

**Town of Lyman
Select Board Meeting Minutes
May 21st, 2018 – 6:30 p.m.**

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

Public present: 30 residents on Walker Road, Donald Hernan, Patti McKenna, Maurice St. Clair, Frederick Bechard, Lisa Vargas, Brad and Marie Nikel, Rod Hooper, Tom Guillemette.

Pledge of Allegiance

Item #1 – Special Offers/Presentations

a. June 12th Referendum Questions Public Hearing

Jeffrey Demers opened the public hearing at 6:30 pm. Read the referendum questions on the June 12th municipal election. There were no public remarks. Public Hearing closed at 6:35 p.m.

Item #7 - New Business

c. Accept John Tibbetts resignation from the Select Board.

Board brought forth John Tibbetts resignation. John Houy made the motion to accept the take back, so he can become a Selectman. Motion seconded by William Single. Motion carries 4-0.

b. Open mowing bids.

William Single suggested because where there were some inconsistencies before opening the bids might want to discuss doing the bids again instead of opening where they sit. After the paperwork is redone, go back to the three bidders requesting to bid again. There was some confusion on what was done and there was some additional paperwork that was added to it that was inconsistent with what was originally done. So, it was confusing as what should have been done. Feels that the fair thing to do is just redo it in short order. Jeffrey Demers asked what discrepancy were. William Single explained that was what was sent out paper form but not email form. There was additional paperwork that should have picked up on while we were reading through it which was contradictory to what we had agreed to do and feels should clean it up, so it is fair for everybody. Think we should just redo it. There was a lot of wording “as needed” to be removed and it was not and could be submitted electronically, which the paperwork said it had to be in paper form. So, there were two different formats. There was another form that was added in contrary to the electronic form. John Houy asked how it could be an electronic form when it is a sealed bid. William Single responded that did not talk about it being a sealed bid. Said it could be returned in paper format or electronic format and that is not what happened. Jeffrey Demers spoke that this was just given to him and he has not had the chance to digest it. David Dulong, John Houy added that they not know about it. John Tibbetts heard about it through a conversation this morning.

**Town of Lyman
Select Board Meeting Minutes
May 21st, 2018 – 6:30 p.m.**

William Single added it didn't really appear until Friday. When discussed bids could be sent either way. Several Board members added that they would never have agreed that way.

One bid was emailed at 2:57 pm and then dropped off in the required sealed envelope at 3:52 pm. Another bid was deposited into the drop off box after office hours. One bid for town owned properties and athletic fields were received in a sealed envelope at 1:31 pm on May 18th prior to the 3:00 pm bid deadline. Motion by John Houy to accept the bids that were received by the 3:00 pm deadline on Friday. Motion seconded by David Dulong. Motion carried 4-1. Bids were opened and read aloud as follows:

Town owned properties bid: Birch Point Property Management-Freeman Sprague, Jr.
\$12,360.00

Town Athletic Fields bid: Birch Point Property Management-Freeman Sprague, Jr.
\$28,695.00.

Will be put on next meeting agenda.

c. Kelly Stevens re: Walker Road

Residents of Walker Road were in attendance to discuss the Walker Road and the safety of the road including the road has not been completed. Presented the Board pictures of road conditions would like commitment from the town to finish the road. Did make their concerns heard last year with the Budget Committee. Would like the road to be a priority and have it fixed like the Old North Berwick Road. Also include within the scope of work the shoulders. Question why only sections intermittently have been reconstructed and paved. Maurice St. Clair added that the town has been working on the road and feels it is about three years away from being reconstructed and paved. Jeffrey Demers informed the public that this is not an open meeting, go by Roberts Rules. Maurice St. Clair also added that the finish surface will be put on the portion of the road that was paved last year. Board has concerns with the boulders that are coming up into the road. Maurice St. Clair gave a commitment last year and spent \$300 thousand dollars. Further discussion was held. Individuals will have the opportunity to speak in the Hearing of Delegations/Public Input portion of the meeting.

d. Paul Cooper re: Consent Decree

CEO, Patti McKenna came before the Board with Paul Cooper to request a consent decree. Bought the lot in 1999, deeded off two lots in 2000 with building on the lots in 2002 and 2003. His lot is up for sale and does not meet frontage required within zoning. Zoning requires 375 ft. and he has 105.54 ft. Paul Cooper informed the Board that he had come before the Board and he was told he could built but there is no documentation. Dave Dulong would like the Board to conduct a site walk.

