

TOWN OF BOWDOINHAM SELECT BOARD MEETING MINUTES



Date: December 3, 2020

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, David Engler at 6:30 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 add Item 4(B) Motion to Amend the Minutes from December 1, 2020.

III. Discussion Items

A. Recycling Barn Reports with Calderwood Engineering – Greg McCallister and Thad Chamberlain

McCallister reported that the Recycling Barn is unsafe to be operated in, as it stands, the way that it is currently being used. The improvements outlined in the letters from Calderwood Engineering need to be addressed before the building is safe to use.

Engler gave a brief account of the presentations, letters, and many discussions regarding the Barn since the walk-through on June 24, 2020. Engler also alluded to the Engineering Code of Ethics, which he feels Calderwood did not follow when they worked directly with Berry. However, Berry stated that he never paid Calderwood for their services.

As requested by Cluchey, McCallister clarified the November 10, 2020 letter stating that it was simply a letter giving options for possible cost-saving temporary repairs for the roof and South side of the building that may last up to a year. The permanent improvements would still need to be done to make the building safe for the long-term.

Engler asked McCallister and Chamberlain whether the Barn is safe for operation. Chamberlain stated, "Nothing has changed. The Building is not safe."

B. Recycling Barn Repairs & Improvements with David Berry

Berry asked Calderwood Engineering for clarification on the terms "repair" and "improvement". He argued that the items outlined by Calderwood are "improvements"

since there is currently nothing that is broken or not working. Therefore, he believes that the Lessee (the Town) is obligated to pay for these Improvements to the Barn, referring to the Lease. Lewis argued that the structural integrity of the building is the Lessor's obligation. Currently, the primary safety issue is the structural integrity of the Roof and the South Wall.

Favreau asked Berry to get estimates for the cost of repair to the roof and the South wall trusses. Once we have the cost estimates, the Town will be in a better position to negotiate what percentage to pay. Briand stated that this needs to be done as soon as possible so the Town can add costs it proposes to assume to the budget in time for the Town Meeting. Berry stated that the estimate for the roof in 2012 was \$40,000 - \$60,000.

Berry mentioned an alternative option of selling the Barn to the Town outright for \$150,000. Bill Post, previous Town Manager, had a Real Estate Assessment done for this purpose a few years ago which came out to \$66,000. The Town currently has the Right of First Refusal on the Barn.

IV. Action Items

A. Act on Lease Amendment for Recycling Barn Lease

Engler asked Berry if he was prepared to negotiate on an amended lease with a reduction of rental for the remainder of the lease. Berry advised that he feels the Town is currently in violation of the Lease. He feels he has fulfilled his obligation as the Lessor and is not ready to negotiate. **NO ACTION TAKEN.**

Engler reiterated that the Engineer's Report says that the building is unsafe in its current condition.

(Briand shared that we are currently waiting on DOT permits to open our secondary Recycling Location at the new Public Works.)

B. Amend December 1, 2020 Select Board Minutes

Walling moved the Board to instruct David Barrett to schedule Zoom interviews with the six short-listed candidates for December 14th and 15th; seconded by Cluchey. Vote was 5-0. This motion supersedes the motion made at the December 1, 2020 Select Board Meeting.

V. Comments from the Select Board Members

Cluchey asked for clarification on the November 10th letter from Calderwood and they provided it.

Lewis stated that he is not willing to wait for a catastrophic event to harm an employee or a member of the public before requiring "repairs" to be made on the Barn.

Walling agreed that no one should be in the Barn until it is repaired.

VI. Comments from the Public

Several members of the public gave impassioned presentations in favor of continuing the Town's renowned Recycling Program in its entirety. This program is an important part of the Town Plan and an important part of the Community.

VII. Adjourn

Adjournment was at 8:55 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