

Town of Lyman
Select Board Meeting Minutes
Monday September 5th, 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**

a. *Select Board Public Hearing regarding Initiated Referenda*

Public Hearing is opened at 6:00pm.

Joe Wagner – States at the Town Meeting article 32 was voted in favor of salaries and funding of the previous fiscal year. After the Town Manager and Town Clerk positions were consolidated a petition to call for a Special Town Meeting was circulated and received a sufficient number of signatures to raise funding for additional salary positions. He refers to Title 38 and Title 21-A describing duties of Town Manager and Town Clerk. The article question addresses the restoration of Select Board Clerk and Town Clerk positions. He refers to other Towns having a combined Town Clerk and Town Manager position and that they will have several deputies, while other Towns have separate clerks and managers. The article is appropriating salaries from surplus and will not create an increase in taxes, however going into the next fiscal year may require an adjustment to the mill rate.

Carol Baker-Roux – States she would expect the Town Clerk and Select Board clerk not to be paid equally due to their responsibilities and also the board should consider adjusting the benefits so employees are paying into benefits, and this would help with cost savings.

There is no further comment. The Public hearing closes at 6:15pm

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.*

Priscilla Ouelette – States the Kennebunk Pond Committee was established as an ADHOC committee to address the safety concerns at the Beach. Because they are an ADHOC committee they are not required to conduct their meetings in public, however, recently they have considered having their meetings open and posted for public attendance. The Committee has elected Karen Kane as Chair, Linda Carscallen elected as secretary. On September 1st, there was an onsite meeting with the architect and GT Scapes to review the upcoming project. They determined it will take approximately 25 days to complete the project. The tentative start date will be around October, November. Work will begin on the Beach side followed by the Parking side. Notices will be posted to apprise the public of park closures. Plantings of vegetation will be done in the Spring, weather permitting. The committee is working on gathering information regarding the gate system and will make recommendations. GT Scapes has agreed to complete the trenching requirements for the gate when the gate is ready to be installed. The committee is considering other gate options that may include basic design features allowing the gate to open and close automatically rather than use access cards, but with options to modify should the Town decide to enhance the functions of the gate.

Joe Wagner – Thanks GMFR and the Road Commissioner for taking care of a downed tree in the road. He states the State website has not been updated with a listing of Town Clerks and Registrars. He mentions at the last meeting two select board members were appointed as Ballot Clerks. He contacted the State Attorney Generals Office and found there is no statutory prohibition. He also

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contacted Maine municipal Association as a Town Municipal Official and asked for an explanation regarding why that type of appointment may not be allowed and was informed the manual refers to common law not statutory law.

Priscilla Ouellette – States there have been concerns with trash debris and buildup at a property in town. She encourages the Board to observe the property. The trash build up is increasing and creating an issue with rats and safety hazards with needles left on the ground.

Sue Briggs – States there have been boulders removed from Kennebunk Pond Beach and placed on the end of Pines Road which is within the easement of the DOT zone. She's not sure who put them there, if it may have been one of the associations in that area. The rocks are causing a blockage for turnarounds by the boat ramp area.

- b. Mail • *Thank you Letter from Lifeflight* • *DAR letter*
Reviewed in Agenda Packet

ITEM #3

MINUTES

- a. *Review / Approve meeting minutes 8/21/2023*
Voctoria Gavel – Motions to approve. Thomas Hatch seconds the motion. Motion passes: 5-0-0

ITEM #4

SIGN WARRANTS

- a. *Payroll Warrant #8 in the amount of \$23,924.18*
Amber Swett motions to accept. Thomas Hatch seconds. Motion passes: 5-0-0
- b. *Accounts Payable Warrant #60 (FY2023) in the amount of \$139,357.00*
Victoria Gavel – Motions to accept. Jessica Picard seconds.
Thomas Hatch – Asks to look into tree cutting on Walker Road and some work done on Grasshopper Lane if this can be clarified.
Motion passes: 5-0-0
- c. *Accounts Payable Warrant #9 (FY2024) in the amount of \$618,031.74*
Amber Swett – Motions to accept. Victoria Gavel seconds. Motion passes: 5-0-0

ITEM #5

UNFINISHED BUSINESS

- a. *Discuss updates - Kennebunk Pond Committee regarding automated gate system*
Victoria Gavel – States she asked for this to be on the agenda because after discussion from the last meeting she had questions about the gate functions and what the committee was recommending and she was wondering why there couldn't be a gate that just goes up and down, however, Priscilla clarified a lot these questions with her update form the committee. In the meantime, if safety is an issue, she lives down the street and would offer to open and close the gate if it's helpful.

ITEM #6

DEPARTMENT AND COMMITTEE REPORTS

- a. *Road Commissioner* – none
- b. *Fire Chief* –
Matt Duross – Reports in August GMFR responded to 74 incidents, a 50% increase from last year. As of Sunday, there have been about 600 calls, an increase from last year's calls of 547. There were 17 multi-incidents. In August 30% of all EMS transports were to the Maine Medical Center. GMFR has now hosted two community CPR classes with a third one scheduled. He is looking into getting a survey on the right-of-way on Barkers Pond Road to determine if it is Town Owned and if they will be able to place a dry hydrant there. They will need about \$3,000 to conduct the survey that would come out of the dry hydrant account.
- c. *CEO* –

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Brenda Charland – States for clarification she had requested to be appointed as Land Use Director because she may need to work with someone to establish setbacks or what's in the land use or researching information for the Planning Board. She's required to be certified for Maine 80k and formally authorized by the jurisdiction she represents.

