

2012

2012 Litchfield Select Board Meeting Minutes

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Minutes of the Selectmen's Meeting
January 10, 2012

- 1.0 Meeting convened by Chair Doug Read at 6:30 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson
Staff present: Michael G Byron, Town Manager, Steve Ochmanski, C.E.O.,
Ron Ridley, foreman P.W.D.
Guests present: Pat Soboleski Bill Quackenbush
Rodney Allen Nancy Birkhimer Elton Wade Kevin Doyle
- 2.0 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to accept the minutes of December 27, 2011 as written.
- 4.1 Town Manager Reported that:
- (a) On December 28th, he received a phone call from Marc Lemay (who lives in Florida) to review the Board's recent (December 27th) denial of his Real Estate Purchase Installment contract, essentially for two concerns:
 - (i) That after 24 months of amortization (the Board's policy is to have unpaid real estate taxes and associated costs repaid in full over no more than 24 months), there would be an approximate \$12.9K "balloon" balance due.
 - (ii) With a MMA Legal opinion in hand, the Board has been advised not to issue a building permit for a "rental" trailer to be sited on this foreclosed property.
- The Manager advised Mr. Lemay: that the Board would review a restructured agreement with the approximate \$15.5 K indebtedness repaid over 24 months, and no rental trailer would be permitted on the property; and that this document must be available for review within 60 days (February 29th).
- (b) He recently e-mailed Jenna Pierce, B.A.R. Secretary, that Ina Small and Delmar Small/Teague Morris requests for tax abatement B.A.R. hearings were at the Town Office for distribution to the B.A.R. members.
 - (c) C.E.O., Steve Ochmanski, in his presentation, will review the "history" of the Wayne Ladd "tire pile."
 - (d) He e-mailed the Board during the last two snow events as to road conditions as well as the continuing mechanical issues with the P.W.D. snow plows.
 - (e) Conservation Commission member David Larrabee has requested a "special" Board meeting to review Robin Redmond's "findings" in his survey of the town-owned parcel on Map R 9 Lot 2. The Board scheduled a meeting for this Thursday (January 12th), starting at 4 PM.
- 4.2 C.E.O. Reviewed:
- (a) His November 2011 permit log, reflecting total estimated construction values of \$483,500 (see Attachment # 1)
 - (b) His memo dated January 10, 2012 (see Attachment # 2), outlining the "history" of Dan Bernier's Peacepipe Drive residential permit (as requested by Peacepipe Dr. resident Michael Kane at the December 27th Board Meeting.)

- (c) Town of Litchfield v. Ryan Redmond- Plaintiffs Motion for Contempt, dated January 5, 2012, highlighting paragraph 17: “The Town Selectmen unanimously voted to request that the Court reduce the total fine amount... from \$31,900.00 to \$5,000.00, as well as, ordering the Defendant to allow the Town... to enter and inspect the Defendant’s property every six months... “ in order to assure the property’s compliance with Maine’s Junkyard and Automobile Graveyard Statute as well as the Town’s L.U.O.
 - (d) His memo dated January 10, 2012, outlining the early “history” (March 2006 through March 2007) of the “tire pile” on Elizabeth Ladd’s property, 110 Plains Road, Map R06 Lot 055 (see Attachment #3).
 - (i) As the Town, at Wayne Ladd’s request, placed most of the tires on his property, the Board’s consensus is for the Town to remove the tires.
 - (ii) Although undocumented at this point, there is “talk” of a pending Bank foreclosure, which the Manager will follow up on, as the property’s owner must give permission for a tire clean-up.
- 4.6 Using the vendor’s handouts, P.W.D. Foreman Ron Ridley reviewed the cost/benefits of using the “ONSPOT” automatic tire chain system rather than “traditional” tire chains on our snowplow trucks. Plow truck T-2 has been using ONSPOT this year.
- (a) We spend about \$3,700 annually on traditional tire chains, which, not only “chew up” the tires, but require time and energy to put on/take off the tires. Whereas, the ONSPOT (manufacturer in business for the last 25 years) system, turned on/off with a dashboard switch, consists of six lengths of chain spaced at 60 degree intervals on the chain wheel, which ensures that there are always 2 chains between the tire and the road surface.
 - (b) Kevin Doyle, an Auburn P.W.D. supervisor, testified that Auburn’s 47 trucks will be equipped with ONSPOT.
 - (c) George Thomson moved/Rayna Leibowitz (**passed 3-0**) to appropriate up to \$6,000 from the P.W.D. Capital Reserve account to install the ONSPOT system on the other three trucks- each set (for the rear tires) costs about \$1,700.
 - (d) The Manager, Foreman Ridley, and the Manager of Augusta’s Central Garage, will be developing a five year P.W.D. C.I.P. to upgrade/replace vehicles/equipment which, if approved by the Board, would be a warrant article at the June 2012 Town Meeting.
- 5.1 George Thomson moved/Rayna Leibowitz seconded (**passes 3-0**) to approve funding B.B.I’s “final” (as adjusted by eliminating the fuel surcharge) \$4,258 from the Contingency Account.
- 8.1 (Note: This agenda item was taken out of order)
 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to appoint Kevin Doyle to the Budget Committee through June 30, 2013 (Kevin replaces the late Muriel Bonin).

- 5.2 Board/Budget Committee Review the Town's December 2011 (6 months) Revenues & Expense Summaries.
- (a) Generally, Revenues and departmental expenditures were within or near the 50% collected or expended pro-rata benchmark.
 - (b) Rayna Leibowitz raised the following points (on which the Manager will follow up):
 - (i) Relative to the \$17,582 appropriation for the Gardiner Library, is there a more "cost effective" way for Litchfield to support the library's budget (such as a per capita fee)?
 - (ii) Would like to know what amount of "tipping" fees had been collected by the Transfer Station over the first six months of the fiscal year.
- George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:
- 9.1 Town Voucher #13 for \$279,700.13: and
- 9.2 Town Payroll #14 for \$15,652.38.
- 10.0 Other Business: Rayna Leibowitz would like the Board to review at a future meeting how other rural towns are regulating (through local ordinances) the possession, use and sale of "consumer fireworks" as allowed by State law, effective January 1, 2012.
- 11.0 Selectmen/Public Discussion/Communication:
Bill Quackenbush, who "volunteers" on weekends at the Transfer Station, made the following observations:
- (a) The divider (which only goes halfway up) in the "silver bullet" (the recycling dumpster) should be moved so that the space for cans will be larger than the space for glass to accommodate the larger volume of cans received over glass.
 - (b) The recently installed "flaps" over the inside of the slots where cardboard, newspaper, etc. are inserted into the dumpster, (to prevent these items from blowing out when the dumpsters are transported to Almighty Waste's Auburn facility), leave too little room for patrons to insert their cardboard and newspapers.
 - (c) Attendant Elaine Carpenter is still looking for an inexpensive vehicle to move items from place to place in the Transfer Station.
- 13.0 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to adjourn the meeting at 8:20 PM

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
January 24, 2012

- 1.0 Chair Doug Read convened the meeting at 6:30 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson
Staff present: Michael G Byron, Town Manager
Guests present: Pat Soboleski Joan Thomas
Declan Doyle Anne Davis J B
- 2.0 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to accept the minutes of January 10, 2012 as written.
- 4.1 Town Manager Reported that:
- (a) The David Larrabee/ Robin Redmond survey "findings" meeting with the Board, which was originally scheduled for January 12th, but was cancelled (snow storm), needed to be rescheduled for either January 25th (Wed.) or January 26th (Thurs). Board consensus to meet on January 28th.
 - (b) This Thursday, starting at 10 AM, David Cullen will be at the Town Office, pursuant to his FOAA request, to review approximately 150 building permits issued by the C.E.O. during calendar years 2010 and 2011. Town Attorney Cliff Goodall and Chair Doug Read will be present during the first hour; and Deputy Clerk Becky Lamoreau will "monitor" the entire time it takes Mr. Cullen to inspect the documents, making copies as requested.
 - (c) Last Thursday, under the State "workfare" program, a G.A. client spent about 4 ½ hours at the Town Office, making about 200 "courtesy" phone calls to area dog owners, reminding them that a late registration fee of \$25.00 starts as of February 1st.
 - (d) On February 1 (Wednesday), starting at 6PM here at the Town Office, the Litchfield B.A.R. will hear two tax abatement requests (denied by the Board of Assessors) from Ina Small and Delmar Small/Teague Morris, both requests based upon Conservation easements.
 - (e) David Smith, 23 Haley Lane, stopped by, inquiring as to the status of M.T.A.'s decision to close the Lunts Hill Road bridge. The Manager forwarded the inquiry, via e-mail, to M.T.A.'s Director, Peter Mills.
 - (f) Joan Thomas, RSU4 Board member, said that the Board voted, as part of a facilities reorganization plan, not to close the Libby-Tozier school.
- 5.1 Anne Davis, Director of the Gardiner Public Library, reviewed the library's current operation budget of \$295,144 (which excludes employees' benefits as well as building improvements), and, based on percentage of circulation and other adjustments, how Litchfield's FY '13 library services fee of \$18,109 was calculated.
- In addition, using a handout (see Attachment # 1) Ms. Davis said that if Litchfield's 363 of "identifiable households" were charged a \$65.00 non-resident fee, FY '13 fees would total \$23,595 compared to the "percentage of circulation" charge of \$18,109, a savings of \$5,486.

- 5.2 Board discuss whether to develop an ordinance to regulate the possession, use and sale of “consumer” fireworks recently legalized (January 1, 2012) by State statute.
- (a) General discussion included: vendors should be licensed; and firework “events” should be permitted
 - (b) It should be noted that CEO, Steve Ochmanski has asked both MMA Legal and KVCOG for advice on crafting a local ordinance.
- 5.3 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to set June 16, 2012 as Litchfield’s Annual Town Meeting date.
- 5.4 As his Eagle Scout Project, Declan Doyle, Troop 698, described for the Board a metal “lockbox” to be installed inside the front of the Town Office, with an “outside” slot for citizens to deposit transactions when the office is closed.
- (a) Selectmen George Thomson volunteered to assist Declan on the project.
 - (b) The Manager recommended that Declan meet with building inspector to locate the studs in the wall where the lockbox slot will be located.
- Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to sign/approve:
- 9.1 Town Voucher #14 for \$69,425.96; and,
 - 9.2 Town Payroll #15 for \$16,782.62 .
- 10.0 Other Business: as an F.Y.I., Rayna Leibowitz said that the Food Bank’s new generator has been installed.
- 13.0 Meeting adjourned at 7:40 PM

Respectfully submitted,

Michael G Byron

Minutes of the Selectmen's Meeting
February 14, 2012

- 1.0 Chair Doug Read convened the meeting at 6:30 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson
Staff present: Michael G Byron, Town Manager; Jim Murphy, Assessor's Agent;
Steve Ochmanski, Code Enforcement Officer; Ron Ridley, Public Works
Foreman.
Guests present: David Larrabee Rachel Sukeforth
- 2.0 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to accept the minutes of January 24, 2012 with section 5.2 (a) amended to read as follows:
"General discussion included: vendors should be licensed; and fireworks
"events" should be permitted as required by State Statute."
- 4.1 Town Manager Reported that:
- (a) On January 26th from 10:00 am to 1:00 pm, David Cullen's F.O.A.A. took place. Prior to Town Attorney Cliff Goodall setting the ground rules for Mr. Cullen's inspection of the requested documents, Selectmen Doug Read and George Thomson left the Town Office. After Mr. Goodall left the Town Office, in the presence of Deputy Clerk Becky Lamoreau, Mr. Cullen began his document inspection, took notes, and had seven permits (of about 150 available) copied.
 - (b) The Comprehensive Plan Update Steering Committee has scheduled meetings on February 15th and February 29th.
 - (c) On February 21st, Scott Kenoyer, Manager of Augusta's Central Garage, will visit the Public Works garage to assist in working up a 5 to 10 year C.I.P. to upgrade/replace the Town's plow trucks and other heavy equipment.
(Note: to accommodate chair Doug Read's schedule, Mr. Kenoyer's visit was later changed to February 23rd).
 - (d) Eagle Scout Declan Doyle has installed his "after business hours" drop-off "slot" located to the right of the Town Office front door (when facing the door from the outside).
 - (e) Attorney Seth Goodall's recent e-mail reflects that the attorneys for Ryan Redmond and Donald Richard have each filed for "discovery."
- 4.2 C.E.O. :
- (a) Reviewed his January 2012 permit log, which reflected estimated construction values totaling \$114,200 (See Attachment #1).
 - (i) Chair Doug Read asked if there was an ordinance which limited the age of mobile homes allowed to be sited in Litchfield.
 - (ii) The C.E.O. responded in the negative, but said that mobile home compliance with H.U.D. standards started on July 15, 1976.
 - (b) Overviewed the State's Broadband Initiative and its possible "G.I.S." impact on Litchfield. Additional information will be developed on this project when the C.E.O. attends an upcoming Municipal I.T. workshop.

- 4.5 Assessor's Agent Jim Murphy:
- (a) Recommended an abatement for Lee Kelley, MAP U12 - Lot 008. Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to approve reducing the property's assessed value by \$23,359, resulting in a real estate tax reduction of \$279.14.
 - (b) Reviewed the results of the February 1st B.A.R. "appeal" hearing on the Ina Small and Teague Morris/Delmar Small requests for tax abatements, based on each parcel's conservation easements.
 - (i) The Board of Assessors, on Mr. Murphy's recommendation, had declined the original abatement requests, as no evidence had been submitted as to the "before and after" the conservation easement valuations.
 - (ii) Using the "open space" / acre template, the B.A.R. granted a 75% reduction in assessed value on each parcel. It was noted that neither property is in open space.
 - (iii) Chair Doug Read suggested that the Board and the B.A.R. meet, possibly in a workshop, to discuss the B.A.R.'s regulations and standards.
 - (c) Reviewed his "amended" proposal (See Attachment #2) to input Pat Dow's "list and measure" data in time for, hopefully, this September's tax commitment.
 - (i) George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to: Spend up to \$15,000 to complete the "Dow" data inputting by August 31, 2012, with \$2,000 from the unexpended balance in the Dow appropriation, and \$10,000 from the contingency account; and, to spend \$1,150 to acquire and install the Trio Real Estate Sketch Module, with the funds from the capital project account. It was noted that, if more time was needed to complete this project, the month of September could be used, pushing back the date of committing taxes, as well as the first tax installment from the "traditional" October 15th date to late October or early November.
- 4.6 P.W.D. Foreman Ron Ridley:
- (a) Reported that the specs for the snow plow trucks "on-spot" automatic tire chains had been forwarded to the vendor for fabrication.
 - (b) Said that Town Roads have been posted, effective February 16th through May 15th.
 - (c) Chair Doug Read requested that the Foreman "inventory" the Town road speed zones, using M.D.O.T.'s spread sheet, to determine:
 - (i) Where speed signs have to be erected; or
 - (ii) Where existing speed signs are incorrect.
- 5.1 David Larrabee, Conservation Commission:
- (a) Concerning the Coelho property line encroachments on parcel R9-002 (town-owned property), the Board recommended that the C.E.O. and Mr. Larrabee meet with Mr. Coelho to discuss available remedies and costs.

- (b) Declaration of Trust parcels: Should “surveyed” parcels (mostly tax-acquired) have “new” deeds?
 - (i) Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to have Mr. Larrabee provide the Manager with copies of the deeds of those parcels which have been surveyed.
 - (ii) It was noted that any changes to these parcels (such as deed description), according to the Trust, must be approved at a Town Meeting.
- 5.2 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to authorize the Town Manager to sign the State of Maine / Department of Public Safety’s PSAP / Dispatch Service, agreement, running from July 1, 2012 through June 30, 2013.
- 5.3 George Thomson moved/Rayna Leibowitz seconded (**passed 2-0**; Chair Doug Read abstained due to his close relationship to Merrill Harvey) to authorize the Town Manager to sign surveyor Robin Redmond’s \$360.00 proposal to set 8 iron rods and workup a legal description of the area of the lease granted to Merrill Harvey for a R.O.W. or easement over the Town parcel located on tax map R9-002.
- 5.4 Board deferred further discussion on a possible “consumer fireworks” ordinance to their February 28th meeting, in order to gain the input of the Fire Department on this matter.
- 8.1 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to appoint Ronald Ridley, Jr. as Deputy Road Commissioner through June 30, 2013.
George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve:
- 9.1 Town Voucher #15 for \$357,286.00; and
- 9.2 Town Payroll #16 for \$ 16,078.92
- 12.1 Future Agenda Item: The Manager’s Performance Evaluation will be held in Executive Session, starting at 5:30 PM, preceding the Board Meeting on February 28th.
- 13.0 Meeting adjourned at 8:15 PM.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
February 28, 2012

NOTE: At 5:30 PM, pursuant to 1 M.R.S.A. §405(6)(A), Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to enter into Executive Session to discuss the Manager's Performance Evaluation. At 6:30 PM, Chair Doug Read declared the end of the Executive Session.

- 1.0 Meeting convened by Chair Doug Read at 6:40 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson.
Staff present: Michael G Byron, Town Manager, Ron Ridley PWD Foreman
Gusts present: Renee LaChapelle Bill Quackenbush
Jeremie R Lemay George Belanger Darryl Zeleniak
Beth Nagusky Elton Wade Stan Labbe
Jack Samson Darryl N Ellis Kevin Buckmore
- 2.0 George Thomson moved/Doug Read seconded (**passed 2-0**; Rayna Leibowitz abstained as she hadn't received her "advance" copy of the minutes) to accept the minutes of February 14, 2012 as written.
- 4.1 Town Manager Reported that:
- (a) Relative to inputting into the TRIO assessment module the Pat Dow "list & measure" data:
 - (i) Assessors' Agent's Jim Murphy, "quiet" cubicle is being set up in the conference room, and;
 - (ii) The TRIO "sketch" software has been installed.
 - (b) Surveyor Robin Redmond's \$360.00 contract has been signed to "pin" and legally describe Merrill Harvey's R.O.W./easement.
 - (c) Today, John Coelho met with C.E.O. Steve Ochmanski and David Larrabee to:
 - (i) Review Robin Redmond's recent survey, which revealed encroachments of Mr. Coelho's septic field and part of a structure over the abutting Town Property line.
 - (ii) Discuss various options to remedy the encroachments, which Mr. Coelho will review with the Board at their March 13th meeting.
 - (d) On March 14th (Wednesday) at 9AM, members of the Board, PWD Foreman Ron Ridley, chief mechanic/plow truck driver Ed Dube, and the Manager will meet at Augusta's Central Garage with Scott Kenoyer to work up specs for a side dump "wheeler," as part of a P.W.D. 5 year C.I.P. which, if approved by the Board and Budget Committee, will be put to a vote at the June 16th Town Meeting.
 - (e) Just received from Maine Security Surveillance a requested proposal for a "intrusion"/file alarm system for the P.W.D. garage.
 - (f) Just received today an e-mail from Town Attorney Cliff Goodall , recommending an Executive Session with the Board " ...to discuss a personnel matter and a threatened litigation..." Attorney Goodall has been scheduled for the March 13th Board Meeting.

