

**6:00PM Interviews for Boards/Committees
7:00PM Board of Selectmen Meeting
Topsham Municipal Building
Donald A. Russell Meeting Room
November 21, 2019**

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 November 7, 2019.

Public Hearing –

Unfinished Business –

Old Business –

New Business –

19-85- Consideration and any appropriate action on approval for the new streetlight at the corner of Horton Place and Monument Place.

19-86- Consideration and any appropriate action to accept low bid for the Main Street Culvert Replacement Project.

19-87- Consideration and any appropriate action to request permission to post a weight limit on a portion of Village Drive.

19-88- Consideration and any appropriate action to accept bids on the Thomas Ave Parking area.

19-89- Consideration and any appropriate action to accept bids on the basketball courts lighting.

19-90- Consideration and any appropriate action on the appointments of openings on Boards/Committees.

19-91- Consideration and any appropriate action on the appointment to the Merrymeeting Board of Directors.

Executive Session-

19-92- Consideration and any appropriate action to enter into Executive Session pursuant to 1 M.R.S.A. § 405 (6) (C) to discuss property negotiations.

19-93- Consideration and any appropriate action to enter into Executive session pursuant to 1 M.R.S.A. § 405 (6) (A) to discuss personnel matters.

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: 11/21/2019

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 11-07-2019.

Brief Description of Consent or Agenda Item: see attached

Submitted by Rich Roedner, Town Manager

Date: 10/22/2019

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
DONALD A. RUSSELL MEETING ROOM
NOVEMBER 7, 2019 – 7:00 P.M

MEMBERS PRESENT: David Douglass
Ruth Lyons
Matt Nixon
Roland Tufts

MEMBER(S) ABSENT: Marie Brilliant

STAFF PRESENT: Town Manager, Richard Roedner; Assistant Town Manager Derek Scrapchansky

A meeting of the Topsham Board of Selectmen was held on Thursday November 7, 2019 in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine.

CALL TO ORDER

Chairman David 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 members were present except for Selectman Brilliant, who had been excused.

TOWN MANAGER'S REPORT

This past Tuesday was Election Day. 22% of Topsham voters showed up to vote. Matt Nixon and Marie Brilliant were the two winners for the Board of Selectmen.

We did have some issues at the Fairgrounds, including some uneven surfaces that resulted in a couple of falls, and non-existent lighting once it got dark. Turns out that during a recent storm these lights were also disabled, but the Fairground and CMP weren't aware of it prior to the elections. But we brought out a fire truck with flood lights for the evening, and we made it through. We are looking at ways to make sure that these types of snafus don't happen in the future. We also reversed the flow within the building, and by and large, it seemed to go much more smoothly than in the past.

This coming Monday, November 11, is Veteran's Day. All own offices will be closed to honor those who have served our country.

Work is being done to repair the soffits on the Town Hall Building. The work is expected to be completed before Christmas.

If you are looking for that special present for Christmas, and you own a dog, you can surprise your pet with its annual registration early this year. Licenses are now available from the Tax and Clerk's office.

BOARD AND COMMITTEE REPORTS AND UPDATES

Update From the Topsham Sewer District.

Topsham Sewer District Board members Mark Ponziani, Dwight Balzer and Chris LeClerc presented a report of various projects under going and completed by the Sewer District. Mr. Ponziani explained where the various systems flow street by street.

Dwight Balzer talked about upcoming projects and Chris LeClerc talked about treatment costs and rates. He said the 50-year contract with Brunswick is coming up for renewal in 2023 and the District is thinking about what should be included in the new contract.

Stu Kay explained the importance of making sure enough maintenance is done to prevent unexpected breakages. Mr. Kay thanked his team and said they make his job the best in the State. Chairman Douglass thanked the team for a thorough report and Selectman Lyons said the Town is lucky to such a team on board.

PUBLIC COMMENT – None noted

CORRESPONDENCE – Selectman Lyons thanked William Thompson for his tenure on the Board and wished him well.

ADJUSTMENTS TO THE AGENDA – None noted

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen's Meeting of September 19, 2019 and October 17, 2019

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

VOTED

To approve the minutes of the regular Selectmen's Meeting of September 19, 2019 and those of October 17, 2019.

