

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:
SELECTMEN'S MEETING
John M. Young ADMINISTRATOR
Administrator MINUTES
June 10, 2009

Meeting convened at 6:00 p.m. at the Town Hall with Selectmen Douglass, Perkins and Pye in attendance. Selectman Douglass had to leave at 6:30 p.m.

I. Meetings and Hearings:

1. Meet with Richard Hornbeck, Town Attorney, to take appropriate action concerning the McLanathan Estate.

Based on the action of the Town of Phippsburg in Article #2 of the Special Town Meeting held on January 9, 2008, the Selectmen took the following actions:

- a. **Selectman Perkins made a motion to approve, agree to and accept the order of distribution (attached) and accounting (draft attached, final accounting to follow). Selectmen voted (3-0) in favor of the motion. It was explained that the accounting is a draft because interest and other figures will change up until the time the transfer of assets takes place.**
- b. **Selectman Perkins made a motion to accept the bequest of the rest, residue and remainder of the Estate of Jane F. McLanathan. Selectmen voted (3-0) in favor of the motion.**
- c. **Selectman Perkins made a motion to authorize the transfer of the funds from the Estate of Jane F. McLanathan to the McLanathan-Phippsburg Fire and Rescue Fund, Inc. Selectmen voted (3-0) in favor of the motion.**
- d. **Selectman Perkins made the motion to authorize Selectman Alan B. Douglass or Town Attorney Richard L. Hornbeck, on behalf of the Town of Phippsburg, to accept the bequest, ratify and approve the distribution and accounting, transfer the funds to the McLanathan-Phippsburg Fire and Rescue Fund, Inc. and take any other actions to complete the transfer of funds from the Estate of Jane F. McLanathan to the McLanathan-Phippsburg Fire and Rescue Fund, Inc. Selectmen voted (3-0) in favor of the motion.**

Roy Clark, President of the McLanathan-Phippsburg Fire and Rescue Fund, Inc. stated that he had spoken to the Corporation's attorney and that everything should be in order by the end of June for the transfer of assets. Selectman Perkins replied that it has been a long haul and everyone has done a lot of hard work to see this through.

2. Meet with Laura Sewall to review the Annual Morse Mountain report.

Laura Sewall (Bates-Morse Mountain Conservation Area Director) and David Scobey (Harward Center Director) met with the Selectmen and gave an overview of the activities at the Bates-Morse Mountain Conservation

Area for last year (see attached report). A copy of the report is available for review at the Town Office and will be linked to the Town's Website.

Ms. Sewall stated that she would keep the Town apprised of their ongoing battle with purple loosestrife and, at the suggestion of Selectman Perkins, will be contacting the Phippsburg Sportsman's Association and visiting people at the Center Store to gather information on what hunters and trappers have experienced on the Conservation's land.

Tom Totman asked what the policy was on people walking across the Shortridge property to Meetinghouse Pond. Ms. Sewall replied that foot traffic was fine – but not motorized traffic (i.e. snowmobiles and ATV's).

Selectman Perkins told Ms. Sewall that Phippsburg was lucky to have her as the Conservation Area Director.

II. Unfinished Business

1. Sign appointments to the Cable Franchise Committee.

At the Selectmen's meeting of May 27, 2009 Gary E. Morong, Troy A. Watson and Leif E. Albertson were appointed to 2 year terms on the Cable Franchise Committee. The appointment certificates were signed.

III. New Business

1. Consider appointing Dana Mclean and Robert Reyes to the Conservation Commission.

Selectman Perkins stated that after reviewing the applications submitted by Mr. Mclean and Mr. Reyes he felt both were excellent candidates for appointment. The Selectmen voted (2-0) to appoint Mr. McLean to the Conservation Commission for a 5 year term and Mr. Reyes for a 4 year term.

2. Consider the appointment of Philippe W. Pelletier as Animal Control Officer.

Administrator Young explained that the position had been re-advertised and the open period was supposed to extend until June 19th. However, since there was a three day Animal Control Officer course starting on June 15th, and Mr. Pelletier was recommended by both Chief Skroski and ACO Alexander, he recommended that the Selectmen consider Mr. Pelletier for the position and close the application period.

