

**Town of Lyman
Select Board Meeting Minutes
April 1st, 2019 – 6:00 p.m.
Lyman Town Hall**

Select Board present: John Tibbetts, Chair; David Dulong, Vice-chair; William Single, Thomas Guillemette and Ralph Blackington.

Others present: Wendell Smith, David Roberge, Adam Parent, Kaitlyn Mooers.

Pledge of Allegiance

Item #1 – Special Offers/Presentations

a.

Item #2- Hearing of Delegations / Public input

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

b. Mail

- Notice of decision from Planning Board for used car sales located on Map 1 Lot 5-2
- Correspondence from Atty. Bradley Morin.
- Notice from York County Budget Committee on caucuses to elect municipal and public representatives to the York County Budget Committee are scheduled for Wednesday, April 17th at 6:30 pm
- Notice from Charter Communications (Spectrum) on or around April 4th LOVE located on Spectrum Channel 489 will cease transmission and programming.
- Notice from Maine DEP re: underground petroleum storage tank new regulations.

c. Complaints received

Complaint on the trees overhanging Brock Road some with dead branches. John Tibbetts will meet with Road Commissioner Maurice St. Clair to look at the trees.

Item #3- Minutes

a. Approve minutes of the March 18th, 2019 meeting.

Motion by David Dulong to approve the minutes of the March 18th, 2019 meeting; motion seconded by William Single. Motion carries 5-0-0

Item #4 - Sign Warrants-

a. Payroll warrant #74 in the amount of \$ 18,137.29.

Motion by David Dulong to approve payroll warrant #74 in the amount of \$18,137.39; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

b. Payable warrant #78 in the amount of \$498,691.12.

c. Motion by David Dulong to approve payroll warrant #78 in the amount of \$498,691.12; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

Item #5 - Unfinished Business

a. **Cousen's School update-** Executive Session per 1 M.R.S.A. § 405(6)(C) Acquisition of Real Property or Economic Development; 1 M.R.S.A. § 405(6)(F) Discussion of confidential records. Motion by David Dulong to go into executive session at 6:25 pm; motion seconded by William Single. Motion carries 5-0-0.

David Dulong made the motion to come out of executive session at 6:47 pm; motion seconded by Thomas Guillemette. Motion Carries 5-0-0.

Motion by David Dulong to accept the offer pending legal review; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

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- b. Volunteer Insurance coverage.**
Motion by William Single to obtain volunteer insurance coverage; motion seconded by Ralph Blackington. Motion carries 5-0-0.
- c. March 21st executive session resolution.**
Motion by William Single that the issue does not rise to the level of harassment and recommend no further action; motion seconded by Thomas Guillemette. Motion carries 5-0-1.
- d. Approve CES Inc. proposal for realignment of Walker Road near the intersection of Pig Road.**
Motion by David Dulong to approve the CES Inc proposal for \$4,250.00; motion seconded by Ralph Blackington. Motion carries 5-0-0.
- e. Town Meeting warrant**
 - 1) Articles format**
Motion by David Dulong to format the town meeting warrant with removing Surplus and Excise Tax appropriations from the article, show ambulance revenue and transfer station revenue within the articles and keep the article with the amount of surplus and excise tax; motion seconded by Ralph Blackington. Motion carries 5-0-0.
 - 2) Article to discontinue with printing 3-year tax payer list in Town Report.**
Motion by David Dulong to add to the warrant the discontinuance of printing the three years tax payers list where now it is on line; motion seconded by Thomas Guillemette. Motion carries 5-0-0.
- f. Added-Town Clerk Salary.**
Motion by David Dulong to increase the Town Clerk salary by \$6,000.00 per year effective July 1, 2019; motion seconded by Thomas Guillemette. Thomas Guillemette explained that he reviewed all the paperwork with insurance that was given by the Town Clerk and feels even at \$6,000.00 jump that will not be even keel with other towns on what she is doing. Ralph Blackington asked if it would be just the increase or would it also include the percentage to other town employees. David Dulong explained that would get both. Two percent increases were approved at the last budget meeting. Ralph Blackington added that he is a fan, but concern on what does this start? This is number two. David Dulong further explained that a lot has been taken care of in the past. Ralph Blackington question who would be next and David Dulong responded do not know. William Singled added there is another one coming tonight. And goes back to the discussion that was had on reviewing the whole pay structure. David Dulong added that if we agree to look at the total pay structure can come back next year, but what do we do now? William Single explained that he agrees with now but need to look at the whole structure. David Dulong added that she has not been given a raise in a long time because the Board did not know if they could give her a raise where she is an elected official not an employee. John Tibbetts is afraid of that big of a number. David Dulong asked what a more reasonable number would be, willing to amend the number and John Tibbetts responded he did not know. Main Motion vote-motion carries 4-1-0.

