

Town of Livermore
Board of Selectpersons

August 9, 2016

MEETING MINUTES

1. 6:00 PM - Pollard Scholarship – Review Applications & Award Scholarship – 12 APPLICATIONS

PRESENT: Wayne Timberlake, Mark Chretien, Tim Kachnovich, Megan Dion, W. Tom Gould

2. Call to Order and Pledge of Allegiance – 6:30 PM
3. Pollard Scholarship Drawing: Pam Doyen
4. Approval of the minutes of July 12, 2016 meeting
 - a. 4B Section 1: sounds like Tim suggested up to Supervisor to determine if there was obstruction and to handle it on a case by case basis. Megan suggested clarifying that it will be up to the Department Supervisor to determine if there is an obstruction and to handle it as needed.

MOTION to accept as amended: Wayne; SECOND: Tim. VOTE: unanimous

5. Reports

- a. Town Clerk Report – Renda Guild
 - i. Paul was in and we are almost ready for commitment. The office staff prepared 30 day notices. There are staffing issues in the office on Friday, August 19 – both Jean and Amy have the day off and there is no coverage. Office Temp Ads closed yesterday for the second time with no qualified applicants. Renda suggested closing the office and she volunteered to use comp time. Tom feels we don't have many options. If we are closing the office, we need to advertise office ASAP – on the Town FB page and on the office door. Juanita offered to come in and answer phones. There was a discussion on pay rate. Historically the Town's policy has been to pay the going rate for the position – NOT the employee's regular rate of pay. The Board gave Juanita the option to decline; she stated she was OK with the pay rate as she had already volunteered.
- b. Highway Foreman Report – Roger Ferland
 - i. The Highway Department has been busy bringing the truck and equipment maintenance up to date and getting trucks ready for inspections. Currently the equipment trailer is not inspected. It is going to Murray's tomorrow. (The inspection ran out in June.) Roger reports the GMC is at Murrays now due to a fuel leak. It is not known how long it has been leaking. Roger will get an estimate for repair. Roger reports there are a few other issues to be taken care of before inspection. (abs lights, check engine lights, etc.) Cold Mix has been ordered. It will be mixed in DeWitt's pit at a cost of \$56/ton. Roger asked the Board about putting the new truck purchase out to bid. Several people thought it

had already been done for Town Meeting. Mark stated he didn't have a bid, he had budget numbers.) Roger received a quote of \$56,000 from Wiscasset Ford which does not include a municipal quality plow. He feels we would be getting a bare bones truck @ \$62,000. Mark suggested we take the headgear off the Ford to save some money. Mark asked if we could get a RFP out to dealers. Amy and Roger will work on specs. Roger asked about the heating oil tank in the Highway Garage that wasn't removed when the system was installed. He stated the tank is ¾ full. Mark suggested it may be pumped out. Amy will check with Blanchard's.

c. Transfer Station – Juanita

- i. Juanita reported that she and Mark attend the last OCRR meeting and it was voted to dissolve OCRR by June 2017. She stated she will need a container to house several items. It is not known at this time what our refund will be. One suggestion was to pro-rate refunds depending on the length of time each Town has been a member of OCRR. Mark will be attending meetings with Juanita. There was a good turnout at the meeting as many small towns are looking to form a small buyers group with other small towns. Juanita stated she can't obtain quotes until closer to the end of our contract. Juanita and Amy are working on purchasing required signs for the Transfer Station. Household Hazardous Waste Day is scheduled for Saturday, August 13 from 8 AM to Noon.

d. Treasurer Report – Amy

- i. Amy reported the Excise Tax for July was \$41,327.06 – 152% of monthly goal. Excise Tax for August is \$57,453.58 – 212% of monthly goal. The 2017 Budget Numbers are in TRIO. We hope to commit taxes at the next Select Board Meeting. There are currently 39 2015 Tax Accounts in Lien with a total due of \$33,178.10. (3 accounts have been paid off since the last meeting.) 187 accounts received a 30-day notice for 2016 Real Estate Taxes. To date, 29 accounts have been paid off. Amy has been working with Androscoggin Bank to upgrade the edeposit processing. There have been a few glitches which we continue to work through. We received \$91,301 in Homestead Reimbursement; \$1,787 in Veteran Reimbursement.

e. Administrative Report – Amy

- i. It continues to be busy in the office and staffing has been a challenge at times. Amy is working with Juanita to tie up some loose ends from the DEP visit. Safety Works! Visits are scheduled for November. Amy will be distributing checklists to all Department Heads so they can be proactive in preparation for the visit. Amy has been working with Ben Guild on a grant for the Fire Department which will help purchase LED lighting and an exhaust venting system. It is a \$40,000 grant and if awarded the Town Match is 25%. We will need to hold a Special Town Meeting to ask voters for approval. Amy reported there was an accident on Waters Hill Rd. which damaged several stones and the fence. She is working with Tim Cox to get repair estimates. The letters to land owners on Easement Roads went out this week. The change order for the door on the Sand/Salt Shed didn't get relayed to the contractor. The error was caught before he poured both walls and was corrected by off-setting the door by 2 feet. Amy distributed information regarding a possible donation of land abutting the Ball Field. Tom Gould reminded the Board we should obtain legal counsel before accepting the gift. Amy has been working with Roger on a class action suit regarding the 2010 International. Amy reminded Department Heads of the Flu Clinic offered by Hannaford. She will need a confirmation of those interested before the clinic can be scheduled. Amy obtained one bid for the River Road Project and one bid for the Roadside Mowing. (Those bids will be opened and

reviewed later in the Meeting. There is an electrical issue in Amy's office. Mark Dubord has inspected the outlets and circuits and recommends installing a dedicated outlet and circuit for the A/C to reduce the strain on the system.

