

Submitted by:

TOWN OF PHIPPSBURG  
SELECTMEN'S MEETING

Approved by Selectmen:

John M. Young  
Administrator

MINUTES  
October 17, 2007

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

**I. Review and Sign:**

1. Accounts payable and payroll warrants.
2. Appointment certificates.

**All items reviewed and signed.**

**II. Meetings and Hearings:**

1. Meet with Juanita Wilson, Assessing Agent, to set the FY 2008 mil rate and the certified sales ratio.

**Ms. Wilson reported that she has not received the State Audit yet, which usually arrives in August. Due to a change in Maine Revenue Service personnel they are behind processing the audits. She has completed her own aggregate analysis of sales reported to the State and determined that the median is 68%. The Selectmen can declare 10% above that ratio which is what they normally do each year. Selectmen voted (3-0) to set the Town's sales ratio at 74%.**

**Administrator Young recommended that based on the increase in taxable valuation of \$13,073,696 and the extra \$100,000 taken from surplus to reduce taxes (total of \$600,000) the mil rate remain at 10.90. He also provided calculations for a mil rate of 10.85 and 10.80. Selectmen Perkins recommended remaining at 10.90 and Selectmen Douglass and Pye recommended 10.85. Selectmen voted (2-1) to set the mil rate at 10.85.**

2. Meet with Road Commissioner Doughty for an update on Cranberry Point Road and other road projects:

**Cranberry Point Road: Commissioner Doughty stated that the project went well. He just needs to add some rip rap, remove some old pavement, and work on the shoulders. He added that he would have to wait for the new hot top to set up before putting any heavy equipment on it.**

**Selectman Perkins stated that the Selectmen's minutes noted that the project was going to end at Jack Hood's garage, but the paving does not go that far. Mr. Doughty replied that the project indeed went to the garage, but the plan was not to pave that far. He still needs to shim up the intersection and add water bars.**

**Josh Bate questioned why it is taking eight weeks to complete the job and why the entire \$55,000 in the account wasn't used to take the project further. He also questioned the moving of the paving marker, how the intersection transition was going to be handled, when the project was going**

to be completed, and who runs the jobs when the Road Commissioner is not available. He also requested a "Dead End – No Turn Around" sign.

Selectman Douglass explained that there is not a specific account for this project – the funding comes from the Capital Account which the Townspeople vote on each year. The Road Commissioner and Road Committee establish a five year capital plan for roads which is updated annually. They then work on these projects with funding coming out of this account. The costs for each capital road project is estimated – that does not mean that all the money will be spent. If there is a balance left after completion of the project then it will be used on other capital road work. He added that it is unknown who moved the paving marker and that he personally conducted a site visit when this issue came up and the Road Commissioner was out of town and had the marker moved back to its original position.

Administrator Young added that currently \$32,000 has been spent on the project. There will be another estimated \$15,000 for the paving and then the final costs for the Town's Road Crew to complete the rip rap and shoulders. The total project cost should be between \$50,000 and \$55,000. He added that although the funding is coming from the capital account he separates each project into an individual expenditure account – therefore all expenses for a specific project are separated. He will attach the normal dead end sign to the street signpost, but based on the fact that there is a turnaround at the end of the public road (town plow trucks turn around there) it will not say "no turnaround".

Commissioner Doughty replied to Mr. Bates question on the intersection transition by stating that it will shimmed.

**Parker Head Corner:** Commissioner Doughty stated that Rob Prue, from Pine Tree Engineering, met with him and Les Smith on site and will provide a cost estimate for the design.

**Fort Baldwin Road:** Commissioner Doughty reported that he needs to start something soon, but it is hard to work on road while construction trucks are traveling on it (building Sam White's house). He will have to close the road down for several days.

**Sam Day Hill Road:** Commissioner Doughty needs to add more gravel to the culvert area, shim, add rip rap and guardrails. He will try to accomplish this before winter.

