

Submitted by:

Approved by Selectmen:

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Adele M. Suggs
Admin Asst

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**TOWN OF PHIPPSBURG
SELECTMEN'S MEETING MINUTES
February 24, 2021**

The Selectmen convened at 4:30 p.m. at the Town Hall to meet in Executive Session with Selectman Young, Selectman House, Selectman Mixon and Administrator Jones present and then reconvened at 5:02 p.m. for the regular business meeting.

- I. Meet in Executive Session per Title 30 M.R.S.A. 405 §6 A to conduct a performance review.
Vote: At 4:30 p.m. Selectman Young motioned to go into Executive Session per Title 30 M.R.S.A. 405 §6 A to conduct an employee performance review which was seconded by Selectman House and passed by a vote of 3-0.
Vote: At 4:54 p.m. Selectman House motioned to come out of Executive Session which was seconded by Mixon and passed by a vote of 3-0.
The regular business meeting convened at 5:00 p.m.
- II. Adjustments
Vote: Selectman Young motioned to remove New Business, Item #5, discuss the mechanics of incorporating the new Earned Paid Leave Law. He also would like to add under New Business, discussion of posting roads with Road Commissioner, Curtis Doughty and hear updates on the damage at Acre Lot Wharf by Selectmen Mixon who is chair of the Town Landings Committee. These adjustments were seconded by Selectman House and passed by a vote of 3-0.
- III. New Business
1. Discuss posting of roads with Road Commissioner, Curtis Doughty.
Mr. Doughty stated it's that time of year when the roads need to be posted. Roads will be posted effective Sunday night at midnight, 02/28. This means that any vehicle with a registered gross weight of over 23,000 pounds is prohibited from driving the roads unless they have an exemption certificate from the town or the roadways are solidly frozen. Administrator Jones will contact JBR Maine, Rick Varian and Kennebec Marine Services to let them know, and all other businesses will be notified either via e-mail or a phone call.
Vote: Selectman House motioned to post roads at 12:01 a.m. Monday, March 1st which was seconded by Mixon and passed by a vote of 3-0.
Vote: Selectman House motioned to allow JBR Maine, LLC, Rink Varian, and Kennebec Marine Services to run until Wednesday night, when the Selectmen can sign their exemptions, which was seconded by Mixon and passed by a vote of 3-0.
2. Updates on Acre Lot Wharf damage from Chris Mixon, chair of the Town Landings Committee.
Mr. Mixon stated that some damage to the Acre Lot Wharf was just brought to his attention; there are

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damaged and missing pilings. Kennebec Marine Services were down today to assess the damage. There are six pilings that need to be replaced. The amount of rubber tire marks that are left on the ramp probably played a part in the deterioration; there are rubber marks all up and down the ramp and wharf. Mr. Mixon would like to have the Selectmen consider closing the wharf to vehicle traffic, to avoid any further damage, by placing a boulder or Jersey barrier at the entrance; foot traffic is fine. This would be a temporary closure until the repairs can be made. There is also some 3" x 8" cross bracing that is afloat. Vehicles are traveling back and forth over the ramp at a high rate of speed and everything is bouncing and jumping. The support that ties the ramp to the bump out – one side is damaged as well. When Kennebec Marine Services pulled the ramp in December they stated the main piling was there so something has happened since then. Monies from Meadowbrook Landing were not used as they came in late, so there is money in the account to make some of these repairs. Mr. Mixon does not have a schedule but would like Kennebec Marine Services to get in there as soon as possible before people start putting traps out.

Vote: Selectman Mixon motioned to close Acre Lot Wharf to vehicular traffic and authorize the Road Commissioner to secure the entrance, which was seconded by Selectman House and passed by a vote of 3-0.

3. Consider accepting a donation of \$250.00 from Robert and Judith Winchester for the Phippsburg Community Garden.

Vote: Selectman House motioned to accept the above Community Garden donation which was seconded by Selectman Mixon and passed by a vote of 3-0.

4. Discuss changes to the Minor Maintenance job description.

Clearing of culverts and flagging as needed by the Road Commissioner will be removed under Overview of Position. Repairing/replacing of deck boards or railings will also be removed under Essential Duties. There are no further changes. This position will not just be for Town Hall but all municipal buildings. Administrator Jones will make sure that gets stated in the advertisement.

5. Consider the letter of resignation from William Foster from the Budget Committee.

Selectman Young received a resignation e-mail letter from Mr. Foster which he read aloud. In the Budget Committee Ordinance there is not restriction stating a board member needs to be a resident or taxpayer; this item needs to be considered for a possible change at Town Meeting. At this point, if Mr. Foster wanted to stay on he could. As far as replacing him, it's late in the budget process to bring someone else on. They have 7 members and they only need 4 to make a quorum. Would not consider this an emergency fill and take care of filling this position in June with all the other committee openings. Administrator Jones spoke with the Budget Committee Chair, Ed Toombs, and the only reason he would bring someone on is to observe the process if they are interested in running for the position. The consensus of the Board is that they will wait until June to fill this position.

Vote: Selectman House motioned to accept the above resignation letter which was seconded by Selectman Mixon and passed by a vote of 3-0.

6. Consider the renewal of a Seasonal Liquor License for Spinney's Restaurant.

Vote: Selectman House motioned to renew the above seasonal liquor license which was seconded by Selectman Mixon and passed by a vote of 3-0.

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7. Review upcoming non-monetary warrant articles.

Selectman Young prepared a list of the articles for the 2021 Town Meeting that he could remember and will add one for the Budget Committee if they are going to add a requirement that a member needs to be a resident or taxpayer. Administrator Jones will notify the Budget Committee about adding the residency and/or taxpayer restriction to the Ordinance and ask what their thoughts are on it.

