

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
DONALD A. RUSSELL MEETING ROOM
SEPTEMBER 5, 2019 – 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 and Derek Scrapchansky,
Assistant Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday September 5, 2019 in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine. (The Board met at 6:00 p.m. to conduct committee interviews.)

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

For those of you counting, nomination papers for local elected offices are due tomorrow, September 6, by 3:00 pm. If they are in earlier, so much the better as it gives staff time to certify signatures and complete the draft ballot for printing.

There are two one-year seats open on the School Board, and we have five candidates running. In addition, there is one three-year seat open, with one candidate running. On the municipal side, we have two three-year seats open on the Board of Selectmen, with four people running for those two seats.

Soccer starts this Saturday, September 7, at the Foreside Recreational Fields, so please use caution when driving through that area. Parents, please make sure your children use caution when crossing the road.

On Sept. 26, from 3:00 pm until 5:00 pm, CHANS will be holding flu shot clinic at Town Hall.

On Sept. 27, the annual book sale at the Topsham Public Library kicks off.

Over the past week or so, we have received at least two new complaints about noise in the vacant land off of Loon Drive, stemming from off-road vehicles preparing to engage in off-road activities. The PD responded on at least one occasion and determined that all vehicles were in compliance with applicable rules, and we are still working on how best to deal with these disturbing the peace issues.

BOARD AND COMMITTEE REPORTS AND UPDATES

Update from Topsham Housing Authority

John Hodge, Director of Topsham Housing Authority (THA), accompanied by Tom Schmoller, Chairman of THA, presented an update to the Board of THA activities.

Mr. Hodge reported that THA currently owns and manages 15 housing units, all with full occupancy. Plans are in the works to build up to 40 additional housing units in the coming months.

There are vacancies on the Board as member Helen Kincaid has tendered her resignation and Jane Scease is leaving as she is moving out of town.

PUBLIC COMMENT – None noted.

CORRESPONDENCE – None noted.

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen's Meeting of August 15, 2019.

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

VOTED

To approve the minutes of the regular Selectmen's Meeting of August 15, 2019, as written.

PUBLIC HEARING

19-66 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPLICATION FOR A SPECIAL AMUSEMENT PERMIT FOR FAIRGROUND CAFÉ

Perry Leavitt, owner/operator of the Fairground Café came before the Board to request renewal of a Special Amusement Permit.

During discussion, the following Finding of Facts was determined:

FINDING OF FACTS

The applicant is Fairground Café, Perry Leavitt

Location: 49 Topsham Fair Mall Road, Topsham

Current liquor license will expire on September 21, 2019

Type of Entertainment is live music

The area for entertainment will be the Dining Room

Nights of Entertainment will be Thursday, Friday and Saturday

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

No furniture will be moved to accommodate the entertainment

Size of Lounge is 60'x50'

The restaurant holds a seating capacity of 170

There is adequate parking

Letter is in file from Town Depts.: Codes, Fire and Police stating they have no issues.

The Public Hearing was declared open. There being no one wishing to comment, the Public Hearing was declared closed.

CONCLUSION

The Board unanimously agreed that based on the findings, it is concluded that the issuance of a Special Amusement permit would not be detrimental to the public health, safety or welfare or would violate municipal ordinances, rules or regulations.

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

VOTED

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

UNFINISHED BUSINESS – None noted.

OLD BUSINESS – None noted.

NEW BUSINESS

19-67 CONSIDERATION AND ANY APPROPRIATE ACTION ON ACCEPTING THE RECOMMENDATION OF THE WINTER SAND BIDS

Public Works Director Dennis Cox reviewed three bids results he received for this year's winter sand. Responses were from:

McGee Construction	\$11.90 cu. yd.
Country Fare, Inc.	\$13.95 cu. yd.
Copp Excavating	\$ 9.97 cu. yd.

Mr. Cox said \$10,000 has been budgeted for this material and he recommended awarding the bid to purchase 1,000 cubic yards from the lowest bidder, Copp Excavating.

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

VOTED

To accept the bid for purchase of winter sand from Copp Excavating for 1,000 cubic yards at \$9.97 per cubic yard.

19-68 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT OF MEMBERS TO THE GOVERNMENT REVIEW COMMITTEE

Chairman Douglass noted this is a 7-member committee with up to 3 members from the Board of Selectman. Selectman Lyons was the only member from the Select Board who stated an interest to serve on the committee.

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

VOTED

To appoint Susan Rae-Reeves, Tori Ryan, Pamela Hile, James Mrazek, Phillip Grubbs and Matthew Abbott, along with Selectman Lyons to the Government Review Committee.
(The vote was 4-0-1 with Selectman Lyons abstaining.)

19-69 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE APPOINTMENT OF MEMBERS TO THE COMMUNITY CENTER COMMITTEE

Chairman Douglass said the interviews for this committee of 7 were held last week. The purpose of the committee is to start reviewing whether a community center is wanted in Town. If so, what would it consist of.

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

VOTED

To appoint Thomas Sawyer, Catherine Meier, Gary Mrazek, Leslie Byrne, Charlene Swift, Jay Collier and Robert Beal to serve on the Community Center Committee.

EXECUTIVE SESSION

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

VOTED

To move into Executive Session at 7:20 p.m.

19-70 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO 1 M.R.S.A. SUBSECTION 405 (6) (C) TO DISCUSS THE ACQUISITION OF REAL PROPERT OR ECONOMIC DEVELOPMENT

The Board entered Executive Session at 7:20 p.m. with all members present, along with Richard Roedner, Town Manager; Derek Scrapchansky, Assistant Town Manager; John Shattuck, Director of Economic and Community Development; and Shana Cook-Mueller, Town Attorney.

At 9:25 p.m. the Board returned from Executive Session. It was noted that during the Executive Session, the group was joined by John Wasileski, Chris Belanger, and Charlie Katz-Leavy, all representing Highland Green, who left prior to the end of the Executive Session.

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

VOTED

To direct the Town Attorney to convey to John Wasileski the views of the Board.

ADJOURNMENT

At 9:26 p.m., motion was made by Marie Brilliant, seconded by Chairman Douglass and it was unanimously

VOTED

To adjourn.

Respectfully submitted,

Patty Williams, Recording Secretary