6. Old business

a. Roads/Easements – Tom

- i. Tom found samples of generic deeds and easements in the MMA manual. He brought copies to share with interested parties. He stated Winter Easements are not as common as Summer Easements. Wayne suggested that we consider the intent of the voters back in 1989. Tom read the Article & Notes. Megan suggested the wording of the Article was a “back door approach”. Tom stated there is potentially a public interest in Keith Street because of the Beach and Cemetery, but little to no interest in others. He is still digging for specifics on Keith and Marcus Street. A few Residents have come forward with information that Tom will research. Renda has researched deeds for Keith and Marcus Streets back to 1906. Any vote regarding Easements should be very specific and taken into consideration and voted upon individually. The Notes state the Road Committee was supposed to come back with suggestions – it is not known if they ever did. Resident Brenda Merrill stated the Easement Road Budget was voted upon every year from 1989 until 1995 or 1996 and at that point, the Easement Budget was “rolled into the Highway Budget. She maintains it is not up to her to provide the information and the Town should do their own research. She provided a sample Easement from the Town of Gray. She stated that Residents are angry and are not going to stand for what two Selectmen say. She suggested we should research minutes from that era located in a black binder. She demanded the easement sample be reviewed by MMA within two weeks and findings reported at the next Board Meeting. There was discussion on the contents of the easement folders. It was suggested we compared the dates on the easements to the date of vote at Town Meeting. She went on to say that the Residents wouldn't have provided an Easement if the intent to plow wasn't there. Tom reminded her Town's goal is to make the maintenance of roads legal and to limit the Town's liability.

b. Personnel Policy – Tom

- i. Random Drug & Alcohol Testing: Wayne feels that testing Selectpersons is a waste of money and asked what authority the Board would have if an elected official tested positive. Tom stated we should start with what we do want to do which is test non CDL Highway workers that operated Town Equipment. Tim is not in favor of testing anyone other than CDL. Mark reminded the Board that we don't have adequate money in the budget. Megan stated that testing is random. One does not get tested just because they are added to the pool.
- ii. Political Activity: Amy reviewed the Select Board's recommendation with Juanita. She is OK with it.
- iii. Juanita asked about revisions to the Concealed Carry section of the Policy. Amy stated that has been correct and all revisions will be done at the same time.

7. New business

a. RSU 73 Board Volunteer – Renda

- i. We have a vacancy on the RSU 73 Board. Cea Jay Pitcher came forward and is interested in serving in this capacity. It is an appointed, one-year term.
- b. A motion was made to appoint Mr. Pitcher by Tim; Second by Wayne. Vote: unanimous
- c. Review Roadside Mowing Bids
- d. One Bid was received from Richard Crocker at a rate of \$3200 / year. A motion was made to accept the bid by Megan; Second by Tim. Vote: unanimous

- e. Review River Road Project Bids
 - i. One Bid was received from Bruce Manzer in the amount of \$317, 555.50. He included an alternate bid of \$308,100 with the difference in materials and stabilizer base. A motion was made by Mark to accept the alternate bid; Second by Wayne. Vote: unanimous
8. Public Comment
 - a. Zack Brabend recently purchased property on Keith St. and is concerned about the state of the Easement. He asked about the driving force behind this initiative. Tom stated it is not budget-driven. The Board's interest is to protect the Town by eliminating liability which has no cap. Tom assured Mr. Brabend that copies of everything have been sent to and reviewed by MMA Legal. Megan stated that the Roads Inventory has been reviewed by Peter Coughlin at DOT. Brenda Merrill stated this started four years ago and that liability was not the concern. She states that research wasn't done before it went to the paper and this is all a matter of opinion. People on the affected roads have been living in limbo and are paying attention. They won't forget it.
 - b. Dwight Hines has been doing research on sand/salt sheds. He has obtained a database from DOT that includes 189 sheds. He feels that Town has been misled. He reminded the Board that a Class Action Suit must have due process and could take a while. He spoke on Law Enforcement's use of force. He feels we need to test their credibility and work toward creating a database.
9. Adjourn – 8:08 PM

Upcoming Dates:

- Planning Board – August 17, 2016 – 6:30 PM @ Town Office
- Select Board Meetings – August 23, 2016 & September 6, 2016 - 6:30 pm @ Town Office