

**Town of Lyman  
Board of Selectmen Regular Meeting  
November 8, 2021 - 6:00 pm  
Lyman Town Hall**

Board of Selectmen present: William Single, Chair; Ralph Blackington, Thomas Hatch, David Alves, John Tibbetts.  
Others present: Select Board Clerk Donna Richard

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

**Motion at 5:47 By Ralph (Rusty) Blackington to go into Executive Session, 2<sup>ND</sup> by Dave 5-0:**

**Title 1-M.R.S.A. section 405 (6) (C) – reason: Real or personal property attached to real property or interests therein if premature disclosure would prejudice competitive or bargaining position of the municipality**

**Motion by Ralph in regard to Lot 142, Map 11 to sell back to property owner for taxes owed. 2<sup>nd</sup> by John. 5-0**

**6:01 Back in Regular Session**

**ITEM #1 SPECIAL PRESENTATIONS**

Treasurer, Jeanette Lemay gave her presentation on a new account numbering system. The proposed structure would cost approximately \$250 for TRIO to update in our system. The restructure plan handout will be attached to the end of the minutes for review.

**Motion by Ralph to accept the restructure of the accounting numbering system, 2<sup>nd</sup> by Tom. Passed 5-0.**

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

**a. Public Input**

- Leo Thibodeau presented the selectman with a handout which contained the names and contact information for the Goodwins Mills Cemetery. He said this has been going on since June of 2020 and nothing is being done. He said according to the statute, the town is responsible for taking care of this cemetery.
- Amy Littell, school board director came forward to discuss the open seat on the school board due to a resignation. She advised she has been calling since September with no response back from anyone. Leo Thibodeau advised of Norm Dubois's interest. Chloe Miles also addressed the board of her interest in the seat. She advised that nobody had been in contact with her. She advised that her mother, Amy Littell was told by the Town Clerk on election day that she should fill out a committee application. She feels that it is not a priority to the board to fill the seat.

**b. Mail (copies attached at end of minutes)**

- Letter from the Attorney who will be representing the Charter Commission

**c. Complaints**

- Two separate complaints about the same dog were sent it. Board will contact ACO to look into excessive barking with the owner.

**ITEM #3 MINUTES**

Minutes from 10/18/2021 Regular Meeting.

**Motion by Dave, 2<sup>nd</sup> by Rusty 5-0**

**ITEM #4 SIGN WARRANTS**

Payroll Warrant # 19 in the amount of \$19,536.80

Motion by Dave, 2<sup>nd</sup> by Rusty 5-0

Accounts Payable Warrant # 25 in the amount of \$618, 402.75

Motion by Rusty, 2<sup>nd</sup> by Tom 5-0

**ITEM #5 UNFINISHED BUSINESS**

- Oscar Littlefield update. Attorney Brad Morin sent in update. " I revised the deed to grant a 20 feet on each side of the centerline (similar to the 2017 proposal). I also added a clause stating that the Town agrees that the granting of the easement will not create or increase a non-conformity with any land use ordinances.

I propose to send a letter to each abutter and give them a contact person to answer any questions (Patti, or it could be me too). I would explaining the following"

*Dear Property Owner:*

*The Town of Lyman wishes to make improvements to Oscar Littlefield Road. The Town has maintained this road for many years, however there is no clear documentation of its status. There is no clear documentation of its width. The Town is not permitted to expend public funds on private property, so a public easement must be confirmed. We are asking all property owners along the road to confirm the status of this road by granting an easement that extends 20 feet from the center line. The Town is not looking to move the location of the road as currently traveled. The Town simply needs to confirm its width and status as a public easement.*

*A copy of the proposed easement is enclosed. If you agree to sign the easement, please stop by the Town Hall where the easement deed can be signed and notarized. Please note that each owner of the property must sign. If there are any mistakes as to the ownership of the property, please let us know.*

*If you are not willing to sign the easement, or if you have questions about the document, please contact \_\_\_\_ to discuss. This is important for the Town's plans to improve the road accessing your homes. For this reason, we are hoping that we can get all abutters to sign.*

The following is a draft of the deed the attorney has written:

**PUBLIC EASEMENT DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that \_\_\_\_\_ of \_\_\_\_\_, County of \_\_\_\_\_, and State of \_\_\_\_\_, for consideration paid, release(s) to the INHABITANTS OF THE TOWN OF LYMAN, a Municipal Corporation, with an office at the Town Hall, 11 South Waterboro Road, Lyman, in the County of York, State of Maine

An Easement and Right-of-Way on, over, along, across and through a certain lot or parcel of land to be used for public easements as defined in 23 M.R.S.A. § 3021 (2), situated in said Town of Lyman,

County of York and State of Maine on the northerly side of South Waterboro Road, so called, and described as follow:

All of that portion of Grantor(s)' land described and/or acquired in deed of \_\_\_\_\_ to \_\_\_\_\_ and recorded in the York County Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_ which land lies within twenty feet (20') of the centerline of Oscar Littlefield Road, so-called, as it now exists and is now traveled.

