

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
SEPTEMBER 21, 2017 - 7:00 p.m.

MEMBERS PRESENT: David Douglass
Marie Brilliant
Ruth Lyons
William Thompson
Roland Tufts

MEMBER(S) ABSENT: All present

STAFF PRESENT: Richard Roedner, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, September 21, 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.

TOWN MANAGER'S REPORT

As of this past Monday, the Traffic Test Pattern at Main/Elm and Winter has been in place. As we monitor activities in this area, we will tweak the system to determine how well it will work. We have also established a phone number for people to call with comments, either pro or con. The number is 373-5095, and it goes to an answering machine, so please leave a message with your comments.

October 19 through the 23 will be Comprehensive Plan Week in Topsham. There will be a five day series of events at the old Fire Barn on Green St. Check the Town's web page for links to the Comp Plan page, Facebook page and general information.

The Town is in the process of working with an outside company, CGI Communications, to develop series of promotional videos about Topsham, and highlighting why people like living here or doing business here. We have been shooting the past couple of days, and we hope the videos will be posted to our web page in the next five to six weeks.

Upcoming events include the Library's Book sale from September 29 through October 1, the Fire Department Open House on Sunday, October 8 from noon until 4, the next Household Hazardous Waste Collection Day on Saturday, October 21 in Brunswick – you must pre-register.

BOARDS AND COMMITTEE REPORTS AND UPDATES

UPDATE FROM THE TOPSHAM HOUSING AUTHORITY – John Hodge, Executive Director, presented an update saying the authority now owns 15 units. The group has a good working relationship with the Brunswick Housing Authority and they meet monthly. Brunswick does most of the paper work through a managing agreement. Mr. Hodge said there currently are 150 families on a waiting list seeking affordable housing, showing a great need in the area. The Housing Authority units are different than subsidizing, which requires a voucher. 400 families are currently in the program with 40 of them living in Topsham. Following Mr. Hodge's presentation, Chairman Douglass thanked him and said he was surprised to learn of the large number of families waiting to be placed.

UPDATE FROM HOUSE OF REPRESENTATIVE DENISE TEPLER – Representative Tepler said hearing Mr. Hodge's report was eye opening relative to the number of families waiting to be placed in affordable housing. Ms. Tepler discussed ongoing events in Augusta including:

- Bill to protect fire fighters with safe filling in upholstered furniture. Notice was sent to all furniture manufacturers explaining that the filling needed to be fire resistant.
- \$122 million has been awarded in additional education funding.
- Solar bill failed to pass in New England which causes concerns that our state is falling behind in this area.
- Did not get revenue sharing in the budget this year.
- Additional education funding was received for sustainable surplus this year

Discussion followed Ms. Tepler's report with questions posed from the Board. Chairman Douglass. He noted that this coming Tuesday the marijuana legislation public hearing will be before the State House. He said the way the tax structure is being presented at this time, there will be a 20% tax, should the town accept selling it within their community. 15% of that will be kept by the state and 5% of that will go to the community that has it as a sales tax. He said he will go to Augusta on Tuesday and has a great deal of discourse of that type of tax. Mr. Douglass said he is concerned that every legislature has taken and stolen that revenue sharing from communities. If a community accepts and build programs – additional police training, or whatever they do to have this product in this town will be based on 5% coming to them,. His fear that this year it will be 4% and then next year 4% and the municipality will be left shouldering the full 5%. If that is the tax structure the State comes forward with, unless a community has the ability to levy their own tax, Mr. Douglass said he would not support it. He said you cannot build a program on any assumption on what the State is going to give. There is a history here. It will be another revenue sharing from the state to be pulled out from underneath communities.

PRESENTATION FROM THE DESIGN ADVISORY COMMITTEE - Bruce Van Note, Chairman of the DAC gave a video presentation from the Brunswick-Topsham Bridge Design Advisory Committee (DAC), an ad hoc committee, appointed by the Topsham Select Board and Brunswick Town Council with the charge "To ensure that the final design of the [Maine Department of Transportation's proposed] new bridge best meets both the State's responsibility to meet the public's transportation needs, and incorporates, to the degree that is financially feasible, the aesthetic and functional needs and preferences of Topsham and Brunswick, and to work with the Maine Department of Transportation to optimize the final design.

Mr. Van Note said that since DAC was formed last June, the Committee has met twelve times and has conducted outreach to neighborhoods, businesses, people who use the bridge as pedestrians, motorists or bicyclists, as well as other constituencies with an interest in this connection between our downtown villages.

