

**TOWN OF LYMAN BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MAY 3, 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 **EXECUTIVE SESSION**

a. **Title 1 M.R.S.A. §405(6)(F) – Reason: Discussion of confidential records**

A **MOTION** was made by Ralph Blackington, seconded by John Tibbetts, to enter into Executive Session at 6:01 p.m. regarding Title 1 M.R.S.A. §405(6)(F) for discussion of confidential records to include Teresa and Tim Martel. Motion passed 5-0-0.

A **MOTION** was made by Ralph Blackington, seconded by John Tibbetts, to end Executive Session and return to Regular Session at 6:05 p.m. Motion passed 5-0-0.

A **MOTION** was made by Ralph Blackington, seconded by Thomas Guillemette, to discharge the lien on 173 Walker Road for Teresa Martel. Motion passed 5-0-0.

ITEM #2 **SPECIAL OFFERS / PRESENTATIONS**

None.

ITEM #3 **HEARING OF DELEGATIONS / PUBLIC INPUT**

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

Michelle Felicitti requested the Board of Selectmen to form a committee of volunteers to run Zoom/YouTube recordings of town meetings. She added that she would volunteer her time training the individuals the Board approves.

Amber Sweet requested the Board of Selectmen to form a clean up committee to help Riquie Boutin organize picking up roadside litter.

David Alves came forward noting he is doing so as a town resident and this public input is his opinion only and had nothing to do with him being a Selectman. He spoke regarding the Public Input received at the last Select Board meeting regarding his offer to the Town pertaining to the Cousens School Property, the appearance of conflict of interest, and the insinuation of profiting off the taxpayer.

He explained details of the personal issues/grudge the Dulong Family has had with his family for approximately ten years and that currently, with social media and public messages, they are driving a narrative that he has done wrong with his projects around town and has received special treatment from certain town officials. He added Amber Sweet's Public Input at the same meeting pushed the same narrative. He stated this was an honest heartfelt gesture he made that was turned into something else by certain individuals. He noted their questioning of conflict of interest pertained to a straw poll vote which would not cost the town any money nor provide him financial gain. He stated he was saddened and insulted this was done to him; that it closed the door on an opportunity for the town to reacquire this highly improved property that many residents would have enjoyed. He referenced the approximate cost to taxpayers (\$124,740) for the overdesigned engineered drawings done on the Cousens School Building and listed improvements done with state/local tax funds that included installation of a new roof, new windows, lead abatement, asbestos abatement, new septic, and new designed drainage. He stated over \$500,000 in total was spent on this town asset and in "Building 101" you need to control your costs and keep engineering firms in check, which did not happen with this town property.

b. Mail

The following mail was received in the meeting packets:

| <u>Date</u> | <u>From</u> | <u>Subject</u> |
|-------------|-------------|--|
| 1. 04/12/21 | State DOT | RT 202 Highway Project–Pavement Milling, U/T Bonded Wearing Course & Safety Improvements |

c. Complaints

None.

ITEM #4

MINUTES

a. Accept Minutes – Regular Meeting dated April 27, 2021

A **MOTION** was made by John Tibbetts, seconded by Ralph Blackington, to accept the minutes of the Regular Meeting dated April 27, 2021. Motion carried 4-0-1 (Thomas Guillemette abstained).

ITEM #5

SIGN WARRANTS

a. Payroll Warrant #48 in the amount of \$16,167.88

A **MOTION** was made by Ralph Blackington, seconded by John Tibbetts, to approve Payroll Warrant #48 in the amount of \$16,167.88. Motion passed 5-0-0.

b. Payable Warrant #49 in the amount of \$537,373.28

A **MOTION** was made by John Tibbetts, seconded by Ralph Blackington, to approve Payable Warrant #49 in the amount of \$537,373.28. Motion passed 5-0-0.

c. Payable Warrant #50 in the amount of \$12,250.00

A **MOTION** was made by John Tibbetts, seconded by Ralph Blackington, to approve Payable Warrant #50 in the amount of \$12,250.00. Motion passed 5-0-0.

