

**Town of Pownal**  
**Select Board & Budget Committee Minutes**  
**Monday, February 27, 2023 5:30 pm**  
**Regular Meeting**

**I. Call to Order** by Chair Morris at 5: 30

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

Road Commissioner: Matt Nielsen

Fire Chief: Jesse Peters

Town Administrator: Becky Taylor-Chase

**II. Enter Executive Session per 1 M.R.S.A 405 (6) (A) Personnel Matters**

Chair Morris motioned to enter Executive Session. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 3; No 0**

Chair Morris motioned to exit the Executive Session. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 3; No 0**

The Executive Session ended at 6 pm and the meeting moved into the workshop.

**III. Workshop**

**a. Air BnB/Short Term Rentals Ordinance**

Selectperson Curry worked with the Freeport Ordinance. Chair Morris liked the Freeport Ordinance. South Portland's ordinance has an owner-occupied section. The goal is to ensure neighbors are protected and essential services are covered. Selectperson Curry stated there are multiple definitions in our Land Use Ordinances that need to be cleaned up. As an example, there is Accessory Dwellings and a newer Dwelling Accessory Unit. We need to make sure we have the correct information in the definitions. Conversation focused on owner occupied. Is this something that we want to incorporate, what is the definition, should we include an emergency contact line if we do not do owner occupied? Donna Watson asked for clarification on owner occupied. Discussion focused on this. Selectperson Curry felt if there was an accessory dwelling unit that was rented out short term and the owner of the property resided in another structure (the main residence) on the property she would consider that owner occupied. Bo Chesney asked about "snowbirds;" those homeowners that go away for 3-4 months and rent their home. Maybe we should set a time limit. Selectperson Curry stated the definition of short term is 28 days or less so that would not apply to this ordinance. Selectperson O'Brien would like to see owner occupied and include a time response by responsible party in the event of an emergency etc. Chair Morris stated there is a new zoning law that will allow accessory dwellings on lots. This is where the issues will be. Selectperson Curry stated if both buildings are on the same property and the owner occupies one this would be considered owner occupied. This would then fall under home occupation and would need to be registered. The goal here would be to deter properties getting purchased for the sole purpose of short-term renting. Chair Morris stated this should be regulated by the Code Enforcement Officer. We would need to decide on the inspection process. Selectperson O'Brien stated another goal of this ordinance is safety for the occupants. Chair Morris felt we should write into the ordinance and inspection process. Selectperson Curry stated certain inspections are done by other entities. Chair Morris said we do have a health officer and would

this individual do the inspections? We will need to look at State Statute on inspections and talk to North Star about the definitions. Chair Morris and the Town Administrator will research this information.

The workshop moved to the Noise Ordinance

**b. Victualer's Ordinance**

Chair Morris stated we had received some feedback from the Town Attorney and asked what our objective is with this ordinance. Are we trying to be prepared for the future? Selectperson O'Brien stated this came about when there was a possibility of a night club at North Pownal. Chair Morris asked if we wanted to address food carts? It was in the original draft but has been removed. Are they regulated by the State? As rewritten, it does not regulate food carts or things like a lemonade stand. What happens is someone get sick from food served by these? Is the Town responsible? Selectperson Curry stated if it was not being run on town land then the Town would not be responsible. Selectperson O'Brien said the original concern was serving alcohol and having unruly customers. Selectperson Curry said if we are looking forward to a village district, we should be considering this. The State does food inspections and the State Fire Marshall is involved with inspections. We already have a mechanism for one-time events. Chair Morris asked what if a catering company decided to move into town, is there no regulation? Chair Morris suggests we accept Natalie's suggestions and remove items we did not want to regulate.

The meeting took a 5-minute break before resuming into the regular portion of the meeting.

**c. Noise Ordinance**

The Town Administrator compiled a document of the sections she felt were relevant from Freeport's ordinances. Chair Morris stated "D" was not needed. What times do we want to set? The Town Administrator referenced Freeport's times which all seemed agreeable to using those. He asked about Fireworks. Discussion focused on what other items should be included. Where do we "draw the line". Would someone playing their guitar in their yard be in violation?

