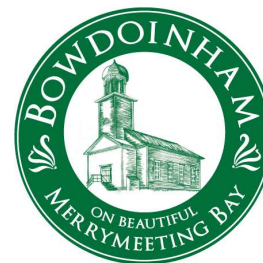


# TOWN OF BOWDOINHAM

## SELECT BOARD MEETING

### MINUTES



Date: June 27, 2023

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

#### II. **Amendments to the Agenda**

- A. 6.L Act on Abatement 5-A
- B. 7.A Kendall Room Technology
- C. 7.B Land Use Ordinance – Marijuana Terminology

#### III. **Comments from the Public- None**

#### IV. **Approval of Consent Calendar**

- A. Meeting Minutes
  - 1. June 13, 2023
- B. Warrants & Financial Reports
  - 1. Treasurer's Warrant #24

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

#### V. **Presentations**

- A. Fiscal Year 2021-2022 Audit Report
  - James Wadman remotely joined the meeting to review the FY22 Audit with the Board. He commented that over all the audit went very well.
- B. Recycling Facility Preliminary Findings
  - Mark Zessin from Barton & Loguidice remotely joined the meeting to review preliminary findings, of their inspections and design suggestions for both the Public Works facility on Pond Road and the Recycling Barn on Post Road.

#### VI. **Action Items**

- A. Act on Appointments
  - 1. Confirmation of Town Manager's Appointments for Fiscal Year 2024
    - The Town Manager makes appointments yearly to offices and departments pursuant to 30-A M.R.S. §2636. The Board confirms those appointments.

**Favreau moved the Board confirm the Town Manager's appointments for FY2024, as presented; seconded by Smith. Vote was 5-0.**

**2. Committee/Board Reappointments**

The following committee members term expires this June 30<sup>th</sup> and are requesting to be reappointed:

- Nina Mendall, Finance Advisory Committee
- Patrick McDonough, Solid Waste Advisory Committee
- Michael Smith, Solid Waste Advisory Committee
- Stephen Cox, Bowdoinham Water District Board of Trustees
- Donald Lamoreau, Bowdoinham Water District Board of Trustees
- David Reinheimer, Bowdoinham Water District Board of Trustees
- Brant Miller, Bowdoinham Water District Board of Trustees

**Favreau moved the Board approve Nina Mendall to the Finance Advisory Committee; seconded by Acker. Vote was 5-0.**

**Favreau moved the Board approve Patrick McDonough to the Solid Waste Advisory Committee; seconded by Acker. Vote was 5-0.**

Feeney commented that he had received comments from a couple of former committee members regarding the appointment of Michael Smith to the Solid Waste Advisory Committee, Smith and Acker also said they had received comments as well.

**Favreau moved the Board approve Michael Smith to the Solid Waste Advisory Committee; seconded by Lewis. Vote was 1-3.** Lewis for, Favreau, Smith & Feeney against, Acker abstained.

**Favreau moved the Board approve Stephen Cox to the Water District Board of Trustees; seconded by Acker. Vote was 5-0.**

**Favreau moved the Board approve Donald Lamoreau to the Water District Board of Trustees; seconded by Acker. Vote was 5-0.**

**Favreau moved the Board approve David Reinheimer to the Water District Board of Trustees; seconded by Acker. Vote was 5-0.**

**Favreau moved the Board approve Brant Miller to the Water District Board of Trustees; seconded by Acker. Vote was 5-0.**

**3. Committee Appointments**

Mary Stanton and Wendy Cunningham have applied to join the Solid Waste Advisory Committee.

**Favreau moved the Board approve the appointment of Mary Stanton and Wendy Cunningham to the Solid Waste Advisory Committee, as presented; seconded by Acker. Vote was 5-0.**

**B. Act on Transfer of Unexpended Funds to Reserve Accounts**

**Favreau moved the Board approve transferring up to the requested amount to the listed reserve from the department expense accounts, as presented; seconded by Acker. Vote was 5-0.**

C. Act on FY24 Winter Salt Bid Award

Morton Salt was the low bidder for Greater Portland Council of Government's (GPCOG) Road Salt Bid with a bid of \$73.73 per ton (FY23 price was \$68.27 per ton and FY22 price was \$58.73 per ton). For non-GPCOG members there is a fee of 1.5% of the cost per ton.

