

Town of Lyman
Board of Selectmen Regular Meeting Agenda
Monday April 4, 2022 – 6:00 p.m. – Lyman Town Hall

Welcome to the April 4, 2022, Regular Meeting of The Lyman Board of Selectmen.

This meeting is a public proceeding and is being recorded.

The agenda is subject to change without notice.

PLEDGE OF ALLEGIANCE

ITEM #1 **SPECIAL OFFERS/PRESENTATIONS**

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

- a. Public Input – Public in attendance will have up to 5 minutes to address the Board*
- b. Mail*
- c. Complaints*

ITEM #3 **MINUTES**

March 7, 2022 and March 21, 2022

ITEM #4 **SIGN WARRANTS**

- a. Accounts Payable Warrant #47 for 2022 in the amount of \$562,452.61*
- b. Payroll Warrant #48 in the amount of \$21,405.23*

ITEM #5 **UNFINISHED BUSINESS**

- Charter Communications – Address list posted and getting calls and emails to add addresses from residents (updated spreadsheet in packet)
- Goodwins Mills Cemetery – continue to get calls for burials and plot sales.
- Oscar Littlefield Road – update on signed easements
- Sign enclosure and RFPs for transfer station (any decisions made)
- Ordinance Review applications previously received (status)
- Tony Vigue, franchise agreement liaison – invoices and email in packet

ITEM #6 **DEPARTMENT AND COMMITTEE REPORTS**

Treasurer Expense Report: in packet

ITEM #7 **NEW BUSINESS**

- Spare cell phone assignment
- Need to bid for propane soon
- Select Board Clerk Resignation to be signed by the Board
- Proposed warrant article from the Planning Board – **discussion with action (in packet)**

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

ADJOURN

ITEM # 1

**MAIL/EMAILS
CORRESPONDENCE**

Selectmen Board Clerk

From: Susan Briggs <sbriggs57@icloud.com>
Sent: Monday, March 28, 2022 7:37 AM
To: Selectmen Board Clerk
Subject: Sign Design contest?

Good morning!

Dear Select Board,

There has been a lot of discussion regarding the new town hall sign. Most of it negative.

The RFP for a design /build A Frame to be vinyl sided has no plan or drawing and a ridiculous bid of over \$25,000. The select board has a duty to work for the people as they are spending our tax money. We don't even know what the final sign will look like. Neither did the bidder. Other town sign RFP's found in a search were many pages long and included exact details and drawings. The RFP issued was hasty and with no thought.

We held a straw poll on the Lyman page, and although I cannot share the post, please pass on to the Select Board that the majority of Lyman Citizens that answered that poll want to see a design contest for the new sign structure.

41 responded

35 said yes.

6 said no (when asked why, it was because they didn't want to spend anymore money on the sign folly.)

There were some good comments as well, including making this an Eagle Scout project, have it built by a local tech school, like Sanford or Biddeford, having local artist, craft persons, woodworkers, designers and architects judge the entries, Open the contest to everyone including high school art classes, artists and craftsperson's , builders, etc.

I drew up a few sketches for ideas...they represent what I think we display to the worlds.., I'm sure many others will submit others that are better.

Jo-Ann Putnam
Acting Chairman
York County Budget Committee
P.O. Box 1822
Wells, ME 04090
Telephone: 207-251-2602

TO: YORK COUNTY CITIES/TOWNS
SUBJECT: COUNTY BUDGET COMMITTEE CAUCUSES
DATE: March 21, 2022

The caucuses to elect municipal and public representatives to membership on the York County Budget Committee are scheduled for **Wednesday, April 13, 2022 at 6:30 P.M. at the York County Courthouse, 45 Kennebunk Road, Alfred, ME.**

In order for the caucuses to be successful, Elected Officials from the twenty- nine (29) cities and towns in the county should plan to attend. Only Elected Municipal Officials can vote to seat Budget Committee Members.

There are five (5) Districts in the County of York. Each district has two (2) elected municipal officials and one (1) member from the public for a total of three (3) members in each district and fifteen (15) members county-wide (5 districts x 3 members each = 15).

Included is a copy of the districts with the listing of the municipalities in each as well as the vacancies in each district and the length of term for each. The statute requires that only one (1) member can be elected from each town. A copy of the statute explaining the process is also attached.

Please make every effort to attend.

Thank you for your consideration.

COUNTY OF YORK
BUDGET COMMITTEE

DISTRICT # 1

ACTON, BERWICK, CORNISH, LEBANON, LIMINGTON
NEWFIELD, NORTH BERWICK, PARSONSFIELD, SHAPLEIGH & SOUTH BERWICK

Dana Lajoie-Berwick	Public	Term expires 3-30-23
Paul Philbrick-Lebanon	Elected	Term expires 3-30-24
VACANT	Elected	Term expires 3-30-25

DISTRICT #2

ARUNDEL, BIDDEFORD, KENNEBUNK & KENNEBUNKPORT

John Bell-Arundel	Public	Term expires 3-30-23
Marc Lessard-Biddeford	Elected	Term expires 3-30-24
VACANT	Elected	Term expires 3-30-25

DISTRICT #3

BUXTON, HOLLIS, OLD ORCHARD BEACH & SACO

VACANT	Elected	Term expires 3-30-25
VACANT	Elected	Term expires 3-30-24
David Durrell-Hollis	Public	Term expires 3-30-23

DISTRICT #4

ALFRED, DAYTON, LIMERICK, LYMAN, SANFORD & WATERBORO

VACANT	Elected	Term expires 3-30-23
VACANT	Elected	Term expires 3-30-24
VACANT	Public	Term expires 3-30-25

DISTRICT #5

ELIOT, KITTERY, OGUNQUIT, WELLS & YORK

Alexandros Orestis-Eliot	Elected	Term expires 3-30-23
VACANT	Elected	Term expires 3-30-24
VACANT	Public	Term expires 3-30-25

Title 30-A: MUNICIPALITIES AND COUNTIES

Part 1: COUNTIES

Chapter 3: COUNTY BUDGET AND FINANCES

Subchapter 1: TAX ASSESSMENT AND BUDGET PROCESS

Article 6-A: YORK COUNTY BUDGET COMMITTEE

§831. Committee established

There is established the York County Budget Committee, referred to in this article as the "budget committee," to carry out the purposes of this article. As used in this article, "county commissioners" means the county commissioners of York County and "county" means York County. [PL 1993, c. 623, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 623, §1 (NEW).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.
If you need legal advice, please consult a qualified attorney.

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Title 30-A: MUNICIPALITIES AND COUNTIES
Part 1: COUNTIES
Chapter 3: COUNTY BUDGET AND FINANCES
Subchapter 1: TAX ASSESSMENT AND BUDGET PROCESS
Article 6-A: YORK COUNTY BUDGET COMMITTEE

§832. Membership

The budget committee consists of 15 voting members and one nonvoting member selected as follows. [PL 1993, c. 623, §1 (NEW).]

1. Municipal and public representatives. No later than 100 days before the end of the county's fiscal year, elected municipal officials within each commissioner district shall caucus and elect representatives to the budget committee from that district for terms as provided in paragraph A. There must be 3 members from each commissioner district, 2 of whom are elected municipal officials and one of whom is a public representative. No more than one member may represent the same municipality at a time.

A. Members shall serve for 3-year terms, except that initially each district caucus shall select one member for a one-year term, one member for a 2-year term and one member for a 3-year term. If a committee member ceases to be a municipal officer or official during the term of membership, the committee member shall resign the membership and the next district caucus shall elect a qualified municipal officer or official to fill the membership for the remainder of the unexpired term. [PL 1993, c. 623, §1 (NEW).]

[PL 2007, c. 663, §14 (AMD).]

2. Legislative member. No later than 100 days before the end of the county's fiscal year, the York County legislative delegation shall elect one of the delegation's members to serve as a nonvoting member on the budget committee.

[PL 2007, c. 663, §14 (AMD).]

3. Committee chair. The budget committee shall select its own chair each year.

[PL 1993, c. 623, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 623, §1 (NEW). PL 2007, c. 663, §14 (AMD).

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Article 6-A: YORK COUNTY BUDGET COMMITTEE

§833. Budget procedures

1. Budget procedures. The county commissioners shall submit itemized finance estimates in the form of a budget to the budget committee no later than 60 days before the end of the county's fiscal year.

[PL 1993, c. 623, §1 (NEW).]

2. Budget review process. The budget committee shall review the itemized estimated budget prepared by the county commissioners, together with any supplementary material prepared by the head of each county department or provided by any independent board or institution or another governmental agency. The budget committee shall prepare a proposed budget and may increase, decrease or alter the estimated budget as long as:

A. The budget committee enters into its minutes an explanation for any suggested change in the estimated expenditures and revenues as initially presented by the county commissioners; and [PL 1993, c. 623, §1 (NEW).]

B. In the proposed budget, the total estimated revenues, together with the amount of county tax to be levied, equal the total estimated expenditures. [PL 1993, c. 623, §1 (NEW).]

[PL 1993, c. 623, §1 (NEW).]

3. Public hearing. The budget committee shall hold a public hearing in the county on the proposed budget before the end of the county's fiscal year and before the final adoption of the budget. Notice of the hearing must be given in all newspapers of general circulation within the county at least 10 days before the hearing. Written notice and a copy of the proposed budget must be sent by mail, or delivered in person, to the clerk of each municipality in the county. The municipal clerk shall notify the municipal officials of the proposed budget.

[PL 1993, c. 623, §1 (NEW).]

4. Adoption of budget; tax levy. After the public hearing is completed, the budget committee shall adopt a final budget and transmit that budget to the county commissioners.

A. The budget adopted by the budget committee may be changed only by a majority vote of the county commissioners and a majority vote of all elected members of the budget committee. Those actions are final and are not subject to further action by either the county commissioners or the budget committee. [PL 1993, c. 623, §1 (NEW).]

B. The budget adopted and changed under this subsection is the final authorization for the assessment of county taxes and the county tax authorized is apportioned and collected in accordance with section 706 ([./30-A/title30-Asec706.html](#)). [PL 1993, c. 623, §1 (NEW).]

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§834. Interim budget

If the budget is not approved before the start of a fiscal year, until a budget is finally adopted, the county shall operate on an interim budget which may not exceed 80% of the previous year's budget. [PL 1993, c. 623, §1 (NEW) .]

SECTION HISTORY

PL 1993, c. 623, §1 (NEW) .

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Article 6-A: YORK COUNTY BUDGET COMMITTEE

§835. Filing of final budget

The budget committee shall file a copy of the final budget with the State Auditor on forms approved by the Office of the State Auditor. The State Auditor shall retain the forms for 3 years. [PL 1993, c. 623, §1 (NEW); PL 2013, c. 16, §10 (REV).]

SECTION HISTORY

PL 1993, c. 623, §1 (NEW). PL 2013, c. 16, §10 (REV).

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KENNETH R. CLEGG (1944-2003)

March 28, 2022

John Tibbetts, Board Member
Town of Lyman
11 South Waterboro Road
Lyman, ME 04002


Re: FOAA Request

Dear John:

Enclosed please find another thumb drive containing emails from your account with the Town of Lyman. As we discussed, these consist of emails to which you already have access in your capacity as a Selectman for the Town of Lyman. These records have not been screened to determine whether the documents are public records under the Maine Freedom of Access Act.

These PDF files are being provided in bulk because you already have access to them in your municipal email account. Please be advised that documents should not be copied or shared until you consult with the Town's public information officer (or me as legal counsel for the Town) to determine if the particular document is a public record. While the answer may be obvious in certain cases, there are several exceptions to the Maine Freedom of Access Act which public officials must follow. These may include certain personnel matters or other sensitive personal data. As we discussed, you have a duty as a Selectmen not to disclose or release a document that is confidential by law.

Very truly yours,



Bradley C. Morin
bmorin@bourqueclegg.com

BCM/pmr
Enclosure

cc: **Town of Lyman Board of Selectmen**
Sigmund Schutz, Esq. (w/o enclosures)

ITEM # 2

MINUTES

**Town of Lyman
Board of Selectmen Regular Meeting
March 7, 2022 - 6:00 pm
Lyman Town Hall**

Board of Selectmen present: William Single, Chair; Ralph Blackington, Vice-Chair, Thomas Hatch, John Tibbets, David Alves

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.

ITEM #1 SPECIAL PRESENTATIONS

- Shelley Winchenbach was present from Charter Communications. She presented the board with packets regarding infrastructure, number of employees, etc. She went over promotional pricing and other packages offered. She also went over the maps showing where we service. Currently cover 2140 homes in Lyman. Project would cover 59 more homes to include homes on Walker Rd and Brock Rd. Total cost would be \$248,000. Cost sharing ARPA funds is a good option for this project. Shelley will put all the information on a spreadsheet for the board to review and for town to be made aware of.

- Andy from YMCA presented next regarding the contract for YMCA affiliation with the town. They have been doing 3-year contracts for at least 15 years. It is time once again to renew the contract. They are excited about partnering again. They are trying to do more facilitating with projects and improvements to the park as well as with management of the parks. They utilize their administrative team from marketing to financial, OSHA regulations and staffing.

They have a volunteer base using the United Way Day of Caring the first week of June to help with trail maintenance and other prep work. They have worked on larger projects such as the playground equipment, bridge going from picnic area to the Pines and the bridge going from parking lot towards the trail system. Work done on the sandpits and volleyball courts. The cost of staffing has gone up and this is the only piece that needs to be evaluated. Hiring costs going from \$12 to \$14 for individuals and perhaps from \$16 to \$18 for a lead person. Over the summer it would calculate to \$4000 difference than last year. The contract cost this year would be \$4000 more than last year. Staffed for about 10 hours per day for a total of 100 days for the season. Memorial Day to one week after Labor Day. Some adjustments were made in the evening hours when more people would be using the park. They are still doing a lot of advertising for The Pines. Due to COVID it was not used a lot for groups. In previous years the revenue was very good. Most of the rentals come from day camps or other organizations. That is where they get most of their rentals, mostly during the week. Price structure should be looked at but there is a fine balance. They have had to go up in most rates due to cost of operation and cost of staffing increases. Andy will send recommendations to the board.

