

TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: August 24, 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. 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

- 3.B.1 – Add Accounts Payable Warrant #12 to Treasurer’s Warrant #4 - \$121,064.79
- 4.B – Add two Committee Appointments
- 4.J – Act on to expend \$8,000 from Public Works Reserve for purchase of Bucket Truck

III. Approval of Consent Calendar

- A. Meeting Minutes:
 - 1. August 10, 2021
- B. Warrants & Financial Reports:
 - 1. Treasurer’s Warrant #4 for \$118,060.79:
 - Accounts Payable Warrant #8 - \$241.58
 - Accounts Payable Warrant #10 - \$73,884.47
 - Accounts Payable Warrant #12 - \$121,064.79
 - State Fee Warrant #7 - \$9,175.56
 - State Fee Warrant #9 - \$8,311.72
 - State Fee Warrant #11 - \$485.00
 - Payroll (8/12/21) - \$25,962.46
- C. Communications
 - 1. Ararat High School Ribbon Cutting Ceremony

Cluchey moved the Board to approve the Consent Calendar, seconded by Lewis. Vote was 5-0.

Walling moved the Board to approve the Meeting Minutes; seconded by Favreau. Vote was 3-0.

IV. Action Items

A. Act on Supplemental Assessment #2

Briand presented the Supplemental Assessment #2 for Constance Jackson, Trustee for Heirs of Henry & Adeline Lamoreau to remove 2.68 acres of their property (U07-005) from the Maine Tree Growth Tax Law resulting in a supplemental tax assessment for the tree growth penalty of \$8,201.71.

Walling moved the Board approve Supplemental #2 in the amount of \$8,201.71; seconded by Lewis. Vote was 5-0.

B. Act on Committee Appointments

- **Cluchey moved to appoint Robert Schott to the Comprehensive Planning Committee for a term of office that expires June 30, 2022; seconded by Favreau. Vote was 5-0.**
- **Lewis moved to appoint Linda Williams to the Cemetery Advisory Committee for a term of office that expires June 30, 2022; seconded by Cluchey. Vote was 5-0.**
- **Lewis moved to appoint Patrick James O’Hanlon to the Cemetery Advisory Committee for a term of office that expires June 30, 2022; seconded by Favreau. Vote was 5-0.**
- **Cluchey moved to appoint David Grogan to the Town Hall Restoration & Preservation Committee for a term of office that expires June 30, 2022; seconded by Favreau. Vote was 5-0.**
- **Cluchey moved to appoint Elizabeth (Betsy) Steen to the Town Hall Restoration & Preservation Committee for a term of office that expires June 30, 2024; seconded by Favreau. Vote was 5-0.**
- **Cluchey moved to appoint Brett Thompson to the Town Hall Restoration & Preservation Committee for a term of office that expires June 30, 2023; seconded by Walling. Vote was 5-0.**

C. Act on Boating Facilities Fund Grant

Briand announced that we have been approved for a \$75,000 Boating Facilities Fund grant for the construction of the non-motorized boat launch. Our match will be funded from the CMP TIF.

Lewis moved the Board accept the Boating Facilities Fund Grant and authorize the Town Manager to sign the grant agreement; seconded by Favreau. Vote was 5-0.

D. Act on MDOT SHIP Grant

Briand announced that we have been approved for a \$119,918 Boating Facilities fund grant for the construction of the non-motorized boat launch.

Lewis moved the Board accept the Small Harbor Improvement Program funding and authorize the Town Manager to sign the agreement; seconded by Favreau. Vote was 5-0.

Engler thanked Nicole Briand and Jennifer Curtis for their work on these grants. They will be a major help to tax-payers and town members.

E. Act on Sagadahoc County Assessors' Return

Favreau moved the Board approve the Sagadahoc County Assessors Return, as presented; seconded by Lewis. Vote was 5-0.

F. Act on Citizen of the Year Selection

Favreau moved the Board select nominee #7 for the Citizen of the Year; seconded by Cluchey. Vote was 5-0.

