

Town of Litchfield  
Select Board  
November 26, 2018  
**Final Minutes**

**1.0 Convened 6:30; Pledge to Flag; Selectmen,** Gary Parker, Chairman, Rayna Leibowitz and Mark Russell; **Staff:** Trudy Lamoreau, Town Manager; Bryan Lamoreau, Transfer Station Manager; John Upham, FOAA Officer; Pat Soboleski, Senior Center Director; Renee LaChappelle, BAR, Attorney Mark Bower, **and Guests Present** per the sign in sheet

**2.0 Minutes of Nov. 12, 2018 Meeting submitted for final approval.** A motion to accept the minutes as drafted was made by Mark Russell, seconded by Rayna Leibowitz and voted 3 - 0.

**3.0 Reports and Correspondence**

3.1 Town Manager - A. The Town Manager provided each member with a packet of information regarding the history of the foreclosed properties. She will research the new laws enacted by the last legislature to see if any will affect how these processes will proceed.

B. Resident Leonard Bishop (c/o John Gallant) has indicated he wishes to give a piece of land to the Town of Litchfield. It is R06, Lot 62 off Lynn Lane. Trudy checked the tax records and the taxes are paid to date. It appears to be a land-locked lot. A map of the lot showing the owners of abutting properties was requested. Mark Russell advised acceptance of the property could only be done with vote of the legislative body of the Town at a Town Meeting.

C. The AED has been received. Trudy ordered it and it has been received. The cost was \$1,000.

D. The Maine Turnpike Authority plans to resurface the overpass on the Plains Road in late spring 2019. They intend to close the road and reroute traffic via the Hallowell Road and Route 201.

E. Mark Russell asked if we had received any information regarding MDOT's plans for paving next summer in Litchfield. He has heard rumors that several roads will be done and seeks confirmation.

F. The final vote count determined by a requested recount shows Kent Ackley defeated Randall Greenwood by 16 votes and will be returning to the House of Representatives.

3.2 Code Officer/Plumbing Inspector

3.3 Road Commissioner - Absent preparing for storm response later tonight.

3.4 Fire & Rescue -A. There are concerns about the dispatching situation. Mark has heard that Gardiner is considering reactivating their dispatch center. Trudy was asked to gather some information and perhaps invite Chief Nelson to the next meeting. She will contact Sheriff Mason.

3.5 Emergency Mgmt.- no report

3.6 Assessing Agent - A. Ellery Bane will be here Dec. 6. Rob Duplessie has moved to Gardiner, so he and Ellery will be switching off being in Litchfield while Ellery is doing the data entry regarding the reval that's been done.

3.7 Transfer Station A. The Manager advised a problem with keeping the hydraulic oil and computer warm enough for proper operations has been identified. The solution seems to be building an enclosure with a heat source to keep it working in cold temperatures. Bryan, John and Dana will build it.

B. Random inappropriate disposal of materials in recyclable containers continues to be a problem. Every container that is contaminated costs the town \$500.

C. A third person on staff when open to better monitor disposal may need to be considered.

3.8 Other Town Committees - Senior Center - A. Director Pat Soboleski advised the Harvest Luncheon on Nov. 9 was very well received. They served 46 and put 6 to - go meals out.

B. Sand. The November Sodalite newsletter invited seniors to request a bucket of sand to be delivered to them. Three requests were received. Don Ridley obtained a donation of 25 new five gallon pails from the Brunswick Tractor Supply Store so more can be provided. The December Sodalite will include another invitation to request sand. Chairman Parker offered to assist deliveries.

**4.0 Agenda Adjustments**

**5.0 Scheduled Business**

5.1 Mary Jo Mason - Consent Agreement - Mary Jo Mason and her attorney, Frank Delasandro

from Pine Tree Legal, were in attendance regarding notice of violation of Maine's junkyard laws because of the vehicles and scrap materials on her property. An inspection of the yard and exterior of her home was done by the Code Enforcement Officer and Town Constable with Mary Jo's agreement for the purpose of identifying specific violations and their remedies for the purpose of developing a Consent Agreement acceptable to both the resident and the Town Select Board. While on the property, the CEO advised the resident of the violations and what items needed to be removed from the property. The condition of the structure was also noted and raised concerns. The resident identified several vehicles and items she specifically did not want to lose. A draft Consent Agreement was developed, but in discussion with the Board and attorney, it was determined to not adequately meet the needs of the situation. A request was made to inspect the interior of the house as there have been complaints from neighbors regarding the trash in this house being the source of a rat infestation in the neighborhood and an assessment be done by the CEO and a building inspector regarding the structural integrity of the house, by the Fire Chief for safety, by the Local Health Officer for sanitation issues and accompanied by a law enforcement officer. The resident indicated she would be willing to allow an interior inspection in February and agreed to allow her attorney and the Town Attorney to discuss the matter and develop a schedule. The terms to be included in a Consent Agreement would be based on additional information obtained and include both exterior and interior remedies if any violations or concerns are found. Mrs. Mason (and her attorney) was asked to attend the Dec. 10 meeting to formalize a Consent Agreement.

