

Town of Lyman
Select Board Regular Meeting Agenda
Monday, June 17th, 2024 – Lyman Town Hall

Welcome to the June 17th, 2024, Regular Meeting of The Lyman Select Board.
This meeting is a public proceeding and is being recorded.

PLEDGE OF ALLEGIANCE

ITEM #1 **SPECIAL OFFERS/ PRESENTATIONS**

- a. Select Board Vote Chair, Vice Chair, Fire Commission member
- b. Rustic Dreams – Special Amusement Permit Application
- c. Welcome New Select Board Members

EXECUTIVE SESSION 1.M.R.S.A §405 (C) Acquisition of real property – Tabled from last meeting

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*
- b. Mail • York County Sherrif Report •FEMA Letter

ITEM #3 **MINUTES**

- a. Review / Approve meeting minutes 6/3/2024

ITEM #4 **SIGN WARRANTS**

- a. Payroll Warrant #47 in the amount of **\$46,442.81**
- b. Accounts Payable Warrant #48 (FY2024) in the amount of **\$294,119.96**

ITEM #5 **UNFINISHED BUSINESS**

- a. Franchise Agreement, Updates if any
- b. Discussion from 4-22-24 Workshop, updating agenda format, board bylaws, social media policy, etc.
- c. Discussion – Company Picnic/event
- d. Discussion – Review process for donating/selling land to Goodwins Mills Cemetery Association
- e. Discussion – Capital Improvement Plan

ITEM #6 **DEPARTMENT AND COMMITTEE REPORTS**

- a. Kennebunk Pond Committee – Updates re: Landscape Improvements
- b. Fire Chief – All Hands
- c. Planning Board – 3rd Quarter Report

ITEM #7 **NEW BUSINESS**

- a. S.M.A.S.H Field Use Request Form
- b. Ordinance Review Committee: Re-Appointment Application
- c. Review/ Approve Policy on Disbursements

OTHER

ADJOURN

ITEM #1 : (b.) Rustic Dreams Public Hearing Special Amusement Permit



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

TELEPHONE: (207) 624-7220
FAX: (207) 287-3434
EMAIL INQUIRIES: maineliquor@maine.gov

Thank you for your interested in becoming a licensed establishment to sell and serve alcoholic beverages in Maine. To avoid any delay in the processing of your application and the subsequent issuance of your liquor license, please use the following checklist to assist you in completing the application. If you are renewing your license, this checklist is useful as well.

- Your application has been completed in its entirety and is legible. For a renewal, please submit your application 30 days prior to the expiration date of your liquor license.
- Your application is signed and dated by a duly authorized person.
- The application is signed and approved by the Town or City Municipal Officers or County Commissioners.
- The license fee submitted is for the correct fee for the license class for which you are applying and includes the \$10.00 filing fee.
 - The check must be made payable to "Treasurer, State of Maine"; both the license and filing fees can be submitted on one check.
 - If the licensee/applicant(s) is in an unorganized township, the application must be approved by the County Commissioners and the \$10.00 filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
- For a renewal, the dollar amount of your gross income for food, liquor and guest rooms, if applicable must be completed – see Section I.1
- A diagram of the facility to be licensed must accompany **all** applications whether for a new license or the renewal of an existing license
- If you are a registered business entity with the Maine Secretary of State's office like a corporation or a limited liability company, you must complete Section VII of the application. This does not need to be completed if you are a sole proprietor.
- Have you applied for other required licensing from other state and federal agencies? See attached list.

Important – all applications whether for a new license or to renew an existing license for an on-premises liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places to have their application approved and signed prior to submitting it to the Bureau for further consideration.

The address to send your completed application to:

1. Mailing address:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station
Augusta, ME 04333-0008

2. Courier/overnight address:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
19 Union Street, Suite 301-B
Augusta, ME 04330

The following licenses/permits may be required prior to be licensing as an on-premises licensee with the Bureau

Obtained ✓	License/Permit	State/Federal Agency to Contact	Telephone Number	Physical Location
	Seller Certificate or Sales Tax Number	Maine Revenue Services www.maine.gov/revenue	(207) 624-9693	51 Commerce Dr, Augusta
	Health License	Health and Human Services www.maine.gov/dhhs	(207) 287-5671	286 Water St, 3 rd floor, Augusta
	Victualer's License	Municipality where premise is located.	Contact your town office or county office	Contact your town office or county office
	Shellfish License	Marine Recourses www.maine.gov/dmr	(207) 624-6550	<ul style="list-style-type: none"> • 32 Blossom Lane, Augusta • 194 McKown Point Rd, West Boothbay Harbor • Lamoine State Park, Lamoine • 650 State St, Bangor • 317 Whitneyville Rd, Jonesboro
	Dance or Entertainment License	Fire Marshall's Office www.maine.gov/dps/fmo	(207) 626-3882	45 Commerce Drive, Suite 1, Augusta
	Federal I.D. Number	www.irs.gov	(800) 829-4933	
	Legal business names for corporations and limited liability companies and "Doing Business As" Names (assumed names)	Secretary of State, Bureau of Corporations, Elections and Commissions www.maine.gov/sos/cec	(207) 624-7752	111 Sewall St, 3 rd Fl, Augusta
	Retail Beverage Alcohol Dealers Permit	Alcohol and Tobacco Tax and Trade Bureau (TTB) https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers	(877) 882-3277	



**STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT**

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): <i>Rustic Dreams Barn + Venue</i>	Business Name (D/B/A): <i>Rustic Dreams Barn + Venue LLC</i>
Individual or Sole Proprietor Applicant Name(s): <i>Shaunte Sevigny</i>	Physical Location: <i>1413 Alfred Rd Lyman, ME</i>
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: <i>1043 Limerick Rd Arundel, ME</i>
Mailing address, if different from DBA address:	Email Address: <i>Rusticdreams11@gmail.com</i>
Telephone # Fax #:	Business Telephone # Fax #: <i>207.391.1882</i>
Federal Tax Identification Number: <i>84-3102426</i>	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit: <i>N/A</i>	Website address: <i>N/A FB + Instagram pages</i>

1. New license or renewal of existing license? New Expected Start date: _____
 Renewal Expiration Date: *8/19/24*

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
 Food: _____ Beer, Wine or Spirits: *40,000.00* Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
- Malt Liquor (beer) Wine Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel -- Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input checked="" type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

1043 Limenck rd Arundel, ME 04046

6. Is the licensee/applicant(s) citizens of the United States? Yes No

7. Is the licensee/applicant(s) a resident of the State of Maine? Yes No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

Yes No

Not applicable – licensee/applicant(s) is a sole proprietor

13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? Yes No

17. Does the licensee/applicant(s) own the premises? Yes No

If No, please provide the name and address of the owner:

KEITH SIVIGNY 1018 LIMONICK rd Arundel, ME

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? Yes No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Shaunte (Chapman) Sevigny		Portland, ME

Residence address on all the above for previous 5 years

Name: Shaunte Sevigny	Address: 1043 Linnenck rd Arundel, ME
Name:	Address:
Name:	Address:
Name:	Address:

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

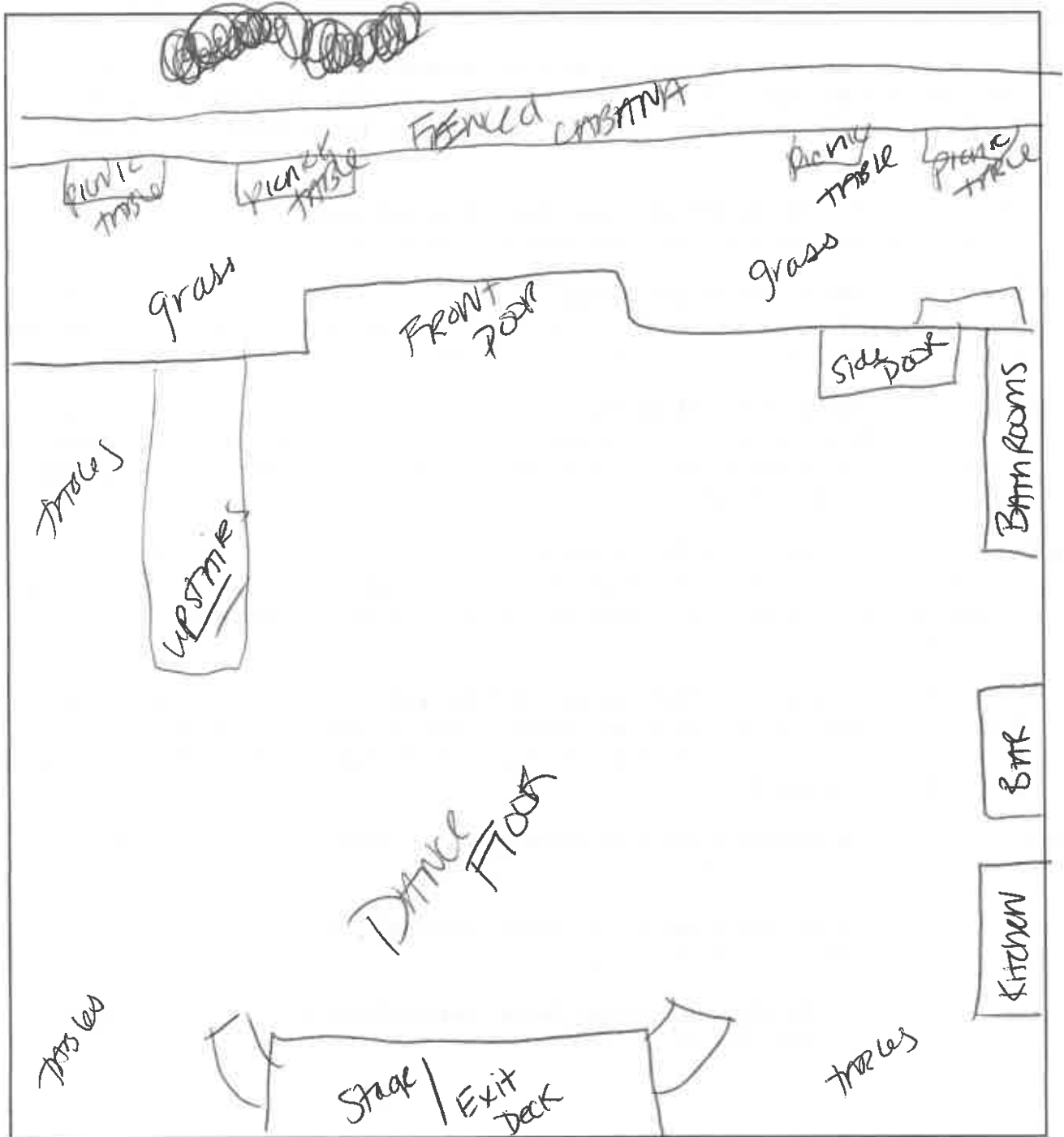
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Shawnte Marie Sevigny
2. Doing Business As, if any: Rustic Dreams Barn + Venue
3. Date of filing with Secretary of State: 4/15/24 State in which you are formed: ME
 - yearly renewal w/ attorney -
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Shawnte Sevigny	1043 Limenick rd		managing member	100%

(Ownership in non-publicly traded companies must add up to 100%.)

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

~~the area~~ The inside of BARN + CABANA area
in front of BARN.

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: First Parish Congregational

Distance: 5 mi

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 5/31/24

Shaunte [Signature]
Signature of Duly Authorized Person

Signature of Duly Authorized Person

Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? Municipal Officers of _____

County Commissioners of _____ County

- Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

TOWN OF LYMAN
APPLICATION FOR SPECIAL AMUSEMENT PERMIT

1. Applicant's Name: Shaunte Savigny
Resident Address: 1043 Linneck rd Lyman ME Home phone _____
If less than 5 years list former addresses _____

2. Name of Business: Rustic Dreams Barn & Venue Bus. Phone _____
Business Address: 1413 Alfred Rd Lyman Tax Map. _____ Lot _____

3. Nature of Business: Event Venue

4. Describe in detail the kind and nature of entertainment/ers proposed and hours/days of operation:
Weddings / special occasions - weekends

5. Describe the location or rooms to be used under this permit:
The Barn

6. Has the applicant ever had a license to conduct business herein described, either denied or revoked?
YES ___ NO /. If yes, describe circumstances _____

7. Has applicant including any partner or corporate officers ever been convicted of a felony?
YES ___ NO /. If yes, please describe the circumstances _____

8. Attached a copy of applicant's current liquor license. Expiration date of current liquor license: 8/19/21

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments thereto and that all the information is true and complete. I authorize the Town of Lyman, through its designated officials, to enter the property (including buildings and accessory structures) that is the subject of this application, at reasonable hours, to determine the accuracy of any information provided herein and to determine the state of compliance with conditions of this permit. I am aware that there are significant penalties for submitting false information, including the possibility of fines, imprisonment and revocation of license.

FEE OF \$50.00 (plus advertising) MUST ACCOMPANY THIS APPLICATION.
DATE: 5/21/21
(Place Corporate Seal) _____
Shaunte Savigny
Signature of Authorized Agent
Rustic Dreams Barn & Venue
Name of Corporation
(If Corporation, Authorized officer)

APPLICATION MUST BE SIGNED BY A MAJORITY OF THE MUNICIPAL OFFICERS

_____, DATE: _____
Town of Lyman, 11 South Waterboro Road, Lyman, ME 04002

TOWN OF LYMAN
SPECIAL AMUSEMENT ORDINANCE

1. TITLE

This ordinance shall be known and may be cited as the Special Amusement Ordinance of the Town of Lyman, Maine.

2. PURPOSE

The purpose of this Ordinance is to control the issuance of special permits for music, dancing or entertainment in facilities licensed by the State of Maine to sell liquor and is adopted pursuant to Title 28-A M.R.S.A. Section 1054.

3. DEFINITIONS

As used in this Ordinance, the following terms shall have the following meanings:

A) Compliance Report: The source document prepared by the inspection officer after receiving a complaint detailing an incident. The report when duly signed by the officer shall become a matter of record. The report shall remain on file until the cessation of the use for which the special amusement permit was issued, regardless of any change in ownership or control of the use. Each complaint shall be investigated by the responding officer and attested to as to the validity of said complaint.

B) Entertainment: For the purpose of this Ordinance “entertainment” shall include any amusement, performance, exhibition or diversion for patrons or customers of the licensed premises whether provided by professional entertainers or by full-time or part-time employees of the licensed premises whose incidental duties include activities with an entertainment value coincident to any music, dancing or live acts.

C) Inspection Officer: The Law or Code Enforcement Officer acting on behalf of the Town to ensure proper enforcement of the provisions of this Ordinance.

D) Licensee: For the purpose of this Section, “licensee” shall include the holder of a license issued under Title 28-A of the Maine Revised Statutes, or any person, individual, partnership, firm, association, corporation or other legal entity, or any agent, or employee of any such licensee acting on behalf of such licensee.

4. PERMIT REQUIRED

No licensee for the sale of liquor to be consumed on the licensed premises shall permit on the licensed premises, any music, except radio or other mechanical device, any dancing or entertainment of any sort unless the licensee shall have first obtained from the Town a Special Amusement Permit approved by a majority of the Board of Selectmen.