G. Act on Cocktail Mary Catering Permit Application

Favreau moved the Board approve the application for a catering permit for Cocktail Mary, as presented; seconded by Walling. Vote was 5-0.

H. Act on Notice of Hearing for Dangerous Building Proceeding – Delair

Briand advised that the attorneys have researched who to notify. Notice of Public Hearing will be served to property owner. Public Hearing will be held at the next Select Board Meeting with Attorney Rachin.

Cluchey moved the Board approve the Notice of Hearing for the Dangerous Building at 84 Ridge Road; seconded by Favreau. Vote was 5-0.

I. Act on Haley Ward Contract for Additional Environmental Assessment Services for former Public Works Property

Planning Director, Jennifer Curtis, reviewed the findings of the Phase II Environmental Site Assessment prepared by Haley Ward. She stated that it contained mostly good news. Only the RCRA 8 metals were detected at a level above the MDEP Park User Remediation Action Guidelines (RAG) of 26 mg/kg at 30 mg/kg of arsenic, in the 0-4 ft composite sample from soil boring (SB)11. She added that all other samples and impacts were below both the Construction Worker and Park User RAG. The SB-11 is located at the northern corner of the location of the former Public Works building. Elevated arsenic levels were also detected in the 4-8 ft composite sample taken at SB-3, located along the rail spur.

Ms. Curtis shared the staff recommendation based on the information received from Haley Ward is to take up the additional 8 samples in the 0-2 ft bgs range in the area of SB-3 and SB-11. Additionally, to write a report summarizing the results and recommended environmental best practices to be employed during construction, and to prepare a VRAP application on behalf of the town if arsenic levels above 26 mg/kg are confirmed.

Ms. Curtis requested to budget \$10,500 from the CMP-TIF account for the sampling and VRAP.

Lewis moved the Board authorize the Town Manager sign the Haley Ward contract for the additional environmental assessment services up to \$10,500 from the CMP TIF; seconded by Cluchey. Vote was 5-0.

Public Works Property – Act to expend \$8,000 from Public Works Reserve for purchase of Bucket Truck

Lewis moved the Board expend \$8,000 from Public Works Reserve for the purchase of a Bucket Truck; seconded by Favreau. Vote was 5-0.

V. Discussion Items

A. Update from Age-Friendly Bowdoinham (Advisory Committee on Aging)

Peggy Muir reported on the Age-Friendly Bowdoinham accomplishments and activities during the past year, as well as seeking guidance on how to improve the well-being of older adults living in Bowdoinham.

Ms. Muir shared that the committee is interested in moving from a wide range of interests into a more pragmatic function. The committee would like to begin a program that will assess the safety of homes and will have a document available at Celebrate and at the Town Office with a checklist of safety suggestions for “elderly” homes. She stated that Bowdoinham had >600 people in the over 65 age range in the last census. We have not received number from the latest census yet.

She added that the committee would like to provide additional practical and entertainment (social) opportunities including completing the sidewalks so the loop would be connected for walking. She added that there may be a project grant for this. Cluchey suggested that they may want to have a conversation with the Merrymeeting Trail club at some point.

Ms. Muir also stated that the committee believes that the Town needs to implement a protocol so that every event will provide elder access.

Additionally, a major concern is support services such as mowing. She hoped that the Town could facilitate positions for light housekeeping / support for elders to sign up for.

Ms. Muir reminded the Board that Bowdoinham is one of two North American Communities recognized by the World Health Organization as Elder Friendly. The Town’s Recreation Director, once hired, will be a point person/coordinator at the Town Office for the Age-Friendly Bowdoinham Advisory Committee.

B. FY22 Tax Rate

Briand shared the latest revenue sharing projection estimates that we will receive \$334,536.24. Last year we received \$314,744 in revenue sharing. Additionally, the school may be reducing the Town’s local share by \$66,268. The Select Board would like to keep the rate as low as possible.