3. Meet with Peter Roberts, Town Landing Committee Chair, to discuss the power line at Meadowbrook Boat Ramp and other related issues.

**Meadowbrook Landing Utility Wires:** Mr. Roberts reported that there is an ongoing issue at the Meadowbrook Boat Landing concerning the utility lines crossing the ramp entrance. He explained the current routing of the lines. When the ramp was built in 1998 the Selectmen at that time choose not to run the utilities underground. However the CMP wire was raised higher on the pole. Since that time Comcast and Verizon have added cables to the pole and they are hanging much lower.

The options are to: (1) Do nothing; (2) Run the utilities underground,

which would be very expensive because you would have to rip up paving, blast ledge, and pour concrete; and (3) Run new line to another existing pole and from there to a new pole. CMP has quoted a cost of over \$5,000, Verizon will wave all costs, and there has been no information back from Comcast. CMP will not do anything until the Town proves that it has the legal right (right of way) to put the new pole in. Mr. Roberts stated that in his opinion, the wires shouldn't be there. Other Committee members recommended just installing signs that warn of the low wires. If the new pole is installed and the wires are moved he expects some complaints from a house on the hill because the occupants will be looking at wires.

Selectman Douglass stated that we need to check the right of way before a decision can be made. Administrator Young replied that we could have a survey done if we can't find anything on file. Mr. Roberts added that there is \$7,000 in the Town Landing account which could be used for the project if needed.

**Popham Wharf:** Mr. Roberts reported that the Town Landing Committee is requesting that the Selectmen send a letter to the people who leave their lobster boat on the Popham Wharf beyond the legal time limit. Ice on the Kennebec is an issue every year and they need to make alternative plans like everyone else. Administrator Young will discuss this issue with the Harbormaster, review past Selectmen's minutes on the subject, and contact the Town's Attorney.

**Landing Repairs:** Mr. Roberts reported that the Town landing Committee voted to accept the estimates from the Road Commissioner to do some work on Cat Cove (\$1,000) and Meadowbrook Landing (\$1,300).

4. Meet with Richard Miner to discuss the possibility of having an annual town meeting warrant article for the sale of town owned land located on Atkins Bay Drive (Map 013, Lot 048).

Mr. Miner owns three lots on Atkins Bay Drive (Map 013, Lots 47, 49, and 50). Lot 48 had been foreclosed on by the Town years ago and borders his property on three sides. He states that it is a burden having this Town owned lot in the middle of his property.

Administrator Young reported that there is no apparent right of way from this lot to the shore. Mr. Miner added that the lot is very steep and is thick with trees – so is not much good for anything. The Shellfish Harvesters that clam on Atkins Bay actually park on his property for access – which he has no problem with.

Administrator Young reviewed the policy developed by the Selectmen on March 12, 2003 for the sale of Town owned property. This requires the Selectmen to inform interested Committees/Commissions, have Town Meeting approval, and go through a bid process.

The Selectmen asked that the Assessing Agent provide an assessed value estimate based on whether the Code Enforcement Officer considers the lot buildable. Administrator Young will arrange a meeting with the Chairs of the Conservation Commission, Town Lands Management Committee,

**Shellfish Committee, and Town landing Committee.**

5. Meet with Gary Morong concerning reimbursement for cell phone and mileage.  
**Selectmen authorized Mr. Morong to receive \$50.00 a month for cell phone reimbursement (\$25.00 from the EMA account and \$25.00 from the CATV account). Also, he is to receive mileage reimbursement from whichever department he is traveling for.**

