

Town of Pownal
Select Board & Budget Committee Minutes
Monday, February 13, 2023 5:30 pm
Regular Meeting

Members Present: Jon Morris, Andy O'Brien, Heidi Cushman Curry
Town Administrator: Becky Taylor-Chase
Fire Chief: Jesse Peters
Road Commissioner: Matt Nielsen

- I. Call to Order by Chair Morris at 5:30 pm
- II. Enter Executive Session per 1 M.R.S.A 405 (6) (A) Personnel Matters

Chair Morris motioned to enter into Executive Session per 1 M.R.S.A 405 (6) (A) 405 Personnel Matters.

- III. Workshop
 - a. Air BnB/Short Term Rentals Ordinance

Chair Morris asked if members of the Board had a chance to review to the two ordinances, one from Freeport and one from South Portland? Selectperson O'Brien liked the "purpose" section in South Portland. Selectperson Curry felt Freeport's said everything that South Portland's did but in a good manner. Would like to see owner occupied added. The other difference was South Portland does not allow the transfer to the new owner where Freeport has some allowance. Chair Morris asked the Town Administer her thoughts. She agreed with Selectperson Curry and had also read other town's ordinances. Many of them state in the purpose that the goal is preservation of the town character and neighborhoods and felt this was important to have in the ordinance. Chair Morris stated we will come back with a rough draft at the next workshop.

- b. Victualer's Ordinance

Selectperson O'Brien suggested we clean up the red line copy and send to the Town Attorney. Selectperson Curry questioned the renewal and application dates and felt they were confusing. Chair Morris suggested using the fiscal year for dates. The Town Administrator will clean up the edited copy and send to the Town Attorney for review.

- c. Noise Ordinance

Selectperson O'Brien felt the noise section of Freeport's ordinance is a stand-alone piece. Selectperson Curry liked the noise and enforcement section. She stated there is a second piece in their ordinances. And edited document will be worked on and presented at the next workshop.

Marica Bowen, referring to the Air BnB/Short Term Rental ordinance, feels it's important to have owner present. Things like parking and protecting the neighborhood is important. She felt Freeport's had another layer of responsibility. Selectperson Curry asked what specifically is she referring to? Ms. Bowen stated do we need additional level of oversight? Chair Morris responded with suppose there is a fire and it has not been inspected. There becomes a level of town liability. Do homeowners inspect currently? Ms. Bowen commented that Freeport's only allows for number of guests based off septic design. This seems like a lot for the Town to oversee. Selectperson Curry strongly feels you are operating a business and there is a level of responsibility. When she owned the William Allen Farm, she had the State Fire Marshall inspect every year. It's not meant to be burdensome; it's meant to protect the homeowner. Chair

Morris also added it's meant to protect the fire department. We will need to determine how many are in town and make a level playing field for everyone. David Steckler asked if they would need to report activity as far as when they have guests and when they do not and how many guests there are? Chair Morris stated it's important to know it exists. Chief Peters commented it's important to know how many extra people are staying. They would need to know in the event of a fire to search. If they are running a business there is a responsibility to the renters to keep it safe.

IV. Pledge of Allegiance

V. Accounts Payable & Payroll Warrant

- **AP Warrant #19 in the amount of \$60,298.00.**

Selectperson O'Brien motioned to pay AP Warrant #19 in the amount of \$60,298.00.

Selectperson Curry seconded.

Discussion: None

Vote: Yes 3; No 0

- **Payroll Journal #215 in the amount of \$10,606.41.**

Selectperson O'Brien motioned to pay Payroll Journal #215 in the amount of \$10,606.41.

Selectperson Curry seconded.

Discussion: None

Vote: Yes 3; No 0

VI. Minutes of Previous Meeting

- **January 23, 2023 Meeting and Workshop**

Selectperson Curry motioned to approve the minutes of January 23, 2023 with one correction.

Changing the wording "Chair Curry" to "Selectperson Curry". Selectperson O'Brien seconded.

Discussion: None

Vote: Yes 3; No 0

VII. Public Comment – Non-Agenda Items

Dick Hogue has received an estimate for another survey of Town owned land. It's for lots 27 & 28 on Poland Range Road. The estimate is for \$8000 and we use Impact Fees to pay.

Selectperson O'Brien motioned to put the survey of Map 2 Lots 27 & 28 on the warrant with money coming from Impact Fees. Selectperson Curry seconded.

Discussion: Bo Chesney asked what the balance is in the Impact Fee account. The Town Administrator will send that information.

Vote: Yes 3; No 0

VIII. Department Head Reports – Submitted Electronically

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

- **Select Board**

Selectperson O'Brien asked Mr. Hogue about the status of the AED. Mr. Hogue stated he was awaiting the batteries. Should be replaced shortly. There have been supply issues with getting them.

