

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:
SELECTMEN'S MEETING
John M. Young MINUTES
Administrator October 18, 2006

Meeting convened at 6:00 p.m. with Selectman Douglass, Chair, Selectman Perkins, and Selectman Pye in attendance.

I. Review and Sign:

1. Accounts payable and payroll warrants.
2. Revised minutes from September 20th.

All items reviewed and signed.

II. Meetings and Hearings:

1. Meet with Assessing Agent to set mil rate, sign commitment and review tax letter
The highest allowable mil rate was \$11.20 and the lowest was \$10.67. The Town Administrator, Mike Young, recommended \$10.98 and the Assessing Agent, Juanita Wilson, recommended that it not be any higher than \$10.98.

The Selectmen, after careful consideration, voted (3-0) to set the mil rate at \$10.90 per thousand which would allow an overlay of \$93,329.

2. Meet with Misty Green (County EMA) concerning NIMS (6:30)

Meeting was held with Fire Chief Totman, Assistant Fire Chief Hart, Emergency Management Director Morong and Police Chief Skroski in attendance. This same issue was previously discussed on March 1st with Administrative Assistant Jim Simmons.

Misty Green gave an overview of NIMS (National Incident Management System). The adoption process is through a vote of the Selectmen (executive order). The next step would be to conduct a task assessment, which Ms. Green can assist with and then to implement policies in support of NIMS, many of which are already in place. The required training can be done on line or Ms. Green can set Phippsburg up with a trainer. There are four required courses which could be done in two classes (one class now and one class later). The final step would be an inventory of community assets that could be used during a disaster.

Although the program is voluntary, a municipality would have to be compliant in 2007 or else it would no longer be eligible for Homeland Security Grants or non-emergency FEMA grants. Fire Chief Totman stated that there is no guarantee that you will get a grant if you do comply with all this. The grants are running out. The Department received one grant of \$50,000.00 for a ventilation system at the Fire Station that they didn't need – what they needed was a truck but couldn't get a grant for that. There is a

lot of duplication of equipment. Selectman Douglass stated that the Rescue Chief, Sue Jones, had the opinion that the program was a lot of work and expense for the town to go through to be allowed the privilege of receiving federal funds. Selectman Douglass also said that he was tired of watching grant programs come along which require towns to compete against each other. Selectman Douglass referred to Jim Simmon's last presentation where it was stated that becoming NIMS compliant was only the first step. The government requires compliance with NIMS in order to be eligible for certain grants and in reality the funding is going to larger municipalities and even that is drying up. Misty Green agreed that money is getting scarce. She added that a municipality doesn't have to complete the program this year, but can choose to complete it later. She also states that municipalities would still be eligible for reimbursements during an emergency – whether or not they have complied with NIMS.

Chief Skroski stated that he hates to lose a source of revenue (grants). He has taken advantage of 2 technical grants. These have been used to purchase three radios and two computers for the vehicles. He added that he doesn't agree with the required training though.

So far all municipalities in Sagadahoc County have said they were going to comply – four Towns have adopted the Executive Order and others are completing the required training. More than ½ of the municipalities are complying now and the County is compliant. Ms. Green volunteered to assist Phippsburg in becoming compliant. She also mentioned that a prerequisite to participating in the program is the adoption of an emergency operations plan. Some towns don't have that and it would need to be done prior to entering this program.

The Fire and Rescue Department already has an incident command and nothing is different with NIMS except they want participation from Public Works and other Officials. Only members of Public Works, Fire and Rescue, Law Enforcement and Public officials who would respond on scene and fall within the command structure would be required to take the training.

Ms. Green replied that the Town is already complying with most of the NIMS requirements and only needs a little bit of training. She just wanted to present the information to the Town Officials. She added that Elected Officials only need to take one part of the training and it is the one requirement you can't avoid.

Assistant Fire Chief Hart stated that last year only a couple of people in the Department had to comply with ICS 300 and 400 – but now everyone has to comply.

Ms. Green responded that only those that will have a title in the incident command structure, maybe 6 people including the Fire Chief, Fire Officers, EMS Director, and Police Chief, would have to comply. ICS 300 and 400 would cover them. Also, the plan is to take 10 people from each County to help out communities at Incident Command Centers in an emergency.

Chief Totman stated the Fire and Rescue Department has not had a problem handling any situation that has come along. He doesn't believe NIMS is needed. The Department still uses the Maine Yankee Plan and it works well. He can't see anyone from here trying to run an incident in other towns.

Selectman Douglass stated that the first EMS person on scene could be called upon to fill command functions and the EMS training includes EMS incident command. Therefore everyone would have to take the training because the EMS structure in NIMS is basically along the same lines as the Fire and Rescue Departments. Gary Morong also agreed.

Selectman Douglass mentioned that NIMS is created for a long term emergency which would involve media and finance as well as other issues. He couldn't think of a time when this part of the system has ever been used - just the operational section. He then thanked Misty Green for giving the presentation and stated that the sense he gets is that the Town will not pursue compliance with NIMS.

