

**Town of Litchfield
Selectboard Meeting Minutes
May 28, 2024**

1.0 Convenes 6:30 P.M.; Pledge to Flag; Selectmen and Guests present

Selectmen: Gary Parker, Chairman; Clarence Gowell III (identified as Rick in these minutes) (absent); Scott Weeks.

Staff: Kelly Weissenfels, Town Manager; Michael Sherman, Fire Chief (absent); Larry Nadeau, Road Comm.; John Upham, Transfer Station Manager (absent); Tom Wood, Budget Chm., Elton Wade, Budget Comm.(absent); Steve Ochmanski, Code Enforcement Officer; and others per the sign in sheet.

2.0 Minutes of May 13, 2024

There was a motion made by Scott to approve the minutes from May 13, 2024.

Gary reviewed corrections as follows:

3.7 April 15, 2024 quoted as an inaccurate date

4.3 Corrections were sent to Kelly prior to the meeting, of which he hadn't had time to adjust.

Gary seconded the motion with corrections, vote 2-0 (1 absent).

3.0 Reports and Correspondence

3.1 Town Manager

A. Kelly wanted to remind everyone that absentee ballots and voting in person at the Town Office are options currently available for the upcoming election. There are 3 ballots residents will receive.

B. Town report is at the printers and draft copies will be available within a weeks' time.

C. Kelly has received the FY23 Audit draft, he will be getting that out to board members soon.

3.2 Code Officer/Plumbing Inspector

Nothing to report currently.

3.3 Road Commissioner

A. Gustin Road Bridge was completed on Thursday afternoon last week. The bridge removal and replacement was completed by the Road Crew in 3 days' time. Larry reports it went smoothly for the most part.

B. Kelly added that the Fair association has asked if the Town could lend the grader to the Fairgrounds to clean up the road that the Fair uses for the truck pull. Kelly also added that the grader operator (Larry) has noted he would be willing to donate time for the project. Kelly is asking if the Select Board is amenable to the request. Gary and Scott both agree they have no problem with the donation of equipment.

3.4 Fire & Rescue

A. The Memorial Day Ceremony went well, being hosted at the Fire Station as a rain location.

B. Fire truck frame work is complete and will be delivered by the company that did the work. Kelly is unaware of the exact date.

3.5 Emergency Mgmt.

Nothing to report currently.

3.6 Assessing Agent

A. Ellory will be back June 6, 2024, for in-office meetings and questions.

B. Kelly had a discussion with Rob Duplisea, the head of RJD, they have been reporting some issues with the web-based version. Kelly would like to wait to make the move to this version until he knows they have resolved the issues. Kelly went into a further explanation of what the issues seem to be and how it works.

3.7 Transfer Station

A. The new attendants building was delivered last Wednesday, they are still awaiting electrical at this point.

3.8 Other Town Committees

A. Budget Committee will meet June 13, 2024, with one item on the agenda being the recommendation of the amount to come from the unassigned fund to reduce taxes.

B. Kelly noted he spoke with the RSU Withdrawal Committee Chair about their status. Per Kelly they were anticipating an estimate from the consultant they spoke with. They had not received it by the last meeting, so the meeting was canceled.

4.0 Scheduled Business

4.1 Liquor License Renewal – Meadows Golf Club

Gary asked if there are any changes that are being reported, and wanted to be sure there have been no issues reported.

Scott questioned #13 having yes and no checked. #16 also questioned and explained.

There was a motion made to approve the liquor license renewal for the Meadows Golf Club. This was seconded by Gary, vote 2-0 (1 absent). Time was taken to sign the license.

4.2 Discuss moratorium on solar farms

Gary wanted to clarify that upon further investigation by the Planning Board, his comment at the last meeting that Solar Farms would need to be approved by the Select Board, is not true.

However, Gary is asking the Select Board members to consider putting in place a moratorium on Solar Farms, or any other energy generation plant in the Town of Litchfield until the Planning Board can review the current ordinance and determine if it is adequate or needs amendments. Per Steve (CEO) a moratorium could be for 6 months at a time, which can be renewed by the board thereafter but must meet a burden of proof that the Town has been doing its due diligence to complete the review and / or changes. Mr. Seaman asked what the Board feels the worry is if a moratorium is not put in place. Gary stated he would rather be proactive than reactive in the approach to this, and this is only until the Planning Board can sit down and formulate a plan for the ordinance moving forward. He is not currently aware of any of the farms/plants coming or wanting to come into the town of Litchfield. Mr. Seaman gave his thoughts and knowledge about the topic, specifically he spoke to Solar Farms. Scott agreed with Gary that there should be some

sort of regulation proactively set in place. Time was given for questions, answers and explanations. There will be a public hearing held at the next Select Board meeting.

