

# TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: September 26, 2023

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, Peter Lewis, at 6:30 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

8.H – Act on Approval of Town Hall Reserve Funds

## III. Comments for the Public

- Scott Gallant asked the Board if he could be on the agenda for the next select board meeting for 17 School Street and 8 Stone Hill. Lewis asked if this had anything to do with the ongoing lawsuits. Gallant replied that it did not. His concern is with storm water runoff, and he had pictures to share with the Board. He also wanted to discuss, snow issues as well as wood cutting and line dispute with a neighbor on Main Street who Mr. Gallant thought was Acker's brother. Acker let him and the Board know that he is an only child and the neighbor in question is his uncle. Gallant said he would put together a packet. Lewis asked if he would give it to Briand and they would see when they could fit him into one of the Select Board meeting agendas.

## IV. Approval of Consent Calendar

- A. Meeting Minutes
  1. September 11, 2023
  2. September 12, 2023
- B. Warrants & Financial Reports
  1. Treasurer's Warrant #6
- C. Reports and Communications
  1. North East Mobile Health Services' August Report

Acker noted that North East Mobile had not responded to any of the calls last month their alternates had.

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

## V. **Public Hearing**

Convened 6:50 pm. Adjourned 7:00 pm.

### A. **General Assistance Ordinance Appendices A-H for 10/1/2023 – 9/30/2024**

There were no comments from the public.

### B. **Marijuana Business License for Marijuana Manufacturing Facility**

Applicant: Upta Camp Elible Co., LLC

Property: 9 Main Street (Map U01, Lot 069)

There were no comments from the public.

### C. **Marijuana Business License for Medical Marijuana Registered Caregiver**

Applicant: Jandy Organics, LLC

Property: 175 Main Street (Map U06, Lot 017-C)

There were no comments from the public.

## VI. **Licensing**

### A. **Marijuana Business License for Marijuana Manufacturing Facility**

Applicant: Upta Camp Elible Co., LLC

Property: 9 Main Street (Map U01, Lot 069)

Favreau maintains the building therefore abstained from the vote due to possible conflict of interest.

**Smith moved the Board finds that the Planning Board approved the project on December 18, 2019 and all performance standards were determined to be adequately met; seconded by Feeney. Vote was 4-0.**

**Smith moved the Board finds that a site visit was conducted by the Town's CEO and all performance standards and conditions of approval are being adequately met; seconded by Feeney. Vote was 4-0.**

**Smith moved the Board approve this Marijuana Manufacturing Facility Business License application with the following Conditions of Approval:**

- **The applicant shall reimburse the Town for all noticing fees.**
- **The applicant shall maintain the necessary State Licenses and approvals while in operation.**
- **The applicant shall comply with their Site Plan Review Permit from the Planning Board, December 18, 2019.**

**Seconded by Feeney. Vote was 4-0.**

### B. **Marijuana Business License for Medical Marijuana Registered Caregiver**

Applicant: Jandy Organics, LLC

Property: 175 Main Street (Map U06, Lot 017-C)

**Favreau move the Board find that the performance standards for this proposed project were reviewed as part of the Planning Board's Site Plan Review application process which received its**

**Site Plan Review permit from the Planning Board on July 27, 2023; seconded by Feeney. Vote was 5-0.**

**Favreau moved the Board find that this application is for a new business which has not begun operation. The proposed business shall meet the conditions of its Site Plan Review Permit; seconded by Feeney. Vote was 5-0.**

**Favreau moved the Board approve this Marijuana Cultivation Facility Business License application with the following Conditions of Approval:**

- **The applicant shall reimburse the Town for all noticing fees.**
- **The applicant shall maintain the necessary State Licenses and approvals while in operation.**
- **The applicant shall comply with their Site Plan Review Permit from the Planning Board, July 27, 2023.”**

**Seconded by Feeney. Vote was 5-0.**

## **VII. Discussion Items**

### **A. Barton & Loguidice Reports**

Mark Zessin from Barton & Loguidice joined the Board via Zoom to answer questions and review their findings of both the Barn and Solid Waste at the Public Works building. Mr. Zessin explained the plans they submitted to the Board were based on the 10,000 sq ft. space. There are possible options that could be scaled back at public works location. The Barn needs work to bring it up to code that are necessary if that option was chosen.

Board members were concerned about the cost with either option and discussed ways if they were to expand at the public works sight what options they had to do a smaller project and provide the services needed and expected by the Town.

Feeney and Acker expressed that they felt the Town people needed access to review the findings and express their opinions and ask questions before the Board made any decisions on how they should move forward. Other members agreed.

Briand informed the Board that the reports were posted on the website for the public to view.

## **VIII. Action Items**

### **A. Act on General Assistance Ordinance Appendices**

**Favreau moved the Board approve the General Assistance Ordinance Appendices, as presented; seconded by Smith. Vote was 5-0.**

### **B. Act on Planning Board Appointment**

**Favreau moved the Board appoint Chris Vonderweidt to the Planning Board for a term of office of September 26, 2023, to June 30, 2025; seconded by Smith. Vote was 5-0.**

### **C. Act on Warden Appointment for November 7, 2023, Election**

Tina Magno, Town Clerk is requesting the Board's approval to appoint Rachelle Tome as the Warden for the Election to be held on Tuesday, November 7, 2023.