Application(s) for all Special Amusement Permits shall be obtained from the Town Clerk. Applications for all Special Amusement Permits shall be made in writing to the Board of Selectmen and shall state:

The name of the applicant.

Applicant’s residential address.

Name of the business to be conducted.

Business address.

Nature of the business.

Location address to be used.

All places of residence of the applicant during the past five years>

Hours during which the business shall be in operation> *Weekends Saturday/Sunday events*
Whether the applicant has ever had a license to conduct business therein described either *Occasional weekday events'*
denied or revoked and, if so, the applicant shall describe those circumstances specifically.
Any additional information as may be needed by the Board of Selectmen in issuing the permit including but not limited to, a copy of the applicant's liquor license and expiration date>

No permit shall be issued for any thing, or act, or premises, if the premise or building to be used for such purpose do not fully comply with this Ordinance, or any other applicable ordinances, articles, by-laws or rules and regulations of the Town and the laws of the State of Maine.

The fee for a Special Amusement Permit shall be \$50 (plus advertising costs).

The Board of Selectmen shall, prior to granting a permit and after reasonable notice to the public and the applicant, hold a public hearing within thirty (30) days of the date when the request was received, at which the testimony of the applicant and that of any interested members of the public shall be taken.

A permit shall be valid only for the licensee year of the applicant's existing liquor license.

Any licensee requesting a Special Amusement Permit from the Board of Selectmen shall be notified in writing of the Board's decision no later than sixty (60) days from the date the request was received. In the event that a licensee is denied a permit, the licensee shall be provided with the reasons for denial in writing. The licensee may not reapply for a permit until thirty (30) days after an application for a permit has been denied. Any licensee who has requested a permit and has been denied may, within thirty (30) days of the denial, appeal the decision to the Zoning Board of Appeals.

5. INSPECTIONS

Whenever inspections of the premises used for or in connection with the operation of a licensed business which has obtained a Special Amusement Permit are provided for or required by Ordinance or State law, it shall be the duty of the licensee, or the person in charge of the premises to be inspected, to admit any officer, official or employee of the Town authorized to make inspection at any reasonable time that admission is required.

The Board of Selectmen shall require an initial inspection of the premises and licensee for overall ability to comply with the provisions of this Ordinance. Thereafter, at least one inspection annually shall take place. The Inspection Officer shall record the findings by completing a Compliance Report.

In addition to any other penalty which may be provided, the Board of Selectmen may revoke the Special Amusement Permit of any licensee in the Town who refuses to permit any such officer, official or authorized employee of the Town to make an inspection, or who interferes with such officer, official or employee while in performance of his duties; provided, that no Special Amusement Permit shall be revoked unless written demand for the inspection is made upon the licensee or person in charge of the premises, at the time the inspection is sought.

6. SUSPENSION OR REVOCATION OF A PERMIT

The Board of Selectmen may, after a public hearing preceded by public notice to interested parties, suspend or revoke any Special Amusement Permits which have been issued under this Ordinance on the grounds that the music, dancing or entertainment so permitted constitutes a nuisance as set forth in Section 7 of this Ordinance or violates this or any other Town ordinances, articles, by-laws or rules and regulations.

Any licensee whose permit has been revoked or suspended, may within thirty (30) days of the suspension or revocation, appeal the decision to the Zoning Board of Appeals.

7. NUISANCE

The licensee or his authorized representative shall not permit the use of the premises to result in any continued, excessive, or unreasonably loud noise, or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health or safety of individuals; or which results in disturbing the peace and tranquility of the neighborhood. The sound levels must comply with the provisions Zoning Ordinance of the Town regulating the maximum permissible sound pressure levels produced by any activity on a lot.

8. ADMISSION

A licensed hotel, Class A restaurant, Class A tavern or restaurant malt liquor licensee who has been issued a Special Amusement Permit may charge admission in designated areas approved by the Special Amusement Permit.

9. SEPARABILITY

The invalidity of any provision of this Ordinance shall not invalidate any other part.

Town of Lyman
----- R e c e i p t -----

05/31/24 11:00 AM ID:SJB #8808
TYPE----- REF--- AMOUNT
MISCREV 50.00

Paid By: RUSTIC DREAMS
COPY

Cash: 50.00

STATE OF MAINE
 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
 8 STATE HOUSE STATION
 AUGUSTA, MAINE 04333-0008



License for the Sale of Liquor

License Number	Issue Date	Expiration Date
QCS-2021-13381	08/20/2023	08/19/2024

This license is valid only between the Issue Date and the Expiration Date appearing on this document. This License may be used only for the Named Holder at the Location for which the License was issued. The person or business named in this License is authorized to sell or serve liquor with liquor content as permitted by Maine law for the license type designated on this License.

Licensees shall make available for inspection their licenses at the premises to which those licenses apply. This License and the type of License issued as part of this License is subject to fine, suspension or revocation pursuant to Title 28-A of the Maine law. License fee is non-refundable and the License is non-transferable unless approved by the Bureau.

Legal Name of Licensee:
 Business Name of Licensee:
 Address of Licensee:

RUSTIC DREAMS BARN LLC
 RUSTIC DREAMS BARN & VENUE
 1413 ALFRED RD
 LYMAN, ME, 04002

CODE	License Type and Description	FEE
QCS	CLASS 1 - QUALIFIED CATERING SERVICE - MALT LIQUOR, WINE AND SPIRITS	900.00
FF	FILING FEE	10.00
Total Fees:		\$ 910.00

Tracy A. Wilton
 Tracy A. Wilton, Acting Deputy Director
 Bureau of Alcoholic Beverages and Lottery Operations

RUSTIC DREAMS BARN & VENUE
 1043 LIMERICK RD
 BRUNDEL, ME 04046

ITEM #1 : (c.) Welcome Board Members

Welcome New Select Board Members!

We're excited to have you join our team and want to share with you updates and information to help get you acclimated to your new role. To help you settle in properly, we will include discussion topics to help familiarize you with standards and procedures, current projects and tasks at hand, select board roles, and any other helpful Q & A. Your peers and Town Manager are always here to help, and we strive to work together as a team.

Discussion topics will include

- Review of Policies and Code of Conduct. Copies are provided for review
 - Municipal Code of Ethics
 - Select Board Code of Conduct
 - Personnel Policy
- Trainings
 - FOAA (Freedom Of Access Act)
 - Municipal Officials Training
 - Resources Available
- Agendas and Agenda Packets
- Town Manager & Select Board Roles
- Select Board Budget Process
- Current tasks/ Updates
- Other

We may not cover everything during the initial meeting, and that's okay. We can always continue the conversation into further meetings and the Town Manager is available to help answer questions and provide information.

ITEM #2 : (b.) Mail

Call Reason Breakdown

<u>Call Reason</u>	<u>Self</u>	<u>Disp</u>	<u>Total</u>	<u>%</u>	<u>Avg. Arrive</u>	<u>Avg. Time @ Scene</u>
ANIMAL COMPLAINT	0	3	3	1.7	13.23	19.75
ALARM, BURGLAR - 2 man call	0	7	7	4.0	38.26	6.75
ASSAULT - past	1	1	2	1.1	19.73	39.70
ASSIST CITIZEN	0	6	6	3.4	15.46	37.20
Assist Other Agency - Other	0	8	8	4.6	11.95	49.51
ASSAULT IN PROGRESS - 2 UNITS	0	1	1	< 1	15.17	39.83
ATV Complaint	0	1	1	< 1	10.02	18.02
M/V COMPLAINT - DTE, OUI, ATV	0	24	24	13.8	8.57	7.56
BUILDING/AREA CHECK	8	0	8	4.6	0	3.34
COMMUNITY POLICE CONTACT	1	0	1	< 1	0	2.85
COMPLAINT	0	2	2	1.1	14.88	17.77
DETAIL	1	0	1	< 1	0	203.35
DHHS CALL/REFERRAL	0	2	2	1.1	0.13	0.22
DISABLED MV	1	2	3	1.7	5.98	22.48
DOMESTIC DISTURBANCE - 2 man	0	5	5	2.9	14.04	41.60
DRUG INCIDENTS	0	1	1	< 1	17.05	17.28
VEHICLE CRASH - HIGH MECHANISM	0	1	1	< 1	3.53	16.52
VEHICLE CRASH - FIRE / EMS	0	4	4	2.3	6.61	54.67
FOLLOW-UP INVESTIGATION	2	2	4	2.3	0	7.34
9-1-1 HANG UP	0	8	8	4.6	20.32	3.88
HARASSMENT	0	1	1	< 1	4.97	7.18
HARASSMENT BY PHONE	0	1	1	< 1	16.62	4.88
INTEL	0	1	1	< 1	0	0
LARCENY /FORGERY/ FRAUD	0	1	1	< 1	0	0
MESSAGE DELIVERY	0	2	2	1.1	9.07	3.85
Mental Health Call	0	2	2	1.1	7.23	85.09
9-1-1 MISDIAL	0	7	7	4.0	8.61	3.83
M/V ACCIDENT - PROPERTY DAMAGE	0	9	9	5.2	11.90	16.92
MOTOR VEHICLE STOP	18	0	18	10.3	9.09	10.75
NOISE COMPLAINT	0	3	3	1.7	3.92	38.45
OPEN LINE	0	5	5	2.9	0	0
PERSONNEL COMPLAINT	0	1	1	< 1	0	0
FOUND/LOST PROPERTY	0	1	1	< 1	23.23	20.68
PARKING VIOLATION	0	2	2	1.1	0	22.70
REPOSSESSION INFO	0	1	1	< 1	0	0
Road Hazard - NO PAGE	0	1	1	< 1	0	0
Phone/Mail/Computer Fraud	0	1	1	< 1	0	0
ON DUTY SCHOOL RESOURCE	6	0	6	3.4	0	84.36
SUSPICIOUS ACTIVITY	0	4	4	2.3	2.03	4.86
SEX OFFENDER REGISTER/VERIFICA	0	1	1	< 1	0	0
Trespassing	0	2	2	1.1	18.78	3.45
VIN Verification	0	6	6	3.4	18.87	16.02
SERVE WARRANT	1	0	1	< 1	9.63	28.88
WELFARE CHECK	0	3	3	1.7	15.68	17.05
WELFARE CHECK - CHILD	0	1	1	< 1	9.50	15.30
Call Transfer to another PSAP	0	1	1	< 1	0	0
TOTAL	39	135	174	100	13.08	24.02

Call Reason Breakdown

<u>Call Reason</u>	<u>Self</u>	<u>Disp</u>	<u>Total</u>	<u>%</u>	<u>Avg. Arrive</u>	<u>Avg. Time @ Scene</u>
ANIMAL COMPLAINT	0	3	3	< 1	6.48	5.48
Administrative	59	0	59	14.3	2.59	62.54
ALARM, BURGLAR - 2 man call	0	6	6	1.4	17.27	2.56
Announcement	0	5	5	1.2	0	0
ASSAULT - past	2	1	3	< 1	0.02	14.64
ASSIST CITIZEN	2	8	10	2.4	12.00	38.32
Assist Other Agency - Other	1	3	4	< 1	14.53	21.81
Assist Other Agency - Police	0	1	1	< 1	0	0
ATV Complaint	0	1	1	< 1	11.67	2.90
Background Investigation	0	1	1	< 1	0.10	7.23
M/V COMPLAINT - DTE, OUI, ATV	0	12	12	2.9	9.28	16.51
BURGLARY (B & E) PAST	0	1	1	< 1	28.50	18.05
BURGLARY IN PROGRESS - 2 UNITS	0	2	2	< 1	9.47	16.10
BUILDING/AREA CHECK	4	0	4	< 1	0	0.10
CIVIL COMPLAINT	0	1	1	< 1	0	0
DETAIL	1	0	1	< 1	0	176.93
DISTURBANCE - 2 man call	0	1	1	< 1	12.53	31.38
DISABLED MV	0	1	1	< 1	0	0
DIRECTED PATROL	1	0	1	< 1	0	55.05
DRUG INCIDENTS	2	0	2	< 1	0	164.01
INTOXICATED/INCAPACITATED SUBJ	0	1	1	< 1	12.22	26.78
Domestic Violence Follow-up	2	2	4	< 1	5.13	12.90
MEDICAL ECHO LEVEL	0	1	1	< 1	10.92	75.93
ESCORT/TRANSPORT	7	2	9	2.2	11.42	271.29
VEHICLE CRASH - FIRE / EMS	1	1	2	< 1	18.05	46.27
FOLLOW-UP INVESTIGATION	11	16	27	6.5	14.28	17.70
ARMORY DUTY	4	0	4	< 1	0	11.30
9-1-1 HANG UP	0	4	4	< 1	16.23	25.62
HARASSMENT	0	2	2	< 1	59.10	0.03
INTEL	0	1	1	< 1	0	0
LARCENY /FORGERY/ FRAUD	0	3	3	< 1	18.07	21.79
Mental Health Support	1	1	2	< 1	0	241.62
9-1-1 MISDIAL	0	6	6	1.4	0	0
MISSING PERSON - NOT RUNAWAY	0	1	1	< 1	23.38	29.16
M/V ACCIDENT - PROPERTY DAMAGE	0	10	10	2.4	11.78	34.14
MOTOR VEHICLE STOP	42	1	43	10.4	8.82	12.31
NOISE COMPLAINT	0	1	1	< 1	0	0
CRUISER INSPECTION	102	1	103	24.9	0.22	1.08
PAPER WORK	2	2	4	< 1	0.03	15.94
SERVE RESTRAINING ORDER	4	6	10	2.4	38.56	16.44
Road Hazard - NO PAGE	0	1	1	< 1	0	0
ON DUTY SCHOOL RESOURCE	1	0	1	< 1	0	20.05
SERVE SUMMONS	2	3	5	1.2	19.53	31.60
SUSPICIOUS ACTIVITY	1	6	7	1.7	6.53	6.80
SEX OFFENDER REGISTER/VERIFICA	3	3	6	1.4	0	2.60
TRAFFIC CONTROL	2	0	2	< 1	0	41.21
SERVE WARRANT	1	17	18	4.3	4.25	34.09
WELFARE CHECK	0	9	9	2.2	9.87	18.98
Call Transfer to another PSAP	0	6	6	1.4	0	0
YSO Overtime page	0	2	2	< 1	0	0
TOTAL	258	156	414	100	12.02	29.25



FEMA

June 7, 2024

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Ralph Blackington
Chair, Select Board
Town of Lyman
11 South Waterboro Road
Lyman, Maine 04002

Dear Chair Blackington:

I am writing this letter as an official reminder that the Town of Lyman, Maine, has until July 17, 2024, to adopt and have the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office approve floodplain management measures that satisfy 44 Code of Federal Regulations (CFR) Section 60.3(d) of the National Flood Insurance Program (NFIP) regulations.

The Town of Lyman must adopt floodplain management measures, such as a floodplain management ordinance, that meet or exceed the minimum NFIP requirements (copy enclosed) by July 17, 2024, to avoid suspension from the NFIP. If suspended, your community becomes ineligible for flood insurance through the NFIP, new insurance policies cannot be sold, and existing policies cannot be renewed.

