

**TOWN OF LYMAN BOARD OF SELECTMEN
REGULAR MEETING MINUTES
FEBRUARY 16, 2021 – 6:00 P.M.
LYMAN TOWN HALL**

Note: These are summary minutes. A recording of the meeting is on file at the Lyman Town Hall. Minutes are not verbatim. Minutes may be paraphrased for clarity. Minutes are draft until approved by the Board of Selectmen.

SELECTMEN PRESENT: Chairman William Single, Vice-Chairman Ralph Blackington, John Tibbetts, Thomas Guillemette, and David Alves (-via Zoom).

PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:00 p.m. with the Pledge of Allegiance. Attendance was taken; a quorum was present.

ITEM #1 - SPECIAL OFFERS / PRESENTATIONS

a. EXECUTIVE SESSION

- **M.R.S.A. §405(6)(C) – Acquisition of real property**
- **M.R.S.A. §405(6)(G) – Discussion of examination results**
- **M.R.S.A. §405(6)(A) – Personnel Matters**

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to enter into Executive Session at 6:03 p.m. with regards to (1) M.R.S.A. §405(6)(C) - Acquisition of real property, (2) M.R.S.A. §405(6)(G) - Discussion of examination results, and (3) M.R.S.A. §405(6)(A) - Personnel Matters with Michelle Felicitti, Laurie Bosco, and Janet Clark in attendance. Motion passed 5-0-0.

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to end Executive Session at 6:55 p.m. Motion passed 5-0-0.

A **MOTION** was made by David Alves, seconded by Thomas Guillemette, for Map and Lot 02-058-1Z tomorrow to pay \$450.00 with a balance due of \$875.00 due by April 15th. Motion passed 5-0-0.

A **MOTION** was made by John Tibbetts, seconded by David Alves, to pay KRT Appraisal \$12,122.50 at this time. Motion passed 5-0-0.

A **MOTION** was made by John Tibbetts, seconded by David Alves, to allow part-time personnel to join the 457b plan with the town's matching funds currently at 6%. Motion passed 5-0-0.

ITEM #2 - HEARING OF DELEGATIONS / PUBLIC INPUT

a. Public Input – Public in attendance with have up to 5 minutes to address the Board

Amber Swett asked that Executive Session be moved to the end of the Agenda when there is not a town resident attending the session.

b. Mail

Lengthy documents were received and in the essence of time William Single asked that the Selectmen read all mail (as listed below) received in tonight's packet after the meeting and the Board will have discussions at the next regular meeting.

| <u>Dated</u> | <u>From</u> | <u>RE:</u> |
|--------------|-----------------|---|
| 1. 02/03/21 | Planning Board | Notice of Decision – Hill View Mini Barns 1520 Alfred Road |
| 2. 02/05/21 | P. McKenna | Notice - 251 Middle Road |
| 3. 02/10/21 | B. Harris | Change in ordinances for public safety |
| 4. 02/10/21 | Planning Board | Select Board Directives |
| 5. 02/12/21 | P. McKenna | Change in ordinances for public safety |
| 6. 02/12/21 | P. McKenna | Change in ordinances for public safety (fire sprinkler requirements) |
| 7. 02/12/21 | P. McKenna | Change in ordinances for public safety (Impact Fees) |
| 8. 02/12/21 | P. Coughlan DOT | Local Road News |

c. Complaints – (Keyword Manor Entrance, Hill Rd, Kennebunk Pond, 28 Tibbetts La, 84 Country Way)

- **Keyword Manor Entrance** – Upon visits to the site, it was determined drivers speed is an issue at that location. It was noted again that the Candlewood Entrance to that property is very lit with incredible road visibility and would be the optimal choice to utilize for entrance/exit. It was suggested to invite the Property Management to a workshop for further discussion.
- **Hill Rd** – It was decided to order and install traffic signs for that location to alert drivers to slow down for the curve in the road at or about house # 367.
- **Kennebunk Pond** – A Select Board Workshop was scheduled for Wednesday, February 24, 2021 at 6:00 p.m. with the Kennebunk Pond Committee at Town Hall. - David Alves reported he spoke with James MacDonald and Lt Mark Holmquist to request police presence at Kennebunk Pond and was told due to COVID they are limited for proactive enforcement so that they can remain operational for serious events for the time being and that once COVID clears they will be able to address issues that come up in Lyman asking that they be kept informed of all areas of concern ahead of time.
- **Walker Rd** - It was noted a report was received of a truck being parked in the road that is impeding plowing operations.
- **28 Tibbetts La** – This was with regard to the plow driver for this location. The caller and the plow company will both be contacted for further discussion.
- **84 Country Way** – This was with regard to the plow driver leaving too much snow blocking access to the mailboxes in the cul-de-sacs. The plow company will be contacted for further discussion.

ITEM #3 - MINUTES

a. Accept Minutes – Regular Meeting dated February 3, 2021

A MOTION was made by John Tibbetts, seconded by Thomas Guillemette, to accept the minutes of the Regular Meeting dated February 3, 2021. Motion passed 5-0-0.

