

Submitted By:

Approved by Selectmen:

Amber L. Jones

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Administrator

**TOWN OF PHIPPSBURG
SELECTMEN'S MEETING
MINUTES
January 10, 2018**

01/24/18 JMH
01/24/18 GRR
1/24/2018

Meeting convened at 6:00p.m. at the Town Hall with Selectman House, Selectman Mixon, Selectman Read and Administrator Jones present.

I. New Business:

1. Develop an RFP for putting grinding services out to bid for brush and construction debris at the Transfer Station.

Selectman House explained that the Town is in the position of needing to bid out grinding services. Selectman Mixon prepared an Instruction to Bidders for this service and went through some of the expectations that will be outlined in the contract; the deadline for bids will be posted as of January 31st of 2018.

Vote: Selectman Read motioned to put the service out to bid (with amended instruction to bidders), which was seconded by Selectman Mixon and passed by a vote of 3-0.

2. Establish a plan of remediation for the broken beam at the Salt Shed and for the damaged utility shed next to it, and relay this plan to MMA Risk Management, by their deadline of January 18, 2018.

Road Commissioner Curtis Doughty explained that he had structural engineer, Mike Cunningham of Lincoln Haney Engineering, assess the cracked beam and that the utility shed next door can be replaced by another structure or a steel container.

Vote: Selectman Read motioned to take the necessary steps to get rid of the utility shed and build a suitable structure for the video camera and storage, and to wait on the response from the engineer on the Salt Shed beam, this was seconded by Selectman Mixon and passed by a vote of 3-0.

3. Consider appointing Sarah Duvan as an Alternate member of the Conservation Commission completing a 5-year term ending June 30, 2021, vacated by Margaret Bradford.

Dot Kelly spoke as acting Chair of the Conservation Commission to say that she has had communication with Margaret Bradford who confirmed she would not continue on the Commission and is aware a replacement has been found for the remainder of her term.


Vote: Selectman Mixon motioned to appoint Sarah Duvan to the Conservation Commission as an Alternate member to complete the term vacated by Margaret Bradford, which was seconded by Selectman Read and passed by a vote of 3-0.

4. Meet with Joseph Spear to consider his project estimate for welding at the Transfer Station.

Selectman House explained that Joe's estimate will be ready next week.

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Vote: Selectman Read motioned to table the discussion until next week, which was seconded by Selectman Mixon and passed by a vote of 3-0.

II. Selectmen/Administrator Comments and Announcements:

Administrator Jones reminded the public that the Town Office will close on Martin Luther King Jr. Day.

III. Public Forum:

Road Commissioner Curtis Doughty addressed the Board about putting a guardrail on Parker Head Road by Reed Cemetery. Updates forthcoming.

Dot Kelly spoke to the Board asking for support in the quest for more information particularly with Right Title and Interest of the steamship parcel as it applies to submerged lands. Dot mentioned that her intention (with appellants) is to apply for a permit to keep the pilings in place. In response to Dot's request for support, Assessing Agent, Juanita Wilson responded by saying: Submerged Lands comes under Title 12 § 1862 and § 1865 combined with Title 30 in which municipalities are a political subdivision of the State of Maine and comes with many layers of complexity as the concepts of ownership and interest in submerged lands goes back to the feudal system. She explained that Submerged Lands belong to the State of Maine and that any position the Town might have, is as a political subdivision of the State of Maine. When the appeal process started, we could have claimed our right to be informed as an interested party as a political subdivision. In terms of the unknown owner lot, (once owned by the steamship company) it was once a boardwalk used for public commerce. The fact that the boardwalk existed and was used for commerce raises the question, "Is there an implied embedded easement for public use?" Following up on this, via Title 30, as a political subdivision, may be the best avenue.

Selectman House expressed that she did not feel the Board had the right (to apply to Submerged Lands) to which Selectman Mixon explained that at this juncture Mr. Parker could legally pull the pilings. Selectman Read reminded the public that the Board had invited all related committees to come and comment on whether or not the removal of the pilings could be damaging, either by polluting the water or to the fishway. However not one committee member believed the pulling of the pilings would cause harm. Based on that, and the fact that the appeal process is complete, the Board will take no further action on the Popham pilings.

IV. Review and/or Sign:

1. Payroll and Accounts Payable Warrants
2. Selectmen's Meeting Minutes, December 27th and January 3rd

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*01/24/18 Jmt
01/24/18 ajr
1/24/2018 la*

Vote: Selectman Read motioned to sign the above, (Selectman House recused herself from Warrant 68) the motion was seconded by Selectman Mixon and passed by a vote of 3-0.

V. Executive Session

1. Per MRSA Title 36 Sections 841 (2) meet with applicant to consider a Poverty & Infirmity Abatement.

Vote: At 7:08 p.m. Selectman Read motioned to go into Executive Session, which was seconded by Selectman Mixon and passed by a vote of 3-0.

Vote: At 7:29 p.m. Selectman Read motioned to approve the Poverty & Infirmity Abatement, which was seconded by Selectman Mixon and passed by a vote of 3-0.

VI. Adjournment:

Vote: At 7:31 p.m. Selectman Read motioned to adjourn, which was seconded by Selectman Mixon and passed by a vote of 3-0.