

**6:45 PM Board/Committee Interview**

**7:00PM Board of Selectmen Meeting  
Topsham Municipal Building  
Donald A. Russell Meeting Room  
November 1, 2018**

**Pledge of Allegiance –**

**Roll Call of Board Members –**

**Town Manager's Report –**

**Board and Committee Reports and Updates-**

**Public Comment –**

**Correspondence –**

**Adjustments to the Agenda –**

**Consent Calendar –**

1. Approval of the minutes of the Regular Selectmen meeting October 18, 2018.

**Public Hearing –**

**Unfinished Business –**

**18-88-** Consideration and any appropriate action on amending Topsham's personnel policy regarding full-time Firefighters.

**18-89-** Consideration and any appropriate action on personnel policy regarding MEPEERS match.

**Old Business –**

**New Business –**

**18-90-** Consideration and any appropriate action on the request to send out a RFP on Elm Street Extension.

**18-91-** Consideration and any appropriate action on reviewing and discussing draft Board goals for 2019.

**19-92-** Consideration and any appropriate action on the appointment of Bryan Bachelder to Weights & Measures.

**19-93-** Consideration and any appropriate action on scheduling a Special Board meeting to meet with residents of Thomas Ave neighborhood regarding parking.

**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: 11/01/2018

**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 10-18-2018.

**Brief Description of Consent or Agenda Item:** see attached

**Submitted by** Rich Roedner, Town Manager

**Date:** 10-19-2018

MINUTES  
TOWN OF TOPSHAM  
BOARD OF SELECTMEN MEETING  
OCTOBER 18, 2018 - 7:00 p.m.  
(With 6:00 p.m. Workshop Meeting)

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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, October 18, 2018, in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine. The Board first met in a Workshop Meeting to discuss personnel policies at 6:00 p.m.

### **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**

We have two retirements to announce. First, Detective Mark LaFountain has announced his retirement from the Topsham Police Department. Mark notified us this week that his last day will be October 31. Mark has been with the PD since 2006, as an officer and then as a Detective. Mark has several plans for retirement that will keep him fully employed.

The other retirement is from Gerry Ouellette, the Program Director in our Parks and Recreation Department. Gerry has worked for us since 1997, helping to organize all of our sports programs and recreational activities. Gerry is planning on enjoying his retirement, including spoiling his grandchildren.

It is dog licensing time once again, and licenses are now available. Stop in after the election (to avoid lines) and get your pre-Christmas licensing needs taken care of.

Election Day is November 6, with polls open from 8 am to 8 pm at the Topsham Fairground Exposition Building. As of yesterday, all voter registrations must be done in person at the Town Clerk's office – make sure you have appropriate proof of identity and residency. On Thursday, October 25, the Clerk's Office will be open until 7 pm for voter registration. Finally, the last day to request an absentee ballot is Thursday, November 1.

A reminder from our Fire Chief that Saturday, November 4 is the start of Daylight Savings Time, and the time to turn your clocks back, and change batteries in your smoke alarms and carbon monoxide detectors.

This year's Halloween Parade will be held on Wednesday, October 31! The parade will kick off at 4:15 pm by Smitty's Cinema, and will continue down to Hannaford's at Winner Circle. As always, Police and Fire will be present to ensure a safe time is had by all.

On a sad note, we have learned of the passing of Bob Williams. I got to know Bob through his interactions with the Planning Office for many years, and I came to consider him a good friend. His loss will be felt. Condolences, thoughts and prayers are sent to his wife, Carol and his children.

#### **Expressed Concern**

Selectman Thompson expressed concern regarding an incident that recently happened at the town office where a resident, unhappy about their tax bill, completely lost control of their temper and was unacceptably irate at the Town Manager. Selectman Thompson said, in instances such as occurred, that perhaps it was time to give thought to installing video cameras in various officials offices at the town office and in the schools, including entrances and exits as safety should be paramount.

#### **BOARDS AND COMMITTEE REPORTS AND UPDATES**

1. **CORY E. GARVER AMERICAN LEGION, POST 202** – Josephine Eltzroth presented a plaque to Linda Dumont honoring Ms. Dumont for her professionalism while performing her duties at Town Clerk. Ms. Eltzroth said Ms. Dumont is always very helpful and courteous in handling the paperwork for the Legion and other organizations and that she is “A diamond in the rough.”
2. **UPDATE FROM THE CONSERVATION COMMISSION** - Raija Suomela was originally scheduled to present an update from the Conservation Commission, but was unable to attend. Victor Langelo stepped up and gave a report of activities of the Commission.
3. **UPDATE FROM THE COMPREHENSIVE PLAN COMMITTEE** – Susan Rae Reeves presented an update on ongoing work in updating the Comprehensive Plan. The focus has been on community involvement. A preliminary draft has been completed. Face-to-face involvement has been enjoyed working with over 500 citizens. There is a site on line to comment on the plan, which 180 residents have already responded to. Plans are in the works to include a summary in the Forecaster next month. The Committee hopes to have the plan completed and ready for adoption at the May, 2019 Town Meeting.

