



TOWN OF DURHAM SELECT BOARD

Fire Station

615 Hallowell Road, Durham, ME 04222

06/25/24 6:00 PM

MEETING MINUTES

1. Call to Order & Establishment of Quorum, Pledge of Allegiance

In Attendance: Joe Roy (Chair), Josh Klein-Golden (Vice Chair), Heather Roy and Jerry Douglass (Town Manager)

Guest(s): Alan Plummer (CEO), Donna Hays (Tax Assessor), Skylar Larochelle, Caitlyn Belanger, Paul Larochelle and Lois Kilby-Chesley (Historic District Commission Chair).

2. Amendments to Agenda:

Move Consent Agreement for Setback Violation(Item g) to go after Homestead Tax Discussion (Item b)

3. Public Comments: Limited to 3 Minutes Per Person

Emily Sampson (Orchard Lane)-Spoke about support for candidate(s) regarding the vacant RSU #5 Board of Directors seat.

Phyllis Brannon (Brookside Dr.)-Spoke in support of a candidate regarding the vacant RSU #5 Board of Directors seat.

4. Old Business:

Discussion and Review of Legal Services Engagement Letter-

M: Heather Roy – Motioned to authorized the Town Manager to sign the Legal Services Engagement Letter.

S: Josh Klein-Golden

V: Motioned carried 3-0

5. New Business:

a. 2024 Commitment (Donna Hays)

- The Town picked up 5 million in new value last year.
- The evaluation rate dropped from 67 to 57 percent.
- The Homestead Tax Exemption has lost value due to our evaluation rate. It has been reduced to \$14,250.
- 1142 Durham taxpayers have a Homestead exemption (71%)
- Donna recommends the 2024 mil rate be 21.75. The mil rate for 2023 was 21.35.

M: Heather Roy motioned to select 21.75 as our 2024 mil rate.

S: Josh Klein-Golden

V: Motioned carried 3-0

b. Consent Agreement for Setback Violation (Alan Plummer, CEO)

- Set back violation of approximately 10 feet at 356 Swamp Road
- The Residents: Skylar Larochelle and Caitlyn Belanger are looking for a letter of consent from the Select Board to their mortgage company regarding the setback violation.
- Previous CEO had told the Larochelle's the parcel was all set to build on.
- The current CEO, Alan Plummer, was concerned with the lots proximity to the Resource Protection District and therefore issued a denial letter for a building permit.
- The Residents hired Mainely Soils who then delineated the wetland and waterbody resources and determined the square footage of upland area available for a single-family home to be a sufficient building envelop.
- Alan Plummer then issued a building permit believing (in error) that the setback was from the front lot line which when measured was greater than 50 feet from the property line.
- Mr. Larochelle's mortgage survey for the Royall Title Company found the house to be in violation of the LUO of Durham according to the definition of setback in the definition section of the LUO. Mr. Plummer was using setback measurement from the front lot line, however, according to setback in the definition section of the LUO, the setback should be measured from the Right of Way line of any town or state road, which then put the current location of the structure in violation of the LUO.

M: Josh Klein-Golden motioned to authorize Alan or Jerry to sign a consent letter to the Larochelle's mortgage company.

S: Heather Roy

V: Motion carries 3-0

c. Authorization to Sign Revaluation Contract

- the Select Board signs the Revaluation Contract

d. Authorization to Sign Solid Waste Contract

M: Josh Klein-Golden motioned to authorize Jerry to sign the Solid Waste Contract

S: Heather Roy

V: Motion carries 3-0

e. Land Use Article 5.14 & 12

- Lois Kilby-Chesley is invited to speak on behalf of the HDC on proposed changes to Articles 5.14 & 12.

