

**Town of Pownal**  
**Select Board Minutes**  
**Monday, April 25, 2022 5:30 pm Public Hearing**  
**Select Board Meeting immediately after**

I. Call to Order Public Hearing by Chair Morris at 5:30 pm.

**Chair Morris** introduced the hearing and the purpose and discussed the standards of the hearing. Please direct discussions through the chair. He read the Comprehensive Plan page 5 which summarized surveys regarding the Public Safety and Public Works buildings. The CIP Committee asked to put a line item on their spreadsheet for a public safety building which generated the public hearing to get input on exploring this item. Is this the time to consider a new public safety building?

**Chief Jesse Peters** spoke regarding the needs assessment that looked at all the buildings and it suggested we needed a new station and needed to help with Public Works. Quarters are cramped, there are storage issues, we need to special order fire trucks to fit etc. Feels it's well beyond time. The 2006 Comprehensive Plan and 2011 Needs Assessment says it is a need. Bond rates are low. If we wait rates and costs will go up.

**Marcia Bowen** was on the Comprehensive Plan Committee. She noted this has been discussed and it's important that we do this. They need a place to eat, sleep, wash equipment etc. How has the line item been factored in? Selectperson O'Brien answered it's a place holder at this point to get it into CIP Plan. If/when we will need to appropriate funding that would happen at town meeting. It's an asset list.

**Paul Schumann** is a member of CIP Committee. He commented that the Select Board agreed to put as an item on the spreadsheet. There is no funding for it and that's intentional. Unknown when funding will be. Are we thinking about replacing one fire station or are we talking about consolidating both Public Works and Public Safety? There has been talk of consolidating Public Works and Public Safety. There seems to be some efficiencies there. Standing in village district – do we want those facilities in that district? Should we consider regionalizing with other towns? Been told several towns have built new facilities but may not be interested. We need to look at these facilities. This will be a big project. We need the right kind of input and advise about these facilities. We need to think about now and 20 years from now. Future volunteers have been a challenge. Are there other town uses for a new facility? Could there be a rental space? Ask Chief Peters if we were to rebuild what type of ISO benefits would the community get? We have a lot to think about that will affect the town for many years to come.

**Matt Nielsen** as acting Road Commissioner and coming from both Public Works and the fire side of this, "I believe both facilities need a change." Backing trucks is challenging. On the Public Works side, we are working in a building we've outgrown. Equipment is large and we can only bring one piece of equipment in at a time. We need be leave trucks idling to keep clear in the winter. This causes several issues with the truck's mechanics. There is well over one (1) million dollars sitting outside getting sun faded, cracking, etc. Both Public Works and the Fire Department need a new facility. There are benefits to both a combination and separate building.

**Bo Chesney** echoes what Mr. Schumann said. If we determine a new facility is needed, where do we put it? What are the acquisition costs for additional land? What is the foot print design for a facility and multiple facilities? If Public Works were relocated does that open up other opportunities for the existing building?

**Susan Briggs Peters** asked if we form a committee the Comprehensive Plan has suggestions of good places to start. Can members submit an application so we can get qualified candidates on the committee?

**Pat Fairbanks:** We did a 2009 needs assessment and found a bunch of inefficiencies with buildings. The inefficiencies had nothing to do with the staff. The town should be grateful for the dedication of volunteers. Other towns have sold their buildings and equipment. This will be a long process. There may be folks that are good at listening and will pick up on things engineers don't. A town close by is building a new facility and had only the Fire Chief and hand-picked other members. The committee is down to one person. Decisions that had been made have creative deficiencies. Location of the building is one of the big issues. Cost is a big factor. Somehow, we need to find major avenues of money. Three years ago, cost would have been a third. Last thing we want to do is tax people out of the community. Is it needed? Definitely. Form a committee and work with surrounding towns – it is interesting the impact that has. Volunteer firefighters are an odd lot. There are constraints within current building. This will help volunteers and would attract more volunteers.

**Chair Morris** We all understand we haven't done this and need to give grace. Need to start somewhere. Would be good to talk to someone that has done it before. Don't have to follow their footsteps but there would be wisdom in getting information. We need to find somebody whether it is another fire department, consultants etc. How do we start? We all have a lot of questions.

**Mr. Nielsen** commented that the Town needs to figure out what exactly we need. Start with the Fire Department. How many bays, living quarters, meeting room etc.? Start with what you need and grow from there. If you want to add Public Works then continue. Then go to an engineer for next steps.

**Chief Peters** agrees with Mr. Nielsen. We need to figure out what we need. Same for Public Works, figure out what they need.

**Selectperson O'Brien** stated we need to figure now and our best guess in 20 years.

**Chief Peters** suggests 30 years for future planning.

**Chair Morris** the question arises if we can imagine and come up with a design on what we may need for 50 years. Does that transcend to where we put it?

**Mr. Schumann** commented what is the town going to look like in 50 years? We plan for a truck to last 24 years with hopes it lasts 30 years so this facility would house two trucks life cycles. A lot of things to consider besides the facilities. Get the needs into a pot and then look at next factors. Will having better facilities help attract more revenue?

**Jan Pieter van Voorst van Beest** before we determine all these things first thing on the agenda is for the town to write a charge for the committee so there is a direction.

**Mr. Schumann** stated this is a difficult process to get started. Something needs to come from the Select Board to get this started. Could the Select Board hold workshops to get some of these items outlined. Then a committee can focus on next steps and directions.

**Ms. Bowen:** The Comprehensive Plan survey was a place for gathering recommendations. The plan is to develop a plan for the village center so should happen in synchrony with this project. Workshop is a great place to start.

**Chair Morris** noted Mr. Fairbanks had another point which has been a stumbling block for any plan: the amount of money to build this facility within the Pownal budget is substantial. Residents on fixed incomes should be equally important in doing this project. We have a responsibility to those residents too.

**Mr. Fairbanks** stated Pownal is growing. When Yarmouth built a fire station on North Road, Carl Winslow was the fire chief. He took a lot of heartbreak by putting it "out of the way". He had a vision that Yarmouth would grow. He built it bigger with a vision of the future. Today we don't need a ladder truck but in 10 years that may change. This will be a long and costly project.

**Mrs. Peters** asked if there are services that can look for funding?

**Mr. Chesney** in relation to discussing if we can afford it with underlying assumption there may be tradeoffs.

**Kathy Hogue** stated the town owns 5 acres. Is that even feasible to build on? If not, then where?

**Chair Morris** who do we ask? Selectperson O'Brien said the first thing we should do is figure out square footage to determine property size. Chair Morris suggests we are involved with North Star Planning. Typically, they are Land Use Ordinance but can help plan for the future. Can they give us an agenda on how to proceed? Does the public feel the Select Board needs that guidance? Not minimizing expertise of Public Works or the Fire Department. Would it be prudent to put in an article at Town Meeting to set an amount of money to have a consultant to help the Select Board with a vision to move forward with the project.

**Alan Curry** agrees to involving North Star Planning. They have expertise to help steer us. Have not heard negative thoughts but lots of questions on how to move forward.

**Paul Giddinge** there is no question that we need a new facility. Trucks are idling because they are kept outside and that is bad for them. Coverage is an issue with the Fire Department. An engineer outfit is a good place to start.

**Christine Watson** suggested asking other towns on how they started their projects. Can use those ideas.

**Mr. van Voorst van Beest** looking for professional help would be money well spent.

**David Steckler** agrees with thoughts of educating from other towns experience. Educate first and then go to a consultant.

**Bob** regionalizing may be worth looking into.

**Chief Peters** stated we work closely with other towns. There is some discussion in Cumberland County about regionalizing. It is in the beginning phase.

**Ruth Hannan** asked if the Fire Department has a wish list? Do those needs lead into a phased build?

**Mr. Chesney** agrees with Mr. Steckler.

**Chair Morris** addressing Mr. Schumann: What will this town look like in 50, 40, 30 years? He would love to know.

**Selectperson Curry** suggested looking at surrounding towns as we feel the pressures. Agrees with comments made tonight beyond the physical needs – 80% would like to see a Village Center. May be tied together. Other towns have let centers go and regret that discussion. We have one opportunity a year to allocate funds to assist us.

**Chair Morris** having heard from the public he suggests the Select Board start to have workshops on alternating Mondays to try to address some of these issues. First one could be next week. Invite Chief Peters and Public Works to come. Chief Peters noted he had to work and would not be able to attend but would like to be at the meeting. Chair Morris said the energy here is to get going so he wants to get going. He can submit a list for review and could someone else represent? Public Works could envision a facility.

Mr. Schumann would like to know what the problems are that need to be addressed? Would rather spend time addressing needs. We have needs, wants and ability to finance. We should focus on finding the problems.

Chair Morris stated the town had decided to think about new facilities and to eliminate the word "design".

Selectperson Curry stated let's look at what the problems are and trouble shoot and work from there. Get into the issues and move forward. Chair Morris suggested they come up with a document of current deficiencies.