- 4.6 P.W.D. Foreman Ron Ridley reviewed Scott Kenoyer's (Manager of Augusta's Central Garage) February 23rd "on site" inspection of the P.W.D.'s vehicles and heavy equipment for which, based on the Town's maintenance logs, he had prepared a "preliminary" draft 5 year C.I.P.
- 5.1 Stan Labbe/Jack Samson: Fire Department's Revised \$405,000 C.I.P. to upgrade/replace its vehicles (see Attachment #1).
- (a) For review by the Board and Budget Committee, the Manager will work up, using several "cash" up front scenarios, the range of debt service on a 10 year bond.
 - (b) Jack Samson will work up a spreadsheet of projected existing vehicle maintenance "avoided" costs, which could partially offset the bond debt service referred in 5.1 (a) above.
 - (c) Msrs. Labbe and Samson were invited to participate in the March 14th meeting at Augusta's Central Garage referred to in the Manager's Report (4.0 (d) above).
- 5.2 Board continuing to discuss a Local Ordinance to control the Possession, Use and Sale of "Consumer Fireworks."
- (a) The Fire Department was asked to be part of a possible future sub-committee to review existing ordinances which other Town's have adopted on this matter, and draft an appropriate ordinance for Litchfield.
 - (b) Rayna Leibowitz would prefer an ordinance banning just the "sale" (not the "possession") of consumer fireworks.
- 5.3 After discussion, George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign a "revised" Repurchase Agreement on foreclosed property, located on Map R03 Lot 088-A
- 5.4 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to sign the annual Bottle Club registration application for the Litchfield Sportsmen's Club.
- Unscheduled Business:
- 6.1 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to extend the Manager's existing contract through March 31st to allow time for the Manager to draw up a new contract for the Board's review.
- 6.2 Beth Nagusky reviewed Efficiency Maine's "EMTPower Saver Program" which would partially fund energy audits for residential weatherization projects (see Attachment # 2 for details).
- (a) General discussion on how to create the "buzz" in Litchfield about the benefits of weatherization to reduce home heating costs.
 - (b) Board consensus to support Ms. Nagusky's offer to develop an RFP to be sent to the energy audit community regarding this program.
- George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:
- 9.1 Town Voucher # 16 for \$33,841.81; and,
- 9.2 Town Payroll #17 for \$13,305.44.
- 10.0 Other Business: Rayna Leibowitz asked whether an invoice from Eastern Micro Graphics of \$52.50 for the storage of Microfiched Historical Preservation Commission documents should be paid by the Town's general fund? The Manager will follow up on this matter.

11.0 Selectmen/Public discussion/Communications:

- (a) Renee LaChapelle requested that the Town's website be updated concerning Board Meeting minutes and agendas. The manager will follow up.
- (b) George Belanger, who owns a 15 acre parcel on Old Lunts Hill Road (R10-027) which abuts a 7 acre Town owned parcel (R10-028), believes that the Conservation Commission signage is on his property. Robin Redmond is surveying his parcel, Mr. Belanger will bring a copy to the Town Office to determine on whose property the sign is sited.
- (c) Bill Quackenbush, a volunteer at the Transfer Station, raised several "concerns," including: the divider in the "silver bullet" needs to be raised, and a vehicle is needed to move items from place to place in the Transfer Station.

13 The meeting adjourned at 8:30 PM

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
March 13, 2012

- 1.0 Meeting convened by Chair Doug Read at 6:30PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson
Staff Present: Michael G Byron, Town Manager; Steve Ochmanski, C.E.O.
Guests present: David Larrabee Jonathan Yellowbear
Maurice Bernier John Coelho Marsha Coelho
Gerald Fournier Elaine Carpenter Bill Quackenbush
Daniel Bernier Cliff Goodall Rachel Sukeforth
- 2.0 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to accept the minutes of February 28, 2012, amended as follows:
(a) The date in section 4.1 (d) should read March 14 (not March 19);
(b) The invoice amount in section 10.0 should be \$52.50 (not \$55.00).
- 5.1 (Note: this item was taken out of order)
(a) At 6:35 PM Chair Doug Read asked for a motion, pursuant to 1 M.R.S.A. §405(6)(A) and 1M.R.S.A. §405 (6)(E), to enter into Executive Session with Town Attorney Cliff Goodall to discuss, respectively, a personnel matter, possible litigation and a C.E.O stop work order: Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to enter into Executive Session.
(b) At 7:12 PM, Chair Doug Read declared that the Executive Session had ended, and the Board returned to Public Session.
- 5.9 (Note: This item was taken out of order) Dan Bernier: Discuss C.E.O.'s stop work order, Map U29 Lot 14.
(a) C.E.O. states that Mr. Bernier's 4 foot long (underground) buttresses, which extend from his home's outside wall towards Peacepipe Drive, are beyond the property line as depicted on his building permit site plan.
(b) Mr. Bernier believes that his underground buttresses are on his property.
(c) As a possible remedy to the property line encroachment issue referred to in 5.9(a), above Town Attorney Cliff Goodall suggested that Mr. Bernier's surveyor, Scott Campbell, work up a "sketch plan" (rather than a full survey), reflecting Mr. Bernier's front "property line of record," which would then "amend" the site plan originally submitted to the C.E.O.
- 4.1 Town Manager Reported that:
(a) Tomorrow (Wednesday), starting at 9AM, the Board, P.W. Foreman Ron Ridley, plow driver/mechanic Ed Dube and the Manager will meet with Scott Kenoyer at Augusta's Central Garage to work up specs for a "wheeler." It is noted that, as is the case with any vehicle purchase, the wheeler's cost/benefits would have to "pass muster" through the budget process, and the annual Town meeting.
(b) The just received preliminary 2013 State Valuation of \$312 million compares to this year's \$320 million and the prior year's \$333 million. Although this trend line comes closer to the Town's \$300 million "local" assessment, the current \$12 million "gap" still negatively impacts Litchfield with its RSU4 assessment.
(c) Board agenda and "approved" minutes are being posted on the Town's website.

- (d) The initial FY '13 budget workshop should be scheduled. Board consensus: March 21st (Wednesday), starting at 6:30 PM.
- (e) The C.E.O. volunteered to register a survey (located by David Larrabee) for Map R 6 Lot 47, which includes the Town Office, garage, gravel pit and Transfer Station. The Board agreed.
- (f) Circulated a copy of DEP regulations (obtained by Elaine Carpenter) dealing with storing waste oil at the Transfer Station in an outdoor tank.
- (g) In consultation with Elaine Carpenter, it is recommended to the Board to “hold” for the time being an undated letter addressed to an individual who, on occasion, has evidenced “hostile” behavior at the Transfer Station.
- 4.2 C.E.O. reviewed his February 2012 permit log, reflecting total estimated construction values of \$20,500 (see Attachment # 1).
- 5.2 After discussion with the Town’s former sexton David Larrabee, George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve Norton True’s request for two burial sites (for Mr. True and his recently deceased wife) at the North Cemetery.
- 5.3 Jonathan Yellowbear, the new Chair of Litchfield’s Republican Party, requested permission to use the Town Office conference room for meetings.
 - (a) Board consensus to allow such meetings.
 - (b) Steve Ochmanski will set Mr. Yellowbear’s Town office security code.
- 5.4 John Coelho: discuss available options to remedy his encroachment on town-owned property (as reflected in Robin Redmond’s recent survey).
 - (a) Mr. Coelho, who has owned his property since 2002, at the Board’s recommendation, will provide certain documents in his possession to Robin Redmond to “test” the accuracy of his survey.
 - (b) In attendance, Gerry Fournier, an abutter, said that Mr. Coelho also encroaches on his property; but, the two neighbors would work out a remedy.
- 5.5 With Steve Ochmanski, the Board reviewed Main Security Surveillance’s February 24th proposal to install in the P.W.D. garage an “intrusion”/file alarm system: George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve the proposal, with the hardware installation cost of \$4,117 funded from the Capital Projects account, and the annual monitoring/activity reporting operating expenses of \$1,512 funded from the Contingency Account. (Note: after the meeting, the Manager discovered that the latter cost should be \$720 P.A- not \$1,512-).
- 5.6 Board review/approve Reliance Equipment’s \$12,074.79 invoice for repairs to Engine 65.
 - (a) Accompanying his invoice, Ron Manwell, Reliance Equipment, wrote, in part, the following: “The original repair scope (estimated to cost \$5/\$6K) was for a deteriorated tank frame under the polypropylene water tank. When the tank was removed, it was apparent immediately that other issues abounded, namely very serious rusting of the chassis frame and initial deterioration of the rear sheet metal of the fire body.”
 - (b) After discussion on the amount of the invoice, and that no one from the Fire Department was in attendance, George Thomson moved/Rayna Leibowitz

seconded (**passed 3-0**) to pay the \$12,074.79 invoice from the Capital Projects sub-account.

(c) Board consensus to have Chair Doug Read talk to Chief Labbe about attending Board meetings, even if it means showing up somewhat late, after the Fire Department's training meetings (held on the same night).

5.7 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to approve a Repurchase Agreement of foreclosed property, Map R03 Lot 63-A.

5.8 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to pay Eastern Micro-Graphic's \$52.50 invoice (annual microfilm storage charge) from the Town's general fund...

George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign

9.1 Town Warrant #17 for \$282,511.47; and

9.2 Town Payroll #18 for \$21,283.10.

10.0 Other Business: Board asked Town Manager to contact M.M.A. for a C.E.O. job description and performance evaluation format.

13.0 Meeting adjourned at 9:10 PM

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
March 27, 2012

- 1.0 Meeting convened by Chair Doug Read at 6:30 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson.
Staff present: Michael G Byron, Town Manager
Guests present: Stan Labbe
- 2.0 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to accept the minutes of March 13, 2012 as written.
- 4.1 Town Manager Reported that:
 - (a) On April 10th (Tuesday) Maine Security Surveillance will install in the Public Works Garage an intrusion/fire alarm system; and, on April 12th (Thursday), there will be a "walk through" as the system will be "turned over" to the Town. The Board is invited to the walkthrough.
(Note: subsequent to the Board meeting, the installation and walkthrough dates were changed to April 9th and April 11th, respectively).
 - (b) Last Thursday (March 22nd), Trudy Lamoreau and the Manager attended MMA's "2012 Labor Employment" workshop. A major "take-away" was the recommendation to establish a "code of conduct" (for town employees) on which performance can be measured.
 - (c) Tomorrow (Wednesday), the Comp. Plan update steering committee will meet at the Town Office, starting at 6:30PM.
 - (d) This morning, surveyor Robin Redmond met with the Manager and the C.E.O to review the John Coelho documents.
 - (e) The P.W. crew lengthened the divider in the "silver bullet;" and delivered to the Transfer Station the "outside" oil barrel.
 - (f) He would have a draft of an updated Personnel Policy available for review at the Board's May 22nd meeting.
 - (g) Dan Bernier had recently given to Chair Doug Read a copy of a Quit-claim deed, dated November 4, 1991, which indicates that "Lake Shore Drive (now known as Peacepipe Drive) is tax acquired property, of Litchfield." Rayna Leibowitz will research her "back" copies of Town Reports to see if a Town vote had been taken on this matter.
- 4.3 Fire and Rescue: Chief Labbe reviewed the recently awarded \$6,000 Forestry Reimbursement Grant (requires a 50% match), with proceeds to purchase foam and a skid unit.
- 4.6 P.W. Foreman: As Ron Ridley, a volunteer fire fighter, was training tonight, the Manager reported the following:
 - (a) On March 26th, the State Police notified Foreman Ron Ridley that someone had strewn a significant amount of trash down the steep bank of the Gustin Road. P.W. crew will "look for a name" as they cleanup the site.
 - (b) The deck of the Gustin road bridge has "lifted" a bit. During a recent site visit by Chair Doug Read, Foreman Ron Ridley and the Manager, the bridge infrastructure "seemed" stable; however, MDOT's Bridge

inspection unit will be notified to “re-inspect” the bridge (last inspection: 2008).

- (c) “Temporary” repairs have been made to the lower section of the Dead River Road.
- 6.1 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to extend the Manager’s existing contract to April 30, 2012.
- 8.1 George Thomson/Rayna Leibowitz seconded (**passed 3-0**) to appoint the following Election Clerks through March 31, 2014: Dianne Lary, David Lary, Robin D Redmond, Cyndi S Redmond, Ann Roy, Sharon Thibault
- 8.2 (a) George Thomson moved/Doug Read seconded (**passed 3-0**) to re-appoint the following Election Clerks (except for Rayna Leibowitz who was “pulled out” of this item to be voted on separately).:
Patty Harvey, Judith Bourget, Esther Slattery, Dian White, Sharon Spring, Conrad Thibault, Rayna Leibowitz, Muriel Smith, Becky Lamoreau, Deborah Campbell
- (b) George Thomson moved/Doug Read seconded (**passed 2-0**; Rayna Leibowitz abstained) to re-appoint Rayna Leibowitz as an Election Clerk through March 31, 2014.

George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:

- 9.1 Town Voucher#18 for \$41,645.47; and,
- 9.2 Town Payroll #19 for \$13,374.40.
- 12.0 Future Agenda Item: FY’13 Gardiner Ambulance Service Contract (\$16,262) and FY’12 charge-offs (\$10,462)- the Manager will invite Gardiner Chief Minkowsky to the April 10th Board meeting to discuss the escalating charge offs and the collections efforts.

Note: As no votes were to be taken after the following Executive Session was over, the Manager left the Town Office at 7:45PM.

- 5.1 Pursuant to 1M.R.S.A. §405 (6) (a), Board to enter into Executive Session to discuss the Manager’s next contract.

Note: the following day, Chair Doug Read said that the Executive Session started at 7:56 PM and ended at 9:16PM.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
April 10, 2012

- 1.0 Meeting convened by Chair Doug Read at 6:30 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz & George Thomson
Staff present: Michael G Byron, Town Manager; Trudy Lamoreau, Office Manager
Gusts present: David Larrabee Larry Nadeau
Gerald Fournier John Coelho Marsha Coelho
Mike Minkowsky Scott Morelli Pat Soboleski
Stan Labbe Rachel Sukeforth Elton Wade
- 2.0 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to accept the minutes of March 27, 2012 as written.
- 4.1 Town Manager Reported that:
- (a) Tomorrow (Wednesday), starting at 10 AM, Maine Security Surveillance will conduct a "walkthrough" of the Public Works garage to review the recently installed intrusion/fire alarm system.
 - (b) On April 12th, at the Town's request, Ben Foster, MDOT, will inspect the Old Mill Road and Gustin Road bridges.
 - (c) P.W. Foreman, Ron Ridley, has contacted Rhino-Seal to inspect their sealed cracks which have "opened up" on Dennis Hill, Lunts Hill and Stevenstown Roads. This work was guaranteed for one year.
- 5.1 City Manager Scott Morelli and Chief Mike Minkowsky reviewed Gardiner Ambulance Service's FY '13 \$16,262 contract, and the FY '12 charge-offs of \$10,462.
- (a) Using a handout (see Attachment # 1), Chief Minkowsky reviewed:
 - (i) Comstar Inc's billing and collection methodologies.
 - (ii) Litchfield's 10 year uncollectible charge-off history.
 - (b) It was noted that negotiations were underway with Richmond to become a "partner," and, if successful, some 250 annual billable calls would reduce the contract costs of the current 7 participating towns.
 - (c) The parties agreed that the collection effort would be more effective by having Gardiner Ambulance and Town Office staffs "sharing" patient information.
 - (d) Rayna Leibowitz asked if, based on additional Town Office information, could patient charge-offs be rebilled? Chief Minkowsky said that he would check this out.
- 5.2 John Coelho, 40 Penney Lane, to address the Board on his encroachment on Town-owned property in light of surveyor Robin Redmond's review of Mr. Coelho's documents.
- (a) After discussion, the Board and Mr. Coelho agreed to the following:
 - (i) At Mr. Coelho's expense, the Town would retain Robin Redmond to survey and draft a deed description of the Coelho (formerly Wasick) parcel, as reflected in the July 22, 1996 minutes of the Selectmen's meetings (see attachment # 2).

- (ii) During his engagement, Mr. Redmond should contact Arvah Lyons to “validate” the latter’s boundary survey, dated July 22, 1996, labeled: “Attachment 1- Request for Corrective Deeds from the Town of Litchfield.”
 - (b) It was noted that, as the Town property abutting Mr. Coelho’s parcel is in the “Declaration of Trust,” any changes have to be voted on at Town Meeting.
 - (c) Concerning item 5.2 (b) above, Rayna Leibowitz suggested that the Manager draft a “place holder” warrant article pending receipt of the survey and “corrective” deed.
- 5.3 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to award the Rec Department’s 2012/2013 mowing bid to (Gary) Eaton Lawncare (low bidder), Litchfield.
- 5.4 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve a Real Estate Installment contract for foreclosed property, Map R03 lot 104-B. George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:
- 9.1 Town Voucher #19 for \$261,654.72: and,
- 9.2 Town Payroll #20 for \$13,463.10.
- 10.0 Other Business:
- (a) As the Town Sexton has resigned, the Manager will send out the Cemetery mowing RFP Legal Notices next week.
 - (b) After discussion, Rayna Leibowitz/George Thomson seconded (**passed 3-0**) to amend the Town’s Bid Policy (see minutes dated March 22, 2011, item 5.4; and June 14, 2011, item 5.4) as follows: 5.4 (d) for services/products up to \$5,000, the Board will give consideration to any Litchfield bid which is within 10% of the low bid.
- 11.0 Selectmen/Public Discussion/Communication:
Concerning last Wednesday’s RSU4 Board meeting, Chair Doug Read offered the following comments:
- (a) About a month ago, the School Administration had projected a 10% increase in the FY’13 cost of health insurance. Subsequently, the actual increase turned out to be 4%. However, a satisfactory answer was not forthcoming as to where this cost savings was ”booked” in the budget.
 - (b) If indeed, bus “privatization” generates the estimated \$200,000 in cost savings, why shouldn’t this amount be applied to the estimated \$1.8 million needed for the District’s 5 year facilities’ C.I.P.?
- 12.0 Meeting adjourned at 8:30 PM

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
April 24, 2012

- 1.0 Chair Doug Read convened meeting at 6:30 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson
Staff present: Michael G Byron, Town Manager; Steve Ochmanski, C.E.O.
Guests present: Clarence Gowell Mike Minkowsky – City of Gardiner
Bill Quackenbush Chadd Hill Bill Monagle-Cobbossee Watershed
Pat Soboleski Rachel Sukeforth Kane Coffin-ES Coffin Eng.& Surveying
Larry Nadeau
- 2.0 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to accept the minutes of April 10, 2012 amended as follows: item 11.0 (b) should read "...why shouldn't this amount be applied to the estimated \$1.8 million for the District's 5 year facilities' C.I.P.? (not C.J.P.).
- 4.1 Town Manager Reported that:
- (a) On April 13th, Ben foster, M.D.O.T., inspected the Old Mill Road and Gustin Road bridges, inspection reports to follow. Attendee George Thomson noted that both bridges are "safe."
 - (b) Tomorrow, April 25th, starting at 6:30 PM, the Comp. Plan update steering committee will meet at the Town Office and, among other agenda items, will start to review some 150 returned Sodalite surveys.
 - (c) On May 1st (Tuesday), the cemetery mowing bids are due; and on May 2nd, the Board will meet at 2 PM to review and award the winning bid.
 - (d) On May 9th (Wednesday), starting at 6PM, the Board, Budget Committee and Department heads will hold a "wrap up" FY '13 budget meeting to review:
 - (i) The Municipal budget.
 - (ii) The Fire Department's \$405K request for replacing/upgrading its front-line vehicles
 - (iii) The P.W.D's \$200K request for a "wheeler" to replace the hopper-sander used on the "mountain" plow route.
 - (e) This Thursday, April 26, Trudy Lamoreau, Lezley Sturtevant and Delores Daoust, Gardiner Ambulance, will meet to co-ordinate efforts/information to collect charged-off patient balances.
 - (f) Yesterday, April 23rd, Beth Nagusky, Rayna Leibowitz, and the Manager interviewed 3 energy auditor/air-sealing vendors one of which will be selected to initiate an Efficiency Maine residential weatherization program for Litchfield home-owners.
- 4.2 C.E.O:
- (a) Reviewed his March 2012 permit log, reflecting estimated construction values, totaling \$123,000 (see Attachment # 1).
 - (b) Yesterday, along with chair Doug Read and Town Attorney Seth Goodall, attended Ryan Redmond's contempt-of-court hearing held at Augusta's District Court. The Judge asked the parties for additional information concerning whether Ridley Lane (the site of Mr. Mr. Redmond's junkyard) was still a "public way" in light of the reported discontinuance of town maintenance in 1954.

