

Submitted by:

Approved by Select Board:

10/06/21  
JMT  
ch  
SM

and

Adele M. Suggs  
Admin Asst

**TOWN OF PHIPPSBURG  
SELECT BOARD MEETING MINUTES  
September 22, 2021**

*The Select Board convened at 5:00 p.m. at the Town Hall with Chairperson House, Board Members  
Mixon and Levene, and Administrator McLellan present.*

Before the meeting a public hearing was held to get any input for the annual General Assistance Appendices. The State adjusts the General Assistance numbers on a yearly basis every year and the public hearing provides an opportunity for public input prior to the town adoption.

**Vote: Board Member Levene motioned to close the Public Hearing which was seconded by Board Member Mixon and passed by a vote of 3-0.**

**1. New Business**

1. Consider appointing Amy Burden to the Recreation Committee for a three-year term ending June 30, 2023.

*The Recreation Committee recommends the above appointment.*

**Vote: Board Member Levene motioned to approve the above appointment which was seconded by Board Member Mixon and passed by a vote of 3-0.**

2. Consider signing the MMA Model Ordinance for General Assistance Appendices (A-F) for the period of October 1, 2021 – September 30, 2022, in compliance with Title 22 M.R.S.A. 4305 (4).

**Vote: Board Member Mixon motioned to adopt the above MMA Model Ordinance for General Assistance which was seconded by Board Member Levene and passed by a vote of 3-0.**

**2. Unfinished Business**

1. 30 Fuller Mountain Road

*No action taken. Kept on unfinished business until item has been completed.*

2. Subdivision on Parker Head Road

*Select Board Member Levene looked it over and she has no specific comments to make. Select Board Member Mixon spoke with Codes Enforcement Officer Lee Rainey, he thought it was laid out well and saw no concerns. Chairperson House spoke with a few department heads, and they also didn't have any concerns. Administrator McLellan will let the Planning Board know that the Select Board does not have any concerns, either verbally or written, if required.*

**3. Administrator/Members of the Select Board Comments and Announcements:**

1. Sunray Rabies Clinic – Saturday, October 16th – 9 am to 12 Noon – Town Hall (Face Masks are Required). Dog Registrations Will Be Available.

*The Rabies Clinic is still scheduled for October 16 from 9 to noon. It may need to be rescheduled but there is no confirmation of that currently. If there are any changes it will be updated and posted on the website.*

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*Please check back before that date. Dog registrations will be available at the Rabies Clinic. The rabies fee will be \$15 which is an increase and will be posted on the website and on the flyers that will be posted around town once they are finalized.*

**2. Open committee positions.**

*Administrator Ross read all the vacant board and committee positions. (Reference 1). If you have any interest, there are applications at the Town Hall. Come in and fill them out; get involved. Select Board Member Mixon added that it's a great way to see how the town works.*

**3. Transfer Station winter hours of operation: Monday, Wednesday, Saturday - 8AM-4PM**  
*The Transfer Station winter hours went into effect last week on September 15<sup>th</sup> which affect Friday operations. The operation for the Transfer Station is now Monday, Wednesday, and Saturday from 8 am to 4 pm. It is no longer open on Fridays.*

*Select Board Member Mixon reported that there have been several accidents on Route 209 this week (3 within the last 5 days). Slow down, pay attention, watch what's happening in front of you, and watch your speed. Also, this is the last year of the lease on the loader for the winter road crew. We will need a number for a budget placeholder. He is willing to take that action on and speak with Road Commissioner, Curtis Doughty, as he believes Mr. Doughty wants something a little different than they currently have. They will come up with a number between now and when the budget cycle begins so there will be an amount to plug in. At the end of this 5-year window the Town can purchase the loader at a reduced price, but there is not a lot of interest in that from the users.*

*Chairperson House mentioned the George Bowker bench is all installed and looks great. The walking path is also done and open to the public.*

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

**1. Payroll and Accounts Payable Warrants**

**Vote: Board Member Mixon motioned to approve Payroll Warrant #28 & Accounts Payable Warrant #29 which were seconded by Board Member Levene and passed by a vote of 3-0.**

**2. Select Board Meeting Minutes August 4th, September 1st, 8th, & 15th.**

**Vote: Board Member Mixon motioned to approve Meeting Minutes for August 4<sup>th</sup> which were seconded by Chairperson House and passed by a vote of 2-0.**

**Vote: Board Member Mixon motioned to table Meeting Minutes for September 8th which was seconded by Chairperson House and passed by a vote of 3-0.**

