

**TOWN OF DURHAM
SELECT BOARD
MEETING MINUTES
MAY 5, 2020**

1. Call to Order – Kevin Nadeau calls the virtual meeting to order.
Members present: Kevin Nadeau, Chair; Rob Pontau, Vice Chair; Todd Beaulieu;
Marc Farrin; Rich George
2. Pledge of Allegiance – Not done, no flag
3. Amendments to Agenda – None
4. Public Comment – None
5. Action & Discussion:
 - a) Sewer/Well Bids for Fire Department –

Rob Pontau Moves to award the bid for the well project at the Fire Station to Affordable Well Drilling, Sabattus. Todd Beaulieu Seconds. Motion Carries 5-0.

Marc Farrin Moves to award the sewer system contract to Copp Excavation, Durham. Rob Pontau Seconds. Motion Carries 5-0.

- b) Discussion of Town Meeting Options – The Board decides to wait for action until more is heard from Governor Janet Mills on this subject. The Board will take a vote at the next meeting.
 - c) Budget to be Presented at Town Meeting – The Board adjusts its recommendations made at the January 30, 2020 meeting as follows:

Kevin Nadeau Moves to adjust the budget recommendation for Administration to \$390, 544, with \$106,347 to be transferred and \$284,187 to be raised. Rob Pontau Seconds. Motion Carries 5-0.

Kevin Nadeau Moves to alter the budget recommendation for payment of the Ambulance Bond with \$41,720 to be transferred and \$0 to be raised. Todd Beaulieu Seconds. Motion Carries 5-0.

Kevin Nadeau Moves to alter the budget recommendation for the payment on the 2018 Road Bond with \$50,000 to be transferred and \$197,460 to be raised. Todd Beaulieu Seconds. Motion Carries 5-0.

Kevin Nadeau Moves to adjust the budget recommendation on the Public Works budget to \$1,038,693, with \$1,006,763 to be transferred and \$31,930 to be raised. Motion Carries 5-0.

Kevin Nadeau Moves to adjust the budget recommendation for the Raise Pool to \$0. Rich George Seconds. Motion Carries 4-1 (Pontau Opposed).

Kevin Nadeau Moves to change the budget recommendation on the Public Works Capital Expense to \$188,600 with all to be transferred from Public Works Capital. Rob Pontau Seconds. Motion Carries 5-0.

Kevin Nadeau Moves to adjust the budget recommendation for the Public Works truck to \$216,202 and \$188,600. Rob Pontau Seconds. Motion Carries 5-0.

d) Discussion of TAN (Tax Anticipation Note) – to be discussed at the next meeting

6. Departments/Committees:

- a) Road Commissioner – Calvin Beaumier presents his report (see attached)
- b) Town Administrator – Ruth Glaeser presents her report (see attached)

Todd Beaulieu Moves to open the Durham Town Offices on May 11, with Town Administrator Ruth Glaeser doing her best to comply with Governor Janet Mills' Executive Orders and with limited hours two days per week, gradually increasing to a full week by May 18. Rich George Seconds. Todd Beaulieu Withdraws his Motion.

Kevin Nadeau Moves that Town Administrator Ruth Glaeser prepares a Durham Town Offices Opening Plan to the Select Board meeting on May 12, with a goal of opening the Town Offices with limited hours by May 14. Rich George Seconds. Motion Carries 4-1 (Pontau Opposed).

c) Fire Chief – Joseph Moore is not present (report attached)

7. Consent Agenda:

Kevin Nadeau Moves to accept the Consent Agenda as presented. Marc Farrin Seconds. Motion Carries 5-0.

8. Selectmen's Comments:

Kevin Nadeau announces that the next regular virtual meeting of the Select Board will be held at 6:30 p.m. on Tuesday, May 12, via Zoom. The next meeting after that will be held at 6:30 p.m. on Tuesday, May 26, location TBA.

