

**Town of Lyman
Select Board Meeting
Executive Session
September 17, 2018**

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

Also present, Town Attorney Bradley Morin.

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

David Dulong made the motion to go into executive session per 1 M.R.S.A. §405(6)(E) Consultation with legal counsel at 6:01 pm; motion seconded by Thomas Guillemette. Motion carries 5-0-0.

David Dulong made the motion to come out of executive session at 6:37 pm; motion seconded by Ralph Blackington. Motion carries 5-0-0.

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

Others present: Tax Collector Susan Bellerose, Brad Nikel, Arthur Gagne, Chuck Gregory, Road Commissioner Maurice St. Clair.

Pledge of Allegiance

Item #1 – Special Offers/Presentations

a Tax Collector Sue Bellerose re: Certificate of Settlement, workshop information updates.

Sue explained her reports to the new Board members. This year she added an additional line with year to date totals. Sue also present to the board to sign the certificate of settlement for taxes of the pervious year. Also reported on the conference that both she and Lisa attended. One of the topics that was presented by Home Land Security is a policy for active shooter in the town office and recommended a policy which guideline can be found on Home Land Security website.

Item #2- Hearing of Delegations / Public input

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

Chuck Gregory asked if there were any new developments with Lord's Lane. John Tibbetts informed him, that there has been a lot of research done and now it is being put onto paper. The town's attorney will bet the information to the Board by the 29th at which time a copy of everything the town has will be given to them.

Arthur Gagne came before the Board regarding the chicken situation on Walker Road. He was at the Select Board meeting 45 days ago. And he did receive the Town's letter. Arthur is very disappointed that he was put in the same bracket as Steve Marble. He never swore, raised his voice or anything to the Code Enforcement Officer. He called her because the town's ordinance says any noise from four-wheeler or anything like that, call Code Enforcement Officer and that he what he did. Now being told he can't call her can only call the dog catcher now. John Tibbetts

asked why he would call the dog catcher for a 4-wheeler.

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Arthur explained it was not that, it was about the roosters. David Dulong added that the dog catcher is the guy for the roosters and probably the game wardens are for the four wheelers. Arthur added that he understands that Patti was upset with Steve Marble and he was put in the same bracket and he didn't mind that because he knows Steve, he is really a good-hearted guy and he really did not mean anything that he said to Patti that way. But again, on my way here tonight I had to step aside for 3 roosters that were in the road heading over to Steve Marbles. They were in Steve's yard twice again today. Doesn't know what happened with the fencing, and when he talked to the dog catcher, he was supposed to come and talk to you and he never responded back to him. Thing is at 3:30 in the morning the roosters are sounding off, now we do not have a decimal reader, but his granddaughter was able to get on app on her phone for one. Directed to Thomas Guillemette, that he could get the app and, on his way, to work in the morning. Thomas responded that he has never in the morning seen a rooster. If a rooster is sounding off something is giving him the reason as their roost at night and has counted only 2 roosters. Arthur added there are 7 roosters and maybe 8. Thomas add that there are probably 7 or 8 chickens. Arthur is sure there that many roosters. Steve has pictures right on his phone and he will show them to you. Thomas informed him that he will stop and see Steve, so he can show him what a chicken and rooster is. Arthur added that Steve has pictures one with 5 roosters and another with 6 roosters and has a hen in the picture. So, you can see the difference between a rooster and a hen that your dog catcher doesn't think we know the difference. Reiterated that they know the difference and there at 7 or 8 roosters. David Dulong suggested that they take the pictures, give them to the animal control officer. Arthur preceded that 45 days ago, they were ordered to be corralled. And added John Tibbetts said in that meeting if they are not corralled, they are to be liquidated. John Tibbetts informed him that he never said that. Other board members also agreed that he did not say that. Arthur added that he would swear on a stack of bibles right now he said that at the meeting. He listens to the meetings. David's recommendation is to get the pictures and get them to the animal control officer. Arthur added that they are getting the run around and they are problem solvers, they have a legitimate complaint. David added that anyone can have a decibel reader but for it to hold up, will have to have someone to come in who is certified with a calibrated decimal reader. Arthur asked shy would you have to hire somebody when you have your own decimal reader. David explained that it is not calibrated and not an expert on the readings. John spoke up to say that he is over his five minutes and will move on and is sorry that he is not satisfied for what the board is doing for him, have given you all kinds of avenues and we can't even come up with the number of roosters. First time have heard that many. Had someone on the phone who was there saying they only see two roosters. Some animals have mysteriously died, have no idea what happened to them. There is a lot of stuff going on over there.

b. Mail

- From MMA, Annual convention will take place on Wednesday, October 3rd at 1:45 pm. MMA bylaws entitle each member community to one (1) voting representative. Form for delegate voting credentials.

- Letter from Skyler Cruz Wolsey regarding suggestion to busy intersection of Rte. 111
- Latest update from State. Rep. Dwayne Prescott.

