

Town of Lyman
Select Board Regular Meeting Minutes
Monday November 7th, 2022 – Lyman Town Hall

November 7th, 2022, Regular Meeting Minutes of The Lyman Board of Selectmen.
This meeting is a public proceeding and is being recorded
The agenda is subject to change without notice.

Selectboard members present: Ralph “Rusty” Blackington, Thomas Hatch, John Tibbets, David Alves, Jessica Picard

Selectboard members absent: None

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*
Maurice St. Clair – States the Lyman Snowmobile Club has put a lot of work into the building, and he asks the board not to consider discussion on this.
Michelle Felicitti – Asks the board if during elections are they required to order from a specific vender? She also mentions with power outages at the Kennebunk Pond Beach area the lights have to be reset and she also recommends the board look into having an IT committee so that all committees can have access to recording their meetings online.
Jessica Picard – States there is nothing in the Charter that dictates where they order food from for election workers.
- b. Mail - None
- c. Complaints - None

ITEM #3 **MINUTES**

Review/ approve meeting minutes 10/17/2022

David Alves makes a motion to accept the minutes. Jessica Picard Seconds. Motion passes: 5-0-0

ITEM #4 **SIGN WARRANTS**

- a. Payroll Warrant #21 in the amount of \$23,476.19
Jessica Picard motions to approve. John Tibbets Seconds. Motion passes: 5-0-0
- b. Accounts Payable Warrant #73 (FY2022) in the amount of \$71,865.53
David Alves motions to approve. Thomas Hatch Seconds. Motion passes: 5-0-0
- c. Accounts Payable Warrant #74 (FY2022) in the amount of \$1,626.22
John Tibbets motions to approve. Jessica Picard Seconds. Motion passes: 5-0-0
- d. Accounts Payable Warrant #75 (FY2022) in the amount of \$45,799.60
John Tibbets motions to approve. David Alves Seconds. Motion passes: 5-0-0
- e. Accounts Payable Warrant #22 (FY2023) in the amount of \$607,860.77
David Alves motions to approve. John Tibbets Seconds. Motion passes: 5-0-0
Jessica Picard – Discussion explaining of this amount, \$458,624.00 is for RSU57

ITEM #5 **UNFINISHED BUSINESS**

- a. Lyman Snowmobile Club – Lease Renewal.
David Alves – States he is the liaison for identifying Town-owned land for potential parcels the board can consider selling. The parcel the snowmobile club sits on is potential for subdividing. The lease has come up for renewal and the board has agreed to keep it a tenant at will. At this time, it's not known if they will sell the property, however, if they do, he has considered other viable options and support to keep the Snowmobile Club in operation.

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- Thomas Hatch** – States when this club first began, it was always a possibility that the club wouldn't stay there and is written in the lease.
- Jessica Picard** – Asks for clarification on procedural methods in selling the land
- John Tibbets** – States the warrant article is written to put out to auction.
- Lindsay Gagne** – Suggests to first clarify how the warrant was written and voted on for selling land.
- Brian Dulong** – States his concern if certain parcels of land are sold, this may disrupt certain trails and Alfred Access.
- b. KCB Contract – Legal Counsel, see email.
- David Alves** – States his issue bringing this back up is the board started this during reviewing budgets last year and discussed it for several months. They received legal council and discussed possible extension. This was discussed from December to March. He has in his notes that he asked John Tibbets to put together the bid specs for mowing contracts.
- John Tibbets** – States he was to do the smaller contracts and not the bigger ones. He doesn't believe this contract is legal by the attorney's email. This contract was combined making it a larger contract.
- Dave Alves** – States this was put out to bid to the same contractor in 2018 then extended.
- Jessica Picard** – States she was not on the board during the process of renewing this contract. She has no issue with the contractor. She is looking at this as a liability to the Town. This is a five-year contract that amounts to over \$200,000
- Jessica Picard** – **Motions to put the landscaping contract out to bid**
- John Tibbets** – **Seconds the motion**
- Thomas Hatch** – **States he was on the board during consideration of this contract, and he recalls all the discussions that went on and the legal council they received. There was a period where there was no board clerk that may have caused the issue with documentation.**
- Jessica Picard** – **States her reason for her motion is to clean up the process and move forward and based on legal counsel.**
- Ralph Blackington** – **States he doesn't believe the contractor would want any shadow over his head over this.**
- Motion passes: 3-2 (Ralph Blackington, Jessica Picard, John Tibbets for the motion; David Alves, Thomas Hatch against the motion)**
- c. Text My Gov – Legal Counsel, see email. Discuss invoice.
- Lindsay Gagne** – Explains they will not prorate, and the invoice stays in full at \$1,500.00. Legal council reviewed the agreement and advised the board can discontinue services.
- Jessica Picard** – **Makes a motion to pay the invoice and discontinue services**
- John Tibbets** – **Seconds the motion; Motion passes: 5-0-0**
- d. IWorQ Invoice – Discuss payment
- Lindsay Gagne** – Explains there is no agreement that can be found, and we've already taken the data off and downloaded it.
- John Tibbets** – **Makes a motion to discontinue and not pay the invoice.**
- Jessica Picard** - **seconds the motion; Motion passes: 5-0-0**
- e. Old Kennebunk Road – Legal Counsel, see email. Discussion, next steps.
- Lindsay Gagne** – Explains after legal counsel looked into this, they found the Town is not responsible for putting gates up on this road. Currently the gates are up but not locked right now.
- John Tibbets** – States he can see the issue of trash but doesn't think it's the Town's jurisdiction to manage the issue.
- David Alves** – **Makes a motion to take both gates down sending letters to all abutters and Alfred with Brad Morins email attached.**
- Jessica Picard** – **Seconds the motion; Motion passes: 5-0-0**

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- f. Energy Supply Quotes – See MPO Email
Jessica Picard – Explains the supply rates that are current today. They have been rising. These prices are subject to change with market changes daily. MPO Constellation is offering options to opt in at different rates depending on the duration of the contract. The longer the contract the cheaper the price will be.
John Tibbets – Motions to lock into the max duration offered by MPO Constellation
Jessica Picard – Seconds the motion; Motion passes: 5-0-0
- g. PPI Funds S Waterboro Rd, Discussion
Lindsay Gagne – Explains this is the DOT state sharing program for doing road work potentially on South Waterboro Road. Lyman meets the requirements to get a 50/50 match from the State. However, we will need to draw up a plan or decide which section of the road will be worked on and start gathering information to submit to the State.
John Tibbets – States we would need to know where the funds would come from, if from surplus or having the town vote on a budget line. He suggests have the road commissioner draw up a scope of work.
John Tibbets – Makes a motion to have the Road Commissioner start a scope of work and put together a budget for the project.
Jessica Picard – Seconds the motion; Motion passes: 5-0-0
- h. Quotes for Electrician Services
Thomas Hatch – States we have a quote from Marcell Desrosiers, and he recommended we get a second quote which we did. This will service installing the microphones for the meeting room.
Jessica Picard – Motions to approve the MED quote for \$1,598.00 quote
John Tibbets – Seconds the motion; Motion passes: 5-0-0

ITEM #6

DEPARTMENT AND COMMITTEE REPORTS

- a. Road Commissioner – No report
b. Tax Collector – October Monthly Report – Report reviewed in meeting

ITEM #7

NEW BUSINESS

- a. PO \$1140.68 : Elections – Review/ Approve
Thomas Hatch – Motions to approve. Jessica Picard Seconds. Motion passes: 5-0-0
- b. PO \$887.00 : Elections – Review/ Approve
Thomas Hatch - Motions to approve. Jessica Picard seconds. Motions passes: 5-0-0
- c. Bean Data – Contract extension
Item has been tabled to next meeting
- d. GWI – Add new line for fax issues, change order approval needed
Lindsay Gagne – States this item is not budgeted and needs approval from the board. The current fax line is hooked into the fire box and needs to be taken out with a new line put in. The funds can be taken out of the utilities budget without overdrawing it. The amount shown will pay for this through July 2023.
Thomas Hatch – Motions to approve. John Tibbets seconds. Motion passes: 5-0-0
- e. Snowplow Contract – Kennebunk Pond Parking area, review/approve
John Tibbets – Asks if there is an annual budget. He suggests estimating up to 15 plowable storms.
Jessica Picard – Motions to approve the contract
John Tibbets – States there needs to be a dollar amount for annual budget.
Michelle Felicitti – States \$2,250 would be equivalent to 15 passes.

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Jessica Picard – Rescinds her motion and motions to accept this contract and not to exceed \$2,500.00

John Tibbets – Seconds the motion; Motion passes: 5-0-0

EXECUTIVE SESSION - None

OTHER

Thomas Hatch – States CIA Salvage was unable to haul/ unload our dumpsters at the transfer station. The dumpsters now, are all full. CIA said they may possibly have a crew available to take care of it tomorrow but no guarantee. His initial recommendation was to close the transfer station, however he received opposition and suggested having David Riley post his two trucks at the Transfer Station and take care of unloading the dumpsters in the event CIA isn't able to make it up there tomorrow.

John Tibbets – States there have been some frustrations with CIA and recommends when the time comes the board review that contract and consider other options if possible.

Michelle Felicitti – States there are a lot of safety issues at the Transfer station that will need to be addressed.

Thomas Hatch – **Makes a motion in the event CIA doesn't show up tomorrow then Randy can utilize Dave Riley and his trucks, and the town will pay Dave Riley out of the contract with CIA.**

David Alves – **Seconds the motion; Motion passes: 5-0-0**

David Alves – Discusses some updates from the Kennebunk Pond Beach Committee will have a meeting on November 9th at 2pm to go over the gates that will be installed. Also, the building committee is looking into getting pricing for a steel building.

Brian Dulong – Suggests the board do a workshop with the Snowmobile Club to discuss things.

Ralph Blackington – States he was in agreeance as we get closer to deciding what to do with that property.

Matt Duross – States he may possibly get a dry hydrant up on Roberts Pond. The cost is around \$10,000 but he is looking into getting this covered by a grant.


ADJOURN

Thomas Hatch – **Makes a motion to adjourn. John Tibbets seconds the motion. Motion passes: 5-0-0**

The meeting is adjourned at 7:45pm



Ralph "Rusty" Blackington (Chair)



Thomas Hatch (Vice Chair)



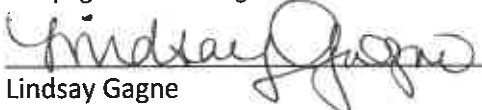
David Alves



Jessica Picard

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 4 pages are the original minutes of the Board of Selectmen Regular Meeting dated November 7th, 2022



Lindsay Gagne