

Town of Pownal
WORKSHOP & SELECT BOARD MINUTES
November 14, 2022

PRESENT

Select Board: Andy O'Brien, Jon Morris, Heidi Cushman Curry

Becky Taylor-Chase – Town Administrator

Public: Dick Hogue, Paul Schumann, Susan Briggs Peters, John Libby, Matt Nielsen, Pat Christian, Bo Chesney, Marcia Bowen, Tom Hall, Matt Altieri, Gennifer Giuliano, Michael Pabst, Annette Kreutziger, Pat Hodgdon

Guests: Mitch Berkowitz, Bert Kendall / MMA Ambassadors/Volunteers

Notetaker: Kathy Hogue

Chair Morris began the TOWN GOVERNMENT WORKSHOP AT 5:30pm.

At a recent Select Board meeting, the Economic and Sustainability Committee suggested that the Town "investigate options of adopting a new form of government". The recently adopted Comprehensive Plan also supports exploring this topic every few years.

Chair Jon Morris addressed the group acknowledging that the Select Board has difficulty keeping up with the day to day tasks required. The Board feels that they spend most of their time "putting out fires" and little time on future planning for the Town. Based on the low numbers of residents attending committee meetings and/or our annual town meeting, it seems that many people may not know what the Select Board actually does. Is it time for a change?

Andy O'Brien noted to the group that with careers and family life, there is little time left for board members to work on future planning for the Town. The Board depends more and more on legal advice for interpreting laws and addressing legal matters. The Board also spends a fair amount of time on human resource matters and "putting out fires". Perhaps a Town Charter would help with planning and legal matters.

Heidi Curry agrees with what Jon and Andy both said and added that the Town also struggles with keeping committees and boards full. The Town has an exploration and education opportunity which aligns with future growth that is being looked at already through the Future Facilities Committee and the Economic and Sustainability Committee and as noted in the Comprehensive Plan.

Chair Morris introduced Bert Kendall, a retired Town Manager from Denmark, and Mitch Berkowitz, a retired Town Manager from Gray, both now volunteers for MTCCA as ambassadors for MMA to speak/advise towns of these types of matters.

Mr. Kendall noted the following 4 types of town management: Town Manager (there are 200 in Maine), Town Administrator, Administrative Assistant to Select Board, Executive Assistant to the Select Board. A question the Select Board would need to ask is what are they willing to keep and what are they willing to give up? In changing the form of government, you will be changing roles and responsibilities of your staff and volunteers. There are 3 categories to look at:

1. Charter (create one or change existing)
2. Ordinances
3. Follow State law

Mr. Berkowitz added that change is inevitable. Laws and expectations will continue to change and grow which will, in turn, increase the work load of the municipal offices.

Chair Morris added that our Land Use Ordinance has been serving us well since the early 1970's, but State ordinances and laws can change our land uses.

Q & A

Q. A growing town with growing demands suggests we may need more Board members. Would increasing the Select Board from 3 to 5 or 7 help?

A. Increasing the size of the Board would not necessarily solve the problem and would result in longer meetings. The best scenario would be creating a Town Charter.

Q. How would the Town go about creating a Charter?

A. A Charter Commission of 9 committee members, 6 elected and 3 appointed (with a couple alternates) would be created. State law requires 2 years for this process and would require legal review/approval before going to Town Meeting for vote. A budget of \$5,000 should be sufficient to get started. A Charter would describe everything in our government – increasing to a larger select board or hiring a Town Manager is one way to start.

Q. Is a charter better than creating ordinances?

A. A charter is a much more formal document that is created with a careful process to “think long and hard” before adopting. Ordinances can be put in to place quickly and can be removed quickly.

Q. Is there a solution to solving our problem?

A. Municipalities are governed by state statutes; increasing a board from 3 to 5 may not necessarily help to make any progress. Change is not always popular but acknowledging change is important to move forward and “not fall behind”. Pownal is situated in a very

desirable location, rural yet near major cities. This can impact future growth of the Town. Personnel and professionals are all part of addressing change; outside pressures/laws/changes are driving the need to look at town government.

Q. Does the population/size of the town encourage next steps in changing our form of government?

A. Size vs complexity of the town can drive what the personnel needs would be. Increasing the size of the Select Board is not necessarily the answer. Select Board members are often residents with little or no expertise; a charter and/or Town Manager could be a better answer. Having a professional at the helm could also help with increasing the number of volunteer and committee members.

