

Town of Lyman
Select Board Meeting Minutes
Monday August 21st, 2023 – Lyman Town Hall

These are summary minutes in nature only and a full video recording of the proceeding is available to view on our YouTube channel at <https://www.youtube.com/@LymanTownHall/streams> or visit our website: <https://lyman-me.gov/committees/board-of-selectmen/agenda-and-minutes/>

Selectboard members present: Rusty “Ralph” Blackington (Chair), Thomas Hatch (Vice Chair), Jessica Picard, Amber Swett, Victoria Gavel

Selectboard members absent: none

ITEM #1 **SPECIAL OFFERS/ PRESENTATIONS**

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

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

Joseph Wagner – Shares information regarding Maine Municipal Bond Bank as an option for funding municipal loans. This may be an avenue to obtain financing for the Town Hall Expansion. Asks the board to keep to the original wording of the article as proposed in the citizen’s petition. He asks the Board to consider using Lyman Elementary as the venue of the special town meeting. He asks for a sunset date to be set for the interim policy. He mentions at a previous select board meeting an individual was appointed to a committee whose misconduct he personally witnessed in this room some years ago and he thinks should preclude any participation in the governance for the Town as a municipal official.

- b. *Mail* •*Letter from Planning Board* •*Letter from Goodwin Mills Cemetery*
Reviewed in meeting.

ITEM #3 **MINUTES**

- a. *Review / Approve meeting minutes 8/7/2023*

Thomas Hatch – **Makes a motion to approve. Jessica Picard seconds the motion.**

Motion passes: 4-0-1 (Thomas Hatch, Jessica Picard, Amber Swett, Victoria Gave approve; Ralph Blackington abstains, he was not present for the meeting.)

ITEM #4 **SIGN WARRANTS**

- a. *Payroll Warrant #6 in the amount of \$24,353.49*

Amber Swett – **Motions to approve. Jessica Picard seconds. Motion passes: 5-0-0**

- b. *Accounts Payable Warrant #59 (FY2023) in the amount of \$120,683.20*

Jessica Picard – **Motions to approve. Amber Swett seconds. Motion passes: 5-0-0**

- c. *Accounts Payable Warrant #7 (FY2024) in the amount of \$78,603.74*

Thomas Hatch – **Motions to approve. Ralph Blackington seconds. Motion passes: 5-0-0**

ITEM #5 **UNFINISHED BUSINESS**

- a. *RFPs for ARPA funded projects. Bunganut Ball Field, Transfer Station, Kennebunk Pond – Discussion, next steps, Bid updates received for Transfer Station & Kennebunk Pond Beach*

Lindsay Gagne – Explains there is a breakdown of different options for these projects. Depending on which bids are selected the board may have to consider taking additional funds from capitol improvement or other reserves.

Victoria Gavel – States she has visited the beach and has considered if the ADA ramp would encroach the beach area given its size and also cautions everything put into place will require future maintenance the Town would need to consider. She states she appreciates and respects the time

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and effort the committee has put into this project but also feels the Transfer Station is a high priority.

Thomas Hatch – States we are fully funding the Transfer Station, other than removing the paving section to the Salt Shed.

Priscilla Ouelette – Asks if Town has to provide ADA access when doing renovations to this park.

Jessica Picard – States this may just be for buildings, but the board could look into this.

Karen Kane – States the architect had talked to the committee about the space it would take up and concluded it wouldn't be much more than what the existing brush already envelops.

Ken Burr – States this is electronic and asks who will maintain it for routine maintenance and address damages that may occur. The bid does not detail the wiring and excavation for the gate.

Thomas Hatch – States the issue had been that there was a safety concern because of criminal activity. We had someone managing the gate, but safety concerns had come up.

Karen Kane – Explains this gate will be automated. Lyman residents will have a free pass, others will have a paid pass. Fishermen would have a free pass because the pond is stocked. The revenue generated would help fund maintenance for the gate. The gate would be unlocked from dawn to dusk, unless otherwise determined. If anyone had a pass, the gate would not work outside of those hours. You could always get out once you're in, however. The committee is looking into towing parked vehicles on the road. Non-residents could purchase passes at the Town Hall, or they've also considered getting neighboring businesses involved selling the passes. The DOT offers a \$5,000 rebate for the flashing beacons and will only offer it after we install it and they come and inspect it. The quote on the gate was locked in until possibly end of August or October. Knowing that prices will likely increase, the committee added an additional \$20,000 to cover potential increases. They only found one gate company to do work in this area.