There was also some talk in the past regarding winter activities such as cross-country skiing, etc. This will take a little more work in maintaining the trails and other issues. More expenses due to needing to plow the parking lots, having gates open, etc. The town would need to decide if this is something they want to be done for revenue. People out there unsupervised, no porta potties, etc need to be a consideration.

The Beach at Kennebunk Pond can be considered again, but they had enough issues staffing Bunganut without the addition of Kennebunk Pond. Board recommended that Andy speak with Kennebunk Pond Committee to discuss. The Board is comfortable with the contract pending some discussions about Kennebunk Pond and possible rate increases.

ITEM #2 HEARING OF DELEGATIONS / PUBLIC INPUT

- a. Public Input

- Brian Dulong read his complaint to the board regarding the board's decision on Ordinance Review Committee denial. (Complaint letter attached to end of these minutes).
 - John Tibbetts read his minority report Section 306B. (Attached at end of these minutes.)
 - Jessica Picard addressed the board as well. (Attached at end of these minutes.)
 - Carol Baker-Roux and Kelly Stevens from the Hiring Committee. Carol asked the board to clarify how people know there are openings on the committees to which they are being asked to interview. She believes there should be a clear policy on how openings are posted and should probably be on the website. Kelly also wanted to reiterate everything Jessica Picard said and advised that none of the hiring committee knew about any background information regarding one of the applicants that they interviewed who was then approved to the ORC. John asked if it would have held any weight. Jessica advised they don't believe they should know but trusts that the board should do their due diligence and if any type of information exists, they need to be intentional about who they spend the time with, so as not to waste anyone's time.
 - Leo Thibodeau asked why the board had no transparency. No information is ever answered. If a question is asked, a direct answer should be given. The board works for the town. The board is costing the town money. Wants to know what the town is hiding. Brian asked if he had an answer to his question.
 - Bill advised he would now answer some of the questions that came up. He advised Jessica that her FOAA requests information and for her to touch base in the morning. In regards to Brian Dulong's question, he cited a Facebook post by Brian regarding contract zoning. Brian wanted to know what a Facebook post had to do with the hiring committee. Bill advised that all Brian was doing was causing trouble by telling ½ truths and that is why he did not vote for him to be on the committee. Bill cited another Facebook post regarding Lee Schatz. Bill advised they are appointing people to committees to represent the whole town. Leo advised that it seems very one sided. John asked if we are making our discussions based on Facebook. Jessica advised there is no code of ethics anyone has signed.
 - Complaint about 12 Basswood again by neighbors. The owners were given the opportunity to clean it up and only a small portion was cleaned up and now it is a mess again. Code enforcement sent a new letter out today advising that they need to have this cleaned up again. They avoided court and the ball was dropped again. Bill advised the ball would not be dropped again. Dave said the ball was not dropped; code enforcement dealt with it accordingly. It was recommended that the board take a drive by.
 - Another resident asked why the board can't act accordingly on it and go look at the property. John advised statements were made about him when he tried to look at it previously.
 - Leo asked to make another comment. What right does the board have to sanction another selectmen. The town put him there, not the board. He has not found any documentation that allows the board to sanction another selectmen.
 - New resident asked if this is what happens all the time. She asked about volunteer opportunities and Bill advised emails go out regarding volunteer opportunities. Several people advised they subscribe to the email list and have not seen anything go out regarding openings on any committees. Bill advised he would check the next day.
 - Leo asked again if he was going to get an answer to his questions. Bill said he would not answer until he knows legally what can be directly answered.
- b. Mail – Mail was read and all mailed is scanned and on the town website
- c. Complaints

ITEM #3 MINUTES

February 22, 2022. Motion by John to accept, 2nd by Rusty. PASSED 5-0

ITEM #4 SIGN WARRANTS

- a. Accounts Payable Warrant #43 for 2022 in the amount of \$596,607.63
Motion by Dave, 2nd by John **PASSED 5-0**
- b. Payroll Warrant #44 in the amount of \$20,201.10
Motion by Dave, 2nd by Rusty **PASSED 5-0**

ITEM #5 UNFINISHED BUSINESS

- Quote form to be filled out for Iron Mountain. Bill will get filled out and return to them.
- ARPA User Roles: (definitions scanned into mail packet). Bill needs recommendations from the board. Tom says Jeanette should be considered for all three roles as she is the treasurer and deeply involved in the ARPA process. Also suggested Sue as another point of contact. John's only concern is her workload between budgets and working for the Town of Dayton to help with fire department.

Motion by John for treasurer to be the lead and Sue, tax collector to be the support person provided they both agree. 2nd by Rusty. PASSED 5-0

- More discussion regarding the invoice from Tony Vigue. He had been invited to the meeting and no word heard from him. He has been working on a franchise agreement for several years. Documents scanned into mail.
- Oscar Littlefield Road – Robert Schultz provided list of residents and how many have responded. (also attached to end of the minutes). No decision has been made yet if they receive a few who are opposed. Brad advised that if we don't have before town meeting it will not happen this upcoming budget season.

ITEM #6 DEPARTMENT AND COMMITTEE REPORTS

Treasurer expense report is on the website.

ITEM #7 NEW BUSINESS

- John asked if any decisions have been made regarding the contracts for plowing, mowing and striping proposals. He advised that it is time sensitive. The Road commissioner recommended a RFP for striping. There was also discussion about the contracts for snow plowing and sand and salt as to when their contracts end.

Motion by John for a RFP to be put out for striping. 2nd by Rusty. PASSED 5-0

- Field Use request form from Massabesic Little League softball. April thru June for weeknights and weekends. They used last year with no issues. John wanted to know if we asked for any contributions, and they willingly contribute without being asked. John felt maybe we need to ask for a little more revenue for the upkeep.

Maurice St. Clair asked about discussing return to work. Bill asked him to stick around, and they would discuss in Executive Session.

Motion to go into Executive Session: 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

There was no motion to go into personnel matters listed on the agenda.

Maurice St. Clair was ok speaking with the board publicly when they came out of executive session for the previous motion.

4-1 (opposed by John)

There was discussion between the board and Maurice regarding his return to work and responsibilities. He was very upset about decisions made while he was out of sick leave. He feels as though the town does not want him there. A new person was hired for 28 hours to learn all the roles. Brad can't tell right now if he is management material and run the transfer station as Maurice had. Dave asked if there was any commitment made to new employee to be the manager. Bill and Brad interviewed the new employee and there was no mention that he would be the supervisor. The long-term goal is to have 3 full time employees working at the transfer station. John asked if Maurice help capable of going back to full time and not maybe considering coming back slowly. Maurice asked to be able to work 3 days per week. Bill advised they did not have it in the budget. Maurice advised he was only a phone call away that should have been made before a full-time offer was made to someone else. He is also upset about Davey not being able to come back. Brad advised they should have it in the budget since the new employee is already budgeted for. Maurice said several times he will just resign. Bill advised the new employee needs to be trained to be a supervisor. Maurice does not want to come back as a "peon". The other part time employees do not want to work this summer which leaves money in the budget to give Maurice the hours to come back. Brad also advised that cans have been repaired. Dave said he wants to see Maurice as the boss. Brad wants the new employee to be able to do everything. Maurice also wanted permission from the board to let Davey work as a volunteer. The only way to get a state funded job coach is to have a job guaranteed to him after working with a job coach. The board would have to agree that Maurice is basically his job coach to be able to work with him. Some safety issues have been put in place as well to minimize any chance of him being hurt.

Maurice has no problem answering to Brad but reiterated he does not want to come back as a peon.

John made a motion to have Maurice and Brad work together to determine his return to work not to exceed 12 hours. 2nd by Dave 5-0

Bill had one last subject to bring up. Town needs to set a date for a special town meeting to be able to move funds from one account to another due to the assistant assessor being newly certified. We need a town vote. There will be one item on the ballot. April 26th is the proposed date. Need 30 days for absentee ballot. We need to have a public hearing. The wording is to move \$20,000 from Professional Services to Personnel. This was previously approved at town meeting. Dave suggested we add "as previously voted on". Voting will take place at town hall. Once we have attorney approval on the wording, the public notice would be posted.

Motion from John to approve the special town meeting for April 26th, 2nd by Dave. 5-0

Motion to adjourn at 8:26. 2nd by Rusty 5-0

William Single, Chairman

Ralph Blackington, Vice-Chairman

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 (4) pages are the original minutes of the Board of Selectmen Regular Meeting dated March 7, 2022

Donna Richard

**Town of Lyman
Board of Selectmen Regular Meeting
March 21, 2022 - 6:00 pm
Lyman Town Hall**

*Board of Selectmen present: William Single, Chair; Ralph Blackington, Vice-Chair, Thomas Hatch, John Tibbets
Via ZOOM: David Alves*

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.

ITEM #1 SPECIAL PRESENTATIONS

Jessica Picard gave preliminary report from the Charter Commission. This summary report is posted on the website and available in the selectmen's office with the printed minutes. More detailed documents showing differences with or without a town manager are quite lengthy (35 pages) and therefore can be accessed at [Charter Commission | Town of Lyman Maine \(lyman-me.gov\)](http://www.lyman-me.gov/CharterCommission)

Cemetery Committee (Katrina Randall and Steve Carpenteri) addressed the board regarding tree removal and if the board had a chance to review their recent proposal. Trees are too big and too dangerous to remove on their own. They believe they need a bucket truck and professional to remove. Bill advised there are grants that can be applied for to help defray the cost. The committee is only able to get the work done if there is money in the budget. Bill advised that he wants the committee to find grants. The board would possibly be able to guide them in the right direction, but yes, the committee would be responsible for finding the grants.

Open the bids for RFPs for sign enclosure and work at the transfer station (electrical and cable)

Bid are attached at the end of these minutes. There were some shocked reactions as to the cost of the enclosure and roof for the sign. The quote came in at \$25,875. This was the only bid for the sign enclosure that was presented.

ITEM #2 HEARING OF DELEGATIONS / PUBLIC INPUT

a. Public Input

- Michelle Felicetti (attached to end of minutes)
Dave Alves responded to Michelle via Zoom. He said he knew about the cup of coffee but it was just to sit down to clear his own name. Dave was in favor of Michelle being on the committee.
- Lee Schatz read from a prepared document (attached to end of minutes)
- Audience member was wondering why the board does not address things when people come to the meetings and speak about things going on with no response. She questioned why there was no reply to Michelle's statement. To leave people hanging is not right, also the reason she does not like to attend the meeting. Bill advised they can't always answer on the spot. The board needs to answer as a whole but also need to know what they can legally say.
- Celeste Hatch wanted to know what the five minutes was all about. Her understanding is that it is a time for input, not back and forth even though Dave was allowed to speak twice.
- Jennifer Fowler spoke next about her application to the Ordinance Review Committee. She thought she had a good interview and recommendation from the hiring committee but was ultimately rejected by

the board based on a private Facebook group lengthy thread. She feels there are some questionable behaviors by the board and hopes that they would put personal grievances aside.

- Mike Rancourt wanted to know what the status of his ordinance review committee application. He did not receive any notification. Bill advised he would know something the next day.
- Bob St. Onge spoke about the 2 selectmen who represent the HR function of the board. His question was regarding former sexual harassment allegations regarding former and current employees. He wanted to know if those records are in the vault as part of the town record. Rusty advised that when he is asked to get something in the vault, he gets only what is asked of him, he does not go through random files. Bill advised if there is a result report, that can be made available, but other information is confidential. Bob just wants to know if they are in the vault. He also wanted to state that John Tibbetts has become a cancer to this town. He feels the rest of the board should be able to censor him and he repeatedly gets out of hand.
- Jackie Rancourt wanted to state that people should have the ability to state what they feel but need to be respectful.
- John Tibbetts read from a prepared statement (attached at end of minutes)
 - Dave Alves wanted to clarify – asking if John is implying that Dave is “making money” by someone being on a committee or being paid somehow. He is wondering where the conflict of interest was.

b. Mail – Mail was read and all mailed is scanned and on the town website

- Kerri Jo Sampson submitted a written statement that was read aloud (attached at end of minutes)

c. Complaints

- David Alves read from a prepared statement in response to John Tibbetts statements at the 3/7/22 meeting.
- Tom Hatch also replied in response to the minority report read by John Tibbetts at the 3/7/22 meeting (attached at end of minutes)
- Rusty asked John if he believes that he is a dishonest man as John indicated in the 3/7/22 statement made.
- Bill Single read from a prepared statement in response to John Tibbetts statements at the 3/7/22 meeting. Bill advised it was not a question and answer session. Someone asked if letters would be posted on the website since a lot of information was shared.
- Paul Berdeeen came in with a complaint about speeding and trash near his home on Kennebunk Pond Rd.

ITEM #3 MINUTES

Rusty made a motion to NOT accept the minutes as written due to an issue with the Executive Session since we did not have the proper MRSA statute posted.

