

# Town of Livermore

## Board of Selectpersons

March 7, 2016

### AMMENDED M I N U T E S

Present: Tim Kachnovich, Peter Castonguay, W. Tom Gould, Mark Chretien, Megan Dion

Call to Order and Pledge of Allegiance

- The meeting was called to order at 6:30 pm.
- 1. Approval of the minutes of February 22, 2016, meeting

A motion was made by Megan Dion to approve the minutes as presented; second by Peter Castonguay.  
Vote: unanimous.

#### 2. Reports

- a. Highway Foreman Report
- The highway crew continues to deal with storms and brush cutting. They are on the River Road and plan to go all the way to Route 4. They have completed Sanders Road and Strickland Ferry Road.
- Truck Quotes on an F350 and an F550.
  - Farmington Ford did not provide a quote.
  - Bailey Brothers came to the garage and inspected the trucks for trade value. Brenda Brochu used the Town of Jay specifications for pricing. There was a \$7,000 price difference between the two size trucks. There is a 1" difference in body height between the F550 and GMC. Jerry has called HP Fairfield about using the GMC headgear and plow. He said that the Terrastar is not a good vehicle now; they are experiencing electrical problems.
    - F550: \$45,000 cab and chassis. Allow \$6,500 trade for our F550, with no trade value for the GMC.
    - Mark Chretien discussed keeping the GMC so we have a truck with a wing until we find a vehicle that is not having issues.
  - 9' MC plow through Fischer.
  - Discussion on proposing only one truck this year.
    - Consensus is to propose to the voters one truck; F550.
    - Tim Kachnovich asked to make sure Bailey Brothers knows we intended to keep dump body for \$6,500 the trade. It was requested that Jerry price a new dump body and bring back to the board. Discussion on how it will affect the trade; how much a new body will add to the price.
- Tom Gould spoke of the town's plowing private and easement roads and the legality of the town being on those roads. He would like to cease and desist immediately. Easement roads are different and need follow-up. He asserted that the board can vote to stop plowing immediately without a public hearing. Per state statute there are liability issues for town with our trucks being on these roads. There was discussion on which roads are private.
  - Discussion on Stonewall Drive. It is an estate. It is purportedly in the deed that there is an association (paying dues) stating they will maintain the road. Carrie will research when it was approved as a town road.
    - Carrie will again call MMA. Jean Tardif stated she will contact John Wakefield for information.

- It was requested that the attending reporter do an article providing public notice and requesting information. The roads that are not easement roads need to be discontinued effective immediately.
- The Board asked Carrie to send letters to the residents on the effected private roads.
- Not mandated to do maintenance on easement roads.

A motion was made by Tom Gould that the Town immediately cease winter maintenance to all private roads as of tonight as per statute with sympathy to the people who are losing the service; second by Peter Castonguay. Vote: yes-Peter Castonguay, Megan Dion, Tom Gould, Tim Kachnovich; no-Mark Chretien.

- Discussion: Mark Chretien stated he would prefer to wait till the end of the winter plowing season.

A motion was made by Tom Gould to stop plowing easement roads as stated in the previous motion; per statute and for liability issues; second by Peter Castonguay. Vote: yes-Peter Castonguay, Megan Dion, Tom Gould, Tim Kachnovich; no-Mark Chretien <\*>

- Discussion: burden of proof is on the property owner. Nelson Road, Marcus and Keith Streets are the only easement streets that we have record of. An easement is not an obligation to maintain/plow.
- Office staff were directed to give tax payers a complaint form and encourage them to come to the next meeting with supporting documents.

#### b. Treasurer Report

- Excise collected to date: \$36,699.04 for February (fleet registrations); \$6,100 ahead of last year
- There is one account in potential foreclosure. The taxpayer is now in the 30-day redemption period and will have until March 31, to pay all taxes (3 years).
- 2015 liens: 55 accounts
- Ms. Byron did not have to take an advance on the TAN for this warrant.
- The sand/salt shed loan documents are in holding pattern

#### c. Administrative Report

- School budget workshop reminder: Thursday 6 pm, at middle school
- Carrie provided a reminder of the Thursday business symposium at St. Rose of Lima Parish Hall
- An abatement and supplement were presented to correct an account split:
  - An abatement for Joseph Velozo in the amount of \$574.32
  - A supplement for Roger Soucy in the amount of \$750.77

A motion was made by Megan Dion to move the abatement and supplement as a block; second by Peter Castonguay. Vote: unanimous.

A motion was made by Megan Dion to approve the block; second by Peter Castonguay. Vote: unanimous.

### 3. Old business

#### a. Sand/Salt Shed

- No action – Carrie will email the engineer for a timeline

### 4. New business

a. Appointment of Cleaning Personnel

A motion was made by Tom Gould to appoint Jessica Johnson to the cleaning personnel position at the current stipend; second by Megan Dion. Vote: unanimous.

- Discussion: during a recent workers compensation audit independent contractor status, liability insurance, and worker's comp insurance as an independent contractor was discussed with the Treasurer. Megan Dion stated that prior cleaners were employees. Conversation of not creating a position, but changing status of a contractor to an employee.

b. Appointment of Per Diem Welder Personnel

- Discussion: Peter Castonguay stated that there are a couple certified welders that live in the area. Cody Hazelton and Rory Young are both state certified. They have their own equipment but do not have liability insurance. If they are appointed, they will be covered under the town's policies. The town will have to purchase steel. Carrie was directed to give Jerry their phone numbers. Monies would come from Highway Department budget for their salaries. Peter Castonguay was approached by them to see if the town was interested in their services. There was discussion on wages; Peter Castonguay will discuss with them. Tim Kachnovich questioned Jerry if it would be helpful to have a certified welder on staff.
- Tabled for wage discussion.

c. Resignation of Administrative Assistant

A motion was made by Tim Kachnovich to accept with regret the resignation of the Administrative Assistant; second by Mark Chretien. Vote: unanimous.

5. Public Comment

- Mr. Hines provided public comment.
- Mr. Hines provided his petition for the warrant.
- Jean Tardif questioned the status of the Maintenance Position.
- Megan asked the clerks for suggestions for the town report dedication.

6. Executive Session - 1 M.R.S.A. §405(6)(A) Personnel Matter: Highway Foreman Evaluation

A motion to enter into Executive Session - 1 M.R.S.A. §405(6)(A) Personnel Matter was made at 8:07 pm by Peter Castonguay; second by Tom Gould. Vote: unanimous.

- Out of executive session at 8:24 pm.

A motion was made by Tim Kachnovich to increase to \$19.48 the wage of Highway Foreman, Jerry Whitney; second by Tom Gould. Vote: unanimous.

A motion to enter into Executive Session - 1 M.R.S.A. §405(6)(A) Personnel Matter – Administrative Assistant position, was made at 8:31 pm by Peter Castonguay; second by Megan Dion. Vote: unanimous.

- Out of executive session at 8:53 pm

A motion was made by Peter Castonguay to appoint Amy Byron as Interim Administrative Assistant at the rate of 850.00 per week; second by Tim Kachnovich. Vote: unanimous.

7. Adjourn

A motion to adjourn at 8:53 pm was made by Peter Castonguay; second by Mark Chretien. Vote: unanimous.