**PUBLIC COMMENT** – Karen Murphy, 23 Arbor Avenue thanked Ms. Reeves for her presentation. She suggested that individual links be added to the Forecaster presentation for each section. Ms. Caron said she forwarded a letter to the Town Manager that she didn't get a response to. The Board asked her to send the letter to the Board of Selectmen and assured her it will be addressed.

**CORRESPONDENCE** – Selectman Brilliant said a citizen called her with a request for the Town to have an animal control officer as she is having a problem with skunks. Response was that the Town does have an Animal Control Officer – Bill Collins. Selectman Brilliant will inform the caller to call the Police Department and request Mr. Collins' assistance.

Selectman Brilliant also noted that she had been contacted by Karen Murphy, who asked to have a special meeting about the parking lot on Thomas Avenue. Chairman Douglass said the request for a special meeting will be added to the next agenda.

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

**CONSENT CALENDAR**

**1. Approval of the minutes of the Regular Selectmen's Meeting of October 4, 2018.**

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

**VOTED**

To approve the minutes of the Regular Selectmen's Meeting of October 4, 2018.

**PUBLIC HEARING** – None noted.

**OLD BUSINESS** - None noted.

**NEW BUSINESS**

**18-87 CONSIDERATION AND ANY APPROPRIATE ACTION TO AUTHORIZE THE TOWN MANAGER TO SIGN A SCOPE OF WORK CONTRACT FROM TOM ERRICO AT TY LIN TRAFFIC ENGINEERS FOR A MAIN STREET STRIPING/TRAFFIC MANAGEMENT PLAN**

Rod Melanson, Town Planner, spoke to this item saying this area (from the Volvo Garage to Canam Drive) has been budgeted for striping. He recommended engaging Tom Errico from TY LIN, who is the Town's peer reviewer for traffic studies to conduct a striping/traffic management plan based upon the scope of work. The scope of work was included in the Board package for review. Mr. Melanson said the Planning Office and DPW is seeking approval from the Board of Selectmen to waive the bid policy to engage TY LIN to implement the Scope of Work.

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

**VOTED**

To waive the Bidding Policy and to authorize the Town Manager to sign a Scope of Work Contract from Tom Errico from TY LIN Traffic Engineers for a Main Street Striping/Traffic Management Plan.

**18-88 CONSIDERATION AND ANY APPROPRIATE ACTION ON AMENDING TOPSHAM'S PERSONNEL POLICY REGARDING FULL-TIME FIRE FIGHTERS**

Town Manager Roedner explained that as we are moving from 1 full-time fire fighter to 3 full-time fire fighters and the change to a double 12-hour shift schedule, we have to adapt our personnel policy to accommodate the new work schedule. Mr. Roedner reviewed his memo to the Board dated October 10, 2018 explaining the changes that would need to take place.

Chairman Douglass said the only part he has a concern about is that we would rather have people there, rather than them taking time off at a future date. We are hiring individuals because we need coverage. He said he would rather pay the fire fighters extra holiday pay then give them time off. We are hiring individuals because we need coverage - pay the benefit to them with no option for comp time, just straight money. Board members agreed with Chairman Douglass' comments.

Fire Chief McLaughlin and the Board discussed some adjustments to the wording in the new policy and suggested Mr. Roedner make the suggested changes and bring the policy back to the Board at the next meeting.

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

**VOTED**

To instruct the Town Manager to change the wording of the policy according to the discussion and bring back to the Board for acceptance.

**18-89 CONSIDERATION AND ANY APPROPRIATE ACTION ON PERSONNEL POLICY REGARDING MEPERS MATCH**

The Town Manager said this item was included on the agenda as an informational item. He said, historically, we have given employees two options to consider when it comes to retirement. They can choose to join Maine State Retirement (MePERS), at which point they are required to pay in 6.5% and the Town matches 6.5%. They are also given the option to join ICMA 457 Deferred Compensation Plan on their own. Or, if they just want to join ICMA, we match that at 6% of their contribution.

Several years ago, when there was concern that some programs were no long funded, Maine State Retirement Program under took a gradual program of increasing employ and employer contribution. So today, when you join Maine State Retirement, the employee puts in 8.5% and the employer puts in 10.5%, but we still match at 6%. Mr. Roedner said this has not been as successful as they hoped it would. The law was changed that an individual can retire after putting in a certain number of years (rather than having to wait to a certain age, say 65). This allows a person to retire early, collect from Maine State

Retirement, work at another job and not be paying in. Consequently, MePERS loses money. To help remedy the situation, MePERS has instituted a new part of the plan that when a municipality hires an existing Maine State retiree, the municipality will be charged 5% of their gross income, not to the employee for put into the fund. This begins on October 15. We have just hired a new employee who will come under that program. In two years, they will extend the requirement to all employees. We have two additional employees who will be affected. This means higher costs for the town; probably \$2,000-\$3,000 a year.

This bids the question:

- Should we look at adjusting our contributions to ICMA to better reflect MePERS?
- Should we consider the 5% contributed on behalf of a retiree as part of the 6% that we may also be contributing to ICMA?
- How do we make our two retirement programs equitable, or do we have to?

