

**Town of Pownal
Select Board Minutes
Monday, March 25, 2024
6:30 pm Regular Meeting**

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

Members: Jon Morris, Kate Day

Town Administrator: Becky Taylor-Chase

Fire Chief: Jesse Peters

II. Pledge of Allegiance

III. Accounts Payable Warrant & Payroll Journal

- FY24 AP Warrant #21 in the amount of \$344,938.37.

Selectperson Day motioned to approve FY24 AP Warrant #21 in the amount of \$344,938.37.

Chair Morris seconded the motion.

Discussion: None

Vote: Yes 2; No 0

- Payroll Journal #381 in the amount of \$11,754.37.

Selectperson Day motioned to approve Payroll Journal #381 in the amount of \$11,754.37. Chair Morris seconded the motion.

Discussion: None

Vote: Yes 2; No 0

IV. Minutes of the Previous Meeting

- March 11, 2024 Regular Meeting

Selectperson Day motioned to approve the minutes as written. Chair Morris seconded the motion.

Discussion: None

Vote: Yes 2; No 0

V. Public Comment – Non- Agenda Items

None

VI. Department Head Reports

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

- Select Board

Nothing new to report.

VII. New Business

- **Real Estate Requests Forms, Shane Brady: M6, L2**

The Town Administrator stated this has been sent to the attorney for a title search and will take a few weeks to complete. Chair Morris asked if there was anything to report about the new change in law about how towns handle tax lien property. The Town Administrator stated there was a change in law on how towns handle tax acquired properties. The new law makes our current Real Estate Request Policy void so we will need to suspend that policy and write a new one. One of the larger changes is if we tax acquire property and sell it, we are only allowed to keep what is owed for back taxes and anything above that is returned to the original owner. We also have to offer the original owner the first right to purchase back before going to public bid. We will need to work on a policy that incorporates this. For clarification Chair Morris asked until we draft and approve a new policy, we will no longer be able to accept any real estate purchase requests. The Town Administrator stated that is correct. Matt Welch asked if this included all the properties acquired before 1972. The Town Administrator isn't sure and has it as one of the questions to the attorney as we work on the new policy.

- **Rough Draft Warrant and Budget Recommendations**

The Town Administrator stated that she had requested the use of the school and got approval. However, they will be replacing their septic system, and they are unsure of the dates it will start. So, there is a chance we will not be able to use the school. You will notice in the header of the warrant we have listed the school and in parenthesis we have added the alternate location of Mallett Hall. Chair Morris stated he will read through the articles, and we can comment as we go through them. He read through articles 1 and 2 which are to choose the moderator and elect the municipal officers.

Article 3 is amending the Solid Waste Collection and Disposal Ordinance to rescind the PAYT program. Chair Morris stated the timing will be interesting as we will need to use the bags until the change. The Town Administrator stated she got an email that the truck for Pownal is due in June and implementation will be at the end of July or into August. They will just have to know come July 1 we will not be using the dedicated bags.

Article 4 is rescinding the 2009 Floodplain Management Ordinance. On the advice of the town planner it was suggested to rescind the current one and then adopt the new one in two separate articles. There is a question to the town attorney regarding wording. In 2009 there was a typo in the title page where it says "Floodpain" instead of "Floodplain" so that question has been posed to the town attorney regarding the name in the warrant article.

Article 5 is the adoption of the updated Floodplain Ordinance that needs to be adopted by June 20, 2024.

Article 6 is definition changes that the Town Planner and North Star have been working on.

Article 7 is updates to zoning districts. The Town Administrator stated these next two articles are in relation to LD2003.

Article 8 is updates to performance standards again in relation to LD2003. The remaining articles have not yet been numbered in case there were changes.

The next articles are the capital improvement articles. The first article is the municipal appropriation article. The language at the bottom has changed. At the last Budget Committee meeting there was some discussion about how they recommend an amount but not where the

money comes from and maybe that should be edited. After talking with the town attorney and having some discussions this is the wording we came up with. The next article is transferring money from the unassigned fund to help with the smoothing of the capital plan. The final capital project is the transfer of funds for the items needed for the public safety and public works department. Chair Morris stated these should be separated into 2 different articles and correct the typo. Chief Peters stated the amount requested for the repeater includes a battery backup system. If the ARPA funds get approved for the backup generator we would need less money for the repeater system so he suggested we move the ARPA article before this one so we can amend the amount down on the floor if it passes. Chair Morris stated the funds stay in the capital account and the repeater system could include the words "up to".

The next article is to create a part-time IT position and raise an appropriate \$11,941. The Town Administrator is working on a job description for the exhibit.

