

Town of Litchfield
Select Board Meeting Minutes
August 12, 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; Larry Nadeau, Road Comm.; John Upham, Transfer Station Manager; Tom Wood, Chm. Budget Comm.; Steve Ochmanski, Code Enforcement Officer; and others per the sign in sheet.

2.0 Minutes of July 22, 2024, and emergency meeting July 16, 2024

Approval of the minutes for July 22, 2024 was postponed since Scott had not attended that meeting and Rick was not in attendance this evening.

There was a motion made by Scott to approve the minutes for the Emergency Meeting held on July 16, 2024. This was seconded by Gary, vote 2-0 (1 absent).

Per Scott's request for correction, Rick will be added to the list of attendees since he was present for the Emergency Meeting. Motion passes with amendment.

3.0 Reports and Correspondence

3.1 Town Manager

A. The new food bank opens at its newest location this week. Rayna sent word as they are currently unloading food into the new location during the meeting, so she was not able to attend. Wednesdays 5 pm – 6 pm, Thursday 10 am - 12 pm

B. July 30, 2024, was the RSU4 budget vote that was held in the Town Office. Per Kelly this went smoothly and was successful as a location for voting. Unfortunately, the vote will need to be held again, since the referendum did not pass. Kelly mentioned that with all the voting dates coming up and especially the Presidential election in November the voting clerk would recommend against holding the RSU4 vote in October since there will be so many absentee votes coming into the town office for the Presidential election. Kelly would like to see the tax commitment set early rather than waiting for the RSU4 budget to be passed. He is looking to avoid last year's issue(s) that came with sending tax bills out late to the residents.

C. Per Kelly the database server is tentatively scheduled to be upgraded at the end of July 2024. Part of the new contract with Mr. Ellis, Kelly is moving forward with several initiatives. Also Kelly noted that he did investigate adding the Fire Department to the contract as Rick had suggested. Per Kelly, Mr. Ellis is already providing IT services at preferred rates so there is no need to readjust the contract.

D. The State Bureau of Labor Standards recently visited Litchfield to do a surprise Safety inspection of Public Works, and the Transfer Station. This came after last year's walk through from MMA and the subsequent gathering of policy examples from the town of Gardiner to improve Town Office and Public Works safety procedures. Updated policies were intended to be implemented this summer and Kelly reports that they definitely will be now (due to the recent inspection). Public Works was able to implement/correct all aspects of facility findings within 24 hours. There is, however, significant paperwork still to do to be in compliance with all findings.

3.2 Code Officer/Plumbing Inspector

A. Steve handed out his list of June permits for the members of the Select Board and Larry to review.

B. There were two enforcement actions last month that were just cleaned up today. One was building in the Shoreland Zone without a permit which was resolved by the owners removing a deck addition to bring the building back to original footprint. The second was a lot where a septic tank had been placed without a permit. The tank was removed on Thursday and cleaned up. Steve has an ongoing junk yard in town that he has sent a second notice to. The certified letter has been returned to Steve; he is recommending the Select Board ask the property owner to come to a Select Board meeting.

There was a motion made by Gary to request the presence of Gerald Miquelon at the September 9, 2024, Select Board meeting to discuss the issue of a junk yard. This was seconded by Scott, vote 2-0 (1 absent).

C. The Planning Board finalized the wording of the Solar Moratorium. Per Steve there will be a Public Hearing this Thursday.

3.3 Road Commissioner

A. Dennis Hill Road is paved, shouldered and has held up well through the last rainstorm, per Larry. The culvert project for Dennis Hill Road will be completed in the morning hours due to temperatures, and maintaining the freshly paved edges of Dennis Hill Road. Also, Huntington Hill Road's shouldering is being continued and should be finished tomorrow. Stevenstown Road is next to grind (trees), so that will be coming up shortly.

B. The Town Office parking lot project will be started in the next few weeks so everyone should be aware there are projects going on all over.

C. Scott checked in to see if Larry thought they would be getting to the repair of end of the Small Road this year. This will be added to the warrant for the special town meeting coming up. Larry gave a brief overview of how the intersection of Small Rd and Richmond Rd was damaged during the Turnpike bridge closure detour.

D. Kelly noted that the State has again chosen not to award the grant to Litchfield for the Dennis Hill Culvert repair project.

E. Kelly spoke about the waste blocks that were placed at the approaches to the new Gustin Road bridge. A resident is concerned about the aesthetic appeal of the blocks. The cost of additional guardrails instead of the blocks is estimated to be near \$30,000. Suggestions were heard of either painting or maybe the application of some flower boxes on top of the blocks. The Select Board they were not interested in spending additional money on the bridge project and that agreed that as long as there are no safety concerns were ok with cosmetic improvements to the blocks.

F. The new truck that was last ordered arrived shortly after the last Select Board meeting. Per Larry it's exactly what was ordered and cost exactly what the other truck costs.

