

Town of Litchfield
Select Board Meeting Minutes
January 13, 2025

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; Larry Nadeau, Road Comm.; John Upham, Transfer Station Manager; Tom Wood, Chm. Budget Comm.; Steve Ochmanski, Code Enforcement Officer (absent); and others per the sign in sheet.

2.0 Minutes of December 9th, 2024

There was a motion made by Scott to approve the minutes of December 9, 2024. This was seconded by Gary, vote 2-0 (1 absent).

Addendum (see 8.2 of these minutes)

Scott clarified the emergency vehicles seen traveling on Small Road with lights and no sirens were not from the Litchfield Fire Department. They were mutual aid towns.

3.0 Reports and Correspondence

3.1 Town Manager

A. The Town Office has a brand-new deck now. The construction was completed on January 13, 2024 (today). Per Kelly, there have been many compliments from the residents coming into the Town Office for business.

B. Per Kelly, the State came through with reimbursement to the town for all the work/time and legal expenses used to add auxiliary dwelling units, etc. to the subdivision and Land Use Ordinance. The reimbursement totaled \$3,585.10.

C. The MMA risk pool dividend has also been received by the town in the amount of \$3,537.00, Kelly said. It's essentially an insurance dividend coming back to the town.

D. The town has transitioned from TRIO SQL and has been using TRIO Web since January 7, 2024. Per Kelly, all functionality is there, but there are also many differences. So, there is a learning curve to be observed but the staff seem overall happy with the updates in the program.

E. Kelly mentioned that he discussed the proposed Gustin Road discontinuance with a visitor to the office. Kelly explained that this topic of road discontinuances will be on the agenda for the January 27th meeting. Reportedly the person will be putting together a letter of concern that will be sent to the Select Board.

F. RSU4 recently received a donated truck load of topsoil from Old Castle Lawn and Garden. A truckload was also sent to Litchfield specifically for the use on the ballfields.

The soil was unable to be sold due to the bags being non-UV resistant, which lead to the donation.

G. April 8, 2025, there will be a referendum held to determine the future of Sabattus Primary School. The question at hand is whether the school should be closed or fixed. The school board voted at the last meeting to proceed with the closure of the school building.

H. Kelly spoke with the Superintendent about Libby Tozier School regarding the of updates needed for that building and found that the largest estimated expenses were for carpets, roof, and HVAC. Per Kelly RSU4 plans to apply for state funding (in grant form) for the HVAX system repairs/updates.

I. The Superintendent has offered to come and speak to the Select Board about any of the previously mentioned RSU topics. She recently spoke with Sabattus Select Board regarding the closure of Sabattus Primary Building. Scott would like to have her attend a meeting to clarify the updates/repairs on Libby Tozier.

J. MMA has requested a loss control study. Per Kelly, the insurance division would like to come do a walk-through of the building to see if there are any suggestions that will help with the Risk Management Program Kelly is working on currently. They will be in the office on February 19, 2025. Scott asked if the State hadn't just done that. Kelly let him know that that was an OSHA focused walk through, which is slightly different in nature.

K. Kelly has received correspondence from the Lahey's attorney regarding their request to revert their subdivision back to a single parcel. Kelly will be working on a letter in response noting that the full application process needs to be completed before any changes, financial or otherwise, can be legally observed.

Gary asked if Kelly had heard anything back from the town's legal advisor regarding the resident's violations. Kelly reported he hasn't heard back yet; he will get an update on that when he consults with legal regarding the current letter.

3.2 Code Officer/Plumbing Inspector

Steve was unavailable for the meeting. He will present his November permit log at the next meeting. He did want to remind the Select Board members that the moratorium on solar development set in place in August of 2024, will be coming up for renewal. The Planning Board will be meeting twice in February to specifically address the addition of solar power in the Land Use Ordinance and how that will look moving forward. Kelly asked if the board would like to address the moratorium at the next meeting or bump it to the first February meeting. This would be just before the moratorium is set to expire. Gary thinks it would be good to wait and see how the Planning Board makes out with their progress before possibly extending the dates of the moratorium.