ITEM #6 **UNFINISHED BUSINESS**

a. **Old Kennebunk Road Work**

Road Commissioner Maurice St. Clair and Brad Nickle have a plan to meet with Hissong Properties, LLC to discuss the road work needed.

ITEM #7 **DEPARTMENT AND COMMITTEE REPORTS**

a. **Treasurer**

Reference was made to the Expenditure Report submitted.

ITEM #8 **NEW BUSINESS**

a. **Schedule Public Hearing for Annual Town Meeting**

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to schedule a Public Hearing for the Annual Town Meeting Referendum for Monday, May 24, 2021 at 6:00 p.m. at Lyman Town Hall. Motion passed 5-0-0.

b. **ACO request for reimbursement – Poultry Feed**

William Single reported abandoned roosters were captured by the Animal Control Officer and the poultry feed purchased was donated to the man who adopted them. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to reimburse the ACO in the amount of \$34 for poultry feed purchased. The Motion passed 5-0-0.

c. **Bureau of Alcoholic Beverages – Local Option Vote Determination**

The letter received April 20th (dated March 26th) was referenced. It was decided to add this to the next Agenda to give the Board more time to review the information.

d. **Warrant Articles – Deficit appropriations**

William Single read the following warrant articles provided in the meeting packets along with a brief explanation for each: **(1) To see if the Town will vote to appropriate from 2020-2021 Personnel Budget up to \$30,000 for the Fiscal Year 2020-2021 budget deficit for Professional Services. (2) To see if the Town will vote to appropriate from a donation \$1,500 for the Fiscal Year 2020-2021 budget deficit for Mowing. (3) To see if the Town will vote to appropriate from surplus an amount not to exceed \$15,000 for the Fiscal Year 2020-2021 budget deficit for General Operating. (4) To see if the Town will vote to appropriate from surplus an amount not to exceed \$37,000 for the Fiscal Year 2020-2021 budget deficit for Solid Waste.** It was noted over-running certain lines in the budget (not the budget as a whole) occurred and this was the necessary housekeeping, done in the proper way. The following action was taken:

A **MOTION** was made by John Tibbetts, seconded by Thomas Guillemette, to approve the warrant articles as discussed. The Motion passed 5-0-0.

- e. **2021-2022 Salt Bid Award Result – MaineDOT Request for Quotes**
William Single reported this item did not need to be addressed as arrangements have already been made for purchasing salt for next winter season.

ITEM #9

EXECUTIVE SESSION

- a. **Title 1 M.R.S.A. §405(6)(E) – Reason: Consultations with legal counsel**
b. **Title 1 M.R.S.A. §405(6)(A) – Reason: Personnel Matters**

A **MOTION** was made by Ralph Blackington, seconded by Thomas Guillemette, to enter into Executive Session at 6:30 p.m. with regard to Title 1 M.R.S.A. §405(6)(E) for Consultation with legal counsel and Title 1. M.R.S.A. §405(6)(A) for Personnel Matters, to include Select Board Clerk Laurie Bosco. Motion passed 5-0-0.

The Board resumed Regular Session at 7:08 p.m. and took the following actions:


A **MOTION** was made by Ralph Blackington, seconded by John Tibbetts, to accept the Exempt/Non-Exempt Employee Listing with a notification letter to go to all employees that will include applicable time clock punching in/out instructions. Motion passed 5-0-0.

A **MOTION** was made by Thomas Guillemette, seconded by John Tibbetts, to authorize Town Attorney Bradley Morin to enter into an agreement on behalf of the Town that \$20,000 will be paid to KRT Appraisals, LLC to end the service contract with the Town retaining the remaining \$13,300 and with neither party seeking retribution thereafter. Motion passed 5-0-0.

A **MOTION** was made by David Alves, seconded by Ralph Blackington, to hire a Third Party Attorney for the investigation of personnel complaints. Motion carried 3-2-0 (John Tibbetts and Thomas Guillemette against).

ADJOURN

A **MOTION** was made by Ralph Blackington, seconded by Thomas Guillemette, to adjourn the meeting at 7:10 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 four (4) pages are the original minutes of the Select Board Regular Meeting of May 3, 2021.



Laurie Bosco