Item #6- Dept. and Committee Reports

- a.** Animal Control Officer-.no report.
 - b.** Assessor- no report.
 - c.** CEO/Building Insp.- no report.
 - d.** ECO Maine-To be given at meeting.
 - e.** Parks & Recreation-no report.
 - f.** Planning Board- no report.
 - g.** Road Commissioner- To be given at meeting.
- Reports from Animal Control Officer and CEO/Building Insp. were received.

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Item #7– New Business

a. Approve orders for referendum questions for June 11th.

Motion by David Dulong to approve orders for referendum question **ARTICLE 3:** Shall the Comprehensive Plan dated 2004 be repealed and accepted and replaced by the 2019 Comprehensive Plan? (A copy of the proposed plan is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendment are available from the Town Clerk’s Office.) Motion seconded by Ralph Blackington. Motion carries 5-0.

Motion by David Dulong to approve orders for referendum question **ARTICLE 4:** Shall the Town enact amendments to Article 5 Land Use Table, Article 10 Performance Standards and Article 12 Definitions of the Lyman Zoning Ordinance, to allow and regulate Medical Marijuana Caregiver Home Productions and Medical Marijuana Production Facilities? (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendments are available from the Town Clerk’s Office.) Motion seconded by Ralph Blackington. Motion carries 5-0-0.

Motion by David Dulong to approve orders for referendum question **ARTICLE 5:** Shall the Town enact amendments to Section 7 of the Lyman Zoning Ordinance to authorize the Electric Inspector to disconnect service under hazardous conditions? (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendment is available from the Town Clerk’s Office.) Motion seconded by Thomas Guillemette. Motion carries 5-0-0.

Motion by David Dulong to approve orders for referendum question **ARTICLE 6:** Shall the Town enact amendments to Section 15 Land Use Table and Section 17 Definitions of the Shoreland Zoning Ordinance to allow and regulate Medical Marijuana Home Production and Medical Marijuana Production Facilities? (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this warrant by reference. Copies of the text of the amendments are available from the Town Clerk’s Office.) Motion seconded by Ralph Blackington. Motion carries 5-0-0.

b. Approve renewal liquor license for Town Line Restaurant.

John Tibbetts wanted to add the through the whole process since day one, they have been great to work with. Inspections by the Town have been completed. Motion by David Dulong to approve the renewal liquor license for Town Line Restaurant; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

c. Approve Animal Welfare Society Inc. contract for 7/1/19-6/30/20.

Motion by David Dulong to approve the Animal Welfare Society, Inc. contract for 7-1-2019-6/30/2020; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

d. Little League Field Use.

Motion by David Dulong to approve Massabesic Little League field use; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

e. Election Warden wage increase.

Discussion was held if it was \$1.00 or \$2.00 increase suggested by Town Clerk. Motion by David Dulong to raise the hourly wage of the Election Warden by \$1.00 per hour; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

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Added: John Tibbetts explained that the Public Works Director in Biddeford contacted him to see if the Select Board would send a letter regarding the town's experience with Pike Industries. Motion by David Dulong to provide the City of Biddeford a letter on experience with Pike Industries; motion seconded by Thomas Guillemette. Motion carries 5-0-0. Road Commissioner Maurice St. Clair along with David Dulong will work with Select Board Clerk Nancy Brandt to work on the letter.

Fire Chief Rod Hooper entered the meeting. Rod Hopper attended the Dayton Select Board prior to coming to this meeting. Dayton Select Board voted that write off all bills of any amount to 12/2016. David Dulong made the motion to go with Dayton to write off all bills of any amount to 12/2016; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

Reported the new refurbished truck has a relay issue causing the problems. Hope to have it in service very soon.

John Tibbetts asked if the PTO time has been straightened out. Rod Hooper explained that himself and Phillip Daniels sick and vacation from the old system did not carry over to the current PTO. He will talk to Lisa about it. Asked how many hours and what the cap is. Rod Hooper explained it is 195 hours along with the cap of 380 hours. David Dulong added that he should get it.

Also discussed with the Board, that things come up over a year like a fire reimbursement which shows as miscellaneous income. Would like the reimbursement to go back towards the account line where the costs were taken out of. With the fire reimbursement, there was \$14,000.00 and the costs for the dept. for mutual aid was \$4,000.00.

Rod Hooper will also contact other companies who will bill and collect other than ambulance runs.

Executive session per 1 M.R.S.A. § 405(6)(A) Personnel Matter

Motion by David Dulong to go into executive session per 1 M.R.S.A. § 405(6)(A) Personnel Matter at 7:18 pm; motion seconded by William Single. Motion carries 5-0-0.

Motion to come out of executive session at 7:38 pm; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

Motion by David Dulong to increase the warrant article for raised from \$6,000.00 to \$10,000.00; motion seconded by Ralph Blackington. Motion carries 5-0-0.

Adjourn:

Motion to adjourn was made at 7:40 pm

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

John Tibbetts, Chair

David Dulong, Vice-chair

Thomas Guillemette

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 five (5) pages are the original minutes of the Select Board Meeting of April 1, 2019.

Nancy Brandt