

Town of Litchfield
Select Board
August 23, 2021
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; Steve Ochmanski, CEO/LPI; Larry Nadeau, Road Comm.; Michael Sherman, Fire Chief, Reggie Poirier, Asst. Chief, Betsy Sherman, Fire Dept; Bryan Lamoreau, Transfer Station Mgr.; Pat Soboleski, Senior Director; Road Advisory Committee Members: Toby Jutras, Chm., Tamas Szepsy and Richard Lane; Larry Bell, Chm., and Joline Bell, Broadband Comm.; Town Office Staff: Diana Larrabee.

2.0 Minutes of August 9, 2021 Meeting submitted for final approval. A motion to approve the minutes as drafted was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3- 0.

Minutes of August 17, 2021 Meeting submitted for final approval. A motion to approve the minutes as drafted 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 he has been informed that Selectmen cannot participate via Zoom for Select Board meetings. It is still not confirmed whether committee meetings can be attended via Zoom or must be held in person. There appears to be no problem with making meetings available via Zoom to residents and the public and the intent is to continue to do so.

B. Kelly has confirmed the Town can bill for Internet services and can own the fiber system serving residents but was urged to work with an attorney to ensure it is set up appropriately.

C. Kelly advised the 30 day notices will be limited due to the extension of the deadline for Homestead Exemptions.

D. The Recreation Director is out to recover from surgery but is available by telephone.

E. Kelly has learned that Kennebec County is contacting towns to discuss eligible projects under the APRA funds they received and to set up an application process.

F. Kelly received an email from David Larrabee regarding the need to bush-hog the field in front of the Grant Cemetery on the Pine Tree Road. There was discussion about using the tractor and bush-hog from the Transfer Station. Larry Nadeau offered to trailer it over to the Pine Tree Road.

G. Woodbury Pond Dam Phase II project information should be received this week.

H. The local Girl Scout Troop will help clean up the Woodbury Pond Park as a Community Service Project next Sunday.

I. A request was made by a Selectman for a status report of the Park's financial situation. Kelly advised the payroll was facing a \$500 deficit over the last two week period, which is less than previously seen. The statistics from the park with incomes and weather conditions to create data for review purposes was suggested.

3.2 Code Enforcement Officer/Plumbing Inspector – A. Steve provided the permit log for July showing \$550 in permit application fees collected and \$313,200 in owner estimated values. The comment was made that the estimates could be doubled and more accurately reflect their values.

B. Steve advised a case might have enforcement potential following a meeting with the Planning Board. It is regarding a building upgrade within the setback of a high water mark.

C. Steve advised a mineral extraction had occurred on Huntington Hill Road without a permit. When he went to the site and issued a Stop Work Order, the responsible party immediately came to the Town Office to see him. The Stop Work order remains in place and the responsible party was asked to prepare a site plan and will be meeting with the Planning Board in October.

3.3 Road Commissioner – A. Larry reported the Dead River Culvert replacement Project is pretty much done, except for hot top and guard rails.

B. Brush cutting on the Whippoorwill Road before ditching is being done.

C. Someone (not identified) has done a patch of drag shim paving on the Dennis Hill Road.

3.4 Fire & Rescue – A. Chief Sherman advised some new tools for the new truck have been ordered and the salesman has offered a good deal on them.

B. The SCBA's are in service and personnel are fit tested so they are ready for full use.

C. Compliance testing for hoses and ladders will be done in October.

3.5 Emergency Management – The CAT generator at the Public Works Garage has been serviced. It will be put on an annual service plan in October.

3.6 Assessing Agent – Ellery was here last week to prepare a Supplemental Tax bill (see 5.7 below) and will be preparing for the Sept 2 Tax Commitment Workshop.

3.7 Transfer Station – A. Bryan provided an incident report regarding a resident's actions at the Transfer Station. The resident was present and provided his explanation of the incident. Steve Ochmanski advised a process had been developed by a previous TS Manager regarding Transfer Station violations and he provided copies of the form letters as a three step process that could result in permanent loss of Transfer Station privileges. A copy of the first step letter will be sent to the resident by registered mail. The requirements of showing the T.S. Permit in the appropriate place was explained.

