

Submitted By:

Approved by Selectmen:

*Amber L. Jones*  
Amber L. Jones  
Administrator

**TOWN OF PHIPPSBURG  
SELECTMEN'S MEETING  
MINUTES  
June 13, 2018**

*GRR 7/11/18  
Cl 7/11/18  
py 7/11/18*

*The regularly scheduled Selectmen's meeting convened at 6:00 p.m. at the Town Hall, with Administrator Jones, Selectman Read, Selectman Mixon and Selectman Young present.*

**I. Adjustments**

*There were no adjustments to the agenda.*

**II. New Business**

1. Meet with owners of The Historic 1774 Inn, Sarah Dunagan and Stuart DeVan to discuss a business license violation.

*Code Enforcement Officer Lee Rainey mentioned the memo he sent to Ms. Dunagan and Mr. DeVan about the incident/violation with the film crew operating in the roadway in front of the at the Inn. He further stated that the only course of action was to bring it before the Board. Mr. DeVan explained that it was a small, independent film that took place mid-March. He was led to believe (by the film's legal counsel) that having a production on private property for a couple of days was permitted. Mr. DeVan feels that it was a big misunderstanding, as he was informed that the site manager had talked to the neighbors with respect to the lighting and blockage of traffic and understood if neighbors had any issues they would address him personally. He stated further that the weather turned the filming inside out: cones were placed along the curve of the road to protect people who were walking on the roads, but were then blocking plow trucks. The lights and cones were broken down as soon as he was contacted by the Town and he came in directly to discuss it with Code Enforcement.*

*Selectman Mixon asked if the police had been informed – the response was yes. Selectman Young asked Mr. DeVan if he had come before the Planning Board for any other type of permit. Marie Varian explained that they had come in for a change of ownership and during their meeting with the Planning board, what they could and couldn't do was explained. They did get permission to offer dinner to their guests which was an expansion on the prior business permit. Mr. DeVan stated that when they came to the Planning Board, they had not yet been approached about the film. It happened quickly and he and his wife were excited about supporting the project. They were misguided by the filming crew who told them that as long as it was on private property, no permits were necessary. Without the snow storm the entire movie was supposed to be inside, nothing outside. However, the snow storm came, the owners were away, and that is when the film crew crossed the boundary, extending beyond the property line into both the public ways.*

*Selectman Read stated that as land owners, Mr. DeVan should be aware of everything that has to do with the business.*

*Selectman Mixon stated it sounds like an honest mistake; unfortunately it did disrupt neighbors and plowing operations. Selectman Mixon asked Mr. Rainey what the fine range was for a violation such as this one. Mr. Rainey replied under the Statute its \$250 to \$2,500 per violation of the Ordinance. Every day that it continues, it is considered a new violation.*

*Selectman Young stated they can negotiate a consensual fine to avoid it becoming a court issue. Mr. Young stated that they normally start out at \$250, which was acceptable to Mr. DeVan.*

**Vote: Selectman Mixon motioned to fine the Historic 1774 Inn \$250 for the March violation, which was seconded by Selectman Young and passed by a vote of 3-0.**

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*OK 7/11/18*  
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*A 7/11/18*

2. Meet with Sidney Rogers to discuss an ongoing junkyard violation.

*Mr. Rainey gave the background of this on-going junkyard violation, which he has been attempting to bring resolution to for a few years. The DEP was called in, as there have been oil spills on the road and on the property. The DEP was on site in January and had a discussion with Sidney. Together the DEP and Code Enforcement gave him a deadline of April 2nd, for when everything needed to be cleaned up; a formal notice was sent shortly after. Mr. Rainey viewed the property in June and it still wasn't in compliance. Mr. Rainey is now out of enforcement options and turned it over to the Board of Selectmen to address.*

*Selectman Young asked if there was any effort made to clean it up. Some effort was made, but it is still loaded with oil tanks, tires, refrigerators, etc.*

