

# TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: February 13, 2024

Time: 6:30 pm

## I. Call Meeting to Order and Establish a Quorum

The meeting was called to order and a quorum was established by Select Board Chair, Joanne Joy, at 6:30 p.m. Select Board members participating were Joanne Joy, Deb Smith, Mark Favreau, Allen Acker, Peter Feeney (remotely) and Nicole Briand, Town Manager.

## II. Amendments to the Agenda

A. MSAD 75 Budget Meeting

## III. Comments from the Public - None

## IV. Approval of Consent Calendar

A. Meeting Minutes

1. January 23, 2024

B. Warrants & Financial Reports

1. Treasurer's Warrant #15

2. January 2024 Financial Reports

C. Reports and Communications

1. Sagadahoc Sheriff's January Report

**Acker moved the Board approve the Consent Calendar, as presented; seconded by Smith. Vote was 5-0.**

## V. Licensing

A. Marijuana Business License for Caregiver Retail Store

Applicant: Loud and Local

Property: 50 Birchwood Ln (Map R02, Lot 052)

There is an approved Site Plan Review permit from the Planning Board for the property. This business will have to adhere to that permit and the conditions. The Select Board reviewed the application for completeness. The application was found complete, a public hearing needs to be scheduled for the application.

**Acker moved the Board find Loud and Local's application for a Marijuana Business License complete; seconded by Favreau. Vote was 5-0.**

**Acker moved the Board schedule a public hearing for Loud and Local's application for a Marijuana Business License on February 27, 2024; seconded by Favreau. Vote was 5-0.**

## VI. Action Items

### A. Act on March 5, 2024, Election Clerk Appointment

Tina Magno, Town Clerk requested that the Board appoint the election clerks for the March 5<sup>th</sup> election.

**Acker moved the Board approve the Certificate of Appointment for the March 5, 2024 Election Clerks, as presented; seconded by Favreau. Vote was 5-0.**

### B. Act on March 5, 2024, Warden and Deputy Registrar Appointments

Tina Magno, Town Clerk requested the Board approve the appointment of Rachelle Tome as Warden and Linda Williams as the Deputy Registrar for Elections to be held on Tuesday, March 5, 2024.

**Acker moved the Board approve Tina Magno, Town Clerk to appoint Rachelle Tome as Warden and Linda Williams as Deputy Registrar for the Election to be held on Tuesday, March 5, 2024; seconded by Favreau. Vote was 5-0.**

### C. Act on MDOT Planning Study Grant

Our MDOT Village Partnership Initiative Planning Study Grant application for \$25,000 to design a permanent solution to safely move pedestrians across River Road at the Main Street intersection, as well as between the two waterfront parks. The Town's \$25,000 match is planned from the CMP TIF.

**Smith moved the Board accept the MDOT VPI Planning Study Grant and authorize the Town Manager to sign the grant contract; seconded by Favreau. Vote was 5-0.**

### D. Act on MDOT Bicycle/Pedestrian Program Grant

Our MDOT Bicycle/Pedestrian Program Grant has been approved for a sidewalk on Main Street, from Center St to Post Road. The design and right-of-way phase is budgeted for MDOT's 2024-26 work plan in the amount of \$192,800. The grant is an 80/20% split, with MDOT paying \$154,240 and the Town's match (from CMP TIF) being \$38,560.

**Acker moved the Board accept the MDOT Bicycle/Pedestrian Program Grant and authorize the Town Manager to sign the grant contract; seconded by Favreau. Vote was 5-0.**

### E. Act on Town Office Reserve Request

Last year we budgeted \$25,000 to the reserve for improvements to the Town Office with the major consideration being the chimney repair. We are requesting up to \$20,000 from the reserve to complete the following:

- Chimney Repair– This work will include inserting a flex pipe liner to the furnace and rebuilding the chimney to a reduced size of 16in by 20in.
  - Estimate - \$5,000
  - Lift - \$2,000
  - Contingency - \$3,000
- Bat Removal - \$3,500
- Tree Removal - \$1,500
- Additional Lighting – We would like to have additional lighting installed in and adjacent to our stairway between the 1<sup>st</sup> and 2<sup>nd</sup> floor and entryways.
  - Affinity Estimate - \$1,000 for 5 lights

- o Electrical Work - \$4,000 – estimate pending.

