

# TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: April 23, 2024

Time: 6:00 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, Joanne Joy, at 6:00 p.m. Select Board members participating were Joanne Joy, Deb Smith, Mark Favreau, Allen Acker, Peter Feeny and Nicole Briand, Town Manager.

## II. Amendments to the Agenda

7.Q – Public Works Reserve Request

## III. Comments from the Public

- Karen Mayo stood up and thanked the Select Board and Finance Committee for all the hard work they put into preparing the budget. She then stated that she was in favor of the age-friendly and recreational employee and thanked them for the job they were doing. She said she supported what she was hearing to compensate the Town employees so that they would stay at their jobs and continue to help the Town grow.
- Robert Small addressed the Board stating he wanted to object to some of the comments allowed in the report on the hearing of Loud and Local, LLC application. Specifically, to comments from Doug Tourtelotte in two emails he sent the Select Board regarding his perspective of the situation between the property owners and the neighbors regarding the location of the business. He felt these were personal attacks and should not have been allowed as part of the application. Joy thanked him for bringing it to their attention.

## IV. Approval of Consent Calendar

A. Meeting Minutes

1. April 9, 2024

B. Warrants & Financial Reports

1. Treasurer's Warrant #20

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

## V. Public Hearing

Convened 6:12 pm. Adjourned 6:14 pm.

A. Marijuana Business License for a Cultivation Facility

Applicant: North Fire, LLC

Property: 239 Carding Machine Road (Map R06, Lot 040-B)

No comments were made by the public.

## VI. Licensing

### A. Marijuana Business License for a Cultivation Facility

Applicant: North Fire, LLC

Property: 239 Carding Machine Road (Map R06, Lot 040-B)

**Favreau moved 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 April 29, 2021."**
- **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 Acker. Vote 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 the Site Plan Review Permit from the Planning Board, April 29, 2021."**

**Seconded by Acker. Vote 5-0.**

## VII. Action Items

Joy let participants attending the meeting and those watching online know that the items the Board would be acting on to place on the warrant had been previously discussed in prior meetings.

### A. Act on Approval of "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Update District Requirements"

**Smith moved the Board approve "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Update District Requirements; seconded by Acker. Vote was 5-0.**

Acker expressed his concerns over the restrictions on dwelling units in the residential and agricultural districts compared to the village district. Using the example if he wanted to build a home for each of his children because of where he resides, he would have to place one dwelling per acre but a person living outside these districts could have multiple dwelling units per acre. He felt this was unfair restrictions for property owners based on which district they reside in.

Favreau said he had the same issues especially with the subdivision changes. He also felt the Planning Board should have brought it to the Board and explained.

Briand explained to the Board that it wasn't the Planning Board making the ordinance changes. The proposed changes were brought to the Comprehensive Planning Committee who passed them to the Planning Board who shepherds the process. Per law they hold the public hearings and finalize it based on attorney's comments.

Feeney stated that if it doesn't pass then the dwelling units stay the same.

Joy said she was in favor of it because it allowed growth in the village district and protected the agricultural district, but she understood Acker's concerns.

Acker said he wanted to revisit the previous motion approve this to be on the warrant.

Joy said that she felt that went against prior direction of the Board to put decisions before the voters to decide the direction of the Town.

Favreau and Feeney both agreed that though they were not for the change that it should be decided by the voters.

**Acker moved the Board recount previous vote for approval "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Update District Requirements; seconded by Smith. Vote was 2-3. Acker and Smith for, Favreau, Joy and Feeney opposed.**

**Favreau moved the Board recommend "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Update District Requirements; seconded by Smith. Vote 1-4.**

Joy for. Smith, Favreau, Feeney and Acker opposed.  
The Board does not recommend Article 4.