PUBLIC HEARING

19-79 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE REVISED GENERAL ASSISTANCE ORDINANCE APPENDICES (A-F AND H)

The Public Hearing was declared open.

The Town Clerk explained that each year the Town is required to adopt a new ordinance with guidelines set by the State for the General Assistance Program. This year includes a \$20 per household increase.

With no one wishing to comment, the Public Hearing was declared closed.

The Board reviewed the submission included in the Board package and motion was made by Chairman Douglass, seconded by Selectman Lyons and it was unanimously

VOTED

To adopt the local General Assistance Ordinance and Yearly Appendices as presented.

UNFINISHED BUSINESS – None noted

OLD BUSINESS – None noted

NEW BUSINESS

19-80 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE REPEAL OF THE SINGLE-USE PLASTIC BAG ORDINANCE FOR THE MAY 2021 TOWN MEETING

Town Manager Roedner explained that there is a new State Ordinance that will become effective in April of 2020 which supersedes all other ordinances. This will be moved to the next Town Meeting, but will actually go into effect before the Town Meeting.

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

VOTED

To move the new ordinance forward.

19-81 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE ELECTION OF CHAIR FOR THE BOARD OF SELECTMEN

Selectman Tufts nominated David Douglass to serve for the coming year as Chairman of the Board of Selectman. There were no further nominations and nominations ceased. Vote was called and David Douglass was unanimously elected to serve as Chairman of the Topsham Board of Selectmen for the coming year.

19-82 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE ELECTION OF VICE-CHAIR FOR THE BOARD OF SELECTMEN

Selectman Lyons nominated Roland Tufts to serve for the coming year as Vice Chairman of the Board of Selectman. There were no further nominations and nominations ceased. Vote was called and Roland Tufts was unanimously elected to serve as Vice Chairman of the Topsham Board of Selectmen for the coming year.

19-83 CONSIDERATION AND ANY APPROPRIATE ACTION ON APPROVING THE RULES OF ORDER AND PROCEDURE FOR THE TOPSHAM BOARD OF MUNICIPAL OFFICERS

Town Manager Roedner said this item is on the agenda more as a formality since each Board is a separate entity. It was noted that the rules or order is the same version as the one adopted in 2014.

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

VOTED

To approve the Rules of Order and Procedure for the Topsham Board of Municipal Officers as presented.

EXECUTIVE SESSION – None noted.

ADJOURN

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

VOTED

To adjourn the meeting at 7:40 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary

Board of Selectmen Meeting

For the date of: 11/21/2019

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: 19-85

(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 approval for a new street light at the corner of Horton Place and Monument Place.

Brief Description of Consent or Agenda Item: Because of the dark area with an intersection, a street light is requested to help pedestrian safety and vehicle travel in the area.

Submitted by: Dennis Cox, Public Works Director

Date: 11-12-2019



TOPSHAM PUBLIC WORKS
100 MAIN STREET / 10 MAINTENANCE WAY
TOPSHAM, ME 04086
207-725-1728 / FAX 207-725-1739



To: Rich Roedner
From: Dennis Cox
Subject: Proposed New Street Light for Monument Place & Horton Place
Date: November 8, 2019

The purpose of this memo is to acknowledge a request for a new street light at the intersection of Monument Place and Horton Place.

I have been asked to review the area of Monument Place & Horton Place and see if it would be possible to install a street light in the area because it is very dark and where there is turning traffic and a pedestrian crossing a light would make this intersection safer.

I have reviewed the area and because there is a utility pole on the northeast corner, a light could be installed. Also, the area is dark and for safety reasons I would recommend the Selectmen approve a street light be installed in this area.

Please feel free to contact me with questions.

Board of Selectmen Meeting

For the date of: 11/21/2019

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- Board or Committee Presentation
- Consent Agenda Item
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- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 19-86

(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 to accept low bid for the Main Street Culvert Replacement Project.

Brief Description of Consent or Agenda Item: The project has been sent out to bid and asking for the Selectmen to award the bid.

Submitted by: Dennis Cox, Public Works Director **Date:** 11-13-2019



TOPSHAM PUBLIC WORKS
100 MAIN STREET / 10 MAINTENANCE WAY
TOPSHAM, ME 04086
207-725-1728 / FAX 207-725-1739



To: Rich Roedner
From: Dennis Cox
Subject: Main Street Culvert Project Bid Results
Date: November 8, 2019

The purpose of this memo is to communicate the results of the bid process for the replacement of the 36" diameter culvert that runs from Elm Street Extension to the Androscoggin River near the Red Mill.

