

MINUTES  
TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
HELD VIA ZOOM FROM INDIVIDUAL RESIDENCES  
SEPTEMBER 3, 2020 – 6:30 P.M.

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MEMBERS PRESENT: David Douglass  
Marie Brilliant  
Ruth Lyons  
Matt Nixon

MEMBER(S) ABSENT: Roland Tufts

STAFF PRESENT: Derek Scrapchansky, Town Manager, Assistant Planner Andrew Deci.

A meeting of the Topsham Board of Selectmen was held on Thursday, September 3, 2020, with individuals joining the meeting from their residences via Zoom.

**EXECUTIVE SESSION**

**20-61 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO 1 M.R.S.A §405 (6) (A) TO DISCUSS PERSONNEL MATTERS**

The Board met at 6:10 p.m. and voted to enter into Executive Session to discuss Item 20-61. Attending the meeting was the Town Manager, Mr. Douglass, Ms. Brilliant, Ms. Lyons and Mr. Nixon. Motion was made, seconded and unanimously **VOTED** to come out of Executive Session at 6:40 p.m. Motion was made, seconded and unanimously **VOTED** to follow through with the suggestion made by the Town Manager.

**CALL TO ORDER**

Chairman Douglass called the regular meeting to order at 6:44 p.m.

**PLEDGE OF ALLEGIANCE/ROLL CALL**

Everyone was 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 Mr. Tufts, who had been excused.

## **TOWN MANAGER'S REPORT**

Good Evening,

The Clerk's office is taking applications for absentee ballot requests. They are available by phone, mail, in-person, or online. As of today, we have received over 1200 applications for absentee ballots. Also, papers for Board of Selectmen and School Board positions are due by 3:00 p.m. tomorrow.

The Solid Waste Facility has reopened the token machine. Hand sanitizer and hand wipes are available for your safety when using the machine.

The Parks and Recreation Department is accepting registrations for fall programming. A reduced soccer league, mountain biking, field hockey, and cross country are also being offered. In addition, there will be clinics for pickleball for Topsham residents. Dates will be announced soon. Please visit the Parks and Recreation webpage for more information.

Work has commenced on the Public Safety Building as part of the Municipal Complex trim/facia project. We expect this to be complete by October 1st.

Select Board meetings are now streamed live on The Town of Topsham YouTube station. A link can be found on the front page of the Town website under Selectmen's Notices.

Thank you and have a good night,

Derek Scrapchansky  
Town Manager

## **BOARD AND COMMITTEE REPORTS AND UPDATES**

### **INFORMATION ON IMPACT OF PROPOSED AMBULATORY SURGERY CENTER PROJECT IN TOPSHAM**

Lois Skillings, President and CEO, at MidCoast-Parkview Health presented a Power Point review of the impact of the proposed Ambulatory Surgery Center Project. The center will be a 93-bed non-profit facility with a mission to care for the people in the Bath-Brunswick-Topsham Community. It proposes to employ 2,031 people. Ms. Skilling said the group opposes the proposed Ambulatory Care Facility slated for Topsham as it will be a duplication of services already available.

Chairman Douglass thanked Ms. Skillings for her presentation and said the Board of Selectmen take no position on either of the proposed projects.

**PUBLIC COMMENT**

Chairman Douglass asked if anyone from members of the public joining in the Zoom meeting wished to comment. If so, he asked that they raise their hand or call in at 373-5090. No one responded so the meeting moved forward.

**CORRESPONDENCE** - None noted.

**ADJUSTMENTS TO THE AGENDA** – None noted.

**CONSENT CALENDAR**

1. Approval of the minutes of the Regular Selectmen’s meeting of August 20, 2020.

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

**VOTED**

To approve the minutes of the August 20, 2020 Board of Selectmen Meeting as written.

**PUBLIC HEARING**

**20-56 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR THE FAIRGROUND CAFÉ**

Owner Perry Leavitt joined the meeting via telephone. Mr. Leavitt responded to questions posed by Chairman Douglass and the following Finding of Facts were gathered:

Applicant: Fairground Cafe

Location: 49 Topsham Fair Mall Road, Topsham

Liquor Lic. Exp: September 21, 2020

Type of Entertainment: Live Music, 1-3 person music groups

Area for Entertainment: Dining Room

Nights of Entertainment: Thursday, Friday, Saturday

Hours of Operation: 5:00 p.m.-8:00 p.m.

Any Furniture Moved: None

Size of Lounge: 60'x50'

Size of Hall: N/A

Seating Capacity: 160, though less during Covid-19 indoor eating guidelines

Adequate Parking: Yes

Letter from Town Depts.: Codes, Fire and Police have no issues.

