

# TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: September 24, 2024

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, Joanne Joy, at 5:30 p.m. Select Board members participating were Joanne Joy, Deb Smith, Mark Favreau, Allen Acker, Peter Feeney and Nicole Briand, Town Manager.

## II. Amendments to the Agenda

### III. Executive Session

A. Convene in Executive Session Pursuant to 1 M.R.S. §405(6)(E) to discuss violations of Land Use Ordinance with Town Attorney for 1441 River Road.

Convened 5:30 pm. Adjourned 6:00 pm.

**Acker moved the Board enter Executive Session Pursuant to 1 M.R.S. §405 (6) (E) to discuss violations of Land Use Ordinance with Town Attorney for 1441 River Road; seconded by Favreau. Vote was 5-0.**

**Acker moved the Board leave executive session; seconded by Favreau. Vote was 5-0.**

**Favreau moved the Board authorize the Code Enforcement Officer to work with the Town's Attorney to commence enforcement to address the Land Use Ordinance Violations at 1441 River Road; seconded by Smith. Vote was 4-0. Feeney abstained.**

B. Convene in executive session, pursuant to 1 M.R.S. § 405(6)(E), to consult with the Town Attorney regarding the Board's legal rights and duties relating to the possible discontinuation of a portion of Dingley Road.

Convened 6:01 pm. Adjourned 6:31 pm.

**Acker moved the Board enter Executive Session Pursuant to 1 M.R.S. §405 (6) (E) to consult with the Town Attorney regarding the Board's legal rights and duties relating to the possible discontinuation of a portion of Dingley Road; seconded by Favreau. Vote was 5-0.**

**Feeney moved the Board leave executive session; seconded by Favreau. Vote was 5-0. No action was taken.**

## IV. Comments from the Public-None

## V. **Public Hearings**

Convened 6:33 pm. Adjourned 6:40 pm.

No comments were made on any of the Public Hearings

- A. General Assistance Ordinance and Appendices
- B. Renewal Marijuana License Application from Jandy Organics, LLC for Medical Marijuana Caregiver Business located on Map U06, Lot 017-C
- C. Closing of Curtis Farm Road for Winter Maintenance during the months of November, December, January, February, March and April or any part of these months.

## VI. **Approval of Consent Calendar**

- A. Meeting Minutes
  - 1. September 10, 2024
- B. Warrants & Financial Reports
  - 1. Treasurer's Warrant #6

**Acker moved the Board approve the Consent Calendar, as presented; seconded by Feeney. Vote was 4-0.** (Favreau abstained due to business payment on Warrant)

## VII. **Licensing**

- A. Marijuana Business License for Medical Marijuana Registered Caregiver  
Applicant: Jandy Organics, LLC  
Property: 175 Main Street (Map U06, Lot 017-C)

**Acker 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 July 27, 2023, and
- A site visit was conducted by the Town's Code Enforcement Officer and found that all conditions of approval were adequately met.

**Seconded by Favreau. Vote was 5-0.**

**Acker moved the Board approve this Medical Marijuana Caregiver 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 their Site Plan Review Permit from the Planning Board, July 27, 2023.

**Seconded by Favreau. Vote was 5-0.**

## VIII. **Action Items**

- A. Act on General Assistance Ordinance and Appendices  
Maine Municipal Association updated the model ordinance September 2024 which is in compliance with the State's rules and should be adopted by the Town. As well as the updated Appendices, which are updated on a yearly basis.

**Acker moved the Board approve the September 2024 General Assistance Ordinance with Appendices in its entirety; seconded by Favreau. Vote was 5-0.**

**B. Act on Closing Curtis Farm Road for Winter Maintenance**

Historically the Town has not performed winter maintenance on Curtis Farm Road. Curtis Farm Road is a narrow gravel old farm road the goes under I-295 and connects Dingley Road to Ridge Road. There are no homes located on Curtis Farm Road.

**Following a public hearing pursuant to Title 23 MRSA §2953(2), and deliberation, it is the opinion of the municipal officers of the Town of Bowdoinham that it unnecessary to keep Curtis Farm Road maintained and open for travel during the months of November, December, January, February, March and April or any part of these months, because here are no homes located on this narrow gravel roadway. Therefore, Acker moved the Board order the closing of Curtis Farm Road for a period of ten years starting in 2024; seconded by Favreau. Vote was 5-0.**

**C. Act on Municipal Service Impact Statements**

1. **SammCo Holdings Conifer Ridge LLC – Site Plan Review & Subdivision Application**  
The Planning Board is reviewed a proposed project from SammCo Holdings to develop a 14 residential unit development, split between two structures.

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

2. **Adams Family Construction LLC – Site Plan Review Application**

The Planning Board is reviewed a proposed project from Adams Family Construction LLC to construct a Residential Care Facility for the elderly.

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

**D. Act on FY24-25 Tax Rate**

The Town did not have a budget increase for this budget year, however the Town's share of the: County's budget increased \$140,348 from \$617,830 to \$758,178, and MSAD 75is budget increased \$142,076.72 from \$4,083,504.12 to \$4,225,580.84.

Once the Board sets the rate, the Assessor will process the commitment, effective with today's date for the Board's signature on October 8<sup>th</sup>, so that we can process tax bills.

