

**Town of Durham
Board of Selectmen
Regular Meeting Minutes
June 14th 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, Fire Chief/EMA Director William St. Michel, Codes Official Paul Baines. Secretary Jill Toher, excused.

Amendments to Agenda: Chairman Wakeman adds the following: Second Treasurer's Payables Warrant, Strike (table) the June 7th meeting Minutes as they are not ready and add under Action and Discussion Items – Rabbit Road Residents which he will take out of order; and add second Executive Session for Personnel Pursuant to Title #1, M.R.S.A., ss. 405 (6)(A). AA/TA Glaeser adds taking the Fire Chief's Report out of order.

Residents Present: Rabbit Road Residents.

Public Comments: None.

Consent Agenda:

- a. Approve Treasurer's Payables Warrant #65
- b. Approve Treasurer's Payables Warrant #66
- c. Approval of Selectmen's Minutes – May 31st 2016
- d. Approval of June 7th 2016 Selectmen's Minutes – Tabled.
- e. Correspondence
 - 1. Quit Claim Deed, Map #10, Lot #31-A

Selectman Libby Moves to Accept the Consent Agenda as presented. Vice Chairman Hall Second. Motion Carried 5-0.

Assessor's Session: **Chairman Wakeman Moves** the Board into Assessor's Session pursuant to Title #36, M.R.S.A., ss. 841 at 6:38 p.m. Selectman Libby Second. Motion Carried 5-0.

a. Tree Growth Penalty, Map #1, Lot #98 – Vice Chairman Hall Moves to Accept the 2015 Supplemental Tax Warrant in the amount of \$161.10 as presented. Selectman Blake Second. Motion Carried 5-0.

b. Abatement and Supplemental Tax Bill for 2015 taxes, Map #4, Lot #152, Account #961 – Selectman Libby Moves to Approve the Abatement and Supplemental tax bills in the amount of one thousand nine hundred and seventy-three dollars and sixteen cents (\$1,973.16) each pursuant to Title #36, ss. 713, changing the taxpayer assessment from Personal Representative to: P.J.'s Auto Park, c/o Deborah J. Emery, Personal Representative. Selectman Stewart Second. Motion Carried 5-0.

c. Supplemental Bill for 2015 Taxes, Map #4, Lot #151, Account #793 - Vice Chairman Moves to accept the Abatement and Supplemental tax Warrant in the amount of one hundred thirty-nine and twenty cents (\$139.20), pursuant to Title #36, ss. 713, changing the taxpayer assessment from Personnel Representative to: P.J.'s Auto Park, c/o Deborah J. Emery, Personal Representative as presented. Selectman Libby Second. Motion Carried 5-0.

Chairman Wakeman Moves the Board out of Assessor's Session at 6:45 p.m. Selectman Libby Second. Motion Carried 5-0.

Fire Chief/EMA Director William St. Michel's Chief's Report: Chief St. Michel presented and reviewed his Selectmen's Report dated June 14th 2016. The Fire Chief's Selectmen's Report dated June 14th 2016, hereinafter referred to as Attachment #1, one page, is attached hereto and incorporated herein and made a part of these Minutes.

Chief St. Michel recommends the Selectmen approve the quote received from Gary Lane for the Painting and Trim Project.

Selectman Stewart Moves to Approve the quote from Gary Lane in the amount of \$9,385.00 for the Trim and Replacement Project. Selectman Blake Second. Motion Carried 5-0.

Action and Discussion Items:

a. BEU Proposal – AA/TA Glaeser reviewed the BEU Proposal and supporting documentation which includes supply costs incurred from WB Mason. She stated there is a small savings by going with BEU adding the proposal price also includes maintenance.

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

b. Phone Service – AA/TA Glaeser reviewed the costs for BCN, Comcast and Fairpoint for all buildings excluding the DPW. She stated savings would be about \$2,096.00 going with Fairpoint, but that would necessitate a three year contract. A general discussion followed.

The question was raised as to whether there is a penalty if the Town decides to break the contract and whether the Town could keep the same phone numbers. AA/TA Glaeser will get this information and report back.

c. Rabbit Road Residents Discussion - (taken out of Order) - Road Commissioner Baumier gave a brief overview of the scope of the process for the Rabbit Road prior to paving, and provided a copy of a letter he sent to both the Rabbit Road residents and the Runaround Pond Road residents.

He stated he saw resident Sam Miller pulling debris out of the culvert in front of his home and sent Ron and the crew out to clear the culvert, however it was under water. He discovered the pipe was installed backwards and the DPW crew made the repair. The Road Commissioner stated he received an e-mail from Chairman Wakeman and he made arrangements to meet with, Chairman Wakeman, Mr. Miller and neighbor, Mr. Donald Allard., who lives across the road. Engineer, Mr. Hodsdon made a thorough report and reviewed his report during this meeting. He explained that since the culvert was installed backwards, sediments built up in the pipe over the past twenty years which ultimately only allowed for six inches of water to flow through. He stated that the Road Commissioner raised the low side of the pipe creating a positive discharge. He stated that the change made to the pipe's flow is an exempt action according to the DEP, Chapter 305 in the Permit by Rule. He read the pertinent information as well as explained each detail. He stated he further discussed the issue with Mile Mullins at the DEP.

