

Town of Pownal
Select Board Minutes
Monday, September 23, 2024
6:30 pm Regular Meeting

I. Call to Order by Chair Morris at 6:30 pm.

Members Present: Jon Morris, Andy O'Brien, Kate Day

Town Administrator: Becky Taylor-Chase

Road Commissioner: Matt Nielsen

II. Pledge of Allegiance

III. Accounts Payable Warrant & Payroll Journal

- FY25 AP Warrant #9 in the amount of \$380,680.20.

Selectperson O'Brien motioned to approve FY25 AP Warrant #9 in the amount of \$380,680.20. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- Payroll Journal #124 in the amount of \$11,900.17.

Selectperson O'Brien motioned to approve Payroll Journal #124 in the amount of \$11,900.17. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

IV. Minutes of the Previous Meeting

- Regular Meeting September 9, 2024

Selectperson O'Brien motioned to approve the minutes of the September 9 2024 regular meeting as written. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

V. Public Comment – Non- Agenda Items

Tim Hoehst with wife Emily of Falmouth stated on Friday they entered into a contract with Willis Doughty to buy his piece of land adjacent to the park. Came tonight to introduce them selves and tell what they are up to with the property and to get insight on the road. Doing their due diligence. The plans are to invest in the property as a long-term investment. The plan is to use it to hike, hunt and learn about forestry. There is no plan to develop it and they may take down the buildings that are currently there. Happy to answer questions. There is an access road that runs between the park and the property that use to be Tuttle Road. They are formally researching but wanted to get the Select Board's feedback. Selectperson O'Brien stated as far as we know it is an abandoned town road. There is a big difference between abandoned and discontinued. Abandoned means that the Town hasn't

maintained it for over 30 years. To discontinue a road we have to go before the Town's legislative body which is the tax payers of the town and have them vote to discontinue a road. Mr. Hakes asked as an abandoned road the town still maintains the right of way. Selectperson O'Brien stated the Town still owns the right of way. Mr. Hakes asked if the property owner and the state are jointly responsible for maintaining the road. Selectperson O'Brien stated nobody maintains it. Chair Morris stated there is no ownership of that road. No one else pays taxes on it. The Town maintains the right of way. Some people have used it as access to back lots which exist between route 9 and the existing lot so the Town can't separate landowners from the backlots. Mr. Hakes asked if the Park is the only back lot? Chair Morris stated there are a couple of back lots. He stated you have hired somebody to look into it. Mr. Hakes stated they are just asking someone to research and find out the formal status of the road. What that means is what are our responsibilities for use and maintenance. If someone gets hurt whose responsibility is it. They want to maintain use of the main body of the property. Chair Morris stated your not the first person to ask these questions. He suggested they bring the research before the town at town meeting. The Select Board does not have the authority to enter into any agreement without the Town's approval.

VI. Department Head Reports

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

- Select Board

Selectperson O'Brien commented that the PCWA generator is online.

Chair Morris asked about the generator at North Pownal Station. Selectperson O'Brien does not know the status. Chief Peters was going to talk to the resident.

Chair Morris commented that as he was driving from point A to point B on Friday, he noticed Casella was picking up the trash by hand. They had three guys working the truck.

VII. New Business

- **General Assistance Maximum Adoption**

Chair Morris summarized that this is something we do every year. The State supplies us with the data and we vote to approve it.

Selectperson O'Brien motioned to adopt the Cumberland County maximums for the year 2024-2025. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- **Refunds on Pownal Trash Bags**

