

Submitted By:

Approved by Selectmen: *Ch* 10/30/19  
*M* 10/30/19

*Amber Jones*

Amber L. Jones  
Administrator

TOWN OF PHIPPSBURG  
SELECTMEN'S MEETING  
MINUTES  
October 9, 2019

*The Selectmen convened at 6:00 p.m. at the Town Hall with Administrator Jones, Selectman Mixon, Selectman Young and Selectman House present.*

**Adjustments**

*Item number 2 under New Business was moved to Item number 1.*

**I. New Business**

**1. Review and sign the FY20 Tax Commitment.**

*There are three original warrants for signing: one for each commitment book and one for the Treasurer. The first few pages are the Assessors' Certification of Assessment which includes the Assessment, the Municipal Tax Assessment Warrant, and the Certificate of Commitment which after being signed, is returned to the Tax Collector. A signed copy of the Certificate of Assessment needs to be returned to the State Treasurer, and the Assessors' Return to the County Treasurer. It was voted last week to set the mil rate at \$9.14 and the documentation mentioned requires signing to authorize this tax commitment.*

**Vote: Selectman Young motioned to approve and sign the FY 20 Tax Commitment, which was seconded by Selectman House and passed by a vote of 3-0.**

**2. Meet with E. Davies Allan of Chesterfield Associates Inc., regarding damage to Meadowbrook Landing.**

*Mr. Allan is doing work for a client on Harbor Island. Meadowbrook Landing was used for loading his heavy equipment and material. On Thursday, three trucks were loaded onto the boat, grounding the boat on the ramp, which is when the concrete pad was scratched and chipped. It was a mistake on Mr. Allan's part and that is not a normal hauling procedure for that boat. Mr. Allan returned early in the week to pick up an excavator which has rubber tracks. He failed to call Mr. Alexander as was requested, the next time he used the ramp. Mr. Allan wrote a letter to the Board and will take full responsibility for the damage that was done and asked permission to finish his project. Mr. Allan is expecting to make three more trips to Harbor Island. The equipment on the island will be taken back to Westport Island by Mr. Allan and will not return to Phippsburg. Mr. Allan respects the fact that the State doesn't contribute any money to the ramp, that it is owned by the Town. Selectman Mixon stated that it appears there is more damage than just the scratch, specifically the movement of the concrete planks. In August Selectman Mixon inspected the ramp. At this time the planks were pinned together. There were sections with rust here and there, but were aligned fairly consistent with each other. You could see the planks were making their way down the hill towards the water. Selectman Mixon realizes Mr. Allan hasn't been the only user of Meadowbrook Landing since that time, however, at low tide this afternoon he counted about seven planks that were completely separate and unevenly spaced from each other (Mr. Allan agreed with that) and this wasn't what Selectman Mixon observed in August. Doug Alexander commented that the stones between the planks have been eroding away. When Mr. Allan grounded out his boat, it is Mr. Alexander's belief that he pulled the planks, but there is no proof that Mr. Allan's grounding his boat was the cause. Any boat hauling out could have moved them; as they were not securely in*

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*Justin 10/30/19*

*place. Mr. Alexander agreed that much needs to be replaced and that use of the landing is needed for the next couple of months for people to be able to haul out their boats. Selectman Nixon stated that in August he believed that he had a three year window to address the upkeep of the landing, before needing to raise money. And while he is not saying that Mr. Allan is responsible for all of the damage he saw, as of today repairs have to be addressed immediately. Mr. Allan respectfully disagreed with Selectman Nixon, and expressed there was nothing fresh either in the spaces between the planks that have shifted, nor a crowd of rocks downhill where some could have been pushed, nor was there a reveal on the uphill side. Moreover, none of the steel that connects those planks shows any fresh fragmentation. Mr. Allan agreed to pay for the damage he caused, but is not taking responsibility for the misalignment of the rest of the planks. Mr. Allan stated he needs to take two more loads of sand, possibly three, to Harbor Island, starting tomorrow, which is critical for him to get the job done. Selectman Young stated that he also looked at the ramp and could see where it had been scraped. The Board would be hard pressed to garner proof of the cause of damage, except for the scratch marks. Selectman House mentioned that it is a very busy boat landing. Selectman Young said they cannot charge Mr. Allan \$500 but would gladly accept a donation for a specific purpose. Selectman Young stated that repairs need to be done to the satisfaction of the Board, to which Mr. Allan agreed. Doug Alexander will meet Mr. Allan at the ramp at 8:30 in the morning to monitor the next load/offload. Selectman Nixon asked Mr. Allan to contact the Town Office to let them know when the next load will be happening so we can ask the Police Chief to be present. Mr. Allan agreed. Mr. Allan has also agreed to pay for the repairs and post a bond for any further damage. The \$500 from Mr. Allan will be a bond if he does no further damage, it will be considered a donation. Selectman House requested pictures after Mr. Allan's last load so they can be compared. She also suggested that this be re-visited in two weeks.*

