

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:
SELECTMEN'S MEETING
John M. Young MINUTES
Administrator May 17, 2006

Meeting convened at 6:00 p.m. with Selectmen Douglass (Chair), Selectman Perkins and Selectman Pye present. Selectmen Douglass welcomed Selectman Pye to the Board.

I. Review and Sign:

1. Accounts payable and payroll warrants.
 2. Minutes from the April 12th and April 26th meetings.
 3. Liquor permit for Lobster House Restaurant.
 4. ID card for Gary Morong, Emergency Management Director.
 5. Policy letter authorizing tax payments to be credited towards oldest taxes first.
- All items were reviewed and signed.**

II. Meetings and Hearings:

1. Meet with Dave Barter and Angie Zimmerman (Winnegance Wheelers) concerning ATV access along Main Road from the Basin Road to the Center Store.

Meeting held with Dave Barter (President of the Winnegance Wheelers ATV Association) and Angie Zimmerman. Mr. Barter informed the Selectmen that an ATV operator traveling along Route 209 from the Basin Road to the Bisson's Center Store had been summonsed by the Sagadahoc Sheriff's Department. Mr. Barter has met with Sheriff Westrum and Police Chief Skroski to discuss the situation. In the past, ATV operators have been allowed to travel on this section of Route 209 as long as they were operating safely. However, State statute prohibits this unless the route has been designated as an "ATV Access Route" by the government entity that has jurisdiction (i.e. State DOT for Route 209 and the Town of Phippsburg for the Basin Road.)

Mr. Barter proposes designating the section of the Basin Road from the "green piece" to Route 209 (1/2 mile on west side), Route 209 from the intersection with the Basin Road to Bisson's Center Store (1/2 mile on west side), and a section of Stoneybrook Road from Bowker Road to Devils Highway (2/10th of a mile on east side – to avoid a blind spot by Charlie Steven's property) as "ATV Access Routes." Mr. Barter provided a handout of his plan.

Mr. Barter further explained that the State has a trail grant program which helps fund the establishment and maintenance of ATV trails. However, to receive reimbursement from the program a trail has to be designated as an "ATV Access Route." Mr. Barter also stated that the establishment of the "ATV Access Route" would make the travel along

Route 209 safer because ATV operators would not try to travel faster in order to avoid law enforcement. He further discussed the trail that ATV's formerly used for transit to Pine Tree Service Center for refueling. This has been blocked by water due to beavers building a dam. Selectman Douglass mentioned that the dam had been breached and transit should not be a problem at this time. He also asked Mr. Barter if he had considered the construction of an ATV bridge in that area. Mr. Barter replied that that area had not been considered but other areas had.

Mr. Barter stated that there are some safety issues to consider concerning these "ATV Access Routes" which include (1) the combination of a blind corner and hill on Route 209 as well as speed, (2) the entrance to Devils Highway (ATV's would need to travel opposite of traffic), and (3) speed on the Basin Road.

Mr. Barter also discussed the establishment of a temporary parking area at Bisson's Center Store so that ATV's don't get lined up at the pumps. This has the approval of the store owners.

Mr. Barter stated that he was not looking for an answer tonight. He would like to get a group together to discuss the proposal. This group would include the Road Commissioner, Road Committee, Dept. of Conservation, Inland Fisheries and Fire & Rescue Department. He further stated that ATV Route signs would be provided by the Winnegance Wheelers and that they would work with the Road Commissioner to maintain shoulders of the traveled roads.

Mr. Barter stated that if the Chief of Police or Sagadahoc Sheriffs Department had problems with ATV's on the route he would support their request to close the access. Also, if the access routes could not safely be traveled during the winter due to snow banks he would support the closing of the route. If another access to Bisson's Center Store becomes available, he would support discontinuing the access route along Route 209.

Mr. Barter explained that he had called Randy Dunton from the State Dept of Transportation and has requested that they conduct a formal review. Mr. Barter will follow this up with a formal letter.

Curtis Doughty asked why the entire Basin Road was not going to be established as an "ATV Access Route" and Mr. Barter replied that there was a concern about creating an ATV "highway" although it is worth reviewing. Mr. Doughty also asked if something was going to be done about the ATV's going around and around at the "green piece." Mr. Barter was in hopes that this "ATV Access Route" would help alleviate that problem and that the "ATV Access Route" should be reviewed after one year to evaluate if it is working.

