

**Town of Lyman**  
**Select Board Regular Meeting Agenda**  
**Monday June 5<sup>th</sup>, 2023 – Lyman Town Hall**

Welcome to the June 5th, 2023, Regular Meeting of The Lyman Board of Selectmen.  
This meeting is a public proceeding and is being recorded.

**PLEDGE OF ALLEGIANCE**

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

- a. Public Hearing regarding warrant articles 42 & 43 for Annual Town Meeting scheduled June 15<sup>th</sup>, 2023

**EXECUTIVE SESSION**

- 1.M.R.S.A §405 (C) real or personal property matters.
- 1.M.R.S.A §405 (E) Attorney/ legal matters

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

- a. David Corbet – Discussion regarding advertising swim lessons at Kennebunk Pond
- b. Public Input – *Public in attendance will have up to 5 minutes to address the Board. Please use the podium to address the board.*
- c. Mail            •York County Budget Memo            •Email
- d. Complaints

**ITEM #3**            **MINUTES**

- a. Review / Approve meeting minutes 5/15/2023.

**ITEM #4**            **SIGN WARRANTS**

- a. Payroll Warrant #50 in the amount of **\$24,489.87**
- b. Accounts Payable Warrant #51 (FY2023) in the amount of **\$607,725.36**

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

- a. Franchise Agreement – Review Draft Ordinance. Schedule Public Hearing.
- b. Open RFPs for ARPA funded projects. Bunganut Ball Field, Transfer Station, Kennebunk Pond

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

- a. Road Commissioner –
- b. Fire Chief –
- c. CEO –
- d. Tax Clerk –
- e. Treasurer – Expense Report 6-1-23
- f. Town Hall Expansion Committee –
- g. Other -

**ITEM #7**            **NEW BUSINESS**

- a. Animal Welfare agreement, review/approve
- b. Reschedule meeting June 19<sup>th</sup>, due to holiday.
- c. Discuss July 4 holiday, Town Hall closures
- d. Committee Request for AV/IT Equipment Use – Bunganut Committee: Michelle Felicitti
- e. Review/ Approve Acceptable Use Policy
- f. Committee Application Received – Bunganut Park Committee (2 applicants)
- g. Committee Application Received – Parks and Recreation Committee



- h. Committee Application Received – Ordinance Review Committee
- i. Review/Appoint Election Clerks
  - Susan Locke, Lorna Henley, Carol Baker-Roux, Kerry Jo Sampson, Joanne Ricker, Jennifer Croteau

**OTHER**

**EXECUTIVE SESSION**

1.M.R.S.A §405 (A) Personnel Matters

**ADJOURN**

# ITEM #1: (a.) Public Hearing

## Town of Lyman

Select Board  
Notice of Public Hearing

11 South Waterboro Rd  
Lyman, ME 04002

---

The Select Board will hold a public hearing on **June 5<sup>th</sup>, at 6:00pm** located at the Lyman Town Hall for the purpose of presenting information and allowing public comment regarding two warrant articles, Article 42 & Article 43, added to annual Town meeting warrant

**ARTICLE 42:** To see if the Town will vote to move from GMFR Special Liability Account known as Sale of Fire Truck, in the amount of **\$2,777.50** from the sale of a 1993 Freightliner into the existing non-lapsing reserve account known as GMFR Vehicle Reserve Account.

**Select Board Vote: 5-0-0      Budget Committee Vote: No Vote**

**ARTICLE 43:** To see if the Town will vote to carry forward from fiscal year 2022/2023 into fiscal year 2023/2024 the unexpended balance in the funds from the sale of SCBA Equipment in the amount of **\$850.00** to be deposited into the existing non-lapsing reserve account known as GMFR Facility Capital Fund

**Select Board Vote: 5-0-0      Budget Committee Vote: No Vote**

---

The Select Board's regular meeting will follow after the public hearing.

Town Of Lyman  
11 South Waterboro Rd  
Lyman ME 04002  
Select Board  
[selectboard@lyman-me.gov](mailto:selectboard@lyman-me.gov)  
Tel. (207)-247-0642  
Fax. (207)-499-7563

## ITEM #2: (c.) Mail

### ATTENTION:

Please make note that the proposed tax bill for the County has changed.

If you received or requested a prior copy for your budgeting purposes,

disregard prior information and use the number on the attached proposal.

## MEMORANDUM

**TO: Select boards, Councils, Managers and Interested Municipal Officials**  
**FROM: Jo-Ann Putnam, Chairperson, York County Budget Committee**  
**DATE: May 24, 2023**

---

The Public Hearing on the 2024 proposed budget for the County of York will be held on Monday, June 12, 2023 at 4:00 p.m. at the York County Government Building located at 149 Jordan Springs Road in Alfred in the EMA Training Room.

This is your opportunity to attend the Public Hearing and comment on the budget.

Attached is the revenue and expenditure summary of the budget for 2024. The proposed fiscal year 2024 County of York general fund budget proposal contains a \$1,235,022 increase above FY 2023. That increase amounts to 5.56%. The tax rate increase is 5.33%.

Also, attached is a draft of the proposed FY 2024 County of York tax assessment for your review.

Depending on the comments received at the Public Hearing, the York County Budget Committee will take the appropriate steps in the process. We look forward to your comments.

If you have questions, please feel free to call me on my cell at 207-251-2602 so that we may discuss and respond to them.

Thank you for your consideration.

**COUNTY OF YORK FY 24 GENERAL FUND BUDGET  
SUMMARY**

	FY23	FY24	FY24	FY24	FY24
<b>GENERAL FUND REVENUES</b>	<b>BUDGET</b>	<b>DEPT</b>	<b>COMMISSIONER</b>	<b>INCR/(DECR)</b>	<b>% CHANGE</b>
EMPG (50% EMA REIMB)	262,539	262,539	262,539	0	0.00%
MUNICIPAL ASSESSMENTS	18,669,743	19,664,806	19,664,806	995,063	5.33%
OTHER INTERGOV REV	25,000	25,000	25,000	0	0.00%
POLICE RPTS & BACKGRND CKS	6,000	6,000	6,000	0	0.00%
PROBATE REVENUE	375,000	475,000	475,000	100,000	26.67%
DEEDS RECORDING	1,500,000	1,400,000	1,400,000	-100,000	-6.67%
DEEDS TRANSFER TAX	950,000	1,050,000	1,050,000	100,000	10.53%
DEEDS PHOTOCOPIES	50,000	50,000	50,000	0	0.00%
INVESTMENT EARNINGS	100,000	100,000	100,000	0	0.00%
EMA OPERATIONS RENT	30,000	30,000	30,000	0	0.00%
MISC REVENUE	3,000	3,000	3,000	0	0.00%
INTERFUND TRANSFERS IN	4,200	0	0	-4,200	-100.00%
TRANSFER IN FROM ADMINISTRATIVE/ SUPERVISION FUND	25,000	25,000	25,000	0	0.00%
UTILIZATION OF RESERVES	200,000	300,000	300,000	100,000	50.00%
OPIOID SETTLEMENT FUNDS		44,159	44,159	44,159	
<b>TOTAL REVENUES</b>	<b>22,200,482</b>	<b>23,435,504</b>	<b>23,435,504</b>	<b>1,235,022</b>	<b>5.56%</b>
<b>DEPARTMENTS</b>					
COMMISSIONERS/GOV BODY	78,297	84,267	84,267	5,970	7.63%
LAYMAN WAY/PUBLIC HEALTH	994,200	1,069,200	1,069,200	75,000	7.54%
NEW REQUESTS		395,971	395,971	395,971	
MANAGEMENT/ADMINISTRATION	1,223,031	1,328,610	1,328,610	105,579	8.63%
FACILITIES/MAINTENANCE	651,075	686,421	686,421	35,346	5.43%
TREASURER	626	673	673	47	7.57%
DISTRICT ATTORNEY	1,698,347	1,769,450	1,769,450	71,103	4.19%
DEEDS	664,858	678,394	678,394	13,536	2.04%
PROBATE	728,206	779,436	779,436	51,230	7.04%
POLICE/SHERIFF	3,456,233	3,603,552	3,603,552	147,319	4.26%
COMMUNICATIONS/DISPATCH	735,175	783,496	783,496	48,321	6.57%
EMA DEPT	753,092	797,085	797,085	43,993	5.84%
YORK CO JUVENILE FIRE	39,663	41,331	41,331	1,668	4.20%
RETIREMENT BENEFITS	603,067	646,196	646,196	43,129	7.15%
MEDICAL & DENTAL INSURANCE	1,108,296	1,120,683	1,120,683	12,387	1.12%
PUBLIC AGENCIES	133,925	131,700	131,700	-2,225	-1.66%
JAIL CAP (ASSESSMENT)	9,332,391	9,519,039	9,519,039	186,648	2.00%
<b>TOTAL EXPENDITURES</b>	<b>22,200,482</b>	<b>23,435,504</b>	<b>23,435,504</b>	<b>1,235,022</b>	<b>5.56%</b>

## FY 24 COUNTY OF YORK TAX ASSESSMENT

MUNICIPALITY	2023	FY24	% OF FY24	% OF FY24
	STATE VALUATION	COUNTY TAX	COUNTY TAX	BUDGET
		0.0421%		
ACTON	\$894,650,000.00	\$376,581.97	1.92%	1.61%
ALFRED	\$441,600,000.00	\$185,881.18	0.95%	0.79%
ARUNDEL	\$660,100,000.00	\$277,853.64	1.41%	1.19%
BERWICK	\$950,300,000.00	\$400,006.53	2.03%	1.71%
BIDDEFORD	\$3,595,900,000.00	\$1,513,609.90	7.70%	6.46%
BUXTON	\$1,195,100,000.00	\$503,049.36	2.56%	2.15%
CORNISH	\$196,250,000.00	\$82,606.84	0.42%	0.35%
DAYTON	\$308,700,000.00	\$129,940.04	0.66%	0.55%
ELIOT	\$1,258,450,000.00	\$529,715.06	2.69%	2.26%
HOLLIS	\$681,400,000.00	\$286,819.37	1.46%	1.22%
KENNEBUNK	\$3,540,950,000.00	\$1,490,479.98	7.58%	6.36%
KENNEBUNKPORT	\$3,354,550,000.00	\$1,412,019.27	7.18%	6.03%
KITTERY	\$2,408,700,000.00	\$1,013,885.86	5.16%	4.33%
LEBANON	\$810,600,000.00	\$341,203.09	1.74%	1.46%
LIMERICK	\$451,000,000.00	\$189,837.89	0.97%	0.81%
LIMINGTON	\$502,700,000.00	\$211,599.79	1.08%	0.90%
LYMAN	\$796,300,000.00	\$335,183.84	1.70%	1.43%
NEWFIELD	\$365,200,000.00	\$153,722.39	0.78%	0.66%
NORTH BERWICK	\$968,550,000.00	\$407,688.44	2.07%	1.74%
OGUNQUIT	\$2,025,250,000.00	\$852,481.56	4.34%	3.64%
OLD ORCHARD BEACH	\$2,428,200,000.00	\$1,022,093.93	5.20%	4.36%
PARSONSFIELD	\$279,900,000.00	\$117,817.35	0.60%	0.50%
SACO	\$3,198,550,000.00	\$1,346,354.72	6.85%	5.74%
SANFORD	\$2,123,150,000.00	\$893,690.27	4.54%	3.81%
SHAPLEIGH	\$811,200,000.00	\$341,455.64	1.74%	1.46%
SOUTH BERWICK	\$972,350,000.00	\$409,287.96	2.08%	1.75%
WATERBORO	\$1,109,600,000.00	\$467,060.14	2.38%	1.99%
WELLS	\$4,442,200,000.00	\$1,869,840.07	9.51%	7.98%
YORK	\$5,946,500,000.00	\$2,503,039.92	12.73%	10.68%
<b>TOTAL(S)</b>	<b>\$46,717,900,000</b>	<b>\$19,664,806.00</b>	<b>100.00%</b>	<b>83.91%</b>
MIL RATE %	0.0421%			16.09%
				<i>ESTIMATED REV</i>
<b>Supplemental information</b>				
	<b>BUDGET</b>		<b>ASSESSMENT</b>	
\$23,435,503.51	FY22 EXPENDITURE BUDGET		\$ 10,145,767.00	COUNTY SHARE
(\$3,770,697.51)	FY22 REVENUES		\$ 9,519,039.00	JAIL SHARE
\$19,664,806.00	budgeted assessment		\$ 19,664,806.00	NET TO BE RAISED

**From:** [Reader 101](#)  
**To:** [Selectmen Board Clerk](#)  
**Subject:** Please pass on to Select Board for next meeting  
**Date:** Tuesday, May 30, 2023 2:03:53 PM

---

Hi Lindsay,

It does not look like I will be able to attend the next select board meeting. Could you please pass on the following to the selectboard. I would like this to be read out loud at the meeting, as this is the kind of positivity I think our town needs right now!!!

On Thursday May 25th I attended an EcoMaine board meeting. After the meeting I was approached by a South Portland board member who had previously been on the phone with our CEO, Brenda. This person wanted me to know that our CEO "was the nicest CEO she has ever dealt with".

I did share this with Brenda via email on the 26th but think this would be great information to share with the rest of the town.

Thanks and let me know if you have any questions,  
Amber



Virus-free [www.avg.com](http://www.avg.com)



# ITEM #3: (a.) Minutes

Town of Lyman  
Select Board Regular Meeting Minutes  
Monday May 15<sup>th</sup>, 2023 – Lyman Town Hall

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

**Selectboard members absent:** None

## ITEM #1

### SPECIAL OFFERS/ PRESENTATIONS

a. Public Hearing regarding discontinuance of Old Kennebunk Road, or a portion of, by abandonment

**Ben McCall** – States he is an attorney representing Chip Basset, owner of Map 3, Lot #84. They have no objection to the board declaring the road discontinued by abandonment, however the concerning issue would be if a public easement was not retained. Without an easement being retained, this will have detrimental consequences to property owners possibly losing their access to their property along this road.

**Chris Piazzi** – States a portion of the road starting from Old North Berwick Road up to the Hissong Ready Mix quarry has been maintained by the Town and property owners would believe this section is still a Town Road. As for the other section between the two gates, he understands this section has not been maintained.

**Saul Feder** – States people drive up and down this road all the time with regard to one section that may be closed from time to time. He doesn't think it would be wise to leave the road to the property owners to do as they wish.

**Eric Boise** – States the road commissioner explained to him the road would be asphalted and maintained by the Town. Abandoning the road would create issues with property values and be detrimental to the residents that live on the road.

**Roz Anton** – States she is real-estate agent and was able to confirm that this road is a public road.

**Wendy Karen** – Asks if the abutting landowners would be responsible for repairing and maintaining the road after it's abandoned.

**Max Harper** – States this road should continue to be a Town Road.

**Brad Morin** – Legal counsel for the Town of Lyman. States records indicate this road was voted by the town to be abandoned in 1993 and at that time there was evidence to support the road had not been maintained for a long time. However, in 1993 proper notices may not have been sent out making this an invalid attempt to abandon the road. More recently, the board was asked to clarify the status of the road and retain a public easement in an effort to protect property owners' access to their property. A town has the ability to declare a road abandoned if for 30 or more years it hasn't been maintained at the expense of the Town. Regardless of whether other people have been driving down the road, the Town has not been maintaining a portion of this road for a long time. If the board voted to declare the road discontinued by abandonment the board would also have to decide whether to retain a public easement which would include access by foot or motor vehicle and utilities. After the appeals timeline, this would be filed in the registry of deeds. If there is a section that has been maintained, the board would not be able to declare that section abandoned.

**David Alves** – Asks if the board voted to retain a public easement if there would be any obligation to contribute more on that road beyond the public easement.

**Brad Morin** – Explains the Town would not be obligated to maintain that section, but the public easement would ensure that other property owners could access their property. In some cases, property owners could establish their own private road association to maintain their road.

Town of Lyman  
Select Board Regular Meeting Minutes  
Monday May 15<sup>th</sup>, 2023 – Lyman Town Hall

**David Alves** – Asks if a subdivision were going in beyond the gates where the section has not been maintained would that not be a part of the planning board's decision for that road to continue to be a road if it were built to standards?

**Brad Morin** – States if that section has been abandoned, regardless of whatever decision is made by the Planning board, there's no obligation by the Town to maintain that section you're referring to.

**Josh Eon** – Asks if the board abandons the road and a property owner logs their property and ends up making the road impassable from damages who would be responsible for repairing any damages?

**Brad Morin** – States the landowners can enforce their own road maintenance agreement and create their own association.

**Steve Sterns** – Asks if the board maintains a public easement will the gates stay and be locked? If the gates come down, who would be responsible for any illegal dumping?

**David Alves** – States he doesn't believe it would be gated if there's a public easement there.

**Brad Morin** – States the Town wouldn't have the ability to enforce any road agreement on the property owners, but the property owners could form a statutory road association.

**Josh Eon** – Asks if the gate was in Alfred or Lyman?

**John Tibbetts** – States it's not known.

**Alan Shepard** – States there's a lot of private roads in Maine and people do find a way to figure it out. He would recommend a public easement be retained.