ITEM #4 - SIGN WARRANTS

a. Payroll Warrant #34 in the amount of \$14,924.85

A MOTION was made by Ralph Blackington, seconded by John Tibbetts, to approve Payroll Warrant #34 in the amount of \$14,924.85. Motion passed 5-0-0.

b. Payable Warrant #35 in the amount of \$65,826.64

A MOTION was made by Ralph Blackington, seconded by Thomas Guillemette, to approve Payable Warrant #35 in the amount of \$65,826.64. Motion passed 5-0-0.

ITEM #5 - UNFINISHED BUSINESS

a. Town Hall Expansion – Status Update

No discussion.

b. Charter Commission – Status Update

William Single reported everything is in place for the vote and people to apply to be on the Charter Commission and that decision must be made who from the Select Board will serve as representative if the vote passes. John Tibbetts and David Alves both indicated they would be interested. It was noted the Board would then need to appoint two other people in addition to the one representative of the Board.

c. Disaster Debris Management – Town Properties 1/12/21 – Status Update

William Single reported he and Brad Nickel looked at the Davis Road site and determined there is ample room (2-3 acres with some clearing of trees) to operate disaster debris management. David Alves stated he would complete the necessary paperwork and submit it for DEP approval. The following action was taken:

A MOTION was made by John Tibbetts, seconded by Thomas Guillemette, to accept the 40 Davis Road area with limited changes to meet FEMA requirements for a disaster relief area. Motion passed 5-0-0.

d. KRT Appraisal, LLC – Status Update

No discussion.

e. Disc./Possible Action re: Employees Clocking In/Out For Lunch Breaks

William Single reported an issue arose complying with clocking in/out for lunch breaks - whether to close for those 30 minutes or stagger the lunch breaks in order to ensure coverage at the front counter while employees are clocked out. John Tibbetts

and David Alves both asked what the employees' thoughts were for handling the issue. William Single stated he did not get a good feel during the discussions that were had and noted the issue would get resolved once the part-time person is hired. Ralph Blackington stated a lot of people come for services during their lunch break and closing during that time would not be the best option, to which everyone agreed.

ITEM #6 - DEPARTMENT AND COMMITTEE REPORTS

a. Planning Board

Reference was made to the report submitted. No discussion was held.

b. Code Enforcement Office

Reference was made to the report submitted. No discussion was held.

c. Tax Collector

Reference was made to the report submitted. No discussion was held.

d. Treasurer

Reference was made to the report submitted. No discussion was held.

ITEM #7 - NEW BUSINESS

a. 10 New County Road – License Renewal Application

William Single noted this application was for the Town Line Family Restaurant. It was noted no issues have been had to date and that the business has been a fantastic addition to the community. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to approve the application for license renewal at Town Line Family Restaurant. Motion passed 5-0-0.

b. 12 Basswood St – Request for Authorization to pursue legal action

Discussion was held wherein it was noted the Code Enforcement Officer has been dealing with the issue for quite a while and now is requesting authorization to pursue legal action. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to allow the Code Enforcement Officer to take legal action at 12 Basswood Street. Motion passed 5-0-0.

c. Rt 202 Highway Preservation Project – Request for Public Hearing

Reference was made to the letter dated December 21, 2020 wherein it states a public hearing will not be held unless specifically requested by the municipality. Discussion was held wherein the following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to request a public hearing for the Rt 202 Highway Preservation Project. Motion passed 5-0-0.

- d. **DOT Project No. 2492100 – Agreement to issue Overlimit Permit**
This item was addressed in conjunction with New Business Agenda Item C. There was no additional discussion. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to approve the Agreement to Issue Overlimit Permit for DOT Project No. 2492100 (Rt 202). Motion passed 5-0-0.

- e. **DOT Flashing Beacons – Application to acquire**
William Single reported the State DOT is supplying 2 free units to 40 chosen municipalities based upon applications received. A short discussion was held noting if received, they would be utilized down by Kennebunk Pond Beach. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to submit the application for the State provided flashing beacons. Motion passed 5-0-0.

- f. **Proposed Zoning Change at Town Mtg–Commercial Design Standards**
William Single referenced the proposed zoning change received from the Planning Board contained in the meeting packet. It was decided to request the Code Enforcement Officer to attend the Select Board’s next regular meeting to provide an overview of the proposed change.

- g. **Kennebunk River Watershed Management Plan – Request for Presentation**
William Single reported that York County Soil & Water Conservation District is requesting to present a brief overview to the Select Board of their grant work on the Kennebunk River Watershed Management Plan. John Tibbetts suggested the Board ask that the two Lyman representatives be present. The item of presentation will be placed on the next Agenda if the District can attend.

- h. **Job Descriptions – CEO & Treasurer & Road Commissioner**
William Single referenced the job descriptions contained in the meeting packet. David Alves stated it seemed to him the job descriptions prepared by the hired consultant were somewhat boiler plate instead of what the actual duties of our town employees are. He added that he believed all the people in the positions need a little more input to make certain all aspects of what they do are covered and it would be best to get their blessing before moving forward. With regard to the Road Commissioner job description, John Tibbetts will meet with the current Road Commissioner Maurice St. Clair and report back to the Board at the next meeting.

