

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:
SELECTMEN'S MEETING
John M. Young MINUTES
Administrator May 24, 2006

*Meeting convened at 6:20 p.m. following a Selectmen/Planning Board Meeting.
Selectmen Douglass (Chair), Selectman Perkins and Selectman Pye were present.*

I. Review and Sign:

1. Accounts payable and payroll warrants.
2. Minutes from the April 12, April 26 and May 17 meetings.
3. Comprehensive Plan submission form
4. Appointment certificates

All items reviewed and signed.

II. Meetings and Hearings:

1. Meet with Town Landing and Town Lands Management Chairpersons to discuss the proposed gift of land from Richard Hatch (property located on Center Pond across from 983 Main Road - Well's property)

Doug Alexander, Chair of the Town Lands Management Committee, and Peter Roberts, Chair of the Town Landing Committee were present.

Selectman Perkins read Mr. Hatch's letter of gift. All those in attendance were overwhelmingly in favor of accepting this generous gift of property.

The Administrator will draft a thank you letter to Mr. Hatch and a special Town Meeting to accept the property will be scheduled for June or July.

2. Meet with Shellfish Committee Chairperson to discuss a letter to DMR concerning water testing and shoreline surveys.

Meeting was held with Dick Lemont, Chair of the Shellfish Committee. The Selectmen reviewed and voted (3-0) to sign a letter to DMR requesting that necessary testing and shoreline surveys to open up sections of New Meadows, Parker Head Mill Pond, and Dromore Bay be expedited in light of increased DMR funding. This letter also requested that DMR have an independent third party program evaluation conducted, similar to the one done for Dept. of Inland Fisheries several years ago.

Nick Nichols asked how much it would cost to fund the surveys. Mr. Lemont explained the process that DMR would have to go through to open the areas and stated that the backlog was created by a cut back in DMR personnel.

Peter Roberts said that when he was a Selectman they had the Commissioner come to a meeting to discuss issues such as these and action was taken. Selectman Douglass replied that this has been done several times

during his tenure and it didn't seem to help much.

Tip Newell asked who the letter was going to be sent to and in response Selectman Douglass read off a list of those that would receive the letter.

Doug Alexander, Shellfish Warden, mentioned that DMR shut down Maquoit Bay in Brunswick, but reopened it because the testing was faulty.

Selectman Pye asked who oversees the operation of DMR to which Administrator Young replied that it was the Marine Resources Standing Committee, which Senator Damon and Representative Percy co-chair. Senator Damon will be copied on the letter.

Selectman Douglass stated that he would wait until he sees what reaction comes from the letter before asking Commissioner LaPointe to attend a Selectmen's Meeting.

III. Unfinished Business

1. ADA accessibility inspection proposal.

Administrator Young reported that Tom Broussard (Career Prospects) will be unable to conduct the accessibility inspection because he has just committed to a summer long project in Boston.

The Administrator further reported that the only other company in the area that does this type of inspection is "Alpha One" and they had given a verbal estimate of \$3,500.00 in 2005. Selectmen voted (3-0) to table a decision until a firm written proposal is obtained.

2. ATV Access Route

Selectman Douglass reiterated that he did not think that Law Enforcement should have the right to close down the proposed "ATV Access Route" once established unless it is an emergency (see minutes from the 4/26/06 Selectmen's Meeting).

IV. New Business

1. Posted Roads summons for Engineered Concrete Products

Police Chief Skroski was in attendance to discuss this issue. Officer Anderson had issued summons to two trucks owned by "Engineered Concrete Products" for violation of the Town's "Heavyweight Vehicle Ordinance." One summons was voided due to lack of evidence but the second one was considered valid. The truck in question was carrying bags of concrete over Sebasco Road at 9:46 a.m. on March 24th to Sebasco Harbor Resort when the road was posted and temperature was 41 degrees.

The company had sent a letter to Police Chief Skroski (which was read by Selectmen Douglass) stating that they could not make a meeting to discuss the issue and apologized for the violation. Chief Skroski had explained the appeal process to them.

Selectman Douglass read the letter from the company and stated that the truck driver could have parked or turned around instead of traveling over the posted road. The driver knew it was a violation when he did it. The civil penalty for this violation is \$250 to \$1,000 and the lower fines are for

first offenders who don't know that the roads are posted – this company knew ahead of time.

Selectman Perkins made a motion which passed (3-0) to fine the truck driver/company \$1,000.

Selectmen Douglass also mentioned that the Selectmen would be reviewing the “Heavyweight Vehicle Ordinance” in the near future to make some necessary changes and clarifications.