**Favreau moved the Board approve Tina Magno, Town Clerk to appoint Rachelle Tome as Warden for the Election to be held on Tuesday, November 7, 2023; seconded by Feeney. Vote was 5-0.**

**D. Act on Election Clerk Appointments**

Tina Magno, Town Clerk is requesting that the Board appoint the election clerks for the November 7<sup>th</sup> Election.

**Favreau moved the Board confirm Nora Bishop, Leslie Barker, Kirsten Coker, Donald Lamoreau, Linda Williams, Lynne Smith, Stephen Smith, Rachel Wildes, Roberta Lamoreau, Jason Hodde, Elaine Diaz, Kevin Twine and Wendy Rose as Election Clerks for the November 7, 2023 Election; seconded by Smith. Vote was 5-0.**

**E. Act on Preston Hughes Resignation from School Board**

Preston Hughes has resigned from the School Board, the School Board has revised that they have the Select Board accept the resignations. Once accepted, the Board will need to determine how they would like to find someone to fill Mr. Hughes seat until the November 2024 election.

The Board determined to accept applications to fill Mr. Hughes position until October 13, 2023 and they would appoint someone from the applications received at the following meeting. To fill the position until the November 2024 elections.

**Favreau moved the Board accept Preston Hughes resignation from the School Board; seconded by Smith. Vote was 5-0.**

**F. Act on Amendment of Personnel Policy**

To better address previous updates to the Fair Labor Standards Act, our human resources attorney recommends that we amend our language for our health insurance non-enrollment. Stipends affect an employee's regular rate and therefore their overtime rate, whereas reimbursements do not.

**Favreau moved the Board approve the Personnel Policy as amended; seconded Smith. Vote was 5-0.**

**G. Act on Acceptance of Land & Water Conversation Fund Grant Award**

Our Land & Water Conservation Fund Grant application for the next phase of the waterfront redevelopment was successful. At this time, we have been awarded \$420,833.25, but the grant amount could be increased to \$600,000. We did receive Town Meeting approval for the \$600,000 match.

**Favreau moved the Board accept the Land and Water Conservation Fund grant number P23AP02140-00 and authorize the Town Manager to sign the grant contract; seconded by Smith. Vote was 5-0.**

**H. Act on Approval of Town Hall Reserve Funds**

Feeney can bring two timber framers in for the day as a second opinion for the Town Hall. Manny Pupo from Harrison charges \$350 for the day and would credit that amount toward any future work. Ken Voorhees will donate part of his time and do it for \$100.

The Board asked that they put their findings in a summary report for review.

**Favreau moved the Board approve spending \$450 from the Town Hall/Town Office reserve for building opinion review; seconded by Acker. Vote was 5-0.**

## **IX. Town Manager's Report**

- We're still in the process of hiring two full-time public works employees and a harbor master. We've also issued a request for proposals for winter maintenance for snow plowing, due to the lack of interest in the public works position.
- Celebrate was held on Sunday, September 17<sup>th</sup> due to the predicted hurricane. We ended up having beautiful weather and a great turnout. We had some down trees and portions of Town lost power for a few hours.
- North East Mobile Services will be at the Board's October 10<sup>th</sup> meeting to provide their quarterly update. We will be having our EMS Performance Committee meeting, per our contract, on Friday, October 13<sup>th</sup>.
- Boco Productions has completed the Town Hall video, and it has been posted to our website and Facebook page.
- Affinity has installed the first round of streetlights, once we have CMP's approval, they will complete the project.
- Bedard Excavation should be back to complete the waterfront next week, this phase of construction should be completed by November 1<sup>st</sup>.

Feeney asked about cross training of employees to help Public Works and snow plowing. Briand stated that the town does have one employee that is an on-call driver for snow plowing.

Favreau noted that sometimes this can run into conflict when the employee(s) are needed to cover their own jobs.

Acker suggested possibly looking at hiring full time seasonal employee(s) to cover snow removal during the winter month.

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

- A. October 10, 2023 – Regular Meeting
- B. October 24, 2023 – Regular Meeting

## **XI. Select Board Member's Request for Agenda Items for Next Meeting- None**

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

## **XIII. Adjourn**

Adjournment was at 7:45 p.m.

Select Board

Town of Bowdoinham, Maine

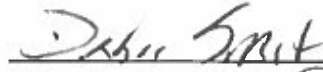


---

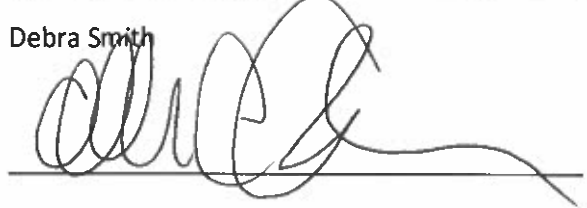
Peter Lewis, Chair



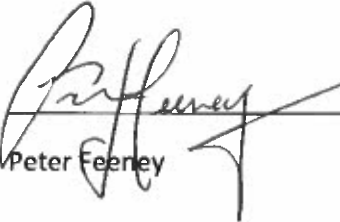
Mark Favreau, Vice-Chair



Debra Smith



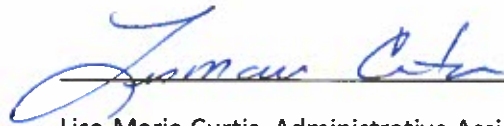
Allen Acker



Peter Feeney

---

Respectfully Submitted,



Lisa-Marie Curtis, Administrative Assistant