

# TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: May 14, 2024

Time: 6:30 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, Joanne Joy, at 6:30 p.m. Select Board members participating were Joanne Joy, Deb Smith, Mark Favreau, Allen Acker, Peter Feeney and Nicole Briand, Town Manager.

## II. Comments from the Public

- Peggy Muir expressed her safety issues along the river, especially with the launch opening. She stated that over the years her and her husband had assisted distressed boaters as well as paddlers who were not aware of the various hazards along the river, such as tidal changes, sand bars and debris. She asked if the Town could post informational signs about the river to make people aware of the conditions, such as the river is tidal waters. Briand let her know that the Board would be discussing this later in the meeting. Muir thanked the Board for looking into what the Town could do to increase public awareness.
- David Guilmette introduced himself to the Board letting him know he was running for Representative and was available to answer questions or listen to any of their concerns.
- David Asmussen. The chair of the Comprehensive Planning Committee addressed the Board. He let the Board know he understood they had questions and concerns about Article 4 and apologized that they had not had a workshop with the Board to discuss the proposed changes and how the proposal came about. Joy asked if they were still planning to send out a mailer and Asmussen said they were.

## III. Amendments to the Agenda

- A. 6.G Road Close Request from Three Robbers Pub

## IV. Approval of Consent Calendar

- A. Meeting Minutes
  - 1. April 23, 2024
- B. Warrants & Financial Reports
  - 1. Treasurer's Warrant #21
  - 2. April 2024 Financial Reports
- C. Reports and Communications
  - 1. Sagadahoc Sheriff's April Report

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

## V. Licensing Item

- A. Marijuana Business License for Manufacturing and a Registered Caregiver  
Applicant: Upta Camp Edible Co. LLC/Golden Road Extracts LLC  
Property: 9 Main St. (Map U01, Lot 069)

Favreau stated that he maintained the building but had no financial gain from the business license. Acker also stated that he had a non-financial relationship with the owner.

Acker also asked if on a later agenda the Board could look at the renewal licensing process.

**Acker moved the Board find Upta Camp Edible Co. LLC/ Golden Road Extracts LLC for a Marijuana Business License complete; seconded by Smith. Vote was 5-0.**

**Acker moved the Board schedule a public hearing for Upta Camp Edible Co. LLC/ Golden Road Extracts LLC's application for a Marijuana Business License on May 28, 2024; seconded by Smith. Vote was 5-0.**

## VI. Action Items

- A. Act on Harbor Master Appointment

The Town has hired a new Harbor Master, Derek Saxon of Richmond. Derek is also the owner of the marina and worked with our previous Harbor Master

**Favreau moved the Board confirm Derek Saxon's appointment, as presented; seconded by Smith. Vote was 5-0.**

- B. Act on Phase 2- Waterfront Improvement Shoreline Stabilization Award

The Town received three bids for the shoreline stabilization project. This phase of the waterfront improvements is being funded by the Land Water Conservation Fund Grant 23-00909 and Community Resilience Partnership Community Action Grant.

**Acker moved the Board award the Waterfront Improvement Phase 2 Contract 1 for Shoreline Stabilization (LWCF 23-00909) to Bedard Excavation; seconded by Feeney. Vote was 5-0.**

- C. Act on Bond Resolution

**Acker moved that the resolution entitled, "Resolution to Authorize Issuance of General Obligation Bonds in Principal Amount of \$1,000,000 for Roads and Parking Lots," be adopted in form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of this meeting; seconded by Favreau. Vote was 5-0.**

- D. Act on Cemetery Reserve Request

**Feeney moved the Board expend up to \$550 from the Cemetery Reserve to reset the Maloon monument in the Village Cemetery; seconded by Favreau. Vote was 5-0.**

- E. Act on Coombs Building Roof Repair

While Mr. Stehle was repairing the chimney, he found that the metal section of our roof was leaking. He has provided a proposal to sand and repaint the metal roof. The work previously approved from the Town Office/Town Hall reserve came in under budget, therefore the Town can complete this additional work within the previously approved budget.

**Feeney moved the Board approve repairing the Coombs metal roof with funding from the Town Office/Town Hall Reserve; seconded by Acker. Vote was 5-0.**

**F. Act on MaineDOT VPI Planning Services Award**

The Town received three proposals for the downtown planning study, and in following Maine DOT's qualification review process, have selected Gorrill Palmer.

