

**Town of Durham
Board of Selectmen
Regular Meeting Minutes
April 13, 2019**

Kevin Nadeau moves to go into executive session pursuant to 1 M.R.S.A. § 405(6)(A) Personnel Matters at 6:00 p.m. Rob Pontau seconds. Motion Carries 4-0. Present in addition to members of the Board: Ruth Glaeser and Shannon Plourde.

Kevin Nadeau moves the Board out of executive session pursuant to at 6:25 p.m. Rob Pontau seconds. Motion Carries 4-0.

No Action Taken

Call to Order of Regular Meeting: Kevin Nadeau called the regular meeting to Order at 6:30 p.m.

Members present: Kevin Nadeau, Chairman; Rob Pontau, Vice Chairman; Todd Beaulieu; and Marc Farrin

Quorum: Quorum met with four (4) members present

Also present: AA/TA Ruth Glaeser; Road Commissioner Calvin Beaumier; Fire Chief Joseph Moore

2. Pledge of Allegiance: Done

3. Amendments to Agenda: None

4. Public Comment: Emily Sampson, Lois Kilby-Chesley, Benjamin Redmond

5. Action/Discussion:

a) Forestry & Agriculture Board

6. Departments/Committees:

- a) Fire Chief Joseph Moore presents his report (see attached)
- b) Road Commissioner Calvin Beaumier presents his report (see attached)
- b) Town Administrator Ruth Glaeser presents her report (see attached)

Rob Pontau Moves to approve the MMA voting ballot as presented. Todd Beaulieu Seconds. Motion Carries 4-0.

7. Consent Agenda:

Rob Pontau Moves to accept the Consent Agenda as presented. Marc Farrin Seconds. Motion Carries 4-0.

8. Selectmen's Comments:

Kevin Nadeau announced the following:

The next Regular Board of Selectmen meeting will be held on Tuesday, August 27, at 6:30 p.m. at the Durham Town Office.

Kevin Nadeau Moves to go into Executive Session pursuant to 1 M.R.S.A. § 405(6)(A) Personnel Matters. Rob Pontau Seconds. Motion Carries 4-0.

Respectfully submitted,

Kathy Dion
Meetings Secretary

Kevin Nadeau moves the Board out of executive session pursuant to at 6:25pm. Rob Pontau seconds. Motion carries 4-0.

No action taken.

Kevin Nadeau moves to Adjourn. Rob Pontau Seconds. Motion Carries 4-0.



DURHAM FIRE & RESCUE

Chief's Report on Department

Durham Select Board

08/13/19

General Overview:

- The department is currently functioning well with many discussions and projects underway.

Departmental Changes/Major Projects:

- 6 Month Budget Review
- Fire Prevention Week Activities
- Fire Act Grant Status - Still Waiting
- New Turnout Gear being purchased

Apparatus:

- New Engine 22: Being placed in service 8/13
- Finalizing Annual Pump/Ladder Testing

Discussion Topics:

- Old Engine 22 Disposition
- Public Use of Fire Station Training Room

Respectfully Submitted,

Joseph C. Moore

Chief of Department



Town of Durham

**1099 Royalsborough Road
Durham, Maine 04222**

Tel.: (207) 353-3281

**Road Commissioner
Calvin Beaumier
Cell Phone (207) 844-1774**

Durham Public Works Department Head Report 8-13-2019

- Surface pavement is complete on Old Brunswick Road. Hoping to get shoulders reclaimed this week.
- All surface pavement and shoulders are complete on Shiloh Road.
- Binder course of pavement is complete on Plummers Mill Road. Shouldering is almost complete and expected to be finished by the end of today.
- Crooker finished changing cross culverts on Meadow Road and they should be grinding that road up within the next week or so.
- Public works crew is changing cross culverts and ditching on Leighton, Collins Way, and Steig Roads.
- Crooker is looking to shim and overlay Colonial Drive (Maintenance Paving) and surface pave Quaker Ridge later this week.
- We installed Welcome To Durham sign on the Freeport T/L. I have ordered the same sign for the Auburn/Durham- T/L
- Atlantic Pavement Markings Inc. put double yellow center lines on Old Brunswick-Swamp- Soper - Shiloh- Davis- Auburn Pownal – Runaround- Rabbit and QMH Roads. They were the winning bidder for the GPCOG 2019 bid.
- Clean Harbor vacuumed out our oil water separator tank at a cost of \$1,156.50.
- We finished road- side -mowing.
- Meeting with MDOT Tues August 20th at 9 AM for an on-site discussion of the intersection of Rt 9 and Runaround Pond/Rabbit Roads intersection safety.