ITEM #4 SIGN WARRANTS

- a. **Accounts Payable Warrant #45 for 2022 in the amount of \$79,483.57 – Rusty made a motion to accept, 2nd by John. 4-0 (Dave did not have the report, so recused himself from the vote)**
- b. **Payroll Warrant #46 in the amount of \$25,328.22 – Motion by John to accept, 2nd by Rusty. 5-0**

ITEM #5 UNFINISHED BUSINESS

- Sign appointment for Lee Schatz for ORC. Already voted on, just need to sign. Dave said, signed or not, more discussion needs to happen over the comments made by John Tibbets regarding the applicant and appointment.
- Need to change date from April 26 to May 3rd requested by the Town Clerk due to her being out. Motion by Rusty to move the date, 2nd from Tom. 5-0
- Referendum question is to move \$20,000 from professional to personnel. This is not additional money, it was already approved in the event the town hired a certified assessor. There will be a public hearing set. John made a motion to accept the wording, 2nd by Rusty. 5-0
- Tony Vigue presented information about the franchise agreement between the town and Charter Communications. Charter Communications owns the majority of franchises in Maine. 2 bills have been passed. He has worked off and on over the last few years with the town and the town attorney. He said we are ready to submit a new agreement soon. New bill passed that cable company can no longer continue to bill you through the end of a billing cycle. Tony does most of the legwork and his fees are much lower than working with an attorney.

ITEM #6 DEPARTMENT AND COMMITTEE REPORTS

- Committee reports in packet.
- Holli from parks and recreation had a question about sod regarding the area where the skating rink is, as it is not level.
- Norm Dubois was scheduled to be at the meeting but was not. The board is looking to have representation from the school board at regular meetings.

ITEM #7 NEW BUSINESS

- Zebra Striping (missed when they were opening other bids) This is the company we have always used, they do the striping for the crosswalks primarily. It does include the transfer station and Walker Rd. Price is \$1,945. Motion by John to accept, 2nd by Rusty 5-0
- Code Enforcement submitted a letter to resident of 12 Basswood regarding the condition of the property being a mess again. She wants authorization from the board to be able to take appropriate action. John made a motion to give CEO authority, 2nd by Rusty. 5-0
- Item on agenda was one that needed to be in executive session. That item will need to be tabled until the next meeting and in Executive Session.

Motion to adjourn made by Rusty, 2nd by John 5-0

William Single, Chairman

Ralph Blackington, Vice-Chairman

John Tibbets

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 (3) pages are the original minutes of the Board of Selectmen Regular Meeting dated March 21, 2022

Donna Richard

3.21.2022

Town of Lyman Select Board
11 South Waterboro Rd
Lyman, ME 04002

Integrity, Honor, Transparency, and the ability to remain neutral, these things, to me, are important to how I live my life.

In June of 2021, I applied to be a member of the Ordinance Review Committee, after hearing the Select Board talk about they need volunteers and need to get the board going. I was willing to give of my time and was actually looking forward to learning more about our town and how it operates.

September 2021 I received an email to review an ordinance, but with no information on what I was to review. After a month of trying to get someone to respond to me and get me the information necessary to start, I decided I wasn't going to fight to volunteer. So I submitted my resignation in November of 2021. Not one of you responded to the email with my resignation that was sent directly to you. A courtesy of "received" would have been appreciated. Not once has my resignation been voted on in any meeting. But a vote to let me rescind my resignation and be reappointed has been done, and its now awaiting signing of my appointment.

My question regarding this matter is, what has taken so long? Why is no one speaking up to remedy this situation and do it legally and according to our Charter?

My other question is, why am I being talked about in executive session? I am a private citizen, and it is illegal to talk about me in executive session without me knowing it or my right to be present when you are speaking of me. Talking about me because you are unhappy with how I admin a private Facebook page or what I post there is not a reason for executive session. It is an absolute abuse of power.

A few direct quotes I'd like to read: "I do believe that we need to listen to the people and listen to what they say. If they want to look into the changing the ordinances okay, I definitely think we need to listen to what the people say. That's what we're here for."

The most important part is just listening to the voices, umm, not throwing out their opinion because it's not your opinion. You represent the people, it's their opinion that should be your opinion. That's what being elected and representing your town is all about. I just feel that we need to listen to the people more."

Rusty, these quotes are from you on Candidate Night. Where were you protecting and standing up for my personal voice and opinions in an illegal executive session? Where are you protecting the voice of the people as you sit on this board?

I was told by Bill in a phone call you all agreed that he and Dave should have a cup of coffee with me and talk about things. Dave thinks I have it out for him and is not willing to vote me on Ordinance Review Committee now. I was also told in this same phone call with Bill that if I met with him and Dave and "could see things their way," and "agree to run the page a certain way," he'd have Dave make the

motion to put me on the Ordinance Review Committee. (Which I already was put back on with the rescinding of my resignation and the vote you all took that night)

I've never felt so, excuse the word, icky in my entire life. To think that I can be manipulated or coerced is something I cannot even fathom. The ORC is a volunteer committee I was willing to volunteer my time for, and you want to try to bribe me with a seat by seeing things your way and running a private Facebook page the way you want it run? That is inexcusable and beyond reprehensible. Needless to say, I did not meet for coffee with anyone.

Dave, I do not have it out for you. Actually, I very much wanted Cousens to be the town hall or some sort of community center, and even voted for it on the last town straw poll.

If the rest of the board didn't know about any of this and it's a surprise to you, I'm sorry you're finding out this way. If any of you knew and said nothing to stop it, shame on all of you.

You are servants of the people. How are you serving the people of this town? With integrity, honor, transparency, willing to listen to others and not judge them? You feel you have the right to judge them by Facebook posts? What's next? Religion? Orientation? Where do you draw the line?

I respectfully ask you to make a final decision on my application and admission to the Ordinance Review Committee tonight, publicly for all to hear. I will not have aspersions of coercion and dishonesty associated with my reputation and integrity. And, Bill, if I have misconstrued or misinterpreted what you said in that phone call in any way, please do speak up and let me know what exactly you meant, as I do not want to wrongly accuse you of anything and I will publicly apologize to you.

Regards,

Michelle Felicitti

My concerns regarding the appearance of bias, conflict of interest and not serving the public interest by the selectmen, concerning the appointment of Lee Schatz, the only one of eight applicants, to the Ordinance Review Committee. Presented to the Board of Selectmen and the citizens of the Town of Lyman on March 21, 2021.

I believe Board members **exhibited bias** by approving the only applicant who had expressed unwavering favor of all Dave Alves's projects, which he vehemently defends. I believe Board members David Alves, Bill Single and Rusty Blackington **exhibited conflict of interest** by not disclosing their financial interest as contractors doing business in the town. Because their firms are governed by the Ordinances the Committee would be clarifying and creating. They are required to disclose that financial interest and abstain from voting.

Board members did not **serve the public interest** because they:

- Didn't disclose Lee's prior selectboard's "criticism he received related to genuine issues with his work performance". (Quoted from Maine Human Rights Commission Investigator, Michele Dion).
- Didn't disclose Lee's unsubstantiated Human Rights Commission charges of retaliation he brought against the Town in 2013 when he was reprimanded by a prior Selectboard for those "genuine issues with his work performance".
- Didn't disclose that in 2015, Lee applied pressure to the Selectboard to obtain a payout of \$3,875 to resign in lieu of battling a nuisance lawsuit.
- Didn't disclose Lee's troubling history to the Hiring Committee, who they employed for the first time when evaluating volunteers. Since they don't talk to me, I can only conclude this was done to receive a positive recommendation for Lee and give the impression that their vote was above-board.

Although my assessment of Lee Schatz is that he is unfit to serve the Town of Lyman in ANY position, I mistakenly thought that all I could do was vote NO at that time. I didn't know what information I could divulge about Lee because he was a former employee. I have since learned what I can say.

I think we should nullify the vote by Selectmen on February 22, 2022, approving Lee Schatz's application to the Ordinance Review Committee on the grounds that three selectmen, William Single, Ralph Blackington and David Alves did not disclose their financial interest, as required by MSRA Title 30-A §2605 and abstain from voting.

I believe the Board members exhibited *bias* and *did not serve the public interest* by:

- Ignoring or voting against seven qualified volunteer applicants, all of whom expressed that the town needs to adopt clear ordinances that do not conflict with our other ordinances, our Comprehensive Plan and Maine statutes and by
- Approving the only applicant who has expressed unwavering favor for all Dave Alves's projects.

Because the majority of this Board have a Conflict of Interest with regard to appointing members to the ORC, I would suggest to re-vote, as a whole, all the seven applicants who were either ignored or rejected by this Board to serve on the Town of Lyman Ordinance Review Committee. This will remove any questions of bias and conflict of interest of any one individual.

TO: Citizens of the Town of Lyman
FROM: Tom Hatch, TOL Selectman
DATE: March 21, 2022
SUBJECT: Minority Report Rebuttal from March 7th Board of Selectman's Meeting

Good evening,

I am not a fan of gossip, slander or accusations. Generally speaking when this type of communication surfaces, those being affected must respond and by doing so take valuable time away from the business which needs to be accomplished. However, I feel the need to respond to the highly inflammatory and false accusations made by Mr. Tibbetts at the March 7th Board meeting.

Eight months ago I was sworn into office as a Selectman to the Town of Lyman. When I ran for this position, I campaigned with the words, Truth, Honesty, Integrity, Ownership. For me, these virtues still exist, and I use them to serve in this position. These values have been tested at almost every board meeting and dealing with past practices from former boards. I have attempted to form my own opinions and decisions based on facts and regulations.

Due to the employees' discontent, my top priorities were to work with staff to find a way for them to feel valued and safe in their workplace, make the Town of Lyman be an employer of choice, and employ people who want to be part of a team.

As a "Freshman Selectman" I realize there are many things to learn. I have attended MMA seminars, searched to find needed information, and asked many questions, but you know the best source of information?...experience! When I came to the board one of the first statements I made to the members was that we needed to work as a team. I also stated that if we did not all work as a team, it would be difficult to accomplish the business of the Town.

John, as a "Senior Selectman" your role should be to mentor. Instead you chose to undermine us at every turn. You have shown time and time again that you are not a team player. You have worked against the members of this board, and at times have set us up to fail. You have used vulgar language in a public meeting, you have walked out of an executive session, and you have conspired against this board towards your own agenda. I'd call that disgraceful and embarrassing behavior. I have asked you many times..."what is your endgame?" I'm still not sure.

Going back to my earlier remarks about my top priorities in regards to making the town hall a safe place to work. John, you were part of the reason town hall employees did not feel safe. The townspeople may have forgotten how the Town almost lost its CEO because of the bullying, harassment, and intimidation that was taking place by former selectboard members, including yourself.

You do have many years of experience in town government and could be an asset to a freshman selectman like myself. I have listened, agreed, and sometimes complimented you on your knowledge and insight. But then you go and either pull out a prepared statement, for example the motion for a

marijuana moratorium, or set us up to fail proper procedure for executive session at the last meeting. After it was stated that we did not have the proper MRSA citation to go into executive session for personnel matters, I asked for the motion to be qualified. John you responded, "yup, qualify, please and thank you". And then when we voted, you voted no, knowing that it was improper procedure. This is a perfect example of when you could have helped to educate us you instead chose to sabotage us. Set up?... I think so. I called you on it and I will make sure the minutes are corrected tonight to show that we did not go into executive session to discuss personnel matters.

Please don't tell me the way you behave is not personal, because, in my opinion, it's clear that it is personal. Right from the start of my candidacy you made the statement, "If Hatch is elected, I will resign". Why resign, John? I'm still here and so are you. What changed your mind?

I am not going to continue to air out dirty laundry because all it does is tarnish the Town's reputation, and as I stated earlier takes valuable time away from the business the town needs to accomplish.

On a positive note, these are some of our accomplishments since the last election?

- Rusty and I have met with all employees in town hall to listen to their concerns and ideas.
- The Board has hired two new admin assistants, one for the front office, and one for the CEO.
- We made it possible for the CEO to continue employment in a safe, non-bullying, non-harassing workplace.
- We approved cameras for the public hallways to enhance safety in the town hall.
- We introduced Zoom, an interactive town website, and an informative electronic sign.
- We have made upgrades to the old broken down furniture the employees were using.
- We are working with the new Road Commissioner to devise a plan to repair years of neglect of the infrastructure at the transfer station.
- We are attempting to build committees that will work for the people, with members who are non-bias and have no personal or neighborhood agendas.
- We have retained all of the current employees in town hall and made it a better and safer place to work.

Decisions of the Board may not make everybody happy all the time, however, if we were working as a fully united team, we could accomplish so much more than we are currently. Case in point, creating and updating policies and procedures, such as board code of ethics, and selectboard meeting protocols that have not been addressed in years.

How do we positively move forward as a selectboard?

- I believe we should begin:
 - working as a team,
 - developing meeting protocols,
 - creating a Board Code of Ethics,
 - continuing to develop policies and procedure for staff,
 - and continue to foster open communication between the board and staff.

Thank you for your time.

(Ball) Single

Lyman

Institute zoom meetings

LED Sign to communicate with HO

New budget style to provide more in depth budget process

All Dept heads are having input to the budget process.

Depts and committees are more independent.

New process with hiring committee.

Hiring committee reviews committee assignments.

Committee for Kennebunk Pond Beach

Memo:

In the summer, fall of 2020 I had several conversations with JT. Several times I told John he was pushing the line of representing the Town or his friends. He had to be careful of which side of the line he was on.

He indicated that he understood. Then he spoke at a meeting saying this was his personnel feelings and not his position as a selectman. By stating that he was a selectman adds weight to what he is saying. Intended or not. Then he makes statements about Selectman David Alves. So hypocritical. So obvious he is not representing the Town.

In the Fall of 2020 , Realizing that he was over the line JT asked if Town would possibly pay him his two years that he has left as selectman and he would resign immediately. We would not hear or see him again . John said this would be just like Lee Schatz. The Town Attorney said that was not possible without a Town vote as John was elected. Lee was appointed.

Executive Session. – Board held executive session on personnel matters re Code Enforcement – During meeting JT left the meeting to use the restroom. After meeting while exiting the Town Hall, checking FB found the discussion from executive session was already posted online.

JT has commented that the Town Clerk was a problem and need to change the job from elected to appointed to solve the issue.