- (c) Reported that he had just received from DEP, a P.B.R. for David Cullen to rip rap a portion of his Sand Pond frontage; he will follow up on whether the 10 cubic yard of material (rip rap, mulch, etc) threshold would be reached, which would trigger the need for a Shoreland Zone building permit.
 - (d) Asked the Board to waive the town's 75% portion of the Legion Hall's \$250.00 septic fee.
 - (i) George Thomson moved/Doug Read seconded (**passed 3-0**) to waive the town's portion of the fee.
 - (ii) George Thomson, the Legion's Treasurer noted that he would personally pay the State's 25% portion of the fee.
- 4.5 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to authorize Assessor's Agent Jim Murphy to sign M.R.S.' 2012 "Ratio Declaration & Reimbursement Application" (see Attachment # 2).
- 5.1 Bill Monagle, Director of the Cobbossee Watershed District for the past 20 years, made the following points:
- (a) C.W.D. monitors the clarity of 25 of the 28 lakes, including 8 in Litchfield, comprising the watershed district.
 - (b) Lake clarity, over time, impacts water front property values.
 - (c) C.W.D.'s FY '13 operating budget is about \$301K, with some \$212K (a 3% increase over FY '12), or 70%, of revenues assessed to the 8 participating municipalities.
 - (d) Bill noted that when the District was legislatively created in 1973, the West Gardiner Board never put joining C.W.D. to a town vote. Chair Doug Read suggested that a letter should be sent to West Gardiner, urging their joining the District, as that town's water front property values have been "protected" by the investments of the participating towns over the past 28 years.
- 5.2 Surveyor Kane Coffin reviewed his site plan for his client David Southmayd's "grandfathered" section of Beaver Lane Extension.
- (a) George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to sign the site plan.
 - (b) Mr. Coffin will register one of the two sets of plans with Deeds.
- 5.3 Gardiner Ambulance service's FY '13 Contract.
- (a) In attendance, Chief Minkowsky commented that:
 - (i) M.M.A. Legal said that mechanic liens could not be filed for unpaid bills.
 - (ii) Litchfield could re-bill charged-off patient balances, and that Comstar, the current billing/collection agency, would not receive a fee.
 - (iii) Gardiner Ambulance was negotiating with Freeport Medical Billing Agency to replace Comstar.
 - (b) George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to sign the contract.
- 5.4 George Thomson moved/Rayna Leibowitz seconded (**passed 2-0**: Doug Read abstained due to his personal relationship with Mr. Harvey) to sign a "replacement" R.O.W. lease, based upon Robin Redmond's recent survey and legal description.

- 5.5 Clarence Gowell, Sr: Abandoned foreclosed (March 12, 2010) mobile home on one of his lots, r03-006 on 4 (17). Doug Read moved/Rayna Leibowitz seconded (**passed 3-0**) to table discussion on this matter to the May 8th meeting.
- 5.6 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to retroactively (to April 18, 2012) authorize the Manager to sign the Fire Department's M.M.A. Safety Enhancement Grant application.
- 8.1 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to appoint Timothy Tracy as an alternate to the Conservation Commission.
- 8.2 George Thomson moved Rayna Leibowitz seconded (**passed 3-0**) to re-appoint Harry Darling and Harry Gorman as the Town's Civil Constables.

- George Thomson moved/ Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:
- 9.1 Town voucher #20 for \$56,450.80; and
- 9.2 Town Payroll #21 for \$13,171.30.

10.0 Other Business:

- (a) General discussion among Board members and residents Chadd Hill and Larry Nadeau concerning the RSU4 FY '13 budget, including the proposed bus "privatization" and "weighted" voting.
- (b) In reviewing her "old" e-mails, Rayna Leibowitz inquired as to the status of:
- (i) Jeff Hersom's "lighting" proposal, and
- (ii) The Board's request to M.T.A., after the Rte 197 bridge repair work is completed, to "return" the Small Road (used as a "detour") to its original condition prior to the bridge repair.
- (c) At 9:10 PM, pursuant to 1M.R.S.A. §405(6)(A), the Board(without the Manager) entered into Executive Session to discuss the Manager's new two year employment contract.
- (i) At 9:28 PM, the Board came out of Executive Session and returned to public session with the Manager.
- (ii) George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve the Manager's two year contract, running from January 1, 2012 through December 31, 2013.
- (iii) As the three weeks vacation section had to be changed from "16 days" to "12 days", Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to sign the amended contract "outside" of the meeting.
- 13.0 Meeting adjourned at 9:35 PM

Respectfully submitted,

Michael G Byron

Minutes of the Selectmen's Meeting
May 8, 2012

- 1.0 Chair Doug Read convened meeting at 6:30 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson
Staff present: Michael G Byron, Town Manager
Guests present: Bill Quackenbush Clarence Gowell
Dawn Pallis Larry Gowell Wayne A Perkins Jr
Mike Seaman Diane Berube Robert R Hopkins
Kevin Buckmore Larry Nadeau Stan Labbe
Nelly Gamage Daryl Ellis Chadd Hill
Mark Russell
- 2.0 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to accept minutes of April 24, 2012 as written.
- 4.1 Town Manager Reported that:
- (a) On April 26, Dolores Daoust, Gardiner Ambulance Service, Trudy Lamoreau, Lezley Sturtevant, and the Manager met at the Town Office to coordinate "patient" information to enhance the collectability of patient invoices.
 - (b) He has received several phone calls from Attorney Seth Goodall for answers to "discovery" questions concerning Town maintenance of the Perkins road, raised by Mr. Richard's attorney.
 - (c) On May 1st, Beth Nagusky, Rayna Leibowitz, and the Manager had a follow-up meeting with Bo Jespersen, owner of "The Breathable Home," his Office Manager, Nadine, energy auditor Gerry Smith, and Steve Ochmanski, Code Enforcement Officer, to further develop the parameters of Mr. Jespersen's residential "Efficiency Trust" based Energy Audit proposal for Litchfield.
- 4.2 C.E.O.: In the "excused" absence of the C.E.O., the Manager presented the C.E.O.'s April 2012 permit log, reflecting total estimated construction values of \$125,000 (see Attachment # 1)
- 4.5 P.W.D.: On behalf of Foreman Ron Ridley, the Manager reported that:
- (a) The Foreman had "surveyed" the P.W.D.s of Monmouth and Sabattus, with both Towns employing 5 full time crews, plus winter call-in drivers, to plow 55 to 60 road miles, compared to Litchfield's 50 road miles plowed by our 3 man crew plus one "call-in" driver.
 - (b) The crew has replaced several "rollers" and the belt on the "screen," which will be used shortly to screen both gravel and winter sand in the Town's pit.
- 5.1 Tabled from the April 24, 2012 Board meeting Clarence Gowell Sr.: Abandoned foreclosed (March 12, 2010) mobile home on one of his lots, R03-006 on 4 (17): After discussion, Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to have the Manager place a legal ad, soliciting sealed bids on the mobile home, with the condition that the winning bidder must remove the home from Mr. Gowell's "pad."
- 5.2 Dawn Pallis: Abandoned foreclosed manufactured unit on R10-022 on 1:

- (a) Note: at the meeting, Ms. Pallis, as previously requested by the Manager, hand delivered recently received Clyde McInnis's probate documents.
 - (b) Further action on the disposition of the foreclosed mobile home will be tabled pending determination of the owner of parcel R10-022 on 1, and having him/her "signing off" on the Board's recommended disposition of the mobile home. (Note: George Thomson will abstain from the Board's vote on this matter, as he, an abutter to the subject property, is talking to the late Clyde McInnis' brother about purchasing some of the McInnis's land).
 - (c) Relative to 5.2 (b) above, one of the disposition options discussed was a "controlled burn" of the building by the Fire Department, as a "water shuttle" training exercise.
- 5.3 Diane Berube: Town owned parcel 76 Map U28 (see Attachment # 2) which abuts her brother's (George & David Hopkins) parcel 77 (Peacepipe Drive).
- (a) It was noted that, without an ownership interest in parcel 77, Ms. Berube has no "standing" to request the board to take "action" on parcel 76.
 - (b) Ms. Berube recounted that her late father, Robert Hopkins, had met, in the early '80's, with then town Manager Richard Smith about his concern if Litchfield sold parcel 76, which "penetrates" into parcel 77. Reportedly, Manager Smith said "not to worry" and tore up the property card. Note: the Manager said that the card had been recently located in another file.
 - (c) Attendee Mark Russell commented that "the Board should honor a former official's intent."
 - (d) Board consensus: further research should be done into Parker Lake Shores subdivision plan as to the "intent" of the "carve out" of parcel 76, which apparently was to be used to construct a "common" well.
- 5.4 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to sign Meadow's Golf Club's liquor license renewal.
- 5.5 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to sign the Town Warrant "outside" of the meeting.
- 8.1 Rayna Leibowitz moved/Doug Read seconded (**passed 3-0**) to sign Timothy Tracy's "corrected" appointment as an associate (not alternate) member of the Conservation Commission.
- 8.2 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to re-appoint Stan Labbe as fire Chief for a 3 year term expiring June 30, 2015.
- 8.3 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to re-appoint Patricia Soboleski, Barbara Rolfe and Rochelle LeBel as Election Clerks
- 8.4 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to appoint Jennifer Wentzheimer as election clerk
- George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:
- 9.1 Town Voucher #20 for \$363,355.63; and,
- 9.2 Town Payroll #22 for \$13,628.55.
- 11.0 Selectmen/Public Discussion/Communication:
- (a) Concerning RSU 4's Superintendent's recent survey, one option of which was to close the Libby-Tozier and Sabattus Primary Schools, with a projected \$342,000 of "avoided" O & M costs seemed to be "fuzzy" math.

- (b) General discussion as to why the Sabattus School Board member votes should be able to “outweigh” Wales and Litchfield’s total votes.
- 12.0 George Thomson/Rayna Leibowitz seconded (**passed 3-0**) to adjourn at 7:50 PM.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
May 22, 2012

- 1.0 Chair Doug Read convened meeting at 6:30 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson
Staff present: Michael G Byron, Town Manager; Ron Ridley, Public Works.
Guests present: Bill Quackenbush John Carpenter
Rachel Sukeforth Mark Russell
- 2.0 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to accept the minutes of May 8, 2012 as written.
- 4.0 Town Manager Reported that:
 - (a) Colin Giandrea, the P.W.D's "winter" call-in snowplow driver, has been hired as a call-in employee, when needed, to assist the P.W.D. in road maintenance: brush cutting, ditching, cold patching, putting up sand in the salt & sand shed, and the like.
 - (b) Concerning the disposition of the abandoned foreclosed mobile home on R10-022 on 1 discussed at the May 8th Board meeting, additional Clyde McInnis estate documents are still in probate.
 - (c) Pat Dow called to say that, after Jim Murphy has completed inputting the "listed & measured" data into the TRIO assessing module, he would try to "match up" the pictures he took (residences, outbuildings, etc.) with the appropriate property tax cards. If Mr. Dow is unable to make these "matches," he will re-take the photos at his own expense.
 - (d) The June issue of the Sodalite will feature, as "guest" columnist, Beth Nagusky overviewing a new Efficiency Maine Trust weatherization program, which Litchfield will help to facilitate.
 - (e) On June 5th, from 7:00-8:00 PM, at the Fire Station, the fire-fighting equipment which should be replaced or refurbished, with a projected cost of \$405,000, will be on public display. The funding for this C.I.P., which will not negatively impact the Town's mil rate, will be voted on at the June 16th Town Meeting, (Warrant Articles 45 and 46). In addition, the P.W.D. needs a new snowplow truck, at a projected cost up to \$195,000, which will also be voted on at Town meeting (Warrant Article 48), with funding from Capital Reserves, not from taxes.
- 5.1 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to sign the Litchfield/Richards' mediated retaining wall "settlement statement".
Additionally, it was noted that the P.W.D. is maintaining a log on all maintenance performed on Perkins Road.
- 5.2 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to sign 10 copies of the RSU 4 Warrant & Notice of Election re: the June 12th Budget Validation Referendum.
- 5.3 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve Sam Carpenter's Eagle Scout Project (as presented to the Board by his father, John Carpenter)- fabricating a "community bulletin board" for the Transfer Station.
Additionally, Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to waive the Town's permit fee. (Note: The next day, C.E.O., Steve Ochmanski said

- that the bulletin board was not a “commercial” sign, therefore, there is no permit fee.
- 5.4 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to sign the Annual Town Warrant.
 - 5.5 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to sign a “confirmatory” quit claim deed, as well as a lien quit claim deed, both to Marion S Williams.
Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to approve/sign:
 - 9.1 Town Voucher #21 for \$37,082.26: and
 - 9.2 Town Payroll #23 for \$13,328.12 .
 - 11.0 Selectmen/Public Discussion/Communication: General discussion as to how to inform the voters about the “cost/benefits” of the Board and Budget Committee recommending the purchase of a “wheeler” plow truck for the P.W.D (Town Warrant Article 48).
 - (a) The Manager will ask the KJ to feature this matter in an article prior to the June 16th Town Meeting.
 - (b) On the evening of June 5th, the F.D. and P.W.D., will jointly display their respective vehicles which should be replaced. Staff will design flyers and posters to advertise this event.
 - 12.0 Future Agenda Items: Incorporate a “Code of Conduct” as part of the “updated” Personnel Policy.
 - 13.0 George Thomson moved/Doug Read seconded (**passed 3-0**) to adjourn at 7:45 PM.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
June 12, 2012

- 1.0 Chair Doug Read convened meeting at 6:30 PM. Pledge to flag.
Selectmen present: Doug Read, Rayna Leibowitz, and George Thomson
Staff present: Michael G Byron, Town Manager; Steve Ochmanski, C.E.O.
Guests present: Bill Penfold Clarence Gowell John E Stinson
Paul Whalon Taffe Robbins Carol Smith Phil Leibowitz
David Smith Jeff Lerch John Alexander Julie Alexander
Peter Mills Rachel Sukeforth Barb Macdonald Bill Quackenbush
Robin Sukeforth Ed Stevens Eric Seaman
- 2.0 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to accept the minutes of May 22, 2012 as written.
- 4.1 Town Manager Reported that:
- (a) On June 5th, from 7 to 8 PM, at the Fire Station, both Fire & Rescue as well as Public Works personnel explained the need to replace or upgrade a number of their dated vehicles: 4 for Fire & Rescue at an estimated cost of \$405,000; and a new "wheeler" for the P.W.D. at an estimated cost of \$195,000. Both of these items are on the warrant to be voted on at the June 16th Town Meeting.
 - (b) The Rte. 197 M.T.A. bridge closure (for repairs and redecking) will start on June 18th for a projected three weeks.
 - (c) On June 20th (Wednesday) starting at 6PM, the Litchfield B.A.R. will hold an abatement hearing for Richard Johnson (also see item 5.5 below on this matter).
 - (d) On June 27th (Wednesday), starting at 7PM, an Efficiency Maine residential weatherization workshop will be held in the Town Office conference room.
 - (e) The recent week of rainy weather resulted in ceiling leaks in the front office. Several local contractors will be asked to estimate the cost of fixing the leaks.
 - (f) Today's Sun Journal and K.J. each had articles about the June 16th Town Meeting.
 - (g) He was "holding" KVHS recent invoice, pending receiving Executive Director Hillary Roberts' information promised at the August 22, 2011 Board meeting.
- 4.2 C.E.O.:
- (a) Reviewed his May 2012 permit log, which reflected estimated construction values totaling \$232,950 (see Attachment #1)
 - (b) Based in part on Attorney Cliff Goodall's opinion, George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to accept as satisfactory, Dan Bernier's recently submitted "front" boundary survey; the stop work order has been lifted.
- 4.3 Fire & Rescue: On behalf of the Board, Rayna Leibowitz asked the Manager to ask Fire & Rescue to submit a monthly "activity" report, including but not limited to, number of calls responded to, vehicle and facility maintenance expenses, etc.

- 4.6 P.W.D.: The Manager reviewed the recent significant Whippoorwill washout under the cross culvert near the Park's entrance. Next Monday (June 18th), Cory Newendyke will be on site with his excavator to replace a number of large boulders around the open end of the cross culvert.
- 5.1 M.T.A.'s Executive Director Peter Mills made the following comments concerning the possible closure of the Lunts Hill Bridge:
- (a) In 1955, the turnpike opened between Portland and Augusta.
 - (b) North of Falmouth, the M.T.A. is responsible for the maintenance of 76 bridges.
 - (c) There are 3 "low traffic volume" (less than 400 average annual daily traffic count) bridges:
 - (i) Maxwell Road bridge (256 AADT).
 - (ii) West Road bridge (338 AADT).
 - (iii) Lunts Hill Road bridge (167 AADT)
 - (d) At 50 years of age, M.T.A. engineers say a bridge reaches its safety "sweet spot" beyond which, the cost/benefits of rebuilding start to decline.
 - (e) Now nearing, its 50th year, the Lunts Hill road bridge over the next several years faces the following options:
 - (i) A rebuild costing between \$2,000,000 to \$3,000,000.
 - (ii) A short-term "fix" of about \$250,000 which would extend its "life" by about 10 years; to be razed thereafter.
 - (iii) Razing the bridge at a cost of about \$300,000.
 - (f) Mr. Mills will make a recommendation as to the disposition of Litchfield's three "low volume" bridges to his seven member Board, most likely at their October 18th meeting.
 - (g) At the Board's request, Mr. Mills will schedule a "local" public hearing on this matter prior to M.T.A.'s October 18th Board meeting.
 - (h) For the record a "memo of concern" has been signed by 185 Litchfield residents and other users of the Lunts Hill Road bridge (see Attachment # 2).
- 5.2 William Penfold, 54L Peacepipe Drive inquired as to the disposition of the tax-acquired parcel lot 76 on Map U28 which abuts his property: after discussion Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to authorize the Manager, per Town approved policy, to have a legal notice placed to solicit sealed bids on parcel 76.
- 5.3 Crystal Eirbe's recently foreclosed mobile home, 205 Huntington Hill Road, sited on a leased lot (R05-62 on) owned by Daniel Boutin.
- (a) The Manager recently talked to Mr. Boutin's attorney about a pending eviction notice to Litchfield ("owners" of Ms. Eirbe's home); that if the Board put the foreclosed home out to bid, this would forestall any protracted legal proceedings, so that Mr. Boutin could negotiate with a possible new owner of the home.
 - (b) Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to authorize the Manager to place a legal ad soliciting sealed bids on the property.

