

Submitted By:  
JMY

TOWN OF PHIPPSBURG  
SELECTMEN'S MEETING  
MINUTES

Approved By:

September 21, 2005

*Called to order at 7:00 p.m. with Selectmen Rice, Douglass and Perkins present.*

1. Review and Sign:

- Accounts payable and payroll warrants.

**All items reviewed and signed.**

2. Meetings and Hearings:

- Meet with the Road Committee Chair to discuss recommendations from the Road Committee concerning issues from a meeting with Randy Dunton, DOT Traffic Engineer.

**Les Smith, Chair of the Road Committee, reviewed information from the recent Road Committee meeting and a letter from Randy Dunton, Scarborough DOT Traffic Engineer. The Committee been optimistic after meeting with Randy Dunton, however most of their ideas ran into problems at DOT. Mr. Dunton's letter reflects that DOT would only consider a 45 mph from the Fire Station to Alice Pye's property at 791 Main Road (the Road Committee had recommended that the 45 MPH limit go all the way to the Stoneybrook Road.) DOT will clear the line of site at the Parker Head/Route 209 Intersection at the Center. Mr. Smith stated that it appears the property on the southern corner of the intersection is owned by Jan Bijhouwer and it is actually in the State's right-of-way. Therefore the shrubbery can be trimmed or removed**

**Mr. Smith explained that during the survey conducted with the Road Commissioner, Curtis Doughty, Police Chief, John Skroski, and Randy Dunton it was discovered that a speed zone had never been adopted for the Parker Head Road and Meadowbrook Road. The Selectmen directed that these two roads be reviewed by DOT for speed limits.**

**Mr. Smith stated that Randy Dunton had reviewed all of the major road signs and made a list of sections that needed new stop signs and intersection signs. These would be supplied by the State and cost shared with the Town. However, he further explained that it would take a while because there is a current backlog.**

**Mr. Smith stated that originally DOT was contemplating an extensive redesign of the Parker Head/Popham Road intersection but that would not be possible because of right-of-way issues. However, now that a redesign is not possible DOT may consider a stop sign on Route 209 North (Popham Road). DOT also implied that they would trim back vegetation on this intersection. Selectman Rice asked how they could do that if they only had a 5-foot right-of-way and Selectman Douglass wanted a confirmation that DOT had changed their mind on not installing a stop sign. Mr. Smith will contact DOT on these two questions and then report back to the Selectmen. Selectman Rice suggested that DOT consider installing a directional sign at this intersection that could be seen by Route 209 (Popham Road) northbound traffic that would indicate the direction to "US 1". He also recommended these same signs for the intersection of Route 216 and 209. Selectman Rice further stated that that people stop and sit at both of these**

intersections while trying to figure out which way to go. Mr. Smith will discuss these recommendations with Randy Dunton.

Mr. Smith stated that the Road Committee voted to make the Parker Head/Route 209 intersection at the Center a priority and then move onto other problem areas as time and resources are available.

3. Discuss the following issues:

- Appointments.

At 7:10 Selectman Rice made the motion to go into executive session under 1 M.R.S.A. 405 Section 6.A. to discuss appointments to the Conservation Commission, Cable Television Committee and Road Committee. Selectman Douglass asked that he withdraw his motion so that public comment could be taken. Selectmen Rice withdrew his motion.

Josh Bate asked if any submissions were accepted after the posted deadline date of "prior to September 20<sup>th</sup>." The T/A reported that there were submissions after the deadline. Mr. Bate objected to allowing these submissions because he knew someone who wanted to be on a committee but did not submit a request because the deadline had passed. The Selectmen explained that the Road Committee was established by the Selectmen and the Board could make any allowances it desired.

Mr. Bate also questioned the legality of having an executive session for appointments because they were not personnel issues. Selectman Rice explained that the Freedom of Access Law allows executive session for the consideration of "employment and appointments". The T/A also stated that he had checked with MMA to confirm this. Selectman Rice mentioned that anyone considered for appointment had the right to be present during the executive session. The T/A stated that according to the Freedom of Access Law the person being considered for an appointment did not have the right to be present because it was not considered as a disciplinary action.

Ronda Skillin asked for an explanation of the Road Committee functions and Bethany Wallace asked for the required qualifications. Selectman Rice addressed both questions. He further stated that the biggest factor was the ability to commit and attend meetings.

At 7:16 p.m. the Selectmen voted (3-0) to go into executive session under 1 M.R.S.A. 405 Section 6.A. to discuss appointments to the Conservation Commission, Cable Television Committee and Road Committee.