3.3 Road Commissioner

A. There was a new hire brought on today, Larry is back up to fully staffed. The new hire is from Randolph and is a member of the fire department in the town of Randolph. He has also worked for the DOT previously.

B. Larry noted all the trucks are currently up and running. There was an issue with the one-ton sander, which will be discussed later in the meeting.

3.4 Fire & Rescue

A. Chief Sherman gave an update regarding the Safety and Health of Public Employees or SHAPE, inspection was completed on January 2, 2025. Going into the inspection Chief Sherman was excited, coming out he was disappointed due to what was noted to be lacking in documentation. Chief Sherman is looking forward to the corrections that will be made to be brought back into compliance. The Officers and Chief Sherman have plans put in place to be sure this doesn't happen again. Their official report will arrive in the next couple days at the Fire Station.

B. One member of the department left due to relocating to Clinton, ME. There are two new applicants being considered for membership of the department. Both were previous members around 10 years ago.

3.5 Emergency Mgmt.

Nothing new to report at this time.

3.6 Assessing Agent

Per Kelly, Kolbey Oulette was at the office in place of Ellery this past week. Nothing unexpected or new to report. Ellery will be back on January 29, 2025.

3.7 Transfer Station

A. One new sticker was issued for a total of 2914.

B. The bulky and cardboard bins were both emptied this past week, the used oil drums were removed/emptied as well. The oil building has been hit again (by the hauler of bulky waste), per John this is roughly the 3rd time in the last 6 months. Adjustments have been made for this not to happen again.

3.8 Other Town Committees

4.0 Scheduled Business

4.1 Review Fire/Rescue Cost Recovery Agreement fee percentage increase

Litchfield and surrounding towns contract with Gardiner to cover Fire & Rescue calls for the town since Litchfield has a volunteer Fire Department. Central Maine Cost Recovery is the company that the towns use to keep track of the financial side of daily operations including insurance/personal payments, what town needs to be billed, etc.. Per Chief Sherman, there is an increase in the percentage from the company due in large part to the company having a rough time staying solvent. The agreement was 20% in the original contract, and the company is requesting an increase to 25%. There was an option to increase to 30%, which could be reduced back to 20% once the company recovers fully financially, but all new customers are being contracted at 25%. There are several payments that they will be sending along once they have a current contract with the town.

There was a motion made by Scott to approve the new cost recovery agreement from Central Maine Cost Recovery, which increases the fee from 20% to 25%. Scott added

that Kelly should be able to sign the agreement. This was seconded by Gary, vote 2-0 (1 absent).

4.2 Review Fire/Rescue Sabattus Mutual Aid Agreement

Chief Sherman reviewed a brief explanation of this new agreement. Sabattus is looking to set up Mutual Aid agreements with the town bordering Litchfield. There are a few properties that are technically in Sabattus that it would be faster for Litchfield's Fire Department to get to due to their access being in Litchfield. The agreement sets up regions for automatic and requested responses. For example, the agreement states that any calls that come from the southwest border of town will be responded to on the first call.

There was a motion made by Scott to approve the Fire & Rescue Mutual Aid Agreement between Litchfield and Sabattus. This was seconded by Gary, vote 2-0 (1 absent).

4.3 Fuel Depot redesign project status

Kelly recently sent out requests to several engineering firms that have experience with above ground tanks and design. Per Kelly there was one response, this was from Simard and Sons. Kelly and Chief Sherman have been speaking with the company about a plan to move forward. Per Kelly's contact at the company the location of the depot is ok. The question at hand is what size storage tank the town wants to have. Kelly also handed out a proposal for removing the existing underground tanks. Chief Sherman discussed his opinion with the Select Board. He has based his analysis on worst case scenarios to plan for storms that keep the departments running for up to 3 days without fuel deliveries. Chief Sherman would like to see 3,300-4,000 gallons on hand and a tank that would accommodate such. Per Kelly, all the information that will be collected regarding gallons needed will be provided to the engineering company ending with a plan being brought to the Select Board once they have final options. Scott wants to make sure that part of the discussion will be what Litchfield will be receiving for the current system, considering it is a brand-new system. Kelly let him know it is already being considered.