A booklet was distributed to Board members showing pictures of what the bridge will look like and included:

- The Charge and Mission
- DAC Membership and Process to Date
- Vision and Goals
- Report Recommendations 1 – The Deck
- Report Recommendations 2 – The Structure
- Report Recommendations 3 – Connections
- Possible Local Cost Share Items
- Project Stats – State and Federal
- Next Steps for DAC

Mr. Van Note said the full report, and additional imagery can be viewed and downloaded at <https://app.box.com/s/fh2q0aa2xwrhkkm5lm6vjrhw03scox1>

PUBLIC COMMENT – None noted.

CORRESPONDENCE – A letter was received by Board members from a former Town employee and will be discussed in Executive Session.

ADJUSTMENTS TO THE AGENDA – Motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously

VOTED

To add Agenda Item **17-84** – **CONSIDERATION AND ANY APPROPRIATE ACTION FOR THE BOARD TO MOVE INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER PURSUANT TO 1 M.R.S.A. §405 (6) (A)**

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen’s Meeting of 9-7-17

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

To approve the minutes of the Regular Selectmen’s Meeting of September 7, 2017, as written. (4 were in favor. Selectman Tufts abstained.)

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS – None noted.

17-81 CONSIDERATION AND ANY APPROPRIATE ACTION ON ADOPTING GUIDELINES FOR THE PLACEMENT OF NON-COMMERCIAL SIGNS IN THE PUBLIC RIGHT OF WAY

The Town Manager was charged by the Board at the last meeting to come up with guidelines regarding non-commercial signs. Mr. Roedner referenced his memo dated September 14, 2017 (filed with these minutes) to the Board explaining that the US Supreme Court has ruled that sign regulation cannot be content based, meaning that you cannot require someone to read the sign in order to determine what the rule is. Topsham's existing zoning ordinance already has a general provision that states "no signage, other than approved traffic and directional signs, shall be placed within traffic islands".

The Board reviewed and discussed Mr. Roedner's suggested guidelines covering Definition, Duration, Size, Location, Hazard and Interpretation and made only one word change which Mr. Roedner noted.

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

VOTED

To accept the memorandum for non-commercial sign guidelines with the one word change to go into effect October 1st for a period of 6 weeks every year.

OLD BUSINESS

NEW BUSINESS

17-82 CONSIDERATION AND ANY APPROPRIATE ACTION ON A REQUEST TO THE BOARD TO CROSS TOWN PROPERTY FROM THE TOPSHAM TRAIL RIDERS CLUB

Timothy Doyle, 26 Loon Drive, Board Member and Assistant Trail Master of the Topsham Trail Riders Club, reviewed his letter to the Selectboard dated August 25, 2017 asking permission for the club to cross Town property with one of the snowmobile trails. The Topsham Trail Riders would like to reroute one of the trails they can no longer use. The Town property in question includes two parcels, both located off the Cathance Road, Tax Map R09 as blocks 24 and 26. Being able to cross this land would enable the club to ride snowmobiles from the Murder Road in Topsham into the Town of Bowdoinham.

A letter of support was also included in the Board package from Victor Langelo, Chairman of the Topsham Conservation Commission. The letter stated that the Commission has given this request their attention during a couple of meetings this year and it is their belief that the trail will have little impact on the wildlife in the area.

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

VOTED

To approve the request from the Topsham Trail Riders Club to cross blocks 24 and 26 on Tax Map R09 off the Cathance Road.

17-83 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT OF MATTHEW NIXON TO THE HISTORIC DISTRICT COMMISSION

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

VOTED

To approve the appointment of Matthew Nixon to the Historic District Commission.

EXECUTIVE SESSION

17-84 – CONSIDERATION AND ANY APPROPRIATE ACTION FOR THE BOARD TO MOVE INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER PURSUANT TO 1 M.R.S.A. §405 (6) (A)

At 8:25 p.m., motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously

VOTED

To move into Executive Session to discuss a personnel matter pursuant to 1 M.R.S.A. §405 (6) (A).

The Board returned from Executive Session at 8:49 p.m. Motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously

VOTED

To seek guidance from the Town Attorney regarding the personnel matter pursuant to 1 M.R.S.A. §405 (6) (A).

ADJOURNMENT

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

VOTED

To adjourn the meeting at 8:50 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary