

Town of Litchfield
Mass Gathering Ordinance Committee
December 18, 2019

In attendance:

Committee members - Stan Labbe, Mel Newendyke, Gary Parker, and Mike Seaman
Guests - Tina Gowell, Rayna Leibowitz, William Robbins, and Mark Russell

- Meeting called to order at 6:50 PM.
- Discussion on section 12.3.3: will add at the end of the section, "...unless trained as flaggers."
- **Section 12.4.2:** discussion with Tina Gowell about medical emergencies. Mike Seaman asked Tina if Litchfield EMS would want to run EMS at events or if that should be contracted out. Gary Parker suggested making section 12.4.2 contingent on review by fire chief and head of EMS.
- Mike pointed out that our volunteer first responders may unexpectedly not be able to make it to an event, and that he doesn't want the town's volunteer base to be worn out. Tina agreed that they are dedicated to serving the town, and extra events would be on a volunteer basis.
- Gary suggested adding "upon review of fire chief and EMS" to this section, and that their involvement vs. contracting these services out may depend on the size and scope of the event.
- Mike noted that this section specifies that the event must not overwhelm local services, and suggested adding a requirement that applicants submit a letter from the fire chief/EMS.
- **Section 12.4.3:** Stan Labbe noted that this section mentions registered nurses and doctors being part of the event. His concern is that doctors and nurses are not necessarily qualified for EMS.
- Mike pointed out that this section is referring to a field hospital at an event, and that if a field hospital is contracted for a large event, they may bring their own personnel.
- Gary noted that EMTs would be first on the scene at the event, then they would move patients to the field hospital, potentially staffed with doctors and nurses. This would be either instead of or before transporting patients to a hospital in an ambulance.
- Mike stated that sections 12.4.1 - 12.4.5 are all inclusive and meant to guide the reviewer to determine the scope of medical services needed.
- **Section 12.4.4:** Mike asked Tina if she knows the directors of mass casualty plans at local hospitals. She said that she knows who is in charge at the Augusta hospital, and can find out who handles other hospitals.
- Stan mentions a need for a Life Flight landing zone. He said there are several in town, but that he would like to see one specifically at the event. He noted that not much space is required, but it just has to be marked off.
- Gary said that putting that in the ordinance would be a good idea. Mike pointed out that if it is in the ordinance, a reference will be needed. Tina will look for exact specifications.
- Mark Russell asked if this will be optional, something that the board of selectmen will ask the applicant to provide. Mike said it is better to include the requirement and have the applicant ask for waivers of anything that doesn't apply to them.
- Gary noted that section 6.7 spells out the waiver process.
- Mark asked if the board can select an agent/consultant to review submitted applications and give recommendations. Mike said that the governing body (board of selectmen) has to approve the applications, but that a section can be added to the ordinance that gives the board the option can hire a consultant to act as a liaison between the applicant and the board. Mark said he feels a consultant's expertise and experience will be needed, and that the applicant would cover the cost.

- Tina asked who will be liable if medical bills aren't paid; Gary said this is mentioned later in the ordinance.
- Mike asked if emergency vehicles are in use at the event and a citizen outside the event, in Litchfield or a nearby town, needs transport, if that citizen will be responsible to pay for Life Flight services. In that case, contracted services may be the way to go.
- Gary noted he doesn't think ordinance should be made for worst case scenarios. Mike said that Litchfield EMS needs a plan for when a mass gathering turns to mass casualty, and that having a plan means it will not be a disaster. However, he said that does not need to be in the ordinance.
- Mark noted that an incident commander may be needed, and that it may not be the fire chief of head of EMS. Gary said that is not part of the ordinance and not up to the select board.
- Mike asked Tina and Stan if they would ask Gardiner about the possibility of assisting at a yearly event. They said they have mentioned it, and that Gardiner is willing to help.
- Mark stated that he wouldn't expect Litchfield EMS to cover an event with over 1,000-2,000 people, and that he would like a low threshold for contracting out those services.
- Mike said that the company hired should be outside of Kennebec County, or inside Kennebec County only if they can be spared. He also noted that outfitters have contacts or companies that they already work with.
- Gary suggested that Litchfield EMS and the Litchfield Fire Department should have the final say whether or not they can handle an event. Mike said his concern is not that they can't handle it, but that he doesn't want volunteers to get burned out. Tina said that they can review the applications as they are submitted to decide if they would like to handle the event or not.
- Gary said that the ordinance shouldn't be so overbearing that no one will want to do an event. Mike said that companies that put on events are prepared for these kinds of requirements.
- In conclusion to the discussion on section 12.4, Mike said he will add Life Flight specifications and language allowing the select board to hire a consultant/representative.
- **Section 12.6:** Stan said that for large camping areas, the ranger service approves burning, not him. Gary noted that any event would be only for a few days or a week, and would not be a permanent campground. Stan said that he has no problem with this paragraph as written, but wants to check with the ranger service.
- Mike asked Stan if he would want to be involved in the set up of the event regarding fire lanes, plans, inspections before the event, etc. - Stan said he would.
- Mike said he can add to the ordinance that the fire chief has authority over all fires. Stan suggested adding "or fire officers;" Mark suggested "or designee."
- Mike pointed out that if the town asserts authority, they will cover the cost. Stan said he prefers local control over state control.
- Gary noted that the state DHHS also gives permits, but doesn't enforce them; he said that a permit is needed whether the town has an ordinance or not.
- Mike asked if Bruce Slattery, Litchfield's emergency management director, needs to have input. Rayna Leibowitz says it wouldn't hurt to hear his input on how this fits into the town's emergency plans.
- Mike suggested that applicants could talk with Bruce to see how the event will fit into the town plan, and Rayna agreed that it would be good for emergency management to have knowledge of potential events.
- Gary said that emergency management should review only, and provide the applicant with a letter stating they have reviewed and the event/plans are congruent with town plans.

