

To: Ginifir Giddinge, a resident of the Town of Pownal, Cumberland County, State of Maine.

Greetings:

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Pownal in said county and state, qualified by law to vote in Town affairs, to assemble at Mallett Hall, 429 Hallowell Road, Pownal Maine on Monday, January 22, 2024 at 7:00 p.m., then and there to act upon Article 1 through 7 as set out below.

Select Board Chair Jon Morris opened the Special Town Meeting at 7:00 pm. He gave a few opening remarks to protocol and etiquette as we were using our new AV equipment to record this meeting. He then turned the meeting over to the Town Clerk, Rebecca Taylor-Chase

ARTICLE 1: To choose a moderator to preside at said meeting.

The Town Clerk read article one and opened the floor for nominations. Jon Morris nominated Alan Chesney to be moderator. Andy O'Brien seconded. There were no other nominations, and the Town Clerk closed the floor to nominations. One written ballot was cast in the ballot box. Deputy Clerk Pascale Delsol retrieved the ballot and read that Alan Chesney received the vote. The Town Clerk declared Alan Chesney the moderator and he took the oath. The meeting was turned over to the moderator.

ORDINANCES

ARTICLE 2: Shall an ordinance entitled "2024 Amendments to the Pownal Zoning Ordinance" be enacted.

(A copy of the amendment shall be available at the Special Town Meeting).

Exhibit A

Matt Altieri motioned to adopt the 2024 Amendments to the Pownal Zoning Ordinance to include the Conservation Subdivision Ordinance. Donna Watson seconded the motion. Discussion: Matt Altieri gave a summary of the ordinance and function. The start of the project came from the Comprehensive Plan; the town was in favor of rural character. This new proposed ordinance would require 60% of the land to be preserved in open space. Requires a 200-foot set back from an existing road and allows applicants to build a road to 1000 feet. Applicants can decrease the lot size. This ordinance would apply to 5 plus lots. Anything under that would fall under the minor subdivision ordinance. The new proposed ordinance does not expand the number of lots that can be built. A plan needs to be submitted to demonstrate it would qualify under the major subdivision ordinance for it to come under the new proposed ordinance. Tom Hall asked for background and history. Mr. Altieri introduced the other members of the Planning Board in attendance. He stated there was a big influx of proposals for subdivisions in recent years. The Planning Board sought help through North Star Planning and the Select Board. If the pace continued, the Planning Board wanted more discretion. The Planning Board faced many challenges with the submissions. David Steckler asked for a definition of open space. Mr. Altieri stated the initial thought was for the open space to be open to the public. But there was some question as to whether this stepped on landowners' rights. It would be up to the developer or the Homeowners Association on allowance. Shane Brady asked if the open space would be able to be developed later. Mr. Altieri stated there were 4 options: 1. Grant an easement, 2. Grant lot ownership to conservation, 3. HOA owns it and submits an

agreement to the Town or 4. The Town wants it. Mr. Steckler asked what the tax implications are. Mr. Altieri stated it depends on the ownership. If it's HOA owned, the taxes are shared among the homeowners. If it's owned by the developer, they are responsible. Susan Peters asked if the open space is in conservation easement would there be taxes collected? Mr. Altieri answered to his understanding there are state programs that can help reduce taxes based on use. If any of those programs apply the developer or HOA would apply with the assessor and it could reduce the amount of taxes collected. Mrs. Peters asked if taxes will be collected on open space in easements. Mr. Altieri answered with he does not believe it comes out entirely. They may get some reduction in taxes, but it would not come off the tax roll completely. Janet Lynch made an observation that the main amount in taxes is the building. The Town is still getting revenue from the houses which is the bulk. Mr. Altieri agrees. Mr. Hall asked what are the expectations if the proposed ordinance is not adopted? Orion Breen spoke stating people are not a fan of the current ordinance. It alters the character of Pownal. The Comprehensive Plan stated residents are in favor of preserving open space. The proposed ordinance is an improvement over the current ordinance. Mr. Altieri commented that we, as residents, appreciate Pownal. The pace of applications in 2020/2021 was a lot of development. Applications have decreased since. David Baird asked why this was being done in a special town meeting instead of a regular town meeting when the entire town can vote. The moderator clarified that this is an entire town vote. It was a duly advertised and posted meeting, there were public hearings in respect to the work done. Town meetings and special town meetings are how the town conducts business. Mr. Altieri commented that it was originally planned to be in the June 2023 Town Meeting warrant but decided to table it for thorough review.

