

TOWN OF LYMAN
ANNUAL TOWN MEETING
JUNE 13, 2017 and JUNE 15, 2017

A legal meeting of the inhabitants of the Town of Lyman was held on June 13, 2017 at the Lyman Town Hall. The Deputy Town Clerk, Shirley A. Harrison opened the meeting at 8:00 a.m.

ARTICLE 1: To choose a Moderator to preside at said meeting.
Barbara Hull nominated Richard Hull III as moderator.
Carol Stewart seconded the motion. Richard Hull III was elected moderator by written Ballot. Mr. Hull took the oath of office before the Deputy Town Clerk. The Moderator declared the polls open at 8:00 a.m., and the voters proceeded to cast their ballots. The Moderator appointed Constance Tarbox as Deputy Moderator. She took her oath before the Moderator.

ARTICLE 2: To choose, by secret ballot,
Two (2) Selectman/Overseer of the Poor 3 Year Term;
One (1) Selectman/Overseer of the Poor 2 Year Term;
One (1) Town Clerk 3 Year Term;
Two (2) Budget Committee Members 3 Year Term;
One (1) RSU #57 School Board Director 3 Year Term.

ARTICLE 3: **Shall the following amendments to the Town of Lyman Zoning Ordinance, Article 10 General Town Wide Regulations, Sections 10.6 and 10.6.3, be enacted? (NOTE: language to be removed is ~~strikethrough~~, added language is underlined.)**

10.6 Accessory Dwelling Units: One accessory dwelling unit shall be permitted ~~within~~ on a lot which ~~to~~ an owner-occupied single family dwelling ~~in all districts~~ is located which meets the following conditions:

10.6.3 The accessory dwelling unit shall be located either in the same building or an accessory building to the principal structure. If the accessory dwelling unit is located in the basement of a single family dwelling it must meet egress standards of the NFPA Life Safety Code #101 as well as all other required codes and standards.

The Moderator closed the polls at 8 p.m. The results for the Municipal Officials election and Referendum question were taken from the electronic voting machine and certified by the Moderator. The results were posted on the bulletin board at the Lyman Town Hall. The Moderator stated that the meeting will reconvene on Thursday, June 15, 2017 at 6:30 p.m. at the Lyman Elementary School, at which time the remainder of the warrant articles will be acted upon.

LYMAN ELEMENTARY SCHOOL -JUNE 15, 2017 - The Moderator opened the meeting at 6:30 p.m.. He welcomed the voters and mentioned the raffle for the library. Also, that we should remember our Town Clerk, Polly with prayers while she is recovering from surgery. He led the Pledge of Allegiance and then announced the results of the Municipal Election and Referendum Question.

Selectman/Overseer of the Poor - 3 year term (voting for 2)
David L. Dulong
John E. Tibbetts

Selectman/Overseer of the Poor - 2 year term (voting for 1)
William P. Single

Town Clerk - 3 year term
Pauline F. Weiss
RSU #57 School Board Director 3 year term
Bryan L. Carpenter

Budget Committee - 3 year term (voting for2)
Paul R. Poulin
Maurice E. St. Clair

The amendments to the Lyman Zoning Ordinance, Article 10 General Town Wide Regulations, Section 10.6 and 10.6.3 passed.

David Dulong, John Tibbetts, William Single, Paul Poulin and Maurice St. Clair took Their oaths before the Moderator.

ARTICLE 4: To see if the Town will vote to raise from Taxes \$291,487.00 and appropriate from Surplus \$127,193 for the sum of \$418,680.00 for Wages, Salaries, Taxes and Stipends for personnel.

Nancy Harrison made a motion to vote the article.
Seconded by Kenneth Burr.
Motion carried

ARTICLE 5: To see if the Town will vote to appropriate from Surplus \$106,090.00 for the Operating Account.

Lisa Vargas made a motion to vote the article.
Norman Bilodeau seconded the motion
Motion carried

ARTICLE 6: To see if the Town will vote to appropriate from Surplus the sum of \$2,500.00 for the purpose of safety and security at the Town Hall.

