

TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES – SPECIAL MEETING



Date: April 20, 2021

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. This was a zoom meeting to comply with the Governor's Executive Order. Select Board members participating were David Engler, Jeremy Cluchey, Peter Lewis (left meeting at 6:22 pm), Thomas Walling, Mark Favreau, and Nicole Briand, Town Manager.

II. Amendments to the Agenda

Engler requested an amendment to add action item: Act on Contract with Pine Tree Engineering.

III. Town Meeting Discussion

Briand announced changes to the COVID Emergency Legislation allowing 75% indoor capacity with 6 foot spacing. Several options were discussed for Town Meeting, including referendum ballots or in-person Town Meeting.

It was unanimously agreed to do an In-Person Town Meeting.

Briand will investigate several options for an In-Person Town Meeting, including indoor options as well as outdoor. Unfortunately, with an outdoor event, there will be no option for changing the date for weather.

IV. Action Items

- A. Act on Citizens Petition for Purchase of Recycling Barn. On Monday, April 12, 2021 before 4:00pm Pam Ross, Town Clerk received the following citizen's petition:

To see if the Town will vote to acquire property owned by David Berry located at 243 Post Road, Bowdoinham, Maine (described more particularly in a deed recorded at the Sagadahoc County Registry of Deeds at Book 445, Page 227) for the purchase price of \$175,000 and to authorize and direct that the Selectmen shall take all actions necessary to close on the purchase of said

property prior to September 1, 2021, for the purposes of refurbishing and utilizing the Recycling Barn?

Per MRS Title 30-A, §2522. the municipal officers shall either insert a particular article in the next warrant issued or shall within 60 days call a special town meeting for its consideration. Therefore, the Select Board could place the Citizens Petition to Purchase the Recycling Barn on:

- 1) a ballot for a secret ballot referendum election to be held on June 8, 2021;
- 2) the Town Meeting Warrant for June 9, 2021; or
- 3) at another special town meeting.

Options were discussed. Lewis questioned the legality of the wording in the petition. Briand stated that the Board must hold a public hearing on the subject of article; the hearing will need to be held on Tuesday, May 11th at 5:30 pm with the hearing on the overall warrant.

Walling moved the Board hereby order that the petition question to provide for the Town to purchase the Recycling Barn be placed on the Town Meeting Warrant with the Annual Budget for June 9, 2021; seconded by Cluchey. Roll call vote was 4-1 (1 nay – Lewis).

B. Act of Pine Tree Engineering Contract

Briand presented the proposal for the Pine Tree Engineering Contract for the following:

- a. Carding Machine and Dingley Road - \$18,500
- b. Fire Station - \$8,900

Cluchey moved the Board authorize Town Manager, Nicole Briand, to sign the contract with Pine Tree Engineering for the Year 2021 paving projects and approve expending up to \$27,400 from Capital Improvement reserve; seconded by Favreau. Roll call vote was 5-0.

V. Discussion Items

A. Recycling Barn – Helen Watts, Criterium Engineers

Ms. Watts stated that, in her opinion, the Barn is not a dangerous or hazardous building under IEBC building code. She explained that it was built as a chicken barn and, in her opinion, recycling is a great use for it.

Ms. Watts determined that there is no reason to restrict use of the 1st floor for recycling purposes if the floor loads above are met. She discussed the floor load requirements, roof and wall sheathing, as well as improvements/repairs that Mr. Berry plans to do. Ms. Watts does not feel that a snow load failure of the roof will cause personal injury to anyone on the 1st floor.

Favreau reminded the Board that the floor load is just one piece of the many infractions found in the Fire Marshall's report for fire safety. He also stated that it is up to the building owner to show proof that all areas of concern have been

checked off by an engineer or labeled. Favreau expressed his concern that if there were a fire in the building, there would be not enough time to make it out safely.

Engler asked Watts if the Town of Bowdoinham should allow people on the first floor of the Recycling Barn between now and November 1, 2021. Watts answered YES. Engler informed Ms. Watts that the Code Enforcement Officer would need a written statement specifically stating that it is safe to be in the building.

VI. Comments from the Select Board Members – None.

VII. Comments from the Public

Mr. Berry announced that he has terminated the lease with the apartment tenant and has no intention having tenants in the apartment. He also reminded the Board that the roof on the building has had one failure in 60 years. Berry has begun repairs in east end of the building. He stated that all other things are improvements.

VIII. Adjourn

Adjournment was at 6:35 p.m.
Select Board
Town of Bowdoinham, Maine

David Engler, Chair

Jeremy Cluchey, Vice-Chair

Peter Lewis

Thomas Walling

Mark Favreau

Respectfully Submitted,

Kelly Hodson, Administrative Assistant