Simard has provided Kelly with a proposal on how much it would cost to have the old underground tanks and dispenser removed. This came in near \$25,000.00. Larry asked Kelly to get an amount for the town crew doing part of the removal. This would require a company to come out and clean the tanks and a certified contractor on site while the removal process is happening.

Simard and Sons also recently performed the out-of-service certification needed annually for the underground tanks.

4.4 Review due diligence for proposed purchase of sander for 1-ton

Per Larry, currently there is a Fisher steel caster, electric sander in the 5500 truck. This was purchased in 2016, it's been a problem for a while, with multiple fixes and a rebuild. The wiring harness is now a problem again. Larry would like to see this current sander switched out for a Downeast brand sander. He noted that the retail on the replacement for the Fisher is approximately \$10,000. There is Downeast sander is about \$1,500.00

more expensive than the updated new Fisher sander. Gary and Scott agree that it makes sense to replace the 9-year-old, constantly broken sander with something that Larry knows and has confidence in. If the money is there to replace the sander, then they agree it should be done. Also, it was stated that due diligence has been completed by Larry as he has called around to get prices and find out when one can be ordered, etc.

There was a motion made by Scott to approve Public Works to purchase the Downeaster sander from Viking for a sum not to exceed \$9,500.00. This was seconded by Gary.

Motion was amended not to exceed \$9,600.00 to allow for unforeseen charges.

The vote was 2-0 (1 absent).

4.5 State legislation proposals update

Kelly brought an update to the members of the board on proposed changes to the personal property tax. After speaking with Representative Greenwood. Representative Greenwood explained to Kelly how the changes can be made. Representative Greenwood told Kelly that he would be willing to introduce a new initiative that would make it so residential property would no longer be taxable per the statute. The proposal would also raise the minimum valuation of a taxable item from \$1000 to \$5000. Per Gary, until this all plays out the process will stay as is.

Kelly then discussed the County's tax collection process. There was a question as to whether the County could/would allow its tax bill to be paid in instalments. Kennebec County does not allow instalments. Representative Greenwood is willing to try to get the verbiage added to the current statute that instalments should be allowed. Kelly let Rep. Greenwood know he would like to see a specific number added for the instalments. Per Rep. Greenwood that could be addressed when bill is reviewed in committee.

Last was the proposal of reimbursement from the Maine Turnpike Authority for fire/rescue calls to Interstate 95 as Litchfield Fire and Rescue responds to calls made for eight miles of the Interstate. Rep. Greenwood will investigate setting up a meeting with the powers that be to help in starting a conversation. Scott asked if Chief Sherman thought he could get W. Gardiner, Sabattus, etc. to go to the meeting, getting involved in the discussion. Chief Sherman is in favor of the conversation starting this way, vs. telling them what they are going to do and trying to back track.

4.6 Lunts Hill Road pole permit

Lunts Hill Road has a new building going in and more poles are needed to accommodate.

There was a motion made by Scott to approve a pole permit for Lunts Hill Road. This was seconded by Gary, vote 2-0 (1 absent).

4.7 Dissolution of the Ad Hoc RSU4 Withdrawal Investigation Committee

There was a motion made by Gary that effective January 13, 2025, the Ad Hoc RSU4 Withdrawal Investigation Committee will be dissolved and the members there of are discharged of all related duties and responsibilities. Gary expressed appreciation for all

the work done by the committee. The motion was seconded by Scott, vote 2-0 (1 absent).

4.8 Paid Family Medical Leave Act 50/50 1% payroll tax

There was a motion made at the last meeting by Scott to have the payroll deduction for the Paid Family Medical Leave Act split 50/50, 1% total. This motion was not voted on at the time. Scott repeated the motion was repeated, there was time allotted for discussion and none occurred. The vote was 2-0 (1 absent).

