

Town of Lyman  
Select Board Regular Meeting Minutes  
Monday December 19<sup>th</sup>, 2022 – Lyman Town Hall

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

**Selectboard members absent:** None

**ITEM #1**      **SPECIAL OFFERS / PRESENTATIONS**

a. **Public Hearing Re: Funky Bow Application/ Renewal for Special Amusement Permit**

**Ralph Blackington** – Opens the public hearing at 6:00pm. Asks for any public comment. There is no public comment regarding the application. Public hearing closes the public hearing at 6:02 pm.

**Ralph Blackington** – Opens the regular Select Board meeting.

**Thomas Hatch** – **Makes a motion to approve application renewal permit for Special Amusement for Funky Bow. John Tibbetts** – **Seconds the motion. Motion passes: 5-0-0**

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

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

**Nicole Derosier** – Asks the board about sale of town owned property, specifically a lot abutting her property and if the town will be selling that lot.

**David Alves** – States they are identifying all the properties that they want to sell and then the next steps will be to conduct a market analysis and determine the process which they will sell the property.

b. **Mail**

- o **York County Sheriff’s**                      o **Caring Unlimited Letter**                      o **YCSP Letter**

c. **Complaints - none**

**ITEM #3**      **MINUTES**

**Review/ approve meeting minutes 12/05/2022**

**David Alves** – **Motions to approve minutes. Jessica Picard Seconds. Motion passes: 5-0-0**

**ITEM #4**      **SIGN WARRANTS**

a. **Payroll Warrant #27 in the amount of \$32,870.18**

**David Alves** – **Motions to approve Payroll Warrant. Jessica Picard Seconds. Motion passes: 5-0-0**

b. **Accounts Payable Warrant #28 (FY2023) in the amount of \$109,897.20**

**David Alves** – **Motions to Accounts Payable Warrant. Jessica Picard Seconds. Motion passes: 5-0-0**

**Thomas Hatch** – **Discussion regarding invoice paid for Thyng Paving. Brad Nikel states they did the shoulders on Oscar Littlefield Road.**

**ITEM #5**      **UNFINISHED BUSINESS**

a. **Old Kennebunk Road Gate – Town Council Response (Tabled from last meeting)**

**Thomas Hatch** – States US Forestry had concerns about trash building up and this seems to be an issue that may repeat itself. His suggestion is to continue locking the gates to limit dumping issues.

**John Tibbets** – States he spoke with an Alfred Select Board member that’s been in communication with the forestry service about posting signage to state “Trash dumping is subject to federal prosecution” to see if this would help with the enforcement issue of the dumping.

**Brad Nikel** – States the issue of locking the gate may require additional monitoring to ensure the gates are staying locked.

**David Alves** – States it’s in the opinion of legal council that the abutters own to the centerline of the road and the Town is not required to maintain a gate.

**Maurice St. Clair** – States after the Town voted to abandon the road, the Town still put money into repairing damages of the road, although it may not be documented.

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**Brad Nikel** – States the gates should be locked and keys provided to property owners.

**David Alves** – States once the gates are locked by the Town, we may be assuming an obligation to maintain the gate. There was discussion to leave the gates as they are where the Select Board already made a motion on this issue.

b. **RFP – Classification & Compensation Study, discuss putting out to Bid**

1. **Discuss special town meeting**

**Lindsay Gagne** – Suggests if doing a special Town meeting the Board can also schedule a Special Select Board meeting to follow afterwards where they can open RFPs, this way timing of scheduling a study won't impact the budget process. There is currently \$5,000 in the budget for an HR study and \$9,630.50 in the Feasibility that can be used, and the board could ask for additional funds from surplus.

**Jessica Picard** – Verifies the RFP will also breakdown the cost of specific tasks, the board can negotiate using all some of the tasks.

**Thomas Hatch** – **Makes a motion to schedule a Special Town Meeting on January 18<sup>th</sup>, 2023 at 6:00pm at the Town Hall**

**Jessica Picard** – **Seconds the motion. Motion Passes: 5-0-0**

**Jessica Picard** – **Makes a motion to schedule a public hearing for purposes of the Special Town Meeting on January 3<sup>rd</sup>, 2023 6:00pm**

**John Tibbetts** – **Seconds the motion. Motion Passes: 5-0-0**

**Lindsay Gagne** – Asks the board to choose five conspicuous locations to post the warrant. There is discussion from the board to post at Town Hall, Library, Transfer Station, Goodwin Mills General Store, and Jackson's Corner or Harrys if either or both will allow it.

**Jessica Picard** – **makes a motion to schedule a Special Select Board meeting on January 18<sup>th</sup>, 2023 following the Special Town Meeting for the purpose of opening RFPs.**

**Thomas Hatch** – **Seconds the motion. Motion passes: 5-0-0**

**Jessica Picard** – Suggests appropriating the amount of \$5,400 from Surplus.

**Lindsay Gagne** – Suggests looking into adding an article to allow the board to sell tax acquired property using a real estate broker. There is discussion with the board to add this as an article question.

