

MINUTES  
TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
HELD VIA ZOOM FROM INDIVIDUAL RESIDENCES  
JULY 16, 2020 – 6:30 P.M.

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MEMBERS PRESENT: David Douglass  
Marie Brilliant  
Ruth Lyons  
Matt Nixon  
Roland Tufts

MEMBER(S) ABSENT: All present

STAFF PRESENT: Derek Scrapchansky, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, July 16, 2020, with individuals joining the meeting from their residences via Zoom. Announcement was made that the meetings are now streaming online as well as on YouTube.

**CALL TO ORDER**

Vice Chairman Tufts called the regular meeting to order at 6:30 p.m. (The Board actually met via Zoom at 6:00 p.m. to hold an Executive Session.)

**PLEDGE OF ALLEGIANCE/ROLL CALL**

Everyone was invited to stand and recited 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**

Good Evening,

The Town Clerk has informed me that 2,582 ballots were cast for yesterday's election and approximately 70% of the votes were cast by absentee ballots in the weeks leading up to the election. This was the second largest number of absentee requests in the history of Topsham. Approximately 700 residents voted in person at the polls on Tuesday.

Nomination papers for Board of Selectmen will be available July 27th for two three-year term positions expiring in November and MSAD 75 School Board has four three-year term positions. Additional information will be posted on the Clerk's webpage this week.

The Parks and Recreation Department had 20 Families participate in the Maine Backyard Campout on July 10 and 11th, and they held drawings for Campout Baskets filled with goodies for 5 Topsham Families.

No decision regarding fall soccer and programs has been made. Parks and Rec intends to have a decision by August 1st.

Channel 3 is back up, and as always, copies of both Selectmen and Planning board meetings are available on the Town's Vimeo site. We plan to live-stream meetings on the Town's YouTube site beginning in August.

Our Library has informed me that summer reading for all ages is going on all summer! Stop by or check the Topsham Library website about this fun program. At the Library Board's annual meeting last night, Barbara Swiderski began her first term as a Trustee. The Board acknowledged the outstanding service of outgoing board members, Jim Demosthenes, Anne Eustis, and Larry Fitch. We are grateful to them and they will be missed!

The Town Warrant was mailed to each residence last Friday as the staff continues to finalize the plan for Town meeting on July 29th. The meeting will take place at the Topsham Fairgrounds on July 29th at 6:00 pm and will be conducted in a drive-in format with handicap and non-driver accommodations. A sound system with an FM transmitter will allow the meeting to be broadcast over an FM radio channel. Each registered voter will be provided a voting card, and assistance card, and detailed instructions. Non-registered residents can register to vote beginning at 5:00 pm. The meeting will be conducted in a safe manner and will adhere to CDC and State guidance. In the event of inclement weather, July 30th and July 31st are scheduled back-up dates. Instructions for residents will be posted with the Warrant, the Town website, and social media.

Chris Lewis resigned from his position as Police Chief on July 6, 2020. His last day of employment is July 17th, 2020. A press release regarding his departure was published in the local news media. We have thanked and recognized Chris for 21 years of dedication and service to Topsham and the community. We wish him and his family well. Chris has accepted a position in law enforcement closer to his home.

On Monday, July 13th, Detective William 'Bill' Collins was promoted to Lieutenant. We are very excited about the leadership and passion Bill brings to the position and look forward to the future.

Thank you and have a good night.

**BOARD AND COMMITTEE REPORTS AND UPDATES Update From the Planning Department** – Rod Melanson announced that the Topsham Comprehensive Plan was found to be consistent with the State of Maine requirements. Congratulations to everyone that worked on the Plan.

Mr. Melanson noted that a clerical error was found on the Town Meeting Warrant on Article 14 – Road Acceptance for Oak Hill. One of the streets was left of. This will be clarified at the Town Meeting.

**CORRESPONDENCE** – Information was included on the agenda informing citizens who wished to offer comments or questions as follows: *“If you have any comments/questions on an agenda topic, email them to [infor@topshammaine.com](mailto:infor@topshammaine.com) by Thursday, the week of the meeting. Please include your full name and address in the email. Emails will be reviewed and addressed during the meeting which will be televised on Channel 3 and also on U-Tube.”*

Vice Chairman Tufts allowed time for citizens to call in with questions or comments, but no calls were received.

**ADJUSTMENTS TO THE AGENDA** – TDI/ECD update was removed and update from Planning Board substituted in its place.

**CONSENT CALENDAR**

1. Approval of the minutes of the Regular Selectmen’s meeting of July 2, 2020.

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

**VOTED**

To approve the minutes of the July 2, 2020 Board of Selectmen’s meeting as written.

**PUBLIC HEARING**

**20-45 CONSIDERATION AND ANY APPROPRIATE ACTION ON AN APPLICATION FOR A NEW LIQUOR LICENSE FOR 104 MAIN PUBLIC HOUSE LOCATED AT 104 MAIN STREET, SUBMITTED BY MATTHEW KENNEY**

Vice Chairman Tufts declared the Public Hearing open.

Matthew Kenney spoke to his application for a liquor license for 104 Main Public House and said he would like to be able to serve malt liquor (beer) wine and spirits at the restaurant. Due to the Covin-19 Pandemic, Mr. Kenney said he is only serving take-out food and has been doing so for the past three weeks. He said he would like his establishment to be the first in-town pub-restaurant in Topsham.

There were no comments to be heard from members of the audience following Mr. Kenney’s presentation. The Public Hearing was declared closed.

