

Town of Litchfield
Select Board
February 14, 2022
Final Meeting Minutes

1.0 Convened at 6:30 PM; Pledge to Flag; Selectmen: Gary Parker, Chairman, Rayna Leibowitz, Clarence Gowell III (identified as Rick Gowell in these minutes); **Staff:** Kelly Weissenfels, Town Manager; Michael Sherman, Fire Chief; John Upham, Acting Transfer station Manager; Road Advisory Committee Members: Toby Jutras, Chm. via Zoom, Tamas Szepsy and Richard Lane; Tom Wood, Budget Comm. Chair and Broadband Comm. via Zoom; Lindsay Nelsen, Conservation Comm. via Zoom and Larry Bell, Chm., Broadband Comm. via Zoom.

2.0 Minutes of Jan 24, 2022 Meeting submitted for final approval. A motion to approve the minutes as corrected was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3- 0.

3.0 Reports and Correspondence:

3.1 Town Manager: A. Kelly advised that instead of a chain across the (dark) door of the Sand/Salt Shed that might be near-invisible in the dark, the pusher plow blade is across the door. When asked about the status of the door being broken, advised the cable broke and the door came crashing down. The repair parts have been ordered.

B. Jersey barriers have been put in place beside the public sand pile. These are borrowed from the MTA as they are not in compliance for MTA use. Kelly advised they can be bought for \$50.00 each.

C. Kelly is still looking into a possible candidate for a Constable.

D. Phase II of the Wright Pierce Study has been received and the costs required the rest of the monies in that account. Payment for Calderwood Engineering work will need to come from the savings of paying off the note earlier than required.

E. Calderwood Engineering’s timeline for the Woodbury Pond Dam is to prepare bids in early March to go out by April 1 and return by April 15 – 30. Permitting is expected to take 2 weeks.

F. Kelly reminded us of the Redzone informational meeting rescheduled to Feb. 17 at 6:30 PM at the Fire Station.

g. An update on the formation of a Law Enforcement Investigative Committee from Rick Gowell: Five members have been identified and these folks will be looking at the Constable structure and project future needs and costs. See 5.1

3.2 Code Enforcement Officer/Plumbing Inspector – A. Steve advised he issued only one Septic permit last month (January).

B. The property at 2793 Hallowell Rd is still in limbo with the courts. Until the foreclosure is completed through the court, the Credit Union will not take any action on the condition of the property.

C. Re: 2783 Hallowell Rd. -Attorney Ferris is keeping Steve apprised of the status of this property. It is currently still in the Probate Court system.

D. A Letter of Agreement is expected to be signed this week with the person responsible for the situation at 586 Richmond Road. The consent agreement will allow for fines if the conditions of it are not met by the deadlines.

E. The property below Litchfield Corner containing an illegal junkyard – the owner has been

very ill. He has started removing appliances and plans to have a crusher come in to expedite vehicle removal in the spring. Steve feels he will be cooperative but will continue to monitor it.

F. Steve reported the Planning Board has decided not to recommend changing the \$1,000 threshold for requiring a building permit. Changing the fee schedules for the cost of the permit can be done by the Select Board, so this might be considered with more discussion and assessment.

G. The first subdivision of the year will be coming to the Planning Board. It is off the Richmond Road on the former Michaud property containing 8 lots.

H. Road Name Request- Oak Leaf Drive, off Kenway Drive, a second dwelling is being added to a driveway.

I. Following – up on consideration of addressing a Solar Array in the Land Use Ordinance: The Planning Board will be proposing changing the definitions to address it.

J. There are expected changes for the Shoreland Ordinance for the town meeting because of state requirements, but Steve does not have the detail yet.

3.3 Road Commissioner – A. Kelly dismissed the Road Comm. early to spend Valentines Day with his wife.

B. Since the last meeting there has been a blizzard with 3 inches of sleet and an ice storm.

C. At least one worker got 53 hours of overtime during the 2 week period.

D. Kelly took advantage of the opportunity to ride the snow plow for one of the storms.

E. There were multiple mechanical issues with the equipment, including plow, sander and brakes.

F. A car failed to yield to the plow on a bridge causing \$4,000 damage to the wing. Larry used his privately owned equipment until the town owned equipment could be repaired.

G. The above storms seriously depleted the salt/sand supply, so the crew will be moving the reserve pile into the shed and adding salt this week.

H. There is a serious water puddle with an ice build up at the south west corner of the fair-grounds that needs to be monitored and kept sanded. A drainage problem exists creating the issue. A fire truck sustained damage when a chunk of ice flipped up and broke a line, taking it out of service until repairs could be completed.

I. Larry has been called out twice to sand Hayden Hill Rd off Route 197 for ambulance access for a medical emergency. This is a private road not normally sanded by the Town and there is concern that the town will be expected to keep it sanded.

3.4 Fire & Rescue – A. Chief Mike Sherman, continuing discussion of the Hayden Hill Road expressed concern that private roads and long driveways are not being maintained to allow for safe operation of emergency vehicles. He will be writing something for the Sodalite regarding this.

B. Maintenance will be done on the Department's off-road vehicle in preparation for fire season.

C. The Department is working on training schedules and the budget.

D. Chief Sherman advised that getting new turn out gear is seeing a lag time of 6 – 8 months.

E. Response Calls for January included 8 Fire calls: 5 motor vehicle crashes, 1 mutual aid call, 1 hazmat spill (gasoline) and 1 car fire. First Responder calls included 38 with Litchfield responding to 9 of them. Chief Sherman advised the policy has been established that if the call is Covid-related, our responders would not go, in order to protect our staff. Gardiner Rescue will respond and has the PPE to do so safely.