5.0 Unscheduled Business

5.1

6.0 Appointments/Resignations

6.1 Appointment to the Board of Appeals – Jeffery Craig

There was a motion made by Scott to appoint Jeffery Craig to the Board of Appeals. This was seconded by Gary, vote 2-0 (1 absent).

6.2 Appointment to the Board of Appeals – Ellery Barrett

There was a motion made by Scott to appoint Ellery Barrett to the Board of Appeals. This was seconded by Gary, vote 2-0 (1 absent).

6.3 Resignation from Budget Committee – Ellery Barrett

There was a motion made by Scott to accept the Resignation of Ellery Barrett from the Budget Committee, with regrets. This was seconded by Gary, vote 2-0 (1 absent).

7.0 Warrants

7.1 Town Warrant #12 \$549,106.99 (of which \$371,544.55 is for RSU4)

There was a motion made by Scott to approve Town Warrant #12 in the amount of \$549,106.99. This was seconded by Gary, vote 2-0 (1 absent).

7.2 Town Payroll #12 \$40,875.08

There was a motion made by Scott to approve Town Payroll #12 in the amount of \$40,875.08. This was seconded by Gary, vote 2-0 (1 absent).

7.3 Town Payroll #12a \$43.66

There was a motion made by Scott to approve Town Payroll #12a in the amount of \$43.66. This was seconded by Gary, vote 2-0 (1 absent).

7.4 Town Payroll #13 \$33,476.71

There was a motion made by Scott to approve Town Payroll #13 \$33,476.71 (Scott amended the stated amount to read \$33,436.71). This was seconded by Gary, vote 2-0 (1 absent).

7.5 Town Payroll #14 \$31,356.34

There was a motion made by Scott to approve Town Payroll #14 in the amount of \$31,356.34. This was seconded by Gary, vote 2-0 (1 absent).

8.0 Selectmen/Public Discussion/ Communication

8.1 Mr. Hersom was in attendance of the December 9, 2024, Select Board meeting to voice a concern regarding his mailbox being knocked down, survey stakes being moved and wood from recently cut trees being removed from his property (see December 9th minutes). He has returned to voice more concerns regarding his property. He and Kelly discussed the sequence of events. Gary asked the resident what it was going to take to resolve the issue(s) being presented by Mr. Hersom. Gary would be willing to have the line of property surveyed to have the issue resolved. Mr. Hersom has agreed that would be a viable option. Mr. Hersom would like to have his mailbox not smashed anymore. Per Kelly, with Larry adding to the conversation, the road Mr. Hersom lives on was recently rebuilt. When that was done the mailboxes were removed for ease of ditching. Once the ditching at each location was completed the mailbox was put back in the same hole. Per Larry the wet heavy slush storms are much more likely to take mailboxes down especially the older the post. Also, the town is not responsible for the height of the mailbox. Gary has asked Kelly to put together a town policy regarding how to deal with mailboxes in town as well as when not to deal with residents' mailboxes. Gary wants to have time to think about the mailbox situation further and will discuss it with Kelly. Larry reminded the Select Board that the road is going to come up another inch and a half when the overlay goes on this coming summer season.

8.2 A vote needs to be made to approve the final cost/payment for the deck. The plan, after the original vote approving the rebuilding of the deck and repair of the building, was to wait to hear the final total of the repair job. Once they knew the total the final vote would be passed. Kelly will have this ready for the next meeting.

8.3 Scott wanted to clarify that the minutes approved at tonight's meeting need to have an addendum added. When Scott, at last meeting, brought up that he was seeing emergency vehicles going by his house with no sirens at a pace that would appear to require sirens, he would like it to be clear that it was not Litchfield units that were involved. Per Kelly this will be corrected as addendum to the minutes from the last meeting.

9.0 Future Agenda Items

9.1 Tax Increment Finance (TIF) Program

10.0 Adjournment 8:45pm

Respectfully submitted by Angela Parker