

Town of Lyman
Select Board Meeting Minutes
Monday February 20th, 2024 – 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: Thomas Hatch (Vice Chair), Jessica Picard, Amber Swett, Victoria Gavel
Selectboard members absent: Rusty “Ralph” Blackington (Chair)

ITEM #1 **SPECIAL OFFERS/ PRESENTATIONS**

a. **Public Hearing – RFP for Aerial Imagery Services**

Thomas Hatch – Opens the Public Hearing at 6:00pm.

Bob St. Onge – States it is the property owners right to post their property. He is opposed to having flyovers occurring as the pictures taken may become public record. Drones are not regulated by the FAA and there have been court cases across the country regarding violations of privacy rights with flyovers similar to these. He is not aware of any Town Official ever being denied access to someone’s property. This RFP should go to the voters to be voted on.

Heather Chase – States information and data being collected from the flyover will be stored likely for a long time and is never deleted. She is concerned about violations of privacy. She states there can be more cost-effective approaches to this that could be considered.

Michelle Feliccitti – States the data collected from the flyovers is not erased and is always there. Having the Assessor go out to properties is good for community engagement. This is not fiscally responsible to put money towards this and it’s not something that will drastically change how the job is done.

Bill Nowicki – States the US Constitution protects US citizens from unreasonable searches and seizures.

Scott Robertson – States he is not in favor of the Town spending money on this. When he recently sold a home, he found that all the information about the property was easily accessible from a cell phone.

Judy St. Onge – States she disagrees with the concept that this will save money and time because there will be no salary changes or decreases in costs in other areas. She would rather see funding put towards hiring personnel. The Town taking aerial photographs of properties is an invasion of privacy.

Ken Burr – States the item should be tabled until there is a new employee hired for the current open position because they may not feel they need this.

Kevin Veilleux – States he is in favor of the aerial imagery because it may serve as beneficial for multiple employees, boards, and committees, such as, Planning Board, Ordinance Review, Forestry Conservation, Zoning Board of Appeals, Cemetery Committee, and so on. He states about ten years ago a company conducted flyovers of the State of Maine and up until two years ago you could view anybody’s property on the internet. It was taken down because the data is now considered out of date. You can view what these images will look like by going to Bingmaps.com and view Portland Maine, or Concord New Hampshire and you will see there are no images peeking inside people’s windows. Aerial photos are taken from FAA controlled airspace. Lyman is behind other Town’s and lacks supportive systems that help employees conduct their work effectively. These flights were to be scheduled with proper notice going out to the citizens. The flights would take place one day per year.

Bob St. Onge – States the property owner owns all the air above and ground below their property.

Josh Eon – States the Town can utilize other software tools that are publicly available.

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Thomas Hatch – States he is concerned with the privacy issue and the Town was not looking to catch property owners doing anything, but to help the Assessor get that department caught up as there has been a lot of transition in that department and it is well known that there is a lot to get caught up on.

Victoria Gavel – States she was in favor that it would be helpful for the Assessor but given the sentiment from the citizens she would be in favor of looking into other alternatives, such as putting funding towards hiring personnel. If the Board were to consider this again, she would want to see it go to the voters to vote on.

Thomas Hatch – Reads an email from Paul Lorain who opposes aerial flyovers. There is no further public comment. The Public Hearing closes at 6:35pm

Jessica Picard – **Motions to take out of order Agenda Item 5(a) and address the RFP**

Amber Swett – **Seconds the motion. Motion passes: 4-0-0**

Jessica Picard – **Motions regarding the RFP for Aerial Imagery Services that the Town does not proceed with this service at this time.**

Amber Swett – **Seconds the motion. Motion passes: 4-0-0**

EXECUTIVE SESSION

1.M.R.S.A §405 (A) Discussion regarding personnel matters

Jessica Picard – **Motions to go into executive session per M.R.S.A 405(A) discussion regarding personnel matters.**

Amber Swett – **Seconds the motion.**

Motion passes: 3-0-1 (Thomas Hatch, Amber Swett, Jessica Picard in favor; Victoria Gavel opposed)

Jessica Picard – **Motions to come out of executive session. Amber Swett Seconds. Motion passes: 4-0-0**

ITEM #2

HEARING OF DELEGATIONS / PUBLIC INPUT

- a. *Public Input – Public in attendance will have up to 5 minutes to address the Board.
Please use the podium to address the board and please be respectful of others*

Michell Feliccitti – Asks who is on the building committee and verifies from discussion the Town Hall Expansion Committee was dissolved and there is a Buildings and Grounds Committee from the revised charter.

- b. *Mail •MDOT Letter*

There is discussion that the Town owns a radar device however there is technical issues with the settings that have not been able to be reprogramed.