3.5 Emergency Management – No report

3.6 Assessing Agent – Ellery Bane was here last week He advised the Covid increases in

property sales prices may drive consideration of an escalation factor or beginning a revaluation of ¼ of the town each year starting in FY 2023 (July 1, 2022 – June 30, 2023). Selectperson Leibowitz suggested the escalation factor should be used as the full re-evaluation was done in Litchfield so recently a new one would not be a good use of tax money.

3.7 Transfer Station – A. John Upham provided a written report to be attached to the official minutes on file. Of special note, he has contacted the three major area TV stations so notice of closings of the Transfer Station can also be posted there. There was a closing of one day each weekend because of the storms. Public Works did a good job sanding the ice rink there.

3.8 Broadband Committee – A. Larry Bell, Chairman, advised the franchise agreement was sent to Spectrum and is expected back with their comments this week.

B. He reiterated the Redzone informational meeting on Thursday.

3.9 Other Town Committees – Budget Comm: Tom Wood, Chm., advised they have a meeting scheduled for 2/22. They are working with Smithfield Plantation and others to advance the process.

Road Advisory Comm (RAC): Select Board Chairman Parker requested the RAC inspect the cracks and cross seams that have appeared on the Stevenstown Road, about the whole length. This is not consistent with the experiences we've had with other double chip seal applications. RAC Chairman Jutras advised he will go look at it.

Conservation Comm: Lindsay Nelsen reported about information from the Maine Dept. of Forestry, Conservation and Agriculture regarding invasive Emerald Ash Borers and Brown Tail Moths. Kennebec County has been the area most affected by Brown Tail Moths in the state. She advised the Town needs a Brown Tail Moth Response Plan and encouraged the Select Board to review the materials she has sent them electronically and to watch the program on You Tube about it. The Conservation Comm is using signage and education to get the word out.

4.0 Scheduled Business

4.1 “Clerk of the Works” – as Recommended by the Budget Committees, The Town Manager discussed this matter with Calderwood Engineering. They could do it by hiring someone. They don't do the paperwork. Chairman Parker would like to develop a task list and qualifications list in cooperation with Tom Wood and the Town Manager.

4.2 5-Town Cobbossee Lake Meeting recap., policy consideration- Kelly provided a summary of the meeting and advised more information would be provided following more meetings. One suggestion being made is to increase the plant materials screening process by requiring commercial business who have a boat launch to provide a boat inspector during open hours. There are currently three types of non-native invasive water plants in Cobbossee Lake, mostly in the northern end that have been identified and remedial actions have been taken on them. They continue to spread. There was also discussion and towns were asked to consider dedicating a portion of boat registration monies to the invasive plant control efforts.

4.3 Requirement for employees to submit time cards – Discussion regarding hourly time cards was held. As cost accounting for highway projects is being developed, identifying the hours that can be considered for these projects will become increasingly important. Selectman Gowell described the electronic system his businesses use and how his reporting has been greatly enhanced. He will provide the Town Manager with contact information for his provider to discuss the potential merits for using it for the town. He urged considering a goal of starting it April 1 or July 1, consistent with federal tax reporting requirements to minimize complications for payroll activities. Tom Wood, as Budget Committee Chairman offered to assist as well.

4.4 Spirit of America Award – Briefly discussed and the Board supports the concept. Suggestions invited for candidates.

4.5 Review/approve requests for proposal – Gravel/Paving/Grinding – The bids were discussed. Select person Leibowitz suggested better clarification of the wording for the Grinding bid so bidders would recognize while the submitted price is for ½ mile, the full contract would expect to be more than that and the bid amount would be extended proportionately for the road length(s) being ground. A revised bid proposal will be brought to the next meeting. A motion to approve the bid proposals for Type B and Type D gravel was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0.

Discussion was held regarding ensuring the contract for paving should have a stipulation related to termination of paving due to cold temperatures by either a temperature degree or specific date identified. A motion to approve the bid proposal for paving was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0.

4.6 Repurchase agreement extension request (2 months) U28-058A (J. Nelson) The Town Manager advised the Board he had approved a 2 month extension at the request of the resident.

4.7 Repurchase agreement R 14- 001-8, R14-001-9 (R. Evans) – This item was withdrawn at this time by the Town Manager.

5.0 Unscheduled Business

5.1 Law Enforcement Investigations Committee – A motion to appoint the following persons to the Committee was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0: Pat Gagnon, Chief Mike Sherman, Dan Stevens, Bill Hayden and Randall Anderson. The vote was 3 – 0.

7.0 Warrants

7.1 Town Warrant #15 for \$79,550.89. A motion to approve the Warrant# 15 for \$79,550.89 was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3-0.

7.2 Town Payroll #15 for \$26,284.46. A motion to approve the Payroll # 15 for \$26,284.46 was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3-0.

Town Payroll #16 for \$25,913.42. A motion to approve the Payroll # 16 for \$25,913.42 was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3-0.

7.3 RSU #4 Warrant for February for \$306,328.42. A motion to approve RSU #4 Warrant for February for \$306,328.42 was made by Rayna Leibowitz, seconded by Rick Gowell and voted 2 – 0 - 1 abstained (Parker).

8.0 Selectmen/Public Discussion/Communication

8.1 MTA payment for emergency vehicle traffic light controls – The Town Manager confirmed receipt of the payment for the lights has been received.

9.0 Future Agenda Items

9.1 Feedback on Selectman's Handbook

9.2 R02, Lot 015, 2793 Hallowell Rd

9.3 R02, Lot 017, 2783 Hallowell Rd.

9.4 Budget Committee Suggestions

9.5 Safety Flaggers

9.6 Grinding Bid

9.7 Purchase Barriers from MTA

13.0 Adjournment at 9:25 PM

Respectfully Submitted By

Rayna Leibowitz