With the assistance of Wright-Pierce, the Town has been out to bid for this culvert replacement project and the results are as follows:

| | |
|-----------------------------------|-----------|
| Crooker Construction | \$523,165 |
| St. Laurent and Sons Construction | \$468,885 |

Both bids qualify and meet the specification. I am recommending St. Laurent, the low bidder.

The original budgeted amount for this project was \$265,000. Having said this, there is a need to come up with additional funding for this project that absolutely needs to be done as soon as possible.

Thoughts on possible options include:

- Additional funding from TIF's
- Wait and budget for additional monies in next year's budget
(May require going back out to bid)
- Additional funding from another alternative account(s)

Please feel free to contact me with questions regarding this projects construction.

November 13, 2019
W-P Project No. 13997A

Mr. Dennis Cox
Public Works Director
10 Maintenance Way
Topsham, ME 04086

Subject: Lower Village Drainage Rehabilitation Project
Recommendation of Award

Dear Mr. Cox,

We have completed our review of the bids that were received on November 6, 2019 for the Lower Village Drainage Rehabilitation Project. This letter represents a summary of our findings.

Two bids were received and reviewed. A tabulation of the bids is attached. St. Laurent & Sons Excavation, Inc. of Lewiston, Maine submitted the low bid at \$468,885.00. The second bidder was approximately 11.5% higher than the low bid. Wright-Pierce has worked with St. Laurent and Sons Excavation on several projects, and based on previous experience, believe they are capable of performing a project of this nature.

As with any contract of this nature the Town should anticipate the possibility of minor changes in the cost of the work associated with change orders and variation in estimated quantities as the project progresses. Based on the above, we are not aware of any reason why this contract should not be awarded to St. Laurent and Sons Excavation, Inc.

Regarding recommended overall construction budget for the project, Wright-Pierce has evaluated St. Laurent's bid and generally agree with the estimated construction costs. Wright-Pierce generally recommends a 5% construction contingency to account for any unforeseen conditions that may arise during construction.

In addition to the construction costs, the Town has requested that Wright Pierce provide construction administration services and provide a Resident Project Representative for the project. Construction administration would include periodic visits to the project site by the Engineer, review of shop drawings and submittals, and review of pay requisites and any change orders if necessary. Construction oversight would include an inspector onsite full-time to ensure construction activities are performed per the construction contract documents. A summary of these costs is included below:

Mr. Dennis Cox

November 13, 2019 November 13, 2019

Page 2 of 2



| Item Description | Recommended Budget |
|---|---------------------------|
| Construction Administration & Resident Inspection | \$57,770 |
| Construction | \$468,885 |
| Construction Contingency (5%) | \$23,345 |
| Total Budget | \$550,000 |

If the Town decides to proceed with the project based on this bid, Wright-Pierce will issue a Notice of Award to St. Laurent and Sons Excavation, Inc.

