

**Kingfield Selectmen Meeting Minutes**  
**Monday, October 21st, 2024; 6:00 PM Webster Hall 38 School Street**

**Attendance**

**Municipal Officers:** Wade Browne, Hunter Lander, Chris Rushton, Morgan Dunham, Kim Jordan

**Municipal Staff:** Leanna Targett (Town Manager). Travis Targett (Wastewater Superintendent)

**Public:** Mike Shirley, Jane Shirley, Fred Nichols, Bob Carleton, Annie Twitchell, Sue Davis, Patty Churchill, Braden Churchill, Patty Churchill, Braden Churchill, Alan Stewart, Taylor Jordan, Henry Williams, Linda Manning, Melissa Sillanpaa, Nillo Sillanpaa, Jeff Maget, Audrey Tague, Claudia Diller, Ralph Parker, Victoria Parker, Kathy Houston, Dave Davol, Scott Nichols.

**Via Zoom:** Diane Christen, Danielle Mathieu, Angela Boyce, Shelby Banks, Ben Gaudet

**Absent:**

Chairman Browne calls the meeting to order.

Board reviews meeting minutes from October 7, 2024. Selectman Dunham makes a motion to accept all the minutes as written. Seconded by Selectman Lander. All in Favor.

**Old Business:**

Chairman Browne asks if the board to look at setting a date for a work session to review the sewer rate analysis from MRWA. The board agrees to November 6<sup>th</sup> at 5:30 provided the additional information is received from the Maine Rural Water Association.

**New Business:**

Chairman Browne moves to Scott Nichols to discuss speed control, fireworks and engine breaking noises. Chief Nichols says he appreciates the invitation. He says he believes the board has received some of the data received on Riverside Street. He says that two different analysis in which they were looking for high risk, medium risk, low risk type of speeders. For high risk it is 15mph and over for a period of six days we only had 11 vehicles travel at the 15 and over. The medium risk ones which are 10-15mph over the speed limit were about 66 vehicles and low risk was the most, which is the speed limit to 10 over was about 2373 vehicles. I was surprised to see how many cars use that road but there were 6,640 cars tallied up in one week's time period. Sheriff Nichols says to the board in the data you have seen there is nothing in which you can really nail a time down for as far as it was very random and your going to have the rascals no matter where you are the only thing we can possibly do is to get out there when we can. Riverside Street is no different than Main Street in Strong or Route 4 in Strong, I could list a dozen problem areas throughout the county. We are doing what we can when it comes to putting ourselves out there. Sheriff Nichols says just so everybody knows we have 12 people assigned to patrol but that usually means during the day we have three people covering the entire county and four at night and as you can tell we are not a small county – so we are doing the best we can. We are responsive when we receive the calls. Sheriff Nichols says they just need to make a call, and we will try to do some enforcement action.

Just as a note in Kingfield from January 1<sup>st</sup> until October 17<sup>th</sup> we have conducted 282 traffic stops within Kingfield alone, which is pretty significant, obviously the majority of them are right on Main Street because that is where we have a lot of our complaints most of which are headed north, which of course will increase next month. We are aware of that and will continue to work on that. A lot of it Monday through Thursday is commuter traffic early in the morning, so we have early out patrols that start at 6 in the morning. We try to target towns we don't stay in one town for days in a row because after we were there for days in a row we become ineffective, so we try to jump around and catch people. It works better when people don't know when we are going to be there.

*Disclaimer: following the adjournment of the meeting it was noted that data obtained (6,640 cars) was from picking up vehicles traveling on Route 16 and not just Riverside Street.*

Chief Nichols moves the discussion into fireworks. Chief Nichols says I know the issue is on West Kingfield Road as we get the complaints. He says I hate that law, I really do I wish they never changed it the way they did because there are some folks out there – its one thing to celebrate something it's another thing to just be an annoyance but it's not against the law and most people know that up until 10pm at night there is nothing you can do about it. The only thing that is out there for municipalities is to have their own ordinance set up for that sort of activity if you want the law to say 9:00pm or whatever that is a decision for the board of selectpersons to decide upon but once you do that how are you going to enforce it. There is a state law out there that talks about the enforcement of municipal ordinances that can be contracted out with the State Police or the Sheriffs Office as far as doing that kind of activity I have never done it - I don't have an agreement with any town currently so it is something we will both have to explore if it's something the town wants to pursue. One thing that some towns find a little resistant in doing is that we require that you put some sort of financial penalty or fine to any ordinance that the town has because what is the point in having it if there is no penalty involved. That is the first couple of steps then we would be required to go and train 2 or 3 of our deputies to prosecute these things and usually they are prosecuted right here at the town level during a selectmen's meeting. That is your only recourse other than going to your state representatives and state senators to say that we need to change this law. This is a problem that is county wide, and we deal with it all the time.

