

# Town of Livermore

## Board of Selectpersons

March 21, 2016

### MINUTES

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

Call to Order and Pledge of Allegiance: 6:00 PM

1. Approval of the minutes of March 7, 2016, meeting
  - Tom asked Amy Byron to correct minutes, Pg. 1 – Roads: should read “private roads without easement”
  - Pg. 2, Bullet 6 - Peter asked Amy to add “Asked Administrative Assistant Carrie Castonguay to send a letter to residents on affected roads.”
  - Pg. 3, Bullet 1 – Megan suggested Amy delete “as”
  - A motion was made by Megan Dion to accept minutes as corrected; Second – Tom Gould. Vote: unanimous
  
2. Approval of the minutes of March 21, 2016 Joint Budget Workshop – TABLED
  
3. Public Hearing/Discussion on Discontinuance of Winter Maintenance on Private and Easement Roads
  - A motion was made by Megan Dion to move this discussion up; Second – Tom Gould. Vote: unanimous
  - Tom Gould attempted to clear up a misunderstanding regarding the use of Town money on Private Roads. Unless the Town has an easement, Town money cannot be used to maintain Private Roads. The Tort Claims Act states that the Town as well as the municipal employee could be held liable. The Town insurance would not cover the damages and there is no cap to the amount of damages that could be awarded. Tom wishes to thank residents that have come forward with information and records. He has taken information and combined/cross-referenced in a spreadsheet showing an inventory of town roads, private roads, easements and which roads are currently plowed. He displayed the spreadsheet in a Powerpoint presentation, showing the 3 roads which require immediate action: Bryant Road, Brewster Road, and Toncer Road. There were many concerned residents in attendance. Several voiced concern over the lack of notice, past practice of plowing – some for over 65 years, promises made by previous boards and budget. It is the Board’s position that they must act in the best interest of the Town – protecting it from potential lawsuits that could ruin the Town. Scott Richmond stated his father previously worked on the Easement Roads – getting those in place. He stated Easement Roads are not a priority. They will be done after the higher priority roads are done. He also stated the landowners have a responsibility to fix/maintain the roads so that the Town does not damage equipment when plowing. If the roads are not maintained satisfactorily, the Town is under no obligation to plow. Tom Gould stated that this project was a work in progress and action taken tonight is in no way final. It was reiterated that residents on the affected roads should research at the Registry of Deeds and provide proof of road status to the Board via the Town Office.

#### 4. Reports

##### A. Highway Foreman Report – Gerry:

We have had another storm – fortunately it was small. The highway crew is still down one part-time man. Gerry is plowing two routes. The crew has been patching on River Rd & Gibbs Mill Rd. They have been trimming brush on Strickland Ferry Rd. & River Rd. Gerry has received a few complaints. He feels it will be much better once things green up. Moving forward, trimming will only have to be done once every 5 – 8 years. Peter asked about truck quotes. Gerry has two quotes: One from Bailey Brothers and one from Wiscasset Ford. Bailey's offered a good trade in on the Ford. Ben's truck broke down and had to be serviced. It was determined to be a fuse.

##### B. Treasurer Report – Amy:

Excise Tax for March to date is \$20, 355.07. This is about \$13,845 less than March 2015. April tax payments have started to come in. We have not had to take another advance on the TAN. There is one account in Foreclosure for 2014. The redemption period ends 3/31/16 at the close of business. There are 50 accounts in Foreclosure for 2015 -- down 5 accounts since the last meeting.

##### C. Administrative Report- Amy:

- i. Amy is transitioning into the Administrative Assistant role. It has been busy in the office.
- ii. Amy received Jessica Johnson's resignation on Monday, 3/28/16. Renda and Jean are willing to do the cleaning until a replacement is found. The Town Office will need to purchase a vacuum cleaner as Jessica used her own equipment.
- iii. Juanita is in need of a storage container to house refrigerators and tires once the old Sand/Salt Shed is torn down. Amy has retained a quote from Outback Storage. She and Richard will visit the Transfer Station on Tuesday to ensure the container will fit where Juanita wishes to have it placed.
- iv. Amy presented information regarding Builder's Risk Coverage from MMA. It will protect assets while the Sand/Salt Shed is under construction. (Carrie has emailed Scott Braley to include in the bid package.)
- v. Amy presented information on Road Treatment Coverage. It would cost approximately \$570 to insure the Town against claims of destruction/damage to private water supplies because of application of salt/chemicals to public roads during winter salt/sand operations. **NO DECISION WAS MADE**
- vi. Amy has received a letter from DOT notifying the Town of the installation of rumble strips along the Route 4 corridor. More information is available at the Town Office.
- vii. Amy asked the Board for Town Report dedication.
- viii. Amy is working with the Fire Department on two possible grants.

#### 5. Old business

A. Sand/Salt – NOTHING from Plymouth Engineering; Amy will “shake the cage” with the Engineer; Tom has information for an alternative building and an updated quote. We will prepare & present two options at Town Meeting.

B. Roads– moved up after Approval of Minutes

C. Per Diem Welding Position – Peter talked with Cody. His rate is \$25 - \$30/hour; Rory didn't have time to talk with Peter. Peter will try to contact him again. Tim voiced a concern regarding BLS training. Peter will check on what training they have. Peter brought up the potential savings vs. other vendors. Mark felt a contractor may be better. Tim asked if there are other welders out there. It was suggested that maybe we should advertise. It was decided to wait until Peter has a chance to talk with Cody and Rory again.

6. New business

A. Potential tax acquired property foreclosure; discussion of property in question, its value, payment history, town's liability. It was decided that Amy should plan to serve eviction papers on April 1 if owner has not brought the account current.

- o A motion was made by Mark; Second by Tim; vote: unanimous

FOAA Officer Appointment - Amy Byron

- o A motion was made by Peter; Second by Megan; vote: unanimous

B. Deputy Treasurer Appointment – TABLED

C. Safety Officer – TABLED

D. Settlement/Recommitment of Taxes– unanimous

E. Tom made a motion to rescind the second vote from March 7 meeting regarding roads; Second by Peter; vote = 4 yes; Mark = abstain

7. Public Comment

A. Mike Little: Question regarding safety check on residents via local law enforcement

B. Brenda Merrill: Decisions regarding Foreclosure should be carefully considered and any action should maintain consistency with policy.

8. Executive Session – 1 M.R.S.A. § 405(6)A – Personnel Matter – G. Whitney @ 7:54 PM

Motion made by Peter; Second by Tom. Vote: unanimous

Motion to exit Executive Session by Peter; Second by Megan. Vote: unanimous

A motion was made by Peter to extend Gerry's Probationary Period; Second by Tim; Vote: unanimous

9. Adjourn: 8:26 PM