What about someone running a leaf blower to clean up their yard? What about timber harvesting? That is exempt by State Statute and would need to be referenced. Chair Morris and the Town Administrator will look at State Statute for nuisance and objectionable noise to better clarify the sections and to reference the direct Statute in the ordinance for enforcement purposes. Since we do not have a local police department, we will need to reference Cumberland County Sheriff's office for enforcement so need to include that in the statute. We will hold a workshop before the next regular meeting to go over the information being researched.

The meeting moved back to the Victualer's Ordinance.

**IV. Pledge of Allegiance**

**V. Accounts Payable & Payroll Warrant**

- **AP Warrant #20 in the amount of \$347,676.85.**

Selectperson O'Brien motioned to pay AP Warrant #20 in the amount of \$347,676.85.

Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

- **Payroll Journal #224 in the amount of \$7,221.39.**

Selectperson O'Brien motioned to pay Payroll Journal #224 in the amount of \$7,221.39.

Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

#### **VI. Minutes of Previous Meeting**

- **February 13, 2023 Meeting and Workshop**

Selectperson Curry motioned to accept the minutes of the February 13, 2023 meeting and workshop as written. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 3; No 0; Abstain 1**

- **February 20, 2023 Executive Session**

Selectperson Curry motioned to accept the minutes of the February 20, 2023 Executive Session as written. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 2; No 0**

#### **VI. Public Comment – Non-Agenda Items**

Kathy Hogue asked for some clarification on purchases she needs to make for an upcoming event. Things like paper plates, soda, popcorn she would just get at a grocery store so there would be no invoice involved. Could she purchase and submit for reimbursement? She is just trying to follow the purchasing policy. Chair Morris stated as the committee matures the purchasing process will mature. She will work closely with the Town Administrator and it would be her discretion as to authorizing these small purchases. Selectperson O'Brien has no problem with reimbursement as he often does this for PCWA purchases. The Town Administrator just clarified that PCWA is a department budget and Selectperson O'Brien is an officer of PCWA so that is different from a committee budget. Chair Morris stated he will review the policy one more time for clarification. There is an event coming up and Mrs. Hogue just wanted to make sure she was following proper procedure for these purchases.

Mrs. Hogue asked about the Historical Society's use of Mallett Hall since they are not a town department or committee. Should they need to pay rent or carry insurance? Chair Morris said there was a provision written to allow them to use and hold events at Mallett Hall that is grandfathered when ownership transferred to the town.

Jan Peiter Van Woorst Van Beest asked if there had been any discussions revolving around police because of the excessive speeding in town? Last year it was discussed but staffing issues prevented us from moving forward. Is this still the case? Is the Board still considering this for the near future? Chair Morris said the Cumberland County has added 10 hours of daylight hour patrolling in town. We have not revisited this year as staffing is still an issue.

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

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

- **Select Board**

#### **IX. New Business**

- **Budget Presentations**

- **Public Safety**

Chief Jesse Peters reviewed each line of the budget, explaining variances and pausing for questions and discussion, as needed.

- Public Safety – Dispatch 3-year contract cost reflects basic annual cost increase. EMS increase is a function of price and call volume increase which was up 25% in 2023 with 70% of that increase in EMS. *No changes were recommended.*
- Administration – Software annual service fee is up 5%. *No changes were recommended.*
- Compensation – In addition to comments presented by Becky Taylor Chase, Chief Peters added training and maintenance budget lines are reduced over prior year to align better with actuals. *No changes were recommended.*
- Buildings – Increases in utilities reflect expected rate increases. *No changes were recommended.*
- Operations – Apparatus Maintenance increase reflect changes in labor rates, parts, and oil. On Equipment Maintenance/Repairs, Chief Peters noted that they are moving toward electric and so there is low gas cost. *No changes were recommended.*

- **CIP**

Paul Schumann, Chair of the CIP committee presented the proposed budget for 2024 and detailed projections and recommendations for the future. Committee members Jan Pieter van Voorst van Beest and Rodney Richard were also in attendance and contributed to the discussion.