**Town of Lyman
Select Board Meeting Minutes
May 21st, 2018 – 6:30 p.m.**

Paul Cooper added that the town owns property in front of his and behind his property and cannot understand why there is no documentation. Board will set up a site walk with Patti McKenna.

e. Maurice St. Clair re: Cousen's School use

Maurice St. Clair came before the Board with a suggestion for elderly housing on the property where Cousens' School is. He has done some preliminary work and the site will be for 14 units. Does not want to spend 15-20 thousand dollars if there is not a commitment from the town to purchase. Can put in the purchase and sale agreement that there would be a time frame to come back to the Board with a plan within 6 mos. Jeffrey Demers questions how to keep it open for other people who might be interested in the property. Maurice St. Clair would like to buy it for \$1.00 as that is what the town paid for it, the school would disappear and a new building(s) built and the ball field would stay where it is. Dave Dulong added that he would need contract zoning. John Houy felt need to look at other things including a cemetery. John Tibbetts spoke it would have to go to the voters.

Item #2- Hearing of Delegations / Public input

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

- Peter Pierce at 85 Walker Road spoke on the condition of the culverts. Also, willing to give footage/easement to straighten out the road along with suggesting a 3 way stop sign. The safety factor on the corner is a great concern.
- Sue LaChance at 782 Walker Road. The road is so bad that in winter, plow has problems and plows one lane. The road now has more cold patch that pavement and culverts are a big part of the problem.
- Jamie Boutcher at 387 Walker Road. Plow trucks use the shoulders of the road to avoid the boulders. Has met numerous times vehicles on his side of the road. The road has to be reconstructed and the boulders removed.
- Marie Nikel at Zander Lane asked the Board about the monument being mowed, raked, weeded and cleaned before the parade on Memorial Day. Jeffrey Demers will call to have it cleaned up. Marie Nikel added that it is a disgrace.
- Courtney Shay lives on Walker Road. Growing up it was okay to ride bikes, now there are more houses, more traffic and not safe enough to walk. There was even a hole that a Christmas tree was put in to warn drivers. Maurice St. Clair explained that he received the complaint and fixed on hole didn't realize it was the wrong one so a couple of days later the second hole was fixed and the town would have to purchase land to fix the corner.
- Leo Ruel from Alfred Road spoke that there are 12 houses on Duke Lane that use the Walker Road.
- Susan Gluck at 377 Walker Road. Have yet allowed her kids to walk on the road. The corner is very curvy and have to walk into the woods to avoid traffic.

**Town of Lyman
Select Board Meeting Minutes
May 21st, 2018 – 6:30 p.m.**

- Jane Frankland from Mast Road asked why did not come back to the voters regarding Cousen's School and use current building for elderly housing.
 - Donald Herson asked if the Board would like him to give his report now or wait as he has a couple of things. Jeffrey Demers asked him to wait until the dept. reports.
 - Jeffrey Demers suggested that the Road Commissioner for the next 2 – 3 years put together a proposed Capital Improvement Plan and will put it up on the website within one week. Reminded attendees that the budget is voted on at town meeting.
- b. Mail**
- Letter from Patti McKenna Code Enforcement Officer/E911 Coordinator to Ryan and Shana Therrien on road name change request. Request denied suggesting a new road sign with the correct spelling of the name
 - Notice of meeting on June 18th for the purpose of road association for Duke Lane.
 - RSU #57 budget booklet.
 - Foreclosure notice from Treasurer
- c. Time off requests**
All time off requests were approved.
- d. Complaints received**
Culvert between Wadleigh and Swan pond. Maurice St. Clair reported the trapper has not been able to trap the beavers. Frost Road, water runs down her driveway. Water runs about 150 ft down the road and her driveway is lower than the road. David Dulong will go with Maurice to look at the situation.

