

Town of Pownal
Select Board Agenda
Monday, May 13, 2024
6:00 PM Public Hearing
6:30 pm Regular Meeting

I. **Call to Order** the regular meeting was called to order at 6:35 pm by Chair Morris.
Members Present: Jon Morris, Andy O'Brien, Kate Day
Road Commissioner: Matt Nielsen
Town Administrator: Becky Taylor-Chase

II. **Public Hearing:** The public hearings were called to order by Chair Morris. He turned the floor over to Bo Chesney to read through the articles.

- **Land Use Ordinances – Planning Board**
- **Annual Town Meeting Draft Warrant – Select Board**

Mr. Chesney went through the town warrant draft pausing for any questions or comments. The words "up to" will be added to article 9. Mr. Chesney questioned whether the words "up to" should be included in article 10. The Town Administrator stated that there is an article later in the warrant that if approved it would lower the amount needed from CIP which is why that line item has "up to" before it. Selectperson O'Brien also stated there is a grant pending for the air packs which we should know in July that would offset that line item. Paul Schumann asked if each item in the article should have "up to"? It was agreed to add "up to" to all the line items in article 10. Mr. Schumann asked if the words "up to" should be added to the line item since the article itself says "up to"? The words "up to" will be added to the line item in article 11. Mr. Schumann stated in article 3 it says we are repealing the PAYT program and in article 19 it has funding for the PAYT program. Then it shows no revenues in the PAYT line. Chair Morris stated we need to decide with moving to the new system if the town wants to continue to use the PAYT as a way to fund the tipping fees. If the town decides to continue with the program, then we need the money to purchase bags which is the last item in the article. If the town votes not to continue then we will not need that money and there will be no revenues coming in. The article can be amended on the floor if article 3 passes. Mr. Chesney asked about the wording in article 37. If the article asks to move within individual departments than shouldn't the article state the departments total budget and not the Town's. Chair Morris stated he believed this has come up before but cannot recall the exact time when this was discussed. The Town Administrator stated we discussed this a couple of years ago and in the end the Town's budget cannot increase. This article is used as a "housekeeping" tool in the event we have an emergency expenditure, and we need to use money from another line to fund it or when we have a grant that needs to be paid up front, we would use this line to fund it and replace the money when it was reimbursed from the grant. Chair Morris will look back at the meeting from a couple of years ago. Mr. Schumann stated we vote on a Town budget. We have articles that relate to individual departments, but we don't have a public works budget or a public safety budget per se that we vote on. Reading it the way you are you cannot offset an over expenditure in public works with money from public safety. Mr. Chesney stated that goes to my point. On one hand it speaks about the Town's budget but then it talks about moving money

within line items in an individual department. It sounds like you are limiting that movement within the department. Mr. Schumann stated he thinks you could move an over expenditure in public works from public safety as long as the Town's budget doesn't increase. Mr. Chesney suggested removing the words "line items" from the article. Selectperson O'Brien stated he thinks we are looking to cover a shortfall in one department from another department if we need too. Mr. Schumann suggests striking "individual departments". It depends on what the goal is of the article. Chair Morris stated we revised that after feedback from a previous Town Meeting. Chair Moris will do some research from past meetings and report back. Bill Schmidt thanked all involved for the amount of work put into the warrant and the meetings and providing information and answering questions.

The public hearings ended at 6:35 pm.

III. Pledge of Allegiance

IV. Accounts Payable Warrant & Payroll Journal

- **FY24 AP Warrant #24 in the amount of \$49,863.16.**

Selectperson O'Brien motioned to approve FY24 AP Warrant #24 in the amount of \$49,863.16. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- **Payroll Journal #455 in the amount of \$12,447.37.**

Selectperson O'Brien motioned to approve Payroll Journal #455 in the amount of \$12,447.37. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

V. Minutes of the Previous Meeting

- **Regular Meeting April 8, 2024**

Selectperson O'Brien motioned to approve the minutes of the April 8, 2024 regular meeting as written. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- **Executive Session April 17, 2024**

Selectperson O'Brien motioned to approve the minutes of the April 17, 2024 executive session as written. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- **Regular Meeting April 22, 2024**

Selectperson O'Brien motioned to approve the minutes of the April 22, 2024 regular meeting as written. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

VI. Public Comment – Non- Agenda Items

None

VII. Department Head Reports

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

- Select Board

VIII. New Business

- **Town Warrant Draft – Final Updates if needed**

The Town Administrator will add the words “up to” in articles 9 and 10. We will research the discussion on article 37. Article 36 should say MRSA so that will be corrected. Chair Morris asked if we must have the exact writing. The point of the public hearings is to incorporate feedback from the meetings, so we are responding to the feedback. Chair Morris motioned for the Select Board to allow a revision to article 37 to clarify that the intent is to transfer up to 3% between departments without increasing the Town’s budget. Selectperson O’Brien seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- **Purchasing Policy Updates**

The edits are updating the use of old titles. Selectperson O’Brien motioned to approve the edits to the Town of Pownal’s purchasing policy. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- **Volunteer Form Solid Waste & Recycling Committee – Daniel Nelson**

Selectperson O’Brien motioned to appoint Daniel Nelson to the Solid Waste and Recycling Committee. Selectperson Day seconded the motion.

Discussion: None

Vote: Yes 3; No 0

- **Farmer’s Market Committee – Charge and Direction moving forward**

The Town Administrator stated we had 2 residents fill out volunteer forms and they are asking us what the next steps are. Chair Morris stated it will be an ad-hoc committee. Selectperson O’Brien suggested the Town Planner write the charge.

