

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:
SELECTMEN'S MEETING
John M. Young MINUTES
Administrator April 25, 2007

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

I. Review and Sign:

1. Accounts payable and payroll warrants.
 2. Sign Liquor Application for Anna's Waters Edge Restaurant.
- All items reviewed and signed.**

II. Meetings and Hearings:

1. Meet with Judy Marden for Annual Bates-Morse Mountain Report.
Ms. Marden presented the Selectmen with copies of the annual report, which are also on file at the Town Office.
Ms. Marden listed the various outside groups that visited Morse Mountain as well as special projects over the past year. This year they had approximately 13,000 visitors – which is an increase over prior years. They have continued with salt marsh monitoring and replaced the marsh road culverts. Last year they had several archeologists spend two days at the Phippsburg Elementary School and visit grades K-6. Unfortunately this year they were unable to have Phippsburg School programs because the school has been in flux due to the frequent changeover of principals, however other schools have been taking advantage of the programs that were offered. They have been monitoring the Piping Plovers and have six fledglings this year. Parking has not been a problem and they will be keeping the gatekeepers until Thanksgiving. They are still discouraging publicity because they have a concern that the property will be overused.
2. Meet with Commissioner Connery for an update on Sagadahoc County issues.
Commissioner Connery reported that the following steps have been taken to consolidate services and decrease the budget this year: (1) Superior Court has given more space to the County so they could consolidate; (2) A professional Finance Officer has been hired; (3) The Sheriff's Dept. has moved back to the County building, thus saving money on the Oak Grove lease; (4) Two custodian positions have been deleted and they have created a single position for maintenance and custodial services; (5) A pickup has been purchased for snow plowing; (6) A lot of debt has been retired. Also, the past several years the County was funding the Two Rivers Jail while still boarding out prisoners. Now that the jail is opened the County share is less. However, the State has a boarding crisis for prisoners so they have notified the counties that they are considering taking over some of their jails –this is an ongoing discussion at this time. In the meantime, the State has been meeting with the County to obtain 50 beds; however staffing

may be an issue.

Selectman Pye stated that there is a lack of communications from the County and he would like to see these types of meetings occur more frequently – especially in light of the major tax increase last year. Commissioner Connery responded that the last two years the budget was driven by the jail and this year they are well within the requirements of LD1 and excluding the jail costs, the budget is flat. He promised to visit more often and bring any Department Heads the Selectmen would like. Selectman Douglass recommended that he not wait for an invitation – just call and visit.

Selectman Pye discussed the funding formula used to determine each municipality's share of the County Budget. The Town of Phippsburg has taken a hard hit and has the third highest County tax. He stated that it is outrageous that the town pays so much in taxes and yet does not place as much of a burden on the County as other municipalities.

Commissioner Connery replied that the Selectmen need to work with the State legislature – because they set the formula. Even with a flat budget - if the state valuation of a municipality increases their share of the County tax will also increase. He recommended that the Selectmen contact other municipalities in Sagadahoc County and see if there is support for a proposed change in the formula. Then present that proposal to the Commissioners to see if they will support it. The final step would be to have a local legislator present the bill for consideration. Selectman Douglass recommended that population be part of the formula because most County resources (i.e. District Attorney, Registry of Deeds, civil service branch of Sheriff's Dept. etc.) are used more by larger communities. Commissioner Connery added that he does not want the County to be viewed as an adversary.

Selectman Perkins stated that the Phippsburg share of the County tax is 18.5% and wants to reiterate that the Town has the third largest share of the County Tax, less population than many other communities, and are losing land to non-profit entities. Commissioner Connery replied that Selectman Douglass and eight other municipal representatives on the County Budget Advisory Board review the budget and make recommendations. He stated that there are a lot of services provided by the County which the general public doesn't understand. He will also continue to work with the new Financial Director to hone in on any other areas where there may be cost savings.

Selectman Douglass asked how the County's relationship was with the State. Commissioner Connery replied that the County Association is very weak, unlike the Maine Municipal Association. Many bills are submitted to the legislature targeted against specific counties - which does not happen in regards to municipalities. The counties are weak in advocating and are caught in the middle between the state and municipalities.

Selectman Douglass asked if there was still an issue with the County taking on the burden of State prisoners who violate probation – he

remembered the Commissioner's frustration because the prisoners then become the County's problem. Commissioner Connery replied that it is still an issue and the State has a crisis because they have 300 prisoners over the available number of beds. He added that Sheriff Westrum is running an aggressive alternatives program which costs \$40.00 a day instead of \$104.00 for boarding.

Selectman Douglass asked how active the Commissioners are in controlling their departments. Commissioner Connery replied that it depends on whether the department head is elected or hired. The only control they have over an elected department head is funding.

3. Meet with Dick Lemont, Shellfish Chairman, concerning funding support for a third party review of the Department of Marine Resources water quality program.

Mr. Lemont stated that at a public hearing for LD1318 the Department of Marine Resources admitted that they need a third party review of their water quality program and testing methods but don't have the funding – and without funding the bill will die on the table. It is estimated that the review will cost between \$20,000 and \$30,000 and DMR only has \$10,000 to put towards it. There is a fundraising effort by the Freeport shellfish harvesters and many individual harvesters and municipalities are donating money for the review. Several towns have donated between \$2,000 and \$2,500 towards the review. There will be a DMR workshop held on May 2nd.

Selectman Douglass asked how the towns know the amount to pledge if DMR is unsure of exact amount for the review. Mr. Lemont replied that that while DMR does not know the exact amount, he estimates that they will need an extra \$10,000 in outside funding.

