

**7:00PM Board of Selectmen Meeting
Topsham Municipal Building
Donald A. Russell Meeting Room
December 20, 2018**

Pledge of Allegiance –

Roll Call of Board Members –

Town Manager's Report –

Board and Committee Reports and Updates-

- Update TDI/ECD- John Shattuck, Topsham Economic and Community Development, Inc. Director

Public Comment –

Correspondence –

Adjustments to the Agenda –

Consent Calendar –

1. Approval of the minutes of the Regular Selectmen meeting December 6, 2018.

Public Hearing –

Unfinished Business –

18-64- Consideration and any appropriate action awarding the bid for a culvert replacement on River Road.

Old Business –

New Business –

18-108- Consideration and any appropriate action on declaring the old brush truck, a 1993 GMC Sierra Pickup as surplus.

18-109- Consideration and any appropriate action on creating a Governance Review Committee.

18-110- Consideration and any appropriate action on applying to the Planning Board for site plan approval for a parking area adjacent to the Upper Fields.

Executive Session-

Any public member desiring to address the Board shall be recognized by the Chair, shall state name and address for the record, and shall limit remarks to the question under discussion. All remarks and questions addressed to the administration of Town shall be addressed to the Town Manager or the Board of Municipal Officers through the Chair and not to any municipal town employee. No person other than members of the Board and the person having the floor shall enter into any discussion either directly or through a member of the Board without the permission of the presiding officer.

Public members attending Board Meetings also shall observe the same rules of propriety, decorum, and good conduct applicable to the members of the Board. Any person making personal impertinent and slanderous remarks, or who becomes boisterous while addressing the Board or those attending the Board meeting shall be removed from the room if so directed by the presiding officer. Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer. In case the presiding officer should fail to act, any member of the Board may move to require the Chair to act to enforce the rules, and the affirmative vote of the Board shall require the presiding officer to act. 05/29/2003

Board of Selectmen Meeting

For the date of: 12/20/2018

Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- Old Business
- New Business
- Executive Session
- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number 1

(If this is unfinished business, please remember to research and enter the original agenda number above. For regular agenda items, the secretary will assign a number.)

Brief Title of consent or Agenda Item: Approval of the minutes of the regular Selectmen meeting 12-06-2018.

Brief Description of Consent or Agenda Item: see attached

Submitted by Rich Roedner, Town Manager

Date: 12-12-2018

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
DECEMBER 6, 2018
EXECUTIVE SESSION AT 6:30 P.M. FOLLOWED
BY REGULAR MEETING AT 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, December 6, 2018, in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine.

(The Board met at 6:30 p.m. Motion was made by Chairman Douglass, seconded by Selectman Thompson and it was unanimously

VOTED

To take Item 107-18 – **CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO 1 M.R.S.A. §405 (6) FOR CONSULTATION WITH LEGAL COUNSEL** out of order. The Board entered into Executive Session at 6:31 p.m. All members were present, along with the Town Manager, Rich Roedner and Town Attorney Mary Costigan (Atty. Costigan via phone). The Board returned from Executive Session at 6:52 p.m. and took an 8 minute recess until the start of the regular meeting.

REGULAR MEETING 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.

ACTION RESULTING FROM EXECUTIVE SESSION

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

VOTED

To direct the Town Manager to work with the Town Attorney to establish right, title and interest regarding Thomas Avenue recreation parking lot entrance following the Board of Appeals decision.

TOWN MANAGER'S REPORT

Let me start with a couple of thank yous. Urban Garden Center has generously donated \$247 toward our Heating Assistance Fund. Urban Gardens also provided Hannaford Gift cards to go in the Thanksgiving Baskets that we put together. High Brow and the Seventh Day Adventist Church also donated baskets, as part of the 19 Thanksgiving Baskets that we distributed.

Our Fire Department noted that a husband and wife drove down from Canaan this week to thank the department for its services to them on Oct. 30. The husband had stopped for breakfast on Oct. 30, when he felt the onset of what he thought was a heart attack. He called 911, and his wife, and was attended to by our crews, who ultimately transported him to Maine Medical Center in Portland with a massive heart attack. He said that he felt if he had stopped for breakfast anywhere else, he doesn't believe he would have survived. As part of their thank you to the crew, they were able to meet the Paramedic who saved his life.