Sincerely,
WRIGHT-PIERCE

Jaime C. Wallace, PE
Project Engineer

Enclosures: Bid Tabulation
Estimate of Construction Oversight Services

*cc: Dennis Cox – Town of Topsham
Jeff Preble, PE – Wright-Pierce*

TOWN OF TOPSHAM, ME



LOWER VILLAGE DRAINAGE IMPROVEMENTS

BID TAB
13997A
11/6/2019

11 Bowdoin Mill Island Suite 140 Topsham, ME 04086

| PMLPE | | | | BIDDER'S NAME | | | |
|---|--|-------|----------|----------------------|---------------------|--------------------------|---------------------|
| | | | | ST LAURENT & SON INC | | CROOKER CONSTRUCTION LLC | |
| BID QUANTITIES | | | | UNIT AMT | BID | UNIT AMT | BID |
| | Item | Qty. | UNIT | | | | |
| BASE BID | | | | | | | |
| 1 | Mobilization & Demobilization | | Lump Sum | \$8,000.00 | \$8,000.00 | \$9,500.00 | \$9,500.00 |
| 2 | Traffic Control and Regulation | | Lump Sum | \$11,000.00 | \$11,000.00 | \$28,500.00 | \$28,500.00 |
| 3 | Removal & Legal Disposal of Existing 36" CMP Storm Drain | 365 | LF | \$10.00 | \$3,650.00 | \$20.50 | \$7,482.50 |
| 4 | Removal & Legal Disposal of Existing 48" RCP Storm Drain | 35 | LF | \$20.00 | \$700.00 | \$35.50 | \$1,242.50 |
| 5 | Furnish and Install CPE Storm Drain Pipe (42-inch) | 600 | LF | \$285.00 | \$171,000.00 | \$240.00 | \$144,000.00 |
| 6 | Pavement Removal | 6,200 | SF | \$1.00 | \$6,200.00 | \$1.25 | \$7,750.00 |
| 7 | Catch Basins (5-foot Diameter) | 44 | VF | \$800.00 | \$35,200.00 | \$595.00 | \$26,180.00 |
| 8 | Catch Basins (6-foot Diameter) | 16 | VF | \$850.00 | \$13,600.00 | \$870.00 | \$13,920.00 |
| 9 | Drain Manhole (6-foot Diameter) | 30 | VF | \$850.00 | \$25,500.00 | \$720.00 | \$21,600.00 |
| 10 | Aggregate Subbase - Type D | 155 | CY | \$51.00 | \$7,905.00 | \$40.00 | \$6,200.00 |
| 11 | Aggregate Base - Type A | 80 | CY | \$77.00 | \$6,160.00 | \$45.00 | \$3,600.00 |
| 12 | Ledge Excavation | 50 | CY | \$500.00 | \$25,000.00 | \$300.00 | \$15,000.00 |
| 13 | Replacement of Unsuitable Material Above Pipe Bedding and Initial Backfill | 100 | CY | \$40.00 | \$4,000.00 | \$40.00 | \$4,000.00 |
| 14 | Bituminous Pavement - 19 mm Binder Course | 100 | TON | \$225.00 | \$22,500.00 | \$215.00 | \$21,500.00 |
| 15 | Bituminous Pavement - 12.5 mm Surface Course | 80 | TON | \$246.00 | \$19,680.00 | \$220.00 | \$17,600.00 |
| 16 | Lawn & Seed | | Lump Sum | \$4,200.00 | \$4,200.00 | \$12,500.00 | \$12,500.00 |
| 17 | Erosion & Sedimentation Controls | | Lump Sum | \$2,700.00 | \$2,700.00 | \$14,800.00 | \$14,800.00 |
| 18 | Test Pit Excavation and Backfill | 3 | EA | \$830.00 | \$2,490.00 | \$550.00 | \$1,650.00 |
| 19 | Bituminous Curbing Removal/Disposal | 175 | LF | \$3.00 | \$525.00 | \$7.50 | \$1,312.50 |
| 20 | Bituminous Curbing Installation | 175 | LF | \$20.00 | \$3,500.00 | \$11.50 | \$2,012.50 |
| 21 | Pavement Markings | | Lump Sum | \$1,300.00 | \$1,300.00 | \$1,250.00 | \$1,250.00 |
| 22 | Remove/Reset Existing Guardrail | 50 | LF | \$115.00 | \$5,750.00 | \$145.00 | \$7,250.00 |
| 23 | Furnish & Installation of New Guardrail | 35 | LF | \$115.00 | \$4,025.00 | \$180.00 | \$6,300.00 |
| 24 | Site Preparation & Restoration | | Lump Sum | \$31,300.00 | \$31,300.00 | \$93,500.00 | \$93,500.00 |
| 25 | Bypass Pumping | | Lump Sum | \$38,000.00 | \$38,000.00 | \$29,015.00 | \$29,015.00 |
| SUBTOTAL ITEMS 1-25 ABOVE | | | | | \$453,885.00 | | \$497,665.00 |
| BID ALTERNATE | | | | | | | |
| A | ADD Flowable Fill to Abandoned Storm Drain from Sta. 6+14.0' to Sta. 8+29.0' (Sheet C-3) | 100 | CY | \$150.00 | \$15,000.00 | \$255.00 | \$25,500.00 |
| TOTAL BASE BID & BID ALTERNATE A | | | | | \$468,885.00 | | \$523,165.00 |

