

Submitted by:

Approved by Selectmen:

3/24/21

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Adele M. Suggs
Admin Asst

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**TOWN OF PHIPPSBURG
SELECTMEN'S MEETING MINUTES
March 10, 2021**

*The Selectmen convened at 5:00 p.m. at the Town Hall with
Selectman Young, Selectman House, Selectman Mixon and Administrator Jones present.*

Reference 1 - Conditions of Use of the Town Hall Parking Lot

I. New Business

1. Meet with Anna Varian to discuss the creation of a policy: "The Conditions for Use of the Town Hall Parking Lot" by the Town Lands Management Committee.

Ms. Varian, Chair of the Town Lands Management Committee, submitted the committee's recommendation for "Conditions of Use of the Town Hall Parking Lot." (Reference 1) Doug Alexander was also present. The committee looked at every angle possible, looked at what other towns are doing, received feedback from taxpayer's, and is presenting this draft in what they believe to be in the best interest of the Town. The committee also voted unanimously for no mobile vending units of any size; only farmer's market/ low impact sales. Ms. Varian did not vote on the changes because she is a Business owner.

After much discussion it was decided:

- *The Town Administrator or designee will be the authorized authority for the permit application and fees*
- *Selectman Young will take the draft policy presented and the conversation held tonight to prepare a draft ordinance and get it out for review*
- *Administrator Jones will contact MMA to ask about insurance requirements for vendors*
- *Discussion of a vote on prohibiting vendors from using the Town Parking Lot until after Town Meeting will be placed on next week's agenda*

Selectman Young thanked Ms. Varian and her committee for the numerous hours they spent on preparing the draft article.

II. Unfinished Business

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

There have been some changes over the past week. As of March 26th indoor services can resume at bars, distilleries and tasting rooms. Also effective March 26th the capacity for indoor gatherings will increase to 50% and outdoor gatherings to 75%. On May 24th, the capacity will go to 75% for indoor gatherings and 100% outside but still maintain the physical distancing of 6'; face mask requirements still remain in effect. Traveling policies effective March 5th travel from MA, CT and RI are exempted from the testing and quarantine requirements joining VT and NH. People who have had COVID-19 in the previous 90 days or are fully vaccinated against COVID-19, regardless of state of origin, are now exempted from Maine's test or quarantine requirements. Effective May 1st, shift in Maine's COVID-19 travel policy to automatically exempt all states, unless otherwise determined by the Maine CDC. Another CDC change (not adopted by the State of Maine yet) is that if you have been fully vaccinated, received both shots and it has been two weeks since the second shot, you

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can gather indoors with fully vaccinated people without wearing a mask. You can gather indoors with unvaccinated people from one other household without masks unless anyone has an increased risk or severe illness. If you have been exposed to someone who has had COVID you do not have to stay away from others or get tested unless you have symptoms.

2. Discuss status of the abandoned vessel removal.

Selectman House has been in contact with Mr. Hawkes, owner of the vessel and Mr. Hawkes also contacted Harbor Master, Doug Alexander. Mr. Hawkes is trying to arrange for a barge and he will keep Selectman House informed of the status. Mr. Alexander and Road Commissioner, Curtis Doughty, met with the Crooker's crew to get an estimate on how much it would cost to bring the vessel up over the banking and with Harrington's permission and bury it there. Crooker's quote was expensive and they could not do the job. They suggested a barge coming in would work better. Administrator Jones called Sea Tow out of Portland. They will come and view the vessel this week and then provide an estimate. Because of the time constraint, Mr. Hawkes needs to make a decision soon in case the Board has to go before Town Meeting to ask for funding. Commissioner Doughty is still working on a solution to the removal as well. This item will remain on the agenda until it is resolved.

III. Correspondence

1. Thank you letter from the Bath Area Food Bank for the Town's donation of \$3,000.00. *This letter will be kept on file; this donation was authorized by the voter's at Town Meeting.*
2. Letters from conservation entities recommending the sale of tax-acquired land parcel (Map 11 Lot 36).

The Town Lands Management Committee is recommending that the above parcel be put out for bid for sale. The Land Trust Board is going to walk the property. Before any decision is made, the Selectmen would like input back from the Land Trust Board. There was also a family member that contacted Codes Enforcement about paying the back taxes owed. A citizen has raised some concern as there is no easy access to that property and how that may impact Parker Head Village should someone purchase it; still awaiting input from the Conservation Commission.

IV. Selectmen/Administrator Comments and Announcements:

Selectman Young stated that there was a pre-bid conference for the Transfer Station contracts on Monday; one individual showed up from Eco Maine. Selectman Young answered her questions and took her down to the Transfer Station and she was given a tour. Selectman Young has also finished up the second version of the Selectmen's Policy on Committee/Board/Commission Appointments. He will get a red lined copy out to the Board and they can let him know if they want any further changes. This will be placed on next week's agenda. Administrator Jones had also recommended sending it to the company that is reviewing our Personnel Policy to have them take a look at it as well.

Administrator Jones announced that nomination papers are still available and are due back on April 9th. There is one 3-year term on the Board of Selectmen, two 3-years terms on the Budget Committee and one 3-year term for Road Commissioner. Both Budget Committee members have taken out papers that are running again – Sue Levene and Ed Toombs. Selectman Young reminded that he is not running for a second term on the Board of Selectmen, so it is an open seat.

Selectman Mixon again stated that the Acre Lot Pier is not open to vehicle traffic while undergoing repairs; repairs have started.

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Selectman House announced that there will be a Clean-Up Day on Saturday, May 1st with a rain date of May 8th. More information will be coming.