When Alves bought 266 acres off Wadley Pond, Staff committee was enacted to stop any development of the property. Change the zoning code which directly effected the Alves property.

Jeff Demers FOAA request for specific info that possibly could be contained in a personnel file. Jeff was not a selectman at that time of issue and therefore would not know what was in the file unless someone else who was a selectman at that time spoke about it which is illegal because it is considered

Bill Single

confidential. John Tibbetts was selectman at that time. This info was not posted online by HRC that I was able to find.

Over budget –JT Wants to know why the Town is over budget. John was asked at last budget meeting as to what lines are over budget. The account in question was the legal budget. Legal budget is over due to John Tibbetts, Jeff Demers and Dave Dulong involvement with the Zoning Board of Appeals. The invoices for ZBA is approx. \$7000 so far this year. Total expended in the legal budget is \$15000. Take out the Zoning Board and budget is not over.

Lyman Maine Happenings FB page. A person posting misinformation on FB regarding meaning of Zoning ordinance left out four words. "But not limited to.. This totally changes the meaning of the ordinance. This Was left out to change the narrative to mandate that the zoning and comprehensive plan had to be adhered to. This is fake news. These four words opens the contract zoning to almost anything. I called out the misrepresentation for the truth. I have heard that the FB privacy policy was violated by calling out the misinformation. The person posting the false information is still on the FB page. I have been blocked from the Lyman Happenings FB page for making the misinformation public. I live in Lyman, Maine USA not Russia. It is totally unacceptable to live with those kind of destructive actions. I will not participate with anything to do with this Facebook page until the actions change.

To this day I have not been called, texted, or emailed that I had done anything wrong.

Your Accusations deserve a response.
From this board. Would anybody like
to respond?

KerryJo Sampson
44 Raegan Lynn Rd, Lyman
Sent Monday, March 21, 2022

I am a proud military veteran. Integrity is very important to me. So is honor - for the ability of this process we get to experience at every board or committee meeting. Honor for every individual and their right to be heard. And hope that the residents of this town are as good as I believe, and that these meetings, which are meant to better the town, can also see better from its residents.

I enjoyed talking with folks after the last select board meeting. I may not agree with all you said, and I'm sure you didn't agree with all I said, but I appreciate that we both listened, and treated the other person with respect. Why isn't that same mentality used during these meetings?

That brings me to my comments at the last select meeting that I wanted to readdress. When I said I was appalled at the meetings I had attended, I was mostly referencing the hostility in the gallery. I understand people have grievances and concerns. What I don't understand is how quickly it goes from comments to mudslinging. Comments such as "we're taxpayers so you answer to us", or slanderous comments implying corruption with no supporting information. Yes, you have the right to speak your mind. What I am saying is - yelling, and derogatory comments just deteriorates any progress or solution you may want. If any board member responded in any manner to your outbursts, there would be outrage. You've asked for a code of ethics for all town employees to be held to. I wonder if the gallery will also adhere to these during meetings.

It is clear at these meetings that there are long-term friendships, maybe some old grievances and disputes between residents and board members - none of which should have any bearing on these meetings (from residents or board members). Comments about one board member smirking, but no comment when another board member winked to a friend in the gallery - childish. Everyone here is intelligent, has life experience, and understands the democratic process. Use it. Make your statements and leave the personal grievances out of it. A reminder - the board members, like you, are also residents and taxpayers. Yes - their job behind that desk is working to better the town, but they are also people. Please try keeping both in mind.

The other concern I had at the last meeting was regarding the statement made by one of the board, AND that it was made as a selectman and not during the public session. It was the final comment in which you slandered members of the council to include these words, "I didn't see the word courage on your campaign ads" - what was the point of that? I can say, to me, slanderous remarks like that make everything else you said irrelevant.

Lastly, I would recommend to the board, before the public speaking portion of each meeting, that you make a statement each time (and published on the agenda), along the lines of "this time is for public comments and questions. Questions will not be answered by the board during this meeting. They will be addressed by the board as a whole, and the board will present its answers or findings by the next scheduled meeting. If the board is unable to answer the questions fully, an update will be given at that time."

ITEM # 3

WARRANTS

A / P Check Register
Bank: BIDDEFORD SAVINGS

Type	Check	Amount	Date	Wrnt	Payee
P	8777	11,081.93	03/21/22	47	0569 SECRETARY OF STATE
P	8778	14,046.14	03/25/22	47	0569 SECRETARY OF STATE
R	8779	319.90	04/04/22	47	0218 AMAZON CAPITAL SERVICES
R	8780	1,548.00	04/04/22	47	0022 BEAN DATA
R	8781	32.00	04/04/22	47	0994 CINTAS CORPORATION- # 758
R	8782	574.00	04/04/22	47	1060 CORELOGIC TAX SERVICES
R	8783	1,175.00	04/04/22	47	0133 DAVID W. RILEY
R	8784	483.75	04/04/22	47	0151 DAYTON SAND & GRAVEL, CO.,INC.
R	8785	32,400.00	04/04/22	47	0248 DAYTON SNOW FIGHTERS INC.
R	8786	7,889.74	04/04/22	47	0024 EASTERN SALT COMPANY INC
R	8787	44,604.17	04/04/22	47	0233 GOODWINS MILLS FIRE & RESCUE
R	8788	125.00	04/04/22	47	0650 HARRIS COMPUTER
R	8789	121.30	04/04/22	47	0184 JEANETTE LEMAY
R	8790	475.00	04/04/22	47	0230 JESSICA HUBBARD
R	8791	394.06	04/04/22	47	1111 MARCEL DESROSIERS
R	8792	165.89	04/04/22	47	0084 READYREFRESH BY NESTLE
R	8793	446,861.00	04/04/22	47	0419 RSU #57
R	8794	42.12	04/04/22	47	0048 SHEILA MCNEIL
R	8795	98.61	04/04/22	47	0985 WARRENS OFFICE SUPPLIES
R	8796	15.00	04/04/22	47	0192 YORK COUNTY TOWN&CITY CLERK'S ASSOC
Total		562,452.61			

Count	
Checks	20
Voids	0

A / P Warrant

Warrant 47

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
00218 AMAZON CAPITAL SERVICES						
0489	8779	04	ITEMS FOR EASTER FOR REC	1CM3-MQ4N-KVYY		
ITEMS FOR EASTER FOR REC			E 80-32-18		292.93	0.00
PARKS & REC / RECREATION						
			Invoice Total-		292.93	
0489	8779	04	SAFETY VESTS	17K1-FCC7-1T74		
SAFETY VESTS			E 50-25-36		26.97	0.00
SOLID WASTE / PPG						
			Invoice Total-		26.97	
			Vendor Total-		319.90	
00022 BEAN DATA						
0489	8780	04	CONTRACTUAL SERVICES	BEANAPRFY22		
CONTRACTUAL APR			E 10-10-02		1,548.00	1,507.50
OPERATING / COMPUTER EXP						
			Vendor Total-		1,548.00	
00994 CINTAS CORPORATION- # 758						
0489	8781	04	13117643	4114156354		
RUGS-TH			E 10-10-21		32.00	0.00
OPERATING / RUGS						
			Vendor Total-		32.00	
01060 CORELOGIC TAX SERVICES						
0489	8782	04	REFUND HAMEL	1658		
REFUND HAMEL			G 1-120-00		574.00	0.00
R/E OVERPAYS						
			Vendor Total-		574.00	
00133 DAVID W. RILEY						
0489	8783	04	SERVICES	2021-0384		
P&R TRASH REMOVAL			E 80-32-02		100.00	0.00
PARKS & REC / TRASH REMOVL						
			Invoice Total-		100.00	
0489	8783	04	SERVICES	2021-0385		
ROADS REPAIRS/MAINT			E 40-15-03		1,000.00	0.00
ROAD EXPENSE / RD REP/MAINT						
ROADSIDE TRASH PICKUP			E 50-25-26		45.00	0.00
SOLID WASTE / ROADSIDE P/U						
			Invoice Total-		1,045.00	
0489	8783	04	SERVICES	2021-0386		
TOWN HALL TRASH			E 10-10-06		30.00	0.00
OPERATING / JANITORIAL						
			Invoice Total-		30.00	
			Vendor Total-		1,175.00	
00151 DAYTON SAND & GRAVEL, CO., INC.						
0489	8784	04	52800	242942		
52800			E 40-15-03		258.75	0.00
ROAD EXPENSE / RD REP/MAINT						
			Invoice Total-		258.75	
0489	8784	04	52800	243089		
52800			E 40-15-03		225.00	0.00
ROAD EXPENSE / RD REP/MAINT						

A / P Warrant

Warrant 47

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description	Account	Proj				
				Invoice Total-	225.00	
				Vendor Total-	483.75	
00248 DAYTON SNOW FIGHTERS INC.						
0489	8785	04	APR 2022	SNOW042022		
APR 2022			E 40-15-04		32,400.00	32,400.00
			ROAD EXPENSE / PLOWING/SAND			
				Vendor Total-	32,400.00	
00024 EASTERN SALT COMPANY INC						
0489	8786	04	SALT LYMANM05	121513		
SALT LYMANM05			E 40-15-04		7,889.74	0.00
			ROAD EXPENSE / PLOWING/SAND			
				Vendor Total-	7,889.74	
00233 GOODWINS MILLS FIRE & RESCUE						
0489	8787	04	APR 2022	GMFR042022		
APR 2022			E 35-35-02		13,545.17	13,545.17
			PROF SVC / GMFD-CONTRAC			
APR 2022			E 35-35-03		31,059.00	31,059.00
			PROF SVC / GMFD PERSONN			
				Vendor Total-	44,604.17	
00650 HARRIS COMPUTER						
0489	8788	04	TRAINING GONSKA	0001152		
LYM500			E 10-10-11		125.00	0.00
			OPERATING / TRAINING			
				Vendor Total-	125.00	
00184 JEANETTE LEMAY						
0489	8789	04	MILEAGE	02/03-03/28		
MILEAGE			E 10-10-23		121.30	0.00
			OPERATING / MILEAGE/TOLL			
				Vendor Total-	121.30	
00230 JESSICA HUBBARD						
0489	8790	04	APRIL	HUBBAPR22		
APRIL			E 10-10-06		475.00	475.00
			OPERATING / JANITORIAL			
				Vendor Total-	475.00	
01111 MARCEL DESROSIERS						
0489	8791	04	MILEAGE	03/08-03/30		
MILEAGE			E 30-01-15		394.06	0.00
			PERSONNEL / ELEC INSPECT			
				Vendor Total-	394.06	
00084 READYREFRESH BY NESTLE						
0489	8792	04	0427507058	CA1774583		
H20 0427507058			E 10-10-06		165.89	0.00
			OPERATING / JANITORIAL			
				Vendor Total-	165.89	
00419 RSU #57						
0489	8793	04	APR 2022	SCHL042022		

A / P Warrant

Warrant 47

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
APR 2022			E 20-40-01		446,861.00	446,861.00
			MSAD 57 / SCH PAYMENT			
Vendor Total-					446,861.00	
00569 SECRETARY OF STATE						
0489	8777	04	31170	03/10-03/18		
31170			G 1-250-00		11,081.93	0.00
			MTR VEHICLE			
Invoice Total-					11,081.93	
0489	8778	04	31170	03/18-3/25		
31170			G 1-250-00		14,046.14	0.00
			MTR VEHICLE			
Invoice Total-					14,046.14	
Vendor Total-					25,128.07	
00048 SHEILA MCNEIL						
0489	8794	04	REIMB	031222		
REIMB			E 10-38-02		42.12	0.00
			CEMETERY / COMMITTEE			
Vendor Total-					42.12	
00985 WARRENS OFFICE SUPPLIES						
0489	8795	04	TOWLYM	503829-00		
TOWLYM			E 10-10-01		13.78	0.00
			OPERATING / OFFICE SUPP			
Invoice Total-					13.78	
0489	8795	04	TOWLYM	503975-00		
TOWLYM			E 10-10-01		84.83	0.00
			OPERATING / OFFICE SUPP			
Invoice Total-					84.83	
Vendor Total-					98.61	
00192 YORK COUNTY TOWN&CITY CLERK'S ASSOC						
0489	8796	04	MEMBERSHIP WEISS			
MEMBERSHIP WEISS			E 10-10-12		15.00	0.00
			OPERATING / MBRSHP/DUES			
Vendor Total-					15.00	
Prepaid Total-					25,128.07	
Current Total-					537,324.54	
EFT Total-					0.00	
Warrant Total-					562,452.61	

TO THE MUNICIPAL TREASURER OF LYMAN, MAINE: THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED BELOW THE SUM AGAINST EACH NAME AND YOU ARE DIRECTED TO PAY UNTO THE PARTIES NAMED IN THIS SCHEDULE.

