

Town Of Litchfield  
Board of Selectmen  
Minutes

Approved 9/12/16

Date: August 22, 2016

- 1.0 Convened at 6:30 PM; Pledge to Flag:** Selectmen Present: Chairman, Mark Russell, George Thomson and Tim LaChapelle. **Staff Present:** Trudy Lamoreau, Town Manager; Larry Nadeau III, Road Commissioner; Steve Ochmanski, Code Enforcement Officer/Plumbing Inspector; Bryan Lamoreau, Transfer Station Manager; Stan Labbe, Fire Chief; Tina Gowell, Rescue Director. Guests: **See Attached.**
- 2.0 Minutes of August 8, 2016 meeting** submitted for final approval. Tim presented in writing a list of amendments. **After discussion, the Chairman, without objection, tabled the minutes until next meeting.**
- 3.0 Reports and Correspondence:**
- 3.1 Town Manager Report:
- A) The Town Clerk is out on medical leave for an undetermined amount of time. Tonight's agenda includes appointment of Acting Town Clerk and Registrar of Voters.
  - B) Met with Marcus Beaulieu of the MMA Risk Pool. Recommends the Tacoma Lakes Association include the Town as an additional insured. He commended the Fire Department on the Tanker repairs.
  - C) Met with Bill Dale, Town attorney, in regards to a potential Executive session with a Town Employee. She invited the Chairman to attend. He confirmed that it is the sole prerogative of the employee as to whether a personnel discussion is open or closed.
  - D) Received a citizen petition to enact a recall ordinance. Possible Agenda Adjustment at 4.0.
  - E) Budget meeting and vote scheduled for Oak Hill High School on August 24. Validation Referendum voting at the Town Office on September 6.
- 3.2 Code Enforcement Officer/Plumbing Inspector:
- A) Presented Permit Log for July which included 3 SFH. Permit fees of \$550 and estimated increased valuation of about \$400,000.
- 3.3 Road Commissioner:
- A) Easy Street ditching and culvert replacement almost completed.
  - B) Leaf Spring repair on one of the trucks is completed. Some tire replacement is scheduled for this week.
  - C) Responded to complaints about DOT detour signage on Plains Road.
  - D) Responded to a question about the Chip Seal Process on the Libby Road.
- 3.4 Fire & Rescue:
- A) Annual Car Show put on by the Firefighters Association was a great success. Participated with the Marines in their Toy Run.
  - B) Monthly Log for July was 11 calls for Fire (4 on the Turnpike) and 28 calls for Rescue.
- 3.5 Emergency Management: No Report
- 3.6 Assessing Agent: Would like to schedule a workshop on September 8 at 3:00 to discuss the upcoming Tax Commitment.
- 3.7 Transfer Station: Brush & leaf area is almost complete.
- 3.8 Other Town Committees:
- A) Road Advisory Committee (RAC) member Lindsay Nelsen reported that the RAC is prepared to begin work on the invasive plant issue. Educational meeting will be held on September 14 within the Conservation Committee meeting. Lindsay Nelsen has some projects ready but needs to know where the money will come from. No money in the Public Works' operating budget. Possibility of using Road Improvement money. **Decision will be made at the next Selectman's meeting.**

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B) Woodbury Dam Committee Chairman Charles Manchester reported that the fence has been repaired. Reclaim has been laid. The painting is the only thing left to complete the repair project.

**4.0 Agenda Adjustments:**

**Motion by Mark, 2<sup>nd</sup> by George, to add an agenda item "7.2 Legal – Recall Ordinance petition" to the agenda. Passed with a vote of 2-1-0.**

**5.0 Scheduled Business:**

**The Chairman, without objection, moved item 5.0 to after item 8.0.**

**6.0 Unscheduled Business: None.**

**7.0 Legal:**

**7.1 Discussion of the performance of the CEO – possible disciplinary action.**

The Chairman indicated that on the advice of the Town Attorney he did not want an Executive Session, but, if Mr. Ochmanski would like the issue aired in public, he would allow a brief discussion between Tim and Steve. Steve agreed. Walter McKee identified himself as an attorney representing Mr. Ochmanski. A discussion ensued that centered on Tim's belief that Steve stole from the Town by asking for, and receiving, reimbursement for travel to the Bank that Tim perceived was not warranted. Mr. McKee disagreed and indicated that, if Tim had followed the procedures in the Personnel Policy, this situation could have been avoided. **After the discussion, Tim moved to terminate Mr. Ochmanski. There being no second, the Chairman ruled that the motion died without a second.**