ITEM #3

MINUTES

- a. *Review / Approve meeting minutes 2/5/2024*

Amber Swett – **Motions to approve the meeting minutes.**

Jessica Picard – **Seconds the motion. Motion passes: 4-0-0**

ITEM #4

SIGN WARRANTS

- a. *Payroll Warrant #31 in the amount of \$27,587.88*

Victoria Gavel – **Motions to approve. Jessica Picard seconds. Motion passes: 4-0-0**

- b. *Accounts Payable Warrant #30 (FY2024) in the amount of \$95,769.95*

Victoria Gavel – **Motions to approve. Jessica Picard seconds. Motion passes: 4-0-0**

Amber Swett – **Adds discussion that the MSW amount cost the Town \$22,936.45 and the recycling cost the Town \$878.40.**

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ITEM #5

UNFINISHED BUSINESS

a. [RFP Waste Hauling – Review bids/ Updated Contract](#)

Lindsay Gagne – States the contract was updated to include changes to insurance requirements and added language for damages to the Town-Owned containers. The price was left blank until a bid is awarded.

Jessica Picard – **Motions to approve the draft template of the Waste Hauling Contract**

Amber Swett – **Seconds. Motion passes: 4-0-0**

Gino Breggia – Confirms he has three trucks and three drivers.

Shawn Girard – Confirms he has three trucks and two drivers. When he bid this contract, he bid it based on Monday through Friday services. He wasn't aware that the Town wanted weekend services. He was called for weekends in the past, but it cost more for him to get a driver. He would negotiate a higher weekend rate. He uses Lyman as a fill in, but Lyman is prioritized over residential or other services they provide.

Jessica Picard – States there hasn't been any formal communication and would like to see better communication going forward.

Gino Breggia – States he has four years in the business. He services this area and would provide quality service to the Town.

Jessica Picard – **Motions to award the bid to CIA Salvage**

Victoria Gavel – **Seconds the motion.**

Discussion among the board the decision is based on cost and with any prior issues the Town will work to communicate better. Shawn Girard confirms his price of \$190 per haul for the first year and would want to negotiate a higher rate for weekends but leaves it up to the board. Lindsay Gagne states the bid request outlined the necessity for possible weekend hauls and confirms with Shawn Girard that CIA will be available for weekend calls.

Motion passes: 4-0-0

b. [RFP Aerial Imagery Services – Review bids](#)

Item moved out of order, see above under Item #1

c. [Franchise Agreement, Updates if any – Public Hearing scheduled March 18th, 2024](#)

Discussion there are no updates, Lindsay Gagne will check with Tony Vigue if he wants to attend the public hearing.

d. [Discuss chain of communications/ Code of Conduct](#)

Discussion to table the item to the next meeting so the board can review the draft code of conduct.

e. [Discuss Bunganut Booth Repairs, updates if any](#)

Lindsay Gagne – States Michelle Felicitti was looking to see if someone would donate something and is also looking at quotes. The Board will need to decide if they want to do repairs from the insurance claim or replace the whole booth before we open the park end of May. Item tabled.

f. [Review draft personnel policy](#)

A workshop is scheduled for February 26, 2024 at 6:00pm at the Town Hall.

ITEM #6

DEPARTMENT AND COMMITTEE REPORTS

a. [Tax Collector – Monthly Report](#) – Reviewed in Agenda Packet

ITEM #7

NEW BUSINESS

a. [Discuss repairs to Salt Shed](#)

Lindsay Gagne – States the electrical panel is corroded, the electrical inspector took a look at it, we got a quote for a new panel for \$900.

Victoria Gavel – **Motions to take the money out of capital improvement to replace the panel at the salt shed because it's corroded.**

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Jessica Picard – Seconds the motion

Discussion if the panel could be moved outside or if there are other options. Lindsay will check what other options there are.

Motion passes: 4-0-0

- b. Discussion/ Approval of funds for updates to access control system.

Jessica Picard – States she would want an inspection done of the fire alarm system.

Jessica Picard – Motions to approve spending \$350 out of the contingency fund for fire alarm testing and inspections as soon as possible.

Victoria Gavel – Seconds. Motion Passes: 4-0-0

Jessica Picard – Motions to approve up to \$5,100 out of Capital Improvement for upgrades to the access control system.

Motion passes: 4-0-0

- c. Approval for Field Use Request Form S.M.A.S.H

Jessica Picard – States the board has considered fees for field use and suggests the Bunganut Park Committee review and recommend a field use fee schedule.

Michelle Feliccitti – States she can bring this to the Bunganut Committee and look at ways how to offset some of the expenses for the park.

- d. Reschedule Next Select Board Meeting – Need room for Election Setup.

Next Select Board meeting has been moved to March 7th, 2024 at 6:00pm located at the Town Hall.

OTHER


Michelle Feliccitti- States May 18th, 2024 will be the clean up day for the Pines at Bunganut Park.

ADJOURN

Jessica Picard – Motions to adjourn. Amber Swett Seconds. Motion passes: 4-0-0




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 February 20th, 2024



Lindsay Gagne