B. There has been a start on cutting trees to the right of the cardboard can. The stumps will need to be removed.

C. The ramp for leaf loading needs revision to make it higher.

d. Bryan discussed some of the work that will be needed and will get price quotes from several sources.

3.8 Broadband Committee – A. Larry Bell advised the surveys were sent out and 49 are back on the first business day after they went out.

B. Posters are prepared to be put up for seasonal residents.

3.9 Other Town Committees – Seniors – Pat Soboleski reported the Carol Bailey String Band provided a one hour concert in Winter Harbor to a standing ovation and played an encore. They will be performing at other venues including Litchfield Fair. The Senior Steppers will also be performing at the Fair.

4.0 Agenda Adjustments

4.1 Resolution to Support the Emergency Medical Services and Firefighters

4.2 Liquor License for a Local Wedding

4.3 Town Right of Way Lease off Lunts Hill Road

5.0 Scheduled Business

5.1 Transfer Station – Finalize/approve improvement projects and contracting- More information is needed to finalize: 1) Stump removal and gravel for the area to the right of the cardboard

container; 2) Expansion of the pad with gravel behind the current attendant's building for snow placement; 3) Concrete pad (24' X 48' slab planned) for moving 3 containers to the right of the cardboard container; and 4) Higher ramp for loading leaves. Discussion – all gravel placements and all concrete work should be done at the same time to minimize costs.

5.2 Cobbossee Lake Invasive Milfoil Status Presentation (CYC/Friends of Cobbossee) Representatives of these organizations provided information about three types of non-native invasive plants that have been found in Cobbossee Lake and the efforts being made to control them. A fall meeting will be organized and Select Boards from all 5 towns having shore frontage on the lake will be invited.

5.3 Dead River Road Bridge – Award bid – Toby Jutras, Chairman of the Road Advisory Committee, confirmed the recommendation of the RAC is to award the bid to Dirigo Timberlands. A motion to award the bid for the Bridge on Dead River Road to Dirigo Timberlands was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0.

5.4 Local Roads – Finalize/approve fall maintenance list – Toby Jutras presented information on 4 items. 1) Dead River Bridge Award – see preceding item; 2) Wearing Surface Pavement Update – providing the road names, identification of types and scheduling of pavement projects and expected costs; 3) Engineering recommendation for Old Mill Road and Gustin Road Bridges – if the engineering is done, any grant opportunities can be requested without a delay; and 4) Proposed Reconstruction Sequence of roads that need more than resurfacing. The Select Board is in favor of getting the engineering for the two bridges done and a motion to approve the sequencing of the Road Advisory Committee proposal for projects was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0.

5.5 Woodbury Dam Spillway Fence – Request to reduce height – Tabled Resident not in attendance to discuss the matter.

5.6 Personnel Policy – Schedule update – meeting set for Tuesday, Sept 28 at 1:00 PM.

5.7 Supplemental Property Tax R13-001, Paul Perreault - Removal of 3 acres from Open Space on Whitetail Drive, \$5,461.80. A motion to approve the supplemental and sign it outside the regular meeting was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0.

5.8 Review/Sign Worker's Comp Safety Incentive Program "Resolve" Document – This is the second of three steps to get Litchfield participating in the program, aimed at improving worker safety to decrease the cost of Worker's Comp insurance. A motion to sign the Workers Comp Resolve Form was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0.

