

# TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: May 11, 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, Thomas Walling, Mark Favreau, and Nicole Briand, Town Manager.

## II. Amendments to the Agenda

No Amendments.

## III. Public Hearing – Proposed Town Meeting Warrant

A public hearing was held from 5:30 pm to 7:56 pm. Items discussed by residents included the Citizen's Petition to Purchase the "Recycling Barn" from David Berry, the Solid Waste and Recycling Program, proposed changes to the Land Use Ordinance, road bonds, and the proposed budget.

The Regular Select Board Meeting resumed at 8:01 pm.

## IV. Approval of Consent Calendar

### A. Meeting Minutes:

1. April 20, 2021 Special Meeting
2. April 20, 2021 Workshop
3. April 27, 2021

### B. Warrants & Financial Reports:

1. Treasurer's Warrant #21 for \$356,440.60:
  - Accounts Payable Warrant #63 - \$306,659.06
  - State Fee Warrant #59 - \$18,127.16
  - State Fee Warrant #62 - \$3,726.25
  - Reissued Check Warrant #60 - 2,995.25
  - USPS Warrant #61 - \$231.24
  - Payroll (5/6/21) - \$24,701.64

2. April Financial Reports
- C. Reports and Communications
  1. Sagadahoc Sheriff's Incident Report
  2. Memo from Community Development Advisory Committee

**Cluchey moved to approve the Consent Calendar; seconded by Favreau. Roll call vote was 5-0.**

## **V. Discussion Items**

### **A. Town Meeting Location**

Briand presented options for Town Meeting location and set up that will follow the current COVID Social Distancing Guidelines set by Governor Mills. Briand is anticipating a large turnout for Town Meeting, therefore is planning a venue for a capacity of up to 300 people. It was noted that the current State of Emergency ends May 13 and there may be changes to social distancing guidelines. It was also suggested that Briand include the Town's Health Officer in planning.

After discussion, it was agreed by the Select Board to move forward with planning to set up tents at the Town's recreation fields. The meeting will start at 6:00 pm to accommodate the possibility of a longer than usual meeting in an outdoor venue.

## **VI. Action Items**

### **A. Act on Town Meeting Warrant**

Chairman Engler presented Articles 2-5 for approval.

- Article 2: "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add and Amend Provisions Regarding Non-Roadside or Cross-Country Distribution Lines (greater than 34.5kv)"
- Article 3: "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add and Amend Provisions Regarding Non-Conforming Buildings"
- Article 4: "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add and Amend Provisions Regarding General Performance Standards and Use-Specific Performance Standards"
- Article 5: "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Update the Select Board License and Application Fees Regarding Marijuana Licenses"

**Favreau moved the Board approve Articles 2-5 to be placed on the Town Meeting Warrant; seconded by Cluchey. Roll call vote was 5-0.**

Chairman Engler presented Article 9 for approval.

- Article 9: "Establishment of the Rideout Memorial Reserve Fund and appropriate the sum of \$375,987.04 that was received from the Miriam B. and Linwood B. Rideout Memorial Trust to this Reserve Fund to be used for the

purposes consistent with those specified in the Sagadahoc Probate Court's Order for Termination of Charitable Trust dated July 22, 2020"

**Walling moved the Board to approve Article 9 to be placed on the Town Meeting Warrant; seconded by Favreau. Roll call vote was 5-0.**

Chairman Engler presented Article 10 for approval.

- Article 10: "Conveyance of license and easement for solar facility on public works building"

**Cluchey moved the Board to approve Article 10 to be placed on the Town Meeting Warrant; seconded by Favreau. Roll call vote was 5-0.**

Chairman Engler presented Article 11 for approval.

- Article 11: "Order of Discontinuance of its public easement over the Jenkins Road"

Favreau shared his concern of setting a bad precedent for the future in allowing this discontinuance.

**Walling moved the Board to approve Article 11 to be placed on the Town Meeting Warrant; seconded by Lewis. Roll call vote was 3-2.**

Chairman Engler presented Article 25 for approval.

- Article 25: "Property Tax Levy Limit"

**Favreau moved the Board to approve Article 25 to be placed on the Town Meeting Warrant; seconded by Cluchey. Roll call vote was 5-0.**

Chairman Engler presented Articles 28-45 for approval.

- Articles 28-45: "Business Articles"

**Cluchey moved the Board to approve Articles 28-45 to be placed on the Town Meeting Warrant; seconded by Lewis. Roll call vote was 5-0.**

Chairman Engler presented FY2021 Municipal Budget Articles 6-8, 13-24, 26-27 for approval.

**Favreau moved the Board recommend the FY2021 proposed municipal budget as presented and recommended by the Finance Advisory Committee; seconded by Lewis. Roll call vote was 5-0.**

Chairman Engler presented the Town Meeting Warrant for approval with the following adjustment: Town Meeting to be held at the Recreation Fields at 6:00 pm on June 9, 2021.