Chairman Douglass suggested only offering ICMA to new employees. Maybe its time that we be strictly an ICMA. These are very high numbers and way above what the private sector offers. Selectman Thompson asked if Mr. Roedner has discussed this with other town managers. Suggestion was made to send a letter to MMA expressing our concerns. Selectman Lyons said she has a strong concern that the taxpayers get billed for the increase. The Town Manager was charged with writing a letter expressing the Board's concerns both to MePERES and MMA and bring same back to the Board for review.

**EXECUTIVE SESSION** – None noted.

**ADJOURNMENT**

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

**VOTED**

To adjourn the meeting at 8:06 p.m.

Respectfully submitted,

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Patty Williams, Recording Secretary

# Board of Selectmen Meeting

For the date of: 11/01/18

**Type of Item:**

- Board or Committee Presentation
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- Unfinished Business
- New Business
- Executive Session
- Workshop

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number:** 18-88

(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 any appropriate action on amending Topsham's Personnel Policy regarding full-time Firefighters.

**Brief Description of Consent or Agenda Item:**

See attached memo.

**Submitted by:** Richard Roedner, Town Manager **Date:** Oct. 22, 2018

## MEMORANDUM

To: Board of Selectmen  
From: Richard Roedner, Town Manager  
Date: October 24, 2018  
Re: Full Time Firefighter Personnel Rules

Attached is an updated version of the draft personnel rules regarding full time firefighters. I have corrected the Holiday pay section per our discussion last week, specifically making it clear that when a holiday is worked, the employee is paid time and a half.

I have also clarified the section on meal breaks based on input from Chief McLaughlin.

If the Board finds this language acceptable, it can be approved subject to review by the Town Attorney, if you feel it necessary. If not, then we can have it posted next week, and implement accordingly after the appropriate posting period.

## Proposed Personnel Policy Language changes

### Article III – Definition of Terms p.4

#### DAY

When calculating sick, vacation or personal time, the term “day” refers to a work day, either 7.5 hours for an employee whose regularly scheduled work week is 37.5 hours, or 8 hours for an employee whose regularly scheduled work week is at least 40 hours per week. For employees who work less than 37.5 hours per week, a “day” shall be prorated to the appropriate number of hours based on the total worked during a week. For full time firefighters, a day shall be 12 hours.

### Article V – Hours

#### D. MEAL BREAKS

A thirty- (30) minute lunch period, unpaid, shall be offered during each work shift unless flextime arrangements have been approved for specified positions. Meal periods will be scheduled in such a way as to ensure building coverage whenever possible. A failure to take work breaks cannot automatically be offset by taking a longer meal break.

Fire & Rescue Department: (Excluding the Fire Chief & Deputy/EMS Director)

~~A thirty (30) minute work break, unpaid, and a one (1) hour lunch meal break, paid, will be provided.~~ In circumstances where calls or normal duties as prescribed conflict with a lunch or meal break, there will be other time allowed for the meal break.

### Article VI – Compensation

#### C. PAY PLAN (Salary Grade and Ranges)

Jobs included in collective bargaining agreements shall have salary grades and ranges as determined through negotiations, notwithstanding Article V.

The Town Manager shall monitor the wages of non-union employees to determine whether they are consistent with wages of similar employees from similar communities and within the local labor market, and shall make recommendations to the Board of Selectmen via the annual budget process of any changes that are warranted for any or all non-union positions.

A pay plan for full time firefighters shall be established, to include an initial probationary step, to be followed by Entry, with five steps beyond the entry level.

#### E. PERFORMANCE EVALUATION

The Town reserves the right to implement a performance evaluation system that is designed to reinforce good work habits and identify both areas where an employee demonstrates competencies and areas where improvement is needed to meet the goals of the job description, the Department and the Town.

F LONGEVITY

Employees not otherwise governed by collective bargaining agreements shall earn Longevity Increases of 3% every three years, not to exceed five such increases. Full time firefighters shall be eligible for longevity steps after entering the Entry Level step.

Article VIII – Holidays

G. Full time firefighters shall be compensated for holidays worked with holiday overtime pay at 1.5 time their normal hourly rate.

Article IX – Leaves

B. VACATIONS

1. Full time employees shall earn vacation time at normal pay in accordance with the following schedule, to be awarded on July 1 of each year:

<u>Continuous Service</u>	<u>Vacation Time Off</u>
Date of hire – 4 <sup>th</sup> Anniversary	Ten (10) days
4 <sup>th</sup> Anniversary – 9 <sup>th</sup> Anniversary	Fifteen (15) days
9 <sup>th</sup> Anniversary – 14 <sup>th</sup> Anniversary	Twenty (20) days
14 <sup>th</sup> Anniversary and beyond	Twenty-Five (25) days

