

**Town of Pownal**  
**Select Board Minutes**  
**Monday, November 8, 2021**  
**6:25 PM Workshop**  
**6:30 Regular Meeting**

**I. Call to Order-In Person Meeting @ 6:28 pm by Chair Morris**

Select Board: Jon Morris, Andy O'Brien, Heidi Cushman Curry

Town Administrator: Becky Taylor-Chase

Road Commissioner: Dick Clarke

Fire Chief: Jesse Peters

Chair Morris did introductions as there were several members present from the community.

**II. Pledge of Allegiance**

**III. Workshop – Nuisance Animal Ordinance Edit**

Chair Morris summarized the need to edit the word mammal to animal in the definitions. He read Line 15 and Line 16 where the edit would need to happen. Selectperson O'Brien pointed out that Line 14 would also need to be edited. Selectperson Curry pointed out the same. Chair Morris asked for comments from the public. There was no public comment. He stated we would remove the word mammal and replace with animal in Lines 14, 15 and 16 of the definitions for a warrant article for the Special Town Meeting.

**IV. Accounts Payable & Payroll Warrant**

**AP Warrant #31 in the amount of \$85,788.78**

Selectperson O'Brien motioned to approve AP warrant 31 in the amount of \$85,788.78.

Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

**Payroll Warrant #30 in the amount of \$6238.92**

Selectperson O'Brien motioned to approve Payroll warrant 30 in the amount of \$6238.92

Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

**III. Minutes of Previous Meetings**

• **Minutes of October 25, 2021 Regular Meeting**

Selectperson Curry motioned to accept the October 25, 2021 regular meeting minutes as written. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 3; No 0**

**V. Public Comment – Non-Agenda Items**

Christine Watson asked about candidate for the alternate spot on the Planning Board. The Town Administrator is waiting on an application. Selectperson Curry is also waiting on an application.

Jennifer Elgaaen spoke about the Narrow Swath Subdivision initial proposal. She stated the 500-foot abutters were notified but there was a lot of interest in the town. Zoning Board has waivers and hopes the Select Board would put in comments. She loves the nature in the town, is concerned about size of schools and impacts on the Fire Department. More people in town need to know about the subdivision. She supports no more waivers until the town has time to consider future. Chair Morris asked Selectperson Curry to explain where the public can make comments and the process. She stated there is a place on the town website where documents

are posted. The Planning Board meets on the 3<sup>rd</sup> Wednesday of each month. There are 2 public hearings before final approval. These are open to the public and there is ample opportunity for public comment. Selectperson O'Brien stated the project is in the preliminary stages. Selectperson Curry stated the Planning Board has met only once regarding this subdivision – it's in the very early stages. Selectperson O'Brien foresees it to be a very lengthy process. Chair Morris asked the Town Administrator where the public hearing notices are posted. She stated in the Forecaster and printed flyers are posted at town hall, Short Stop and the Post Office.

Brett Vicary spoke about the Napoli Subdivision. Chair Morris stated the appropriate spot to speak is at a Planning Board meeting or Public Hearing. Mr. Vicary stated there are 6 people here to comment on the project. His property at 212 Elmwood forms the north border of the Napoli Subdivision. He's been a forester of 40 years and respects property rights and does not begrudge landowners. The property is characterized as heavily forested but it has been logged. This property was "hammered" – a forester term. He's not sure if a forester was consulted. This undermines the credibility right off. He walked the property and there is an intermittent stream identified on the plan map. There is a plan for a community septic field and any over flow could go into the stream and cross into the East Branch of the Royal River. He has been involved in planning subdivisions in Old Town. Plans usually include wetlands. These are not included on the plans with Napoli. There were no vernal pools either which he felt is unusual. Development of lots is not very appealing to Pownal. Would rather have division within current code which is 300 feet per lot. Message is we have a budding Comprehensive Plan in process as Jenn articulated. Let's see who or what the town wants. Conservation Commission sets aside land and he has never lived in a place that sets aside so much land for town use. He is preparing a letter to submit to the Planning Board. Selectperson O'Brien stated the Planning Board has at its disposal the ability to have experts come at the applicant's expense to do studies. Let the Planning Board do their job. Selectperson Curry encourages everyone to attend the Planning Board meeting where the bulk of this work will happen.