**Favreau moved the Board approve purchasing winter salt from Morton Salt under GPCOG's contract; seconded by Acker. Vote was 5-0.**

D. Act on Open Farm Day

**Favreau moved the Board approve the schedule of events and budget for Open Farm & Studio Day; seconded by Smith. Vote was 5-0.**

E. Act on Maine DOT BikePed Program Grant

**Favreau moved the Board support the MaineDOT BikePed Program Grant and approve matching the grant with funding from the CMP TIF; seconded by Acker. Vote was 5-0.**

F. Act on Maine-ly Paving Contract Amendment

**Favreau moved the Board approve Change Order #1 with Maine-ly Paving Services, LLC, as presented; seconded by Acker. Vote was 5-0.**

G. Act on Purchase of Excavator

**Favreau moved the Board approve purchasing a Volvo excavator from Chadwick for \$275,000; seconded by Acker. Vote was 5-0.**

H. Act on Excavator Financing

**I moved the Board approves lease purchase agreement to finance the excavator for \$250,000 with Andro for a ten-year term at an interest rate of 5.45 and up to \$25,000 from Public Works Reserve; seconded by Acker. Vote was 5-0.**

I. Act on Job Description Updates

- Harbor Master – Number 9 has revised to address the navigation aids, in place of the "enforce applicable ordinances, rules and laws."
- Assessor Agent – This job description is new.
- Code Enforcement Officer/LPI – The job description is updated to full-time from part-time and the assessor's agent has been removed.
- Planning & Development Director – The references for this position to be a certified code enforcement officer have been removed.

**Favreau moved the Board approve the updated job descriptions, as amended; seconded by Acker. Vote was 5-0.**

J. Act on Harbor and Waterfront Rules and Regulations

**Favreau moved the Board approve the Harbor and Waterfront Rules and Regulations, as presented; seconded by Smith. Vote was 5-0.**

- K. Act on Municipal Services Impact Statement for Jandy Organics, LLC  
The Town of Bowdoinham Planning Board has received a Site Plan Review Tier II Application from Jandy Organics LLC to operate a marijuana 500 square foot cultivation facility on the property at 175 Main Street, a 2.88 acre parcel at U06-017-C.

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

- L. Act on Property Tax Abatement # 5-A

**Favreau move the Board approve FY23 Property Tax Abatement #5-A in the amount of \$45.03, as presented and approve the Certificate of Abatement for FY23 Property Tax Abatement #5-A; seconded by Acker. Vote was 5-0.**

## VII. Discussion Items

- A. Kendall Room Technology

The Board discussed concerns and questions regarding their expectations of how they pictured the technology installed in the Kendall Room working and where they thought it should be at as well as what they would like to see it used for in the future. They also discussed the possibility of moving away from using Town Hall Streams and moving to YouTube.

- B. Land Use Ordinance – Marijuana Terminology

Acker addressed the Board with his proposal to have the Planning Board change the Land Use Ordinance, changing the word Marijuana to Cannabis. He stated that this was to be in line with the terminology used by the State of Maine.

Briand explained the steps and procedures that would need to be done in order to make this change.

- Present request to the Planning Board for their discussion
- Planning Board would hold a Public Hearing
- A draft of changes would be made and presented to the Select Board
- The Select Board would discuss and approve a Public Hearing
- The Select Board would hold a Public Hearing
- The Select Board would approve and put on a November election Warrant.
- The amended ordinance would be present to the Town to vote on.

## VIII. Town Manager's Report

- The Office will be closed:
  - Friday, June 30<sup>th</sup> – End of Year
  - Tuesday, July 4<sup>th</sup> – Independence Day
- 2 Stone Hill Place– We have filed our motion to continue, and our brief.
- 8 Stone Hill Place – Our brief was submitted for the 80B appeal.
- Navigational Aids have been installed.

## IX. Announce Future Select Board Meetings

- A. July 11, 2023 – Regular Meeting  
B. July 25, 2023 - Regular Meeting

X. **Select Board Member's Request for Agenda Items for Next Meeting -None**

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

Acker expressed his concerns with boards having an even number of members. This was brought on with the recent Appeals Board meeting where the outcome was a tied vote of 2-2. He feels that to rectify this possible outcome in the future there should be an odd number of members on boards.

Briand explained that the Appeals Board is currently down one member as well as the Planning Board. She has reached out via the website, Facebook page and New Letter asking for volunteers to serve on Town Boards and Committees with little to no response.

Lewis asked her to advertise the need for volunteers to fill these empty positions again.

XII. **Adjourn**

Adjournment was at 9:00 p.m.

Select Board  
Town of Bowdoinham, Maine

\_\_\_\_\_  
Peter Lewis, Chair

\_\_\_\_\_  
Mark Favreau, Vice-Chair

\_\_\_\_\_  
Debra Smith

\_\_\_\_\_  
Allen Acker

\_\_\_\_\_  
Peter Feeney

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Respectfully Submitted,

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Lisa-Marie Curtis, Administrative Assistant