

Town of Pownal
Select Board Agenda
Monday, August 23, 2021
6:30 PM Regular Meeting

I. Call to Order-In Person Meeting @ 6:30 pm by Chair Jon Morris
Select Board Members Present: Jon Morris, Andy O'Brien, Heidi Curry
Town Administrator: Becky Taylor-Chase
Road Commissioner: Dick Clarke
Fire Chief: Jesse Peters

II. Pledge of Allegiance

II. Accounts Payable & Payroll Warrant

AP Warrant #15 in the amount of \$505,340.29

Motioned Andy O'Brien 2nd Heidi Curry

Discussion: Selectperson O'Brien noted this warrant included the RSU5 monthly payment and the paving done on outer Lawrence Rd and Fickett Rd

Vote: Yes 3 No 0

Payroll Warrant #14 in the amount of \$6314.06

Motioned Heidi Curry 2nd Andy O'Brien

Discussion: None

Vote: Yes 3 No 0

III. Minutes of Previous Meetings

• **Minutes of July 22, 2021 Special Meeting**

Motioned Andy O'Brien 2nd Heidi Curry

Discussion: None

Vote: Yes 3 No 0

• **Minutes of July 26, 2021 Regular Meeting**

Motioned Jon Morris 2nd Heidi Curry

Discussion: None

Vote: Yes 2 No 0 Abstain 1

IV. Public Comment – Non Agenda Items

Kathy Hogue – Sign Update

Kathy contacted Watchfire Signs and the company gave some ideas and suggestions regarding wireless connection, size of letters etc. They are willing to meet with Selectboard and other committees. Chair Morris clarified that we would need to put the sign out to bid. Kathy will email the information she received from Watchfire.

Dick Woodbury – Casco Bay Trail Alliance

Dick Woodbury gave an overview of the project – see attached. Selectperson Curry asked if the council is for information gathering purposes. Mr. Woodbury answered yes. Selectperson O'Brien asked about discontinuance clause and if the trail goes back to the rail system. Mr. Woodbury answered yes, state law says if there is a better public service than the land goes back to the railway. Chair Morris pointed out that the town has 4 properties with right of way agreements. He asked what happens to those agreements to cross the corridor. Mr. Woodbury said there is no definitive answer but the consensus is the right of ways stay intact. Chair Morris asked for clarification regarding abutting land owners as there is concern for their privacy before Pownal moves forward. Selectperson O'Brien suggested polling those affected by the change and Mr. Woodbury suggested having a public hearing. Chair Morris asked Mr. Woodbury to email to the Town Administrator samples of other agreements with other towns for our review and to add a public hearing to the next select board meeting. Mary Angela King Horne stated it was important to get the benefit of the trails out to the public. They are not only for recreational but a form of transportation. Jesse Peters asked if the trail would be open to all activities or be limited. Mr. Woodbury said it would be determined during an evaluation time. Susan Peters asked if the town had the option to sell the land but it was clarified that the land is state owned. Kathy Hogue asked if there was information that could be posted. The town administrator will post the information Mr. Woodbury had at the meeting.

Jan Pieter commented that since Route 9 was paved along with the shoulders the speed of cars has increased and it is unsafe. He contacted the sheriff's office and spoke to a deputy sheriff and was advised to be careful crossing the road. He contacted the office again 2 weeks later and was told if we want more coverage in Pownal it will cost the town more money. Pownal has very little coverage because of the low crime rate. He was then advised to go to the town for a solution. Selectperson O'Brien stated 3-4 years ago partnering with another town was on the warrant but the town voted the article down. It was stated that one of the largest complaints received by the Selectboard is speeding and lack of coverage. Possible solutions would need to be voted on at town meeting. Jan Pieter asked if we could use the speed signs. The road commissioner will put them out but may need to get permission from DOT for Route 9 as it is a state road. The Road Commissioner also noted that ~~whenever a road is improved speed of cars usually increases. He also noted that drivers are more aggressive and the public works crew has experienced this when working on the road sides.~~ Presence of police does make a difference and he stated there is police presence often at Pownal Center during the evening.

Janet Lynch spoke of a trash issue on Elmwood Road. There seems to be an increase in littering and the amount of trash along the roadside.

Chair Morris responded back to Jan Pieter regarding the speeding issue. Speeding and police presence has been asked about for several years. Pownal has tried to arrange agreements with neighboring towns but they have fallen through. Chair Morris has reached out to Sara Gideon and Melanie Sachs in the past about the ability to allow Pownal to set their own speed limits. Other options is to work with MDOT to evaluate the roads and possibly get crosswalks. The Selectboard will look into solutions. Janet Lynch feels there is a lack of respect by drivers for the roads in Pownal. Chair Morris asked to put law enforcement options on the September 13th agenda and stated that drivers need to obey posted speed limits.

Christine Watson asked about the recording secretary search. This will be discussed later in the agenda. She also said a section of the committee by-laws needs to be edited now that North Star Planning is working with us. The Town Administrator will make the edits and submit for review.