TOWM OF LYMAN, BOARD OF SELECTMEN

THOMAS HATCH

JOHN E. TIBBETTS

RALPH BLACKINGTON

DAVID ALVES

WILLIAM SINGLE

Payroll Check Register

Pay Date: 04/06/2022

Check	D / D	Check	Amount	Date	Employee
Employee Checks					
1	1,354.10	0.00	1,354.10	04/06/22	79 SUSAN J BELLEROSE
2	335.38	0.00	335.38	04/06/22	12 MARCEL DESROSIERS
3	956.61	0.00	956.61	04/06/22	016 LAURIE L GONSKA
4	241.70	0.00	241.70	04/06/22	007 THOMAS M HOLLAND
5	883.46	0.00	883.46	04/06/22	019 HOLLI L HUTCHINS
6	1,450.07	0.00	1,450.07	04/06/22	015 JEANETTE E LEMAY
7	1,944.58	0.00	1,944.58	04/06/22	27 PATTI J MCKENNA
8	755.51	0.00	755.51	04/06/22	041 RANDALL L MURRAY
9	876.48	0.00	876.48	04/06/22	005 BRADLEY J NIKEL
10	327.39	0.00	327.39	04/06/22	19 BRIAN D. RACICOT
11	484.95	0.00	484.95	04/06/22	035 JONESSA J RAMOS
12	1,518.22	0.00	1,518.22	04/06/22	017 DONNA L RICHARD
13	610.36	0.00	610.36	04/06/22	002 DAVID W RILEY
14	55.77	0.00	55.77	04/06/22	020 DAVID H SANTORA
15	55.77	0.00	55.77	04/06/22	40 RAYMOND J VALLIERE
16	1,327.97	0.00	1,327.97	04/06/22	76 PAULINE F WEISS
Total	13,178.32	0.00	13,178.32		

Direct Deposit Checks					
17	0.00	13,178.32	13,178.32	04/06/22	D / D 1 BIDDEFORD SAVINGS BANK
Total	0.00	13,178.32	13,178.32		

Trust & Agency Checks					
18	0.00	4,519.55	4,519.55	04/06/22	T & A 1 I.R.S.
19	0.00	1,107.20	1,107.20	04/06/22	T & A 3 ICMA
20	0.00	792.80	792.80	04/06/22	T & A 2 MAINE REVENUE SERVICES
21	0.00	903.34	903.34	04/06/22	T & A 9 MPERS
Total	0.00	7,322.89	7,322.89		

Summary			
Checks:	Regular	0.00	16
	D / D	13,178.32	1
	Employee	13,178.32	
	T & A	7,322.89	4
	Voided		0
Total		20,501.21	21

WARRANT: 48

Check	D / D	Check	Employee	Gross Pay
1	1,354.10	0.00	79 SUSAN J BELLEROSE	1,924.32
2	335.38	0.00	12 MARCEL DESROSIERS	386.94
3	956.61	0.00	016 LAURIE L GONSKA	1,827.00
4	241.70	0.00	007 THOMAS M HOLLAND	273.19
5	883.46	0.00	019 HOLLI L HUTCHINS	1,205.82
6	1,450.07	0.00	015 JEANETTE E LEMAY	2,290.62
7	1,944.58	0.00	27 PATTI J MCKENNA	2,883.00
8	755.51	0.00	041 RANDALL L MURRAY	1,089.00
9	876.48	0.00	005 BRADLEY J NIKEL	1,388.46
10	327.39	0.00	19 BRIAN D. RACICOT	410.06
11	484.95	0.00	035 JONESSA J RAMOS	590.00
12	1,518.22	0.00	017 DONNA L RICHARD	1,923.81
13	610.36	0.00	002 DAVID W RILEY	660.92
14	55.77	0.00	020 DAVID H SANTORA	60.39
15	55.77	0.00	40 RAYMOND J VALLIERE	60.39
16	1,327.97	0.00	76 PAULINE F WEISS	1,899.27
17	0.00	13,178.32	D / D 1 BIDDEFORD SAVINGS BANK	
18	0.00	4,519.55	T & A 1 I.R.S.	
19	0.00	1,107.20	T & A 3 ICMA	
20	0.00	792.80	T & A 2 MAINE REVENUE SERVICES	
21	0.00	903.34	T & A 9 MPERS	
Total	13,178.32	20,501.21		18,873.19

Put into A/P **8,226.91**
 Taken out of A/P **(7,322.89)**
Total Payroll 21,405.23

Count
 Checks **21**

TO THE MUNICIPAL TREASURER OF LYMAN, MAINE: THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED BELOW THE SUM AGAINST EACH NAME AND YOU ARE DIRECTED TO PAY UNTO THE PARTIES NAMED IN THIS SCHEDULE.

TOWM OF LYMAN, BOARD OF SELECTMEN

THOMAS HATCH _____
 JOHN E. TIBBETTS _____
 RALPH BLACKINGTON _____
 DAVID ALVES _____
 WILLIAM SINGLE _____

ITEM # 4

**UNFINISHED
BUSINESS**

Lyman, ME Project - the addresses in bold are new submissions

HOUSE_NUMBER	STREET_NAME	CITY	STATE
81	BELRIDGE TRL	LYMAN	ME
85	BELRIDGE TRL	LYMAN	ME
20	BLESSINGS WAY	LYMAN	ME
28	BLESSINGS WAY	LYMAN	ME
34	BOYDEN LN	LYMAN	ME
37	BOYDEN LN	LYMAN	ME
1	C C RD	LYMAN	ME
4	C C RD	LYMAN	ME
12	CYR DR	LYMAN	ME
4	CYR DR	LYMAN	ME
133	DAVIS RD	LYMAN	ME
176	DAVIS RD	LYMAN	ME
177	DAVIS RD	LYMAN	ME
220	DAVIS RD	LYMAN	ME
271	DAVIS RD	LYMAN	ME
282	DAVIS RD	LYMAN	ME
283	DAVIS RD	LYMAN	ME
317	DAVIS RD	LYMAN	ME
47	HAMMOND HTS	LYMAN	ME
17	HAMMOND HTS	LYMAN	ME
	JELLERSON ROAD	LYMAN	ME
62	LIBERTY WAY	LYMAN	ME
682	LIBERTY WAY	LYMAN	ME
134	OLD PUMP ROAD	LYMAN	ME
687	LIBERTY WAY	LYMAN	ME
18	PIERCE'S WAY	LYMAN	ME
8	PIERCE'S WAY	LYMAN	ME
50	SNOW DOVE LANE	LYMAN	ME
63	STALLION LN	LYMAN	ME
71	STALLION LN	LYMAN	ME
75	STALLION LN	LYMAN	ME
37	STEARNS RD	LYMAN	ME
55	STEARNS RD	LYMAN	ME
47	WALKER DEANS RD	LYMAN	ME
48	WALKER DEANS RD	LYMAN	ME
49	WALKER DEANS RD	LYMAN	ME
25	BROCK RD	LYMAN	ME
49	BROCK RD	LYMAN	ME
80	BROCK RD	LYMAN	ME
84	BROCK RD	LYMAN	ME
193	BROCK RD	LYMAN	ME
224	BROCK RD	LYMAN	ME
1308	S WATERBORO RD	LYMAN	ME
27	BULL MOOSE LN	LYMAN	ME
41	BULL MOOSE LN	LYMAN	ME
81	CRIPPLE CREEK DR	LYMAN	ME
84	CRIPPLE CREEK DR	LYMAN	ME
56	OLD WOODS RD	LYMAN	ME
57	OLD WOODS RD	LYMAN	ME
616	WALKER RD	LYMAN	ME
430	WALKER RD	LYMAN	ME
433	WALKER RD	LYMAN	ME
450	WALKER RD	LYMAN	ME
451	WALKER RD	LYMAN	ME
454	WALKER RD	LYMAN	ME

Lyman, ME Project - the addresses in bold are new submissions

HOUSE_NUMBER	STREET_NAME	CITY	STATE
467	WALKER RD	LYMAN	ME
482	WALKER RD	LYMAN	ME
518	WALKER RD	LYMAN	ME
524	WALKER RD	LYMAN	ME
544	WALKER RD	LYMAN	ME
547	WALKER RD	LYMAN	ME
574	WALKER RD	LYMAN	ME
592	WALKER RD	LYMAN	ME
604	WALKER RD	LYMAN	ME
624	WALKER RD	LYMAN	ME
695	WALKER RD	LYMAN	ME

JOB 1 - ROOF AND ENCLOSURE	JOB 2 - LIGHTING AT T.S	NETWORK CABLING FOR T.S.
Maine Highlands - \$ 25,875	Maine Highlands - \$88,975.00	Maine Highlands - \$37,975.00
	M.E.D. - \$24,680.00	M.E.D. - \$3,760.00

Selectmen Board Clerk

From: Tony Vigue <tvigue1@gmail.com>
Sent: Wednesday, March 30, 2022 12:12 PM
To: Treasurer
Cc: Selectmen Board Clerk; William Single
Subject: Re: Franchise Agreements
Attachments: Lyman Invoice 210828.xlsx; Lyman Invoice 220117.xlsx

Hi again,

Just to follow up from the meeting, these are the two outstanding invoices that I show.

If you have paid these, please let me know.

Also, as I mentioned at the meeting, I am working on the update of the 8-21-21 Franchise Agreement RFP which I sent earlier with the other documents and will get that off to you and Attorney Morin along with a cover letter to send to Shelley Winchenbach at Charter/Spectrum.

Thank you for looking into this.

Tony

(207) 642-5055 (h)

(207) 329-6243 (m)

On Wed, Mar 2, 2022 at 12:15 PM Treasurer <treasurer@lyman-me.gov> wrote:

Thank you Tony. We will share this with the Board.

Jeanette Lemay – Treasurer

Town of Lyman

11 So. Waterboro Rd.

Lyman, ME 04002

(207) 247-0646

From: Tony Vigue <tvigue1@gmail.com>
Sent: Wednesday, March 2, 2022 10:56 AM
To: Treasurer <treasurer@lyman-me.gov>
Cc: Selectmen Board Clerk <selectboard@lyman-me.gov>; William Single <williams@lyman-me.gov>
Subject: Re: Franchise Agreements

Hi Jeanette,

Invoice

Tony Vigue

Date: 01/17/22
Invoice #: 220117
Customer ID: Lyman

To: Jeanette LeMay, Treasurer
Town of Lyman
11 S. Waterboro Road
Lyman, ME 04002
(207) 247-0646

Salesperson	Job	Payment Terms	Due Date
Tony	Lyman Cable TV Franchise	net 30	2/17/22

Qty	Description	Unit Price	Line Total
0.75	8-25-21 Meeting with Donna Richard to update franchise status	40.00	\$ 30.00
34.00	8-25-21 Mileage - Standish-Lyman-Standish	0.53	18.02
2.00	8-28-21 Research history, updated Draft ordinance and Franchise, sent all docs to Donna Richard and Brad Morin	40.00	80.00
	Subtotal	\$	128.02
	Sales Tax		-
	Total	\$	128.02

Make all checks payable to Tony Vigue
Thank you for your business!

P.O. Box 258, Standish, Maine 04084 (207) 329-6243 tvigue1@gmail.com

Invoice

Tony Vigue

Date: 08/28/21
 Invoice #: 210828
 Customer ID: Lyman

To: Jeanette LeMay, Treasurer
 Town of Lyman
 11 S. Waterboro Road
 Lyman, ME 04002
 (207) 247-0646

Suspension	Job	Payment Terms	Due Date
Tony	Lyman Cable TV Franchise	net 30	9/30/21

Qty	Description	Unit Price	Line Total
1.50	11-6-17 research & email Lisa and Charter (Shelley W.) regarding Walker Road Line extension requests	40.00	\$ 60.00
0.50	1-5-18 email response to Patti McKenna questions re: Walker Rd	40.00	20.00
1.00	2-20-18 response to Nancy B. request re: Roux Road	40.00	40.00
1.00	2/21/2018 email to Charter (Shelley W.) and research current contract regarding line extensions.	40.00	40.00
0.50	4/3/2018 Create letter to Atty Gen re lack of response from Charter and emails to Lisa	40.00	20.00
0.25	4-25-18 email to Lisa	40.00	10.00
0.50	8-1-18 Note to Shelley regarding road surveys	40.00	20.00
0.50	9-20-18 emails with Nancy & Shelley regarding Walker & Roux Roads	40.00	20.00
1.00	10-15-18 research and email to Nancy & Lisa re Walker & Roux Roads	40.00	40.00
2.00	6-2-19 Created Ascertainment Report and Vision Plan	40.00	80.00
2.00	6-17-19 Attended Selectmen meeting with Charter (Shelley W.)	40.00	80.00
34.00	6-17-19 Mileage - Standish-Lyman-Standish	0.53	18.02
1.50	6-21-19 emails to Shelley and Selectmen 1.5	40.00	60.00
0.50	8-16-19 respond to Nancy Brandt and Shelley W. questions	40.00	20.00
	Subtotal	\$	528.02
	Sales Tax		=
	Total	\$	528.02

Make all checks payable to Tony Vigue
 Thank you for your business!

