Thursday, August 4, 2016, in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine.

CALL TO ORDER

Chairman Douglass 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, except for Selectman Brilliant and Selectman Thompson.

TOWN MANAGER'S REPORT

This November we will have several local office elections. Two Board seats and one School Board seat will be open. All three are three year terms. For those interested in running for any of these positions, nomination forms will be available on Monday, August 15, and due back Monday, September 26.

Fall soccer is right around the corner, and there is a desperate need for additional coaches. If you are interested in coaching youth soccer, please contact the Parks & Recreation Department.

Topsham Fair Mall Road will be undergoing some changes sometime later this month. New lane markings and striping will be installed, so stay tuned.

We have had two employees leave over the past week.

Paul Smith has been the custodian for the municipal complex for the past two years. He and his wife have become foster parents, and the time requirement is such that he had to resign. We are currently advertising for the position, and hope to have applications in by the end of next week.

The second employee to leave is Wayne Campbell, our Highway Foreman. Wayne has been a valued employee for 27 years, and submitted his retirement notice effective August 2. Wayne's

leaving will leave a noticeable hole in the Public Works Department.

On behalf of all our employees, and the Board, I would like to wish Wayne and Paul the very best.

BOARD AND COMMITTEE REPORTS AND UPDATES

Update on Topsham Library - Susan Preece, Librarian, presented a report of the library's FY 2016 accomplishments. A copy of the report is filed with these minutes.

Update TDI/ECD - John Shattuck, Topsham Economic and Community Development, Inc. Director presented an update covering:

FWB

- The Frank J. Woods bridge was reinspected on August 1 and 2 - instead of usual 2-year cycle
- Section 106 Process - Next meeting will be held at the Brunswick Council Chambers on Thursday August 18 at 1:00 p.m.
- DAC - Brunswick has appointed members. Next meeting will be Monday, August 22 in the Donald A. Russell Meeting Room at 6:00 p.m.

MRRA is having an Open House on Wed., August 24th with a BBQ beginning at 4:00 p.m.

TFM Openings

- Catlin multi-unit Sherwin Williams and ProCut
- Major development announcement is expected soon

Western Maine Transportation Services (WMTS)

- Lewiston/Auburn - Bath, Brunswick, Topsham commuter bus
- Explorer expansion into Topsham

PUBLIC COMMENT

John Houston, 683 River Road, Pejepscot spoke to the Board regarding concerns involving Grimm Industries. Some comments included:

- Recent fire at the company was the 5th one they have had and fire trucks and tankers worked until 2:00 a.m. getting the fire under control.
- Said it is strange how the fires all start in the middle of the night.
- There is a river right on the property. Grimmel should be made to install a couple of dry hydrants like those in existence when the paper mill was in operation.
- There should have been a police officer at the intersection to direct traffic while the trucks were arriving and existing.
- Asked if Grimmel has been billed anything for the fires. (Town Manager Roedner responded that the Fire Chief is in the process of compiling the bills.)
- Questioned when the Grimmel operation was last inspected by the Town.
- Asked when the new road will be completed.
- Said the Town needs an ordinance restricting the use of diesel brakes except in emergency situations.
- Town has an ordinance that dump truck loads must be covered. Said only 1 out of a 100 loads are actually covered.

- Town needs to hire "someone like Parry Mason to go down and inspect the place." (referencing the Grimmel Operation) They were supposed to take in metals and are taking things like old furniture, mattresses which are dumped in piles and the mess is attracting rats. Has had rats at his house, a half mile from the business.
- Concerned that all Grimmel trucks are registered in New York.
- Said Grimmel does not pay half what they should in taxes to the Town.
- Asked how many people from Topsham work there.
- Trucks drop debris all over the road.
- Has had more flat tires in the past 10 years than in the past 40 years before Grimmel.
- Said the noise from the operation is awful. Sounds like a jet plane landing in his yard.
- Said the Fire Chief needs to go down there and inspect. Not go down, shake hands and say see you later.
- Said Grimmel built his personal home without obtaining proper permits.
- Urged the Town to inspect the operation and bring it into compliance.

Reny Bernier, 690 River Road told the Board he echoed Mr. Houston's comments and said the residents have been abused by Grimmel Industries for many years. Mr. Bernier requested that the Board speak to the police department about the loud motorcycles that go by his residence approximately every 20 minutes. Said "they are driving me nuts." Told the Board it doesn't do any good to call the police because he gets the dispatcher who asks for the plate number of the biker. Mr. Bernier asked that the police department watch for these loud motorcycles, pull them over and ask to see their EPA sticker. If they don't have one, he said they should enforce the law.

Chairman Douglass asked the Town Manager to discuss this issue with the Police Chief.

Chairman David Douglass, 19 Foreside Road, under the Public Comment category, rebuked comments made by the Bring Your Own Bag Midcoast (BYOB) group and said he wants to be sure when the Board is discussing items with groups that the truthful and rightful answers are put forth on public media such as Facebook. Mr. Douglass read some comments made by the group which were misleading to members of the public and he presented a timeline of events of what actually took place. Chairman Douglass said members of the public with any questions are free to call his residence at any time.

The second example he mentioned was a 35 second video narrated by Phin White on public media regarding the Frank J. Wood Bridge discussions which is totally out of context. He said this Board has gone above and beyond its understanding of the process and understands what the State has said about the strength of this bridge and understands their decision. He asked that people pick up the phone and talk to Board members rather than believe statements that are untrue.