**III. New Business**

1. Discuss recommendation for School Union/Bath Consolidation warrant article and sign warrant.

**Selectman Douglass gave a recap of the previous joint Public Hearing. He felt that the consolidation was being forced on the municipalities and there is a lot of missing information. He was concerned that the voting districts had yet to be established and that there would be a loss of school choice above grade 6. He added that the towns would have to absorb Bath's annual school debt of 700,000 next year and there was not a lot of info on the State's school consolidation plan. The towns would be giving up ownership of their schools and the schools could be closed if enrollment drops. The good part of LD1 is that the funding formula is based 1/3 on population, 1/3 on student enrollment, and 1/3 on valuation – which is more fair to coastal towns than basing the formula on valuation alone (like the County Tax and the State's school consolidation plan). He also stated that if LD 910 passes we would have to have another vote later to allow Wiscasset to join if they so desire. Selectman Douglass also mentioned the Governor's jail plan**

**Administrator Young stated that the Phippsburg School Board is not making a recommendation on this issue.**

**Selectmen Pye agreed with Selectmen Douglass. There is not a lot of positive in LD 910.**

**Peter Roberts asked if the Selectmen were aware that there is a petition circulating to repeal the Governor's school consolidation plan. The Selectmen responded that they were not aware of it.**

**Selectman Perkins stated that there was poor representation at the Public Hearing and he felt that LD 910 would have been more thoroughly planned if the Governor's plan was not imminent. This local plan (LD 910) has been worked on in one fashion or another for over 10 years. He would recommend LD 910 over the Governor's plan.**

**Selectmen voted (3-0) to approve the Town Meeting warrant with "No Recommendation" listed under the LD 910 article.**

2. Review letter to accompany tax bills.

**Reviewed and approved.**

3. Discuss vacancies on the PACTV Committee.

**There are currently two openings. John Herrigel and Sue Jones have resigned. No further action taken.**

4. Review CDBG grant information.

**Selectmen Douglass stated that Phippsburg does not qualify for the grant programs because of the low income criteria (statistics show that the**

**average personnel income in Phippsburg is above the required limit).**

5. Review monthly Transfer Station report.

**Reviewed. No further action taken.**

#### **IV. Correspondence**

1. Letter from The Nature Conservancy concerning Basin Preserve conservation easements.

**Selectman Douglass read a letter from Nancy Sferra (The Nature Conservancy). They stated that they would be placing conservation easements on the Basin Preserve, but it would take several years to complete the process. They also stated in the letter that they had sent \$10,000 as a donation to offset the loss in tax revenue.**

**Selectman Perkins stated that they paid approximately 1/3 of what was paid last year for taxes on the property by the prior owner. They really don't have to pay the Town anything because the property is exempt from real estate tax. At a prior meeting the payment in lieu of taxes was discussed and although TNC didn't offer to pay more, the agreement was changed to allow an annual review of the tax exempt status and payment in lieu of taxes. He added that TNC is still inventorying the Basin Preserve.**

2. Letter from the Phippsburg Land Trust concerning the annual easement monitoring visit to Totman Preserve.

**Administrator Young read the letter. The Totman Preserve conservation easement held by the Phippsburg Land Trust requires an annual routine monitoring visit. The Selectmen were invited to attend.**

3. Letter from Kai Jacob requesting that the Selectmen reconsider their decision made on October 3, 2007 concerning his consensual penalty and required corrective action for violations of the Shoreland Zoning Ordinance.

**Selectman Douglass stated that he was not in favor of changing the prior decision made by the Board of Selectmen. He requested that Lee Rainey (CEO) contact Mr. Jacob to obtain his written agreement to the consensual penalty and required corrective action. Mr. Rainey should also negotiate a reasonable time frame for compliance with the agreement. The agreement is then to be reviewed and approved by the Board of Selectmen.**

**It was a consensus of the Selectmen that the original decision stands and will not be reconsidered.**

#### **V. Courses and seminars**

1. MMA Personnel Practices

**No one will attend.**

#### **VI. Public Forum**

1. Ashley Thayer

**The CATV Committee needs volunteers for taping. It takes about 1/2 hour for instructions.**

**VII. Selectmen/Administrator Comments and Announcements**

1. Administrator Young  
**Announced upcoming events.**

**VIII. Adjournment - Selectmen voted (3-0) to adjourn at 8:02 p.m.**