

Town of Litchfield
Board of Selectmen
Minutes
May 22, 2017

1.0 Convened 6:30; Pledge to Flag; Selectmen, Mark Russell, Chairman, George Thomson, Rayna Leibowitz; Staff, Trudy Lamoreau, Town Manager, Larry Nadeau II, Road Comm, Selena Nadeau, Diana Larrabee, Kelly Weisenfels, Town Office Staff; Bryan Lamoreau, TS Manager; Committee Members Richard Lane, Tamas Szepsy, Lindsay Nelson, Carol Smith, Tim Tracy, Dian White; Vicki Russell, Sodalite Editor; John Upham, FOAA Officer, and Guests Present - see attached sign-in sheet.

2.0 Minutes of April 24, 2017 meeting submitted for final approval. A motion was made by George Thomson, seconded by Rayna Leibowitz to approve the minutes. Vote 3 - 0.

Minutes of May 8, 2017 Meeting submitted for final approval. A motion was made by Mark Russell, seconded by Rayna Leibowitz to approve the minutes. Vote 2 - 0 - 1.

3.0 Reports and Correspondence

3.1 Town Manager-The Town Report is at the printers. The report will be mailed on **June 9**.

3.2 Code Officer/Plumbing Inspector - Trudy reported Steve is taking a class today and **tomorrow** and another on **Thursday** regarding Code Enforcement and Plumbing Inspection topics.

3.3 Road Commissioner

A. Ditching continues to be done on the Upper Pond Road. Ted Stevens advised the last time ditching was done was in 1973. They've done about a mile on the west side only. The East side is expected to take less time.

B. They are bringing the brush and roots being removed to a pile behind the Town Garage. The intent is to ask the Fire Dept. to schedule a training session to burn it.

C. Adequate drainage may require another cross culvert. Larry had Eric Calderwood take a look and he concurred. The landowner this affects agrees with the plan.

D. Cross culverts will be done when the ditching is completed. A discussion of the proposed swale on Mr Healey's property was held. An easement for installation is expected and Mr. Healey would like a drawing of the project to be done so expectations for the outcome can be established. This might require the ditching to be completed first so appropriate depths and grades can be defined. Larry described his intent is to dig a trough that allows the water to leave the road environment, lined with fabric and covered with stone and riprap to slow down water flow and minimize erosion damage. Mr. Healey also identified 3 large ash trees on the line between the Town right of way and his property that he would like to preserve, if possible.

E. Hawkes Tree service started removing the trees on the Upper Pond Road on Friday.

F. A proposed RFP for bids for the construction and paving of the Upper Pond Road was provided to the Board. Discussion will be conducted as 6.2 below.

G. Whippoorwill Road - The Engineer had drilling done on both sides of the culvert to a 20 foot depth. No bedrock was found.

3.4 Fire & Rescue

- A. Stanley Labbe asked about the brush pile identified in 3.3 B above.
- B. Mr Phil Roy, owner of The Birches Campground expressed his appreciation for the great work the Fire Dept did in burning the brush pile at the Campground. He was impressed with how professional the firefighters worked and conducted themselves. He commented that the pile was still smoldering 3 weeks after the initial burn. Chief Labbe suggested burning any future piles before they got that large. Mr. Roy went on to compliment the Town and its employees for the terrific service he has seen and obtained from whichever employee he was working with, from the Code Enforcement Officer to the Office Staff. He had worked in Municipal and County government for 26 years before retiring to the campground, and he's been impressed with every person he's dealt with. He advised he will be sending a check for the Fire Department and he was encouraged to send it to the Litchfield Firefighters Assn. otherwise any donations received would have to go into the General Fund.
- C. Chief Labbe advised the First Responder Course planned for June did not have enough registrants. They were one short. They will try to offer it again in the fall.

3.5 Emergency Mgmt.

3.6 Assessing Agent - Ellery has been doing field work on Fridays. He is expected to be in the office **next Thursday**. The Board asked to be briefed on changes to the Tree Growth Program that he may learn of.

3.7 Transfer Station - Bryan reported that it is extremely busy. The size of the brush pile has doubled. One chipping contractor that came in advised the size was too small for him. He'll talk with some others including the Hawkes Tree Service folks who will have a chipper on the Upper Pond Road.

3.8 Other Town Committees - The Town Manager reported the Budget Committee provided their recommendations for the Town Report before it went to the printer.