At 7:24 p.m. the Selectmen voted to come out of executive session. They voted (3-0) to appoint Lindsay Wallace to the PACTV Committee. They voted (3-0) to appoint William Totman as an Alternate Member of the Road Committee. They voted (2-0, Selectman Rice abstained) to appoint Gene Coffin as a full member of the Road Committee. Because there was only currently one member on the Conservation Commission the Selectmen elected not to make any further appointments at this time.

- Authorize a payment of \$8,675.00 for carpet installation at the school out of the School Capital Improvement Account.

Upon recommendation of the School Board the Selectmen voted (3-0) to appropriate \$8,675.00 out of the School Capital Improvement Account to pay Capozza for carpeting of the hallway. This decision was made in accordance with Article 31 of the May 2005 Annual Town Meeting and 30-A M.R.S.A. 5802.

4. Review the following items:

- **None**

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

- **None**

6. Miscellaneous

- **The Selectmen approved (3-0) the expenditure of \$1,132.00 to have the tires on the Transfer Station tractor filled with foam. They voted (3-0) to appropriate \$500.00 from the Transfer Station Capital Improvement Account. This decision was made in accordance with Article 31 of the May 2005 Annual Town Meeting and 30-A M.R.S.A. 5802. They also voted (3-0) to appropriate the remainder (\$632.00) from the Selectmen's Contingency fund.**

- **The T/A reported that the Road Commissioner, Curtis Doughty, would be away from September 23<sup>rd</sup> to Oct 2<sup>nd</sup>. Harry Doughty will be the contact for any road issues.**

- **The Selectmen asked if the Farm Stand at the center intersection had a business permit. Josh Bate informed the Selectmen that it was considered a home business and a permit was not required. It was also mentioned that the farm stand owners should make provisions for parking on their own property.**

- **Selectman Rice asked when the Stoneybrook Road would be striped. The Road Commissioner explained that it would be done after the installation of the guardrails and would consist of just the centerline. Crooker will contact the Road Commissioner when they are ready to stripe to ensure that it is done in accordance with his recommendation. Ed Skillin asked where the guardrails would be installed and was informed that they would be on the north side of the road by the culvert. It was explained that since Lynn Pantalena did not give the Town a grading and ditching easement on her property there was no choice but to install a guardrail.**

- **Selectman Rice asked when several trees along Stoneybrook Road would be cut (this was approved at a prior Selectmen's meeting.) The Road Commissioner stated that he would make arrangements the end of this week or first part of next week.**

- **Richard Lemont, Shellfish Chair, mentioned that the Shellfish Warden's job review would be coming up soon and that Road Cove would be opening up for Shellfish harvesting on October 1<sup>st</sup>.**

- **Selectman Douglass asked about the status of the Parker Head Community septic system (Perkins and Bunce). Josh Bate mentioned that the job just got funded so GAC will be signing a letter of commitment and will be starting the job.**

- **Josh Bate asked when Billy Totman submitted his name for the Road Committee. The T/A stated that it was on Tuesday (Sep 20<sup>th</sup>).**
- **Josh Bate asked the Selectmen if they were going to act on his request that they investigate his accusations concerning the Stoneybrook Road construction and funding. The Selectmen denied his request.**
- **Josh Bate complained that he had submitted a posting for the CATV Bulletin Board concerning tree cutting in the Shoreland Zone and that the CATV Committee did not air it. He had E-mailed the CATV Committee and the Selectmen asking for an explanation of why it was not allowed to run and has received no response. In the meantime the CATV Committee has changed their policy and any town government related advertising has to be approved and submitted through the T/A – which Mr. Bate does not agree with.**

**Bill Perkins, Chair of the CATV Committee explained that the Bulletin Board submission procedures had to be changed due to someone submitting a phony ad. He also stated that he would make a full report to the Selectmen after the next CATV meeting that will be held the first week in October.**

**Selectman Douglass stated that the CATV Bulletin Board was a work in progress and it won't be perfect yet.**

**Bill Perkins stated that a new Committee Member has assumed the responsibility of the Bulletin Board postings and will be using Powerpoint to improve the Board and do some novel things.**

**Mr. Bate stated that he has not received answers to his questions and is requesting one. They are simple questions like when Town Meeting is going to air.**

**Selectman Perkins (also CATV Committee member) discussed the definition of a PEG Channel and his views on the subject.**

**Mr. Bate continued to complain and Selectman Rice ended the session and asked if there were questions from other citizens in the audience.**

**Bethany Wallace asked if the Town could be liable for items that appear on the PEG Channel. Selectman Perkins stated that the Town has guidelines for the PEG channel and submissions. The PEG Channel is just starting to be used and there will be mistakes.**

**Josh Bate stated that he had additional issues for the Board but Selectman Rice stated that they would not be considered at this time.**

*Adjourned at 7:47 p.m.*