- Mel Newendyke asked if Bruce should review the ordinance before it is finalized. Gary suggested inviting him to the next meeting, and Rayna agreed that it would be helpful to involve him.
- Gary suggested approving the minutes from the last meeting at the next meeting, and Mike agreed.
- **Sections 8 and 9:** Mike has rewritten these sections since the last meeting. Mark noted that section 8.1 should say “schedule,” not “scheduling.” Mel said that “expedited” should have been changed to “certified” at the end of section 9.
- Rayna noted that these sections already allow for an appointed agent, referring to earlier discussion on the select board hiring a consultant or representative. Mike said that term will need to be defined. Mark said he was thinking specifically of a consultant, or someone who could be a resource to the select board.
- **Section 12.5:** Gary said that the event company should have security on site, and call in the police when necessary. Mike added that police would be needed to patrol outside the event. Gary said the amount of coverage needed will depend on what the event is.
- Mike asked how they could make the number of law enforcement personnel adjustable/based on review by the select board but not discriminatory.
- Rayna suggested clarifying that certified security personnel will be inside the event while law enforcement will be outside the event, and agreed with Gary’s suggestion of splitting section 12.5.1 into two paragraphs.
- Gary suggested not specifying a number of security personnel needed, but to leave it to the discretion of the select board. Rayna suggested having the state police or sheriff’s department advise the select board on setting the numbers.
- Gary mentioned having the state police or sheriff’s department review applications; Mike suggested adding a submission requirement that both agencies receive copies of submitted applications.
- Mel asked how the select board will determine the number of security personnel needed. Gary suggested that once an application is received, the select board can invite the state police and sheriff’s department to come advise them and help them make that decision.
- Mark asked if fire and rescue services are contracted out, should law enforcement be the same?
- Mike noted that if the town is billed by the state police or sheriff’s department for extra coverage during the event, the applicant will be responsible to pay. Mark asked if the police officers will be contracted, not on duty officers; Gary says yes, that they will be a special detail.
- Mark asked about the definition of security: if the security personnel inside the event will be able to carry firearms or make arrests. Mike said that they will not carry firearms, but will have to call in law enforcement from outside the event if necessary. Mark is concerned that this means minor infractions (drinking, drugs, etc.) will be overlooked. Mike said he doesn’t know how the event operator and event security will handle those types of situations; Gary said that security can call law enforcement and escort people outside the event to be arrested. Mike said he will add some clarification.
- Mark asked if the language allowing the select board to require security personnel be graduates of the Maine Criminal Justice Academy will eliminate security personnel from out of state; Mike will add “or equivalent.”
- **Section 12.7:** Mike noted that sections 12.7.1 - 12.7.3 are copied verbatim from DHHS, and that these sections are minimum standards.
- **Section 12.7.3:** Gary asked who determines the approved water source; Mike said that is covered in the DHHS application/permit.

- **Section 12.8:** Mark asked if sanitary facilities will be required at satellite parking locations. Mike said that supporting facilities (i.e. offsite parking) must be identified in the application, and that standards can be added. Gary is okay with that, and doesn't think a large number would be needed.
- **Section 12.9:** Mike isn't sure if the trash haulers that are licensed in Litchfield can handle the capacity of a large event. Rayna said that Waste Management and Riverside are both licensed in Litchfield and are capable of dealing with that quantity. Mike said he will add to the ordinance that the applicant can ask the select board for a waiver so that they can use their own contractors. Rayna noted that the event company's contractor can get a license in Litchfield for \$100.
- Discussion about trash in parking lots: Rayna suggested adding a paragraph requiring sanitary facilities and places for trash disposal in satellite parking areas.
- Mark asked if the Litchfield Fair will be exempt from this ordinance. Mike said the fair is exempted in section 1.5.1.
- Mark asked if the Blistered Fingers festival will be exempt; Mike said they will not need a permit unless they have an average of over 2,000 attendees over 8 hours. He said if the event becomes bigger than that threshold, they could apply for a waiver of performance standards, but they would still need a permit. In that case, a simplified process could be defined in the application. There could be a grandfather provision put in the ordinance, but it would only last until the next year.

Meeting adjourned at 8:30 PM.

The next meeting is scheduled for Tuesday, January 7th, 2020, at 6:30 PM.