**Smith moved the Board approve up to \$20,000 from the Town Office/Town Hall Reserve for the chimney repair, bat removal services, additional lighting, and tree removal; seconded by Favreau. Vote was 5-0.**

**F. Act on Health Insurance Renewal**

Briand presented the Board with health insurance comparisons for Town employees. She explained that the current Harvard Pilgram program was increasing but she felt it was still the best option for the employees who participate in the program. The renewal date is March 1.

Joy asked how other towns split cost of insurance with employees and find out how employees would feel to pay 10% to have a better policy. Asked Briand if that was something they could look into for next year. She also asked Briand to confirm that there wasn't enough time to research and switch to another plan before renewal on March 1. Briand said no but they could research it for next year.

Acker wanted to know why they were given comparisons if they couldn't pick an insurance plan? Briand stated that it was for a cost comparison and in the past the Board was not interested in changing providers, but she could research it and present the Board with options next year, she reiterated that the renewal is March 1 and there really wasn't time to change providers this year.

Acker insisted that they should switch to Maine Municipal Employee Health because it appeared to be better coverage even though it would cost more. He felt the increase in cost would give the enrolled better coverage. Feeny agreed. Allen then motioned.

**Acker moved the Board switch to Maine Municipal Employees Health Trust Plan for calendar year 2024; seconded by Smith.**

The Board continued discussion. Joy said it would be a challenge to switch before the renewal date. She reminded them that they were trying to keep the budget flat, and this would be an increase in cost. Joy asked her to find out what would be involved in switching providers in only 2 weeks.

Allen amended his motion if Briand was not able to switch the health insurance provider by March 1.

**Acker moved the Board switch to Maine Municipal Employees Health Trust Plan for calendar year 2024, if the Town Manager is not able to sign up for Maine Municipal Employees Health PO1500 then the Board directs the Town Manager to renew the Harvard Pilgram policy; seconded by Favreau. The vote was 5-0.**

**G. Act on Foreclosure Waivers**

As of February 8, 2023, we have 13 properties that will be foreclosed on for unpaid taxes on February 26, 2024. These FY2022 property taxes were originally due November 1, 2021 and May 1, 2022.

**Acker moved the Board to authorize the Treasurer, pursuant to 36 M.R.S. § 944 and Town Meeting Warrant Article #35, to waive the automatic foreclosure of tax liens for Accounts 884, 392, 518, 264, 1820, 394, 1804, 263, and 327, to authorize the Treasurer to record waiver of**

foreclosure notices for said properties in the registry of deeds prior to the expiration of the right of redemption; seconded by Smith. Vote was 5-0.

## VII. Discussion Items

### A. Solid Waste & Recycling FY24 Contracts

Below are four proposals for municipal solid waste and recycling disposal that were received, and the Board discussed.

Municipal Solid Waste –

- Casella - \$123/ton
  - Requires hauling to West Bath.
- Mid-Maine Waste Action Corporation - \$91/ton for 1<sup>st</sup> year of 3-year contract or \$87/ton for 1<sup>st</sup> year of 5-year contract. Following years increase by 2 to 4%.
  - Requires hauling to Auburn.
- We currently have a one-year contract for FY25 with Plummer & Son for picking up and hauling municipal solid waste.

Recycling –

- Casella – Fee varies based on Average Commodity Revenue formula.
  - From 1/2023 to 1/2024 the rate we paid varied from \$149.20 to \$172.20, with most months being in the \$160s.
  - Plus \$428.19/haul. With the new compacting dumpster, we are estimating 12 hauls per year.
- EcoMaine - \$120/ton.
  - They do not haul. We would need to purchase a used truck in order to haul our dumpster. We believe we could find a used truck for \$50,000 or less. There may be a possibility of working with or hauling for other area municipalities.

While Casella has a higher per ton cost, to move away from them we would need to address transportation for our recycling for FY25 and possibility our solid waste as well, after FY25.