2. Regular part time employees shall receive a proration of this benefit to be calculated in accordance with the employee's regularly-scheduled work week hour; however, they must work a minimum of twenty (20) hours per week to be eligible for vacation leave. Employees that work a non-standard day (more than eight (8) hours per day) shall receive a corresponding day of sick time each month.
3. All vacation requests shall be submitted to the Town Manager's Office via the respective Department Head. Requests for more than one (1) day shall be submitted at least five (5) days prior to the start of said vacation. Requests for vacation of less than one (1) day shall be submitted the day before the requested day off. Vacation requests submitted outside of these limits shall be subject to approval at the sole discretion of the Department Head or Town Manager. Department Heads shall recommend vacation schedules consistent with operating requirements and, insofar as possible, with employees' requests. Vacation time shall be charged in no less than three and one half hours (3.5), including requests for emergency vacation. Vacation leave cannot be scheduled until successful completion of a six-month probationary period; however; vacation time shall accrue beginning with the first full week of service. When a day of an employee's vacation falls on a paid holiday, the employee shall receive a supplemental paid vacation day.
4. After a regular employee has completed the probationary period, they will be credited with the first year's allocation of vacation time. As of June 30 of each year, employees can carry up to eighty (80) hours of vacation time into the following fiscal year. Upon approval of the Town Manager, an employee may carry forward an additional forty (40) hours of vacation time, subject to requirements by the Town Manager for using the extra forty (40) hours within a pre-

determined time frame.

5. Any employee who leaves the Town's employ for any reason before the end of the fiscal year shall reimburse the Town a prorated share of vacation time used, if the employee has used more vacation time than the portion of the year worked, except that no employee shall be asked to reimburse less than one week's vacation time.

5.6. Full time firefighters shall receive the same number of vacation weeks (5 days) as other employees, with each week consisting of forty two (42) hours.

#### C. SICK LEAVE

1. Full time employees covered by these Personnel Rules and Regulations earn sick leave at the rate of one (1) day for each month of service not to exceed ~~one hundred and twenty (120) days~~ nine hundred and sixty (960) hours. Regular part time employees shall receive a proration of this benefit to be calculated in accordance with the employee's regularly-scheduled work week hour; however, they must work a minimum of twenty (20) hours per week to be eligible.

2. The Town shall comply with the Maine Family Sick Leave Law, 26 M.R.S.A. Sec. 636, with respect to the use of sick time for family members of the employee.

After three (3) consecutive sick leave days, written confirmation from a qualified physician (certifying the illness of an employee to be such as to justify absence from employment) may be required. The cost of any co-pays shall be borne by the Town. The Town Manager, after reviewing the circumstances and recommendation of the Department Head, may waive the necessity of physician certification.

3. Probationary employees may not take sick leave until they complete their probationary period.

4. Employees may submit at the end of May of each fiscal year a written request to be paid for 1/2 of unused sick time for that fiscal year in recognition of the employee's incentive to minimize their absenteeism. If an employee does not request this benefit in writing by the last working day of May, it will be automatically presumed that the employee has elected to accumulate any unused time within the limits allowed.

4.5. Full time firefighters must take sick leave in twelve (12) hour increments, corresponding to their scheduled shift.

#### D. BEREAVEMENT LEAVE

In the event of a death occurring in the family of a permanent employee, that person shall be eligible to take up to five (5) working days off, without the loss of pay, for death of a member of the immediate family, and three (3) consecutive working days off with pay for any other members of the family defined below:

Immediate Family: Spouse, mother, father, son or daughter, or other person permanently residing in the employee's household.

Family Member: Sister, Brother, Mother/Father-in-law, Maternal/Paternal Grandparents of

employee, Maternal/Paternal grandparents of spouse, grandchildren, and stepchildren.

The Town Manager, at his/her discretion, may grant additional leave time under unusual circumstances.

### ARTICLE XIII VEHICLE USE POLICY

#### A. GUIDING CONSIDERATIONS

The Town has a responsibility to provide safe town owned vehicles to those individuals who are required by their job description to perform certain tasks/duties both during normal business hours and after hours as situations and circumstances dictate. These guidelines are meant to provide a workable and acceptable context wherein the employee's use of town-owned vehicles will accommodate the needs of the Town. The intention is to protect a reasonable public interest and not unduly subject the Town to liabilities.

#### B. TAKE HOME PRIVILEGES

Certain employees are considered "on-call" at all hours. Other employees are subject to an "on-call" status, but have specific job requirements that affect which vehicle they use. As such, the following positions are granted take-home privileges:

- Police Chief
- Police Lieutenant
- Police Animal Control Officer (ACO)
- Police K-9 Officer (K9)
- Detective
- Fire Chief
- Deputy Fire Chief/EMS Director
- Public Works Director
- Fire Department Weekend Duty Officer

The ACO and K9 Officers are entitled to bring their police vehicles home each night to allow them to respond to emergency situations without having to return to the Police Station prior to response. "On-Call" pay for these positions only is paid when there is a call. Take home vehicles, except for commuting purposes, are specifically restricted to use within the course and scope of official duties. Any personal use of the vehicle, other than "de minimus" personal use, is prohibited.

The Chief of Police, Lieutenant, Fire Chief and Deputy Chief/EMS Director are authorized to take town vehicles home on a daily basis. As these positions are 'on-call' at all times, the transportation of civilians is allowed when in conjunction with official departmental responsibilities and duties

Weekend Duty Officers would be granted the privilege of using a Town vehicle for the duration of their duty shift.

C. TEMPORARY ASSIGNMENT OF VEHICLES

A Department Head may temporarily assign in writing on-call emergency supervisors/officers/foremen/employees from these departments to keep an assigned town-owned vehicle at their residence during the time that they are temporarily on-call to be used for any town business-related purpose. Vehicles are not to be used while at home for personal use.