**Vicky Gavel** – States the Town has cleaned tons of debris out of that area from illegal dumping.

**Paul Thurston** – States he lives on the road in that area, and this is accurate that illegal dumping was an issue, however this was many years ago and now more recently the dumping hasn't been an issue for what he believes there is more activity and eyes on the area.

**Thomas Plumber** – States he lives near the gate towards the Alfred side. He sees a lot more activity on that road from pedestrians and vehicles since the gates have been opened and he hasn't seen a trash problem this year. He would like a public easement to be retained for continued public access.

There are no further public comments. The public hearing closes at 6:36pm.

**b. [Public Hearing regarding warrant articles 2-41 for Annual Town Meeting scheduled June 15<sup>th</sup>, 2023](#)**

**Ralph Blackington** – Opens the public hearing and states if anyone has any certain questions on certain items to address the board.

**Carol Baker Roux** – States the board had mentioned that other Towns combine Town Clerk with Town Manager. She asks if in the HR Job study did the board find that other Towns combine the Treasurer with the Town Manager and why did they not go that route? How did the board find how other comparable Towns are structured and if those Towns also have a Road Commissioner?

**Carrie Jo Sampson** – States she remembers last year when there was a vacancy of the Select Board Clerk position and some of the tasks were absorbed by in-house staff, how will the board accomplish combining two full time positions and why do we need to expand the Town Hall if there will be less employees?

**Don HERNON** – States the board had decided to combine the Town Manager with Town Clerk, and he feels this should go to the voters at the Annual Town meeting. As a member of the Charter Commission, it was not the intent of the commission to eliminate the Town Clerk position. We voted for a Town Manager form of government to serve as a buffer between elected officials and employees because in the past there were allegations of elected members interfering with the conduct of Town business. It is his opinion that this is the reason why the Charter Commission decided to implement a Town manger position. He asks if it's reasonable to combine the two

Town of Lyman  
Select Board Regular Meeting Minutes  
Monday May 15<sup>th</sup>, 2023 – Lyman Town Hall

positions and expect one person to fulfil the duties. He asks if there has been any issue with in-person voting or absentee voting with the elections. He asks what the board would do in the interim of not having a Town Manager.

**John Tibbetts** – States in the HR study the board did find Towns that combined Town Clerk with Town Manager and they seemed to make it work. One thing the study revealed for him was that the Town Manager and Select Board clerk functions are somewhat similar in their nature. He agrees, some Towns combine treasurer with Town Manager, but they were graded at a higher level of pay. As it stands right now, if we leave every position as it is we will have no space to seat a Town Manager. We would also be faced with raising the salary for that position. Even with the Town Hall expansion, you're looking at a couple of years possibly down the road and the way the Charter is written, it does not provide any ramp up to establishing a Town Manager as in timelines or getting certain things in order. In this way combining the two positions gave the Town some time and the process for a Town Manager that could be started. It was a difficult problem the board had to solve.

**Jessica Picard** – States Waterboro is an example with a combined Town Manager, Town Clerk. The charter vote took the clerk function from elected to appointed. We have an elected official's term coming to an end which from her perspective prompted looking at combining the roles. Also, she adds it wouldn't be the Town Manager alone performing all these functions just like it's not the Town Clerk alone performing all their functions because they are able to deputize other people to assist.

**Carol Baker Roux** – Asks about Article 32 to see if the Town will authorize funding at last years level if this would mean that should the people vote down the salary article because they feel the Town Clerk should be included, is this article there to correct the salary line in being able to keep a separate Town Clerk position?

**Jessica Picard** – States if the Town voted not to approve the first salary line item and then instead voted to fund at this current year's level that doesn't mean we automatically stick with having a separate Town Clerk position. Just the same if an employee resigns, that doesn't mean we can't make adjustments to try to fill that position such as combining it with another position.

**Pauline Weiss** – States the board could have looked at other options and there were other members of the Budget Committee and Select Board that made recommendations. She states she doesn't think the Select Board Clerk and Town Manager positions compare to each other. She suggests to the board to keep the Town Clerk position as a separate position. The board could rescind their prior vote and change the salary total and vote again. With paying hourly positions they can get overtime and with the Town Clerk being salary that would take care of that issue. It was stated several times throughout Select Board meetings that if the Town Clerk position was kept separate then the current Town Clerk would have to apply for the job. The Town Policy currently outlines the board has the authority to hire from within without externally posting the job vacancy. Town employees shall be given maximum opportunity for advancement.

There are no further public comments. The Board closes the public hearing at 7:06pm.

**The board opens into their regular meeting and discusses making a decision regarding Old Kennebunk Road.**

**David Alves** – **Motions to declare abandonment of Old Kennebunk Road a section starting at a gate which is approximately seven tenths of a mile from Old North Berwick Road and continuing 1.88 miles more or less in a Westerly direction to the Alfred Town Line.**

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

Town of Lyman  
Select Board Regular Meeting Minutes  
Monday May 15<sup>th</sup>, 2023 – Lyman Town Hall

**David Alves – Motions to retain a public easement for the abandoned portion of Old Kennebunk Road.**

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

**Brad Morin –** Suggests the motion should also include specifications of the law.

**David Alves – Motions the public easement retained will be for all purposes allowed by Maine law, foot motor vehicle and utilities.**

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

**Brad Morin –** States he can prepare findings of evidence supporting that section of the road has not been maintained by the Town and will summarize them in writing. He'll get a certificate the board can sign and record in the registry of deeds.

**ITEM #2**

**HEARING OF DELEGATIONS / PUBLIC INPUT**

- a. *Public Input – Public in attendance will have up to 5 minutes to address the Board. Please use the podium to address the board.*

**Vicky Gavel –** States she was asked to do some work for the Cemetery committee to help clean up some brush and was told she would have to fill out paperwork for insurance requirements and she feels this is tedious and overreaching.

**Don Hernon –** Reads a statement to the Select Board regarding the subject of bias. He was present at the last Select Board meeting and David Alves made a statement that I had a personal bias or animosity toward him. Don states this is untrue. He discusses David Alves prior site plan review applications, and he believes as a planning board member he evaluated these plans fairly. If anyone should believe there is a conflict of interest or bias, they need to address the planning board in accordance with the Planning Board bylaws. He asks if the Select board has their own code of ethics or bylaws pertaining to conflict of interest or bias and what is the process for a Lyman resident to challenge a select board member with a perceived conflict of interest or bias issue?

- b. Mail  
c. Complaints

**ITEM #3**

**MINUTES**

- a. *Review / Approve meeting minutes 5/1/2023.*

**David Alves – Motions to approve. Jessica Picard seconds the motion. Motion passes: 5-0-0**

**ITEM #4**

**SIGN WARRANTS**

- a. *Payroll Warrant #49 in the amount of \$24,070.09*

**David Alves – Motions to approve. Thomas Hatch seconds the motion. Motion passes: 5-0-0**

- b. *Accounts Payable Warrant #48 (FY2023) in the amount of \$77,006.19*

**Thomas Hatch – Motions to approve. Jessica Picard seconds the motion. Motion passes: 5-0-0**

**ITEM #5**

**UNFINISHED BUSINESS**

- a. *Stagecoach Road, discussion from last meeting, Updates from second opinion, land use attorney.*

**Lindsay Gagne –** Explains Town Council had verified this road was voted abandoned by Town Warrant in 1921 and there was no public easement retained. Town Council also verified there are no deeds necessary, and the property reverts back to the abutters to the centerline of the road. Essentially this becomes private property now and each property owner would have the right to either bar access through their property or allow others to pass. On the second opinion given regarding issuing building permits, we spoke with a land use attorney who advised that the CEO could issue a building permit provided that the property met all the dimensional requirements in the

Town of Lyman  
Select Board Regular Meeting Minutes  
Monday May 15<sup>th</sup>, 2023 – Lyman Town Hall

- zoning ordinance, however the CEO or the Town could not do anything with the access issue. That would be a separate issue the property owner would have to take up with their neighbor. If the road was in such disrepair, the CEO could make a judgment based off the definition of “road” in the zoning ordinance. If they felt the road did not meet the definition outlined in the zoning ordinance, then the CEO could deny a building permit until the road was brought up to current standards. These aren’t easy answers to help the CEO in dealing with these issues, although, in some cases, such as what was recently brought to the board, if a property owner on one side of the road were to allow access on their property, it may be a worthwhile venture for someone looking for access to their lot to talk to that property owner and see if they’d be willing to grant them a wider right of way to get vehicles through. Otherwise, there can be civil issues between abutting landowners and the attorney advised the Town not to get involved in access issues as the Town wouldn’t have any authority of enforcement.
- b. [RFP – IT Remote Managed Services – Review RFPs, tabled from last meeting](#)  
**Ralph Blackington** – Suggest sticking with either company based out of Maine.  
**David Alves** – States the board figured with Burgess there was a potential the added fees for other services may cost more than Bean Data  
**Jessica Picard** – **Motions to award the bid to Bean Data**  
**John Tibbetts** – **Seconds the motion. Motion passes: 5-0-0**
- c. [Review quotes for Town Audit. Current contract expires June, 2023](#)  
**Jessica Picard** – **Motions to award the auditing services contract to Maine Municipal Audit Services from June 30<sup>th</sup>, 2024 to June 30<sup>th</sup>, 2028.**  
**John Tibbetts** – **Seconds the motion.**  
**Thomas Hatch** – **Verifies the price quoted was the same as last year.**  
**Motion passes: 5-0-0**
- d. [Review Quotes for Propane 1-year contract. Current contract expires 4/2023, extended to May.](#)  
**Jessica Picard** – Confirms the Town owns the tanks, and this doesn’t require having to change out anything.  
**Jessica Picard** – **Makes a motion to go with the Down East Energy Quote**  
**Thomas Hatch** – **Suggests we contact them to verify the season term.**  
**Motion passes: 5-0-0**
- e. [Franchise Agreement – Update from Tony Vigue](#)  
**Lindsay Gagne** – States Tony suggested putting together a draft ordinance and gave two examples from two different towns, one being less restrictive and the other being more restrictive and suggested we try to come up with something in the Middle. The board can schedule a workshop with Tony to start discussions on drafting an ordinance.  
**Jessica Picard** – Asks if this should go to the Ordinance Review Committee to work out.  
**Lindsay Gagne** – States the Board was reviewing this because under state statute the Select Board has the authority to pass a Franchise Ordinance without it going to Town Vote.  
**A workshop is scheduled for May 22<sup>nd</sup>, 2023 at 6:00pm.**

**ITEM #6**

**DEPARTMENT AND COMMITTEE REPORTS**

- a. [Road Commissioner](#) –  
**Brad Nikel** – States from recent storms, there has been some damage at the snowplow turnaround section on Oscar Littlefield Road. This has been cleaned up and taken care of. There is also a tree down on Clarks Woods Road that he has scheduled clean up for that site, as well as, that side of the road will be trimmed out for trees hanging over the edge of the road.

Town of Lyman  
Select Board Regular Meeting Minutes  
Monday May 15<sup>th</sup>, 2023 – Lyman Town Hall

- b. **Fire Chief –**  
**Matt Duross** – States GMFR is back to full staff. MX 207 has cooperated with the requests made by the Planning Board and so far, he's seen a decrease in calls out to that area.
- c. **CEO – none**
- d. **Parks & Recs – Request for approval to collect donations to purchase new playground equipment.**  
**Jessica Picard** – **Makes a motion to approve Parks and Recs request to create an expendable trust fund as outlined in the letter.**  
**Thomas Hatch** – **Seconds the motion. Motion passes: 5-0-0**
- e. **Tax Clerk – April 2023 Monthly Report** – Report submitted in agenda packet.
- f. **Treasurer – Expense Report May 11<sup>th</sup>, 2023** - Report submitted in agenda packet.
- g. **Town Hall Expansion Committee –**  
**David Alves** – States the land survey was completed and he will get a copy for the board.
- h. **Other - none**

**ITEM #7**

**NEW BUSINESS**

- a. **Review/ approve added Warrant Article 42 & 43 for Annual Town Meeting June 15<sup>th</sup>, 2023**  
**Schedule public hearing**  
**Lindsay Gagne** – Explains GMFR sold some equipment and wants to move money received into the reserve accounts.  
**David Alves** – **Makes a motion to add article 42 and 43 to the warrant as written.**  
**Thomas Hatch** – **Seconds the motion.**  
**Jessica Picard** – **states this is the Lyman portion of the money that a certain amount will be put into the vehicle reserve account and another portion will be put into the facility capital fund.**  
**The board will hold a public hearing to go over the two added articles on June 5<sup>th</sup>, 2023 at 6:00pm.**
- b. **Brian Dulong – Discussion regarding snowmobile club lease, see email**  
**Brian Dulong** – Asks the board to take a vote to renew the lease with the Lyman Snowmobile Club. Currently we do not have a formal written lease, we have a tenancy at will which the board could evict us at any time. The club doesn't feel comfortable putting money into something they could lose tomorrow.  
**David Alves** – States the board is trying to complete a land study in conjunction with the comprehensive plan and at least give the Town the information and ability to determine what actions to take. He's hoping the Lyman Snowmobile Club can become a formal entity, but the land study would have to come first. The Town voted to give the Club a lease, but at this time the lease has expired which is why the Club has a tenancy at will.  
**Ralph Blackington** – Asks what the club would look for on timelines or a compromise for a lease.  
**Brian Dulong** – States the Club had 5-year increments in the last lease. He would like to see 10-year increments.  
**David Alves** – States the compromise is the tenancy at will and no one is going to just vote them out.  
**John Tibbetts** – doesn't believe the comprehensive plan deals specifically with Town-Owned land. We're also a couple years away from revamping the comprehensive plan or any ordinances.  
**Lindsay Gagne** – States there are legal requirements even for tenancy at will that proper notice is given to the tenant.  
**David Alves** – States he doesn't think it's right to tie up a property for five years when we're in the process of figuring out what to do with all these land parcels. He asks if the club is a private or a public club, if Brian Dulong was appointed or elected as the president, how are they welcoming the community in the club and what community activities does the club contribute to?

Town of Lyman  
Select Board Regular Meeting Minutes  
Monday May 15<sup>th</sup>, 2023 – Lyman Town Hall

**Brian Dulong** – States he was elected as president. People can join to be a club member. The club has offered the historical society the opportunity to use the building, however they had some requirements for climate control. He would like to see the boy scouts have a camp there. Meetings are posted on the club's Facebook page.

**Thomas Hatch** – States he agrees with completing the land study. Even if there may be potential to sell or divide that land, these trails are all over private land and can be lost at any time.

**Jessica Picard** – States because we are looking into the land study she would suggest a compromise on the lease agreement, such as maybe a 1-year term. She suggests looking into options for a lease.

**David Alves** – States after the land study there wouldn't be any reason not to consider doing a lease. He recommends staying with the tenancy at will until the land study is done.

c. [Michelle Felicitti – Discussion regarding RFP for ARPA funded projects](#)

**Michelle Felicitti** – States she looked at the RFPs that were posted for the ARPA projects. She understands Bunganut Lakeside RFP hasn't been completed yet, but she had some questions about the field side of Bunganut. She asks if there is a well on the field side and if there is well on the lake side. The ARPA committee recommended a well on the field side but if there was money left over. She also asks about the concession stand and if this was part of the ARPA recommendations.

**Ralph Blackington** – States there is no well on the field side but there is a well on the lake side. He based his RFPs off of the list that the ARPA committee gave the board which included a well on the field side. He has to price out these things to determine how much money it might cost before the board can determine what projects are worth getting into.

**Michelle Felicitti** – Asks how these things being put in the park will pay for themselves. Rather than installing a well could there just be a water fountain installed. She asks about the building owned by the Boy scouts if there is anything going on with that.

**Thomas Hatch** – States he is still looking into the boy scouts building.

d. [Davis Road Lease exp 6/2023, request to renew, see email.](#)

**David Alves** – Suggests we do a tenancy-at-will until a land study is completed before considering drawing up a lease.

**David Alves** - **Makes a motion to extend the land lease agreement at Davis Road (the pit) to Steel Nickel for a month to basis as a tenancy at will.**

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

e. [Rustic Dreams Catering Application Renewal, review/approve.](#)

**Jessica Picard** – **Makes a motion to approve Rustic Dreams Catering application.**

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

**Jessica Picard** – **States they've been a good addition to the town.**

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

f. [Appointment, review/approve committee application for Bunganut Committee](#)

•William Single •Michelle Felicitti •Karen Kane •Holly Hart •Kevin Veilleux

**David Alves** – **Makes a motion to approve Michelle Felicitti, Holly Hart, Karen Kane, and Kevin Veilleux for the Bunganut Committee and the IT committee appoint William Single and Nigel Sampson**

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

**David Alves** – **States he spoke with the applicants about his suggestion of appointment.**

**Jessica Picard** – **States there are open seats on the IT committee so this will not just consist of two members.**

**Motion Passes: 5-0-0**

g. [Appointment, review/approve committee application for IT Committee](#)

•William Single •Michelle Felicitti •Nigel Sampson

Town of Lyman  
Select Board Regular Meeting Minutes  
Monday May 15<sup>th</sup>, 2023 – Lyman Town Hall

See Item #7, (f)

h. [Resignation from Board of Assessment Review, Charles Harrison.](#)

**Jessica Picard – Makes a motion to accept the resignation of Charles Harrison on the Board of Assessment Review.**

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

i. [Appointment, review/approve deputy treasurer.](#)

**David Alves – Makes a motion to appoint Lindsay Gagne as deputy treasurer.**

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

**OTHER**

**David Alves** – Asks the board if any of them would agree to amend the warrant article question as recommended by the Town Clerk.