**Vote: Board Member Mixon motioned to approve Meeting Minutes for September 1<sup>st</sup> and 15<sup>th</sup> which were seconded by Board Member Levene and passed by a vote of 3-0.**

**3. August 2021 Treasurers Report**

*Board Member Levene has some concerns about this report and would like it tabled until she can receive some more information from Administrator McLellan and Treasurer, Lisa Wallace.*

**Vote: Board Member Levene motioned to table the above Treasurers Report which was seconded by Board Member Mixon and passed by a vote of 3-0.**

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*Administrator McLellan stated that the Historic Preservation wanted him to bring to the Board's attention the lease on the Murphy House that was voted on at the last Town Meeting. They need the lease to apply for a grant. Select Board Mixon explained that the Town approved the Board signing it, but no action has been taken. There is no actual lease yet.*

### **5. Public Forum**

*Juanita Clark stated that her situation has been quite a learning experience. She had communicated with Administrator McLellan about being put on the agenda for next week. She saw 30 Fuller Mountain Road on the agenda under Unfinished Business and she didn't understand what was happening. They understood from Appeals Board Chair, Everett Perkins, that no appeal was pending. Her question was what is the procedure now? They are very frustrated because it was one year yesterday that they filed the complaint, it is still unresolved, and the nuisance continues. Administrator McLellan informed Ms. Clark that the Board is under the belief there is a pending appeal. She feels the appeal period has expired. They found out last week that an appeal was filed on the 14<sup>th</sup>, now it's a week later, she feels like they are being stalled, and wants this resolved. They are trying to be patient and understand, but the communication is not coming their way, it's their complaint, and feel they are not being given consistent information or any information.*

*Chairperson House explained that the Select Board has put this situation back with the Appeals Board. It's not being stalled; Chairperson Perkins is doing the best he can with the time frame he has to work in. Board Member Levene added that in an email Mr. Perkins received he has 60 days to schedule a meeting. The way Chairperson Levene understands it is that once somebody files an application for an appeal, there must be a meeting and a vote. Mr. Perkins is going to figure out how to proceed within those 60 days. Mr. Perkins has some questions about the application, and he was going to follow up with that before scheduling a hearing.*

*Select Board Member Mixon explained that he wanted to keep items such as this on the agenda, so the Board doesn't lose track of them.*

*Mr. Clark asked if the appeal filed by Mr. Gurney on the 14<sup>th</sup> is the appeal that is in front of the Appeals Board they are talking about? Chairperson House responded yes. The appeal needs clarification and that is what Mr. Perkins is working on. At some point a meeting will be scheduled by the Appeals Board and the Clark's would like to be present at that meeting. Administrator McLellan stated that all Board of Appeals meetings are subject to legal, public notice so there will be an agenda, legal notice in the newspaper, and on the website. He is willing to send direct notice to the Clarks when he is informed of the meeting.*

*Ms. Clark is requesting that since the appeal is on their complaint the communication from the Appeals Board be in more detail. She feels they are being shut out of this process and it's on their complaint. The Board will pass this information onto the Appeals Board. This item will remain on the agenda, but no action will be taken until after the Appeals Board decision. Administrator Ross is the best contact for information regarding this matter.*

*Marie Varian, Chair of the Planning Board, requested that Administrator McLellan on behalf of the Select Board, put in writing that they do not have any concerns regarding the 14-lot subdivision. Ms. Varian is*

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*Still awaiting responses from Transfer Station Supervisor, Charlie McKenney, and Road Commissioner, Curtis Doughty. Administrator McLellan will reach out to them, via a phone call. Ms. Varian wants to make sure that Charlie & Curtis understand that this is going to be a lot of people. They may have to hire some more help or purchase another piece of equipment.*

*The Planning Board will meet again on the 30<sup>th</sup> to continue discussion of this subdivision. These lots will probably go very quickly and may consist of 4-bedroom homes.*

**Adjournment**

**Vote:** At 5:34 p.m. Board Member Levene motioned to adjourn which was seconded by Board Member Mixon.

*Two Select Board Members will be attending the ribbon cutting ceremony for the new Morse High School in Bath.*

**Motion passed by a vote of 3-0.**

**Vacant Board and Committee Positions**

Assessment Review Board

Board of Appeals Alternate (2)

Budget Committee (2)

Community Access TV (2)

Community Garden

Comprehensive Plan

Election Warden (Deputy)

Historic Preservation

Planning Board (4)

~~Recreation Committee (9/22/21)~~

Road Committee

Road Committee Alternate

Shellfish Commission (2)