

Submitted By:

Approved by Selectmen:

*Amber Jones*  
Amber L. Jones  
Administrator

**TOWN OF PHIPPSBURG  
SELECTMEN'S MEETING  
MINUTES  
May 2, 2018**

*Alan 6/6/18*  
*Jun 6/6/18*

*At 5:00 p.m. the Selectmen convened for an Executive Session.*

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

**I. Executive Session**

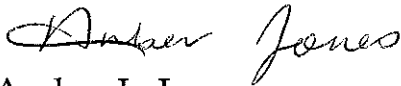
1. Per M.R.S.A. Title 36 Sections 841 (2) Meet with applicant to consider Poverty & Infirmary Abatement

**II. New Business**

1. Met with Shellfish Commission Chair, David Gray for the Commission's recommendation for setting the Shellfish allocation and fees for the coming year. *David Gray could not attend the meeting, so Mike Young and Dean Doyle presented the recommendation on behalf of the Shellfish Commission. Mr. Young reported the reason for the change from last year's allocation and fees for shellfish licenses. Last year Phippsburg totaled 31 resident commercial licenses, and this year the committee recommends reducing it by 9 licenses. The 5 junior student resident licenses will remain the same at a cost of \$75. Resident Recreational licenses will go from \$20 to \$25 and Non-Resident licenses will increase from \$25 to \$30. The Committee feels it is a good time for a reduction in the Commercial License Program which was written into the Shellfish Ordinance. We are proposing a 30% decrease in Commercial Resident licenses from 31 to 22. Last year there were 10 licenses left over from the renewal category, and of those, 6 went into the New License Category. At the end of October, when licenses can finally be purchased on a first-come-first-serve basis, there was still one license left over. This has never happened. Five of the holders of the new and general licenses last year, didn't even meet the Town's requirements for renewal this year. We have had no non-license holders complete any conservation time this year at all. Usually there are individuals who start doing conservation time so they can be eligible in the new license category. We had 7 shellfish harvesters that had 4 or less out of the 12 required hours, and we lost 50% of the harvest area in the Basin; we've closed a portion of Wyman's Bay in hopes of getting a seeding area going there, also starting a seeding plot in Atkins Bay this spring. After two surveys - one in the Basin, one at the north end of Atkins Bay, the harvest looks bleak. Restrictions are still in place at Small Point because of citification problems, so we restrict commercial harvesting there unless the Kennebec closes. Any harvester that you talk to say the product just isn't out there. Mr. Young quoted some sections of the ordinance where it the responsibility of the Shellfish Commission to monitor the resources and make changes as needed. When we started working on the Shellfish Ordinance, everybody knew that the reduction of licenses was a possibility. Everyone at the Public Hearings, and all the Shellfish Harbor meetings attendees were all in favor of it. Dean Doyle reported that harvesters are still feeling the effects of the summer dredging. It takes 5 or 6 years to get up to size before they are legal; and some seed is coming in but very little on the west side of town, the Kennebec is also spotty. Harvesters had good luck at Small Point - we set a plot last year and it attracted a natural set around it. We're hoping to do one over there and then Atkins in hopes that it will get more sets. We don't have legal product to harvest right now.*


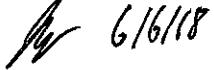
*Mike Young stated that the Commission had been back and forth with DMR, a few phone calls between*

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*me and Dean; we have to prove that the resources are low enough to reduce the licenses. It will be interesting to see how they come back on it. We have done our best, have set the case for it, and whatever it ends up being it ends up being. When it gets better, and hopefully it does, we can start increasing, but right now we don't have folks out there that are interested in licenses.*

*Selectman Read asked how many Junior Licenses we sold last year – Dean Doyle responded by answering 1.*

*Mike Young stated that in October of every year the licenses that are left over you can have that license through that year. If you're not in that class normally, you would have to surrender it at the end of the year. Mike was told this year that last year, where we had four student licenses left over and DMR said those four student licenses should have been offered to adult harvesters, at the price of \$75. We argued it, as our Ordinance specifically states student to student after October. We can't do anything about the adult ones.*

*Dean said that since we are in a new year the Commission will set up a survey this month to get more data to support our request. He also stated that there has been a lot of change over in Boothbay Harbor as well.*

**Vote: Selectman Mixon motioned to accept the recommendation of the Shellfish Commission and reduce the number of commercial resident licenses from 31 to 22 for the upcoming season, which was seconded by Selectman Read and passed by a vote of 3-0.**

**Vote: Selectman Mixon motioned to allow the Shellfish Committee to send the letter to DMR, which was seconded by Selectman Read and passed by a vote of 3-0.**

*Dean Doyle stated that they have had 4-5 seeding events the past month. Yesterday we started the hours for the next year. Mike Young commented that the Commission had been really busy with 3 reseeding in April and two surveys in April. Selectman House asked if they were going to have a field trip with the school this year. Dean replied yes they do it every year with the fourth grade. Dean reported last spring they did it with the fourth grade; they bought seeds through a grant and then in the fall came back down with them to take the nets off and dug them up to see how much they grew. It worked well and there was a good turnout.*

2. Consider granting permission to American Legion Post 216 to hold the annual flag burning ceremony outside the Town Hall.