Chair Morris stated we are now in possession of a quantity of trash bags. He asks the Town Administrator if this was more than ending the refunds on the bags. She stated the Solid Waste Committee suggested that we put trash bags out in the lobby with a sign that says free so people can use them as an everyday bag. She was concerned that people would grab them and then come back to get a refund so did we want to end the refund. Just looking for some guidance. Chair Morris stated he is reluctant to give them away until we

look at options. What would happen if North Yarmouth could use them for their pay for throw. This would be a way to move the 17 cases. Selectperson O'Brien stated his suggestion was to use them for Pownal clean up day in May but we will have to store them until then. We can set a time limit on refunds. Chair Morris stated it's a two-part problem. We should say the times up on refunds. End it in one week. Then see if what neighboring Town's do. Does Durham use bags or tags. Selectperson O'Brien stated he thought they had gone to automation. The Town Administrator stated they will be going to automation next year and they use tags. Chair Morris commented that the Town residents paid for the bags. Selectperson Day asked if we would use them all during clean up day. Selectperson O'Brien said probably not, not 17 cases. The Town Administrator clarified that it is 76 cases, not 17 and they are all large, no smalls. We give out about 8-12 empty bags a year in the spring. Selectperson Day asked if there was a way we could provide residents with them that need some sort of assistance. Chair Morris asked what would they need them for. That was the suggestion from the Solid Waste Committee. Chair Morris stated can we move to end the trash refund on the 30th of September. Selectperson O'Brien motioned to end the trash refund on September 30th. Selectperson Day seconded.

Discussion: None

Vote: Yes 3; No 0

Chair Morris asked if we can table the disposition of the bags until one of us or the Solid Waste Committee can contact North Yarmouth to see if they want to buy them at a discount just to get some money back. It seems like it's in the best interest of the Town to recover some money. He asked if these came from Waste Zero. The answer was yes. He asked if we are getting more from Hannaford. The Town Administrator stated they are not giving them back, they just want us to pay their invoice.

- **Waiver of Conflict-Brady**

Selectperson O'Brien motioned to approve the waiver of conflict between Jensen Baird and Mr. Brady in the case in the Town of Pownal. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- **Department Head Budget Reports**

Chair Morris stated this is a good accounting tool. The Town Administrator stated that the General Government budget is 25% through the fiscal year and 22% spent so it's right on target. There are a few onetime payments that happen at the beginning of the fiscal year: TRIO, shelter services, Maine Municipal dues etc. She expects the budget to stay on target. Selectperson O'Brien stated this could be a good budgeting tool for the Budget Committee.

- **CEO Coverage and Job Description**

Chair Morris stated the ad seems relevant. The hours, do we want to keep it at 36 or go back to the 32 hours. Selectperson O'Brien feels we should keep it at 36 hours. Selectperson Day agreed. The Town Administrator will post it tomorrow. Selectperson O'Brien spoke to Craig Vosmus and he will fill in. Chair Morris asked if the Town Administrator spoke to Mr. Estabrook. She stated yes and that she would call him tomorrow with details for coverage. We will need to oath him.

- **Citizen's Petition**

Chair Morris stated we have a petition for local liquor option. He read to the two options on the petition. Those will be two written ballot articles. Selectperson O'Brien asked if we have to hold a special town meeting? The Town Administrator stated we do not. She contacted MMA legal to ask a few questions because the petition was directed to a special town meeting. This one has to be an actual polling day with a printed ballot. The municipal officers have the discretion to hold it when the next ballot is printed which for us is June or you could schedule another polling day but we did not plan or budget for that. These would be articles 3 and 4 on the annual town meeting warrant next June but would be voted on during the election the previous week. Selectperson O'Brien motioned that we add the petition for local liquor options articles to our annual town meeting warrant. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- **Municipal Valuation Return and Sales Ratio Analysis**

Selectperson O'Brien motioned to accept Ms. Hays Municipal Valuation Return as presented. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

Selectperson O'Brien motioned to accept Donna Hays sales ratio analysis as presented. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

Chair Morris asked for the sales ratio to be posted on the website.

Chair Morris asked how the renovations were coming? Kathy Hogue stated she was there prepping for the painting and could use help. Chair Morris asked what kind of help she needed. She stated painting. She will be starting on Wednesday. We need to get it done quickly so the floors can be done so we can be ready for Pumpkin Festival. Chair Morris asked for something to be put on the website asking for volunteers. The heat pumps are installed, and the internet is run. It just needs to be hooked into the modem and ION Networking has been called to set that up.