9. Adjourn:

Kevin Nadeau Moves to Adjourn at approximately 8:40 p.m. Rich George Seconds. Motion Carries 5-0.

Town of Durham Revised Maintenance Paving Plan 2020-2021 (COVID)

Updated Maintenance Paving Schedule 2020						
	From	To	Length			
Winifred Lane	Rangdale	End	0.10			
Rangdale Rd	Runaround	House#68	0.35			
Deervale Rd	Shiloh Rd	End	0.59			
Cottage Woods Rd	Deervale	End	0.29			
Turkey Ridge Rd	Deervale	End	0.05			
Eagle Point	Deervale	End	<u>0.03</u>			
			1.41			
Updated Maintenance Paving Schedule 2021						
Evergreen Lane	Swamp Rd	End	0.30			
Puritan Lane	Pinkham Brk	End	0.28			
Smith Farm Rd	Royalsborough	End	0.19			
Wires Hill Rd	Old Brunswick	End	0.17			
Beaver Woods Rd	Meadow Rd	End	<u>0.34</u>			
			1.28			
Original Proposed Miles*						
2020 COVID Plan						
* Day Road removed and transferred to 2019 Bond						

Public Works Boxcuts		
Gravel 18"	3000 yds	\$39,000.00
Fabric		<u>\$1,000.00</u>
		\$40,000.00

Crooker Paving		
Binder	509 Tons	\$36,648.00
Surface	2300 tons	\$178,480.00
Shoulders	300 yds	<u>\$12,000.00</u>
		\$227,128.00

Total 2020	\$267,128.00
Funding 2020	
PW Maintenance Budget	\$187,000.00
PW Budget (Other)	\$25,128.00
2019 Bond Funds	<u>\$55,000.00</u>
	\$267,128.00

Revised May 1, 2020

Town Administrator Report

May 5, 2020

I have reached out to Jack for some assistance and realized that I had received a memo from him April 16th and scanned the contents without really comprehending. When I read that memo carefully and the updated memo dated April 30th, it is clear that Jack's opinion is that Durham can't have a secret ballot referendum as it stands right now. Durham is constrained by 30A and must have a vote to allow a secret ballot 90 days prior. This is reinforced by the fact the Town had a vote several years ago to transition to an alternative warrant (secret ballot) which was defeated. My hope (assumption) that since the vote was not considered binding if it had passed that logically it wasn't binding if it was defeated has proved to be wrong and is superseded by the secret ballot section of Title 30-A. With this being said, Jack's second memo also includes a letter written by MMA and sent to the Governor asking she implement alternative options for Town Meeting.

The following are contingency plans and questions that need answers with regard to these specific contingencies:

1. The Governor implements the option of considering Town Meetings essential and the 50 person maximum is waived for Town Meetings.
 - a. Where would we hold the meeting?
 - b. How would we endeavor to keep residents safe and make them feel comfortable attending?
 - c. Do we hold a Town Meeting to vote on the secret ballot referendum or do we go ahead with the warrant as is? Do we pare the warrant down to only the budget articles and wait on the other issues until things get back to a semblance of normal (when would that be?)?
2. The Governor implements a form (absentee or in person) of secret ballot.
 - a. If this occurs, do we continue with the plan to hold the secret ballot election July 14th with only the budget articles? Or do we put forth the entire warrant as written?
 - b. I recently learned that if we send our ballot to the State by May 15th we could have the thumb drive programmed to include the municipal ballots and hand counting would not be an issue. I have communicated with the Budget Committee and they will have a virtual meeting on May 11th to discuss their budget recommendations.
3. The Governor does not give any alternative options and the Town holds a Town Meeting to vote only on the Secret Ballot option.
 - a. How do we complete that with the gathering restrictions?
 - b. The restrictions increase to 50 after July 1st. What do we do if more than 50 people show up? Can we do anything if more than 50 people show up? (Open the meeting and then adjourn to a date uncertain to be reconvened when the allowed group count is more than 50 and we can accommodate everyone who wants to attend?)
 - c. If we go this route and the gathering is less than 50 and the residents vote in favor of a secret ballot, we hold a secret ballot meeting in October and commit taxes shortly after that meeting. Taxes would be due by the end of November. This would mean we would need a bigger TAN to carry us through the end of November (we can't carry a TAN over into the next year).

