

Town of Pownal
SELECT BOARD MINUTES
September 15, 2022

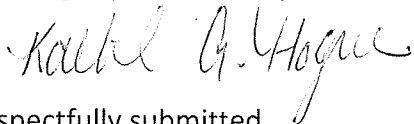
APPROVED
26Sept22
with amendment:
See 7f.

Present: Andy O'Brien, Jon Morris, Heidi Cushman Curry
Public: Pat Christian
Notetaker: Kathy Hogue

1. Chair Morris called the meeting to order, 6:30pm.
2. Pledge of Allegiance
3. Accounts Payable and Payroll Warrant were taken care of earlier in the week
4. Motions were made and seconded to approve the following minutes as written:
 - July 25, 2022 – J. Morris / H. Curry
 - August 3, 2022 Executive Session – J. Morris, A. O'Brien, H. Curry
 - August 8, 2022 – A. O'Brien / H. Curry
5. Public Comment / none
6. Department Head reports were submitted electronically; copies attached.
7. New Business
 - a. Future Facilities Committee Oaths: Chair Morris read oaths for the following committee members to serve for the term September 12, 2022 to June 30, 2023: Patrick Fairbanks, Bo Chesney, Toni Mark, Paul Schumann, Susan Briggs Peters, Jesse Peters, Paul Giddinge, Matt Nielsen, Dick Hogue, Kathy Hogue, Pat Christian.
VOTE: Yes 3, No 0
 - b. Mr. O'Brien moved to extend the Oath for Kathy Hogue serving as Deputy Clerk, Deputy Tax Collector, Deputy Treasurer to December 31, 2022.
VOTE: Yes 3, No 0
 - c. Fee Schedule – TABLED
 - d. Spruce Hollow Letter of Irrevocable Credit was received, (copy attached). It was moved and 2nd to accept the letter. Chair Morris will contact our Town Attorney to clarify who the other signatures represent and if the Select Board should sign the letter or just accept it? Then the letter will be passed along to the Planning Board.
 - e. The North Pownal Community Club has requested \$2000 from the Town's ARPA grant monies to make the community club handicapped accessible. The Board will reconsider the request.
 - f. Cumberland County Fiscal Year Budget – the Town has been given the option to spread six months of payments for this fiscal year over five years. ~~payments over 6 months for 5 years.~~ The Select Board will send them a letter stating that the Town is unable to raise funds without Town Meeting vote for this budget transition.

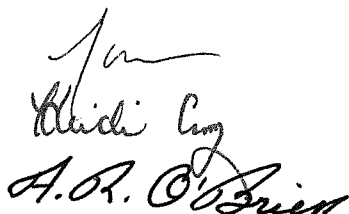
- g. Future Facilities Charge: Pat Christian spoke to the Charge and the Deliverables (copy attached) looking for Select Board input and approval. A motion was made and 2nd to approve. **VOTE: Yes 3, No 0**
Pat also noted to the Board that the committee will be working on the Road Map (timeline) that Paul Schumann has drafted and will be presenting that to the Board in the near future. Pat mentioned that the committee appreciated Board attendance at their meetings.
 - h. Solid Waste Contract with ECOMaine is coming up for renewal. It looks like any regionalization is not going to happen before 2028. It may be a good idea to look at other options before renewing our contract with ECOMaine.
 - i. FY22 Audit and Adjustment spreadsheet was provided by Becky Taylor-Chase
 - j. Slocum Subdivision Private Road name request: A motion was 2nd to approve the name "Slocum Way" for this subdivision. **VOTE: Yes 3, No 0**
 - k. Chris Bourgeois property is being subdivided and a penalty fee is required to be paid to change the use from Open Space. A motion was 2nd to accept payment of \$1,619.70. **VOTE: Yes 3, No 0**
- 8. Old Business – none
 - 9. Correspondence – none
 - 10. Any other business: Mr. O'Brien wanted to thank Kathy Hogue for her work on the new "Pownal Town News-Letter"; and to acknowledge the birth of Heidi's first grandchild!
 - 11. The Board entered in to Executive Session per 1 M.R.S.A. 405 (6) (A) Personnel Matters at 6:58pm. Executive Session was adjourned at 7:40pm.

Meeting adjourned 7:40pm.



Respectfully submitted,

Kathleen A. Hogue / Deputy Town Clerk



SANTANDER BANK N.A.
STANDBY LETTER OF CREDIT DEPARTMENT
450 PENN STREET
1ST FLOOR
READING, PA 19601
PA-450-ITLT1
SWIFT: SVRNUS33

DATE: AUGUST 02, 2022
IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER: 1453

BENEFICIARY	APPLICANT
TOWN OF POWNAL ME	264 MERRILL ROAD LLC
429 HALLOWELL ROAD	7 SHEARWATER WAY
POWNAL, ME 04069	BRUNSWICK, ME 04011

AMOUNT
NOT EXCEEDING USD 200,000.00
NOT EXCEEDING TWO HUNDRED THOUSAND AND 00/100'S US DOLLARS

EXPIRATION
JULY 1, 2028 AT OUR COUNTERS

GENTLEMEN:

WE HEREBY ESTABLISH IN YOUR FAVOR OUR IRREVOCABLE STANDBY LETTER OF CREDIT NO. 1453 FOR THE ACCOUNT OF 264 MERRILL ROAD LLC UP TO THE AGGREGATE AMOUNT OF USD 200,000.00 AVAILABLE BY YOUR DRAFT AT SIGHT DRAWN ON SANTANDER BANK, N.A., STANDBY LETTER OF CREDIT DEPARTMENT 450 PENN STREET, 1ST FLOOR, READING, PA 19601, PA-450-ITLT1, ACCOMPANIED BY THE FOLLOWING:

1. A STATEMENT PURPORTEDLY SIGNED BY THE BENEFICIARY READING AS FOLLOWS:

"WE HEREBY CERTIFY THAT THE DRAFT AMOUNT REPRESENTS FUNDS DUE BECAUSE 264 MERRILL ROAD LLC HAS FAILED TO PERFORM AS AGREED, IN ACCORDANCE WITH THE TERMS OF A CERTAIN CONTRACTUAL AGREEMENT EXECUTED BETWEEN 264 MERRILL ROAD LLC AND TOWN OF POWNAL ME."

