

**Town of Livermore
Board of Selectpersons
December 2, 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.
2. The renewal Junkyard/Automobile Graveyard Permit applications from Richard Damon and Rodney Newman were reviewed. Administrator Kurt Schaub said the Code Enforcement Officer Richard Marble had inspected the sites and found no changes.
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 November 18, 2013 meeting were reviewed, and accepted following deletion of an extra "said" on the second page.
3. On a motion by Mr. Chretien, seconded by Mr. Wakefield, it was voted four in favor, one recused (Newman) to approve the Junkyard permits as presented.
4. Highway Foreman Roger Ferland was not present due to plowing since late the prior night. Mr. Schaub reported on a culvert on Spruce Mountain Road that was thought to need replacing. A scope revealed the culvert was plugged and was subsequently cleaned. It is sagging, however, and should be replaced next summer.
5. Mr. Schaub presented his Treasurer and Administrator reports. He noted that Excise Tax Revenues are still ahead of the past several years, though not by as much as in October. He also discussed the recent power outage that affected the Town Office from the morning of November 24 through the afternoon of November 25. He thanked Fire Chief Donald Castonguay for hooking up an emergency generator to re-warm the building. He noted that the generator did not power the well pump, which it is intended to do, and that the building alarm system was damaged by a surge that came through the lines when power was restored. Mr. Chretien suggested looking into an automatic backup generator system for the building. Mr. Schaub said it would be good to have as the building is a designated warming shelter. He said he would also look into a surge protector for the alarm system, as the repairs to it were expected to cost upwards of \$600. Mr. Schaub also reported that he had discussed with Androscoggin Bank the plan to equip the Highway Department with a Visa or MasterCard, to be used for fuel (during the hours that Brettuns Variety is closed) and nominal field purchases. Their Government Banking representative suggested, instead, opening a separate checking account to be accessed only by a debit card, with funds replenished via transfer. Because this involves opening a new account, Mr. Schaub said policy requires a vote. On a motion by Mr. Newman, seconded by Mr. Castonguay, it was unanimously agreed to open the new account for use by the Highway Department, and to maintain a target balance of \$2,500 in it. He also reported that the 2014 Androscoggin County budget had passed the Budget Committee with little change from the initial proposal. Lastly, he said he has learned that most town operations around the state would be closing at noon on December 24. He said that if Livermore is going to do the same, it would be helpful to have an early decision as the Transfer Station will be affected and early notice is normally

provided to users. On a motion by Mr. Castonguay, seconded by Mr. Wakefield, it was unanimously agreed to close all town operations on December 24 and compensate employees for additional holiday time.

6. In New Business, Mr. Newman offered a motion to temporarily remove “Questions from the public” from future meeting agendas until guidelines are established. Mrs. Dion disagreed, noting that the public should be encouraged to ask questions of the board. Mr. Newman said he believes questions should be allowed, but that portion of the agenda should not be used a soapbox for anything and everything. Questions, he said, should have some relevance to town matters. Mr. Schaub said that item has been on the Selectpersons agenda for at least 13 years and, until recently, virtually all questions have focused on matters directly involving the town. He suggested looking into guidelines. Mrs. Dion said she believes the less restrictive, the better. Mr. Newman said there should be limits on the subject matter so not to put the Selectpersons and town at risk of litigation. He believes questions should be limited to town business and matters at hand, and not state and national affairs. He withdrew his original motion. Mr. Chretien said he believes the board should look into guidelines. On a motion by Mr. Wakefield, seconded by Mr. Castonguay, it was unanimously agreed to limit questions from the public to matters involving town affairs until guidelines are developed.

7. Resident Dwight Hines said that, under the First Amendment and Maine law, the board is asking for trouble if it attempts to limit free speech. He said the Selectpersons may not like the speech itself but may just have to deal with it, particularly in the interest of encouraging public input.

8. Resident Robin Staples asked why the Transfer Station doesn't accept lawn debris. She and her husband recently brought a trailer load to the facility and wound up having to dump it elsewhere. Mr. Schaub said that residents were previously able to take brush and lawn debris to Jay for disposal. When the contract terminated, the Solid Waste Board looked at the amount of brush disposed of there by Livermore residents (roughly two pickup truck loads over calendar 2012), which was insufficient to justify adding the service. Mrs. Staples also asked about auto parts. Mr. Schaub said a clarification is being worked on whereby some parts (sheet metal only – nothing containing or having had contact with fluids) may be accepted.

9. Work progressed on the draft Personnel Policy. Mr. Schaub said he'd been asked by an employee whether or not whether the disciplinary guidelines concerning possession of a weapon would apply to weapons properly stored and secured in an employee's vehicle. It was agreed to modify that guideline to provide clarification that it would not apply under such conditions. Mrs. Dion suggested a new paragraph within Article 17 to cover emergency closings due to the weather. She asked if the board would consider closing when schools are closed. Mr. Newman disagreed, noting that teachers make up those days at the end of the school year and there is no similar opportunity for staff. He suggested having a consensus among a few people. Following discussion, it was agreed the policy should be that operations would close on consensus agreement of the Chair, Town Clerk and Administrative Assistant, for operations to close with pay. Such action will result in the Highway Department staff receiving overtime for the period of time the other town operations are down. Mr. Schaub will prepare an updated draft containing work to date.

10. The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Kurt E. Schaub