2. Sam Roberts request to establish an agreement for location of the property line between his property and West Point Road.

Meeting was held with Sam Roberts, Road Commissioner Doughty and Les Smith, Chair of the Road Committee.

Mr. Roberts stated that he was trying to settle his mother's estate, which he started 8 years ago. He added that this issue relates directly with that of Kim Shade's property and easements for town road drainage. The section of property in question is at the transition of the West Point Road (which was surveyed and transferred from the State to the Town) and Wallace Circle. This section is about 500 feet long and appears as a taper on the Town's tax maps. Mr. Smith has already met with Mr. Roberts on site and Mr. Roberts has discussed this with the Road Commissioner.

Mr. Roberts stated that he will have a survey completed, which will require the surveyor to pick up an iron rod and a couple of other points and then draw a suggested line to narrow from 49 ½ feet (West Point Road) to the narrower Wallace Circle. Mr. Roberts will then come back to the Town with a recommended property line agreement. Mr. Roberts will have monuments installed once the Town agrees on the line. He will also work with the Road Commissioner in granting grading and ditching easements.

Some discussion was held whether the Selectmen could release the Town's property interest by quit claim deed without Town Meeting approval. Administrator Young will discuss this with the Town's Attorney once the survey is completed.

Tom Totman (prior Selectmen) mentioned that the Town had previously signed a quit claim deed releasing the Town's interest in a pie shaped piece of property to Sam Roberts and it turned out, through further research by Dan Wallace, that the property was actually owned by Annie Haskell.

Nick Nichols stated that a 1994 survey and a 2000 survey should be reviewed. One shows the current boundaries and the other shows the old West Point Road.

It was mentioned that the old section of West Point Road was never abandoned or discontinued by the Town - which Sam Roberts disagreed with.

Kim Shade asked if there would be ditching and culvert work done once the property lines are agreed upon. Commissioner Doughty replied that a plan would be established once the Town knows where the property lines are. This would include ditching and sloping.

3. Appointment of Ashley Thayer to the PCATV Committee to replace Everett Perkins

Tom Totman stated that Ms. Thayer has been volunteering her time to assist the PACTV Committee for a few months, including co-hosting the Sunday "Week in Review" program.

Marie Varian stated that she has known Ms. Thayer since she was a child and she would be a good candidate for the position.

Selectman Perkins made a motion which passed (3-0) to appoint Ms. Thayer to the PCATV Committee.

4. Other new business for consideration.
 - A. Hazard Mitigation Grant

Les Smith, Chair of the Road Committee, reported that the State has \$100,000 left from the 2005 funding cycle of the Hazard Mitigation program and have asked municipalities to submit proposals. Mr. Smith requested permission to apply for the replacement of culverts on Sam Day Hill Road, of which the Town would have to fund 25% (estimated at \$12,000 to \$15,000). The Town's share would be funded from the Road Capital Account. Selectmen voted (3-0) to apply for the grant and fund 25%.

V. Department and Committee Reports

1. Report from Police Chief

Chief Skroski reported that the State DOT has approved three speed limit changes in Town. Meadowbrook Road is set at 35 mph for the paved section and 20 mph for the gravel section, Blacks Landing is set at 20 mph, and Bailey Road is set at 15 mph.

The Chief also reported that he had met an ATV traveling at 41 mph in the middle of Parker Head Road by Church Lane. The operator was summonsed for imprudent speed and operating on a public way.

2. Report from Peter Roberts, Chair of Town Landing Committee

Mr. Roberts reported that Prock Marine moored their barge at the Acre Lot at 5:00 p.m. today. Construction will begin tomorrow.

VI. Correspondence

1. Demographic Data from Senior Spectrum
2. Maine Coastline magazine

Reviewed. No action taken

VII. Courses and seminars:

1. Pandemic Planning

Notices have been sent to the Fire Chief, Rescue Chief, Police Chief, EMA Director, and Health Officer

VIII. Selectmen Comments/Announcements - None

IX. Public Forum

1. Comments from Nick Nichols

Mr. Nichols commented on the establishment of the Comprehensive Plan Implementation Committee. He stated that the Planning Board should be kept fully informed and the Selectmen should expand the advertising to explain the reasons for establishing the Committee in more detail. Selectman Douglass replied that Mr. Nichol's comments will be taken under consideration.

X. Executive Sessions - None

XI. Adjournment

Selectmen voted (3-0) to adjourn at 7:45.