

**Town of Lyman
Select Board Meeting Minutes
December 4, 2017 – 6:30 p.m.**

Select Board members present: Jeffrey Demers, Chair, John Tibbetts, Vice-chair, William Single, John Houy and David Dulong.

Public and Staff present: Bruce Guillemette, Paul Poirier, Priscilla Ouelette, Rod Hooper, Wendell Smith, Chris Carroll.

Pledge of Allegiance

Item #1 – Special Offers/Presentations

a. Priscilla Ouelette re: General Assistant Update

Motion by John Tibbetts to move from tabling on October 2nd, 2017 meeting for GA updates; motion seconded by John Houy. Motion carried 5-0-0.

Priscilla Ouelette presented the board with copies of previous year maximums of 2017 compared to 2018 updates. Costs are reimbursed by the state at 70%. Approval by the town depends on the maximum income. The current amount within the budget seems to be working. Current budget amount is \$2,500.00 so far, this fiscal year has spent \$805.90 of which 70% has been reimbursed by the state. Also reported that with the town fuel account she has a poverty level for town fuel help, which will be updated when the new figure is out in February. Also, will come back before the Board to release the 70% reimbursement funds if it will be needed.

Paul Poirier re: Standard Operating Procedures for sand./salt shed.

Board requested Paul Poirier in to discuss some issues in the past winter and possible issues with the upcoming winter plowing. Paul Poirier informed the Board that he has gone to look at the problem with the turnaround and feels that the plow will be able to turn around as the boat was not there but was a pipe frame left real tight to the garage. Wendell Smith added will be tight to go in and turn around with plowing with a wing. Paul Poirier and Wendell Smith will go and look at it together. Jeffrey Demers added will send a registered letter to property owner that the town is worried about the frame on his hut and if he so wants to move it, would appreciate it. If not will see in the spring to discuss it. Discussed the Standard Operating Procedures with the Paul Poirier. He informed the Board that all of his employee's know what the SOP's are. Discussed on going issues from last year and this year on how things were done:

- Banks on dead end road when snow is banked ie. Frye's Bridge Road
- Corner of Church Street and So. Waterboro Road, the bank was left way out.
- Corner of Clarks Woods Road by Maurice St. Clair also bank was left way out.
- Extra expense on Clarks Woods Road/ Waterboro Road that the spinner was left on and there was a pretty good pile of salt/sand at the corner to have it cleaned up.

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John Houy asked if the gate to the salt shed would be kept closed now. It is part of the SOP. Paul Poirier reported that once they get into heavy operations, the building is locked up but the gate gets snowed in, that how it has been. Board would like the gate locked as outlined in the SOP and to use the loader to clean the snow around the gate. The gate was replaced and partially paid for by Paul Poirier, at that time if there is a problem with width could have moved the gate back. John Houy asked if the all set with Cousen's School and Paul Poirier added as far as he is concerned it is in the contract years ago with Murphy's Way was added but he would like some changes at the school.

- Left hand back corner of the building has steel posts, possible an old gate further back from the school.
- A tree on the back corner, has grown out into the road way.

Lord's Lane Bridge. John Tibbetts added that Maurice St. Clair will be getting Steve Stearns out to look at the bridge to see what the weight limited should be. Paul Poirier asked Wendell Smith was is being used as a turnaround when plowing. Wendell Smith responded if unable to get across the bridge, then there is not turn around. Last year used Mrs. Littlefield's property to turn around in. John Tibbetts is willing the make contact to have arrangements made.

Harriman: Chris Carroll came before the Board to give them an update on the progress of the Cousen's School project. Working on contract. Question on how to handle cable for data etc. for the project. Asked if town has a vendor that could run the cable can provide just conduit and boxes and vendor can install or spec it out. Jeffrey Demers will get the contact information and William Single will discuss with vendor. Discussion was held regarding the septic system. Jeffrey Demers would like to have the tank inspected to see what the tank is and would like the D Box inspected with a camera, to see if the town can save \$2,500.00 on a tank and just have a leech field installed or if the whole system is no good-go with a new system. John Tibbetts added that the Town has loggers that can come in and cut some trees around the school property. Chris Carroll suggested waiting until soil test is done, and can discuss it at the meeting on Wednesday at 9 am. John Tibbetts also added that this would be a no cost to the town. John Houy asked if the site has been chosen for the septic, Jeffrey Demers felt most likely at same area. Jeffrey Demers would like to see 3 quotes for septic design-has no problem with going with Albert Frick & Associates. Motion by John Tibbetts made the motion to go with Albert Frick & Associates with addition of inspecting current septic system and if the system is no good to move forward with their proposal; motion seconded by John Houy. Motion carried 5-0-0.