On Sunday evening, December 9, at around 7:00 p.m., the Wreaths Across America caravan will be stopping overnight in Brunswick. We have crews that will be assisting with both the arrival and the departure at 7:00 a.m. on the 10th. The final details of where we will set up are not yet worked out (somewhere on Pleasant Street), but this is a service that we proudly provide.

This year's Learn to Ski program is currently accepting registrations. The deadline to register is Dec. 15. Trips this year will be on Friday evenings.

Joy of Art applications are being accepted at the Topsham Public Library.

The Clerk's Office is now issuing Fishing Licenses, and reminds everyone with a dog that licenses are due.

A warning from our PD, about a new variety of phone scam, where someone called saying they were Chief Lewis from the Topsham PD, and asked for names, social security numbers, etc. Please be careful, and if you ever have a question about a caller who says they are from a government agency, politely hang up and call them back at that department's published number.

The Topsham FD is a certified CPR training center, so if you are looking for CPR training for your group, please call the Fire Department on the non-emergency number 725-7581 for details.

News for our younger viewers – The Jolly One himself is coming to Topsham early this year! He will be making several appearances at the Library next week. On Wednesday, December 12. He will be there at 10:00 a.m. for Story time with Santa.

Then on Thursday at 6:00 p.m. and Saturday at 2:00 p.m., he will be there for Santa Reads, a program to read to kids, and to give literary gifts.

Lastly, for many of you, your exposure to Topsham government comes from our Recreation Program. If you are one of those, then you know Gerry Ouellette. Gerry will be retiring on December 19, and on Thursday, December 27, from 4-6 p.m., there will be an open house in the lobby at Town Hall if you would like to stop in and give Gerry your best wishes

BOARDS AND COMMITTEE REPORTS AND UPDATES

Presentation and update on Maine Voc 10 efforts to create a full-time Comprehensive High School at Brunswick Landing

Nancy Weed, VOC 10 Director distributed a handout explaining the objectives of establishing Region 10 Technical High School, a four-year comprehensive technical high school at Brunswick Landing.

The Cooperative Board of Region 10 Technical High school envisions a four-year full-day comprehensive technical high school to be located at Brunswick Landing. The school will feature rigorous, integrated academic and technical education and be an alternative to attending college while learning a trade. The school will feature technical programs and academics toward a credential of value upon graduation.

Ms. Weed introduced program director John Stivers and a student, Rachel Eramo. Miss Eramo spoke briefly to the Board saying she is a volunteer fireman for Topsham and lives upstairs in a dorm room over the fire station while attending school. She has earned 5 college credits to date.

Mr. Stivers said he would like to see our graduates stay, work, and raise their families in Maine, while earning a fair wage.

PUBLIC COMMENT – Yvette Meunier, a resident of Prospect Street, presented a thank you card and offered a thank you to the Public Works Department for their fine work during the recent snow storms.

CORRESPONDENCE - Chairman Douglass read aloud a letter from Dr. Terry Porter, 6 Collins Circle speaking in opposition to any Crooker rezoning. The letter is filed with these minutes. Chairman Douglass said there currently is no rezoning request from Crooker before the Town, nor has there ever been.

ADJUSTMENTS TO THE AGENDA – None Noted

CONSENT CALENDAR

- 1. Approval of the minutes of the Regular Selectmen's Meeting of November 15, 2018.**
- 2. Approval of the re-appointment of Linda Dumont as Registrar for the Town of Topsham for a two-year term.**

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

VOTED

To approve 1 and 2 of the Consent Calendar as proposed.

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS – None noted.

NEW BUSINESS

103-18 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE RE-APPOINTMENT OF RALPH WILLIAMS AS THE TOWN HISTORIAN FOR ANOTHER THREE-YEAR TERM

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

VOTED

To appoint Ralph Williams as the town Historian for a three-year term.