Members of the board, Jessica Picard, John Tibbetts, Thomas Hatch and Ralph Blackington all state they do not agree with the amendment.

**EXECUTIVE SESSION**

[1.M.R.S.A §405 \(A\) Personnel Matters](#)

**Thomas Hatch – Makes a motion to go into executive session for M.R.S.A 405 (A) Personnel Matters**

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

**Jessica Picard – Makes a motion to come out of executive session.**

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

**Jessica Picard – Makes a motion to accept the resignations dated May 12<sup>th</sup> 2023 and May 15<sup>th</sup> 2023**

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

**ADJOURN**

**Jessica Picard – Makes a motion to adjourn. David Alves seconds the motion. Motion Passes: 5-0-0**

\_\_\_\_\_  
Ralph “Ralph” Blackington (Chair)

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

\_\_\_\_\_  
Thomas Hatch (Vice Chair)

\_\_\_\_\_  
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 8 pages are the original minutes of the Board of Selectmen Regular Meeting dated May 15<sup>th</sup> 2023

\_\_\_\_\_  
Lindsay Gagne



# ITEM #4 (a.) Payroll Warrant

LYMAN  
8:02 AM

## Payroll Check Register

Pay Date: 05/31/2023

05/25/2023  
Page 1

Check	D / D	Check	Amount	Date	Employee
-------	-------	-------	--------	------	----------

### Employee Checks

1	1,440.68	0.00	1,440.68	05/31/23	79 SUSAN J BELLEROSE
2	113.68	0.00	113.68	05/31/23	032 DANA A CARTER
3	1,902.64	0.00	1,902.64	05/31/23	029 BRENDA D CHARLAND
4	1,458.24	0.00	1,458.24	05/31/23	028 LINDSAY GAGNE
5	1,895.46	0.00	1,895.46	05/31/23	016 LAURIE L GONSKA
6	117.94	0.00	117.94	05/31/23	05 SHIRLEY A HARRISON
7	256.42	0.00	256.42	05/31/23	007 THOMAS M HOLLAND
8	1,209.16	0.00	1,209.16	05/31/23	019 HOLLI L HUTCHINS
9	1,737.10	0.00	1,737.10	05/31/23	015 JEANETTE E LEMAY
10	801.12	0.00	801.12	05/31/23	036 JULIE LEMIEUX
11	1,046.47	0.00	1,046.47	05/31/23	041 RANDALL L MURRAY
12	1,021.53	0.00	1,021.53	05/31/23	005 BRADLEY J NIKEL
13	330.53	0.00	330.53	05/31/23	19 BRIAN D. RACICOT
14	491.08	0.00	491.08	05/31/23	002 DAVID W RILEY
15	89.56	0.00	89.56	05/31/23	020 DAVID H SANTORA
16	31.86	0.00	31.86	05/31/23	34 IRENE C SINGLE
17	241.12	0.00	241.12	05/31/23	40 RAYMOND J VALLIERE
18	1,549.54	0.00	1,549.54	05/31/23	76 PAULINE F WEISS
<b>Total</b>	<b>15,734.13</b>	<b>0.00</b>	<b>15,734.13</b>		

### Direct Deposit Checks

19	0.00	15,734.13	15,734.13	05/31/23	D / D 1 BIDDEFORD SAVINGS BANK
<b>Total</b>	<b>0.00</b>	<b>15,734.13</b>	<b>15,734.13</b>		

### Trust & Agency Checks

20	0.00	5,501.94	5,501.94	05/31/23	T & A 1 I.R.S.
21	0.00	1,044.90	1,044.90	05/31/23	T & A 3 ICMA
22	0.00	1,043.73	1,043.73	05/31/23	T & A 2 MAINE REVENUE SERVICES
23	0.00	1,165.17	1,165.17	05/31/23	T & A 9 MPERS
<b>Total</b>	<b>0.00</b>	<b>8,755.74</b>	<b>8,755.74</b>		

### Summary

Checks:	Regular	0.00	18
	D / D	15,734.13	1
	Employee	15,734.13	
	T & A	8,755.74	4
	Voided		0
<b>Total</b>		<b>24,489.87</b>	<b>23</b>

WARRANT: 50

Check	D / D	Check	Employee	Gross Pay
1	1,440.68	0.00	79 SUSAN J BELLEROSE	2,007.56
2	113.68	0.00	032 DANA A CARTER	123.09
3	1,902.64	0.00	029 BRENDA D CHARLAND	2,775.14
4	1,458.24	0.00	028 LINDSAY GAGNE	1,925.00
5	1,895.46	0.00	016 LAURIE L GONSKA	2,913.46
6	117.94	0.00	05 SHIRLEY A HARRISON	127.71
7	256.42	0.00	007 THOMAS M HOLLAND	286.85
8	1,209.16	0.00	019 HOLLI L HUTCHINS	1,497.56
9	1,737.10	0.00	015 JEANETTE E LEMAY	2,405.15
10	801.12	0.00	036 JULIE LEMIEUX	1,092.00
11	1,046.47	0.00	041 RANDALL L MURRAY	1,515.25
12	1,021.53	0.00	005 BRADLEY J NIKEL	1,458.00
13	330.53	0.00	19 BRIAN D. RACICOT	413.46
14	491.08	0.00	002 DAVID W RILEY	531.76
15	89.56	0.00	020 DAVID H SANTORA	96.98
16	31.86	0.00	34 IRENE C SINGLE	34.50
17	241.12	0.00	40 RAYMOND J VALLIERE	261.10
18	1,549.54	0.00	76 PAULINE F WEISS	2,186.54
19	0.00	15,734.13	D / D 1 BIDDEFORD SAVINGS BANK	
20	0.00	5,501.94	T & A 1 I.R.S.	
21	0.00	1,044.90	T & A 3 ICMA	
22	0.00	1,043.73	T & A 2 MAINE REVENUE SERVICES	
23	0.00	1,165.17	T & A 9 MPERS	
<b>Total</b>	<b>15,734.13</b>	<b>24,489.87</b>		<b>21,651.11</b>

Put into A/P **8,755.74**  
 Taken out of A/P **(8,755.74)**  
**Total Payroll 24,489.87**

**Count**  
 Checks 23

TO THE MUNICIPAL TREASURER OF LYMAN, MAINE: THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED ABOVE 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 \_\_\_\_\_  
 JESSICA PICARD \_\_\_\_\_

# ITEM #4: (b.) AP Warrant

Lyman  
8:23 AM

## A / P Check Register

Bank: BIDDEFORD SAVINGS

06/01/2023  
Page 1

Type	Check	Amount	Date	Wrnt	Payee
P	9768	101.00	05/11/23	51	0643 TREASURER, STATE OF MAINE
P	9769	4,505.77	05/11/23	51	0647 TREASURER, STATE OF MAINE
P	9770	14,336.12	05/12/23	51	0569 SECRETARY OF STATE
P	9771	15,265.48	05/25/23	51	0569 SECRETARY OF STATE
P	9772	13,717.80	06/01/23	51	0569 SECRETARY OF STATE
R	9773	515.68	06/05/23	51	0218 AMAZON CAPITAL SERVICES
R	9774	1,606.50	06/05/23	51	0022 BEAN DATA
R	9775	227.90	06/05/23	51	0208 CHAMPAGNE'S ENERGY
R	9776	64.00	06/05/23	51	0994 CINTAS CORPORATION- # 758
R	9777	125.00	06/05/23	51	0211 CRIPPLE CREEK CORPORATION
R	9778	460.00	06/05/23	51	0111 CYN ENVIRONMENTAL SERVICES
R	9779	4,961.25	06/05/23	51	0239 DAVID MAYNES
R	9780	1,270.00	06/05/23	51	0133 DAVID W. RILEY
R	9781	392.50	06/05/23	51	0151 DAYTON SAND & GRAVEL, CO.,INC.
R	9782	884.58	06/05/23	51	0266 DB EQUIPMENT SERVICES
R	9783	3,209.10	06/05/23	51	0056 EDISON PRESS
R	9784	782.54	06/05/23	51	0179 ELECTION SYSTEMS & SOFTWARE, INC
R	9785	3,800.00	06/05/23	51	0155 GERARD TREE SERVICE
R	9786	46,837.50	06/05/23	51	0233 GOODWINS MILLS FIRE & RESCUE
R	9787	10.00	06/05/23	51	0184 JEANETTE LEMAY
R	9788	500.00	06/05/23	51	0230 JESSICAS CLEANING SERVICE
R	9789	5,830.09	06/05/23	51	0311 KCB LANDSCAPING
R	9790	20.20	06/05/23	51	0322 KENNEBUNK LIGHT & POWER DISTRICT
R	9791	132.97	06/05/23	51	0131 LAURIE GONSKA
R	9792	100.00	06/05/23	51	0367 M A A O
R	9793	8,989.75	06/05/23	51	0376 M M E H T
R	9794	160.50	06/05/23	51	0414 MAINE MUNICIPAL ASSOCIATION
R	9795	666.92	06/05/23	51	1111 MARCEL DESROSIERS
R	9796	5,942.00	06/05/23	51	0034 MEMIC
R	9797	1,620.00	06/05/23	51	0112 MURPHY APPRAISAL SERVICES
R	9798	142.00	06/05/23	51	0036 NORTH COAST SERVICES
R	9799	900.00	06/05/23	51	0256 POTTYS-R-US
R	9800	127.48	06/05/23	51	0084 READYREFRESH BY NESTLE
R	9801	57.00	06/05/23	51	0502 REGISTRY OF DEEDS
R	9802	458,624.90	06/05/23	51	0419 RSU #57
R	9803	66.67	06/05/23	51	0048 SHEILA MCNEIL
R	9804	195.96	06/05/23	51	0224 SPECTRUM/TIME WARNER CABLE
R	9805	1,958.00	06/05/23	51	0360 STEELE NICKEL INC
R	9806	4,750.00	06/05/23	51	0250 STEPHEN W. EVERETT PLS
R	9807	286.89	06/05/23	51	0062 THOMAS HOLLAND
R	9808	117.69	06/05/23	51	0148 VERIZON WIRELESS
R	9809	276.73	06/05/23	51	0985 WARRENS OFFICE SUPPLIES
V	9810	0.00	06/05/23	51	0021 WATERBORO REPORTER
R	9811	1,410.00	06/05/23	51	0021 WATERBORO REPORTER
P	99999	462.00	06/05/23	51	0095 CARDMEMBER SERVICE
P	99999	22.00	06/05/23	51	0095 CARDMEMBER SERVICE
P	99999	7.20	06/05/23	51	0095 CARDMEMBER SERVICE

**A / P Check Register**  
Bank: BIDDEFORD SAVINGS

Type	Check	Amount	Date	Wrnt	Payee
P	99999	299.50	06/05/23	51	0095 CARDMEMBER SERVICE
P	99999	19.99	06/05/23	51	0095 CARDMEMBER SERVICE
P	99999	966.20	06/05/23	51	0095 CARDMEMBER SERVICE
<b>Total</b>		<b>607,725.36</b>			

<b>Count</b>	
Checks	49
VOIDS	1

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
<b>00218 AMAZON CAPITAL SERVICES</b>						
0657	9773	06	FLAGS FOR MEMORIAL DAY	1FCW-DY1G-FYG1		
FLAGS FOR MEMORIAL DAY			E 161-21-90-940		65.49	0.00
			OTHER / REC PROGRAMS			
			<b>Invoice Total-</b>		<b>65.49</b>	
0657	9773	06	BOOKSHELF	19K7-HH1M-DXJF		
BOOKSHELF			E 191-11-70-730		58.64	0.00
			EQUIPMENT / OFFICE EQUIP			
			<b>Invoice Total-</b>		<b>58.64</b>	
0657	9773	06	FILING CABINET	1GH7-L7DX-TFDD		
FILING CABINET			E 150-31-60-610		120.38	0.00
			SUPPLIES / SUPPLIES			
			<b>Invoice Total-</b>		<b>120.38</b>	
0657	9773	06	FILE MANAGER	16MD-FR7M-YFHX		
FILE MANAGER			E 110-11-60-610		271.17	0.00
			SUPPLIES / SUPPLIES			
			<b>Invoice Total-</b>		<b>271.17</b>	
			<b>Vendor Total-</b>		<b>515.68</b>	
<b>00022 BEAN DATA</b>						
0657	9774	06	JUN 2023	1409		
JUNE 2023			E 110-11-32-310		1,606.50	1,606.50
			CTRCT SVS EQ / PROF SVS			
			<b>Vendor Total-</b>		<b>1,606.50</b>	
<b>00095 CARDMEMBER SERVICE</b>						
0657	99999	06	MICROSOFT	E0600ND77S		
MICROSOFT			E 110-11-32-310		462.00	0.00
			CTRCT SVS EQ / PROF SVS			
			<b>Invoice Total-</b>		<b>462.00</b>	
0657	99999	06	MICROSOFT	E0600NDC9V		
MICROSOFT			E 110-11-32-310		22.00	0.00
			CTRCT SVS EQ / PROF SVS			
			<b>Invoice Total-</b>		<b>22.00</b>	
0657	99999	06	MICROSOFT	E0600ND1Y2		
MICROSOFT			E 110-11-32-310		7.20	0.00
			CTRCT SVS EQ / PROF SVS			
			<b>Invoice Total-</b>		<b>7.20</b>	
0657	99999	06	PAINT	24050562488		
PAINT			E 141-21-40-410		299.50	0.00
			REPAIRS & MA / BLDGS & GROU			
			<b>Invoice Total-</b>		<b>299.50</b>	
0657	99999	06	STAMPS.COM	051723		
STAMPS.COM			E 110-11-60-650		19.99	0.00
			SUPPLIES / POSTAGE			
			<b>Invoice Total-</b>		<b>19.99</b>	
0657	99999	06	TRF STATION PPE	051523		
TRF STATION PPE			E 150-31-60-690		966.20	0.00
			SUPPLIES / PPG			
			<b>Invoice Total-</b>		<b>966.20</b>	
			<b>Vendor Total-</b>		<b>1,776.89</b>	

**00208 CHAMPAGNE'S ENERGY**

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
0657	9775	06	29084-0 PROPANE	1328599		
PROPANE			E 147-11-50-510		227.90	0.00
			UTILITIES / PROPANE			
<b>Vendor Total-</b>					<b>227.90</b>	
<b>00994 CINTAS CORPORATION- # 758</b>						
0657	9776	06	13117643	4155667172		
RUGS-TH			E 141-11-31-310		32.00	0.00
			CTRCT SVS BL / PROF SVS			
<b>Invoice Total-</b>					<b>32.00</b>	
0657	9776	06	13117643	4157156451		
RUGS-TH			E 141-11-31-310		32.00	0.00
			CTRCT SVS BL / PROF SVS			
<b>Invoice Total-</b>					<b>32.00</b>	
<b>Vendor Total-</b>					<b>64.00</b>	
<b>00211 CRIPPLE CREEK CORPORATION</b>						
0657	9777	06	JULY RENT	JULY2023		
JULY RENT			G 1-129-00		125.00	0.00
			PREPAID EXP			
<b>Vendor Total-</b>					<b>125.00</b>	
<b>00111 CYN ENVIRONMENTAL SERVICES</b>						
0657	9778	06	LY3802	91870027-230250		
LY3802			E 150-31-35-358		460.00	0.00
			CTRCT SVS WA / PROF SVS HWO			
<b>Vendor Total-</b>					<b>460.00</b>	
<b>00239 DAVID MAYNES</b>						
0657	9779	06	SERVICES	1250		
SERVICES			E 726-86-90-999		4,961.25	4,961.00
			KENNEB / RESERVES - OTHER / MISC			
<b>Vendor Total-</b>					<b>4,961.25</b>	
<b>00133 DAVID W. RILEY</b>						
0657	9780	06	SERVICES	2022-558		
TOWN HALL TRASH			E 145-11-31-330		30.00	0.00
			CTRCT SVS BL / WASTE SVS			
MOVE ITEMS FROM STOR			E 141-11-31-310		85.00	0.00
			CTRCT SVS BL / PROF SVS			
<b>Invoice Total-</b>					<b>115.00</b>	
0657	9780	06	SERVICES	2022-559		
P&R TRASH REMOVAL			E 145-21-31-330		125.00	0.00
			CTRCT SVS BL / WASTE SVS			
<b>Invoice Total-</b>					<b>125.00</b>	
0657	9780	06	SERVICES	2022-560		
FUELING			E 150-31-40-450		40.00	0.00
			REPAIRS & MA / EQUIPMENT			
<b>Invoice Total-</b>					<b>40.00</b>	
0657	9780	06	SERVICES	2022-561		
ROADS REPAIRS/MAINT			E 131-51-40-483		700.00	0.00
			REPAIRS & MA / RDS/REPAIRS			
ROADS - SIGNS			E 148-51-60-670		290.00	0.00
			SUPPLIES / SIGNS			

