

**Town of Durham
Board of Selectmen Meeting Minutes
April 21st 2015**

Call to Order: Selectman Wakeman called the meeting to Order at 6:30 p.m.

Establishment of a Quorum:

Members Present: Chairman Jeffrey Wakeman, Vice Chairman Sarah Hall, Selectman Mark Blake, Selectman Joshua Libby, Selectman Michael Stewart.

Quorum: Chairman Wakeman announced a Quorum has been met with five (5) members present.

Also Present: AA/TA Ruth Glaeser, Interim Road Commissioner Ronald Dube, PIT John Ricker, Codes Official Paul Baines, Fire Chief/EMA Director William St. Michel, William DeLong, Fire Department, Deputy Chief Keith Russell, Secretary Jill Toher.

Pledge of Allegiance: Completed.

Amendments to the Agenda: Chairman Wakeman adds Executive Session – Real Estate, Tables Executive Session – Personnel Matters., add (h) – Discussion on Proposed Amendment to Androscoggin County Charter.

Public Present: Fire Department Member Cory Enman-Curtis.

Public Comments: None.

Consent Agenda:

- a. Approval of Treasurer's Payables Warrant
- b. Approval of Regular Selectmen's Meeting Minutes – April 7th 2015
- c. Correspondence:
 - 1. The Durham Moms Thank You

Selectman Libby Moves to Approve the Consent Agenda as presented. Selectman Blake Second. Motion Carried 5-0.

Action and Discussion Items:

- a. Act on Mission & Projected Time Line-Alternative Warrant Exploration Committee

Chairman Wakeman stated that applications are being taken through the close of business at the Town Office on May 5th 2015. No formal Mission Statement has been formulated. A

discussion followed regarding how to increase the Town's participation in the voting process. Preliminary items will include exploring Charter vs. no Charter and the Selectmen will update at the next meeting.

b. Act on Town Mowing Contract – Bids were received for a one year mowing contract as follows: 1) Corey Wallace - \$6,500.00; Watson Lawn Care - \$7,200.00; and Yankee Yardworks - \$8,700.00. A discussion followed

Selectman Libby Moves to Award the 2015 mowing contract to Corey Wallace in the amount of \$6,600.00. Selectman Blake Second. Motion Carried 5-0.

c. Act on Election Clerk Appointments

Selectman Libby Moves to Approve the appointments for listed positions as presented. Vice Chairman Hall Second. Motion Carried 5-0.

d. Discuss TAP Insurance (Town Acquired Properties) – The Board discussed the need for providing liability insurance on Town acquired properties to protect the Town's interest. AA/TA Glaeser will get figures for covering structures and report back at next meeting.

Selectman Blake Moves to go with Liability Insurance for now. Selectman Libby Second. Motion Carried 5-0.

e. Act on TAN – AA/TA Glaeser presented quotes received as follows: The Bank of Maine - \$400,000.00 at a rate of .89%; Bath Savings Institution at a rate of .88% for up to \$500,000.00; and, Androscoggin Bank at a rate of .71% for \$400,000.00. A brief discussion followed.

Vice Chairman Hall Moves to go with Androscoggin Bank. Selectman Stewart Second. Motion Carried 5-0.

Selectman Libby Moves for a closing date of May 1st 2015 and authorize Vice Chairman Hall and the Administrative Assistant to sign the note for the TAN. Selectman Stewart Second. Motion Carried 5-0.

f. Discussion – Toilets at Runaround Pond Park – The Board reviewed and discussed plans for vault-type toilets received from David Rodrigues, Senior. Planner, Maine Bureau of Parks and Lands. Estimated costs for installed toilets run between \$2,500.00 and \$3,000.00. AA/TA Glaeser will follow up regarding the cost for cleaning and report back at the next meeting.

The discussion continued regarding submitting a formal request after additional information is received to LL Bean to provide a donation to the Town for the installation of vault-type toilets since they make considerable use of the Park for paddling type activities,

g. Discussion on Franchise Agreement – PIT Ricker presented the latest draft of the Cable TV Franchise Agreement, providing a time line of activity to date. He stated that providing Internet was deleted and if the Town wanted internet the costs would be passed on to the Town's subscribers. The only places Comcast will provide free internet is public schools and public libraries. Included is the PEG Grant for \$10,000.00. PIT Ricker requested the Board review the draft Agreement and re-visit at the May 5th 2015 Board meeting.

h. Discussion - Proposed Amendment to Androscoggin County Charter – Chairman Wakeman outlined the proposed Amendment to Section 3.7 presented to the Board this evening. He announced the Public Hearing will be held on Wednesday, May 6th 2015 at the Androscoggin County Court House in Auburn, beginning at 6:00 p.m.

Department/Committee Reports:

a. Town Administrator – No Report.

b. Interim Road Commissioner Ronald Dube – No Report.

c. Codes Official Paul Baines - Reported the sewer odor in the bathrooms is due to the drain traps being dried out and exhaust fans pulling air from the traps. He poured water down the traps which seems to have alleviated the problem. He has located the septic tank with the help of Jason Turcotte and plans to pull the lid in order to inspect the interior of the tank. A discussion followed.