**ITEM #6**

**DEPARTMENT AND COMMITTEE REPORTS**

a. **Road Commissioner –**

**Brad Nikel** – States the shoulders on Oscar Littlefield Road has been done last week. The overhead door at the salt shed has been fully repaired. There have been a lot of inquiries regarding Rt. 111 and Kennebunk Pond Road and when the traffic system and lights will be put in. He's reached out to DOT and received a response there is a reconstruction stabilization project scheduled for the Summer of 2025. This will include two left turn lanes and a set of traffic lights.

b. **Fire Chief – Review/ Approve GMFR Personnel Policy**

**Item addressed later in the meeting, Fire Chief not present**

**Matt Duross** – States Dayton has suggested some changes that need to be reviewed. The policy will be updated then re-submitted to the board.

**David Alves** – Asks if there was discussion of offering the Health Officer Position to Matt

**Matt Duross** – States he has discussed this, but he wanted a better understanding of what the workload would be. He has offered assistance to the prior Health Officer. He suggested he could assist temporarily pending on what the workload entails.

**Jessica Picard** – Suggests looking into the details of a health officer and revisit this at the next meeting.

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**Matt Duross** – States He is looking for approval to purchase battery operation extrication equipment out of the GMFR equipment capital funds. He would be requesting an amount of \$20,083.00 for this equipment. Dayton agreed to pay in addition to Lyman’s contribution.

**John Tibbetts** – **Makes a motion to approve this amount.**

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

**David Alves** – **Verifies this is coming out of the current budget line.**

**Motion passes: 5-0-0**

**Matt Duross** – States he is also looking for approval to purchase from the same budget line eight universal size ballistic vests for EMS personnel responders. Dayton will cover half the cost; Lyman would cover an amount of \$3,580.0

**John Tibbetts** – **Makes a motion to approve. Jessica Picard Seconds. Motion passes: 5-0-0**

c. [Kennebunk Pond Beach Committee – Dave Alves Liaison Report/update](#)

**David Alves** – States he met with the architect again and the Kennebunk Pond Beach Committee. He recommends using this person for putting together a plan for Bunganut on what repairs are needed up there. They determined they may not need a gate right now where the parking may ease some of the actions currently going on there.

d. [Treasurer](#) – none

e. [CEO – Review/ Approve CEO Fee schedule](#)

**Brenda Charland** – States she reviewed Town’s of similar sizes to compare. She added minimum fees for commercial. She updated renovations. Other costs were increased slightly. The septic is set by the State of Maine and she adjusted the cost for the Town to get the maximum fees allowed. On the Land Use fees, she ran past the Planning Board for their review and she suggested subdivision fees have a base fee with a per lot fee. Last revision was in 2017.

**Jessica Picard** – **Makes a motion to approve the updated Fee Schedule as written effective December 20, 2022**

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

f. [Tax Clerk – November Report](#) – Report reviewed in meeting. No discussion.

g. [Other](#) - None

**ITEM #7**

**NEW BUSINESS**

a. [Discuss scheduling Budget Workshops](#)

**Workshop is scheduled for December 29<sup>th</sup>, 2022 at 6:00pm.**

b. [Review Mowing Contract draft](#)

**Lindsay Gagne** – Explained this contract mirrors the last with the exception under the insurance section, it has been updated to reflect current policies and a non-appropriation clause was added where it will be a multi-year contract.

**John Tibbetts** – Asks about the section regarding “Cleaning up” and defining “waste materials.

**Lindsay Gagne** – Explains this was mirrored from the prior contract and is interpreted that when the work is done at the end of the day, the vendor is responsible for cleaning up grass clippings, leaves, etc.

c. [Review Town Roads Winter Maintenance Contract draft](#)

**Lindsay Gagne** – Explains the contract was adjusted to update insurance requirements to match current policy, more clearly define snow being removed to three and one-half feet to the outside of the shoulders, to require 5 trucks and this will be a five-year contract with option to extend an additional two years. A lot of towns are doing this where there is a shortage of truck drivers.

**Brad Nikel** – States there is also a max fuel price per gallon added in the RFP request.

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d. [Question re: Holiday pay part time employees – See email.](#)

**Lindsay Gagne** – Explains there have been approval in the past for part-time employees to receive holiday pay. Does the board want to do this for all part-time employees?

**Jessica Picard** – States the budget won't be impacted where the hours are already built in

**David Alves** – **Makes a motion to pay part-time employees holiday pay**

**John Tibbetts** – **Seconds the motion. Motion passes: 5-0-0**

e. [MMA re: First Amendment Audits](#)

**Jessica Picard** – States this group appears to ultimately prove a point that certain spaces are public and are trying to get a reaction in the process of proving their point. This guidance from MMA states they are not permitted into private office spaces. Employees are allowed to close their doors.

f. [PO #1609 For Cemetery Committee, Tree Removal \(Amount\\$4999.99\)](#)

**Jessica Picard** – **Makes a motion to approve. David Alves Seconds. Motion passes: 5-0-0**

g. [Appointment: Ordinance Review Committee, George Cheney](#)

**David Alves** - **makes a motion to appoint George Cheney to Ordinance Review Committee**

**Jessica Picard** – **Seconds the motion. Motion passes: 5-0-0**

**OTHER**

**EXECUTIVE SESSION**

**ADJOURN**

**David Alves** – **Makes a motion to adjourn. Jessica Picard Seconds. Motion passes: 5-0-0**

**Meeting is adjourned at 7:45pm.**

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David Alves

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Ralph "Ralph" Blackington (Chair)

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Jessica Picard

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Thomas Hatch (Vice Chair)

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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 December 19<sup>th</sup>, 2022

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Lindsay Gagne