The following facts were gathered during the presentation:

**FINDING OF FACTS**

1. Name of applicant is Matthew Kenney doing business as 104 Main Public House.
2. Location of restaurant is 104 Main Street.
3. Mr. Kenney is applying for a new liquor license.
4. There will be no entertainment at the restaurant.
5. Currently there are 6 picnic tables spaced 6' apart in the parking area.
6. The picnic table section is roped off.
7. Hours of operation will be from 11:30 a.m. to 9:00 p.m. 7 days a week.
8. Drinks may be served until 10:00 p.m.
9. The outside area can seat 36 people.
10. There is adequate parking with a tarred area in front of and side of the restaurant.
11. Letters are on file from the Codes Enforcement Officer, Fire and Police stating no concerns with the operation.

**CONCLUSIONS**

The Board unanimously agreed that, based on the Findings, the issuance of a Liquor License would not be detrimental to the public health, safety or welfare or would violate municipal ordinances, rules or regulations.

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

**VOTED**

To approve the Liquor License Application for 104 Main Public House.

**UNFINISHED BUSINESS** – None noted.

**OLD BUSINESS** – None noted.

**NEW BUSINESS**

**20-46 CONSIDERATION AND ANY APPROPRIATE ACTION TO PLACE A TEMPORARY CROSSWALK ON RIVER ROAD**

Public Works Director, Dennis Cox, recommended that the Selectmen approve a temporary cross walk on the River Road near the water plant for approximately the next two years during the construction of the new plant. He said the request is being made by the contractor and the Water District because the construction offices are on one side of River Road and the project is on the other side. The speed limit is 40 mph and on a hill with downwards slope into the area.

During discussion Chairman Douglass said he remembered a crosswalk was requested on the Foreside Road by Pinewood Drive and the Board was told because the crosswalk didn't go from one outlet to another, it was not allowed. He asked how this case is different. Mr. Cox responded that this request is temporary and is being requested for the safety of the contractor, workers and Water Department personnel. Chairman Douglass asked what were the chances those requesting

the crosswalk would pay for a blinking light with a button to push when they wanted to cross. Mr. Cox said he would inquire if they would be willing to take on the \$20,000 cost of same. Selectman Nixon added that this request is only temporary for the safety of workers and the request not allowed was permanent. Selectman Brillant asked if there would be signs before getting to the crosswalk saying it was there. Mr. Cox said he envisioned the usual MDOT signs.

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

**VOTED**

To approve the temporary placing of a crosswalk on the River Road. (The vote was 4 in favor with 1 opposed (Chairman Douglass).

**20-47 CONSIDERATION AND ANY APPROPRIATE ACTION ON A STOP SIGN AT ELM STREET EXTENSION AND WINTER STREET**

Public Works Director Dennis Cox recommended that the Selectman approve a stop sign at the intersection of Elm Street Extension and Winter Street. He said currently there is nothing there. He said the home owner at 9 Winter Street (Jeff Damico) has been in contact with him several times, and the Police Department as well, with his concern of the difficulty of trying to get out of his driveway and also pedestrians crossing Winter Street in this area Mr. Cox said Police Chief Lewis endorses the idea of a stop sign as well.

Selectman Nixon asked what the police found when enforcing the speed limit in the area. Mr. Cox said there were very few violators.

Several ideas were suggested such as applying speed bumps or rumble strips.

Motion was made by Chairman Douglass, seconded by Selectman Nixon, to take no action at this time but to place this item on a future agenda for further consideration when additional information can be presented.

**20-48 CONSIDERATION ANY ANY APPROPRIATE ACTION ON THE APOINTMENTS OF VARIOUS BOARDS AND COMMITTEES**

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

**VOTED**

To approve the slate as listed below.

<b><u>LIST OF RE-APPOINTMENTS</u></b>		
Don Spann Ronald Bisson Tom Thompson Scott Libby	Planning Board	4 Potential Openings 5 applicants, 1 new below

<b><u>LIST OF RE-APPOINTMENTS - Continued</u></b>		
Brian Robinson Larry Fitch	TDI, Inc Board	3 Potential Openings
Michael Nelson Gordon Donley	Board of Appeals	5 Potential Openings
Gordon Donley	Board of Assessment Review	2 Potential Openings
Yvette Meunier	Bruns/Topsham Water Dist.	1 Potential Opening
John Graham	Historic Review Board	3 Potential Openings
Ralph Williams	History Committee	3 Potential Openings
<b><u>LIST OF NEW APPOINTMENTS</u></b>		
Sarah Curran	TDI, Inc Board	3 Potential Openings
Ed Caron	Government Review Comm	3 Potential Openings
*Lawrence Brann	Planning Board	4 Potential Openings
*Tom Thompson Angela Twitchell Rick Schultz Raja Suomela	Comp. Implementation	6 Potential Openings

**EXECUTIVE SESSION****20-49 CONSIDERATION AND ANY APPROPRIATE ACTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO 1.M.R.S.A. § 405 (6) (A) TO DISCUSS PERSONNEL ISSUES**

The Board entered into an Executive Session at 6:00 p.m. Those in attendance were the Town Manager, David Douglass, Ruth Lyons, Matt Nixon and Roland Tufts. Selectman Brilliant was absent.

The Board moved out of Executive Session at 6:29 p.m. No action was taken.

**ADJOURNMENT** - Motion was made by Selectman Nixon, seconded by Chairman Douglass, and it was unanimously **VOTED** To adjourn the meeting at 7:05 p.m.

Respectfully submitted,

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Patty Williams, Recording Secretary