- She also reported the Town Planner had given his proposed changes in book format in the fall of 2021 she believes or 2022.
- Reported conflict and miscommunication regarding these proposed changes.
- Joe Roy requested to see the HDC's proposed changes.
- Late summer or early fall the Select board would like a workshop or agenda item to discuss the proposed changes. The Select Board would like the Town Planner, Codes Officer, Planning Board, Historic District Commission, and the Select Board at the workshop where these proposed changes will be discussed.

f. Fee Schedule (Alan Plummer)

- Reviewed existing fee schedule and went over Alan's proposed changes.
- Residential construction-as of now is billed at \$.15/square footage, Alan proposed the new rate for all renovations over 200 square feet should be billed as new construction at a rate of \$.50/square foot.
- An Occupancy permit does not require a fee as of now. Alan proposes a \$50.00 fee, he notes other towns currently charge for this. The Select Board recommends a fee if the CEO has to return due to failing the first time. The Select board recommends he charge \$50.00 per visit.
- Electrical inspections:
 - Replace electrical service panel and or meter is \$100.00.
 - Install emergency generator and switch \$100.00.
 - 1-10 electrical openings \$75.00
 - Whole house or renovations over 10openings - \$.08 per square foot of all new construction of entire building being renovated. Minimum \$120.00.

M: Heather Roy motioned to have residential structures billed at \$.50 per square foot.

S: Joe Roy

V: Motion carries 3-0.

M: Heather Roy motioned to approve the proposed residential construction section as proposed with the red indicating the new changes that are added and the strike mark as being removed and adding visit to occupancy permit fee of \$50.00 and an additional \$50.00 per visit.

S: Josh Klein-Golden

V: Motioned carried 3-0.

M: Joe Roy motioned that we accept the electrical edits in addition we will strike replace electrical service panel or meter socket or generator installation switch from the first line.

S: Heather Roy

V: Motion carries 3-0

M: Joe Roy motioned that we table the rest of the edits to a later meeting.

S: Heather Roy

V: 3-0

M: Heather Roy motioned to table the Steering Committee to the next meeting, July 9th.

S: Josh Klein-Golden

V: 3-0

6. Manager Report:

The Town Manager reported he is looking into push notifications. (An application that allows the Town to send out notifications to residents who sign up for the application. Cost is \$3900.00 per year, the company will pro rate for this year. Takes four weeks to get set up this year would cost \$1500.00 for the remainder of this year.

7. Board Reports:

Joe Roy reports they have received all the applications for the School Board-Four applicants-Michael Ozga, Candance deCispickes, Steohanie Worth, and Rebecca Polster.

The Board asks that the applicants come to the July 9th meeting so the Board can ask the candidates questions. Public input will be during public comment at the beginning of the meeting.

Heather Roy mentions if law enforcement should be present at the next meeting due to the School Board seat being contentious.

8. Consent Agenda:

- a. Approve Minutes from 6-11-24

M: Heather Roy motions the minutes of the June 11, 2024 meeting be pulled for further review.
S: Joe Roy
V: 3-0

- b. Approve and Sign AP Warrant 6-25-24 & Payroll for May 31st and June 14, 2024

M: Josh Klein-Golden motioned to approve the remainder of the consent agenda.
S: Joe Roy
V: 3-0

9. Upcoming Meeting(s) and Town News:

- ◆ Select Board Meeting July 9, 2024 and July 23, 2024 @ Fire Station, 6:30 pm
- ◆ Planning Board Meeting July 10, 2024 @ Fire Station, 6:30 pm

M: Heather Roy motioned to extend the meeting to 9:30PM.
S: Josh Klein-Golden
V: 3-0

10. Executive Session Citations:

Executive Session pursuant to 1 M.R.S.A§405(6)(A)- personnel

M: Joe Roy motioned to go into executive session.
S: Josh Klein-Golden
V: 3-0

- Entered Executive Session at 9:10PM
- Exited Executive session at 9:34

11. Adjourn:

**M: Heather Roy motioned at 9:35PM to adjourn the meeting.
S: Joe Roy
V: 3-0**