- 5.4 Board/Manager discussed Town Warrant Article 52: “ To see what sum the Town will vote to appropriate from the Unassigned Fund Balance account to reduce the Tax Commitment.” Consensus was to recommend \$200,000 (see Attachment # 3) to:
- (a) “Cover” the \$100,000 used in FY ’12; and
 - (b) \$100,000 to fund FY ‘13’s “shortfall.”
- 5.5 B.A.R. Chair Paul Whalon requested the Board to authorize Attorney Bill Dale to assist the B.A.R. at its scheduled June 20th Richard Johnson abatement hearing.
- (a) Last October, on Assessing Agent Jim Murphy’s recommendation, the Board of Assessors denied Mr. Johnson’s abatement request, based on his assessment as of April 1, 2011.
 - (b) As certain facts in this matter may have changed since last year, action on Mr. Whalon’s request was tabled, pending Selectmen George Thomson meeting with Mr. Murphy..
- 5.6 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to authorize the Manager to sign the Maine Army National Guard’s “Environmental Checklist” and the “Land Use Agreement.”
- 5.7 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to accept Clarence Gowell Sr’s \$500.00 bid (only bid submitted) on a foreclosed (and abandoned) mobile home on R03-006 on 4 (17). In addition, Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to sign a quit-claim deed outside of the meeting.
- 5.8 After discussion, Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to approve, as amended, the “Consumer Fireworks” Ordinance- Article 59 on the June 16th Town Warrant (see Attachment # 4).
- George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:
- 9.1 Town Voucher #23 for \$288,208.09, and
 - 9.2 Town Payroll #25 for \$18,769.04 .
- 10.0 Other Business:
- (a) Eric Seaman mentioned that:
 - (i) Judy Rogers will be stepping down from the Planning Board as of June 30, 2012 (end of her term); and,
 - (ii) Eric and John Hatch would both be stepping down from the Board at the end of their current terms, June 30, 2013.
 - (b) George Thomson commented that Cory Newendyke’s invoice hadn’t been paid for being called in by the Fire Department to knock down the smoldering embers of a structure fire.
- 13.0 At 8:40 PM, George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to adjourn the meeting.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen
June 26, 2012

- 1.0 a) George Thomson convened meeting at 6:30 PM. Pledge to flag.
b) George Thomson moved/Mark Russell seconded (**passed 2-0-1**, with Rayna Leibowitz abstaining) to appoint Rayna Leibowitz as Chair for FY '13.
Selectmen present: Rayna Leibowitz, George Thomson and Mark Russell
Staff present: Michael G Byron, Town Manager, Ron Ridley, Public Works Foreman
Guests present: Bill Penfold Pat Soboleski
Bob Hopkins Diane Berube Larry Nadeau
- 2.0 George Thomson moved/ Rayna Leibowitz seconded (**passed 2-0-1**, with Mark Russell, who was not a Board member on June 12th, abstaining) to accept the minutes of June 12, 2012 as written.
- 4.1 Town Manager Reported that:
- a) On June 27th, starting at 7PM at the Town Office, Beth Nagusky and Rayna Leibowitz will facilitate an Efficiency Maine residential Weatherization workshop.
 - b) On June 20th, the Litchfield B.A.R., assisted by Attorney Bill Dale, "heard" Richard Johnson's \$141,408 abatement request, based on his April 1, 2011 assessment. A partial abatement of \$28,000 was granted.
 - c) A check for \$1,500 was recently received from Donald Richards, representing the fine imposed as part of Mr. Richards' "retaining wall" mediated settlement.
 - d) In a letter dated June 21, 2012, Gardiner Ambulance has further reduced its FY '13 operating budget, and has credited \$3,983.33 against Litchfield's \$16,262 contract for services (see Attachment # 1).
 - e) Dan Boutin's attorney Matthew Mastrogiacomo, by way of a letter dated June 14th, has served an eviction notice both to Crystal Eirbe, 205 Huntington Hill Road, and to the Town of Litchfield, owner through foreclosure of Ms. Eirbe's mobile home (which is sited on Mr. Boutin's parcel). In order to avoid legal costs, Attorney Mastrogiacomo has recommended that the Town place a legal ad, soliciting bids for the mobile home, so that Mr. Boutin can "deal with" a new owner. The ad will run in this Saturday's K.J.
 - f) Cory Newendyke's December 2011 outstanding \$500.00 invoice (for "knocking down," at the request of the Fire Department, the remains of a "smoldering" structure) has been "worked on" by Office Manager Trudy Lamoreau, attempting to contact the former homeowner's insurance company State Farm.
 - (i) Mark Russell moved/George Thomson seconded (**passed 3-0**) to pay Mr. Newendyke's \$500 invoice, and to contact the State's Insurance Bureau on this matter.
 - (ii) Note: On July 9th, the office received a \$500 check from State Farm.

- g) Following up on Assessor's Agent Jim Murphy's request, the Board's consensus was to meet on July 18th (Wednesday), starting at 5 PM to review Mr. Murphy's "findings" and recommendations relative to the Pat Dow "listed and measured" structure data, which has been inputted into the TRIO assessing module.
- 4.3 Fire and Rescue: Chief Stan Labbe said that Fire and Rescues June 2012 "activity" report would be available at the July 10th Board meeting.
- 4.6 P.W.D Foreman Ron Ridley reviewed:
 - a) Although posted at the time, a heavy truck traveled a number of times over the lower section of the Dead River Road, breaking up the pavement. The permanent "fix" (which must be done before snowplowing season) will include "reclaiming" some 510' of this road at an approximate cost of \$20,000 to \$30,000.
 - b) The snowplow "wheeler" specs are being drawn up, preparatory to soliciting bids.
 - c) The recent major washout on Whippoorwill Road (next to the cross-culvert by the entrance to the Park), and the remedial work done by Public works and Cory Newendyke and his excavator.
 - d) Rhino Crack Sealer's estimate to seal the 1/8" and larger cracks on about 7,000' of Huntington Hill Road from Rt 197 to the Meadows Golf Club. Former Deputy Road Commissioner Glen Ridley had asked for the estimate as an "add on" when the vendor was chosen by the Board two years ago to crack seal three of the Town's recently paved roads. At the suggestion of new Board member Mark Russell, the Board's consensus was to have the Road Commissioner and the Public Works Foreman look for another contractor who is able to meet Rhino's specs.
- 5.1 Mark Russell moved/George Thomson seconded (**passed 3-0**) to authorize the Manager to sign (retroactivity to June 18th) a Bill of Sale for the mobile home located on Map R03 Lot 006 on 4 (17) to Clarence Gowell Sr (see Attachment # 2).
- 5.2 George Thomson moved/Mark Russell seconded (**passed 3-0**) to authorize the Manager to sign Purdy Powers & Co's June 11, 2012 Engagement Letter for the June 30, 2012 Audit.
- 5.3 Mark Russell moved/George Thomson seconded (**passed 3-0**) to authorize the Manager to sign Winthrop Co.'s fixed price (\$3.042/gal) #2 Heating Oil contract, running from July 1, 2012 through May 31, 2013.
- 5.4 George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to sign a quit-claim deed for property located on Map U08, Lot 018.
- 5.5 Mark Russell moved/George Thomson seconded (**passed 3-0**) to authorize the Manager to sign Robin Redmond's \$640.00 contract to survey/draft a legal description on the Town-owned parcel to be conveyed to John Coelho.
- 5.6 George Thomson moved/Mark Russell seconded (**passed 3-0**) to sign the "revised" G.A. Ordinance Appendices A, B, & C.
- 5.7 Rayna Leibowitz: Board "reconsider" its June 12, 2012 vote to solicit sealed bids on Town-owned Parcel 76 on Map U 28.

- (a) The Manager reviewed his discussion with MMA/Legal on this matter- that is, as only Rayna Leibowitz and George Thomson of the current Board voted on this item at the June 12th meeting, only they may vote to reconsider.
 - (b) George Thomson said that he believed that the June 12th vote should “stand”.
 - (c) Rayna Leibowitz did not make a motion to reconsider.
 - (d) After discussion, the two abutters to parcel 76, Bill Penfold and the Hopkins brothers, represented by their letter assigning “agency” status in this matter to their sister, Diane Berube, indicated that they may submit a “joint” bid for parcel 76.
- 5.8 At the Manager’s recommendation, the Board supported establishing a Litchfield Road Committee to, among other tasks, assess the condition of the town roads, and prioritize an annual repaving schedule.
- 8.0 George Thomson moved/Mark Russell seconded (**passed 3-0**) to cast one vote for the following appointments :
- 8.1 Delmar Small- 3 yr. Associate Conservation Commission
 - 8.2 Nelly Gamage and Elaine Carpenter- 3 yr. Conservation Commission
 - 8.3 Patricia Soboleski and Mary Stoddard- 3 yr. Seniors Advisory Committee
 - 8.4 Christine Stenberg- 3 yr. Historical Preservation Commission
 - 8.5 Janet Pence- 2 yr. Election Clerk
- George Thomson moved/Mark Russell seconded (**passed 3-0**) to approve/sign:
- 9.1 Town Voucher #24 for \$44,189.78: and
 - 9.2 Town Payroll #26 for \$35,019.22.
- 10.0 Other Business:
- (a) Rayna Leibowitz said that she noticed several tombstones had fallen down in the True Cemetery, and wondered if any cemetery “sub-account” funds might be available to fix these tombstones. The Manager will follow up.
 - (b) Mark Russell asked how Town Attorney Cliff Goodall was selected to be the Town Meeting Moderator. The Manager replied that the Board, through former Chair Doug Read, asked him to inquire as to Mr. Goodall’s availability to serve as moderator.
 - (c) Mark Russell also asked why Mr. Goodall did not use the “moderator’s manual” of rules and procedures. The Manager replied that Mr. Goodall provided copies at the Town Meeting of the rules and procedures he uses, which the voters accepted.
- 13.0 Chair declared the meeting adjourned at 8:30 PM

Respectfully submitted

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
July 10, 2012

- 1.0 Meeting convened by Chair Rayna Leibowitz at 6:30 PM. Pledge to flag.
Selectmen present: Rayna Leibowitz, George Thomson, and Mark Russell.
Staff present: Michael G Byron, Town Manager
Guests present: David Larrabee Bill Penfold
Diane Berube Bob Hopkins George Hopkins
Darryl N Ellis Michael Kane Jack Samson
Stan Labbe David Hopkins
- 2.0 Mark Russell moved/George Thomson seconded (**passed 3-0**) to accept the minutes of June 26, 2012 as written.
- 4.1 Town Manager Reported that:
 - (a) On June 27th, Beth Nagusky and Rayna Leibowitz facilitated an Efficiency Maine sponsored residential weatherization workshop.
 - (b) Assessors' Agent Jim Murphy, having completed inputting Pat Dow's "listed and measured" data into the TRIO assessing module, would like to review his "findings" and recommendations, including mailing a letter of "estimated value" to all taxpayers, with the Board of Assessors on July 18th (Wednesday). The Board settled on starting the meeting at 5PM. The Manager will attempt to contact Pat Dow, and invite him to the meeting.
 - (c) On today's warrant, there is a \$500.00 payment to Cory Newendyke for "knocking down" last December, at the Fire Department's request, the smoldering embers of a structure fire; that, the homeowners' insurance company, State Farm, finally sent a \$500.00 check to the Town for this claim.
- 4.2 The Board reviewed the C.E.O.'s June 2012 permit log, which reflected estimated construction values totaling \$567,300 (see Attachment # 1)
- 4.3 Fire and Rescue:
 - (a) Chief Labbe reviewed Fire & Rescue's June 2012 "activity" report (see Attachment #2). Mark Russell suggested adding "Turnpike" calls on future reports.
 - (b) Mark Russell moved/George Thomson seconded (**passed 3-0**) to approve Reliance Equipment's July 3rd proposal (see Attachment # 3) to repair/refurbish Engine #67 for a cost not to exceed \$59,743.60, with funding from the Capital Reserve account (as authorized at the June 16th Town Meeting.)
 - (c) General discussion concerning the "process" of soliciting bids to replace both tanker #64 (\$165K estimated cost); and Rescue #68 and service #69 with one truck serving both uses (\$120K est. cost).
 - (i) As these vehicles are highly "specialized" in their specs, with only two or three in-state vendors qualified to fabricate the trucks, as has been past practice, the Fire Dept., using the same specs, has been negotiating "one-on-one" with the Vendors.
 - (ii) Mark Russell noted that the process should be "sealed bids" to be opened by the Board at a public meeting.

- (iii) The Manager said that he would consult with MMA/Legal as to whether the “sealed bid” process is required by statute.
- 4.6 P.W.D.: Rhino Crack Seal.
 - (a) The Manager reported that about two years ago when, then Deputy Road Commissioner Glen Ridley, with Board approval, hired Rhino to crack seal the seven miles of roads paved the year before, and, as an “add on,” received an estimate for a portion of Huntington Hill Road.
 - (b) Rhino, using a 2.800” laser to “warm” the pavement cracks to bind with the sealing compound, has no in-state competition using this process.
 - (c) Mark Russell moved/George Thomson seconded (**passed 3-0**) to engage Rhino to crack-seal about 7,000 feet of Huntington Hill Road from Rte 197 to The Meadows Golf course at a cost not to exceed \$25K.
- 5.1 Board open sealed Bids for Lot #76 (Map U28):
 - (a) As legally advertised, sealed bids were due at the Town Office no later than 4P.M. on July 9th. The following two bids were received:
 - (i) One from George and David Hopkins at 3:59 P.M. on July 9th; and
 - (ii) The second from William Penfold at 4:04 P.M. on July 9th. Note, caught in traffic on his way to the Town Office, Mr. Penfold also had his bid e-mailed to the Town Manager, which he received at 3:56 P.M.
 - (iii) As Mr. Penfold’s e-mail bid did not comply with the request for sealed bids, and his sealed bid was “late,” George Thomson moved/Mark Russell seconded (**passed 3-0**) not to open Mr. Penfold’s sealed bid.
 - (iv) George Thomson moved/Mark Russell seconded (**passed 3-0**) to accept the Hopkins’ brothers’ bid, represented by a \$500 check payable to the Town of Litchfield.
- 5.2 David Larrabee: “Unauthorized” logging on Town-owned Lot 30 (on Map R10):
 - (a) On July 7th, responding to an anonymous tip of a possible “timber trespass,” David visited this Town-owned property on the Pine Tree road, and pointed out to the harvester, hired by the abutting property owner, the MacInnis Estate, that the tree cutting had gone across a well-blazed property line onto Town-owned Land (see Attachment # 4 for the balance of David’s observations and his proposed resolution).
 - (b) Before Pursuing any possible legal action, the Board asked David to contact both the D.O.C. (the agency which issues the “Notification of Intent to Harvest”), as well as the District Forester, Morten Moesswilde, for their input on this matter.
- 5.3 Mark Russell moved/George Thomson seconded (**passed 3-0**) to sign a Real Estate Purchase Contract re: Map R03 Lot 074-B
- 5.4 Mark Russell moved/George Thomson seconded (**passed 3-0**) to sign a quit claim deed re: Map R05, Lot 62 on.
- 5.5 Mark Russell moved/George Thomson seconded (**passed 3-0**) to sign a quit claim deed re: Map R14, Lot 012.
- 5.6 Mark Russell moved/George Thomson seconded (**passed 3-0**) to vote foe Scott Morelli, Gardiner City Manager, and Mert Hickey, West Gardiner Selectman, as the two District 21 candidates for M.M.A.’s Legislative Policy Committee.

- 5.7 George Thomson moved/ Mark Russell seconded (**passed 3-0**) to authorize the Town Manager to sign M.D.O.T.'s Emergency Culvert Replacement- Rte 9/126 Acknowledgement Letter, dated July 6, 2012
- 8.0 George Thomson moved/ Mark Russell seconded (**passed 3-0**) to cast one vote for the following yearly appointments:
 - 8.1 Doris Parlin- Clerk, Deputy Tax Collector, Deputy Treasurer
 - 8.2 Trudy Lamoreau-Office Manager, Deputy Tax Collector, Deputy Treasurer, Deputy Clerk, and Welfare Agent
 - 8.3 Lezley Sturtevant-Deputy Tax Collector, Deputy Treasurer, Deputy Clerk
 - 8.4 Rebecca Lamoreau-Deputy Tax Collector, Deputy Treasurer, Deputy Clerk
 - 8.5 Steve Ochmanski-Code Enforcement Officer& Plumbing Inspector
 - 8.6 Tiffany Caton-Recreation Director
 - 8.7 Ron Ridley- Deputy Road Commissioner
 - 8.8 Martin Ford-Animal Control Officer
 - 8.9 Claire Welch-Local Health Officer
 - 8.10 Joan Thomas-Trustee to the Gardiner Library
 - 8.11 Judith Bourget- Co-Senior Director
 - 8.12 Patricia Soboleski- Co-Senior Director
 - 8.13 Terry Averill- Appointment to June '13- alternate Planning Board

George Thomson moved/Mark Russell seconded (**passed 3-0**) to approve/sign:

- 9.1 Town Voucher #1 for \$ 296,328.06:and
- 9.2 Town Payroll #1 for \$17,012.21 .
- 10 Other Business
 - (a) Mike Kane suggested that “consumer” fireworks be regulated so that permits would be issued only when the risk of Fire Danger is low. It was pointed out: that consumer fireworks can be regulated only with a local ordinance in place; and that such an ordinance was voted down at the June 16th town Meeting.
 - (b) Mark Russell commented that, if a Sodalite article is to be written on consumer fireworks, the “tone” should be civil and constructive.
 - (c) Mark Russell, referencing the Manager’s recent e-mail to the Board with a “C.C.” to Town Attorney Cliff Goodall concerning “adverse possession” of Peacepipe Lot 76 claimed by the Hopkins brothers’ attorney, commented that only the Board should authorize the Manager to contact the Town Attorney. The Manager replied that, indeed, this is the policy; however, in this matter, time was of the essence to get legal advice so as not to place the Town in a possible liability position.