Mary Angela King Horne asked if Route 9 was being traveled at a higher rate of speed. Jan Pieter felt it was. It was pointed out that soliciting MDOT to reduce speed can sometimes have opposite effects and can increase the speed limit based on their evaluation. Janet Lynch commented that those drivers obeying the speed limit are often "tail gated". Chair Morris suggested reaching out to MDOT about strategies and will look back at previous meeting minutes regarding shared police force. Selectperson O'Brien stated that Yarmouth is currently covering into North Yarmouth.

V. Department Head Reports – Submitted Electronically

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

Chief Peters asked about the new PTO law and who qualifies, who will track it etc. The town administrator will contact MMA for guidance and will meet with Selectperson Curry for clarification.

- **Select Board**

Selectperson O'Brien reported about the new well pump at the pumphouse and building a road to get into it.

Selectperson Curry attended the Planning Board meetings and checked in with town office staff.

VI. New Business

- **Special Town Meeting**

Selectperson Curry suggested having a special town meeting to address past items that have not "come to be". Chair Morris stated the timeline is very important. Selectperson Curry suggested having a list of priorities for the 2nd selectboard meeting in September. Discuss timeline with North Star Planning if ordinance changes are a part of the priorities. Have a list ready to start the process on the agenda for September 13th and email reminder to the board.

- **Comprehensive Plan Public Hearing Dates in September**

The tentative dates were okay but will edit the time for the public hearing to be the 1st item of the Selectboard meeting and the start time will be 6 pm. The Town Administrator will post documents to the website once they are ready and will work with Chair Morris on a town mailer.

- **September 25 Cleanup Day & Pot Luck**

Selectperson O'Brien stated we needed to do a cleanup at Mallett Hall but COVID may prevent having the pot luck. Suggested pushing it back until it we could safely have it. Selectperson Curry felt it was time to create a sense of community again and those that are not comfortable do not need to attend. Chair Morris asked if there were any state requirements on masks. The town administrator stated at this time there are none. Chair Morris also noted to add this to the town mailer. Jan Pieter suggested before the cleanup day to have a plan. Selectperson O'Brien noted that the town office staff had been doing some cleanup in the front room. Several people will come up with 5 items to be worked on and town office will create a sign-up sheet with an electronic option. The lists will be reviewed at the September 13th Selectboard meeting. Possibly look in the spring for a Sherry Dietrich Day. Selectperson Curry suggested naming a day for her and having a declaration. September 25th was named as Sherry Dietrich Day. Town Administrator will reach out to Representative Melanie Sachs about a declaration and attending in September.

- **Town Lawyer Phone Request Policy**

Chair Morris stated historically the Selectboard discusses when to contact the town attorney but lately more individual calls have been happening. Selectperson O'Brien agreed to that assessment. Chair Morris noted that discussions happen as a board and resources are pooled ahead of the call. Selectperson O'Brien commented that the board or the majority should be on the same page. Chair

Morris asked who else has the authority to contact the town attorney? Selectperson Curry stated the chair of the Planning Board and Board of Appeals should have a channel to the town attorney keeping the Planning Board liaison in the loop. The Selectboard would be made aware of the conversation ahead of the call. It was determined that the chairs of the Planning Board, Board of Appeals and Town Administrator have authority to contact the town attorney.

- **North Star Contact Policy**

North Star Planning has asked for protocol to prioritize information and projects. Sue Peters commented about having one policy across all boards. After meeting with North Star Planning a policy will be drafted and defined. A tentative date of September 20th at 6:30 pm has been set for a workshop with North Star Planning along with the Selectboard, Planning Board, Comprehensive Plan and Ordinance Review Committees and the Town Administrator. Would also work on a time line for a special town meeting at the workshop.

- **Constable/Jacobs**

Chair Morris asked Selectperson Curry from her human resource experience what would be her reaction to him coming in multiple times. She responded that her first regard is safety of employees. She suggested that Mr. Jacobs communicate with the Selectboard directly. Chair Morris questioned if it is in the town's best interest to start a paper trail, have town constable visit resident, or maybe contact the town's attorney, Sheriff's office etc. He did contact the Maine State Police and they stated there were no laws begin broken. Chair Morris asked do we want the Constable to contact resident? Selectperson Curry disagrees with the constable stating they have no training or authority and she is not comfortable putting the constable into a situation that would be dangerous. It's a civil suit and should be handled by the Cumberland County Sheriff. If office staff feels uncomfortable Selectboard will handle that part. Chair Morris asked the Town Administer for input. Administrator Chase pointed out that she had only had interaction with Mr. Jacobs and that when he comes in, he repeats himself and it's very difficult to get him to leave. Selectperson O'Brien feels it should be handled by Cumberland County Sheriff. Dick Hogue noted he was contacted by the Cumberland County Sherriff's office regarding a dog issue with this resident. Ginny Giddinge observed he may not understand what a constable is and would confuse the issue more. Christine Watson asked if there was any family that would be contacted. He lives alone with no family around. Chair Morris suggested maybe contacting MMA or Town's attorney. He suggested documenting Mr. Jacobs' visits, time spent in the town hall and to document correspondence. Chair Morris would like a log kept in September of Mr. Jacob's visits. Then contact Town Attorney. Dick Hogue suggested talking to Cumberland County Sheriff's Office. Chair Morris asked that we direct Mr. Jacobs to him in the future

