

Submitted by: TOWN OF PHIPPSBURG Approved by Selectmen:  
SELECTMEN'S MEETING  
John M. Young MINUTES  
Administrator June 30, 2010

*Meeting convened at 6:00 p.m. at the Town Hall with Selectmen Perkins, Pye and Read present.*

## **I. Meetings and Hearings**

1. Meet with Peter Roberts, Town Landings Committee, to discuss property ownership issues at the Cat Cove Landing and to discuss future plans for the Alliquippa Landing.

### **Cat Cove**

**Peter Roberts, Nick Nichols and Dean Doyle Jr. from the Town Landings Committee were present as well as Lester Anderson, property owner. The "land swap", which passed vote at the May annual town meeting, consisted of two parcels the Town was supposed to receive from Sig Roos and Ruth Rhode. Parcel #1 is the east corner of Cat Cove and Wallace Circle and parcel #2 is a section along Cat Cove Landing on the east side. This was supposed to be a foot for foot swap for Town owned property which the Roos/Rhode septic and section of their building are located on. This land swap would allow the Town to change the entrance corner (parcel #1) to allow a trailer to be backed down Cat Cove by traveling the correct way around Wallace Circle and would allow a straighter approach to launch a boat (parcel #2).**

**The Town had a survey completed by Ron Beal who agreed with the Roos/Rhode survey which indicated that Roos/Rhode owned parcel #1. Mr. Anderson had a survey done by Paul Babbidge which indicates that his wife Susan owns the land which includes parcel #1. The surveyors for both parties have written contradictory opinions of survey.**

**The Selectmen had asked Mr. Anderson if he and his wife Susan would be willing to issue a quit claim deed or easement to the town for parcel #1 (522 square feet) to go along with the Roos/Rhode quit claim deed so that no matter who owned the parcel the Town would have the rights to it. Mr. Anderson replied that he and his wife were not willing to do that but they might be willing to consider an alternative. He presented a diagram to the Selectman which showed a smaller area of parcel #1 (100 square feet) that they might be willing to negotiate for. Peter Roberts asked him how much money he wanted to sell the rights of parcel #1 for and Mr. Anderson replied that he and his wife were not willing to sell parcel #1 and did not want to be paid for the smaller section show on his diagram as long as they and the Town can come to an agreement. Mr. Anderson stated that he had a lawyer looking into the ownership issue on parcel #1 and he was given a copy of the most recent opinion from Surveyor Ron Beal which replies to Surveyor Babbidge's opinion.**

In reply to a question from Selectman Pye as to the payment of taxes on the property Mr. Anderson stated that he thought both he and Roos/Rhode have been paying taxes on the same property each year. He also stated that the town will have less width for the landing if the swap goes through. Mr. Anderson added that he has measured the road and the town will only have an 8 foot wide strip instead of the 10 feet it currently has.

Peter Roberts was in favor of going forward with the current land exchange with Roos/Rhode and having them sign a two sentence agreement that if the parcel #1 ownership issue is settled in favor of the Andersons that Ruth/Rhode will give additional property to the Town as part of parcel #2 so that the "foot for foot" exchange remains even. Mr. Roberts added that the town has very little shorefront access and he was not willing to let any opportunity to increase the amount of access go by.

Nick Nichols stated that parcel #1 is not really needed because people can continue to come around Wallace Circle the opposite way to launch boats. However, parcel #2 is very important because it will make it easier to swing a boat trailer (which is less than 8 feet wide). He added that if parcel #1 is removed from the swap that would mean the town would receive 822 square feet and Roos/Rhode would receive 1,344 square feet.

Mr. Roberts stated that if the Selectmen were going to forgo obtaining parcel #1 they should approach Roos/Rhode about increasing the size of parcel #2. Selectman Read was also in favor of an even swap. Administrator Young added that any change such in boundaries would require a survey and vote at town meeting which could occur in several months when the town votes on the acceptance of Basin property from TNC.

It was the consensus of the Selectmen that:

- A. It was not prudent to spend legal resources on such a small parcel of property (parcel #1) since the objective of better utilizing the landing could be achieved by just using parcel #2 and not bothering with parcel #1. Additionally, court action to resolve the ownership would not be in the best interest of those involved.
- B. The Town would no longer consider obtaining parcel #1. However, if the Anderson's would like to donate part of the parcel or grant an easement at a later date it would be considered then.
- C. Administrator Young would contact Roos/Rhode to arrange for another on site meeting to discuss the possibility of increasing the size of parcel #2 or decreasing the size of the parcel Roos/Rhode will receive to make it an even swap.

Selectmen voted (3-0) to table the issue.

### Alliquippa

Peter Roberts reported that he had a very productive on site meeting at Alliquippa Landing with representatives from DEP and Army Corps of Engineers. Lee Rainey (CEO), and Selectman Perkins were also present at the meeting. He explained that DEP would not allow him to extend the toe wall out as far as he wanted but a working compromise was reached. He

added that he couldn't speak for his whole committee but he was recommending that a vertical wall be built to stop the shore erosion rather than a 30 degree sloped wall.

Selectman Perkins stated that now that the allowed dimensions are known the Town needs to get the plans drawn up and submitted to DEP and the Army Corps for approval.

A bid process was discussed and the Selectmen determined that it was in the best interest of the Town to continue working with Linkel Construction because it was a small project and they did not want to prolong it. Also, Lance Linkel had submitted the original proposal to design and construct the wall. Mr. Roberts stated that he would be talking to Mr. Linkel in the morning and would get an estimate for the lesser design and construction. He added that the new plan would include a catch basin.

Mr. Roberts will brief the Selectman once he has an estimate of cost from Mr. Linkel.

## **II. New Business**

1. Selectman Perkins will brief the Board on the archeological findings within the Town's right-of-way on Fort Baldwin Road in Popham (Fort Saint George).

Selectman Perkins reported that the dig was going well and Dr. Jeffrey Brain has found the Fort Saint George foundry on Town property. It will take several months to clean up and categorize the artifacts found, which will be presented to the Selectmen. At that time the Selectmen will need to decide what to do with the artifacts (i.e. loaning them to the Historical Society). One issue to be faced will be the preservation of the iron artifacts because they will start to deteriorate once they are removed from the ground. Selectman Perkins mentioned the possibility of setting up an account to pay for the preservation. Selectman Pye replied that if it is decided to do this again the Selectmen will need to consider the unknown costs and he recommended discussing this issue with the Historical Society.

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

1. Administrator Young

**Administrator Young announced upcoming meetings and events.**

2. Board of Selectmen

**The Board of Selectmen wished Administrator Young a Happy Birthday.**

## **IV. Review and Sign**

1. Accounts payable and payroll warrants.

2. Minutes

**Selectman Read recommended not only approving, but signing the warrants and minutes during the meeting. Selectmen voted (3-0) to approve the above and sign them after the meeting.**

## **V. Adjournment - Selectmen voted (3-0) to adjourn at 7:19 p.m.**