Rosemary Whitney thanked the Select Board for allowing members to speak.

Chair Morris again encouraged members of the community to reach out to the Select Board and office staff for information.

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## **V. Department Head Reports – Submitted Electronically**

(Department head reports can be viewed on their respective website page(s))

- **Select Board**

No Select Board member had questions for the department heads.

Selectperson O'Brien worked on the ORC charge. He turned the heat on at the pump house and worked with the Town Administrator on audit questions. Selectperson Curry had nothing to report. Chair Morris had nothing to report.

## **VI. New Business**

- **Special Town Meeting Location/Time**

Chair Morris asked for input on where to hold the Special Town Meeting. Selectperson O'Brien felt we would be better served to use the school auditorium. Selectperson Curry is okay with the school. Chair Morris moved to hold the Special Town Meeting on February 14, 2022 at 6:30 pm at Pownal Elementary School. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

- **Building Moratorium**

Chair Morris drafted a letter at the request of the Planning Board Chair to send to the town attorney. He opened the floor to Selectperson Curry for input. She stated she has significant questions around a building moratorium. We received memo from North Star Planning outlining the proposed work which has the recodification for the spring town meeting which is doing simple "housekeeping". We are not changing language. If we call a warrant in February the moratorium would run out in August which gives us until June to rewrite ordinances. Questions why we are calling for a moratorium now? Are we going to change North Star Planning priorities? We need to include the average of 11 permits per year in the letter. We do not have a water quality issue. Does not feel we are in a state of emergency. Selectperson O'Brien sits squarely in the middle of the fence. Not sure we are in a state of emergency to warrant a moratorium. There are areas that need lots of attention. Maybe serve us best to have the time to get the work done but wants to make sure we are not legally challenged. Chair Morris stated the letters intent was to ask legal opinion – to see if we are in a place to have a building moratorium. That is the intent of the letter. We just need to know from the town attorney. No prejudice, just clarification. Selectperson Curry feels there needs to be added to the letter the 5-year building permit average and asked the Town Administrator to check on that information. Chair Morris stated we need to follow the state regulations. He asked if there were any other edits. The Town Administrator will add the edits and send to the town attorney.

- **Police Protection**

Chair Morris asked Selectperson O'Brien about the estimate. He received a very comprehensive quote from Cumberland County Sheriff. The one-year estimate for dedicated patrol for the town was \$226,322.12. This includes purchasing a vehicle, hiring a deputy, back filling benefit costs, liability insurance, car insurance, vehicle maintenance and outfitting the vehicle. Chair Morris asked if the Select Board should present this type of budget request at the Special Town Meeting. When he spoke with Freeport the plan was similar. Chief Peters mentioned N. Yarmouth would be interested in sharing coverage. Selectperson O'Brien asked if N. Yarmouth has a new town manager? He would be willing to attend one of their Select Board meetings. Dick Clarke asked if it was 24-hour coverage and was answered with yes. Selectperson Curry asked if this is different from the 1<sup>st</sup> option which was limited coverage. Needs clarification on what the quote includes. Selectperson O'Brien doesn't think Yarmouth is an option due to staff shortage. Staff shortage is an issue everywhere. Selectperson Curry doesn't see the need for a straw poll. Susan Briggs Peters stated the Comprehensive Plan addresses speeding and police protection. Asked why we are looking and what happens to the car if we cancel the contract. Selectperson O'Brien said to put it on a regular town meeting warrant. Doesn't think we would find any department to do part time help. He will continue to research options.