| Tasks | Discipline | | | | | | Salary Cost |
|---|---------------------|-----------------|------------------|-------------------|------------------------|--------------------------|-----------------|
| | Principal-in-Charge | Project Manager | Project Engineer | Resident Engineer | Engineering Technician | Administrative Assistant | |
| 1 Bidding Services | 0 | 8 | 15 | 0 | 6 | 20 | \$4,690 |
| 2 Construction Administration | 3 | 25 | 70 | | 16 | 35 | \$15,170 |
| 3 Resident Inspection (8 wks @40 + 4 wks @20) | | | | 400 | | | \$40,000 |
| 4 As-Built Drawings | | | 4 | | 20 | 2 | \$2,450 |
| 5 | | | | | | | \$0 |
| 6 | | | | | | | \$0 |
| 7 | | | | | | | \$0 |
| 8 | | | | | | | \$0 |
| 9 | | | | | | | \$0 |
| 10 | | | | | | | \$0 |
| 11 | | | | | | | \$0 |
| Estimated Labor Totals | | | | | | | \$62,310 |
| Estimated Expenses: Travel | | | | | | | |
| Field Supplies | | | | | | | \$100 |
| Printing, phone, misc. | | | | | | | \$60 |
| Total Estimated Engineering Fee | | | | | | | \$150 |
| | | | | | | | \$62,620 |

Board of Selectmen Meeting

For the date of: 11/21/2019

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: 19-87

(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 to request permission to post a weight limit on a portion of Village Drive.

Brief Description of Consent or Agenda Item: Highland Greens asked for a restriction of construction vehicles beyond Audubon Way on Village Drive

Submitted by: Dennis Cox, Public Works Director

Date: 11-13-2019



TOPSHAM PUBLIC WORKS
100 MAIN STREET / 10 MAINTENANCE WAY
TOPSHAM, ME 04086
207-725-1728 / FAX 207-725-1739



To: Rich Roedner
From: Dennis Cox
Subject: Request to Post Village Drive
Date: November 13, 2019

The purpose of this memo is to follow through with a request by the Highlands Greens to install speed bumps on Village Drive just north of Audubon Way. After thinking through the request I am asking permission to "Post" the road with a weight limit as an alternative.

I was asked by Tim Goss of Highland Greens, if they could install speed bumps on Village Drive just beyond (north) of the Audubon Way intersection to encourage construction equipment and construction trucks to use Audubon Way instead of Village Drive because of the noise and traffic complaints from residents. Audubon Way is the preferred route into the area of the Highlands where most of the construction is still going on. This section of Village Drive is a Town road. During his request, I explained that I was not in favor of speed bumps especially this time of year with snow plowing and that it would be the Select Board that would have to approve their request. Mr. Goss further explained that residents not only wanted them on Village Drive, but on a couple of other streets internal to their village and he too understood my concern with plowing and he would remove them before winter set in.

I thought about this request and feel that a better solution might be to "Post" Village Drive with a weight limit, similar to what the Town does with other roads in the Spring to protect the road from being damaged by these vehicles. These heavy construction vehicles can still access the construction site in the Highland Greens, using Audubon Way and Tim assured me that this road would be maintained so they could. Just to further explain our "Road Posting Procedure", if a delivery truck or moving truck did need access, there is a permit system in place to allow exceptions.

Please contact me with any questions you may have.

I have included a copy of the Weight Restriction Rules in Chapter 210 of our Codes Book and a copy of our permit to operate on a posted way.

*Town of Topsham, ME
Thursday, November 14, 2019*

Chapter 210. Vehicles and Traffic

Article IX. Weight Restrictions

[Added 1-19-2006]

§ 210-62. Closing roads to travel of certain trucks; exemptions; permits.