Having no more discussion, the moderator called for a hand vote.

ARTICLE PASSES

FINANCIAL ARTICLES

ARTICLE 3: To see if the Town will transfer and appropriate up to **\$16,000.00** from the Unassigned Fund Balance for the Brown Tail Moth Mitigation Program Grant. The monies refunded from the State program will be returned to the Unassigned Fund Balance.

The Select Board recommends approval.

Richrd Hogue motioned to transfer and appropriate up to \$16,000 from the Unassigned Fund Balance for the Brown Tail Moth Mitigation Program Grant. Tom Hall seconded the motion. Discussion: Jon Morris stated this is an opportunity for residents to get assistance from the Town to help mitigate Brown Tail Moth. We (the Town) received this grant money. Some of it is for education which the 5th grade class at Pownal Elementary School is helping with and some money for treatment.

ARTICLE PASSES

ARTICLE 4: To see if the Town will appropriate up to **\$21,000.00** from the Coronavirus Local Fiscal Recovery Fund (a/k/a American Rescue Plan or ARPA Funds) received by the Town from the federal government for the following project: Replacement of the Town Office, CEO, Public Works and Fire Department's computers.

The Select Board recommends approval.

Richard Hogue motioned to appropriate up to **\$21,000.00** from the Coronavirus Local Fiscal Recovery Fund (a/k/a American Rescue Plan or ARPA Funds) received by the Town from the

federal government for the following project: Replacement of the Town Office, CEO, Public Works and Fire Department's computers. Tom Hall seconded the motion.

Discussion: Tim Giddinge asked what are the guidelines for expenditures out of that fund? The moderator stated the Town Administrator would like to respond but is not a resident so needs a 2/3 majority vote to allow her to speak. The residents approved. She stated that all the guidelines are thousands of pages but upgrades to computers does fall as an acceptable use of the funds. Other towns have used the funds for the same type of project. Mr. Giddinge asked what it can't be spent on? Can it be spent on roads? She answered that roads is not a permitted use of the funds. There is some leeway under revenue loss, but we are trying to stick to the exact channels of use.

ARTICLE PASSES

ARTICLE 5: To see if the Town will return **\$4,491.00** from the Unassigned Fund Balance to the Fire Truck Fund Balance Account G 1-4908-00.

The Select Board recommends approval.

Tom Hall motioned to return **\$4,491.00** from the Unassigned Fund Balance to the Fire Truck Fund Balance Account G 1-4908-00. Matt Nielsen seconded the motion.

Discussion: The Town Administrator stated it was a clerical error made a few years ago when unused accounts were put on the warrant. It was a sight line error when looking at the computer and reading one line for description and reading the next line down for the amount. The money was supposed to stay in the fire truck fund account. When going over accounts with the Fire Chief earlier this year we discovered this error and asked the Select Board for permission to correct it on the Special Town Meeting warrant.

ARTICLE PASSES

ARTICLE 6: To see if the Town will appropriate up to **\$20,000.00** from the Coronavirus Local Fiscal Recovery Fund (a.k.a American Rescue Plan or ARPA Funds) received by the Town from the federal government for the following project: Replacement of the Town Office Furnace.

The Select Board recommends approval.

Richard Hogue motioned to appropriate up to **\$20,000.00** from the Coronavirus Local Fiscal Recovery Fund (a.k.a American Rescue Plan or ARPA Funds) received by the Town from the federal government for the following project: Replacement of the Town Office Furnace. Tom Hall seconded the motion.