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
<b>Invoice Total-</b>					<b>990.00</b>	
<b>Vendor Total-</b>					<b>1,270.00</b>	
<b>00151 DAYTON SAND &amp; GRAVEL, CO., INC.</b>						
0657	9781	06	52800	253494		
52800			E 131-51-40-483		392.50	0.00
			REPAIRS & MA / RDS/REPAIRS			
<b>Vendor Total-</b>					<b>392.50</b>	
<b>00266 DB EQUIPMENT SERVICES</b>						
0657	9782	06	SERVICE BACKHOE	2023-0271		
SERVICE BACKHOE			E 150-31-40-450		884.58	0.00
			REPAIRS & MA / EQUIPMENT			
<b>Vendor Total-</b>					<b>884.58</b>	
<b>00056 EDISON PRESS</b>						
0657	9783	06	TOWN REPORT	1262		
TOWN REPORT			E 110-11-80-850		3,209.10	4,366.07
			ADVER, PRINT / TOWN REPORT			
<b>Vendor Total-</b>					<b>3,209.10</b>	
<b>00179 ELECTION SYSTEMS &amp; SOFTWARE, INC</b>						
0657	9784	06	141369	CD2059890		
141369			E 110-13-39-399		782.54	0.00
			CONT SVS OTH / OTHER			
<b>Vendor Total-</b>					<b>782.54</b>	
<b>00155 GERARD TREE SERVICE</b>						
0657	9785	06	REMOVE TREE CLARKS WOODS	11375		
REMOVE TREE CLARKS WOODS			E 131-51-40-483		3,800.00	0.00
			REPAIRS & MA / RDS/REPAIRS			
<b>Vendor Total-</b>					<b>3,800.00</b>	
<b>00233 GOODWINS MILLS FIRE &amp; RESCUE</b>						
0657	9786	06	JUN 2023	GMFR0623		
JUN 2023			E 186-91-37-391		32,067.00	32,067.00
			CONT OUT / GMFR PERSONN			
JUN 2023			E 186-91-37-392		14,770.50	14,770.50
			CONT OUT / GMFR CONTRAC			
<b>Vendor Total-</b>					<b>46,837.50</b>	
<b>00184 JEANETTE LEMAY</b>						
0657	9787	06	PAY REIMB ACH RETURN	051723		
PAY REIMB ACH KICK OUT			R 110-099		10.00	0.00
			MISC			
<b>Vendor Total-</b>					<b>10.00</b>	
<b>00230 JESSICAS CLEANING SERVICE</b>						
0657	9788	06	CLEANING SERVICES	2911		
TH CLEANING SERVICE			E 141-11-31-310		500.00	0.00
			CTRCT SVS BL / PROF SVS			
<b>Vendor Total-</b>					<b>500.00</b>	
<b>00311 KCB LANDSCAPING</b>						
0657	9789	06	JUN 2023	KCB0623		

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
JUN 2023			E 142-90-31-370		5,380.09	5,380.09
			CTRCT SVS BL / MOWING			
			<b>Invoice Total-</b>		<b>5,380.09</b>	
0657	9789	06	DOWN TREE BUNG BALLFIELD	1006		
DOWN TREE BUNG BALLFIELD			E 141-22-31-310		450.00	0.00
			CTRCT SVS BL / PROF SVS			
			<b>Invoice Total-</b>		<b>450.00</b>	
			<b>Vendor Total-</b>		<b>5,830.09</b>	
<b>00322 KENNEBUNK LIGHT &amp; POWER DISTRICT</b>						
0657	9790	06	2101002-01	050523		
2101002-01			E 147-51-50-560		20.20	0.00
			UTILITIES / ELECTRICITY			
			<b>Vendor Total-</b>		<b>20.20</b>	
<b>00131 LAURIE GONSKA</b>						
0657	9791	06	MILEAGE REIMB	04/03-05/31		
MILEAGE REIMB			E 110-11-90-910		132.97	0.00
			OTHER / MILEAGE/TRAV			
			<b>Vendor Total-</b>		<b>132.97</b>	
<b>00367 M A A O</b>						
0657	9792	06	BRANN TRAINING	1000442099		
BRANN TRAINING			E 102-11-20-280		50.00	0.00
			BENEFITS / TRAINING			
			<b>Invoice Total-</b>		<b>50.00</b>	
0657	9792	06	GONSKA TRAINING	1000442093		
GONSKA TRAINING			E 102-11-20-280		50.00	0.00
			BENEFITS / TRAINING			
			<b>Invoice Total-</b>		<b>50.00</b>	
			<b>Vendor Total-</b>		<b>100.00</b>	
<b>00376 M M E H T</b>						
0657	9793	06	MHT.31171	JUNE 2023		
INSURANCE-EMPLOYEE			G 1-205-00		131.98	0.00
			BENFTS-EMPLE			
HEALTH			E 102-99-20-210		8,453.91	0.00
			BENEFITS / HEALTH			
DENTAL			E 102-99-20-211		394.11	0.00
			BENEFITS / DENTAL			
LIFE NO MED			E 102-99-20-214		9.75	0.00
			BENEFITS / LIFE NO MED			
			<b>Vendor Total-</b>		<b>8,989.75</b>	
<b>00414 MAINE MUNICIPAL ASSOCIATION</b>						
0657	9794	06	GAGNE TRAINING	1000443350		
33170			E 102-11-20-280		85.50	0.00
			BENEFITS / TRAINING			
			<b>Invoice Total-</b>		<b>85.50</b>	
0657	9794	06	GAGNE TRAINING	1000443349		
33170			E 102-11-20-280		75.00	0.00
			BENEFITS / TRAINING			
			<b>Invoice Total-</b>		<b>75.00</b>	
			<b>Vendor Total-</b>		<b>160.50</b>	



Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
<b>01111 MARCEL DESROSIERS</b>						
0657	9795	06	MILEAGE		04/26-05/25	
MILEAGE			E 110-11-90-910		666.92	0.00
			OTHER / MILEAGE/TRAV			
			<b>Vendor Total-</b>		<b>666.92</b>	
<b>00034 MEMIC</b>						
0657	9796	06	1810107099		Q3 & 4 2023	
1810107099			E 117-99-38-326		5,942.00	0.00
			CONT SVS INS / INS W.C.			
			<b>Vendor Total-</b>		<b>5,942.00</b>	
<b>00112 MURPHY APPRAISAL SERVICES</b>						
0657	9797	06	TRAINING GONSKA		051723	
TRAINING GONSKA			E 181-11-33-310		1,620.00	24,200.00
			CONT PROF / PROF SERV			
			<b>Vendor Total-</b>		<b>1,620.00</b>	
<b>00036 NORTH COAST SERVICES</b>						
0657	9798	06	RECYCLE		42280	
RECYCLE			E 150-31-35-350		142.00	0.00
			CTRCT SVS WA / PROF SVS TIP			
			<b>Vendor Total-</b>		<b>142.00</b>	
<b>00256 POTTYS-R-US</b>						
0657	9799	06	PORTA-POTS		25066	
BUNGANUT			E 145-22-35-331		175.00	0.00
			CTRCT SVS WA / PROF PORTA P			
			<b>Invoice Total-</b>		<b>175.00</b>	
0657	9799	06	PORTA-POTS		25129	
CHADBOURNE FIELD			E 145-21-35-331		175.00	0.00
			CTRCT SVS WA / PROF PORTA P			
			<b>Invoice Total-</b>		<b>175.00</b>	
0657	9799	06	PORTA-POTS		25195	
BUNGANUT			E 145-22-35-331		475.00	0.00
			CTRCT SVS WA / PROF PORTA P			
			<b>Invoice Total-</b>		<b>475.00</b>	
0657	9799	06	PORTA-POTS		25203	
KENNEBUNK POND			E 145-21-35-331		75.00	0.00
			CTRCT SVS WA / PROF PORTA P			
			<b>Invoice Total-</b>		<b>75.00</b>	
			<b>Vendor Total-</b>		<b>900.00</b>	
<b>00084 READYREFRESH BY NESTLE</b>						
0657	9800	06	0427507058		5370038027	
H20 0427507058			E 110-11-60-610		127.48	0.00
			SUPPLIES / SUPPLIES			
			<b>Vendor Total-</b>		<b>127.48</b>	
<b>00502 REGISTRY OF DEEDS</b>						
0657	9801	06	3 DISCHARGES		05312023	
DISCHARGES			E 110-11-39-399		57.00	0.00
			CONT SVS OTH / OTHER			
			<b>Vendor Total-</b>		<b>57.00</b>	

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
<b>00419 RSU #57</b>						
0657	9802	06	JUN 2023	SCHL0623		
JUN 2023			E 195-92-90-999		458,624.90	458,624.90
			OTHER / MISC			
			<b>Vendor Total-</b>		<b>458,624.90</b>	
<b>00569 SECRETARY OF STATE</b>						
0657	9770	06	31170	05/05-05/11		
31170			G 1-250-00		14,336.12	0.00
			MTR VEHICLE			
			<b>Invoice Total-</b>		<b>14,336.12</b>	
0657	9771	06	31170	05/11-05/18		
31170			G 1-250-00		15,265.48	0.00
			MTR VEHICLE			
			<b>Invoice Total-</b>		<b>15,265.48</b>	
0657	9772	06	31170	05/18-05/825		
31170			G 1-250-00		13,717.80	0.00
			MTR VEHICLE			
			<b>Invoice Total-</b>		<b>13,717.80</b>	
			<b>Vendor Total-</b>		<b>43,319.40</b>	
<b>00048 SHEILA MCNEIL</b>						
0657	9803	06	REIMB	041523		
REIMB			E 181-15-37-399		22.94	0.00
			CONT OUT / CONT SVS OTH			
			<b>Invoice Total-</b>		<b>22.94</b>	
0657	9803	06	REIMB POWERGEAR	112-6394187-707		
REIMB POWERGEAR			E 181-15-37-399		18.54	0.00
			CONT OUT / CONT SVS OTH			
			<b>Invoice Total-</b>		<b>18.54</b>	
0657	9803	06	REIMB FLAGS	112-1299213-276		
REIMB FLAGS			E 181-15-37-399		25.19	0.00
			CONT OUT / CONT SVS OTH			
			<b>Invoice Total-</b>		<b>25.19</b>	
			<b>Vendor Total-</b>		<b>66.67</b>	
<b>00224 SPECTRUM/TIME WARNER CABLE</b>						
0657	9804	06	202-579149701-001	0010726051223		
202-579149701-001			E 150-31-50-580		195.96	0.00
			UTILITIES / COMM			
			<b>Vendor Total-</b>		<b>195.96</b>	
<b>00360 STEELE NICKEL INC</b>						
0657	9805	06	OSCAR LITTLEFIELD	4374		
OSCAR LITTLEFIELD			E 131-51-40-483		1,958.00	1,958.00
			REPAIRS & MA / RDS/REPAIRS			
			<b>Vendor Total-</b>		<b>1,958.00</b>	
<b>00250 STEPHEN W. EVERETT PLS</b>						
0657	9806	06	TH SURVEY	051623		
TH SURVEY			E 181-11-90-982		4,750.00	0.00
			OTHER / TH FEASIBILI			
			<b>Vendor Total-</b>		<b>4,750.00</b>	

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
<b>00062 THOMAS HOLLAND</b>						
0657	9807	06	MILEAGE	APRIL		
MILEAGE			E 125-72-90-910		93.01	0.00
			OTHER / MILEAGE/TRAV			
			<b>Invoice Total-</b>		<b>93.01</b>	
0657	9807	06	MILEAGE	MAY		
MILEAGE			E 125-72-90-910		193.88	0.00
			OTHER / MILEAGE/TRAV			
			<b>Invoice Total-</b>		<b>193.88</b>	
			<b>Vendor Total-</b>		<b>286.89</b>	
<b>00643 TREASURER, STATE OF MAINE</b>						
0657	9768	06	DOGS	APRIL		
DOGS			G 1-256-00		101.00	0.00
			DOG LIC			
			<b>Vendor Total-</b>		<b>101.00</b>	
<b>00647 TREASURER, STATE OF MAINE</b>						
0657	9769	06	FISH	APRIL		
FISH			G 1-251-00		4,505.77	0.00
			INLAND FISH			
			<b>Vendor Total-</b>		<b>4,505.77</b>	
<b>00148 VERIZON WIRELESS</b>						
0657	9808	06	6423575065-00001	9934118072		
642357065-00001			E 110-11-50-580		117.69	0.00
			UTILITIES / COMM			
			<b>Vendor Total-</b>		<b>117.69</b>	
<b>00985 WARRENS OFFICE SUPPLIES</b>						
0657	9809	06	TOWLYM	518842-00		
TOWLYM			E 110-11-60-610		245.26	0.00
			SUPPLIES / SUPPLIES			
			<b>Invoice Total-</b>		<b>245.26</b>	
0657	9809	06	TOWLYM	518893-00		
TOWLYM			E 110-11-60-610		31.47	0.00
			SUPPLIES / SUPPLIES			
			<b>Invoice Total-</b>		<b>31.47</b>	
			<b>Vendor Total-</b>		<b>276.73</b>	
<b>00021 WATERBORO REPORTER</b>						
0657	9811	06	AD ABSENTEE BALLOT	5360		
AD ABSENTEE BALLOT			E 110-11-80-810		120.00	120.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>120.00</b>	
0657	9811	06	AD MOWING	5360		
AD MOWING			E 110-11-80-810		270.00	270.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>270.00</b>	
0657	9811	06	PLOWING	5360		
PLOWING			E 110-11-80-810		135.00	135.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>135.00</b>	

**A / P Warrant**

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
0657	9811	06	PUBLIC HEARING FUNKY BOW	5360		
ADVERTISING			E 110-11-80-810		60.00	0.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>60.00</b>	
0657	9811	06	PB LEGAL AD	1303		
PB LEGAL AD			E 110-11-80-810		75.00	75.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>75.00</b>	
0657	9811	06	NOMINATION PAPERS	1304		
NOMINATION PAPERS			E 110-11-80-810		90.00	90.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>90.00</b>	
0657	9811	06	AD RFP	1255		
AD RFP			E 110-11-80-810		270.00	270.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>270.00</b>	
0657	9811	06	AD RFP	1256		
AD RFP			E 110-11-80-810		270.00	270.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>270.00</b>	
0657	9811	06	ZBA HEARING	1311		
ZBA HEARING			E 110-11-80-810		45.00	45.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>45.00</b>	
0657	9811	06	AD	1323		
AD			E 110-11-80-810		75.00	75.00
			ADVER, PRINT / ADVERTISE			
			<b>Invoice Total-</b>		<b>75.00</b>	
			<b>Vendor Total-</b>		<b>1,410.00</b>	
			<b>Prepaid Total-</b>		<b>49,703.06</b>	
			<b>Current Total-</b>		<b>558,022.30</b>	
			<b>EFT Total-</b>		<b>0.00</b>	
			<b>Warrant Total-</b>		<b>607,725.36</b>	

TO THE MUNICIPAL TREASURER OF LYMAN, MAINE: THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED ABOVE 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

JESSICA PICARD

# ITEM #5: (a.) Draft Franchise Ordinance

## **Cable Television Ordinance Town of Lyman**

The Town of Lyman, acting through its municipal officers pursuant to 30-A M.R.S.A. §3008(2), hereby enacts the following Cable Television Ordinance:

### **Section 1 – PURPOSE**

The purpose for the ordinance is to provide for Town regulation and use of the cable television system including its construction, operation and maintenance in, along, upon, across, over and under the streets, alleys, public ways and public places now laid out or dedicated, and all extensions thereof and additions thereof in the Town of Lyman, including poles, wires, cables, underground conduits, manholes, conductors and fixtures necessary for the maintenance and operation in the Town of Lyman, of the cable television systems and to provide conditions accompanying the grant of franchise; and providing for the Town regulation of cable television operation.

### **Section 2 – DEFINITIONS**

“Cable Television System” shall have the same meaning as defined in 30-A M.R.S.A. §3008 as the same may be amended.

“Cable Television Company” shall mean any person, firm, or corporation owning, controlling, operating, managing, or leasing a cable television system within the Town of Lyman, sometimes hereinafter referred to as “the company.”

“Town” shall mean the Town of Lyman, organized and existing under the laws of the State of Maine and the area within its territorial limits.

### **Section 3 – FRANCHISE REQUIRED**

No person, firm or corporation shall install, maintain or operate within the Town or any of its public ways or other public areas any equipment or facilities for the operation of a cable television system unless a franchise authorizing the use of said public ways or areas has first been obtained pursuant to the provision of this Ordinance and unless said franchise is in full force and effect.

### **Section 4 – FRANCHISE CONTRACT**

The municipal officers of the Town may contract on such terms, conditions and fees as they deem in the best interests of the Town and its residents with one or more Cable Television Companies for the operation of a cable television system within the Town, including the granting of a non-exclusive franchise for the operation thereof for a period not to exceed fifteen (15) years.

Applicants for a franchise of franchise renewal shall pay a non-refundable filing fee of \$500 to the Town to defray the cost of public notice and advertising expenses relating to such application. The applicants may also be assessed the cost of attorney fees incurred by the Town of Lyman in connection with the cable franchise application and agreement. The application shall be filed with the Town Clerk and shall contain such information as the Town may require including, but not limited to, a general description of the applicant's proposed operation, a schedule of proposed charges, a statement detailing its previous two fiscal years, an estimated ten year financial projection of its proposed system, its annual Town franchise fee as required by the Town, and the basis for same, and a statement detailing the prior operational experience of the applicant in both the cable television and microwave service including that of its officers, management and staff to be associated with the proposed operations.

