

Submitted By:
JMY

TOWN OF PHIPPSBURG
SELECTMEN'S MEETING

Approved By:

April 23, 2003

Meeting called to order at 7:00 p.m. with Selectmen Rice and Douglass present.

1. Review and Sign:

- Accounts payable, payroll warrants and minutes

All items reviewed and signed.

2. Meetings and Hearings:

- Meet with representatives from Purse Line Bait concerning Posted Roads exemptions

Meeting held with Jennie Bichrest and Ginny Koehling. (1) The minutes from the October 17, 2001 Selectmen's Meeting were reviewed. These minutes reflected an agreement between the Board of Selectmen and Jennie Bichrest, owner of Purse Line Bait, which allowed her trucks to travel into her business when the roads are frozen and return empty over thawed roads under their exemption. Jennie stated that she would never have agreed to this restriction and was unaware of it because she did not receive minutes from the meeting. The Board of Selectmen remembered discussing this agreement with her at the meeting. She also apologized for transporting lumber into Purse Line Bait on her fish trucks when the roads were posted. (2) The entire "Posted Roads" issue, including the ordinance and exemptions, will be revisited during a workshop in the fall. This workshop would consist of the Selectmen, Road Commissioner and local business owners who are affected by the "Posted Roads." T/A will contact Peter Coughlin from the Maine Local Roads Center (DOT) and see if he could attend the workshop and give some recommendations on education and enforcement. (3) The Selectmen, upon the recommendation of the Road Commissioner, voted (2-0) to lift the weight limit posting on all town roads with the exception of Brightwater Road. (4) Selectmen Rice stated that next year "Posted Roads" will be discussed at each Selectmen's meeting from the time they are posted until they are removed.

- Meet with Contract Assessing agent concerning sales ratio study

Meeting held. The Agent is still working on the ratio study.

- Meet with Josh Bate

Meeting held. Mr. Bate did not fully agree with the minutes published for the Selectmen's meeting of April 9, 2003. He said that: (1) He did not mention the Maine Statute of Fraud in his statement, although it was listed on his handout that was given to citizens at the Transfer Station, (2) The Road Commissioner's original statement was that he needed to remove the trees on Sam Day Hill Road in order to blast ledge, (3) The reason the propane truck went off the road was because of poor road design, (4) The chronological order of the minutes were inaccurate, (5) Erosion control was applied after the Stop Work Order was issued by the Codes Enforcement Officer and the Road Commissioner was forced to comply, (6) He would discuss the comments made by Selectman Wells at a Selectmen's meeting when Mr. Wells is present. The Selectmen did not amend the minutes. The Selectmen also discussed the E-mail from Mr. Bate that requires Town Officials to obtain his permission before going on his property. He claimed that surveillance

showed that the Road Commissioner went onto Mr. Bate's private road that leads to his boat landing. Mr. Bate presented no evidence. The Road Commissioner denied going onto Mr. Bate's property. T/A will send a letter back to Mr. Bate stating which Town Officials have been notified and clarifying the conditions on which a Town Official cannot be denied access to private property.

3. Discuss the following issues

- E-mail from Josh Bate concerning access to his property by Town Officials

See comments in #2 above.

- Stoneybrook Road property takings

The T/A reported that John Anestis, Scott Beane, Charles Stevens, Daniel Coombs and Scott Hooper are willing to sell sections of their property for the rebuild of Stoneybrook Road. Lynn Pantalena has not given an answer yet and Peter Hart has refused to sell. No further action taken at this time.

- Land Trust meeting minutes concerning Totman Preserve access

The minutes were reviewed. The Land Trust has agreed to amend the conservation easement to allow a second parking lot near the beach. The Town lands Management Committee and a special committee formed by the Land Trust will meet and formalize the amendment and attachments. They will then be forwarded to the Town Attorney for his action.

4. Discuss attendance at the following meetings, courses, and seminars

- Regional Consolidation Meeting

No one will attend.

5. Miscellaneous

- **Josh Bate complimented the Selectmen on their willingness to listen to citizen concerns and also on the detailed minutes that were taken on April 9th. He also recommended that the Road Commissioner review the MMA Roads Manual.**
- **Bethany Wallace stated that people should provide facts for any accusations they make.**
- **Ed Skillin was granted permission to park his equipment at the Sand and Salt Shed as long as he does not block the area. He also asked why Mill Road was not posted this year. The Road Commissioner stated that it was because the Morse Lumber Company operations had diminished and there was very little traffic on the Road. He stated that he would post it next year. Mr. Skillin also asked when the Sam Day Hill Roads was last resurfaced. Harry Doughty stated that it had a double overlay completed in 1993.**
- **Harry Doughty stated that the town should either create a turn-around at the end of Cranberry Point Road or discontinue the Road. Selectman Rice asked if there were other Town roads that have problems with lack of turn-arounds to which Harry answered yes.**
- **Gene Coffin asked what the accountability was behind the scenes. Does the "buck" stop at the Road Commissioner or does it go to the Selectmen. Anna Little also reiterated this question. Selectman Rice explained that the Road Commissioner is elected to make most of the decisions concerning the Roads. If someone has an issue concerning accountability they can contact the T/A and make arrangements to meet with the Board of Selectmen. The intent is to have issues handled at the lowest level possible.**

Adjourned at 8:10 p.m.