C. Solar Power Purchase Agreement with ReVision Energy

Jennifer Curtis, Planning Director, gave an update on the Solar Project with recommendations. She stated that the project proposed changed a little bit due to COVID availability. The street lights are not included in the original estimate, which will add a lot more kilowatt hours. The credits can be rolled over to be used when we underproduce. The project will be affixed to the Public Works roof with tension clamps rated to sustain 100+ mph winds. The recommendation is to move forward with Aga Dixon, the Town’s legal consultant, to negotiate the final PPA with ReVision.

Favreau stated that he does not see the savings benefit with the current percentage on the PPA rate.

Lewis suggested obtaining comparisons on joining another existing Community Project.

D. Ethics Policy

Briand responded to the Board's request to look into the Ethics Policy stating that the Select Board has the authority to enforce the policy on appointed board and committee members with due process and cause. However, without a charter there is no authority to enforce the policy on the elected Select Board members. A duly elected Select Board member can be "censured" or scolded for a breach of standards governing conduct. A Select Board member can only be removed by election or recall.

Briand noted that a charter changes the type of Town governance.

Lewis requested more research on adding a charter. Favreau noted that this is a very time-consuming project for the staff. Briand will begin preliminary research for a charter.

E. Request for Proposals - Recycling Barn Rehabilitation

The RFP draft was included for Select Board review.

Favreau suggested some refinements for the RFP breaking down lawn waste as grass/leaves/brush. Also put parameters on Construction / Demo debris as being shingles and wood waste. We also want to add glass.

We would like our program to be responsive to the markets as they change.

Briand stated that the RFP's are due back the first week of October, 2021. Our goal is to award contracts at the first meeting in November.

F. Solid Waste Advisory Committee

Briand stated that we currently have two remaining members on this Committee. After discussion, it was determined that the committee could take a break until January 2022. We can accept applications for committee members in the meantime. Once the committee resumes, they will be tasked with creating new by-laws, reviewing and proposing updates to the Solid Waste Management Ordinance, and applying the new Maine legislation requiring packagers to pay.

VI. **Town Manager's Report**

Briand shared that the draft for our FY20 Audit has been received. We are still awaiting our final report. We are tentatively scheduled to meet with our new auditor, James Wadman, to prepare for FY21 audit for October 13th.

We will be placing tax liens on properties for unpaid taxes on Wednesday, September 25th.

The Town Office roof replacement is scheduled for November. Briand will reach out to contractor. The installation of the emergency doors has started. Favreau has begun the outside work on these.

Town Office Renovation Project

Briand has met with Fred Haer and Mark Favreau to discuss relocating the Town Office to Cathance Landing (FHC) during construction. Some work would need to be done in order for us to relocate. No other location can hold everyone.

Road Work

Public Works has been busy. The next project is ditching and replacing culverts on Dingley Road. All State is scheduled for gravel and paving in October.

The bids for the Fire Station parking lot came back today. The two lowest bids were \$68,000 and \$69,500. This will be in the September Agenda.

The Brooklyn Bridge painting has been delayed due to rain. The painting will start right before Celebrate Bowdoinham. We are working with the Fireworks provider to change the show location.

Centers Point Road Parking Area

We have completed the permitting for the parking area. KELT is in the process of obtaining a contractor for the work.

Policy Updates

FOAA updates need to be added to the policy.

Blinking Light

The blinking light was put up today but is not turned on yet.

VII. Select Board Member's Request for Agenda Items for Next Meeting

None.

VIII. Announce Future Select Board Meetings

A. September 14, 2021 – Regular Meeting

B. September 28, 2021 – Regular Meeting

IX. Comments from the Select Board Members

None.

X. Comments from the Public

A member of the public asked if we could improve the Town Hall Stream audio. They noted that the meetings are difficult to hear. Briand responded that we have purchased and will be installing two additional microphones.

XI. Adjourn

Adjournment was at 7:50 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