

**Town of Durham  
Board of Selectmen  
Regular Meeting Minutes  
June 13<sup>th</sup> 2017**

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

**Members Present:** Vice Chairman Mark Blake, Selectman Richard George, Selectmen Kevin Nadeau, Selectman Todd Beaulieu.

**Quorum:** Vice Chairman Blake announced a Quorum had been met with four (4) members present.

**Also Present:** AA/TA Ruth Glaeser, Meetings Secretary Jill Toher, Fire Chief/EMA Director William St. Michel.

**Public Present:** Michelle and Todd Harrison.

**Amendments to Agenda:** None.

**Public Comments:** Michelle Harrison addressed the Board regarding problems she has encountered pertaining to 7 New Gloucester Road, Durham. She received a phone call from Interim Codes Official Calvin Beaumier who stated he was concerned that the second lot could potentially be an illegal subdivision. Ms. Harrison stated she waited more than five years before splitting the 4.2 acre lot into two 2.1 acre lots. She sent Interim Codes Official Beaumier an e-mail regarding this issue again on May 26<sup>th</sup> 2017. She requested a septic inspection with a follow-up on April 20<sup>th</sup> 2017, but didn't hear back until May 26<sup>th</sup> 2017. She added that the electrical was called in to CMP finally, today.

Ms. Harrison stated she has a permit for one lot that former Codes Official Baines issued. She has the spec house sold. But due to these delays, she finally had to pull her subcontractors off the job which is costing her additional money.

A very lengthy discussion followed regarding the history of the changes in the property since 2001 when it was one 7 acre parcel consisting of a farm and land. On June 16<sup>th</sup> 2011, she purchased 4.2 acres which created one lot, listed in the Registry of Deeds recorded at #8177, page #56. On June 20<sup>th</sup> 2016, she split the lot into two 2.1 acre lots, which were duly recorded. At question is an additional deed dated September 7<sup>th</sup> 2012 deleting the deceased owner from the land. She asserts there were no other changes.

She is requesting the Selectmen find out some answers and hopefully have a resolution soon. Vice Chairman Blake assured her that the Selectmen will research and get back to her by Friday, latest.

**Consent Agenda:**

- a. **Approve Treasurer's Payable Warrant**
- b. **Approval of Selectmen's Meeting Minutes – May 30<sup>th</sup> 2017**
- c. **Correspondence –**
  - 1. **ACO Report for May 2017**
  - 2. **Flyer For Runaround Pond Park Celebration**

**Selectman Nadeau Requests** the following items be removed from the Consent Agenda pending discussion. Item "B" and Item "C".

**Selectman Nadeau Moves** to Approve Item "A" in the Consent Agenda as presented. Selectman George Second. Motion Carried 4-0.

Selectman Nadeau stated that the Action Taken after the Executive Session doesn't reflect that the Road Commissioner will be a full time position effective July 1<sup>st</sup> 2017. Meetings Secretary Toher will Amend the May 30<sup>th</sup> 2017 Minutes and make the change to Action Taken.

**Selectman Nadeau Moves** to Approve Item "B" of the Consent Agenda as Amended. Selectman George Second. Motion Carried 4-0.

Selectman Nadeau opened a discussion regarding the ACO report. In particular, a dog bite and two dogs fighting. He recommends these issues be reported to Law Enforcement. AA/TA Glaeser will follow-up on proper procedures.

**Selectman Nadeau Moves** to Approve Item "C-1" of the Consent Agenda as presented. Selectman George Second. Motion Carried 4-0.

Selectman Nadeau suggests that the Runaround Pond Park Celebration be placed on the website. AA/TA Glaeser asked for a volunteer to speak at the Celebration. Selectman George agreed to speak.

**Selectman Nadeau Moves** to Approve Item "C-2" as presented. Vice Chairman Blake Second. Motion Carried 4-0.

**Action and Discussion Items:**

- a. **Act on PIT Position** – AA/TA Glaeser reported that PIT Shannon Brown will resign at the end of July. She distributed a draft job description for review. Selectman George suggested that the "computer" be removed prior to advertising.

**Selectman George Moves** to Approve the Job Description for PIT with "computer" removed, and to advertise the position in the usual manner. Selectman Beaulieu Second. Motion Carried 4-0.

**b. Act on CEO Position** – AA/TA Glaeser stated the Town received four applications for the Codes Official position. During a brief discussion, it was decided that AA/TA Glaeser will set up the interviews with a tentative date of June 20<sup>th</sup> 2017 at 5:30 p.m. AA/TA Glaeser will contact Planning Board Chairman Mindy Woerter and Planning Board Vice Chairman Anne Torregrossa inviting them to attend the interviews.

