

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:  
SELECTMEN'S MEETING  
John M. Young MINUTES  
Administrator January 2, 2008

*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.  
**All items reviewed and signed**

**II. Meetings and Hearings:**

1. Meet with the Historic Preservation Commission to discuss the "Murphy House" and "Historic Preservation Ordinance".

**Orman Hines, Merry Chapin, and Helen Webb were present from the Commission.**

**Historic Preservation Ordinance: Administrator Young stated that he had given copies of the proposed ordinance to the Planning Board and Land Use Ordinance Committee for their review. He recommended that the final product be brought before the Town through public hearings and town meeting vote at the same time as the updated Land Use and Shoreland Use Ordinances. Lee Rainey, CEO, stated that the Ordinance Committee had a deadline date of July to complete the re-write of the Shoreland Zoning Ordinance. He added that they have a push on to get the ordinances completed and are meeting every week.**

**Selectman Douglass asked what the procedure was for Historical Districts and Landmarks. A member of the Commission replied that having a house designated as a "Landmark" would require permission of the owner and Town approval. Selectman Douglas recommended that the required signatures (six or more residents) on the petition for this action not be those of Commission members. He also recommended that the Planning Board and Land Use Ordinance Committee notify the Commission when they are going to review the Historic Preservation Ordinance.**

**Helen Webb stated that she didn't know if the Historic Preservation Ordinance was going to be part of the Land Use Ordinance or free standing so there were a few blanks in it.**

**Murphy House: Merry Chapin, Historic Preservation Commission, explained that she had received an e-mail from Cindy Carney who was willing to keep the building on her property for a year if CEO Lee Rainey approved it (Selectmen also had a copy of the e-mail). Ms. Carney would like to obtain a grant and get children involved with the restoration of the building. Ms. Chapin added that the building is very important to the heritage of Phippsburg and feels that it is worth saving.**

Orman Hines stated that the Commission took a vote and four of the five members present were in favor of demolishing the building. One person was neutral and one was in favor of saving it. He added that the Town may end up in this same situation again if the building is moved somewhere temporarily. The Commission needs input from the Selectman because the building is in bad shape and needs to be removed from the trailer. Some money will have to be spent on the building to get it off the trailer. Maybe George Bowker and other volunteers could help.

Selectman Perkins replied that there is a reprieve because Warren Doughty does not need his trailer until spring. He added that Lee Rainey had taken photos of the building; it is in very bad shape and would take a lot of work to put back together. He added that the Malaga Island move did not materialize.

Selectman Douglass stated that when he, Proctor Wells, and Mike Rice were on that Board they had voted to place it across from the Transfer Station. If the Commission does not come up with a viable solution by spring that still remains the alternative. We also have to decide if there is enough money to fix it up enough to move.

Helen Webb said that she had concerns that the building would be vandalized across from the Transfer Station and she would like to find another alternative. Selectman Douglass reiterated that in the spring the building will either be demolished or moved to the property across from the Transfer Station if no other alternative is found.

Selectman Perkins agreed with Selectman Douglass that they would look at other alternatives, however in the spring they will have run out of options. He also added that he was not in favor of another temporary location (referring to Ms. Carneys offer).

Mr. Hines requested that Mrs. Chapin be given one month to look at other solutions and then apply for a demolition permit if there is no resolve.

Selectman Douglass recommended that the Commission start identifying people who may be interested in having future historic buildings put on their property. He reiterated once more that the Commission has until spring to find a viable location for the building, if they fail then it will either be demolished or relocated to the town-owned property across from the Transfer Station at the Selectmen's discretion.

### **III. New Business**

1. Accept a \$14,000 donation to the Fire Department from Richard Hatch.

**The Selectmen voted (3-0) to accept the donation and place it in the Fire and Rescue Equipment Capital account.**

2. Review a "Freedom of Information Access" request from Josh Bate for access to all Town e-mails over the past year.

**Administrator Young reviewed the request. Mr. Bate was asking to be allowed to review "all town e-mails, sent and received, over the last year". The Administrator clarified that this was a very broad request requiring access to e-mails from all Town employees (Administrator, Police Chief,**

CEO, Assessing Agent, Tax Collector, Librarian, and CATV Manager). He had contacted the Town Attorney and MMA to see if, in their opinion, the request was too broad. The opinion of both was that it was specific enough under the FOIA Statute. Administrator Young added that it would take an inordinate amount of time because everyone would have to review their e-mails to separate those that do not fall under the FOIA. The Town would recoup \$10.00 per hour (after the first hour) of time involved, but that doesn't begin to cover the lost wages to the Town – he alone has between 800 and 1,000 emails a month. He recommended that the custodians of the records work at this request as their schedules permit and e-mail the e-mails to Mr. Bate. He added that he had requested an estimate of the amount of time that each custodian would take to comply with Mr. Bates request so that the fee could be collected up front (as allowed by the statute) prior to the process being started.

Selectman Perkins stated that he had been informed that this request had come in and we would deal with it the best we can.

#### **IV. Correspondence**

1. Comcast notice.

**An update on price adjustments was read.**

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

1. Administrator Young: **Announced upcoming meetings and events.**
2. Selectman Douglass: **Announced that flu shots were still available through Sue Jones.**

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

1. Comments from Josh Bate

**Mr. Bate stated that from 2006-2007 the Town had no record of receiving donations for the Fire and Rescue Departments and from 2007-2008 they only had records that they received the one he gave for \$26.00 and the one accepted tonight for \$14,000.00 from Mr. Hatch. Ashley Thayer stated that she had given a donation and had a receipt for it. Selectman Perkins said that he would look into it.**

**Mr. Bate stated that he would refine his request for e-mails (see item III. 2. above) and that he did not want those he requested e-mailed to him because he did not want his business e-mail account being spammed. Selectman Perkins replied that Mr. Bate could work out the details with Administrator Young.**

**Mr. Bate stated that the Town has spent over \$5,000.00 in legal fees on the Mclanathan bequest, part of which is for mediation. He complained that his access to the Town's attorney records have been blocked and it has not been a public process. Selectman Pye replied that the Mclanathan bequest will be a town meeting issue and Selectman Perkins stated that everything is legal and above board.**

2. Comments from Doug Alexander

**Doug Alexander, Harbormaster and Shellfish Warden, asked if the Town had received any complaints about him. Administrator Young replied "none". Selectman Douglass asked that Mr. Alexander check with Police Chief Skroski concerning a possible change to the Town Landings Ordinance which would give him more responsibility for enforcement of the ordinance concerning dock and water access.**

VII. Adjournment

**Mr. Bate continued to raise his hand to be recognized and he was informed by Selectman Perkins that this was the Selectmen's meeting and Mr. Bate was not going to monopolize it. Mr. Bate commented that this was illegal. The Selectmen voted (3-0) to adjourn at 6:39 p.m.**