

TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: March 22, 2022

Time: 5:30 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, David Engler, at 5:30 p.m. Select Board members participating were David Engler, Mark Favreau, Jeremy Cluchey, Peter Lewis, Deb Smith and Nicole Briand, Town Manager.

II. Amendments to the Agenda

Discussion item D. Citizens Award

III. Approval of Consent Calendar

A. Meeting Minutes:

1. March 8, 2022

B. Warrants & Financial Reports:

1. Treasurer's Warrant #19 for \$ 142,309.89

C. Communications

1. Xfinity TV Services Update

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

IV. Licensing -None

V. Action Items

A. Act on Dangerous Building Proceedings for 61 Bay Road

Our Attorney has completed the title search for the property and mailed a "final" notice to the interested parties. The next step in the dangerous building process is for the Board to approve the notice of public hearing to be served.

Favreau moved the Board approve the Notice of Hearing for the Dangerous Building at 61 Bay Road; seconded by Smith. Vote 5-0.

B. Act on Harbor and Waterfront Rules and Regulations

Proposed changes to the rules and regulations based on discussion by board at the last meeting.

Cluchey moved the Board approve the Harbor and Waterfront Rules and Regulations as amended; seconded by Favreau. Vote 5-0.

C. Act on Appointment to Town Hall Restoration & Preservation Committee

Mark Dube has requested to join the Town Hall Restoration & Preservation Committee

Cluchey moved the Board appoint Mark Dube to the Town Hall Restoration & Preservation Committee for a term that expires June 30, 2025; seconded by Favreau. Vote 5-0.

D. Act on Municipal Quitclaim Deed for Map 03, Lot 032

Casco Bay Title is requesting three municipal liens from July 1970, 1972, and 1981 be released from property know as Map 3, Lot 32, all past due taxes are paid.

Favreau moved the Board approve the Municipal Quitclaim Deed for Phillip B. Cuddeback releasing the following Municipal Tax Liens:

- July 1970 recorded in Sagadahoc County Registry of Deeds in Book 375, Page 223,
- July 1972 recorded in Sagadahoc County Registry of Deeds in Book 390, Page 1080,
- July 1981 recorded in Sagadahoc County Registry of Deeds in Book 603, Page 332.

Seconded by Cluchey. Vote 5-0

VI. Discussion Items

A. Proposed Recycling Barn Lease, David Berry

David Berry has submitted a new Recycling Barn proposal for the Board's consideration. Mr. Berry has been informed that in order to know what improvements we would need at the barn, we need to move forward with the design work we had planned (which he has not granted us permission for). After Mr. Berry's

December 27, 2021 email stating he was not interested in leasing or selling the barn to the Town, we had planned on asking voters at June Town Meeting for approval to move forward with the Pond Road facility option.

Engler commented that he felt that enough time was spent on this, the town had worked with an engineer to get proposal to do testing services and Mr. Berry refused to allow the engineer access to the property. Lewis and Favreau agreed that the entire process has been very frustrating.

Smith wanted it known she is a supporter for the barn and understands the Board's frustration. She stated she had spoken to Mr. Berry and let him know the importance of him being at this meeting. She stated she did not know why he was not there. She asked if there was a way, they could post pone so she could figure out how to proceed.

Lewis stated that if Mr. Berry wanted to operate the Recycling barn as a private facility, he was welcomed to go through the process to do so. They had wanted to purchase the barn, where they could run the facility as they wanted. He added that the town had paid for an engineer to look at the facility, but Mr. Berry said no.

Engler added that he was concerned with the town having to put money into a building that they did not own.

Cluchey added that an engineering study would be critical to consider reviving the proposal.

Lewis was concerned that the town did not have the \$60,000 to do a new study. Engler added that this was just to determine if the place was a possible site.

Briand stated the full cost for the first phase to get designs for the building was \$61,000 and if they went for permit another \$15,000. If the town goes with a facility on Pond Road was just \$50,000.

Her concern with leasing the barn is that the town would be investing money into a building they have no control over, and the town would be stuck in a long-term lease for a building they may have to invest more funds into.

B. Casella Contract Extension

Discussed doing a one-year contract extension with Casella, in hopes that we would be back to our full recycling operations for FY24

C. American Rescue Plan Act Funding

The latest update from Maine Municipal Association Legal Services along with a spreadsheet of possible funding options was presented to the Board. A suggestion that some of the funds be used for needed technology upgrades as well offset some of the Capital Improvement projects. Lewis asked if funds could be used to help people pay their back taxes, Briand said she would look into that option. A warrant article will need to be presented at the Town Meeting.