Under the Flood Disaster Protection Act of 1973, as amended, flood insurance must be purchased by property owners seeking any Federal financial assistance for construction or acquisition of buildings in Special Flood Hazard Areas (SFHAs). This financial assistance includes certain federally guaranteed mortgages and direct loans, federal disaster relief loans and grants, as well as other similarly described assistance from FEMA and other agencies.

In addition, all loans individuals obtain from Federally regulated, supervised, or insured lending institutions that are secured by improved real estate located in SFHAs are also contingent upon the borrower obtaining flood insurance coverage on the building. However, purchasing and maintaining flood insurance coverage on a voluntary basis is frequently recommended for properties located outside SFHAs.

The Honorable Ralph Blackington

June 7, 2024

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Your NFIP State Coordinator and FEMA would like to assist the Town of Lyman to ensure it remains in good standing with the NFIP and avoids suspension from the Program. If your community is suspended, it may regain its eligibility in the NFIP by enacting the floodplain management measures established in 44 CFR Section 60.3 of the NFIP regulations. As stated in my previous correspondence, I recommend you contact your NFIP State Coordinator or the FEMA Regional Office if the Town of Lyman is encountering difficulties in enacting its measures.

I recognize that your community may be in the final adoption process or may have recently adopted the appropriate floodplain management measures. Please submit these measures to the Floodplain Management Program at the Maine Floodplain Management Program, Department of Agriculture, Conservation and Forestry. Susan Baker, CFM, the NFIP State Coordinator, is accessible by telephone at (207) 287-8063, in writing at 17 Elkins Lane, 93 SHS, Augusta, Maine 04333, or by electronic mail at sue.baker@maine.gov.

The FEMA Regional staff in Boston, Massachusetts, is also available to assist you with your floodplain management measures. The FEMA Regional Office may be contacted by telephone at (617) 956-7506 or in writing. Please send your written inquiries to the Director, Mitigation Division, FEMA Region 1, at 99 High Street, Sixth Floor, Boston, Massachusetts 02110.

In the event your community does not adopt and/or submit the necessary floodplain management measures that meet or exceed the minimum NFIP requirements, I must take the necessary steps to suspend your community from the NFIP. This letter is FEMA's final notification before your community is suspended from the Program.

Additional information on community suspensions as proposed, other notices of current NFIP community status information, and details regarding updated publication requirements of community eligibility status information under the NFIP can be found on the Community Status Book section of our website at www.fema.gov/flood-insurance/work-with-nfip/community-status-book. Notices for scheduled suspension will be available on the National Flood Insurance Community Status and Public Notification section of our website at www.fema.gov/flood-insurance/work-with-nfip/community-status-book/public-notification. Individuals without internet access will be able to

The Honorable Ralph Blackington

June 7, 2024

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contact their local floodplain management official and/or NFIP State Coordinating Office directly for assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Sears". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Rachel Sears, Director
Floodplain Management Division
Mitigation Directorate | FEMA

Enclosure

cc: Lori Ehrlich, Regional Administrator, FEMA Region 1
Susan Baker, CFM, NFIP State Coordinator, Maine Floodplain Management Program,
Department of Agriculture, Conservation and Forestry
Brenda Charland, Code Enforcement Officer, Town of Lyman

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and then selected from this register for ratemaking studies on the basis of the following considerations—

(a) Recommendations of State officials;

(b) Location of community and urgency of need for flood insurance;

(c) Population of community and intensity of existing or proposed development of the flood plain, the mudslide (i.e., mudflow) and the flood-related erosion area;

(d) Availability of information on the community with respect to its flood, mudslide (i.e., mudflow) and flood-related erosion characteristics and previous losses;

(e) Extent of State and local progress in flood plain, mudslide (i.e., mudflow) area and flood-related erosion area management, including adoption of flood plain management regulations consistent with related ongoing programs in the area.

[41 FR 46968, Oct. 26, 1976. Redesignated at 44 FR 31177, May 31, 1979]

§ 59.24 Suspension of community eligibility.

(a) A community eligible for the sale of flood insurance shall be subject to suspension from the Program for failing to submit copies of adequate flood plain management regulations meeting the minimum requirements of paragraphs (b), (c), (d), (e) or (f) of § 60.3 or paragraph (b) of § 60.4 or § 60.5, within six months from the date the Federal Insurance Administrator provides the data upon which the flood plain regulations for the applicable paragraph shall be based. Where there has not been any submission by the community, the Federal Insurance Administrator shall notify the community that 90 days remain in the six month period in order to submit adequate flood plain management regulations. Where there has been an inadequate submission, the Federal Insurance Administrator shall notify the community of the specific deficiencies in its submitted flood plain management regulations and inform the community of the amount of time remaining within the six month period. If, subsequently, copies of adequate flood plain management regulations are not received by the Federal Insurance Administrator, no later than 30

days before the expiration of the original six month period the Federal Insurance Administrator shall provide written notice to the community and to the state and assure publication in the FEDERAL REGISTER under part 64 of this subchapter of the community's loss of eligibility for the sale of flood insurance, such suspension to become effective upon the expiration of the six month period. Should the community remedy the defect and the Federal Insurance Administrator receive copies of adequate flood plain management regulations within the notice period, the suspension notice shall be rescinded by the Federal Insurance Administrator. If the Federal Insurance Administrator receives notice from the State that it has enacted adequate flood plain management regulations for the community within the notice period, the suspension notice shall be rescinded by the Federal Insurance Administrator. The community's eligibility shall remain terminated after suspension until copies of adequate flood plain management regulations have been received and approved by the Federal Insurance Administrator.

(b) A community eligible for the sale of flood insurance which fails to adequately enforce flood plain management regulations meeting the minimum requirements set forth in §§ 60.3, 60.4 and/or 60.5 shall be subject to probation. Probation shall represent formal notification to the community that the Federal Insurance Administrator regards the community's flood plain management program as not compliant with NFIP criteria. Prior to imposing probation, the Federal Insurance Administrator (1) shall inform the community upon 90 days prior written notice of the impending probation and of the specific program deficiencies and violations relative to the failure to enforce, (2) shall, at least 60 days before probation is to begin, issue a press release to local media explaining the reasons for and the effects of probation, and (3) shall, at least 90 days before probation is to begin, advise all policyholders in the community of the impending probation and the additional premium that will be charged, as provided in this paragraph, on policies sold or renewed during the period of

probation. During this 90-day period the community shall have the opportunity to avoid probation by demonstrating compliance with Program requirements, or by correcting Program deficiencies and remedying all violations to the maximum extent possible. If, at the end of the 90-day period, the Federal Insurance Administrator determines that the community has failed to do so, the probation shall go into effect. Probation may be continued for up to one year after the community corrects all Program deficiencies and remedies all violations to the maximum extent possible. Flood insurance may be sold or renewed in the community while it is on probation. Where a policy covers property located in a community placed on probation on or after October 1, 1986, but prior to October 1, 1992, an additional premium of \$25.00 shall be charged on each such policy newly issued or renewed during the one-year period beginning on the date the community is placed on probation and during any successive one-year periods that begin prior to October 1, 1992. Where a community's probation begins on or after October 1, 1992, the additional premium described in the preceding sentence shall be \$50.00, which shall also be charged during any successive one-year periods during which the community remains on probation for any part thereof. This \$50.00 additional premium shall further be charged during any successive one-year periods that begin on or after October 1, 1992, where the preceding one-year probation period began prior to October 1, 1992.

(c) A community eligible for the sale of flood insurance which fails to adequately enforce its flood plain management regulations meeting the minimum requirements set forth in §§ 60.3, 60.4 and/or 60.5 and does not correct its Program deficiencies and remedy all violations to the maximum extent possible in accordance with compliance deadlines established during a period of probation shall be subject to suspension of its Program eligibility. Under such circumstances, the Federal Insurance Administrator shall grant the community 30 days in which to show cause why it should not be suspended. The Federal Insurance Administrator

may conduct a hearing, written or oral, before commencing suspensive action. If a community is to be suspended, the Federal Insurance Administrator shall inform it upon 30 days prior written notice and upon publication in the FEDERAL REGISTER under part 64 of this subchapter of its loss of eligibility for the sale of flood insurance. In the event of impending suspension, the Federal Insurance Administrator shall issue a press release to the local media explaining the reasons and effects of the suspension. The community's eligibility shall only be reinstated by the Federal Insurance Administrator upon his receipt of a local legislative or executive measure reaffirming the community's formal intent to adequately enforce the flood plain management requirements of this subpart, together with evidence of action taken by the community to correct Program deficiencies and remedy to the maximum extent possible those violations which caused the suspension. In certain cases, the Federal Insurance Administrator, in order to evaluate the community's performance under the terms of its submission, may withhold reinstatement for a period not to exceed one year from the date of his receipt of the satisfactory submission or place the community on probation as provided for in paragraph (b) of this section.

(d) A community eligible for the sale of flood insurance which repeals its flood plain management regulations, allows its regulations to lapse, or amends its regulations so that they no longer meet the minimum requirements set forth in §§ 60.3, 60.4 and/or 60.5 shall be suspended from the Program. If a community is to be suspended, the Federal Insurance Administrator shall inform it upon 30 days prior written notice and upon publication in the FEDERAL REGISTER under part 64 of this subchapter of its loss of eligibility for the sale of flood insurance. The community eligibility shall remain terminated after suspension until copies of adequate flood plain management regulations have been received and approved by the Federal Insurance Administrator.

(e) A community eligible for the sale of flood insurance may withdraw from

the Program by submitting to the Federal Insurance Administrator a copy of a legislative action that explicitly states its desire to withdraw from the National Flood Insurance Program. Upon receipt of a certified copy of a final legislative action, the Federal Insurance Administrator shall withdraw the community from the Program and publish in the FEDERAL REGISTER under part 64 of this subchapter its loss of eligibility for the sale of flood insurance. A community that has withdrawn from the Program may be reinstated if it submits the application materials specified in § 59.22(a).

(f) If during a period of ineligibility under paragraphs (a), (d), or (e) of this section, a community has permitted actions to take place that have aggravated existing flood plain, mudslide (i.e., mudflow) and/or flood related erosion hazards, the Federal Insurance Administrator may withhold reinstatement until the community submits evidence that it has taken action to remedy to the maximum extent possible the increased hazards. The Federal Insurance Administrator may also place the reinstated community on probation as provided for in paragraph (b) of this section.

(g) The Federal Insurance Administrator shall promptly notify the servicing company and any insurers issuing flood insurance pursuant to an arrangement with the Federal Insurance Administrator of those communities whose eligibility has been suspended or which have withdrawn from the program. Flood insurance shall not be sold or renewed in those communities. Policies sold or renewed within a community during a period of ineligibility are deemed to be voidable by the Federal Insurance Administrator whether or not the parties to sale or renewal had actual notice of the ineligibility.

[41 FR 46968, Oct. 26, 1976. Redesignated at 44 FR 31177, May 31, 1979, and amended at 48 FR 44543 and 44552, Sept. 29, 1983; 49 FR 4751, Feb. 8, 1984; 50 FR 36023, Sept. 4, 1985; 57 FR 19540, May 7, 1992; 59 FR 53598, Oct. 25, 1994; 62 FR 55715, Oct. 27, 1997]

PART 60—CRITERIA FOR LAND MANAGEMENT AND USE

Subpart A—Requirements for Flood Plain Management Regulations

Sec.

- 60.1 Purpose of subpart.
- 60.2 Minimum compliance with flood plain management criteria.
- 60.3 Flood plain management criteria for flood-prone areas.
- 60.4 Flood plain management criteria for mudslide (i.e., mudflow)-prone areas.
- 60.5 Flood plain management criteria for flood-related erosion-prone areas.
- 60.6 Variances and exceptions.
- 60.7 Revisions of criteria for flood plain management regulations.
- 60.8 Definitions.

Subpart B—Requirements for State Flood Plain Management Regulations

- 60.11 Purpose of this subpart.
- 60.12 Flood plain management criteria for State-owned properties in special hazard areas.
- 60.13 Noncompliance.

Subpart C—Additional Considerations in Managing Flood-Prone, Mudslide (i.e., Mudflow)-Prone, and Flood-Related Erosion-Prone Areas

- 60.21 Purpose of this subpart.
- 60.22 Planning considerations for flood-prone areas.
- 60.23 Planning considerations for mudslide (i.e., mudflow)-prone areas.
- 60.24 Planning considerations for flood-related erosion-prone areas.
- 60.25 Designation, duties, and responsibilities of State Coordinating Agencies.
- 60.26 Local coordination.

AUTHORITY: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

SOURCE: 41 FR 46975, Oct. 26, 1976, unless otherwise noted. Redesignated at 44 FR 31177, May 31, 1979.

Subpart A—Requirements for Flood Plain Management Regulations

§ 60.1 Purpose of subpart.

(a) The Act provides that flood insurance shall not be sold or renewed under

the program within a community, unless the community has adopted adequate flood plain management regulations consistent with Federal criteria. Responsibility for establishing such criteria is delegated to the Federal Insurance Administrator.

(b) This subpart sets forth the criteria developed in accordance with the Act by which the Federal Insurance Administrator will determine the adequacy of a community's flood plain management regulations. These regulations must be legally-enforceable, applied uniformly throughout the community to all privately and publicly owned land within flood-prone, mudslide (i.e., mudflow) or flood-related erosion areas, and the community must provide that the regulations take precedence over any less restrictive conflicting local laws, ordinances or codes. Except as otherwise provided in §60.6, the adequacy of such regulations shall be determined on the basis of the standards set forth in §60.3 for flood-prone areas, §60.4 for mudslide areas and §60.5 for flood-related erosion areas.

(c) Nothing in this subpart shall be construed as modifying or replacing the general requirement that all eligible communities must take into account flood, mudslide (i.e., mudflow) and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use.

(d) The criteria set forth in this subpart are minimum standards for the adoption of flood plain management regulations by flood-prone, mudslide (i.e., mudflow)-prone and flood-related erosion-prone communities. Any community may exceed the minimum criteria under this part by adopting more comprehensive flood plain management regulations utilizing the standards such as contained in subpart C of this part. In some instances, community officials may have access to information or knowledge of conditions that require, particularly for human safety, higher standards than the minimum criteria set forth in subpart A of this part. Therefore, any flood plain management regulations adopted by a State or a community which are more restrictive than the criteria set forth

in this part are encouraged and shall take precedence.

[41 FR 46975, Oct. 26, 1976. Redesignated at 44 FR 31177, May 31, 1979, as amended at 48 FR 44552, Sept. 29, 1983; 49 FR 4751, Feb. 8, 1984]

§ 60.2 Minimum compliance with flood plain management criteria.

(a) A flood-prone community applying for flood insurance eligibility shall meet the standards of §60.3(a) in order to become eligible if a FHBM has not been issued for the community at the time of application. Thereafter, the community will be given a period of six months from the date the Federal Insurance Administrator provides the data set forth in §60.3 (b), (c), (d), (e) or (f), in which to meet the requirements of the applicable paragraph. If a community has received a FHBM, but has not yet applied for Program eligibility, the community shall apply for eligibility directly under the standards set forth in §60.3(b). Thereafter, the community will be given a period of six months from the date the Federal Insurance Administrator provides the data set forth in §60.3 (c), (d), (e) or (f) in which to meet the requirements of the applicable paragraph.