**7.2 Recall Ordinance Petition has been received by the Town Manager and the Chair recognized Eric Seaman, who was asked to volunteer, as a result of his many years of dealing with ordinances as a Planning Board member, to present the potential Ordinance, to lead the discussion. A petition with 257 registered voter signatures (certified by a Deputy Registrar of Voters), supporting an Ordinance to make it possible to Recall Elected Officials, was distributed to the Board. It was determined that a petition with 172 registered voter signatures (10% of the number of votes in the last gubernatorial election) was necessary to require the Board to act on its content. Eric expressed doubts that the wording of the petition was appropriate for the Ordinance to be presented by the Board to the Town "as is". He suggested that the Board receive a legal opinion on whether the Selectman needed to treat this as a legitimate petition, or as an advisory petition.**

Mr. Seaman also distributed the Recall Ordinances of the Town of Monmouth and the Town of Pittston. He had the Recall Ordinances of a number of other towns of which he only had one copy. He gave this packet to the Town Manager.

**The Chairman asked for objections to instructing the Town Manager to request a legal opinion (MMA or Town Attorney) on the status of the petition. He received no objection.**

There was further discussion and questions about the process going forward, which included a possible Selectman's workshop during the Special Selectman's Meeting on the 8<sup>th</sup>.

**8.0 Appointments/Resignations:**

**8.1 George moved to appoint Trudy Lamoreau as Acting Town Clerk, 2<sup>nd</sup> by Mark. Motion passed 2-1-0.**

**8.2 George moved to appoint Trudy Lamoreau as Registrar of Voters, 2<sup>nd</sup> by Mark. Motion passed 2-1-0.**

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**5.0 Scheduled Business:**

- 5.1 RFP Ferrin Road Hill Paving and Reconstruction – Richard Lane, Chairman of the Road Advisory Committee, distributed an RFP for the reconstruction and paving which calls for the opening of bids at the Selectman’s Meeting of September 12. **After questions and discussion, George moved, 2<sup>nd</sup> by Tim, to authorize Richard to publish the RFP. After further discussion, the motion passed, 3-0-0.**
- 5.2 RFP Huntington Hill Road Paving – Richard Lane, Chairman of the Road Advisory Committee, distributed an RFP for the paving of about 1400 feet of the Huntington Hill Road which calls for the opening of bids at the Selectman’s Meeting of September 12. The paving would be done after the Public Works crew has finished a major culvert replacement and road reconstruction on that section of the road. It includes a base coat this fall and a final coat to be laid next Spring/Summer. **After questions and discussion, George moved, 2<sup>nd</sup> by Tim, to authorize Richard to publish the RFP. After further discussion, the motion passed, 3-0-0.**

**9.0 Warrants:**

- 9.1 Town Voucher Warrant #4 was presented for \$83,145.18. **It was moved by George, 2<sup>nd</sup> by Tim, to approve, and sign, Warrant #4. After discussion, the motion passed 3/0/0.**
- 9.2 Town Payroll Warrant #4 was presented for \$15,509.35. **It was moved by George, 2<sup>nd</sup> by Mark, to approve, and sign, Payroll Warrant #4. After discussion, the motion passed 2/1/0.**

**10.0 Other Business: None**

**11.0 Selectmen/Public Discussion/Communication:**

- A) Question about recording of meetings.
- B) Question about record keeping.
- C) Question and discussion about Plains Road (Litchfield)/Pond Road (West Gardiner) bridge replacement.
- D) Discussion about a temporary (12 hours max) road closure during Huntington Hill reconstruction.
- E) Discussion about the effect of the Ranked Choice Voting Referendum on the Town’s elections.

**12.0 Future Agenda Items:**

- 12.1 D. Blocher Property
- 12.2 Street Lights
- 12.3 Old Mill Road Bridge
- 12.4 Gustin Road Bridge/Culvert
- 12.5 Job Description/Mission Statement for the Road Committee
- 12.6 Purgatory Fire Station roof
- 12.7 RSU Assessment method discussion
- 12.8 Return of the 7/14/16 Executive Session working papers

**13.0 Adjournment:**

Adjourned at 8:09 PM

Respectfully Submitted,  
Trudy Lamoreau, Town Manager  
Mark Russell, Chairman