13.0 Meeting adjourned at 9:25 P.M.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
July 24, 2012

- 1.0 Meeting convened by Chair Rayna Leibowitz at 6:30 PM. Pledge to flag.
Selectmen present: Rayna Leibowitz, George Thomson, and Mark Russell
Staff present: Michael G Byron, Town Manager
Guests Present: David Larrabee Tiffany Caton
Jack Samson John Coelho Marsha Coelho
Greg Goucher Elton Wade Kevin Buckmore
Stan Labbe Tina Gowell
- 2.0 George Thomson moved/Mark Russell seconded (**passed 3-0**) to accept the minutes of July 10, 2012 as written.
- 4.1 Town Manager Reported that:
- (a) M.R.S. will be refunding the Town \$11,530.90 for diesel fuel taxes paid during the period May 1, 2011 through February 29, 2012.
 - (b) An article in the August issue of the Sodalite will say that, based on Pat Dow's "list and measure" property data collected last year, a letter of "estimated value" (as of April 1, 2012) will be mailed to Litchfield's tax payers by mid-August.
 - (c) The Bank of Maine has committed to a \$300,000, 10 year loan with a 3.21% "fixed" interest rate, to assist in the purchase of two new vehicles for the Fire & Rescue Department.
 - (d) The P.W.D. will soon start screening winter sand.
 - (e) The letter of "estimated value" (referenced in item 4.1 (b) above) will be reviewed at a "special" Board meeting scheduled to be held on July 31st.
- 4.6 P.W.D.: Town Manager reported that:
- (a) Oakhill and Gustin roads have been recently graded with calcium applied.
 - (b) The wheeler RFP ad was placed last week (KJ and Sun Journal): and that specs have been e-mailed to a number of qualified vendors.
- 5.1 David Larrabee: Status Report on the "unauthorized" logging on town-owned Lot 30 (on Map R10):
- (a) District Forester Morten Mosewilde suggested that the Town engage a forester to assess the approximate 2 acres of "trespass" harvesting as to:
 - (i) Volume of wood cut by Greg Goucher & Son.
 - (ii) Necessary remedial work to be done by Goucher to clean up the site and install erosion controls, etc.
 - (iii) Possible compensation options from the MacInnes Estate and Goucher.
 - (b) George Thomson moved/Mark Russell seconded (**passed 3-0**) to engage Forester Harold Burnett to assess the "trespass" site (as outlined in 5.1 (a) above) at a cost not to exceed Mr. Burnett's \$300.00 estimate.
 - (c) The Board would like to have the assessment available to review at their "special" meeting scheduled for July 31st.
- 5.2 Board consider Greg Goucher & Son's Proposal to harvest the balance of Lot 30, Map R10: In light of the Board action taken in item 5.1 above, this item was "passed over."
- 5.3 Stan Labbe/Jack Samson:

- (a) Replacing Tanker #64, Rescue #68 and Service Truck #69 with two new trucks, as outlined in Greenwood Emergency Vehicles, Inc.'s \$334,000 (with a \$6,000 prepayment discount) Proposal, dated June 28, 2012.
 - (i) The Manager reviewed both M.M.A./Legal's "Competitive Bidding Packet" ("...Maine law does not specifically require... competitive bidding in the purchase of goods and services...") as well as the Board's bid policy, dated June 14, 2011, wherein the Board under "special" circumstances such as a limited number of qualified vendors, may waive legally advertised competitive bidding, and negotiate directly with one or more vendors.
 - (ii) Jack Samson reviewed with the Board Fire and Rescue's contract/negotiations with three New England area manufacturers, as well as the reasons for recommending Greenwood Emergency Vehicle's proposal (see Attachment # 1).
 - (iii) George Thomson moved/Mark Russell seconded (**passed 3-0**) to approve the Greenwood proposal.
 - (b) Disposing of Rescue #68 and #69 at a "dealers only" auction. If "donating" these vehicles to another town or organization is not feasible, George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to pursue the auction option. It was noted that Fire and Rescue would need to "work with" a local car dealer to participate in the "dealers only" auctions.
 - (c) George Thomson moved/Mark Russell seconded (**passed 3-0**) to authorize the Manager to sign both the Litchfield/Monmouth Mutual Aid Agreement, as well as any forthcoming mutual aid agreements.
- 5.4 Tiffany Caton reviewed with the Board D.I.F & W's "Migratory Bird Depredation Permit," which she will submit in order to deal with Woodbury Pond's continuing geese droppings issue. She noted that this is the "last resort" option, as firing a "starter's" gun, spreading fox urine, and a coyote decoy have all failed to scare off the geese.
- 5.5 Conveyance from the Town of Litchfield to John Coelho a small parcel of Town-owned property on Map R09, Lot 2 (as authorized at the June 16th Town Meeting via Article #54): George Thomson moved/Mark Russell seconded (**passed 3-0**) to authorize the Manager to have Attorney Cliff Goodall draft a quit claim deed, based on surveyor Robin Redmond's legal description.
- 5.6 Bank of Maine's \$300K loan commitment to fund the purchase of two new trucks for Litchfield's Fire and Rescue Department.
- (a) George Thomson moved/Mark Russell seconded (**passed 3-0**) to authorize the Manager to sign the B.O.M.'s loan commitment proposal, dated July 18, 2012.
 - (b) George Thomson moved/Mark Russell seconded (**passed 3-0**) to retain Attorney Cliff Goodall to render the standard "legal opinion" (e.g. the borrowing, has been authorized by the voter's etc.) and to prepare the loan closing documents.
- 6.0 Unscheduled Business:
- 6.1 Mark Russell moved/George Thomson seconded (**passed 3-0**) to sign a quit claim deed to George & David Hopkins on parcel 76 (Peace Pipe subdivision)
- 6.2 David Larrabee:
- (a) Norton True received a quote of \$1,385.00 from Collette Monuments, Lewiston, to "right" the fallen stones in True Cemetery, and would "participate" \$400 to

\$500 in the cost. Chair Rayna Leibowitz said that she would get an estimate from Masciardris, Hallowell.

- (b) Reported that Sappi will be doing a “maintenance” cut on Lots 7 & 9 (on Map R4), which abut town-owned Lot 8, whose property lines are “unclear.” Board asked David to ask Robin Redmond for an estimate to survey Lot 8.

8.0 Re-appointments: Mark Russell moved/George Thomson seconded (**passed 3-0**) to cast one vote for the following re-appointments:

- 8.1 Esther Slattery 3 years Historical Preservation Commission
- 8.2 David A Kamila 3 years Board of Appeals
- 8.3 Glen Ridley 3 years BAR alternate
- 8.4 Elaine Stinson 3 years New Mills Dam Advisory Committee
- 8.5 Bernie Mayo 3 years Woodbury Pond Dam Advisory Committee
- 8.6 Terry Tracy 3 years Smithfield Plantation Board of Trustees
- 8.7 Paul Whalon 3 years BAR

George Thomson moved/Mark Russell seconded (**passed 3-0**) to approve/sign:

- 9.1 Town Voucher #2 for \$66,226.06: and
- 9.2 Town Payroll #2 for \$15,865.84.

11.0 Selectmen/Public Discussion/Communication:

- (a) George Thomson asked Ernie Keene to consider an appointment to the vacant sexton position; but he declined.
- (b) The Manager was asked to draft an article for the September Sodalite soliciting membership in a “consumer fireworks” committee.

13 Meeting adjourned at 8:40 PM.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's "Special" Meeting
July 31, 2012

- 1.0 Chair Rayna Leibowitz convened meeting at 6:00 PM. Pledge to flag.
 Selectmen present: Rayna Leibowitz, George Thomson, and Mark Russell
 Staff present: Michael G Byron, Town Manager; Ron Ridley, Public Works Foreman
 Guests present: Dawn Pallis James MacInnes Tim Ireland/Viking Cives
 Skip Skehan FTL/W-Stat of ME David Larrabee Harold Burnett
 Robbie Spencer, O'Connor GMC Steve Goucher Greg Goucher
 Todd Goucher

5.0 Scheduled Business:

- 5.1 At 6:01 PM, Chair Rayna Leibowitz opened the following "wheeler" bids.

<u>Truck & Chassis Dealers</u>	<u>Bid Received</u>	<u>Bid Amount</u>
Whited Peterbilt of ME	July 30/11:25 AM	\$188,129 (H.P.)
Whited Peterbilt of ME	"	\$188,373 (Cives)
O'Connor- 2013 Mack	July 30/3 PM	\$168,000 (in stock)
O'Connor-2013 Western Star	July 30/3PM	\$180,689 (H.P.)
" "	"	\$180,934 (Cives)
Portland North Truck Center	July 31/1:22 PM	\$186,985 (H.P.)
"	"	\$187,230 (Cives)
Freightliner of ME	July 31/5:45PM	\$182,321 (Cives)
"	July 31/5:45PM	\$182,076 (H.P.)
"	"	\$186,807 (in stock)

Equipment Dealers "Key"

H.P. = H.P. Fairfield

Cives = Cives Steel D/B/A Viking Cives

Note : To allow sufficient time for the Public works foreman and the Road Commissioner to compare the bids to the Town's "wheeler" specs., the Board will hold another "special" meeting on August 6th, starting at 6PM, to award the contract.

- 5.2 Mark Russell moved/George Thomson seconded (**passed 3-0**) to approve the Manager's draft (a re-write of the Assessing Agent's letter) of the Letter of "estimated" value (as of April 1, 2012) to be mailed to Litchfield taxpayer's (see Attachment #1).
- 5.3 Review Harold Burnett's Assessment of MacInnes "unauthorized" harvesting on Town-owned Lot 30, Map R-10
- (a) The Manager reported that James MacInnes , Personal Representative of the Estate of Marion MacInnes, on March 4, 2010, signed a "Limited Durable Financial Power of Attorney," appointing Dawn Pallis and Steven Reed to act "jointly together" as his "attorney-in-fact."
- (b) Harold Burnett reviewed his July 20 2012 e-mailed assessment of the MacInnes "trespass" harvesting on town-owned property (see Attachment# 2) for details), which, in part, states that:
- (i) About 1.6 acres of "trespass" cutting occurred.

- (ii) Greg Goucher’s accounting for the wood cut, resulting in \$1,917 paid to Litchfield, “seems reasonable”
 - (iii) Site remediation should include: installing “waterbars” on the skid trails; seeding the skid trails; and removing the temporary bridge.
 - (c) Mark Russell suggested the Board consider a consent agreement, including \$1,500 fines:
 - (i) To both the MacInnes Estate, with a portion (amount T.B.D.) waived if a deeded R.O.W. is granted to the Town for the use of a “landing” (to facilitate future logging in the town parcel), and to “formalize” existing recreation trails; and,
 - (ii) To Goucher, with, say, \$500.00 waived if the Burnett site remediation is completed
 - (d) David Larrabee will contact Robin Redmond to work up a proposal for surveying and legally describing the trail easements on the Macinnes property.
 - (e) This matter will be “re-visited” at the August 28th Board meeting.
- 10.0 Other Business: Mark Russell would appreciate, at the August 14th Board meeting, a status report from the C.E.O. of the George Huntington “illegal” junkyard matter
- 13.0 Meeting adjourned at 8:00 PM

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
August 14, 2012

- 1.0 In Chair Rayna Leibowitz's absence (she was out of state), George Thomson convened the meeting at 6:30 PM and, by consensus, was appointed as Chair Pro-tem. Pledge to flag.
Selectmen present: George Thomson and Mark Russell
Staff present: Michael G Byron, Town Manager, Steve Ochmanski, Code Enforcement Officer and Public Works foreman, Ron Ridley
Guests present: Skip Skehan Christine Stenberg John Patten
George Rogers Dan Doiron Randy Hutchins Stan Labbe
Robbie Spawcos Bill Quackenbush
- 2.0 As Mark Russell hadn't had a chance to review the July 24, 2012 minutes, Mark Russell moved/George Thomson seconded (**passed 2-0**) to table the minutes to the August 28th meeting.
- 4.1 Town Manager Reported that:
- (a) The August 28th Board meeting would start at 6:00 PM to award the Spirit of America certificates.
 - (b) Due to a new tax-billing vendor's need to "re-format" our TRIO assessment data, the mailing of the letters of "estimated value" (as of April 1, 2012) has been delayed by about a week.
 - (c) After changing Bond Counsel from Drummond & Woodsum to Lee Bragg, the \$300K, ten year Bank of Maine loan (to assist in the funding of Fire & Rescue's C.I.P.) will close this Thursday (August 16th).
- 4.2 C.E.O.
- (a) Reported on the status of George Huntington's "illegal" junkyard:
 - (i) A contempt of the court order to clean up the junkyard was not filed, as Mr. Huntington began a cleanup; but, to date, has not been completed
 - (ii) Mr. Huntington's attorney, Dennis Jones, no longer represents him.
 - (iii) Town Attorney Seth Goodall will draft a certified letter, requesting that the C.E.O. conduct an on-site inspection.
 - (iv) There are no D.E.P. issues in evidence on Mr. Huntington's property.
 - (b) Board review specs for replacing the Town office roof.
 - (i) This item was tabled to the August 28th Board meeting, when Rayna Leibowitz will have returned from out-of-state.
 - (ii) Board may want to consider a metal roof, as an alternate to the specs.
 - (c) Reviewed his July 2012 permit log, which reflected estimated construction values totaling \$131,900 (see Attachment #1).
- 4.3 Fire & Rescue: Chief Stan Labbe:
- (a) Reviewed his department's July 2012 activity report (see Attachment # 2).
 - (b) Reported that, after talking to several State/Federal agencies, no one knew of any "conditions" attached to the sale of the department's red 1952 forestry Jeep. Mark Russell suggested contracting the Litchfield Fairgrounds to see if there is an interest in accepting the Jeep as a donation.
- 4.5 Assessing Agent/Status of Letter of "Estimated Value"- see 4.1 (b) above.
- 4.6 P.W.D Foreman Ron Ridley reported that:

- (a) The Dead River Road “rebuild” project will cost:
 - (i) Approximately \$5,000 for gravel, fabric, and renting an excavator; and
 - (ii) An amount to be determined through a competitive bid to lay down an asphalt base (prior to an overlay sometime next year).
 - (b) After a number of “in garage” repairs, the “screen” will return shortly to the Town pit to complete putting up winter sand.
 - (c) With asphalt prices currently in the \$82.00/ton and up range, the Huntington Hill and Buker Roads (which have already been “prepped” for paving- some cross culverts, in poor condition, have been replaced; ditches cleaned out; brush cut back, etc) should be shimmed prior to an overlay during next year’s paving season. The Manager will contact Kevin Doyle (who has extensive Public works experience) to see if shimming will “hold up” through this coming winter plowing season.
- 5.1 Randy Hutchins: recent “wheeler” bid award to Freightliner.
- (a) A Litchfield resident, Randy Hutchins, owner of Augusta-based O’Connor GMC, reviewed with the Board some additional information (not available at the Boards’ July 31st “special” bid award meeting) on his “Western Star” bid offering, including the galvanized steel cab, which, he stated, compared favorably with the “Freightliner’s” aluminum cab.
 - (b) Skip Skehan, Freightliner of Maine, said that, if you take the cab off of each truck, “the platforms are the same.”
 - (c) Mr. Hutchins summed up his presentation by saying: “The Board voted for a lesser product at a higher price” (about \$1,400).
 - (d) P.W. Foreman Ron Ridley, having sat in both cabs, said that the Freightliner “sight lines” were better than the Western Star’s.
 - (e) The Board consensus:
 - (i) The “process” from working up the “wheeler” specs to the RFP, including e-mailing the specs directly to the vendors, to the July 31st bid review and award, had been appropriately followed.
 - (ii) Freightliner, on July 31st, made a better presentation than did O’Connor.
 - (iii) That no “compelling” reason was given tonight to “revisit” the Board’s bid award decision, which “stands.”
- 5.2 George Rogers/Chris Stenberg, Historical Preservation Commission: Old Town House Museum Roof Replacement.
- (a) An “anonymous” donor will contribute an amount (T.B.D. towards the replacement of the roof.
 - (b) Mark Russell commented that a “slate looking” metal roof (similar to the Academy’s roof) would enhance the “look” of the building.
 - (c) The Manager said that he needed roof specs for a R.F.P.
 - (d) Mark Russell suggested that a “two-for-one” (that is, the Town Office and Town House Museum) RFP might attract lower bids, as opposed to two separate RFP’s.
- 5.3 John Patten: Electricity Maine Program
- (a) Electricity Maine is a PUC-approved electricity supply aggregator.
 - (b) Mr. Patten would like Litchfield to be a “pilot program” - for all residential “signers”* naming the Litchfield Town Office as their “source” of information

leading to the signup, Litchfield will receive .0005 for all kilowatt hours for sign ups (see Attachment #3).

* there are three ways to signup: through Electricity Maine's web -site, or its 1-866 toll free phone number ; or by completing an application available at the Town Office.

- (c) Board consensus to proceed with the Pilot Program.
 - (d) Mr. Patten will follow-up with the Manager to set a time for a front office staff orientation.
- 5.4 Board authorize Manager to sign (retroactively to August 8) Drummond & Woodsum's B.O.M. conflict "waiver" document: This item was "passed over," as this legal firm was terminated as B.O.M. bond counsel.
- 6.1 **Unscheduled Business:** George Thomson moved/Mark Russell seconded (**passed 2-0**) to authorize the Manager, as Treasurer, to sign the B.O.M's \$300K loan closing documents.
- 8.1 Mark Russell moved/George Thomson seconded (**passed 2-0**) to re-appoint Michelle Pushard to the Recreation Committee for a 3 year term.
George Thomson moved/Mark Russell seconded (**passed 2-0**) to approve/sign:
- 9.1 Town Voucher #3 for \$328,934.99; and
- 9.2 Town Payroll #3 for \$14,641.42.
- 11.0 **Selectmen/Public Discussion/Communication:** Mark Russell urged caution in not "discussing" Town business through e-mails.
- 13 Meeting adjourned at 8:30 PM

Respectfully submitted

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
August 28, 2012

Note: From 6:00 to 6:40 PM, Chair Rayna Leibowitz presented the Spirit of America awards (see Attachment #1).

1.0 Board meeting convened by Chair Rayna Leibowitz at 6:40 PM Pledge to flag.

Selectmen present: Rayna Leibowitz, George Thomson and Mark Russell

Staff present: Michael G Byron, Town Manager; Ron Ridley PWD Foreman.

Guests present: Aloma Harvey Eldon Harvey Margaret Williams

Gail Roberts Lisa Ridley Judy Rogers George Rogers

Dot Vachon Don Vachon Jon Bailey Pat Bailey

Karen Zeleniak Darryl Zeleniak Katja Zeleniak Donald Vannah

Kathy Vannah Russell Vannah Tabitha Vannah Taylor Vannah

Rhonda Vannah Riannabelle Huff Ryatt Huff Robert Huff

Fay Smith David Smith Carol Smith Shannon

Doris Parlin Bruce Flaherty

The above guests were attending the Spirit of America Awards

James M MacInnes Christine Stenberg Pat Soboleski Ben Bernier

Steve Goucher Greg Goucher David Larrabee Larry Nadeau

Bill Quackenbush Dawn Pallis

2.0 (a) Mark Russell moved/George Thomson seconded (**passed 3-0**) to accept the minutes of July 24, 2012 ("on the table") as written.

(b) Mark Russell moved/George Thomson seconded (**passed 2-0-1**: Rayna Leibowitz abstained, as she was out of state and not at the meeting) to accept the minutes of August 14, 2012 as written.

4.1 Town Manager Reported that:

(a) Purdy Powers has started their "field work" on the June 30, 2012 audit.

(b) The "letters of estimated assessed value" as of April 1, 2012 taxpayer interviews with Assessors' Agent Jim Murphy will start tomorrow (August 29th). Mark Russell said that he would assist during the morning "shift," and Rayna Leibowitz would try to get to the town office for the afternoon interviews.

(c) The July 31st "special" ("wheeler" bid opening) Board minutes will be on the September 11th agenda for approval.