IV. New Business

- **Budget Presentations**
 - **Public Works**

Matt Nielsen presented each line of the budget by category and explained variances for the 2024 requested budget compared to 2023. In summary, the impact of known increases in product, supplier, energy and deliver costs were balanced out by savings coming from a detailed line-by-line budget analysis that factored in past usage trends, current stockpiles, and future needs. Thanks to this judicious

approach, the standard budget is essentially flat to 2023 before factoring the grader tire expense which happens once every 10-year - see detailed notes below. Matt expressed confidence that the road crew will continue to deliver service to the town at the same high level under this proposed 2024 budget.

- Facilities – Electricity, natural gas and propane reflect expected rate increased. All other lines are held flat. *No changes were recommended.*
- Winter Roads – Salt is up slightly based on product cost increases. However, the budget for Sand/Stone and De-icer are reduced based on an analysis of current stockpiles and future needs. *No changes were recommended.*
- Fleet Maintenance – State Vehicle Inspection budget line is no longer needed because inspections are covered under the Maintenance Costs line. Oil & Fluids purchasing is projected to below last year’s budget. Shop supplies costs are up based increased cost and actual usage trends.
 - Tires – Grader tires are needed at an estimated cost of \$16K. There was discussion on tire life expectancy and Matt reported that the current tires have lasted about 10 years and new tires are expected to last another 10 years which is also likely to be though the end of the 20-year life of the grader. Chair Chesney asked if the life of the tires is impacted by the grader having to be parked outside all year – Matt agreed that UV and other weather factors do make a difference. There was also discussion about this large expense being considered under capital expense, and Chair Morris and Paul Schumann clarified the reasons why this does not fit the criteria. *No changes recommended.*
- Fuel - Flat to 2023. Although the cost of fuel is up, the prior year budget will be sufficient again in 2024 based on usage trends. *No changes were recommended.*
- Road Maintenance – Overall budget is down slightly by 1% or \$2900. Also, it was discussed and agreed that transparency is especially important because of the significant impact of this category in the overall budget, and the public’s interest in the details of planned road work. It was further agreed that details of the 2023-24 road maintenance plan should be available to the public before or at the annual meeting. *No changes were recommended.*

There was discussion of the following budget lines:

- Paving/Rehab is the largest expense within the road maintenance budget and is projected to be flat to 2023. Although product costs have gone up, Matt is confident they can deliver at the same budget.
 - Tree Work expense is lower to better reflect prior years’ actuals
 - Crack Seal, Line Painting, and Road Mowing – are all lower based on historical usage.
 - Survey/Engineer – specifically related to road work – is also lower based on the limited need for these services.
 - Road sign expense is up due to an increase in the number of signs being damaged or stolen.
 - Gravel expense is up based on the cost of product and delivery.
 - Erosion control YTD actual appears low compared to budget but is seasonal with expense hitting Spring.
- Supplies – Proposed budget is flat. Chair Chesney suggested a further review of the Safety Equip line since past spending and YTD actual are lower than budget. *No changes were recommended -*

at this time.

- Administration – Variances by line were explained. The budget is essentially flat to 2023. *No changes were recommended.*

Because the Public Works budget is such a significant part of the Town's overall budget, Chair Chesney suggested the Budget Committee do a year-over-year top line comparison without the impact of salaries.

- Cemetery

Becky Taylor-Chase presented the budget which is flat to 2023. Discussion was invited – there were no questions. *No changes were recommended*

- Debt Service

Becky Taylor-Chase presented the budget. Annual decreases reflect the impact of interest payments as the bonds are paid down. Discussion was invited – there were no questions. *No changes were recommended.*

- PCWA

Selectperson Andy O'Brien presented the budget with the only increase coming from fuel costs.

A grant request has been submitted for ARPA funds being run by Cumberland County. The grant would allow the Town to upgrade the PCWA's pad, generator, and fuel tanks. Timing of grant decisions and likelihood of getting the grant are not clear. *No changes were recommended.*

- Recreation

Representing the Recreation Committee, Kathy Hogue presented an email detailing the budget and requesting approval for funds to cover advance cost for the Pownal Pumpkin Festival 2023. The initial investment in baseball caps and tee-shirt production costs are expected to be recouped through sales and net proceeds used to pay for production in future years. Thanks was extended to Kathy and Recreation Committee for their hard work planning the return of the festival.

- Conservation Commission: Rail Use Corridor

Angela King-Horne spoke regarding the Rail Use Advisory Council. She attended as a representative of the Bike Coalition. Maine DOT put together a committee to look at the corridor that is unused. It was a 9-month process to determine what makes sense. The majority of the people are in favor of trail. Pownal abstained from voting as there were difficulties and conflicts with attending the meetings. The Conservation Committee wanted to get a vote out there. They could do a survey in town and submit it to the DOT. It won't be an official vote but it's important to submit a position. Chair Morris asked if the Commission has considered holding a public hearing. The Commission is favor of doing this. It could be included in the upcoming town newsletter. A date will be set for a hearing.