Ms. Hannan feels this could be a two-part project. Current deficiencies and estimate future needs.

Chair Morris feels this has been a fruitful discussion. We will meet again. The Select Board regular meetings are the 2<sup>nd</sup> and 4<sup>th</sup> Mondays so the workshops will be the 1<sup>st</sup> and 3<sup>rd</sup> Mondays with limited time.

The Public Hearing concluded at 6:42 pm.

## II. Pledge of Allegiance

### III. Call to order Select Board Meeting by Chair Morris at 6:44 pm.

Members: Jon Morris, Andy O'Brien, Heidi Cushman Curry

Town Administrator: Becky Taylor-Chase

Interim Road Commissioner: Matt Nielsen

Fire Chief: Jesse Peters

## IV. Accounts Payable & Payroll Warrant

### **AP Warrant #54 in the amount of \$287,886.23**

Selectperson O'Brien motioned to approve AP Warrant #54 in the amount of \$287,886.23.

Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

### **Payroll Journal #303 in the amount of \$6,780.22**

Selectperson O'Brien motioned to approve Payroll Journal #303 in the amount of \$6,780.22.

Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

## III. Minutes of Previous Meetings

### • Minutes of Special Meeting April 4, 2022

Selectperson Curry motioned to approve the minutes of the Special Meeting on April 4, 2022 as written. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 3; No 0**

### • Minutes of Regular Meeting April 11, 2022

Selectperson Curry motioned to approve the minutes of the Regular Meeting of April 11, 2022 as written. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 3; No 0**

## V. Public Comment – Non-Agenda Items

Kathy Hogue, Chair of the Recreation Committee, mentioned that the Community Day is coming together nicely and is gaining excitement. She recapped that in 2019 the committee

asked for \$2,000 for start up money and it was approved but the fund was never created in the budget. The committee never got the money and the event got canceled. She asked if it makes sense to have a budget for the Recreation Committee and have it be non-lapsing. By having a town budget, it helps with insurance costs. The committee would like to start with \$1,000. Selectperson Curry did not realize that the money went away. Selectperson O'Brien asked if we can draw from the Recreation Impact Fee. It was determined no. Chair Morris stated we will need to come up with a warrant article to specify what the money would be for; to allow for future planning and insuring. Chair Morris moves to allow a warrant article to include language creating a perpetual fund for the Recreation Committee to finance events and insurance. Selectperson Curry seconded.

Discussion: The Town Administrator stated non-lapsing was the terminology used. Chair Morris amended his motion changing perpetual fund to non-lapsing. Selectperson Curry seconded the amended motion.

**Vote: Yes 3; No 0**

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

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

- **Select Board**

Selectperson O'Brien said a week ago last Friday PCWA lost water. A new well pump had been installed last year and the plumber was asked to change a wire. The wire did not get changed and it broke. Selectperson O'Brien pulled the pump by hand and changed the wire. He lost about 5 hours from his work day but water is back in service. Chair Morris stated the town owes a debt of gratitude for taking care of this.

Selectperson Curry attended the Planning Board meeting and has had several conversations with residents on the Allen Road about a boundary dispute.

#### **VI. New Business**

- **Map 8 Lot 9**

Chair Morris recapped the lot in question. The Edgerly's feel they own the property and the town has claim on the property. The Edgerly's hired a lawyer and our lawyer did a property search and found the town had a legitimate claim based on 3 liens in the property file and filed with the Cumberland County Registry of Deeds. The Edgerly's lawyer claimed they did not find the liens. The Town Administrator checked with the Assessor and no taxes have been assessed to the Edgerly's on that piece of property. Chair Morris stated there are 3 liens on the property signed by Joseph Pervier in the Map 8 Lot 9 property file. It is our attorney's perspective that the town has a rightful claim to the property. Selectperson O'Brien said there has never been a release of lien filed. Chair Morris stated if taxes had been paid the liens would have been released but there is no document at the registry. Mr. Edgerly stated the lien was not signed; Hilton sold the property in 1956 to Lockland. There was nothing in the town reports about the liens. Chair Morris stated the town report is not an official document. He read the email from the Town Attorney. We are guided by our attorney and feel the town has a right to claim the property. Mr. Edgerly said Stanley, Jr. sold the property and it wouldn't have been a lien. Deed from Hilton to Lockland is bound by 3 stone walls. That is stated clearly. Christina Hilton gave that whole property to her children and saved the other piece and returned the rights to the Pownal piece. In 1956 she sold to Lockland described as 3 stone walls. He does not see how there could be any confusion. He has had 2 lawyers say the same thing. The town had maps

going in different directions. One time the town line was assumed in a different spot. There was a big mix up in location of property. Chair Morris stated we are constrained to follow our attorneys advise. If approved at Town Meeting we will have the lot surveyed. The Select Board has no other option than to follow the attorneys advise. The Select Board is in agreement to have the Conservation Commission survey the lot. Chair Morris will continue to work on it through the survey.