- A. No vehicles registered for a gross weight in excess of 23,000 pounds, except exempt vehicles as provided for below, shall be operated on the roads and streets of the Town after a road or street has been closed to heavy vehicles during any period of time from November 15 to June 1. The Road Commissioner will submit to the Board of Selectmen a list of roads recommended for closing to heavy weights. The list will be posted for public notice at least seven days in advance of a public meeting where the Selectmen will act to accept, amend or reject the list submitted by the Road Commissioner. The Selectmen may also authorize roads to be closed by the Road Commissioner on an emergency basis. Such emergency closing will be limited to no more than the minimum time needed for the next soonest regular Selectmen's meeting. The Selectmen may identify roads that will not be subject to closing to heavy weights unless subsequently approved by the Board for such closing. Any change in placing a road to be closed for heavy weights will be noticed in the same manner as the original meeting.
- B. Notice of closing of a road or street to heavy vehicles shall be given by erecting at each end of the closed road or street a poster indicating the following:
- (1) The date of the posting;
 - (2) A description of the street or road closed;
 - (3) The name, business address and telephone number of the Road Commissioner for the Town.
- C. The following vehicles are exempt from this section:
- (1) Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.
 - (2) Any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and traveling without a load other than tools or equipment necessary for the proper operation of the vehicle. It shall be a defense to alleged violation of this subsection if the combined actual weights of any vehicle or

combination of vehicles are registered for a gross weight in excess of 23,000 pounds and its load is in fact less than 23,000 pounds.

- (3) Any vehicle of the Topsham Water District or Brunswick Sewer District while engaged in emergency maintenance.
 - (4) Town of Topsham vehicles.
 - (5) When operating a vehicle under an exemption certificate carrying a partial load with a weight equal to or less than indicated on the exemption certificate, the vehicle operator shall have in the vehicle delivery slips or bills of lading documenting the entire amount or weight of the commodities being transported. The vehicle operator shall present the delivery slips, bills of lading and exemption certificate to any law enforcement officer upon any vehicle delivering home heating fuel and operating in accordance with a permit issued by the Department of Transportation pursuant to this section may travel over any county or Town way without a specific municipal or county permit request.
 - (6) Any vehicle delivering any home heating fuel milk, feed, groceries and trash and operating in accordance with a permit issued by the Department of Transportation pursuant to this section may travel over any county or Town way without a specific municipal or county permit.
- D. Any vehicle operating without a Town permit shall proceed to the nearest operating public scale when directed by a law enforcement officer for weighing. Failure to proceed as directed shall be a violation of 29 M.R.S.A. § 1805 and this section. Any and all costs associated with this subsection will be the responsibility of the owner/operator of the vehicle being weighed.
- E. The Board of Selectmen may develop a permit system for which permits will be issued for travel on posted roads when deemed suited for travel for vehicles over 23,000 pounds. This system shall be established and described at the time of the meeting to identify those roads to be posted as described in Subsection **A** above.
- F. The Board of Selectmen may authorize the Road Commissioner to revoke the exemption certificate of any vehicle found to be operating with axle or gross weights in excess of those shown on the permit.
- G. Upon approval by the Board of Selectmen, submission of a bond for damages may be accepted to allow for vehicles owned by or operated on behalf of the bond holder to travel over roads posted for weight restrictions.

PERMIT TO OPERATE ON A POSTED WAY

(For Office Use Only)

Application No. _____
2019

Your application to operate on a Town of Topsham posted road has been approved as follows:

Applicant:

Address:

Telephone:

FAX:

Type Vehicle:

Destination of Vehicle:

Name of Posted Way(s):

Est. Total No. of Trips:

Date(s) for Permit:

The above request is hereby approved subject to the following conditions:

1. There has been no rain for at least 24 hours prior to the hauling time.
2. Delivery takes place first thing in the morning and all loaded trucks are off the posted road by 9 am. (unless the road remains solidly frozen, which means the air temperature stays less than 32°F **and** no water is showing in the cracks of the road - both conditions must be met).
3. Air temperature in the night time hours before the haul date is below 32°F for 5 hours.
4. Trucks operate at reduced speed over posted road (10 MPH below speed limit).
5. If the weather is not appropriate on the proposed haul date the hauling must not take place.

Regardless of this permit, any user of a posted town road who damages the roadway is responsible for the full cost to repair the damage as determined by the Public Works Director.

Date:

Dennis Cox, Public Works Director/Road Commissioner
cc: Chris Lewis, Police Chief

Board of Selectmen Meeting

For the date of: 11/21/2019

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Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 19-88

(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 and any appropriate action to accept bids on the Thomas Ave Parking area .

Brief Description of Consent or Agenda Item:

Submitted by: Pam LeDuc, Parks and Recreation Director **Date:** 11-12-2019

TO: BOARD OF SELECTMEN

FROM: PAM LEDUC, DIRECTOR PARKS AND RECREATION

SUBJECT: THOMAS AVENUE PARKING LOT BIDS

CC: RICH ROEDNER, TOWN MANAGER

Attached is a memo dated July 26, 2018, it identifies the original recommendations for the bid acceptance. It should be noted that at that time, the cost prevented us from building the full parking lot.