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Stove in basement: Chris Carroll asked about the stove that is left in the basement of the building. Board asked Fire Chief Rod Hopper about the stove, and he responded that he felt the stove should be replaced and also inquired on how many people would be served. Jeffrey Demers responded probably in the 45-110 people. Discussion was held regarding the size of the what the stove should be. Board is looking at purchase a new stove with a hood. Priscilla Ouelette suggested contacting Maurice St. Clair to see what size stove Curtis Lake Church has. Chris Carroll will research stoves and come back before the Board.

Trash: Chris Carroll asked about trash pickup. Jeffrey Demers suggested a fenced in area to put trash and recycling into to be picked up.

Chris Carroll also informed the board that he will be at the school tomorrow around 8:30 am with another engineer to look at ceiling water damage and insulation. Wednesday he will be there 9 am and 1 pm. Also, data, is the last piece of the contract.

Item #2 – Mail, Minutes & Time Off Requests

a. Mail received

- Letter from Thomas Plummer regarding the closure of gate on Alfred side of Old Kennebunk Road. John Tibbetts added that Thomas Plummer would like access through the gates to other buildings on his property. John Tibbetts has taken a look and did not see why he needed access to get to his property. Traditionally gate has been left open during hunting season. Also, John Tibbetts is willing to talk to the Thomas Plummer and he has drove the whole length of the road and there was very little trash, no great amount of trash. A couple trips by Dave Riley a year would take care of the trash. John Houy asked Fire Chief Rod Hopper is keys are allowed for other people and Rod Hooper responded no, does not give out keys to Knox boxes. David Dulong asked what is the status of the road. John Tibbetts responded is a discontinued road and David Dulong asked who owns property on both sides of the road, Hissong must own on one end. John Tibbetts responded there are some private landowners on the Alfred end. David Dulong questioned why is the town involved and why is there locks on the gates, don't own the road and don't own the property around the road, why is Lyman involved with the locks. John Houy questioned why is the town paying for trash pickup. William Single asked if the town owns the road and John Tibbetts responded part of it and has always locked it. Jeffrey Demers added should invite Thomas Plummer in for the next meeting and have Alex Konczal get information on property tax maps. David Dulong and John Houy feel should leave the gate open until can figure out what is going on. John Tibbetts motion to move the question.

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- Road Association meeting on Duke Lane. Board reviewed the notice received as the Town owns property off from Duke Lane. Letter will be forwarded to town attorney for his opinion.
- Maine Dept. of Economic and Community Development letter requesting inventory of nonproductive industrial or manufacturing sites. Will be forwarded to CEO Patti McKenna.

b. Time Off Requests

John Houy wanted to make the board aware that on Dec. 22nd there will be three employees out. John Tibbetts added had discussed that, Jeffrey Demers also added that Nancy Brandt will come in if needed. John Tibbetts will come in if there is a gap of time. Jeffrey Demers added and that was part of the decision for Treasurer Lisa Vargas not take time off during budget process, so she is using her vacation time. John Tibbetts also added that Lisa Vargas is coming in to handle daily duties.

c. Complaints received

Have received 3 complaints on the new pavement on Old North Berwick Road and Walker Road. Jeffrey Demers will contact Loren Blair along with sending a fax to him with the complaints. Would like to set up a time when he and Maurice St. Clair could meet with Pike to look over the road.

Item #3 – Approve Minutes-

- a.** Approve minutes of November 20th, 2017 meeting
Jeffrey Demers reported that David Dulong did send out a couple of revisions to the minutes. Nancy Brandt did receive the revisions and corrected the minutes. Motion by John Tibbetts to approve the minutes of November 20th, 2017 with the revisions from David Dulong. Motion seconded by John Houy. Motion carried 5-0-0.

