

**Town of Pownal
Select Board Agenda
Monday, November 22, 2021
6:30 Regular Meeting**

I. Call to Order-In Person Meeting @ 6:29 pm by Chair Morris

Select Board Members: Jon Morris, Andy O'Brien, Heidi Cushman Curry
Town Administrator: Becky Taylor-Chase
Road Commissioner: Dick Clarke
Fire Chief: Jesse Peters

II. Pledge of Allegiance

III. Accounts Payable & Payroll Warrant

AP Warrant #34 in the amount of \$344,141.74

Motioned by Selectperson O'Brien and seconded by Selectperson Curry.

Discussion: None

Vote: Yes 3; No 0

Payroll Warrant #33 in the amount of \$6041.79

Motioned by Selectperson O'Brien and seconded by Selectperson Curry.

Discussion: None

Vote: Yes 3; No 0

III. Minutes of Previous Meetings

- **Minutes of November 8, 2021 Regular Meeting**

Motioned by Selectperson Curry to accept the minutes as written. Seconded by Selectperson O'Brien.

Discussion: None

Vote: Yes 3; No 0

IV. Public Comment – Non-Agenda Items

None

V. Department Head Reports – Submitted Electronically

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

- **Select Board**

Selectperson O'Brien noted just normal day to day check ins with the Road Commissioner and Town Office Staff.

Selectperson Curry attended public hearing for the Comprehensive Plan draft.

Chair Morris nothing new to report.

VI. New Business

- **Building Moratorium**

Chair Morris reviewed documents from previous discussions regarding the building moratorium and the response from the town attorney. He noted at some point in time the Land Use Ordinances need to be looked at. Selectperson O'Brien does not see that we are in a state of emergency for a moratorium. Is not in favor of limiting building permits for subdivisions that the Planning Board has already approved. Selectperson Curry reiterated that she does not agree with a moratorium for residential or commercial. She got the number of permits issued from the CEO from 2016-2021 which was 8, 6, 6, 8, 6, 8. She does not feel we are overrun given those numbers. According to town attorney we need to show burden and quoted the #1 item from the attorney: "The moratorium must be needed either (a) to prevent a shortage or an overburden of public facilities that would otherwise occur during the moratorium or that is reasonably foreseeable as the result of any proposed or anticipated development or (b) because the existing comprehensive plans, land use ordinances or regulations or other applicable laws are "inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographic area." The basis for the moratorium should be clearly set forth in the moratorium ordinance so that the findings of necessity become part of the enactment." Chair Morris commented that during the workshop meeting with North Star Planning and the Planning Board he recalls Mr. Alteiri being fairly strident in saying he felt the Planning Board needed some time. Selectperson Curry did hear that request but does not agree with it. Chair Morris noted that hearing from both Selectperson O'Brien and Curry he summarized they felt it was not appropriate to move forward with the moratorium. Selectperson O'Brien commented in his mind we do not fit the parameters based on the town attorney letter. Chair Morris noted with the Narrow Swatch project there were discrepancies between application and ordinance. Selectperson Curry has always said we have a lot of work ahead with our Land Use Ordinances. The Town of Pownal should not stop doing business. We will need to use the tools before us to continue on. Chair Morris disagrees stating we do not have the tools needed. Selectperson Curry stated our ordinances are not perfect but we should not stop doing business. Selectperson O'Brien agrees that the ordinance for cluster housing is not adequate but we do not fit to the letter and does not want to be open for legal challenges. Chair Morris called for a vote.

Yes 1; No 2

- **Police Protection**

Selectperson O'Brien reached out to the interim town manager in North Yarmouth and their Selectboard about shared protection. He will be attending an upcoming meeting. Has not heard back yet on clarification on the Cumberland County quote. North Yarmouth seemed receptive to the idea of shared protection. Selectperson Curry is interested in pursuing. The Town Administrator attended a regional ZOOM meeting with other Cumberland County towns to discuss Fire/EMS, Police Protection, ACO and Codes. A survey will be sent out and the County Manager will set up micro-regions to further the discussions.

- **Audit- review auditor notes- Comprehensive Plan Budget**

The Town Administrator stated that after some research into the Comprehensive Plan Budget it was determined that in a past year the budget was never pulled into the next fiscal year and required a vote by the board to make the adjustment in the current fiscal year. After receiving the list of budget adjustments from the auditor which includes the Comprehensive Plan Budget it would be best practice for the Select Board to approve the changes. She also noted the final audit needed to be approved. Chair Morris read through all the budget adjustments.

Chair Morris motioned to approve the adjustments as presented. Selectperson Curry seconded.

Discussion: None

Vote: Yes 3; No 0

Chair Morris motioned to approve the audit dated October 19 and amended November 10. Selectperson Curry seconded.

Discussion: None

Vote: Yes 3; No 0

- **Ordinance Review Committee Charge**

Selectperson O'Brien received an edit to the charge done by Susan Briggs Peters. He read the edited charge. There was not a printed copy so the Selectboard will approve at the next meeting. The Deputy Clerk offered to go down to the office and print one so it could be accepted at this meeting.

