

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:  
SELECTMEN'S MEETING  
John M. Young MINUTES  
Administrator September 2, 2009

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

**I. Meetings and Hearings:**

1. Meet with Dale Jacobs concerning a violation of the Phippsburg Animal Control Ordinance due to his dog running at large.

**Meeting was held with Mr. Jacobs, Philip Pelletier (ACO), and Police Chief Skroski. Mr. Jacobs had been cited for his dog running at large and causing a nuisance on 8/10/09 which is in violation of the Phippsburg Animal Control Ordinance adopted on May 1999 as amended through May of 2002 section 6. (Running at large) and section 16. (Nuisance). Administrator Young had provided the Selectmen a packet that included the violation letter and statements/photos from several neighbors.**

**Selectman Douglass reviewed the packet and read the definition of "running at large" and then read sections from the complaint letters. He stated that according to the statements Mr. Jacob's dog has been kicked off peoples porches, has been into garbage cans, chased cats and kids, as well as urinating and defecating on properties. When approached the dog bears it's teeth and the hair on his back stands up. It also appears this has been going on for quite awhile. He noted that this was actually the fourth violation, although it is the first time that the case has been brought before the Selectmen.**

**ACO Pelletier and Mr. Jacobs gave their verbal statements to the Selectmen. Mr. Jacobs asked if he could let his dog run unleashed during "training". ACO Pelletier replied that the dog must be kept on his property unless it is used for hunting or training and his dog running loose for hours in the neighborhood does not fall into this category. Selectman Perkins added that even when used for hunting the dog must be under control of the owner.**

**Selectman Douglass explained the consensual fine process and stated that the fine could be up to \$500.00. Selectman Pye added that this case was fairly straight forward.**

**Selectman Perkins felt that Mr. Jacobs had been repeatedly warned in the past and this was the fourth violation. He made the motion to assess a \$150.00 fine which was seconded by Selectman Pye. Selectman Douglass felt that the proposed fine was too high considering that this was the first time the violation has been brought before the Selectman. Motion failed (3-0). Selectman Perkins made a second motion for a \$50.00 consensual fine which passed (3-0).**

Chief Skroski stated that if Mr. Jacobs does not pay the consensual fine then a separate summons will be issued for the violation and the Town would have to hire its attorney to prosecute. Selectman Douglass added that if the case is decided in favor of the Town then Mr. Jacobs could be responsible for the fine and the Town's legal fees.

Selectman Douglass warned Mr. Jacobs that if there is another violation his fines will be increased and that he needs to keep his dog under control.

2. Meet with Philip Pelletier, Phippsburg Animal Control Officer, concerning feral cats.

ACO Pelletier explained that there is quite a problem with feral cats throughout Phippsburg and he has been receiving a lot of complaints. The main areas of concern are West Point (Seahorse and the old dance hall), Holland Drive (20+ cats), Pit Road, Clifford Road (28+ cats) and Morse Mountain (50+ cats). He added that some of the cats have feline leukemia. He reported that to remove these cats it costs his wage for trapping and transporting them to them to the Coastal Humane Society plus mileage reimbursement.

Selectman Douglass asked if the feral cats are destroyed and ACO Pelletier replied only if they are not viable for adoption (i.e. tested and found diseased).

Administrator Young gave a financial report of the Animal Control Accounts (operations and salary).

ACO Pelletier stated that a person becomes responsible for a feral cat if they feed it for more than 10 days. At that time the cat would be required to have a rabies vaccination.

Selectman Douglass asked ACO Pelletier to see if, under state statute, the Town could recover the costs of trapping/transporting feral cats from someone who has been feeding them for more than 10 days.

Selectman Pye asked ACO Pelletier and Chief Skroski to provide an estimate on how much the cost would be to deal with the feral cats and to come back to the Selectmen if they need more funding.

Selectman Douglass stated that the best way to solve the feral cat issue is to have the neighborhood help with checking traps and to put the pressure on people not to feed the strays. He recommended dealing with the individual complaints as they come in, but to wait until neighborhoods are willing to help before "wholesale trapping".

Chief Skroski asked ACO Pelletier how often he gets feral cat calls and he replied at least once a week if not more. Chief Skroski stated that the ACO position is only funded for 10 hours a week and one trip to Coastal Humane Society is 1 ½ hours round trip.