- **Ordinance Review Committee Members Oaths**

Chair Morris motioned to appoint Todd Mellin to the Ordinance review committee for a term starting 11/18/2021 indefinitely. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

Chair Morris motioned to appoint Tom Hall to the Ordinance review committee for a term starting 11/18/2021 indefinitely. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

Chair Morris motioned to appoint Susan Peters to the Ordinance review committee for a term starting 11/18/2021 indefinitely. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

- **Ordinance Review Committee Charge**

Selectperson O'Brien drafted a charge using parts of the old and adding new language. He read to members of the board and public. Selectperson Curry stated it is excellently written. Chair Morris agreed. Susan Briggs Peters asked for the 1<sup>st</sup> part to be reread. A copy was given to her. She feels the 1<sup>st</sup> sentence is open to interpretation. Selectperson O'Brien will add "when requested" to the sentence. Selectperson Curry suggested "work in conjunction with...." Chair Morris important to detail it. An edited version will be worked on and presented at the next Select Board meeting. Susan Peters feels the 1<sup>st</sup> sentence puts the Committee right to where they were before.

- **Abatement Account 876 Map 3 Lot 60-3**

Selectperson Curry motions to proceed with the abatement for Map 3 Lot 3 in the amount of \$5.40. Selectperson O'Brien seconded.

Discussion: Chair Morris pointed out that anyone can ask for an abatement on taxes anytime.

**Vote: Yes 3; No 0**

- **ARPA Grant**

The Town Administrator summarized the two different grants. One grant is coming from the County and the other is Federal. We need to have a pre-application in by November 15<sup>th</sup> for the County grant and the funds have to be for one specific project with a minimum request of \$100K. The Federal grant we've received half the funds for needs to be obligated by the end of 2024 and spent by the end of 2026. Chair Morris mentioned adding the elevator upgrade to the grant request. He will meet with the Town Administrator on Wednesday at 3 pm to complete the application.

Chair Morris asked Dick Clarke about what will be happening tomorrow. He reported paving the parking lot would start. Everything is ready to go and Public Works will assist. The Town Administrator put a post on the website alerting residents to use caution when entering.

## **VII. Old Business**

- **Audit- review auditor notes**

Selectperson O'Brien worked with the Town Administrator regarding the questions. The information has been submitted and a new draft has been sent for review.

Chair Morris visited with the CIP committee. A question arose about what would happen if residents had an option at town meeting to delegate where unexpended balances would go. Selectperson O'Brien stated there are legal requirements to have an unexpended fund balance for emergencies. Chair Morris will need to determine where we are in compliance with State regulations on undesignated fund balance. Selectperson suggested we print off the policy.

## **VIII. Correspondence**

- **Cumberland County Regional Public Safety**

The Town Administrator received an email from Jim Gailey, County Manager for Cumberland County, regarding public safety. It has been a topic that has come up at recent meetings and he wanted to open up dialogue about how we can approach the topic from a regional standpoint. The Town Administrator will be attending the ZOOM meeting.

Selectperson Curry spoke with Mr. DiGristina regarding an ongoing issue with neighbor. Has reached out to the CEO. Chair Morris stated the CEO had visited the neighbor and said there was no violation. Chair Morris visited the site and it's an annoyance but not a floodlight.

Selectperson O'Brien stated the site plan has some restrictions. Selectperson Curry didn't find anything at the state level.

Chair Morris received email about potential poaching, potential trespassing, car horn blowing and vandalism. He received an email sent by Paul Schumann that the Select Board has not yet been reviewed by Selectperson O'Brien or Curry. Chair Morris stated it was well written and has focus on the future. Mr. Bradstreet had a comment concerning the undesignated fund balance. Selectperson Curry had a similar conversation with another resident.

Dick Hogue has not made contact yet with resident regarding the roosters. Selectperson O'Brien asked if the amendment to the state constitution put pressure on our ordinance. Mr. Hogue felt it did not.

**IX. Any Other Business**

Chair Morris recognized the work the town office staff did administering the recent election. He received great feedback from residents and stated it was a job well done. The Town Administrator thanked all that helped with the election.

**XI. Adjournment**

Chair Morris motioned to adjourn the meeting. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 3; No 0**


The meeting adjourned at 7:54 pm.



**Jon Morris**



**Andy O'Brien**



**Heidi Curry**