The next article is to create a part-time public works position. There is a job description being drafted for this article.

These next articles the Select Board needs to vote on their recommendations. Chair Morris suggested we table this agenda item for later in the meeting and move to the Conservation Easement.

General Government Budget Article: The Town Administrator stated the approved amounts from the Budget Committee include the two new positions so the Select Board can approve the full amount and then it will be broken into two articles. The same will be true for the Public Works amount. Chair Morris motioned to approve \$564,171 for General Government.

Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Human Services: Chair Morris motioned to approve \$12,350 for Human Services.

Discussion: None

Vote: Yes 2; No 0

Mallett Hall: Chair Morris motioned to approve \$48,900 for Mallett Hall. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Public Safety: Chair Morris motioned to approve \$184,839 for Public Safety. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Public Works: Chair Morris motioned to approve \$948,670. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Solid Waste: Chair Morris motioned to approve \$153,223. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

PCWA: Chair Morris motioned to approve \$3,700. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Cemeteries: Chair Morris motioned to approve \$6,000. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Debt Service: Chair Morris motioned to approve \$271,164. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Recreation Committee: Chair Morris motioned to approve \$500. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Selectperson Day motioned to approve \$11,200 for the backup generator from ARPA Funds. Chair Morris seconded the motion.

Discussion: Chair Morris commented that we need to keep the repeater money in Capital Improvements. We need to make sure the words "up to" are in the language. The Town Administrator will add that. If this article is approved then we will need less money from Capital Funds.

Vote: Yes 2; No 0

Selectperson Day motioned to approve \$60,000 from ARPA Funds for renovating the office space at Mallett Hall. Chair Morris seconded the motion.

Discussion: Chair Morris asked for clarification of the work. The Town Administrator stated we are fixing the floors and walls, adding heat and cool pumps, updating the electrical and internet lines for stable internet, and purchasing a printer. Chair Morris clarified that will be the Town Planner office.

Vote: Yes 2; No 0

The Town Administrator stated the next two articles are written the same with the exception of where the money comes from. We have had a couple of different discussions in different meetings regarding the money coming from Undesignated Funds or taxation, so the Select Board just needs to decide with article to keep. Chair Morris feels it should come from taxation. Selectperson Day motioned to include the article to raise and appropriate \$15,000 for the Economic Development & Sustainability Committee to investigate water capacity in the village district. Chair Morris seconded the motion.

Discussion: None

Vote: Yes 2; No 0

The Town Administrator stated Bo Chesney had come to a Select Board meeting requesting a placeholder because they were working on grant funding but that may not be ready.

The revenues recommendation was tabled to the next meeting.

Selectperson Day motioned to include the article to appropriate up to \$12,560 from the dedicated impact fee open space funds for surveying town owned land on Sweetser Road, map 4, lot 20. Chair Morris seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Selectperson Day motioned to include the article appropriating up to \$15,000 from the dedicated impact fee recreation fund for assessment of town owned parcels through contracted services. Mr. Welch asked why we have to pay an outside source \$15,000 to tell the citizens of Pownal what to do with Town owned land. Chair Morris explained this was a recommendation from our Town Planner in response to multiple requests for purchasing town land. There is pressure from Augusta to make town land available for work force housing. The Town Planner thought it would be a good idea to have a documented assessment based on the comprehensive plan. It is also a way to justify in court the Town holding on to land. There is potential litigation so we are trying to align our comprehensive plan view of what town land should be. We can't do that without some kind of professional development survey. Just because we say we like it, that will not stand up in court with State legislation. He suggested we table this pending attorney review. Selectperson Day agreed.

Selectperson Day motioned to include the article to transfer and appropriate up to \$300,000 from the Unassigned Fund Balance to minimize the tax mil rate increase. Chair Morris seconded the motion.

Discussion: Selectperson Day had a question following last year's town meeting how we come to that amount of money and should it be more. Chair Morris explained there is a state mandated minimum amount we need to keep in our unassigned fund balance. There is an algorithm we go through when setting the mil rate once we get our school board bill, county bill and Donna does the town valuation. Historically there is never enough to minimize the tax bill. This has been an historic amount; we don't want to be a banker for the taxpayer money. We won't know the amount of the unassigned fund balance when we set the tax rate as the audit happens after. Selectperson Day asked if there is a way in retrospect to investigate regarding helping taxpayers. Chair Morris replied that for several years we were able to keep the mil rate the same because \$300,000 mitigated the increase in expenses. This year it won't do that. With all those unknowns the Town Administrator has estimated we may go from \$18.85 to \$21. The outlier with those figures is it's using our current year's valuation. We won't know what the valuation is until the end of June and it may mean a smaller or larger jump.