Mr. Allard next addressed the Board, stating the elevation of the pond has never been this low and he doesn't have water in his back yard any more. Mr. Miller stated he has cleaned the pipe for many years, and also stated the culvert has been replaced four times during the time he has lived there. He stated the area adjacent to the pond is a big mess and now water is entering his basement. His wife concurred and added her concerns. A lengthy discussion between the Selectmen and the residents followed.

The Road Commissioner stated that the pond's elevation is exactly where it was when the pipes were originally installed some twenty years ago.

Selectman Blake summed it up by stating that the DPW did exactly what should have been done and the Engineer's report supports the work. Chairman Wakeman stated that the work was done correctly and according to the law.

Department/Committees:

a. Fire Chief/EMA Director William St. Michel – addressed earlier.

b. Codes Official Paul Baines – reported that the Appeal heard before the Appeals Board on June 8th 2016 upheld the stop work order on the property located at 184 Meadow Road. He reviewed the facts brought forth at the Appeals Hearing. He stated he decided he will be changing his policy and will no longer accept any sign-off from any prior Codes Official and will only accept an engineer's report. He stated this change is well within his jurisdiction, and this change will offer residents the best protection.

Codes Official Baines also reported there will be another Appeals Hearing on Monday, June 27th 2016 at the Town Office beginning at 7:00 p.m.

The Codes Official stated he pulled a permit for plumbing for the porta-potty installation at Runaround Pond Park. He hopes the project will be completed within the next week or so.

Chairman Wakeman asked about the status of the Gazebo repairs and the Codes Official stated he has no recommendations at this time.

c. Town Administrator Ruth Glaeser – reported she will be meeting tomorrow in Lisbon regarding the bridge.

d. Road Commissioner Calvin Baumier - presented two letters to the Board for review regarding the Davis Road situation and the Rabbit/Runaround Pond Road projects, before he sends them out. He stated he has met personally with a number of the residents on the Rabbit/Runaround Pond Road projects. He will have the PIT post both letters on the website.

He added that next year there will probably be some reflective cracking during the winter on the Davis Road, and will re-crack seal next year.

The Road Commissioner also provided an update on removing trees on the Runaround Pond/Rabbit Road project and stated literally hundreds of trees were removed. He stated one woman complained that someone was taking wood from in front of her property and he told her to get his license plate number and he would respond as well as notify the Sheriff's Department.

A discussion followed regarding applying rubber tracks vs. metal tracks on the excavator. He stated the rubber tracks on the excavator are needed for this and is specific to this job. He would like to take the money out of the 1.1 million dollar bond. He continued the rubber tracks will also serve the Town well during the coming years for traveling along the Town roads without tearing them up. It would also save having to use the trailer to haul the equipment from site to site.

Selectman Stewart Moves to Authorize the Road Commissioner to spend up to eight thousand dollars (\$8,000.00) to purchase the rubber tracks. Selectman Libby Second. Motion Carried 5-0.

Selectmen's Comments: Chairman Wakeman announced the following: Regular Selectmen's meetings will be held on Tuesday, June 28th 2016 and Tuesday, July 12th 2016 at the Town Office beginning at 6:30 p.m.

Next Tuesday, June 21st 2016 will be the first meeting of the Comprehensive Plan Committee at 6:30 p.m.

Executive Session #1 – Chairman Wakeman Moves the Board into Executive Session Pursuant to Title #1, M.R.S.A., ss. 405 (6)(C) – Real Estate preceded by a brief recess at 7:15 p.m.

Respectfully submitted,

Jill S. Toher
Meetings Secretary

Chairman Wakeman Moves the Board out of Executive Session at 7:50 p.m.

ACTION TAKEN: **Chairman Wakeman Moves** the Board enter into an Agreement with the person in possession of Map #008, Lot #022-A as discussed. Selectman Stewart Second. Motion Carried 5-0.

Executive Session #2 – Chairman Wakeman Moves the Board into Executive Session Pursuant to Title #1, M.R.S.A., ss. 405 (6)(A) – Personnel Matters at 7:50 p.m..

Chairman Wakeman Moves the Board out of Executive Session at 9:03 p.m.

ACTION TAKEN: None.

Adjournment: **Selectman Libby Moves** to Adjourn at 9:03 p.m. Selectman Blake Second. Motion Carried 5-0.

Respectfully submitted,

Ruth Glaeser, AA/TA

Attachment #1: Fire Chief/EMA Director William St. Michel's Selectperson's Report dated June 14th 2016, one page.