

**Town of Lyman  
Board of Selectmen Regular Meeting Agenda  
Monday August 1<sup>st</sup>, 2022 – Lyman Town Hall**

Welcome to the August 1, 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

**Select board present:** Ralph “Rusty” Blackington (Chair), Thomas Hatch (Vice Chair), Jessica Picard, John Tibbetts  
**Absent:** David Alves

**PLEDGE OF ALLEGIANCE**

**ITEM #1**            **SPECIAL OFFERS / PRESENTATIONS**  
None

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

- a. Public Input – *Public in attendance will have up to 5 minutes to address the Board*
- Don Hernon** – Addresses his concerns the planning board has a public hearing scheduled that they would like to have stream live on Youtube, however they currently do not have the assistance to be able to do this.
- Bob St. Onge** – States a letter was addressed to the board of selectmen from the town clerk he was wondering if they have that letter and what will they be doing to address it
- Ralph Blackington** – They have reached out to MMA and were advised they did not have to do anything regarding this letter at that point
- Lindsay Gagne** – States in the charter, regarding the topic of this letter, we are not at the point where this letter would be brought publicly to the board. It is a public document and a copy can be requested.
- Bob St. Onge** – Does not agree the letter has to do with the charter and asks why the board has not brought it publicly.
- Ralph Blackington** – He had asked the clerk to inquire with MMA and they were advised it wasn’t necessary to address it publicly at this time.
- Jeff Demers** – States he received a call from John Tibbetts regarding a rumor regarding a former employee leaving their position for reasons concerning other board members. This issue was dealt with via email among board members. He asks if this is how the board runs an HR investigation? This issue should have been discussed in executive session. He is requesting the minutes reflect his statement and a response from Brad Nikel.
- Brad Nikel** – States he did talk with John Tibbetts that day referring to what he heard. He called Mr. Tibbetts the next morning and told him he was wrong in what he stated. He apologizes to the board, the Town and Mr. Demers.
- b. Mail
- Charter Communications Program Notice (tv rebrand to fanduelTV) sw-30
  - Final Eastern Salt agreement
- c. Complaints
- Karan Kane email regarding empty bottles of nips found in the Kennebunk Pond.

**ITEM #3**            **MINUTES**  
Review and approve meeting minutes 7-18-2022  
**Thomas Hatch** – **Makes a motion to approve the minutes**

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**Jessica Picard** – Requests the correction of “Piccard” to “Picard”. **Makes a motion to approve the minutes with the correction added.**

**John Tibbetts** – **Seconds the motion**

**Motion passes: 4-0**

**ITEM #4**

**SIGN WARRANTS**

- a. Payroll Warrant #4 in the amount of **\$21,369.58**

**Jessica Picard** – **Makes a motion to approve**

**John Tibbetts** – **Seconds the motion**

**Motion passes 4-0**

- b. Accounts Payable Warrant #67 (FY2022) in the amount of **\$22,890.80**

**John Tibbetts** – **Makes a motion to approve**

**Jessica Picard** – **Seconds the motion**

**Motion passes 4-0**

- c. Accounts Payable Warrant #6 (FY2023) in the amount of **\$954,126.92**

- d. **Jessica Picard** – States that some of the big-ticket items in this warrant include the school district, fire rescue, snow fighters, and county of York for tax money.

**John Tibbetts** – **Makes a motion to approve**

**Thomas Hatch** – **Seconds the motion**

**Motion passes 4-0**

**ITEM #5**

**UNFINISHED BUSINESS**

- a. *Charter Communications – ARPA committee updates, if any.*

**Thomas Hatch** – ARPA committee has not had a meeting yet.

- b. *Franchise Agreement – Review draft proposal. Questions? Set up meeting with Tony Vigue if needed.*

**John Tibbetts** – He suggests inviting Tony to the workshop meeting scheduled on August 8<sup>th</sup> and Tony can review the draft with the board.