There will be a brief public meeting to vote on the tax commitment.

**c. Insert for Tax Bill** – AA/TA distributed a sample for an insert to be placed inside property tax bills. Following a brief discussion AA/TA Glaeser will compose a draft to be distributed on June 20<sup>th</sup> 2017. She stated the anticipated cost of inserts is \$270.00.

**d. Set Date for Tax Commitment** – It was decided that the Board review and set the tax commitment on June 20<sup>th</sup> 2017. AA/TA advised that the State legislature needs to pass the State budget, by June 21st 2017.

AA/TA Glaeser stated should the State not pass a budget by the required date, the Town may need to look into securing a TAN (Tax Anticipation Note).

**e. Act on Pine Tree Waste Contract** – AA/TA Glaeser stated that she forwarded the Pine Tree Waste Contract for his perusal and suggestions. Attorney Conway added an indemnity clause as well as an "out" clause to the proposed contract.

**Selectman Nadeau Moves** to accept the Pine Tree Waste Contract with the changes suggested by the lawyer. Selectman George Second. Motion Carried 4-0.

**f. PSAP Contract** – Chief St. Michel reviewed the proposed PSAP contract in great detail, noting that the per-capita rate increased by ten (\$0.10) cents for a total addition of \$384.80, over last year's contract. He recommended that the Selectmen approve the contract.

**Selectman Beaulieu Moves** to allow AA/TA Glaeser to sign the PSAP contract on behalf of the Board with the County. Selectman Nadeau Second. Motion Carried 4-0.

**g. IT RFP** - AA/TA Glaeser distributed two bids in response to the revised IT RFP, one from BEK and the other from CMC Technology.

Review and discussion pertaining to the bids followed. AA/TA Glaeser recommends the Selectmen select the lower of the two bids made by BEK.

**Vice Chairman Blake Moves** allow AA/TA Glaeser to move forward with the BEK bid. Selectman Beaulieu Second. Motion Carried 4-0.

**h. Special Town Meeting Warrant** – The Selectmen set Monday, July 17<sup>th</sup> 2017 for a Special Town Meeting to vote on appropriating \$100,000.00 for a Public Works Project entitled “Durham-Auburn Pownal Road Culverts” by transferring \$100,000.00 from designated funds (Public Works Capital Reserve Fund in conjunction with two Grants the Town received.

AA/TA Glaeser stated she will be on vacation during that week and the Board had no objections for her to continue to her vacation plans.

**Selectman George Moves** to set Monday, July 17<sup>th</sup> 2017 at 7:00 p.m., for a Special Town Meeting to vote on the related Warrant Articles, advertising in the usual manner. Selectman Beaulieu Second. Motion Carried 4-0.

**Department/Committees:**

**a. Town Administrator Ruth Glaeser – no written report.** AA/TA Glaeser stated the tax sale for property located on Route #9 has been cancelled.

**b. Fire Chief/EMA Director William St. Michel** - presented and reviewed in great detail his Fire and Rescue Selectmen's Report dated June 13<sup>th</sup> 2017. The Fire Chief/EMA Director's two page report, hereinafter referred to as Attachment #1, is attached hereto and incorporated herein and made a part of these Minutes.

In addition, he distributed NIMS/ICS Training Requirements for Maine. He discussed the Senior Local/ County Appointed/ Elected Officials section which is required for all elected and/or appointed officials charged with general policy development, which pertains to Selectmen. Chief St. Michel advised that the training takes two hours and he will try to set the required training here, in Durham. The Fire Chief also advised that Selectmen could apply for a waivers, if necessary, but recommends the benefits of attending the training class.

**Selectmen's Comments:** Vice Chairman Blake announced the following:

Regular Selectmen's meetings will be held on Tuesday, June 27<sup>th</sup> 2017 and Tuesday, July 11<sup>th</sup> 2017 at the Town Office beginning at 6:30 p.m.

**Executive Session #1: Vice Chairman Blake Moves** the Board into Executive Session pursuant to Title #1, M.R.S.A. ss. 405(6)(A) – Personnel – Fire Chief at 8:12 p.m., preceded by a brief recess. Selectman Nadeau Second. Motion Carried 4-0.

Respectfully submitted,

  
Jill S. Toher  
Meetings Secretary

**Vice Chairman Blake Announced** the Board came out of Executive Session at 9:05 p.m.

**ACTION TAKEN:** None.

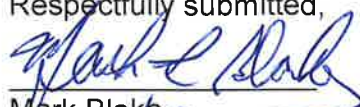
**Executive Session #2: Selectman George Moves** the Board into Executive Session pursuant to title #1, M.R.S.A., ss. 405(6)(A) – Personnel – Road Commissioner at 9:06 p.m. Selectman Beaulieu Second. Motion Carried 4-0.