*Mike Young reported that this is the Legion's annual event. The Board is kind enough to allow the Legion to use the parking lot at Town Hall. They collect American flags at the Transfer Station as well as at Town Hall. This year it is scheduled for Saturday, June 16<sup>th</sup> with set up at 9:00 a.m. and the ceremony at 10. It will be in conjunction with the Girl Scout Troop in town.*

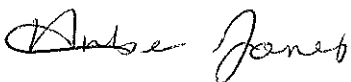
**Vote: Selectman Read motioned to allow the American Legion Post 216 to hold the annual flag burning ceremony on Saturday, June 16<sup>th</sup>, which was seconded by Selectman Mixon and passed by a vote of 3-0.**

3. Review and sign the May 14<sup>th</sup> – 16<sup>th</sup> 2018 Town Meeting Warrant.

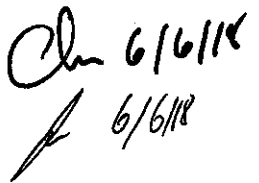
**Vote: Selectman Read motioned to sign the May 14<sup>th</sup>-16<sup>th</sup>, 2018 Town meeting Warrant, which was seconded by Selectman Mixon and passed by a vote of 3-0.**

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4. Consider Poverty & Infirmity Abatement for Account 18-03 and 18-02.

**Vote: Selectman Read motioned to grant the Poverty & Infirmity Abatement, 18-02 and 18-03, in the amount of \$1,726.81 with any interest and late fees, which was seconded by Selectman Mixon and passed by a vote of 3-0.**

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

*Administrator Jones reported that Candidate's Night is on Monday, May 7<sup>th</sup>, 6:30, at Phippsburg Elementary School. Will hear from the candidates – there is also a public hearing for the Harbor Ordinance re-write, will hear about the Shellfish Committee Ordinance amendment, and the Warrant will be reviewed. Absentee voting will be available until five o'clock on Thursday, 05/10. Elections are on May 14<sup>th</sup> at the Town Hall between 1:15 and 7:00 p.m. and followed the next day by Town Meeting, May 15<sup>th</sup>, at 6:30, and if needed Wednesday the 16<sup>th</sup> as well. Town Reports have been mailed.*

*Selectman Mixon thanked everyone for putting in a lot of hours by a lot of different people to get the warrant ready – it looks good.*

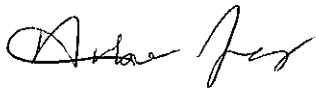
*Selectman Read said if anyone didn't get a Town Report in the mail, Administrator Jones said they can come to Town Hall as there are extras. The courtesy warrant is in there.*

**IV. Public Forum:**

*Dot Kelly asked a question about the Absentee Ballot – Can you start it on the 10<sup>th</sup> or can you do it now until the 10<sup>th</sup>? Selectman Read responded right now, yes. The last time you can pick up an absentee ballot at 5:00 o'clock, Thursday the 10<sup>th</sup>, unless there is an emergency or extreme circumstances. Selectman House stated that you can pick one up at 4:45 on Thursday and drop it off on Friday, but cannot pick one up after 5. Dot also had a question on one of the Warrants, the Road Commission if the town agrees to discontinue roads – Atwood Lane appears to be a public road but it does not have any maintenance on it. Dot's question is there more than fully serviced roads and private? Selectman Mixon responded that there are a lot of private roads in Town and a lot of town roads that are dirt roads also. Selectman House stated that the Road Committee picked the ones that were low use, low impact roads. Selectman Mixon stated, to be clear, that the conversation that will be held at Town Meeting to continue or discontinue necessarily, it is going to be does the town feel there is value in researching starting the process of them looking into discontinuing the roads. Selectman Read stated the Commission still needs to talk to all the land owners. It will take some funding so the Commission needs to find out if the Town would invest in that. Selectman House stated it would then go back to Town Meeting next year to get approval to discontinue. Selectman Mixon stated that some of them may not be cost effective to even consider. It's going to take a lot of time and effort to do that research and we're asking the town if they want us to do it. Dot's final comment is an update on the Popham Pilings and what she has done as a private citizen looking at submerged lands, talking to John Knoll who is the head of submerged lands for the State of Maine. Dot gave a little background on the pilings and what has happened to date. In speaking with Mr. Knolls, Dot reported that the only likely path forward would be to have the State determine that the pilings were not abandoned because that's what the submerged lands people did and ask the Town to take ownership of them. With the landing parcel there are other cases where they are abutters and able to take ownership. Timing doesn't seem to work to well*

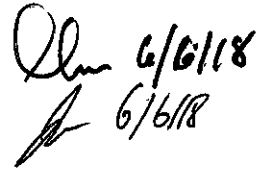
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*to ask something like "To see if the Town (Conservation Committee, Selectmen, or Town Lands Committee) to do research gaining ownership from the State of Maine submerged lands of the Popham Pilings in order to keep them from being removed. Ms. Kelly thought she would bring this before the Board - one thought was to put a flyer out, potentially at Candidate's Night or Town Meeting. It appears that you cannot do new business at Town Meeting unless it's on a warrant, so the flyer would be a "for your information." Or we could just go forward as we are. There are things you want to know like are there any conditions to this ownership, what is meant by ownership, etc. Ms. Kelly is asking for permission to keep working on it just like you've asked for permission from the Road Commission for private roads. Selectman Read said this wasn't on the agenda, and this is informational only, and that she could request to be on the agenda and the Board would then consider it.*

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

1. Payroll and Accounts Payable Warrants
2. Selectmen's Meeting Minutes for April 4, 2018 and April 11, 2018
3. Municipal Quit Claim Deed for Timothy E. Lewis, Map 041 Lot 047-10  
Selectman House is recused from Warrant 109.

**Vote: Selectman Read motioned to review and sign the above, which was seconded by Selectman Mixon and passed by a vote of 3-0.**

**Adjournment:**

**Vote: At 6:39 p.m., Selectman Read motioned to adjourn, which was seconded by Selectman Mixon and passed by a vote of 3-0.**