**Acker moved the Board set the tax rate for Fiscal Year 2025 at 21 (\$21 per \$1,000 of valuation); seconded by Favreau. Vote was 5-0.**

**E. Act on Cemetery Reserve Request**

The Cemetery Committee is requesting \$2,200 from the Cemetery Reserve for Albert Stehle to repair the Card monument in Ridge Cemetery.

**Acker moved the Board approve expending \$2,500 from the Cemetery Reserve for monument repairs; seconded by Favreau. Vote was 5-0.**

**F. Act on Maine-ly Paving Change Order for Town Office Parking Lot**

This change order is to remove the existing pavement and complete a 2" base pave with new curbing is \$50,000. Briand is estimating \$5,000 to replace the sidewalk and \$35,000 for a surface coat, based on previous estimates. Briand is awaiting final estimates from Maine-ly paving for the curbing, sidewalk, and surface coat. This price does not include striping.

**Favreau move the Board authorize the Town Manager to approve a change order of up to \$90,000 for the Town Office parking lot paving project; seconded by Feeney. Vote was 5-0.**

**G. Act on Alder Stream Fence Proposal for Village Cemetery**

The Town received an estimate to replace the fence along Cemetery Road and an estimate to replace the fence along both Cemetery Road and Vine Street. The Board previously approved up to \$20,000 from the Public Works reserve to repair the sidewalk and fence along Village Cemetery, of which we have spent \$9,972.21.

**Acker moved the Board approve contracting with Alder Stream Fence to replace the Village Cemetery fence along Cemetery Road with funding from the Public Works reserve; seconded by Feeney. Vote was 5-0.**

**H. Act on Alder Stream Fence Proposal for Town Office Parking Area Project**

As part of the parking lot project approval, The Town must install a 6-ft fence along the new parking area. This work is being funded by the Library's grant.

**Feeney moved the Board approve contracting with Alder Stream Fence to install the 6-ft fence for the Parking Lot Project; seconded by Favreau. Vote was 5-0.**

**I. Act on Warden and Deputy Registrar for November 5, 2024, Election**

Tina Magno, Town Clerk is requesting the Board's approval to appoint Rachelle Tome as the Warden and Linda Williams as Deputy Registrar for the Election to be held on Tuesday, November 5, 2024.

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

**J. Act on November 5, 2024, Election Clerk Appointments**

Tina Magno, Town Clerk is requesting that the Board appoint the election clerks for the November 5<sup>th</sup> Election.

**Acker moved the Board approve the Election Clerk appointments for the November 5, 2024, Election, as presented; seconded by Feeney. Vote was 5-0.**

**K. Act on Town Hall Project Manager Proposal**

With the scope of work needed for the Town Hall project Briand requested that the Town hire Mark Favreau of MJF Enterprises, as a project manager to assist with the Town Hall project. This work would be funded from the CMP TIF.

**Feeney moved the Board authorize the Town Manager to work with MJF Enterprises on the Town Hall project; seconded by Acker. Vote was 4-0. Favreau abstained.**

**L. Act on Small Community Grant Bid Award**

The Small Community Grant Program provides grants to municipalities to help landowners replace malfunctioning septic systems that are polluting a waterbody or causing a public nuisance. The State has now approved a funding 100% of the project, and the Town is responsible for administering the project.

**Acker moved the Board award the bid for 724 Post Road to Tourtelotte Excavating; seconded by Feeney. Vote was 5-0.**

**IX. Discussion Items**

**A. MDOT Speed Limit Review Process**

Briand told the Board she had talked to the MaineDOT to discuss the process for reviewing speed limits. She said that the Town can request the DOT review speed limits. She suggested they review what areas they would want reviewed because it could work to the Town's disadvantage if the MDOT feels speed should be higher than the Town would desire. The Board discussed the possibility of having the Village area reviewed and hearing further discussion of areas that would benefit from a review.

**B. Personnel Policy Proposed Amendments – Tabled till next meeting.**

**X. Town Manager's Report**

- Town Office will close early for Staff BMV Training – Tuesday, October 1<sup>st</sup> at 3-4pm
- Town Office will be closed for Elections – Tuesday, November 5<sup>th</sup>.
- The Town Hall project – The footings were poured today. Next, they will be doing the underdrainage work and pouring walls. Once the walls are poured, we can install the pt plates, spray the foundation and have the building lowered onto the new foundation! After the building is lowered, Tourtelotte Excavating will complete their site work, the infill concrete work will be done, and we can schedule the paving work. The sill and floor replacement will happen in the spring.
- Maine-ly Paving has completed most of their paving. Carding Machine Road will be finished once their subcontractor completes the gravel base.

**XI. Announce Future Select Board Meetings**

- A. October 8, 2024 – Regular Meeting
- B. October 22, 204- Regular Meeting

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

Smith wanted to thank Joanne Savioe for her beautiful thank you letter she sent the Board.

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


**XIV. Adjourn**

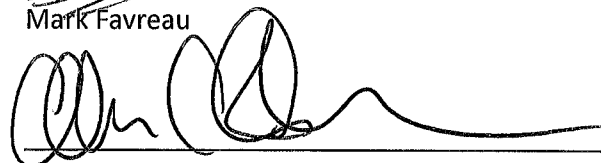
Adjournment was at 7:31 p.m.


Select Board  
Town of Bowdoinham, Maine

  
Joanne Joy, Chair

  
Debra Smith, Vice-Chair

  
Mark Favreau

  
Allen Acker

  
Peter Feeney

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Respectfully Submitted,

  
Lisa-Marie Curtis, Administrative Assistant