- **RSU5 Budget Warrant**

Chair Morris read the warrant and motioned to sign. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 3; No 0**

- **Comprehensive Plan Report/Updates**

Chair Morris met with the RSU5 to find out what constituted a cost effective and appropriate education. Paul Schumann stated the two terms used in the Comprehensive Plan were fiscally responsible and high-quality education. What does that mean? Chair Morris said the answers were less than concrete and they gave a short course in the state funding. There are metrics to measure education. The RSU5 is doing it's best to hold the appropriation line while offering the best education. He asked what would happen if we left the RSU5. Would students in Pownal suffer? They couldn't answer that question. Test scores and tuition are comparable. The town should ask if being in the RSU5 is the right path. Mr. Schumann asked who Chair Morris met with and he answered the CFO of the RSU. Mr. Schumann recapped that the question in the Comprehensive Plan for education is to continue with the RSU so long as it is fiscally responsible and education is sound. So, we as a town, do we feel as the customer it is fiscally responsible. Chair Morris asked Susan Briggs Peters what the vision of that strategy was? She does not personally remember discussing that piece. She stated the RSU is #12 out of 100 schools. Marcia Bowen noted the survey comments had to do with the budget and figuring out fiscal responsibility includes Pownal Elementary School. It's a complicated question. Kathy Hogue stated we wanted to make sure we are where we need to be over 10 years. Mr. Schumann said he was challenging Boards, Committees and the writers of the plan as we have trouble defining what the questions are. How do we measure our success? Taking a plan and putting it into reality. Mrs. Hogue felt like the goals and strategies were important things that should not be ignored. Maybe the wording isn't quite right but wanted awareness. Chair Morris is wondering if the RSU is a good arrangement. It's complicated to disentangle. The question still needs to be asked. He's been working on the cost sharing for 4 years. To try to get a committee to measure has been a 4-year process. It's been driven by a majority vote of Freeport because they benefit from the formula. Selectperson O'Brien said we can do a complete study to find out what options we have and cost to leave the RSU. Find out what the cost of tuition is elsewhere. Selectperson Curry referred back to the 5:30 conversations and the first step is self-education. She applauds the effort of sitting in a meeting with the CFO. We should begin with self-education on our part. Create better working relationships with the school board members. Chief Peters mentioned it was suggested asking the members of the RSU5 board to attend Select Board meetings. Chair Morris asked if they would be interested. They stated their stipends pay them to go to the school board meetings. They said they would not attend Select Board meetings and their minutes can be found online. He suggested offering a stipend to attend the Select Board meetings but residents felt we shouldn't offer stipend; they should attend meetings. Mr. Schumann felt we should not pay our elected representatives to attend meetings. It isn't too much to ask them to attend once in a while.

Selectperson O'Brien stated he was waiting on a date and time for the police meeting.

Chair Morris belongs to a group of Select Board members throughout the state and there has been some discussion lately about the town manager form of government and whether it is working. There have been pros and cons. He is developing a report to discuss at the next Select Board meeting.

Natural Resources: there have been numerous discussions. Is there a way to evaluate our aquifer discharge? Selectperson O'Brien felt that is a question for a hydrogeologist.

Selectperson Curry thinks the Planning Board could be involved. Marcia Bowen noted we have 3 aquifers. She has been in touch and discussion Merrill Road. Chair Morris asked if the aquifers are mapped out? We need to look at the future and come up with an estimate using growth and use per household with consideration of Freeports use. Ms. Bowen this could be a "to be continued" project. North Star Planning could help with the Planning Board's direction. Chair Morris will ask around to see if other towns are studying their aquifer discharge and recharge. Ms. Bowen stated there is a development on Desert Road so someone must have done a study. A yield analysis should be public information. Before we run a single town study there could be a lot of information out there. Selectperson O'Brien said Cumberland County Water Conservation may have some of those reports. Ms. Bowen stated we should frame what we should be doing as a town and board.

Kathy Hogue summarized a meeting with the Town Administrator regarding serving the population that does not have access to technology. The idea came to expand the quarterly mailer to a booklet to include more information. This was done many years ago. Mrs. Hogue has offered to write these. Chair Morris asked if she would like to commit to one year so we could put it on the town warrant. Selectperson Curry and O'Brien do not believe we need to have a warrant article, we just need to increase the printing budget line.

