

**Town of Litchfield**  
**Select Board Meeting Minutes**  
**December 9, 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); Scott Weeks.

Staff: Kelly Weissenfels, Town Manager; Michael Sherman, Fire Chief; Larry Nadeau, Road Comm. (absent); 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 November 26th, 2024; workshop minutes of November 19th, 2024**

There was a motion made by Scott to approve the minutes of November 26, 2024. This was seconded by Gary, vote 2-0 (1 abstained).

There was a motion made by Scott to approve the workshop minutes from November 19, 2024. This was seconded by Rick, vote 3-0.

**3.0 Reports and Correspondence**

**3.1 Town Manager**

A. Department of Labor Safety report's required actions that were mentioned during the last meeting have been completed. Kelly reports the town is moving forward with a comprehensive plan to avoid such issues in the future. Kelly will be contacting Safety Works to acquire more information regarding going above and beyond the basic requirements and across all departments. This will include all aspects of the town in some capacity, i.e.. Town Office, Public Works, Woodbury Pond Park. Kelly is also pursuing the provided avenue toward having the fines mitigated. He will keep the Select Board updated on progress.

B. Per Kelly, phase one of the financial audit has been completed as of last week. They will be working on completing follow-up questions that come next answered by the end of January.

C. Kelly gave an update on the fuel depot. He was unable to acquire quotes for this meeting. He has, however, gotten more names of companies to reach out to that should be able to help with the project.

D. At the previous Select Board meeting Andrew Moore, Recreation Committee Treasurer had described a proposal to remove grass to renovate a baseball diamond. Kelly asked the Board's permission to sign that contract.

E. Per the town's legal counsel, the town has the right to request that the boats on Lunts Hill Road be removed from the town's right of way. Steve will be putting together a letter to see if this can be rectified. Per Kelly, if the boats were on the road/travel way then the town could just haul them off, no questions asked. However, since they are in the right-of-way, they must go through due diligence to get them removed. The letter(s) will be going to the landowner, Gary Quintal.

F. Regarding the Lahey enforcement letter action/court date, Kelly said the town's legal counsel will be approaching the Lahey's attorney to try and see how their client would like to resolve the issues at hand. Kelly stated he was clear with the town's legal counsel that there should not be a lot of time spent on back and forth between lawyers regarding this topic, and that he would like to see a swift resolution.

G. Per Kelly, RSU4 is perusing the closure of Sabattus Primary School. As part of that they have briefed Sabattus about the Consolidation Committee investigation and the timeline. January 8, 2025, a vote will be taken by the School Board to decide if they are officially closing the school. Then there is a state approval process as well as a 10-day public comment period, followed by a public vote in April in hope of concluding the process in time for to for the budget process. If the closure passes, the Town of Sabattus has the first right of refusal. If they opt out, then the building would be offered to charter schools. Finally, if there are no charter schools looking to buy the building, it will go up for sale. Kelly noted there is a poll by RSU4 on social media asking if residents support closing the school. Also, within this poll there is information regarding a possible plan for a bond of 1.5 million dollars to perform maintenance to keep Libby Tozier open.

H. Kelly received a letter announcing the Kennebec County Budget committee has a caucus to replace vacancies. The Caucus that includes Litchfield will be held on December 12, 2024, at 5 pm.

I. Scott wanted to know when the deck and building repair was to be started, since it was supposed to be last week. Kelly had spoken with Connor Elwell of Elwell Construction on Tuesday and was informed there was a delay from a different project they were working on. There should be an update coming tomorrow as to when they plan to start. Per Kelly, he has seen decking samples, and the door has been ordered. Also, he was able to verify that they do have the required commercial building insurance to cover the job.

### 3.2 Code Officer/Plumbing Inspector

A. Per Kelly, Steve will be at the next meeting with his monthly report. There are no pressing issues currently.

### 3.3 Road Commissioner

A. Larry is away tonight due to the impending storm. He has been busiest in the mornings recently working with the crew to be sure the roads are not slick for the morning commute.

B. The computer needed to fix the 1 ton should be on premises tomorrow.

### 3.4 Fire & Rescue

A. Chief Sherman brought the November call reports. He reports there were 14 fire related calls, this was a busy month for the department. There were 5 brush fires, 1 broken pole, 2 vehicle fires, a CO alarm, 1 propane investigation, a motor vehicle accident and 1 illegal burn.