104-18 CONSIDERATION AND ANY APPROPRIATE ACTION ON AWARDING SOLID WASTE AND RECYCLING CONTRACTS

Solid Waste Manager, Ed Caron, explained changes occurring in handling of solid waste. He submitted 3 responses from RFP's submitted - One from Casella (Pine Tree Waste), Waste Management and ECO and recommended going with the bid from Pine Tree Waste for a 3-year contract.

Four options were submitted for consideration:

OPTION 1: Change nothing and add \$40,000 to the Miscellaneous Contractual line to cover it, based on last years recycling numbers, changing the items we include in the Zero Sort to lessen the weight. Processing Fee – ACR plus transportation and handling cost = Recycling Fee.

OPTION 2: Reinvest in the infrastructure of the recycling building by purchasing two new balers at \$10,000-\$15,000 and adding two part-timers at \$16 per hour for a 24-hour week with benefits. Purchase new trailers for storage at \$4,000 each, times three. Put funds away for a storage building in the future.

OPTION 3: Only recycle OCC and other marketable material such as tin cans and such – throwing the rest in the waste stream.

OPTION 4: Only take in OCC and everything else going in the Topsham bag.

Erica Bailey from Pine Tree Waste talked about the problems with contamination as jars, etc. are not properly washed before recycling so some are turned with peanut butter, jelly, etc. still in them. Some things jam the processing machines such as Christmas tree lights, wires, etc.

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

VOTED

To recommend that Pine Tree Waste (Casella) be awarded the solid waste and recycling contract.

105-18 CONSIDERATION AND ANY APPROPRIATE ACTION ON CONTRACTING FOR COLLECTIVE BARGAINING SUPPORT SERVICES

Town Manager Roedner asked the Board for feedback on whether to continue with MMA consulting services, or go out to bid for negotiating support services. He said that getting someone on board will allow the negotiating team to meet early, and consult with Department Heads regarding collective bargaining issues before we meet with Unions in the new year.

Following a brief discussion, the Board reached a consensus to continue with MMA for consulting services.

106-18 CONSIDERATION AND ANY APPROPRIATE ACTION ON CONFIRMING THE TOWN MANAGERS APPOINTMENT OF THE ASSESSOR

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

VOTED

To direct the Town Manager to appoint Justin Hennessey as Assessor effective December 17, 2018.

ADJOURNMENT

Motion was made, seconded and unanimously,

VOTED

To adjourn the meeting at 8:00 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary

Board of Selectmen Meeting

For the date of: 12/20/2018

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- Public Hearing
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- Executive Session
- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 18-64

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate action awarding the bid for a culvert replacement on River Road.

Brief Description of Consent or Agenda Item: See memo

Submitted by: Rod Melanson, Town Planner

Date: 12-11-2018

MEMORANDUM

To: Rich Roedner, Town Manager
Select Board members
From: Rod Melanson, Planning Director
Dennis Cox, Public Works Director
Date: December 10, 2018
Re: Topsham Fair Mall Stream – Watershed Plan Implementation – Culvert Replacement
(River Road)

In August of 2018 this item was reviewed and tabled. We received one bid that came in higher than the cost estimate/ project budget. Staff has since been working on seeking extensions on grant funds, discussing details of project with Crooker and Water District, and discussions with Wright Pierce Engineers to assist in navigating the project implementation.

Since that time we received a full grant extension from MDEP/ EPA (to expire in December of 2019), as well as securing an extension of the SEP funding received for this project. We did submit a request for further funding, but were not successful in this request due to the lack of additional funding being available.

A major component of technical complexity of this particular project was working around the 20" water main within River Road. Crooker (as part of their bid) has worked closely with the water district in resolving issues associated this water main work around.

Dennis Cox confirmed with Crooker Construction that they are willing to hold their price on the bid while we determine our next steps.

After meeting with Wright Pierce engineers, DPW Director, and Town Manager we have identified a couple of options to continue this project with the funding assistance in place. The first option being preferred due to the overall complexity of this project and what we feel is a very competitive bid.