Any franchise contract may be revoked by the municipal officers for good and sufficient cause as provided in the franchise contract, after due notice to the company and a public hearing thereon, with the right to appeal to the Superior Court under Rule 80B of the Maine Rules of Civil Procedure.

### **Section 5 – PUBLIC HEARING**

Before issuance of a request for proposals, or during the franchise contract renewal process, the Town shall hold a public hearing with at least seven (7) days advance notice for the purpose of determining any special local needs or interest regarding cable television.

Applications for a franchise to operate a CATV system in the Town and related documents are public records to be filed with and maintained by the Town pursuant to the State Freedom of Access Law, 1 M.R.S.A. § 401 et seq., as amended from time to time.

Before authorizing the issuance of any such franchise contract, including an assignment or a renewal of a franchise contract, the municipal officers shall review the applicant's character, financial and technical qualifications and the adequacy and feasibility of its qualifications to operate a cable television system within the Town, and shall conduct a public hearing thereon with at least seven (7) days advertised notice prior to said public hearing.

### **Section 6 – PERFORMANCE BOND AND INSURANCE COVERAGE**

The Cable Television Company shall provide sufficient insurance to indemnify and hold harmless the Town of Lyman, its agents and its employees from and against all claims, damages, losses, and expenses, including attorney's fees, arising out of or resulting from the performance of the work, maintenance of the system and damages caused by components or portions thereof, provided that any such claim, damage, loss, or expense is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom, and is caused in whole or in part by any negligent or willful act or omission of the Cable Television Company and anyone directly or indirectly employed by it or anyone for whose acts any of them may be liable. Upon the execution of any such franchise contract, the cable television company shall file a surety company performance

bond in an amount to be determined by the Board of Selectmen conditioned upon the faithful performance of said contract and full compliance with any laws, ordinances, or regulations governing said franchise. Said performance bond shall remain in effect until the Cable Television Company has completed any construction or reconstruction of the system as set forth in the franchise contract.

The Cable Television Company shall also, upon execution of any such franchise contract, provide evidence of insurance coverage as the Municipal Officers may require.

**Section 7 – COMPLIANCE WITH ALL LAWS**

Cable Television Companies shall at all times comply with all applicable federal, State and local laws, statutes, rules, regulations, ordinances, codes and orders. All applicable requirements of public and consumer protection laws affecting the provision of cable television services, including without limitation 30-A M.R.S.A. §3008 and §3010, as the same may be amended, are incorporated by reference.

**Section 8 -- SEVERABILITY**

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance. This ordinance is effective upon its adoption by the Selectboard, Town of Lyman.

**Approved this \_\_\_\_ day of \_\_\_\_\_, 2023.**

**Town of Lyman by its Selectboard**

\_\_\_\_\_ **Ralph Blackington**

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

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

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

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

# Expense Summary Report

FUND: 1  
ALL Months

ITEM #6: (e.) Expense Report 6-1-23

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
<b>11 - TOWN HALL</b>	<b>402,574.00</b>	<b>-9,305.00</b>	<b>393,269.00</b>	<b>329,843.61</b>	<b>0.00</b>	<b>63,425.39</b>
10 - SALARIES	402,574.00	-9,305.00	393,269.00	329,843.61	0.00	63,425.39
102 - SELECT BD CL	53,235.00	-3,978.00	49,257.00	40,532.25	0.00	8,724.75
103 - TREASURER	62,534.00	0.00	62,534.00	57,723.60	0.00	4,810.40
105 - TAX COLLECT	51,851.00	0.00	51,851.00	46,638.98	0.00	5,212.02
106 - ADMIN CLERK	45,728.00	1,950.00	47,678.00	36,441.38	0.00	11,236.62
107 - DEPUTY TC/TC	7,095.00	0.00	7,095.00	1,830.51	0.00	5,264.49
115 - ASSESSOR	76,125.00	0.00	76,125.00	65,884.60	0.00	10,240.40
141 - CEO	78,706.00	-7,277.00	71,429.00	58,329.87	0.00	13,099.13
142 - CEO CLERK	27,300.00	0.00	27,300.00	18,448.75	0.00	8,851.25
143 - ELECTRICIAN	0.00	0.00	0.00	4,013.67	0.00	-4,013.67
<b>13 - ELECTIONS</b>	<b>67,129.00</b>	<b>0.00</b>	<b>67,129.00</b>	<b>54,747.75</b>	<b>0.00</b>	<b>12,381.25</b>
10 - SALARIES	67,129.00	0.00	67,129.00	54,747.75	0.00	12,381.25
181 - TOWN CLERK	56,850.00	0.00	56,850.00	52,476.96	0.00	4,373.04
182 - BALLOT CLERK	6,529.00	0.00	6,529.00	2,100.79	0.00	4,428.21
183 - TM MODERATOR	340.00	0.00	340.00	170.00	0.00	170.00
184 - REGISTRAR	3,410.00	0.00	3,410.00	0.00	0.00	3,410.00
<b>17 - PLANNING</b>	<b>3,316.00</b>	<b>1,100.00</b>	<b>4,416.00</b>	<b>3,534.73</b>	<b>0.00</b>	<b>881.27</b>
10 - SALARIES	3,316.00	1,100.00	4,416.00	3,534.73	0.00	881.27
147 - PB	3,316.00	1,100.00	4,416.00	3,534.73	0.00	881.27
<b>18 - APPEALS BD</b>	<b>450.00</b>	<b>0.00</b>	<b>450.00</b>	<b>31.88</b>	<b>0.00</b>	<b>418.12</b>
10 - SALARIES	450.00	0.00	450.00	31.88	0.00	418.12
148 - APPEALS BOAR	450.00	0.00	450.00	31.88	0.00	418.12
<b>21 - RECREATION</b>	<b>3,960.00</b>	<b>0.00</b>	<b>3,960.00</b>	<b>2,970.00</b>	<b>0.00</b>	<b>990.00</b>
10 - SALARIES	3,960.00	0.00	3,960.00	2,970.00	0.00	990.00
127 - REC DIRECT	3,960.00	0.00	3,960.00	2,970.00	0.00	990.00
<b>31 - TRANSFER STA</b>	<b>92,743.00</b>	<b>9,305.00</b>	<b>102,048.00</b>	<b>81,333.25</b>	<b>0.00</b>	<b>20,714.75</b>
10 - SALARIES	92,743.00	9,305.00	102,048.00	81,333.25	0.00	20,714.75
131 - TRF STATION	91,745.00	9,305.00	101,050.00	81,333.25	0.00	19,716.75
132 - ECO ME REP	998.00	0.00	998.00	0.00	0.00	998.00
<b>51 - ROADS</b>	<b>37,905.00</b>	<b>0.00</b>	<b>37,905.00</b>	<b>34,992.00</b>	<b>0.00</b>	<b>2,913.00</b>
10 - SALARIES	37,905.00	0.00	37,905.00	34,992.00	0.00	2,913.00
151 - RD COMM	37,905.00	0.00	37,905.00	34,992.00	0.00	2,913.00
<b>71 - GA</b>	<b>3,394.00</b>	<b>0.00</b>	<b>3,394.00</b>	<b>1,697.00</b>	<b>0.00</b>	<b>1,697.00</b>
10 - SALARIES	3,394.00	0.00	3,394.00	1,697.00	0.00	1,697.00
171 - GA DIRECT	3,394.00	0.00	3,394.00	1,697.00	0.00	1,697.00

630,096.00    0.00    630,096.00    525,940.24    0.00    124,155.76



# Expense Summary Report

FUND: 1  
ALL Months

ACCOUNT	BUDGET ORIGINAL ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
<b>101 - SALARIES CONT'D</b>					
<b>72 - ACO</b>	<b>7,458.00</b>	<b>0.00</b>	<b>6,884.40</b>	<b>0.00</b>	<b>573.60</b>
10 - SALARIES	7,458.00	0.00	6,884.40	0.00	573.60
175 - ACO	7,458.00	0.00	6,884.40	0.00	573.60
<b>99 - NOT SPECIFIC</b>	<b>31,167.00</b>	<b>-1,100.00</b>	<b>9,905.62</b>	<b>0.00</b>	<b>20,161.38</b>
10 - SALARIES	31,167.00	-1,100.00	9,905.62	0.00	20,161.38
179 - HEALTH OFFIC	452.00	0.00	0.00	0.00	452.00
191 - EXTRA TIME	4,700.00	-1,100.00	715.62	0.00	2,884.38
199 - SELECT BOARD	26,015.00	0.00	9,190.00	0.00	16,825.00
<b>102 - BENEFITS</b>	<b>305,872.00</b>	<b>-1.00</b>	<b>227,754.70</b>	<b>321.00</b>	<b>75,795.30</b>
<b>11 - TOWN HALL</b>	<b>4,715.00</b>	<b>0.00</b>	<b>3,118.50</b>	<b>321.00</b>	<b>1,275.50</b>
20 - BENEFITS	4,715.00	0.00	3,118.50	321.00	1,275.50
280 - TRAINING	4,070.00	-100.00	2,418.50	321.00	1,230.50
290 - MEMB & DUES	645.00	100.00	700.00	0.00	45.00
<b>31 - TRANSFER STAT</b>	<b>500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>500.00</b>
20 - BENEFITS	500.00	0.00	0.00	0.00	500.00
280 - TRAINING	500.00	0.00	0.00	0.00	500.00
<b>99 - NOT SPECIFIC</b>	<b>298,657.00</b>	<b>-1.00</b>	<b>224,636.20</b>	<b>0.00</b>	<b>74,019.80</b>
20 - BENEFITS	298,657.00	-1.00	224,636.20	0.00	74,019.80
201 - FICA	49,766.00	-1.00	41,676.69	0.00	8,088.31
210 - HEALTH	193,795.00	0.00	150,264.79	0.00	43,530.21
211 - DENTAL	5,518.00	0.00	4,685.53	0.00	832.47
214 - LIFE NO MED	0.00	0.00	107.25	0.00	-107.25
230 - 457B ER MATC	18,120.00	0.00	11,401.30	0.00	6,718.70
231 - MPERS ER	26,958.00	0.00	16,500.64	0.00	10,457.36
250 - PTO BUYOUT	4,500.00	0.00	0.00	0.00	4,500.00
<b>110 - GEN ADMIN</b>	<b>147,583.00</b>	<b>0.00</b>	<b>111,614.03</b>	<b>1,274.52</b>	<b>34,594.45</b>
<b>11 - TOWN HALL</b>	<b>135,436.00</b>	<b>0.00</b>	<b>106,719.34</b>	<b>1,274.52</b>	<b>27,442.14</b>
32 - CTRCT SVS EQ	65,956.00	-750.00	53,964.07	0.00	11,241.93
310 - PROF SVS	65,956.00	-750.00	53,964.07	0.00	11,241.93
39 - CONT SVS OTH	15,159.00	750.00	11,960.00	0.00	3,949.00
315 - MEMB & DUES	8,517.00	0.00	8,141.00	0.00	376.00
399 - OTHER	6,642.00	750.00	3,819.00	0.00	3,573.00
50 - UTILITIES	7,750.00	0.00	6,989.05	0.00	760.95
580 - COMM	7,750.00	0.00	6,989.05	0.00	760.95
60 - SUPPLIES	18,383.00	1,100.00	14,275.07	0.00	5,207.93

# Expense Summary Report

FUND: 1  
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
<b>110 - GEN ADMIN CONT'D</b>						
610 - SUPPLIES	9,383.00	1,100.00	10,483.00	8,632.83	0.00	1,850.17
650 - POSTAGE	9,000.00	0.00	9,000.00	5,642.24	0.00	3,357.76
80 - ADVER, PRINT	23,300.00	-4,600.00	18,700.00	14,164.66	1,370.52	3,164.82
810 - ADVERTISE	4,500.00	1,630.00	6,130.00	3,032.86	1,370.52	1,726.62
830 - FORMS	9,700.00	-3,500.00	6,200.00	5,467.43	0.00	732.57
850 - TOWN REPORT	6,000.00	-2,730.00	3,270.00	3,209.10	0.00	60.90
860 - TAX BILLS	3,100.00	0.00	3,100.00	2,455.27	0.00	644.73
90 - OTHER	4,888.00	3,500.00	8,388.00	5,366.49	-96.00	3,117.51
910 - MILEAGE/TRAV	4,888.00	3,500.00	8,388.00	5,366.49	-96.00	3,117.51
<b>13 - ELECTIONS</b>	<b>12,147.00</b>	<b>0.00</b>	<b>12,147.00</b>	<b>4,894.69</b>	<b>100.00</b>	<b>7,152.31</b>
39 - CONT SVS OTH	12,147.00	0.00	12,147.00	4,894.69	100.00	7,152.31
399 - OTHER	12,147.00	0.00	12,147.00	4,894.69	100.00	7,152.31
<b>117 - GEN ADMIN IN</b>	<b>37,428.00</b>	<b>0.00</b>	<b>37,428.00</b>	<b>29,642.00</b>	<b>0.00</b>	<b>7,786.00</b>
<b>99 - NOT SPECIFIE</b>	<b>37,428.00</b>	<b>0.00</b>	<b>37,428.00</b>	<b>29,642.00</b>	<b>0.00</b>	<b>7,786.00</b>
38 - CONT SVS INS	37,428.00	0.00	37,428.00	29,642.00	0.00	7,786.00
325 - INS PROP & C	18,244.00	-500.00	17,744.00	14,931.00	0.00	2,813.00
326 - INS W.C.	14,106.00	500.00	14,606.00	14,323.00	0.00	283.00
327 - INS UNEMPLOY	5,000.00	0.00	5,000.00	310.00	0.00	4,690.00
328 - INS VOLUNTEE	78.00	0.00	78.00	78.00	0.00	0.00
<b>125 - ACO</b>	<b>8,957.00</b>	<b>0.00</b>	<b>8,957.00</b>	<b>7,422.61</b>	<b>0.00</b>	<b>1,534.39</b>
<b>72 - ACO</b>	<b>8,957.00</b>	<b>0.00</b>	<b>8,957.00</b>	<b>7,422.61</b>	<b>0.00</b>	<b>1,534.39</b>
39 - CONT SVS OTH	6,957.00	0.00	6,957.00	6,539.36	0.00	417.64
381 - ACO	6,957.00	0.00	6,957.00	6,539.36	0.00	417.64
90 - OTHER	2,000.00	0.00	2,000.00	883.25	0.00	1,116.75
910 - MILEAGE/TRAV	2,000.00	0.00	2,000.00	883.25	0.00	1,116.75
<b>128 - HHS G/A</b>	<b>1,025.00</b>	<b>0.00</b>	<b>1,025.00</b>	<b>1,025.00</b>	<b>0.00</b>	<b>-25.00</b>
<b>71 - GA</b>	<b>1,025.00</b>	<b>0.00</b>	<b>1,025.00</b>	<b>1,025.00</b>	<b>0.00</b>	<b>-25.00</b>
39 - CONT SVS OTH	1,025.00	0.00	1,025.00	1,025.00	0.00	-25.00
310 - PROF SVS	1,025.00	0.00	1,025.00	1,025.00	0.00	-25.00
<b>129 - HHS SOCIAL S</b>	<b>1,086.00</b>	<b>0.00</b>	<b>1,086.00</b>	<b>1,086.00</b>	<b>0.00</b>	<b>0.00</b>
<b>75 - SOCIAL SERV</b>	<b>1,086.00</b>	<b>0.00</b>	<b>1,086.00</b>	<b>1,086.00</b>	<b>0.00</b>	<b>0.00</b>
91 - OTHER SOC SV	1,086.00	0.00	1,086.00	1,086.00	0.00	0.00