Selectman Perkins asked how long the training would take. Ms. Green replied that Lincoln County can cover 100 and 700 in one night which would leave 200 and 800. The instruction has been modified to take the large community stuff away and is based on rural areas.

Selectman Douglass stated that the classes might be good to do sometime.

Chief Totman stated that the Department personnel are not getting paid and why should they volunteer their time to comply while others are getting paid time and ½ - unless they can be guaranteed grants. This was the reason they did not participate in the mass disaster drill recently held.

Selectman Douglass added that federal grants may come out of federal money – but it is still out of our taxes. He also added that he was told before that the executive order needed to be adopted as part of a charter. Ms. Green reiterated that it only had to be approved by the Selectmen.

No further action taken.

3. Meet with Will Brune (Nature Conservancy) to discuss what process to use for Basin planning.

The meeting was held with Mr. Brune (Director of Land Protection) and Nancy Sferra (Director of Science and Stewardship) from the Nature Conservancy. They gave a briefing on the background of the Nature Conservancy and wanted to discuss the best process to use for communicating with the Town. They explained that the first step in their ownership process for the Basin would be to inventory the infrastructure and natural areas and see if they are being used properly. They further explained that they would try to maintain the historic use of the preserve. They would then map the wetlands and set guidelines for the management of preserve, which would include public use. Their primary objectives are to protect the preserve and keep it open to public use. They further

explained that almost all of their preserves are open to the public and their use is dictated by the resources in the area.

Doug Alexander, President of the Sportsman's Association, asked if the traditional use might change. Ms. Sferra replied that they will look at what activities are taking place now and in the case of ATV usage, will determine if the current sites are appropriate – if not they may relocate them. She further stated that traditional hunting and shellfish harvesting will continue and that out of all the property that the Nature Conservancy owns, only 700 acres have a restriction for hunting and it is due to safety reasons.

Doug Alexander asked if it the Basin would still be open to hunting dogs and Ms. Sferra replied that she would have to review that. She would like to meet with all the stakeholders and work out the details.

Assistant Fire Chief Andy Hart asked about the Basin roads. Mr. Brune replied that they would be working with someone from the Town on those issues.

Selectman Douglass recommended that The Nature Conservancy have a general public hearing after they finish their inventories. There had been some talk about establishing a committee to work with, but Selectman Douglass felt that the Town has enough committees already. He would rather have the Conservancy work with committees and organizations already established (i.e. Road Committee, Road Commissioner, Historic Preservation Committee, Winnegance Wheelers, Sportsman's Association, Harbor Commission etc.). Ms. Sferra replied that doing it this way works better than having a single committee with different interests.

Selectman Douglass requested that the meetings be open to the public – like the Selectmen's workshops. Mr. Brune asked if the current committees will keep the Selectmen informed. Selectman Douglass replied that although an organization such as the Sportsman's Association is a private group – a lot of people are both Town Officials and members of the Association - it is really a cross section of town. The same holds true for the Winnegance Wheelers.

Mike Young, Town Administrator, said that he would get a list of local contacts for the Conservancy to use.

Selectman Douglass asked if the Conservancy had a timeline on the inventory. Ms. Sferra replied that inventorying trails and roads would go quickly, however the inventory of natural resources would be slower. They want to talk to different groups and then meet with the Town in a couple of months.

Lee Rainey, Code Enforcement Officer, recommended that the Conservancy contact the president of the Winnegance Wheelers, Dave Barter, because they have maps, etc. Ms. Sferra replied that she already had and was looking forward to working with existing Town committees and organizations.

Selectman Perkins reiterated that the Conservancy should use the list that the Town Administrator will supply and go directly to the committees.

Ms. Sferra stated that interested people can contact her and she will leave her business cards.

Andy Hart asked if the conservancy would be doing any improvements to the Basin or whether it would remain forever wild. Ms. Sferra replied that the intention is to keep the Basin in a natural state, but have active management if required (i.e. to control invasive species).

Andy Hart asked if the Conservancy would construct a landing for water access. Ms. Sferra replied that they have not made a decision.

Selectman Douglass asked if the Conservancy had the resources available for active management. Ms. Sferra replied that the Conservancy has a full time staff of 2, plus summer staff and endowments to hire more. She also stated they may hire someone seasonally as a caretaker but have not yet decided. However, in the case of projects such as ATV trails they are hoping that the ATV Club will help in maintaining trails and bridges.

Selectman Douglass asked if 2 or 3 years down the line there would be "one stop shopping" for use approval. Ms. Sferra replied that it exists now – she is the contact.

Selectman Perkins stated that he could not wait for a time line and a public meeting.

Selectman Douglass asked who the Selectmen should be talking to concerning payments in lieu of taxes. Mr. Brune replied that it would be him and that the Conservancy may be willing to fund Police services and trash pickup. Selectman Douglass discussed the services provided by Fire and EMS and also discussed the roles of the Harbormaster and Harbor Commission and mentioned that the Town has had problems in the Basin with jet skies and dumping of sewage from boats.

Doug Alexander mentioned the organization "Friends of the Basin" and also discussed pump out stations. Mr. Brune replied that he would be happy to work with the Town.