**CONCLUSIONS:**

The Board was in unanimous agreement, that based on the findings, it is concluded that the issuance of a Special Amusement Permit will not be detrimental to the public health, safety or welfare or will violate municipal ordinances, rules or regulations.

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

**VOTED**

That the application for a Special Amusement Permit for Fairground Cafe be granted as meeting the requirements of Maine Revised Statutes, Title 25-A, Sec 1054 and the Topsham Code Chapter 71, Article 1, Section 6 & 7.

**UNFINISHED BUSINESS** – None noted.

**OLD BUSINESS** – None noted.

**NEW BUSINESS**

**20-57 CONSIDERATION AND ANY APPROPRIATE ACTION ON GUIDELINES TO ALLOW ROADSIDE MEMORIALS**

The Board held a lengthy discussion on the best way to develop a policy for guidelines to allow roadside memorials. Mrs. Michelle Oram asked the Board for guidance on how to rightfully place a roadside memorial at the place her son lost his life on November 24, 2016. Her family and friends placed a memorial at the scene, but it was learned that the memorial was out of the Town's right of way and approximately one foot onto private property and was taken down. The Oram's would like to place a small cross at the scene.

During discussion, the Board reviewed the ordinance for Political and Non-Commercial Sign Guidelines. Chapter 225-33 of the Topsham Zoning Ordinance provides for the Board of

Selectmen to adopt guidelines for the placement of non-commercial signs in the public right of way. A copy of the ordinance was included in the Board Package and was reviewed at the meeting.

Following discussion, motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously (of those present)

**VOTED**

That the Oram’s submit what they would like to erect and we move forward to determine what would be allowed in the Town’s right of way and bring something in writing back to the Board at the first meeting in November.

**20-58 CONSIDERATION AND ANY APPROPRIATE ACTION TO AWARD A BID FOR THE PURCHASE OF A NEW AMBULANCE**

Fire Chief Chris McLaughlin reviewed the three bids received for the purchase of a new ambulance. The bids received were from:

|  |              |
|--|--------------|
| Horton Ambulances, Greenwoods, Brunswick, ME                 | \$289,480.87 |
| Lifeline Ambulances, Specialty Vehicles, Inc, Plainville, MA | \$279,868.00 |
| Braun Ambulances, Autotronics, Bangor, ME                    | \$264,450.00 |

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

**VOTED**

To award the bid for the purchase of a new ambulance to Braun in Bangor, Maine in the amount of \$264,450.

**20-59 CONSIDERATION AND ANY APPROPRIATE ACTION TO AWARD A BID FOR THE PURCHASE OF A NEW PLOW TRUCK**

Public Works Director Dennis Cox reviewed the bids he received for the purchase of a new plow truck. Bids were received from:

|  |           |
|--|-----------|
| Daigle and Houghton International CV515w/Viking Clves Gear     | \$121,808 |
| Daigle and Houghton International CV51 w/Howard Fairfield Gear | \$129,257 |
| Portland North International CV555 w/Viking Clves Gear         | \$124,845 |
| Portland North International CV555 w/Howard Fairfield Gear     | \$132,294 |

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

**VOTED**

To award the bid for the purchase of a new plow truck to Daigle and Houghton International for the CV515 w/Viking Clves Gear in the amount of \$121,808.

**20-60 CONSIDERATION AND ANY APPROPRIATE ACTION TO WAIVE THE BID PROCESS AND ACCEPT THE QUOTE FROM CONNECTIVITY POINT TO PURCHASE AND INSTALL A NEW ULTRA NEXXUS TV SERVER**

Chairman Douglass referenced the packet of information from Connectivity Point that was included in the Board package.

Parks and Recreation Director Pam LeDuc asked the Board to waive the bid process for the purchase of a new Ultra Nexxus TV Server from Connectivity Point for the following reasons:

- The Ultra Nexxus System works within our current camera, audio and broadcast system.
- The Leightronix Company has stood by us through our issues, loaning us 2 machines to make our broadcasts and slide shows continue to happen, even during the COVID outbreak.
- Connectivity Point is the only vendor for Leightronix machines in Maine.

The total lump sum for the proposal is \$14,032.

Selectman Nixon disagreed that Connectivity Point is the only vendor for Leightronix machines in Maine. He said Portland Headlight and Audio also offers Leightronix and suggested that an RFP be sent to them.

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

**VOTED**

To not waive the bid process and to seek a quote from Portland Headlight and Audio.

**ADJOURNMENT**

Motion was made, seconded and it was unanimously (of those present)

**VOTED**

To adjourn the meeting at 7:55 p.m.

Respectfully submitted,

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Patty Williams, Recording Secretary