(b) A mudslide (i.e., mudflow)-prone community applying for flood insurance eligibility shall meet the standards of §60.4(a) to become eligible. Thereafter, the community will be given a period of six months from the date the mudslide (i.e., mudflow) areas having special mudslide hazards are delineated in which to meet the requirements of §60.4(b).

(c) A flood-related erosion-prone community applying for flood insurance eligibility shall meet the standards of §60.5(a) to become eligible. Thereafter, the community will be given a period of six months from the date the flood-related erosion areas having special erosion hazards are delineated in which to meet the requirements of §60.5(b).

(d) Communities identified in part 65 of this subchapter as containing more than one type of hazard (e.g., any combination of special flood, mudslide (i.e., mudflow), and flood-related erosion hazard areas) shall adopt flood plain management regulations for each type

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of hazard consistent with the requirements of §§ 60.3, 60.4 and 60.5.

(e) Local flood plain management regulations may be submitted to the State Coordinating Agency designated pursuant to § 60.25 for its advice and concurrence. The submission to the State shall clearly describe proposed enforcement procedures.

(f) The community official responsible for submitting annual or biennial reports to the Federal Insurance Administrator pursuant to § 59.22(b)(2) of this subchapter shall also submit copies of each annual or biennial report to any State Coordinating Agency.

(g) A community shall assure that its comprehensive plan is consistent with the flood plain management objectives of this part.

(h) The community shall adopt and enforce flood plain management regulations based on data provided by the Federal Insurance Administrator. Without prior approval of the Federal Insurance Administrator, the community shall not adopt and enforce flood plain management regulations based upon modified data reflecting natural or man-made physical changes.

[41 FR 46975, Oct. 26, 1976. Redesignated at 44 FR 31177, May 31, 1979, as amended at 48 FR 29318, June 24, 1983; 48 FR 44552, Sept. 29, 1983; 49 FR 4751, Feb. 8, 1984; 50 FR 36024, Sept. 4, 1985; 59 FR 53598, Oct. 25, 1994; 62 FR 55716, Oct. 27, 1997]

§ 60.3 Flood plain management criteria for flood-prone areas.

The Federal Insurance Administrator will provide the data upon which flood plain management regulations shall be based. If the Federal Insurance Administrator has not provided sufficient data to furnish a basis for these regulations in a particular community, the community shall obtain, review and reasonably utilize data available from other Federal, State or other sources pending receipt of data from the Federal Insurance Administrator. However, when special flood hazard area designations and water surface elevations have been furnished by the Federal Insurance Administrator, they shall apply. The symbols defining such special flood hazard designations are set forth in § 64.3 of this subchapter. In all cases the minimum requirements

governing the adequacy of the flood plain management regulations for flood-prone areas adopted by a particular community depend on the amount of technical data formally provided to the community by the Federal Insurance Administrator. Minimum standards for communities are as follows:

(a) When the Federal Insurance Administrator has not defined the special flood hazard areas within a community, has not provided water surface elevation data, and has not provided sufficient data to identify the floodway or coastal high hazard area, but the community has indicated the presence of such hazards by submitting an application to participate in the Program, the community shall:

(1) Require permits for all proposed construction or other development in the community, including the placement of manufactured homes, so that it may determine whether such construction or other development is proposed within flood-prone areas;

(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (ii) be constructed with materials resistant to flood damage, (iii) be constructed by methods and practices that minimize flood damages, and (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(6) Require within flood-prone areas (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) When the Federal Insurance Administrator has designated areas of special flood hazards (A zones) by the publication of a community's FHBM or FIRM, but has neither produced water surface elevation data nor identified a floodway or coastal high hazard area, the community shall:

(1) Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the community's FHBM or FIRM;

(2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;

(3) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data;

(4) Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, including data developed pursuant to paragraph (b)(3) of this section, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the community's FHBM or FIRM meet the standards in paragraphs (c)(2), (c)(3), (c)(5), (c)(6), (c)(12), (c)(14), (d)(2) and (d)(3) of this section;

(5) Where base flood elevation data are utilized, within Zone A on the community's FHBM or FIRM:

(i) Obtain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures, and

(ii) Obtain, if the structure has been floodproofed in accordance with paragraph (c)(3)(ii) of this section, the elevation (in relation to mean sea level) to which the structure was floodproofed, and

(iii) Maintain a record of all such information with the official designated by the community under §59.22 (a)(9)(iii);

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administrator;

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;

(8) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(c) When the Federal Insurance Administrator has provided a notice of final flood elevations for one or more

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special flood hazard areas on the community's FIRM and, if appropriate, has designated other special flood hazard areas without base flood elevations on the community's FIRM, but has not identified a regulatory floodway or coastal high hazard area, the community shall:

(1) Require the standards of paragraph (b) of this section within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the community's FIRM;

(2) Require that all new construction and substantial improvements of residential structures within Zones A1-30, AE and AH zones on the community's FIRM have the lowest floor (including basement) elevated to or above the base flood level, unless the community is granted an exception by the Federal Insurance Administrator for the allowance of basements in accordance with § 60.6 (b) or (c);

(3) Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the community's firm (i) have the lowest floor (including basement) elevated to or above the base flood level or, (ii) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(4) Provide that where a non-residential structure is intended to be made watertight below the base flood level, (i) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (c)(3)(ii) or (c)(8)(ii) of this section, and (ii) a record of such certificates which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the official designated by the community under § 59.22(a)(9)(iii);

(5) Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(6) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites

(i) Outside of a manufactured home park or subdivision,

(ii) In a new manufactured home park or subdivision,

(iii) In an expansion to an existing manufactured home park or subdivision, or

(iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement.

(7) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified);

(8) Require within any AO zone on the community's FIRM that all new construction and substantial improvements of nonresidential structures (i) have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or (ii) together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in § 60.3(c)(3)(ii);

(9) Require within any A99 zones on a community's FIRM the standards of paragraphs (a)(1) through (a)(4)(i) and (b)(5) through (b)(9) of this section;

(10) Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(11) Require within Zones AH and AO, adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.

(12) Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A-1-30, AH, and AE on the community's FIRM that are not subject to the provisions of paragraph (c)(6) of this section be elevated so that either

(i) The lowest floor of the manufactured home is at or above the base flood elevation, or

(ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

(13) Notwithstanding any other provisions of § 60.3, a community may approve certain development in Zones A1-30, AE, and AH, on the community's FIRM which increase the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision, fulfills the requirements for such a revision as established under the provisions of § 65.12, and receives the approval of the Federal Insurance Administrator.

(14) Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either

(i) Be on the site for fewer than 180 consecutive days,

(ii) Be fully licensed and ready for highway use, or

(iii) Meet the permit requirements of paragraph (b)(1) of this section and the elevation and anchoring requirements for "manufactured homes" in paragraph (c)(6) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(d) When the Federal Insurance Administrator has provided a notice of final base flood elevations within Zones A1-30 and/or AE on the community's FIRM and, if appropriate, has designated AO zones, AH zones, A99 zones, and A zones on the community's FIRM, and has provided data from which the community shall designate its regulatory floodway, the community shall:

(1) Meet the requirements of paragraphs (c) (1) through (14) of this section;

(2) Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point;

(3) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory

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floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;

(4) Notwithstanding any other provisions of § 60.3, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision, fulfills the requirements for such revisions as established under the provisions of § 65.12, and receives the approval of the Federal Insurance Administrator.

(e) When the Federal Insurance Administrator has provided a notice of final base flood elevations within Zones A1-30 and/or AE on the community's FIRM and, if appropriate, has designated AH zones, AO zones, A99 zones, and A zones on the community's FIRM, and has identified on the community's FIRM coastal high hazard areas by designating Zones V1-30, VE, and/or V, the community shall:

(1) Meet the requirements of paragraphs (c)(1) through (14) of this section;

(2) Within Zones V1-30, VE, and V on a community's FIRM, (i) obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, and whether or not such structures contain a basement, and (ii) maintain a record of all such information with the official designated by the community under § 59.22(a)(9)(iii);

(3) Provide that all new construction within Zones V1-30, VE, and V on the community's FIRM is located landward of the reach of mean high tide;

(4) Provide that all new construction and substantial improvements in Zones V1-30 and VE, and also Zone V if base flood elevation data is available, on the community's FIRM, are elevated on pilings and columns so that (i) the bottom of the lowest horizontal structural member of the lowest floor (excluding

the pilings or columns) is elevated to or above the base flood level; and (ii) the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of paragraphs (e)(4) (i) and (ii) of this section.

(5) Provide that all new construction and substantial improvements within Zones V1-30, VE, and V on the community's FIRM have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

(i) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and,

(ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values

used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.

Such enclosed space shall be useable solely for parking of vehicles, building access, or storage.

(6) Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, and V on the community's FIRM;

(7) Prohibit man-made alteration of sand dunes and mangrove stands within Zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage.

(8) Require that manufactured homes placed or substantially improved within Zones V1-30, V, and VE on the community's FIRM on sites

(i) Outside of a manufactured home park or subdivision,

(ii) In a new manufactured home park or subdivision,

(iii) In an expansion to an existing manufactured home park or subdivision, or

(iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of paragraphs (e)(2) through (7) of this section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the community's FIRM meet the requirements of paragraph (c)(12) of this section.

(9) Require that recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either

(i) Be on the site for fewer than 180 consecutive days,

(ii) Be fully licensed and ready for highway use, or

(iii) Meet the requirements in paragraphs (b)(1) and (e) (2) through (7) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(f) When the Federal Insurance Administrator has provided a notice of

final base flood elevations within Zones A1-30 or AE on the community's FIRM, and, if appropriate, has designated AH zones, AO zones, A99 zones, and A zones on the community's FIRM, and has identified flood protection restoration areas by designating Zones AR, AR/A1-30, AR/AE, AR/AH, AR/AO, or AR/A, the community shall:

(1) Meet the requirements of paragraphs (c)(1) through (14) and (d)(1) through (4) of this section.

(2) Adopt the official map or legal description of those areas within Zones AR, AR/A1-30, AR/AE, AR/AH, AR/A, or AR/AO that are designated developed areas as defined in §59.1 in accordance with the eligibility procedures under §65.14.

(3) For all new construction of structures in areas within Zone AR that are designated as developed areas and in other areas within Zone AR where the AR flood depth is 5 feet or less:

(i) Determine the lower of either the AR base flood elevation or the elevation that is 3 feet above highest adjacent grade; and

(ii) Using this elevation, require the standards of paragraphs (c)(1) through (14) of this section.

(4) For all new construction of structures in those areas within Zone AR that are not designated as developed areas where the AR flood depth is greater than 5 feet:

(i) Determine the AR base flood elevation; and

(ii) Using that elevation require the standards of paragraphs (c)(1) through (14) of this section.

(5) For all new construction of structures in areas within Zone AR/A1-30, AR/AE, AR/AH, AR/AO, and AR/A:

(i) Determine the applicable elevation for Zone AR from paragraphs (a)(3) and (4) of this section;

(ii) Determine the base flood elevation or flood depth for the underlying A1-30, AE, AH, AO and A Zone; and

(iii) Using the higher elevation from paragraphs (a)(5)(i) and (ii) of this section require the standards of paragraphs (c)(1) through (14) of this section.

(6) For all substantial improvements to existing construction within Zones

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AR/A1-30, AR/AE, AR/AH, AR/AO, and AR/A:

(i) Determine the A1-30 or AE, AH, AO, or A Zone base flood elevation; and

(ii) Using this elevation apply the requirements of paragraphs (c)(1) through (14) of this section.

(7) Notify the permit applicant that the area has been designated as an AR, AR/A1-30, AR/AE, AR/AH, AR/AO, or AR/A Zone and whether the structure will be elevated or protected to or above the AR base flood elevation.

[41 FR 46975, Oct. 26, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 60.3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.govinfo.gov.

§ 60.4 Flood plain management criteria for mudslide (i.e., mudflow)-prone areas.

The Federal Insurance Administrator will provide the data upon which flood plain management regulations shall be based. If the Federal Insurance Administrator has not provided sufficient data to furnish a basis for these regulations in a particular community, the community shall obtain, review, and reasonably utilize data available from other Federal, State or other sources pending receipt of data from the Federal Insurance Administrator. However, when special mudslide (i.e., mudflow) hazard area designations have been furnished by the Federal Insurance Administrator, they shall apply. The symbols defining such special mudslide (i.e., mudflow) hazard designations are set forth in § 64.3 of this subchapter. In all cases, the minimum requirements for mudslide (i.e., mudflow)-prone areas adopted by a particular community depend on the amount of technical data provided to the community by the Federal Insurance Administrator. Minimum standards for communities are as follows:

(a) When the Federal Insurance Administrator has not yet identified any area within the community as an area having special mudslide (i.e., mudflow) hazards, but the community has indicated the presence of such hazards by submitting an application to participate in the Program, the community shall

(1) Require permits for all proposed construction or other development in the community so that it may determine whether development is proposed within mudslide (i.e., mudflow)-prone areas;

(2) Require review of each permit application to determine whether the proposed site and improvements will be reasonably safe from mudslides (i.e., mudflows). Factors to be considered in making such a determination should include but not be limited to (i) the type and quality of soils, (ii) any evidence of ground water or surface water problems, (iii) the depth and quality of any fill, (iv) the overall slope of the site, and (v) the weight that any proposed structure will impose on the slope;

(3) Require, if a proposed site and improvements are in a location that may have mudslide (i.e., mudflow) hazards, that (i) a site investigation and further review be made by persons qualified in geology and soils engineering, (ii) the proposed grading, excavations, new construction, and substantial improvements are adequately designed and protected against mudslide (i.e., mudflow) damages, (iii) the proposed grading, excavations, new construction and substantial improvements do not aggravate the existing hazard by creating either on-site or off-site disturbances, and (iv) drainage, planting, watering, and maintenance be such as not to endanger slope stability.

(b) When the Federal Insurance Administrator has delineated Zone M on the community's FIRM, the community shall:

(1) Meet the requirements of paragraph (a) of this section; and

(2) Adopt and enforce a grading ordinance or regulation in accordance with data supplied by the Federal Insurance Administrator which (i) regulates the location of foundation systems and utility systems of new construction and substantial improvements, (ii) regulates the location, drainage and maintenance of all excavations, cuts and fills and planted slopes, (iii) provides special requirements for protective measures including but not necessarily limited to retaining walls, buttress fills, sub-drains, diverter terraces,

ITEM #3: (a.) Minutes

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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), Amber Swett, Victoria Gavel

Selectboard members absent: Jessica Picard

EXECUTIVE SESSION

1.M.R.S.A §405 (C) Acquisition of real property

GA director not in attendance. The board did not go into executive session.

Victoria Gavel – Motions to table the item till the next agenda.

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

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 and please be respectful of others*

Don Hernon – States he believes the term limits in the Charter that went in effect July 1, 2023 would apply to candidates running for elected office in this years election. He requests to have the Town Council review this.

David Alves – States he was on the charter commission, and he recalls members of the commission discussed the intent of the term limits was not to make it retroactive; that the term limits would become effective July 1, 2023.