Selectmen Pye stated that this will help bring ATV operators into compliance with State Law.

Police Chief Skroski stated that this will help law enforcement and if DOT does not establish the "ATV Access Route" then law enforcement will have no choice but to enforce the current law and prohibit ATV's from

traveling along Route 209. He further stated that ATV enforcement is not "black and white" and the establishment of this route will help.

Selectman Douglass stated that there is some merit in establishing and controlling the ATV traffic along the route.

Mr. Barter said that he has discussed the route establishment with other clubs and it takes about a year for the process. He also mentioned that Sheriff Westrum's biggest concern is not having a common plan between law enforcement agencies for ATV enforcement.

Joyce Marco asked what the anticipated usage would be to which Mr. Barter answered about 8 ATV's a month. However, DOT is concerned that the traffic will increase if the route is approved. Selectman Perkins stated that he thought the traffic was more than 8 a month and Selectman Douglass felt that the ATV traffic would increase some.

Selectman Perkins stated that he supported the route along 209, but was not sure about the route along Stoneybrook Road. Selectman Douglass said that by adding the Stoneybrook Road route – it would allow ATV's to travel from Clifford Road to the Basin and that we have to make sure that everyone is on board with the same vision. He recommended that Mr. Barter discuss this proposal with the Fire and Rescue Department, State Agencies, the Road Committee and the Town Lands Management Committee.

Curtis Doughty asked if the "ATV Access Route" would be just for club members or all ATV operators. Mr. Barter replied that this trail system would be accessible for the entire public - not just club members. He further stated that non-club operators have been an issue with the Winnegance Wheelers and Phippsburg Land Trust around areas such as Sprague Pond.

Selectman Pye asked Chief Skroski how many violations would have to occur before requesting that the route be closed. Chief Skroski replied "several". He further stated that he gets more complaints on vehicle speed than ATV issues. Mr. Barter added that Sagadahoc County Sheriff's now have an ATV and will be patrolling Phippsburg.

Selectman Douglass suggested that if approved, every effort should be made to operate the route for one year and evaluate it rather than shutting the route down after a few violations.

No further action taken.

III. Unfinished Business

1. ADA accessibility inspection proposal

A \$3,200.00 written proposal from Tom Broussard (Career Prospects) was received to conduct ADA compliance inspections of the Town Office, Fire Station, School and Library. "Alpha One" had verbally quoted \$3,500.00. Selectmen voted (3-0) to contract with Tom Broussard. The inspections will take place prior to July.

2. Review Planning Board Meeting minutes from Aug 14, 2002 and September 11, 2002 concerning the addition and moving of buildings at Sebasco Resorts and septic systems (re. Tim Larochelle's concerns from April 26th Selectmen's Meeting)

The minutes were reviewed. Selectmen voted (3-0) to table this issue until they can meet again with Mr. Larochelle, a Sebasco Resort representative and Lee Rainey, CEO.

3. Other unfinished business for consideration - None

IV. New Business

1. Discuss establishment of the Comprehensive Plan Implementation Committee
Motion was made and passed (3-0) to send a letter to the Comprehensive Plan Main Committee inviting them to attend a workshop in two weeks to discuss options for the establishment of an Implementation Committee and Ordinance Committee. Public input will be welcome. This will be held at the School and conducted in place of a Selectmen's Meeting.

2. Review the April Solid Waste report.

Reviewed. The Administrator will check with the State to see where the extra tire and refrigerator recycling charges go. He also mentioned that the company hired to do the wood chipping was supposed to arrive tonight (Marshall Grinding).

3. MMA Nominations for Executive Committee Directors and Vice President.
Selectmen made no nominations.

4. Wildfire Safety inspection of Transfer Station.

The Administrator reported that he had received a letter from Mr. Leavitt, State Forestry Service, requiring that the Town re-establish a 10 foot mineral fire break around the Transfer Station brush pile and also to clear vegetation within 100 feet. He further stated that he has been working with Road Commissioner Doughty and Fire Chief Totman to comply with the request.

Mr. Doughty said that DEP had previously given permission to enlarge the brush pile area and he would do that since he would be re-establishing the mineral break. He further added that Mr. Totman was going to ask Fire Marshall Leavitt to re-visit the site to discuss clearing vegetation to the fence.