# Expense Summary Report

FUND: 1  
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
129 - HHS SOCIAL S CONT'D						
999 - OTHER	1,086.00	0.00	1,086.00	1,086.00	0.00	0.00
<b>131 - ROADS</b>	<b>735,600.00</b>	<b>0.00</b>	<b>735,600.00</b>	<b>160,412.61</b>	<b>0.00</b>	<b>575,187.39</b>
<b>51 - ROADS</b>	<b>735,600.00</b>	<b>0.00</b>	<b>735,600.00</b>	<b>160,412.61</b>	<b>0.00</b>	<b>575,187.39</b>
40 - REPAIRS & MA	645,900.00	89,450.00	735,350.00	160,412.61	0.00	574,937.39
481 - RDS/CONSTRUC	160,500.00	0.00	160,500.00	42,041.12	0.00	118,458.88
482 - RDS/RESURFA	391,000.00	0.00	391,000.00	14,000.00	0.00	377,000.00
483 - RDS/REPAIRS	94,400.00	89,450.00	183,850.00	104,371.49	0.00	79,478.51
50 - UTILITIES	250.00	0.00	250.00	0.00	0.00	250.00
580 - COMM	250.00	0.00	250.00	0.00	0.00	250.00
90 - OTHER	89,450.00	-89,450.00	0.00	0.00	0.00	0.00
999 - MISC	89,450.00	-89,450.00	0.00	0.00	0.00	0.00
<b>141 - B&amp;G CARE &amp; M</b>	<b>30,475.00</b>	<b>495.04</b>	<b>31,471.04</b>	<b>24,302.25</b>	<b>0.00</b>	<b>7,168.79</b>
<b>11 - TOWN HALL</b>	<b>20,135.00</b>	<b>0.00</b>	<b>20,135.00</b>	<b>17,383.68</b>	<b>0.00</b>	<b>2,751.32</b>
31 - CTRCT SVS BL	10,710.00	0.00	10,710.00	10,628.60	0.00	81.40
310 - PROF SVS	10,710.00	0.00	10,710.00	10,628.60	0.00	81.40
40 - REPAIRS & MA	9,425.00	0.00	9,425.00	6,755.08	0.00	2,669.92
410 - BLDGS & GROU	9,425.00	0.00	9,425.00	6,755.08	0.00	2,669.92
<b>21 - RECREATION</b>	<b>8,240.00</b>	<b>-1,573.96</b>	<b>6,666.04</b>	<b>3,932.58</b>	<b>0.00</b>	<b>2,733.46</b>
31 - CTRCT SVS BL	4,250.00	-1,573.96	2,676.04	794.20	0.00	1,881.84
310 - PROF SVS	4,250.00	-1,573.96	2,676.04	794.20	0.00	1,881.84
40 - REPAIRS & MA	3,990.00	0.00	3,990.00	3,138.38	0.00	851.62
410 - BLDGS & GROU	3,990.00	0.00	3,990.00	3,138.38	0.00	851.62
<b>22 - BUNGANUT</b>	<b>600.00</b>	<b>2,070.00</b>	<b>2,670.00</b>	<b>2,669.50</b>	<b>0.00</b>	<b>0.50</b>
31 - CTRCT SVS BL	600.00	2,070.00	2,670.00	2,669.50	0.00	0.50
310 - PROF SVS	600.00	2,070.00	2,670.00	2,669.50	0.00	0.50
<b>31 - TRANSFER STA</b>	<b>2,000.00</b>	<b>0.00</b>	<b>2,000.00</b>	<b>316.49</b>	<b>0.00</b>	<b>1,683.51</b>
31 - CTRCT SVS BL	1,500.00	0.00	1,500.00	0.00	0.00	1,500.00
310 - PROF SVS	1,500.00	0.00	1,500.00	0.00	0.00	1,500.00
40 - REPAIRS & MA	500.00	0.00	500.00	316.49	0.00	183.51
410 - BLDGS & GROU	500.00	0.00	500.00	316.49	0.00	183.51
<b>142 - B&amp;G MOWING</b>	<b>51,550.00</b>	<b>10,073.96</b>	<b>61,623.96</b>	<b>61,623.96</b>	<b>0.00</b>	<b>0.00</b>
<b>11 - TOWN HALL</b>	<b>5,850.00</b>	<b>-1,557.95</b>	<b>4,292.05</b>	<b>4,292.05</b>	<b>0.00</b>	<b>0.00</b>
31 - CTRCT SVS BL	5,850.00	-1,557.95	4,292.05	4,292.05	0.00	0.00

# Expense Summary Report

FUND: 1  
ALL Months

ACCOUNT	BUDGET ORIGINAL ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
<b>142 - B&amp;G MOWING CONT'D</b>					
370 - MOWING	5,850.00	4,292.05	4,292.05	0.00	0.00
<b>21 - RECREATION</b>	<b>6,989.00</b>	<b>4,863.30</b>	<b>4,863.30</b>	<b>0.00</b>	<b>0.00</b>
31 - CTRCT SVS BL	6,989.00	4,863.30	4,863.30	0.00	0.00
370 - MOWING	6,989.00	4,863.30	4,863.30	0.00	0.00
<b>22 - BUNGANUT</b>	<b>27,220.00</b>	<b>19,457.25</b>	<b>19,457.25</b>	<b>0.00</b>	<b>0.00</b>
31 - CTRCT SVS BL	27,220.00	19,457.25	19,457.25	0.00	0.00
370 - MOWING	27,220.00	19,457.25	19,457.25	0.00	0.00
<b>51 - ROADS</b>	<b>11,500.00</b>	<b>11,500.00</b>	<b>11,500.00</b>	<b>0.00</b>	<b>0.00</b>
31 - CTRCT SVS BL	11,500.00	11,500.00	11,500.00	0.00	0.00
370 - MOWING	11,500.00	11,500.00	11,500.00	0.00	0.00
<b>90 - MISC</b>	<b>0.00</b>	<b>21,520.36</b>	<b>21,520.36</b>	<b>0.00</b>	<b>0.00</b>
31 - CTRCT SVS BL	0.00	21,520.36	21,520.36	0.00	0.00
370 - MOWING	0.00	21,520.36	21,520.36	0.00	0.00
<b>143 - B&amp;G PLOWING</b>	<b>536,510.00</b>	<b>525,940.00</b>	<b>489,091.74</b>	<b>0.00</b>	<b>36,848.26</b>
<b>11 - TOWN HALL</b>	<b>5,200.00</b>	<b>5,200.00</b>	<b>4,745.00</b>	<b>0.00</b>	<b>455.00</b>
31 - CTRCT SVS BL	5,200.00	5,200.00	4,745.00	0.00	455.00
360 - PLOW & SAND	5,200.00	5,200.00	4,745.00	0.00	455.00
<b>21 - RECREATION</b>	<b>800.00</b>	<b>800.00</b>	<b>725.00</b>	<b>0.00</b>	<b>75.00</b>
31 - CTRCT SVS BL	800.00	800.00	725.00	0.00	75.00
360 - PLOW & SAND	800.00	800.00	725.00	0.00	75.00
<b>22 - BUNGANUT</b>	<b>750.00</b>	<b>750.00</b>	<b>0.00</b>	<b>0.00</b>	<b>750.00</b>
31 - CTRCT SVS BL	750.00	750.00	0.00	0.00	750.00
360 - PLOW & SAND	750.00	750.00	0.00	0.00	750.00
<b>31 - TRANSFER STA</b>	<b>3,500.00</b>	<b>3,500.00</b>	<b>2,625.00</b>	<b>0.00</b>	<b>875.00</b>
31 - CTRCT SVS BL	3,500.00	3,500.00	2,625.00	0.00	875.00
360 - PLOW & SAND	3,500.00	3,500.00	2,625.00	0.00	875.00
<b>51 - ROADS</b>	<b>526,260.00</b>	<b>515,690.00</b>	<b>480,996.74</b>	<b>0.00</b>	<b>34,693.26</b>
31 - CTRCT SVS BL	526,260.00	515,690.00	480,996.74	0.00	34,693.26
360 - PLOW & SAND	526,260.00	515,690.00	480,996.74	0.00	34,693.26
<b>145 - B&amp;G WASTE SV</b>	<b>14,440.00</b>	<b>14,440.00</b>	<b>8,984.78</b>	<b>0.00</b>	<b>5,455.22</b>
<b>11 - TOWN HALL</b>	<b>1,300.00</b>	<b>1,300.00</b>	<b>730.00</b>	<b>0.00</b>	<b>570.00</b>
31 - CTRCT SVS BL	1,300.00	1,300.00	730.00	0.00	570.00
330 - WASTE SVS	1,300.00	1,300.00	730.00	0.00	570.00
<b>21 - RECREATION</b>	<b>6,800.00</b>	<b>6,800.00</b>	<b>4,060.00</b>	<b>0.00</b>	<b>2,740.00</b>

# Expense Summary Report

FUND: 1  
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
<b>145 - B&amp;G WASTE SVS CONT'D</b>						
31 - CTRCT SVS BL	2,600.00	0.00	2,600.00	1,350.00	0.00	1,250.00
330 - WASTE SVS	2,600.00	0.00	2,600.00	1,350.00	0.00	1,250.00
35 - CTRCT SVS WA	4,200.00	0.00	4,200.00	2,710.00	0.00	1,490.00
331 - PROF PORTA P	4,200.00	0.00	4,200.00	2,710.00	0.00	1,490.00
<b>22 - BUNGANUT</b>	<b>5,040.00</b>	<b>0.00</b>	<b>5,040.00</b>	<b>3,615.00</b>	<b>0.00</b>	<b>1,425.00</b>
31 - CTRCT SVS BL	2,940.00	-525.00	2,415.00	1,215.00	0.00	1,200.00
330 - WASTE SVS	2,940.00	-525.00	2,415.00	1,215.00	0.00	1,200.00
35 - CTRCT SVS WA	2,100.00	525.00	2,625.00	2,400.00	0.00	225.00
331 - PROF PORTA P	2,100.00	525.00	2,625.00	2,400.00	0.00	225.00
<b>51 - ROADS</b>	<b>1,300.00</b>	<b>0.00</b>	<b>1,300.00</b>	<b>579.78</b>	<b>0.00</b>	<b>720.22</b>
31 - CTRCT SVS BL	1,000.00	-150.00	850.00	204.78	0.00	645.22
330 - WASTE SVS	1,000.00	-150.00	850.00	204.78	0.00	645.22
35 - CTRCT SVS WA	300.00	150.00	450.00	375.00	0.00	75.00
331 - PROF PORTA P	300.00	150.00	450.00	375.00	0.00	75.00
<b>147 - B&amp;G ENERGY</b>	<b>38,604.00</b>	<b>0.00</b>	<b>38,604.00</b>	<b>15,682.30</b>	<b>0.00</b>	<b>22,921.70</b>
<b>11 - TOWN HALL</b>	<b>11,984.00</b>	<b>0.00</b>	<b>11,984.00</b>	<b>6,640.21</b>	<b>0.00</b>	<b>5,343.79</b>
50 - UTILITIES	11,984.00	0.00	11,984.00	6,640.21	0.00	5,343.79
510 - PROPANE	3,984.00	0.00	3,984.00	2,403.78	0.00	1,580.22
560 - ELECTRICITY	8,000.00	0.00	8,000.00	4,236.43	0.00	3,763.57
<b>21 - RECREATION</b>	<b>1,420.00</b>	<b>0.00</b>	<b>1,420.00</b>	<b>506.80</b>	<b>0.00</b>	<b>913.20</b>
50 - UTILITIES	1,420.00	0.00	1,420.00	506.80	0.00	913.20
560 - ELECTRICITY	1,420.00	0.00	1,420.00	506.80	0.00	913.20
<b>22 - BUNGANUT</b>	<b>4,000.00</b>	<b>0.00</b>	<b>4,000.00</b>	<b>1,432.93</b>	<b>0.00</b>	<b>2,567.07</b>
50 - UTILITIES	4,000.00	0.00	4,000.00	1,432.93	0.00	2,567.07
560 - ELECTRICITY	4,000.00	0.00	4,000.00	1,432.93	0.00	2,567.07
<b>31 - TRANSFER STA</b>	<b>6,700.00</b>	<b>0.00</b>	<b>6,700.00</b>	<b>3,729.83</b>	<b>0.00</b>	<b>2,970.17</b>
50 - UTILITIES	6,700.00	0.00	6,700.00	3,729.83	0.00	2,970.17
560 - ELECTRICITY	6,700.00	0.00	6,700.00	3,729.83	0.00	2,970.17
<b>51 - ROADS</b>	<b>14,500.00</b>	<b>0.00</b>	<b>14,500.00</b>	<b>3,372.53</b>	<b>0.00</b>	<b>11,127.47</b>
50 - UTILITIES	14,500.00	0.00	14,500.00	3,372.53	0.00	11,127.47
560 - ELECTRICITY	14,500.00	0.00	14,500.00	3,372.53	0.00	11,127.47
<b>148 - B&amp;G SIGNS</b>	<b>5,500.00</b>	<b>0.00</b>	<b>5,500.00</b>	<b>3,406.14</b>	<b>0.00</b>	<b>2,093.86</b>
<b>21 - RECREATION</b>	<b>500.00</b>	<b>-500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
60 - SUPPLIES	500.00	-500.00	0.00	0.00	0.00	0.00

# Expense Summary Report

FUND: 1  
ALL Months

ACCOUNT	BUDGET ORIGINAL ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
<b>148 - BIG SIGNS CONT'D</b>					
670 - SIGNS	500.00	0.00	0.00	0.00	0.00
<b>22 - BUNGANUT</b>	<b>500.00</b>	<b>1,000.00</b>	<b>1,000.00</b>	<b>0.00</b>	<b>0.00</b>
60 - SUPPLIES	500.00	1,000.00	1,000.00	0.00	0.00
670 - SIGNS	500.00	1,000.00	1,000.00	0.00	0.00
<b>31 - TRANSFER STA</b>	<b>500.00</b>	<b>500.00</b>	<b>14.59</b>	<b>0.00</b>	<b>485.41</b>
60 - SUPPLIES	500.00	500.00	14.59	0.00	485.41
670 - SIGNS	500.00	500.00	14.59	0.00	485.41
<b>51 - ROADS</b>	<b>4,000.00</b>	<b>4,000.00</b>	<b>2,391.55</b>	<b>0.00</b>	<b>1,608.45</b>
60 - SUPPLIES	4,000.00	4,000.00	2,391.55	0.00	1,608.45
670 - SIGNS	4,000.00	4,000.00	2,391.55	0.00	1,608.45
<b>150 - TRF STATION</b>	<b>305,772.00</b>	<b>305,772.00</b>	<b>183,135.25</b>	<b>0.00</b>	<b>122,636.75</b>
<b>31 - TRANSFER STA</b>	<b>305,772.00</b>	<b>305,772.00</b>	<b>183,135.25</b>	<b>0.00</b>	<b>122,636.75</b>
35 - CTRCT SVS WA	290,222.00	0.00	171,400.92	0.00	118,821.08
310 - PROF SVS	2,700.00	0.00	1,691.50	0.00	1,008.50
349 - PROF SVS CAN	2,400.00	0.00	1,800.00	0.00	600.00
350 - PROF SVS TIP	172,197.00	0.00	101,363.66	0.00	70,833.34
351 - PROF SVS TW	39,750.00	0.00	18,450.55	0.00	21,299.45
352 - PROF SVS REC	7,350.00	0.00	5,491.11	0.00	1,858.89
355 - PROF SVS HAU	23,800.00	0.00	19,336.95	0.00	4,463.05
356 - PROF SVS HW	31,500.00	0.00	11,375.00	0.00	20,125.00
357 - PROF SVS HR	8,225.00	0.00	5,600.00	0.00	2,625.00
358 - PROF SVS HWO	2,300.00	0.00	1,567.15	0.00	732.85
359 - PROF SVS MET	0.00	0.00	4,725.00	0.00	-4,725.00
40 - REPAIRS & MA	8,100.00	0.00	6,894.37	0.00	1,205.63
450 - EQUIPMENT	8,100.00	0.00	6,894.37	0.00	1,205.63
50 - UTILITIES	3,500.00	0.00	1,623.46	0.00	1,876.54
580 - COMM	3,500.00	0.00	1,623.46	0.00	1,876.54
60 - SUPPLIES	2,950.00	400.00	2,676.50	0.00	673.50
610 - SUPPLIES	1,450.00	0.00	996.62	0.00	453.38
690 - PPG	1,500.00	400.00	1,679.88	0.00	220.12
90 - OTHER	1,000.00	-400.00	540.00	0.00	60.00
920 - STATE FEES	500.00	40.00	540.00	0.00	0.00
930 - HEALTH & WEL	500.00	-440.00	60.00	0.00	60.00
<b>161 - PARKS &amp; REC</b>	<b>13,310.00</b>	<b>0.00</b>	<b>3,647.01</b>	<b>0.00</b>	<b>9,662.99</b>
<b>21 - RECREATION</b>	<b>8,510.00</b>	<b>0.00</b>	<b>2,972.35</b>	<b>0.00</b>	<b>5,537.65</b>

