

TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: February 27, 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 (remotely), Mark Favreau, Allen Acker, Peter Feeny and Nicole Briand, Town Manager.

Joy reminded everyone present that at the last meeting there was a comment from the public about talking over other people. She said they needed to remain mindful and let the person speaking finish their thoughts before adding comments.

II. Amendments to the Agenda

A. Action item F. Act on Community Paramedicine Grant Support

III. Comments from the Public

- Joy announced that the Board was going to have two segments for comments from the public. One at the beginning of a meeting for those who cannot stay for meetings to briefly voice their comments on items in the agenda and then again at the end of the meeting.
- Wendy Cunningham addressed the Board. She said that she understood that they wanted to know how many people were using recycling and the issues in trying to do that. She offered another option of scaling use of the program by how much material has been recycled. In 2023 the program recycled 250,000 pounds of material, which she felt was a considerable amount and proved the program is used a lot.

IV. Approval of Consent Calendar

A. Meeting Minutes

1. February 13, 2024

B. Warrants & Financial Reports

1. Treasurer's Warrant #16

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

V. Public Hearing

Convened 6:37 pm. Adjourned 6:59 pm.

A. Marijuana Business License for Marijuana Caregiver Retail Store

Applicant: Loud and Local
Property: 50 Birchwood Ln (Map R02, Lot 052)

Elaine Small, a resident of Birchwood Lane, addressed the Board with her concerns about the condition of Birchwood Lane. She stated that the road is narrow with a lot of growth along the sides and that she felt it had not been maintained. She said the new tenant Duncan Alden agreed to fix the road but there was no contract included in the application hence she felt the license should be denied at this time.

Duncan Alden then addressed the Board and the road concerns. He said that previously money had been put into road maintenance, but it is a dirt road, and the weather has taken its toll. He invited the town to look at the road.

Chris Small, a resident of Birchwood Lane said that in the past there was work done on the road but nothing in the last few years which has caused the road to deteriorate. He also stated that in the winter it is not well cared for, making it dangerous. He is concerned about additional traffic, safety, and condition of the road. He feels that until the condition of the road is addressed the license should be denied.

Acker asked Briand to confirm that Birchwood Lane was a private not a Town road. Briand confirmed that Birchwood is a privately owned road.

Robert Small, a resident of Birchwood Lane, addressed the Board and handed them packets with a letter and pictures of the area. He then went on to give a presentation on road conditions, and the failure of the previous business owner to meet the conditions of his business license. He also addressed the lighting issues and landscaping that was not done as specified. Mr. Alden is submitting the same application for his business, with the same conditions that were not met.

Duncan Alden once again addressed the Board; he stated that what he was hearing is that the road is the biggest concern. He also said the lighting was facing away from the road and could be put on timers.

Feeney commented that he felt these things should have been resolved before coming to this meeting.

VI. Licensing

A. Marijuana Business License for Marijuana Caregiver Retail Store

Applicant: Loud and Local
Property: 50 Birchwood Ln (Map R02, Lot 052)

Favreau said he was on the Planning Board when the original license was granted. He said it took a couple of years for it to go through and at that time the road was a big issue. The condition of the road was to be improved and widened to 22 ft., maintenance was to be done year-round, including winter plowing because of the commercial traffic. He added that has not happened. They proceeded with the business without finishing the conditions of approval, some work was done but it was not completed.

Briand added that Darren had done inspections when they had opened the farm stand without the marijuana piece, the private road added complications. She said she would look

at what we had in the files in terms of the road and ask the Code Enforcement Officer to go out and remeasure the road as well as do an inspection of the lighting and landscaping.

Joy had a question as to why a second site review was not done with the new application. Briand said whereas it is a new owner of the business it would not trigger another site review.

Alden told the Board that the store was an appointment only business so there would not be commercial traffic consistent with an 8 hour a day business.

Joy said she would be interested in a review of what was done and what currently needs to be done. She liked the idea of the CEO doing a review.

Acker addressed the lighting stating that it was brighter than it should be. He felt it also did not need to be on all night and that the CEO should also look at that situation.

Joy concluded the discussion by saying that the Board agreed that a decision on the license would be tabled until a review by the CEO was done and they had more information.

VII. Discussion Items

A. FY23 Financial Audit

James Wadman of Wadman Associates joined the Select Board via Zoom to review the FY23 Financial Audit. He explained each segment of the report to the Board.

Feeney said he was more curious as to the efficiency with each department and the Towns performance. He asked how did the efficiency in each department compare to other towns?

Wadman said that they typically look at the surplus or undesignated percentage and that the Town has a strong unassigned percentage.

Acker confirmed that the undesignated funds covers 2 months operating expenses per Town policy.

Wadman said this was similar to other towns. He explained that if you let your undesignated fund get too low the Town would not have adequate cash flow during the year. If this were to happen, you would then have to borrow money to pay bills in anticipation of tax payments. This would be very costly both in interest charges as well as legal fees.

B. Solid Waste Committee- Trash Tags

Wendy Cunningham from the Solid Waste Committee presented the Board with figures for trash pickup and disposal and what trash tag prices would be to run a self-sustaining trash pickup program.

The price being \$3.50 if the Board goes with Cassella and \$3.25 or \$3.00 if the Board goes with Mid-Maine Waste.