4.3 Discuss unassigned funds optimal total / options

Kelly gave a handout (see attached) to help explain the topic and options. Time was given for a quick overview with questions and discussion that followed. Kelly noted that while the base amount needed is approximately \$1.6 million, he recommended having additional funds available in case of emergency. Based on a rough current estimate, there would be about least 360,000.00 dollars available in FY25 depending on the total unexpended budget and how much is voted at Town Meeting to reduce taxes.

4.4 Review updated changes to Solid Waste Ordinance set new date for public hearing

Kelly explained the need for the new ordinance but currently doesn't have the time to revise the entire document. He would suggest leaving things as they are until after the Town Meeting. A discussion was had about procedural matters and how it should/could/can be done.

With the discussion ending with the topic being tabled completely until a later date as due to time restraints at this point a special town meeting would be needed to confirm the changes.

4.5 Discuss new grant submission of Dennis Hill Stream culvert replacement – total / timing

Per Kelly last year a grant submission was put in for a replacement of the Dennis Hill Culvert and Litchfield was not chosen. Since that time a new grant submission opportunity has been presented with a 200,000.00 matching. This would get the town much closer to paying for the project. Kelly recommended trying for this new grant. Larry continued discussion with more detail in how it can/should be replaced. Scott and Gary both agree that the grant should be applied for.

5.0 Unscheduled Business

5.1

6.0 Appointments/Resignations

6.1 Appoint Sue Weber to Recreation Committee

There was a motion made by Scott to appoint Sue Weber to the recreation committee. This was seconded by Gary, voted 2-0 (1 absent).

A second motion was made by Scott to allow the members of the Select Board to sign paperwork of appointment of Sue Webber to the Recreation committee outside of the regularly scheduled Select Board meeting time. This was seconded by Gary, vote 2-0 (1 absent).

7.0 Warrants

7.1 Town Warrant #33 \$202,875.59

There was a motion made to approve town warrant #33 in the amount of \$202,875.59. This was seconded by Gary, vote 2-0 (1 absent).

7.2 Town Payroll #23 \$32,595.23(correction \$32,595.43)

There was a motion made by Scott to approve town payroll #23 in the amount of \$32,595.43. This was seconded by Gary, vote 2-0 (1 absent).

8.0 Selectmen/Public Discussion/ Communication

8.1 Scott asked if there was ever any written documentation received when consulting with legal counsel regarding the Town's issues. Answer: When it's asked for and comes with an additional cost.

8.2 Mr. Hilton was in attendance to discuss the Purgatory Dam again this evening. There was a brief discussion about how to move forward. Mr. Hilton would like to buy the land. Scott noted that if Mr. Hilton could find documentation from the state that shows he would be even allowed, then he would be more inclined to listen. However, he believes it would be difficult as people with waterfront can't do much with their own property. Per Mr. Hilton he has applied to FERC for exception regarding the property and has received his FERC number. Mr. Hilton stated, as he has in the past, that if the board is negative to the whole project he will walk away. Gary has asked for legal opinion which was discussed.

8.3 Mr. Hill brought the discussion of OSHA and the Fire Department to the floor. After a discussion about dams and the town's liability for the Woodbury Dam tender. Also, how the fire department volunteers are paid their training stipend and whether they are covered by worker's compensation. He was of the opinion that we volunteers should not be covered by worker's compensation. Kelly said the Dam tender is a private contractor and the fire / rescue workers are paid through the town payroll, with social security taken out, and are covered by worker's comp.

8.4 Mr. Russell brought up the Recreation Committee budget and alterations to the committee again. He wanted to let it be known that the Select Board members are not allowed to text each other about town government business, since there are only three board members and two members constitute a quorum. Both Scott and Gary took exception, with Gary stating that while decisions could not be made or opinions presented, it was okay to talk in general about town business. Mr. Russell disagreed. Mr. Russell also informed Gary that he doesn't have the authority, nor does Kelly, to circumvent the Rec Committee's authority to present a budget by going directly to someone to discuss their interest in the Recreation Director position. Mr. Russell was also concerned that there may have been inappropriate discussion about the Fire Chief position. He handed Kelly a FOIA request.

8.5 Scott noted during the meeting the chair of the RSU Withdrawal Committee (Percy) texted and let him know that Jack the consultant has been contacted. Percy noted he will be looking to give a presentation for the Select Board at their next meeting, as the discussion he had with the consultant will be discussed at the next meeting of the RSU Withdrawal Committee.