**Vote: Selectman Young motioned to allow three more loads to be taken out by Chesterfield Associates under the following circumstances: 1) a \$500 bond/donation will be given to the Town, 2) the repairs will be made to the satisfaction of the Town in the areas that were damaged according to the photos, and 3) all three remaining loads are monitored by Town personnel and that Mr. Allan will notify the Town Administrator of when those times will be, with the first one at 8:30 a.m., which was seconded by Selectman House and passed by a vote of 3-0.**

3. Consider the resignation of Richard Murphy from the Board of Appeals.

**Vote: Selectman Young motioned to accept the resignation above with a thank you to many years of service, which was seconded by Selectman House and passed by a vote of 3-0.**

4. Consider appointing Karen Balnis per Title 30 M.R.S.A. Section 2253 to the Community Garden Committee.

**Vote: Selectman Young motioned to approve the appointment above, which was seconded by Selectman House and passed by a vote of 3-0.**

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5. Consider accepting a donation of \$50.00 from The Tax Bracket II, Inc. for the Phippsburg Fire Department.

**Vote:** Selectman House motioned to accept the above donation, which was seconded by Selectman Nixon. It was specified that this donation will go into the Capital account. Vote passed by a vote of 2-0.

II. Correspondence

1. Thank you letter from Dogwill, Inc. for the \$50.00 donated by the Town in memory of Dr. Anne Del Borgo.

*If anyone wishes to read this letter, it is available at Town Hall.*

III. Selectmen/Administrator Comments and Announcements:

- Town Hall closed on the 14<sup>th</sup>, Indigenous People's Day

*Administrator Jones announced that Town Hall will be closed on Monday, Oct 14<sup>th</sup>, for Indigenous People's Day*

- No Selectmen's Meeting on October 16<sup>th</sup>

*There will be no Selectmen's Meeting next week on Wednesday, October 16<sup>th</sup>.*

*Absentee Ballots are available.*

- Update on Comcast litigation

*Administrator Jones explained that the Town signed an agreement with Comcast in 2015 where the town receives a subsidy for Internet. Comcast is now negotiating new contracts. Selectman Nixon explained that there are about 30 Towns banding together to fight the reduced franchise fees going forward.*

*Selectman House asked the Fire Chief about something the Fire Association is doing from donations received. Chief Hart explained that the Association is separate from the department as they conduct their own fundraising. Over the years they have accumulated money. This year they plan on replacing the 1993 forestry pick up with a new with the Association purchasing it for the Town. They have allocated approximately \$40,000. The Association also allocated \$10,000 towards the last Ambulance.*

*Selectman House also received a \$500 Center Pond donation from the bottles at the Transfer Station.*

**Vote:** Selectman Young motioned to accept the above donation, to be used in the Capital Account, which was seconded by Selectman House and passed by a vote of 3-0. Selectman Nixon reminded all that school is out on Friday & Monday.

IV. Review and/or Sign:

1. Payroll and Accounts Payable Warrants

*Selectman House is recusing herself from Warrant 36.*

**Vote:** Selectman Young motioned to approve the above, which was seconded by Selectman Nixon and passed by a vote of 2-0.

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*Oliver* 10/30/19

*Smith* 10/30/19

2. Selectmen's Meeting Minutes for September 18<sup>th</sup>, and September 25<sup>th</sup> and October 2<sup>nd</sup> 2019

**Vote: Selectman House motioned to table the above minutes, which was seconded by Selectman Young and passed by a vote of 3-0.**

3. Treasurer's Report for September 2019

**Vote: Selectman Young motioned to approve the above Treasure's Report, which was seconded by Selectman House and passed by a vote of 3-0.**

4. Findings of Fact - Burgess Hearing by the Board Selectmen on August 28, 2019

**Vote: Selectman Young motioned to approve the above Findings of Fact, which was seconded by Selectman House and passed by a vote of 3-0.**

5. Board of Selectmen Decision letter from the October 2<sup>nd</sup>, 2019 Appellate Hearing with Daniel Harrington.

**Vote: Selectman Young motioned to approve the above Decision Letter, which was seconded by Selectman House and passed by a vote of 3-0.**

**Adjournment**

**Vote: At 6:57 p.m. Selectman Young motioned to adjourn which was seconded by Selectman House and passed by a vote of 3-0.**