Victoria Gavel – States if the board is in agreement with having the ADA accessibility, she would feel comfortable going with the lowest bid.

Jessica Picard – **Motions to award the Transfer Station bid to Dancause Construction based on the updated revised bid from July 23, 2023 in the amount of \$234,750.**

Victoria Gavel – **Seconds the motion. Motion passes: 5-0-0**

Lindsay Gagne – Explains depending what the remainder of the ARPA funds comes out to, the board may need to determine any excess spending will come out of a different reserve, likely capital improvement, and make a motion to authorize spending of that reserve.

Amber Swett – Asks if the \$5,000 grant is applied does it get applied to the ARPA funds. Something to check with the Treasurer possibly.

Thomas Hatch – **Motions to award \$87,497 for the low bid on Kennebunk Pond Beach with ADA access.**

There is discussion of separating the bid price from GT Scapes and the Gate estimate.

Thomas Hatch revises his motion.

Thomas Hatch – **Motions to accept the bid for GT Scapes of \$65,497.12**

Amber Swett – **Seconds the motion.**

Jessica Picard – **Clarifies this does include ADA access.**

Motion Passes: 4-1-0 (Ralph Blackington, Thomas Hatch, Jessica Picard, Amber Swett in favor; Victoria Gavel opposed).

Thomas Hatch – **Motions to award the \$22,000 for gate, camera purchase, installation, and architect oversight.**

Amber Swett – **Seconds the motion.**

Jessica Picard – **Asks where the internet will come from for the Gate. And programming cards and annual costs.**

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Karen Kane – States they are meeting with the gate company on the 31st to discuss potential options.

Motion passes: 4-1-0 (Ralph Blackington, Thomas Hatch, Jessica Picard, Amber Swett in favor; Victoria Gavel opposed).

Jessica Picard – Motions for the \$600 difference to come out of capitol improvement.

Victoria Gavel – Seconds the motion. Motion passes: 5-0-0

Ralph Blackington – States the O.S.B behind the vinyl siding is getting wet and swelling due to the holes in the siding.

Victoria Gavel – Recommends patching the siding for now and addressing the safety concerns first.

Jessica Picard – Motions to award item one to repair and replace exterior existing stairs and railings to the second floor of the concession stand to BD carpentry for \$3,500 funded out of Capital Improvement.

Victoria Gavel – Seconds the motion.

There is discussion on the different bid prices.

Jessica Picard – Rescinds her motion.

Jessica Picard – Motions to award the bid to remove and replace existing exterior stairs and railings to the second floor of the concession stand to KCB landscaping for \$3,300 funded out of capitol improvement.

Thomas Hatch – Seconds the motion.

Victoria Gavel – States there are some added disposal fees that may change the dollar amount of the bid.

Jessica Picard – Rescinds her motion and asks Lindsay to contact the bidders and have them offer a bid on item one in the RFP only.

b. [Review / Approve Code of Ethics](#)

Amber Swett – Motions to approve the Code of Ethics.

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

ITEM #6

DEPARTMENT AND COMMITTEE REPORTS

a. [Road Commissioner](#) – none

Jessica Picard – States she has noticed a lot of visible work going on various roads and commends the road commissioner.

b. [Fire Chief](#) – none

c. [CEO](#) – none

d. [Tax Clerk](#) – none

e. [Treasurer](#) – [Expense Report 8-17-23](#) – reviewed in agenda packet

f. [Town Manager](#) – none

g. [IT Committee](#) – [Memorandum re: Letter of Recommendation](#)

Lindsay Gagne – Explains there are limited resources for block time usage for IT services, the board will want to consider and make sure we have budgeted enough funds for additional IT services. We can ask IT to give us a quote on time and services. MMA Risk Management also offers a grant for up to \$3,000 for safety items that include cameras. We could apply for this grant to help with costs. We could contact an electrician and ask them to price out their services. At this time, we don't know exactly what this would cost and would have to consider where the funds would come out of. The grant will help with some of the cost.

