

**Town of Durham
Board of Selectmen Meeting Minutes
November 3rd 2015**

Call to Order: Vice Chairman Hall called the meeting to Order at 6:30 p.m.

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

Quorum: Vice Chairman Hall announced a Quorum has been met with four (4) members present.

Also Present: AA/TA Ruth Glaeser, Road Commissioner Calvin Beaumier, Codes Official Paul Baines. Fire Chief/EMA Director William St. Michel and Secretary Jill Toher, excused.

Pledge of Allegiance: Completed.

Amendments to the Agenda: None.

Public Present: Candice Decsipkes, Stephanie Petkers, Chrissy Adamowicz Kevin Nadeau, Alice McPeake, Michelle Ritcheson, Terry Kirk, Ken Carll II (left early), Kevin Adam Salve, Jill Gastonquay.

Public Comments: Candice Descipkes invited the Selectmen to the next Historic District Commission on November 12th 2015 at the Town Office beginning at 6:30 p.m.

Consent Agenda:

- a. Approval of Treasurer's Payables Warrant
- b. Approval of Regular Selectmen's Meeting Minutes–October 20th 2015
- c. Correspondence:
 - 1. E-mail regarding Quaker Meetinghouse Road

Selectman Libby Moves to accept the Consent Agenda as presented. Selectman Blake Second. Motion Carried 4-0.

Action and Discussion Items:

a. Greater Freeport Chamber of Commerce – Stephanie Petkers introduced herself as the the new executive Director of the Greater Freeport Chamber of Commerce and is here tonight because she would like to grow the organization to include Durham and Pownal. Joining would allow Durham's small businesses to participate in their many programs targeted at business growth. She stated there will be a Member Appreciation Breakfast at 55 Depot Street on November 17th 2015 at 55 Depot Street from 7 – 9 a.m.

b. Healthy Androscoggin - Chrissy Adamowicz advised Healthy Androscoggin serves all the Towns in the County, offering many programs to help people get back on the right track. She is here tonight to offer services for healthy rural active living assessments. She is offering to work with someone in the Town to review current programs and facilities as well as make suggestions for improvements. A general discussion followed on the best way to get this information out to Durham's residents.

c. Volunteer for Restoring Records – AA/TA Glaeser stated there is a person who would like to assist the Town Clerk with making the Town's older public records more accessible by volunteering a couple of mornings a week. The plan is to have this individual co-ordinate with the Town Clerk on this project.

d. RSU#5 Withdrawal Discussion - Vice Chairman Hall stated the Town received a letter from resident Kevin Nadeau who questioned the validity of the recent RSU#5 Withdrawal Petition. Vice Chairman Hall advised the letter was forwarded to the Town Attorney and the petition is in the process of having each signature validated by comparing to signed voter registration cards. She continued that so far there have been a couple of signatures that have been flagged, but it does not look currently as if those flagged signatures will make the Petition fall below the 214 signatures needed. The Review is still under way.

Kevin Nadeau contends there was no reliable way verification of signatures, stating he is unhappy with the process. AA/TA Glaeser stated that according to the Town Clerk, she only verified the Petition against the voters registered in the CVR. A discussion regarding the process followed.

Vice Chairman Hall stated the Town received an opinion from the Town's Attorney concerning the necessary timing of the vote. She continued that if the vote was held before the April referendum the final vote may be able to be held during the 2016 Presidential election.

Alice McPeake and Michelle Ritcheson each stated their views citing how the time line went during the last vote on prior Withdrawal efforts. Selectman Stewart pointed out the Selectmen already voted to add the Withdrawal Matter on the April, 2016 Town Meeting Warrant. However, Selectman Libby felt the issue could be re-visited again by the Selectmen.

Terry Kirk asked for clarification as to whether the Selectmen were considering holding a Special Election. He stated in his opinion, the issue should be on the April, 2015 ballot as historically there is a better turn out of voters.