Bryan Benson joined the Board to answer questions. He said for the Town to haul recycling they would need a roll off truck capable of hauling a 30-ton dumpster. The truck could be used to haul cardboard and other stuff also.

### B. Solid Waste & Recycling Transfer Facility License

The Board discussed applying for a Transfer Facility License from the State of Maine. The Town would have to construct a second gated entrance. Obtaining our transfer facility license would allow the Town to collect bulky waste, household hazardous waste, tires, white goods (such as freezers, refrigerators, air conditioning units) and brush and food waste for composting.

Benson told the Board the estimated cost is \$12, 300 to create the second entrance not including the gate. Favreau suggested that some of the work may be able to be done by Public Works thus reducing the cost.

Feeney, Smith & Favreau were in favor of moving toward a transfer station. Joy said she was in favor of finding out more information on the project. Acker was opposed, especially since they have no idea how many people would even use recycling facility now or would use it as a transfer station.

Briand explained the difficulty they had trying to figure out how many homes used the program. She suggested moving to an annual window sticker, then they would have a better idea of how many people use the program. Acker was opposed, he suggested RF scanner. Recycling employees could scan the window decal on cars, then they would know how many were using the program and eliminate how often.

Tobey Frizzle Public Works expressed his frustration with trash left in ditches, such as tires and that he felt a transfer station would help reduce that problem.

Joy said that they were in support of finding out more information, that staff will work on putting together a draft plan and application.

Acker said that it should be put on the Town warrant this June to find out if the town is interested in a transfer station.

#### C. Committee Meetings

The Board discussed the issue of recording meetings. Currently the only meetings recorded and placed on Town Hall Streams are board meetings. Select Board, Planning Board and Board of Appeals. Some committees record their meetings for minute taking as well as special interest meetings. The State does not require meetings to be recorded but if they are recorded, they must be kept for 5 years.

Acker expressed his desire to see all committee and board meetings recorded, especially public hearings. He was disappointed that the Solid Waste Committee public hearing was not recorded. Briand explained that the Solid Waste Committee does record their meetings but on that meeting because of weather was helped via Zoom and not in the Town Office's meeting room. The meetings are recorded in the cloud, she set them up on the meeting and left it, when she left it closed the cloud recording.

Briand went on to explain that recording all meetings runs into data storage issues. They would have to increase the backup storage as well as add drives to the server, this would be an added expense.

Favreau added that sometimes meetings are held at locations that do not have recording capabilities. Using a public hearing that will be held in the school gym.

Joy suggested they continue as they have been and add public hearings when held where they can be recorded. Briand said they would also record special interest meetings.

#### D. Fire Station Cell Tower Proposal

Representatives from TowerCo gave a presentation of the tower they would like to install at the Fire Station. They are partnered with Verizon who was looking to have the tower to resolve service issues and dead zones in the area. This would be a 120 ft mono pole. They will need a 70 x 70 ft fenced area at the base. They would pay the Town rent of \$1475 a month with a 1.5% annual increase. The Town would then get \$300 a month for any additional carriers that add to the pole. The Town additionally would get 1 RAD center for emergency service providers at no charge.

TowerCo is responsible for building, maintaining and at the end of life decommissioning the tower. Ideally it is a 35-year commitment, with the lease renewing every 5 years. There will not be any lighting on the tower and TowerCo will landscape around the fenced area at the base.

E. **M.S.A.D. 75 March 6, 2024, Finance Committee Meeting**

The Finance Committee of the MSAD 75 Board of Directors is working on the FY 2025 budget and has invited members of the Select Boards and Town Managers among the district to join them on March 6, 2024, to hear an overview of the purposed budget and to give them feedback. They need advance confirmation of how many will be attending.

**VIII. Town Manager's Report**

The Town Office will be closed on:

- February 19<sup>th</sup> for Presidents Day -
  - We will also be doing cabling for our new phone system.
- February 20<sup>th</sup> to complete cabling for new phone system.
- March 8<sup>th</sup> for the installation of our new phone system and TRIO Web software.

Roads have been posted for the 2024 Season.

