

Submitted By:
JMY

TOWN OF PHIPPSBURG
SELECTMEN'S MEETING
MINUTES

Approved By:

January 18, 2006

Called to order at 6:00 p.m. with Selectmen Rice, Douglass and Perkins present.

1. Review and Sign:

- Accounts payable and payroll warrants
- Gillette Tree Growth Abatement request

All items reviewed and signed.

2. Meetings and Hearings:

- Meet with the Road Commissioner to consider posting roads

The Road Commissioner, Curtis Doughty, recommended that the Selectmen think about posting roads against heavy loads due to the recent heavy rain and warm temperatures, especially since there is no cold weather predicted over the next week. Selectman Rice reviewed a DOT status report that showed the postings of State Roads.

Ed Skillin stated that he is trying to pay bills by cutting logs and this will put his company out of business. People besides Curtis's crew have to make a living.

Jennie Bichrest (Purse Line Bait) said that she still has to get 2 loads of salt in from Canada and that her business is becoming a 6 months business because of the posted roads and she did not pay money to have a six month business. She stated that she has been honest about her loads and has given self incriminating information and been required to pay fines for being honest. She also stated that one fine she received was just hours before the Town un-posted its roads. She said that she could have lied and no one would have known, instead she was fined \$800 for being honest. It was also her opinion that there certainly was nothing done when her business was vandalized and her tires slashed.

Selectman Rice stated that there is only one issue which is taken into consideration when the decision is made to post roads – that is whether the roads will be damaged if they are not posted.

Selectman Rice asked Commissioner Doughty if he was recommending that the roads be posted now. The Commissioner replied that he was and used an example of damage done to the West Point Road two weeks ago.

Selectman Rice stated that he equated posting roads immediately to closing a harbor with the boats out. He doesn't want to trap people with equipment in town.

Selectman Perkins agreed with Selectman Rice stating that there should be reasonable time given to allow vehicles to be moved etc.

Commissioner Doughty mentioned that if you go down a dirt road now with a regular vehicle you leave tracks and heavy vehicles are going to cause damage.

Selectman Douglass stated that he was just finding out about this proposition and it was short notice.

Selectman Rice asked if there were specific roads that could be posted rather than all. Commissioner Doughty replied that the past policy has been to post all

roads so that there is no favoritism. Selectman Rice Mike reiterated that favoritism doesn't have anything to do with it – it is based on whether the roads can be damaged.

Jennie Bichrest asked if the Selectmen could post roads in July if we had this type of weather to which the answer was “yes – if the roads could be damaged.” She confirmed with the Road Commissioner that heavy vehicles could run if the temperatures were below freezing and there was no standing water in the road cracks.

It was mentioned that the roads could be posted and then un-posted if it gets cold. Mike Rice asked the Commissioner when he wanted the posting effective – he replied right away because many trucks are running. He also added that this would hurt his business just the same as everybody else's.

Selectman Rice asked Jared Darling from GAC if he had any comments to which Mr. Darling replied he did not – the decision is up to the Board.

Selectman Perkins asked how much time and effort is involved with posting the roads. The Road Commissioner stated that it took about four hours to fill out the posters and put them up.

Rink Varian asked if the Town has plenty of money to fix roads to which the Selectmen replied “no.” He then stated that the roads should be posted to protect them.

Selectman Douglass made the motion to post all the Town Roads effective noon on Sunday, January 22nd. This was seconded by Selectman Perkins. Selectman Rice stated that the roads could always be un-posted by having an Emergency Selectmen's meeting.

The Road Commissioner asked what would happen if he was not around and the Selectmen stated that anyone could call them.

Jennie Bichrest asked if there was an actual fine schedule. The Administrator replied that the ordinance allowed for a fine from \$250 to \$1,000 per violation at the discretion of the Selectmen. Ms. Bichrest said that the State requires a fixed fine schedule. The Administrator replied that the fines are set by ordinance – not by State Law. Jennie recommended that the fines go to a road upgrade account rather than surplus. She further stated that since she cannot transfer loads at the Stinson factory in Bath she will probably be paying \$10,000 in fines this year.

Selectman Rice signed the Purse Line Bait weight exemption certificates which allow the company to run their trucks on town roads at a reduced weight.

- Meet with Doug Alexander to receive Shellfish Warden and Harbormaster Reports Meeting was held. Doug Alexander submitted his reports as reflected below:

Shellfish Warden - Warden Alexander stated that it has been a hard year for the Shellfish harvesters because of Red Tide and Rain closures. He further stated that the Harvesters have cooperated with him and made his job easier. Selectman Douglass clarified the shellfish report layout. Selectman Rice asked Warden Alexander what his checking procedures were and he replied that he actually measures clams with his ring. He further stated that he has been attending the Shellfish Commission meetings.

Harbormaster – Harbormaster Alexander stated that he has been placing warning stickers on unregistered moorings on the Kennebec River side and has used the Harbormaster boat for some rescues. His radio issues have been solved. Selectman Rice asked if there have been any problems concerning items being left on the Town docks. The Harbormaster replied that one of the boats owned by the

Percy's has broken down and has been tied up at the Popham Wharf. The Percy's have remained in contact with him and have been waiting for the engine repairs to be completed.

- Meet with Sue Jones to discuss Town ADA issues

Sue Jones stated that she was attending the meeting as a private citizen and health care provider – not as the Rescue Chief. She read a letter that she had submitted to the Selectmen concerning the treatment of her client, Gene Coffin, when he attended a Budget Committee meeting. She felt that he was not treated correctly under the ADA and that the Town Hall needed to be brought into compliance. She recommended sensitivity training for all Town officials and employees as well as upgrades to the building. She then offered to answer any questions. Ms. Jones also stressed that it should not matter what political differences people have, they should exercise good common sense and politeness. She is appalled at the rudeness going on and wants to get a larger picture out there to treat people better.

The Town Administrator stated that ADA compliance issues had been discussed at a Selectmen's meeting in September 2005 after he attended a MMA Seminar on the issue. It had been decided at that time to have an ADA survey completed by an outside firm on all buildings. The cost for the company, Alpha One, to survey all of the Town buildings would be approximately \$3,500.00 – and they prefer not to do it during the winter. It had been brought up at the meeting to have a second estimate. At that time there was funding available in the Selectmen's Contingency fund but that has currently been spent. The current plan is to raise and appropriate funding at the May Town Meeting for (1) an ADA survey of all the Town owned buildings, (2) a capital account to make needed upgrades as per the survey and (3) the training of Town Officials and Employees on ADA awareness. He further explained that some expensive upgrades will have to be done such as the walkway to the Town Office which exceeds the minimum grade allowed and has no flat spot at the entry for a wheelchair.

Selectman Rice stated that Sue Jones has certainly raised their awareness and that the Town needs to have experts come in and the Town should sponsor a course. It was unknown if elected officials can be required to attend.

Selectman Douglass was concerned that not only was Mr. Coffin not allowed to speak at the Budget Committee meeting, but members of the Road Committee (i.e. Ed Skillin) didn't have a chance to speak either. He further stated that he was concerned that other committee members who came before the Budget Committee during the FY 2005 process were not allowed to address the committee. The committees are the experts and should be allowed input. He also added that civil rights violations are outside the Maine Torts Claims act.

Selectman Rice stated that Ms. Jones has been heard and that the Board will consider this a mandate and the Town will do much better in the future.

- Meet with the Assessing Agent concerning Carr abatement

The meeting was held with Assessing Agent Juanita Wilson. Selectman reviewed the Assessing Agents information and listened to her presentation. A large tract of family land was used as common land and later divided and merged with other family land. Barbara Carr's property increased in size from .9 to 5.69 acres and the assessment increased from \$233,600 to \$575,300. The Agent advised Ms. Carr that if she received a soil engineers report that much of the acreage is not usable or a fee appraisal that the property is valued at a lesser amount then she

would reconsider her assessment. This has not been provided. A similar lot on Little Cox Head recently sold for 1.2 million.

Selectman Douglass asked if they could take this under advisement and make a decision later. The Assessing Agent expressed a concern because the Selectmen would not be meeting for two weeks and the 60 day window to consider the abatement would expire.

The Assessing Agent recommended that the abatement be denied because the property owner had not proved her case. The Selectmen voted (3-0) to deny the abatement.

3. Discuss the following issues:

- Appointment to the Patten Free Library Board of Directors

The Administrator stated that three citizens had volunteered to be appointed as the Town's representative on the Patten Free Library Board of Directors. They were Aileen Wenzel, Sue Levy and Joyce Marco. The Administrator further stated that the Totman Library Board of Trustees recommended Aileen Wenzel for the position. Selectmen voted (3-0) to appoint Ms. Wenzel.

- Accept the donation of \$1,000.00 from the Charles Read Foundation for Community Television

The Selectmen voted (3-0) to accept the donation for the use of the CATV Committee.

4. Review the following items:

- CMP notice on tree work
- 2006 Town meeting schedule
- Union 47 School Newsletter
- Northeast Municipal Forum Newsletter

Above items reviewed. No further action taken.

- Ed Skillin's resignation letter from the Road Committee

Mr. Skillin's letter was accepted. Selectman Rice thanked Mr. Skillin for his service. The Administrator stated that two other citizens had applied for appointments to the Road Committee - Bethany Wallace and Lin Stockwell. He further stated that the Road Committee did not have a quorum at their last meeting so they could not recommend a replacement for Mr. Skillin. Their next meeting will be on January 9th and they will consider a recommendation if they have a quorum.

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

- County Budget Caucus
Selectmen will attend.

6. Miscellaneous

- **None**

Adjourned: 7:03