Jessica Picard – States she would like to have more information before coming to a decision.

h. [Other](#) - none

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ITEM #7

NEW BUSINESS

- a. [Review / Approve Warrant for September 11, 2023 Special Town Meeting](#)
Amber Swett – Motions to approve the warrant for September 11, 2023 Special Town Meeting
Victoria Gavel – Seconds the motion. Motion passes: 5-0-0
- b. [Citizens Petition for Warrant Article. Determine Article wording. Schedule Public Hearing](#)
Jessica Picard – Motions to approve the proposed article language for this citizens petition.
Victoria Gavel – Seconds the motion.
Amber Swett – Verifies the wording has been reviewed by Town Council.
Motion passes: 5-0-0
Jessica Picard – Motions to hold a public hearing on September 5, 2023 at 6:00pm.
Victoria Gavel – Seconds the motion. Motions passes: 5-0-0
Jessica Picard – Asks if the board would want to schedule the town meeting at the Elementary school. There is discussion on the different costs associated with using the school. The board agrees to hold the Town Meeting at the Town Hall.
Jessica Picard – States she recommends having the town meeting at 7:00pm to ensure people can attend.
Jessica Picard – Motions to hold a Special Town Meeting on October 3rd, 2023 at 7:00pm
Amber Swett – Seconds the motion. Motion passes: 5-0-0
- c. [Hold Harmless for S.M.A.S.H Request for waiver of certain items.](#)
Victoria Gavel – Motions to waive section A, C, Article 4, Article 5, and Article 6 for SMASH
Jessica Picard – Seconds the motion. Motion passes: 5-0-0
- d. [Review Committee Applicant – Comprehensive Plan Committee, 1 applicant](#)
Thomas Hatch – Motions to accept her application.
Victoria Gavel – Seconds the motion. Motion passes: 5-0-0
- e. [Appoint Ballot Clerks for September 11, 2023 Special Town Meeting](#)
Jessica Picard – Motions to appoint Leila Roy, Barbara Hull, Katrina Randall and Irene Single as Ballot Clerks for the September 11, 2023 Special Town Meeting.
Amber Swett – Seconds the motion. Motion Passes: 5-0-0
Ralph Blackington – Motions to appoint Amber Swett and Jessica Picard as Ballot Clerks
Thomas Hatch – Seconds the motion. Motions passes: 3-0-2 (Ralph Blackington, Victoria Gavel, Thomas Hatch in favor; Jessica Picard, Amber Swett abstain.)
- f. [Appoint Land Use Director](#)
Jessica Picard – Motions to appoint Brenda Charland as Land Use Director
Thomas Hatch – Seconds the motion. Motion Passes: 5-0-0
- g. [Appoint Administrative Clerk](#)
Victoria Gavel – Motions to go into executive session under 1 M.R.S.A 405 (A) for discussion regarding personnel matters to talk about the Administrative Clerk position.
Jessica Picard – Seconds the Motion.
Victoria Gavel – States she doesn't care to discuss any other item except for that.
Motions passes: 5-0-0
Jessica Picard – Motions to come out of executive session
Amber Swett – Seconds the motion. Motions passes: 5-0-0
Jessica Picard – Motions to appoint Rebekah Thompson as Administrative Clerk
Amber Swett – Seconds the motion. Motion Passes: 5-0-0

OTHER

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Amber Swett – States she noticed in the treasures expense report the tipping fees for waste disposal was greater than the tipping fees for recycling. She would recommend getting some type of magnetic sign to post on the compactor's that reflects information as to the cost comparison of tipping fees between household waste and recycling showing the cost to the taxpayer. She would like to develop some education sessions with the Recycling and Waste Committee, once established, to be held at the Transfer station.

Thomas Hatch – Asks why the boy scouts pulled their bottle collection from the Transfer Station. It's not determined why. They could consider other groups to put a bottle collection there.

Victoria Gavel – States there should be signage posted there is video and audio recording, so people are aware.

EXECUTIVE SESSION

1.M.R.S.A §405 (A) for discussion regarding Personnel Matters

Discussed under Item# 7 (g).

ADJOURN


Victoria Gavel – Motions to adjourn. **Amber Swett** Seconds. Motions passes: 5-0-0



Rusty "Ralph" Blackington



Thomas Hatch



Amber Swett

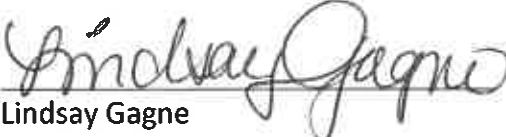


Jessica Picard



Victoria Gavel

I, Lindsay Gagne, Town Manager of the Town of Lyman, Maine, do hereby certify that the foregoing document consisting of 5 pages are the original minutes of the Select Board Meeting dated August 7th, 2023



Lindsay Gagne