The Selectmen reviewed Mr. Pelletier's application and restated that he was recommended by Chief Skroski and that ACO Mark Alexander felt comfortable turning the position over to him. They also noted that Mr. Pelletier was readily available to respond to calls and had experience with all types of animals. The Selectmen voted (2-0, Selectman Douglass was not present) to approve the immediate appointment/hiring of Mr. Pelletier as the Town's Animal Control Officer.

The Selectman thanked ACO Mark Alexander for the outstanding job he has done.

IV. Selectmen/Administrator Comments and Announcements

1. Administrator Young

Administrator Young announced upcoming meetings and events.

V. Review and Sign:

1. Accounts payable and payroll warrants.
2. Minutes

Selectmen voted (2-0) to approve the accounts payable, payroll warrants, and minutes.

VI. Adjournment - Selectmen voted (2-0) to adjourn at 6:59 p.m.

MOTION:

Based on the action of the Town of Phippsburg in Article 2 of the Special Town Meeting held on January 9, 2008, the Selectmen hereby vote:

1. To approve, agree to and accept the order of distribution (attached) and accounting (draft attached, final accounting to follow).
2. To accept the bequest of the rest, residue and remainder of the Estate of Jane F. McLanathan.
3. To authorize the transfer of the funds from The Estate of Jane F. McLanathan to the McLanathan-Phippsburg Fire and Rescue Fund, Inc.
4. To authorize Alan B. Douglass or Richard L. Hornbeck, on behalf of the Town of Phippsburg, to accept the bequest, ratify and approve the distribution and accounting, transfer the funds to the McLanathan-Phippsburg Fire and Rescue Fund, Inc. and take any other actions to complete the transfer of funds from the Estate of Jane F. McLanathan to the McLanathan-Phippsburg Fire and Rescue Fund, Inc.

VOTE:**Attachments:**

1. Order of Distribution
2. Accounting (draft)

STATE OF MAINE

COPY

PROBATE COURT
LINCOLN COUNTY

Location: Wiscasset
Docket No. 2004-351-2

Estate of Jane F. McLanathan a/k/a Dorothy
Jane McLanathan

Deceased

)
) ORDER OF COMPLETE SETTLEMENT
) UNDER 18-A M.R.S.A. § 3-1001 or § 3-1002
)


Upon the petition of the Estate of Jane F. McLanathan a/k/a Dorothy Jane McLanathan, Elena D. Vandervoort, individually, the Inhabitants of the Municipality of Phippsburg and the McLanathan-Phippsburg Fire and Rescue Fund, Inc. and after hearing or opportunity for hear, the Court finds:

1. That the Petitioners have presented a compromise agreement to this Court for approval under the provisions of 18-A M.R.S.A. § 3-912 and § 3-1101 and directing distribution of the Estate pursuant to § 3-1102.
2. The Court approves said compromise agreement as set forth in the Petition and directs the Personal Representative to transfer any Walgreen Stock currently held in the name of the Estate to the surviving Personal Representative; directs that any shares of Walgreen Stock held in constructive trust by the surviving Personal Representative or the proceeds of same in the event of any liquidation also be distributed to the surviving Personal Representative with the surviving Personal Representative transferring said stock or the proceeds thereof in the event of liquidation to the trustee of the Vandervoort/McLanathan Charitable Remainder Unitrust and after the payment of all debts and expenses of administration,

distribute the balance of the residuary estate to the McLanathan - Phippsburg Fire and Rescue Fund, Inc.

- 3. The Order dated Aug 13, 2008 is incorporated in the docket by reference. This entry is made in accordance with M.R.C.P 79(a) at the specific direction of the Court.

Dated this 13/08 day of August, 2008



 Judge of Probate

**Jane F. McLanathan Estate
First Accounting
From November 19, 2004 to December 31, 2008**

Summary of Account

		Fiduciary Acquisition Value
Estate inventory, November 18, 2004	Schedule 1	1,856,454.45
Income received	Schedule 2	191,004.65
Expenses	Schedule 3	(84,164.13)
Distributions to beneficiaries	Schedule 4	(929,460.25)
Estate inventory, December 31, 2008	Schedule 5	----- 1,033,834.72 =====

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**Jane F. McLanathan Estate
Inventory
November 19, 2004 (date of death)**