Vote: Yes 2; No 0

Chair Morris motioned to include the article transferring and appropriate remaining funds in the PCWA operating fund to the sinking fund reserve fund. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Placeholder for the acquisition of property. That language needs to be written and will get guidance from the town attorney. The Town Administrator asked for clarification this is to explore the possibility of purchasing, not to purchase yet. Chair Morris confirmed that is correct.

Placeholder for the easement. Need to work on the language plus get clarification from the town attorney from the previous discussion.

Written Ballot property tax levy limit. Chair Morris motioned to put that on the warrant.

Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Chair Morris motioned to approve the tax collection article that sets the due dates, interest rate, allows us to collect taxes for years not assessed and waive unintentional interest. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Selectperson Day motioned to approve the article setting 4.25% as the interest rate on abated taxes. Chair Morris seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Chair Morris motioned to approve the article allowing the Select Board to transfer up to 3% between budget lines provided expenditures are not increased. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Chair Morris motioned to approve the article allowing the Select Board to transfer any unexpended funds to the carry forward accounts withing departments to complete projects from the previous fiscal year. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

The article allowing the Select Board to sell tax acquired property was tabled pending a conversation with the town attorney.

Chair Morris motioned to approve the article allowing the Select Board and Town Treasurer to accept unanticipated gifts, donations and pass through funds. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Chair Morris motioned to approve the article allowing the Select Board to seek, accept and disburse grants. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

Chair Morris motioned to approve the article for sending funds to the local snowmobile clubs. Selectperson Day seconded.

Discussion: None

Vote: Yes 2; No 0

- **Conservation Easement**

The Conservation Commission along with Royal River Land Trust have been working on this agreement for the last couple of years for Map 9, Lot 43. The attorney has reviewed and now it is before the Select Board to determine if it will go onto the warrant. Chair Morris asked if it needs to have its own public hearing. The Town Administrator believes it could be part of our regular public hearing for the warrant but will check with the town attorney. Selectperson Day asked for Matt Welch, Chair of the Conservation Commission, to elaborate more on the easement. The Conservation Commission is the stewards of all town owned lands. They want to protect both the large and small pieces of land. The small ones are just as important as they keep the rural feel between neighbors. Their focus lately has been on the larger pieces of land.

They were recently reminded of the 1972 article regarding the sale of town-owned land. The goal is to have all the town forest protected. This is the first one. It has recently been surveyed. The easement achieves many of the goals and is still open to residents. Change happens very fast. The Town still has control over the property. Chair Morris motioned to place the Conservation Easement onto the town warrant. Selectperson Day seconded the motion. Discussion: Jesse Peters mentioned that he had heard at a previous meeting the Select Board was thinking of having all town owned land audited for its use. Chair Morris stated that would be in this year's warrant. He asked if we will be voting on both at the same time. Chair Morris stated the assessment of town owned land was at the recommendation of the town planner. The Conservation Commission has been working on this agreement and they want to honor that work. The Town Administrator didn't see any conflict. The town is being given the option to vote on both articles. Further discussion continued about placement of these two articles and whether to use an exception clause in the town assessment article to exclude the land being considered for the easement. Mr. Welch clarified the property is still owned by the Town even with this easement. Chair Morris stated an assessment of the land would be moot if it was under the easement agreement. Mr. Welch asked for clarification on the assessment of town land. His understanding is that it is a recommendation for best use and not an appraisal of dollar amount. Chair Morris stated that is correct. This article is tabled until we confer with the town attorney. The Town Administrator recommended the Conservation Commission still review and approve the document at their regular meeting scheduled the next day. She also stated she wondered if we could have an exception clause or amend an article on the floor if the easement was approved. The Town Administrator read the wording of the article and the word "all" is part of it. One solution is to remove that word. Chair Morris asked how much time we have for review. The first public hearing is tentatively scheduled for April 22nd however, we have discussed moving it a week because we are still in draft form. The meeting moved back to the draft warrant and budget recommendations.

- **PES location for Town Meeting**

This was addressed during the discussion of the rough draft warrant.

- **Fee Schedule**

This item was tabled.

- **GPCOG Delegates**

The Town Administrator stated each year we let them know who the 2 delegates and 1 alternate is. They have reached out for the upcoming year. It was decided to have Jon Morris and Andy O'Brien remain delegates and Kate Day will be the alternate.

- **Quit Claim Deed Map 8, Lot 23 Chandler Brook Properties LLC**

This is a tax lien from the 1970s found while doing a recent title search. The property is owned by Estabrooks. Chair Morris suggested we investigate this further.

