

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:
SELECTMEN'S MEETING
John M. Young MINUTES
Administrator July 18, 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. Minutes from prior meetings (May 30th, June 6th, and July 11th).
3. Appointment certificate for Ethan Debery to the Harbor Commission.

All items reviewed and signed.

II. Meetings and Hearings:

1. Meet with Glen Theall, Spinneys Restaurant, for approval of an expansion of his Liquor permit for the Popham 400th celebration.

Mr. Theall was requesting permission from the State Liquor Division for a one day extension of his liquor permit to allow outside service at Spinneys during the Popham 400th. The Code Enforcement Officer, Lee Rainey, had no issues with the request. The Selectmen voted (3-0) to sign a letter stating that they had no objections.

2. Meet with the Code Enforcement Officer, Lee Rainey, concerning the demolition of a house at Map 005, Lot 037 on Fiddlers Reach Road.

The Selectmen reviewed correspondence between the Town and the Danish's requesting that they sign a consent agreement for the demolition of their house on Fiddlers Reach Rd. The cost of demolition would be added to their tax bill and the property would be liened until payment was made.

The Danish's had not replied to the correspondence so Selectman Douglass requested that they be contacted by phone or in person to find out what their intentions were.

Selectmen tabled any action on demolition pending contact by phone or a personal visit to the Danish's residence in Brunswick by the CEO and one board member.

Selectman Douglass asked for the status of the home belonging to Lois Pendleton. The CEO replied that he was working with the State on that demolition.

This item will be discussed again in two weeks.

3. Meet with the Assessing Agent to review corrective documents, abatements, and supplemental bills.

Meeting postponed until next week.

III. New Business

1. Discuss enforcement action against trespassers at the Transfer Station that were identified from surveillance tapes.

The Town Administrator, Mike Young, stated that review of the tapes had revealed a few people trespassing at the Transfer Station when it was closed. He had discussed this issue with the Transfer Station Attendants and it was their consensus that first offenders should receive a warning, as long as they did not cause any damage to property or refrigerator units, and second offenders or those that vandalize property or refrigerators, should be prosecuted for criminal trespass.

Selectman Perkins recommended that no one be prosecuted until the surveillance system has been tweaked and better quality video is produced because it would have to hold up in court. Selectman Douglass disagreed and preferred to have summonses issued for those that can be identified on the tapes because everyone has had fair warning and the issue of trespassing at the Transfer Station has been discussed many times at the Selectmen's meetings.

Selectman Pye preferred that warnings be issued for first offenders if they did not cause damage.

Because this is a law enforcement issue the Selectmen decided to leave the decision of whether to give a warning or summons up to the Chief of Police, John Skroski, on a case by case basis. If a person disagrees with the decision made by Chief Skroski they can appeal it to the Board of Selectmen.

2. Discuss enforcement action against individuals issued parking tickets at Totman Preserve.

The Town Administrator reported that Selectman Perkins had directed the Police Chief to issue parking tickets to all vehicles parked at Totman Preserve without the required permits – warnings were not to be issued. A total of 21 tickets had been issued, four have paid the \$50.00 fine and four or five have lodged verbal complaints concerning their tickets. Selectman Perkins stated that he took this action based on several complaints from citizens concerning unauthorized vehicles parking at the Preserve. He then visited the Preserve and found that 6 out of 12 vehicles in the parking area did not have the proper permit. He added that the requirement for permits has been in affect for several years, warnings have been issued in the past, and there are two signs at the Preserve which state that permits are required. The Selectmen also reviewed a letter from the Tax Collector, Lisa Wallace, concerning this issue.

Robert Goodwin, who was renting a room at Spinney's Guest House, stated that he was told by the property owner that he could park at the Preserve as long as he put a copy of his rental contract on his dashboard. He did that – but still received a parking ticket, which he will pay if he has to.