Mr. Doughty also stated that the trees within 100 feet have to be trimmed 8 feet up and asked who should do the work. The Selectmen recommended that the Road Commissioner get together with the Fire Chief to order protective equipment (as required by the Dept. of Labor) for employees to share when using chainsaws. This would allow the Road Commissioner to either use employees to trim trees or hire a contractor. Selectmen Perkins recommended having Fire Warden Leavitt inspect the trees to determine which ones should be limbed – then putting the job out to bid if necessary.

Bob Butler asked if the amount of brush was caused from rapid growth

subdivisions. He recommended that the Town consider charging \$6,000 per lot to provide for services – which is done in other communities. Selectman Douglass replied that this could be considered by the Comprehensive Plan Implementation Group.

5. Discuss the appointments of Josephine Schuman and Jean Perkins to the Conservation Commission

Ms. Schuman and Ms. Perkins have volunteered to be on the Conservation Committee. Diane Racine will also consider an appointment at a later date. The positions have been advertised several times with no interest.

Selectman Douglass mentioned that there had been a past discussion concerning the responsibilities of the Commission and how many of those had been assumed by the Town Lands Management Committee.

Selectman Perkins mentioned that the intention was to have an article at Town Meeting to disband the Conservation Commission, but it was never included.

Nick Nichols stated that State Statute actually delineates some of the responsibilities of the Conservation Commission.

Selectman Douglass stated that he wants to make sure that the Commission works closely with other groups.

Selectmen voted (2-0, Selectman Douglass abstained) to appoint Josephine Schuman and Jean Perkins to the Conservation Commission.

6. Vacation dates for the Administrator (May 26th, July 7-17th).

Selectmen approved.

7. Discuss Field Inspection plans with the Assessing Agent.

Juanita Wilson, Assessing Agent, stated that she intends to inspect new properties and renovations over the next 12 weeks and she would like to start as soon as possible. She does not want to get bogged down in computer input, but needs to be in the field. She also intends to visit the Sebasco Resort and local campgrounds. She has two experienced people that she has used in the past for field work (Marie Varian and Heather Hobson) and also an individual who has done TRIO input for her (Julie Totman). In the past they were subcontractors for her, however at the recent Town Meeting funds were appropriated to hire the positions as Town employees.

Selectmen voted (3-0) to hire Marie Varian and Heather Hobson for the Field Inspector positions and Julie Totman for TRIO computer input. They will coordinate their pay through the Treasurer who will keep Ms. Wilson advised of the budget.

Selectman Douglass asked Ms. Wilson when a revaluation would be needed. Ms. Wilson replied that she had already been approached by three taxpayers asking the same question and it is becoming a common concern. She recommended that the Selectmen start discussing this because sales ratios continue to drop. The State mandates a ratio between 90% and 100% and the Town will be around 71% for this years State audit and there is now an inequality between inland properties and waterfront properties. The

Town is losing parity and this is affecting fairness.

She further stated that Woolwich's revaluation was completed by CLT (who also did Bath's) and cost \$160,000.00. Woolwich has more commercial property than Phippsburg but is about the same complexity in waterfront and inland. CLT also uses TRIO software. West Bath interviewed two firms for their re-valuation (CLT and Vision). They hired Vision for \$135,000 plus \$15,000 for their software (21 other towns have been able to interface Vision and TRIO successfully). Ms. Wilson recommended changing over the Town's software to Vision.

Ms. Wilson estimates that a re-valuation for Phippsburg will cost \$175,000.00, including software.

8. Other new business for consideration - **None**

V. Correspondence

1. Letter from Adam Araujo concerning his involvement with the VOA Work Program.

Selectman Perkins read the letter from Mr. Araujo, who was a work program participant. Mr. Araujo thanked those involved with supervising the program for their treatment and consideration of the workers.

VI. Courses and seminars - None

VII. Selectmen Comments/Announcements - None

VIII. Public Forum

Selectman Douglass discussed the reason for this part of the meeting - which is to open up the floor to the public so that the Selectmen can be advised of concerns that citizens may have. However, he further stated that if those concerns require action from the Selectmen they will be scheduled for discussion at a later meeting so that all interested parties can attend.

Selectmen Douglass further explained that he has a concern with conducting business on issues brought forth by the public that are not on the agenda. The Selectmen will take comments from the public during this period but if action needs to be taken it will have to wait until the next meeting.

IX. Executive Sessions

None

X. Adjournment

Selectmen voted (3-0) to adjourn at 7:26.