Chair Morris wanted to discuss Seacoast Security. Selectperson O'Brien has put a call into Cunningham to do a site walk and provide an estimate for changing the service. Seacoast is not responsive at all. Chair Morris summarized that we've been having some problems with our system, and it is not getting resolved with numerous phone calls, so we are considering switching companies. We currently use Cunningham at both fire stations with no issues.

Chair Morris stated one of the by products that we didn't know by ending the PAYT program is there is product everywhere and Hannaford has sent out a \$17,000 bill for their inventory. We need to see that inventory. What is our next step? Do we go look at the inventory? Selectperson O'Brien asked if we were under any contractual obligation for them to carry

them. Chair Morris stated we don't know as we have only found a 2008 contract with Waste Zero. The Town Administrator stated the invoice is for 60 cases of large. They ran out of the small which we were waiting for town meeting vote to determine if we needed to restock the factory. Selectperson O'Brien feels we need to know if we have any contractual agreement for the bags. Chair Morris asked that Hannaford be contacted so we can come inspect the bags. Has Waste Zero sent an invoice for the 76 cases? She answered they have not, we have paid that already. When we authorize a restock at the factory the Town is billed. Then when retailers order they are billed including the Town when we order. There should not be any more bills.

VIII. Old Business

Chair Morris asked if the Solid Waste Committee has met with Durham? The Town Administrator stated they have the contact information of the Chair of the Durham committee, but I don't know if they have connected. Selectperson O'Brien stated the Chair of the Durham committee asked him for the contact information for our committee.

Chair Morris asked where are we with the Future Facilities Committee. Selectperson O'Brien stated they will have a final report to present in October. Representatives from Port City Architecture will be here to present their findings.

Chair Morris stated the Planning Board viewed and read the rough draft of the short-term rental ordinance. They had some questions about whether it should be moved forward as a policy or ordinance. Policy would be enforced by Code Enforcement and an ordinance would be voted for by the Town. Tom presented a list of issues that the town has with unregistered short term rental. So that will come back to the Select Board so everyone should look at the draft. There are some rumors that there are a couple of short-term rentals in attics in town. Selectperson O'Brien asked if that projects any liability on the Town? Chair Morris stated it's such a fuzzy area. We do not have an ordinance. The best interest of the town is to come up with a policy. Kathy Hogue asked if short term rentals right now are required to register? The answer is no.

Chair Morris asked about the Economic Development Committee. Selectperson O'Brien stated early in October the committee that is presently in place will meet with the incoming new members and hand over the reins.

Chair Morris asked if the Land Trust signed and executed the documents. The Town Administrator stated they were signed in early August and notarized.

Chair Morris asked for an update on the Farmers Market. Selectperson O'Brien stated it's late in the year for anything to happen.

It was noted the Conservation Commission will be meeting the next night. Selectperson O'Brien stated he would be attending the CAP meeting on Wednesday.

Chair Morris asked about the Recreation Committee and Pumpkin Festival. Kathy Hogue gave a brief summary that there will be 2 bands along with the regular festivities.

IX. Correspondence

X. Any Other Business

XI. Executive Session per 1 M.R.S.A 405 (6)(A) Personnel Matters

Chair Morris motioned to enter into the Executive Session per 1 M.R.S.A 405 (6)(A) Personnel Matters. Selectperson O'Brien seconded the motion.

Discussion: None

Vote: Yes 3; No 0

Chair Morris motioned to exit the Executive Session at 7:38 pm. Selectperson O'Brien seconded the motion.

Discussion: None

Vote: Yes 3; No 0

XII. Adjournment

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

Discussion: None

Vote: Yes 3; No 0

The meeting adjourned at 7:38 pm.

Respectfully submitted,

Becky Taylor-Chase

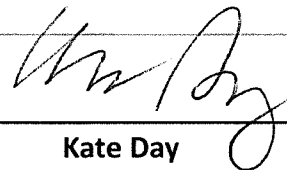
Town Administrator



Jon Morris



Andy O'Brien



Kate Day