In August, the town received notice of an appeal by a group of local neighborhood residents. Because of the appeal, we placed the bid recommendation on hold until the appeal process was dealt with. At the Board of Appeal Hearing we were notified that one of the 7 standards of Conditional Use was not met, proof of access to the site.

At Town Meeting this May, by recommendation of our Attorney, Mary Costigan the Town voted to accept the paper street that gave access to Hillside Field, and the area we planned on building the Parking Lot.

In October, Mary Costigan represented the Town and we resubmitted our application for approval based on the acceptance of the paper street at Town Meeting. Following recommendation of their Lawyer, Richard Hornbeck, the Planning Board again approved the application to build the parking lot finding that we had met all 7 standards.

Since that time, I have met with the low bidder of the process in July of 2018, Mac Hunter. Mac has agreed to meet the price of the bid at that time. I should note that at Town Meeting May 2019, the town approved the Capital expenditure of \$65,000 for facility improvements. During Town Meeting we were clear that these funds would be used to create accessibility to the Hillside Field. Therefore, I am asking for your acceptance of the bid submitted in July 2018 in the amount of \$62,579.00.

In addition, I would note that we plan to return once this improvement has taken place, to request use of some of the funds from the original Tree Harvest in Spring of 2018 to improve landscaping, fencing, and work on an updated Forestry Plan for the area, as these were agreements that were discussed at the Planning Board level.



**Topsham Parks and
Recreation Department**

Memo

To: Board of Selectmen
From: Pam LeDuc, Director of Parks and Recreation
cc: Rich Roedner, Town Manager
Date: 7/26/18
Re: Bids for Thomas Avenue Parking Lot

At the time of the closing of the Bids on July 25th we received 2 bids;

Scott Frazier – for \$82,500.

Hunter Excavating – for \$62,579.

The design specs which were created by our Town Engineer, Tom Saucier, asked for 18" of gravel, and 39 parking spaces. Once we reviewed the bids, and saw that we were well out of the anticipated costs, we met with Hunter Excavating, the lower bidder on Thursday, July 26.

We discussed;

- Possibly lowering the gravel base to inches.
- Reducing the size of the parking lot to 20 spaces with 2 designated as handicap.
- We also agreed to disposal of the stumps at the solid waste facility.

Mr. Hunter adjusted his price to:

In lieu of the costs for the Parking Lot, I'd like to ask the Select board to accept his adjusted price, and authorize the use of the remaining funds from the Hillside Harvest (\$13,000) and to use addition money from our Whittier Trust Fund in the amount of .

The harvest that occurred this winter, was anticipated to happen on our actual fields, when SAPPI felt that would cause too much possible damage, and that the backstop would need to be removed in order to bring logging trucks into the area, they asked to create the area we are now looking to use. Please keep in mind that we anticipate the return of harvesting in 3-5 years once growth occurs, and additional harvesting of dead trees is required.

I do feel this parking lot is crucial to the safety of families that use our Hillside Field, which will see additional use with Topsham Youth Soccer League Teams playing on it. We also plan to cut out the infield of the baseball field for use with our younger divisions, in the year to come.

Board of Selectmen Meeting

For the date of: 11/21/2019

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: 19-89

(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 and any appropriate action to accept bids on the basketball courts lighting.

Brief Description of Consent or Agenda Item:

Submitted by: Pam LeDuc, Parks and Recreation Director **Date:** 11-12-2019

TO: BOARD OF SELECTMEN

FROM: PAM LEDUC, DIRECTOR PARKS AND RECREATION

SUBJECT: LIGHTING CONTRACT BID

CC: RICH ROEDNER, TOWN MANAGER

In October the Parks and Recreation Department went out to bid for a Best Value Proposal to replace the lighting at the Outdoor Basketball Courts and the mini rink.

On Monday, I received notification from Enterprise Electric that they were unable to make the bid deadline because of their current work load. On Tuesday, we received a bid from Favreau Electric for \$29,258. They also noted that to upgrade the Specifications to LED that it would be an additional cost of \$7,335.00.