(d) On September 12th (Wednesday) MMA "risk" manager, John Waterbury, will conduct the annual inspection of the Town Office, PW garage, Fire & Rescue Department facilities, and the Academy

(e) Bank of Maine's CEO/Chair John Everets and EVP Ted Scontras will attend the Board's September 11th meeting to review their bank's current financial status.

(f) On the morning of September 5th (Wednesday), John Patten, Electricity Maine, will be in the Town Office for a brief staff orientation as to how interested Litchfield residents can signup for this electricity cost-savings program.

4.3 Fire & Rescue: Chair Rayna Leibowitz suggested that "mutual aid calls" be added to the monthly activity reports.

4.6 P.W.D. Foreman:

(a) The Dead River Road “rebuild” project will require the closure of that road from September 10 (Monday) through, and including, September 13 (Thursday). Appropriate signage and notices (to Fire and Rescue; RSU #4; and adjacent towns) will be in place shortly.

(b) After review, Board consensus to interpret section G of the Driveway Entrance Permits ordinance (see Attachment #2: “The town will maintain the [driveway] culvert...”) to include replacing the culvert, when culvert maintenance is no longer practicable.

(c) About 3,100 C.Y. of winter “salted” sand is in the shed.

(d) The Manager reported that, according to both Kevin Doyle, one of Auburn’s Public Works foremen, and Jim Nevins, on Manchester’s road committee, shim coats will “hold up” through several years of snowplowing (prior to hot topping). Board consensus to put out to bid the shimming of Huntington Hill and Buker Roads.

5.1 Board Continue Discussion of Possible “Remedies” Concerning the Recent MacInnes “Trespass” Harvesting of Town-owned Property.

(a) Note: Dawn Pallis said that certain “mistakes” made by their attorney has “complicated” the Probate court proceedings.

(b) David Larrabee:

(i) Said that the Gouchers had satisfactorily remedied the “trespass” harvesting site.

(ii) Reviewed Robin Redmond’s proposal to survey/draft legal descriptions for the two proposed easements (for a logging “yard,” and existing hiking trails) to the Town from the MacInnes estate.

(iii) Reviewed Harold Burnett’s site assessment \$612.50 invoice as follows: \$192.50 was charged for 2 ¾ hours attending a recent Board meeting; and the \$420.00 balance for the site assessment. It was noted that Mr. Burnett had proposed \$300.00 for this site assessment, which the Board had previously approved.

(c) After discussion, the Board passed the following votes:

(i) Mark Russell moved/George Thomson seconded (**passed 3-0**) to have the Manager ask Mr. Burnett to “waive” \$120.000 of his \$420.00 site assessment fee, which would net his fee to the \$300.00 he originally proposed (and the Board accepted) for this work.

(ii) George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to impose a “trespass” harvesting fine of \$1,500 (an original motion of a \$2,500 fine by Mark Russell failed due to a lack of a second) on both Goucher as well as on the MacInnes Estate.

(iii) George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**), through consent agreements, to waive all of the two \$1,500 fines (except for \$150.00, which represents 50% of the Harold Burnett \$300.00 site assessment fee): to Goucher, in light of their remedying the “trespass” harvesting site, and having paid the Town the \$1.9K stumpage fee; and to the MacInnes Estate, if and when, within 6 months, the two deeded easements (referenced in 5.1 (b) (ii) above have been executed. The Board noted that if the probating of the MacInnes Estate takes longer than 6 months, this timeline could be extended.

- 5.2 George Thomson moved/Mark Russell seconded (**passed 3-0**) to sign Real Estate Purchase Installment contract re: Map U21, Lot 015.
- 5.3 Board review specs for Replacing Town Roof (tabled from August 14th meeting): Board consensus to leave this matter “on the table” pending inviting several contractors who’ve expressed an interest in the project to a “pre-bid “ meeting to “flesh out” the specs for the town office roof, and possibly, for the new roof referenced in agenda item 5.4 below.
- 5.4 Christine Stenberg: Old Town House Museum Roof Replacement.
- (a) Ms. Stenberg, as previously requested by the Board, distributed specs for this project (see Attachment # 3 for details).
 - (b) Further action deferred on this project, pending the outcome of the pre-bid conference referenced in agenda item 5.3 above.
- 5.5 George Thomson moved/Mark Russell seconded (**passed 3-0**) to authorize the Manager to “accept” International Salt’s proposal to deliver up to 400 tons of road de-icing salt at \$68.88/ton through June 30, 2013.
- 5.6 Original Computing LLC’s renewal contract:
- (a) Owner Ben Bernier reviewed with the Board his I.T. work for Litchfield to date, including: “securing” server data with daily backup discs “exchanged” between the town office and the fire department; and reconfiguring the town’s web site.
 - (b) George Thomson moved/Mark Russell seconded (**passed 3-0**) to authorize the Manager to sign Original Computing LLC’s renewal contract through August 15, 2013.
- 5.7 Mark Russell moved/Rayna Leibowitz seconded (**passed 3-0**) to appoint George Thomson and the Manager as Litchfield’s official representatives to serve on K.V.C.O.G.’s General Assembly from July 2012 through June 2013.
- 5.8 George Thomson moved/Mark Russell seconded (**passed 3-0**) to sign Real Estate Purchase Installment Contract re: Map R02, Lot 33. The Manager noted that the “former” owner of this property had recently listed the property for sale.
- 5.9 Reginald Poussard, 109 Plains Road: Tires on Ladd Property
- (a) Note: Mr. Poussard did not attend the meeting.
 - (b) Mark Russell will “search” the registry of deeds for information on the property’s lien holder.
- 6.0 Unscheduled Business: David Larrabee- Town –owned parcel on Map R4, Lot 18 (in the Declaration of Trust)
- (a) This lot is “surrounded” by Lots 17 and 19, owned by Ralph Sawyer, who has retained Sappi Fine Paper to do a “maintenance” cut on his property.
 - (b) If “pinned” and surveyed (surveyor Robin Redmond has quoted \$1,730 to do this work), Lot 18 (about 5-6 acres) could also be harvested.
 - (c) Board consensus to have David Larrabee ask the Conservation Commission to make a recommendation as to the disposition of this parcel.
 - (d) The Board took no action on Mr. Redmond’s survey proposal.
- George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:
- 9.1 Town Voucher #4 for \$366,534.38; and
- 9.2 Town Payroll #4 for \$16,347.60 .

13.0 Meeting adjourned at 9:37 PM

Respectfully submitted

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
September 11, 2012

- 1.0 Meeting convened by Chair Rayna Leibowitz at 6:30 PM. Pledge to flag.
Selectmen present: Rayna Leibowitz, George Thomson, and Mark Russell
Staff present: Michael G Byron, Town Manager, Ronald Ridley, PWD Foreman, Jim Murphy, Assessor's Agent
Guests present: John W Everets, Chair B.O.M. Ted Scontras, E.V.P., B.O.M.
Bill Quackenbush Meghan Gauthier Elton Wade
- 2.0 (a) George Thomson moved/Mark Russell seconded (**passed 3-0**) to accept the minutes of the July 31, 2012 "special" meeting as written.
(b) Mark Russell moved/George Thomson (**passed 3-0**) to accept the minutes of August 20, 2012 as written.
- 4.1 Town Manager Reported that:
(a) On October 6th (Saturday), Cobbossee Colony Golf Course will host its annual Litchfield/Monmouth Fuel Assistance Tournament.
(b) John Patten, Electricity Maine, has set up in the front office flyers, so that Litchfield residents can register with this electricity provider.
(c) The Town recently received a \$2,095.00 dividend check from M.M.A. as a result of its good loss experience and loss prevention programs in both the workers compensation fund and the property & casualty pool.
(d) As a result of an on-site M.R.S. audit of the Town's diesel fuel excise tax records, the \$10,550.00 recently received refund had to be repaid to M.R.S. Although not made clear on the M.R.S. refund form, refunds are only available for "off road" diesel use (which is minimal for Litchfield).
(e) Tomorrow John Waterbury, M.M.A.'s Risk Consultant, will inspect: the Academy; the two Fire & Rescue buildings; and the Town Office.
(f) Currently, about 160 tax liens will be filed (September 18th is the last date for filing).
- 4.2 The Board reviewed the C.E.O.'s (not in attendance) August 2012 permit log, which reflects estimated construction values totaling \$479,800.00 (see Attachment # 1)
- 4.3 Fire & Rescue: On behalf of Chief Stan Labbe, the Manager related Fire & Rescue's August 2012 activity report: 4 Fire Calls and 7 Rescue calls with no calls on the Turnpike. It was noted that future reports will also include "mutual aid" calls.
- 4.5 Assessor's Agent Jim Murphy reported that:
(a) To date, with the assistance of members of the Board of Assessors, some 125 interviews have been conducted with taxpayers, concerning their April 1, 2012 "estimated" structure, and, in some cases, land assessed values.
(b) Before setting the FY '13 mil rate/tax commitment, he and Office Manager Trudy Lamoreau would need several days to make sure that all necessary adjustments (e.q. abatements, supplementals, exemptions, etc) had been made to "TRIO Trial" (the assessment data base to be used in committing FY "13 taxes).
(c) A date should be determined for the Board of Assessors, Assessing Agent and the Manager to meet to set the FY '13 tax commitment: after discussion, this meeting was scheduled for September 26 (Wednesday), starting at 6PM.

- 4.6 P.W.D. Foreman: Review bids on shimming about 3 miles of Huntington Hill and Buker Roads, and laying a 2 inch asphalt base on a 500 foot section of the Dead River Road.
- (a) To date, in response to the legal RFP ads placed in both the Kennebec Journal and the Lewiston Sun Journal, only two proposals have been received. As one of the two, Ferraiolo, did not include estimated shim tonnage (for Huntington Hill and Buker Roads), this matter has been tabled, pending Ferraiolo “walking the site” and submitting estimated tonnages.
 - (b) It was noted that since shimming specs were too difficult to develop (e.g. “1/4 point” shimming “covers” different lengths and depths of wearing ruts along the three miles to be shimmed), the request was for “proposals,” not “sealed bids.”
 - (c) Mark Russell asked for a copy of the RFP (the next day, the Manager placed a copy of the RFP in each Selectman’s mailbox...)
- 5.1 The Bank of Maine CEO/Chairman John Everets and E.V.P. Ted Scrontras review the Bank’s Current Financial Status.
- (a) The following milestones were pointed out:
 - (i) During May 2010 a new entity, SBM Financial, Inc., acquired the Savings Bank of Maine’s two holding companies, restructured its debt, and injected \$60 million of new funds, which exceeded the capitalization requirements established by the Office of Thrift Supervision (OTS) under that agency’s August 2009 “Cease & Desist” order.
 - (ii) During January 2011, the OTS lifted its Cease and Desist order.
 - (iii) During July 2011, the OTS was absorbed by the Comptroller of the Currency (OCC), at which time the BOM became subject to the OCC’s regulations. The OCC’s “Formal Agreement” outlines items (some of which the BOM “inherited” when it took over the predecessor bank) for the BOM to address.
 - (iv) Finally, since January 2011: the Bank’s loan portfolio has been completely restructured, with new loan delinquencies down to a mere 1/10th of 1%; and the goal of \$600 million in new financing has been surpassed.
 - (b) The Manager pointed out that the Town’s aggregate deposit balances (the “operating” account ranges from \$1 to \$2 million, plus some \$450,000 in about 28 reserve accounts) are fully secured by a combination of \$250,000 F.D.I.C insurance and Letters of Credit drawn on the Federal Home Loan Bank of Boston.
- 5.2 Daniel & Megan Gauthier- Ferrin road Driveway Entrance Permit Sight distance “Waiver”
- (a) The Manager/Road Commissioner said that:
 - (i) Although the Ferrin road is not posted for a speed limit, the “unposted” West and Maxwell roads (which also intersect Rte 197), according to M.D.O.T, should both be posted at 35 mph. Therefore, it seems “reasonable” to assume that the Ferrin Road also be posted at 35 mph for sight-distance purposes.
 - (ii) Assuming that the Board accepts the analysis in 5.2 (a) (1) above, the southerly sight distance, as measured by the P.W.D crew, is 320 feet, or

- some 30 feet “short” of the ordinance required 350 feet (e.g. 35 mph x 10), which would necessitate a 30 foot “waiver” from the Board.
- (b) After discussion, the Board consensus was to table this matter to the September 28th meeting, allowing the Board to “individually” visit the proposed driveway entrance.
 - (c) For the record, it is noted that with access to the Gauthier property off Santa Lane (a private road), the C.E.O. has issued a building permit.
- 6.0 Unscheduled Business:
- (a) Elton Wade asked the Board to have the History Room’s H.V.A.C. system (turned off several years ago because of its high k.w. “draw”) reevaluated by a well-qualified technician.
 - (b) Chair Rayna Leibowitz commented that the Historical Society has recently asked David Larrabee to locate a technician to assess the H.V.A.C. system.
- George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:
- 9.1 Town Voucher #5 for \$293,948.74: and
 - 9.2 Town Payroll #5 for \$19,592.16.
- 10.0 Other Business: The Board tasked the Manager to have a draft “rewrite” of the Town’s Personnel Policy available for the Board’s review at their November 13, 2012 meeting.
- 11.0 Selectmen/Public Discussion/Communication:
Manager was asked to follow-up with:
- (a) The M.T.A. as to the timelines for the Rte 197 bridge project.
 - (b) M.D.O.T. concerning repairs needed on the east side of the intersection of the Plains and Upper Pond roads.
 - (c) Mark Russell suggested that: Interviews with taxpayers concerning their April 1, 2012 “estimated” assessed values could be “streamlined” if their 2011 and “proposed” 2012 property data documents were made available prior to the interviews; and the answers to many of the taxpayer questions would be “self-evident” in comparing the two documents.
- 12.
- 13.0 Meeting adjourned at 8:30 PM

Respectfully submitted,

Michael G Byron

Minutes of the Selectmen's Meeting *As amended by the Board*
September 25, 2012 *(agenda items 5.6 and 5.3C)*

- 1.0 Meeting convened by chair Rayna Leibowitz at 6:30 PM. Pledge to flag.
Selectmen present: Rayna Leibowitz, Mark Russell (George Thomson in Scotland).
Staff present: Michael G Byron, Town Manager; Ron Ridley, Public Works Foreman.
Guests present: Judy Bourget Bill Quackenbush Judy Webb
Jonathan Webb Christine Stenberg David Larrabee Arvah Lyon
Mel Newendyke Meghan Gauthier Stan Sawyer Ralph Sawyer
- 2.0 In the absence of George Thomson, the Board tabled the vote on the September 11th minutes to the October 9th meeting.
- 4.1 Town Manager reported that:
- (a) The Cobbossee Colony Golf Course will hold its annual Litchfield/Monmouth Fuel Assistance tournament on October 6th (Saturday); and that the Bank of Maine will sponsor three holes (\$180.000) and a foursome (\$80.00).
 - (b) He talked to Harold Burnett today, who "accepted" a \$120.00 reduction in his \$612.50 "trespass harvesting" site assessment invoice, which brings that portion of his bill in line with his \$300.00 quote (previously approved by the Board).
 - (c) Last week, he filed 122 tax liens (similar to prior years) with the Registry of Deeds.
 - (d) On October 4th (Thursday), Ben Bernier will "swap out" Trudy Lamoreau's and a front counter computer for two new H.P. workstations, with windows 7 installed (an upgrade from the current XP).
 - (e) He talked at some length last Friday with Julie Flynn, Department of Elections, concerning a new electronic ballot scanner & tabulator now available to towns in time for the November 6th Presidential/Local election. Julie has been calling many towns on this matter, including Doris Parlin. The Manager concluded that, although we should follow up on the matter, the time is too "compressed" to the November elections to properly do our "due diligence."
 - (f) M.T.A. Director Peter Mills at this morning's Board meeting recommended that all three Litchfield "low volume" bridges- Maxwell, West, and Lunts Hill- remain open. Chair Rayna Leibowitz, who attended the M.T.A. Board meeting along with about 6 or 7 other Litchfield "interested parties" reported that:
 - (i) The Board backed Director Mills recommendation by a 6-1 vote; and
 - (ii) In two or three years, the Lunts Hill Bridge will undergo an approximate \$2 million renovation, which will extend its "useful life" by some 50 years.
- 4.2 The Manager reported that the C.E.O. has permits to convert three seasonal homes to year round, each with an estimated construction value of about \$250,000.
- 4.6 P.W.D. Foreman and the Road Commissioner together recommended Ferraiolo Corp.'s proposal (one of three proposals received) to shim the "marked" sections of Huntington Hill and Buker Roads (about 3 miles), and lay a 2 inch asphalt base on the repaired 500 foot section of the Dead River Road. (see Attachment # 1).
- (a) After reviewing the three proposals, Mark Russell moved/Rayna Leibowitz seconded (**passed 2-0**) to accept Ferraiolo's proposal (which was the lowest of the three).
 - (b) Foreman Ridley noted: that, as M.D.O.T.'s equipment was not immediately available, on their way back from the Dead River Road project, the crew filled

in the washout on the easterly corner of the Plains and Upper Pond Roads; that, as a quid-pro-quo, M.D.O.T. allowed the Town to keep the “borrowed” detour signs used by the Town on the Dead River project.

- 5.1 Board consider sight distance “Waiver” on Daniel & Megan Gauthier’s Ferrin Road Driveway Entrance Permit (tabled from the September 11th meeting): as measured by the P.W.D. crew, the southerly sight distance measures 320 feet, 30 feet “short” of the ordinance required 350 feet.
 - (a) It is noted that both Rayna Leibowitz and Mark Russell had a chance, since the last Board meeting, to “independently” visit the site.
 - (b) Mark Russell moved/Rayna Leibowitz seconded (**passed 2-0**) to approve the requested waiver, with an additional condition- that a “stop ahead” sign be erected before traffic passes the proposed driveway, heading towards Rte 197.
- 5.2 Christine Stenberg: Town House Museum Roof Repairs.
 - (a) The Manager noted that as the Town Office not only needs its roof replaced, but its furnace also needs to be replaced; therefore, a “joint“ roof RFP is no longer “financially” feasible.
 - (b) Ms. Stenberg reviewed three roof repair proposals received (see Attachment #2).
 - (c) With two “confidential” benefactors willing to pay a combined \$15,000 towards the project, no town funds will be needed. Under these circumstances, the Board’s consensus is that a “formal” RFP is not required.
 - (d) The Manager requested to be contacted when a contractor is selected, and provided a copy of the insurance.
- 5.3 Ralph Sawyer: Interested in either purchasing Town Parcel R4-018 on Oak Hill Road or “swapping” his parcel R1-066(which abuts Town parcel R1-067) on the Adams Road for R4-018.
 - (a) Ralph’s brother Stan was in attendance, and participated in the discussion.
 - (b) Ralph Sawyer’s Oak Hill Road parcel R4-017 “surrounds” Town parcel R4-018 (which is in the Conservation Commission’s Declaration of Trust).
 - (c) David Larrabee said that the Conservation Commission, not wanting to set a “precedent,” was not interested in selling parcel R4-018, but preferred a “land swap” instead. *During discussion, Ralph Sawyer stated that his preference was to purchase parcel R4-018 rather than a land swap.*
 - (d) Board consensus to ask David Larrabee to research a “land swap” deal further, especially in light of Stan Sawyer’s comment that he and Ralph own some 700 acres in total, some parcels of which may be of interest to the Town/Conservation Commission. For the record, it was noted that whatever land transaction was agreed upon, it would involve the Declaration of Trust , and therefore, an appropriate warrant article would have to be drafted, and would be subject to a vote at the June 2013 Town Meeting.
 - (e) Stan Sawyer brought up another “issue,” concerning Town parcel R1-069 (on Rte. 197), which “protrudes” into Sawyer owned parcel R1-070: Mr. Sawyer disagrees with Robin Redmond’s 2010 survey of R1-069, claiming that the westerly line is “too far west,” and “takes” about 8 acres from his ownership. The Manager was asked to contact Mr. Redmond as to the possible “gaps” in his deed research of R1-069.
- 5.4 The Board signed Helen Lane’s certificate, celebrating her 100th birthday on October 6.