# Board of Selectmen Meeting

For the date of: 11/01/18

**Type of Item:**

\_\_\_\_\_ Board or Committee Presentation  
\_\_\_\_\_ Consent Agenda Item  
\_\_\_\_\_ Public Hearing  
 \_\_\_\_\_ Unfinished Business  
\_\_\_\_\_ New Business  
\_\_\_\_\_ Executive Session  
\_\_\_\_\_ Workshop

**Type of Submission:**

\_\_\_\_\_ Regular Submission  
\_\_\_\_\_ Additional Agenda Item  
\_\_\_\_\_ Additional Information

**Agenda Number:** 18-89

(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 any appropriate action on personnel policy regarding MEPERS match.

**Brief Description of Consent or Agenda Item:**

See attached memo.

**Submitted by:** Richard Roedner, Town Manager **Date:** Oct. 22, 2018

## MEMORANDUM

To: Richard Roedner, Town Manager  
From: Derek Scrapchansky, Asst. Town Manager  
Date: October 25, 2018  
Re: Policy update, Maine Employees Retirement System (MPERS)

On Oct 11, 2018, a memo was sent to the Board of Selectmen, informing them of changes to the Participating Local District (PLD) Consolidated Retirement Plan (Plan) and an explanation as to why the Plan's policy was modified. One particular change having an impact to the Town, is the implementation of a payment to MPERS equal to 5% of an employee's earnable income who is currently withdrawing benefits MPERS.

### Background:

This change was implemented in an effort to fully fund the Plan's long-term liability. Approximately 10 years ago, the Plan was funded at 109% of its actuarial liability. Shortly thereafter, due to the economic impact of the recession, the plan was increasingly unfunded when balanced with the actuarial liability. In 2016, the fund was underfunded by about \$200 million or 86% of the total liability. The Executive Board for MPERS evaluated the plan and voted in favor of the change to bring increase the fund level to 100%. With the change effecting all participants in our PLD, each participant has been accounted for in the pooled actuarial liability valuation. For clarification, it is the Town's decision as to how it will be paid (By the employee, Town, or both). The Town's only responsibility is to remit the payment of 5% to MPERS.

### Issue:

Recently, the Town hired an individual who is immediately affected by this change. The town also has two current employees that currently withdraw retirement benefits from the Plan. The change will come into effect on June 30, 2021 for those two employees, when MPERS will collect 5% of their earnable annual compensation.

The change to the Plan will have an impact to the Town, current employees, and future employees with regard to cost, recruiting, retirement options, and collective bargaining. It has emphasized a need to identify options moving forward with respect to recruiting and managing incentives provided to our employees. The following are identified impacts and options to consider as we find measures to mitigate or reduce the impact to this change, understanding that there is a cost to the Town.

Impacts:

1. Cost of 5% fee:

- a. Cost of employee making \$50,000 is \$2500
- b. Cost of employee making \$75,000 is \$3750
- c. Cost of employee making \$100,000 is \$5000

Options:

- 1. Town pays 5%.
- 2. Town/Employee split
- 3. Employee pays 5%
- 4. Town partially withdraws from Plan
- 5. Town fully withdraws from the Plan

Withdrawing from the Plan, whether partially or fully will come at a high cost relative to the 5% charge due to the pooled liability for the PLD. Withdrawal also presents an intangible impact to recruitment of future qualified employees.

2. Recruitment/Retention:

a. Impact:

The Maine State Retirement is a defined benefit program that is a significant tool in recruitment and retention of all employees. To remain competitive with other municipalities, incentives for future employees and/or current employees are extremely important. Currently, Public Safety employees appear to be predominately effected due to their Special Retirement Service Plans. Upon retirement, they are eligible to collect the benefit upon completion of creditable service. Currently, the State of Maine, as well the Warden Service and Municipal Police departments, are experiencing a significant drop in applicants to fill much needed positions. The current trend among municipalities is to rehire retirees in order to fill needed positions. This may have reduced some cost to departments through savings in training and retirement contributions. This may be an effective short term measure, but will eventually create a larger gap and older employee population resulting in greater cost in recruiting talent at a higher rate in the future. Employees (other than Public Safety) who have retired, but not from a Special Service Plan, typically do not collect benefits until the age of 60 or 65 depending upon their employment start date. This population of employees are unlikely to be significantly impacted by this change.

Options:

- a. Do not impose penalty on new employees or current employees collecting from MPERS. Allow employee to participate in ICMA with current Town Contribution.
- b. Defer cost to the employee
  - a. Offset Town contribution to ICMA
  - b. Town does not contribute to ICMAConsideration should be given to impact of recruiting of new employees.

3. Collective Bargaining:

a. Impact:

Any decision effecting future employee benefits may be a change to the current agreements, and will most likely be addressed during collective bargaining.

Summary:

The implementation of a payment to MPERS, equal to 5% of an annual earnable income of an employee who is currently withdrawing benefits from MPERS, has a cost impact. The payment must be remitted to MPERS by the Town. For the next two years, if the current employee status remains the same, the Plan's 5% fee will equate to approximately \$2200/year (\$44K compensation). In July 2021, the 5% fee will include two additional current employees. This equates to approximately \$3750 each (based on \$75K compensation).

