

**TOWN OF LYMAN BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MAY 17, 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.

**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. RFP – LED Outdoor Sign**

The Board opened and announced the following four sealed proposals received and indicated that the information submitted will be reviewed and the item will be placed on the next Agenda.

- (1) RSD Graphics – \$10,768.58 (16 pixel) and \$12,645.78 (10 pixel)
- (2) ADN Internet/Telephone - (16 pixel) \$15,993.21
- (3) JEI Sports - \$16,596.00 (9 pixel)
- (4) Adchoice - \$12,250.00 (16 pixel)

**b. David Sawyer – Part Time Assessing Services**

David Sawyer was present and introduced. The proposal he submitted for part-time assessment services was referenced and scope of services highlighted. The following action was taken:

A **MOTION** was made by Ralph Blackington, seconded by John Tibbetts, to accept Mr. Sawyer's proposal as submitted and move forward. Motion passed 5-0-0.

**c. Katrina Randall – Lyman Cemetery Committee**

Katrina Randall, Library Cemetery Committee Member, came forward. (1) She submitted the Bill of Sale dated July 6, 2019 for the Chipper the Committee had purchased and reported it is not suitable due to chip size. She asked that the Board of Selectmen make the decision on what to do with it at this point. (2) She reported American Flags have been placed on all veteran gravesites in town and submitted the list of the named veterans for the record. (3) She reported and submitted photos on the current condition of distress at Goodwins Mill Cemetery noting that the organization in charge has dismantled. She suggested any funds that remain with the group be turned over to the Town and the Lyman Cemetery Committee will arrange for needed repairs/restoration to be done. She added that she is getting calls from individuals she is not able to help who are worried and trying to obtain burial sites and asked for direction from the Board of Selectmen.

**d. Jeffrey Duhaime – 12 Basswood Court**

Not present.

**ITEM #2**      **HEARING OF DELEGATIONS / PUBLIC INPUT**

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

Celeste Hatch, Frost Road, came forward with questions regarding the history of Goodwins Mills Cemetery and the requests being made for volunteer help despite having the funds to pay for the services. John Tibbetts provided an overview highlighting management actions and finances. It was explained how this organization has conducted and operated itself as a separate non town related entity and that the Town has no information that can be of any help to inquiries.

John Houy, Wadleigh Pond Road, came forward and spoke regarding the Candidate’s Night held last week and in support of a request to effectuate a moratorium on medical marijuana grow facilities until current town ordinances are updated. He made note of the permits and applications pertinent to the Wadleigh Pond area of town and requested the Board of Selectmen pass an immediate moratorium tonight on all grow facilities. The following occurred:

John Tibbetts moved, under Section 312 of the Lyman Charter, to enact a moratorium effective immediately on all marijuana grows until the ordinances are updated and accepted by the voters. Chairman William Single called a Point of Order indicating the Board is currently hearing Public Input. Thomas Guillemette then moved to second the Motion. Chairman William Single indicated again the Point of Order and explained that any actions could be taken under New Business.

Jeff Demers, Wadleigh Pond Road, came forward and spoke regarding his appeal to the Zoning Board of Appeals challenging the Planning Board’s decision to approve a medical marijuana grow facility in the Wadleigh Pond area of town. He explained he received notification of the ZBA decision and has until May 28<sup>th</sup> to appeal to the Superior Court. He stated his confusion of how a new, different application for a project for the same purpose, at the same revenue (with plan revisions) could be having a public hearing tomorrow when his due process has not yet expired on the permit prior. He noted he did not expect an answer as this was Public Comment and the Board should not be talking back and forth with the public.

**b. Mail**

The following mail was received in the meeting packet:

	<b><u>Date</u></b>	<b><u>From</u></b>	<b><u>Subject</u></b>
1.	05/03/21	CEO/Plan Brd Clrk P. McKenna	Notice of Resignation
2.	05/04/21	Treasurer J. Lemay	Beginning of Year Payroll
3.	05/05/21	Planning Board	Site Plan Review – 1301 Alfred Rd
4.	05/05/21	Planning Board	Site Plan Review – 1773 Alfred Rd
5.	05/05/21	Treasurer J. Lemay	Retirement for P/T Employees
6.	05/06/21	Clerk L. Bosco	Request for Proposals – LED Signs
7.	05/06/21	Planning Board	Not of Pub Hrg – 5/18 - Revere Way
8.	05/11/21	Clerk L. Bosco	Not of Pub Hrg – 5/24 - Ref Questions
9.	05/11/21	Central Maine Power	LED Lights Offer
10.	05/12/21	Clerk L. Bosco	2021 Annual Town Meeting Warrant

11. 05/12/21	Clerk L. Bosco	Lyman Historical Soc – Req for Room
12. 05/13/21	Dep CEO, Plumb Insp J. Nagle	Notice of Resignation
13. 05/14/21	Dominic Vermette	R.S.U. School Budget Communications

Discussion was held regarding correspondence received from Central Main Power wherein it was decided to look further into the LED street light conversion offer.