P.O. Box 258, Standish, Maine 04084 (207) 329-6243 tvigue1@gmail.com

ITEM # 5

DEPARTMENT & COMMITTEE REPORTS

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
10 - GENERAL ADM	1,362,300.00	131,989.00	1,897,319.00	1,376,744.35	25,377.49	398,193.16
01 - PERSONNEL	614,746.00	31,027.00	645,773.00	422,943.04	0.00	222,829.96
01 - TREASURER	59,556.00	0.00	59,556.00	48,696.29	0.00	10,859.71
02 - TAX COLLECT	49,382.00	0.00	49,382.00	37,024.17	0.00	12,357.83
03 - DPTY TC/JC	6,720.00	0.00	6,720.00	2,130.88	0.00	4,589.12
04 - ASST ASSES	51,418.00	0.00	51,418.00	34,713.00	0.00	16,705.00
05 - SELECT CLERK	47,771.00	0.00	47,771.00	32,089.98	0.00	15,681.02
06 - G A DIRECTOR	3,232.00	0.00	3,232.00	1,616.00	0.00	1,616.00
07 - CUST SERV PT	30,979.00	0.00	30,979.00	19,628.10	0.00	11,350.90
08 - RD COMM	36,100.00	0.00	36,100.00	27,769.20	0.00	8,330.80
10 - TOWN CLERK	49,381.00	0.00	49,381.00	37,985.40	0.00	11,395.60
11 - P B CLERK	5,170.00	0.00	5,170.00	1,510.93	0.00	3,659.07
12 - P B MEMBERS	3,057.00	0.00	3,057.00	1,893.79	0.00	1,163.21
13 - APPEALS BRD	400.00	0.00	400.00	24.30	0.00	375.70
16 - BALLOT CLRKS	4,504.00	0.00	4,504.00	958.67	0.00	3,545.33
17 - HEALTH OFFCR	431.00	0.00	431.00	215.50	0.00	215.50
19 - TRANSFER STN	75,153.00	0.00	75,153.00	42,936.04	0.00	32,216.96
20 - CEO	69,788.00	0.00	69,788.00	62,787.89	0.00	7,000.11
21 - TM MODERATOR	324.00	0.00	324.00	162.00	0.00	162.00
22 - VOTER RGSTR	3,248.00	0.00	3,248.00	0.00	0.00	3,248.00
23 - REC DIRECTOR	3,771.00	0.00	3,771.00	2,828.25	0.00	942.75
24 - ECOMAINE REP	950.00	0.00	950.00	0.00	0.00	950.00
30 - CEO - ASSIST	0.00	27,300.00	27,300.00	5,611.00	0.00	21,689.00
54 - SELECTPERSON	24,778.00	0.00	24,778.00	13,870.00	0.00	10,908.00
59 - EXTRA TIME P	4,700.00	0.00	4,700.00	727.95	0.00	3,972.05
62 - PTO BUYOUT	4,500.00	0.00	4,500.00	0.00	0.00	4,500.00
63 - 457 EMPLOYER	13,390.00	1,638.00	15,028.00	7,296.29	0.00	7,731.71
64 - MPERS ER	24,043.00	0.00	24,043.00	11,433.92	0.00	12,609.08
90 - FICA MATCH	42,000.00	2,089.00	44,089.00	29,033.49	0.00	15,055.51
10 - OPERATING	180,420.00	0.00	180,420.00	114,065.18	10,427.49	55,907.33
01 - OFFICE SUPP	5,000.00	1,117.75	6,117.75	5,063.62	0.00	1,054.13
02 - COMPUTER EXP	49,500.00	-22,007.64	27,492.36	22,453.46	5,162.10	-123.20
03 - POSTAGE EXP	5,200.00	0.00	5,200.00	4,635.56	0.00	564.44
04 - COPIER EXP	1,865.00	0.00	1,865.00	623.92	0.00	1,241.08
05 - ADVERTISING	4,000.00	-1,000.00	3,000.00	822.70	505.25	1,672.05
06 - JANITORIAL	9,950.00	0.00	9,950.00	7,311.20	1,160.00	1,478.80
07 - ELECTIONS	7,825.00	0.00	7,825.00	1,050.27	0.00	6,774.73
08 - COMP EQUIP	33,674.00	14,857.64	48,531.64	36,152.86	-141.96	12,520.74
09 - TOWN REPORT	5,500.00	0.00	5,500.00	0.00	0.00	5,500.00

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
11 - TRAINING	2,000.00	0.00	2,000.00	831.00	290.00	879.00
12 - MBRSH/DP/DUES	8,634.00	0.00	8,634.00	8,441.00	0.00	193.00
13 - PUBLICATIONS	1,000.00	0.00	1,000.00	84.92	57.10	857.98
15 - OFFICE FORMS	4,000.00	-85.14	3,914.86	519.86	3,395.00	0.00
16 - MNTNC CNTRCT	1,200.00	-5.41	1,194.59	1,194.59	0.00	0.00
17 - HEATING OIL	4,000.00	0.00	4,000.00	1,668.29	0.00	2,331.71
21 - RUGS	792.00	0.00	792.00	608.00	0.00	184.00
22 - REGISTRY	6,000.00	0.00	6,000.00	2,361.00	0.00	3,639.00
23 - MILEAGE/TOLL	3,000.00	0.00	3,000.00	1,311.33	0.00	1,688.67
24 - OFFICE EQUIP	9,100.00	7,150.00	16,250.00	7,561.28	0.00	8,688.72
25 - COMMUNICATIO	10,600.00	0.00	10,600.00	6,156.68	0.00	4,443.32
27 - SECURITY SYS	550.00	-27.20	522.80	522.80	0.00	0.00
28 - TAX BILLS	3,030.00	0.00	3,030.00	2,356.35	0.00	673.65
30 - ELECTRICITY	4,000.00	0.00	4,000.00	2,354.49	0.00	1,645.51
14 - TAX MAPS	4,000.00	0.00	4,000.00	0.00	4,000.00	0.00
04 - PROF SERVICE	4,000.00	0.00	4,000.00	0.00	4,000.00	0.00
35 - PROF SVC	84,010.00	91,442.00	175,452.00	110,122.09	5,800.00	59,529.91
14 - LEGAL	10,000.00	20,000.00	30,000.00	16,619.50	0.00	13,380.50
20 - PSAP	38,010.00	0.00	38,010.00	38,010.00	0.00	0.00
24 - AUDIT	5,500.00	500.00	6,000.00	5,500.00	0.00	500.00
32 - I/T SERVICES	0.00	35,500.00	35,500.00	34,090.00	0.00	1,410.00
35 - ASSESSING	0.00	34,000.00	34,000.00	14,096.25	800.00	19,103.75
36 - PLANNING	500.00	0.00	500.00	0.00	0.00	500.00
37 - CEO	0.00	1,442.00	1,442.00	1,441.94	0.00	0.06
38 - HR JOB STUDY	5,000.00	0.00	5,000.00	0.00	0.00	5,000.00
39 - TH FEASIBILI	10,000.00	0.00	10,000.00	0.00	0.00	10,000.00
80 - CHARTER COMM	15,000.00	0.00	15,000.00	364.40	5,000.00	9,635.60
36 - ANIMAL WELFA	15,492.00	0.00	15,492.00	11,988.23	0.00	3,503.77
01 - ANIMAL SHEL	6,039.00	0.00	6,039.00	6,038.16	0.00	0.84
02 - A.C.O. SALAR	7,103.00	0.00	7,103.00	5,463.80	0.00	1,639.20
03 - EMER. CARE	350.00	0.00	350.00	125.00	0.00	225.00
23 - MILEAGE	2,000.00	0.00	2,000.00	361.27	0.00	1,638.73
38 - CEMETERY	9,500.00	0.00	9,500.00	8,755.06	150.00	594.94
02 - COMMITTEE	9,500.00	0.00	9,500.00	8,755.06	150.00	594.94
45 - COUNTY TAX	300,179.00	0.00	300,179.00	299,963.74	0.00	215.26
01 - ASSESSMENT	300,179.00	0.00	300,179.00	299,963.74	0.00	215.26
60 - MAINTENANCE	8,000.00	9,500.00	17,500.00	8,041.28	0.00	9,458.72

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
10 - GENERAL ACCT CONT'D						
01 - PLOWING/SAND	0.00	9,500.00	9,500.00	4,490.00	0.00	5,010.00
02 - BLDG/GRND RM	8,000.00	0.00	8,000.00	3,551.28	0.00	4,448.72
65 - INSURANCE	188,335.00	0.00	188,335.00	142,181.73	0.00	46,153.27
01 - DENTAL INS.	3,750.00	0.00	3,750.00	2,889.06	0.00	860.94
02 - PROP & CSLTY	16,585.00	0.00	16,585.00	15,373.00	0.00	1,212.00
03 - HEALTH	149,500.00	0.00	149,500.00	109,223.48	0.00	40,276.52
04 - WORKERS COMP	12,500.00	0.00	12,500.00	12,535.00	0.00	-35.00
05 - UNEMPLOYMENT	6,000.00	0.00	6,000.00	2,161.19	0.00	3,838.81
90 - RESERVE ACCT	160,668.00	0.00	160,668.00	160,668.00	0.00	0.00
01 - COMPUTER	15,000.00	0.00	15,000.00	15,000.00	0.00	0.00
02 - CAP IMPROVMT	15,000.00	0.00	15,000.00	15,000.00	0.00	0.00
03 - TOWN HALL	10,000.00	0.00	10,000.00	10,000.00	0.00	0.00
10 - FIRE TRUCK	50,000.00	0.00	50,000.00	50,000.00	0.00	0.00
11 - REVALUATION	21,668.00	0.00	21,668.00	21,668.00	0.00	0.00
12 - FD FAC SYS	16,000.00	0.00	16,000.00	16,000.00	0.00	0.00
13 - FD BLDG CAP	14,000.00	0.00	14,000.00	14,000.00	0.00	0.00
14 - FIRE HYDRANT	4,000.00	0.00	4,000.00	4,000.00	0.00	0.00
21 - RESIDENT DIS	5,000.00	0.00	5,000.00	5,000.00	0.00	0.00
25 - KENNEBUNK PD	10,000.00	0.00	10,000.00	10,000.00	0.00	0.00
40 - MSAD 57	5,362,332.00	0.00	5,362,332.00	4,468,610.00	893,722.00	0.00
01 - SCH PAYMENT	5,362,332.00	0.00	5,362,332.00	4,468,610.00	893,722.00	0.00
30 - INSPECTORS	0.00	0.00	0.00	9,086.46	0.00	-9,086.46
01 - PERSONNEL	0.00	0.00	0.00	9,086.46	0.00	-9,086.46
15 - ELEC INSPECT	0.00	0.00	0.00	8,720.25	0.00	-8,720.25
90 - FICA MATCH	0.00	0.00	0.00	366.21	0.00	-366.21
35 - PROTECTION	535,247.00	0.00	535,247.00	446,041.45	89,205.30	0.25
02 - GMFD-CONTRAC	162,542.00	0.00	162,542.00	135,451.70	27,090.30	0.00
03 - GMFD PERSONN	372,705.00	0.00	372,705.00	310,589.75	62,115.00	0.25
40 - ROAD ACCTS	1,225,350.00	0.00	1,225,350.00	506,639.87	47,050.00	671,660.13
15 - ROAD EXPENSE	1,225,350.00	0.00	1,225,350.00	506,639.87	47,050.00	671,660.13
01 - RECONSTRUCT.	251,000.00	0.00	251,000.00	0.00	0.00	251,000.00

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
46 - ROAD CONTS CONT'D						
02 - RESURFACING	316,500.00	0.00	316,500.00	9,300.00	0.00	307,200.00
03 - RD REP/MAINT	179,600.00	0.00	179,600.00	65,281.11	11,050.00	103,268.89
04 - PLOWING/SAND	467,750.00	0.00	467,750.00	425,868.55	36,000.00	5,881.45
05 - SIGNS	3,500.00	0.00	3,500.00	2,735.95	0.00	764.05
08 - STREET LIGHT	7,000.00	0.00	7,000.00	3,454.26	0.00	3,545.74
10 - OPERATING	120,942.00	0.00	120,942.00	120,942.00	0.00	0.00
35 - LIBRARY OPER	120,942.00	0.00	120,942.00	120,942.00	0.00	0.00
25 - SOLID WASTE	312,031.00	0.00	312,031.00	160,951.22	0.00	151,079.78
02 - HAULING FEES	23,800.00	0.00	23,800.00	17,040.56	0.00	6,759.44
03 - TIPPING FEES	164,616.00	0.00	164,616.00	84,878.95	0.00	79,737.05
05 - WASTE OIL DP	2,000.00	0.00	2,000.00	1,855.65	0.00	144.35
08 - R&M BUILDING	1,690.00	0.00	1,690.00	0.00	0.00	1,690.00
09 - STICKERS	700.00	0.00	700.00	674.50	0.00	25.50
10 - METAL CAN RN	2,400.00	0.00	2,400.00	600.00	0.00	1,800.00
11 - REFRIGERANT	2,500.00	0.00	2,500.00	1,922.50	0.00	577.50
13 - ELECTRICITY	3,000.00	0.00	3,000.00	2,177.31	0.00	822.69
15 - TELEPHONE	3,250.00	0.00	3,250.00	1,483.79	0.00	1,766.21
17 - D.E.P PERMIT	450.00	0.00	450.00	170.00	0.00	280.00
19 - OFFICE SUPP	750.00	0.00	750.00	552.33	0.00	197.67
22 - EQUIPMT R&M	9,100.00	0.00	9,100.00	4,970.35	0.00	4,129.65
23 - WOOD TIPP	38,000.00	0.00	38,000.00	14,723.95	0.00	23,276.05
25 - BULKY HAUL	31,500.00	0.00	31,500.00	12,775.00	0.00	18,725.00
26 - ROADSIDE P/U	700.00	0.00	700.00	861.88	0.00	-161.88
30 - RECYCLE HAUL	7,000.00	0.00	7,000.00	3,850.00	0.00	3,150.00
34 - EDUCATION	500.00	0.00	500.00	0.00	0.00	500.00
36 - PPG	1,000.00	0.00	1,000.00	1,356.90	0.00	-356.90
37 - HEALTH & WEL	500.00	0.00	500.00	0.00	0.00	500.00
39 - SNOWPLOWING	3,000.00	0.00	3,000.00	1,890.00	0.00	1,110.00
40 - METAL HAUL	8,225.00	0.00	8,225.00	4,900.00	0.00	3,325.00
41 - RECYCLE TIPP	7,350.00	0.00	7,350.00	4,267.55	0.00	3,082.45
50 - CNRL ASSTNCE	2,500.00	0.00	2,500.00	328.10	0.00	2,171.90
71 - GENERAL ASST	2,500.00	0.00	2,500.00	328.10	0.00	2,171.90