WORKSHOP ADJOURNED: 6:50pm

SELECT BOARD MEETING

- I. Chair Morris called the meeting to order, 7:00pm.
- II. Pledge of Allegiance
- III. Workshop / Form of Government (see above)
- IV. Accounts Payable & Payroll Warrant
 - AP Warrant #15 in the amount of \$76,136.82 was unanimously approved.
 - Payroll Journal #127 in the amount of \$9,482.45 was unanimously approved.
- V. Minutes of October 24, 2022, were approved as written.
- VI. Public Comment on Non-Agenda Items
 - a. Paul Schumann / Capital Improvements Committee: On the CIP spreadsheet, Fire Engine 2 is listed to be refurbished to extend its life for 8 more years. This has been done and won't be repeated, so the committee would like to take this off the Asset Schedule – both CIP and the Select Board need to vote. A. O'Brien moves to take Engine 2 refurbishing off the CIP Asset Schedule; 2nd and all voted in favor.
 - b. Susan Peters reported that when her trash was picked up (Allen Road) much of it flew out of the back of the trash truck when they drove off leaving a mess in the road. She called Casella and reported it and they said they would send a crew to pick it up. That did not happen.
 - c. Dick Hogue reported that Map 9 Lot 8 was researched by John Mann who found that it is clearly a Pownal town-owned property. Mr. Mann did not survey the property, a survey had been recently done. Mr. Mann has a written report regarding this which

he will send to the Town. The Board agreed to wait for the report before any further action is taken.

- d. Dick Hogue reported that he will look at the outdoor outlet to see why it isn't working. He also stated that on the bottom floor of the cellar stairway, the light doesn't work/come on. It is very dark and dangerous there. Select Board agreed that they will have an electrician come and look at it.

VII. Department Head reports were sent (attached and on Town website).

- ▶ A. O'Brien noted that he has attended the CIP and Economic and Sustainability Committee meetings.

VIII. New Business

a. Old tax liens:

- ▶ 161 Fickett Road, \$0 surcharge (due to state statute)
- ▶ 43 Allen Road, \$21.55 surcharge

Chair Morris moved to release the above noted properties from their lien obligations. It was 2nd and all voted in favor. (The mortgage company will draw up legal paperwork.)

- b. Elevator/Generator Repair : Due to a power surge during a recent storm, both the elevator and generator lost their control panels. Otis Elevator has charged \$1,680 for assessing the problem and has quoted \$3,413.72 to come work on the elevator although it is not yet known what the further repair/costs will be. A claim/request has been sent to the Town's insurance company to see if power surges are covered. Until then, repairs are on hold until we know how this will be paid for.

c. Volunteer Forms received:

- ▶ It was moved and 2nd to nominate Donna Watson to serve on the Budget Committee, all voted in favor.
- ▶ It was moved and 2nd to nominate Mercedes Pour-Previti to serve on both the Budget Committee and the Capital Improvement Committee, all voted in favor. *(A Board member will ask Mercedes if she would serve on both committees.)*

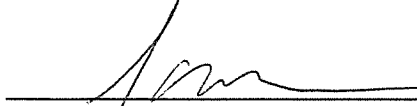
- d. Farmland Penalty: It was moved and 2nd to sign the assessed penalty for Map 7 Lot 8 in the amount of \$2,781.29 (property owner listed as Jane Carr). All signed.

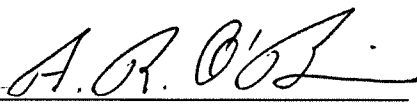
- e. Zoning Recodification Document: It was moved and 2nd to allow the typos/misspellings to be corrected and update the wording for the Sign Ordinance, as voted on at Town Meeting. All voted in favor. *(Both Chair Morris and A. O'Brien will attend the Planning Board's workshop on Wednesday night.)*


- f. Village District / DOT will be providing the Economic and Sustainability Committee information and information for potential grant opportunities.
 - g. The cistern on Merrill Road was looked at by Dick Hogue and A. O'Brien as per the CEO's request. The cistern was full and the Fire Department has tested it. It is all set, Dick will advise the CEO.
 - h. Chief Peters reported that Chebeague Island is interested in our old extrication equipment. We originally received it from Durham – did we pay for it or did Durham donate it? The Board agreed that if it was donated, we would donate it to Chebeague Island – if we paid for it, we should ask for a reasonable price.
- IX. Old Business / none
- X. Correspondence
- Received "thank you" calls from residents regarding newly painted road lines.
 - Received calls complaining of Casella losing trash on the road.
- XI. Any other old business / none
- XII. It was moved and 2nd to enter into Executive Session per 1 M.R.S.A. 405 (6) (A) Personnel Matters. All voted in favor to enter in to E.S. at 7:39pm. E.S. was adjourned at 7:57pm.
- XIII. SELECT BOARD MEETING RECONVENED AT 7:58pm.
- It was moved and 2nd to allot 2 weeks Paid Time Off to Deputy Town Clerk. All voted in favor.
 - It was moved and 2nd to adjust pay for Paul Giddinge and Jason Best to \$20.50 per hour effective next payroll. All voted in favor.
 - It was moved and 2nd to continue to hire Kathy Hogue as Deputy Clerk until the end of December. All voted in favor

MEETING ADJOURNED 8:02pm

Respectfully submitted,
Kathleen A. Hogue / Deputy Town Clerk


Jon Morris


Andy O'Brien


Heidi Cushman Curry