2019: \$2200

2020: \$2200

2021: \$9700

It is at the discretion of the Town as to who is responsible for the cost of the 5% fee. The choices and impacts presented above provide consideration when determining the desired path forward. Depending on who is responsible for the cost (Town/Employee) and changes to current benefits, there will be some impact to recruiting, retention, collective bargaining, and potentially other intangibles not identified above.

# Board of Selectmen Meeting

For the date of: 11/01/2018

**Type of Item:**

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**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number:** 18-90

(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 the request to send out a RFP on Elm Street extension.

**Brief Description of Consent or Agenda Item:**

**Submitted by:** John Shattuck, ECD Director

**Date:** 10-19-2018

**MEMORANDUM**

**FRI 2018-10-19**

From: John Shattuck

To: Richard Roedner & Board of Selectmen

Re: Elm Street Extension construction plans RFP – For THU 2018-11-01 Selectmen’s meeting

Attached please find a draft RFP that is supported by the Lower Village Development Committee and has been reviewed and approved by staff, including Rod and Dennis. This RFP seeks construction plans for the restoration of two way traffic on Elm Street Extension.

As requested by the Selectmen, the RFP has been revised to break the project into two phases:

- 1 A survey of the existing right-of-way and a preliminary plan showing the proposed location of the roadway within the ROW.
- 2 The development of construction plans based on the preliminary plan, *only* if that preliminary plan acceptable to the Town.

The text in red highlights these changes, as well as the schedule timeline which will be determined based on when the Selectmen approve the RFP.

Upon the Selectmen’s approval of the RFP, I will initiate a process of outreach to contact residents who live on or near Elm Street Extension.



**REQUEST FOR PROPOSALS:  
CONSTRUCTION DESIGN & PLANS – ELM STREET EXTENSION - TOPSHAM, ME**

**Overview:**

The Town of Topsham is soliciting proposals from qualified firms interested in providing engineering services in order to assist the Town develop road design construction documents for Elm Street extension project. As part of the overall Lower Village Development Planning efforts conducted by the Town and Lower Village Development Committee, the Town seeks to develop design and construction plans to implement the goals and objectives of the committee. The goals of this plan reflect the shared values that have been identified to-date by the various stakeholders, and include:

**Anticipated Scope of Work:**

It is anticipated that this project will include the following submission: Concept, Draft Preliminary Design Report (PDR), Final PDR, Draft Plan Impacts Complete (PIC), Final PIC and then Draft and Final PS&E.

This scope is to be covered in two separate proposals, Phase 1 and Phase 2, as outlined immediately below. Applicants may submit proposals for either or both phases. *The Town intends to utilize Phase 1 to determine feasibility of constructing these improvements within the existing ROW and, therefore, will not make a decision on awarding a contract for Phase 2, until Phase 1 has been reviewed by the Town.*

Phase 1:

- Survey (including research of existing ROW)
- Preliminary feasibility plans of recommended improvements within ROW and intersections, superimposed on orthographic image of the project area.

Phase 2: All other elements of the scope

**Task 1 - Data**

Data collection for the analysis should include the following:

- Survey (including research of existing ROW)
- Geotechnical (if retaining walls are required)
- Environmental Permitting (if wetlands and/or storm water outlets)

- Utility Coordination. This shall follow MaineDOT LPA process.
- ROW mapping (if easements are required – could also get into negotiations/etc.)
- Current turning movement volume data at the triangle intersection during the AM and PM peak periods.

### **Task 1a – Tasks:**

- Conduct a traffic study the documents existing and future traffic volumes; development of a SimTraffic model, summary of level of service and queue conclusions; and suggestions on traffic signal phasing and timing.
- The following general Tasks shall be included:
  - Field investigation of the project area.
  - Collect/review existing data.
  - Develop a Design Criteria memorandum
  - Development of base plans at a scale that meets MaineDOT requirements and is in MicroStation format.
  - Design of roadway and sidewalk including horizontal and vertical design, typical section, curb, drainage (the project shall coordinated with Wright-Pierce culvert design), minimizing ROW, tree, utility, natural resources impacts. Vertical alignment could be difficult to get appropriate grade at intersection while minimizing impacts to abutters.
  - Driveway revisions. Drive at yellow house may need to be shifted quite a bit to the north and could require significant grading to make it work.
  - Historic impact considerations shall be included.
  - Traffic signal modifications at the Main/Elm intersection. This shall include vehicle and pedestrian provisions.
  - PDR to include report, title sheet, typical sections, signal upgrades, horizontal alignment, vertical alignment, drainage layout, working cross sections pavement markings, signage, conceptual estimate
  - PIC to include the above, plus more signal upgrade details, roadway design notes/item schedules, quantity sheets, general notes, special provisions, utility coordination meetings.
  - Final PS&E will respond to town / state comments.
  - Include other status / coordination meetings
  - Provide assistance with bidding process / answering questions during bid process / reviewing bids.

### **Task 2 –Meetings**

Conduct meetings with Town staff, State Agencies, a stakeholder working group, affected property owners, the public, as necessary, to review and discuss project design issues and complete the project in a satisfactory manner. The consultant shall be

responsible for recording the events of these meetings and preparing meeting notes with a summary of action items for distribution. The proposal shall estimate and reflect the number of such meetings.