**Acker moved the Board award the Planning Services Contract to Gorrill Palmer for the MaineDOT Village Partnership Initiative Downtown Planning Study and authorize the Town Manager to sign the contracts; seconded by Smith. Vote was 5-0.**

**G. Act on Road Closure Request from Three Robbers Pub**

Three Robbers Pub has asked if the Town would close the road between the Pub and the Boat Launch on June 9, 2024, for the approximate hours of 1-4 pm to have special celebration activities for their 5<sup>th</sup> anniversary.

**Feeney moved the Board approve closing the road by the Pub on June 9, 2024, for the celebrations at Three Robbers Pub; seconded by Acker. Vote was 5-0.**

**VII. Discussion Items**

**A. Office Closures**

Briand discussed upcoming office closures. The office will be closed on Friday June 28, 2024, to do end of year processing and in the afternoon having the Staff Luncheon.

She also let the Board know that she had received requests from staff to have Friday July 5<sup>th</sup> off and let the Board know that other Municipalities are closed that day. She said that staff asked about trading the June 19<sup>th</sup> holiday for July 5<sup>th</sup> this would reduce the days the office would be closed to the public. The office would also open at 9 am on Wednesday July 3<sup>rd</sup>.

The office will be closed Monday May 27<sup>th</sup> for Memorial Day and closing at 2 pm on Friday May 31<sup>st</sup> to set-up for Town Meeting.

**B. Legislative Policy Committee Nominations**

MMA's legislative platforms, policies, and positions are developed by a 70-member Legislative Policy Committee (LPC), which is made up of two municipal officials from each of the state's 35 Senate Districts.

Briand has served on the committee in the past. Joy asked if she thought it was beneficial to the Town and if she wanted to serve again, she would nominate her. Briand said she would reach out to them if they needed an alternate.

**C. River Safety Concerns**

Peggy Muir had emailed about her concerns for the safety of folks on the river. Smith asked if the Board to discuss the issue.

Muir expressed her concerns during the public comments at the beginning of the meeting. Smith said she liked Muir's suggestion of information signs at the landings. The Board discussed what type of information should be on the signs and the placement at both launches. Briand was going to investigate pricing for various size signs.

D. **Maily Waterfront Park Policy**

Briand reminded the Board that last year they wanted to know how other towns were managing food trucks and the rental of town properties.

Favreau felt that charging \$25 for water was excessive. Acker agreed and said if they were going to charge extra for anything it should be electricity. The Board also discussed rates for residents versus nonresidents.

VIII. **Town Manager's Report**

- Town Office Closures:
  - May 27<sup>th</sup> – Memorial Day
  - May 31<sup>st</sup> – Office Closing at 2 pm
- Town Meeting – June 1<sup>st</sup> at 9 am
- State & Municipal (*School*) Election – June 11<sup>th</sup>.
- The Cemetery Road sidewalk and parking lot expansion are ready for paving.
- The rewiring of the office for the server and new phone system is now complete.
- The Town's website has been moved to its new host site (Aquia).
- The annual reports will be available to the public by the end of this week.
- We are planning to have the new hand-carry boat launch open by Memorial Day weekend.
- The Board will be having an Executive Session at 5:30 pm at the next meeting.

IX. **Announce Future Select Board Meetings**

- A. May 28, 2024, at 5:30 pm – Executive Session & Regular Meeting
- B. June 11, 2024, at 6:30 pm – Regular Meeting
- C. June 25, 2024, at 6:30 pm - Regular Meeting

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

Acker stated that he was against the Town Office not closing on June 19<sup>th</sup> holiday. Whereas it is a Federal Holiday, and no other municipalities are going to be open on that day. He felt that the Town should support the holiday. He also stated that he was not opposed to the office being closed on July 5<sup>th</sup> so that staff could have a long weekend. Other members thanked Acker stating his reasons for objecting to not closing on June 19<sup>th</sup> and agreed with his objection.

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

XII. **Executive Session**

- A. Convene in Executive Session Pursuant to 1 M.R.S. §405 (6) (A) to discuss staff recognition.  
Convened 7:35 pm. Adjourned 7:43 pm.

