

TOWN OF BOWDOINHAM

SELECT BOARD MEETING

MINUTES



Date: April 25, 2023

Time: 5:31 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 5:30 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. Table Items 3.c & 3.D until after Item 11

B. Action Item G - Act on Appointment to Comprehensive Planning Committee

C. Action Item H - Act on Property Abatement # 3

III. **Executive Session**

A. Convene in Executive Session Pursuant to 1 M.R.S. §405(6)(E) to discuss violations of Land Use Ordinance and Town's rights with Town Attorney for 529 Bay Road
Convened 5:32 pm. Adjourned 6:03 pm.

Favreau moved the Board convene in Executive Session Pursuant to 1 M.R.S. §405(6)(E) to discuss violations of Land Use Ordinance and Town's rights with Town Attorney for 529 Bay Road; seconded by Smith. Vote was 5-0.

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

B. Convene in Executive Session Pursuant to 1 M.R.S. §405(6)(E) to discuss pending court proceedings with Town Attorney for 2 and 8 Stone Hill Place
Convened 6:05 pm. Adjourned 6:23 pm.

Favreau moved the Board convene in Executive Session Pursuant to 1 M.R.S. §405(6)(E) to discuss pending court proceedings with Town Attorney for 2 and 8 Stone Hill Place; seconded by Smith. Vote was 5-0

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

C. Convene in Executive Session Pursuant to 1 M.R.S. §405(6)(A) to discuss staff recognition.
Convened 9:40 pm. Adjourned 9:48 pm.

Favreau moved the Board convene in Executive Session Pursuant to 1 M.R.S. §405(6)(A) for staff recognition; seconded by Smith. Vote was 4-0.

Favreau moved the Board leave executive session; seconded by Deb. Vote was 4-0.

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

Favreau moved the Board table Executive Session Pursuant to 1 M.R.S. §405(6)(A) to discuss Town Manager review until next meeting; seconded by Smith. Vote was 4-0.

IV. **Public Hearing**

A. Proposed Town Meeting Warrant

Convened 6:31 pm. Adjourned 7:05 pm.

- Susan Hobart asked the Board to consider only absolute necessities over any wants on the budget. She also asked if some positions could be filled by volunteers.
- Sarah Hughes said she was concerned with taxes doubling, she expressed concerns with people being able to afford the taxes on fixed income and single parents.
- Marc Babcock said he was retired and was concerned about himself as well as other retired people in town that they could not afford a large increase in taxes.
- An unnamed gentleman from Centers Point Road said that he did not think the budget was sustainable and that they needed to cut it to necessities only.
- Board members did thank all those who commented and tried to clarify some of the key concerns.
 - First all the Board members expressed their concerns also but wanted to let taxpayers know that they have taken this budget seriously and are not adding any unnecessary expenses.
 - They wanted to clarify that taxes are not doubling. The budget as presented would increase taxes approx. 13 % which is 600-700 per \$250,000 evaluation.
 - Road repairs and maintenance have been put off for years trying to keep costs down, now the roads need upkeep, the longer they are put off the greater the cost to fix them.
 - They are trying to set a budget so that minor road projects and repairs can be paid for by the town instead of taking out bonds. Utilizing bonds only for larger projects and reducing debt services.
 - Being able to offer average wages to employees to break the cycle of losing them to other towns once they are trained.

V. **Comments from the Public – No additional**

VI. **Approval of Consent Calendar**

A. Warrants & Financial Reports

1. Treasurer's Warrant #20 - \$88,922.50

B. Reports and Communications

1. Email from David Berry dated April 12, 2023

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

VII. **Action Items**

- A. Act on Approval of "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Allow for Accessory Dwelling Units"

Favreau moved the Board approve and recommend “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Define and Establish General Performance Standards for Accessory Dwelling Units.”; seconded by Smith. Vote was 5-0.

- B. Act on Amended CMP/Riverfront Municipal Tax Increment Financing District and Development Program

Favreau moved the Board approve and recommend the CMP/Riverfront Municipal Tax Increment Financing District and Development Program, as presented; seconded by Smith. Vote was 5-0.

- C. Act on Approval of Non-Municipal Organizations’ Funding Requests
a. Spectrum Generations

Favreau moved the Board approve and recommend the Town Meeting Warrant Article for Spectrum Generations in the amount of \$1,650; seconded by Smith. Vote was 5-0.

- b. The Life Flight Foundation

Favreau moved the Board approve and recommend the Town Meeting Warrant Article for The Life Flight Foundation in the amount of \$762; seconded by Smith. Vote was 5-0.

- c. Waldo Community Action Partners

Favreau moved the Board approve and recommend the Town Meeting Warrant Article for Waldo Community Action Partners in the amount of \$1,000; seconded by Smith. Vote was 5-0.