2. THE ORIGINAL OF THIS LETTER OF CREDIT, AND ANY AMENDMENTS

EACH DRAFT MUST BE MARKED "DRAWN UNDER SANTANDER BANK, N.A. LETTER OF CREDIT NO. 1453 DATED _____."

PARTIAL AND MULTIPLE DRAWINGS ARE PERMITTED.

THIS IRREVOCABLE STANDBY LETTER OF CREDIT SETS FORTH IN FULL THE TERMS OF OUR UNDERTAKING, AND SUCH UNDERTAKING SHALL NOT IN ANY WAY BE MODIFIED, AMENDED OR AMPLIFIED BY REFERENCE TO ANY DOCUMENT, INSTRUMENT OR AGREEMENT REFERRED TO HEREIN OR IN WHICH THIS IRREVOCABLE STANDBY LETTER OF CREDIT IS REFERRED TO OR TO WHICH THIS IRREVOCABLE STANDBY LETTER OF CREDIT RELATES AND ANY SUCH REFERENCE SHALL NOT BE DEEMED TO INCORPORATE HEREIN BY REFERENCE ANY DOCUMENT, INSTRUMENT OR AGREEMENT.

WE HEREBY AGREE THAT DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS LETTER OF CREDIT WILL BE DULY HONORED UPON DELIVERY OF DOCUMENTS, AT OUR ADDRESS STATED HEREIN, IF PRESENTED TO US ON OR BEFORE THE CLOSE OF BUSINESS ON JULY 1, 2028.

IT IS A CONDITION OF THIS IRREVOCABLE STANDBY LETTER OF CREDIT THAT IT WILL BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR ADDITIONAL PERIODS OF ONE (1) YEAR FROM ITS CURRENT EXPIRATION DATE, OR ANY FUTURE EXPIRATION DATE, UNLESS AT LEAST SIXTY (60) DAYS PRIOR TO ANY SUCH EXPIRATION DATE WE NOTIFY YOU IN WRITING BY RECOGNIZED OVERNIGHT COURIER AT THE ABOVE ADDRESS, THAT WE ELECT NOT TO RENEW THIS LETTER OF CREDIT FOR SAID ADDITIONAL PERIOD. UPON RECEIPT OF SUCH NOTICE YOU MAY DRAW BY PRESENTATION OF YOUR DRAFT AT SIGHT DRAWN ON SANTANDER BANK, N.A., STANDBY LETTER OF CREDIT DEPARTMENT, 450 PENN STREET, 1ST FLOOR, READING, PA 19601, PA-450-ITLT1, ACCOMPANIED BY THE ORIGINAL OF THIS LETTER OF CREDIT, AND ANY AMENDMENTS. IN NO EVENT SHALL THIS STANDBY LETTER OF CREDIT BE AUTOMATICALLY EXTENDED BEYOND THE FINAL EXPIRY OF JULY 1, 2028.

EXCEPT SO FAR AS OTHERWISE STATED HEREIN, THIS LETTER OF CREDIT IS SUBJECT TO THE INTERNATIONAL STANDBY PRACTICES (ISP), INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 590 (1998 REVISION).

KINDLY ADDRESS ALL CORRESPONDENCE REGARDING THIS LETTER OF CREDIT TO ATTENTION OF OUR STANDBY LETTER OF CREDIT DEPARTMENT 450 PENN STREET 1ST FLOOR, READING, PA 19601, PA-450-ITLT1, MENTIONING OUR REFERENCE NUMBER AS IT APPEARS ABOVE.

SANTANDER BANK, N.A.

Note to Applicant:

We have read, understood and fully agree with the entire language of this draft, and instruct SANTANDER BANK, N.A. to issue its Irrevocable Standby Letter of Credit accordingly. This draft is an integral part of the Application and Agreement for Standby Letter of Credit form.			
Name of Applicant		Relationship Officer	
_____	_____	_____	_____
Authorized Signature	Date	Authorized Signature	Date

Future Facilities Committee
August 16, 2022

CHARGE / MISSION STATEMENT

“The charge of the Pownal Future Facilities (ad hoc) Committee is to analyze the current state of the Public Safety and Public Works facility needs, and with a sufficient planning horizon, will recommend to the Select Board strategies and solutions to take care of future potential needs.”

DELIVERABLES

1. Evaluate current and future needs for Public Safety infrastructure and make specific recommendations for meeting those needs.
2. Evaluate current and future needs for Public Works infrastructure and make specific recommendations for meeting those needs.
3. Evaluate the potential impact that regionalization could have on Public Safety and/or Public Works facilities.
4. Evaluate pros and cons of co-locating Public Safety and Public Works facilities.
5. Determine planning/design horizon for any recommended new Public Safety and/or Public Works facilities.
6. Evaluate siting (Pownal town-owned land and/or privately-owned land) for any new Public Safety or Public Works facilities.
7. Evaluate and recommend future financing options and timing including opportunities for grants.