Item #4 - Sign Warrants-

- a.** Payroll warrant #44 in the amount of \$15,480.82
Motion by John Tibbetts to approve payroll warrant #44 in the amount of \$15,480.82; motion seconded by John Houy. Motion carried 5-0-0.
- b.** Payables warrant #45 in the amount \$444,950.41.
Motion by John Tibbetts to approve payable warrant #45 in the amount of \$444,950.41 for discussion; motion seconded by John Houy for discussion. John Houy had a question on the electrical inspector mileage. Multiple trips within the same day, charging from the original destination, there are several of them. Jeffrey Demers will ask to hold the \$584.22, would rather not, would like to pay 75% but have not figured it out it but request the warrant amount of \$444,366.19 be approved. John Tibbetts added that it could have been a morning and a late afternoon inspection but do not know. Board agreed on paying \$292.11 until Marcel Desrosier comes in and meets with the Board.

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Motion by John Tibbetts to approve payable warrant #45 in the adjusted amount; motion seconded by John Houy. Jeffrey Demers will contact Treasurer Lisa Vargas in the morning and ask Marcel to either type out a letter explaining his reason or come to the next meeting, Motion carried 5-0-0.

Item #5 - Unfinished Business

- a. Reminder of workshop with the Planning Board on December 13th @ 6 pm**
- b. Request from Doris Green to remove the speed bump**
Doris Green has submitted a request to the Select Board to have the berm removed. Jeffrey Demers will have attorney send a letter stating that the Town is done with the situation. Nancy Brandt will forward request to the attorney.
- c. Approve GA Maximums**
Motion by John Tibbetts to approve the 2018 General Assistance Maximums; motion seconded by John Houy. Motion carried 5-0-0.
- d. Lights at Transfer Station.** LED lights cuts out with VFD's go on at the compactors. Looking at \$1,500-\$2,00. For the two components for the VFD's if just change out the lights will be a third of the cost. John Houy would like to know what cost for VFD add on's with Michael Gervais.
- e. Discussion of Old North Berwick Road** was held with Road Commissioner Maurice St. Clair. Maurice told the Board that during the cement stabilization portion of the project, it rained and caused pot holes but unable to grade with the cement. Pike wanted to shim the road for extra money and he told them no. Maurice also feels that once the final pavement is down, it will take care of a lot of issues.
- f. Clarks Woods culvert:** Maurice St. Clair reported it will be done this week and a couple of places on Fox Meadow Run that will also be completed.
- g. No Trespassing signs at Transfer Station.** John Tibbetts will follow up.
- h. Fred Bechard suggestion for dedication of town report.** Motion by John Houy to accept Fred Bechard's recommendation for the dedication of the town report; motion seconded by John Tibbetts. Motion carried 5-0-0.
- i. Budget process & CIP (Capital Improvement Plan).** Have other depts. But need to work on General Government

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Item #6- Dept. and Committee Reports

- a. Animal Control Officer- Report submitted (attached)
- b. Assessor-No report submitted.
- c. CEO/Building Inspector-Report submitted.

Town of Lyman
Code Enforcement Office

MEMORANDUM

Phone: 207-247-0647 ceo@lyman-me.gov

To: Board of Selectmen

From: Patti McKenna, CEO

Date: December 1, 2017

Re: Monthly Report for November 2017

The Code Enforcement Office has conducted the following business for the period of 11/1/17-11/31/17 resulting in total fees collected of \$8,858

Building Permits:	16	\$ 6,853
Electrical Permits:	08	\$ 655
Internal Plumbing Permits:	07	\$ 670
Septic permits	03	\$ 680
Driveway	00	\$
Complaint	03	
Site plan Applications	00	\$
Staff Review Application	00	\$
Inspections	40	
Tree cut request	02	
New Violations	00	

New Violations / Complaints:

An anonymous complaint was mailed to my office about new construction at 41 Shore Road. The complaint was that the house exceeds the 30% expansion rules, is encroaching on the property lines and a right of way that abuts the property. The permit for this construction was approved by the Planning Board, DEP and the code office. The house and garage straddle the 75-foot setback to the lake. The part of the house on the lakeside of that 75-foot setback meets the 30% rule.

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The garage which is more than 75 feet from the lake is not subject to the 30% expansion rule. The structure meets the required 10-foot setback on each side and does not encroach upon the right of way that abuts this lot. The expansion rules have changed about 2 years ago. This does look like it exceeds the 30% expansion but what people might not know is that the part of the structure that is more than the 75 setback is not counted as part of the 30% expansion. Please come in to the office with these questions as part of my job is education. You may be able to do more on your property than you thought was legal. If you feel like a mistake is being made it is better to come in sooner than later. If a mistake is made there is a process of appealing my decisions and I would want it to be pointed out. There is a 30-day time frame to appeal the issuance of permits. I don't take offense to the questions and there is due process written into the zoning ordinance to provide for appealing incorrect issuances of permits.