Discussion: None

ARTICLE PASSES

BUSINESS ARTICLES

ARTICLE 7: To see if the Town will vote to adopt the Route 9 Omnibus Municipal Development and Tax Increment Financing (TIF) District and Development Program pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, as follows:

Section 1. The Town hereby finds and determines that:

- (a) The Select Board has held public hearings on December 11, 2023 and December 18, 2023 on the Route 9 Omnibus Municipal Development and Tax Increment Financing (TIF) District (the “District”) and the development program for said District (the “Development Program”) in accordance with the requirements of 30-A MRSA §5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town, and considered all evidence presented during the public hearing with regard to any adverse economic effect on or substantial detriment to any existing business in the Town; and
- (b) Adoption and implementation of the District and the Development Program will generate substantial economic benefits for the Town and its residents, including expanded opportunities for commercial development, new employment opportunities for residents of the Town and surrounding communities, broadened and improved tax base of the Town and economic stimulus of the Town, the region, and the State of Maine; and therefore, constitutes a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town and the State of Maine; and
- (c) Adoption and implementation of the District and the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the District and the Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the projects and improvements described in the District and the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and
- (d) The District and the Development Program satisfy the statutory conditions for approval set forth in 30-A M.R.S. § 5223(3), except as otherwise exempt, as follows:

1. At least 25% of the real property within the District is in a blighted area, in need of rehabilitation, redevelopment or conservation work, or is suitable for commercial or arts district use;
2. The total area of the District does not exceed 2% of the total acreage of the Town and the total area of all TIF Districts within the Town does not exceed 5% of the total acreage of the Town; and
3. The original assessed value of the District plus the original assessed value of any other TIF Districts within the Town does not exceed 5% of the total value of taxable property within the Town as of April 1, 2022.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby designates the proposed Route 9 Omnibus Municipal Tax Increment Financing District, as presented to this Town Meeting.

Section 3. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby adopts the Development Program for the Route 9 Omnibus Municipal Tax Increment Financing District in the form presented to this Town Meeting.

Section 4. Said designation of the District and adoption of the Development Program shall automatically become final upon approval of the voters at this Town Meeting and shall take full force and effect upon approval of the District and Development Program by the Commissioner of the State of Maine Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Select Board, or any other party.

Section 5. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of the Increased Assessed Value to be retained as Captured Assessed Value in the District and the term of said District is confirmed as set forth in the Development Program.

Section 6. Following final designation of the District and adoption of the Development Program by the Town, the Chair of the Select Board, or his/her/their designee, be and hereby is authorized and directed, on behalf of the Town of Pownal, Maine, to submit to the Commissioner of DECD for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2), the application and such other documentation as may be necessary or appropriate for the final approval of this District and the Development Program. The Chair of the Select Board, or his/her/their designee, is further authorized and empowered, at his/her/their discretion from time to time, to make such technical revisions to the District or the Development Program for the District, or to the scope, cost or description of the public improvements to be financed with the portion of tax increment revenues generated by the District and retained by the Town as described in the Development Program, as the Chair of the Select Board, or his/her/their designee, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District and Development Program by DECD, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the District and the Development Program.

Section 7. The Chair of the Select Board be and hereby is authorized, empowered and directed to enter into any Credit Enhancement Agreement contemplated by the Development Program, in the name of and on behalf of the Town, subject to the requirements of notice and hearing as set forth in the Development Program.

The Select Board recommends approval.

Exhibit B

Tom Hall motioned to adopt the Route 9 Omnibus Municipal Development and Tax Increment Financing (TIF) District and Development Program pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. Heidi Curry seconded the motion.

Discussion: None

ARTICLE PASSES

Having no more business the moderator asked for a motion to adjourn. Tom Hall motioned to adjourn. Sue Mack seconded.

Discussion: None


The meeting adjourned at 7:37 pm

A full recording of the meeting is available on the Town's YouTube channel.

Given under our hands this 12th day of February 2024 by the Pownal Select Board:



Jonathon Morris, Chair



Andrew O'Brien



Katherine Day