Selectman Douglass stated that he could not recommend funding without a recommendation from the Shellfish Committee and he also has a problem with funding the review before DMR makes a final decision to do it. Just because the review is overdue – it doesn't make it urgent. He added that Phippsburg was the first community to ask for the review and support the concept and that DMR had admitted that they had personnel problems.

Selectman Perkins added that the main issue is the methodology of water quality testing.

Mr. Lemont stated that he will brief the Selectman again after the DMR workshop.

III. New Business

1. Discuss letter from Bob Butler concerning repairs to Fort Baldwin Rd.

The Selectman reviewed a letter from Mr. Butler and others along Fort Baldwin Road which requested that the Town repair the road and stop the erosion.

Mr. Butler stated that the Patriots Day Storm had caused significant erosion along Fort Baldwin Road which would compromise travel to the residences and State Park property if not attended to.

Road Commissioner Doughty stated that he and Les Smith, Chair of the Road Committee, had met with Maine DEP last year on site to discuss the condition of the bank which leads to the shore. DEP had told them that they cannot add rip-rap beyond the area that is currently covered. He is not sure how to alleviate the problem and keep within the requirements of DEP. One of his ideas was to add more shoulder and guardrails or perhaps a retaining wall.

Mr. Butler stated that the problem will get worse if no water stops are put in place because of pitch of the road. The last storm took away a 10 or 15 foot section of shoulder and the water runs down that area.

Selectman Douglass asked if there were any emergency repairs that could be done. Mr. Doughty replied that perhaps installing guardrails, steel beams, or flat rocks. Mr. Butler acknowledged that it is not an easy problem to fix.

Selectman Douglass recommended that someone from DOT come down and look at the problem and give a recommendation and perhaps they could intercede with DEP on the town's behalf. Commissioner Doughty replied that he could make an inquiry with Scarborough DOT.

Mr. Butler asked if the installation of an asphalt curb would suffice as a temporary solution. Commissioner Doughty replied that he would have to narrow up the road and it would require using a considerable amount of Jane Steven's property.

Selectman Douglass felt that DEP is being unreasonable and maybe they would be less restrictive if the damages are related to the recent storm. He recommended talking to Brian Murray, Popham Park Manager, to see if the Department of Conservation could help put pressure on DEP.

Commissioner Doughty will explore the possibility of curbing and guardrails as a temporary fix.

2. Consider a Posted Roads violation for L. Blanchette & Sons, Inc.

The Selectmen reviewed the police report. On April 10th a moving truck, owned by L. Blanchette & Sons, traveled on Parker Head Road during posted roads. It had a registered GVW of over 23,000 pounds and was partially loaded. The temperature was 43 degrees. The driver was cooperative.

Steve, who works for the operations and sales division of the company, was present and stated that the vehicle weighed 18,000 on the way in the road and 27,500 on the way out. It was the smallest truck they own and it was the only day the people could move out.

Selectman Douglass explained the exemption process and mentioned that an alternative would have been to travel the road when it was frozen (i.e. at night).

Selectman Perkins made a motion for a \$400.00 fine which was not seconded. Selectman Pye made a motion for a \$250.00 fine which passed (3-0).

3. Consider the appointment of James Totman to the Road Committee.

Selectmen voted (3-0) to appoint James Totman as a regular member of the Road Committee and change William Totman's appointment to an alternate member.

4. Review and sign the Annual Town Meeting Warrant.

Selectman reviewed the warrant. Selectman Perkins stated that he did not recommend approval on Article 59A which was a fireworks funding request from Glen Theall for \$2,500. He felt that planning for the Popham 400th celebration was already in process and fireworks was not a municipal issue. Selectman Pye agreed and added that funds have already been raised through donations. He further stated that he would not like to see it as an annual article and reiterated that the request did not follow the regular budget process. Selectman Douglass added that this is an example of "needs" and "wants" and that this article is definitely a "want". Selectman voted (3-0) not to recommend the fireworks article.

Selectmen voted (3-0) to support an article in the amount of \$35,000 (from surplus) for emergency road repairs due to the Patriots Day storm. It is expected that the Town will receive partial reimbursement from FEMA.

IV. Department and Committee Reports

1. Posted Roads

Road Commissioner Doughty recommended unposting Town roads on April 26th. Selectmen voted (3-0) to unpost Town roads effective immediately.

V. Correspondence

1. Maine's 20-year Transportation Plan

Reviewed. No action taken.

2. Letter from Gail Roberts

Ms. Roberts has requested that one of the Selectmen read the Governors proclamation for the National Day of Prayer during a ceremony at 12:00 p.m. on May 3rd at the Memorial Park. Selectman Perkins volunteered.

VI. Courses and seminars

1. MMA "Front Porch" Regional Meeting

No one will attend.

VII. Selectmen/Administrator Comments and Announcements

1. Selectman Douglass

Selectman Douglass reminded the public that a write-in position is still available on the School Board.

VIII. Public Forum

1. Bob Butler

Mr. Butler publicly congratulated Senator Benoit for supporting LD 1353, which is a bill to expedite ending sewage overflows into rivers from

municipalities. Forty municipalities in Maine are allowed to discharge sewage from treatment plants during heavy rains where storm drains and sewer drains are combined. He specifically mentioned the municipalities up the Kennebec River whose overflows during heavy rains effect shellfish areas in Phippsburg. The bill will create an expert panel that will be tasked with evaluating municipal systems all over the State and expedite removal of the overflows.

IX. Adjournment - Selectmen voted (3-0) to adjourn at 7:35 p.m.