- c. Complaints  
None.

**ITEM #3**      **MINUTES**  
None.

**ITEM #4**      **SIGN WARRANTS**

- a. **Payable Warrant #51 in the amount of \$73,305.43**  
A **MOTION** was made by Ralph Blackington, seconded by Thomas Guillemette, to approve Payable Warrant #51 in the amount of \$73,305.43. David Alves questioned if payment to Bean Data represented contracted work. William Single answered it was for work outside of the contract. Motion passed 5-0-0.
- b. **Payroll Warrant #52 in the amount of \$14,780.73**  
A **MOTION** was made by Ralph Blackington, seconded by John Tibbetts, to approve Payroll Warrant #52 in the amount of \$14,780.73. Motion passed 5-0-0.
- c. **Payable Warrant #53 in the amount of \$1,093.04**  
A **MOTION** was made by Ralph Blackington, seconded by John Tibbetts, to approve Payable Warrant #53 in the amount of \$1,093.04. Motion passed 5-0-0.

**ITEM #5**      **UNFINISHED BUSINESS**

- a. **Vote to accept and sign Annual Town Meeting Warrant**  
William Single explained each article of the Warrant has already been voted and that now a vote to accept and sign the Warrant as a whole is needed. The following action was taken:  
  
A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to accept and sign the Annual Town Meeting Warrant. Motion passed 5-0-0.
- b. **Old Kennebunk Road Work**  
Brad Nikel stated Road Commissioner Maurice St. Clair is in touch with Hissong and there should be a status update this week.

**ITEM #6**      **DEPARTMENT AND COMMITTEE REPORTS**

- a. **Tax Collector**  
Reference was made to the report submitted by the Tax Collector.
- b. **Treasurer**  
Reference was made to the report submitted by the Treasurer.

**ITEM #7**

**NEW BUSINESS**

**a. Retirement for part time employees – Flat Rate Contribution**

Discussion was held regarding the request from part-time employees to contribute a flat rate instead of a percentage of pay towards their retirement plan. It was noted the Treasurer had no issue with this request; the following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to go with a flat rate with the understanding that the Town's match of the contribution is no more than 6% per pay period. Motion passed 5-0-0.

**b. Vote to Accept Resignation of Code Enforcement Officer, Planning Board Clerk**

No action taken.

**c. Vote to Accept Resignation of Deputy CEO, Plumbing Inspector**

No action taken.

**d. Code Enforcement Officer, Planning Board Clerk Position – Job Posting**

No action taken.

**e. Appoint June 8<sup>th</sup> and June 11<sup>th</sup> Ballot Clerks for 2021 Annual Town Meeting**

The following individuals were presented to the Select Board from Town Clerk Pauline Weiss to be appointed as Ballot Clerks for the June 8, 2021 Municipal General Election and RSU #57 Budget Validation Election: Barbara Hull, Susan Locke, Irene Single, Theresa Clapp, Riquie Boutin, Jennifer Croteau, Faith Richard, Carol Baker-Roux, and Susan Gluck. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to accept this group of Ballot Clerks as vetted by Town Clerk. Motion passed 5-0-0.

**f. Field Usage Request – Massabesic United Soccer Club – Bunganut**

**g. Field Usage Request – Massabesic Little League – Bunganut**

William Single read aloud the details of each request. It was noted a donation was received from the Little League in the amount of \$1,500 as contribution towards town costs and that the additional particular use requested (as revised) would not adversely affect the field. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to approve both field usage requests received. Motion passed 5-0-0.

**h. Full Time Assistant Assessor Position – Job Posting**

No action taken.

**i. YouTube recordings**

Discussion was held regarding having Select Board Clerk Laurie Bosco video record town meetings in order to provide volunteer Michelle Felicitti time off. The following action was taken:


A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to have Select Board Clerk Laurie Bosco video record meetings. Motion passed 5-0-0.

A **MOTION** was made by John Tibbetts under Section 312 of the Lyman Charter to enact a moratorium effective immediately on all marijuana grows until the ordinances are updated and accepted by the voters. Thomas Guillemette seconded the Motion. Discussed followed. David Alves first questioned abuse of rights and then noted the land in question already had one moratorium placed on it. William Single questioned whether applications already in process can be stopped by vote. Town Attorney Bradley Morin stated he would have to do some research and respond back at a later date with definitive answers. A vote was called wherein the Motion failed 2-2-1. (IN FAVOR - John Tibbetts and Thomas Guillemette; AGAINST - William Single and Ralph Blackington; and ABSTAINED - David Alves.)

**ADJOURN**

A **MOTION** was made by Ralph Blackington, seconded by John Tibbetts, to adjourn the meeting at 6:52 p.m. Motion passed 5-0-0.

  
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William Single, Chairman

  
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Ralph Blackington, Vice-Chairman

  
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John Tibbetts

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Thomas A. Guillemette

  
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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 five (5) pages are the original minutes of the Select Board Regular Meeting of May 17, 2021.

  
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Laurie Bosco