5.2 Doug Caton - Consent Agreement - Mr Caton was in attendance regarding notice of violation of Maine's junkyard laws because of the condition of his yard and property. Mr Caton advised he will be picking up the metal pieces and storing them on racks off the ground during the month of December. He operates his welding business from this property and drops unused metals on the ground upon return from a job. Nothing there is junk, he just hasn't taken the time to properly take care of them. He has already gotten rid of two vehicles that were on the property. His mortgage will be paid off in a month and then he will have \$900 a month to put into the building. He plans to have the roofing finished and other work done so he can move his mother into the house in two years. Mr Caton advised he would not discuss matters with the CEO without a witness present. He agreed to a meeting and outside inspection on Saturday, Dec. 8 at 9:00 to review the property to identify the violations and remedies for the purpose of developing a consent agreement with the CEO and Town Constable. He plans to have a new dumpster (Conex) put on the property on Jan. 1. Mr Caton was asked to attend the Dec. 10 meeting to formalize a Consent Agreement.

5.3 Carin Burnett - Food Sovereign Ordinance - Carin was absent. Steve Ochmanski was asked to provide assistance to her to ensure the proposed Food Sovereignty Ordinance is appropriately worded. He has more experience than she does in this area.

5.4 Brian Kent Letter - Adding substantial gravel to part of the Oak Hill Road requires the addition of a culvert and gravel to access a wood yard used by Brian Kent. It previously had been accessible without a culvert because of a shallow ditch in that area. Mr. Kent has requested the Town consider putting in the culvert and gravel at the Town's expense as a portable sawmill is expected to come in Dec. 1 to saw several logs into lumber. After discussion, a motion was made to install the culvert (size to be determined by the Road Comm.) at the Town's expense with the agreement of Mr Kent to keep the access cabled or chained when not being actively used and if a structure is built using this as a driveway within 10 years, the Town will be reimbursed for the work by Rayna Leibowitz, seconded by Mark Russell and voted 3 - 0.

5.5 Enables - IT Management - Steve advised Mike Seaman reviewed Enables proposal and feels there are products or services that may not be needed. Enables didn't specify the identified problems and what they'd do to correct them. Steve and Mike will draft a proposal to request bids from other vendors. They have identified 8 possible vendors in the area who could offer these services.

5.6 Winter Maintenance of Town Office - an issue arose when a PW employee sprinkled salt on several inches of snow on the handicap ramp instead of shoveling it first. The Town Manager was directed to discuss the matter with the Road Commissioner so all expectations are met.

## **6.0 Unscheduled Business**

## **7.0 Legal**

7.1 Executive Session, 1 M.R.S.A. 405 §6E - A motion to enter an Executive Session under 1 M.R.S.A. 405 §6E was made by Mark Russell, seconded by Rayna Leibowitz and voted 3 - 0 at 6:36 PM. The Board came out of Executive Session at 7:13 PM.

## **8.0 Appointments and Resignations**

### **9.0 Warrants**

9.1 Town Voucher # 10 for \$156,580.14 A motion to approve was made by Mark Russell, seconded by Rayna Leibowitz and voted 3 - 0.

9.2 Town Payroll # 11 for \$ 20,131.63. A motion to approve was made by Mark Russell, seconded by Rayna Leibowitz and voted 3 - 0.

### **10.0 Other Business**

#### **11.0 Selectmen/Public Discussion/Communication**

A. Discussion about sanding the center of the road rather than both lanes. The Road Commissioner was absent so no specific information was available.

B. Reval - Renee LaChappelle advised she and several of her neighbors did not have interior inspections of their property done. The Town Manager advised that once the data entry is done there will be an opportunity to get this addressed.

C. Employee evaluations and contract renewals - Rayna will check dates and provide an email of her findings to the Board members.

D. Redesign of Town Office - the Town Manager advised there is consideration and discussion regarding building onto the Fire Station but no details are available yet.

#### **12.0 Future Agenda Item**

12.1 Feedback on Selectman's Handbook

12.2 Whipoorwill Rd Culvert/Bridge (Reissue bid request)

12.3 Review of properties subject to foreclosure and process to be used

12.4 Review of specifics of the land offered by Leonard Bishop Map R06, Lot62)

12.5 IT Management Proposal

12.6 Mary Jo Mason -Consent Agreement

12.7 Doug Caton- Consent Agreement

12.8 Dispatching Issues

#### **13.0 Adjournment** at 9:10 PM.

Respectfully Submitted by

Rayna Leibowitz