

**Town of Litchfield**  
**Selectboard Meeting Minutes**  
**September 9th, 2024**

**1.0 Convenes 6:30 P.M.; Pledge to Flag; Selectmen and Guests present**

Selectmen: Gary Parker, Chairman; Clarence Gowell III (identified as Rick in these minutes); Scott Weeks.

Staff: Kelly Weissenfels, Town Manager; Michael Sherman, Fire Chief; Larry Nadeau, Road Comm.; John Upham, Transfer Station Manager; Tom Wood, Chm. Budget Comm.; Steve Ochmanski, Code Enforcement Officer; and others per the sign in sheet.

**2.0 Minutes of Aug 22, 2024, Aug 26, 2024**

There was a motion made by Scott to approve the minutes from August 12, 2024. This was seconded by Gary, vote 2-0 (1 abstention, Rick was not in attendance)

There was a motion made to approve the minutes from August 26, 2024. This was seconded by Rick, vote 3-0.

**3.0 Reports and Correspondence**

**3.1 Town Manager**

A. Per Kelly thirty-day notices (for delinquent property taxes) went out on Friday. Some residents that have received one have already come in to catch up. Kelly noted that next year there may be a campaign of postcards sent out to remind people they have a bill that will be coming due. Ideally however, after the TRIO Web online property taxes payments will be implemented so folks can set up their own reminders and pay online. Kelly will update everyone after the first of the year if this becomes an option

B. Kelly has gotten the town lined up to be able to send and receive text messages. This is slated to start in the beginning of October. Kelly intends to let the town know about this new service via the Sodalite as well as Face Book.

C. Kelly took a Payroll Law Class last Thursday sponsored by MMA. One of the topics covered was the newly implemented Paid Family /Medical Leave which will require all municipalities and businesses in Maine to contribute an additional 1% of payroll to the State to cover up to 12 weeks of leave for those to qualify. Over the next few months how this gets paid (town vs. partial payroll deduction) will be determined.

**3.2 Code Officer/Plumbing Inspector**

A. Steve handed out his monthly building log to the Select Board, Kelly and Larry for review. Gary asked if there were questions, none were raised.

B. Per Steve the Planning Board met on Thursday and had a productive meeting. The Planning Board will be starting their annual review of the Land Use Ordinance. Normally they wouldn't start their review until January, after the new year. However, with the solar moratorium being

in place and a couple other topics they want to review, Steve said they thought now would be a good time to start.

C. There was a notice of a “junk yard” that went to a resident. Steve had not yet received the certified mail return notice and was unaware that the resident had received the notice, but the resident was in attendance at the meeting. Per Gary the Board will take up the issue under Unscheduled Business.

### **3.3 Road Commissioner**

A. Per Larry the grinding is being done on Stevenstown Road. There was a large tree that was removed near Mark Russell’s property (intersection of Plains Rd and Small Rd) on the Small Road. Next they will be working on culverts, then the Town Office driveway will get started. Larry would like to get the project started this coming week so folks should be aware.

B. Kelly had brought to Larry’s attention that the Bridge crossing I95 on Stevenstown Road was hit by an oversized semi load. The Turnpike Authority will not have to rebuild the bridge. However, it will need to be closed for a week or two to straighten a beam damaged by the accident. Rick pointed out that this will be important information for the emergency services that cover the area, Gardiner/Litchfield, etc.

The large culvert running under Maxwell Bridge on 197 is also going to need work done. Per Kelly there will be an on-demand public meeting regarding Maxwell Bridge. They will also be taking comments September 9, 2024, through September 27, 2024. Per Larry the timeline for permits, etc. would mean the work would likely be being done next Spring. Gary asked about the timeframe for fixing Small Road, as the funds are available in the Road budget now. Also, the likelihood they wouldn’t be using Small Road to divert traffic is small. He wanted to be sure the funds will not be lost or unavailable in the Spring if the Small Road project gets delayed due to the Maxwell Bridge work. The bridge will remain posted until the work is done.

C. Larry mentioned that the new crew member has officially started, as last meeting he wasn’t sure exactly when he was starting.

### **3.4 Fire & Rescue**

A. Per Kelly, Chief Sherman is starting Fire Instructor I & II courses. These courses are held on Mondays, meaning that through December he will not attend Select Board meetings, though he may be available via text at that time. He will be back in the office on Tuesdays to answer any questions that may have come up over the weekend into Mondays.

B. The Litchfield Fair was held this past weekend and went well, with no major issues.

### **3.5 Emergency Mgmt.**

A. Per Kelly, he and Chief Sherman will be working on an Emergency Management plan for the November elections to deal with power outages and any other interruptions. This is just part of the discussion on Wednesday during the weekly meeting between Kelly and Chief Sherman.

### **3.6 Assessing Agent**

A. RJD needs to get their team here to complete the Spring work before the tax commitment is due.

B. Ellery Bane plans to be in office September 19, 2024. Per Kelly, Ellery offered to (if all goes well with RJD getting their work done) make time available to have a workshop prior to the tax commitment being set on September 23, 2024. Rick and Scott both would prefer to have the options presented at the same time as the tax commitment being set.

### **3.7 Transfer Station**

A. Stickers 7 new for a total of 2033.

B. Both bulky bins and the tin were emptied this past week. The compactor is scheduled for service next week by Atlantic Recycle, which is the company who sold it to the town. Rick asked John to inquire about the company coming out yearly to do a service call. Just to check on the equipment. John said he would speak with them to get the quote for that.

