

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

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

I. Review and Sign:

1. Accounts payable and payroll warrants.
2. Minutes from July 18th.
3. Maine State Retirement System amended agreement.

All items reviewed and signed.

II. Meetings and Hearings:

1. Meet with the Road Commissioner concerning restricting vehicle weight on the Fort Baldwin Road.

Commissioner Doughty explained that Fort Baldwin Road had been further eroded in the Patriots Day Storm and he was recommending that it be immediately posted against heavy weight vehicles to decrease the possibility of further damage.

Sam White stated that he had just purchased property on Fort Baldwin Road and was planning on building a house. He pointed out that any extended closure of the road would create a hardship for him. He needed to get a well drilling truck in as well as concrete trucks. In the spirit of cooperation he would like to have the opportunity to discuss different techniques used by construction companies to access weakened roads – such as the use of mud tracks.

Bob Butler, property owner on the road, stated that others would also find it a hardship. He asked why there is such a concern now. There have been a number of heavy trucks on the road since the Patriots Day Storm. He also wanted to know why it has been three months since the storm, has been on the Road Committee list for longer, and yet there have been no temporary or permanent repairs done.

Selectman Perkins stated that he has seen the stones in Jane Stevens wall shift and wondered if both foot and vehicle traffic were having trouble squeezing through that portion of the road. The Town is coming up with a plan and the Selectman will be following the Road Commissioner's advice.

Lee Rainy, Codes Enforcement Officer, stated that he has been discussing the situation with Mr. White and recommends the use of crane mats to span the road as a temporary measure.

Selectmen voted (2-0) to authorize the Road Commissioner to post Fort Baldwin Road for whatever weight he determines is necessary and those exceeding that weight can request exemptions from the Selectmen on an individual basis.

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

Lee Rainey, Codes Enforcement Officer, stated that he and Selectman Perkins met with Neil and Vera Danish and received a notarized consent form allowing the Town to remove their condemned dwelling on Fiddlers Reach Road at a cost of no more than \$7,000. The costs associated with removal would be recovered from the owners by special tax.

Selectman Perkins asked if it was made clear that the yard would be cleaned up also. Mr. Rainey replied that it would – however the vehicle located on the property would stay. He further stated that the cheapest alternative would be to use building debris containers and that there is no worry of hazardous waste.

Selectmen asked Road Commissioner Doughty to get an estimate for removal using debris dumpsters and voted (2-0) to sign the consensual agreement.

3. Meet with the Code Enforcement Officer concerning illegal business signs along Route 209 and Route 216.

Selectman Perkins stated that he had received a call from a resident about a number of illegal commercial signs on Route 209 (i.e. firewood signs). He had requested that the Codes Enforcement Officer review all the signs and make a list of those that do not comply with the Land Use Ordinance. He reiterated that it is Mr. Rainey's job to insure compliance with the codes.

Selectman Pye asked if the wood sign put up by Dan Gurney was in violation. Mr. Rainey referred Selectman Pye to the list and attached excerpts from the Land Use Ordinance that he had created dealing with signs. Mr. Rainey further stated that some of the business signs are located off premise, which is not allowed, and there are ordinance sections which deal with sign size, distance off the road, and non shielded lights.

Selectman Perkins stated that at this time it is a Code Enforcement issue and not a Selectmen's issue. Mr. Rainey has the backing of the Selectmen to enforce the Land Use Ordinance in regards to business signs. He mentioned that the Ordinance, including the section on commercial signs, was passed by the voters at a Town Meeting.

4. Meet with the Chief of Police to discuss detail reimbursement for the moving of the Sebasco Harbor Resort building.

Chief Skroski stated that Michael Lynch, Sebasco Resort General Manager, wanted to compensate the Town for police services during the moving of the "Fairwinds" building to Merritt Mountain Rd. The Chief recommended the reimbursement of wages for Officer Anderson and himself at the regular wage rate x 1 ½ hours of service. He further explained that Sagadahoc County charges time and one-half for a minimum of 3 hours and the City of Bath charges \$36.00 per hour for a 4 hour minimum plus 25% for retirement. He preferred the method that the County uses.

Selectman Perkins asked if it was legal for a company to hire police

officers for a situation like this. Chief Skroski and Selectman Pye both replied that it was.

Chief Skroski added that a policy should be established. Selectman Pye asked if the policy would have to be considered at a Town Meeting.

Administrator Young replied that he was not sure, but would check into it.

It was decided that the Administrator and Chief of Police would work on a policy and in the meantime Sebasco Resort could make a donation to the Town which could be accepted at the next Selectmen's Meeting.

III. Unfinished Business

1. Review of State Planning Office Transfer Station Recycling Report.

Tabled because Selectman Douglass was not in attendance.

IV. New Business

1. Discuss the adoption of an ordinance for closing of Town Roads due to oversized loads.

Selectman Perkins explained that although the closing of Sebasco Road for moving of the "Fairwinds" went well – the Town did not have any say in the matter because it does not have an ordinance. The Road Commissioner and Police Department did the best they could under the circumstances.

Chief Skroski stated that this was the first time in his 6 years service to the Town that a road had to be closed to move a building. He added that the Sebasco crew and the moving company did an excellent job and had the entire process completed in one hour.

