

TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: November 24, 2020

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. This was a zoom meeting to comply with the Governor's Executive Order. Select Board members participating were David Engler, Jeremy Cluchey, Peter Lewis, Thomas Walling, Mark Favreau, and Nicole Briand, Interim Town Manager.

II. Amendments to the Agenda

Engler requested to strike Discussion Item 5-E at the request of Ms. Egan.

III. Approval of Consent Calendar

A. Meeting Minutes:

1. November 10, 2020

B. Warrants & Financial Reports:

1. Treasurer's Warrant #10 for \$374,255.16:

- Accounts Payable Warrant #21 (Motor Vehicle) - \$3,578.80
- Accounts Payable Warrant #22 (Motor Vehicle) - \$2,049.25
- Accounts Payable Warrant #23 - \$308,421.87
- Accounts Payable Warrant #24 - \$4,500.00
- Accounts Payable Warrant #25 - \$28,281.37
- Payroll (11/19/20)- \$27,393.87

C. Reports and Communications

1. Comcast Price Changes

Cluchey moved to approve the Consent Calendar, as presented; seconded by Favreau. Vote was 5-0.

IV. Action Items

- A. Act on Municipal Services Impact Statement for Site Plan Review Application

Darren Carey, CEO, has received a Site Plan Review Tier I Application from the Town of Bowdoinham on behalf of the Solid Waste Department. The applicant is requesting to add Recycling operations to the rear of the existing Public Works Department. The development would involve the placement of recycling receptacles.

Cluchey noted concern with possible confusion with traffic on days that the Recycling is closed due to inclement weather. Briand answered by sharing a new project the Town has worked on for timely communication using Project Broadcast – a text notification service for Town Alerts. Residents will be able to sign up for notifications from the Town using this service. The baseline product has a \$10 per month fee for the Town with room to grow. Cluchey also suggested adding a weekly message regarding the availability of the Recycling Operations to the Town’s phone system. Briand agreed.

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

B. Act on Central Maine Power Pole Permit

A new power pole is needed to serve a new house on Jenkins Road.

Cluchey moved the Board approve the Location Permit for Work Order 801000315758, Notification #10300720285, as presented; seconded by Favreau. Vote was 5-0.

B. Act on Private Road Name Biffs Way

Mr. Morgan’s application to the Town of Bowdoin to change the name of the street for his property that is located in both Bowdoin and Bowdoinham has been approved. The Town of Bowdoinham has no conflict with the proposed street name.

Walling moved the Board approve the private road name, Biffs Way; seconded by Cluchey. Vote was 5-0.

D. Act on Contract with Pine Tree Engineering for Pond Road Recycling Facility

Briand requested authorization by the Select Board to sign the contract for design and permitting of a recycling facility on the Town’s 121 Pond Road property. This would include a topographic survey and wetland delineation work. She stated that, after reviewing the budget, it appears that the Town can cover the full contract cost from the Solid Waste & Recycling budget if we are not incurring expenses at the Barn. Briand also presented other funding options.

Briand noted that this survey could be used for any future projects at this location should the Town not pursue permanently relocating the Solid Waste and Recycling to the Public Works site.

Cluchey moved the Board authorize Nicole Briand, Interim Town Manager, to sign the contract with Pine Tree Engineering for the design and permitting of a new recycling facility at the Town’s Pond Road property, on an hourly basis, plus reimbursable expenses, for a fee not to exceed \$24,600; seconded by Favreau. Vote was 5-0.

E. Act on Bottle Return Funds

Engler requested a motion to table this item for further review after noting that the generosity of the Town's people has provided ample funding for Heating Oil and Food Pantry accounts. It was also noted that the Bottle Return Funds will remain separate from the General Account while we look for another recipient. Briand suggested making a policy on how Bottle Return Funds are used in the future.

Favreau moved to table acting on the Bottle Return Funds; seconded by Cluchey. Vote was 5-0.

V. Discussion Items

A. Merrymeeting Trail Update

Jeremy Cluchey gave a detailed update for the Merrymeeting Trail project. The Merrymeeting Trail is a 26-mile trail that would connect the towns of Topsham, Bowdoinham, Richmond, and Gardner via the unused Lower Road rail corridor. The project began in 2008 and a Merrymeeting Trail Board of Supervisors was created in 2015 with two representatives from each town. The Bowdoinham representatives are Jeremy Cluchey and Nicole Briand. Ongoing conversations with lawmakers and MDOT have led to legislative efforts in recent years intended to move the Merrymeeting Trail project forward. Most recently, MDOT included \$25,000 in its 2020 work plan to support a "public advisory process" for the trail. In October, the Merrymeeting Trail Board of Supervisors sent a letter to MDOT encouraging them to "initiate the process and to offer our support to help facilitate it however we can".

B. Panzino Automobile Recycling License Pre-Application Workshop

Will Panzino joined the meeting to discuss the next steps necessary to complete his application for an Automobile Recycling License. After discussion, it was determined that the statutory definition of "a cemetery" needs to be clear. Seth Berry offered to research this as well as the difference between state law and municipal law regarding cemetery definition and set-backs.

The other item in question is whether the 300 ft set-backs to drinking water wells is observed in the proposal. The owner's drinking water well is exempt from the set-back.