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
99 - BUDGET	2,500.00	0.00	2,500.00	328.10	0.00	2,171.90
70 - SOCIAL SERV.	1,086.00	0.00	1,086.00	1,086.00	0.00	0.00
15 - LIFEFLIGHT	1,086.00	0.00	1,086.00	1,086.00	0.00	0.00
30 - BUNGANUT PRK	69,650.00	0.00	69,650.00	40,456.73	0.00	29,193.27
04 - TRASH REMOVL	1,200.00	0.00	1,200.00	795.00	0.00	405.00
05 - PORTA-POTS	2,500.00	0.00	2,500.00	975.00	0.00	1,525.00
06 - REPAIR/MAINT	1,500.00	0.00	1,500.00	580.00	0.00	920.00
10 - TELEPHONE	1,275.00	0.00	1,275.00	374.24	0.00	900.76
13 - PEST CONTROL	550.00	0.00	550.00	0.00	0.00	550.00
15 - CAPITAL IMP	23,900.00	0.00	23,900.00	0.00	0.00	23,900.00
16 - ELEC	550.00	0.00	550.00	422.29	0.00	127.71
20 - ELECT CONCES	375.00	0.00	375.00	0.00	0.00	375.00
25 - CONTRACT	37,000.00	0.00	37,000.00	37,000.00	0.00	0.00
26 - ELEC BALLF	800.00	0.00	800.00	310.20	0.00	489.80
32 - PARKS & REC	24,300.00	0.00	24,300.00	13,556.47	140.00	10,603.53
02 - TRASH REMOVL	3,000.00	0.00	3,000.00	1,500.00	0.00	1,500.00
03 - PORTA-POTS	3,200.00	0.00	3,200.00	1,200.00	0.00	2,000.00
04 - MISC.	1,825.00	0.00	1,825.00	221.69	0.00	1,603.31
12 - SIGNS	200.00	0.00	200.00	408.82	0.00	-208.82
15 - CAPITAL IMPR	8,000.00	0.00	8,000.00	4,441.26	140.00	3,418.74
16 - PLOWING P&R	750.00	0.00	750.00	700.00	0.00	50.00
17 - REP/MAINT	2,500.00	0.00	2,500.00	2,295.00	0.00	205.00
18 - RECREATION	4,000.00	0.00	4,000.00	2,474.52	0.00	1,525.48
20 - ELEC CONCESS	325.00	0.00	325.00	315.18	0.00	9.82
23 - ADVERTISING	500.00	0.00	500.00	0.00	0.00	500.00
85 - MOW & GRNDS	28,059.00	0.00	28,059.00	18,018.00	0.00	10,041.00
85 - MOW & GRNDS	28,059.00	0.00	28,059.00	18,018.00	0.00	10,041.00
46 - OVERLAY	0.00	52,658.00	52,658.00	13,546.14	0.00	39,111.86
01 - OVERLAY	0.00	52,658.00	52,658.00	10,610.73	0.00	42,047.27

Expense Summary Report

FUND: 1
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
99 - MISC	0.00	0.00	0.00	2,935.41	0.00	-2,935.41
99 - MISC	0.00	0.00	0.00	2,935.41	0.00	-2,935.41
TOTAL	9,246,847.00	184,827.00	9,431,674.00	7,078,010.79	1,050,494.79	1,302,968.42

ITEM # 6

NEW BUSINESS

**TOWN OF LYMAN
PLANNING BOARD MEETING MINUTES
March 30, 2022**

Note: These are summary minutes. A recording of the meeting is on file at the Lyman Town Hall and are posted on the Town's webpage. Minutes are not verbatim and may be paraphrased for clarity. Minutes are drafts until approved by the Planning Board.

CALL TO ORDER: *Chairman Roderick Tetu called the regular meeting to order at 7:00 P.M. Noting attendance of, Donald Hernon, Joseph Wagner, Kelly Demers, Cecile Dupuis and Paul Boucher. Also attending, Patti McKenna, Code Enforcement Officer.*

APPOINTMENTS:

There were not appointments for this meeting.

MINUTES:

Rod Tetu made the motion to approve the February 16, 2022, Minutes. Joe Wagner seconded. The motion passed with all in favor.

NEW BUSINESS:

Mail: Maine Town and City

OLD BUSINESS:

Zoning amendments

The Board reviewed and voted on proposed zoning amendments as follows:

Shall an amendment to the Town of Lyman Zoning Ordinance Article 6, section 6.2 and section 6.3.1 Principal buildings and uses be enacted as follows:

: ~~deleted language struck through~~ Added language underlined.

6.2.1 Residential

D. Maximum lot coverage for buildings ~~15%-20%~~.

Rod Tetu motioned to accept this change as written. Joe Wagner seconded. The motion passed with all in favor.

6.3.1 Principal Building and Uses

A. *In the Residential District, one (1) principal building ~~or one principal use~~ along with one (1) accessory building ~~or use is allowed~~ accessory structures per lot, with the size of lot ~~to be determined by~~ which meet the lot size, setback and lot coverage requirements of section 6.2.*

Rod Tetu motioned to accept this change as written. Joe Wagner seconded. The motion passed with all in favor.

B. *In the General Purpose District, there shall be no more than one (1) building for each principal use, and no more than two (2) buildings for an accessory use as limited by lot*

~~coverage requirements.~~ One (1) principal building along with accessory structures per lot, which meet the lot size, setback and lot coverage requirements of section 6.2.

Joe Wagner motioned to accept this change as written. Don Hernon seconded. The motion passed with all in favor.

C. The number of buildings and uses in the Commercial/Residential District will be determined by the maximum total lot coverage ~~allowed for the site requirements of~~ section 6.2

Rod Tetu motioned to accept this change as written. Joe Wagner seconded. The motion passed with all in favor.

Shall an amendment to the Town of Lyman Zoning Ordinance Article 1, section 1.8.30B and section 1.8.3.F Contract Zoning be enacted as follows: ~~deleted language struck through.~~ Added language underlined.

B. Areas rezoned under this provision shall be consistent with ~~but not limited to,~~ the existing and permitted (whether permitted with site plan approved conditional) uses within any zoning district.

Rod Tetu motioned to accept this change as written. Joe Wagner seconded. The motion passed with all in favor.

F. Recommendation

Before forwarding a recommendation of a contract zoning amendment to the Board of Selectmen, the Planning Board shall make a finding on each of the four standards in this subsection. A favorable recommendation to the Board of Selectmen requires a positive finding on all four standards. If the Planning Board makes a negative finding on any of the standards, its recommendation shall be negative. The Planning Board shall base its recommendation on whether the rezoning:

1. ~~Is for land with an unusual nature or location;~~
2. ~~Is consistent with the Comprehensive Plan;~~
3. ~~Is consistent with, but not limited to, the existing uses and permitted uses within any zoning district; and~~
4. ~~That the conditions proposed are sufficient to meet the intent of this section.~~
5. Will have beneficial effects for the Town as a whole which would not otherwise result if the property were developed under the existing zoning district designation

Rod Tetu motioned to accept this change as written. Don Hernon seconded. The motion passed with all in favor.

Shall an amendment to the Town of Lyman Zoning Ordinance Article 10, section 22 Performance standards and Article 12 definitions for medical marijuana be enacted: (A copy of the proposed amendment is posted together with this warrant and hereby

incorporated into this Warrant by reference. Copies of the text of the proposed amendment are available from the Town Clerk's Office) ~~deleted language struck through.~~ Added language underlined.

Section 10.22 Performance Standards for Medical Marijuana

Purpose: The purpose of this section of the ordinance is to ensure that all cultivation, processing, storage, and distribution of medical marijuana does not have an adverse impact on the health, safety, and general welfare of the residents of the Town of Lyman, while still allowing for treatment and alleviation of a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition.

Exemptions: As an accessory use, Medical Marijuana Home Production shall be allowed in any qualifying patient's residence or any medical marijuana caregiver's primary year-round residence in every zone following the rules of Home Occupation and Section 10.22. Medical marijuana caregivers not required to register with the State and qualifying patients are not regulated under this section.

Section 10.22-A Medical Marijuana Home Production Facilities are permitted within the caregiver's primary year-round residence as a home occupation subject to the following performance standards, in addition to the requirements of the districts in which the caregiver use is located:

- 1. The caregiver shall be least twenty-one (21) years of age;*
- 2. The caregiver resides in the dwelling unit as his/her primary year-round residence in conformance with the Maine Medical Use of Marijuana State Administrative Rules or as otherwise specified in Maine statutes and/ or administrative rules;*
- 3. A caregiver who does not own his or her primary residence shall obtain notarized written permission from the property owner prior to cultivating marijuana and shall make the written permission available to the Town.*
- 4. A home production facility is limited to caregivers with a license from the State of Maine for thirty (30) plants.*

Rod Tetu motioned to accept this change as written. Joe Wagner seconded. The motion passed with all in favor.

- 5. Caregivers shall cultivate medical marijuana within an enclosed, locked building or within an outdoor area which is accessible only by the individual authorized to cultivate the marijuana in conformance with the Maine Medical Use of Marijuana State Administrative Rules or as otherwise specified in the Maine statutes and /or administrative rules.*
- 6. Medical Marijuana shall be distributed to medical marijuana patients within an enclosed building. Drive thru, drive up or window service is prohibited. by delivery or at a dispensary and shall not be sold directly to patients at the home.*

Rod Tetu motioned to accept this change as written. Joe Wagner seconded. The motion passed with all in favor.

7. *No exterior evidence of cultivation, including signs, shall be visible from a public way or area. Marijuana plants shall be entirely screened from common visual observation from a public way or area by natural objects, plantings, or a solid fence at least six (6) feet or taller in height, density and depth sufficient to accomplish complete screening of plants from ordinary view. Should the plants grow higher than the screening such they are visible from a public way or area, either the plants shall be cut to not extend higher than the screening or the individual who is authorized to cultivate the marijuana shall install additional screening sufficient to conceal the plants from public view within ten (10) days of notification of the violation by the Code Enforcement Officer.*
8. *Compliance with health and safety codes. The primary residence, outbuilding, garage, or other structure where marijuana is grown, cultivated, processed, and/or stored shall meet all applicable requirements of the adopted building code, electric, fire and other health safety and technical codes.*
9. *Ventilation and odor management. Any primary residence, outbuilding, garage, or other structure used for cultivation shall have proper ventilation to prevent mold damage and to prevent odors or particles from becoming a nuisance to surrounding properties or the public.*
10. *A complaint of odor shall be investigated by the code enforcement officer. If the code enforcement officer confirms there is odor crossing the property line to abutting properties, the code enforcement officer has authority to require remediation within five days of the confirmed odor complaint. The code enforcement officer has the authority to rescind the permit of a home production that does not comply with the enforcement order. A rescinded permit may only be renewed with approval by the Planning Board.*

Joe Wagner motioned to accept this change as written. Paul Boucher seconded. The motion passed with all in favor.

11. *Gases. The use of gas products for extraction processes, including but not limited to carbon dioxide, sulfur dioxide and butane, and ozone generators are prohibited.*
12. ~~*Dispensing of medical marijuana to medical marijuana patients shall not take place prior to 7:00 a.m. or later than 8:00 p.m. on any day.*~~

Joe Wagner motioned to accept this change as written. Rod Tetu seconded. The motion passed with all in favor.

13. *If electric service increases beyond 200 amps and an upgraded transformer is required, that transformer may only service the buildings wired to receive the increased amperage.*

Section 10.22-B Medical Marijuana Production Facility are permitted subject to the following performance standards, in addition to the requirements of the State of Maine.

1. *Medical Marijuana Cooperatives and Medical Marijuana Production Facilities are allowed in every zone.*

They shall not be located: on parcels of land with a lot line located within 500 linear feet of any pre-existing public or private school facility, or any pre-existing and licensed day-

care center or day-care home, public park, public playground, athletic field, juvenile or adult halfway house, correctional facility, other Marijuana production facilities, substance abuse rehabilitation or treatment center or church. Applications for such public or private schools, child care providers, parks, playgrounds, or churches which are proposed within 500 feet of any existing medical marijuana production facility shall be required to sign a form, which may be obtained from the Code Enforcement Office, which indicates that they are aware that an existing medical marijuana production facility is located within 500 feet of their proposed site.

2. *Medical Marijuana Cooperatives and Medical Marijuana Production Facilities are permitted in the Residential and General-Purpose districts on lots of 5 acres or more and any legal lot within the Commercial/ Residential district. In all districts Planning Board approval is required through site plan review process in section 8 of this ordinance.*
3. *Fire suppression will be required in conformance with the most current version of NFPA 1 Chapter 38 and the current State of Maine adopted version of NEC standards.*
4. *All Marijuana Cooperatives and Production Facilities shall submit an Odor Control Plan with the site plan application.*

Odor Control Plans shall consist of the following:

- a. *Specific odor- emitting activity(ies) – This section should describe the odor emitting activities or processes (e.g., cultivation) that take place at the facility, the source(s) (e.g., budding plants) of those odors, and the location(s) from which they are emitted (e.g., flowering room).*
 - b. *Odor Mitigation Practices – For each odor emitting source/ process outlined in Section 1 of the odor control plan, specify the administrative and engineering controls the facility will implement to control odors.*
 - c. *The best control technology for marijuana cultivation facilities is carbon filtration.*
 - d. *The town may use contracted staff and peer review escrow fees to review an odor control plan in agreement with the applicant at the applicant's expense.*
5. *Parking: The property shall provide parking that meets the requirements of section 10.12 of this ordinance, and such additional parking as may be required by the Planning Board.*
 6. *Security: All growing of medical marijuana within a production facility shall occur inside and only within a completely enclosed structure. A greenhouse is a structure. This does not apply to home growing of medical marijuana. The building shall be constructed with a security system with recordable video surveillance. Exterior lighting must be sufficient to deter nuisance activity and facilitate surveillance. The Planning Board may require a chain link fence or solid fence, six feet in height, surrounding the building (s) and parking area. All security measures shall be consistent with State requirements. Security cameras are also required around the perimeter of the structure*
 7. *Operating hours of the property:*
 - a. *Dispensing of medical marijuana products and materials shall not take place prior to 7:00 a.m. or later than 8:00 p.m. on any day.*

- b. *Deliveries shall not take place prior to 7:00 a.m. or later than 8:00 p.m. on any day.*
8. *There shall be no dispensing or sales of medical marijuana from a property which is located on a private road; unless the owner can provide documentation of participation in the road association to pay proportionately to the maintenance and upkeep of the road. Otherwise, dispensing of product which is grown on a property located on a private road shall be done from a facility approved as a dispensary.*

Rod Tetu motioned to accept this change as written. Joe Wagner seconded. The motion passed with all in favor.