For the purposes of the cost estimate, the consultant shall assume:

1. Site walk to kick-off the project and review project area and highlight design issues/opportunities;
2. 4 consultant-stakeholder/progress review meetings (field and office);
3. 2 public meetings
  - a. 1 public input meeting
  - b. Presentation

The cost proposal shall also include a fixed cost for 2 types of additional meetings, if needed: 1) consultant staff coordination meetings and 2) public meetings, Planning Board, and/or other town committee meetings.

### **Deliverables**

- Five paper copies and an electronic copy in PDF format of a summary Report that includes a description of recommended improvements associated with all items above, to include segment layout plans of recommended improvements within roadway and intersections, pedestrian mobility plan, landscape. Appendices should include traffic analysis.
- One electronic copy of any AutoCAD/ GIS files

### **Project Budget**

- Anticipated project budget shall not exceed \$50,000

### **Project Schedule**

1. Proposals due –
2. Interviews with selected firms –
3. Anticipated decision date –
4. The selected consultant will be expected to begin work within two weeks of contract signing
5. Completion of all Tasks –

### **Submission Requirements**

Please submit 5 paper copies and one electronic copy of all submission materials. All RFP submissions must include the following information to be considered by the Town of Topsham:

1. Cover letter stating the firm's interest in the RFP and experience working on similar projects for a municipality.
2. Title page listing name of firm and contact information.
3. Table of contents.
4. Company profile(s).
5. Identify personnel that will be assigned to the Town and their qualifications and expertise.
6. Estimate the level of involvement for each staff member assigned to the Town.
7. Hourly rates of personnel responsible for project management and design (including support personnel)
8. A cost estimate based on the estimated level of involvement of each staff member and their respective hourly rate.
9. Administrative costs including mileage, photocopying, etc.
10. Availability of personnel for 1 team kick-off meeting, 2 public meetings with stakeholders in Topsham early in the project timeline, and approximately 6 team update meetings, roughly monthly.
  - a. If there are recommendations or considerations for the public process in general or specific stakeholders or property owners, please note those here, especially if they involve more meetings or contact time on the behalf of the selected consultant.
11. List of references, (preferably one of which is a municipal client).
12. Any other information the firm(s) may wish to submit that demonstrates their ability to provide the highest level of service to the Town of Topsham.

### **Selection Criteria**

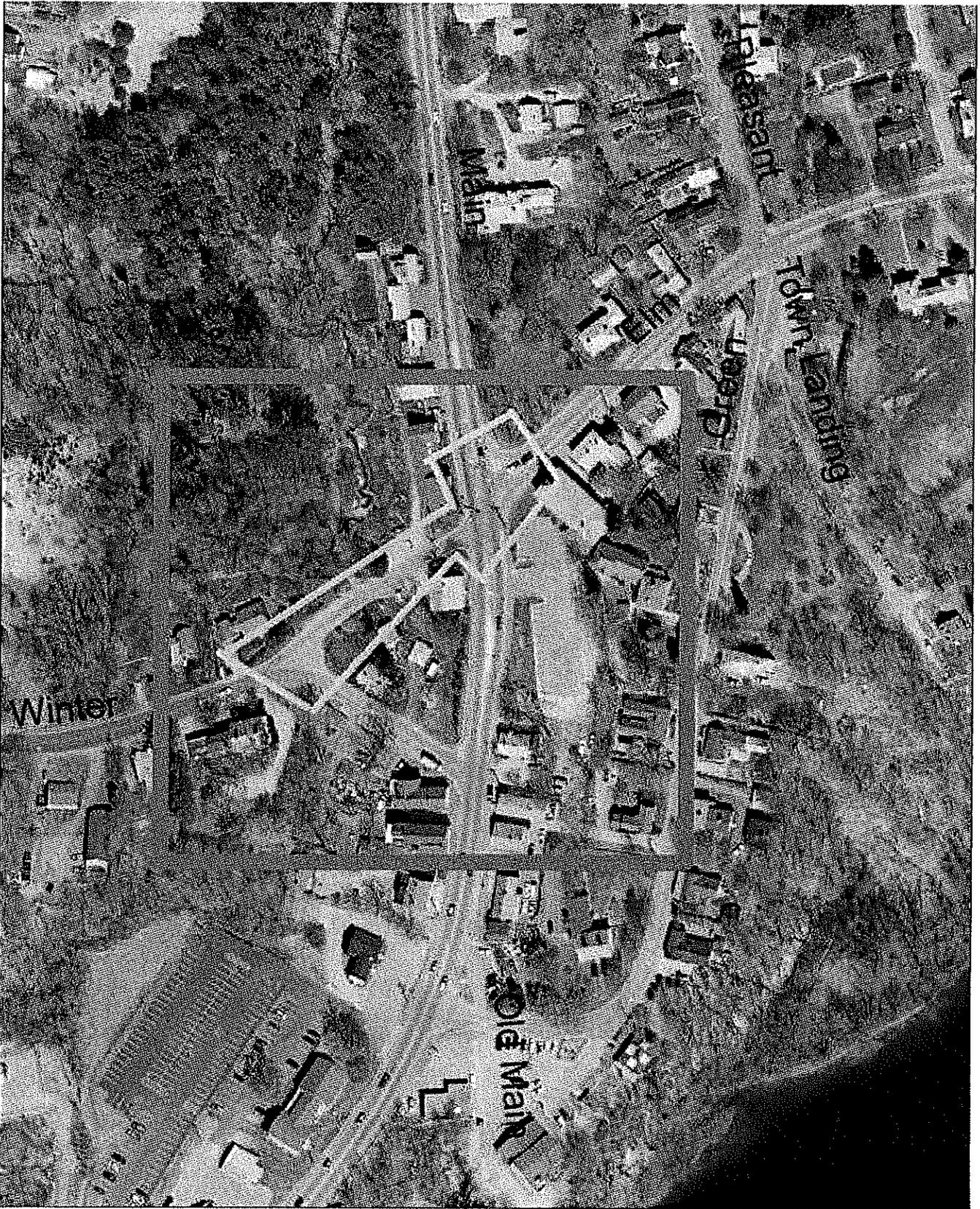
An ad hoc Selection Team will score the applications and select firms for interviews or contract negotiations based on the following criteria. The Selection Team will use the following scoring system as guidance for the selection of firms.