*Mr. Rogers explained that this is an ongoing business and has been visited by Mr. Rainey every 3-6 months. Selectman Young asked Mr. Rogers if he had gone to the Planning Board for a business permit. Mr. Rogers has not. Mr. Rainey stated that he gave Mr. Rogers a Planning Board application as well as a copy of the state law on junkyards. Selectman Read said the first step is for Mr. Rogers to go in front of the Planning Board to see if he can establish a business. Marie Varian, Planning Board Chair, suggested that he fill out the Planning Board application for their next meeting, which may be July or August. The Board members may want to do a site walk; and there is always a public hearing for a new business application. A State License would have to be handled separately. Selectman Mixon stated that even if Mr. Rogers did have a business license, there are still some environmental concerns that need to be addressed. Selectman Young asked Mr. Rogers what his intentions were with the tires. Mr. Rogers said he had been bringing them down to the dump (he took six of them over the weekend). Selectman Young also asked if the Transfer Station would have record of when he brought the tires in. Selectman Young suggested that Mr. Rogers should plan on being on the next agenda for the Planning Board. In the meantime, he should be cleaning up the environmental hazards. Selectman Mixon pointed out that the Town has been at this point before. Selectman Young stated that the Town should see massive improvement within 30 days, as documented by Mr. Rainey, and asked if a list could be made of the environmental hazards to be taken care of within the 30 day period. Mr. Rainey said he could develop a list. If the clean-up doesn't occur within the 30 day period it will be turned over to the legal system. Selectman Mixon preferred to make the deadline August 1st and said if by August 1st it hasn't been completely cleaned up, the Town would be forced to hire a contractor to remove the waste on his behalf and this cost would be billed to Mr. Rogers.*

**Vote: Selectman Mixon motioned to give Mr. Rogers until August 1st to bring his property into compliance. If at that point, compliance has not been met, the Town will seek legal action to get the property cleaned up. Motion was seconded by Selectman Young and passed by a vote of 3-0.**

3. Consider accepting a donation of \$1,000.00 from the Estate of Bob Ridgewell for the Fisherman's Museum.

**Vote: Selectman Mixon motioned to accept the above donation, which was seconded by Selectman Young and passed by a vote of 3-0.**

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*Old 7/11/18*  
*Ch 7/11/18*  
*Ar 7/11/18*

- Reminder that committee appointment renewal confirmations are due June 20, 2018  
*Administrator Jones announced that she has received a lot of responses for committee appointment renewals that are due the end of this month. Have mostly heard from everyone so this is a gentle reminder that we need to hear from you and hope that you keep volunteering for us.*

- Election results

*Administrator Jones reported that the election results are posted on line. If you have any questions about the election results, kindly check on-line.*

*Selectman Mixon read the results aloud.*

*Selectman Read drew the name of Ken Regalia who won the raffle for the afghan for the Fire Department. They raised \$180.*

*Selectman Young mentioned for the veterans in town, the Legion Post is going to host a Veteran's BBQ on Saturday, June 23<sup>rd</sup>, at noon at the Sportsmen's Association. If any veteran's and their families would like to join us, we will have an awards ceremony especially for Vietnam War Vets. Please let Selectman Young know if you will be attending so he can prepare certificates. Selectman Young can be reached at 389-1086.*

*Selectman Mixon apologized for having no sound at the Selectmen's Meeting last week. The wrong microphone was turned on. The minutes will be posted on CATV.*

**IV. Public Forum:**

*Dot Kelly congratulated the people who ran the election here; it was busy which was nice to see. Thank you to those who came out to vote.*

**V. Review and/or Sign:**

1. Pole Permit - Northern New England Telephone Operations LLC, and CMP
2. Payroll and Accounts Payable Warrants
3. Selectmen's Meeting Minutes for May 9<sup>th</sup> and June 6<sup>th</sup>, 2018
4. Municipal Quit Claim Deed for David M. Coffin and Susan Y. Anderson (Map 031 Lot 66, formally owned by George C. Humphrey for tax lien years 1932, 1935, and 1936)
5. Municipal Quit Claim Deed for David M. Coffin and Susan Y. Anderson (Map 031 Lot 66, formally owned by Christine B. Dunning for tax lien years 1954, 1955, and 1956)

**Vote: Selectman Mixon motioned to sign the above. Selectman Young seconded all but the Selectmen Meeting Minutes for May 9<sup>th</sup>, which were seconded by Selectman Read. All passed by a vote of 3-0.**

**VI. Adjournment**

**Vote: At 6:42 p.m., Selectman Mixon motioned to adjourn into a Winter Road Workshop, which was seconded by Selectman Young and passed by a vote of 3-0.**

\* Winter Road Contract Workshop