

# TOWN OF BOWDOINHAM

## SELECT BOARD MEETING

### MINUTES



Date: February 14, 2023

Time: 7:30 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, Peter Lewis, at 7:30 p.m. Select Board members participating were Peter Lewis, Mark Favreau, Deb Smith, Allen Acker, Peter Feeney and Nicole Briand, Town Manager.

#### II. **Amendments to the Agenda**

A. January Financial Reports added to Consent Calendar

#### III. **Executive Session**

A. Convene in Executive Session Pursuant to 1 M.R.S. section 405(6)(E), to consult with the town attorney to discuss the Board's legal rights and possible legal action, regarding land use violation on Map U01, Lot 018.

Convened 7:40 pm. Adjourned 8:15 pm.

**The Board moved to convene in Executive Session Pursuant to 1 M.R.S. §405(6)(E) to discuss the Board's legal rights and possible legal action, regarding land use violation on Map U01, Lot 01.**

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

**Favreau moved the Board to instruct the town attorney and the Code Enforcement Officer to start legal proceeding at the District Court in respect to land use violations on Map U01, Lot 01; seconded by Smith. Vote was 5-0.**

#### IV. **Approval of Consent Calendar**

A. Meeting Minutes

1. January 23, 2023
2. January 24, 2023
3. January 30, 2023

B. Warrants & Financial Reports

1. Treasurer's Warrant #15 for \$482,211.77

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

## V. Action Items

### A. Act on Health Insurance Renewal

Renew employee health insurance policy with Harvard Pilgrim.

**Favreau moved the Board approve Harvard Pilgrim's Renewal Maine's Choice HMO 1500 for employee's health insurance plan; seconded by Smith. Vote was 5-0.**

### B. Act on Pine Tree Engineering Waterfront Contract Amendment

The contract amendment is for the additional work needed to revise and rebid the project.

**Favreau moved the Board approve and authorize the Town Manager to sign Waterfront Contract Amendment for Pine Tree Engineering; seconded by Acker. Vote was 5-0.**

### C. Act on Meeting Room Technology Project

We have worked with AV Systems to develop this design. The Fire Department is proposing to install a system similar to Brunswick's, please refer to your packet. They are looking to purchase their items separately and are requesting to have up to \$15,000 to complete their system.

**Favreau moved the Board approve the AV Systems Zoom AV proposal for the Kendall Room Technology and up to \$15,000 for the Fire Station meeting room technology to be paid from ARPA funds; seconded by Acker. Vote was 5-0**

### D. Act Purchase of Gear Extractor, Gear Dryer and SCBA Fit Test Machine

**Favreau moved the Board approve Purchase of Gear Extractor, Gear Dryer and SCBA Fit Test Machine as proposed to be paid from ARPA funds; seconded by Smith. Vote was 5-0.**

### E. Act on Barton & Loguidice Pond Road Transfer Station Design Proposal

This study would allow the Town to compare the costs of a Pond Road Facility to the Recycling Barn as was approved at Town Meeting.

**Favreau moved the Board approve and authorize the Town Manager to sign the Barton & Loguidice Pond Road Transfer Station Design Proposal; seconded by Smith. Vote was 5-0.**

### F. Act on Waivers of Automatic Foreclosures

As of February 9, 2023, we have 13 properties that will be foreclosed on for unpaid taxes on February 25, 2023. These FY2021 property taxes were originally due November 1, 2020 and June 1, 2021.

The Board discussed each property on foreclosure list. Acker abstained from Boards discussion of property 127 due to possible conflict of interest.

**Favreau moved the Board to authorize the Treasurer, pursuant to 36 M.R.S. § 944 and Town Meeting Warrant Article #44, to waive the automatic foreclosure of tax liens for 410, 1663, 518, 530, 394, 263, and 1769, and, 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**

### G. Act on Public Works Garage Door Repair

We originally requested an estimate from Lupo Construction, as they were the contractor that build the facility for us. Given the proposal price of \$16,062, I asked Mark Favreau to

provide me with an estimate. Prior to joining the Select Board, Mark used to handle many of the Town's facility maintenance projects (including garage door repairs).

**Acker moved the Board approve the estimate from MJF Enterprises in the amount of \$6,835.00; seconded by Smith. Vote was 4-0.**

(Favreau abstained from vote due to conflict of interest.)

## VI. Discussion Items

### A. Revaluation Proposal

Last spring the Board discussed and planned on completing our property card updates and doing our revaluation with RJD Appraisal. Since then, many Towns have contracted for their revaluations, so that RJD Appraisal would not be able to our revaluation until 2026. They will honor the proposal cost. Rob Duplisea has offered to attend a Board meeting to answer any questions the Board may have.