An anonymous complaint was called in regarding people living in campers on property off Clarks Woods Road. Upon investigation, there was one person staying in a camper who has since found residency elsewhere.

A complaint was received about possible dumping of septic waste into Kennebunk Pond. There was a floating mass of leaves and bubbles with undetermined debris. A video, pictures and sample of the water was brought to my office a week after it occurred. I forwarded the video and pictures to DEP. This was discussed with DEP and with DHHS. DEP thought this floating mass looked more like an algae bloom that had died than septic waste. They said the conditions were just right for this to happen with warm temps through October and it turned cold the week this mass was moving along the shore of Poor Farm Road. The complaint was forwarded to me a week after it happened. It was too late to test the sample water and for any official to witness the floating debris. The take away from this is that if anyone sees anything that should be reported, please do that asap so that it can be investigated.

Update on Violations/ Complaints

A complaint was logged against a property on John Street for moving in a camper and hooking into the existing septic system without permits. The camper has been removed. The connection to the septic tank will be discontinued

There is a court hearing scheduled for December 28 at Biddeford District Court on the Campbell contempt of court ruling.

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General Information Update:

I wish everyone a very Merry Christmas and Happy New Year
Respectfully submitted,

Patti McKenna, Code Enforcement Officer

- d. Comp. Plan- No report.
Reported the plan is completed. John Tibbetts will contact Chair of committee to forward to Select Board Clerk to put on the website.
- e. Cousens School Update-given previously in the meeting.
- f. ECO Maine- to be given at meeting.
John Tibbetts reported that Bob Randall has made a few meetings and will ask that he submits something back to the Select Board. Maurice St. Clair reported that at the last meeting, recycling market in China has gone away, and they may not have a place to send the recycling to. May be a concern down the road. John Tibbetts also mentioned that if something is deemed recyclable it cannot be burned.

A big financial issue as now only pay for trucking. Discussion was held on paying Bob Randall to attend the meetings. John Tibbetts explained pay mileage, when he submits the mileage. Jeffrey Demers added that by law he needs to get paid. Will add to the workshop agenda. Estimated time as 8 hours a month.
- g. Parks & Recreation-no report.
Jeffrey Demers has taken picture for the file to show the water is away from the steps.
- h. Planning Board-submitted last meeting
- i. Road Commissioner-given at meeting.

Item #7– New Business

Worker Compensation. Motion by John Houy to go with MEMIC the same workers compensation carrier; motion seconded by John Tibbetts. Motion carried 5-0-0.

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Credit Card for Transfer Station. John Tibbetts explained that when the Transfer Station require items at Home Depot, Bob Randall has to spend time to get the card from Treasurer Lisa Vargas and then bring the card back to her and has requested if the Transfer Station have a separate card. John Tibbetts told Bob Randall that part of the problem would be keeping the card safe and would require authorization to use the card no matter what the cost is. Further discussion was held. John Tibbetts made the motion to authorize a Home Depot card for the Transfer Station which will have a \$500.00 limit; motion seconded by David Dulong. Motion carries 5-0-0. Jeffrey Demers will contact Treasurer Lisa Vargas.

Transfer Station signs. John Tibbetts brought to the Board's attention that there are questions on what can go into recycling bags. Would like to take ECOMaine list to Staples to enlarge so people can read it. Jeffrey Demers suggested to John Tibbetts to get a cost from Graphic Designs that would be more suited for the outside. John Tibbetts is thinking should have about 4 signs.

Public comment:
No public comment

Motion by John Tibbetts to go into Executive Session per 1 M.R.S.A. § 405(6) (A) Personnel matter at 8:30 pm. Motion seconded by John Houy. Motion carries 5-0-0.

Motion by John Tibbetts to come out of Executive Session per 1 M.R.S.A. § 405(6) (A) Personnel matter at 8:40 pm. Motion seconded by John Houy. Motion carries 5-0-0.

Adjourn:

Motion for adjournment was made at 8:41 p.m.

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

Jeffrey Demers; Chair

John Tibbetts, Vice-Chair

John Houy

David Dulong

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 nine (9) pages are the original minutes of the Select Board Meeting of December 4th, 2017. _____ Nancy Brandt 12/04/2017