

**Town of Durham
Board of Selectmen
Regular Meeting Minutes
April 5th 2016**

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

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

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

Also Present: AA/TA Ruth Glaeser, Road Commissioner Calvin Beaumier, Codes Official Paul Baines, Secretary Jill Toher. Fire Dept./EMA Director William St. Michel left early to attend a rescue call.

Residents Present: Wade Caplinger, Ken Doughty, Benjamin Redmond, Jeff DeWitt.

Election of Chairman & Vice Chairman:

Sarah Hall nominates Jeffrey Wakeman as Chairman. Selectman Blake Second. Motion Carried 4-0 with Jeffrey Wakeman Abstaining.

Selectman Libby nominates Sarah Hall as Vice Chairman. Selectman Blake Second. Motion Carried 4-0 with Sarah Hall Abstaining.

Amendments to Agenda: Add the following to Consent Agenda/Correspondence: Xfinity letter – programming change and Complaint/Concern Form from Resident.

Consent Agenda:

- a. Approve Treasurer's Payables Warrant**
- b. Approval of Selectmen's Minutes – March 22nd 2016**
- c. Correspondence**
 - 1. State Waste Report**
 - 2. X-finity Letter – programming change**
 - 3. Complaint/Concern Form from Resident (referred to Road Commissioner)**

Vice Chairman Hall Moves to Approve the Consent Agenda as Amended. Selectman Blake Second. Motion Carried 5-0.

Public Comments: Builder Jeffrey DeWitt voiced his concerns regarding several previous disagreements with Codes Official Paul Baines, stemming from a couple of gray areas that are not part of the Code. He stated that the two have worked their differences out.

Mr. DeWitt stated he has no problems following the codes, but asks for respect. He stated he is also concerned regarding the proposed full time position for the Codes Official, as there is no guarantee that the revenue stream from permitting will support his proposed full time salary and benefits. He stated he wonders if this is the right time for adding this full time position.

Selectman Libby stated that two residents came to him as well and he asked them to complete an official complaint/concern form for the Board to consider. Neither resident followed through.

Benjamin Redmond, Vice Commander of the Amvets Post #13 stated that in the past, the Amvets encountered some difficulties with the Codes Official. An unnamed individual who is a member of the Post asked that the Post file a complaint against the Codes Official relative to an incident earlier this year. The Vice Commander stated it was the Post's position that this individual had no right to get involved.

Vice Commander Redmond stated that the Amvets Post #13 stands behind Codes Official Baines. He added that the last Codes Official was lax and didn't follow through with some of the requirements as it related to codes enforcement and the Amvets Post. He stated his purpose for addressing the Board tonight is to clear up any public misconceptions regarding the relationship between Codes Official Baines and the Amvets Post #13.

Vice Chairman Hall advised that during this period, the State adopted the MUBEC code which is much stricter than the BOCA code previously followed. She added that it is the new MUBEC code that Codes Official Baines has to enforce, and not the Codes Official himself, who a number of residents perceive is making things difficult for them.

Selectman Blake stated that additional duties are going to be added to his current job description and should the need for a full time Codes Official have to be re-evaluated in the future, the Selectmen will reluctantly do so.

Amvets Post member Ken Doughty added that he had a discussion with a State Representative who advised him that Durham is twelve years behind the State on enforcing a variety of codes.

Fire Chief/EMA Director William St. Michel added he, as the Fire Chief, needs to deal with the new codes as it pertains to fire safety and has had no problems working with the Codes Official.

Action and Discussion Items:

a. Act on Code Official's Title and Hours - Chairman Wakeman Moves to make the Codes Official's position a full time, thirty-two hour, four days a week position adding Friday hours from 1:00 p.m. to 4:00 p.m. for the public and the rest of the time for office work. Selectman Stewart Second. Motion Carried 5-0.

Codes Official Baines stated he appreciates meaningful challenges, finding solutions and is open to alternatives.

b. Act on Creation of Comprehensive Plan Committee - Chairman Wakeman suggested the Town start out with sending out a survey to residents to get their comments on what they envision for the new Comprehensive Plan and put suggestions into a flow chart for proposed changes.

Chairman Wakeman wants to start by putting out a call for volunteers to be advertised in the usual manner and begin reviewing applications in early May, 2016. It was suggested that there may already be some applications on file. It was the consensus of the Board to have one member from each Board, Commission and Committee also serve.

Codes Official Baines stated he will check with the Planning Board and Historic District Commission and advise.

c. Act on Reappointment of Town Committees -

c-01) Vice Chairman Hall Moves to Approve the Appointments for the Conservation Commission as presented. Selectman Libby Second. Motion Carried 5-0.

c-02) Selectman Libby Moves to Approve the Appointments for the Historic District Commission as presented. Vice Chairman Hall Second. Motion Carried 5-0.

c-03) Vice Chairman Hall Moves to Approve the Appointments for the Cemetery Committee as presented. Selectman Libby Second. Motion Carried 5-0.

c-04) Selectman Libby Moves to Approve the Appointments for the Eureka Community Center as presented. Selectman Stewart Second. Motion Carried 5-0.

c-06) Vice Chairman Hall Moves to Approve the Appointments to the Telecommunications Committee as presented. Selectman Libby Second. Motion Carried 5-0.

c-07) Selectman Libby Moves to Approve the Appointments to the Memorial Day Parade Committee as presented. Selectman Stewart Second. Motion Carried 5-0.