- **PW Electrical Work – Dick Clarke**

Road Commissioner Dick Clarke looked at electrical in the garage. The original electrical is split many ways with breakers that do not match what is labeled. Money that was set aside for extra building is to be used towards updating the electrical. Selectperson O'Brien remarked the electrical needs to be done. Selectperson O'Brien motions we approve the \$10,000 originally set aside for the building purchase to pay for the electrical work. Selectperson Curry seconded Discussion: None

Vote: Yes 3 No 0

Fire Chief Jesse Peters asked for clarification on when RFP's are needed.

- **Private Road/Driveway**

Selectperson O'Brien summarized the driveway does not meet the private road specs. Other private driveways have purchased their own sign and put it up. Selectboard unanimously denies the sign as

fire trucks will not be able to make it down the driveway. Chief Peters noted the driveway has never been up to specs. The occupancy permit was issued by previous CEO regardless. It is a good opportunity to explain we cannot guarantee getting an emergency vehicle down to him. Contact MMA regrading public safety issue a disclaimer regarding sketch of driveway and how emergency vehicle may not be able to get down the driveway. What do we do? Dick Clarke questioned how private road signs can be confusing for emergency services. It was noted the resident was invited to the meeting but declined to attend.

- **Handicap Signs 244 Chadsey Rd**

Selectperson O'Brien asked if there was money in the budget and was answered with yes.

Selectperson O'Brien moved to place handicap signs at 244 Chadsey Road. Selectperson Curry seconded the motion.

Discussion: None

Vote: Yes 3 No 0

VII. Old Business

Next meeting will need to discuss signage for Lawrence Road.

- **Recording Secretary for Planning Board & Job Description**

The Selectboard has received one application and will review in Executive Session.

- **Map 8 Lot 9**

Selectperson O'Brien was approached by Storey Brothers about selling the property. The abutters have been notified. Mr. Edgerly believes he owns it. Possibly will need to have town attorney due a title search. Selectperson Curry commented that it was Rick Storey and not the company that inquired. She agrees with Selectperson O'Brien that the town needs to come up with a solution regarding the property. Chair Morris noted the town took ownership from a lien and filed it with the Registry of Deeds. Mr. Edgerly claims the land was transferred to a new owner prior to the lien. There is no record of this transfer filed. The property owner can do a title search or we wait until the next town meeting to get approval from the town to do search. Selectperson Curry stated if resident wants to pay for a title search, she will accept the findings.

Selectperson O'Brien motioned to accept the findings should the resident do the title search.

Selectperson Curry seconded the motion.

Discussion: None

Vote: Yes 3 No 0

- **Economic Development Committee**

It was previously discussed about having an informal gathering with the Economic Development Committee, members of other committees and town staff. The meeting will be at Mallett Hall. Selectperson O'Brien will email out the list of members and the charge. Selectperson Curry will look at the town calendar for a date.

- **Orion Breen Land Sale**

Selectperson Curry addressed the sale of the lot that was approved at town meeting. The agreement was for \$5000 plus any additional fees. Selectperson Curry will contact the town attorney to draw up a purchase and sales agreement for \$5000 plus any additional fees and notify Orion Breen.

VIII. Correspondence

Chair Morris stated that Kate Day would like to join the Conservation Commission. Town staff will prepare and oath to be accepted at the next Selectboard meeting.

Chair Morris has received some feedback about the Quaker Road, Vachon and North Pownal Cemeteries not being taken care of. It's in the Board's interest to contact the cemetery committee about this and to check to see if there are any veterans in the cemeteries.

Jordan Way. Chair Morris noted that the association is reviewing the agreement with their lawyer.

Chair Morris would like Building Moratorium added to the next Selectboard meeting.

IX. Any Other Business

The Town Administrator asked if there would be a town ballot in conjunction with the November 2 Referendum election. She explained the coding forms for the memory sticks were due. The consensus of the board was there would not be a ballot. If there is a decision later to have a ballot, they can always be hand counted.

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

The board entered into Executive Session at 9:04 pm. They exited at 9:24 pm.

Selectperson Curry motioned to hire Alice Purinton for the Recording Secretary position at \$18 per hour. Selectperson O'Brien seconded the motion.

Discussion: None

Vote: Yes 3 No 0

X. Adjournment meeting was adjourned at 9:30 pm

Respectfully Submitted,

Becky Taylor-Chase
Town Administrator



Jon Morris

Andy O'Brien

Heidi Curry