IV. Unfinished Business

1. Reconsider strategies to maintain a safe and healthy work environment and public services in response to the pandemic Covid-19.

No action discussed or taken.

2. Discuss status of the abandoned vessel removal.

Curtis Doughty has a meeting tomorrow which will help figure out next steps. We have not had any response from the Town Attorney as of yet. The only question that Jessica is pursuing is what the impact will be with the boat being located in intertidal waters. There are a lot of abandoned vessels in Maine and the State asks for additional funding each year for a Submerged Lands Grant, but they are not getting it. There are limited funds with two grants. The one that hasn't been used yet is the HMI grant where the town would be eligible for \$15,000 of financial assistance with the town's cost share being 25% of the project cost; this is a rolling grant with no deadline. We would need to pay the removal expenses up front and then apply for this grant. This is going to be a budget issue. The Town would need to go before Town Meeting to raise the entire amount and then try to recoup the money from the State and the owner of the vessel.

V. Correspondence

1. Proposal letter from John McGough, Non Attorney Labor & Employment Consultant with Norman, Hanson & DeTroy, LLC for a revision of the Personnel Policy.

Administrator Jones has spoken with Mr. McGough and she's hoping the Selectmen will consider the value of what he has to offer.

Mr. McGough gave a brief bio of the 25 years of experience he has working with local, town and state government and has a broad range of experience in managing personnel. He has gone through the Personnel Manual and had discussions with Administrator Jones. For a reasonable price he can provide a red-line, tracked changes draft. The two items he is focused on is making sure the Town is in compliance and to assure that the written procedures mirror actual practices. Mr. McGough will show the draft to Attorney Bower to make sure it is legal at the state and federal level. Attorney Bower stated that he is happy to be working with Mr. McGough and feels that they can really help out the Town with the Personnel Manual and any other legal advice or challenges that the Town may face. The maximum cost for the review and draft is \$1,000. Discussion was held about which budget account the draft would be paid from. The board is in favor of paying for the draft to be done.

Vote: Selectman Young motioned to approve the funding of the rewrite/review of the Employee's Manual for up to \$1,000 from the Legal Account with Norman, Hanson and

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DeTroy LLC which was seconded by Selectman Mixon.

Turnaround time should be fairly quick. Mr. McGough will work with Administrator Jones on the changes the Board has already made to the policy and would recommend to include appendix language within the manual.

Motion passed by a vote of 3-0.

VI. Selectmen/Administrator Comments and Announcements:

Administrator Jones announced that nomination papers will be available on Monday, March 1st for two budget committee members, one selectmen position and Road Commissioner. The Administrator will post these on the website.

Selectman Mixon announced that as of Friday the Acre Lot Wharf will be closed to vehicle traffic, but will be open to foot traffic.

Selectmen House offered condolences to Bob Evans' family who passed away over the weekend and also Glennice Chambers' family, former resident of Parker Head who also passed.

Selectman Young announced that he will not be running for another term as Selectmen because he wants to spend more time with his family and travel. It was a difficult decision for him to make. He will also be absent from Town Meeting as he will be attending his Coast Guard son's Change of Command ceremony in Seattle and traveling across country with him. He does highly recommend that anyone wanting to run and submit nomination papers, sit down with a prior selectman and talk to them about what the job entails; it is not just weekly meetings - it is a team effort and takes time. Selectman Young will stay on board until elections which are being held after his term would normally end, but asks that Selection House take over as chair beginning the second week in May, as he did for Selectman Mixon the prior year, which she agreed to. Also a discussion will have to be had about which Selectman will replace him on the Phippsburg Land Trust and on the Comprehensive Plan Committee. The Administrator will also post this information on the Website.

VII. Review and/or Sign:

1. Payroll and Accounts Payable Warrants

Vote: Selectman House motioned to sign Payroll Warrant #83 and Accounts Payable Warrants #82 & #84, which were seconded by Selectman Mixon and passed by a vote of 3-0.

2. Selectmen's Meeting Minutes for February 17, 2021.

Vote: Selectman House motioned to sign the above meeting minutes which was seconded by Selectman Mixon and passed by a vote of 3-0.

3. Transfer Station Bid Package

Selectman Young asked if the other Board members had any further changes. Selectman Mixon has a couple minor changes that he was unable to forward to Selectman Young. If Selectman Mixon wants to forward them to Selectman Young this evening, he will get to them first thing in the morning prior to posting. Selectman Young will forward to Administrator Jones a list of companies that bid on the contracts last time so she can contact them and let them know the bid packages are available.

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Vote: Selectman House motioned to put the Transfer Station Bid Package out and available tomorrow, which was seconded by Selectman Mixon and passed by a vote of 3-0.

4. Group Dynamic, Inc. Administrative Service Agreement

5. Group Dynamic, Inc. Benefit Plan

These are for the new 125 Plan. There are two places that require Administrator Jones' signature. The Board will need to authorize her to sign.

Vote: Selectman House motioned to have Administrator Jones, sign on the Selectmen's behalf, the above Service Agreement and the Benefit Plan which was seconded by Selectman Mixon and passed by a vote of 3-0.

VIII. Executive Session

1. Meet in Executive Session per Title 30 M.R.S.A. 405 §6 A to conduct a performance review.

Vote: At 5:53 p.m. Selectman House motioned to go into Executive Session as per Title 30 M.R.S.A. 405 §6 A to conduct a performance review which was seconded by Selectman Mixon and passed by a vote of 3-0.

Vote: At 7:00 p.m. Selectman House motioned to come out of Executive Session as per Title 30 M.R.S.A. 405 §6 A which was seconded by Selectman Young and passed by a vote of 3-0.

Adjournment

Vote: A 7:01 p.m. Selectman House motioned to adjourn which was seconded by Selectman Mixon and passed by a vote of 3-0.