c-08) Vice Chairman Hall Moves to Approve the Appointments for Election Clerks as presented and Approve the Appointment of Jill Toher as Warden. Selectman Libby Second. Motion Carried 5-0.

c-09) Selectman Libby Moves Approve the Appointment of William St. Michel as Forest Warden, Fire Rescue Chief and EMA Director as presented. Selectman Blake Second. Motion Carried 5-0.

c-10) Vice Chairman Hall Moves to Approve the Appointment of Shannon Plourde as Town Clerk, Registrar, Deputy Tax Collector and Deputy Treasurer as presented. Selectman Stewart Second. Motion Carried 5-0.

c-11) Selectman Libby Moves to Approve the Appointment of Paul Baines as Codes Official, Building/Plumbing and Electric Inspector as presented. Selectman Stewart Second. Motion Carried 5-0.

c-12) Selectman Libby Moves to Approve the Appointment of Pamela Cloutier as Deputy Clerk, Deputy Treasurer/Deputy Tax Collector and Deputy G.A. Administrator as presented. Motion Carried 5-0.

c-13) Vice Chairman Hall Moves to Approve the Appointment of Ruth Glaeser as G.A. Administrator, Treasurer/Tax Collector, Administrative Assistant (Town Administrator) and Deputy Clerk as presented. Selectman Libby Second. Motion Carried 5-0.

c-14) Selectman Stewart Moves to Approve the Appointment of William DeLong as Assistant EMA Director as presented. Vice Chairman Hall Second. Motion Carried 5-0.

c-15) Selectman Libby Moves to Approve the Appointment of Lisa Groves as Deputy EMS Chief as presented. Selectman Blake Second. Motion Carried 5-0.

c-16) Selectman Stewart Moves to Approve the Appointment of Keith Russell as Deputy Fire Chief as presented. Selectman Libby Second. Motion Carried 5-0.

Department/Committees:

a. Fire Chief/EMA Director William St. Michel – Chairman Wakeman presented and briefly reviewed Fire Chief/EMA Director William St. Michel's one page Selectmen's Report dated April 5th 2016. The Fire Chief/EMA Director's one page report, hereinafter referred to as Attachment #1, is attached hereto and incorporated herein and made a part of these Minutes.

b. Codes Official Paul Baines – reported that the newly approved Ordinances have been posted on line, including the new fee schedule. He stated his plans include continuing with the Ordinance process beginning with a tune-up on the Back Lot Ordinance; for Appeals – dissect and reconstruct to comply with the State including correcting the current bifurcated structure; and look at the current Growth Ordinance per State mandate for a review every three years.

The Codes Official stated he will be addressing the Planning Board regarding any requirements for the new privy at Runaround Pond State Park. He added that the new privy's plans include keeping the same footprint as the current porta-pottys.

The Codes Official advised he is still checking into whether he can continue with Social Security deductions or is required to join MPRS, and will advise as soon as he receives a determination.

Codes Official Baines asked the Board excuse him from the rest of the meeting due to family related health issues. His request was granted.

c. Town Administrator Ruth Glaeser – reported she will be on vacation during the April 19th 2016 scheduled Board Meeting. During a brief discussion, it was decided to ask Pam Cloutier to fill in.

Chairman Wakeman requested that AA/TA Glaeser forward the Budget Report for January, February and March 2016 to Budget Committee members.

d. Road Commissioner Calvin Baumier - presented the Board with his Durham Public Works Department Head Report dated April 5th 2016, one page. The Road Commissioner's one page report, hereinafter referred to as Attachment #2, is attached hereto and incorporated herein and made a part of these Minutes.

Chairman Wakeman stated he wants the Road Commissioner to prepare RFP's for the road work on Runaround Pond Road and Rabbit Road that will be paid for by a \$1,100,000.00 Bond, taking into consideration timing for the best cost-pricing results.

Road Commissioner Baumier stated he estimates the project is about two months out as he needs the remaining engineering reports first before putting the project out to bid. The Road Commissioner stated he already has the engineering reports from Runaround Pond Park to the Pownal line. Chairman Wakeman stated the paving of the Fire Department parking lot needs to be included when getting price quotes.

AA/TA Glaeser will work on getting Bonding/Bond Anticipation Notes information and will consult with Bond Counsel before she goes on vacation.

Selectmen's Comments: Chairman Wakeman announced the following:

Regular Selectmen's Meetings will be held on Tuesday, April 19th 2016 and Tuesday, May 3rd 2016 beginning at 6:30 p.m., at the Town Office.

Executive Session: **Chairman Wakeman Moves** the Board into Executive Session pursuant to Title #1, M.R.S.A., ss. 405 (6)(A) – Personnel – Personnel Matters – Wage Raises at 7:37 p.m., preceded by a brief recess. Selectman Libby Second. Motion Carried 5-0.

Respectfully submitted,

Jill S. Toher
Meetings Secretary

Attachment #1: Fire Chief/EMA Director William St. Michel's Selectmen's Report dated April 5th 2016, one page.

Attachment #2: Road Commissioner's Durham Public Works Department Head Report dated April 5th 2016, one page.

Chairman Wakeman Announced the Board came out of Executive Session at 8:14 p.m.

ACTION TAKEN: Chairman Wakeman Moves to grant raises as discussed. Selectman Stewart Second. Motion Carried 5-0.

Adjournment: Selectman Libby Moves to Adjourn at 8:15 p.m. Selectman Stewart Second. Motion Carried 4-0.

Respectfully submitted,

AA/TA Ruth Glaeser