- **Region 10 Warrant**

The Town Administrator stated Region 10 will have a ballot on June 11th. They need to replace the bridge which is the cement entrance deck. If voters approve the bond approximately 39% is forgiven. If voters reject the bond the project still needs to happen but will be funded 100% by taxpayers. This is the warrant to call the vote and needs to be countersigned by the Select Board. Chair Morris motioned to approve the Region 10 warrant. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 2; No 0

- **LD2003 RE: Conservation Subdivision Ordinance**

Chair Morris stated we may need to table and wait for the town planner. The Town Administrator stated some of the ordinance changes on the warrant address LD2003. Chair Morris stated it's been suggested we need to move on this. We might reject the North Star proposal and move in a different direction.

- **Town Hall Sign**

The Town Administrator stated the Recreation Committee did some work to brainstorm what the sign might look like. The conduit was run when the parking lot was paved. She reached out to other managers in the State to see if they had an RFP and received this one from the Town of Lamoine. She just edited the location and names. On the back is a rough concept design with some key features: non backlit, no flashing or blinking letters, ability to log into a program to update the sign. The Recreation Committee suggested the frame be an outline similar to Mallett Hall. Selectperson Day motioned to approve the Request for Proposal for a town office sign. Chair Morris seconded the motion.

Discussion: None

Vote: Yes 2; No 0

- **Annual Town Report Dedication**

The Town Administrator stated she is just bringing this forward to be thinking about person or persons for the dedication. And also to remind committees and boards to submit your annual report. Chair Morris stated they would come back to the next meeting with some ideas.

Chair Morris proposed that next Monday, April 1st the Budget Committee, CIP Committee, the Economic Development Committee and Select Board meet to discuss the Credit Enhancement Agreement presented to us by Estabrooks at 6 o'clock. Please send out an email invite.

VIII. Old Business

The Town Administrator stated she is circling back on the PCWA Infrastructure grant. She is working on getting companies out to do estimates on placing a fuel tank there.

Chair Morris stated the Select Board met with the Future Facilities Committee and approved the work that committee has done. They are submitting their final proposal after the vernal pool site walk. The Select Board will need to discuss how to move that committee forward. He would like to give them time at the town meeting to give a description of their work and maybe have some exhibits made. The next steps would be on design. The Select Board will need to decide if they are going to approve funds at this upcoming town meeting so the next committee can continue the work. This current committee was charged with researching content and they have completed that. The next step would be to enter into an agreement with an architect to work on a concept design. If we do not approve money this would be sitting for a year. But we are unsure how much that could cost. Mr. Peters stated it could be approximately 10% of the projected cost of the building to create a concept design. Chair Morris also stated what came out of the meeting was having a presentation at the town meeting and having a straw vote to

approve the work moving forward. Selectperson Day asked if we could include some of this work during the public hearings. She stated one item that was enlightening was how inadequate the current facilities are for the current needs.

The Town Administrator reminded the Select Board we have not discussed the scholarship request. Chair Morris suggested we place on the warrant and let the Town decide. Chair Morris motioned to put the RSU5 scholarship request for \$10,000 on the town warrant. Selectperson Day seconded the motion.

Discussion: The Town Administrator asked if the money would be from taxation. Chair Morris confirmed it would come from taxation for the language in the article.

Vote: Yes 1; No 1

The Town Administrator stated the motion needs to be tabled until the next meeting when all members are present.

IX. Correspondence

The Town Administrator stated she got full approval on our TIF district from the State and the email was complimentary to Isabelle Oechsle and IOV Community Planning. The comments were it was a well-organized and thought out application and we thank Isabelle and IOV for the work.

We had the kindergarten class visit the town office the previous week. They have been studying Maine history and focused on Pownal one of the days. They asked us questions and visited the historic part of Mallett Hall.

Chair Morris received 18 phone calls about dirt roads not being plowed, 6 phone calls about trash pickups, 2 phone calls that were general irate citizens and 1 unique phone call. A total of 24 phone calls.

X. Any Other Business

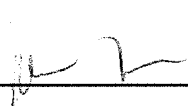
None

XI. Adjournment

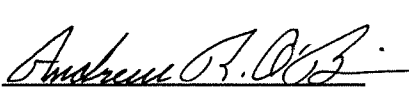
Selectperson Day motioned to adjourn the meeting. Chair Morris seconded the motion.

Discussion: None

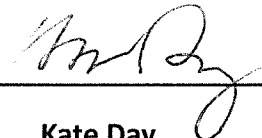
Vote: Yes 2; No 0



Jon Morris



Andy O'Brien



Kate Day