The Codes Official reported he has completed all exams successfully.

He stated he has spoken with Gary Wood regarding doing some “house cleaning” and stated the Appeals Board will be up to speed before the Hearing.

Codes Official Baines requested the Board allow him to take two weeks vacation, unpaid, as he is a part-time employee. The Board stated that the Codes Official will need to give ample notice in order to have his requests for time off advertised. A discussion followed.

Selectman Libby Moves to Approve the Codes Official's request to allow him to take two weeks vacation, unpaid, with proper notice of taking said vacation. Selectman Blake Second. Motion Carried 5-0.

The Codes Official stated he will have an updated Fees Schedule to present for the Board's consideration at the next Board meeting.

d. Fire Chief/EMA Director William St. Michel – Member DeLong

Chief St. Michel stated he has three projects that he would like to continue talking about:

- 1) He wanted to confirm the Board's assurance Diana will be able to take care of the Department's flower garden as discussed last fall. The Board concurred.
- 2) The Fire Chief confirmed the Grant for the Tower has been granted, stating that this project is now being handled by Bill DeLong who provided handouts of activities to date. Mr. DeLong stated the plans have been amended to increase to tower height by 40 feet to a height of 110 feet with antennas extending approximately an additional 90 feet. He provided a chronology of the current tower project and the proposed tower project.

Mr. DeLong stated the proposed tower project would cost the Town approximately \$10,000.00 to install a concrete pad. The proposed tower project would need to be revisited by FEMA and MEMA. The advantage to the taller and larger tower would be that the Town would be able to lease space to a variety of companies including cellular companies who would be responsible for constructing small enclosures at the tower's base. He stated that Complete Tower Services would find customers and enter into a revenue-sharing agreement with Durham. A very lengthy discussion followed regarding the Selectmen's concerns regarding the height and placement of the tower and how this would affect surrounding properties.

Chairman Wakeman stated a Public Information Session would need to be scheduled in order to present the new plans, including photos and proposed foot print, in order to obtain Town approval. He suggested that an official from Harpswell be invited to the May 19th 2015 Board meeting to answer questions before making the proposed for this change to the Town.

- 3) It was reported that the Department is still waiting for supplemental monies as a result of the winter disaster declaration. Since all towns did not apply for funding, the original amount of \$2,700.00 has now been increased to \$4,200.00.

Chief St. Michel also reported that Glidden Paving would like to use the Modular again as a base for their company from May 4th 2015 through June 30th 2015. He advised that Glidden Paving has also agreed to the following: a) Glidden would be responsible for up to \$2,000.00 to construct a minimum of a 160 square foot room; b) Glidden would supply a porta-potty; c) Glidden would use between three to four parking spaces to be located away from the Fire Department's building; and request to use the Department's Conference Room for a pre-construction meeting on May 1st 2015 between noon and 2:00 p.m. Phone and internet usage still needs to be verified.

Selectman Libby Moves to authorize the Chief to enter into an Agreement with Glidden

Paving as listed in the April 21st 2015 e-mail. Selectman Blake Second. Motion Carried 5-0.

Selectman Blake asked the Fire Chief to advise the Board of his time-line for leaving the Fire Department as the Board needs to make plans for hiring a new Fire Chief. Vice Chairman Hall added that Chief St. Michel has not had any conversations with the Board since his announcement although there has been several press releases in the Tri-Town News and requests the Chief provide some clarity directly to the Board.

Chief St. Michel reiterated that since he not receive his requested five percent pay increase that once his affairs are in order which includes making sure of a smooth transition, he will advise the Board of his departure date. Chairman Wakeman stated that the Fire Chief's statements continue to be quite vague. The remainder of the Board concurred. A very lengthy exchange between the Fire Chief, Deputy Chief and the Board followed.

Selectmen's Comments: Chairman Wakeman announced the following:

Regular Selectmen's Meetings will be held on Tuesday, May 5th 2015 and Tuesday, May 19th 2015 beginning at 6:30 p.m., at the Town Office.

The RSU#5 Board of Director's Meeting and Budget Workshop will be held at the Durham Community School on April 29th 2015 with informal discussion to be held between 6:00 p.m., and 6:30 p.m., with the meeting to begin at 6:30 p.m. This is the last meeting before the RSU#5 Town Meeting budget vote on May 27th 2015 at Freeport High School.

Executive Session: **Chairman Wakeman Moves** the Board into Executive Session pursuant to Title #1, M.R.S.A., ss. 405(6)(C) – Real Estate at 8:20 p.m., preceded by a brief recess. Selectman Blake Second. Motion Carried 5-0.

Respectfully submitted,

Jill S. Toher, Secretary

Chairman Wakeman Moves the Board out of Executive Session at 8:40 p.m.

ACTION TAKEN: None.

Adjournment: **Selectman Libby Moves** to Adjourn at 8:43 p.m. Selectman Stewart Second. Motion Carried 5-0.

Respectfully submitted,

Ruth Glaeser, AA/TA