C. Proposed CMP TIF Amendment

Briand told Board members that the TIF was expanding to include the Town Hall and Town Office buildings. The CDAC committee is working on amendments and will be holding an informational meeting on March 5th and a Public Hearing on April 2nd.

VIII. Action Items

A. Act on Mid-Maine Waste Action Corporation Solid Waste Proposal

As discussed at the previous meeting; we received two proposals for the disposal of our municipal solid waste.

- Municipal Solid Waste –
 - Casella - \$123/ton
 - Requires hauling to West Bath.
 - Mid-Maine Waste Action Corporation - \$91/ton for first year of 3-year contract or \$87/ton for first 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.

Acker moved the Board approve contracting with Mid-Maine Waste Action Corporation for three years and authorize the Town Manager for sign the contract; seconded by Feeney. Vote was 5-0.

B. Act on Fire Reserve Request for Extraction Gear

We are requesting up to \$40,000 from the Fire Reserve for the purchase of extraction gear. The Fire Department Association will reimburse the Town half the cost of the gear. We budgeted \$15,000 to the fire reserve last year for this equipment.

Acker moved the Board approve spending up to \$40,000 from the Fire Reserve for the purchase of extraction gear and authorize the reimbursement from the Fire Department Association back into the Fire Reserve; seconded by Favreau. Vote was 5-0.

C. Act on Committee Appointments

Acker moved the Board appoint Hieyang Oh and Patricia Oh to the Cemetery Advisory Committee for a term the expires June 30, 2026; seconded by Favreau. Vote was 5-0.

D. Act on Supplemental Assessment #5

Acker moved the Board approve Supplemental Assessment #5 in the amount of \$3,147.83 on Account 1863 for the removal of acreage from the Farmland Program; seconded by Favreau. Vote was 5-0.

E. Act on MDOT Overlimit Agreement

Favreau explained that the MDOT was going to be repaving 295 from Gardiner to Topsham and that this was a formality for all the towns they passed through.

Acker moved the Board approve Overlimit Agreement with Maine Department of Transportation; seconded by Favreau. Vote was 5-0.

F. Act on Community Paramedicine Grant Support

The Age Friendly Committee, in partnership with the Bowdoinham Emergency Medical Services Committee, is proposing that the Town seek funding from the Maine Health Access Foundation to develop a feasibility and operations plan for a Community Paramedicine Program. Jason Lamoreau was there to answer questions.

Acker moved the Board support applying for funding from the Maine Health Access Foundation for Community Paramedicine grant; seconded by Favreau. Vote was 5-0.

IX. Town Manager's Report

- The Town Office will be closed March 8th for the installation of our new phone system and TRIO Web software.
- There is a presidential primary election scheduled for March 5, 2024, at the Bowdoinham Community School. Absentee voting ends on February 29th unless voters qualify for a special circumstance. *ONLY Registered Democrats, Republicans and UNENROLLED voters may vote on March 5th.*
- We have advertised our 2024 Road Paving; bids are due on March 19th.
- We are working to issue our request for engineering services for our MDOT planning projects by the end of March.
- I renewed our health insurance with Harvard Pilgrim. MMA Health Trust requires a minimum of 60 days for the transition.
- The streetlight and office lighting project installation are completed; we are working to get the project grant closed out by the end of March.
- The Finance Advisory Committee will begin their review of the budget at their February 19th meeting.
- The tree work at the Town Office has been completed.
- We will need to schedule another day to complete the transition of our computer equipment.
- We have tentatively scheduled the chimney work for April 23, 14 and 15. The work for the bats is scheduled for late March.
- Our attorney is reviewing our ambulance contract for FY25.

X. Announce Future Select Board Meetings

- A. March 12, 2024 – Regular Meeting
- B. March 26, 2024 – Regular Meeting

XI. Comments from the Public

A gentleman asked if the Town was going to be stripping the roads. Briand responded that they were looking into it after this summer's paving is done.

XII. Comments from the Select Board

Favreau asked about adjusting meeting times. Briand responded that they had discussed starting meetings earlier when there was going to be a long agenda if members are available. She added this would be more so in April, especially for when they had their Budget workshop.

Acker asked if there were any updates from the Town attorney on the litigation. Briand responded that currently they are waiting for when a judge can take their case in superior court.

XIII. Select Board Member's Request for Agenda Items for Next Meeting- None

XIV. Executive Session

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

Convened 8:08 pm. Adjourned 8:28 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.

Feeney moved the Board leave executive session; seconded by Favreau. Vote was 5-0. No action was taken this meeting.

XV. **Adjourn**

Adjournment was at 8:30 p.m.

Select Board
Town of Bowdoinham, Maine



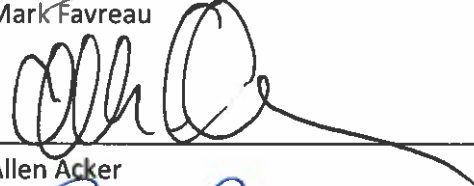
Joanne Joy, Chair



Debra Smith, Vice-Chair



Mark Favreau



Allen Acker



Peter Feeney

Respectfully Submitted,



Lisa-Marie Curtis, Administrative Assistant