1. Accept the current bid from Crooker and budget the funding difference for the upcoming fiscal budget year.
2. Decline the Bid from Crooker and re- bid the project in March.
3. Forfeit the project/ grant funds.

1. Accepting the current bid allows us to ensure that the project and funding move forward in a timely and productive manner. That being said, it requires us to add \$66,750 to the overall budget to cover the discrepancy in funding and a suggestion of adding \$5,000 to cover any contingencies during construction. Dennis Cox recommends that this money be allocated from next fiscal year's road reconstruction capital budget.
2. Re-bidding the project in hopes of a reduced bid price enters some risk to overall project. Due to the price that came in on the current bid, we do not have a clear idea of what bid prices will look like this spring, but expect a continued strong market in

this regard. If this option is desirable we may want to think about adding funding to the overall project budget so we avoid our current situation.

3. We have currently spent \$22,000 on engineering services and permitting (DEP & ACOE) for this project. This would not be covered by the funding agency if we do not fulfill the terms of the grant. We would need to replenish the \$22,000 back to the State if we choose to forfeit the project.

A reminder of the overall budget is as follows:

Current Project Budget

Cost Category	Federal Funds Section 319	Non-Federal Match	Total Cost
Salary & Fringe (from Part 1)		\$11,413	\$11,413
Contractual (design/ permits)	\$15,000	\$10,000	\$25,000
Subgrant			
Construction	\$87,000	\$66,000	\$153,000
Donated Services – Labor			
Travel (mileage total)			
Supplies			
Other (specify)			
Indirect Costs			
Totals	\$102,000	\$87,413	\$189,413

The project funding amounts will be as follows:

Federal Grant:	\$102,000
Town cash Match (2 years):	\$10,000
Town In-Kind Match:	\$19,413
SEP Funding:	\$58,000
 Total:	 \$189,413

Potential Project Budget Change

Cost Category	Federal Funds Section 319	Non-Federal Match	Total Cost
Salary & Fringe (from Part 1)		\$11,413	\$11,413
Contractual (design/ permitting)	\$15,000	\$10,000	\$25,000
Subgrant			
Construction	\$87,000	\$66,000 +\$66,750	\$219,750
Donated Services – Labor			
Travel (mileage total)			
Supplies			
Other (specify)			
Indirect Costs			
Totals	\$102,000	\$154,163	\$256,163

Federal Grant: \$102,000
Town cash Match (2 years): \$10,000
Town added cash match: \$66,750
Town In-Kind Match: \$19,413
SEP Funding: \$58,000

Total: \$256,163

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Agenda Number: 18-108

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate action on declaring the old brush truck, a 1993 GMC Sierra Pickup, as surplus.

Brief Description of Consent or Agenda Item: See attached Memo.

Submitted by: Chris McLaughlin, Fire Chief

Date: 11-28-2018

Memo

#

To: Rich Roedner, Town Manager
From: Chris McLaughlin, Fire Chief
CC: Board of Selectmen
Date: November 28, 2018
Re: Old Brush Truck

Now that the new brush truck has been in service for several months we would like to declare the old truck as surplus so we can move forward with selling it.

We plan to post the truck for sale internally to town employees and online to the public. We will work with the Town Manager on the details of the sale.

Respectfully submitted,

Chris McLaughlin
Fire Chief

Board of Selectmen Meeting

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Type of Submission:

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- Additional Information

Agenda Number 18-109

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate action on creating a Governance Review Committee.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 11-14-2018

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: December 13, 2018
Re: Government Review Committee

Per our Town Code, Chapter 6, Article IX, paragraph 25, every 10 years the Board is charged with creating a committee to review Chapter 6 and recommend any necessary changes. We considered this section in 2016, and determined that the work the Town undertook with the Charter Commission and the Chapter 6 made in 2009 qualified as the last review period.

Hence, in 2019, we are due to appoint a committee for this review.

With the Board's concurrence, we will draft the scope of the committee, based on the language in the Code, which reads:

It shall be the duty of the Town to review and bring up to day this chapter at least once in every ten (10) years, and a committee of seven (7) citizens, three (3) of whom may be Selectmen, shall be chosen for this purpose.