- **Alternate Planning Board Application**

Chair Morris stated we have received an application for the alternate spot on the Planning Board. He motions to approve Marcia Bowen as an alternate member with a term beginning November 22, 2021 and ending June 30, 2024. Selectperson Curry seconded.

Discussion: None

Vote: Yes 3; No 0

- **Mallett Hall Parking Lot – CIP Replacement Schedule**

Selectperson O'Brien attended the CIP meeting on the 16th. The committee voted to add the Mallett Hall Parking Lot to the CIP plan. If the Selectboard agrees they will add it their plan. Selectperson O'Brien motions to add the Mallett Hall Parking Lot to the CIP plan. Questions about repairs arose and was stated the money would come from the Public Works budget. Chair Morris asked if that was satisfactory to the Road Commissioner. Mr. Clarke stated it affected the road work. If repairs needed to be done to the parking lot than it was offset by postponing a road work project. Selectperson Curry seconded.

Discussion: None

Vote: Yes 3; No 0

The Selectboard returned to agenda item **Ordinance Review Committee Charge** with the printed draft. Selectperson Curry motions to accept the amended charge as written. Selectperson O'Brien seconded.

Discussion: None

Vote: Yes 3; No 0

Chair Morris returned to the **Mallett Hall Parking Lot** agenda item and asked about the drainage. Mr. Clarke stated the plan was to make sure water did not go toward Mr. Blackstone's property. During the process the grader/roller changed the slope. The paving company came back and fixed and it seems to be draining properly. Stone was added to both sides of the parking lot and the top coat will be completed in the spring. Chair Morris asked if Mr. Blackstone was happy with the work and how much did the town pave of his property. Mr. Clarke stated about 2 feet. Chair Morris asked what the square footage was. It was estimated to be 2' x 35' – Selectperson Curry stated 60-70 square feet. Chair Morris asked if there was any liability for the town since the public parks there should a vehicle cause any damage to Mr. Blackstone's property. Mr. Clarke stated there are barriers and it would be the motorist responsibility and not the towns.

- **Survey of Town Land Completed**

We received the copy of the land survey of the town owned piece Map 9 Lots 51 and 52. Dick Hogue stated when he last spoke with Mr. Mann, he had 2 pins left to set. Selectperson O'Brien did look at the survey plan. Mr. Hogue asked if it needs to be filed with the registry. Chair Morris said the Town Administrator will file the paperwork. Chair Morris stated the board needed to start thinking about the next piece to survey.

VII. Old Business

- **Special Town Meeting Timeline**

The Town Administrator stated the school has been confirmed. She asked if we should consider purchasing a sound system. Chair Morris stated we would use the school's system.

- **Undesignated Fund Balance Policy**

Chair Morris summarized in recent meetings the policy had been discussed and suggested forwarding a copy to both the Budget and CIP committees. Selectperson O'Brien stated the policy had been discussed at the last CIP meeting and the members understood the policy.

VIII. Correspondence

Selectperson O'Brien stated he had correspondence with the interim North Yarmouth Town Manager regarding police protection and they are open to having conversations.

Chair Morris has been receiving communication regarding our recent County ARPA pre-application. He summarized that we recently applied for a grant to fix the acoustics in the Dewitt Room, the elevator upgrade, meeting technology and window replacement. We needed to demonstrate how that related to a public health emergency.

The Town Administrator received an email from a resident stating they had been in recently to do a car registration and they couldn't remember who had waited on them but stated the employee was an exceptional employee. It was our Deputy Clerk, Ginny Giddinge. Selectperson Curry mentioned to make sure a copy of that email was put into her personnel file.

IX. Any Other Business

Dick Hogue questioned the interpretation of intermittingly regarding the nuisance animal ordinance. He is looking for clarification. He felt it meant on and off. When he looked at the definition it left it open to interpretation. He visited the resident with the roosters again. The noise level at it's very highest is 10 decibels. The complainant wants all the roosters gone and doesn't understand how the Town of Pownal allows residents to own farm animals. Mr. Hogue explained the resident is not in violation of any noise level and the crowing is not continual. Chair Morris stated it will lessen in the winter. He felt Mr. Hogue's interpretation was accurate and sometimes backing away is a good idea from time-to-time. Mr. Hogue stated it seemed to be more of a neighbor issue.

Chair Morris checked in with Chief Peters to make sure everything was going well. The Chief stated yes and that the ramp just got paved at the central station. Lines will be painted soon.

Chair Morris checked in with the Road Commissioner making sure winter prep was going well and we were adequately supplied with winter salt. Mr. Clarke stated we were in good shape for salt, speed limit signs will be put up and they are getting ready to plan next year's work.

Chair Morris checked in with Christine Watson asking if the new recording secretary was going well. Ms. Watson stated it was going well.

XI. Adjournment

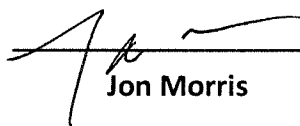
Selectperson O'Brien motioned to adjourn the meeting. Selectperson Curry seconded.

Discussion: None


Vote: Yes 3; No 0

The meeting was adjourned at 7:25 pm


Respectfully Submitted,
Becky Taylor-Chase
Town Administrator



Jon Morris



Andy O'Brien



Heidi Cushman Curry