Nancy Harrison made a motion to vote the article.
Lisa Vargas seconded the motion.
Light discussion.
Motion carried

Roland Nadeau made a motion to take Article 56 out of order. Victoria Gavel seconded the motion. A 2/3 vote is needed to take an article out of order. Discussion held. Vote taken 28 YES 17 NO Motion failed. 29 yes votes needed to pass.

ARTICLE 7. To see if the Town will vote to appropriate from Surplus the sum of \$8,000.00 for the Contingency Account.

Lisa Vargas made a motion to vote the article
Barbara Hull seconded the motion.
Discussion held. Contingency fund would cover unexpected expenses.
Motion carried.

ARTICLE 8: To see if the Town will vote to appropriate from Surplus the sum of \$53,508.00 for Professional Services for the Town.

Norman Bilodeau made a motion to vote the article.
Nancy Harrison seconded the motion.
Professional Services include Legal, Audit and PSAP.
Motion carried.

ARTICLE 9: To see if the Town will vote to appropriate from Surplus the sum of \$22,000.00 for the maintenance and repair of Town buildings.

Norman Bilodeau made a motion to vote the article.
Barbara Hull seconded the motion.
Light discussion.
Motion carried.

ARTICLE 10: To see if the Town will vote to appropriate from Excise \$1.00 for Lyman Plantations.

Lisa Vargas made a motion to vote the article.
Nancy Harrison seconded the motion.
Motion carried.

ARTICLE 11: To see if the Town will vote to raise from Taxes for Animal Welfare the following: \$6,070.00 for a contract with Animal Welfare Society of West Kennebunk; \$5,725.00 for Animal Control Officer's salary; and \$3,500.00 for Animal Control Officer's mileage, for a total of \$15,295.00.

Priscilla Ouellette made a motion to vote the article.

Lisa Vargas seconded the motion.

Discussion held regarding the performance of the Animal Control Officer.

Motion carried. 2 opposed

ARTICLE 12: To see if the Town will vote to raise from Taxes the sum of \$4,200.00 for the Cemetery Committee to decorate and maintain military graves.

Roland Nadeau made a motion to vote the article.

Victoria Gavel seconded the motion.

Daniel McNeil of the Cemetery Committee informed those present that some tree removal is planned for this year.

Motion carried.

ARTICLE 13: To see if the Town will vote to appropriate from Excise \$1.00 for the Conservation Committee.

Nancy Harrison made a motion to vote the article.

Lisa Vargas seconded the motion.

Discussion held. The Committee is not active at this time.

Motion carried.

ARTICLE 14: To see if the Town will vote to raise from Taxes the sum of \$2,500.00 for the Comprehensive Plan Review.

Nancy Harrison made a motion to vote the article.

Lisa Vargas seconded the motion.

Motion carried.

ARTICLE 15: To see if the Town will vote to appropriate from Surplus \$118,500.00 for all insurance carried by the Town, including property and casualty insurance, liability insurance, employee's health insurance, worker's compensation insurance, unemployment insurance and public official's liability insurance.

Jeffrey Demers made a motion to vote the article.

John Houy seconded the motion.

Motion carried.

ARTICLE 16: To see if the Town will vote to appropriate from Surplus the sum of \$15,000.00 to be deposited into the existing non-lapsing reserve account know as Capital Improvement.

Nancy Harrison made a motion to vote the article.

Lisa Vargas seconded the motion.

Motion carried.

ARTICLE 17: To see if the Town will vote to raise from Taxes the sum of \$5,000.00 to be deposited into the existing non-lapsing reserve account known as Town Hall.

Lisa Vargas made a motion to vote the article.

Nancy Harrison seconded the motion.

Treasurer, Lisa Vargas, stated that \$50,865.37 is in the account.

Motion carried.

ARTICLE 18: To see if the Town will vote to appropriate from Surplus the sum of \$2,000.00 to be deposited into the existing non-lapsing reserve account known as Tax Maps. Funds to be used for the purpose of updating Town tax maps.