Fire Chief Totman stated that the Fire Department did not want people having fires in the Basin. Ms. Sferra replied that the Conservancy didn't want them either. She further added that the Conservancy will post the property prohibiting fires and the Fire Chief should let her know if there are problems. Andy Hart stated that he has the official wording for the signs. Chief Totman recommended that the Conservancy work with the John Leavitt, Warden with the State forestry Service and he further added that the Conservancy would have to give Mr. Leavitt permission to deal with open fires. Selectman Douglass stated that the previous owner was required to sign an affidavit to take to court in order to prosecute violations on his property and this was something that should be worked out with Law Enforcement.

III. Unfinished Business

- 1. Attendance at the Totman Library Annual Senior Citizens Fair
Selectman Douglass will attend if available.**

2. Repairs to the Totman preserve Road

Anna Little, Town Lands Management Chair, had requested funding to buy several loads of gravel for the Totman Preserve Road. She was going to use several workers from the VOA Work program to fill in potholes on the road.

Mike Young, Town Administrator, explained that the Town Lands Management account had \$1,700.00 in it for general use, which could be used without touching the funds set aside for the road rebuild.

Doug Alexander stated that he just wanted to keep enough money in the account to pump the toilet holding tanks.

Gary Small, Phippsburg Land Trust, stated that the Land Trust had authorized a total of \$10,000.00 for the rebuild project.

Selectman Douglass mentioned that the Selectmen had opened the rebuild bids and they were all in the \$42,000.00 range and he wanted to hold off a decision until the annual Town Meeting in May 2007. He further explained that, in his opinion, Special Town Meetings were for emergency situations only. The Town rushed to get bids, but it is not an emergency to rebuild the road.

Gary Small stated that he would find out tomorrow night at the Land Trust Meeting if the \$10,000.00 from the Trust was contingent on Town meeting.

Anna Little stated that she was only looking at \$500.00 for the temporary dirt work.

Selectman Pye asked if the holding tanks had been pumped and Doug Alexander said that it had not happened yet.

Selectman Douglass stated that the Town could use some band aid repairs to get through until July and recommended perhaps \$1,000.00.

Anna Little stated that she would talk to Curtis Doughty, Road Commissioner, about the possibility of using some material from behind the Sand/Salt shed.

IV. New Business

1. TABOR Resolution.

The Selectmen reviewed material provided by Mike Young.

Selectman Perkins stated that he had attended a presentation by Maine Municipal Association and that there is a lot more detail to the bill than just what appears on the ballot. He further stated that he does not support TABOR because of the loss of Town Meeting control and the cumbersome, expensive, and lengthy process to override the limitations. This opinion was also expressed by Selectmen Douglass and Pye.

No one in the audience had any comments. The Selectmen voted (3-0) to oppose TABOR, but choose not to sign the resolution.

2. Approval of two capital expenditures for the School roofing project.

The Selectmen voted (3-0) to make the following expenditures from the School Capital Reserve Account: (1) \$3,212.50 to Gladu Roofing Company for roofing and (2) \$3,630.43 to Lincoln/Haney Engineering Associates for structural engineering services.

Selectman Douglass requested that a member of the School Board be present during the discussion for payment so that questions could be answered.

3. E-mail from Peter Lea (Bowdoin Geology professor) Lawrence - offering to assist with the Comprehensive Plan.

The e-mail was reviewed. Mike Young will send a copy of the Hydro Study, Comprehensive Plan, and consistency report from the State to Professor Lea. He will be invited to attend a Selectmen's Meeting to further discuss his proposal.

Selectman Douglass mentioned that sometimes we engage companies to do surveys and no consideration is given to the Town. He felt that maybe Professor Lea can come up with something that fits better for less money.

Les Smith, Comprehensive Plan Ordinance Committee, needs to know what limitations Professor Lea will have (i.e. low volume districts, access to well drilling data, etc.)

V. Department and Committee Reports

1. Solid Waste Report.

Reviewed. No further action taken.

2. Report from Code Enforcement Officer concerning ongoing case.

Lee Rainey, Code Enforcement Officer, reported that the owners of a house on Fiddlers Reach Road had signed a consensual agreement for condemnation. This has saved the Town legal expenses. The owners will be asking if the Town and Fire Department can help with removal of the structure.

Selectman Douglass stated that perhaps the Town could get some volunteers together or use some other means. He further stated that if the Town had to go through the court system it would ultimately be responsible for removal.

Selectman Pye mentioned using some trucks to remove the material. Administrator Young stated that if the Town paid for the disposal then the property could be liened for reimbursement. Selectman Douglass replied that the owners could ask for a poverty abatement if liened.

Lee Rainey stated that he could put a plan together for removal and that the property owners have vacated the premise and are living with their daughter in Brunswick. He also reported that he was working with the State on the second property to be condemned on Fiddlers Reach Road.

VI. Selectmen/Administrator Comments and Announcements

1. Special Town Meeting

The Administrator Mike Young, reminded the public about the Special Town meeting to be held on October 25th.

VII. Adjournment - Selectmen voted (3-0) to adjourn at 7:50 p.m.