**Ralph Blackington** – Agrees with this, along with other board members.

- c. *Discuss hiring CEO assistant and Planning board clerk position & Interim plan*

**Ralph Blackington** – Would like to have the CEO involved in hiring and we need to post the open position.

**Don Hernon** – States the planning board currently isn't taking on anything new until the CEO gets up to speed.

**John Tibbetts** – Suggests having the CEO assist with updating the job description.

- d. *Discuss posting open committee seats*

**Ralph Blackington** – Suggests getting some more information from the Town Clerk and then posting the open seats online.

- e. *Discuss a per diem/back up CEO plan to cover CEO vacancies.*

**Thomas Hatch** – Believes there is a line item to budget this, and we should finalize and set up a process.

- f. *Iworq Software status update*

**Ralph Blackington** – States he will follow up with Jeanette Lemay if she has met with Bill Single on this.

- g. *RFP – Walker Road Reconstruction to be reviewed by Road Commission- update from RC*

**Brad Nikel** – Shares some follow up from the engineer he met with that reviewed the notes from the engineer on site. There were six items in question. The first station at 1300, the driveway culvert was pushed back further into the driveway. Brad has observed this and feels it was a good decision

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because the water is now draining to a wet area below that holds water. With the adjoining neighbor, a culvert placed there would not have drained anything. In another area there was no driveway entrance put in to be able to install a culvert. The next two stations had no ditching system in front of their homes. The water that sheds now goes off the road cleanly and wouldn't have had any adverse conditions. The last culvert should have been installed and if installed would have taken water away from the problem culvert that is draining water into the neighbor's property, and it would have redirected the water in an Easterly direction. The last area was a steepened area where there was ledge, so there was nothing there to drain and no need to install a culvert there. The decision that was made in the field by the past selectmen and field engineer, he does not think was 100% wrong.

**Bob St. Onge** – States that the town paid for an engineering company to layout this plan. They made recommendations that weren't followed. They were paid full compensation for a plan we didn't use.

**Brad Nikel** – States in lieu of those culverts, there was extra work the contractor had to do that came out of the contractor and not the town. There will be added fill going into Carlyle Brook to add more vegetation for water to go through. He would recommend adding on to the first pipe with a catch basin, piping underground for 120 feet and let it go off through all the vegetation. This would be the least invasive option. He recommends awarding the bid to Gerard Excavation as motioned at the last meeting. He also adds, regarding road projects, that as the road commissioner he should be looking at the project and any change orders should go through the board and decided jointly as a board.

**Thomas Hatch** – Reviews written suggestions from David Alves on how road projects should be conducted.

*h. Sign Enclosure – Discuss going out to Bid.*

**Ralph Blackington** – Suggests putting out to bid again and having them due by August 29<sup>th</sup> with opening at the next Select Board meeting after that date.

**John Tibbetts** – Asks if there is a point person on this project

**Ralph Blackington** – Recommends David Alves be the point person.

**Jessica Picard** – **Makes a motion to reschedule the 9/5/22 select board meeting to 9/6/22**

**John Tibbetts** – **Seconds the motion**

**Motion Passes: 4-0**

**John Tibbetts** – **Makes a motion to open sealed bids on September 6<sup>th</sup>, 2022**

**Jessica Picard** – **Seconds the motion**

**Motion passes: 4-0**

*i. Oscar Littlefield Road – updates, if any*

**Ralph Blackington** – There is correspondence out to the attorney that we are waiting for him to return on.

**Maurice St. Clair** – Asks for a timeline on deciding on this

**Ralph Blackington** – Suggests giving it two more weeks.

*j. Tom Hatch – updates on replacing meeting room furniture*

**Thomas Hatch** – has been working with Jeanette Lemay and Warrens Office Supplies in replacing the tables in the meeting room, one of the chairs, and a podium. This will cost \$4,005.00. This is a budgeted item.