- 5.5 John (and Judy) Webb, 59 Penney Lane: questions concerning the April 1, 2012 increased assessment on both their land (increased from \$31,990 to \$37,900), and buildings (increased from \$4,663 to \$7,818).
- (a) The Manager had recommended that Mr. Webb meet with Assessor's Agent Jim Murphy to review the April 1, 2011 and April 1, 2012 Valuation Reports, along with Pat Dow's "field" notes on this property. Mr. Webb preferred to address the Board on this matter.
 - (b) The Webbs don't "use" the 1959 "8 MFG unit" on their lot, but are leaving it on site to preserve the "foot print" for a new building at some time in the future.
 - (c) Mark Russell noted that the approximate \$6000 increase in land value appeared to be the listing of a septic system.
 - (d) The Manager will ask Jim Murphy to "pull" the information referenced in 5.5 (a) above for the Board's review at their Assessors' meeting tomorrow evening (to set the 2013 Tax Commitment). Mark Russell commented that it may be "too late" to make adjustments to the Webbs' April 1, 2012 assessment; if so, the Webb's could file an abatement after receiving their tax bill.
- 5.6 Board discuss Arvah Lyon's request to petition M.D.O.T. to reduce the speed limit from 45 MPH to 35 MPH, just past Hartford Drive *traveling north* on the Hallowell Road: after discussion, Mark Russell moved/Rayna Leibowitz seconded (**passed 2-0**) to have the Manager send Mr. Lyon's August 31, 2012 letter to M.D.O.T, and asking that agency to contact Mr. Lyon directly on his request (which the Board supports).
- 6.0 Unscheduled Business:
- (a) David Larrabee said: that the Grant Cemetery's one acre field needs to be bush hogged; and, that Nelly Gamage probably would do this for a stipend, say \$100.00
 - (b) Mark Russell moved/Rayna Leibowitz seconded (**passed 2-0**) to pay Mr. Gamage up to \$100.00 for this work, to be paid from the cemetery account.
- Mark Russell moved/Rayna Leibowitz seconded (**passed 2-0**) to approve/sign:
- 9.1 Town Voucher #6 for \$61,487.60: and
- 9.2 Town Payroll #6 for \$15,154.11.
- 13.0 Meeting adjourned at 8:40 PM.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
October 9, 2012

- 1.0 Chair Rayna Leibowitz convened meeting at 6:30 pm. Pledge to flag.
Selectmen present: Rayna Leibowitz, George Thomson, and Mark Russell.
Staff present: Michael G Byron, Town Manager; Steve Ochmanski, C.E.O.; Ron Ridley, P.W.D. Foreman
Guests present: Johnathan Hatch, Ed Avis, George Rogers
- 2.0 (a) Mark Russell moved/George Thomson seconded (**passed 3-0**) to accept the minutes of September 11, 2012 ("tabled" at the September 28th meeting) as written.
- (b) George Thomson moved/Mark Russell seconded (**passed 3-0**) to accept the minutes of September 25, 2012, amended as follows:
- (i) Section 5.3 (c) –add: "During this discussion, Ralph Sawyer stated that his preference was to purchase parcel R4-018 rather than a land swap."
- (ii) Section 5.6- add: "...traveling north..."
- 4.1 Town Manager Reported that:
- (a) Today, a \$2,000.00 check was received for the Litchfield Fuel Assistance Fund, proceeds from last Saturday's Cobbossee Colony Golf tournament.
- (b) The "1/4 point" shimming of about 3 miles of the Huntington Hill and Buker roads was completed today. The Board consensus was that a good job was done by Ferraiolo Corp.
- (c) Kelly Cyr, who uses the Perkins Road to get to her S. Monmouth home, called recently to say that her car was nearly "T-boned" by another vehicle coming out of a driveway, but hidden by the Richard's retaining wall. She was advised to file a report with either the K.S.O., or State Police.
- (d) Assessing Agent Jim Murphy believes that the Town will see a "spike" in abatement requests and residential site visits, generated by Pat Dow's "list and measure" tax assessment data. George Thomson moved/Rayna Leibowitz seconded to accept the Manager's recommendation to defray some of this "extra" Assessing Agents' cost from the approximate \$3.4K balance left in the "Pat Dow" budget. During discussion, Mark Russell stated that he didn't believe that the Board had the authority to use these funds. The vote failed 1-2, with Rayna Leibowitz and Mark Russell voting in the negative.
- 4.2 C.E.O.
- (a) Reviewed his September 2012 permit log, which reflected estimated construction values totaling \$550,400 (see Attachment # 1).
- (b) Reviewed the status of the "turned off" History Room's "donated" HVAC system, based on technician Bruce Damon's recent review:
- (i) The system, when operating, is "pulling air" from the "unsealed" History Room, and is "oversized" for its intended use, that is, to regulate temperature and humidity for the Town's historical records, archived in the adjacent vault.

- (ii) The “unsealed” circular hole in the wall (through which electrical and telephone wires are strung) between the boiler room (where the HVAC system is located) and the vault has compromised the vault’s 3 hour fire rating.

The C.E.O. noted that Mr. Damon will return to the Town Office on October 18th (Thursday) to review options to deal with the HVAC matter.

- (c) “Emergency” Replacement of the Town Office’s 40 year old (approximate age) water-leaking boiler. Note: This agenda item was discussed along with 5.4: Board review Winthrop Fuel’s October 9th proposal to replace the boiler with a “System 2000 cold Start Boiler” at a cost of \$9,880.00 (see attachment #2)

- (i) Dick Guerette, Winthrop Fuel technician, started up the boiler last week (it had been shut down since last spring), and said that due to age, a broken “fire box,” and water leaking, the system had to be replaced.
- (ii) In reviewing Winthrop Fuel’s \$9,800 proposal, both the Board and contractor John Hatch (who was in attendance for agenda item 5.1) thought that this proposal was too costly, and that other options should be explored. John Hatch volunteered to get quotes on a smaller unit. The Manager was asked to contact Dave Cummings, a local, “independent” licensed boiler installer for his recommendations.
- (iii) Mark Russell moved/Rayna Leibowitz seconded (**passed 3-0**) to authorize spending an amount not to exceed \$6,000 from the Capital Equipment reserve (\$68,000 approximate balance) to pay for this project.

4.3 Fire & Rescue: The Manager reviewed this department’s September 2012 Activity Report (see Attachment # 3).

4.6 P.W.D. Foreman Ron Ridley

- (a) Ferrailo Corp’s recent road work:
 - (i) Laying 2inch asphalt base on about 500 feet of the rebuilt Dead River Road: used 127 tons vs. 150 tons estimated.
 - (ii) “1/4 point” shim on about 3 miles of the Huntington Hill and Buker roads: used 903 tons vs. 850 tons estimated because – a section of Huntington Hill Road, on a rain day, hadn’t been “marked” by the crew for shimming, and, on the recommendation of the Foreman, the Road Commissioner agreed that, as a contract “add on,” the Buker Road “aprons” were shimmed.
- (b) Agenda item 5.2 (below): Board consider having an easement drafted on Dave Hanlon’s Oakhill road parcel R4-015 for a “wheeler” snow plow truck turn around: Board consensus not to have an easement drafted, unless requested by Mr. Hanlon.

5.1 John Hatch: Board discuss possible adjustments to the TRIO assessment program’s depreciation schedules.

- (a) Mr. Hatch said: that singlewides and doublewides are presently being depreciated over 60 years (as are stick-built homes); that this “slow” write

down results in an “unrealistic” high assessed value; and, that the depreciation should be over 30 years.

- (b) George Thomson moved/Mark Russell seconded (**passed 3-0**) to schedule an assessment workshop with Assessors’ Agent Jim Murphy to address this matter, with any depreciation adjustments to be effective as of April 1, 2013.
- 5.2 Dave Hanlon’s “wheeler” turnaround easement: see agenda item 4.6 (b) above.
- 5.3 Mark Russell moved/Rayna Leibowitz seconded (**passed 3-0**) to sign C.M.P.’s Dennis Hill Road pole location permit, subject to Foreman Ron Ridley’s satisfactory site inspection.
- 5.4 Winthrop Fuel’s Town Office boiler replacement proposal: see agenda item 4.2 (c) above.
- 5.5 Board authorize Manager to sign Winthrop Fuel’s boiler replacement proposal : “passed over” (see agenda item 4.2 (c) above).
- 5.6 Board review “pre-RSU 4” lunch program \$37, 086 (per a June 30, 2009 audit) payable to RSU 4.
 - (a) RSU 4 Business Manager Scott Eldridge’s October 5TH letter, reflecting the recently “discovered,” 3 year old, unbilled lunch program invoice, was hand delivered to the Manager this morning by Mr. Eldridge. (see Attachment # 4).
 - (b) The Board directed the Manager to determine whether the RSU 4 Board had “formally” reviewed this matter, and, if so, what position/vote was taken.
 - (c) If the Board “accepts” this 3 year old invoice, the payment would not occur until F.Y. 2014 (which starts July 1, 2013).

George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:

9.1 Town Voucher #7 for \$320,143.45; and

9.2 Town Payroll #7 for \$15,113.06.

10.0 Other Business: Rayna Leibowitz suggested forwarding to the Comp Plan update steering committee, the recently received, undated, letter from the M.T.A., “...requesting copies of any existing reports or studies that identify short and/or long term transportation improvements or transportation problem areas that are adjacent to the Turnpike.

13.0 Meeting adjourned at 8:20 P.M.

Respectfully Submitted

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
October 9, 2012

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- 4.2 C.E.O.
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- (iii) Mark Russell moved/Rayna Leibowitz seconded (**passed 3-0**) to authorize spending an amount not to exceed \$6,000 from the Capital Equipment reserve (\$68,000 approximate balance) to pay for this project.

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4.6 P.W.D. Foreman Ron Ridley

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 - (i) Laying 2inch asphalt base on about 500 feet of the rebuilt Dead River Road: used 127 tons vs. 150 tons estimated.
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 - (b) The Board directed the Manager to determine whether the RSU 4 Board had “formally” reviewed this matter, and, if so, what position/vote was taken.
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George Thomson moved/Rayna Leibowitz seconded (**passed 3-0**) to approve/sign:

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- 9.2 Town Payroll #7 for \$15,113.06.
- 10.0 Other Business: Rayna Leibowitz suggested forwarding to the Comp Plan update steering committee, the recently received, undated, letter from the M.T.A., “...requesting copies of any existing reports or studies that identify short and/or long term transportation improvements or transportation problem areas that are adjacent to the Turnpike.
- 13.0 Meeting adjourned at 8:20 P.M.

Respectfully Submitted

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
October 23, 2012

- 1.0 Meeting convened by Chair Rayna Leibowitz at 6:30 PM. Pledge to flag.
Selectmen present: Rayna Leibowitz, George Thomson, Mark Russell.
Guests present: None.
- 2.0 Mark Russell moved/George Thomson seconded (**passed 3-0**) to accept Minutes of October 9, 2012 as written.
- 4.1 Town Manager Reported that:
- (a) Bill Logan (David Southmayd's partner) dropped off Kane Coffin-engineering plans to construct , on Beaver Lane Extension, an approximate 800 foot "Lane" (to Town specs.), just beyond the "grandfathered" portion of Beaver Lane Extension.
 - (b) Winthrop Fuel: recently inspected the Purgatory ("Red Cook") Fire Station, and found a large crack in the heat exchanger; will work up two options to replace the furnace:
 - (i) An oil-fired warm air furnace.
 - (ii) A ceiling -hung propane space heater.
 - (c) Last Wednesday ((October 17th), the Town office 's "leaking" boiler was inspected by David Cummings, John Hatch, George Thomson and Public Works crew, Ed Dube and Chuck Snyder.
Action Plan:
 - (i) The P.W. crew will remove the boiler and piping.
 - (ii) Dave Cummings will install a "coil less," on -demand boiler, and an on-demand hot water tank for the building's three sinks, for a total estimated project cost of \$3,500.
 - (d) Yesterday, Bill Sylvester, Manager of Cobbossee Colony Golf course, dropped off a \$260.00 check (from the Bank of Maine) for the Litchfield Fuel Assistance Fund.
 - (e) Today, the P.W.D. crew attended M.D.O.T's "Snow & Ice Control" workshop in Lewiston, where the major "takeaway" was to "wet down" (with liquid calcium) each load, prior to plowing/sanding, which will reduce the sand from "bouncing" and blowing off the cold pavement.
 - (f) Litchfield RSU4 Board member Joan Thomas, last week, said that the Board hadn't yet discussed the recent audit of the 2009 "pre-consolidation" lunch program's "unbilled" invoices.
 - (g) Staff (front office and P.W.D.) has requested that, in light of this Christmas falling on a Tuesday, to have Monday, the 24th, off. Board agreed to the request.
- 4.5 Assessing Agent:
- (a) Mark Russell moved/Rayna Leibowitz seconded (passed 3-0) to sign the 2012 Municipal Valuation Report
 - (b) After discussion, the Board and Mr. Murphy scheduled an Assessors' Workshop to discuss TRIO depreciation schedules on November 15th (Thursday) from 3 to 5 PM.

(c) The Board approved Mr. Murphy's recommended abatements as follows:

<u>Map</u>	<u>Lot</u>	<u>Taxes Abated</u>	<u>Moved By</u>	<u>Seconded By</u>	<u>Vote</u>
U25	6	\$ 35.60	GT	MR	3-0
R4	37D	\$ 614.85	GT	MR	3-0
U12	28	\$ 750.97	GT	MR	3-0
R12	1	\$ 238.70	GT	MR	3-0
R7	15	\$ 356.95	GT	RL	2-0-1*
R6	34	\$ 78.00	GT	MR	3-0
R12	5-6	\$ 51.16	GT	MR	3-0
R2	121on	\$ 145.20	GT	MR	3-0
U28	50	\$ 60.16	GT	MR	3-0
R3	78B	\$2,378.30	GT	MR	3-0
R10	20B	\$ 491.20	GT	MR	3-0
R2	29	\$ 332.75	GT	M	3-0

*(MR abstained)

(d) For the record, it is noted that, after the foregoing abatements were reviewed and voted on, Mr. Murphy tendered his letter of resignation to the board effective January 8, 2012 (see Attachment # 1.)

5.1 George Thomson : Review Bruce Damon's Recommendations concerning the History Room's HVAC System, and Vault Archival Documents:

(a) At last Thursday's "furnace room" meeting, HVAC technician Bruce Damon said that:

- (i) The HVAC system is "sized" for a large computer room and, because it is sited in the furnace room, is drawing in "outside" moist air, detrimental to the integrity of the archival documents.
- (ii) After sealing the vault door and the circular hole in the wall between the furnace room and the vault, the small dehumidifier in the vault is adequate to maintain an "ideal" temperature/humidity balance of 70°/45°
- (iii) He could set up a monitor to measure the vault's temperature and humidity.

(b) George and Judy Rogers attended the meeting, and agreed to Mr. Damon's recommendation, including leaving the "shut down" HVAC system where it is sited in the furnace room.

5.2 George Thomson: Review "temporary fix" of the "leaking" Town Office roof: As replacing a section of the Town Office roof, possibly with metal, could be a costly project which would have to be incorporated into next year's municipal budget, to "get by" until next June's Town Meeting, the P.W.D. will "brush" a sealant over the leaking shingle "nail holes" section of the roof.

5.3 Mark Russell moved/George Thomson seconded (**passed 3-0**) to sign "warrant & Notice of election" re: a non binding vote on "Privatizing" RSU4 Transportation.

6.1 Mark Russell moved/George Thomson seconded (**passed 3-0**) to sign General Assistance Ordinance Appendices C for the period October 1, 2012 through September 30, 2013.

6.2

Mark Russell moved/George Thomson seconded (**passed 3-0**) to approve/sign:

9.1 Town Voucher #8 for \$326,918.78: and

9.2 Town Payroll #8 for \$14,156.95.

11.0 Selectmen/Public Discussion/Communication.

(a) Rayna Leibowitz updated the Board on the Old Town House Museum:

(i) On the advice of her accountant, as the museum is owned by the Town, and, therefore, is not a 501 (c) for charitable deduction purposes, the “new roof” donor has “stepped away” from funding the project.

(ii) Ed Avis will be “patching” the roof leak in the Museum’s “lean to” (see Attachment #2)

(b) Mark Russell led the board in a discussion of its December 2012 meeting schedule:

(i) December 11th will be the only scheduled Board meeting as December 25th is Christmas.

(ii) This “light” meeting schedule will allow time for Assessors’ Agent interviews.

13 Meeting adjourned at 8:35 PM.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting as amended by the Board 11(c)
November 13, 2012

- 1.0 Chair Rayna Leibowitz convened meeting at 6:30 PM. Pledge to flag.
Selectmen present: Rayna Leibowitz, George Thomson, and Mark Russell.
Staff Present: Michael G Byron, town Manager; Steve Ochmanski, C.E.O.
Guests present: David Larrabee, Peter Fitzgerald, Gerald & Rae Kamke.
- 2.0 Mark Russell moved/George Thomson seconded (**passed 3-0**) to accept the minutes of October 23, 2012 as written.
- 4.1 Town Manager Reported that:
 - (a) Last Friday (November 9th) and today, Dave Cummings has been installing the new town office boiler.
 - (b) Due to personal circumstances, LaMarr Clannon:
 - (i) will no longer be able to edit the Sodalite; and
 - (ii) will advertise for editor candidates in the December issue.
 - (c) At this writing, two candidates, Justin Vandongen and Don Cadwell, have applied for the Assessors' Agent position.
 - (d) Kevin Pulk's "citizens petition" to add "vehicle sales & service" as a permitted use in the Rural Zone should be referred by the Board to the Planning Board to:
 - (i) Determine "consistency" with the Comprehensive Plan; and,
 - (ii) Hold the Land Use Ordinance required Public Hearing.
 - (e) RSU4 Superintendent Jim Hodgkins, Business Manager Scott Eldridge, and RKO auditor Hank Farrah will address the Board at the December 11th meeting concerning the "recently discovered" \$37,086 (2009) lunch program invoice.
- 4.2 C.E.O. reviewed the recently discovered legal issue, and proposed remedy, of a parcel on Woodland Lane (R11-42H) purchased by warranty deed on June 23, 2010 by Gerald & Rae Kamke from Daniel & Catherine Boutin:
 - (a) The Boutin's lot is part of a subdivision plan from Eva Hachey et al, approved by the Planning Board on July 11, 1988 and recorded in the Kennebec County Registry of Deeds.
 - (b) The Boutins never obtained Planning Board approval to subdivide this lot prior to the conveyance to the Kamkes.
 - (c) The Kamkes' credit union is not able to finance their mobile home until the "cloud" on their land title is removed.
 - (d) The Kamkes' attorney has drafted a "no enforcement" of the subdivision ordinance violation letter for the Board to sign (see Attachment # 1, which includes the Board amended language in the last paragraph).
 - (e) To allow time for the C.E.O. to amend the documents language (as referenced in 4.2 (d) above), George Thomson moved/Mark Russell seconded (**passed 3-0**) to sign the amended document outside of this meeting.
 - (f) Finally, the C.E.O. will ask the Boutins to apply to the Planning Board to amend the 1988 subdivision plan, reflecting the Kamke conveyance.