Selectman Jordan shows Chief Nichols a handful of debris and asks when you have debris that is all over the neighbor's lawn and vehicles that come from their fireworks how would it not be considered litter? Sheriff Nichols says I think it could be considered litter if you can prove it landed there at the time they are being blasted off. Mike Shirley says he has a bag full of it right here that landed on my porch and roof. Chief Nichols says as long as you can go to court and say I swear that is the way it happened and it happened at such and such a time, this is where it happened then perhaps we could pursue the litter charge. We would need to talk about it with our prosecutors. If someone is blasting stuff off like that it should land on their own property not someone else's.

Nillo Sillanpaa asks about the fire hazard of it where these hopes are located and all the pine trees and pine needles. Fire Chief Fred Nichols says if a fire starts we can go after them with the forest service. Nillo says there are days when I can not get a permit to burn brush, but they are lighting fireworks. Fred says there is nothing in the law. Chief Nichols says he does not think there is as it has to do mostly with noise and time. Chairman Browne says when you review the law it does not say anything about that or litter actually the nuisance law was hard to find. Chief Nichols

says it gets worse on holidays are you are allowed to do them until midnight. TM, Targett asks about disorderly conduct. Chief Nichols says no because it's illegal activity. Selectman Lander says it says fireworks and it is disturbing this amount of people and it reads on public or private property that doesn't count. Chief Nichols says no.

Dave Davol says the problem with that part of the statue is that we have to prove their intent, with every state of Maine statue you have to have state of mind. You need to be intentionally recklessly doing it as the statue states. Nillo asks does their Facebook comments with social media being so huge can the sheriff's department use that stuff; I know other times that it is useable. Chairman Browne says to bring it back around the question was if it was an enforceable issue or not and it sounds like it is not as much as we would like it to be. Chief Nichols says not that, but we can talk to the DA's office and explore the possibility of debris issue which is more valid. I can talk to him and get back to you on that.

Sue Davis asks if this is going on in a lot of other communities. Chief Nichols says yes, all over the state. Sue asks what the possibility is of getting rid of the law. Chief Nichols says great question, I would be all for it and I am sure a lot of sheriffs share the same sentiment I do. Sue says maybe if enough departments have the issue then it could be changed. Chief Nichols says it is a weekly even all over the county it's everywhere.

Chief Nichols says as far as the jake brake noise is concerned that the town is talking about this is the first he is hearing about this, so he asks what is going on. Chairman Browne says jake brakes coming in and out of town that people are concerned about them doing it a lot and excessive noise, some don't have a baffle on their trucks so its really loud however I don't know how you are going to enforce that without a noise ordinance which we do not have in this town. If we had a noise ordinance we would need to be more than just jake brakes, it would be music, dogs barking and so much more which will open a can of worms in this town, and I don't think we want one. Chief Nichols says the only thing I can do with that is I can pass it along to the commercial vehicle guys. There is at least two of them that work up here quite frequently and I will tell them your concerns which are all coming down 27 and 16. Selectman Lander states that they are really going fast down Route 16 even coming up to the bridge. They should be slowed down before getting to the bridge as it is 25mph there.

Braden Churchill says I have been driving a truck for years and the jake brakes are a safety feature on trucks it's not intentionally a noise it is to save on brakes and helps when you are going to slow down most of these town's signs are illegal about jake brakes. Chief Nichols agrees. Fred Nichols says he thinks it is more about the illegal exhaust systems. Sue Davis speaks about the use when trucks are empty they are using them just to be annoying. Nillo says that jake brakes are not just for braking purposes – it is not designed for just when you are loaded. There is no state or federal law – which these trucks are federally regulated that says that they cant have an exhaust brake, electric brake or jake brake they are not even mechanic anymore everything is electronic. If they mess with the exhaust then they need to answer to the weight-wagon patrol to punish them for that if they catch them. I am more concerned about the ones that speed through town.