**Favreau moved the Board to approve the Town Meeting Warrant for June 9, 2021, as adjusted by this meeting's previous related actions by the Board; seconded by Cluchey. Roll call vote was 5-0.**

B. Act on Town Meeting Warrant Recommendations.

Chairman Engler presented the following recommendations on the Town Meeting Warrant Articles to be passed by the Select Board:

- Article 2: “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add and Amend Provisions Regarding Non-Roadside or Cross-Country Distribution Lines (greater than 34.5kv)”
- Article 3: “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add and Amend Provisions Regarding Non-Conforming Buildings”
- Article 4: “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add and Amend Provisions Regarding General Performance Standards and Use-Specific Performance Standards”
- Article 5: “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Update the Select Board License and Application Fees Regarding Marijuana Licenses”

**Cluchey moved the Board recommend Articles 2-5 to pass; seconded by Favreau. Roll call vote was 5-0.**

- Article 9: “Establishment of the Rideout Memorial Reserve Fund and appropriate the sum of \$375,987.04 that was received from the Miriam B. and Linwood B. Rideout Memorial Trust to this Reserve Fund to be used for the purposes consistent with those specified in the Sagadahoc Probate Court’s Order for Termination of Charitable Trust dated July 22, 2020”

**Cluchey moved the Board recommend Article 9 to pass; seconded by Favreau. Roll call vote was 5-0.**

- Article 10: “Conveyance of license and easement for solar facility on public works building”

**Walling moved the Board recommend Article 10 to pass; seconded by Cluchey. Roll call vote was 4-1.**

- Article 11: “Order of Discontinuance of its public easement over the Jenkins Road”

**Cluchey moved the Board recommend Article 11 to pass; seconded by Lewis. Roll call vote was 3-2.**

- Article 12: “Citizens Petition to Purchase Recycling Barn”

**Cluchey moved the Board recommend Article 12 to pass; seconded by Favreau. Roll call vote was 0-5. (*Board voted unanimously to not recommend Article 12 to pass*)**

- Articles 6-8, 13-24, 26-27: FY2021 proposed municipal budget

**Lewis moved the Board to recommend Articles 6-8, 13-24, 26-27 to pass; seconded by Favreau. Roll call vote was 5-0.**

- Articles 28-45: “Business Articles”

**Lewis moved the Board to recommend Articles 28-45 to pass; seconded by Favreau. Roll call vote was 5-0.**

- Article 25: “Property Tax Levy Limit”

**Lewis moved the Board to recommend Article 25 to pass; seconded by Favreau. Roll call vote was 5-0.**

C. Act on Supplemental Assessment #3

Briand stated that Ruthies Rolls, LLC is requesting to remove their 18.4 acre property (R03-046-E) from the Maine Tree Growth Tax Law resulting in a supplemental tax assessment for the tree growth penalty of \$9,382.

**Favreau moved the Board approve Supplemental #3 for Ruthies Rolls, LLC in the amount of \$9,382; seconded by Cluchey. Roll call vote was 5-0.**

D. Act on Property Tax Abatement #3 - David Girardin in the amount of \$1,339.48

Briand stated that it was brought to the assessors’ agent’s attention by the property owner that the total assessed value is \$291,900 and the assessment should be reduced by \$79,400.

**Cluchey moved the Board approve Property Tax Abatement #3 for David Girardin in the amount of \$1,339.48; seconded by Favreau. Roll call vote was 5-0.**

E. Act on Curbside Waste Pick-up and Transportation Contract – with Richard Plummer & Son, Inc.

Briand stated that Mr. Plummer has requested an \$0.05 per bag increase per year, as with the current contract. He has also requested that recycling pick-up be removed from the contract until the Town is ready to resume that service.

**Favreau moved the Board approve Curbside Waste Pick-up and Transportation Contract with Richard Plummer & Son, Inc., as presented; seconded by Walling. Roll call vote was 5-0.**

## **VII. Town Manager’s Report**

Public Works – Briand stated that Public Works has finished work on Curtis Farm Road and is working on Carding Machine Road and Wallentine grading. They are also getting the cemeteries cleaned up for Memorial Day.

Ambulance Contract – Briand stated that Northeast Ambulance is willing to continue to provide service for next year. Topsham handled most of our calls last year from mutual aid. Topsham is increasing the mutual aid fee from \$250 to \$500.

Briand stated that she is still waiting for the estimates for the Town Office emergency door and roof.

She is also still waiting for the Phase II Environmental Assessment for the old Public Works.

Briand announced that DOT is willing to relinquish rights to the additional tracks on property deed.

We are waiting for an update from Centers Point projects.

Briand announced that the Pine Tree Engineering roadwork will go out to bid next week and the fire station work will go out to bid the following week. Roadwork bids are expected back June 10<sup>th</sup> and fire station bids shortly after.

We are waiting for report from the sub-consultant on wetlands and vernal pools on Public Works property.

Main Street light – Consolidated says they are not responsible. Briand sent additional follow-up information showing that the Town incurred \$30,000 in damage. So far both insurance companies refuse to pay.

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

None.

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

- A. May 25, 2021
- B. June 8, 2021
- C. June 22, 2021

### **X. Comments from the Select Board Members**

Lewis stated that it will be good to get back to a consistent Select Board meeting schedule.

Cluchey gave a commendation to our Recreation Director, Mason Griffin, for staying on top of challenges with the Rec Programs due to COVID and rain. He noted that Mason was at the ball field at 6:00 a.m. to see if the fields were too wet for games.

### **XI. Comments from the Public**

A resident inquired about who gets to vote at Town Meeting. Briand responded, that according to State Statute, all registered voters can vote at Town Meeting.

## **XII. Adjourn**

Adjournment was at 9:33 p.m.  
Select Board  
Town of Bowdoinham, Maine

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David Engler, Chair

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Jeremy Cluchey, Vice-Chair

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Peter Lewis

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Thomas Walling

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Mark Favreau

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Respectfully Submitted,

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Kelly Hodson, Administrative Assistant