- 4.3 In the absence of Chief Labbe (attending a mutual aid Chiefs' meeting), the Manager presented Fire & Rescue's October 2012 Activity Report.
- 5.1 David Larrabee: Possible harvesting of "landlocked" Town-owned parcel R9-63A:
- (a) Logger Ken Reed is presently harvesting Warren Mariner's parcel 69 (R9) on the Lunts Hill road.
 - (b) If the Board agreed, Mr. Reed could move his equipment across Gilbert Lilly's parcel 64 (with no "toll") and onto the Town-owned parcel 63A.
 - (c) George Thomson moved/Rayna Leibowitz seconded (**Passed 3-0**) to:
 - (i) Have the Town lot harvested subject to David Larrabee "walking" the parcel in the next few days to make sure that Mr. Reed's equipment wouldn't irreparably "tear up" the site.
 - (ii) Authorize the Town Manager to sign the harvesting documents.
 - (d) Harold Burnett, Two Trees Forestry, was paid \$1,000 (late 2007 or early 2008) to mark timber on this property.
 - (e) Mark Russell moved/George Thomson seconded (**passed 3-0**) that, if Mr. Burnett is not involved in this project, to pay \$1,000 to David Larrabee (from timber sales) to supervise the harvest.
- 5.2 Mark Russell moved/George Thomson seconded (**passed 3-0**) to sign the Sportsmen's Club two annual "Blanket Letters of Approval for Game of Chance" applications for:
- (a) Operating a sealed ticket game of chance; and
 - (b) Operating a game of Beano or Bingo.
- 5.3 Board review Winthrop Fuel's two option proposal for replacing Red Cook Station's heating System: After discussion, George Thomson moved/Mark Russell seconded (**passed 3-0**) to:
- (a) Accept Winthrop Fuel's "option # 2"- Modine HDS75 sealed combustion ceiling Hung Propane space heater at an "all in" install cost of \$3,620.00 (see Attachment # 3), and
 - (b) Authorize the Manager to sign the proposal.
- 6.1 Peter Fitzgerald, 2720 Hallowell Road:
- (a) Mr. Fitzgerald related to the Board an incident last July, when a neighbor touched off a series of "consumer" fireworks about 9 PM, which "spooked":
 - (i) His bull in the barn, who stove up the floor in its stall; and
 - (ii) A pregnant heifer in the outdoors enclosure who tried to run through the fence; the calf was recently still-born.
 - (b) The Board and the Manager are in the process of identifying those citizens who would be interested in serving on an ad-hoc committee to re-draft a "consumer" fireworks ordinance for a vote at next June's Town Meeting (Note: an original draft ordinance was defeated at last June's Town Meeting)
 - (c) Mr. Fitzgerald expressed some interest in serving on the ad-hoc committee.
- 6.2 Transfer station "cash receipting"

- (a) Recently, a citizen dropped off some tires at the Transfer Station, paid the fees in cash, and was surprised that he didn't receive a receipt for the transaction.
- (b) The Manager will follow up on this matter and, if not already in place, will institute a "cash receipting" system.

George Thomson moved/Mark Russell seconded (**passed 3-0**) to approve/sign:

9.1 Town Voucher #9 for \$285,798.83: and,

9.2 Town Payroll: None

11.0 Selectmen/Public Discussion/ Communication:

- (a) Mark Russell asked that the P.W.D. take a look at "fixing" the "heaving" culvert in the Sportsmen's club's lower driveway.
- (b) Mark Russell suggested that, when a new editor of the Sodalite is found, the newsletter's content should reflect this publication's "original intent"- that is news about school, town, committee events and the like.
- (c) Rayna Leibowitz inquired as to the status of the "revised" personnel policy. The Manager said that he hoped time would be available during January-February 2013 (before the next budget cycle starts) to continue work on this project.

13 Meeting adjourned at 8:43 PM.

Respectfully submitted,

Michael G Byron
Secretary

Minutes of the Selectmen's Meeting
November 27, 2012

- 1.0 Meeting convened by Chair Rayna Leibowitz at 6:30 PM. Pledge to flag.
Selectmen present: Rayna Leibowitz, George Thomson, and Mark Russell.
Staff present: Michael G Byron, Town Manager, Ron Ridley, Public Works Foreman.
Guests present: Stella Pulk Chadd Hill Bill Quackenbush
- 2.0 George Thomson moved/Mark Russell seconded (**passed 3-0**) to accept the minutes of November 13, 2012 amended as follows: to section 11.0, add (c) to read: "Rayna Leibowitz inquired as to the status of the "revised" personnel policy. The Manager said that he hoped time would be available during January-February 2013 (before the next budget cycle starts) to continue work on this project."
- 4.1 Town Manager Reported that:
- (a) The Red Cook propane-fired heating system was installed last Tuesday (November 20th).
 - (b) The Town Office new "on demand" boiler has been installed, with some heating "zone" issues (front office and the downstairs Rec. office) to be fine-tuned. Although the install meets code (per Steve Ochmanski), the "workmanship" is problematic.
 - (c) Concerning the "frost-heaved" culvert in the lower driveway of the Sportsmen's Club, by its policy, M.D.O.T.: "is responsible to restoring adequate flow through the culvert." As a recent inspection by M.D.O.T's Randy Prince indicated "adequate flow," the culvert will not be "lowered."
 - (d) The Transfer Station's "cash receipting" policy has been modified as follows: if an "offered" receipt (now the practice) is not accepted, that notation will be made on the "office" copy (new practice).
 - (e) Due to wet conditions, David Larrabee will not pursue having Town Parcel R9-63A harvested.
 - (f) Ricky Gowell and Tim Forrester, a biologist, along with D.E.P. and Army Corp reps., will inspect the Town's "reclaimed" pit for possible "offsite" wetland mitigation sites, to partially offset a \$130K impact fee, as Rick Gowell's new store will "destroy" some 29,000 square feet of a "man-made" wetland.
 - (g) David Larrabee has proposed to the Sawyer brothers "swapping" town-owned lot R4-13 (a nearly inaccessible lot) for the Sawyer's Lot R1-66, which abuts a separate town-owned woodlot.
 - (h) The office staff would like permission to use the "garage" dumpster for their household trash, which would increase the hauler's fee from \$40.00 to \$55.00 /month. It was pointed out that the Fire Department's dumpster is currently accepting limited "private" household trash:
Board consensus not to accede to this request; and, furthermore, questioned the funding source of the Fire Department's dumpster (e.g. Association or taxpayer funds). Note: the following day, the Manager learned that the hauler does not charge for this dumpster.
 - (i) Mark Russell asked the Board whether or not the recently granted December 24th day off (the day before Christmas) was to be paid?
 - (i) Although not specifically addressed at the last Board meeting, the Manager recommended that the day be "paid," especially in light of the number of State holidays (which Litchfield honors) for which Staff does not get paid.

- (ii) Note: At the meeting, the Manager did not have an example of a “paid” State Holiday for which staff did not get paid. The day following the meeting, in consultation with the Office Manager, the following recent example is offered: The State (and Litchfield) observe as paid holidays both Thanksgiving (Thursday) and the “day after Thanksgiving” (Friday). Although the Personnel Policy reads in part: “...employees will be paid for a holiday only if it falls on a regularly scheduled work day...,” staff did not get paid for the day after Thanksgiving.
- (iii) After discussion, Mark Russell moved/ Rayna Leibowitz seconded (**Passed 3-0**) to pay staff for a half day, or four hours on the 24th. (Note: During this discussion, the Manager “missed” the fact that Mondays are 10 1/2 hour working days, from 8:30 AM to 7:00 PM).

4.6 P.W.D. Foreman:

- (a) The December Sodalite’s “From the Town Manager’s Desk” will contain the following request: “When the forecast includes a snowstorm and/or a “wintery mix, “ please park your vehicles at least 10 feet off of the pavement to allow sufficient room for our wing plows to push the snow back off the road shoulders.”
- (b) To provide additional off-road parking, the Public Works crew will construct a 15’ x 30’ gravel parking lot between the Libby-Tozier School and Academy Road. The \$948.00 quote (labor, vehicle “rental”, and materials) will be invoiced to RSU4.
- (c) The crew has installed the “on-spot” chain system on the plow trucks.

5.1 Board review Manager/P.W. Foreman recommendation to have liquid calcium tanks attached to the snowplow trucks (see Attachment #1 for details):

After discussion, George Thomson moved/ Mark Russell seconded (**passed 3-0**) to spend up to \$4,200 from the Public Works Capital Reserve to install liquid calcium tanks on the “wheeler” (\$2,300) and T-2 (\$1,900).

5.2 Manager review Assessors’ Agent interviews scheduled for December 5th:

- (a) As a fourth candidate has applied for the position, Board consensus to: start the first interview at 3:30 PM; “shorten” the interviews from 1 hour to 45 minutes, with 15 minutes between interviews; and a half hour dinner break after the first two interviews.
- (b) The Manager will draft a “score sheet” for the interviews.

5.3 Kevin and Stella Pulk, 180 Center Road: Petition for Zoning Ordinance Amendment: “Vehicle Sales and Service” shall be allowed as a permitted use in the Town’s Rural District.

- (a) Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to refer the petition to the Planning Board for:
 - (j) Scheduling a public hearing on the proposed amendment; and,
 - (ii) To review the proposed amendment for consistency with the Town’s Comp. Plan.
 - (iii) Board consensus that, even if the Planning Board ends up not recommending “Vehicle Sales and Services” as a permitted use in the Rural District, with the Pulk’s effort in collecting about 425 signatures, this matter should go to a vote at the June 2013 Town Meeting.
 - (iv) The Manager will ask the C.E.O. to get a Planning Board date to review the petition.

George Thomson moved/Mark Russell seconded (**passed 3-0**) to approve/sign:

9.1 Town Voucher #11 for \$141,076.00; and,

9.2 Town Payroll #11 for \$14,504.78.

10.0 Other Business:

- (a) Rayna Leibowitz inquired as to the status of organizing the “Litchfield Road Advisory Committee.” The Manager replied that, although he has: collected pertinent M.M.A. handbook,/information on this matter; obtained indications of interest from a number of individuals to serve on the committee; and has contacted M.D.O.T to conduct a “R.S.M.S.” workshop, this continues, to be a work-in-progress. Rayna Leibowitz suggested contacting Former Litchfield Selectmen, and Greene P.W. Director, Kevin Doyle as the potential chair.
- (b) Rayna Leibowitz said that the “Wayne Ladd” property has a “for sale” on it, and suggested that the Manager contact the broker to determine the owner of record, concerning the cleanup of the hundreds of tires on the property, many, at the request of Mr. Ladd, were dropped off by the Town.
- (c) Rayna Leibowitz commented that she’s heard that D.H.H.S. is trying to find “better” housing for George Huntington.
- (d) Rayna Leibowitz asked the status of “non-erected” speed signs in Town. The Manager replied that the P.W.D has a copy of M.D.O.T.’s town road speed limits document, but, at this time, other priorities have precluded getting to this project.

11.0 Selectmen/Public Discussion/Communication

Chadd Hill discussed several issues with the Board:

- (a) Is the “assessment” gap between waterfront and non-waterfront properties narrowing? It is, but, without a town-wide revaluation, some “gap” probably will remain.
- (b) Why do “backlanders” pay taxes towards the Cobbossee Watershed District assessment? One answer offered: Without controlling phosphorus “loading,” a pond could go “green,” which would lower waterfront values, which, in turn, would create an “inequitable” tax burden on the backlanders.”

12.0 Meeting Adjourned at 8:37 PM

Respectfully submitted

Michael G Byron

Secretary

Minutes of the Selectmen's Meeting- as amended at the
December 11, 2012 January 8, 2013
Board Meeting

- 1.0 Chair Rayna Leibowitz convened meeting at 6:30 PM. Pledge to flag.
Selectmen Present: Rayna Leibowitz, George Thomson, and Mark Russell.
Staff Present: Michael G Byron, Town Manager; Jim Murphy, Assessors Agent
Guests Present: Jim Hodgkin- Super. Scott Eldridge- Bus. Mgr.
Bill Quackenbush Hayden Rodrigue Liam Rodrigue
Jeremiah Childs Kyle Field Joe McGroghegan
Russ Rodrigue Stan Labbe Michael J Sherman
Betsy McPherson Francis Nadeau Scott R Nadeau
Hank Farrah, RKO
- 2.0 (a) Mark Russell moved/George Thomson seconded (**passed 3-0**) to accept the November 27, 2012 minutes as written.
(b) George Thomson moved/Mark Russell seconded (**passed 3-0**) to accept the Board of Assessors' December 5, 2012 minutes as written.
- 4.1 Town Manager Reported that:
(a) On December 3rd Conrad Weizel, M.T.A.'s Government Relations Manager, had his annual MTA status meeting with the Manager, Chief Stan Labbe and Office Manager Trudy Lamoreau. The major "take away" from the meeting: when Fire & Rescue is "called out" to a Turnpike accident, a copy of the "run sheet" will be sent to Trudy so that whatever Town Office file information is available on the patient can be coordinated with Gardiner Ambulance to enhance collection efforts.
(b) On November 29th, Ricky Gowell, Consultant Tim Forrester, DEP and Army Corps. Reps. visited the Town's "reclaimed" pits, and located several areas for "off site" wetlands mitigation relative to Mr. Gowell's new store, which will "destroy" about 29,000 s.f. of wetlands.
(c) On December 8th, a rabies clinic was held at the Fire Station, manned by Trudy, Doris, Lezley and Pat Soboleski. Each rabies shot cost \$10.00, with \$7.50 donated to the Fuel Assistance fund, which amounted to \$433.00.
(d) Today, the Manager called Mark Evans, MHE Properties, who has an offer on his Wayne Ladd property listing. If the offer is accepted, it would create a "short" sale relative to two outstanding equity loans held by the Bank of America, and could take 3 to 4 months to close.
(e) Arvah Lyon's December 11th e-mail indicated that he was preparing an application to MDOT for a driveway entrance on the Hallowell (State Aid) Road, and, as allowed under Title 23, Section 704(2), asked if the Town is interested 'in being involved in the location, design and construction of this driveway.'" Board consensus was not to be so involved.
(f) The December 27th warrant would have to be signed "outside" of a regularly scheduled meeting: Mark Russell moved/George Thomson seconded (**passed 3-0**) to do so.
(g) On December 24th (the Monday before Christmas), the Town Office will be open until noon.

- (h) Background and reference checks are underway on the two Assessors' Agent "finalists," Ellery Bane and Justin VanDongen.
- 4.2 C.E.O. (Note: The C.E.O. was not able to attend the meeting due to personal matters).
 - (a) The Board reviewed his October and November 2012 permit logs, with estimated construction values totaling \$21,725 and \$3,500, respectively (see Attachment #1)
 - (b) The Board reviewed the C.E.O.'s memo, dated December 11, 2012, on the status of George Huntington's "illegal" junkyard, and concurred with his recommendation to take "a sit back and wait approach" as he "will continue to monitor the situation." (see Attachment #2).
- 4.3 Fire and Rescue:
 - (a) In the absence of Jack Samson (working tonight), Mike Sherman reviewed Mr. Samson's December 5th e-mail (see Attachment # 3) on the status of repairs on Engine #67, which, due to unforeseen repairs, is "off schedule" by about 5 weeks.
 - (b) Chief Labbe reviewed Fire & Rescue's November 2012 Call report (see Attachment # 4).
 - (c) Although not on the agenda, Chief Labbe commented that there were continuing communication "issues" with the R.C.C. (Augusta). The Manager said that he would follow up on the nature of these "issues."
- 4.5 Assessors' Agent Jim Murphy reviewed 27 abatement requests (all recommended for approval), totaling abated taxes of \$12,577.74 (see Attachment # 5 -27 "abatement work sheets," listed alphabetically in order by the property owners' last names). George Thomson moved/Mark Russell seconded (**passed 3-0**) to approve each recommended abatement request.
- 4.6 P.W.D. Foreman: In the absence of the Foreman, the Manager quickly reviewed:
 - (a) Repairs to plow truck T-1;
 - (b) The possible need of a "breakroom"- not in the garage; and
 - (c) The "missed" spec to install an "on-spot" chain system on the wheeler.
- 5.1 Jim Hodgkin, RSU 4 Superintendent, Scott Eldridge, Business Manager, and Hank Farrah, RKO auditor:
 - (a) In discussing the four year cumulative \$410K Lunch Program deficit, Mssrs. Hodgkin, Eldridge and Farrah made the following points:
 - (i) Prior to 2007, the lunch program was not accounted for separately, but was part of the general fund; that vendor invoices were retained in a cardboard box.
 - (ii) Several years ago, on a temporary basis, a Food Service Manager was hired to consolidate operations, including joint purchasing (during 2010, four separate check books were still being used).
 - (iii) Exacerbating the deficits, some 10% of High School students are not filing applications for the Federally-subsidized "free and reduced" lunch program.
 - (iv) Going forward, the administration intends to "budget for a profit" in this program.

- (b) Nest steps to be taken to convey the Libby-Tozier Real Estate from the Town to the RSU4:
 - (i) Board consensus to have Scott Eldridge “cleanup” the “Reciprocal Easement Agreement” which the Manager has “marked up” for review by the RSU4 attorney, as well as by the Litchfield Academy Trustees; the Senior Center and the building maintenance manager, Stan Labbe.
 - (ii) There was no support from the Board to spend any money to have another attorney review the documents.
 - 5.2 Rayna Leibowitz moved/George Thomson seconded (**passed 3-0**) to sign a Quit claim deed, conveying approximately .1647 acres of parcel R9-2 to John Coelho as authorized by Article 54 at the June 16, 2012 Town Meeting.
 - 6.0 Unscheduled Business: Planning Board Chair Eric Seaman on the Pulk “citizens” petition to allow “vehicle sales and service” as a permitted use in the Rural Zone.
 - (a) The required public hearing may be scheduled during May or April 2013.
 - (b) Eric asked if the Selectmen are committed to sending the petition to the Town Meeting in June. The consensus of the Board is that the petition needs to be sent to the Town Meeting as is, but were open to the idea of a “competing” warrant article if alternative ideas were presented.
- George Thomson moved/Mark Russell seconded (**passed 3-0**) to approve/sign:
- 9.1 Town Voucher #11 for \$299,951.16: and
 - 9.2 Town Payroll #12 for \$19,472.87.
 - 10.0 Other Business: Jim Murphy will draft his findings of the single and double-wide “useful” lives used by local Credit Unions and commercial banks in extending mortgages.
 - 13.0 Meeting adjourned at 9:25PM

Respectfully submitted,

Michael G Byron
Secretary