- **Ordinance Review Committee**

Chair Morris told Tom Hall he could start the committee back up and work on the definitions.

- **Issuing CEO permits**

Selectperson O'Brien reached out to Scott Dvorack but he is not able to help as it is a very busy time for him. Dick Hogue mentioned that CMP looks to the town to approve electrical permits. Chief Peters thought Bob Niles may be willing to help with those. We would need to appoint him as a deputy but he has the qualifications. Chair Morris will reach out. Selectperson O'Brien said there was an email for a driveway entrance and he will issue that permit.

- **Laptop for Assessor**

The Town Administrator stated with the reorganizing of the offices she would like to use funds from the computer budget line to purchase a laptop for the Assessor to use so our CEO does not have to take the day off when she is in office. Currently they share a desk and computer. The laptop could also be used to run ZOOM when needed and for the Town Administrator to use when working remote as her personal laptop struggles. Selectperson Curry had thought to mention a desktop instead until the mention of working remotely. The Town Administrator will double check with the Assessor on her preference. The Board gave approval to purchase a computer using funds from the computer budget line.

- **Road Commissioner Interview Process**

Selectperson O'Brien received one resume. Chair Morris asked when the job posting ended. The Town Administrator stated last Friday, April 22. Chair Morris stated we should set up an

interview and asked if Tuesday, April 26 at 6 pm would work. Selectperson Curry cannot attend but stated the other members should move forward with the interview. The Town Administrator will set up an Executive Session on the calendar the candidate will be notified.

- **Election Clerk Oaths**

The Town Administrator explained that state statute requires the Select Board to appoint election clerks in April of even years for a two-year term so a list was presented for approval. The office staff had done some recruiting over the last few months. Chair Morris motioned to approve the presented list of election clerks (see attached list) for a term of May 1, 2022 to April 30, 2024. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

- **Discharge of Lien for Map 9 Lot 13**

The Town Administrator summarized that when the property at Map 9, Lot 13 sold there was not a title search done so the tax lien was not discovered. The current owners are selling and upon a title search found that there was a lien for unpaid taxes from 1972. Powers and French reached out to see if the town would release the lien. The Town Administrator suggested that Powers and French draw up the documents. The Board agreed.

## **VII. Old Business**

None

## **VIII. Correspondence**

There have been multiple conversations with the CEO and Mr. Brady. Chair Morris stated the CEO has no authority over the dispute. It has accelerated so should the Select Board step in? Should we have the Constable visit. Selectperson Curry is not sure what capacity we can step in as. It is not a good situation and one she would be hesitant to send a citizen into. The Town Administrator stated the person appointed as the Constable has never come in to take the oath. Selectperson O'Brien is not sure we have any legal standing. Chair Morris said there was a similar situation on another road and the CEO found no violation so there was nothing he could do. Selectperson O'Brien stated if the vehicle is on his own property there is nothing we can do unless it is leaking fluids. The CEO has been up to check and it is not leaking. Selectperson Curry said the dispute is not with the boundary lines. Actions taken against 283 Allen Road have been aggressive, threatening etc. The end game is to force her out. Chair Morris feels there is very little the town can do but is there some way to support the tax payer? Attorneys or law enforcement need to resolve. Chair Morris will speak with Cumberland County Sheriffs office. Selectperson Curry talked to the resident of 283 Allen Road and they know we are sympathetic but not much we can do.

Chair Morris attended the meeting at the North Pownal Methodist Church. It was a good information meeting. Selectperson Curry asked when are they no longer going to be affiliated with the church? Is there a change of use that will need to go before the Planning Board? Kathy Hogue said they are trying to put together a business plan. It will be owned by the 501C Food Pantry. It will be a non-profit and will be one year before the church sings off. They will need to pay taxes, insurance etc. There is still a lot to figure out.

## **IX. Any Other Business**

None



**XI. Adjournment**

Chair Morris motioned to adjourn the meeting. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

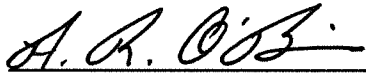
The meeting adjourned at 8:25 pm.

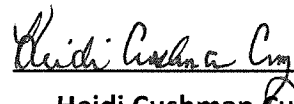
Respectfully Submitted,

Becky Taylor-Chase

Town Administrator

  
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Jon Morris

  
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Andy O'Brien

  
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Heidi Cushman Curry