Meaning and intending to convey an easement to the Grantee herein for the purpose of establishing and providing public easements as defined in Title 23 Maine Revised Statutes § 3021(2), together with the right to excavate, grade, fill, maintain, install culverts and make cuts on, over and across said premises, and remove trees, if necessary.

Reserving to the Grantor(s), however, from the above, any private rights-of-way or Easements over said parcel which may have previously been conveyed to or otherwise be in favor of the Grantor(s) herein.

By this instrument, the Grantor(s) voluntarily transfer such interest to the INHABITANTS OF THE TOWN OF LYMAN without claim for damages. By accepting this deed, the TOWN OF LYMAN agrees that the grant of this easement shall not make property of the Grantee non-conforming, or increase any non-conformity, with municipal zoning ordinances.

The board's consensus is that letters should be mailed out.

David Alves made a motion for letters to be sent out certified mail and residents would need to come in to have their agreement notarized before it is submitted. The agreement should be changed to read that the ROW be changed from 40 feet to 24 feet. 2<sup>nd</sup> by John 5-0

- Pricing sheets were reviewed from Willscot Trailer Rentals for outside storage/office space. The board discussed again if we really need extra office space. Brian Dulong asked if the expansion committee has met on this at all. The consensus is that we still need to know what exactly needs to be stored and if storage needs to be on town property. Storage must be secured but not necessarily heated storage. Dave Alves will find out what needs to be moved quickly before the next meeting. He also offered up space at Cousens School in the interim at no cost to the town.

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

- Treasurer had expense report in packet. There is \$10,000 to rewrite personnel policy, no EPL in current policy.
- Tax Collector gave her report. Nearly ½ of Property tax collected so far. The excise numbers have fluctuated slightly. The numbers seem to be a little down but Covid allowed for not having to register vehicles so in June and July we had a big influx of vehicles that did come in to register.
- Road Commissioner advised on culverts that were damaged during rain storm. Culverts on Clarks Woods Road have been cleared and beaver activity diminished. Broken posts at transfer station repaired. The flashing stop sign at Kennebunk Pond is owned by the town, therefore any maintenance is at the town's expense.

- Parks and Recreation had report in packet. They had a craft in October and will have another in November. They will also be having a tree lighting. They also have been working to get lights and concession ready for when the ice rink opens in the winter.
- Katrina Randall from the Cemetery Committee first asked that in the future they do not need to sit through an entire meeting when they only need to have a PO signed that is already budgeted for.

**ITEM #7 NEW BUSINESS**

- YMCA contract is up for renewal. John T said they usually have a number in mind, and it usually takes a few meetings to resolve everything before an agreement is signed. There were some issues this past year about picnic tables being left out, etc that need to be addressed. Need to set up a time and date to meet with them.
- Funky Bow renewal application for restaurant submitted. The license is for the same as he had in the past, no known issues. Simple renewal. Motion by Dave to approve, 2<sup>nd</sup> by Tom. 5-0
- Open School Board position – There are 2 applications. Suggested we table until the next meeting so the board has time to review them. One of the applicants, Chloe Miles was upset that it was being tabled. The opening is to fulfill the remaining 8 months of a term vacated by someone who resigned. A discussion ensued between the board, the applicant and school board member Amy Littell. The board can appoint a member but the board wants time to review the applications that came in within the last few days. Dave said we need to table and have time to review applications and to meet with the board before a decision can be made. Amy Littell advised on the urgency of the open seat as the town is not being fully represented and the current members are needing to put in extra time on other committees without a full board.

**Rusty made a motion to go into EXECUTIVE SESSION, 2<sup>nd</sup> by Tom at 7:47 p.m. 5-0**

**Title 1-M.R.S.A. section 405 (6) (A) – reason: Personnel Matters**

Board came out of executive session at 9:03.

**Motion by Ralph to remove Dave Dulong from the building committee, 2<sup>nd</sup> by Tom.**

3 approved, 1 abstained and 1 opposed.

**Motion by Tom to ADJOURN at 9 :05. 2<sup>nd</sup> by Rusty 5-0**

  
\_\_\_\_\_  
William Single, Chairman

  
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Ralph Blackington, Vice-Chairman

  
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John Tibbetts

\_\_\_\_\_  
David Alves

  
\_\_\_\_\_  
Thomas Hatch

I, Donna Richard, Clerk to the Select Board of the Town of Lyman, Maine, do hereby certify that the foregoing document consisting of three (4) pages are the original minutes of the Board of Selectmen Regular Meeting dated November 8, 2021.

  
\_\_\_\_\_  
Donna Richard