

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:
SELECTMEN'S MEETING
John M. Young MINUTES
Administrator March 18, 2010

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 Debra Hahn to review and sign a "Public Market Certificate".
Ms. Hahn needed a "Public Market Certificate" from the City of Portland signed which confirms that Ms. Hahn has a cheese business in Town. Selectmen reviewed and signed.

II. New Business

1. Consider the following Posted Roads issues:
 - A. Possible violation of Posted Roads Ordinance – David Koehling on 3/11/10 (Heron Cove Road).

Dave Koehling and Ted Gerow were in attendance. At approximately 8:00 a.m. on March 11th Police Chief John Skroski received an anonymous call reporting that there was a loaded logging truck traveling from Herron Cove Road (Town road) to Route 209 (State road). While responding he also received a call from Ronda Letourneau reporting the same violation. Since Herron Cove Road had been freshly paved he could not find any cracks with standing water. He met Ted Gerow on the corner of Fiddlers Reach Road and Route 209 and discussed the situation with him since he was involved with the logging operation. He also met with Ms. Letourneau and got her statement which is on file.

According to Chief Skroski the temperature at his house was 34 degrees at 8:10 a.m. and there was frost on his cruiser and the ground. Mr. Koehling and Mr. Gerow stated that the temperature was 21 degrees when they went to the site and when they left with the truck it was still below 32 degrees and the ground was still frozen. Mr. Koehling produced a weather report for Phippsburg from accutemp which showed the temperature at 8:00 a.m. as 30 degrees. It was unknown exactly where in Phippsburg that reading comes from. He also stated that it was 30 degrees at 8:00 a.m. when he was parked back at home.

Road Commissioner Curtis Doughty stated that at 6:55 a.m. the temperature was 27 degrees at his house and there was frost on his windshield and along the side of the road on Pitch Pine Hill.

Selectman Perkins stated that he had seen a heavy layer of frost at 8:00 a.m. and he found it hard to believe that it was muddy.

Selectman Douglass questioned if the temperature was above 32 degrees at the time the logging truck was on Herron Cove Road.

Selectman Pye opined that there was not enough evidence for the

violation and recommended that the Selectman go no further with this issue. He added that there was no standing water on the roads and no sign of mud on the driveways at the time of the alleged violation.

Selectman Douglass also recommended not proceeding any further because there was no standing water on the roads, no mud in the driveways, a 30 degree temperature at 8:00 a.m. according to accutemp – which was 25 or 30 minutes after the logging truck was moved, and no prior violations by Mr. Koehling.

Selectmen voted (3-0) to take no further action.

- B. Possible violation of Posted Roads Ordinance – Scott Dugas Trucking and Excavating on 3/11/10 (Small Point Road).

Chief Skroski reported that he received a call from Road Commissioner Doughty at 10 a.m. on March 11th that a truck with an excavator went from Small Point Road on to Club Road (Small Point Road turns into a Town road 35 feet prior to Club Road). A worker had noticed a posted road sign the day before and assumed the posting started at Club Road and thought it was alright to travel on that section of Small Point Road.

Commissioner Doughty stated that he uses Club Road as a reference point and always posts Small Point Road before its intersection with Club Road.

Selectman Perkins stated that he had received a call from Commissioner Doughty who said that he may have made an error on the sign posting. Selectman Perkins added that he wanted to bring the issue before the entire Board and in his opinion there was still a violation.

Selectman Pye stated that the posting could be fixed by changing the wording to explain that Small Point Road is posted starting 30 feet prior to Club Road. He added that in his opinion they should not enforce the possible violation on March 11th due to insufficient wording on the poster which needs to be made clearer as to whether it “includes” or “excludes” the 30 feet of Small Point Road prior to its intersection with Club Road.

Selectman voted (3-0) to take no further action.

- C. An exemption for Small Point Water Company (represented by Andy Hyland) for construction vehicles and delivery of water tower to Club Road.

Road Commissioner Doughty stated that he expects the roads to be posted for a week or two more because there is still water coming up through them. He added that there may be some cold weather coming in next week.

Mr. Hyland, volunteer president of the Small Point Water Company, explained that the old water tower was built in 1965 and they had scheduled the replacement to be delivered by December 28th so the installation could be done over the winter. The replacement tower is a 50 to 60 foot cylinder 18 feet in diameter. The problem was that the original design for the base was not adequate and they had to have a re-design completed which pushed the project from December to March. He added that the tower provides water for 50 seasonal households and a campground. 20 or 30 of the households will start using the water approximately May 1st. At this time the water tower is being loaded on a

truck for transport and they need to bring in concrete trucks to complete the foundation prior to the tower arriving and the entire project must be completed by the end of April.