New Business Item 7i was inadvertently skipped at this time.

j. Town Report Dedication

William Single stated the Board is looking for input on dedication. John Tibbetts distributed a written suggestion for consideration. This item will be addressed further at the next meeting.

New Business Item 7i was addressed at this time.

i. 2022 Annual Town Meeting Date

William Single requested the Selectmen think about the town meeting date for next year, not the specific date, but more the time of year (i.e. before June) in order to give the Board more flexibility with timing and to put things more in line with the RSU budget timeframe. It was noted the Charter dictates the meeting can be held anytime from March to June.

The regular order of business was resumed at this time.

k. Corporate Resolution to Open and Manage Investment Accounts

William Single referenced the form contained in the packet authorizing Treasurer Jeanette Lemay, Deputy Treasurer Patti McKenna, and Deputy Treasurer Laurie Bosco to open and manage investment accounts for the town. Discussion followed wherein it was agreed witnesses and/or dual signing of all transactions would be in the best interest of all parties involved. William Single stated he would check into that with the Treasurer and place it on the next Agenda. John Tibbetts requested input be sought from Jeanette LeMay and Patti McKenna on their job descriptions contained in the meeting packet and also Laurie Bosco, at the time her job description is completed and submitted for Board approval.

l. Disc/Possible Action- Add & configure two external bookshelf drives at Town Hall

William Single explained when the town's website got turned off so did offsite backups because they were not in the Town of Lyman's name and that adding these drives is necessary to make it so the back-up data is safe temporarily until the full solution is implemented. David Alves asked if this would be the last of the changes. William Single answered it would not be and indicated he would bring the Selectmen up to speed in greater detail tomorrow and will find out what budget line item the funds will be taken from. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Ralph Blackington, to authorize the expenditure of \$806.00 for the drives based on the understanding and the consensus of the Board tomorrow. Motion passed 5-0-0.

m. Steel Nickel Inc – Land Lease Agreement

William Single noted this is a 3-year lease relating to 6 of the 40 acres located on Davis Road known as Map 7 Lot 36 with rental fee of \$500.00 per year for Lessee's

use of the property and storing of material and equipment. John Tibbetts mentioned the property is now organized and usable with easy access to materials making this agreement mutually beneficially. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to accept the Land Lease Agreement with Steel Nickel Inc. Motion passed 5-0-0.

n. CIA Salvage, Inc. – Metal Hauling Service Agreement 2021-2024

o. CIA Salvage, Inc. – Refuse Hauling Service Agreement 2021-2024

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to accept the CIA service agreements metal hauling and refuse hauling for the 2021-2024 period as long as there is verification that the contract is the same as the verbal conversation he had with the owner. Motion passed 5-0-0.

David Alves reported he was advised several residents called the Town Clerk inquiring about a Rabies Clinic because they are experiencing difficulty getting appointments with veterinarians. A short discussion was held regarding adherence to COVID compliance and safe non-slippery egress out the back of the building. The following action was taken:

A **MOTION** was made by David Alves, seconded by Ralph Blackington, to give permission for the Town Clerk to have a Rabies Clinic as she has done in the past. Motion passed 5-0-0.

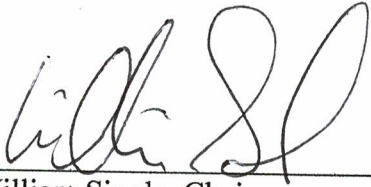
Fire Chief Matt Duross gave a report regarding: (1) Two locations on town property to install dry hydrants with funds budgeted; (2) Fire Station was hit by a vehicle driven by a town resident and he is currently working with those involved to have the repairs (totaling \$1,250.00) completed; (3) First budget meeting was held early February; (4) Request to consider the effect moving the Town Meeting date would have on joint budget committee meetings with the Town of Dayton; (5) Instituting form NFPA 1142 for private land owners possibly on Brock Road and Fryes Bridge Road to give permission for the town to install a dry hydrant on their property depending on feasibility; and (6) His work on a presentation for the Select Board on the EMS subscription service.

p. Set next Budget Workshop date

It was decided to schedule the next Budget Workshop for Wednesday, February 24, 2021 at 6:30 p.m. at Lyman Town Hall.

ADJOURN

A **MOTION** was made by John Tibbetts, seconded by Ralph Blackington, to adjourn the meeting at 8:06 p.m. Motion passed 5-0-0.



William Single, Chairman



Ralph Blackington, Vice-Chairman



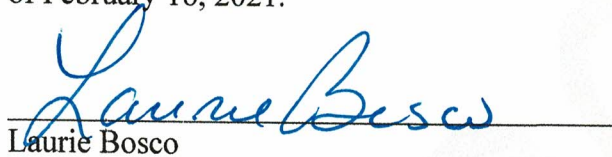
John Tibbetts



Thomas A. Guillemette

David Alves

I, Laurie Bosco, Clerk to the Select Board of the Town of Lyman, Maine, do hereby certify that the foregoing document consisting of seven (7) pages are the original minutes of the Select Board Meeting of February 16, 2021.



Laurie Bosco