4. The Town goes forward with last year's budget and commits taxes based on that scenario.
 - a. I am still working on the questions as to whether the commitment/mil rate must be the same despite the increase in school and county assessments.
 - b. If we continue with this option, the Town could have a Special Town meeting in the fall to appropriate funds from the undesignated fund and/or existing capital funds for the 2019 Road Bond payment providing the pandemic is under control and additional limits on groups and/or stay at home orders are not necessary.

Town Administrator Report Part 2

May 5, 2020

Depending on what we know for sure, I would suggest concentrating on budget recommendations. The Budget Committee will be meeting May 11th to look at their recommendations of the budget.

Included here are two different cash flow scenarios (Attachments 1A and 1B). The first assumes a commitment at the end of July and the second assumes commitment at the end of October (Option 3 in Report Part 1). Although I wanted to show you these scenarios, we should wait to discuss until we know which option we will be following (or if another option presents itself). The Board will need to vote on the TAN no later than next meeting to start the process and have the funding in place by mid-June.

Attachments 2A and 2B show the overview of the budget numbers discussed. 2A shows the scenario is the Board decides to recommend \$60,000 in maintenance paving funds and 2B shows the scenario if the Board funds roughly half the Maintenance Paving (\$187,000) as outlined in the Road Commissioners updated plan.

Attachments 3A and 3B estimate the impact on the fund balances with regard to the different scenarios.

Attachment 4 shows some of my assumptions with regard to projected 2020 revenue and impacts on the fund balances.

Please email me any questions you have so I can research the information.

I am also including a spreadsheet showing the schedule for a number of Towns with regard to opening and a draft opening plan created by Pam and Becky.



DURHAM FIRE & RESCUE

Chief's Report on Department

Durham Select Board

05/05/20

Report Date: 05/05/20

General Overview:

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

Departmental Changes/Major Projects:

- **DFR COVID-19 Response and Preparedness** – We continue to monitor the situation locally and state wide. We continue to receive updates from Maine EMS, the Maine CDC and other entities. As needed, we update our providers to ensure our preparedness for any response. We are still operating under altered response guidelines and continue staff monitoring procedures. Any information applicable to public government activity will be forwarded immediately. We continue to work with the other down departments to provide readiness and information dissemination as needed to ensure best practices are being used town wide. Currently working with other departments and Maine Health on a process to disinfect and reuse personal protective equipment, thereby extending its life, reducing costs and keeping more material ready for our immediate use should call volume increase rapidly.
- **Resuming Normal Operations** – Working with the Command staff and the officers group, we will begin resuming “normal operations this month. This means we will be resuming training and truck checks in smaller groups over the course of the month. The “Company” based assignments allow us to get back to a regular regimen of training and equipment maintenance while adhering to the limited gathering guidelines set forth by the Governor.
- **Joint Work with Code Enforcement** – Time spent researching and preparing for upcoming appeals board meeting. I will be presenting information at the meeting in support of the CEO's position in a recent matter regarding life safety deficiencies and a subsequent violation notice served on a property owner here in town.



DURHAM FIRE & RESCUE

Apparatus:

- All Apparatus in service - E-21 work completed and it is back in service. Waiting for one part that is not limiting apparatus function and will be installed soon. Down time was approx. 48hrs. Mutual aid was arranged for but not required in that time.

Discussion Topics:

- Well/Septic Replacement RFP - Bids received and opened as planned on 05/04/2020 at 1600hrs. Please see other attachment for specifics and recommendation.

Respectfully Submitted,

Joseph C. Moore, Chief of Department