CORRESPONDENCE - None noted.

ADJUSTMENTS TO THE AGENDA - None noted.

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen Meeting of July 21, 2016

Motion was made by Selectman Thompson, seconded by Selectman Lyons, and it was

VOTED

To table approval of the minutes of July 21, 2016 until the full Board could be present.

PUBLIC HEARING - None noted.

UNFINISHED BUSINESS - None noted.

OLD BUSINESS - None noted.

NEW BUSINESS

16-75 CONSIDERATION AND ANY APPROPRIATE ACTION ON ESTABLISHING A TIF ECONOMIC DEVELOPMENT POLICY

Economic Development Director, John Shattuck, referenced the outline of a TIF Economic Development Policy which was included in the Board package for consideration by Board members prior to the meeting. He explained that last year the Selectmen authorized the expenditure of \$50,000 from the Town's TIF/Economic Development Reserved to complete a Master Plan for the Topsham Fair Mall Road. (It was noted that the Selectmen had the legal right to make such an expenditure, pursuant to authority granted at Town Meeting.) Selectmen directed staff to draft a policy governing such expenditures from TIF/Economic Development reserves to ensure that future expenditures are consistent and based on appropriate considerations and requirements. Staff will draft a formal policy statement based on the Selectmen's guidance in response to the proposed policy outline.

The Board made comments on the proposed draft policy. Chairman Douglass suggested the word "Preferred Policy" be included for the Regular TIF expenditures so future Boards will have guidance, whereas the Ad Hoc TIF would be for unanticipated emergency situations. Suggestion was also made to add wording under the Ad Hoc TIF expenditures, second bullet down after *"For projects with unusual urgency or time constraints, this requirement may be waived by a separate vote of the Selectmen."* Wording to be added along the line of "the only way it could be waived would be for a public emergency such as a failing bridge or collapsed culvert."

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

VOTED

To table action on this item and to bring it back for consideration when suggestions made at the meeting have been incorporated.

16-76 CONSIDERATION AND ANY APPROPRIATE ACTION TO AWARD THE TOPSHAM TRAILS BIKE PATH CONSTRUCTION ENGINEERING SERVICES CONTRACT

Town Planner, Rod Melanson, told the Board that bids for construction engineering services for the Topsham Trails Bike Path were opened on this date. He recommended

the bid be accepted from Wright-Pierce Engineers. The recommendation will then be sent to MDOT for approval before construction can be started.

Motion was made by Selectman Tufts, seconded by Selectman Lyons, and it was unanimously, of those present

VOTED

To award the Topsham Trails Bike Path Construction Engineering Services Contract to Wright-Pierce.

16-77 CONSIDERATION AND ANY APPROPRIATE ACTION TO CREATE A COMPREHENSIVE PLAN COMMITTEE

Planner Melanson explained the process of the year-long public engagement to update the Comprehensive Plan and the various subcommittees that will be involved. Selectman Lyons noted that it would be good to encourage individuals who worked diligently on the previous Comp Plan revision to serve on some of the subcommittees. The Selectmen will interview interested candidates for the Committee.

Motion was made by Selectman Tufts, seconded by Selectman Lyons, and it was unanimously, of those present

VOTED

To approve the creation of a Comprehensive Plan Committee with a total of 9 members.

16-78 CONSIDERATION AND ANY APPROPRIATE ACTION ON POLICE DEPARTMENT'S APPLICATION FOR AN AUTOMATED EXTERNAL DEFIBRILLATOR (AED), THROUGH FIREHOUSE SUBS FOUNDATION.

Sgt. Mark Gilliam told the Board that the Police Department is seeking permission to apply for a grant through the Firehouse Subs Foundation to acquire an automated external defibrillator. The department currently has three units for patrol vehicles. However, the supervisor does not have one in his cruiser. He said the additional unit will expand the department's capability for handling emergency cardiac events while on patrol and no matching funds are required from the Town.

Motion was made by Selectman Tufts, seconded by Selectman Lyons, and it was unanimously, by those present

VOTED

To approve the Police Department's application for an automated external defibrillator through the Firehouse Subs Foundation.

16-79 CONSIDERATION AND ANY APPROPRIATE ACTION ON POLICE DEPARTMENT'S ACCEPTANCE OF BIDS FOR THE PURCHASE OF TWO

POLICE CRUISERS

Sgt. Mark Gilliam told the Board that the Police Department is seeking permission to utilize Capitol funds for the purchase of two cruisers as previously approved for the current fiscal budget. Bids were opened on July 26, 2016 with the lowest bid submitted by Yankee Ford for \$51,942 for the purchase of two SUV police package cruisers. The bid also included the trade-in value of the 2010 Ford Crown Victoria. Sgt. Gilliam said the remaining funds will be utilized to outfit each cruiser with proper safety equipment, as well as police striping.

Motion was made by Selectman Tufts, seconded by Selectman Lyons, and it was unanimously, by those present

VOTED

To accept the bid in the amount of \$51,942 for the purchase of two police cruisers from Yankee Ford.

16-80 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPOINTMENT TO THE SEWER DISTRICT

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

VOTED

To approve the appointment of Chris Leclerc to the Sewer District.

ADJOURN

On a motion by Selectman Tufts, seconded by Selectman Lyons, the Board voted to adjourn at 8:45 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary