

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:
SELECTMEN'S MEETING
John M. Young MINUTES
Administrator April 26, 2006

Meeting convened at 7:00 p.m. with Selectmen Rice, Douglass and Perkins present.

I. Review and Sign:

1. Accounts payable and payroll warrants
2. New Business Permit for the Popham Beach Club

All items reviewed and signed.

II. Meetings and Hearings:

1. Meet with the Road Commissioner and Road Committee to discuss:
 - A. Town Meeting warrant article for the "overweight vehicle parking area" on Sam Day Hill Road

This article was initiated by Proctor Wells, based on a request that had come before the Board of Selectmen from Ronda Skillin-Grondin at a prior meeting when Mr. Wells was on the Board.

The Selectmen reviewed the minutes from the last Road Committee meeting which stated that the Committee did not recommend approval of this proposal (rejected 5-0) due to the cost. Les Smith, Chair of the Road Committee, further explained that the proposal would cost more than the proposed \$5,000.00 because it would require clearing, installation of drainage and a lot of fill.

The possibility of using the Town Hall Parking Lot for parking was discussed. The Administrator explained that the Citizens, at a prior Town Meeting, had voted not to allow overnight parking. Selectman Douglass replied that the decision could be changed by Town Meeting vote.

Selectman Douglass questioned how many contractors would actually use this parking area and Nancy Coffin asked why all of a sudden this section of Sam Day Hill Road is usable but has been closed during posted roads for the past five years. She also mentioned the rejection of a bond that GAC had tried to post allowing them to travel on the road. Selectman Douglass replied that the idea behind this proposal was that if it passed vote at Town Meeting, the town would have to be willing to fund the cost of repairing the road if it is damaged and the bond was rejected because if the road was damaged it would be difficult to prove who did it.

Bill Totman, in his capacity of a Road Committee member, asked how many Selectmen were in favor of this article and why Mr. Wells could slide his article into Town Meeting yet the Selectman refused to

put another requested article on (Growth Management.) At this point Mr. Totman was asked to stop yelling and Selectman Rice brought the meeting back to order.

The Selectmen directed the Road Committee to continue looking into alternatives for Heavyweight Vehicle parking. Selectman Rice and Perkins stated that they did not recommend passage of the article and Selectman Douglass declined to state his opinion.

B. Carrying Place Road drainage (Earl Wallace Pictures)

The Selectmen reviewed pictures provided by Earl Wallace showing that water and solids from Carrying Place Road drain onto his property and into his home. Selectman Rice, Road Commissioner Doughty, and Les Smith (Chair, Road Committee) had conducted an on-site inspection.

The Administrator reported that a survey should be completed within the next two weeks which will show what property the Town owns along the road.

Commissioner Doughty said that following the survey he will consider changes to the drainage system. He also stated that he has tried to contact Mr. Wallace several times to give him an update.

It is unknown exactly what is causing this problem – the Town has not changed the ditching or culvert configuration and it was not a problem when Harry Doughty was the Road Commissioner.

Several recommendations were made by Gene Coffin (Road Committee member) including some changes in culvert location and ditching.

Bill Totman asked if the Road Committee was going to be able to review proposed solutions.

The Selectmen requested that Mr. Doughty continue trying to contact Earl Wallace and give him a status update.

C. Role of Road Committee

The Selectmen reviewed minutes from the Selectmen's Meeting of September 19, 2001 which established the Road Committee as well as Town Report write-ups and sections from the MMA Road Manual. The Committee was established in response to citizens who were coming to Selectmen's meetings and pressuring to have work done on "my" road. The Committee was originally tasked with inventorying roads (RSMS) and developing a create priority list for repairs and maintenance. Subsequently the Committee has assisted with other projects as requested by the Selectmen. Les Smith, Chair of the Road Committee, discussed the RSMS program and mentioned that it does not capture ditching and culverts. He further stated that both paved and unpaved roads are included in RSMS and are listed in the 5 year capital plan and Town Report.

At this point Josh Bate came into the meeting and stated that he had been watching the meeting from home and in light of the ADA training

the prior week it was evident that Selectmen had not learned anything because they were being inconsiderate of Gene Coffin. (He was referring to Selectman Douglass saying "while we are waiting – which was in reference to continuing the discussion while Gene Coffin was typing a comment out.) Mr. Bate immediately left the meeting and Selectman Douglass asked Gene Coffin if he had been offended by the Selectmen to which he indicated "No." Neither Nancy Coffin (Mr. Coffin's wife) nor Sue Jones (Mr. Coffin's nurse), indicated that Mr. Coffin had been mistreated or offended.

Mr. Coffin asked what was going to be done about the roads that need maintenance now. Les Smith replied that the Capital account does not fund routine maintenance, it is for construction type projects. Mr. Coffin stated that some of the roads that need work now are on the list for 5 years from now and it is a matter of maintaining the roads before they are completely destroyed.

Selectman Douglass stated that the Road Committee reviews the list as needed and acts accordingly if something else comes up. As an example Mr. Smith referred to the culvert on Sam Day Hill Road. Selectman Douglass read the Capital list from Town Report and Mr. Smith clarified some points.

Harry Doughty stated that putting culverts across Sam Day Hill Road won't help unless you put another culvert across Parker Head Road.

Mr. Coffin asked how the Road Committee was supposed to make good decisions on road maintenance and how much money to spend if they do not have all the information on the roads that they need. He further stated that the Committee has no power over who makes decisions.

Selectman Douglass replied that the Road Committee recommends where work should be done and then it is the responsibility of the Road Commissioner to put the numbers together. He further stated that although some road issues come before the Selectmen, the Road Commissioner is an elected official and can come before the Town with any requests.

Selectman Rice stated that the Road Committee is a tremendous resource and he would like to have inventory on ditching requirements. Curtis Doughty stated that he has been putting a lot of money into the road surfaces and not a lot into ditching. He then explained the way he sets up his accounts and emphasized that he works with the Road Committee and values their input. He said that in order to increase the amount of ditching he will need to increase the amount he requests for the General account.

Bill Totman requested that the Selectmen come to the Road Committee Meetings and give their input.

Gene Coffin stated that the Committee does not receive weekly or

monthly updates and Les Smith does all the work and should not be doing this for nothing. He further stated that it doesn't take a brain surgeon to look at a road and see it is bad. He is not concerned about 10 years down the road – the time is now and one year out.

Selectman Rice recognized that Mr. Coffin is concerned about maintenance of the roads and that maybe the Selectmen have to step up the level of communications with the Road Committee.

Mr. Coffin asked how the Committee can give direction to the Road Commissioner when he gets paid to tell the town what needs work. He further stated that the Committee didn't see any budgets.

Selectman Rice stated that it is incumbent on the Selectmen to give the Road Committee specifics and give them the tools to do their job.

Selectman Douglass said that the Selectmen didn't give the Road Committee the responsibility of reviewing budgets, it was to prioritize roads.

The Selectmen decided to give more guidance to the Road Committee in the future.

2. Meet with Judy Marden to review the annual Morse Mountain report.

Meeting was held. Ms. Marden handed out annual reports for review.

She explained that it was part of the town's tax agreement that Bates College give an annual report on previous activities. The report, which is on file at the Town Office, describes the educational opportunities that Bates College has offered to the public. Ms. Marden also discussed future educational opportunities.

Selectman Rice reminded the public that Bates College does make a monetary contribution to the Town in lieu of taxes.

Selectman Perkins stated that he was impressed with the report and asked for clarification on "ditch plugs" (plugging of the ditches put in many years ago to drain salt marshes faster).

3. Meet with Tim Laroche concerning a septic system complaint against Sebasco Harbor Resort

Meeting held. Mr. Laroche has a concern that the Resort has not followed through with their original plans for upgrading their septic system and it is affecting his property. He had assumed that no more leech fields would be going to be placed on the Resort property that borders his back yard. He had understood that there would be holding tanks with the effluent being pumped over to the golf course. Mr. Laroche further described what he had assumed would be installed and what actually was installed. He stated that the Resort has been filling in low spots (supposedly to stop mosquitoes from breeding and possibly causing West Nile Virus). This has caused a lot of the water to run off on to his property, which constantly stays wet. He was also concerned that Bob Smith (owner of the Resort) heard about his complaint within two hours of his informing the Town Administrator.

Lee Rainey, Code Enforcement Officer, informed Mr. Laroche that

Mr. Smith knew because he made a visit to the Resort to review the master plan several hours after the complaint was lodged. He also stated that the Resort still has a State licensed overboard discharge and the septic system being installed is designed for maximum occupancy. He also described the septic plans.

Selectman Douglass asked Marie Varian, Chair of the Planning Board, what was recorded in the Planning Board minutes concerning this issue. Ms. Varian stated that she would review the minutes and needed Mr. Larochelle to inform her of which permit he has been referencing. Selectman Douglass and Rice asked her to look at the records and determine what assurances were given.

Mr. Larochelle's concerns are the amount of standing water on his property that he didn't have in the past (he has water even during dry spells) and the possible affect on his well. He wanted his complaints documented so that he has a recourse if something happens in 8 months.

Selectman Douglass recommended that the Code Enforcement Officer and Mr. Larochelle visit the property together.

Gene Coffin asked how many gallons of waste goes into the harbor. Lee Rainey replied that it is about 20,000 gallons of treated waste per day. Selectman Douglass stated that the Comprehensive Plan, if approved, works towards eliminating all overboard discharges.

Marie Varian will research the permit and planning board minutes. Lee Rainey will notify Mr. Larochelle when he inspects the property.

III. Unfinished Business

1. Agenda format (tabled from last meeting)

The Town Administrator provided agenda samples from other municipalities and changed the format of the current agenda for consideration. He had discussed the agenda format with Attorney Ellerbee Cole at MMA, who conferred with Attorney Richard Flewelling (who was on the committee that recommended the recent FOAA changes). They both disagree with the opinions of the Attorney who instructed the FOAA course that the Administrator attended. The MMA Attorneys stated that nothing in State Statute requires or restricts what has to be on an agenda or what is discussed at a Selectmen's meeting. It is totally up to the Selectmen to do whatever they feel comfortable doing. There have been no court cases concerning agenda issues. The Selectman approved the format of this agenda to be used in the future.

2. ADA Training

The Administrator reported that approximately 30 people attended the training and that some people had contacted him ahead of time and stated they had other commitments and would watch it on TV or pick up a DVD. He also has ADA handouts left for distribution. The Selectman asked that the ADA training continue to be broadcast on CATV and that a letter be sent out to Town Officials/Volunteers stating that the handouts and

DVD's are available for review. Sue Jones thanked the Town for the efforts made to provide training on ADA requirements and sensitivity.

3. Other unfinished business for consideration
None

IV. New Business

1. Review and sign the Annual Town Meeting Warrant
Reviewed and signed. The Administrator explained that the warrants will be posted on Friday. Copies of the Comprehensive Plan will be available at each warrant location, and the official Comprehensive Plan will be available for review at the Town Office and at the Town Clerk's home.
2. Discuss changing Selectmen's meeting times
The Selectmen voted to meet at 6:00 p.m. year-round. They also voted not to meet on May 3rd due to a School concert; however they will meet on May 17th. Marie Varian mentioned that the Planning Board has changed their meeting date to the second Tuesday of the month at 6:00 p.m. and will change to 5:00 p.m. during the winter.
3. Update from the Administrator on status of Town Meeting preparation
The Administrator reported that the Town Reports were mailed today. Some pages had light printing so Lincoln County Publishing reduced the invoice by \$300.00. He will have balance sheets for Monday night's Public Hearings. He and the Town Clerk have tested the voting machine as per State requirements and it is ready for the elections. The PACTV Committee will broadcast the election results live.
4. Dumping of building debris from the Totman Library at the Transfer Station
The Town Administrator explained that the Totman Library will be hiring a contractor to remodel the second floor. Upon review of the Solid Waste Ordinance it was discovered that the Town is considered a "resident" and cannot have contractor generated debris disposed of at the Transfer Station. It was determined that the debris could be disposed of at the Transfer Station if it was generated by volunteers instead of a contractor. Tom Totman stated that the debris will only consist of the ceiling tiles.
5. Other new business for consideration
 - A. **Selectmen reviewed the County Tax and legislation concerning the repeal of the Personal Property Tax. No further action taken.**

V. Correspondence

1. Approval of Sagadahoc County Mitigation Plan
The Administrator reported that FEMA has approved the County Mitigation Plan, which representatives from each municipality were involved in drafting. The Plan will be forwarded to each municipality for authorizing signatures.
2. Community Leadership and Engagement Program

The Administrator will mail copies to those committees/individuals who may have interest in the program.

VI. Courses and seminars - None

VII. Selectmen Comments/Announcements - None

VIII. Public Forum - None

IX. Executive Sessions - None

X. Adjournment - Selectmen voted to adjourn at 9:30 p.m.