Michelle Felicitti – States she was on the charter commission, and she recalls members of the commission discussed term limits and the intent was that the term limits would become effective July 1, 2023, same as the new revised charter becoming effective. She states there was some confusion that the Comprehensive Plan can only be voted on in a general election in November, however for clarification this is not the case as the comprehensive plan and ordinances are two different documents. The Comprehensive Plan can be voted on at any time the board chooses to hold a town meeting.

Joe Wagner – States he believes the term limits in the new revised charter would become effective July 1, 2023.

- b. *Mail •Goodwin Mills Cemetery*

Victoria Gavel – Suggests the board have the damage assessed and table the item till the next agenda.

Thomas Hatch – Suggests if the Town sells the former Rhodes Hall property to the cemetery association, they could manage the tree damage themselves.

ITEM #3 MINUTES

- a. *Review / Approve meeting minutes 5/20/2024*

Tomas Hatch – Motions to approve. Victoria Gavel seconds the motion. Motion passes: 4-0-0

ITEM #4

SIGN WARRANTS

- a. **Payroll Warrant #45 in the amount of \$28,781.94**
Victoria Gavel – Motions to approve. Amber Swett seconds, Motion passes: 4-0-0
- b. **Accounts Payable Warrant #46 (FY2024) in the amount of \$652,648.45**
Victoria Gavel – Motions to approve. Thomas Hatch seconds. Motion passes: 4-0-0
Victoria Gavel – Inquires about the invoices submitted by KCB landscaping for the storm damage clean up at Bunganut Park
Lindsay Gagne – Explains the FEMA funding portal has just been opened for municipalities to submit requests for reimbursement. The federal government will cover 75%, the State will cover 15% and the Town will be responsible for the remaining 10%. After collecting invoices from multiple vendors that provided services for damages caused by the storm, the total amount being asked for at this time is \$114,145.

ITEM #5

UNFINISHED BUSINESS

- a. **Franchise Agreement, Updates if any** – No new updates at this time.
- b. **Discussion from 4-22-24 Workshop, updating agenda format, board bylaws, social media policy, etc.**
Victoria Gavel – Suggests tabling this item until after the election, in the event there might be new board members on. Discussion, the board agrees with this suggestion.
- c. **Transfer Station – Proposal for Camera Equipment**
Lindsay Gagne – States the proposal has been updated to reflect details of managed services and the monthly cost for each device. Remote managed services are optional, however, if devices are not properly maintained, then they will break down without having software updates and routine maintenance. For example, there are cameras currently at the Transfer Station that have not been managed and they're no longer functioning. Also included in the proposal are some notes for FY2025 budget and the available funding for any added monthly services. When doing an initial reconnaissance, we could find there is conduit coming up by the garage, which if we can determine where this goes, we may be able to eliminate having to pay extra for aerial work.
Victoria Gavel – Suggests reaching out to Ken Burr on the conduit question.
Thoams Hatch – **Makes a motion to go with Option 2 for cameras and equipment at the Transfer Station and to take up to \$5,205 out of the Transfer Station Reserve.**
Ralph Blackington – **Seconds the motion.**
Amber Swett – **States she would suggest taking the funds out of Capital Improvement Reserve.**
Thomas Hatch – **Amends his motion to take up to \$5,205 out of the Capital Improvement Reserve.**
Ralph Blackington – **Re-seconds the motion.**
Motion passes: 4-0-0

ITEM #6

DEPARTMENT AND COMMITTEE REPORTS

- a. **Land Study – Report**
David Alves – Presents his report for the Land Study, submitted in the Agenda Packet. The forester working for the Town has grouped together ten properties that would be easy to access and start with timber harvesting. If the board were to proceed further, the forester would assist with the RFP process and would monitor the timber harvesting to ensure the Towns benefit. The forester would be paid out of the timber harvest revenue. Of this grouping there is approximately 200 acres of land which conservatively is estimated to be approximately 80 harvestable acres. The forester also gave a conservative estimate that the Town could get \$500 per acre, and they would take 15-20% off the timber harvest to cover their services. This estimates roughly \$25,000 in revenue for the Town. After harvesting, they would ensure mulching is completed to leave some trails in place.
Victoria Gavel – Asks about the land locked parcels, if they can be sold first.

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Lindsay Gagne – Explains some of the land locked parcels about other parcels currently owned by the Town that have road frontage and we could put in deeded access making the property more valuable. Also, the board could harvest some of the lots to collect that revenue then consider selling after the harvest, to collect land sale revenue.

Amber Swett – Suggests selling the former Rhodes Hall property to the cemetery association where there is no timber harvest available or other uses for that property. Discussion, the board agrees.

Amber Swett – **Motions to start the process of giving that land to the cemetery association.**

Victoria Gavel – **Seconds the motion. Motion passes: 4-0-0**

The board discusses reviewing the forester's recommendation of the 10 parcels grouped for timber harvest. Lindsay will forward that from the forester.

Amber Swett – **Motions to move forward with the RFP for timber harvesting for the ten parcels process as recommended by the Forester.**

Ralph Blackington – **Seconds the motion. Motion passes: 4-0-0**

b. **Town Hall Expansion – Report**

David Alves – Presents a report on the Town Hall Expansion, submitted in the agenda packet. Custom Concepts, the engineers, have conducted a study to determine the best practical location for the expansion. Going behind the building presents an issue with the existing stream and building an additional second floor level presents an issue as the current building may not support a second level. The engineers have designed a preliminary proposal of an expansion of the building coming off the Eastern side of the building, however this will encroach on the 40-foot side set back requirement. After speaking with the neighbor owning the church building, they were agreeable in doing an equal land swap, as depicted in the preliminary plans, that would allow the Town to meet the setback requirements. The expansion plan would also include setting aside some space for the Historical Society, joining a walkway for shared parking with the neighbors, keeping the walkway to the library intact, and leaving some available space for additional storage and/or office space. Next steps would include a contingency agreement with the neighbor and a Town Vote for the land swap

Victoria Gavel – States the board should also consider setting aside land from the land study in the event the Town Hall may need a new location for continued expansion in the future.

Thomas Hatch – **Motions to go to the next steps to survey the land swap option and bring to the Town Voters.**

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

c. **Fire Chief – All Hands** – Reviewed in Agenda packet

d. **Treasurer – Expense Report** – Reviewed in Agenda Packet

e. **Bunganut Park Committee – Report**

Michelle Felicitti – States the Committee is developing a plan to split up the Pines into three separate rental areas in an effort to generate more revenues for the Park. While doing a walkabout, they noticed the picnic tables need to be replaced at the Pines. Some ideas they are looking into for park improvements include adding ramps going into the water to help with erosion control, clearing up dead trees in the pines area, mitigating water seepage on lakeside field area, adding porta potties for the pine's rentals, considering parking options for the pines, and replanting trees and other native plants.

Discussion with the board to consider other options on water runoff control from the upper parking area and having the Fire Departments input on any safety issues there.

ITEM #7

NEW BUSINESS

a. **Committee Re-Appointments Applications (Terms that are up June 30th)**

o **Cemetery Committee**

Thomas Hatch – **Motions to appoint Priscilla Miles to the Cemetery Committee**

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

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- **IT Committee**
Thomas Hatch – Motions to appoint Bill Single to the IT committee
Victoria Gavel – Seconds the motion. Motion passes: 4-0-0
- **Zoning Board of Appeals**
Thomas Hatch – Motions to appoint Thomas Larned to the ZBA
Victoria Gavel – Seconds the motion. Motion passes: 4-0-0
Thomas Hatch – Motions to appoint Arthur Dumas to the ZBA
Victoria Gavel – Seconds the motion. Motion passes: 4-0-0
- **Ordinance Review Committee**
Thomas Hatch – Motions to appoint Peggy Macdonald to the ORC
Victoria Gavel – Seconds the motion. Motion passes: 4-0-0
- **Parks & Rec Committee**
Thomas Hatch – Motions to appoint Holly Wooldridge to Parks & Recs Committee
Victoria Gavel – Seconds the motion. Motion passes: 4-0-0
- b. **Planning Board – upcoming vacancy (June 30th) PB recommendation**
Amber Swett – Motions to go with the Town Manager’s recommendation to keep Bill Single as an alternate member until training has been completed.
Thomas Hatch – Seconds the motion. Motion Passes: 4-0-0
Victoria Gavel – States she reserves the right to vote either way and acquiring trainings will not guarantee appointment
- c. **Eco Maine Representative Re-Appointment**
Discussion, Amber wishes to continue as ECO Maine Rep. She is looking into working with ECO ME to pilot some ideas for public education on recycling with voluntary competitions citizens can participate in.
Thomas Hatch – Motions to appoint Amber Swett as the ECO Maine Representative.
Victoria Gavel – Seconds the motion. Motion passes: 3-1-0 (Thomas Hatch, Ralph Blackington, Victoria Gavel in favor; Amber Swett abstains)
- d. **Discussion – Company Picnic/event**
Victoria Gavel – Recommends the board coordinate a function where they cook and serve the food to employees and suggests inviting volunteers. Perhaps a night in the park with food trucks.
Lindsay Gagne – Suggests an event at the Pines potentially late August or Mid-September. The board budgeted \$1,000 for FY25.
Thomas Hatch – Discussion on ideas on making it a community event but also suggests starting small for the first year and growing into a bigger event.
Discussion: surveying the employees or polling ideas on what types of entertainment, games, etc would be preferred. Potential a Saturday date, between 2pm – 5pm. The board agrees to table this till next meeting and determine a set date.
- e. **Discussion – Designee for pole permits.**
Thomas Hatch – Motions to designate the Code Enforcement Officer as the Pole Permit Designee
Ralph Blackington – Seconds the motion. Motion passes: 4-0-0
- f. **Special Amusement Permit Application/ On-Premise Liquor License Renewal – Rustic Dreams**
Lindsay Gagne – States there have been no complaints on record of the business and would recommend the board do a public hearing. The CEO has a copy of the Special Amusement Application and will coordinate any inspections needed.
Discussion: The board has scheduled a public hearing on June 17, 2024 at 6:00pm at the Town Hall.

Town of Lyman
Select Board Meeting Minutes
June 3rd, 2024 – Lyman Town Hall

OTHER

Victoria Gavel – States there is a poison ivy patch by the signs placed at Kennebunk Pond Beach.

ADJOURN

Thomas Hatch – Motions to adjourn. **Amber Swett** seconds. **Motion passes: 4-0-0**

Amber Swett

Jessica Picard

Joseph Wagner

David Alves

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 date June 3rd, 2024

Lindsay Gagne

ITEM #4: (a.) Payroll Warrant

LYMAN
10:59 AM

Payroll Check Register

Pay Date: 06/12/2024

06/06/2024
Page 1

Check	D / D	Check	Amount	Date	Employee
Employee Checks					
1	1,145.66	0.00	1,145.66	06/12/24	021 JANICE M AUGER
2	1,659.35	0.00	1,659.35	06/12/24	79 SUSAN J BELLEROSE
3	2,259.76	0.00	2,259.76	06/12/24	011 RALPH A BLACKINGTON
4	1,187.49	0.00	1,187.49	06/12/24	025 THOMAS M CROTEAU
5	2,461.97	0.00	2,461.97	06/12/24	028 LINDSAY GAGNE
6	1,940.32	0.00	1,940.32	06/12/24	071 VICTORIA E GAVEL
7	1,875.46	0.00	1,875.46	06/12/24	016 LAURIE L GONSKA
8	224.28	0.00	224.28	06/12/24	117 PAUL HAKALA
9	864.26	0.00	864.26	06/12/24	03 HOLLY L HART
10	1,976.15	0.00	1,976.15	06/12/24	018 THOMAS F HATCH
11	259.30	0.00	259.30	06/12/24	007 THOMAS M HOLLAND
12	389.49	0.00	389.49	06/12/24	030 EILEEN D KELLY
13	2,015.21	0.00	2,015.21	06/12/24	015 JEANETTE E LEMAY
14	816.31	0.00	816.31	06/12/24	036 JULIE LEMIEUX
15	1,285.30	0.00	1,285.30	06/12/24	041 RANDALL L MURRAY
16	1,557.18	0.00	1,557.18	06/12/24	68 PRISCILLA L OUELLETTE
17	3,555.66	0.00	3,555.66	06/12/24	040 JESSICA PICARD
18	544.13	0.00	544.13	06/12/24	19 BRIAN D. RACICOT
19	677.10	0.00	677.10	06/12/24	123 KYLE D RACICOT
20	532.43	0.00	532.43	06/12/24	002 DAVID W RILEY
21	587.90	0.00	587.90	06/12/24	024 JAMES ROBERTS
22	146.80	0.00	146.80	06/12/24	020 DAVID H SANTORA
23	1,175.15	0.00	1,175.15	06/12/24	053 AMBER M SWETT
24	1,628.76	0.00	1,628.76	06/12/24	037 REBEKAH S THOMPSON
25	293.58	0.00	293.58	06/12/24	40 RAYMOND J VALLIERE
Total	31,059.00	0.00	31,059.00		
Direct Deposit Checks					
26	0.00	31,059.00	31,059.00	06/12/24	D / D 1 BIDDEFORD SAVINGS BANK
Total	0.00	31,059.00	31,059.00		
Trust & Agency Checks					
27	0.00	10,370.77	10,370.77	06/12/24	T & A 1 I.R.S.
28	0.00	1,454.83	1,454.83	06/12/24	T & A 3 ICMA
29	0.00	1,849.89	1,849.89	06/12/24	T & A 2 MAINE REVENUE SERVICES
30	0.00	1,708.32	1,708.32	06/12/24	T & A 9 MPERS
Total	0.00	15,383.81	15,383.81		

Payroll Check Register

Pay Date: 06/12/2024

Check	D / D	Check	Amount	Date	Employee
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Summary

Checks:	Regular	0.00	25
	D / D	31,059.00	1
	Employee	31,059.00	
	T & A	15,383.81	4
	Voided		0
	Total	46,442.81	30

WARRANT: 47

Check	D / D	Check	Employee	Gross Pay
1	1,145.66	0.00	021 JANICE M AUGER	1,687.51
2	1,659.35	0.00	79 SUSAN J BELLEROSE	2,379.00
3	2,259.76	0.00	011 RALPH A BLACKINGTON	2,827.50
4	1,187.49	0.00	025 THOMAS M CROTEAU	1,744.83
5	2,461.97	0.00	028 LINDSAY GAGNE	3,494.23
6	1,940.32	0.00	071 VICTORIA E GAVEL	2,545.00
7	1,875.46	0.00	016 LAURIE L GONSKA	2,913.46
8	224.28	0.00	117 PAUL HAKALA	297.00
9	864.26	0.00	03 HOLLY L HART	990.00
10	1,976.15	0.00	018 THOMAS F HATCH	2,545.00
11	259.30	0.00	007 THOMAS M HOLLAND	286.85
12	389.49	0.00	030 EILEEN D KELLY	455.00
13	2,015.21	0.00	015 JEANETTE E LEMAY	2,875.81
14	816.31	0.00	036 JULIE LEMIEUX	1,107.75
15	1,285.30	0.00	041 RANDALL L MURRAY	1,960.80
16	1,557.18	0.00	68 PRISCILLA L OUELLETTE	1,697.00
17	3,555.66	0.00	040 JESSICA PICARD	5,090.00
18	544.13	0.00	19 BRIAN D. RACICOT	644.77
19	677.10	0.00	123 KYLE D RACICOT	840.94
20	532.43	0.00	002 DAVID W RILEY	576.54
21	587.90	0.00	024 JAMES ROBERTS	656.25
22	146.80	0.00	020 DAVID H SANTORA	158.95
23	1,175.15	0.00	053 AMBER M SWETT	1,272.50
24	1,628.76	0.00	037 REBEKAH S THOMPSON	2,497.83
25	293.58	0.00	40 RAYMOND J VALLIERE	317.90
26	0.00	31,059.00	D / D 1 BIDDEFORD SAVINGS BANK	
27	0.00	10,370.77	T & A 1 I.R.S.	
28	0.00	1,454.83	T & A 3 ICMA	
29	0.00	1,849.89	T & A 2 MAINE REVENUE SERVICES	
30	0.00	1,708.32	T & A 9 MPERS	

