

**Town of Livermore
Board of Selectpersons
October 21, 2013 Public Hearing and Meeting
Minutes**

Present: Megan Dion, *Chair*, Peter Castonguay, Mark Chretien, Rodney Newman, John Wakefield

Public Hearing

1. The Public Hearing was called to order at 6:00 p.m.
2. The Liquor License application for Slices Pizzeria was reviewed.
3. No public comment was offered.
4. The Public Hearing was adjourned at 6:02 p.m.

Meeting

1. The meeting was called to order at 6:02 p.m.
2. The Minutes of the October 7, 2013 meeting were accepted as presented.
3. On a motion by Mr. Castonguay, seconded by Mr. Wakefield, the liquor license for Slices Pizzeria was unanimously approved. The application form was signed.
4. Highway Foreman Roger Ferland reported that Keith Street has been taken care of by its residents. He said Israelson Road has been paved and shoulder work is needed along it. He also said he could use two or three reserve drivers for plowing during extended storms. Mr. Castonguay asked if those drivers would have commercial licenses. Mr. Ferland said yes, and stressed they would only be used as needed. It was agreed to advertise for reserve drivers. Mr. Ferland said the River Road culvert job awarded to Jean Castonguay Logging and Excavation has been done, except for the pavement, and that work on the new South Road culverts began that day. He anticipates work on the sand pile will begin mid-week. As for equipment, Mr. Ferland said the 2007 International was sent out for a cover on the valve bank and, in the process, found that six new valves were needed, due primarily to the unit never having had a cover on it. The other trucks have covers. Mr. Castonguay asked who did the work. Mr. Ferland said it was done at H.P. Fairfield, which had set up the truck initially. He said it would have cost more in lost time and other indirect expenses to have taken it elsewhere once the extent of the required repairs was discovered. Mr. Castonguay suggested Butler and MacMaster in Hallowell for future hydraulic repairs. Mr. Ferland said he believes the 2008 GMC is again headed for wiring harness problems. He said that, while in normal operation, warning lights and buzzers will begin. When the truck is pulled over and shut down, it then starts up with all problems cleared. He said that when this happened before, chafed wires were discovered and repaired. Mr. Castonguay asked if the problem was chafed wires again. Mr. Ferland said he believes it is, but it is hard to tell just which ones as the harness is so tight that it's difficult to see. Mr. Castonguay also asked about the repairs that were made on Keith Street. Mr. Ferland said the holes are filled and the road has been smoothed. It still has no grade but will work for now.
5. Administrator/Treasurer Kurt Schaub presented his written reports. Following the financial report, he discussed a draft Freedom of Access Policy which specifies the various fees that are to be charged to cover the town's costs related to FOA requests, and details how requests are to be handled. On a motion by Mr. Castonguay, seconded by Mr. Wakefield, it was unanimously agreed to adopt the Freedom of Access Policy. Resident Dwight Hines said there should have been a public hearing on the policy first. Mrs. Dion and Mr. Schaub disagreed, stating that a policy does not have the effect of an ordinance, that it merely specifies a procedure, and therefore no public hearing is required. Mr. Schaub also said there

were no new volunteers for the ad-hoc Committee on Education. It was noted that Mr. Newman had agreed to serve, making four members. Mr. Schaub reported that liens for unpaid 2013 have been filed. There were 100 liens, representing \$76,000 in unpaid taxes. In 2012, 118 liens were filed for \$97,000 unpaid. He also presented the PSAP/Dispatch contract from Androscoggin County, to cover calendar 2014. He said it is unchanged from the 2013 contract, and that Fire Chief Donald Castonguay favors continuing the service with the county. On a motion by Mr. Chretien, seconded by Mr. Castonguay, it was unanimously agreed to accept the contract for calendar 2014. Mr. Schaub referenced the draft Personnel Policy that was distributed to the Selectpersons, following review and input from Mr. Ferland, Transfer Station Supervisor Juanita Jordan-Bryant and Town Clerk Renda Guild. He asked if the Selectpersons wanted to designate consideration of the draft during the next several meetings, and it was agreed to do that. He also announced that the Board of Appeals will meet on November 12 to consider a variance application for construction of a garage within the Shoreland Zone. He noted the application was sent to the Maine Department of Environmental Protection, which is mandated by state rule and the town's ordinance. Mrs. Dion asked about tax payments made on a foreclosed mobile home. She said the Selectpersons had not heard more on it since the foreclosure. Mr. Schaub said that the tax account was paid off. At the time of foreclosure, an article appeared in the *Maine Townsman* which suggested that a recent court decision now required municipalities to take additional steps, beyond certified mailings (previously the Gold Standard), to assure the town's position in a foreclosure action and a "clean" foreclosure. Up to the time the owner unexpectedly visited the office, met with Mr. Schaub and offered to pay the account in full, Mr. Schaub said his plan had been to follow the procedures outlined in the article to assure a clean foreclosure in February. He added that, in other communities, it is often the practice of the Selectboard to abate taxes on foreclosed mobile homes when the cost of selling or removing the units from the rented properties on which they sit exceeds the amount owed. He said he learned of this practice after the fact but believes it merits consideration moving forward.

6. Under New Business, Mr. Castonguay asked about Mr. Schaub's meeting with a prospective Animal Control Officer, stressing that he would like to see an interview process. Mr. Schaub said he was not considering the meeting an employment interview and intended to present any applications received to the Selectpersons, after which a hiring process can be determined. He offered that any interested Selectperson(s) were welcome to join him for his initial meeting, at 4:00 p.m. the following Friday afternoon.

7. Under Correspondence, Mr. Schaub said he believed he had complied with Mr. Hines' request to include in the meeting packet a copy of emails concerning municipal purchases and employee benefits. Mr. Hines said he also would like to see a copy of a letter he wrote to RSU 73 Superintendent included in a subsequent packet. On the subject of purchasing, Mr. Hines said he believes the town is missing opportunities to save money by participating in purchases with the district. Mr. Schaub noted that had been attempted in the past with less than satisfactory results. The town was required to estimate a minimum purchase quantity on copy paper, for example, and accept delivery of the total amount (which posed storage problems) at the low bid price, which was higher than the town's usual office supply vendor's sale price, which had been the normal purchase practice for that item. As for fuel, Mr. Newman said that a joint bid between the towns and schools had been looked at when he was on the school board. At that time, they found that Livermore does not purchase, nor can it store, enough to make a group bid practical.

8. Mr. Hines said that it would be helpful if the adopted Freedom of Access policy had been posted on the town website. Mr. Schaub explained that the town's website is under construction and presently contains some information, and more is being added as time permits. Mr. Hines said that a 9th grader can create a website. Mr. Newman added that maintaining a website can be a time consuming process. Mr. Hines also asked about information sent to the Selectpersons prior to the meeting. Mr. Schaub said he prepares a pre-meeting packet that is mailed to the board, so that they have the opportunity to review items, such as the minutes, prior to the meeting, for glaring errors or corrections.

9. The meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Kurt E. Schaub