- Capital Reserves Account – the balance is projected to be \$681K as of 6/30/23. This includes the \$200K supplemental allocation made from Surplus. Based on proposed Appropriations for 2024, the balance is projected to be \$750K by 6/30/24. Chair Schumann answered questions about the history of appropriations. The committee is recommending that the Town explore options for how to earn a higher return on reserve funds as a practical financial matter, but also as one strategy for keeping appropriations at a reasonably stable level even as expenditures are forecasted to increase significantly over time. This topic was discussed further, below.
- 2024 Expenditures – In the coming year a 2016 dump truck (small truck with plow and sander) will need to be replaced for an estimated \$75K. Public safety expenditures originally planned for 2024 have been deferred based on recommendations from Chief Peters.
- 2024 Appropriations – The committee is recommending an appropriation of \$144K in 2024, an increase of \$2K over the prior year \$142K, but below the \$154K appropriated in 2022.
- Highlights and Concerns – Chair Schumann presented what the committee sees as increasing demands facing the CI plan and offered solutions to be considered.

Demands -

- The inflation rate increase from 2.5% to 5% impacts the cost of equipment purchases. The committee specifically called out dump trucks as an example, with the cost of full-size dump trucks increasing dramatically and currently at around \$300K.

- Major expenditures in the 4-year period between 2039-2042 are projected to be over \$2.2 million with about \$2 million of that in Public Works. The committee supported this projection with an Asset Schedule and an Expenditures and Appropriations Chart. Chair Schumann note that the committee works to find creative and practical ways to stage major expenses over time and smooth out major spikes where possible.

Appropriations are growing too slowly to meet these demands, and the committee is recommending that proactive steps be explored, and actions taken to ensure there will be reserves sufficient to meet the Town's future needs. If the Town were to rely solely on annual appropriations to mitigate this risk, appropriations would have to increase by 2.5% per year (approximately \$4K) over each of the next 5 years, and 5% per year for the 10 years thereafter.

The committee offered approaches that can be explored to mitigate this risk and minimize the impact on taxation including –

1. Increase returns on the Capital Reserves account, as presented above. There was discussion about the right way to investigate this opportunity.
2. Explore options to leverage the decline in debt service levels – for example shifting savings in debt service expense to help fund appropriations. The committee presented a Capital Spending as a % of Tax Commitment chart, (includes forecasted new bonds) and shows the potential savings that could be reallocated.

Chair Morris noted that the Town may need to give the Select Board formal authority to make some types of changes in how money is managed, which could be addressed this year. Chair Chesney recommended that the Budget Committee take the lead exploring options in partnership with Becky Taylor-Chase and come back to the Select Board with recommendations. The Select Board supported that approach.

Chair Morris thanked Chair Schumann and the committee for the important work they continue to deliver year after year. He noted the high level of skill and dedication this work requires and recognized the direct positive impact the committee's work has had on the Town. All present added their thanks.

- **Solid Waste**

Becky Taylor-Chase noted that Heidi Richards, Chair of the Solid Waste Committee is still receiving the information needed to complete the budget. Chair Chesney noted that the budget committee will meet separately with Chair Richards. It was noted that Solid Waste Hauling reflects the contract increase. There was general discussion about the significant changes coming for services available to the town. Chair Morris noted that there will need to be a strategic approach to how the Town manages the transition to the new automated services. *No changes were recommended at this meeting, with more discussion to come when all the numbers are in.*

- **Compensation**

Becky Taylor-Chase reviewed each line of the budget, explaining variances and pausing for questions and discussion, as needed. She explained that the approach for budgeting salaries/hourly pay was based on a 7% cost-of-living increase and a potential 2% performance related increase for a base assumption of a 9%. Selectperson O'Brien explained that the Select Board generally uses CPI as a guide for deciding on cost-of-living increases, although decisions each year may vary.