9.0 Future Agenda Items

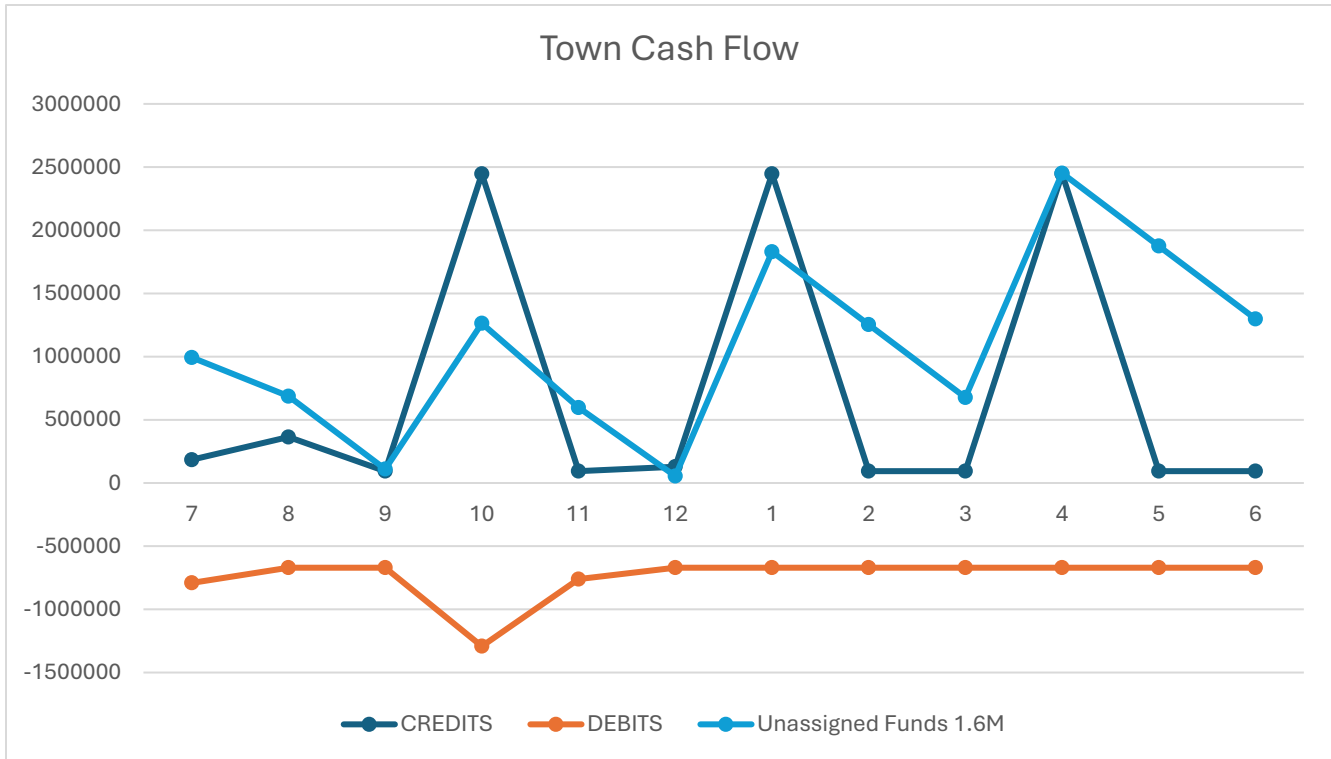
9.1 Select Board Web Page

9.2 Select Board Plaque for Special Recognition Recipients

10.0 Adjournment at 8:09 pm (1:39:43)

Respectfully submitted by Angela Parker.

Attachment – Litchfield Cashflow Chart 2024



\$2, 774,562 -- FY23 (June 30, 2024) Unassigned Fund Balance derived from FY23 Draft Audit

\$-300,000 -- FY24 Unassigned funds used to reduce tax burden

\$-250,000 -- FY24 Unassigned funds used to purchase wheeler truck for Public Works

\$-40,000 -- FY24 Unassigned funds obligated for Town Office structural repair

\$-12,300 -- FY24 Unassigned funds obligated for Plains Cemetery Memorial lot renovation
 \$2,172,262

\$170,000 -- FY24 anticipated revenue above projected

\$2,340,262 estimated available unassigned funds for use in FY25 budget

\$-300,000 -- FY25 projected unassigned fund balance to reduce tax burden

\$-85,000 -- FY25 recommended unassigned funds to pave Town Office parking lot

\$1,957,000

\$-1,600,000 FY25 projected minimum unassigned fund balance needed to avoid “going negative” during the year

\$357,000 above minimum during FY25