- D. Act on Approval of Proposed FY2024 Municipal Budget

Favreau moved the Board approve and recommend the Town Meeting Warrant for Capital Improvement Articles # 4 -7; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 8 Administration Budget in the amount of \$795,843; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 9 Community Development and Core Enforcement Budget in the amount of \$150,266; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 10 Contingency Budget in the amount of \$15,000; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 11 General Services Budget in the amount of \$47,000; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 12 Debt Services Budget in the amount of \$522,671; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 13 Fire and Rescue Department Budget in the amount of \$383,900; seconded by Smith. Vote was 4-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 14 Town Facilities Maintenance Budget in the amount of \$119,350; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 15 Animal Control and Harbor Master Budget in the amount of \$27,810; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 16 Public Works Department Budget in the amount of \$807,485; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve the Town Meeting Warrant Article # 17 Solid Waste and Recycling Department Budget in the amount of \$246,271; seconded by Smith. Vote was 5-0.

There was much discussion about the future Solid Waste and Recycling program and its feasibility. Acker and Lewis suggested doing away with the whole program; closing recycling and once the contract runs out cancelling trash pickup and having residence contract themselves with trash haulers. Favreau and Smith felt this was a decision that the town folks needed to decide for themselves if the program remains or not.

Favreau moved the Board recommend the Town Meeting Warrant Article # 17 Solid Waste and Recycling Department Budget in the amount of \$246,271; seconded by Smith. Vote was 2-3.

(Favreau & Smith fore, Lewis, Acker & Feeney opposed.)

After further discussion the Board chose to amend the amount of the Solid Waste and Recycling Department Budget, recommended vote remains the same.

Favreau moved the Board approve the Town Meeting Warrant Article # 17 Solid Waste and Recycling Department Budget in the amount of \$219,379; seconded by Smith. Vote was 4-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 18 Recreation Budget in the amount of \$121,997; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article #22 Estimated Revenues Account to appropriate the amount of \$1,698,498 of non-property tax revenues be applied to reduce 2024 tax commitment; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 23 to increase the property tax levy limit to \$2,165,619; seconded by Smith. Vote was 5-0.

Favreau moved the Board approve and recommend the Town Meeting Warrant Article # 24 to appropriate the amount of \$35,000 from the Undesignated Fund Balance for the first payment on the excavator lease agreement; seconded by Smith. Vote was 5-0.

E. Act on Town Meeting Warrant Recommendations

Favreau moved the Board approve and recommend the Town Meeting Warrant for Business Articles # 25-42; seconded by Smith. Vote was 5-0.

F. Act on Proclamation Professional Municipal Clerks Weeks

Favreau moved the Board approve the Proclamation for 54th Annual Professional Municipal Clerks Week; seconded by Smith. Vote was 5-0.

G. Act on Appointment to Comprehensive Planning Committee

Favreau moved the Board appoint Maurice Fred King to the Comprehensive Planning Committee for a term of April 24, 2023, to June 30, 2024; seconded by Smith. Vote was 5-0.

H. Act on Property Tax Abatement #3

This is an abandoned trailer and taxes are uncollectable.

Favreau moved the Board approve FY23 Property Tax Abatement #3 in the amount of \$604.94, as presented; seconded by Smith. Vote was 5-0.

Per MRS Title 36, §841 section 5, whenever an abatement is made, the abating authority shall certify it in writing to the collector, and that certificate shall discharge the collector from further obligation to collect the tax so abated.

Favreau moved the Board approve the Certificate of Abatement for FY23 Property Tax Abatement #3; seconded by Smith. Vote was 5-0.

VIII. Discussion Items

A. Fire Chief Job Description

The Board read and discussed the requirements and responsibilities of the Fire Chief and proposed amendments to the Fire Chief's job description.

B. Harbor and Waterfront Rules and Regulations

The Board reviewed the purposed amendments to the Harbor and Waterfront Regulations. The Board chose to act on the rules and regulations as presented.

Favreau moved the Board to approve the Harbor and Waterfront Rules and Regulations as presented; seconded by Smith. Vote was 4-0.

C. Spirit of America Award

Nominees are mentioned by numbers to keep secret until the awards are presented. The Board also discussed nominations for Citizen of the Year Award.

Favreau moved the Board to approve nominee #3 for the Spirit of America Award; seconded by Smith. Vote was 4-0.

Favreau moved the Board to approve nominee #1 for the Citizen of the Year Award; seconded by Smith. Vote was 4-0.

D. Town's Attorney and Conflicts of Interest

Town attorney Leah Rachin discussed with the Board how a conflict of interest is determined by a legal firm. She let them know that if a firm has represented either party in a dispute for any reason and then have a dispute with each other due to legal ethic rules they cannot represent either party.

IX. Town Manager’s Report

- In the process of hiring a person for Public Works
- Will be advertising for the Assessors position.
- Work for waterfront t project will be done Mid July thru August. It will take approx. 6 weeks to complete.
- We have the reports from Preservation Timber Framing on the Town Hall
- The library received a grant for Story Telling and will be working on doing a story about the Town Hall.

X. Select Board Member’s Request for Agenda Items for Next Meeting- None

XI. Announce Future Select Board Meetings

- A. May 9, 2023 - Regular Meeting
- B. May 30, 2023 – Regular Meeting

XII. Comments from the Select Board Members- None

XIII. Adjourn

Adjournment was at 9:49 p.m.

Select Board
Town of Bowdoinham, Maine

Peter Lewis, Chair

Mark Favreau, Vice-Chair

Debra Smith

Allen Acker

Peter Feeney

Respectfully Submitted,

Lisa-Marie Curtis, Administrative Assistant