Jeffrey Demers made a motion to vote the article.

John Houy seconded the motion.

Motion carried.

ARTICLE 19: To see if the Town will vote to appropriate from Surplus the sum of \$2,000.00 to be deposited into the existing non-lapsing reserve account known as Computer.

Nancy Harrison made a motion to vote the article.

John Houy seconded the motion. Motion carried.

ARTICLE 20: To see if the Town will vote to appropriate from Surplus the sum of \$10,000.00 to be deposited into the existing non-lapsing reserve account known as the Revaluation Account.

Shirley Harrison made a motion to vote the article.

Lisa Vargas seconded the motion.

Treasurer, Lisa Vargas, stated that \$98,000.00 is in the account.

Motion carried.

ARTICLE 21: To see if the Town will vote to raise from Taxes the sum of \$12,500.00 to be deposited into the existing non-lapsing reserve account known as the Goodwins Mills Fire-Rescue Facilities, Systems and Equipment and authorize the Board of Selectmen to release the funds on an as needed basis to the GMFR Treasurer. Any unused amounts will carry forward. To be effective this question must pass in both the Town of Lyman and the Town of Dayton.

Jeffrey Demers made a motion to vote the article.

John Tibbetts seconded the motion.

Motion carried.

ARTICLE 22: To see if the Town will vote to raise from Taxes the sum of \$50,000.00 to be deposited into the existing non-lapsing reserve account known as Town's Fire Truck. Funds to be held for the eventual purpose of purchasing a new fire truck.

Nancy Harrison made a motion to vote the article.

John Tibbetts seconded the motion

Motion carried. 1 opposed

ARTICLE 23: To see if the Town will vote to raise from Taxes \$125,409.00 for the Town of Lyman's share of the Goodwins Mills Fire Rescue Department operating costs, said sum to be paid to the Treasurer of the Goodwins Mills Fire Rescue pursuant to the Interlocal Agreement between the Town of Lyman and the Town of Dayton. Any unused amounts will be carried forward. To be effective, the Town of Dayton must also vote to appropriate its share of such costs.

Nancy Harrison made a motion to vote the article.

Lisa Vargas seconded the motion.

Discussion and comments were heard from Jeffrey Demers, Fred Bechard, Norman Bilodeau and Chief Roger Hooper. Reserve off sets Budget.

60%/40% is per capita share. 65%/35% will be for 2017-2018 fiscal year.

Motion carried.

ARTICLE 24: To see if the Town will vote to raise from Taxes the sum of \$191,703.00 for the Town of Lyman's share of the Goodwins Mills Fire Rescue Department full-time and part-time personnel costs, said sum to be paid to the Treasurer of the Goodwins Mills Fire Rescue pursuant to the Interlocal Agreement between the Town of Lyman and the Town of Dayton. Any unused amounts will be carried forward. To be effective, the Town of Dayton must also vote to appropriate its share of such costs.

Shirley Harrison made a motion to vote the article.

Jeffrey Demers seconded the motion.

Motion carried.

ARTICLE 25: To see if the Town will vote to raise from Taxes the sum of \$1,500.00 for the establishment and/or maintenance of the Town's fire water hydrants to be deposited into the existing fire hydrant account and authorize the Board of Selectmen to release the funds to the GMFR Treasurer on an as needed basis.

Jeffrey Demers made a motion to vote the article.

John Tibbetts seconded the motion.

Light discussion was held.

Motion carried

ARTICLE 26: To see if the Town will vote to raise from Taxes \$3,500.00 to deposit into the existing non-lapsing reserve account for the Goodwins Mills Fire Rescue health insurance fund for the purpose of covering any health insurance expenditures that exceed the budget.

Barbara Hull made a motion to vote the article.

Jeffrey Demers seconded the motion

Light discussion was held.

Motion carried.

ARTICLE 27: To see if the Town will vote to appropriate from Excise the sum of \$170,000.00 for general road reconstruction.

Barbara Hull made a motion to vote the article.

Lisa Vargas seconded the motion.

Discussion was held regarding what roads would be worked on.