XIII. **Adjourn**

Adjournment was at 7:44 p.m.

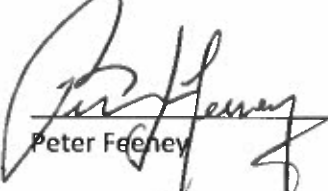
Select Board  
Town of Bowdoinham, Maine

  
Joanne Joy, Chair

  
Debra Smith, Vice-Chair

  
Mark Favreau

  
Allen Acker

  
Peter Feeney

---

Respectfully Submitted,

  
Lisa-Marie Curtis, Administrative Assistant

May 14, 2024

**Motion:** I move that the resolution entitled, "Resolution to Authorize Issuance of General Obligation Bonds in Principal Amount of \$1,000,000 for Roads and Parking Lots," be adopted in form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of this meeting.

**RESOLUTION TO AUTHORIZE ISSUANCE OF GENERAL OBLIGATION BONDS IN PRINCIPAL AMOUNT OF \$1,000,000 FOR ROADS AND PARKING LOTS**

The Select Board of the Town of Bowdoinham resolves as follows:

That pursuant to Town Meeting approval of Article 4 of the Town Meeting Warrant on June 14, 2023, and 30-A M.R.S. § 5772, the Town Treasurer and the Chair of the Select Board (the "Chair") are authorized to issue general obligation bonds or notes in a principal amount not to exceed \$1,000,000.00 (the "Bond"), to fund reconstruction, paving, and maintenance of various Town roads and parking lots (the "Project");

That the proposal of Camden National Bank to purchase the Bond at an interest rate of 5.885% per annum and payable over a term of ten (10) years is accepted, and any prior such action by the Treasurer is ratified and confirmed;

That the Bond be executed and delivered by the Treasurer and the Chair, and otherwise be in such form and contain such terms and provisions not inconsistent herewith, as they shall approve, their approval to be conclusively evidenced by their execution thereof, and that any signature thereon may be by facsimile to the extent permitted by law;

That the Bonds be issued in the name of the Town and in registered form transferable only on the registration books of the Town, which registration books may be kept by the Town or its transfer agent, upon surrender thereof with a written instrument of transfer, duly executed by the registered owner or his/her attorney duly authorized in writing;

That the Treasurer is authorized to designate the Bond as a qualified tax-exempt obligation for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code");

That no part of the proceeds of the Bond shall be used, directly or indirectly, in a manner that would cause the Bond to be an "arbitrage bond" or a "private activity bond" within the meaning of Sections 148 and 141 of the Code;

That in connection with the Bond, the Treasurer is authorized to execute and deliver on behalf of the Town an Arbitrage and Use of Proceeds Certificate in form approved by the Town's bond counsel, and to covenant on behalf of the Town to file any information report and pay any rebate due to the United States in connection with the issuance of the Bond, and to take all other lawful actions necessary to insure that the interest on the Bond will be excludable from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking

any action which would cause interest on the Bond to become includable in the gross income of the owners thereof;

That appropriate officials of the Town are authorized to execute and deliver on behalf of the Town such other documents and certificates as may be necessary or convenient to the issuance, execution, or delivery of the Bond;

That if the Treasurer, Board Chair, or Secretary for any reason are unavailable to, as applicable, approve, execute, or attest the Bonds or any related financing documents, the person or persons then acting in any such capacity, whether as assistant, deputy, or otherwise, is authorized to act for such unavailable official with the same force and effect as if such official had himself/herself performed such act;

That if any of the officers or officials of the Town who have signed, attested, or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed, attested, and sealed shall have been actually authenticated or delivered by the Town, such Bonds nevertheless may be authenticated, delivered, and issued with the same force and effect as though the person or persons who signed, attested, or sealed the Bonds had not ceased to be such officer or official; and also, any such Bonds may be signed, attested, or sealed on behalf of the Town by those persons who, at the actual date of execution of the Bonds, shall be the proper officers or officials of the Town, although at the nominal date of the Bonds any such person shall not have been such officer or official; and

That the Town Clerk file an attested copy of this Resolution with the minutes of this meeting.

A true copy, attest:



Tina Magno  
Town Clerk