Payroll Warrant

Pay Date: 06/12/2024

**** REPRINT ****

WARRANT: 47

Check	D / D	Check	Employee	Gross Pay
Total	31,059.00	46,442.81		41,862.42

Put into A/P	15,621.55
Taken out of A/P	(15,383.81)
Total Payroll	46,680.55

Count	
Checks	30

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

DAVID ALVES
VICTORIA GAVEL
JESSICA PICARD
AMBER SWETT
JOSEPH WAGNER

ITEM #4: (b.) AP Warrant

Lyman
10:23 AM

A / P Check Register

Bank: BIDDEFORD SAVINGS

06/13/2024
Page 1

Type	Check	Amount	Date	Wrnt	Payee
P	9999	1,483.18	06/17/24	48	0091 CENTRAL MAINE POWER, INC.
P	10656	34.00	06/04/24	48	0643 TREASURER, STATE OF MAINE
P	10657	24,130.27	06/04/24	48	0647 TREASURER, STATE OF MAINE
P	10658	17,490.84	06/05/24	48	0569 SECRETARY OF STATE
P	10659	10,876.32	06/07/24	48	0569 SECRETARY OF STATE
R	10660	324.22	06/17/24	48	0218 AMAZON CAPITAL SERVICES
R	10661	3,830.00	06/17/24	48	0113 BD CARPENTRY
R	10662	787.50	06/17/24	48	1046 BOURQUE & CLEGG LLC
R	10663	118.46	06/17/24	48	0170 BRENDA CHARLAND
R	10664	4,950.00	06/17/24	48	0335 C.I.A. SALVAGE INC
R	10665	132.00	06/17/24	48	0310 CHARTER COMMUNICATIONS
R	10666	3,315.81	06/17/24	48	0333 CIVIL CONSULTANTS
R	10667	1,610.00	06/17/24	48	0133 DAVID W. RILEY
R	10668	750.00	06/17/24	48	0166 E.T.P ELECTRICIANS
R	10669	14,099.81	06/17/24	48	0500 ECOMAINE
R	10670	2,746.44	06/17/24	48	0056 EDISON PRESS
R	10671	791.24	06/17/24	48	0179 ELECTION SYSTEMS & SOFTWARE, INC
R	10672	49.00	06/17/24	48	0147 GONETSPEED
R	10673	8,103.47	06/17/24	48	0291 GT SCAPES
R	10674	516.54	06/17/24	48	0072 GWI
R	10675	78.00	06/17/24	48	0138 HUB INTERNATION NEW ENGLAND LLC
R	10676	75.44	06/17/24	48	0316 JAMES ROBERTS
R	10677	95.27	06/17/24	48	0184 JEANETTE LEMAY
R	10678	8,700.00	06/17/24	48	0265 JOSEPH GOFF
R	10679	8.84	06/17/24	48	0330 JULIE LEMIEUX
R	10680	19.96	06/17/24	48	0290 KELLY, EILEEN
R	10681	55.61	06/17/24	48	0131 LAURIE GONSKA
R	10682	179.00	06/17/24	48	0969 LINDY FIRE EQUIPMENT CO.
R	10683	9,708.37	06/17/24	48	0376 M M E H T
R	10684	30.00	06/17/24	48	0415 M M T C T A
R	10685	42.00	06/17/24	48	0379 MAINE TOWN & CITY CLERKS ASSOC
R	10686	150.07	06/17/24	48	0622 MAINETODAY MEDIA
R	10687	389.95	06/17/24	48	0269 MARSHALL & SWIFT/BOECKH, LLC
R	10688	2,702.25	06/17/24	48	0034 MEMIC
R	10689	70.00	06/17/24	48	0408 MLGHRA
R	10690	168,751.38	06/17/24	48	0334 NASON PROPERTY MANAGEMENT LLC
R	10691	355.00	06/17/24	48	0047 NEST & SONS, INC.
R	10692	880.00	06/17/24	48	0256 POTTYS-R-US
R	10693	201.88	06/17/24	48	0084 READYREFRESH BY NESTLE
R	10694	126.50	06/17/24	48	0304 REBEKAH THOMPSON
R	10695	200.00	06/17/24	48	0580 SMPDC
R	10696	86.43	06/17/24	48	0062 THOMAS HOLLAND
R	10697	900.00	06/17/24	48	0475 TREASURER, STATE OF MAINE
R	10698	120.00	06/17/24	48	0475 TREASURER, STATE OF MAINE
R	10699	90.00	06/17/24	48	0475 TREASURER, STATE OF MAINE
R	10700	1,007.50	06/17/24	48	0475 TREASURER, STATE OF MAINE
R	10701	225.00	06/17/24	48	0475 TREASURER, STATE OF MAINE

A / P Check Register
Bank: BIDDEFORD SAVINGS

Type	Check	Amount	Date	Wrnt	Payee
R	10702	1,407.50	06/17/24	48	0475 TREASURER, STATE OF MAINE
R	10703	164.49	06/17/24	48	0148 VERIZON WIRELESS
R	10704	25.48	06/17/24	48	0985 WARRENS OFFICE SUPPLIES
P	99999	13.99	06/17/24	48	0095 CARDMEMBER SERVICE
P	99999	56.93	06/17/24	48	0095 CARDMEMBER SERVICE
P	99999	19.99	06/17/24	48	0095 CARDMEMBER SERVICE
P	99999	493.79	06/17/24	48	0095 CARDMEMBER SERVICE
P	99999	35.85	06/17/24	48	0095 CARDMEMBER SERVICE
P	99999	15.99	06/17/24	48	0095 CARDMEMBER SERVICE
P	99999	14.40	06/17/24	48	0095 CARDMEMBER SERVICE
P	99999	22.00	06/17/24	48	0095 CARDMEMBER SERVICE
P	99999	462.00	06/17/24	48	0095 CARDMEMBER SERVICE

Total 294,119.96

Count

Checks	59
Voids	0

A / P Warrant

Warrant 48

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
00218 AMAZON CAPITAL SERVICES						
0599	10660	06	SUPPLIES		16TM-LWHW-YRL6	
SUPPLIES			E 110-11-60-610		34.84	0.00
			SUPPLIES / SUPPLIES			
Invoice Total-					34.84	
0599	10660	06	GRAB POLE AND SIGNS		1TRP-IDMY-M4XG	
GRAB POLE AND SIGNS			E 150-31-60-610		289.38	0.00
			SUPPLIES / SUPPLIES			
Invoice Total-					289.38	
Vendor Total-					324.22	
00113 ED CARPENTRY						
0599	10661	06	STAIRS IN CONCESSION STAN		543	
STAIRS IN CONCESSION STAN			E 703-86-90-999		3,830.00	0.00
			CAP IN / RESERVES - OTHER / MISC			
Vendor Total-					3,830.00	
01046 BOURQUE & CLEGG LLC						
0599	10662	06	SERVICES		46015	
SERVICES			E 181-11-33-320		787.50	0.00
			CONT PROF / PROF SERV LE			
Vendor Total-					787.50	
00170 BRENDA CHARLAND						
0599	10663	06	MILEAGE		1/1-1/19	
MILEAGE			E 110-11-90-910		118.46	0.00
			OTHER / MILEAGE/TRAV			
Vendor Total-					118.46	
00335 C.I.A. SALVAGE INC						
0599	10664	06	HAULING		4214	
MSW HAULING			E 150-31-35-355		2,280.00	0.00
			CTRCT SVS WA / PROF SVS HAU			
WOOD/BULKY HAULING			E 150-31-35-356		1,330.00	0.00
			CTRCT SVS WA / PROF SVS HW			
RECYCLE HAULING			E 150-31-35-357		380.00	0.00
			CTRCT SVS WA / PROF SVS HR			
CAN RENTAL			E 150-31-35-349		200.00	0.00
			CTRCT SVS WA / PROF SVS CAN			
METAL HAULING			E 150-31-35-359		760.00	0.00
			CTRCT SVS WA / PROF SVS MET			
Vendor Total-					4,950.00	
00095 CARDMEMBER SERVICE						
0599	99999	06	YOU TUBE		050624	
YOU TUBE			E 110-11-32-310		13.99	0.00
			CTRCT SVS EQ / PROF SVS			
Invoice Total-					13.99	
0599	99999	06	VISTAPRINT		051724	
VISTAPRINT			E 110-11-60-610		56.93	0.00
			SUPPLIES / SUPPLIES			
Invoice Total-					56.93	
0599	99999	06	STAMPS		051724	
STAMPS			E 110-11-60-650		19.99	0.00
			SUPPLIES / POSTAGE			

A / P Warrant

Warrant 48

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
				Invoice Total-	19.99	
0599	99999	06	POSTAGE		060324	
POSTAGE			E 110-11-60-650		493.79	0.00
			SUPPLIES / POSTAGE			
				Invoice Total-	493.79	
0599	99999	06	VISTAPRINT		LHO	
VISTAPRINT			E 110-11-60-610		35.85	0.00
			SUPPLIES / SUPPLIES			
				Invoice Total-	35.85	
0599	99999	06	ZOOM		260293949	
ZOOM			E 110-11-32-310		15.99	0.00
			CTRCT SVS EQ / PROF SVS			
				Invoice Total-	15.99	
0599	99999	06	MICROSOFT		E0600SEPIW	
MICROSOFT			E 110-11-32-310		14.40	0.00
			CTRCT SVS EQ / PROF SVS			
				Invoice Total-	14.40	
0599	99999	06	MICROSOFT		E0600SEPIX	
MICROSOFT			E 110-11-32-310		22.00	0.00
			CTRCT SVS EQ / PROF SVS			
				Invoice Total-	22.00	
0599	99999	06	MICROSOFT		E0600SEU6L	
MICROSOFT			E 110-11-32-310		462.00	0.00
			CTRCT SVS EQ / PROF SVS			
				Invoice Total-	462.00	
				Vendor Total-	1,134.94	
00091 CENTRAL MAINE POWER, INC.						
0599	9999	06	ELECTRICITY		40100029967	
3501-2118-408			E 147-22-50-560		81.41	0.00
			UTILITIES / ELECTRICITY			
3501-1893-878			E 147-22-50-560		42.14	0.00
			UTILITIES / ELECTRICITY			
3501-2918-062			E 147-22-50-560		37.62	0.00
			UTILITIES / ELECTRICITY			
3501-6854-669			E 147-31-50-560		398.64	0.00
			UTILITIES / ELECTRICITY			
3501-2614-331			E 147-51-50-560		321.61	0.00
			UTILITIES / ELECTRICITY			
3501-6858-561			E 147-21-50-560		31.91	0.00
			UTILITIES / ELECTRICITY			
3501-2969-030			E 147-11-50-560		514.91	0.00
			UTILITIES / ELECTRICITY			
3001-3752-495			E 147-23-50-560		54.94	0.00
			UTILITIES / ELECTRICITY			
				Vendor Total-	1,483.18	
00310 CHARTER COMMUNICATIONS						
0599	10665	06	INTERNET		232143101060124	
UTILITIES			E 161-23-50-580		132.00	0.00
			UTILITIES / COMM			
				Vendor Total-	132.00	
00333 CIVIL CONSULTANTS						

A / P Warrant

Warrant 49

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
0599	10666	06	BROOKVIEW		J-2401501-2024-	
BROOKVIEW			G 1-269-00		3,315.81	0.00
			PB ESCROWS			
			Vendor Total-		3,315.81	
00133 DAVID W. RILEY						
0599	10667	06	SERVICES	60		
BUNGANUT TRASH REMOVAL			E 145-22-31-330		160.00	0.00
			CTRCT SVS BL / WASTE SVS			
FILL IN OLD SEPTIC KBP			E 145-23-35-331		700.00	0.00
			CTRCT SVS WA / PROF PORTA P			
			Invoice Total-		860.00	
0599	10667	06	SERVICES	61		
ROADSIDE TRASH PICKUP			E 145-51-31-330		250.00	0.00
			CTRCT SVS BL / WASTE SVS			
			Invoice Total-		250.00	
0599	10667	06	SERVICES	62		
MOVING			E 115-13-39-399		350.00	0.00
			CONT SVS OTH / OTHER			
			Invoice Total-		350.00	
0599	10667	06	SERVICES	63		
HAUL METAL			E 150-31-35-355		150.00	0.00
			CTRCT SVS WA / PROF SVS HAU			
			Invoice Total-		150.00	
			Vendor Total-		1,610.00	
00166 E.T.P ELECTRICIANS						
0599	10668	06	KBP GATE WIRING	051024		
KBP GATE WIRING			E 551-84-70-790		750.00	0.00
			FED - EQUIPMENT / OTHER EQUIP			
			Vendor Total-		750.00	
00500 ECOMAINE						
0599	10669	06		MAY		
LYMAN01 MSW			E 150-31-35-350		11,569.27	0.00
			CTRCT SVS WA / PROF SVS TIP			
			Invoice Total-		11,569.27	
0599	10669	06		MAY		
BULLYMAN01 OSW-WOOD			E 150-31-35-351		2,041.39	0.00
			CTRCT SVS WA / PROF SVS TW			
			Invoice Total-		2,041.39	
0599	10669	06		MAY		
RECYCLE			E 150-31-35-352		489.15	0.00
			CTRCT SVS WA / PROF SVS REC			
			Invoice Total-		489.15	
			Vendor Total-		14,099.81	
00056 EDISON PRESS						
0599	10670	06	TOWN REPORT	1519		
TOWN REPORT			E 110-11-80-850		2,746.44	0.00
			ADVER, PRINT / TOWN REPORT			
			Vendor Total-		2,746.44	
00179 ELECTION SYSTEMS & SOFTWARE, INC						

