

**Town of Lyman
Select Board Meeting Minutes
November 8th, 2018**

Select Board members present: John Tibbetts, Chair, David Dulong, Vice-chair, William Single and Ralph Blackington. Absent was Thomas Guillemette.
Also present: Attorney Bradley Morin.

6:00 p.m.- Executive session per 1 M.R.S.A. §405(6)(E) Consultation with legal counsel

Motion by David Dulong to go into executive session per 1 M.R.S.A. §405(6)(E) Consultation with legal counsel at 6:02 pm; motion seconded by William Single. Motion carries 4-0-0.

Motion by David Dulong made the motion to come out of executive session at 6:37 pm; motion seconded by Ralph Blackington. Motion carries 4-0-0.

Others present: CEO Patti McKenna, Taryn Canney, Brad Nickel, Lee Schatz, David Gluck, John & Linda Houy and Jeff Bryan.

Pledge of Allegiance

Item #1 – Special Offers/Presentations

a. Patti McKenna, CEO re: consent agreement and Marijuana Moratorium.

Patti came before the Board with Taryn Canney to discuss a consent agreement between the town and Taryn Canney. Patti explained what took place with allowing renter at her home. Taryn further explained that originally, she had made space for her daughter and then moved away but was not aware that the space was being rented. She is now back living on the property and will work with the town. Discussion was held regarding the fine. Patti added that the goal is to get compliance, but the fine should be something. Further discussion was held. David Dulong made the motion to waive the \$5,000. fine to \$300. Motion seconded by William Single. Taryn asked if she could make payments. David Dulong amended his motion to make the fine \$5,000. But to waive all but \$300. If Ms. Canney complies with the order. David Dulong amended his motion allow payments to be paid in full within three (3) months. Motion seconded by William Single. Motion carries 4-0-0.

Medical Marijuana. Patti McKenna updated the Board on a new law that will go into effect Dec. 13th, 2018. Caregivers will be able to cultivate up to a total of 30 plants, rather than the 6 plants per patient. Also, the 5- patient limit for registered caregivers will also be eliminated. Towns have to opt-in to the operation of registered caregiver, retail stores, registered dispensaries, testing facilities and manufacturing facilities, towns may not prohibit or limit the number of registered caregivers. No new retail store, manufacturing facility, testing facility or dispensary may begin operation in the town unless or until the municipal legislative body affirmatively votes to allow that particular type of establishment. Such facilities already in operation will be grandfathered. Planning Board is currently working on definition changes. John Houy raised concerns about infrastructures not being in place. Patti added that the Planning Board is working on it. Currently, the Board does not need to do anything.

Item #2- Hearing of Delegations / Public input

a. Public input - *Public in attendance will have up to 5 minutes to address Board*

David Gluck, President of the Lyman-Alfred Little League came in to with concerns about Cousen's School being sold included Bernier Field. Appreciate the fact that Chadbourne Field would be upgraded. The issue is the timing. Sign-ups for 2019 season is in seven weeks, season opens in five months. Would like to know if there will be a field to use for the entire season.

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Don't want to be scrambling for a field before the season opens, so would like some assurance on where they would be playing. William Single explained that depending on when the property sells, would be able to use it that Chadbourne Field would be upgraded, another option is the soft ball field at Bunganut which is not being used and could be renovated for at least the upcoming seasons. Feels what the Board should do is to have a committee to work together on it. John Tibbetts added that do not interruption within the ball season. Also, was discussed at the public hearing saying what the Board would do. William Single further explained, that the Board did not get the decision to sell until Tuesday, so a plan must be put in place. David asked if the Board could request to the buyer that the league could use the field through the end of the season. David Dulong hard to say what the buyer might say. Lee Schatz added can make it a condition of the sale, David Dulong responded would not do that. David Dulong to work on the field and make it a show place, expects funds into the next budget for the field. Will have better parking at Chadbourne. William Single added, for the parking at Chadbourne would remove the trees which would open additional parking. John Tibbetts have no interest in leaving the little league high and dry. Lee Schatz the trend in little league is the numbers are going down, to take a field to turn into a little league field at this juncture a field that is high school, college field, adult etc. is kind of crazy. As an alternative, could cut a little league field at Bunganut. Linda Houy feels that Bunganut should be athletic fields. Lee added that you could put a field together in two weeks. Discussion was held on area for field. William Single willing to get a committee together and get something done in a weekend. John Tibbetts moved the question to rest of agenda.

b. Mail

- Letter sent regarding complaint from CEO Patti McKenna.
- Notice of a Public Hearing by the Planning Board on November 7th at 6:45 pm.
- Notice from RSU #57 on listing of buses which to not meet the current state requirements of the RSU to be able to transport students. Buses will first be offered to the towns for municipal purposes.
- Email from CTAM (Community Television Association of Maine) regarding two recent actions by the FCC.
- Letter from MMA regarding the CTAM.
- Notice from Maine Municipal Employees Health Trust on 2019 rate adjustments effective January 1st.

c. Complaints received-Road Commissioner Maurice St. Clair is working on his list.