Mr. Hyland asked about the possibility of constructing a temporary road joining Club Road with the section of State owned Small Point Road. Selectman Douglass replied that he might need a State entrance permit to do that which could take awhile.

Selectmen voted (3-0) to issue exemptions for the concrete trucks to run on the last 30 feet of Small Point Road before Club Road as long as a \$5,000.00 bond/check was posted with the Town in case of road damage. Also, Road Commissioner Doughty or Chief Skroski would inspect and photograph the condition of the 30 foot section prior to the trucks running and after they are completed. This exemption also included the delivery of the water tower. Administrator Young was authorized to sign the exemptions on behalf of the Selectmen once all the above conditions were met.

- D. An exemption for JP's Shellfish to pickup up quahogs from Clam Hunter Seafood on Clifford Road owned by Terry Watson

Terry Watson stated that local clambers have been harvesting quahogs in West Bath because the Town areas have been closed down so much. He added that he is losing more and more diggers because he is not able to purchase quahogs because the posted roads restrictions prohibit the JP Shellfish tractor/trailers from transiting Clifford Road and it is not profitable for him to use his smaller trucks (he only makes a penny a pound). If he was granted a reduced load exemption JP Shellfish would send an empty trailer and he would load approximately 3,000 pounds of quahogs on it which would make the gross weight about 24,000 pounds. They would run five days a week. He is trying to keep the local clambers working out of his shop until the regular flats open.

Selectman Douglass asked how the quahogs would be weighed and Mr. Watson replied that he estimates them by piece and he is hoping to be able to leave them in bags. They further discussed the process.

Selectman Douglass stated that this situation was the same as Purse Line Bait, who the town gives partial weight exemptions to, because quahogs would be considered a perishable product.

Selectmen voted (3-0) to issue a partial weight exemption for a maximum payload of 6,000 pounds.

2. Consider the appointment of Dean Doyle Jr. to the Town Landing Committee.

Selectmen voted (3-0) to appoint Mr. Doyle to the Town Landing Committee.

3. Consider appropriating up to \$700.00 for 60 U.S. Veteran Grave Markers for Town Cemeteries out of the Selectmen's Contingency Account.

Administrator Young explained that it was the Town's responsibility to place flags on the graves of war veterans for Memorial Day and if the Town provided the holders the VFW would provide the flags each year.

Administrator Young added that he and his wife Chilloa, who is a Cemetery Trustee, would be placing the flags this year. Selectmen voted (3-0) to spend up to \$700.00 out of the Selectmen's Contingency account for the holders.

4. Discuss the Selectmen's write-up for the Town Report.

Reviewed and approved.

5. Discuss the possibility of conducting a town-wide Agriculture Survey
Selectman Douglass discussed the possibility of conducting an agricultural survey of the Town to be included in the Comprehensive Plan. The other Selectmen were in favor of it.

III. Department and Committee Reports

1. Police Department

Chief Skroski reported that the State Police conducted a security audit concerning the Spillman Law Enforcement reporting software. He explained that Administrator Young and Ian Buglar (Buglar Network Resources, Inc.) would need to be fingerprinted and have background checks completed as well as taking an on line course because they have access to the terminal on which Spillman is installed. He added that this was an unfunded mandate.

IV. Courses, Meetings, and seminars

1. Board of Assessment Review Workshop on Weds, April 7th.
Administrator Mike Young, Marie Varian (Assessing Field Worker) and Juanita Wilson (Assessing Agent) will attend.

V. Selectmen/Administrator Comments and Announcements

1. Administrator Young
Administrator Young announced upcoming meetings and events.
2. Selectman Pye
Selectman Pye thanked Jim Totman, Rick Albertson, Jim Leverso, and Mike Young for their involvement in hosting the International Lobstermen "meet and greet".
3. Selectman Perkins
Selectman Perkins thanked the Budget Committee for their efforts this year as well as Administrator Young for assisting them. He added that the Committee did an excellent job.

VI. Review and Sign:

1. Accounts payable and payroll warrants.
2. Selectmen's Meeting Minutes
Selectmen voted (3-0) to approve and sign all the above.

VII. Adjournment - Selectmen voted (3-0) to adjourn at 7:17 p.m.