B. Act on Approval of "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add, Revise and Clarify Provisions"

**Acker moved the Board approve "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add, Revise and Clarify Provisions; seconded by Smith. Vote was 5-0.**

**Acker moved the Board recommend "An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add, Revise and Clarify Provisions; seconded by Fenney. Vote was 5-0.**

C. Act on Amended CMP/Riverfront Municipal Tax Increment Financing District and Development Program.

**Acker moved the Board approve the Resolution for the proposed Development Program for the CMP/Riverfront TIF District and approve the proposed CMP/Riverfront Municipal Tax Increment Financing District and Development Program for June Town Meeting consideration; seconded by Feeney. Vote was 5-0.**

**Acker moved the Board recommend the Resolution for the proposed Development Program for the CMP/Riverfront TIF District and recommend the proposed CMP/Riverfront Municipal Tax Increment Financing District and Development Program for June Town Meeting consideration; seconded by Feeney. Vote was 5-0.**

D. Act on Approval of Proposed Comprehensive Plan

**Acker moved the Board approve the Comprehensive Plan as presented and submit the Plan to June Town Meeting for consideration; seconded by Feeney. Vote was 5-0.**

**Favreau moved the Board recommend the Comprehensive Plan as presented and submit the Plan to June Town Meeting for consideration; seconded by Smith. Vote was 5-0.**

E. Act on Approval of Non-Municipal Organizations' Funding Requests

a) Spectrum Generation

**Acker moved the Board approve the Town Meeting Warrant Article for Spectrum Generations in the amount of \$1,733; seconded by Smith. Vote was 5-0.**

b) The Life Flight Foundation

**Acker moved the Board approve the Town Meeting Warrant Article for The Life Flight Foundation in the amount of \$762; seconded by Favreau. Vote was 5-0.**

**c) Kennebec Behavioral Health**

**Acker moved the Board approve the Town Meeting Warrant Article for Kennebec Behavioral Health in the amount of \$100; seconded by Favreau. Vote was 5-0.**

**d) Maine Public**

**Acker moved the Board approve the Town Meeting Warrant Article for Maine Public in the amount of \$100; seconded by Favreau. Vote was 5-0.**

**Smith moved the Board recommend the Town Meeting Warrant Articles for Non-Municipal Organizations' Funding Requests; seconded by Acker. Vote was 5-0.**

**F. Act on Proposed 2025 Municipal Budget**

**Acker moved the Board approve and recommend Articles 9-23, and 28 of the FY2025 municipal budget, as presented; seconded by Favreau. Vote was 5-0.**

**Acker moved the Board approve and recommend Articles 6-8 of the FY2025 municipal budget, as presented; seconded by Smith. Vote was 5-0.**

**Acker moved the Board reconsider and recount recommendation of Article7; seconded by Feeney. Vote was 5-0.**

The Board discussed not putting a recommendation on Article 7 because they felt they wanted the Town's input as to if they want them to proceed and negotiate a lease for a cell tower.

**Acker moved the Board to make no recommendation for Article7; seconded by Feeney. Vote was 5-0.**

**G. Act on Town Meeting Warrant Recommendations**

**Acker moved the Board approve and recommend Articles 29-46 of the FY2025 municipal budget, as presented; seconded by Favreau. Vote was 5-0.**

**H. Act on Town Meeting Warrant**

**Acker moved the Board approve the Town Meeting Warrant for June 1, 2024, as adjusted by the Board; seconded by Favreau. Vote was 5-0.**

**I. Act on Warden for June 11, 2024, Elections**

**Acker moved the Board approve Tina Magno, Town Clerk to appoint Rachelle Tome as Warden for the Election to be held on Tuesday, June 11, 2024; seconded by Feeney. Vote was 5-0.**

**J. Act on Ballot Clerks for June 11, 2024, Elections**

**Acker moved the Board confirm the Ballot Clerks for the June 11, 2024 Election, as presented; seconded by Feeney. Vote was 5-0.**

**K. Act on Cemetery Reserve Request**

The Cemetery Committee is requesting up to \$1,500 from the Cemetery Reserve for two fencing projects.

**Acker moved the Board approve expending up to \$1,500 from the Cemetery Reserve for the Whitmore Cemetery and Pratt Cemetery fencing projects; seconded by Feeney. Vote was 5-0.**

L. Act on Recreation Reserve Request

**Acker moved the Board approve expending up to \$3,000 from the Recreation Reserve to purchase a temporary homerun fence; seconded by Feeney. Vote was 5-0.**

M. Act on Hosting Maine Cal Ripken District Baseball Tournament

**Acker moved the Board approve hosting the Maine Cal Ripken 10u District Baseball Tournament; seconded by Feeney. Vote was 5-0.**

N. Act on 2024 Roadway Improvements Project Change Order #1

This change order is for the repaving of the sidewalk on Cemetery Road and the base pave for the parking lot expansion. The sidewalk paving was approved to be billed to the Public Works reserve in November 2023 and the base paving for the parking lot expansion will be paid through the Library's grant.