Gordon Greene, from 156 Stoneybrook, asked for a clarification on the permit process. It was explained by the Town Administrator that the Town

Lands Management Ordinance (TLM) allows Phippsburg Residents, Taxpayers and their guests to park and use the Preserve, however they still need to display a Transfer Station/Town Lands/Town Landing Permit or a temporary permit obtained from the Town Office. He added that the definition of a guest is someone who is staying overnight in Phippsburg at a dwelling or a business that has accommodations (i.e. Campgrounds, B&B, Sebasco Resort etc.). If someone is on a day trip to Phippsburg as a "guest" they must be accompanied by their sponsor. He also stated that the TLM Ordinance allows seasonal passes for businesses that have overnight accommodations which may be given to customers for daily use of the Preserve.

Selectman Perkins felt that issued tickets should not be waived by the Selectmen because it would not be fair to those who have already paid their fines. Selectman Douglass stated that he felt the tickets should be waived on a case-by-case basis for those first offenders that were authorized to use the Preserve under the TLM Ordinance but did not have a permit.

Ashley Thayer asked where the "stickers" should be placed on the vehicle to which Donna Koehling, the Parking Enforcement Officer, replied that the permit is affixed in the lower left hand corner of the windshield as per the handout that is given with the permit. She added that some people put it in the shaded area of the back windows or they put it on the side window and then roll the window down and in these cases if she can't see the permit she will have to write a ticket. Selectman Perkins took the opportunity to introduce Ms. Koehling to the public.

Selectmen voted (2-1) to forgive the ticket issued to Mr. Goodwin.

The Selectmen agreed that the following policy would be followed in regards to the issuance of parking tickets at Town facilities: (1) the Parking Enforcement Officer will issue tickets to all vehicles not having the proper permit – she does not have the discretion to issue warnings; (2) the person receiving a ticket may appeal it to the Police Chief who has the authority to waive the ticket; (3) if the person receiving the ticket does not agree with the decision of the Police Chief he/she may make an appeal to the Board of Selectmen. Consideration will be given to those who can prove that they had the right, in accordance with the TLM Ordinance, to park at the facility and use it – but just failed to get the proper permit. They also stated that the Tax Collector and Town Administrator were to refer all questions concerning parking tickets to the Police Chief.

Selectman Perkins stated that some of the Town Landings are not clearly posted requiring the Town Landings Permit. The Town Administrator replied that he will order signs.

Barbara Holbrook requested that her Totman Preserve parking ticket be waived. She is a resident of the Town and parked at the Preserve without a permit because she didn't realize the seriousness of it and was not aware of the permit requirement. She had parked next to her husband's vehicle which did have a permit and felt that a warning would have been more proper. Selectmen voted (2-1) to waive the ticket.

Donna Koehling stated that the Town needs to enforce the parking regulations and asked how long this appeal procedure would be in place because she felt that she was writing tickets for no reason - except for keeping a paper trail. Selectman Douglass replied that there was some discretion concerning the ticket process with Town Landings and Totman Preserve enforcement - but there is very little discretion with the Popham parking ticket process. He added that Ms. Koehling should continue to write the tickets and leave warnings/waivers up to the Police Chief

3. Review Recycling Report from the State Planning Office

Selectmen reviewed the figures which indicated that Phippsburg had a recycling rate of 34%. The Transfer Station attendants were thanked for their effort in the recycling program.

Selectman Douglass stated that he would be interested in comparing the Phippsburg statistics with other coastal communities. He will take the report home to study the details and will discuss it again next week.

IV. Courses and seminars

1. Secretary of State's 2007 Election Conference.

Mike Young (Registrar of Voters), Betty Herron (Town Clerk), and Gloria Barnes (Deputy Town Clerk) will attend.

2. Municipal Client Seminar by Jensen-Baird-Gardner-Henry.

The Town Administrator will provide copies of the flyer to Department Heads, Planning Board members, and Board of Appeals members.

V. Adjournment - Selectmen voted (3-0) to adjourn at 7:10 p.m.