We will then both advertise for, and solicit, volunteers to serve on the committee, for appointment by the Board. A question should be asked as to whether the Board would like to fill three of the slots with Board members, or rely on a resident-committee of seven.

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: December 27, 2016
Re: Administrative Review Committee

While looking through our Town Code, I came upon Section 6-25, which reads as follows:

It shall be the duty of the Town to review and bring up to day this chapter at least once in every ten (10) years, and a committee of seven (7) citizens, three (3) of whom may be Selectmen, shall be chosen for this purpose.

This led to some research on the part of several staff members, and we came up with the following timeline:

2004	Administrative Review Committee (ARC) created by the Board
2005	ARC issued report to Board
2007	Board took action to create a Charter Commission, per the ARC recommendations
2008	Charter defeated at polls in November
2009	Board created a Government Improvement Committee (GIC)
2010	GIC made recommendations that were adopted at May 2010 Town Meeting

I bring this to your attention only because a literal reading of the code would suggest that a new Administrative Review Committee should have been appointed in 2014.

A second argument can be made that the Charter Commission, and the GIC, were essentially Administrative Review Committees, meaning we had three such committees within a 6 year period, and that a new one is not required until 2019.

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Type of Submission:

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- Additional Information

Agenda Number 18-110

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate action on applying to the Planning Board for site plan approval for a parking area adjacent to the Upper Fields.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 11-15-2018

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: December 6, 2018
Re: Thomas Ave. Issues

To help facilitate our discussion about the Thomas Avenue field, I have prepared some issue/responses below, based on questions that have been received from Board members and members of the public.

First, a bit of background. The Hillside Fields were built in 1986, and were used consistently for a number of years for soccer, baseball and lacrosse. As our programs grew, we added the Riverside Fields which has allowed us to rotate fields, helping to maintain the quality of all of our fields.

We continue to talk to the residents in the area, to fully understand the issues and concerns, with an eye towards trying to address those issues in a revised plan for a parking area. We will keep you posted on those efforts, and feel that some, if not many, of the issues can be resolved with additional dialog with the neighbors.

The issues raised are listed below, with responses following:

1. The effect on property values in general and for proximate properties

This is an issue that comes up quite often with public facilities, particularly recreational facilities. It is hard to document here in Topsham without an Assessor, but the literature tends to support the idea that recreational facilities add value to properties and make a community more desirable, therefore increasing value of property even away from a recreational facility. Below are links to four studies, with a short summary of each that I have gleaned from the reports, that provide information and background on this issue.

<https://dc.uwm.edu/cgi/viewcontent.cgi?article=2296&context=etd>

- A 110-page dissertation. In summary, (p. 85 starts the conclusion) it depends. Certain types of recreation, lakes for instance, add a lot of value. Passive Recreation adds value. Skate parks and children's play areas tend to depress values. Winter recreation and ball fields/courts can add positive impacts. In all cases, design can play a role in the impact.

<https://www.colliercountyfl.gov/Home/ShowDocument?id=30802>

- A 2-page report from National Recreation and Parks Association (p. 1) report found that properties in Philadelphia within 500' of a park were about 5% higher in value than properties not close to a park, while the impact in Texas was 22% higher for homes

within 2,600' of a park. Commercial rents in NYC grew between 115% and 225% for proximate properties, while distant properties grew 41%-73%.

<https://recreation.eku.edu/importance-parks-and-recreation>

- A single page fact sheet from Easter Kentucky University found increased property values due to parks, found that recreation is one of the top three reasons for business relocation decisions, and parks have a spillover impact on local revenues.

<https://www.eastertrail.org/documents/ETEconomicImpactStudy2018.pdf>

- A recently updated study by the Eastern Trail Alliance in York County, while specific to this bike trail, suggests that users spend an average of \$194 on biking, plus the cost of lodging. It also reports anecdotal information that real estate close to the trail is more desirable, therefore one would assume more valuable.