4.0 Agenda Adjustments

6.1 The Birches - Liquor License Extension

6.2 RFP for the Upper Pond Road

6.3 Kent Ackley update from the Legislature

5.0 Scheduled Business

5.1 Lindsay Nelson - Invasive Plants Request - Lindsay described the discussions she has had with the Board of Pesticides Control and MDOT representative, Robert Mooseman, Roadside Vegetation Specialist regarding control or elimination of Japanese Knotweed. She has been referred to a man in Falmouth who has been in charge of a similar project for some time, regarding his experiences. She provided a draft contract that MMA advised should be reviewed and approved by the Town's attorney. The situations appear to be 1) For spraying (by a licensed applicator) within the right of way, we don't need to inform abutting landowners; 2) Treating Knotweed on private property in adjoining space, requires the authorization of the property owner unless the attorney feels it can be done for the "public good" without their approval; and 3) Treating Knotweed on private property not adjoining that in the Town's right of way requires a contract between the property owner and applicator with appropriate fees paid by the property owner. A map of Knotweed locations in Litchfield has been developed. Lindsay is now seeking approval of the Board to address the contract language with the Town's attorney. A motion was made by Rayna Leibowitz, seconded by George Thomson to authorize the Town Manager and Lindsay Nelson to review the contract with the town attorney. Vote 3 - 0.

5.2 Carol Smith - RFP for Community Park Parking Lot - Carol presented the proposed RFP for a parking lot in the Community Park. There was a review and discussion including the suggestion to require a site visit at a designated date and time for all bidders to assess the project so they understand the expectation. Some language changes were also made. A motion to approve the RFP as corrected was made by George Thomson, seconded by Rayna Leibowitz and voted 3 - 0. Final approval of the bid is contingent on approval of the voters for that project at the Town Meeting, Article #39.

5.3 Land Repurchase Agreement - Map U24, Lot 19, Stacyannah - for \$3,125.86 with \$1,000 down and \$300 a month until it is paid (within a year). A motion to approve the repurchase agreement was made by George Thomson, seconded by Rayna Leibowitz and voted 3 - 0. The Town Manager commended the Board for its willingness to enter into the repurchase agreements to avoid evicting families from their homes and foreclosing on properties. There have been very few who have failed to complete the repayments as agreed.

6.0 Unscheduled Business

6.1 The Birches - Liquor License Extension - Phil Roy advised they have added a 16 X 24 foot addition to the store to offer a café. Changing the footprint requires notification to the Town and authorization to continue its sale of alcohol. None of the alcohol sales are affected in any way by the addition. A motion to approve the Extension of License on Premise was made by George Thomson, seconded by Rayna Leibowitz and voted 3 - 0.

6.2 RFP for the Upper Pond Road - The proposal was reviewed by the Board and some changes were made to clarify certain items. The plan is to send it to three contractors and post it in the newspaper for bids to be submitted by **June 12** to be opened at **7:00 PM** on that date. The changes will be made and reviewed by Chairman Russell. A motion to approve the RFP if Chairman Russell is satisfied with it was made by George Thomson, seconded by Rayna Leibowitz and voted 3 - 0.

6.3 Kent Ackeley - update from the Legislature

- A. The budget process is challenging.
- B. A mining bill will allow mining but will have some stringent requirements for environmental protection included.
- C. A bottle Bill on the small nips bottles for a deposit of 5 cents has passed, but may be vetoed by LePage as not being business friendly.
- D. Governor LePage wants to remove funding for the State spay/neuter program.
- E. Rep. Ackeley has sponsored a bill to open primary races to include unenrolled voters. It didn't succeed, but got more support than the previous one.
- F. A late bill submitted would prevent Internet Service Providers from selling Maine users browsing history without permission. The feds just removed this restriction, but Maine is seeking to re-establish it.
- G. A proposal for an Arsenic in the Bedrock Education Program has been offered.
- H. A proposal for assistance for low income residents to add arsenic filters has been offered.
- I. Kent discussed the work the Marijuana Committee is doing including a recent conference aimed at identifying how law enforcement can effectively identify and handle drug impaired driving.
- J. Kent will be moderating a Candidates forum on **June 8** at the Litchfield Fire Station at **6:30 PM** for candidates for the Board of Selectmen position that is opening.
- K. Kent was thanked for bringing the update to the Town. It is appreciated.

7.0 Legal

8.0 Appointments and Resignations

9.0 Warrants

9.1 Town Voucher #23 for \$40,505.35. A motion to approve was made by George Thomson, seconded by Rayna Leibowitz and voted 3 - 0.

9.2 Town Payroll #23 for \$18,781.87. A motion to approve was made by George Thomson, seconded by Rayna Leibowitz and voted 3 - 0.

10.0 Other Business

11.0 Selectmen/Public Discussion/Communication

12.0 Future Agenda Item

12.1 D. Blocher Property

12.2 Street Lights

12.3 Old Mill Rd Bridge

12.4 Return of the 7/14/16 Executive session Working Papers

13.0 Adjournment at 9:15 PM.