**Acker moved the Board approve Change Order #1 for the 2024 Roadway Improvements Project; seconded by Feeney. Vote was 5-0.**

O. Act on Road Bond Award

**Acker moved the Board approve a General Obligation Bond with Camden National Bank at 5.885% for 10 years; seconded by Favreau. Vote was 5-0.**

P. Act on Municipal Services Impact Statement

- a) Scott Libbly Woodworking (R02-063-F)
- b) Hatch Point Enterprises (R12-015)
- c) Nathan Drummond & Gabriel Gosselin (R08-012-C)

**Acker moved the Board has no concerns, as the proposed projects will not have unreasonable adverse impact on municipal services; seconded by Favreau. Vote was 5-0.**

Q. Act on Public Works Reserve Request

Public Works is scheduled to look at a used truck.

**Acker moved the Board approve expending up to \$100,000 from the Public Works Reserve to purchase a plow truck and authorize the warrant to be signed by one Select Board member to issue the check; seconded by Favreau. Vote was 5-0.**

## VIII. Town Manager's Report

Town Office Closures:

- April 26<sup>th</sup> - We'll be completing the relocation of our IT equipment in wiring with API and Consolidated.
- May 27<sup>th</sup> – Memorial Day

Property Tax Payments (2<sup>nd</sup> half) and Personal Property declaration and forms are due by May 1<sup>st</sup>.

Town Meeting – June 1<sup>st</sup> at 9am

State & Municipal (*School*) Election – June 11<sup>th</sup>

Updates:

- Our new harbor master has resigned, I'll be working to have a new appointment for the Board's May 14<sup>th</sup> meeting.
- We received three engineering service proposals for our MDOT VIP planning projects. Staff are reviewing the proposals and will be bringing a recommendation to the Board.
- We will be putting the waterfront shoreline stabilization project out to bid on April 10<sup>th</sup>, with bids being due April 30<sup>th</sup>.
- The interior chimney work has been completed.
- Public Works is wrapping up the groundwork for the new parking area at the Town Office.
- Maine-ly Paving completed the pavement removal on Carding Machine Road (Section 1) so that Public Works can prep that section of road prior to paving. We're tentatively planning to start our paving in July.
- Movement for Superior Court Case. Our Town Attorney will be joining the Board for an executive session in May.

**IX. Announce Future Select Board Meetings**

- A. May 14, 2024, at 6:30 pm – Regular Meeting
- B. May 28, 2024, at 6:30 pm – Regular Meeting

**X. Select Board Member's Comments & Request for Agenda Items**

- Feeny asked if there would be follow-up on the comments made from the Public at the beginning of the meeting dealing with emails received. Briand said the emails in question were to the Select Board and that made them part of the public record.
- Joy suggested that specific members of the Board be prepared to answer questions on areas of the warrant that may be asked.
- Acker requested to have an MMA Insurance presentation of the health insurance options they have. Also, if the Town could reach out to LCI to see if they are expanding their coverage area in Bowdoinham.

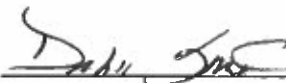
**XI. Comments from the Public- None**

**XII. Adjourn**

Adjournment was at 7:38 p.m.

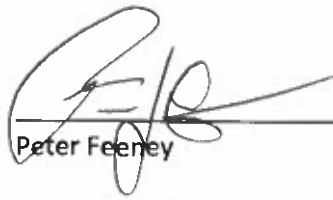
Select Board  
Town of Bowdoinham, Maine

  
Joanne Joy, Chair

  
Debra Smith, Vice-Chair

  
Mark Favreau

  
Allen Acker



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Peter Feeney

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Respectfully Submitted,



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Lisa-Marie Curtis, Administrative Assistant