Selectmen asked the Road Commissioner and Road Committee to draft a policy on closing of roads due to oversized loads.

2. Discuss letter from "Local Property Owners and Tax Payers" of Painted Point Road concerning wood chips located at #4 Painted Point Road.

The Selectmen received an anonymous letter supposedly from a group of residents on Painted Point Rd. concerning the property owner of #4 Painted Point Rd. who spread chips along the drainage ditch in front of her home.

Selectman Perkins stated that he hated to consider a complaint letter that was not signed. The Selectmen reviewed photos taken by the Police Chief.

Commissioner Doughty, who had visited the location, stated that this issue should be referred to the Code Enforcement Officer. Lee Rainy, Code Enforcement Officer, stated that it was not a violation of any ordinance and it did not have any environmental impact – therefore the determination needs to be made by the Road Commissioner as to whether it will block the Town's road drainage system or plug up culverts. He added that the chips were technically on Town property.

Selectman Pye asked Mr. Rainey if DEP advises using wood chips for erosion control to which he replied that wood chips is not considered proper erosion control.

Commissioner Doughty had a concern that the chips could affect road drainage during a heavy storm. It was decided that Commissioner Doughty

and Selectman Perkins would visit the owner and have her remove any chips that may block the drainage or culverts.

3. Review a Catering Permit application from "The Black Tie. Co." for a wedding reception at 59 Seely Lane.

Selectmen reviewed and signed the permit.

4. Election ballots for MMA positions

Selectmen made no recommendations.

V. Department and Committee Reports

1. Police Department Report

Chief Skroski reported that they had a very busy day at Popham Beach – he had spent 80% of his day there. Popham Beach State Park had 2,800 visitors – which doubles the population of the community. The traffic was backed up to Parker Head Road by 11:00 a.m. He received complaints that some businesses were parking cars and it was tying up traffic and people were walking from the Stone House Manor and other businesses along Route 209 to the Park which is dangerous. He further stated that traffic had come to a standstill at Ocean View Campgrounds.

Selectman Pye asked if Parking lots run by businesses come under the "Home Business" clause of the Land Use Ordinance. Mr. Rainey informed him that he didn't think so, and that allowing parking at Ocean View Campgrounds and the Stone House causes a congestion problem.

Chief Skroski said that his fear is that a child might get struck. Selectman Perkins added that the road is very narrow and has no shoulders for pedestrians and bikes – and this will be an increasing problem during the big Popham 400th celebration.

Chief Skroski stated that he will continue to bring his concerns to the Selectmen. Administrator Young replied that the Town has met with the State Agencies involved in the past (Conservation, DEP, and DEP) but to no avail. The Dept of Conservation will not increase the size of the State Park parking lot, and DEP and DOT will not allow the road to be widened.

The following action will be taken: (1) Lee Rainey and Marie Varian (Planning Board Chair) will review the business permits of those parking vehicles; (2) The Administrator will arrange a meeting in the fall with different Agencies to review the parking and traffic issues over the summer; (3) Chief Skroski will continue documenting issues and will approach the businesses causing congestion problems and request that they stop parking vehicles.

Chief Skroski also stated that the Department responded to 550 calls in 2006 and has already responded to 420 so far this year. Some people think that his department doesn't do enough traffic control – but so far this year they have issued 177 written warnings and 41 tickets. They have also responded to 5 burglaries and 11 thefts recently. The key to preventing burglaries is to lock your vehicle and not leave valuables in it.

VI. Correspondence

1. Review thank you letters from non profit organizations which received Town donations.

Appreciation letters were received from Jessie Albert Dental Center, Respite Care, The Children's Center, Hospice Volunteers, Sweetser, Tri-County Literacy, Tedford Housing, Big Brothers-Big Sisters, Bath YMCA, Patten Free Library, and Coastal Transportation for donations funded at the May 2007 Town Meeting.

2. Review the petition from Comcast to the FCC concerning "effective competition" in their franchise area.

Petition was reviewed. No further action taken.

3. Coastal Conservation Communications Toolkit

Selectman Pye will take this information home to review.

VII. Courses and seminars

1. Lorman Public Records Course

Selectman Perkins may attend.

VIII. Selectmen/Administrator Comments and Announcements

1. Administrator Remarks

Mike Young reminded residents and taxpayers about Firemen's Field Day, Seasonal Taxpayer's Meeting, and Hazardous Waste Drop-off Day.

2. Police Chief Skroski

Chief Skroski reminded residents and taxpayers that they need to have the required permits to park at Totman Preserve or the Town Landings and they must be placed on the front windshield. He also thanked the Sheriff's Department for their assistance in recent assault investigations and other cases. He specifically named Detectives Dan Read, John Burns, and Chad Carleton.

IX. Public Forum

1. Comments from John Skroski

Mr. Skroski mentioned that there have been quite a few power outages on Fiddlers Reach Rd. and recently at 4:00 a.m. they had a transformer blow. Central Maine Power came out and repaired it and then Lucas Tree Service trimmed some trees back.

X. Adjournment - Selectmen voted (2-0) to adjourn at 7:11 p.m.