- **Water Study RFP – Economic Development & Sustainability Committee**

Selectperson O’Brien stated the committee received two submissions. The committee picked Drumlin. They appeared to be more open to what we are looking for. This is for a water capacity study to see if in the future we could supply more water to the center of town. Chair Morris stated this is pending town meeting approval, have they been notified. The Town Administrator stated not yet. The Select Board needs to approve the submission so we can get a contract drafted and have legal review before signing. Selectperson O’Brien

motioned to approve Drumlin Environmental LLC with their sub C.A White & Associates LLC to perform this should the town meeting approve. Selectperson Day seconded the motion.
Discussion: None

Vote: Yes 3; No 0

- **Jordan Smith attorney meeting**

Chair Morris stated there was a request from Mr. Smith's attorney to meet with our town's attorney. Selectperson O'Brien stated he felt it was not an appropriate use of our town attorney. Chair Morris stated it's not policy but has been precedent to not allow residents to contact the town attorney on private matters. Selectperson Day stated there is precedent but is there a written policy? Chair Morris stated no. The next step for the Smith request would be with the Zoning Board of Appeals. We are not denying his request, we are just directing him to the next proper step. The Town Administrator confirmed the next step would be with the ZBA. Chair Morris asked if the recent correspondence had been passed along. The Town Administrator stated yes. Chair Morris stated there is no written policy so there is no vote but wants to be clear that the resident knows the next step. Mr. Smith asked to speak. He stated he has been very patient and gracious and taken all the steps that have been asked. He feels it's not appropriate to deny some communication in this matter. This has impacted the process. This affects our future. Would Natalie be counsel to the ZBA if we move to the next step? Chair Morris stated she is the town's attorney. Mr. Smith feels he hasn't been treated fairly by the town's attorney. He suggests that the town seek separate counsel as it is not fair to him. Chair Morris stated that the appeal to the Board of Appeals is the same process any other citizen would follow after being denied by the Code Enforcement Officer. If we were to do anything different, we would be jeopardizing the process. We do not want to jeopardize the process by making an administrative mistake. Chair Morris stated as soon as you apply your contact will be with the Chair of the Appeals Board. This Board is an impartial board of town residents. After conferring with his counsel, he stated he would file an appeal the next day. He asked how long the process takes. The Town Administrator stated there is a state statute for noticing in the paper and abutters. She stated the Chair will work with the members to agree on a date and we need to make sure that date allows for us to notice the hearing and notify the abutters within the state statute. It typically can take 3-4 weeks. Mr. Smith stated with the action it is giving him a level of exposure. The Town Administrator stated the appeal would not be valid if we do not follow state statute.

- **Sign RFPs**

Selectperson Day opened the submissions. One was from Neokraft and the other was from AND Internet and Telephone LLC. The Mallett Hall Buildings & Grounds Committee and Recreation Committee will review the submissions and come back to the Select Board with their recommendation.

Chair Morris stated the t-shirt project has probably come to an end. We have just run out of time. The Town Administrator stated the cemeteries would be treated by the next Monday with the organic material and we are notifying the abutting neighbors. Chair Morris stated at the next meeting we should evaluate the grant and our response. Mr. Chesney stated his understanding is individual residents could approach the town for remediation help. Do we have that process in place? The Town Administrator stated after the treatment of the cemeteries we will have spent that portion of the grant. Chair Morris pointed out that we

did provide a fair amount of money to private citizens for help with brown tail moth removal. Chair Morris stated as the contact person we have been asked to reapply for the grant so we should talk about how the process went and if it was effective. There was an article in the paper about a potential fungus that could decimate brown tail moth. It's called the "zombie fungus".

Matt Nielsen stated he has been looking around for an equipment trailer and would use existing monies that are unspent from his current budget. I have a letter of intent from Todd and Michelle Harrison for a used trailer for \$4000 that would serve the purpose for the town until the tracked excavator is no longer here since we are voting to have the next excavator be a wheeled excavator. This would not be a CIP item. Selectperson O'Brien feels it's in the best interest of the Town since they have been borrowing trailers or hiring a company to move the equipment. Matt Welch asked if it could be used for community events? Mr. Nielsen stated as long as it went along with the Town's insurance. Kathy Hogue stated if a committee is sponsoring the event then it is covered.

IX. Old Business

None

X. Correspondence

The office had a visit from a Leighton Road resident complaining about the ever-growing pile of trash on the edge of the road. My conversation was brief but was told the trash consists of sawdust and acorns. We wrote a note to the Road Commissioner. Chair Morris stated he has gotten several calls from the same resident, and they have not had a resolution that has been agreeable to the resident at this time.

XI. Any Other Business

Kathy Hogue just wanted to remind everyone about Community Day on Saturday, May 18th. We have a lot of people setting up tables and hopes everyone can come. If it rains, they will set up inside. It is from 10-2.

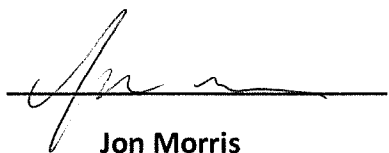
XII. Adjournment


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

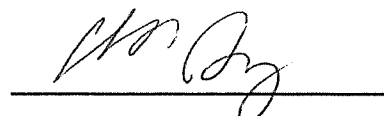
Discussion: None

Vote: Yes 3; No 0

The meeting adjourned at 7:17 pm.


Jon Morris


Andy O'Brien


Kate Day