Maurice St. Clair, Road Commissioner, stated that plans to finish Old North Berwick, Deering Ridge Road and some work on Walker Road are scheduled.

Motion carried.

ARTICLE 28: To see if the Town will vote to appropriate from Excise the sum of \$153,000.00 for general road resurfacing.

Nancy Harrison made a motion to vote the article.

John Tibbetts seconded the motion.

Light Discussion was held.

Motion carried.

ARTICLE 29: To see if the Town will vote to appropriate from Excise the sum of \$95,000.00 for general road repair.

Lisa Vargas made a motion to vote the article.

John Tibbetts seconded the motion.

Motion carried.

ARTICLE 30: To see if the Town will vote to appropriate from Excise the sum of \$375,000.00 for snow removal and sanding its roads in winter, and further authorize the Selectmen, on behalf of the Town, to negotiate and enter into a contract for the snow removal and sanding of its roads.

Nancy Harrison Made a motion to vote the article.

John Tibbetts seconded the motion.

Motion carried.

ARTICLE 31: To see if the Town will vote to appropriate from Surplus \$2,002.00; from Excise \$998.00 for the sum of \$3,000.00 for the purchase, installation, and maintenance of street signs.

Nancy Harrison made a motion to vote the article.

John Tibbetts seconded the motion.

Motion carried.

ARTICLE 32: To see if the Town will vote to appropriate from Excise the sum of \$6,000.00 for street lights electricity.

Jeffrey Demers made a motion to vote the article.

John Tibbetts seconded the motion.

Motion carried.

ARTICLE 33: To see if the Town will vote to appropriate from Surplus the sum of \$85,207.00 for the Community Library with \$31,710.00 for operating expenses and \$53,497.00 for personnel.

Lisa Vargas made a motion to vote the article.

Nancy Harrison seconded the motion

Karen Andrews asked if the Library could be moved to Cousens School.

It had not been considered.

Motion carried. 1 opposed

ARTICLE 34: To see if the town will vote to raise from Taxes the sum of \$170,030.00 for the Solid Waste Program, and further authorize the Selectmen, on behalf of the Town, to negotiate and enter into a contract for the disposal of the solid waste in the Town of Lyman.

Roland Nadeau made a motion to vote the article.

Norman Bilodeau seconded the motion.

Light discussion.

Motion carried. 1 opposed

ARTICLE 35: To see if the Town will vote to raise from taxes the sum of \$2,500.00 for the General Assistance Program.

Nancy Harrison made a motion to vote the article,

Lisa Vargas seconded the motion. Motion carried.

ARTICLE 36: To see if the Town will vote to raise from taxes the sum of \$11,200.00 for various social services as outlined below:

American Red Cross	\$1,000.00
YCCAC	\$2,350.00
Caring Unlimited	\$1,000.00
SMAA	\$1,000.00
Maine Health Care at Home	\$1,000.00
Kids free to Grow	\$ 250.00
York County Shelter Programs	\$1,000.00
MPBN	\$ 100.00
Maine Behavioral Health	\$1,000.00
So. Me. Veterans Memorial	
Cemetery	\$ 500.00
Leavitt Mills	\$ 500.00
The Lifeflight Foundation	\$1,000.00
TOTAL REQUEST	\$11,200.00

John Houy made a motion to vote the article.

Lisa Vargas seconded the motion.

Kelley Stevens made a motion to amend the article to remove the \$100.00 requested by MPBN. The motion to amend was seconded by William Single.

Kelley Stevens felt that MPBN was not a social service.

It was stated that MPBN has always requested an amount and the Town has given in the past. The amendment was voted and failed.

The original motion to vote carried.

ARTICLE 37: To see if the Town will vote to raise from Taxes the sum of \$32,050.00 for use of Bunganut Lake Park.

Lisa Vargas made a motion to vote the article.

John Houy seconded the motion.

Discussion was held regarding making the park year round, renovating the cabin and of the tree cutting that has been done (10-12%) and future plans for the park.

Motion carried.