2. Impact on Safety

The anecdotal information is that opening up a place that is already seeing some crime issues, tends to reduce the incidence of criminal activity due to 'adding sunshine' to the area. This seems to have been true for the riverwalk along the Androscoggin from the Swinging Bridge down to Summer St. One formal report by the National Recreation and Park Association is cited below.

<https://www.nrpa.org/contentassets/f768428a39aa4035ae55b2aaff372617/park-safety.pdf>

- Reports a correlation between level of use and safety. The more people, the more deterrence. Design of a park is important in promoting safety. The lessons cited are drawn largely from urban park settings.

The first NRPA report also included a paragraph on youth safety, indicating that appropriate and widespread activities for youth tend to reduce the incidences of youth-related crime. <https://www.colliercountyfl.gov/Home/ShowDocument?id=30802>

3. Events at Hillside per year

Spring time events over the past three years include 5 Youth Lacrosse teams (5th through 8th grade). Each team hosts 5 games and practices 3-5 times per week. (about 50 events)

This past fall we had 7 soccer teams practicing on the field and playing on Saturdays for 8-10 weeks. The Merrymeeting Soccer Club used the field for 2 teams to practice, with 6-8 games held on Sundays. (70+ events)

4. Costs of moving Hillside activities to Foreside Fields

Adding more events to Foreside and Riverside would increase the impacts on those fields, resulting in higher maintenance costs, and complicating scheduling of events which is already an issue. Identifying the specific costs is hard to determine in an abstract sense.

5. Playing on different days

For the next several years, the Mt. Ararat Middle School fields are already fully booked due to the HS construction project. So using those fields for recreation games would really tax those fields. Switching to different days again complicates the scheduling process, particularly when you lose days due to rain and have to re-schedule.

It should be noted that fields need time to rest and recover from events, and different ages use different sized fields. So moving little kids to a HS field is not easily done to striping issues and ultimately, overuse. With the HS construction, the community is down fields, and further restricting the number of fields to be used would only make issues worse with respect to field wear and tear, scheduling, dealing with weather, etc.

6. Feasibility of building an ADA access from lower fields to Hillside

We have actually already contacted a company about building an ADA trail from Foreside to Hillside. The estimate was around \$45,000, subject to change once an engineered plan is developed. To be ADA compliant, there is a restriction on the slope of the trail, along with breaks in grade at regular intervals. We can certainly have a design done by our engineer if the Board would like to pursue this option further. For budgeting, I would assume a total of about \$60,000, including engineering.

7. Summary of Town rights to Thomas Ave. and the 'paper street'

In 1972, the Town of Topsham accepted Thomas Ave. from Salem St. to Merrymeeting as a public road, to be constructed by the applicant. There was no metes and bounds description, and the subdivision plan showed the 'paper street' essentially as a part of Thomas Ave. The question is when it was accepted, did it include this stub that only serves the purpose of access to the Town property?

In 1987, a State Law was enacted that required Towns to identify 'paper streets' and either claim whatever rights were due the town, or allow the paper streets to revert. Topsham approved a statement claiming rights to a list of paper streets, including this stub off of Thomas. As required under this State Statute, Topsham has continued to claim its rights to this paper street at the appropriate intervals since 1987. These declarations have been recorded as required. The most recent claim was approved in 2017.

My opinion is that we either own the stub by virtue of the acceptance of Thomas Ave. in 1972, or that we have retained our incipient rights to the paper street in accordance with the 1987 State law.

8. Tree Cutting

There have been comments about the "Clear Cut" that we undertook this past Winter/Spring. While an area was cleared for the laydown area, this is not a clear cut. A first round of selective harvesting of dead, diseased, dying and dangerous trees was undertaken by the Town. The area that was cleared for the laydown area was done to avoid damaging the ball fields, which were the second option for a laydown area. Prior to cutting, there was contact with the neighbors, and we worked with the abutters to make sure that multiple issues were addressed, including fencing, hanging trees, sheds, etc. The forestry team will be present at the Board meeting on Jan. 3 to go over the cut, how it was done, what was taken, future needs, etc.