

TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: April 27, 2021

Time: 5:00 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 5:00 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, Thomas Walling, Mark Favreau, and Nicole Briand, Town Manager.

II. Amendments to the Agenda

No Amendments.

III. Public Hearing – Order of Discontinuance for Jenkins Road Public Easement

Paul Denis explained that the purpose for requesting the Discontinuance is to relieve the burden imposed on landowners for safety, liability, cost, and setback. He presented a brief history of Jenkins Road easements. He explained that this portion of Jenkins Road is his driveway and part of his property. There are portions of the road that are impassible due to overgrowth. He has experienced people driving fast and otherwise causing damage to the road. As a public easement, Mr. Denis and abutting landowners are responsible for liability caused by any improvements they have made to the road. A Discontinuance would provide protection from this liability. He explained that he and abutting landowners have spent thousands of dollars on improvements and maintenance over the years. Mr. Denis explained that Jenkins Road cannot support through traffic and discontinuing this section will not inhibit other residents' access to their property. He stated that this would provide him "a vehicle to hold accountable those who abuse the system."

Mr. George Libby stated that he has owned a property on Jenkins Road for 55 years and he thinks this would set a bad precedent for Bowdoinham.

Martha stated that she has spent a significant amount of money to fix the road and make it passable. She would like to protect the investment.

After no other concerns were raised, Engler closed the Public Hearing at 5:20 pm.

IV. Approval of Consent Calendar

- A. Meeting Minutes:
 - 1. April 13, 2021
- B. Warrants & Financial Reports:
 - 1. Treasurer's Warrant #18 for \$89,576.73
 - i. A/P Warrant #57 - \$47,912.62
 - ii. Payroll (4/22/21) - \$22,182.46
 - iii. BMV Warrant #56 - \$9,623.75
 - iv. BMV Warrant #58 - \$9,857.90
- C. Resignations
 - 1. Garcia Woodward, Advisory Committee on Aging
 - 2. Reeve Wood, Comprehensive Planning Committee

Favreau moved the Board approve the Consent Calendar as presented; seconded by Cluchey. Roll call vote was 5-0.

Engler thanked Gracia Woodward and Reeve Wood for their service to the Town.

V. Action Items

- A. Act on Jenkins Road discontinuance Warrant Article

After discussion, the Board chose to wait until after the public hearing on May 11, 2021 to act on the final warrant.

- B. Act on Proposed Amendments to Land Use Ordinance

Nathan Drummond presented four separate amendments to the Land Use Ordinance being proposed by the Planning Board. The proposed changes to the following Articles would allow the Planning Board more leeway and give more defined standards. Article 2 – Non-Roadside or Cross-Country Distribution Lines; Article 3 – Non-Conforming Buildings; Article 4 – General Performance Standards and Use-Specific Performance Standards; Article 5 – Select Board Marijuana License Fees.

After discussion, the Board chose to wait until after the public hearing on May 11, 2021 to act on the final warrant.

- C. Act on Acceptance of Piano from Earl Bigelow

Walling moved the Board to accept the piano from Earl Bigelow for placement at Town Hall; seconded by Favreau. Roll call vote was 5-0.

VI. Discussion Items

- A. Solid Waste Advisory Committee Update

Lisa Wesel stated that the Committee is wrapping up the research portion of the work on reviewing the results of the January Survey. They are also comparing our Solid Waste program with other towns of similar size and how they handle their Solid Waste fees, sorting versus single stream, and what companies they use. They

are assessing how much space is needed to collect different items, including hazardous materials. The Committee will put together an interim report in May; however, they may not have recommendations by Town Meeting. Ms. Wesel also stated that the Town needs to determine the reasons for recycling, whether it is solely as a revenue stream or for environmental or other good reasons.

Engler thanked the Committee for their hard work.

B. Review Draft Town Meeting Warrant

Briand presented the Draft Warrant to the Board for approval to present to the public at the May 11, 2021 Public Hearing, highlighting and clarifying certain Articles. Favreau stated his concern with leaving the Jenkins Road Discontinuous on the Article, but the Board determined to leave it on the Draft Warrant and pull it should the matter be voted down at the next Select Board Meeting.

The Select Board approved putting this Draft Warrant forward for the Town Meeting.

C. Committee Meetings and Facility Use

Briand stated that the Town Manager usually determines use and rental of Town facilities; however, due to the Board's involvement in decisions for COVID, she is asking for the Board's input on allowing meetings and/or gatherings using the Town's meeting rooms, Town Hall and outdoor locations. The Board determined that Briand could move forward with accommodating meetings and gatherings as long as the State CDC guidelines are met.

D. Thrift Store at the Recycle Barn

Walling asked for clarification on whether the Barn can have the Thrift Store indoors. Walling stated that Ms. Watts, the Engineer hired by Mr. Berry, stated at the last meeting that she believes the Barn is safe to use. Lewis reminded the Board that we have two previous Engineer's reports and the Fire Marshall's report stating that the building is not safe. Ms. Watts initial written report showed the same deficiencies. Favreau stated that the Board turned this matter over to Darren Carey, CEO, to work with the landlord to address the building. The Town has not received the written sign-off from Ms. Watts.

VII. Town Manager's Report

Briand announced that Jennifer Curtis started Monday, April 26th as our new Planning & Development Director.

Town Meeting – Briand believes our best option for in-person Town Meeting is the Orion Performing Arts Center in Topsham. If we use this, our meeting can be at 7:00 pm and they have agreed to waive the fee. There may be a fee for the sound system and janitor. This facility will ensure we have adequate capacity (with 6ft social distancing), parking and accessibility for our residents at an indoor location.

Briand updated the Board on the MSAD No 75 budget, stating that the overall increase for Town of Bowdoinham local contribution increase is \$61,383 (1.82%).

Solid Waste & Recycling – Briand reported that the Bulky waste/roadside clean-up day was a huge success. On the recycling side, we saw the largest one-day turnout of 142+ residents generating 30 cubic yards of recycling and 12 crates of cardboard, bringing in over \$750 in revenue.

Public Works – Briand reported that Public Works is very busy with spring road maintenance. They are hoping to get the docks in this week and finish the Curtis Farm Road repairs next week. Then the focus will be on Carding Machine Road and other gravel roads.

Main Street Blinking Light – Briand stated that she is still working with Consolidated Communications and Travelers Insurance for this claim.

Briand announced that the pavement repair on lower Main Street should be scheduled this spring.

Centers Point Parking – Briand stated that she does not have an update this.

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

None

IX. Announce Future Select Board Meetings

- A. May 11, 2021 – Regular Meeting, Public Hearing and Draft Warrant
- B. May 25, 2021 – Regular Meeting

X. Comments from the Select Board Members

None.

XI. Comments from the Public

None.

XII. Adjourn

Adjournment was at 7:21 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