A / P Warrant

Warrant 48

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
0599	10671	06	141369		CD2091864	
141369			E 110-13-39-399		791.24	0.00
			CONT SVS OTH / OTHER			
			Vendor Total-		791.24	
00147 GONETSPEED						
0599	10672	06	13668 PHONE		0528	
13668 PHONE			E 150-31-50-580		49.00	0.00
			UTILITIES / COMM			
			Vendor Total-		49.00	
00291 GT SCAPES						
0599	10673	06	KPB		89	
KPB			E 551-84-70-790		8,103.47	0.00
			FED - EQUIPMENT OTHER EQUIP			
			Vendor Total-		8,103.47	
00072 GWI						
0599	10674	06	PHONES & INTERNET		6466019	
205773			E 110-11-50-580		495.94	0.00
			UTILITIES / COMM			
205773			E 161-22-50-580		20.60	0.00
			UTILITIES / COMM			
			Vendor Total-		516.54	
00138 HUB INTERNATION NEW ENGLAND LLC						
0599	10675	06	2024-2025 VOLUNTEER INS		7/1-6/30/25	
2024-2025 VOLUNTEER INS			G 1-129-00		78.00	0.00
			PREPAID EXP			
			Vendor Total-		78.00	
00316 JAMES ROBERTS						
0599	10676	06	MILEAGE		5/22-6/4	
MILEAGE			E 110-11-90-910		75.44	0.00
			OTHER / MILEAGE/TRAV			
			Vendor Total-		75.44	
00184 JEANETTE LEMAY						
0599	10677	06	MILEAGE REIMB		MAY	
MILEAGE REIMB			E 110-11-90-910		95.27	0.00
			OTHER / MILEAGE/TRAV			
			Vendor Total-		95.27	
00265 JOSEPH GOFF						
0599	10678	06	KING SMITH CEMETERY		1445	
KING SMITH CEMETERY			E 181-15-37-399		8,700.00	7,000.00
			CONT OUT / CONT SVS OTH			
			Vendor Total-		8,700.00	
00330 JULIE LEMIEUX						
0599	10679	06	MILEAGE		MAY	
MILEAGE			E 110-11-90-910		8.84	0.00
			OTHER / MILEAGE/TRAV			
			Vendor Total-		8.84	
00290 KELLY, EILEEN						

A / P Warrant

Warrant 48

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
0599	10680	06	MILEAGE REIMB	MAY		
MILEAGE REIMB			E 110-11-90-910		19.96	0.00
			OTHER / MILEAGE/TRAV			
Vendor Total-					19.96	
00131 LAURIE GONSKA						
0599	10681	06	MILEAGE	MAY		
MILEAGE			E 110-11-90-910		55.61	0.00
			OTHER / MILEAGE/TRAV			
Vendor Total-					55.61	
00969 LINDY FIRE EQUIPMENT CO.						
0599	10682	06	EXTINGUISHER INSPECTION	3715		
EXTINGUISHER INSPECTION			E 141-11-31-310		179.00	0.00
			CTRCT SVS BL / PROF SVS			
Vendor Total-					179.00	
00376 M M E H T						
0599	10683	06	MHT.31171	JUN/JUL		
INSURANCE-EMPLOYEE			G 1-205-00		75.01	0.00
			BENEFITS-EMPLE			
HEALTH			E 102-99-20-210		1,242.93	0.00
			BENEFITS / HEALTH			
DENTAL			E 102-99-20-211		43.79	0.00
			BENEFITS / DENTAL			
INSURANCE PREPAY			G 1-129-00		9,346.64	0.00
			PREPAID EXP			
Vendor Total-					9,708.37	
00415 M M T C T A						
0599	10684	06	11790-0	AUGER		
MEMBERSHIP			E 102-11-20-290		39.00	0.00
			BENEFITS / MEMB & DUES			
Vendor Total-					30.00	
00379 MAINE TOWN & CITY CLERKS ASSOC						
0599	10685	06	11790-0	AUGER		
MEMBERSHIP DUES			E 102-11-20-290		42.00	0.00
			BENEFITS / MEMB & DUES			
Vendor Total-					42.00	
00622 MAINETODAY MEDIA						
0599	10686	06	PB AD	1581		
PB AD			E 110-11-80-810		150.07	150.07
			ADVER, PRINT / ADVERTISE			
Vendor Total-					150.07	
00269 MARSHALL & SWIFT/BOECKH, LLC						
0599	10687	06	RESIDENTIAL COST HANDBOOK	1166425		
RESIDENTIAL COST HANDBOOK			E 110-11-60-610		389.95	0.00
			SUPPLIES / SUPPLIES			
Vendor Total-					389.95	
00034 MEMIC						
0599	10688	06	1810107099	1810707099		

A / P Warrant

Warrant 48

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
1810107099			G 1-129-00		2,702.25	0.00
			PREPAID EXP			
			Vendor Total-		2,702.25	
00408 MLGHRA						
0599	10689	06	LEMAY MEMBERSHIP			
LEMAY MEMBERSHIP			E 102-17-20-290		35.00	0.00
			BENEFITS / MEME & DUES			
			Invoice Total-		35.00	
0599	10689	06	GAGNE	1000471827		
GAGNE			E 102-11-20-290		35.00	0.00
			BENEFITS / MEMB & DUES			
			Invoice Total-		35.00	
			Vendor Total-		70.00	
00334 NASON PROPERTY MANAGEMENT LLC						
0599	10690	06	ESCROW DRAW # 1			
ESCROW DRAW # 1			G 1-269-01		168,751.38	0.00
			PB ESCROWS			
			Vendor Total-		168,751.38	
00047 NEST & SONS, INC.						
0599	10691	06	KPB PUMPING OLD TANK	60315		
KPB PUMPING OLD TANK			E 145-23-31-330		355.00	0.00
			CTRCT SVS BL / WASTE SVS			
			Vendor Total-		355.00	
00256 POTTYS-R-US						
0599	10692	06	PORTA-POTS	29049		
KENNEBUNK POND			E 145-23-35-331		85.00	0.00
			CTRCT SVS WA / PROF PORTA P			
			Invoice Total-		85.00	
0599	10692	06	PORTA-POTS	29146		
CHADBOURNE			E 145-21-35-331		185.00	0.00
			CTRCT SVS WA / PROF PORTA P			
			Invoice Total-		185.00	
0599	10692	06	PORTA-POTS	29172		
BUNGANUT			E 145-22-35-331		525.00	0.00
			CTRCT SVS WA / PROF PORTA P			
			Invoice Total-		525.00	
0599	10692	06	PORTA-POTS	29212		
BUNGANUT			E 145-22-35-331		85.00	0.00
			CTRCT SVS WA / PROF PORTA P			
			Invoice Total-		85.00	
			Vendor Total-		880.00	
00084 READYREFRESH BY NESTLE						
0599	10693	06	0427507058	5483454020		
H20 0427507058			E 110-11-60-610		201.88	0.00
			SUPPLIES / SUPPLIES			
			Vendor Total-		201.88	
00304 REBEKAH THOMPSON						
0599	10694	06	MILEAGE	MAY		

A / P Warrant

Warrant 48

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
MILEAGE			E 110-11-90-910		126.50	0.00
			OTHER / MILEAGE/TRAV			
			Vendor Total-		126.50	
00569 SECRETARY OF STATE						
0599	10658	06	31170	5/23-5/30		
31170			G 1-250-00		17,490.84	0.00
			MTR VEHICLE			
			Invoice Total-		17,490.84	
0599	10659	06	31170	5/30-6/6		
31170			G 1-250-00		10,876.32	0.00
			MTR VEHICLE			
			Invoice Total-		10,876.32	
			Vendor Total-		28,367.16	
00580 SMPDC						
0599	10695	06	HILL SUBDIVISION	17366		
HILL SUBDIVISION			G 1-153-01		200.00	0.00
			A/R			
			Vendor Total-		200.00	
00062 THOMAS HOLLAND						
0599	10696	06	MILEAGE	MAY		
MILEAGE			E 125-72-90-910		86.43	0.00
			CTHER / MILEAGE/TRAV			
			Vendor Total-		86.43	
00475 TREASURER, STATE OF MAINE						
0599	10697	06	PERMITS # 6124-6153			*** SEPARATE ***
PERMITS # 6124-6153			G 1-220-00		900.00	0.00
			ST PLUMB FEE			
			Invoice Total-		900.00	
0599	10698	06	PERMITS # 6124-6153			*** SEPARATE ***
PERMITS # 6124-6153			G 1-220-00		120.00	0.00
			ST PLUMB FEE			
			Invoice Total-		120.00	
0599	10699	06	PERMITS 6184 -6211 DEP			*** SEPARATE ***
PERMITS 6184 -6211 DEP			G 1-220-00		90.00	0.00
			ST PLUMB FEE			
			Invoice Total-		90.00	
0599	10700	06	PERMITS 6184 - 6211			*** SEPARATE ***
PERMITS 6184 - 6211			G 1-220-00		1,007.50	0.00
			ST PLUMB FEE			
			Invoice Total-		1,007.50	
0599	10701	06	PERMITS 6154 - 6183 DEP			*** SEPARATE ***
PERMITS 6154 - 6183 DEP			G 1-220-00		225.00	0.00
			ST PLUMB FEE			
			Invoice Total-		225.00	
0599	10702	06	PERMITS 6154 - 6182			*** SEPARATE ***
PERMITS 6154 - 6182			G 1-220-00		1,407.50	0.00
			ST PLUMB FEE			
			Invoice Total-		1,407.50	
			Vendor Total-		3,750.00	

A / P Warrant

**** REPRINT ****

Warrant 48

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
00643 TREASURER, STATE OF MAINE						
0599	10656	06	DOGS MAY	MAY 2024		
DOGS			G 1-256-00		34.00	0.00
	DOG LIC					
Vendor Total-					34.00	
00647 TREASURER, STATE OF MAINE						
0599	10657	06	FISHES	MAY		
FISHES			G 1-251-00		24,130.27	0.00
	INLAND FISH					
Vendor Total-					24,130.27	
00148 VERIZON WIRELESS						
0599	10703	06	6423575065-00001	MAY - JUN		
642357065-00001			E 110-11-50-580		164.49	0.00
	UTILITIES / COMM					
Vendor Total-					164.49	
00985 WARRENS OFFICE SUPPLIES						
0599	10704	06	TOWLYM	530336-00		
TOWLYM			E 110-11-60-610		25.48	0.00
	SUPPLIES / SUPPLIES					
Vendor Total-					25.48	
Prepaid Total-					55,149.55	
Current Total-					238,970.41	
EFT Total-					0.00	
Warrant Total-					294,119.96	

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

DAVID ALVES

VICTORIA GAVEL

JESSICA PICARD

AMBER SWETT

JOSEPH WAGNER

ITEM #5: (b.) Discussion from 4/22/24 Workshop



Review of Town of Lyman Selectboard/Town Manager Form of Government Presentation to the Lyman Selectboard April 22, 2024

Don Gerrish of Eaton Peabody Consulting Group was engaged to do a review of how the Selectboard/Town Manager/Town Meeting form of government is working in Lyman. The Lyman Town Charter was amended in November of 2022 to change to the Selectboard/Town Manager/Town Meeting form of government which became effective on July 1, 2023. Previously the Town functioned with a Selectboard/Town Meeting form of government and a clerk assisting the Selectboard. The Town has been working with the new form of government for almost 9 months.

Process

Mr. Gerrish did telephone interviews with the exiting Selectboard and the Town Manager asking their opinion on how this new form is working. He also reviewed the Lyman Town Charter, Lyman Personnel Policy, and Town Manager job description among other pertinent Town documents. He also viewed recent Selectboard meetings.

Observations

Transitioning to the Selectboard/Town Manager form of government was a significant change in the operation of the Town that affected the Selectboard, Boards/Committees/Commissions, employees and citizens. The Town Manager took over as the chief executive and administrator of the Town, a role the Selectboard had done before the charter change.

This change necessitated that new policies and procedures be developed to ensure the affected stakeholders described above understand how the new form of government works.

The Town Manager's job description was completed and approved by the Selectboard. Updated job descriptions were completed for all employees. An update to the Town's Personnel Policy was critical to have it align with the responsibilities of the Town Manager. This update is ongoing and if not completed will be completed shortly.

The Town has had some issues as it moved to this new form of government. Questions of who and how the public deals with Town questions or concerns came up. How the new organization chart works as far as employee oversight came into play. Does this change affect Boards/Committees/Commissions operations? Does the processes and policies for Selectboard meetings with now having a Town Manager needed to be clarified?

The members of the Selectboard and the Town Manager believe the change has gone well but not without its bumps in the road. They all are committed to continue to listening to each other and the public, keep an open mind and to clarify and making changes when necessary.

The Town's new updated Personnel Policy is excellent. It clearly lays out the role and responsibilities of the Town Manager and gives the employees and public an understanding of procedures, policies and benefits of Town employees. The updated job descriptions were needed and are written very well.

Recommendations

As I expressed earlier, the move to the Selectboard/Town Manager form of Government was a major change for the community. From my experience the more specific policies and procedures the Selectboard can adopt will help everyone's understanding of this form of Town government and how it works.

I would suggest you consider the following as an additional processes or policies or wording that will help with the continual understanding of the operation of the Town and consider other clarifying documents when issues arise as to the operation of the Town.

- 1) Public Participation is allowed at the beginning of each Board meeting. I have attached a copy of a policy that the Town of Wells has adopted for your review. It expresses the value of this participation but also places appropriate restrictions on the discussion and it gives any speaker an understanding of what can and cannot be said. If adopted this should be reviewed annually for any changes.
- 2) Many communities have comprehensive Selectboard Policies in one document that help everyone understand how Selectboard meetings are run. I have attached a copy of the Town of Raymond's policy for your review.

- 3) Adopting the following statement from Maine State Statutes concerning the Selectboard/Town Manager form of government would be highly recommended: “The Selectboard shall deal with the administrative services solely through the Town Manager and may not give orders to any subordinates of the Manager, either publicly or privately. This does not prevent the Selectboard from appointing committees or commissions of its own members or citizens or of citizens conduct investigations into the conduct of any official or department or any matter relating to the welfare of the Town”.

This is an area that causes many issues in Council /Selectboard/Manager Communities and clarifying it and seeing that is followed resolves many conflicts.

- 4) I would recommend that Selectboard policies and procedures be reviewed annually, after yearly elections, so the new and old members are familiar with the policies and processes and any changes can be made if a majority decides.
- 5) It is important that an annual evaluation of the Town Manager be done in a timely manner and with all elected officials participating.
- 6) My final recommendation for this form of government to be successful is that honest and timely communication be maintained by all the Selectboard and Town Manager and there is transparency and open communication with the public.
- 7) Having written policies and procedures is also critical. There may be disagreements about these but having a process or policy in place that lays out existing rules, who is in charge and how you go about to make a change makes the process workable.