Alice McPeake suggested that a special mailing be sent to residents from the Selectmen as was done in the past. She recalled the cost for this Town wide mailing was about \$500.00 at that time.

e. Alternative Warrant Committee - A member from the Alternative Warrant Committee member presented their findings regarding suggestions as to how to improve the Town's voting process. Statistics were provided regarding voter attendance from 2013 through 2015 along with a proposal as to how to restructure current voting practices which would also allow for absentee voting on non-contractual articles over \$40,000.00. This would allow residents who cannot attend Town Meetings to be able to vote on Town matters.

An outline was given to the Board to review. It was suggested that the Alternative Warrant Committee present their proposal to residents and answer questions at a Public Hearing which the Selectmen offered to host, before putting it to a vote. It was the suggestion of the Committee to hold the vote two weeks after the Public Hearing which would allow residents to have the opportunity to review materials as well as to review the Public Hearing on line. A general conversation regarding the time line followed. Also raised during this discussion was the feasibility of changing the tax year to a fiscal year and how that would impact residents with regard to tax bills.

f. Ken Carll Conditional Agreement for Junkyard Permit - Codes Official Baines presented an itemization of vehicles and other items located in the Junkyard Automobile Graveyard that Mr. Carll agreed will need to be removed by September 30th 2016 with the understanding that Conditional Use Permit #2015-03 will be immediately voided if the current conditions agreed to are violated. The Agreement further states that there will be no new accumulations of junk or automobiles. The Agreement also contains a list of five vehicles exempted by Section #3 – 30-M.R.S.A., ss. 375 sub-1, which has been signed by Ken Carll.

The Codes Official stated he took photos of the entire site. It is his recommendation that the Board move forward with the Agreement.

Selectman Stewart Moves to Approve the Agreement as presented. Selectman Blake Second. Motion Carried 4-0.

g. Bids for Tax Acquired Property - AA/TA Glaeser stated that there were three tax acquired properties up for sale and that the trailer was redeemed by the owner. No bids were received on bid #2 for a small landlocked piece of land off Cedar Pond Road. Only one bid was received for the eleven acre property from William St. Michel in the amount of \$4,500.00, which included the minimum deposit required.

Selectman Libby Moves that the Selectmen accept the Bid for Map #7, lot #26-D, in the amount of \$4,500.00. Selectman Stewart Second. Motion Carried 4-0.

h. Bids on Fire Truck – Bids were opened before the full Board at this time by Kenneth Adam Salve.

1. Dingey Machine Shop for a new vehicle in the amount of \$456,000.00, along with a list for additions/deductions. The Second bid from Dingy was for refurbishing with no amount listed.
2. Autotronics for \$480,225.00 for a new replacement.
3. Pierce Manufacturing submitted a bid in the amount of \$513,238.00 for a new replacement.
4. Toyne in the amount of \$485,471.00 for a new replacement.
5. Smeal in the amount of \$449,996.00 for a new replacement which includes a list of additions/deductions.

AA/TA Glaeser will make copies of all bids received tonight and give copies to Chief St. Michel.

Selectman Libby said he attended a meeting with Bruce Poliquin on Grant Writing and noted that with a letter of recommendation from Mr. Poliquin, Presque Isle received funds for a new truck .

I. Mail Box Policy - AA/TA Glaeser reviewed the Policy on Damage to Mailboxes by Plowing Operations set up last year. Changes suggested by Vice Chairman Hall last year have now been made, with the exception of cap prices for replacement of \$10.00 for a post and \$25.00 for a mailbox.

Vice Chairman Hall opened the conversation as to whether there should be a limit per resident per season. A lengthy discussion of pros and cons followed.

Vice Chairman Hall Moves to approve the Mail Box Policy as Amended listing the replacement prices. Selectman Stewart Second. Motion Carried 4-0.