EMS had 24 calls altogether, Litchfield covering 12 of them. Gardiner was at all the calls.

B. Fit testing of Self-Contained Breathing Apparatus (SCBA) will be happening tomorrow evening as well as some rescue training at the same time.

C. An MMA safety grant was awarded to the department to purchase some new cones as well as some STOP/SLOW paddles that are illuminated, the award was for \$3,000.00.

D. Scott would like to see/hear more sirens being used. Last night he observed 2 emergency vehicles go by that were clearly responding to an emergency with lights on, but no sirens. He hopes sirens will be used in the future. Chief Sherman agreed and will bring that up to the crews. [Clarification: The vehicles observed were mutual aid, and not Litchfield responders.]

### 3.5 Emergency Mgmt.

A. Chief Sherman is moving forward with the town's emergency plan. The process continues to make this plan all that it needs to be. He is in hopes that the plan will be ready in the spring.

B. The agreement with RSU4 to use Carrie Ricker as a warming/emergency shelter needs to be reviewed with the new staff members as the facilities manager has left and the superintendent also has given notice. Chief Sherman will be reaching out to be sure all parties are on the same page. Scott questioned if the school board could oversee the agreement instead of specific individuals, that way as people come and go there would be less leg work for Emergency Management. Chief Sherman will investigate this.

### 3.6 Assessing Agent

Ellery will be in the office this next Thursday for anyone needing to talk to him.

### 3.7 Transfer Station

A. New stickers were issued totaling 2898.

B. Both bulky bins needed to be emptied this past week. With the Transfer Station being open 2 days a week now, John mentioned that Friday seemed to be the slower of the two days. This might help in the future for anyone who has a large load to take over.

### 3.8 Other Town Committees

## **4.0 Scheduled Business**

### 4.1 RSU Withdrawal Investigation Committee Summary Report

Percy presented the final report to the Select Board, reading it aloud for the audience and the video record. [This report can be found on the Litchfield website. A hard copy can be requested at the Town Office.]

The Select Board members all thanked everyone that participated for all the time that was volunteered for this process. All members also agreed with the conclusion put forth by the committee that there is little to no participation of the residents of Litchfield when it comes to matters of RSU4. As stated, 11 registered voters showed up to the 4<sup>th</sup> and final budget meeting held by the School Board after it was voted down 3 times previously. Discussion continued with questions and comments.

#### 4.2 RSU4 School Board Appointment - candidate review

4 residents offered to serve and fill the School Board position left open by Jill Bouchard's resignation. Per Gary, they were Vicki Russell, John Patten, Andrew Beaupre, and Theresa Madore. Andrew Beaupre was not eligible as he has a relative who works in the RSU. Gary had spoken with John, who stated he would be interested in serving through June. Per Gary, John said he wouldn't be interested in running for the next full term at this time. Vicki would also fill the position until the end of the current term. Theresa has stated that she would be willing to serve and continue her service through to the next term if elected. Gary stated that Theresa has a background that would serve her well in this position. The Select Board members were in agreement that Theresa would be the candidate best suited to help Litchfield broker a good relationship with the incoming Superintendent, listen to the issues, and understand the topics at hand.

There was a motion made by Rick to appoint Theresa Madore to the open School Board position. This was seconded by Scott, vote 3-0.

#### 4.3 Paid Family Medical Leave Act – 1% cost implementation

The Select Board was tasked with deciding if the town was going to carry the burden of the full 1% or if the town was going to split the 1% with the employees. Rick mentioned that there is an option to opt out of the government's plan for this all together. Kelly noted he had heard of this option; it sounded to him as though it was a plan where the employer would be self-insured. Rick would like to have Kelly investigate this. This must be implemented by the first of the year. Kelly wanted to be clear, the deduction must still be made. The question is, does the money go to the State or does it get sent to a private company that keeps track and pays as necessary.

There was a motion made by Scott to do a 50/50 split with the employees of the Town of Litchfield for the Paid Family Medical Leave Act. This was seconded by Rick, but after additional discussion the next topic was called without completing the vote.