D. Citizens Award

Lewis suggested the town present the students who helped save the school bus when the driver had a medical emergency while driving with a Citizens Award for Heroism. It was decided to check with the school for all students involved and discuss further.

VII. Town Manager's Report

The Office will be closed:

- Friday, March 25 for staff to take Bureau of Motor Vehicles truck training.
- April 5th & 6th until 1pm for clerk training.

Staff will also be attending MOSE Training on March 30 and 31, the office will be open those days.

We've completed our worker's compensation audit and will be working on our MMA property and casualty insurance update next. I'm also working to get updated contracts from the Humane Society and Northeast Ambulance.

Public Works

- We are working with Lupo construction to get the roof leak repaired.
- On Saturday, March 19 during recycling hours, we had someone help themselves to our stone pile; a report has been filed with the sheriff's office.

Project Updates

- Town Office Renovation – Bids for the project are due back on April 6 and 7th. We need to begin the permitting process for this project.
- Town Office Relocation – We're working on our relocation plans for Cathance Landing.
- Carding Machine Road is scheduled to be paved in May.
- The Fire Station parking lot is scheduled for June.
- Mallon Brook stream crossing on Dingley Road needs to be scheduled between July 15 and October 1st.

- The waterfront park project is still in design, and we hope to get it out to bid soon.

The Finance Committee will have a budget for the Board's review at your April 12th meeting. Once decisions are made on the capital expenditures, we will need to prepare bids. We may want to consider Rural Development and Maine Municipal Bond Bank financing for our larger projects. Rural development financing could be a low interest option for the financing of the fire truck, as part of their process we'll need to have a public hearing before submitting the application. Maine Municipal Bond Bank could be an option for the Town Office Renovation; we'll need to get a BAN if we want to go in this direction.

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

Lewis would like to see a warrant article to raise cost of trash tags to cover cost of disposal.

IX. Announce Future Select Board Meetings

- A. April 12, 2022 – Regular Meeting
- B. April 26, 2022 – Regular Meeting

X. Comments from the Select Board Members- None

XI. Comments from the Public

Mr. David Berry arrived and asked if the Board had any questions on his proposal. Engler responded and informed him that they did not want to be leasing a building and that they were disappointed when the town had been working with an engineer and he denied them access.

Mr. Berry stated at that time he had decided to run the recycle barn as a private business. He has since decided that due to his age and the labor market this would not be a good option for him. He went on to add that he believed the engineering issues were behind them. He thinks the roof needs to be done along with any requirements of the town.

Lewis informed Mr. Berry that the majority of the Board do not want to lease the building.

Mr. Berry purposed to have a warrant article for the town meeting to lease the building plus 10% a year of repair cost to the town. He asked the Board to get him some numbers and any improvements they want to do in a couple of weeks, unless they want to do the work themselves after they lease the barn.

Favreau addressed Mr. Berry that the town had worked with engineers who were specialist in design recycling facilities. The town had a contract and was going to hire them, but he refused to let them into the building. Without their piece we have no recommendations for you. They would have designed a recycling center as they should be run today, not as they were in the past. There are new methods and technology for doing recycling. You shut it off and said you did not want to lease or sell the building.

Favreau added that he would rather have the town do the studies and see what was best for the town, whether there or on Pond Road. He added he was not willing to waste the towns money.

A comment was made from the public with concern to trash bags. Wanted to make sure the disposal cost was being covered and everyone was paying their fair share.

Engler added that there would be a warrant item for the town meeting.

XII. Executive Session

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

Lewis moved the Board convene in Executive Session Pursuant to 1 M.R.S. § 405 (6) to discuss the Town Manager Review; seconded by Favreau. Vote was 5-0.
Entered at 6:22 p.m.

Lewis moved the Board to leave Executive Session; seconded by Favreau. Vote was 5-0.
Exited at 7:16 p.m.

Lewis moved the Board find the town manager's performance satisfactory and that the terms of paragraph two of her employment agreement be implemented; seconded by Favreau. Vote was 5-0.

XIII. Adjourn

Adjournment was at 7:17 p.m.

Select Board
Town of Bowdoinham, Maine

David Engler, Chair

Mark Favreau, Vice-Chair

Peter Lewis

Debra Smith

Jeremy Cluchey

Respectfully Submitted,

Lisa-Marie Curtis, Administrative Assistant