Item #3-minutes

- a.** Approve minutes of May 7th, 2018 meeting.
Motion by John Tibbetts to approve the minutes of the May 7th, 2018 meeting minutes.
Motion seconded by John Houy. Motion carries 5-0.

Item #4 - Sign Warrants-

- a.** Payroll warrant #92 in the amount of \$23,399.21.
Motion by John Houy to approve payroll warrant #92 in the amount of \$23,399.21.
Motion carries 5-0.
- b.** Payables warrant #91 in the amount \$462,758.86.
Motion by John Tibbetts to approve payables warrant John Houy seconded for discussion. John Houy raised concerns over the flagger hours submitted for work on the Clarks Woods Road. Several times in the afternoon he went by and there was a trailer, dump truck and excavator but no flagger. Maurice St. Clair will look into it. He also checked 2-3 times for a flagger and there was a flagger. Maurice St. Clair will check with the vendor. Original motion, vote carries 5-0.

**Town of Lyman
Select Board Meeting Minutes
May 21st, 2018 – 6:30 p.m.**

Item #5- Unfinished Business

There was no unfinished business.

Item #6- Dept. and Committee Reports

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| a. Cemetery Committee-No report | e. Tax Collector-Report submitted |
| b. Fire Commission- Report submitted. | f. Town Clerk- No report |
| c. Road Commissioner- To be given at meeting | g. Treasurer- Report Submitted. |
| | h. Zoning Board of Appeals- no meetings. |

Maurice St. Clair reported the company that services the compactors at the Transfer Station, during the month of May offering 10% discount on maintenance. Has scheduled them to come out on June 4th, would save \$180.00. Also reported it has been very busy at the Transfer Station. Ken Burr recommended when the oil is changed to be sure it is bio-degradable.

Item #7- New Business

a. Approve Catering One Day Liquor License for Harvest Moon Catering

Motion by David Dulong to approve the Catering One Day Liquor License for Harvest Moon Catering. Motion seconded by John Tibbetts. Motion carries 5-0.

b. Approve Catering One Day Liquor License for Destination Catering Inc.

Motion by David Dulong to approve the Catering One Day Liquor License for Destination Catering, Inc. Motion seconded by John Tibbetts. Motion carries 5-0.

c. Discuss election date for Select Board vacancy re: shorten nomination process

If needed, will be on the agenda after the election on June 18th,

d. Appoint Ballot Clerks for the June 12th Municipal Election

Motion by John Tibbetts to appoint Mary Jane Wagner as Warden for the June 2018 State Primary Election. Motion seconded by William Single. Motion carries 5-0

Motion by John Tibbetts to appoint for following ballot clerks for the June 12th Municipal Election:

Frederick Bechard	Diane Raychard
Carol Stewart	Theresa Clapp
Beverly Weymouth	Barbara Hull
Michael Jubinsky	Susan Locke
Irene Single	Katrina Randall

Motion seconded by John Houy. Motion carries 5-0.

Cousens School: David Dulong would like to see on the next agenda Cousens School to see what to do with it, possibly an article on the November ballot to sell it.

Athletic Fields: William Single reported that Bunganut, Chadbourne fields have not been cleaned up. Bernier field has clover and grubs that are out of control.

**Town of Lyman
Select Board Meeting Minutes
May 21st, 2018 – 6:30 p.m.**

Job Shadowing: Maurice St. Clair asked if the town still carries volunteer insurance as his son would like to volunteer at the Transfer Station and Maurice would be his job coach, would only take place when Maurice is there. It is part of a work program.

Hill Road Washout: David Dulong made the motion to approve \$11,500.00 to repair the washout on Hill Road, pave 2 feet each side of the road to the rip rap. Motion seconded by John Houy. Motion carries 5-0.

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

Motion to go into executive session was made at 8:25 pm.

Motion to come out of executive session was made at 8:45 pm

Adjourn:

Motion for adjournment was made at 8:48 pm.

*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 six(6) pages are the original minutes of the Select Board Meeting of May 21st, 2018. _____ Nancy Brandt 5/21/2018