ARTICLE 38: To see if the Town will vote to raise from Taxes the sum of \$19,875.00 for the use by the Parks and Recreation Committee.

Nancy Harrison made a motion to vote the article.

Lisa Vargas seconded the motion.

Motion carried.

ARTICLE 39: To see if the Town will vote to raise from Taxes the sum of \$15,000.00 for the purpose of mowing and maintaining Town grounds.

Lisa Vargas made a motion to vote the article.

John Tibbetts seconded the motion.

Motion carried.

ARTICLE 40: To see if the Town will authorize the use of existing Capital Improvement Reserve up to the amount of \$15,000.00 for improvements at the Salt Shed and Transfer Station.

John Houy made a motion to vote the article.

John Tibbetts seconded the motion.

Jeffrey Demers and Nancy Harrison spoke on the need of securing the buildings.

Motion carried.

ARTICLE 41: To see if the Town will raise from Taxes \$25,000.00 for Cousens School Operating expenses.

Nancy Harrison made a motion to vote the article.

Lisa Vargas seconded the motion.

Nancy Harrison spoke on the upcoming operating expenses. Motion carried.

ARTICLE 42: To see if the Town will appropriate from Surplus \$46,000.00 for repayment of principal and interest on the \$800,000.00 bond passed at the February 6, 2017 Town Meeting.

Lisa Vargas made a motion to vote the article.

Jeffrey Demers seconded the motion.

Motion carried.

ARTICLE 43: To see if the Town will authorize the use of the existing Town Hall reserve for expenses relating to Cousens School.

Nancy Harrison made a motion to vote the article.

John Tibbetts seconded the motion.

Lisa Vargas, Treasurer, stated that \$50,865.37 was now in the Town Hall reserve. David Dulong had questions regarding the amount that was voted on at the February 6, 2017 meeting. Karen Andrews spoke on the cost of moving the equipment from the present Town Hall. More discussion followed. It was motioned to limit debate. The motion received the 2/3 vote.

The original motion to vote the article carried.

ARTICLE 44: To see if the Town will authorize the use of the existing Computer reserve for expenses relating to Cousens School.

Lisa Vargas made a motion to vote the article.

Nancy Harrison seconded the motion.

Lisa Vargas, Treasurer, stated that \$14,836.80 is in the Computer reserve.

Comments and concerns were heard from Karen Andrews and

Victoria Gavel.

Motion carried.

ARTICLE 45: To see if the Town will vote to authorize the Board of Selectmen to transfer available funds, such as State Funds and Excise Tax in the amount of \$800,000; Surplus in the amount of \$600,000. and any other funds which might be used to reduce the tax commitment.

Lisa Vargas made a motion to vote the article.

Victoria Gavel seconded the motion.

Motion carried.

ARTICLE 46: To see if the Town will vote to take from the State of Maine Snowmobile Registration fee fund a sum of \$6.62 per registered snowmobile, said monies to be turned over to the Lyman Snowmobile Club. These funds will be released after the Town is reimbursed for 2017-2018 registrations, as determined by the State of Maine.

Lisa Vargas made a motion to vote the article.

Victoria Gavel seconded the motion.

Motion carried. 2 opposed

ARTICLE 47: To see if the Town will vote to authorize the Tax Collector to accept pre-payments of taxes not yet due or assessed. Any taxes paid above the amount fully assessed shall be repaid without interest upon request.

Nancy Harrison made a motion to vote the article.

Lisa Vargas seconded the motion.

Motion carried.

ARTICLE 48: To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at 3% for the fiscal year.

Nancy Harrison made a motion to vote the article.
Jeffrey Demers seconded the motion.
Motion carried.

ARTICLE 49: To see if the Town will vote to set a date for taxes to become due and payable and to fix an interest rate of 7% for interest charged on taxes unpaid after this or 30 days after the bills are mailed, whichever is later.

Shirley Harrison recommended due dates of October 3, 2017 and April 3, 2018 with 7% per annum interest charged on unpaid taxes after these dates.
Lisa Vargas seconded this motion.
Motion carried.

