

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:  
SELECTMEN'S MEETING  
John M. Young MINUTES  
Administrator April 11, 2007

*Meeting convened at 6:00 p.m. with Selectmen Douglass and Perkins in attendance.*

**I. Review and Sign:**

1. Accounts payable and payroll warrants.
2. Minutes from March 14<sup>th</sup>.
3. Appointment certificates.

**Items reviewed and signed.**

**II. Meetings and Hearings:**

1. Conduct Public Hearing for annual renewal of Liquor Licenses (Anna's Waters Edge Restaurant, Small Point Club, Sebasco Resort, Lobster House Restaurant, Spinney's Restaurant).

**The Selectmen opened the Public Hearing at 6:03 and closed it at 6:04. There were no public comments. Selectmen voted (2-0) to recommend approval of the applications.**

**III. New Business**

1. Consider Posted Roads violations for Rogun Services, Inc., Ray Labbe & Sons, and Kent Reed, General Contractor. Consideration of GAC Enterprise's violation will take place on April 18<sup>th</sup>.

**A. Rogun Inc.– The company had picked up a “POD” at a residence on Parker Head Road. Tracey Jackson, owner of the residence, stated that she had clearly told the company that the roads were posted. No one from the Company attended the meeting, but Selectman Douglass read a statement that had been e-mailed. Police Chief Skroski observed the vehicle retrieving the “POD” and stated that the driver was cooperative and had said he was not aware that the roads were posted. Selectmen voted (2-0) to assess a fine of \$350.00.**

**B. Ray Labbe and Sons – The company had delivered an excavator to Sebasco Resort. This was one of the local companies that had received a letter stating that the Phippsburg roads were posted. Road Commissioner Doughty had seen the vehicle transiting Sebasco Road and contacted the Police Chief who stopped it coming from Sebasco Resort. The operator admitted that truck had been at the Resort. The vehicles RGVW was 100,000.**

**Peter, owner of Ray Labbe and Sons, was present at the meeting and stated that they had observed the temperature at 32 degrees and thought it might be colder in Sebasco. They had used their smaller truck and trailer which were less than the RGVW of 100,000. Peter had previously talked to**

Commissioner Doughty and was informed of the temperature requirements to travel. Peter stated that the Resort had nothing to do with the run. He apologized on behalf of his company and stated that this was his first violation for posted roads in 50 years and he wanted to keep good relations with the Town.

Selectman Douglass stated that it seems every year the Town has issues with trucks working for Sebasco Resort. Chief Skroski stated that he had spoken to the Resort at the time of posting roads and Administrator Young added that he also had called the Resort, as he does all the local companies, to give them a warning that roads were being posted.

Past fine history for posted roads violations were reviewed and Selectman Perkins mentioned that he remembered a \$1,000.00 fine being assessed against a company delivering product to Sebasco Resort last year. Commissioner Doughty agreed. The Administrator did not remember such a penalty but will research it.

Selectman Douglass stated that he would like to send a message to the Resort by assessing a heavy fine – but that would not be fair to Ray Labbe and Sons. Selectman Perkins made a motion to levy a fine of \$500.00 which failed passage. Selectman Douglass made a motion to levy a fine of \$400.00 which passed (2-0). Selectman Douglass thanked Peter for coming to the meeting.

Chief Skroski recommended researching the possibility of adding a section to the Posted Roads Ordinance which would allow a penalty to be assessed against the person/company who is having the items/service delivered. Selectman Douglass recommended that this be discussed at a later date.

C. Kent Reed, Contractor – The company had delivered 12 Yards of gravel to a residence on Parker Head Road. Commissioner Doughty had observed this and contacted Chief Skroski. The driver of the dump truck also used profane language when dealing with the Road Commissioner.

Chief Skroski stated that the temperature was above 32 degrees and the road was clearly posted.

Tracey Jackson, owner of the residence, stated that she had been asked by the company if the roads were posted and she had informed them that she hadn't noticed any posting.

A company representative attending the meeting stated that she had received a call from the driver, Tom, who said that a black GMC had pulled up to his bumper and a man got out, who did not identify himself, and started yelling (it was the Road Commissioner). She added that if the Road Commissioner had identified himself it would have put Tom on an "even keel". She further stated that the company has spoken to Tom about the issue. She then apologized to Commissioner Doughty on behalf of Tom. She added that the company has never driven on posted roads before and that Tom did not see the poster.

Commissioner Doughty stated that he had come up behind the truck at a safe distance, parked and then asked the driver what he thought he was

**doing driving across posted roads. Tom, the driver, did not want to talk to the Commissioner, so Mr. Doughty went back to his truck and waited for Chief Skroski to arrive. Tom, the driver, then demanded that the Commissioner move his truck so that he could dump his gravel and used profane language. Mr. Doughty moved his truck and the gravel was dumped.**

**The Selectmen voted (2-0) to assess a fine of \$250.00 if Tom, the truck driver, gives a face-to-face apology to the Road Commissioner or \$350.00 with no apology.**

2. Review monthly Transfer Station solid waste report.  
**Selectman Douglass read the report.**

#### **IV. Courses and seminars**

1. US Census (LUCA) Workshop (5/1/07)  
**Administrator Young will attend.**
2. MMA Labor Law Seminar (5/1/07)  
**No one will attend.**

#### **V. Selectmen/Administrator Comments and Announcements**

1. Selectman Perkins
  - A. Thanked Peter McMurray for helping him and the Transfer Station Attendants work on the safety chains/hangers at the Transfer Station.**
2. Town Administrator
  - A. Announced upcoming meetings and events.**

#### **VI. Adjournment - Selectmen voted (2-0) to adjourn at 6:31 p.m.**