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- Notice from Shelley Winchenbach, Director, Government Affairs -Northeast. Spectrum this fall is upgrading its entire channel lineup to a digital only signal and will be relocating the Public, Educational and Government (PEG) access channels to the 1300s section of the channel line-up will be effective October 23, 2018
 - Notice of 2018 AppleCycle Charity Bike Ride to be held on Saturday, October 13th. Route in Lyman consists of.
 - South Waterboro Road
 - Causeway
 - Williams Road
 - Brock Road
 - Hamilton Road
 - Notice of Violation/Enforcement Order from CEO Patti McKenna. Patti will be bringing this to the Board at a later time for a consent agreement.
 - Weekly update from State Rep Dwayne Prescott.
 - Letter from Maine Department of Health and Human services regarding General Assistance with Municipality of Responsibility.
- c. Complaints received
One received for 33 Ruth Lane regarding the road. Maurice St. Clair also informed the board the F.R. Carroll will honor the same bid price as on Walker Road and Old North Berwick Road for the Clarks Woods Road. Expects to have it paved by October 10th. David asked Maurice if anything has been done about the dead tree limbs on Clarks Woods Road. Maurice reported that there are 2 or 3 other places in town that the limbs should be cut. Board approved Maurice to obtain quotes and go with the lowest bidder.

Item #3-minutes

- a. Approve minutes of the September 4th, 2018 meeting
David Dulong made the motion to approve the September 4th, 2018 meeting minutes; motion seconded by Thomas Guillemette. Motion carries 4-0-0.

Item #4 - Sign Warrants-

- a. Payroll warrant #20 in the amount of \$14,499.29.
Motion by David Dulong to approve payroll warrant #20 in the amount of \$14,499.29; motion seconded by Thomas Guillemette. Motion carries 4-0-0.
- b. Payables warrant #23 in the amount of \$97,599.13.
Motion by David Dulong to approve payables warrant #23 in the amount of \$97,599.13; motion seconded by Thomas Guillemette. Motion carries 4-0-0.

Item #5 - Unfinished Business

a. **Computers/server recommendation.**

Current tech the town has, everyone is happy with. John and David met with Ralph O'Brien and Ralph provided a good explanation with good reasons. This will be on the workshop being held on Thursday.

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b. **Update on plow turn-a-round repairs.**

Maurice St. Clair reported that he is working on the list.

c. **Discuss straightening curve on Walker Road**

John Tibbets reported that when he met with the town attorney, he discussed with him about the plan to straighten out the curve in Walker Road. Since the property owner, owns both sides of the road, the attorney felt it would be just a land swap. The engineer currently working on Walker Road and Old North Berwick Road also looked the curve and he will prepare a plan to go with the attorney's letter to the property owner.

Item #6- Dept. and Committee Reports

a. Cemetery Committee- No report submitted.

b. Community Library- No report submitted.

c. Road Commissioner- Report at meeting.

d. Tax Collector- Report submitted.

e. Town Clerk-No report submitted.

f. Treasurer- No report submitted.

g. Zoning Board of Appeals- No meetings.

Item #7- New Business

a. **Trim around Town Hall.**

John Tibbetts explained that the soffits and fascia boards on town hall looks awful. Maurice added that a boy scout earning his eagle award, was looking at it and would like to make it a project. When he has a plan in place, he will come before the Board.

b. **Amendment to personnel policy re: regular workweek and average workweek.**

John Tibbetts explained the policy has the regular work week for payroll Thursday and ends on Wednesday and the average work week as Monday through Friday. The amendment will remove the work week and keep as work week for payroll. David Dulong made the motion to amend 5.1 of the Personnel Policy to read:

5.1 **Workweek:** The regular workweek for payroll purposes begins Thursday and ends Wednesday midnight. Employees will be entitled to one-half (1/2) hour paid lunch period. Employees are not allowed to leave the Town Hall during the lunch break other than to go to the local store to pick up their lunch. The workday hours for each position shall be established by the Board of Selectmen and/or department head and **any deviation from the set hours will need to be pre-approved by the Chairman or Vice Chair of the Board of Selectmen.** Motion seconded by Ralph Blackington. Motion carries 4-0-0.

c. **Approve field use for York County Kennel Club of Maine Inc. for Bernier Field.**

Discussion was held regarding using Chadbourne Field versus Bernier Field. Concerns were raised with Bernier having special infield mix for grass area, that dogs would turn areas yellow which would then require digging the area up and replanting. Chadbourne Field does have enough parking. Motion by David Dulong to approve Chadbourne Field for the York County Kennel Club; motion seconded by Ralph Blackington. Motion carries 4-0-0.

d. **Ecomaine increase on tipping fees for all bulky waste from \$59.50 per ton to \$70.50 per ton.**

The new fee is the same amount as household waste tipping fee. John Tibbetts, Maurice St. Clair will meet with Select Board Clerk Nancy Brandt to review the current fee structure at the Transfer Station.

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Other:

Cousen’s School. Town’s insurance carrier has questions over the school. The Board addressed the concerns and will contact the insurance carrier.

Gate Locks. Ralph Blackington asked about other locks on the gate. Soccer has the only lock on the new set up. Little League will be providing their lock also.

Town Hall salting/plowing and Cousen’s School plowing. John Tibbetts explained after the last meeting with the discussion of plowing at 2” and every 2” after will be costly, he recommends 3”. Discussion was held. David Dulong made the motion to go with 3” and every 3”, after hours and on weekends 6” before plowing; motion seconded by Ralph Blackington. Motion carries 4-0-0.

Adjourn:

Motion for adjournment was made at 7:37 pm

*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 September 17, 2018. _____ Nancy Brandt / /2018