

**Town of Livermore  
Board of Selectpersons  
August 12, 2013 Meeting  
Minutes**

**Present:** Megan Dion, *Chair*, Mark Chretien, Rodney Newman

1. The meeting was called to order at 6:00 p.m.
2. The Minutes of the July 29, 2013 meeting were accepted as presented.
3. Bids were opened on roads to be returned to a gravel surface. The results were:
  - Bowles Road – Jean Castonguay Logging and Excavating - \$34,353; Gordon Excavating - \$26,000 with reclaim, \$23,000 without
  - Center road – Jean Castonguay Logging and Excavating - \$16,478
  - Hahn Road – Jean Castonguay Logging and Excavating - \$16,478; Gordon Excavating - \$19,000 with reclaim, \$17,000 without
  - Strickland Ferry Road (East of River Road) – Jean Castonguay Logging and Excavating - \$22,880

Administrator Kurt Schaub suggested the bids be referred to the Road Committee for a final recommendation, in consideration of the Capital Improvement budget. It was agreed to refer the bids to the Road Committee.

4. Mr. Schaub presented the fiscal 2014 Tax Commitment calculations. He said the process begins by determining the remaining fiscal 2013 budgetary balances (use of Fund Balance). He said net expenditures were \$24,958 to the positive, and revenues were over-collected in the amount of \$29,744, producing \$54,702 from the 2013 budget to be used to lower the 2014 Commitment, as voted at Town Meeting. He then provided an estimate of Excise Tax and General Government Revenues which, he said, he estimates conservatively. Those items come to \$357,904 which is, again, used to reduce the 2014 Tax Commitment. Other funds to be used to reduce the Commitment are Municipal Revenue Sharing (\$87,308) and half of the Memorial Forest Settlement balance (\$16,058). Together, this provides \$529,652 to reduce the Tax Commitment. He said the other elements of the Commitment (county, school and municipal budgets) have already been cast. At this point, he said, the only variables are the estimated revenues and Overlay. Mr. Schaub presented three tax rate scenarios. Those are: 14.15 mils (\$28,101 Overlay); 14.2 mils (\$37,494 Overlay); and 14.25 mils (\$46,886 Overlay). Mr. Schaub explained that Overlay is generally used to fund any tax abatements that might occur and serves as the first line of defense to the Fund Balance should unexpected events (washouts, unusually heavy winter, etc.) occur. In fiscal 2013, Overlay was set at \$37,559. He said he sees no good reason to increase it, and cautioned against reducing it given that Municipal Revenue Sharing will be reduced again in fiscal 2015. Hence, his recommendation is for a 2014 tax rate of 14.2 mils. Mrs. Dion agreed. On a motion by Mr. Chretien, seconded by Mr. Newman, it was unanimously agreed to set the fiscal 2014 tax rate at 14.2 mils. The Commitment papers were signed.

5. Highway Foreman Roger Ferland reported that yet more rain on the prior Friday again caused washout problems that require attention. He said the pattern of making repairs only to have them washed away is getting old. He said water rose above South Road on Friday, and did so very quickly – despite replacing the previously existing 18-inch cross culverts with 24-inch pipe. He said the water originates from an area behind the Boothby farm and washes very quickly down to the road. He said he would like to add three additional cross culverts to move the water more quickly, prior to the contracted paving. He said he intends to postpone until Spring the planned paving on South Road in order to allow the new culverts time to settle. Mr. Newman asked if it would make more sense to install 30-inch culverts where the 24-inch pipe is now. Mr. Ferland said he didn't think he'd be able to get enough cover gravel on any larger

culverts. Mr. Ferland was given approval to install the new pipes, subject to research as to whether or not the new culverts would alter the flow of water in such a manner as to require a drainage easement. Mr. Schaub will review the requirements, though Mr. Ferland stated the water would follow the same drainage ditch on the east side of the road – the new culverts would simply get it there prior to damaging the road or existing drainage. Mr. Ferland also reported that the batteries in the GMC were recently replaced. He mentioned he'd like to go ahead and purchase the booster unit that was budgeted, and found one marked down to \$399 from \$529. Mr. Newman said his experience was that booster units were usually fine for automobiles but problematic for heavy diesel engines. He suggested getting a set of 20 foot, super-duty booster cables instead. Mr. Ferland said he'd give that a try. He also said the Ford is at Howie's Welding having the new dump body installed. He said he had hoped to sell the old dump body but found the only thing worthwhile on it was the tailgate – much of the rest is crumbling. It's been taken to the Transfer Station for recycling.

On the subject of roads, Butterhill Road resident Bob Tweedie said he recently moved in at the top of the road and has had trouble with his driveway being washed out. He said he met with Mr. Ferland after the July 3 washout, who agreed to perform additional ditching in that area but has not yet. Mr. Ferland said he would like to get there but the crew has been tied up with larger problems in other areas of town. Mr. Tweedie said he believes the problem could be solved if a ditch were cut to the rear of his property before the water hits his driveway. Mr. Newman pointed out that could be problematic for those downhill from Mr. Tweedie's land as it would alter the drainage and send water from the road where it has not previously been flowing. He suggested, and it was agreed, to give Mr. Ferland an opportunity to get to the ditching work he originally discussed and see how it plays out.

6. Mr. Schaub presented his Treasurer and Administrator reports. He also provided a table of Excise Tax revenues for the month of July, indicating collections are ahead of the same period a year ago. He discussed the continued engagement of RHR Smith as the town's auditor and, on a motion by Mr. Newman, seconded by Mrs. Dion, it was unanimously agreed to continue their engagement for the 2013 audit, at a contracted cost of \$7,800. He also provided information on the county budget process and noted the annual General Assistance hearing will be held during the August 26 Board of Selectpersons meeting. Lastly, he said he would be preparing the required documents for a Tax Anticipation Note, and solicit bids for the next meeting.

7. Resident Dwight Hines elaborated on his concerns with persons and groups that harass and intimidate, and encouraged the Selectpersons to refer his earlier correspondence to the town's attorney. He suggested the town is now obligated to follow up as the Selectpersons have been put on notice. He said the larger problem is at the state level, with persons routinely acting with impunity. It was agreed to forward certain of Mr. Hines' correspondence to the Legal Services Department at the Maine Municipal Association, for an opinion as to whether any of his allegations are actionable by the town. This step is intended to shield the town's budget from unplanned and unbudgeted involvements by counsel.

8. Resident David Dion asked if the policy concerning removing items from the Transfer Station Metal Pile could be revisited. He said he doesn't anticipate people removing items in bulk, just something they may need at any given point in time. Mr. Schaub conducted a quick review of the Solid Waste Disposal Control Ordinance, and noted the prohibition is contained within the Transfer Station Operations Manual, which is presently being rewritten. It was agreed to refer the inquiry to the Solid Waste Board to see if a reasonable standard may be developed for the removal of items from the metal pile.

9. The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Kurt E. Schaub