ARTICLE 50: To see if the Town will vote to authorize the Board of Selectmen to waive foreclosure of A tax lien mortgage and pursuant to State statute if (1) the taxpayer agrees in writing to pay outstanding balance, plus interest and costs, within one (1) year; and (2) no such waiver has been granted by the Town or Board of Selectmen within the past three (3) years.

Jeffrey Demers made a motion to vote the article.
Kelley Stevens seconded the motion.
Motion carried.

ARTICLE 51: To see if the Town will vote to authorize the Board of Selectmen to waive foreclosure of a tax lien mortgage pursuant to State statute on such terms as may be determined by the Board of Selectmen to be in the Town's best interest.

Shirley Harrison made a motion to vote the article.
Lisa Vargas seconded the motion.
Motion carried.

ARTICLE 52: To see if the Town will authorize the Board of Selectmen, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for nonpayment of taxes thereon, or acquired by deed, by sealed bid, after being advertised thirty (3) days prior to said auction, advertising to be done at the Lyman Transfer Station, Jackson Corner Store, and the bulletin board at the Lyman Town Hall, being conspicuous places in the Town; and also posting on the Town website, in the Journal Tribune and such other newspaper as the Selectmen may in their discretion choose, three (3) times, provided that if through inadvertence or the like, said tax liens remain outstanding of record, when in fact said taxes have been paid, the Selectmen may execute and deliver quit claim deeds without the necessity of following the auction process.

Shirley Harrison made a motion to vote the article.
Lisa Vargas seconded the motion.
Motion carried.

ARTICLE 53: To see if the Town will vote to increase the so called "property tax levy limit" of \$1,022,335.00 established for Lyman by State law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that exceeds property tax levy limit

Lisa Vargas made a motion to vote the article.
Nancy Harrison seconded the motion.
The Moderator Richard Hull III informed those present that this article is by written ballot. Questions and concerns were heard from Karen Andrews, Roland Nadeau, Vicky Gavel and Priscilla Ouellette. Fred Bechard spoke on behalf of the article. The voters cast their ballots. The moderator said that we would continue with the articles while the ballot clerks, Barbara Hull and Irene Single counted the ballots.

ARTICLE 54: To see if the Town will vote to authorize the Selectmen to accept and expend State and Federal Grant Funds received during the fiscal year.

Nancy Harrison made a motion to vote the article.
Victoria Gavel seconded the motion.
Motion carried.

ARTICLE 55: To see if the Town will vote to authorize the Selectmen to bring forward the unexpended balance of the 2016-2017 Paving Account into the 2017-2018 Paving Account.

Nancy Harrison made a motion to vote the article.

Victoria Gavel seconded the motion.

Roland Nadeau asked how much was in the account. Lisa Vargas,
Treasurer, stated that \$52,569.80 was in the account. Motion carried.

ARTICLE 56: Shall the Town of Lyman appropriate the sum of \$12,000.00 from 2016-2017 EMS Revenue Account, to offset a 2016-2017 projected shortfall for the Goodwins Mills Fire-Rescue full and part time personnel cost. The total projected budget shortfall is \$20,000.00 with Lyman's share being \$12,000.00. Any unused amount will carry forward. To be effective, the Town of Dayton must also vote to appropriate its share of such costs.

Roland Nadeau made a motion to vote the article.

Norman Bilodeau seconded the motion.

Roger Hooper, Fire Chief, spoke on this article.

Motion carried.

The results of the vote for Article 53 are: 52 YES 8 NO

Marie Nikel thanked Nancy Harrison for her years of service, patience, tolerance and understanding of some of the folks around her at times. Nancy received a hearty applaud.

Roland Nadeau made a motion to adjourn. Nancy Harrison seconded the motion.

The meeting adjourned at 8:55 P.M.

There were 63 registered voters in attendance.

The Moderator and deputy Moderator's oaths are on file in the Town Clerk's office.

A true copy of the proceedings of the Annual Town Meeting.

ATTEST: Shirley A. Harrison

Shirley A. Harrison
Deputy Town Clerk