G. Per Kelly, two items were placed with Auctions International and currently up for bids: the 2004 single axle International plow truck from Public Works, and the old wrought iron fencing from the Plains Road Cemetery which was previously auctioned, but never picked up by the buyer.

3.4 Fire & Rescue

A. Engine 65 is back in service since the last Select Board meeting.

B. Chief Sherman and Larry are working on a dry hydrant repair down on Route 197 near the intersection with Wentzell Road. There is some debris that washed down from Route 197 and is blocking the intake. Chief Sherman has submitted the permits to be able to excavate and reset the hydrant and doesn't foresee any issues with the project moving forward.

C. Update on OSHA situation: Senator King has signed onto a letter that was co-authored by two other senators calling for OSHA to exempt volunteer fire departments from the new emergency response standard. This is good news.

D. Chief Sherman will have the call logs/report ready for the next meeting. He is working on a new way of compiling the data which he feels will be time effective for him to do.

E. Gary was asked today how to get ahold of the Fire Chief. Kelly noted the telephone number is on the town website Fire Rescue page. Per Chief Sherman he is getting through the voicemails that were left while he was away. Also, he wanted it to be known he gets any voicemails in email form as well.

3.5 Emergency Mgmt.

A. Kelly and Chief Sherman have begun to meet on Wednesday mornings to discuss the issues surrounding the EMA. Looking forward to being ready for the Fall/Winter/Spring season to come.

3.6 Assessing Agent

Per Kelly, Ellery was in the office last week, starting the spring work and looking to get that done in time for the tax commitment.

3.7 Transfer Station

A. Three new stickers were issued this week for a total of 2804

B. Only 1 bulky bin emptied, so John thinks the slower season is coming.

C. EPI came on Friday and cleaned out the oil building DEP. The issue being there were 2 containers that were unlabeled and full in the shed. These were there when John took over and issues are now resolved with all containers being taken off the property by EPI.

D. Swap Shop is doing well. Per John there are 304 items taken for a total of 5582 this year.

3.8 Other Town Committees

Per Tom the Budget Committee will be meeting this Thursday. July is a relatively slow month for the committee, so they took it off. They will now be back to their normal schedule.

4.0 Scheduled Business

4.1 Ad Hoc RSU4 Withdrawal Committee – survey results, recommendation

Gary stated he has no interest in taking any action without all the members of the Select Board being present, and Scott concurred. Scott indicated he would like to hear what the committee has to say in the presentation of the latest town survey.

Tom presented a very rough compilation of the current numbers. Per Tom there were 1900 surveys put out with 266 coming back to the town office for counting, 110 were yes, 153 were no and 3 were blank. On the other hand, 276 people voted not to pass the budget proposed, 154 voted yes to pass the budget.

Tom reports that the Ad Hoc committee is working on compiling all its notes into a report for the Select Board in the next 4-6 weeks.

Time was given for comments and questions with a lengthy discussion.

The discussion closed with the recommendation that the Ad Hoc Committee would finish their report and the Select Board would then decide how to move forward. Scott and Gary agreed on this plan.

4.2 Review Solid Waste and Recycling Ordinance ** Discussed during 4.5 **

4.3 Dennis Hill Road topcoat accelerated schedule review

Kelly recommended waiting until next year to finish with the Dennis Hill Road topcoat. Looking at the upcoming expenses, as well as the school budget. It makes the most sense currently. The Select Board and Road Commissioner agreed with the plan to wait until next year to finish the Dennis Hill Road pavement project.

4.4 Open Bids for Town Office parking lot paving 7 pm

Five bids were received.

- A. Gendron and Gendron bid totaling \$102,695.00
- B. All States bid totaling \$86,015.00
- C. Proseal LLC bid totaling \$77,900.00
- D. Commercial Paving bid totaling \$69,500.00
- E. Davis Paving Inc. Augusta ME bid totaling \$75,200.00

Larry recommended that he and Kelly review each of the bids and details. He would like the board to allow Kelly to present the contract to whomever they (Larry and Kelly) decide is best with the contract so that this doesn't have to wait two more weeks.

Gary instead opted to call a special meeting of the board to hear the results of the review and accept a bid. There will be an emergency meeting Thursday morning at 7 am.

4.5 Public Hearing for Solid Waste and Recycling Ordinance 7:15 pm ** hearing opened at ~ 7:13 pm **

Gary noted that it had been stated several times that, the only thing the Select Board was looking to do with the ordinance was to clean up the verbiage. Also, per Gary the existing ordinance specified exactly where the haulers were to take the waste they were picking up. The primary change in the updated ordinance is that haulers can take the waste to any licensed facility. The ordinance was discussed and time for questions were allotted.

** Public hearing closed at ~ 7:26 pm **

4.6 Warrant for Special Town Meeting (District Map change, Solid Waste Ordinance, Solar Energy Facility Moratorium Ordinance)

Per Kelly, the Warrant being discussed contains three votable articles which Kelly reviewed with the board. A fifth article will be added pertaining to the use of the funds received from the State to rebuild Small Road at Richmond Rd (Rte.197) .