6.0 Unscheduled Business

6.1 Resolution to Support the Emergency Medical Services and Firefighters – The mandate from Augusta to ensure Emergency Medical Services and Firefighting Personnel obtain Covid-19 vaccine by October 1 generated a considerable amount of angst. Fire Chief Michael Sherman read his letter to the Town of Litchfield Select Board (copy attached). Select Board Chairman, Gary Parker, read his statement, a copy of which follows these minutes, in which he proposed a resolution by the Select Board, supporting Chief Sherman's position. Selectman Gowell advised he joined Chief Sherman and several others (more than 650) on a Zoom meeting today that went on for hours. A draft resolution was read by Chairman Parker and a few minor changes were made to it. A motion to approve the Resolution and approve signing the final version outside a regular meeting was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0. Copies of Chief Sherman's letter and

the Resolution, when signed, were directed to be sent to the following: Governor Mills, DHHS, Senator Timberlake, Rep. Greenwood, Select Boards of Mutual Aid Towns, Sodalite recipients, Maine EMS, Maine Chiefs Assn., and posted on the Town's website and social media (Facebook) page.

6.2 Liquor License for a Local Wedding – A caterer has submitted an application for a 1 day license to serve liquor for a wedding at a private home which needs the approval from the Select Board before it can be submitted to the State. A motion to approve the application was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0.

6.3 Town Right of Way Lease off Lunts Hill Road – A piece of property on Davis Lane has changed hands and the new owner is requesting a 25 year lease, the same as the prior owner had, as the lease does not transfer with the deed. A motion to approve the lease was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3 – 0.

8.0 Warrants

8.1 Town Warrant #4 for \$73,924.45 A motion to approve the Warrant# 4 was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3-0.

8.2 Town Payroll #3 for \$23,254.43 A motion to approve Town Payroll #3 was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3-0.

9.0 Selectmen/Public Discussion/ Communication

9.1 Chairman Parker requested future payments to RSU#4 to be identified as" 8.3 School Budget" and the amount, to be voted on separately and not as part of the bi-monthly Town Warrant. A motion to approve that action was made by Rayna Leibowitz, seconded by Rick Gowell and voted 3-0.

10.0 Future Agenda Items

- 10.1 Feedback on Selectman's Handbook
- 10.2 R02, Lot 015, 2793 Hallowell Rd
- 10.3 R02, Lot 016, 2787 Hallowell Rd.
- 10.4 R02, Lot 017, 2783 Hallowell Rd.
- 10.5 Budget Committee Suggestions
- 10.6 Demolition Bid Review/Approval

13.0 Adjournment at 10:00 PM

Respectfully Submitted By

Rayna Leibowitz

Chairman Gary Parker's statement read at the August 23, 2021 meeting:

Because the Legislature has abdicated its law-making duty to DHHS and because the Governor of Maine and the DHHS have decided not to follow scientific research as it pertains to the virus, and feel compelled to remove people's right to individual and god given freedoms.

If you do your own research and spend the time to listen to something other than mainstream and government propaganda, you will find that the facts are if you get the vaccine, it does not protect you from getting Covid, it doesn't protect others from getting it from you and in some cases, doesn't stop you from becoming violently ill or dying. As of noon today, this drug has only been approved for emergency use because it had not been vetted by the FDA. All this being said, there is not justification for any politician or branch of Maine government to have the power to force any individual to get this vaccine against their beliefs or judgment, of what they consider necessary for their own health and welfare.

Considering these issues, it is even more disturbing that any government official would feel empowered to dictate that our volunteers in the fire departments and emergency medical services be forced to receive any vaccine that has not been proven to be safe and effective to totally stop the illness. As a matter of concern, it may even allow the virus to morph into a more potent and deadly strain than the Delta one. It should concern all citizens that government says follow the science until the science doesn't agree with their agenda or it deflects from other political issues. Furthermore, the mandate/dictate has the potential to cripple emergency medical and fire department response time to effectively save lives and property. Therefore, all citizens should be concerned with the overreach of our government administrations and Governor Mills, who has been reported to make the comment, 'Just go hire other employees.' Exactly where are these trained individuals going to come from? Consider we are talking about 20 – 30 % of our first responders with years of mandated training and experience who selflessly volunteer their time to serve the community. Therefore, I believe it is time for this Board to stand for the rights of our first responders to choose what is safe and healthy for their body and mind. So I would propose we initiate a Resolution to support this right and furthermore, file suit and join any class action lawsuit to oppose DHHS and the Governor's mandates.