Town Administrator Report
August 13, 2019

There is a mediation conference regarding the Town's worker comp claim from January. MMA determined that the claim was fulfilled. The claimant has requested the mediation conference. Our insurer handles these claims.

I have received notice from MMA regarding our claim on the Eureka. As we already knew, the claim will not be covered as we have not reached the \$5,000 deductible threshold. I have spoken to Keith. I would expect the windows to be completed in the next week or so. Jack was also in the office and stated he expected to be able to complete the siding in September.

Municipal Valuation Return – Donna needs your signature on the Valuation Return.

The Bond Bank application has been completed and submitted.

I have sent out a rough draft of a mission statement for a Farming and Forestry Board. As with the Conservation Commission, this statement is based almost entirely on the goals of the Comprehensive Plan as approved at the last Town Meeting. Please look it over and let me know if I have missed any of the policy goals which may be the purview of this committee. In a conversation with Steve Sinisi, he indicated that he thought it would be best for these two interests be separate committees. I have invited him to come to the meeting and discuss this with the Board.

The past three days I have spent in training. It is always helpful to see how other communities handle the issues which we all face. Some of the highlights:

- A session on capital planning which discussed the plan and implementation which exists in Saco.
- A session on solar farms/power. One community in particular has utilized its capped landfill for a solar array. Looking forward, at some point, Durham may wish to look at a path toward using the orphan landfill in town for a solar array.
- A session on retail marijuana, medical marijuana and hemp/CBD laws. Including suggestions on both ordinances and employment policies in relation to these topics.
- A session on the Opioid epidemic and what role different organizations can play in combatting, destigmatizing and preventing this epidemic and the deaths associated.
- A session on regionalization, how to work with your partners in your region and start conversations about common issues and solutions to these issues.
- A history of local government and the manager/administrator profession. This included a talk on ethical questions/dilemmas which may be encountered and the principles that members of the MT
- Meeting a number of talented young interns, it may be time for Durham to take a look at the projects which would be useful and hire a summer intern next year. Scholarships are available through MMA to assist with the cost. Two specific intern projects included using road software to rank and evaluate all the roads in a town while another concentrated on GIS mapping.

I did speak to Jack regarding the cemetery markers. He did not seem to think there was an issue with removing the markers. He suggested we may wish to send out information regarding what has been done to the next of kin if available. Jack said he will forward me a formal letter but has not done so as yet.

I have not received any applications for the Capital Plan Committee but have three residents who have indicated an interest.

The mortgage holder on 21 Pinkham Brook is Fannie Mae. They are in the process of foreclosing and list the property on their notice as "vacant". Bob has been in contact with them. We are still waiting for a court date.

With regard to the manager follow up:

- What percentage of towns with a population of at least 3500 have a Town Manager? (Don gave a couple of conflicting answers to this.) **I have not been able to get an answer on this one.**
- Let's get confirmation on the question of whether a Board can sign contracts for longer than a 1-year duration. There was some confusion on this. Please provide the actual statutes that apply. **I have enclosed here the pages from the training regarding multi-year contracts. The training was in reference to purchasing contracts. I spoke with Don. He says that many communities have manager contracts that do not get approved at Town Meeting. The statute specifies that the Town Manager serve for an indefinite amount of time unless specified by contract and the Select Board sets compensation for the manager. I believe it would follow that the statute does not prohibit contracts or specify length and therefore the Board in setting compensation can enter into a multi-year contract.**
- Can we get a few examples of the "Board Policy" documents Don referenced? **I am enclosing the one Don left with me.**
- Can we get a Town Manager salary survey for Towns about the size of Durham with similar characteristics? Please list the sample set in results. The information may not be completely applicable to our situation, but we can at least get a ballpark idea. **I am enclosing three files with regard to this. Two are from the salary survey. One is for all communities with residents from 0-6,000 and the other includes surrounding communities. The third file is an informal survey I had requested via the listserve (which has been discontinued for now). What is included are the responses I received.**

With regard to the timing issue, I spoke to MMA legal. The vote does need to take place at least 90 days prior to the Annual Town Meeting at which the manager form of government takes effect. This vote can take place at a Special Town Meeting or an Annual Town Meeting. If the Board chooses to have a Special Town Meeting at least 90 days prior to the next Town Meeting, the manager form would be in effect for that Town Meeting. It is more common for communities to have the vote at an Annual Town Meeting and then the manager form would be in effect at the next Town Meeting (2021). During that year, the Board would create the structure and process for hiring and creating a job description. The Board would hire a manager at some point during that year and that manager would then have all the responsibilities and safeguards required by State Statute as of Town Meeting (2021).