

Submitted By:
JMY

TOWN OF PHIPPSBURG
SELECTMEN'S MEETING MINUTES
September 29, 2004

Approved By:

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

1. Review and Sign:

- Accounts payable, payroll warrants and minutes
- Release of interest for Thelma Alexander's property

All items reviewed and signed.

2. Meetings and Hearings:

- Meet with Betty Herron concerning her dog

Meeting held with Gordon Herron, Kathi Stead (ACO), John Skroski (Police Chief) and several neighbors. A complaint had been received via Tracey Burton (attorney with Preti Flaherty) concerning the Herron's pit bull dog. The complaint stated that the pit bull is vicious and uncontrolled. Mr. Herron admitted that this has been a recurring problem. After review of the documentation and discussing this issue with the parties present, the Selectmen determined that the pit bull is considered a "dangerous dog" in accordance with the ordinance. They instructed Mr. Herron to muzzle and leash the pit bull whenever it is outside his home and failure to do so would result in the fullest penalty of the ordinance. The ACO requested that she get an immediate call should the dog be seen loose. Mr. Gordon objected to the comment in a previous complaint letter which stated that "Betty Herron has allowed this incident to interfere with her duties as Clerk of Phippsburg." This statement was found unsubstantiated by the Selectmen who stated that Mrs. Herron would not be treated any different because of her position.

- Pine Tree Engineering plan presentation on Stoneybrook road

Rob Prue, from Pine Tree Engineering, gave the presentation. All of the abutters to the affected sections of the Stoneybrook Road had been invited to attend. Mr. Prue explained that the new road layout will require drainage easements and also pointed out that some of the existing road is currently outside the Town's right of way and even though the new layout will move the road further into the right of way, some of it will still be located outside of it. Town meeting approval will probably be required in order to obtain drainage easements from private property owners and may be required for those road sections that will still be outside the right of way. Mr. Prue stated that tier one or two permitting from DEP will be required. Mark Hawkes asked if the road would be built to 100,000 pound standards and Mr. Prue replied that anything is possible if the town is willing to pay the money for it. Mr. Prue, Curtis Doughty (Road Commissioner), and Les Smith (Road Committee) will meet at a later date to discuss exact areas that will need drainage easements. The T/A will contact the Town Attorney to discuss the methods of obtaining those as well as the situation with the road presently being built outside the Town's right of way.

3. Discuss the following issues:

- GAC vs. Phippsburg - Posted Roads Court Case

Case will be heard at 8:30 a.m. on Wednesday, October 6th. The Road Commissioner, Chief of Police, and one Selectman must attend.

- Verbal reply from Richard Hatch concerning tree cutting along his section of the Basin Road.

Mr. Hatch stated to the T/A that he had marked the trees he will consider cutting but will not have the work done this fall. He will revisit the issue in the spring.

- Selection of Wood Chipping company for Fall

Two quotes were received. P.R. Russell quoted Clean Wood chipping and removal at \$7.75 per ton and Demo Wood at \$15.00 per ton. Commercial paving quoted Clean Wood chipping and disposal at \$5.00 per ton and Demo Wood at \$15.00 per ton. Both quotes included loading costs. The Selectmen voted (3-0) to hire Commercial Paving for the fall chipping.

- Assessment equalization, Mil Rate and Assessment Notice

The Selectmen reviewed the mil rate calculations and voted (3-0) to approve a mil rate of \$9.20 for FY 2005. They also signed a letter explaining the Interim Valuation process which will be sent with the bills to each taxpayer.

- Comprehensive Plan Status

The T/A requested permission to work at home on October 4th editing the Comprehensive Plan. Selectmen approved. Mark Hawkes asked for a briefing on the meeting (he had not attended it). Selectman Rice informed him that the Selectmen were not going to go over the entire meeting. Mr. Hawkes then requested a copy of the minutes and was informed by the T/A that he had not had a chance to compile them yet. Mr. Hawkes requested to know when they would be ready and the T/A stated that they may be ready by the end of the day Thursday.

- Selectmen's Meeting on November 3rd

The T/A asked the Selectmen if they would be holding a meeting that week due to elections. If so, it would be a limited agenda because the T/A, who is also the Registrar of Voters, will be involved with the elections that week.

- Occupancy of Dot Murphy's old trailer on Lavery Lane

The Code Enforcement Officer, Lee Rainey, briefed the Selectmen on this issue. The Town had foreclosed on the trailer, which was owned by Dot Murphy but was located on land owned by Emma Perry. The Town had given the trailer to the property owner so that the Town would not be responsible for moving it. A family is attempting to live in the trailer, which is a violation of code. The Code Enforcement Officer will address the issue with the property owner.

4. Review the following items:

- Block Grant programs
- County FY 2005 Budget

Items reviewed. No action taken. Selectman Rice will take the Block Grant Programs book home for an in depth review.

5. Discuss attendance at the following meetings, courses, and seminars:

- Kennebec River Historic Waterway Conference

No one will attend.

6. Miscellaneous

- **Selectmen approved the use of plastic culverts, as requested by the Road Commissioner, in areas that will have a lot of fill.**
- **The T/A reminded the Selectmen that he needed the minutes from the September 15th Selectmen's meeting that he could not attend. Mark Hawkes and Larry Pye discussed accusations that they have heard concerning the Part-Time Police Officer Jeremy DeWeese, including his use of the cruiser "for sport and fun." The Selectmen stated that they would consider looking into the accusations if written complaints with facts and proof were submitted to them, but they would not act on "rumors." They were advised to forward any complaints to the Chief of Police. Mr. Hawkes also questioned why the Police Department was still using the old cruiser which cost so much to keep repaired - he had understood that it would be disposed of upon purchase of the new 4x4 because it was dangerous and unreliable. Mr. Hawkes was reminded that at Town Meeting the Town voted to buy the 4x4 but did not vote money for another cruiser. Therefore, the Town needs to use the cruiser.**

Adjourned at 8:50 p.m.