**Vice Chairman Blake Announced** the Board came out of Executive Session at 9:15 p.m.

**ACTION TAKEN:** **Selectman Nadeau Moves** to approve a two (2%) percent raise retroactive to January 1<sup>st</sup> 2017. Vice Chairman Blake Second. Motion Carried 4-0.

**Adjournment:** **Vice Chairman Blake Moves** to Adjourn at 9:16 p.m. Selectman Nadeau Second. Motion Carried 4-0.

Respectfully submitted,

  
Mark Blake  
Vice Chairman

Fire & Rescue

Selectmen's Report 6/13/17

1. The Apparatus Committee met again Monday, June 13<sup>th</sup> at 1900. We revisited the Engine and direction on it. We have concluded that our recommendation was a prudent one for the Town. We will try to schedule a local vender to come in and discuss opportunities to make changes that could result in a cost savings. We also started the discussion the Rescue replacement. It was decided the best way to proceed was to again bring a local vender to discuss options and direction. The next meetings are tentatively scheduled for July 10<sup>th</sup> and 24<sup>th</sup>.
2. If all goes according to plan I will have the approved Per Diem Job Description in our Department Handbook and ready for posting on our website by weeks end. This month we started the per diem staffing with members. We have not advertised but I already have two word of mouth applications to review and research.
3. I started the stipend staffing effective May 1. For right now I have split the weekends into four shifts. Sign-ups in May went well but June is a little bit fuller. We have added one new licensed provider and have the possibility of adding as many as three more over the summer. It will take time but it appears that it will gradually close the gaps.
4. Seven members have completed Basic Fire Officer, one has achieved Fire Officer 1 & 2 designation, one who completed a Basic EMT Class, several enrolled in Basic EMT and another who just this past weekend achieved FF 1 & 2. There are seven enrolled in a Basic Pumps Class at the end of this month and we have an Aerial Operators Class scheduled to start in August.
5. EMS Week activities with Grades 5 – 8 at the School were a huge success thanks primarily to Diana's hard work.
6. A few weeks ago Ruth at my request forwarded you information about a NIMS class in Lewiston. I wanted to elaborate. As a community we are required to be NIMS Compliant, to receive any Federal Funds a general question is are you NIMS Compliant. NIMS Compliance requires adoption of NIMS by the jurisdiction through Proclamation, Resolve, Ordinance, or other means of local government recognition. I would need to double check but I think ours is an Ordinance. It requires development and adoption of an Emergency Operations Plan (EOP) for the jurisdiction that meets NIMS criteria, which we have; County EMA maintains it, we give input and there should be a copy here. It also requires training of personnel to the appropriate levels of Incident Command System (ICS) training as outlined in the NIMS-ICS Minimum Training Requirements for Maine, which I have provided. Finally it requires ensuring the inventory and typing of emergency response equipment to national standards (to include Public Works assets); County EMA does this and regularly updates it.

7. The County PSAP Invoice incorporates a .10 per capita increase. It exceeds what was budgeted by \$384.80. I would recommend we pay it and sign it as there are not many options. However I think a letter should be included expressing displeasure with the lack of communication about the increase.
8. The Warden's Report Website and a couple of other private open burning permit sites were shut down over the weekend. They were deemed illegal and unauthorized. We have utilized Warden's Report for one and a half to two years and there are others that have used it for twice as long. I am uncertain what suddenly changed. I forwarded through Ruth the notice we received from Wardens' Report and I have included a copy of the State Letter that was postmarked the 8<sup>th</sup> and received on the 10<sup>th</sup>. I am not pleased with the action and I am not pleased with how it was handled by the State in my opinion it show total disregard for the citizens. I have contacted Maine Fire Chiefs as have numerous others and I am in hopes that they will press the issue.

Last year 699 open burning permits were issued to people for burning in the Town of Durham, the previous year a partial and initial year there were 152. Subscription to the Service costs the Town \$75 a year it replaced the 2 hour staffing on Saturday and Sunday which saved the Town approximately \$2100. AS we implement per diem staffing that piece will become a moot point. I do think the numbers demonstrate that the citizens of Durham liked the service.

My recommendation would be that I see if I can implement the two hour coverage for permits until we have per diem staffing. I Warden's Report System may come back and in that case we would serve notice and drop the 2 hour coverage.