Department/Committee Reports:

a. Town Administrator AA/TA Glaeser – AA/TA Glaeser and the Fire Chief attended a

meeting in Lisbon regarding the current Lisbon Dispatch proposal. In the Fire Chief's memo, he advised that Lisbon will be increasing the cost to \$3.00 per capita compared to the Sheriff's Department's quote of \$2.50 per capita. He estimates that should Durham make a move back to the Sheriff's Department a number of up front set up costs would be incurred and it could take five to six years to recoup them before Durham begins to save. Chief St. Michel recommends that Durham continue with Lisbon Dispatch. A decision needs to be made by December 31st 2015.

Selectman Blake Moves to stay with Lisbon Dispatch. Selectman Libby Second. Motion Carried 4-0.

Selectman Stewart requested that AA/TA Glaeser contact Lisbon to have "Durham" removed from that Town's animal control vehicle.

b. Road Commissioner Beaumier – reported that the Generator has been installed along with the propane tank. Power will be installed by CMP on or about November 24th 2015. The cost of filling the tank is still as issue.

The Road Commissioner provided an updated report on preparation work on the Quaker Meetinghouse Road, including completing ditching to Thanksgiving Farm. Paving is scheduled to start tomorrow. A discussion followed about using the loader in Pownal for setting up winter sand. It was the consensus of the Board to share the loader with Pownal. Grading gravel roads is also scheduled to start tomorrow. Training in "best management practices for snow and ice control" will be attended by DPW members during November. He stated that the advertisement for a part-time plow driver continues. Next discussed was the DPW's budget lines relating to purchases to date pertaining to Quaker Meetinghouse Road. Flooding continues to be a problem on the flats of the Bowie Hill Road.

The Road Commissioner asked AA/TA Glaeser to obtain the accident report from MMA. For the Columbus Day accident. He is now in the process of getting estimates for necessary repairs.

c Codes Official Baines – reported that there is a potential issue pertaining to Sheila Babcock's back lot property and permits issued. He stated he met with the Babcock attorney who contends that the stop work order had been revoked without supplying notice to the Babcocks. A letter was previously sent by the Selectmen to the Babcocks regarding a camping complaint from Ms. Wormwood. Dan Feeney, a previous Codes Official made numerous visits to the site and never found the Babcocks in violation.

The matter was never litigated civilly. Codes Official Baines subsequently re-issued the permits. The Codes Official stated this matter is expected to be brought before Durham's Board of Appeals.

The next issue the Codes Official discussed was the ongoing situation at the Am Vet's Hall and violations with the State Fire Marshall's office and the fact that the license lapsed in 2009/2010 which contained a number of violations to date have not been fixed. Codes Official Baines gave the Am Vet's a list of items that need to be fixed, all pertaining to significant public safety issues. During his meeting with the Commander he advised that if these life-safety issues are corrected, then the Am-vet's would be in a position to re-start renting the hall, provided the Codes Official receives a list of exactly when each violation would be fixed with the provision that repairs start in a timely manner.

D. Fire Chief/EMA Director St. Michel – excused.

Selectmen's Comments: Vice Chairman Hall announced the following: Regular Selectmen's meetings will be held on Tuesday, November 17th 2015 and Tuesday, December 1st 2015 at the Town Office at 6:30 p.m.

Executive Session #1 – Pursuant to Title #1, M.R.S.A., Chapter #13, Section 405(6)(C) - Real Estate – Tabled per AA/TA Glaeser as resident is currently unavailable.

A brief discussion followed regarding postponing the two Executive Sessions scheduled for Personnel Reviews until a full Board is present.

Selectman Blake Moves to table both Executive Sessions pertaining to Personnel Reviews until November 17th 2015. Selectman Libby Second. Motion Carried 4-0.

Executive Session #2 – Pursuant to Title #1, M.R.S.A., ss. 405(6)(A) – Personnel Matters Discussion of Review – Tabled until November 17th 2015.

Executive Session #3 – Pursuant to Title #1, M.R.S.A., ss. 405(6)(A) – Personnel Matters Discussion of Review – Tabled until November 17th 2015.

Adjournment: **Selectman Blake Moves** to Adjourn at 8:43 p.m. Selectman Stewart Second. Motion Carried 4-0.

Respectfully submitted,

Jill S. Toher
Meetings Secretary