Item #3- minutes

- a.** Approve minutes of the October 15th -16 ; October 19th Special Meeting; October 22nd ; meeting; October 22nd Public Hearing and the November 5th Special Select Board Meeting. Minutes of October 15th – 16th and Oct. 19th will be held over to next meeting. Motion by David Dulong to approve the October 22nd meeting minutes and public hearing minutes; motion seconded by William Single. Motion carries 4-0-0. Motion by David Dulong to approve the November 5th Special Select Board Meeting minutes; motion seconded by William Single. Motion carries 3-0-0.

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Item #4 - Sign Warrants- Approved on 11/5

- a. Payroll warrant #32 in the amount of \$15,894.72.
David Dulong made the motion to approve payroll warrant #32 in the amount of \$15,894.72; motion seconded by William Single. Motion carries 4-0-0.
- b. Payroll warrant #35 in the amount of \$16,705.54.
David Dulong made the motion to approve payroll warrant #35 in the amount of \$16,705.54; motion seconded by William Single. Motion carries 4-0-0.

Item #5 - Unfinished Business

- a. **Vote on 5-year warranties on notebooks and pc's.**
William Single suggest the Board do not approve it, and next time computers are bought, go through our own account and can save a lot of money. John Tibbetts asked if he got the final price and William added that it was about half of what the town was charged. John Tibbetts added the additional warranty is \$100.00 apiece. William added that he thinks it is \$10.00 per month which is \$120.00 per year for each device for two additional years where the town could get it for five years for that price if bought direct. So next time to save some money, will buy them ourselves. David Dulong seconded the motion. William Single further explained that the pc's came with a 3 year warranty, proposal is an additional two years at \$240.00 and can purchase computers with the five years at the same price at the two years. Instead of paying \$800.00 per computer, next time pay \$450.00 per computer and have 5 years of support for that price and will be way ahead. Motion is to not approve the 5-year warranties. Motion carries 4-0-0.
- b. **Winterizing Cousen's School.**
Will be completed next week. Estimated cost plus or minus is \$1,000.
- c. **10' snow pusher for transfer station.**
Motion by David Dulong to purchase the 10' snow pusher for the transfer station; motion seconded by William Single. Motion carries 4-0-0.
- d. **Addendum to plowing/salting service contract for salt.**
Motion by David Dulong to add an addendum to the plowing/salting service contract for town to provide the salt for the salting of town hall with a reduction in the service contract by \$500.00 for town hall. Motion seconded by William Single. Motion carries 4-0-0.

Item #6- Dept. and Committee Reports

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| a. Animal Control Officer-Report submitted | e. ECO Maine- No report. |
| b. Assessor- No report. | f. Parks & Recreation- No report. |
| c. CEO/Building Insp.- Report submitted | g. Planning Board- No report. |
| d. Comp. Plan – Minutes submitted. | h. Road Commissioner- To be given at meeting |

Item #7- New Business

- a. **Discuss/vote to close Town Hall on Dec. 24th.**
William Single would like to postpone until the next meeting. Board agreed.
- b. **Discuss/vote to close Town Hall on Dec. 31st.**
William Single would like to postpone until the next meeting. Board agreed
- c. **Current Town Properties and Athletic Fields mowing contract.**
David Dulong has a lot of questions and the Board should have a workshop. John Tibbetts added that the town did not get the service the town paid for. A workshop will be set up for mowing and Bernier Field grub damage repair.

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Adjourn:

Motion for adjournment was made at 7:23 pm

*Note: *Minutes may not be verbatim; they may have been paraphrased for clarity.*

John Tibbetts, Chair

David Dulong, Vice-chair

Ralph Blackington

William Single

I, Nancy Brandt, Clerk to the Select Board of the Town of Lyman, Maine, do hereby certify that the foregoing document consisting of four (4) pages are the original minutes of the Select Board Meeting of November 8th, 2018. _____ Nancy Brandt 11 / 9 /2018