9. *Signs: All signage and advertising for any facility responsible for the cultivation, manufacturing, sale or distribution of marijuana shall comply with all applicable provisions of the land use ordinance. Signs may not contain any visual depiction of marijuana or marijuana paraphernalia. Outdoor displays, window displays, or displays visible from the outside of the building intended to attract attention to or generate interest in the uses on the property shall be prohibited.*
10. *Drive through, drive up, or window services are prohibited.*
11. *All activities of dispensaries, cultivation facilities, processing facilities and marijuana establishments shall be conducted indoors.*
12. *If electric service increases beyond 200 amps and an upgraded transformer is required, that transformer may only service the buildings wired to receive the increased amperage.*
13. *Annual safety inspections by the Fire Department and Code Enforcement Office shall be conducted. A fee set by the Board of Selectmen will be associated with these inspections.*
14. *Extraction of marijuana concentrates, such as but not limited to oil, butter, wax or shatter shall be permitted subject to compliance with NFPA (1) Chapter 38 standards and the current version of NEC (National Electric Code) standards.*

Shall the town vote to amend Article 12 of the Lyman Zoning Ordinance to change the following definitions:

Medical Marijuana Home Production: *Growing, cultivating, processing, and/or storing medical marijuana by a registered medical marijuana caregiver licensed by the State of Maine for 30 plants, at his/her primary residence as a home occupation use.*

Rod Tetu motioned to accept this change as written. Paul Boucher seconded. The motion passed with all in favor.

Medical Marijuana Production Facility: *A building used for cultivating, processing, testing, storing of medical marijuana; and / or distribution by a medical marijuana caregiver at a location which is not the caregiver's primary year-round residence or their qualifying patient's primary year-round residence; and / or a caregiver licensed by the State of Maine for a 500-foot canopy grow. ~~This~~ These shall be considered a commercial use.*

Rod Tetu motioned to accept this change as written. Joe Wagner seconded. The motion passed with all in favor.

Rod Tetu motioned to send these changes to the Board of Selectmen for consideration to be put on the warrant for this June town meeting and to schedule a public hearing. Joe Wagner seconded. The motion passed with all in favor.

SET NEXT AGENDA:

ADJOURNMENT:

Rod Tetu made the motion to adjourn at 7.58 PM. Joe Wagner seconded. The motion passed with all in favor.

APPROVED DATE: _____

Roderick Tetu, Chairman

Don Herson, Vice Chairman

Cecile Dupuis

Joseph Wagner

Paul Boucher

Kelly Demers

Shall an amendment to the Town of Lyman Zoning Ordinance Article 6, section 6.2 and section 6.3.1 Principal buildings and uses be enacted as follows:

: ~~deleted language struck through.~~ Added language underlined.

6.2.1 Residential

D. Maximum lot coverage for buildings 15%-20%.

6.3.1 Principal Building and Uses

- A. ~~In the Residential District, one (1) principal building or one principal use along with one (1) accessory building or use is allowed~~ accessory structures per lot, with the size of lot to be determined by which meet the lot size, setback and lot coverage requirements of section 6.2.
- B. ~~In the General Purpose District, there shall be no more than one (1) building for each principal use, and no more than two (2) buildings for an accessory use as limited by lot coverage requirements.~~ One (1) principal building along with accessory structures per lot, which meet the lot size, setback and lot coverage requirements of section 6.2.
- C. ~~The number of buildings and uses in the Commercial/Residential District will be determined by the maximum total lot coverage allowed for the site~~ requirements of section 6.2

Shall an amendment to the Town of Lyman Zoning Ordinance Article 1, section 1.8.30B and section 1.8.3.F Contract Zoning be enacted as follows: ~~deleted language struck through.~~ Added language underlined.

B. ~~Areas rezoned under this provision shall be consistent with but not limited to,~~ the existing and permitted (whether permitted with site plan approved conditional) uses within any zoning district.

F. Recommendation

Before forwarding a recommendation of a contract zoning amendment to the Board of Selectmen, the Planning Board shall make a finding on each of the four standards in this subsection. A favorable recommendation to the Board of Selectmen requires a positive finding on all four standards. If the Planning Board makes a negative finding on any of the standards, its recommendation shall be negative. The Planning Board shall base its recommendation on whether the rezoning:

1. ~~Is for land with an unusual nature or location;~~
2. Is consistent with the Comprehensive Plan;
3. Is consistent with, ~~but not limited to,~~ the existing uses and permitted uses within any zoning district; and
4. That the conditions proposed are sufficient to meet the intent of this section.
5. Will have beneficial effects for the Town as a whole which would not otherwise result if the property were developed under the existing zoning district designation

Shall an amendment to the Town of Lyman Zoning Ordinance Article 10, section 22 Performance standards and Article 12 definitions for medical marijuana be enacted: (A copy of the proposed amendment is posted together with this warrant and hereby incorporated into this Warrant by reference. Copies of the text of the proposed amendment are available from the Town Clerk's Office) ~~deleted language struck through.~~ Added language underlined.

Section 10.22 Performance Standards for Medical Marijuana

Purpose: The purpose of this section of the ordinance is to ensure that all cultivation, processing, storage, and distribution of medical marijuana does not have an adverse impact on the health, safety, and general welfare of the residents of the Town of Lyman, while still allowing for treatment and alleviation of a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition.

Exemptions: As an accessory use, Medical Marijuana Home Production shall be allowed in any qualifying patient's residence or any medical marijuana caregiver's primary year-round residence in every zone following the rules of Home Occupation and Section 10.22. Medical marijuana caregivers not required to register with the State and qualifying patients are not regulated under this section.

Section 10.22-A Medical Marijuana Home Production Facilities are permitted within the caregiver's primary year-round residence as a home occupation subject to the following performance standards, in addition to the requirements of the districts in which the caregiver use is located:

- 1. The caregiver shall be least twenty-one (21) years of age;*
- 2. The caregiver resides in the dwelling unit as his/her primary year-round residence in conformance with the Maine Medical Use of Marijuana State Administrative Rules or as otherwise specified in Maine statutes and/ or administrative rules;*
- 3. A caregiver who does not own his or her primary residence shall obtain notarized written permission from the property owner prior to cultivating marijuana and shall make the written permission available to the Town.*
- 4. A home production facility is limited to caregivers with a license from the State of Maine for thirty (30) plants.*
- 5. Caregivers shall cultivate medical marijuana within an enclosed, locked building or within an outdoor area which is accessible only by the individual authorized to cultivate the marijuana in conformance with the Maine Medical Use of Marijuana State Administrative Rules or as otherwise specified in the Maine statutes and /or administrative rules.*

6. *Medical Marijuana shall be distributed to medical marijuana patients ~~within an enclosed building. Drive thru, drive up or window service is prohibited.~~ by delivery or at a dispensary and shall not be sold directly to patients at the home.*
7. *No exterior evidence of cultivation, including signs, shall be visible from a public way or area. Marijuana plants shall be entirely screened from common visual observation from a public way or area by natural objects, plantings, or a solid fence at least six (6) feet or taller in height, density and depth sufficient to accomplish complete screening of plants from ordinary view. Should the plants grow higher than the screening such they are visible from a public way or area, either the plants shall be cut to not extend higher than the screening or the individual who is authorized to cultivate the marijuana shall install additional screening sufficient to conceal the plants from public view within ten (10) days of notification of the violation by the Code Enforcement Officer.*
8. *Compliance with health and safety codes. The primary residence, outbuilding, garage, or other structure where marijuana is grown, cultivated, processed, and/or stored shall meet all applicable requirements of the adopted building code, electric, fire and other health safety and technical codes.*
9. *Ventilation and odor management. Any primary residence, outbuilding, garage, or other structure used for cultivation shall have proper ventilation to prevent mold damage and to prevent odors or particles from becoming a nuisance to surrounding properties or the public.*
10. *A complaint of odor shall be investigated by the code enforcement officer. If the code enforcement officer confirms there is odor crossing the property line to abutting properties, the code enforcement officer has authority to require remediation within five days of the confirmed odor complaint. The code enforcement officer has the authority to rescind the permit of a home production that does not comply with the enforcement order. A rescinded permit may only be renewed with approval by the Planning Board.*
11. *Gases. The use of gas products for extraction processes, including but not limited to carbon dioxide, sulfur dioxide and butane, and ozone generators are prohibited.*
- ~~12. *Dispensing of medical marijuana to medical marijuana patients shall not take place prior to 7:00 a.m. or later than 8:00 p.m. on any day.*~~
13. *If electric service increases beyond 200 amps and an upgraded transformer is required, that transformer may only service the buildings wired to receive the increased amperage.*

Section 10.22-B Medical Marijuana Production Facility are permitted subject to the following performance standards, in addition to the requirements of the State of Maine;

1. *Medical Marijuana Cooperatives and Medical Marijuana Production Facilities are allowed in every zone.*

They shall not be located: on parcels of land with a lot line located within 500 linear feet of any pre-existing public or private school facility, or any pre-existing and licensed day-care center or day-care home, public park, public playground, athletic field, juvenile or adult halfway house, correctional facility, other Marijuana production facilities, substance abuse rehabilitation or treatment center or church. Applications for such

- public or private schools, child care providers, parks, playgrounds, or churches which are proposed within 500 feet of any existing medical marijuana production facility shall be required to sign a form, which may be obtained from the Code Enforcement Office, which indicates that they are aware that an existing medical marijuana production facility is located within 500 feet of their proposed site.*
2. *Medical Marijuana Cooperatives and Medical Marijuana Production Facilities are permitted in the Residential and General-Purpose districts on lots of 5 acres or more and any legal lot within the Commercial/ Residential district. In all districts Planning Board approval is required through site plan review process in section 8 of this ordinance.*
 3. *Fire suppression will be required in conformance with the most current version of NFPA 1 Chapter 38 and the current State of Maine adopted version of NEC standards.*
 4. *All Marijuana Cooperatives and Production Facilities shall submit an Odor Control Plan with the site plan application.*

Odor Control Plans shall consist of the following:

 - a. *Specific odor- emitting activity(ies) – This section should describe the odor emitting activities or processes (e.g., cultivation) that take place at the facility, the source(s) (e.g., budding plants) of those odors, and the location(s) from which they are emitted (e.g., flowering room).*
 - b. *Odor Mitigation Practices – For each odor emitting source/ process outlined in Section 1 of the odor control plan, specify the administrative and engineering controls the facility will implement to control odors.*
 - c. *The best control technology for marijuana cultivation facilities is carbon filtration.*
 - d. *The town may use contracted staff and peer review escrow fees to review an odor control plan in agreement with the applicant at the applicant's expense.*
 5. *Parking: The property shall provide parking that meets the requirements of section 10.12 of this ordinance, and such additional parking as may be required by the Planning Board.*
 6. *Security: All growing of medical marijuana within a production facility shall occur inside and only within a completely enclosed structure. A greenhouse is a structure. This does not apply to home growing of medical marijuana. The building shall be constructed with a security system with recordable video surveillance. Exterior lighting must be sufficient to deter nuisance activity and facilitate surveillance. The Planning Board may require a chain link fence or solid fence, six feet in height, surrounding the building (s) and parking area. All security measures shall be consistent with State requirements. Security cameras are also required around the perimeter of the structure*
 7. *Operating hours of the property:*
 - a. *Dispensing of medical marijuana products and materials shall not take place prior to 7:00 a.m. or later than 8:00 p.m. on any day.*
 - b. *Deliveries shall not take place prior to 7:00 a.m. or later than 8:00 p.m. on any day.*
 8. *There shall be no dispensing or sales of medical marijuana from a property which is located on a private road; unless the owner can provide documentation of participation*

in the road association to pay proportionately to the maintenance and upkeep of the road. Otherwise, dispensing of product which is grown on a property located on a private road shall be done from a facility approved as a dispensary.

9. Signs: All signage and advertising for any facility responsible for the cultivation, manufacturing, sale or distribution of marijuana shall comply with all applicable provisions of the land use ordinance. Signs may not contain any visual depiction of marijuana or marijuana paraphernalia. Outdoor displays, window displays, or displays visible from the outside of the building intended to attract attention to or generate interest in the uses on the property shall be prohibited.
10. Drive through, drive up, or window services are prohibited.
11. All activities of dispensaries, cultivation facilities, processing facilities and marijuana establishments shall be conducted indoors.
12. If electric service increases beyond 200 amps and an upgraded transformer is required, that transformer may only service the buildings wired to receive the increased amperage.
13. Annual safety inspections by the Fire Department and Code Enforcement Office shall be conducted. A fee set by the Board of Selectmen will be associated with these inspections.
14. Extraction of marijuana concentrates, such as but not limited to oil, butter, wax or shatter shall be permitted subject to compliance with NFPA (1) Chapter 38 standards and the current version of NEC (National Electric Code) standards.

Shall the town vote to amend Article 12 of the Lyman Zoning Ordinance to change the following definitions:

Medical Marijuana Home Production: *Growing, cultivating, processing, and/or storing medical marijuana by a registered medical marijuana caregiver licensed by the State of Maine for 30 plants, at his/her primary residence as a home occupation use.*

Medical Marijuana Production Facility: *A building used for cultivating, processing, testing, storing of medical marijuana; and / or distribution by a medical marijuana caregiver at a location which is not the caregiver's primary year-round residence or their qualifying patient's primary year-round residence; and / or a caregiver licensed by the State of Maine for a 500-foot canopy grow. ~~This~~ These shall be considered a commercial use.*