- d. Tax Clerk – None
- e. Assessor – 2023-2024 Commitment Summary & Historic Tax Information
- f. Treasurer – Expense Report
- g. Town Manager – Progress Report

Lindsay Gagne – States the Town Hall Expansion is currently being reviewed by the Engineer. She is working with them in collecting information and determining if DEP needs to be involved with the wetlands area behind the building. If this area is not able to be expanded on, the engineer will look into other options in adjusting the plans. There are a few elections coming up and the website has been updated to add a Town Meeting and Elections page to help streamline information sources for all the different events coming. The new Admin Clerk has started, and things are going very well so far.

- h. Other -

ITEM #7

NEW BUSINESS

- a. Discussion Shore Rd & discontinuing agreement to pay annually 250.00 for road maintenance, see notes
Lindsay Gagne – Explains in 2019 the board had decided to pay the shore Road association \$250 annually to repair damages from the plowing of the hammerhead on that road. The Town has an easement with one of the property owners who is not part of the road association but has granted the easement to allow the plow truck to plow and turn around in the hammerhead section. Over the last two years, the road commissioner has gone out and repaired damages at the homeowner's request. The Road Association has agreed to discontinue the \$250 payments and the Town will take care of repairing damages in the hammerhead.
Thomas Hatch – Motions to discontinue the \$250 payment to the Shore Road Association.
Jessica Picard – Seconds the motion. Motion passes: 5-0-0
- b. Update contract for plowing of Town Hall
Amber Swett – States the Town Hall Plowing and sanding was budgeted for \$4,640 but the contract is for \$4,700. She would want the budget line to add up to the contract so there is less confusion.
Jessica Picard – Suggests tabling the item and getting some clarification.
- c. Update contract for plowing of Transfer Station
Jessica Picard – Motions to approve the Plowing/Salting of the Transfer Station to Tibbetts Farm LLC for \$3,000. **Amber Swett** – Seconds the motion. Motion passes: 5-0-0.
- d. Review contract proposal for plowing at Bunganut Park
Lindsay Gagne – States Parks and Recs had asked if the Lake Side could be plowed to allow them to do more snowshoeing events this winter. The board had budgeted \$700 for this year to do that. Tibbetts Farm LLC would plow a small section of the parking area for this price and if the board determined they wanted more spaces plowed they would be willing to talk about that.
Thomas Hatch – Motions to accept the contract with Tibbetts Farm LLC for \$700 to do the plowing of the lakeside at Bunganut Park.
Jessica Picard – Seconds the motion. Motion passed: 5-0-0
- e. Discuss / vote recommendations for warrant article 2 (Warrant for 10/3/23 town meeting)
Jessica Picard – Motions that the Select Board recommendation for this warrant article be \$0
Amber Swett – Seconds the motion. Motion passes: 4-1-0 (Ralph Blackington, Thomas Hatch, Amber Swett, Jessica Picard in favor; Victoria Gavel opposed)

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- f. [Review / Approve order for special town meeting 10/3/23](#)
Jessica Picard – Motions to approve the order for Special Town Meeting to be held on October 3, 2023. Amber Swett – Seconds the motion. Motion passes: 5-0-0
- g. [Discuss YMCA contract for FY2025, renewal is up in October 2024](#)
Lindsay Gagne – States the contract term is good until October 2024, but if the board wants to renew or modify the contract, they may want to start doing some workshops to figure out what the budget will be going forward.
Michelle Feliccitti – States the Bunganut Committee had their first meeting. They are looking into different kinds of grants and day of caring and have done a survey to collect some feedback from the community.
A workshop is scheduled for Thursday September 28th, 2023 at 6:00pm at the Town Hall.
- h. [Review / Approve Town Manager Contract](#)
Thomas Hatch – Motions to go into executive session per MRSA 405 (A) for discussion on personnel matters.
Amber Swett – Seconds the motion. Motion passes: 4-1-0 (Ralph Blackington, Thomas Hatch, Amber Swett, Jessica Picard in favor; Victoria Gavel opposed)
Jessica Picard – Motions to come out of executive Session.
Thomas Hatch – Seconds the motion. Motion passes: 5-0-0
Jessica Picard – Motions to approve the contract for Town Manager
Thomas Hatch – Seconds the motion. Motions passes: 5-0-0

OTHER


EXCECUTIVE SESSION

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

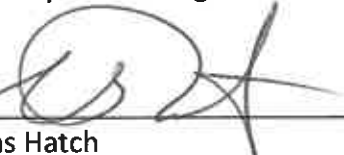
See Item 7 (h)

ADJOURN


Jessica Picard – Motions to adjourn. Amber Swett seconds the motion. Motion 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 4 pages are the original minutes of the Select Board Meeting dated September 5th, 2023



Lindsay Gagne