# Expense Summary Report

FUND: 1  
ALL Months

ACCOUNT	BUDGET ORIGINAL ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
<b>361 - PARKS &amp; REC CONT'D</b>					
40 - REPAIRS & MA	900.00	910.00	900.81	0.00	9.19
450 - EQUIPMENT	900.00	910.00	900.81	0.00	9.19
80 - ADVER, PRINT	500.00	490.00	0.00	0.00	490.00
810 - ADVERTISE	500.00	490.00	0.00	0.00	490.00
90 - OTHER	7,110.00	7,110.00	2,071.54	0.00	5,038.46
940 - REC PROGRAMS	6,860.00	6,860.00	2,034.59	0.00	4,825.41
999 - MISC	250.00	250.00	36.95	0.00	213.05
<b>22 - BUNGANUT</b>	<b>4,800.00</b>	<b>4,800.00</b>	<b>674.66</b>	<b>0.00</b>	<b>4,125.34</b>
37 - CONT OUT	0.00	350.00	348.95	0.00	1.05
399 - CONT SVS OTH	0.00	350.00	348.95	0.00	1.05
50 - UTILITIES	4,800.00	4,450.00	325.71	0.00	4,124.29
580 - COMM	4,800.00	4,450.00	325.71	0.00	4,124.29
<b>171 - RES EQUIP</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>0.00</b>	<b>0.00</b>
<b>99 - NOT SPECIFIE</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>0.00</b>	<b>0.00</b>
95 - RESERVES	10,000.00	10,000.00	10,000.00	0.00	0.00
970 - TOWN RESERVE	10,000.00	10,000.00	10,000.00	0.00	0.00
<b>173 - RES BLDG</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>0.00</b>	<b>0.00</b>
<b>99 - NOT SPECIFIE</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>10,000.00</b>	<b>0.00</b>	<b>0.00</b>
95 - RESERVES	10,000.00	10,000.00	10,000.00	0.00	0.00
970 - TOWN RESERVE	10,000.00	10,000.00	10,000.00	0.00	0.00
<b>175 - RES CON SVC</b>	<b>18,688.00</b>	<b>18,688.00</b>	<b>18,688.00</b>	<b>0.00</b>	<b>0.00</b>
<b>99 - NOT SPECIFIE</b>	<b>18,688.00</b>	<b>18,688.00</b>	<b>18,688.00</b>	<b>0.00</b>	<b>0.00</b>
95 - RESERVES	18,688.00	18,688.00	18,688.00	0.00	0.00
970 - TOWN RESERVE	18,688.00	18,688.00	18,688.00	0.00	0.00
<b>177 - RES MISC</b>	<b>42,715.00</b>	<b>42,715.00</b>	<b>42,715.00</b>	<b>0.00</b>	<b>0.00</b>
<b>99 - NOT SPECIFIE</b>	<b>42,715.00</b>	<b>42,715.00</b>	<b>42,715.00</b>	<b>0.00</b>	<b>0.00</b>
95 - RESERVES	42,715.00	42,715.00	42,715.00	0.00	0.00
970 - TOWN RESERVE	42,715.00	42,715.00	42,715.00	0.00	0.00
<b>179 - RESERVES GMF</b>	<b>80,000.00</b>	<b>80,000.00</b>	<b>80,000.00</b>	<b>0.00</b>	<b>0.00</b>
<b>91 - GMFR</b>	<b>80,000.00</b>	<b>80,000.00</b>	<b>80,000.00</b>	<b>0.00</b>	<b>0.00</b>
95 - RESERVES	80,000.00	80,000.00	80,000.00	0.00	0.00

# Expense Summary Report

FUND: 1  
ALL Months

ACCOUNT	BUDGET ORIGINAL	BUDGET ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
179 - RESERVES GMF CONT'D	80,000.00	0.00	80,000.00	80,000.00	0.00	0.00
978 - GMFR RESERVE	80,000.00	0.00	80,000.00	80,000.00	0.00	0.00
189 - OUTS GEN AD	310,472.00	39,661.00	410,633.00	230,423.87	21,917.00	48,212.13
<b>11 - TOWN HALL</b>	<b>94,700.00</b>	<b>29,661.00</b>	<b>124,361.00</b>	<b>55,312.83</b>	<b>9,000.00</b>	<b>60,048.17</b>
33 - CONT PROF	94,700.00	0.00	94,700.00	44,062.83	2,500.00	48,137.17
310 - PROF SERV	56,500.00	0.00	56,500.00	31,087.83	2,500.00	22,912.17
320 - PROF SERV LE	32,700.00	0.00	32,700.00	7,475.00	0.00	25,225.00
323 - PROF SERV AU	5,500.00	0.00	5,500.00	5,500.00	0.00	0.00
90 - OTHER	0.00	29,661.00	29,661.00	11,250.00	6,500.00	11,911.00
981 - HR JOB STUDY	0.00	20,030.50	20,030.50	6,500.00	6,500.00	7,030.50
982 - TH FEASIBILI	0.00	9,630.50	9,630.50	4,750.00	0.00	4,880.50
<b>15 - CEMETERIES</b>	<b>11,500.00</b>	<b>60,000.00</b>	<b>71,500.00</b>	<b>20,839.24</b>	<b>14,997.00</b>	<b>35,663.76</b>
37 - CONT OUT	11,500.00	60,000.00	71,500.00	20,839.24	14,997.00	35,663.76
399 - CONT SVS OTH	11,500.00	60,000.00	71,500.00	20,839.24	14,997.00	35,663.76
<b>17 - PLANNING</b>	<b>41,500.00</b>	<b>-41,000.00</b>	<b>500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>500.00</b>
33 - CONT PROF	500.00	0.00	500.00	0.00	0.00	500.00
310 - PROF SERV	500.00	0.00	500.00	0.00	0.00	500.00
37 - CONT OUT	41,000.00	-41,000.00	0.00	0.00	0.00	0.00
399 - CONT SVS OTH	41,000.00	-41,000.00	0.00	0.00	0.00	0.00
<b>22 - BUNGANUT</b>	<b>0.00</b>	<b>41,000.00</b>	<b>41,000.00</b>	<b>41,000.00</b>	<b>0.00</b>	<b>0.00</b>
37 - CONT OUT	0.00	41,000.00	41,000.00	41,000.00	0.00	0.00
399 - CONT SVS OTH	0.00	41,000.00	41,000.00	41,000.00	0.00	0.00
<b>95 - LIBRARY</b>	<b>128,678.00</b>	<b>0.00</b>	<b>128,678.00</b>	<b>128,678.00</b>	<b>0.00</b>	<b>0.00</b>
37 - CONT OUT	128,678.00	0.00	128,678.00	128,678.00	0.00	0.00
399 - CONT SVS OTH	128,678.00	0.00	128,678.00	128,678.00	0.00	0.00
<b>99 - NOT SPECIFIE</b>	<b>44,594.00</b>	<b>0.00</b>	<b>44,594.00</b>	<b>44,593.75</b>	<b>0.00</b>	<b>0.25</b>
37 - CONT OUT	39,594.00	0.00	39,594.00	39,593.75	0.00	0.25
399 - CONT SVS OTH	39,594.00	0.00	39,594.00	39,593.75	0.00	0.25
90 - OTHER	5,000.00	0.00	5,000.00	5,000.00	0.00	0.00
999 - MISC	5,000.00	0.00	5,000.00	5,000.00	0.00	0.00
106 - OUTS GMFR	562,050.00	0.00	562,050.00	562,050.00	0.00	0.00
<b>91 - GMFR</b>	<b>562,050.00</b>	<b>0.00</b>	<b>562,050.00</b>	<b>562,050.00</b>	<b>0.00</b>	<b>0.00</b>
37 - CONT OUT	562,050.00	0.00	562,050.00	562,050.00	0.00	0.00
391 - GMFR PERSONN	384,804.00	0.00	384,804.00	384,804.00	0.00	0.00



# Expense Summary Report

FUND: 1  
ALL Months

ACCOUNT	BUDGET ORIGINAL ADJUSTMENT	BUDGET NET	YTD NET	OUTSTAND ENCUM	UNEXPENDED BALANCE
186 - OUTS GMER CONT'D	177,246.00	0.00	177,246.00	0.00	0.00
392 - GMER CONTRAC					
191 - OTHER CIP	20,276.00	0.00	18,387.84	0.00	1,682.16
11 - TOWN HALL	19,970.00	-31.00	18,256.97	0.00	1,682.03
70 - EQUIPMENT	19,970.00	-31.00	18,256.97	0.00	1,682.03
710 - COMP EQUIP	3,975.00	0.00	3,719.30	0.00	255.70
730 - OFFICE EQUIP	12,275.00	-1,111.00	9,737.67	0.00	1,426.33
790 - OTHER EQUIP	3,720.00	1,080.00	4,800.00	0.00	0.00
31 - TRANSFER STA	300.00	31.00	330.87	0.00	0.13
70 - EQUIPMENT	300.00	31.00	330.87	0.00	0.13
790 - OTHER EQUIP	300.00	31.00	330.87	0.00	0.13
195 - RSU # 57	0.00	5,503,499.35	5,503,499.35	0.00	0.00
92 - RSU # 57	0.00	5,503,499.35	5,503,499.35	0.00	0.00
90 - OTHER	0.00	5,503,499.35	5,503,499.35	0.00	0.00
999 - MISC	0.00	5,503,499.35	5,503,499.35	0.00	0.00
197 - COUNTY	0.00	300,389.91	300,389.91	0.00	0.00
97 - COUNTY	0.00	300,389.91	300,389.91	0.00	0.00
90 - OTHER	0.00	300,389.91	300,389.91	0.00	0.00
999 - MISC	0.00	300,389.91	300,389.91	0.00	0.00
199 - OVERLAY	0.00	55,445.65	15,046.14	0.00	40,399.51
99 - NOT SPECIFIC	0.00	55,445.65	15,046.14	0.00	40,399.51
90 - OTHER	0.00	55,445.65	15,046.14	0.00	40,399.51
999 - MISC	0.00	55,445.65	15,046.14	0.00	40,399.51
<b>Final Totals</b>	<b>3,946,987.00</b>	<b>5,948,994.91</b>	<b>6,786,179.68</b>	<b>75,692.52</b>	<b>1,164,109.71</b>

# ITEM #7: (a.) Animal Welfare Agreement



## ANIMAL SHELTER AGREEMENT, LYMAN

This agreement (the “Agreement”) is by and between the Animal Welfare Society, Inc., a non-profit corporation organized and existing under the laws of the State of Maine (herein-after “AWS”), Old Holland Road, West Kennebunk, Maine and the Town of Lyman, Maine (hereafter “Municipality”) (collectively, “Parties”). The terms of this Agreement shall take effect on July 1, 2023 and shall remain in effect through June 30, 2024.

WHEREAS, Municipality is required under the laws of the State of Maine to provide shelter at a State licensed animal control shelter (7 M.R.S. § 3949) for stray and lost domesticated companion animals (hereinafter “Animal” or “Animals”); and

WHEREAS, Municipality is required under the laws of the State of Maine to provide services relating to the humane disposition of said Animals in the event they are not claimed by their owners; and

WHEREAS, AWS operates an animal shelter as defined in 7 M.R.S. §3907, which is a suitable facility for the housing and/or disposition of said Animals (hereinafter, the “Shelter”) but is not a suitable facility for the housing and/or disposition of any living, sentient creature that is not an Animal;

NOW THEREFORE, the Parties hereby agree as follows:

1. AWS will confine such Animals as may be delivered to it by an authorized agent of the Municipality for the legal impoundment period. At the end of this period, AWS will make such a disposition as it seems fit in accordance with 7 M.R.S. §§3912, 3913, *et. seq.* AWS may refuse delivery of any living, sentient creature that, in the sole and exclusive judgment of AWS, is not an Animal.
2. Delivery of said Animals shall be accepted from the Municipality’s Animal Control Officer/Police from 7:30 a.m. to 4:30 p.m., Sunday through Saturday (“Regular Business Hours”). Police and/or Animal Control Officer will be issued a key to an after-hours holding room at the Shelter. Persons may deliver Animals found within the boundaries of the Municipality to the Shelter during Regular Business Hours. Animals delivered to AWS by Municipality’s Animal Control Officer or Police after hours shall be placed by the person delivering the Animal in pens, kennels, or crates made available in the holding room by AWS for that purpose, to the extent such materials are available to AWS. It is the responsibility of the Police and/or Animal Control Officer delivering an Animal after hours to provide bedding, food, and water for said Animal as supplied by AWS, to the extent such materials are available to AWS. Where delivery of one or more Animals by the Municipality’s Animal Control Officer or Police renders the Shelter unable to humanely confine such Animals in the holding room, the delivering Animal Control Officer or

Police shall communicate with designated AWS personnel prior to delivery to verify AWS's ability to confine such Animals. AWS alone retains sole discretion to refuse delivery of one or more Animals where such delivery renders AWS unable to provide appropriate housing and/or disposition of delivered Animals.

3. Police and Animal Control Officers shall take a stray or lost Animal to its owner, if known, or, if the owner is unknown, to the Shelter. Municipality agrees that all Animals apprehended and seized within the boundaries of the Municipality and delivered to the Shelter shall be under the exclusive control and custody of AWS. Moreover, Municipality agrees that AWS shall have the undisputed right, consistent with the laws of the State of Maine, to humanely dispose of any Animal given into its custody in accordance with State laws and the policies and procedures of AWS.

4. AWS will not accept delivery of any injured Animal that has not received proper veterinary care. Municipality agrees that it shall obtain appropriate veterinary care for injured Animals prior to delivery to AWS. In the event that Municipality delivers an injured Animal to the Shelter without first obtaining appropriate veterinary care, AWS, in its sole discretion, may elect either to refuse acceptance of such Animal or to accept delivery of such Animal and procure the veterinary care it deems necessary and appropriate. Municipality agrees to reimburse AWS for the costs of emergency and required veterinary care within ten (10) days from the receipt of an invoice. At no time will the Municipality deliver any injured Animal to the Shelter during hours other than Regular Business Hours unless Municipality has made prior arrangements with AWS.

5. The Municipality agrees to and shall indemnify and hold harmless AWS for any claims arising out of actions and/or inactions of the Municipality's Police Officers and Animal Control Officers in the capturing, detaining, processing, documenting and delivery of any Animal under this Agreement, and for any violation by the Municipality's Animal Control Officer or Police Officers of the provisions of this Agreement, and of applicable laws or regulations.

6. AWS shall assist Municipality's residents in allowing owned Animals to be claimed during Regular Business Hours. AWS will request proof of payment prior to releasing an Animal to its owner and may collect impoundment fees on behalf of the Municipality. AWS reserves the right to release an Animal without payment or proof of payment of impoundment fees. Impoundment fees collected by AWS on the Municipality's behalf will be forwarded to the Municipality monthly, along with a report of activity. An invoice for contract fee for service will be provided to the Municipality quarterly.

7. AWS may provide rabies quarantine on a space-available basis for a period of at least ten (10) days to stray dogs and cats found within the Municipality, which have bitten residents of the Municipality ("Rabies Quarantine"). Provision for rabies testing, and the costs therein, are the sole responsibility of the Municipality and/or its residents. AWS is not obligated to quarantine privately-owned Animals.

8. Municipality shall be fully responsible for carrying out all enforcement activities required under the laws of the State of Maine and the ordinances of the Municipality, as may be amended. AWS shall not be required to apprehend or seize any Animal found roaming at large.

9. AWS shall make all reasonable efforts to promote Trap, Neuter, Return (“TNR”) for feral cats, and return such feral cats that are spayed/neutered, vaccinated, ear tipped and/or micro-chipped to the originating location when possible, and promote caregiver volunteerism and guardianship. The Municipality shall work with AWS and the community to permit and encourage TNR as the preferred method of dealing with feral cats.

10. AWS shall have the sole and exclusive right to determine the responsibility of persons offering to become the owners of unclaimed Animals and the suitability of homes offered and shall have the sole and exclusive right to accept or reject such applicants’ claims to previously unclaimed Animals.

11. Municipality agrees that it shall notify AWS, in writing, of the identities of all of its duly authorized Animal Control Officers. Municipality agrees that it will provide each Animal Control Officer with a copy of the animal control laws of the State of Maine contained in the booklet published by the Maine Animal Welfare Board, the sections of the Municipality’s codes or ordinances which are pertinent to the performance of their duties, and the terms of this Agreement. Animal Control Officers must also be certified as required by 7 M.R.S. § 3947.

12. AWS, its officers, employees, agents, and volunteers shall act in an independent capacity during the term of this Agreement and shall not act or hold themselves out as officers, employees, agents or volunteers of Municipality. Municipality, its employees, agents and representatives shall act in an independent capacity during the term of this Agreement and shall not act or hold themselves out as officers, employees, agents or volunteers of AWS. Nothing in this Agreement shall be deemed by either Party or by any third party as creating a joint venture or partnership between AWS and Municipality.

13. AWS agrees to comply with applicable federal and state laws and regulations in the performance of this Agreement.

14. This Agreement shall not be assigned by either Party, without the prior written approval of the other Party.

15. AWS offers to provide the following services to Municipality at no additional cost to Municipality:

- a. Disposal Services: AWS will accept for disposal stray or lost cats or dogs, dead on arrival, from Animal Control Officers, or duly authorized Police.
- b. Telephone Services: To avoid confusion, AWS will take all telephone inquiries regarding reclaiming an Animal and adopting an Animal. Under special circumstances involving suspected abuse or neglect, the

Animal Control/Police Officer(s) may request that they be contacted prior to an Animal being reclaimed by its owner.

- c. Lost and Found Pet Services: AWS staff will take lost and found reports to facilitate the return of pets to their owners.
- d. Education Services: AWS staff and volunteers will be available for conducting education programs upon request to any interested community group or organization, including schools, grades Kindergarten through 12.

16. For services provided by AWS to Municipality under this Agreement or under applicable law, the Municipality agrees to pay AWS the total sum of \$6,539.34, which is based on \$1.46 per capita/per year, of the Municipality's population as listed here: <https://www.maine-demographics.com/limington-demographics>, payable in advance quarterly payments.

Fee Calculation: 4,479 population x \$1.46 per capita = \$6,539.34

17. This Agreement represents the entire agreement between the Parties and no oral or prior written matter shall have any force or effect. No amendment shall be effective without prior express written approval signed by both Parties. Neither Party shall be bound by any conditions not expressly stated in this Agreement.

18. This Agreement is binding upon, and shall inure to the benefit of the heirs, assigns and successors in interest of the Parties hereto.

19. If any provisions of this Agreement shall be adjudged to be invalid or unenforceable by final judgment of a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity of the Agreement and the remaining provisions of the Agreement shall be construed as if not containing such provision and, thereafter, the rights and obligation of the parties shall be construed and enforced under the remaining provisions of the Agreement.

20. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Maine.

21. The fees noted in Paragraph 16, above, shall cover all boarding for Animals delivered to AWS and held other than those pending court proceedings. In the case of seizures due to cruelty and/or neglect, costs and fees for animal care are the Municipality's responsibility. AWS fee schedules are available upon request.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed on their behalf, in duplicate counterparts, as of the date first above written.

TOWN OF LYMAN, MAINE

By: \_\_\_\_\_ Witness: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Its: \_\_\_\_\_

THE ANIMAL WELFARE SOCIETY, INC.

By: Abigail Smith \_\_\_\_\_ Witness: Terry Olsen \_\_\_\_\_

Printed name: Abigail Smith \_\_\_\_\_ Printed Name: Terry Olsen \_\_\_\_\_

Its: Executive Director \_\_\_\_\_

Quarterly Payment Schedule:

1st Payment due date:	July 1, 2023	Amount:	\$1,634.84
2nd Payment due date:	October 1, 2023	Amount:	\$1,634.84
3rd Payment due date:	January 1, 2024	Amount:	\$1,634.84
4th Payment due date:	April 1, 2024	Amount:	\$1,634.84
		<b>Total</b>	<b>\$ 6,539.34</b>

Date Contract Mailed to Municipality: \_\_\_\_\_

Date Contract Received back by AWS: \_\_\_\_\_

# ITEM #7: (e.) Acceptable Use Agreement

Town of Lyman  
11 South Waterboro Rd  
Lyman, ME 04002

Acceptable Use Agreement

---

## Town of Lyman Acceptable Use Agreement

Effective cyber security is a shared responsibility, and a team effort involving the participation and support of all employees, including volunteer members of boards, committees and/or commissions in the Town of Lyman. It is everyone's responsibility to know, understand and adhere to the guidelines listed in this agreement.

Based on best practices and regulations, we have endeavored to create safe cyber practices which are clear, concise, and easy to understand. If you have any questions about this agreement, please contact The Select Board's Office at [selectboard@lyman-me.gov](mailto:selectboard@lyman-me.gov).

Thank you in advance for your support as we do our best to maintain a secure environment and fulfill our obligations and our mission.

### Acceptable Use Agreement

- I certify that I have read and fully understand this Acceptable Use Agreement. I understand and acknowledge my obligations and responsibilities.
- I understand that Lyman reserves the right to monitor system activity and usage. My signature on this document means I have consented to this monitoring.
- I agree that I will not purposely engage in activity that may: harass, threaten or abuse others; take actions that will impede or reduce the performance of Information Resources; deprive an authorized Lyman user access to a Lyman resource; obtain extra resources beyond those allocated; or in any way circumvent Lyman security measures.
- I further understand that violation of these policies is subject to disciplinary action up to and including termination without prior warning or notice. Additionally, individuals may be subject to civil liability and criminal prosecution.

#### Acknowledged & Agreed to by:

---

User Signature

---

Date

---

Printed Name

## Distribution

- Employees of the Town of Lyman and members of boards, committees and/or commissions, hereinafter known as employees/members, that have access to any Town owned devices, emails, or office equipment/media will receive a copy of the Acceptable Use Agreement upon hire/appointment and annually thereafter.
- Failure to comply with initial and/or annual training requirements and review of this agreement within a reasonable time upon request for review will result in temporary revocation of any and all access to Town-owned devices, emails, or media until all compliance requirements are met.

## Definition

- IT Support is defined as the current IT Remote Managed Services Contractor under contract with the Town of Lyman.
  - To contact IT Support, Lyman uses the support email address provided to document a support ticket. For emergencies, the Select Board's Office shall be contacted as well as IT Support.
- Select Board's Office is defined as the current department head working with and under the supervision of the Select Board.

## Access Control

Access to Lyman information will be limited to those persons who are reasonably required to know such information in order to accomplish our legitimate business purposes or as is necessary for compliance with local, state and federal regulations.

## Data Classification

- Lyman data classifications include Protected and Confidential.
  - Protected information is defined as information that requires the highest level of protection; which if modified or disclosed would have legal, regulatory, and financial or negative public perception impact.
  - Confidential information is defined as information that is restricted to Lyman employees/members, auditors, regulators, vendors, and affiliates on a "need-to-know" basis.
- For details regarding Lyman data classifications, and the security requirements around each classification, contact The Select Board's Office at [selectboard@lyman-me.gov](mailto:selectboard@lyman-me.gov).

## Authentication

### Password Requirements

- Passwords must be at least 12 characters long and be comprised of a minimum of 3 out of the following 4 types of characters: numbers, lower-case letters, upper-case letters, and special characters (i.e., #, &, \*, etc.).
- The password must not include the user's first or last name and should not contain dictionary words or names like those of children, pet, or favorite hobby.



- Passwords must be changed at least every 90 days.
- Users are not permitted to reuse any of their last 10 passwords when selecting a new password.
- Accounts will be locked out (disabled) after 5 consecutive failed log-on attempts.
  - Network accounts will remain locked out for 30 minutes.
  - If you need your account reenabled during the lockout period, contact the Select Board's Office, or IT Support.
  - We understand getting locked out of your account is inconvenient and we will attempt to resolve the issue as quickly as is reasonably possible.

### Password Protection

- Every user is responsible for any actions performed using their network or application account. Therefore, it is critical that users protect their passwords by not storing them in a text file on their computer in an unencrypted form.
- Passwords are to be kept in a secure location and not to be left open to public areas or as visible by others
- Passwords must *never be shared* with anyone, including IT staff.
- Work passwords must never be used for personal accounts such as Gmail, Amazon, an ISP e-mail account, etc. These passwords can be easily intercepted and can result in compromising Lyman's network security.
- Users must report all password compromises or attempted compromises to the IT Support.
- Passwords must be changed by the user immediately if there is any suspicion of compromise and the issue must be reported to IT Support as soon as the user is able to.

### Email

Email use is subject to the following:

- Lyman owns the email system and the information transmitted and stored within it. Users will have no expectations of privacy.
- Users will use the Lyman's approved email encryption solution when sending any email (with or without attachments) which contains Protected or Confidential data.
- The following activities are prohibited:
  - Sending email that can be construed as intimidating, harassing, libelous, slanderous, or defamatory of another person, business, or entity.
  - Using email for purposes of political lobbying or campaigning.
  - Violating copyright laws by inappropriately distributing protected works.

- Posing as anyone other than oneself when sending or receiving email, except when authorized to send messages for another when serving in an administrative support role.
- The following activities are prohibited because they impede the functioning of network communications and the efficient operations of electronic mail systems:
  - Sending or forwarding chain letters.
  - Sending unsolicited messages to large groups except as required to conduct Lyman business.
  - Sending excessively large messages.
  - Sending or forwarding email that is likely to contain computer viruses.
- Individuals must not send, forward or receive protected or confidential information through non-Lyman email accounts. Examples of non-Lyman email accounts include, but are not limited to, Gmail, Yahoo mail, and email provided by other Internet Service Providers (ISP).
- Individuals must not access non-Lyman email accounts from Lyman provided equipment.
- Individuals must not send, forward, receive or store protected or confidential information utilizing non-Lyman approved devices. Examples of such devices include, but are not limited to, home computers and laptops, smartphones, tablets, etc.
- E-mail messages and Internet sites accessed are not private but are property of Lyman. Lyman may review e-mail messages and Internet sites accessed by a user.
- **Think twice before you open attachments or click links in email.**
  - If you don't know the sender, delete the email; if you do know the sender but weren't expecting an attachment, double check using an alternate method of contact that they actually sent the email.
  - If your contact didn't send you the attachment, delete the message. If his or her computer is infected with malicious code, it may automatically send you emails (without their knowledge) with links or attachments in an attempt to infect your computer as well.

## Internet Use

In addition to being an excellent resource for information and a revolutionary way to communicate with the world, the Internet is a rapidly changing and volatile place which can introduce threats to Lyman and its ability to achieve our mission. These policies are intended to provide guidance and protection, while still making available this useful business tool. The following rules apply when using the Internet:

All users must **not**:

- Knowingly visit Internet sites that contain obscene, hateful or other materials that could be construed as offensive; send or receive any material, whether by email, voice mail, memoranda or oral conversation, that is obscene, defamatory, libelous, slanderous, harassing, intimidating, offensive, discriminatory, or which is intended to annoy, harass, or intimidate another person, business, or entity. Intentional access to such sites,

whether or not blocked by Lyman's content filtering system, is prohibited, and subject to disciplinary action, including termination.

- Solicit non-Lyman business for personal gain or profit.
- Use the Internet or email for any illegal purpose.
- Use the Internet or email for offensive or vulgar messages such as messages that contain sexual or racial comments or for any messages that do not conform to Lyman's policies against harassment and discrimination.
- Download or install any software or electronic files without the prior approval of the IT Support.
- Access the Internet via any means other than an approved connection provided for that purpose.
- Change any security settings in their Internet browser unless under the direction of the IT Support.
- Upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of Lyman, or Lyman itself.
- Download or stream images, podcasts, music files, videos, games, etc. unless there is a business-related use for the material.
- Intentionally interfere with the normal operation of the network, including the propagation of computer viruses and sustained high volume network traffic, which substantially hinders others in their use of the network.

## Social Media

Social media, such as Facebook, Twitter, and blogs, is largely a personal communication medium. Even LinkedIn, as well as other "professional" social media sites, are used by individuals in their personal capacity. If Lyman elects to participate in social media, any Lyman communications will be subject to review and approval by The Select Board's Office.

Personal use of such media needs to be conducted in compliance with the following:

- Under no circumstances will Protected or Confidential Information be posted on social media sites.
- The personal use of Facebook, Twitter or social networking web sites must not interfere with working time. Personal use of social networking web sites from Lyman provided equipment is prohibited.
- Any identification of the author, including usernames, pictures/logos, or "profile" web pages, must not use logos, trademarks, or other intellectual property of Lyman, without approval of the Select Board.

- Employees/members are responsible for their conduct on social media platforms and in matters of Lyman shall refrain from defamatory, offensive, libelous, or slanderous conduct that adversely affects employees/members job performance or duties, or customers, suppliers or people who work on behalf of Lyman or conduct legitimate business for Lyman.
- Employees/members are prohibited from using their personal social media to post responses, questions, etc. while acting in an official capacity. All posting requests shall be submitted to the Select Board's office for posting from Town of Lyman social media accounts.
- Written messages are, or can become, public. Use common sense.

## Messaging

Lyman's messaging systems are a communication tool designed to enhance productivity and facilitate internal communications in order to provide excellent customer service. Only messaging applications approved by the Select Board are permitted. Policies governing the acceptable use of email and the Internet apply to Messaging systems.

- Employees have no reasonable expectation of privacy when using the company's Messaging system. The company reserves the right to monitor, access and disclose all employee Messaging communications.
- The Messaging system is intended for business use only.
- Employees will use professional and appropriate language in all messages.

## Removable Media

To minimize the risk of loss or exposure of sensitive information maintained by Lyman and to reduce the risk of acquiring malware infections on computers operated by Lyman, the following restrictions on removable media apply:

- Authorized Lyman staff may only use Lyman removable media in their work computers.
- Lyman removable media may not be connected to or used in computers that are not owned or leased by Lyman without explicit permission of Lyman's Select Board.
- Media such as printers, copiers, scanners, etc. may not be connected to a Lyman remote or mobile device unless such media is owned by Lyman and leased with explicit approval of the Select Board.
- Protected or Confidential information may only be stored on removable media when required in the performance of your assigned duties.
- When Protected or Confidential information is stored on removable media, it must be encrypted.

## Mobile Devices

This section applies to all users who have been granted permission to access Lyman's internal information resources via the use of a mobile device (smartphone or tablet).

### Mobile Device Controls

Smartphones and tablets are a great convenience and are a part of doing business. They also come with many risks including ease of theft, operation in unsecured environments, and easily intercepted wireless communications.

In order to protect our valuable information; it is important that users of mobile devices follow these rules of use:

- Only Lyman approved mobile devices may be used to access Lyman information resources.
- Mobile devices must never be shared with anyone and are intended only for the authorized user.
- The theft or loss of a mobile device must be reported to the IT Support immediately.
- Mobile devices require a powered-on password and will lock after 5 minutes of inactivity.
- Mobile devices will be configured to be wiped after 10 failed password attempts.
- Lyman data residing on mobile devices must be encrypted.
- Mobile devices must be physically secured at all times.

## Laptops

Laptops are a great convenience. They also come with many risks including ease of theft, operation in unsecured environments, and easily intercepted wireless communications.

In order to protect our valuable information; laptop users must follow these rules of use:

- Only Lyman approved laptops may be used to access Lyman information resources.
- Laptop devices must never be shared with anyone and are intended only for the authorized user.
- Laptops are subject to the same Lyman controls as workstations, including patch requirements, malware protection, firewall rules, screen saver timeouts, etc.
- Laptops must be full disk encrypted.
- Laptops must be physically secured at all times.

- The theft or loss of a laptop must be reported to the IT Support immediately.
- Protected and/or Confidential company data cannot be stored on laptops unless specifically authorized by the Select Board's Office.

## Remote Access

This section applies to all users who have been granted permission to access the Organization's internal computing resources from a remote location.

### Remote Access Policy

- Remote access to the Lyman network will be provided to users authorized by The Select Board.
- Any devices used for remote connectivity to the Lyman network must conform to Lyman remote access standards.
- Termination of an authorized user's Remote Access is handled through the standard employee termination process upon employee termination or at management's request.

### Remote Access System

Users must review this Acceptable Use Agreement and acknowledge they understand their requirements in respect to remote access.

- Lyman information WILL NOT be stored on / saved to the remote workstation unless authorized by the Select Board.
- Remote access connections must use the authorized Lyman remote access solution by VPN or authorized remote desktop via provided Town device.
- Remote access connections require two factor authentication by VPN or 2-factor secure remote desktop client.
- The remote workstation will:
  - Be kept physically secure and not be used by anyone other than a Lyman workforce member.
  - Have security controls in place:
    - Antivirus Software installed and virus definition files updated.
    - Desktop Firewall Software.
    - Updated and current with operating system and application patches.
    - No critical vulnerabilities or malware are present that could negatively affect the health of the Lyman network.
- Remote sessions will be automatically disconnected after 5 minutes of inactivity.

## Physical Access

This section applies to all facilities operated by Lyman and all employees/members and any other person who may come in physical contact with resources that affect Lyman's information assets on Lyman's premises.

Physical Security is the process of protecting information and technology from physical threats. Physical access to information processing areas and their supporting infrastructure (communications, power, and environmental) is controlled to prevent, detect, and minimize the effects of unintended access to these areas (i.e., unauthorized information access or disruption of information processing itself). The business of Lyman requires that facilities have both publicly accessible areas as well as restricted areas.

- When an individual authorized to access a controlled area is separated from Lyman or has a role change that no longer authorizes access to that area, that person's authorization will be removed from all applicable access lists and immediately removed from controlled areas.
  - When a user is separated from Lyman, any access tokens or keys will be collected, and the necessary access control personnel will be notified.
- All individuals that enter any of Lyman's secured areas must be verified as authorized to do so.
- Third parties must not be given access to the Data Center unless authorized by The Select Board's Office.
- Protected and confidential data and/or information systems containing confidential or protected data must be physically secured when not in use. Files must be stored in controlled areas or locked vaults and access is limited to appropriate users based on job function.
- Individuals are required to notify a Manager if they notice improperly identified visitors.
- Desktops will be automatically disconnected after 5 minutes of inactivity.
- No users personal information or data should be stored on Lyman's devices.

## Incidental Use of Information Resources

As a convenience to the user community, incidental use of Information Resources is permitted. Only brief and occasional use is considered to be incidental. The following restrictions on incidental use apply:

- Incidental personal use of electronic mail, Internet access, fax machines, printers, copiers, and so on, is restricted to approved users; it does not extend to family members or other acquaintances.
- Incidental use must not result in direct costs to Lyman.
- Incidental use must not interfere with the normal performance of a user's work duties.

- Incidental use of information resources must not involve solicitation in any form, must not be associated with any outside business or employment activity, and must not potentially injure the reputation of Lyman, or its employees/members.
- All messages, files and documents – including personal messages, files and documents – located on information resources are considered to be owned by Lyman and may be subject to open records requests and may be accessed in accordance with this policy.

### Termination

The following requirements apply to all users and contractors whose employment or affiliation is terminated either voluntarily or involuntarily.

- The terminated user must immediately surrender the following: all keys, IDs, access codes, badges, business cards and similar items that are used to access Lyman’s premises or records.
- The terminated user’s voicemail access, e-mail access, Internet access, passwords, and any other physical or electronic access to personal information will be disabled immediately.
- The terminated user must return all records to Lyman that contain protected or confidential information, which at the time of termination is in the terminated user’s possession. Such records include all personal information stored on laptops or other portable devices or media, and in files, work papers, etc.

### Adoption

Adoption of this agreement is by a majority of the Town of Lyman Select Board on this 5<sup>th</sup> day of June, 2023 and is effective immediately.

\_\_\_\_\_ Ralph Blackington - Chair

\_\_\_\_\_ Thomas Hatch – Vice Chair

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

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

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

A majority of the Select Board  
Lyman, Maine