- RSU5 Vacancy

Chair Morris stated a school board member has resigned and the Select Board is responsible for appointing a replacement to serve the remainder of the term. He will be attending the upcoming Impact meeting. Selectperson O'Brien asked if there has been any interest from anyone to run for the open seat. The Town Administrator stated one resident is interested and plans to take out nomination papers next month. Selectperson O'Brien asked if that person may be interested in filling the remaining term. The Town Administrator will reach out and report back. Chair Morris asked each Board member to come back to the next meeting with a possible candidate.

- **RFP for Future Facilities Committee**

Selectperson Curry felt it was very well written and organized. Chair Morris read the cover letter. Selectperson Curry motioned to approve the RFP for consulting services as written and to publish as outlined in the RFP. Selectperson O'Brien seconded.

Discussion: Selectperson O'Brien asked what the balance is for ARPA funds. The Town Administrator stated approximately \$160,000 as she didn't have the exact figure in front of her. This is an acceptable use of these funds.

Vote: Yes 3; No 0

Chair Morris stated the next item would be the warrant item. He asked about the wording possibility. The Town Administrator stated there could be two options. First is an "up to" article and the second is an open-ended article. An example would be "to see what sum the Town..." and the person that motions on Town Meeting floor would then motion with an amount. Paul Schumann stated the committee would know a rough amount. Chair Morris motioned to include a warrant article to be worded with "up to" a certain amount.

Selectperson O'Brien seconded.

Discussion: None

Vote: Yes 3; No 0

Mr. Chesney returned to the meeting and asked about the wording and questioned if it should be open ended. Chair Morris felt it was better with an "up to" amount.

- **Pole Permit**

This permit was previously approved but CMP never received. The Select Board signed the presented copy for resubmission.

- **General Assistance Ordinance**

The Town Administrator stated she had just completed a GA audit with the state and we are required to adopt the ordinance and benefit maximums each year. This requires a public hearing so would like to set a public hearing for March 13. Chair Morris stated we will hold a public hearing at 6 pm on March 13 and asked for the ordinance to be sent out. The Town Administrator will send it out and get it posted.

- **CEO Oaths**

Chair Morris motioned to appoint William Bradshaw as Code Enforcement Officer, E-911 Addressing Officer, Building Inspector, Plumbing Inspector and Electrical Inspector from February 13, 2023 to June 30, 2023. Selectperson O'Brien seconded.

Discussion: None

Vote: Yes 3; No 0

- **Grey Ghost Work Guarantee Request**

Grey Ghost Construction has submitted a request asking for funds to be released from the work guarantee in the amount of \$91,652.41 for items completed on the Meadow Brook Subdivision. Selectperson O'Brien asked about the interest. The Town Administrator stated the interest was staying with the remaining balance. Selectperson O'Brien motioned to release \$91,652.41 to Grey Ghost Construction. Selectperson Curry seconded.

Discussion: None

Vote: Yes 3; No 0

- **Conservation Commission**

Matt Welch read the letter he submitted to the Select Board. The goal is permanent protection of lands. Selectperson Curry asked how large the piece is? He answered 93 acres on the Sweetser Road and abuts Pisgah land of 120 acres and other parcels. Chair Morris stated this can only be approved at Town Meeting. There has been some push back in the past. He suggests they establish a time for a public hearing. April 24 at 6 pm was set for a public

hearing. Selectperson O'Brien reminded the Commission about submitting agendas to the Town Clerk prior to the meeting as it needs to be posted. There is state statute that needs to be followed. Chair Morris reinforced that these meetings need to be noticed so the public can attend. Mr. Welch stated he would make sure this happens.

Gennifer Guiliano referenced the letter stating it referenced purchase of land being put into conservation and has benefits to the town. What are those benefits? Mr. Welch answered it was just a suggestion on what it could be used for.

X. Old Business

Chair Morris suggested reaching out to Ben Smith at North Star Planning to schedule an Executive Session for review of services.

XI. Correspondence

XII. Any Other Business

Chair Morris motioned to enter into enter Executive Session per 1 M.R.S.A 405 (6) (A) Personnel Matters. Selectperson O'Brien seconded.

Discussion: None

Vote: Yes 3; No 0

Chair Morris motioned to exit the Executive Session per 1 M.R.S.A 405 (6) (A) Personnel Matters. Selectperson O'Brien seconded.

Discussion: None

Vote: Yes 3; No 0

The Town Administrator stated that both her and Deputy Clerk had trainings in the morning so the office will open at 11 am. A post for the website and sign for the door is already made and ready to be put up. The Select Board had no concerns with the closure.

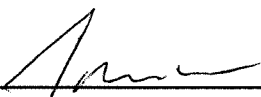
XIII. Adjournment

Chair Morris motioned to adjourn the meeting. Selectperson Curry seconded.

Discussion: None

Yes: 3; No 0

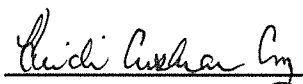
The meeting adjourned at 8:23 pm



Jon Morris



Andy O'Brien



Heidi Cushman Curry