#### 4.4 Personal Property Tax Statute legislative options

Kelly presented the options to the members of the Select Board; this needs to be settled in the next couple weeks. The first option is to raise the amount of exemption. This is currently at \$1,000.00 which was set back in 1965. Gary also wanted to clarify that this is for all residents of Maine, not just businesses or business owners. Tom has called around to other towns to find out how they are handling Personal Property Tax. Per Tom, the interpretation or opinion that this statute only applies to businesses is the norm. Tom has a call in to the State's Department of Taxation to clarify. He will be sure

to report back all findings. Gary doesn't want to make any decisions until he has more information and will be in on Thursday to speak to Ellery, the Town's assessor for clarification. Gary and Kelly will be sitting down at some point to write a proposal for the State Representative as previously discussed.

#### 4.5 Dec 23<sup>rd</sup> select board meeting cancellation

There was a motion made by Scott to cancel the December 23, 2024, Select Board meeting. This was amended to read: "cancel the December 23, 2024, Select Board meeting and to sign the final warrants of the year outside the Select Board meeting." This was seconded by Rick, vote 3-0.

### **5.0 Unscheduled Business**

#### 5.1

### **6.0 Appointments/Resignations**

#### 6.1 Resignation from RSU4 School Board – Jill Bouchard

There was a motion made by Scott to accept the resignation of Jill Bouchard from RSU4 School Board, with regrets. This was seconded by Rick, vote 3-0.

#### 6.2 Appointment to the Litchfield Conservation Commission – Tyler Kidder

There was a motion made by Scott to approve the appointment of Tyler Kidder to the Litchfield Conservation Commission. This was seconded by Rick, vote 3-0.

### **7.0 Warrants**

#### 7.1 Town Warrant #11 \$422,775.23 (of which \$371,544.55 is for RSU4)

There was a motion made by Scott to approve Town Warrant #11 in the amount of \$422,775.23 (of which \$371,544.55 is for RSU4). This was seconded by Rick, vote 3-0.

#### 7.2 Town Payroll #11 \$36,005.81

There was a motion made by Scott to approve Town Payroll #11 in the amount of \$36,005.81. This was seconded by Rick, vote 3-0.

### **8.0 Selectmen/Public Discussion/ Communication**

8.1 Rick asked about the front light at the Town Office. Kelly has spoken with Bob Kenney and he will be putting in a new floodlight for more security and safety.

8.2 Gary asked if Kelly has had any more contact with the County Commissioner regarding the catch basin. Per Kelly, he has spoken with Larry, the Road Commissioner, to come up with options.

1. A catch basin installed costing roughly \$5,000.00 total. The issue with this option per Kelly is that this must be able to be vacuumed out. This requires a piece of equipment the town does not own. The job would have to be hired out.

2. Return the culverts to their original state prior to the Dennis Hill Road repair/repaving. This would go back to the issue of getting clogged and the difficulty of unclogging.

3. Kelly has a third option the homeowner hasn't been approached with yet. This would be to put a ditch in, which would affect one of their 2 driveways.

4. Scott had suggested filling the ditch with riprap. Per Gary that wouldn't be the best option as leaves, and such would plug that as well.

Gary would like to have Kelly speak with the homeowner and come to a solution. Kelly will be speaking with the homeowner and reporting the solution agreed upon with the Select Board as soon as there is one.

8.3 Gary asked if there was a path forward for the fuel depot yet. Kelly reports there is not one set yet. Recommendations have been made and Kelly will be getting more information to resolve this issue. Rick brought up the concern of lowering the amount of fuel storage. Since this could possibly put the town in a tight spot during an emergency. Kelly had been working options with the goal reducing regulations and cost to the town. Kelly notes that at the next Select Board meeting he will have a decision point for the Board to vote on and the name of the company or companies that can make the adjustments to the depot. Rick cautioned Kelly that if the tank in the ground goes out of compliance the town might be done having fuel due to the site being on an aquifer.

8.4 The chipping of the brush pile at the Transfer Station is still in the works. Kelly also has an option he is looking into. Chief Sherman could investigate the option to burn the pile.

8.5 Mr. Robert Hersom asked to speak. He came to the meeting to discuss the loss of his mailbox after each of the plowable snowstorms this winter. He has other issues to discuss with Kelly which will all be investigated by Kelly. Gary wanted to have the complaints put in writing and Kelly and the Select Board could call an executive session if needed. Mr. Hersom wanted to be sure his complaints were heard during the meeting. Kelly will get the resident's contact information and investigate the claims made.

## **9.0 Future Agenda Items**

9.1 Tax Increment Finance (TIF) Program

**10.0 Adjournment** at 8:56 pm (2:26:42)

Respectfully submitted by Angela Parker