It is my recommendation that we accept Favreau Electric's bid for \$29,258. . This project needs to be completed, the current poles have no power to them from vandalism, and this summer we received a number of concerns regarding their replacement. We currently have approximately \$27,000 with interest in this Capital account.





OPINION OF PROBABLE COST

PO Box 598 ▪ 37 Jordan Avenue
Brunswick, Maine ▪ 04011 (207)725-2005

TO: Town of Topsham
Parks and Recreation
100 Main Street
Topsham Maine
04086

DATE: November 12 2019

PHONE: 207.725.1726

ATTN: Pam LeDuc

FAX: 207.725.1732

EMAIL: pleduc@topshammaine.com

RE: Topsham / Basketball Courts

JOB DESCRIPTION: Per Specifications

- Furnish and install one pole with guy and anchor for the new service that meets lighting manufacturers standards.
- Furnish and install one 100-amp service with breaker panel and controls.
- Furnish and install one heavy duty metal, hinged cover, weatherproof and vandal proof enclosure.
- Furnish and install two GFCI receptacles in enclosure.
- Furnish and install one timer with battery backup and lighting control relay in the enclosure.
- Furnish and install three 30-foot wooden poles around the basketball court, and two wooden poles for the ice rink.
- Furnish and install one Spun Parabolic Floodlight with 1,000-watt clear BT-56 Clear Metal Halide Lamp on each pole.
- Furnish and install one underground conduit and wiring from the service panel to the pole lights.
- Furnish and install three circuits for the pole lights.
- *All Digging and trench work will be completed by the Topsham Public Works Department.
- *Utility Charges are EXCLUDED
- *Utility scheduling are EXCLUDED

| | |
|------------------------------|-------------|
| Option of Probable Cost..... | \$29,258.00 |
| LED upgrade option..... | \$ 7,335.00 |

LIST OF EXCLUSIONS: Any accelerated construction costs. Cutting, patching, painting, paving, trenching, road crossings permits, backfilling, ledge removal, hazardous waste disposal, demo disposal, concrete work and light pole bases, concrete transformer pad, electric transformer, seismic restraints, lightning protection, exterior sign power circuits, coordination drawings, CMP and other utility fees, independent agency testing, sound system, closed circuit TV, security system, dimming system, stamped electrical plans and specs., sales tax, electrical bond cost, any special Federal or State wage scales.

ALL WORK IS TO BE PERFORMED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE

TOTAL ESTIMATED AMOUNT: -see above-
ESTIMATED BY: Paul Gordon

NOTICE TO THE CUSTOMER

This estimate is for completing the job as described above. It is based on our evaluation and does not include material price increases or additional labor and materials that may be required should unforeseen problems or adverse weather conditions arise after the work has started. Should there be any change in the job or in the materials, we reserve the right to amend the estimate. Additionally, it is the responsibility of the Owner to provide Favreau Electric with adequate on-site space for storage, office trailers, and parking. This estimate is based upon our being paid in full within thirty days of the date you are billed. If you do not pay us within said thirty day period, you agree, by accepting the estimate and signing this agreement, to pay late charges in the amount of 1 1/2% per month (18% per annum) on the amount due us. Make sure you read and understand this agreement before you sign it.

ACCEPTANCE SIGNATURE

RETURN ONE COPY TO FAVREAU ELECTRIC, INC.

DATE

Board of Selectmen Meeting

For the date of: 11/21/2019

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: 19-90

(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 appointments to the following Boards/Committees:

Brian Bickford – Topsham Planning Board
Monica Kincaid- Topsham Housing Authority
Nancy Ban- Topsham Development, Inc

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 10/21/2019

Board of Selectmen Meeting

For the date of: 11/21/2019

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: 19-9.1

(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: Consideration and any appropriate action on an appointment to the Merrymeeting Board of Directors.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager **Date:** 11-13-2019

Board of Selectmen Meeting

For the date of: 11/21/2019

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: 19-92

(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 to enter into Executive Session pursuant to 1 M.R.S.A. § 405 (6) (C) to discuss property negotiations.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 11-12-2019

Board of Selectmen Meeting

For the date of: 11/21/2019

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: 19-93

(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 to enter into Executive Session pursuant to 1 M.R.S.A. § 405 (6) (A) to discuss personnel matters.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 11-13-2019