Walling suggested and the Select Board agreed that it would be prudent to have the Town's attorney, Leah Rachin, review the information. Then set up a special session with the Board, Mr. Panzino and Ms. Rachin for further discussion and recommendations to the applicant to ensure compliance with the standards set in the State Statute.

Lewis inquired to Briand whether the other Automobile Recycling Center located in Bowdoinham had gone through the same process when it was licensed. Briand stated that the site did receive Select Board approval in the late 90's.

C. Jenkins Road

Paul Denis joined the meeting to request that the Town consider discontinuation of the public easement on a portion of Jenkins Road. Jenkins Road has historically been understood to be a crossroad between Post Road and the Millay Road that has been discontinued for vehicular traffic. When the Town discontinued Jenkins Road in 1978, a public easement was retained per the statute. A discontinued road with a public easement eliminates the Town's requirement to maintain a road. The maintenance liability, including damage done by the public, falls on the property owners that require use of the road to access their homes and/or property.

Mr. Denis is proposing to only discontinue property from the eastern boundary of R02-070 to the western boundary of R03-063 bounding with R03-061, access and easements for lots R03-061 and R03-064 would be unchanged and not affected.

Mr. Denis emphasized that the trails would be open and made a part of the Bowdoinham Snowbirds trail system.

The Board requested a letter from the abutting landowner, Doug Tourtelotte, stating that he approves this request. Briand will send the documents to the Town Attorney for review before the next meeting.

D. Recycling Barn

David Berry joined the meeting to discuss the continuation of the lease of the Recycling Barn. He understands the letters from Calderwood Engineering to state that the building is safe as long as the floor loads are observed.

Engler mentioned that Calderwood Engineering stated in a meeting a week ago that the building is not safe for the Recycling Operations.

Briand and Engler will set-up a workshop meeting with Calderwood Engineering, David Berry and the Select Board.

There was a public comment in support of resuming Recycling activities at the Barn.

VI. Town Manager's Report

TOWN E-MAILS: Briand advised that the cost of Town e-mails for Committee Members would be over \$200 per month. This would need to be budgeted for next year. Briand suggested having the Committee members create a separate personal email address designated for Committee use. Lewis reminded the Board that the purpose of the Town email was to comply with FOIA requests. If Committee Members have a Town email, it can be accessed through our IT company directly to comply with FOIA requests. Engler suggested that this be looked at as a Budget Item for next year.

Briand also stated that we, the Town, need to do a better job of supplying information to new Committee Members and will begin giving them an introductory package including FOIA, Ethics, etc.

EARNED EMPLOYEE LEAVE LAW: Briand advised the Board of a new State Law coming out in January 2021 requiring employers to provide all employees, including part-time,

with 1 hour of paid leave for every 40 hours worked. Briand is working with MMA to get more clarification on how this will affect stipend and temporary (election) employees. She hopes to have more information in December on how to update the Personnel Policy.

AUDIT: The audit has been postponed. Briand will advise when it is re-scheduled.

PUBLIC WORKS: Public Works continues to work on winter readiness of ditch-lines and tree-trimming. They are also finishing stringing lights at the Town Office.

FRIEDMAN: On January's Agenda.

RECYCLING BARN: Briand announced that the Recycling Barn will hopefully be up and running at the new Public Works location on December 3rd. The permits should be in place by December 1st. This will be posted on the Town Website and Facebook.

CAPITAL PROJECTS FOR NEXT YEAR: Favreau gave an update on the roof repairs on the Town Office Building. As he has been repairing one section for leaks, he has noticed that the entire roof has deteriorated and will need repair within a year to prevent further leaks.

He also stated that the chimney needs to be re-pointed and the top cap needs to be replaced. There is evidence of water seepage in the brick. This chimney is currently being used for the library furnace and will need to be repaired enough to use. Briand noted that the future plans for the building do not include the chimney and questioned whether the chimney will need to be re-pointed.

TOWN HALL FURNACE: The furnace at the Town Hall building needs a new power vent which will cost \$500-\$600. The furnace is 40-50 years old and is located in a wet basement where it gets a lot of moisture. We will look into whether to repair or look to replace the heating system next year.

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

January 12, 2021 – Road Ditching

VIII. Announce Future Select Board Meetings

- A. December 1, 2020 – Executive Session RE: Personnel Matter – Reviewing Town Manager Resume's
- B. December 8, 2020
- C. December 22, 2020 (may cancel)
- D. January 12, 2021

IX. Comments from the Select Board Members

Cluchey inquired about hazardous materials at the new Recycling location. Briand stated that they can take light bulbs, batteries, paint, etc. There will be a list posted.

Cluchey congratulated Briand on the beautiful lights on the Waterfront. He thanked her for bringing cheer when the Town really needed it.

Cluchey asked about the "Blinking Light". Briand advised that it is currently at Public Works until we are able to hold someone financially accountable. She is working on it with Leah Rachin.

It was inquired as to whether there have been any takers on the truck/trailer/shed. Briand stated that the shed may be taken. Walling suggested calling Maine Public Broadcasting and offer to donate the truck. They may pay for removal.

Favreau inquired about Labbe's work on Fisher Road. Briand advised that the culvert extension and slope work are done. They still need to cut out pavement and do the guard rail. They will hopefully be back next week, depending on weather. She stated that Lower Main Street will also hopefully get done before bad weather.

X. Comments from the Public – None.

XI. Adjourn

Adjournment was at 7:40 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