We received \$153,689 of our \$274,444.64 reimbursement from the State for their Property Tax Stabilization program. Under 36 M.R.S. § 6281(5), the State may reimburse municipalities for up to 100% of the tax loss attributable to taxpayers' participation in the Property Tax Stabilization Program. The 131st Legislature appropriated \$15,000,000 in FY24 (PL23, c.17) for purposes of funding those reimbursements. To date, municipalities have submitted reimbursement claims totaling approximately \$26,500,000. Due to the shortfall in funding, Maine Revenue Services is in the process of issuing partial payments to each municipality that submitted a claim for reimbursement, and they will initially receive 56% of the amount requested. To cover the shortfall, Maine Revenue Services is requesting an additional \$15,000,000 in the supplemental budget bill, with the expectation that, once approved by the Legislature, the balance of the reimbursement payments would be made later this spring.

There's a presidential primary election scheduled for March 5, 2024, at the Bowdoinham Community School. Absentee voting started on February 5<sup>th</sup> and ends on February 29<sup>th</sup> unless voters qualify for a special circumstance.

Updates:

- We're currently advertising for:
  - The harbor master position.
  - We've hired a full-time public works employee.
- We are moving our website to a new host; the new cost will be \$150/month. Other hosting options for our Drupal site are \$12,000/year or overseas. We have been with another site until now, unfortunately we now need to move our site in March.
- Our 2023 Audit has been completed and the auditor will be attending the Board's February 27<sup>th</sup> meeting.

**IX. Announce Future Select Board Meetings**

- A. February 27, 2024 - Regular Meeting
- B. March 12, 2024 -Regular Meeting
- C. March 26, 2024 - Regular Meeting

X. **Select Board Member's Request for Agenda Items for Next Meeting**

Joy said she had been contacted by Tedford House. It is too late this year for the budget but would like to schedule a time in the future to do an outreach and discuss possible yearly donations to Tedford House.

Feeney stated that a question was posed to the Board on what you were willing to cut from the budget. He would like to hire a consultant familiar with municipalities to do an audit of the Town's infrastructure and do an efficiency assessment. To see where things can be cut to lower costs. But he does not want to cut services to the town people.

XI. **Comments from the Select Board**

There were no comments from the Select Board members but a member of the public who had attended the meeting asked permission of the chair to speak. Joy acknowledged him to continue.

Paul Dennis expressed his discouragement with the meeting. He stated that Tobey from Public Works was cut off by a select board member and not allowed to finish his thoughts, this happened several times during the meeting. Mr. Dennis said he felt it was vitally important to let people finish what they had to say without being cut off. He went on to say that kind of behavior discourages future conversation.

Joy thanked him for addressing the problem and said as a Board they needed to work on correcting that.

XII. **Executive Session**

A. Convene in Executive Session Pursuant to 1 M.R.S. §405 (6) (A) to discuss Town Manager contract.

Convened 9:06 pm. Adjourned 9:49 pm

**Acker moved the Board enter Executive Session Pursuant to 1 M.R.S. §405 (6) (A) to discuss Town Manager contract; seconded by Favreau. Vote was 5-0.**

**Acker moved the Board leave executive session; seconded by Favreau. Vote was 5-0**

**Smith moved the Board approve an increase of \$10,000 for the Town Manager's salary for for FY2025 budget; seconded by Favreau. Vote was 5-0.**

XIII. **Adjourn**

Adjournment was at 9:51 p.m.

Select Board  
Town of Bowdoinham, Maine

  
Joanne Joy, Chair

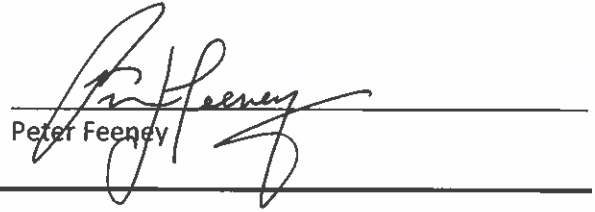
  
Debra Smith, Vice-Chair



Mark Favreau



Allen Acker



Peter Feeney

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Respectfully Submitted,



Lisa Marie Curtis, Administrative Assistant