The Board discussed if it was possible to go out to bid to have done sooner. They agreed it was not likely and another company would have to redo the work already done by RJD. This will be brought as an Action item at the next meeting.

## VII. Town Manager's Report

- The Town Office will be closed Monday, February 20<sup>th</sup> in observance of President's Day.
- The General Services Budget will be over budget for this Fiscal Year 2022-2023, due to the General Assistance budget.
- Yvette Meunier is our new Planning & Development Director, her first day was February 13<sup>th</sup>.
- Roads have been posted.
- Ambulance –
  - North East is intending to honor our contract with them through this fiscal year.
  - Spoke with neighboring towns about service for next year.
  - We are looking at what would be needed to develop our own service, however we would need coverage until we could get our own service implemented.
- The Road Work for this spring/summer is out to bid, the bid opening is scheduled for February 16<sup>th</sup>.
- The Waterfront Project is also out to bid, the bid opening is scheduled for February 28<sup>th</sup>.
- Public Works is still working on offices and will be able to do most of the work. The carpet installation and mudding/taping will need to be subbed out. There was no objection to hiring Mainely Inspection to complete the taping and mudding for \$800.
- The tree work for Dingley Road has been completed.
- Code Enforcement –
  - Messers - Code Enforcement has completed the inspection of the property and their report is attached.
  - Gallant (17 School St/2 Stone Hill Place) –Code Enforcement is working with the Town Attorney to finalize the complaint to be filed with the court.

Lewis asked James how the inspection looked at the Messer's property in January.

James responded that after reviewing photos taken before and what he saw that there was significant improvement and that he was able to inspect all of the property.

Lewis requested that he schedule a follow-up inspection after snow was gone to confirm that they are moving in the right direction and can update the Board on the progress.

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

- Feeney requested that they have a discussion on proposed hybrid program for solid waste/recycling. He did not feel this program was dependent on location of the facility.
- Lewis requested an update on the Messer property in April.
- Acker requested a discussion about possibly changing the format on public comment on action and discussion items.
- Briand asked Boards opinion on doing a budget workshop on April 10th. Favreau and others agreed.

## IX. **Announce Future Select Board Meetings**

- A. February 28, 2023 - Regular Meeting
- B. March 14, 2023 - Regular Meeting
- C. March 28, 2023 - Regular Meeting

## X. **Comments from the Select Board Members - None**

## XI. **Comments from the Public**

- The Beals' commented that they felt let down by the town by the way the Messer property has been handled. They did not feel that enough has been done by the Town. They commented that they would like the Board to go step by step through the violations with them and to see the before and after photos. They also brought accusations of civil nature and stated they had been in contact with the County Commissioner and were bringing their complaints to Governor Mills office. The Board responded that they could only pursue violations to the town's ordinances and that the CEO has been doing what is required, adding that the Messer's have been working towards compliance. The Board also stated that they could not enforce civil issues that the brothers should contact the sheriff's department. To which the brother's responded that they had, and nothing was done. They also expressed their disapproval of Zoom meetings because they have no access to a computer or the internet.
- Steven Messer addressed the Board stating that he felt the accusations by the neighbors were bordering on harassment. He also felt that the Board has been doing their job and apologized for the comments made by the Beals', he felt that they were disrespectful.
- Kate Cutko the Library Director, addressed the Board offering a little of the history behind and reasons for the added parking needed to the handicap entrance ramp to the library and the upper rooms of the Town Office. There was survey done in 2016 asking people 60 and over reasons for not using the library. 40 % said it was because of accessibility. The current access for people who cannot climb the stairs to the second floor of the building is a single lane paved lane to the ramp. A person must drive up the ramp and then back down to park making it difficult for the parties needing to use the ramp.  
The library still has a donor willing to help but find themselves at a financial stand still.

Lewis asked if the project had to be paved? Briand said that to keep the mud down and run off it should be. She also added that Public Works could do some of the work needed.

Acker added that he did not feel that 42 out of 100 said they did not use the library because of accessibility issues was a good enough reason to invest in the project at this time. He added that the times was bad.

Smith asked about seeing if local contractors might donate their time to help with the project would be an option.

Cutko added she would be willing to investigate alternate funding like grants, to help pay for the project if she knew the town was willing to keep the doors open on the project. She also added that in response to people that do not have access to a computer to speak with her that the library can help with that.

**XII. Adjourn**

Adjournment was at 10:05 p.m.

Select Board  
Town of Bowdoinham, Maine

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Peter Lewis, Chair

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Mark Favreau, Vice-Chair

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Debra Smith

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Allen Acker

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Peter Feeney

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Respectfully Submitted,

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Lisa-Marie Curtis, Administrative Assistant