Bob Carleton says he recently attended a meeting at the border and the reason was to expand the border crossing and part of that reason is so that they can have more commercial traffic. I asked point blank about not what was at the border but will happen downstream being Stratton, Eustis,

here, New Vineyard all the way to Farmington. It is something to think about because it will happen. It's probably five to six years out but it will definitely increase the truck traffic.

Claudia Diller asks, in terms of any of these issues is it more effective to have individuals call the state or the towns to get involved and talk to representatives? Chief Nichols says it depends on what particular issue. Claudia says any of them – like fireworks. Chief Nichols says the fireworks one would be the town lending its weight to it which would be great but it takes you to go to these folks and say this is what we want done as people in the town and for the next town meeting you have an article to be put forward for law reversal. Chairman Browne says it would take more as there would need to be public meetings and such.

Chairman Browne says that some towns like Carrabasset have no fireworks allowed so how do they patrol that type of thing. Chief Nichols say they have a police department. Chairman Browne says there are other towns like Eustis – are they calling the Franklin County Sheriffs department all the time to rectify those issues. Chief Nichols says that he is not aware of any other town unless Rangeley has something. There have been issues from Phillips, Avon, Kingfield, Industry and New Sharon but not Eustis that he can recall so its widespread. David Davol says if Eustis has an ordinance we don't know who enforces it but it's not them. TM Targett says Rangeley has one and Eustis has one out of 482 towns 59 prohibit the use and sale, 64 restrict the use and sale, 39 UTs and 29 plantations prohibit or restrict.

Claudia says about the speeding again, is there anything the towns are doing to help reduce speeding on roads that you know of like signs in the roadway. Chief Nichols says of some of our larger towns like Farmington are putting out speed bumps on side roads where people are trying to circumvent main street. They are placed in 25mph zones. Signs are like anything they are effective for about a week then they disappear like the woods – people just stop paying attention to them. Chairman Browne says it's no different than the speed limit sign that is already there. Chief Nichols agrees Following the discussion the board thanks Sheriff Nichols for his time.

Selectmen Dunham makes a motion to accept the supplemental tax bill presented. Seconded by Chairman Browne. All in Favor.

Selectman Rushton makes a motion to accept the Wastewater Commitment covering Oct. 1 to Dec 31. Seconded by Selectman Jordan. All in Favor.

**Town Manager Updates/Discussion:** TM, Targett states that West Kingfield Road paving is scheduled to begin October 28<sup>th</sup>. Crack sealing should be finished by Wednesday. Crosswalks and parking space painting will be completed this week. Next year the plan is to be completed prior to Kingfield Days. TM Targett says that she is awaiting the spreadsheet from Maine Rural Water with formulas. Wendy Kennedy will be the town's representative on the Wester Maine Mountain Housing Committee. TM Targett says she has seven solid members interested in serving on the comprehensive planning committee and although AVCOG suggested 9-11 she would like to appoint these people and move forward. She says we should just get started with seven. Lastly, she requests an executive session on personnel matters.

**Selectmen Discussion:**

Chairman Browne asks for any selectmen discussion. Selectman Dunham wants to recognize the additional welcome to Kingfield signs that have been placed on Rt 16 and Rt 142 and how great they look. She wants to also mention that the rampway has been fixed.

Chairman Browne thanks Travis Targett for filling in at the Transfer Station the past few days. He would like to also note for anyone that does not know that we are not accepting burnable brush or clean lumber for at least 30 days.

**Public Comment:**

Sue Davis asks if the placement of the benches is a dead issue this fall. TM, Targett says yes. Chairman Browne says that we only have one person in public works so we should shoot for spring.

Motion made by Selectman Dunham to enter into executive session pursuant to 1 MRSA 405(6) personnel matters – concerning public works staffing. Seconded by Selectman Lander. All in favor

There are no motions following the executive session.

Selectman Lander makes a motion to adjourn. Seconded by Selectman Dunham. All in Favor.

\*The minutes provided above are a summary. The Town meets record management requirements and retention schedules by maintaining permanent records of electronic recordings of meetings to satisfy the requirements of §403-A. Minutes by Leanna Targett.