Selectman Douglass asked how many traps the ACO had and Mr. Pelletier answered that he had 5, of which 4 belong to the town.

Selectman Douglass stated that he did not have any great answers to the problem.

Administrator Young, who had left the meeting to answer the phone, came back and stated that he had just received a call from Leslie Hunter

who was watching the meeting on TV. She is on the Coastal Humane Society Board of Directors and had informed Administrator Young that they may be able to assist in providing traps and volunteers to remove feral cats. The Selectmen thanked Ms. Hunter and asked ACO Pelletier to contact her.

Tom Totman stated that this problem has been going on for years.

Selectman Perkins asked ACO Pelletier to provide the average cost per cat to remove the feral cats. ACO Pelletier replied that he would have the figure next week.

## **II. New Business**

### **1. Discuss metal removal at the Transfer Station.**

**Transfer Station Attendants Martha Smith and Russ Alexander were present for the discussion as well as citizen Brian Coffin.**

Administrator Young explained that Tim from Grimmels, who the Town has a metal removal contract with, had hired a person to remove the FREON from the refrigerators at a cost of \$585.00 and then when he arranged for pickup of the metal pile there was nothing worthwhile for them to get because the metal had been picked clean. Administrator Young told the company not to bother picking up the refrigerators at this time. He added that the company had lost money on this endeavor because of the costs for removing the FREON and mobilization of equipment.

Administrator Young stated that picking of the metal pile has been permitted in the past and has never been a problem; however now there are so many people picking the metal for resale that there is nothing worthwhile left for Grimmels. He added that last year the Town made over \$4,000 in revenue from the metal.

Martha Smith, Transfer Station Attendant, stated that when she had called Grimmels for pickup there had been a pile but it was stripped before their arrival.

Selectman Douglass stated that this was like the "thrift shop" which got out of hand. His understanding was that a person could get a part for a lawnmower or something from the metal pile but was unaware that people, other than the contracted company, were actually taking the metal for resale. He added that this was beyond the concept of "picking the pile". The other Selectmen agreed.

Selectman Douglass recommended an all out ban on picking the metal pile and Selectman Pye recommended that the Transfer Station Attendants have the discretion to allow someone to remove a part for a lawnmower or washer etc. – but not for commercial use.

Brian Coffin asked if a person gave him some metal at the Transfer Station if he could take it. Selectman Douglass replied that that this type of transaction should occur outside the Transfer Station.

Tom Totman stated that this had been a problem a few years ago and the Selectmen had stopped the wholesale removal of the metal. Martha Smith replied that the problem was back and Russ Alexander stated that the

policy had been lightened up by prior Selectmen. Selectman Douglass stated that as long as he has been on the Board they had not made any decision to allow wholesale picking. Administrator Young added that when he was hired to work for the town 13 years ago the policy was to allow picking of the metal pile with no limitations and to his knowledge the policy was never changed, however in light of the current situation something has to be done.

Selectmen decided to restrict the removal of metal from the Transfer Station except for items which someone might need to repair a washer, lawnmower, etc. and then only if the Transfer Station attendants gave permission. There will be no scrap-for-profit removal of metal once it enters the Transfer Station. Administrator Young will draft a policy for the Selectmen to review at their next meeting. The Selectman also authorized a reimbursement to Grimmels for the sum of \$585.00 for the FREON removal.

### **III. Department and Committee Reports**

#### **1. Police Department**

Chief Skroski stated that there has been a marked decrease in speeding and accidents in town. He mentioned that school was in session now and the school zone lights are on ½ hour before school starts and then on again until ½ hour after school ends. He added that even if the lights are not on there is a 15 mph speed limit when school children are present. The fine can be up to \$500.00 for a speeding violation in a school zone.

### **IV. Correspondence**

1. Review letter from Comcast concerning customer service improvements at Comcast.

Selectman Douglass read the bullet points to the public.

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

1. Administrator Young

Administrator Young announced upcoming meetings and events.

### **VI. Review and Sign:**

1. Accounts payable and payroll warrants.
2. Minutes

Selectmen voted (3-0) to approve and sign all items.

### **VII. Adjournment - Selectmen voted (3-0) to adjourn at 6.56 p.m.**