C. Swap Shop is doing well, this year there were a total of 6699 items. Saturday will be the last day of taking items in for the season. The 28<sup>th</sup> will be the closing day for the Swap Shop this season.

D. The iron fencing was picked up after the second time being sold via auction. Per Kelly, a Vermont resident bought it this time.

### **3.8 Other Town Committees**

### **4.0 Scheduled Business**

#### **4.1 Request for town requirement for new build pre-occupancy inspection – Daniel & Laurie Bergeron**

Mr. and Mrs. Bergeron attended the meeting to express concerns about the CEO's conduct and in their opinion a lack of organization. Also, they wanted to discuss their experience of purchasing a home in Litchfield. Per Laurie, there was a significant disconnect between the gentleman who built the home(s), the inspections needed by the State and the Town of Litchfield. There appeared to be a discrepancy between two similar looking printouts of the new septic permits. The inspection was completed, but the owner (Bergeron) signature seemed to have changed between the original submission and the final copy. There was discussion between all the parties involved. What isn't clear is where the second copy came from.

Rick would like to see the originals that should be in the CEO's office and then meet again once Steve and Kelly have had time to investigate what has happened.

After the discussion Kelly recapped the issues at hand to make sure all parties were on the same page. Laurie wanted to know how in a small town a new house build could get missed. Per Laurie Steve commented that he wasn't aware their house was even there. Scott would like to take care to resolve one issue at a time. He would also like to get the paperwork for the Bergeron's. Being certain this is clarified, then investigate inspections through the town and Steve keeping up with paperwork and the town's needs.

Gary wants to see the original documents shared with the Select Board and Mr. & Mrs. Bergeron before making any decision.

Kelly went through the timeline succinctly for the members of the Select Board. There were two inspections required by the town during building of the house, septic and plumbing. The septic inspection was approved based on installation according to the provided design. Unfortunately, the design was in error. The designer made this right with the Bergeron's. The original builder also took out a plumbing permit, but never asked for final inspection. Steve expected that if the property was sold, someone would ask about those permits, but it did not happen. During the sale, the Bergeron's real estate agent did not recommend a home inspection and did not check with the town about the permits. This led to a lot of frustrations with poor workmanship. Rick said he would check with a realtor that he knew about requirements regarding disclosure of permits. Kelly pointed out that in addition to concerns about Steve's paperwork handling, the Bergeron's were very interested in getting the town to require 3rd party home inspections prior to occupancy. Gary was sympathetic, but expressed that he did not like the additional cost that would incur to new builds. Laurie recognized that she could take the issue to the town by petition. Steve said he will be able to get his hands on the original documents prior to the next meeting.

\*\*\*Unscheduled business taken out of order to be respectful of time\*\*\*

## **5.0 Unscheduled business**

### **5.1 Unlicensed Junkyard on Hallowell Road**

Per Steve, Mr. Miquelon attended tonight's meeting due to receiving the most recent registered letter that Steve, as Code Enforcement Officer had recently sent out. Per Steve, Mr. Miquelon's property was acting as an unpermitted junk yard due to the number of unregistered/uninspected vehicles on the property. He explained to Mr. Miquelon that he wasn't allowed even to apply for a junk yard permit, as the zoning of his property wouldn't allow for such. Also, per Steve he sent out a letter in 2023 letting Mr. Miquelon know that he was unable to keep so many unregistered/uninspected vehicles on the property. He and Steve had a discussion and concluded that Mr. Miquelon was not going to be able to remove the vehicles before snowfall due to life circumstances. Therefore, Steve allowed him the winter and expected the vehicles to be cleaned up in the Spring of 2024. Once Spring arrived and nothing had moved Steve sent another letter in July of 2024. Per Steve there was no word back from the attempts to contact Mr. Miquelon as the property owner.

Mr. Miquelon offered up the explanation of what's been going on and why he hasn't cleaned up the junkyard.

The summary is that Mr. Miquelon will be having Levi, from Litchfield, come and get the Jeep that needs to be removed. Steve needs copies of the registrations for each vehicle brought back into compliance. Also Mr. Miquelon will be getting the information needed to send a van back to the bank that currently holds the title.

#### **4.2 Sign RSU4 referendum warrants**

Kelly handed the members of the Selectboard the RSU4 referendum warrants to sign. There was a motion made by Scott to sign RSU4 referendum warrants for Tuesday, September 24, 2024. This was seconded by Rick, vote 3-0.

#### **5.0 Unscheduled Business**

5.1

#### **6.0 Appointments/Resignations**

6.1

#### **7.0 Warrants**

##### **7.1 Town Warrant #5 \$428,824.73**

There was a motion made by Scott to approve Town Warrant #5 in the amount of \$428,824.73. This was seconded by Rick, vote 3-0.

##### **7.2 Town Payroll #5 \$38,211.09**

There was a motion made by Scott to approve Town Payroll #5 in the amount of \$38,211.09. This was seconded by Rick, vote 3-0. Kelly is to investigate why there are amounts written on the payroll in pencil, letting the board know what he finds out.

#### **8.0 Selectmen/Public Discussion/ Communication**

8.1

#### **9.0 Future Agenda Items**

##### **9.1 Select Board Communications**

##### **9.2 Select Board Plaque for Special Recognition Recipients**

#### **10.0 Adjournment 8:30 pm**

Respectfully submitted by Angela Parker