SCHEDULE 1

	Fiduciary Acquisition Value
Real Property	
Land and building, Phippsburg, Maine	735,000.00
Intangible Personal Property	
First Federal Savings & Loan Association, checking account	4,441.61
Walgreen Company	694,487.00
Prime Fund, Capital Reserves	136,539.00
Kinder Morgan Energy Partners	9,138.00
Household Finance note, 7.75%	10,035.00
Greenwood Trust certificate of deposit, 7.1%	30,446.00
John Hancock US Global Leaders Fund	15,120.00
Accrued dividends and interest	1,636.00
Royalty interests, oil and gas, author	3,450.00
Tangible Personal Property	
Reference books	2,400.00
Paintings	11,500.00
Jewelry	1,000.00
Antiques, furniture, furnishings and other tangible property	199,050.00
Accrued refunds, insurance and taxes	2,211.84
Total Inventory as of November 14, 2004	1,856,454.45

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**Jane F. McLanathan Estate
First Accounting
Income Received from November 19, 2004 to December 31, 2008**

SCHEDULE 2

Interest income

First Federal Savings & Loan Association	412.76
Greenwood Trust, certificate of deposit	441.25
Household Finance note	129.16

Dividend income

Walgreens Company	8,005.67
Prime Fund and Fidelity money market accounts	111,717.42
John Hancock Global Leaders Fund	37.68
Royalties, oil and gas, author	1,113.10

Other

Insurance refunds	139.16
Tree farm	4,931.54

Gain (loss) from sale of assets

	Proceeds	Date of Death Inventory	
Real estate, Phippsburg, Maine	800,000.00	735,000.00	65,000.00
John Hancock Global Leaders Fund	14,997.43	15,120.00	(122.57)
Kinder Morgan Energy Partners	8,818.48	9,138.00	(319.52)
Household Finance note, 7.75%	10,000.00	10,035.00	(35.00)
Greenwood Trust certificate of deposit, 7.1%	30,000.00	30,446.00	(446.00)

191,004.65

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**Jane F. McLanathan Estate
First Accounting
Expenses Paid from November 19, 2004 to December 31, 2008**

SCHEDULE 3

Debts of the decedent

American Express credit card	346.64
Home health nursing services	300.00
Medical supplies	87.78
Federal income tax, 2004	566.60
Maine income tax, 2004	173.35
Cable television	48.43
Legal, Peter Vandervort, Esq.	12,000.00

Real estate expenses

Electricity	4,199.89
Telephone	579.28
Security system	586.90
Yard work	900.00
Cleaning	909.69
Tree farm expenses	700.00
Property taxes	3,334.60
Plumbing	100.00
Survey update	832.75
Insurance	694.60
Expenses related to sale of real estate	3,620.00

Estate administration expenses

Registry of probate fees	686.00
Storage fees	442.95
Funeral	1,723.00
Appraisal, tangible personal property	1,170.00
Appraisal, real estate	1,100.00
Expenses associated with disposition of tangible property	4,576.75
Fee, lost stock certificates	3,255.96
Legal	6,672.00
Accounting	3,265.00
Maine estate tax	30,680.46
Other expenses	611.50

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Total expenses

84,164.13

**Jane F. McLanathan Estate
First Accounting
Beneficiary Distributions from November 19, 2004 to December 31, 2008**

SCHEDULE 4

	Fiduciary Acquisition Value
Elena Vandervoort, Walgreens Company stock	694,487.00
Elena Vandervoort, other tangible personal property	197,473.25
Michael Talbot	10,000.00
The British Home	15,000.00
Bowdoin College, reference books	1,000.00
Chicago Art Institute, paintings	11,500.00

929,460.25

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**Jane F. McLanathan Estate
Inventory
December 31, 2008**

SCHEDULE 5

Real Property	0.00
Intangible Personal Property	
First Federal Savings & Loan Assoc, checking account	5,379.74
Fidelity Money Market Account	1,014,551.01
Prime Fund - Capital Reserves	1,134.43
Royalty interests, oil and gas, author	3,450.00
Receivable, Maine Revenue Services (estate tax)	9,319.54

Tangible Personal Property **0.00**

Total Inventory as of December 31, 2008	1,033,834.72
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