The proposed solar energy facility moratorium was also discussed at length.

This discussion closed with a motion by Scott to approve the warrant for the Special Town Meeting Set for August 26, 2024, as amended, including a revision for Article 5 to authorize the town to transfer \$30,000.00 (revenue originating from the Maine Turnpike Authority explicitly for the repair) from undesignated surplus, to fix the end of the small road. This was seconded by Gary, vote 2-0 (1 absent).

There was a motion made by Scott to grant permission for the Select Board to sign the warrant for Special Town Meeting outside of a regular meeting barring any concerns from the Planning Board on Article 4. This was seconded by Gary, vote 2-0 (1 absent).

4.7 Contingency budget use:

1st: Withdrawal Committee Survey \$523.42 --This was the amount of funds used to send the survey out to all box holders in the Town of Litchfield. Discussion occurred regarding discrepancies in mail delivery, as not everyone in town received a survey.

2nd: Foreclosed mobile home demolition 13 Nutting Lane, estimate \$7,000 (\$2000 labor, town provided roll-offs, \$5000) -- The town foreclosed on the mobile home after an initial owner had passed, then it was discovered that a sale had occurred and before a repurchase agreement could be negotiated, the second owner passed away as well. The mobile home is now uninhabitable.

There are 4 options per the town's legal advisor.

- a. sell the mobile home
- b. get the mobile home appraised and keep it
- c. scrap it
- d. or convey it back to the potential heirs in return for back taxes

Kelly and the CEO have discussed with the property owner (this mobile home sits on a rented lot) and concluded that the mobile home is not worth selling. This leaves scrapping the home, this requires the heirs signing off that they are not interested in taking possession of the home. Gary asked if it was possible to withdraw the foreclosure of the property. Kelly had checked with the town's legal counsel and that the option not to foreclose must be exercised during the lien period prior to the foreclosure date. The board opted to wait until the details of the disposal are settled before approving funds.

There was a motion made by Scott to approve using contingency money in the amount of \$523.42 for the RSU4 Withdrawal Committee survey that was sent out. This was seconded by Gary, vote 2-0 (1 absent)

4.8 Quitclaim for 1813 Lewiston Rd, U13-13-21 Estate of William Raws

There was a motion made by Scott to approve a quitclaim for 1813 Lewiston Road, U13-13-21, Estate of William Raws. This was seconded by Gary, vote 2-0 (1 absent).

4.9 Quitclaim for 1813 Lewiston Rd, U13-13-22 Estate of William Raws

There was a motion made by Scott to approve quitclaim for 1813 Lewiston Road, U13-13-22, Estate of William Raws. This was seconded by Gary, vote 2-0 (1 absent).

Both 4.8 and 4.9 municipal releases were due to tax liens from 2013 and 2016 that had been paid, but not recorded.

4.10 Sign Gardiner Ambulance Uncollectables Payback Agreement

Gary would like Kelly to find out if the board needs to vote to sign the document or not. Then once he comes back with that info it will be signed.

4.11 Maine Municipal Association Annual Election: Vice President; Executive Committee Members.

Neither of the members were familiar with the candidates and declined to vote.

5.0 Unscheduled Business

5.1 Huntington Hill Road needing lines

A resident brought up a concern about lack of lines on Huntington Hill Road. As a former defensive driving dynamics instructor, he noted that when he was taught to drive, he was told that when you are blinded by headlights at night look to the right at the white line. With no white line, the task is difficult. Gary responded that any roads maintained by the town do not have any lines. He recognized the resident's intent to have the safety complaint on record and thanked him for coming to the meeting. Scott continued the conversation asking who makes the

decision and why, wondering if no lines on town roads is a requirement of the State. Gary replied that is purely a matter of cost and that, the state has nothing to do with it.

6.0 Appointments/Resignations

6.1

7.0 Warrants

7.1 Town Warrant #3 \$676,263.97 (RSU4 \$383,028.86)

There was a motion made by Scott to approve Town Warrant #3 in the amount of \$676,263.97.

This was seconded by Gary, vote 2-0 (1 absent).

7.2 Town Warrant #37 \$11,400.00 (from FY2024)

There was a motion made by Scott to approve Town Warrant #37 in the amount of \$11,400.00 (from FY2024). This was seconded by Gary, vote 2-0 (1 absent).

7.3 Town Payroll #2 \$32,380.37

There was a motion made by Scott to approve Town Payroll #2 in the amount of \$32,380.37.

This was seconded by Gary, vote 2-0 (1 absent)

7.4 Town Payroll #3 \$33,858.29

There was a motion made by Scott to approve Town Payroll #3 in the amount of \$33,858.29.

This was seconded by Gary, vote 2-0 (1 absent).

8.0 Selectmen/Public Discussion/ Communication

8.1

9.0 Future Agenda Items

9.1 Select Board Communications

9.2 Select Board Plaque for Special Recognition Recipients

10.0 Adjournment at 9:07pm