- General Government - Any variance from that approach above was explained. Increases in FICA and Medicare align with changes in compensation. The elimination of expense for a Part-time Clerk and reduction in expense for the Recording Secretary significantly off-set other increases. *No changes were recommended.* It was noted that the Budget Committee will make a recommendation on the Stipend for the Select Board.
- Public Works – Any variance from the approach above was explained. Increases in FICA and Medicare align with changes in compensation. *No changes were recommended.*
- Fire Department – Becky Taylor-Chase gave summary comments noting that detailed comments would be provided by Chief Peters. Also see notes in Chief Peters presentation.

- **Revenues**

Becky Taylor-Chase reviewed each line of the budget, explaining variances and pausing for questions and discussion, as needed. Auto Excise Tax and Revenue Sharing, two major revenue lines are both forecasted to be flat year over year. Becky noted that the revenue sharing projection has not yet been announced by the state but may be higher than previous years. Chair Chesney asked if in the case the revenue sharing was up but the news was not learned until after the warrant, could adjustments be made - Becky clarified that changes cannot be made once the warrant is approved. Also noted was that checking interest increased significantly based on accounts reaching deposit thresholds eligible for higher interest. *No changes were recommended.*

Wrapping up the budget presentations, Chair Morris thanked the Budget Committee for their work.

- **Economic Development & Sustainability Request**

The Chair of the Economic Development & Sustainability sent an email requesting to be placed on the annual Town Warrant. Paul Schumann spoke briefly that this article is asking for funds to continue the work the committee is just getting started on. The committee is currently working on drafting an RFP for the village district and with expected timeline hope to have a contract signed before the end of this fiscal year so they can ask for the funds in this current budget to be carried forward. There was brief discussion about adding more detail to the text of the article so voters are informed as to what the money will be used for.

- **RSU5 Vacancy**

Chair Morris stated he had someone interested in possibly filling the vacancy. Selectperson O'Brien stated Ben Schulz has agreed to fill the vacancy. Chair Morris motioned to appoint Ben Schulz to the RSU5 School Board for the remainder of the vacant term. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

- **Open Space Penalty Acct 605**

Selectperson O'Brien motioned to accept the open space penalty on account 605. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

- **Foreclosure List**

The Town Administrator stated the lien process was approaching the maturity date and there are 4 properties that we need to decide on the direction to take. The options are to sign a foreclosure waiver and work directly with the homeowners to rectify, process the foreclosure and offer to sell back to the homeowner for taxes, interest and fees due or foreclose and go through the selling process. Chair Morris motioned to waive the foreclosure process. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

The Town Administrator will file the waivers with the Cumberland County Registry of Deeds.

**X. Old Business**

None

**XI. Correspondence**

None

**XII. Any Other Business**

None

**XIII. Enter Executive Session per 1 M.R.S.A 405 (6) (A) Personnel Matters**

Chair Morris motioned to enter in executive session at 9:10 pm. Selectperson Curry seconded.

Discussion: None

**Vote: Yes 3; No 0**

Chair Morris motioned to exit executive session at 9:14 pm. Selectperson O'Brien seconded.

Discussion: None

**Vote: Yes 3; No 0**

Chair Morris stated we should look at properties to see if we could work out something with Royal River Land Trust to swap and possibly obtain the lot for sale on Elmwood Road for future uses. Selectperson Curry has information that the property is under contract and is no longer available.

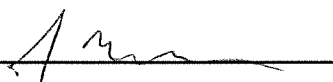
**XIV. Adjournment**

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

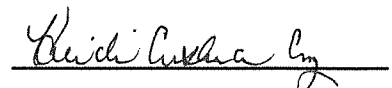
Discussion: None

**Vote: Yes 3; No 0**

The meeting adjourned at 9:17 pm

  
Jon Morris

  
Andy O'Brien

  
Heidi Cushman Curry