1. Approach to conducting the tasks outlined in the scope of service 30%
2. Amount of experience and performance (e.g., adherence to schedule and budget, quality of design, experience implementing complete streets methods) on similar types of projects. 30%
3. Personnel qualifications and relevant individual experience 20%
4. Proposal price 20%

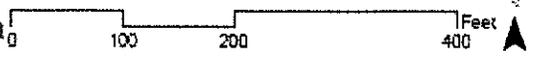
### **Reservation of Rights**

The Town of Topsham reserves the right to reject any and all firms, decline to proceed with selection of any candidates, to request additional qualifications, and to make inquiries as may be necessary to verify qualifications.

Nothing in this document shall require the Town of Topsham to proceed with any of the identified services stated in this request for proposals.



Elm Street Extension - Project area



# Board of Selectmen Meeting

For the date of: 11/01/2018

**Type of Item:**

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

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number:** 18-91

(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 reviewing and discussing draft Board goals for 2019

**Brief Description of Consent or Agenda Item:**

**Submitted by:** Rich Roedner, Town Manager

**Date:** 10-22-2018

## MEMORANDUM

To: Board of Selectmen  
From: Richard Roedner, Town Manager  
Date: October 16, 2018  
Re: Draft list of Board Goals

Last week during our Goals Workshop, the following ideas/comments were made by the those in attendance.

Traffic reports from PD every six months

Provide training for Board & Committee members

Reports from Boards and Committees

Develop Code of Conduct for Board and Committee members

Welcome Packet – revise, update, broaden information provided, maps, directions, contact information, email sign up, solid waste flyer, recreation links, passports, etc. Perhaps more than a tri-fold, nice folder to handout with information inside

Work with Bowdoin for Marketing Class project to help develop welcome packet, internships

Website – include links to local business listings

Elm St. reconstruction project

Expand Coastal Connector to four lanes

Work with DOT on their paving projects ahead of time so we can pay to widen paved shoulders as bike/ped capacity

Stripe neighborhood streets when repaving to narrow travel lanes and provide bike/ped capacity

Work to improve cell phone coverage – dead zones, consistent 4G service

TV slides – review policy on number of slide per entity, better variety of slides, random order

Develop employee interviews to run on Channel 3 – work with Bowdoin to assist in setting up and/or producing interviews

Work with local non-profits to air informational videos (no solicitations, topical videos, not agency videos)

Budget for interns

Organizational Assessment of Town government

Town Government Review Committee

January neighborhood meetings – Grange, Fairground, Library, Highlands, Highland Green, CMHC facility as possible venues

Budget for feasibility on Community Center, Library expansion

Summer day camp?

Local transit (from public comment)

Multi-jurisdictional community center (from public comment)

Lumping things together a bit, it looks like a couple of categories of goals:

- Communication to residents – videos, welcome packet, neighborhood meetings, TV slides
- Traffic/public safety – traffic safety, transit (from the public comment), road striping & shoulders
- Operations – boards/committees conduct, day camp, community center/library exp., Town Gov. Review, Org. Assessment, training, interns
- Infrastructure – Elm St. Extension, Connector expansion, cell coverage

We can schedule another workshop if the Board would like to discuss these further, either now or after the neighborhood meetings.

# Board of Selectmen Meeting

For the date of: 11/01/2018

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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:** 18-92

(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 the appointment of Bryan Bachelder to Weights & Measures.

**Brief Description of Consent or Agenda Item:**

**Submitted by:** Rich Roedner, Town Manager

**Date:** 10-22-2018

# Board of Selectmen Meeting

For the date of: 11/01/2018

**Type of Item:**

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

**Type of Submission:**

- Regular Submission
- Additional Agenda Item
- Additional Information

**Agenda Number:** 18-93

(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 scheduling a Special Board meeting to meet with residents of Thomas Ave neighborhood regarding parking.

**Brief Description of Consent or Agenda Item:**

**Submitted by:** Marie Brilliant, Selectman

**Date:** 10-22-2018