V. Review and/or Sign:

1. Payroll and Accounts Payable Warrants

Vote: Selectman House motioned to sign Payroll Warrant #88 and Accounts Payable Warrants #89 & 90 which were seconded by Selectman Mixon and passed by a vote of 3-0.

2. Winter Maintenance Contracts

The Board met with the plow and sanding contractors last week and came up with an agreement for the contracts.

Vote: Selectman House motioned to sign the Winter Maintenance Contracts for two more years which was seconded by Selectman Mixon and passed by a vote of 3-0.

3. Letter to State Bureau of Parks and Lands for Parking Enforcement funding.

Vote: Selectman House motioned to sign the above Parking Enforcement funding letter with the increase of \$2,000 to \$10,000 which was seconded by Selectman Mixon and passed by a vote of 3-0.

Adjournment

Vote: At 6:28 p.m. Selectman House motioned to adjourn into a Budget Workshop which was seconded by Selectman Mixon and passed by a vote of 3-0.

- Budget Workshop

TO: Phippsburg Board of Selectmen
FROM: Phippsburg Town Lands Management Committee (TLMC)
RE: Use of Town Hall Parking Lot
DATE: March 2, 2021

Dear Selectmen,

Please find attached the TLMC recommendation for "The Conditions for Use of the Town Hall Parking Lot" and supporting document. The recommendation represents many hours of dedicated team effort, and is our belief to be in the best interest of the Town. It is unprofessionally typed.

Good day,



Anna M. Varian, Chair

Phippsburg Town Lands Management Committee

To see if the Town will vote to authorize "The Conditions for Use of the Town Hall Parking Lot 2021" which will update, and replace prior crafted documents in accordance with: Article #44 of 1987 Town Meeting, Article #38 of 1991 Town Meeting, Article #70 of 1992 Town Meeting, Selectmen's Policy on the Use of Town Buildings and Associated Grounds of April 10, 2013 and Vendor Contract for the Town Hall Parking Lot of 2020. The Use of Town Buildings section of the Selectmen's Policy on the Use of Town Buildings and Associated Grounds, of April 10, 2013, still applies.

PHIPPSBURG TOWN MARKET LOCATION ° Allows use of a portion of the parking lot, across from the school and north of the Fire Station, only by Town residents and Taxpayers for the purpose of selling local products whether grown, caught, harvested, or crafted. Use shall be limited to weekends (Friday 5pm till dark, Saturday and Sunday dawn until dark) during months of May, June, July, August, September, and October. Sellers are limited to one (8' maximum) table space or one vehicle parking space to allow vendor to sell wares out of vehicle. A maximum of 10 tables/spaces is allowed. Location of sellers shall be on the east side of lot (pond side). Parking for buyer and seller personal vehicles shall be in same lot on west side (road side). Parking shall not be permitted between the Fire Station and Route 209, or in any way that blocks access/egress by Emergency Vehicles or access to or from Town Hall. Sellers are required to pay a Permit Fee of \$25 for entire weekend with no proration of fee for partial weekend. Fee shall be paid in full to Town Administrator or Designee, at least 4 days prior to setting up or selling. Use of lot may be limited by The Board of Selectmen, with prior notice, when the Town needs the parking space for special events such as Town Meeting, voting, and school activities. No animals are to accompany vendors unless they are for sale, for give-away, or documented service animals. The seller shall be responsible for litter control/removal and keeping grounds neat and attractive. No signs, tables, boxes, trays, crates, debris, trailers, vehicles, or other items incidental to the day's selling shall be left behind by the seller. A \$50 littering fee may be issued. Failure by the seller to abide by the conditions of this article and any related article adopted by the Town shall be grounds for dismissal or non-renewal of a permit until the Selectmen are satisfied the seller's obligations have been met and that the terms of this article shall met in the future. Sale of alcohol and marijuana (paraphernalia, edibles, etc.) are prohibited on Town Land. Mobile Food Vending Units in the Town Hall Parking Lot are prohibited except for times of special events.

VENDOR ORDINANCE INCLUDING TOWN HALL PARKING LOT FEEDBACK FROM TAXPAYERS 2020-2021

What is in the 'Best interest of Town?' Public awareness, public hearing, Town meeting vote necessary.

Town is not in business of property rental for commerce-special events were OK. Original ordinance intent was Farmer's Market style vendors.

What does Phippsburg want? Regardless of what other Towns do.

Do not want to entice, beg or invite negative action area. Traffic issues are potential hazard due to speed and vision, organized chaos.

Prime location creates unfair advantage for mobile vendor over other locally owned businesses. Opening a business in Town (on your own land) is time consuming, costly and requires going by the Town ordinances and Town Planning Board, and dealing with Town Codes Enforcement Officer.

Wear and tear of the pavement and vegetation at the Town Hall Parking Lot has significant monetary value for maintenance and replacement.

Do not want to cheapen historic value of Town or block scenic vista of Center Pond on east side of Town Hall.

Do not want to create attractive nuisance liability: Toilets and hand washing stations overnight, not a playground for unattended children (pond trail), not a dog park (pet feces-who is responsible for clean up after unattended pets?)

Who enforces? Overnight parking prohibited. Sale of alcohol, marijuana (paraphernalia, edibles etc) prohibited on Town land.

Sound of generator is noise pollution (when power isn't out due to storm) and a nuisance, and echoes down Center Pond.

What about Eagles nests, Osprey, or negative impact on natural habitats?

Is space available around Sand Shed for Mobile Food Vending Unit? It has parking lot and power already.