**Jessica Picard** – **makes a motion to approve the expense of \$4005.00 in the budget for the selectboard meetings tables, podium, and the chair.**

**John Tibbetts** – **Seconds the motion**

**Motion passes: 4-0**

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**ITEM #6**

**DEPARTMENT AND COMMITTEE REPORTS**

- a. *Panning Board – Request Select board approval of planning board mission statement and bylaws.*  
**Thomas Hatch** – Asks about the remote meetings.  
**Don Herson** – States the planning board would go to a remote meeting if one of the members was to participate remotely.  
**Thomas Hatch** – **Makes a motion to accept**  
**Jessica Picard** – **Seconds the motion**  
**Motion passes: 4-0**

**ITEM #7**

**NEW BUSINESS**

- a. *Appoint new Planning Board Alternate Member, recommended by Planning board*  
**Thomas Hatch** – **Makes a motion to approve Bill Single as the planning board alternate member.**  
**John Tibbetts** – **Seconds the motion**  
**Motion passes: 4-0**
- b. *Appoint New CEO – oath sheet needs board signatures.*
- c. *Biennial Recycling Progress Report*  
**John Tibbetts** – States the percentage has slid some from prior reports, but we have reduced our contamination fees because the transfer station continues to monitor this. On the issue of hazardous waste that Maurice has mentioned in the past, he believes the City of Biddeford has taken care of this. He will verify this if the board agrees.
- d. *Request for approval Don Herson would like to attend Local Planning Board MMA workshop 8-25-22.*  
**John Tibbetts** – **Makes a motion to approve**  
**Jessica Picard** – **Seconds the motion**  
**John Tibbetts** – **Makes a modified motion to allow all other planning board and zoning board of appeals members to attend**  
**Jessica Picard** - **Seconds the motion**  
**Motion passes: 4-0**

**Other:**

- Vicky Gavel** – Was wondering for the budget committee if the Kennebunk Pond Beach Committee can do a survey to find out how many non-residents are visiting the beach area.  
**Ralph Blackington** – Will reach out to David Alves on that.

**EXECUTIVE SESSION**

**1-M.R.S.A 405 (6) (A)**

- Tom Hatch** – **makes a motion to go into executive session for 1 M.R.S.A 405 (6) (A)**  
**Jessica Picard** – **Seconds the motion**  
**Motion passes 4-0**

The board goes into executive session at 7:38p.m

The board comes out of executive session at 7:57p.m

- Thomas Hatch** – **Makes a motion to come out of executive session**  
**Jessica Picard** – **Seconds the motion**  
**Motion passes: 4-0**

- Thomas Hatch** – **Makes a motion to approve the formalized step increase for new employees and the budget oversight correction for one employee, all monies have been approved by the treasurer of a net-zero increase to salary budget.**  
**Jessica Picard**- **Seconds the motion**

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**Motion passes 4-0**

**ADJOURN**

Other:

**Thomas Hatch – Makes a motion to put Lindsay and other office employees in charge of choosing the color pallet of the meeting room tables.**

**John Tibbetts – Seconds the motion**

**Motion Passes: 4-0**

**Jessica Picard - Makes a motion to adjourn**

**John Tibbetts – Seconds the motion**

**Motion Passes: 4-0 Meeting is adjourned at 8:02pm**

*FRB FS*

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Ralph "Rusty" Blackington (Chair)

*[Signature]*  
\_\_\_\_\_  
Thomas Hatch (Vice Chair)

*[Signature]*

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

*[Signature]*

\_\_\_\_\_  
Jessica Picard

*[Signature]*

\_\_\_\_\_  
John Tibbetts

I, Lindsay Gagne, Clerk to the Select Board of the Town of Lyman, Maine, do hereby certify that the foregoing document consisting of (5) pages are the original minutes of the Board of Selectmen Regular Meeting dated August 1<sup>st</sup>, 2022

*[Signature]*  
\_\_\_\_\_  
Lindsay Gagne