The Balance Between the Roles of the Council and the Manager

Council's Role

Determines the goals and direction of the community

Understand, amend, approve the budget

Makes decisions on ordinances, major projects, large contracts

Responds to constituent concerns by checking through the manager

Oversight, in a broad sense, of the accomplishment of large outcomes

Selects and evaluates the Manager

Manager's Role

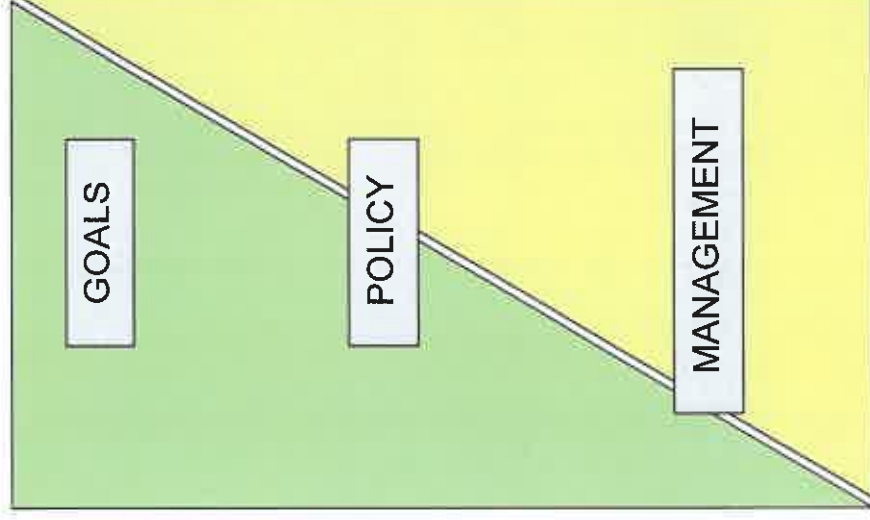
Provides advice and information
Ensures that the Board under takes the appropriate planning process
Prepares the budget for approval

Does background work
Presents options and makes recommendations

Gets answers for Councilors from the appropriate department(s)

Establishes procedures for managing the organization
Manages the resources to support and carry out the decisions of the Council

Hires and manages all other personnel



**BYLAWS AND POLICIES
OF THE
BOARD OF SELECTMEN
TOWN OF RAYMOND, MAINE**

Adopted January 18, 2005

Amended: June 15, 2010, December 14, 2010, April 5, 2011,
January 8, 2013, April 2, 2013, May 12, 2015, February 13, 2018
September 17, 2019

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Board of Selectmen (Board) meetings and to promote the fair, orderly and efficient conduct of the Board's proceedings and affairs. These bylaws shall govern the Board's practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose. These rules by necessity shall be reviewed and amended from time to time as the need arises and to meet the needs of future Boards. The Selectmen are referred to State of Maine Statutes and Maine Municipal Association Officers Handbook for explanation of the many roles and responsibilities of the office.

Section 2. Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws. A parliamentarian may be elected by the Board of Selectmen.

Section 3. Officers and their Duties

Officers of the Board shall consist of a Chairman and a Vice Chairman to be chosen annually at the first Board meeting after the annual town meeting by and from among Board members. The election of Chairman shall be by nomination and vote of the current Board and requires no qualification other than being a duly elected and sworn Selectman. All members of the Board of Selectmen are required to vote. The office of Chairman shall be limited to 2 consecutive 1-year terms requiring and at the minimum a term of 1 year between each 2-year period. The Chairman shall preside at all Board meetings and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Board to perform its duties and conduct its affairs.

In the absence of the Chairman, the Vice Chairman shall preside and shall have the same authority. If the Chairman and the Vice Chairman are absent the most senior Selectman, based on uninterrupted years of service, shall preside as Chairman pro-tem. If there is more than one senior member, the Chairman pro-tem shall be chosen by the affirmative vote of a majority of attending membership. The temporary Chairman is to have and exercise any and all authority conferred upon the permanent Chairman.

The Town Manager and/or Town Clerk shall maintain a permanent record of all Board meetings and all correspondence of the Board, which shall be a public record except as otherwise provided

by law. The people's right to know law shall be upheld [M.R.S.A. Title 1, Chapter 13].

In accordance with M.R.S.A., Title 30-A § 2635, "the Board of Selectmen as a body shall exercise all administrative and executive powers of the Town except as provided in this sub-chapter. The Board of Selectmen shall deal with administrative services solely through the town manager and shall not give orders to any subordinates of the manager, either publicly or privately. This section does not prevent the Board of Selectmen from appointing committees or commissions of its own members or of citizens to conduct investigations into the conduct of any official or department, or and matter relating to the welfare of the Town."

Quorum: A majority of the Board constitutes a quorum. If a quorum cannot be obtained, the meeting may be adjourned until a time and place certain.

Section 4. Chairman Privileges

The Chairman may move, second, declare by unanimous consent, subject to the following limitations. As it is the function of the Chairman to preserve order and provide a fair hearing, the Chairman shall reserve the right to speak first and last on any subject before the Board. If the Chairman wants to actively participate in the debate in any other manner, he/she should stand down and call another member to take the chair with the majority consent of the other members of the Board in attendance. The Chairman should not resume the chair until the pending question is disposed of.

Section 5. Seating Arrangement

Members shall occupy the respective seats in the Board chamber assigned to them by the Chairman, but any two or more members may exchange seats by joining in a written notice to the Chairman to that effect.

Section 6. Attendance

No Selectman shall be excused from attendance at a Board meeting without notification to the Chairman prior to the meeting. Attendance is expected except when a Board member notifies the Chairman prior to the meeting.

Attendance shall be defined as present physically. No written or electronic means will be considered attendance (i.e. Skype, telephone, text messages, emails, etc.).

Section 7. Meetings

Regular meetings of the Board shall be at the discretion of the Chairman. Special meetings may be called at the discretion of the Chairman or upon the request of a majority of the Board, provided, however, that notice thereof shall be given to each member at least twenty-four hours in advance, whenever possible, and that no business may be conducted other than as specified in said notice.

Notice of all Board meetings shall be given as required by law by the Town Manager or Town Clerk, and all such meetings shall be open to the public except as otherwise provided by law. This notice requirement does not preclude the Board from making a trip i.e. site walk during the

meeting if circumstance requires. Whenever possible, this intention should be reflected in the agenda.

No business may be conducted by the Board except at a duly called and noticed meeting or without a quorum consisting of a majority of the Board being in attendance. The order of business at regular meetings shall be as follows:

1. Call to order
2. Minutes of the previous meeting
3. New business
4. Old (unfinished) business
5. Town Manager Report and Communications
6. Fiscal Warrants
7. Executive Session(s)
8. Adjournment

Section 8. Special Meetings

All meetings other than regularly scheduled meetings shall be considered a Special Meeting. Every reasonable effort must be made to notify all Selectmen in advance of a Special Meeting. Notice must be made to a newspaper of general circulation in the town and posted at the town office. A Special Meeting may be called by three methods:

1. The Chairman may call a Special Meeting at any time.
2. The Chairman shall call a Special Meeting if requested by a quorum of Selectmen.
3. A Special Meeting may be called by the Vice Chairman if the Chairman may not be reached by normal methods.

Section 9. Meetings to Execute Documents

If logistics require Selectmen to execute a document, approve a warrant or sign an order outside of the time of a regularly scheduled or Special Meeting, another meeting does not have to be called, providing an approved order exists from a properly noticed public proceeding and record of that proceeding reflects the actual execution will occur outside of the meeting.

Section 10. Executive Session

Board members are allowed to go into an executive session to deliberate on the matters authorized by 1 MRSA §405 and no others.

The executive session can only be entered after a motion has been made in public session to go into executive session. The motion must carry by at least 3 of the members in attendance.

The nature of the business to be discussed must be a part of that motion, although the wording of the motion, obviously, may not substantially reveal the sensitive information which the law intends to protect by the executive session process.

No topic other than that referred to in the motion shall be discussed during executive session. The Executive session shall be held in such place as to ensure the privacy of the meeting and

the Chairman shall determine the public and staff allowed to attend in the executive session.

All matters discussed during executive session shall be held in strictest confidence by the Board and shall not be discussed with or divulged to any person other than a fellow Board member or persons in attendance at the executive session. Any violation of this confidentiality requirement shall be deemed to be malfeasance of office and shall subject the offending Board member to sanction by the Board.

No official action shall be finally approved at an executive session.

Since Minutes of an executive session will become public record, they should only be taken when the contents of the meeting are desired to become public.

Section 11. Public to Address Board

As each item on the agenda for any meeting is brought to the floor for discussion, the sponsor of each item or, if there is no Board sponsor, the Town Manager shall first be allowed to present their initial comments for consideration by the public and other Board members. Following this introduction of the issue, there will be time devoted to any questions of the sponsor or the Town Manager regarding the agenda item which any Board member may have which would help to clarify the question presented by the agenda item. The Chairman shall allow questions only during this time, and no debate or discussion of collateral issues shall be permitted. Once the agenda item has been explained by its sponsor or the Town Manager and clarified by any questioning as provided above, there will be time devoted for any resident, taxpayer or authorized representative of an organization resident or taxpayer of the Town of Raymond to address the Board regarding this particular agenda item. The speakers will be required to identify themselves by stating their name, first and last, and residence address prior to sharing their comments. The speakers will be asked not to be repetitious of comments already made to the Selectmen in the interests of the most efficient use of time. Any comment by the public shall be limited to the expression of opinions or concerns regarding the agenda item. No public comment shall be allowed which has the effect of embarrassing or attacking the character of any individual or Board member. After listening to any input from the public present, the Chairman will close public comment on the issue and then provide for debate and vote of the issue by the Board. Any further information requested by the speaker shall be referred to the Town Manager to research the matter and make a recommendation to the Selectmen.

No complaints or allegations will be allowed in public concerning any staff member or any person connected to the Town of Raymond organization. Complaints will be referred to the town manager for investigation. If unresolved the issue will be brought to the Board of Selectmen. Complaints regarding the town manager must be brought to the Chairman of the Board of Selectmen for investigation and resolution; and to the full Board of Selectmen if unresolved by the Chairman.

Section 12. Workshop Sessions

Workshop sessions may be scheduled by the Chairman for the purpose of disseminating information for Board enlightenment and evaluation or for the discussion or refinement of future agenda items.

Members of the public are invited to attend any workshop session but will not be allowed to participate in the workshop. Prior to adjourning any workshop session, the Board will provide time for members of the public to address the session to provide information relevant to the subject being explored or to ask questions, through the Chairman, relating to the subject of the workshop session.

No formal vote shall be taken on any matter under discussion nor shall any Board member enter into a commitment with another respecting a vote to be taken subsequently in a public meeting of the Board, but an informal vote on any matter under discussion may be taken.

Section 13. Agenda Items

All agenda items shall be, under normal circumstances, submitted by the Board members to the Town Manager seven (7) working days prior to any regular or special meeting by 12:00 noon. The Town Manager will draft the agenda and obtain the Chairman's approval before distribution. In the event that a matter shall arise which was not submitted to the Town Manager within the proper time frame, then that item shall be presented to the Chairman as soon as possible. The first draft agenda will normally be available through public posting one week in advance of the Board of Selectmen meeting

Section 14. Continued Sessions

Any session of the Board may be continued or adjourned from day to day or for more than one day, but no adjournment shall be for longer period than until the next regular meeting.

Section 15. Hearings

Public hearings of the Board shall be called as required by law or on such other occasions as a majority of the Board may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chairman shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Board may receive any oral or documentary evidence but shall exclude unduly repetitious evidence, provided, however, that formal rules of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chairman and without interruption, provided, however, that the Chairman may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chairman, provided, however, that the Chairman may impose such other reasonable limitations as may be necessary to prevent an abuse of process.

Section 16. Participation and Voting

Any action of the Board shall require the affirmative vote of a majority of its attending membership of not less than three members unless otherwise provided by law.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members. Abstentions shall be limited to conflicts of interest, which shall be stated prior to the taking of the vote. Conflict issues shall follow established State Law.

Any order may be reconsidered by motion of those voting in the affirmative, with Board approval. All other orders shall require a motion, second and recorded vote.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, unless the member was in attendance during all hearings thereon.

All members who are in attendance and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chairman for good cause shown. Those in attendance, in such circumstances, who refuse to vote are regarded as having voted affirmatively, i.e. for the proposition, or to have voted with the majority.

Section 17. Meeting Length

All Board meetings, workshops or executive sessions should, except in extraordinary circumstances, adjourn at or before 9:00 p.m.

Section 18. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

Section 19. Amendments

These bylaws may be amended at any time in writing by majority vote of the Board.

Section 20. Right of Appeal

Any member may appeal to the Board from a ruling of the Chairman. If the appeal is seconded, the member making the appeal may briefly state his reason for it, and the Chairman may briefly explain his ruling. There shall be no debate on the appeal, and no other Selectmen/person shall participate in the discussion. The Chairman shall then put the question, "Shall the decision of the Chair be sustained?" If a majority of the members in attendance vote in favor, the ruling of the Chairman is sustained; otherwise, it is overruled.

Section 21. Minutes

The Town Clerk shall keep an official record of all meetings, which are public proceedings, and the Chairman/Town Manager shall designate staff or a Board member to take the Minutes. The written minutes shall serve as a brief reference, but the verbatim and official record is the DVD recording. [Accepted 8/17/2010] The Minutes shall at the minimum reflect the following:

1. Date of meeting
2. Place of meeting

3. Selectmen in attendance
4. Town staff in attendance
5. Members of the public addressing the Selectmen
6. All executive orders and business considered
7. Business to be tabled for future action
8. Announcement of future meetings (special)
9. Time of adjournment
10. Person taking Minutes

Free lending copies of the DVD recorded approved minutes will be available to the public at the Town Office and other designated places.

Section 22. Standing Committees, Special Committees, Board Liaison

1. Standing Committees shall be established by the Board on the recommendation of the Chairman at a regular or special Board meeting.
2. The Chairman shall appoint Selectmen, as appropriate, to all standing committees, but two or more members may exchange assignments by joining in a written request to the Chairman to that effect and acted upon at a regular or special Board meeting.
3. The Chairman shall appoint members to special committees and boards except as otherwise established by Board action.
4. Committee meetings: All committee meetings will be called by the chairperson of the respective committee with the consent of the regular members. The Chairman of the Board or his Selectman designee is an ex-officio member of all standing committees.
5. Standing Committee action shall be referred to the next regular meeting of the Board, except that as an emergency measure the Selectman may take action at any regular or special Selectmen meeting.
6. Actions approved by Standing Committees shall be forwarded to the full Board as affirmative motion without need of a second.

Section 23. Administration Function and Compensation of Members

1. Compensation
 - a) Unless otherwise determined by Town Meeting action, the compensation for Selectmen shall be \$100 per month for holding office and serving as a member of the Board.
 - b) Each Selectman may be reimbursed for documented expenses such as mileage, tolls, meals, telephone expense and other costs encountered while providing service to the Town in their administrative or executive function. All expense requests are subject to Board approval by accounts payable warrant order.
2. Functions of the Board

- a) All letters of correspondence written by one member of the Board who is representing the Board shall be pre-approved by the Selectmen at a regular meeting of the Board.
- b) While in the office maintaining daily activities, one member of the Board may not take action or make any decision, but merely serve in an advisory capacity to bring information back to the other Board members during the regular meeting of the Board.
- c) While in office, all Board members are to maintain dignity and respect for all other members of the Board.
- d) Correspondence for the Board shall be reviewed by the Board at the regular or special meeting and said correspondence is not available to the public until it has been noted at a regular or special Board meeting.
- e) If a Board Member asks for information and the Chairman denies it, because of cost and the research is going to take up too much Town employee time, it can be brought forward as an agenda item and will be voted on by the Selectmen. [12/13/2010]

Section 24. Public Comment Periods

A Board member shall not be permitted to speak as a member of the public during any public comment periods, except on a matter where the Board member has recused himself or herself in order to assert or protect his or her personal interests or property rights.

Section 25. Appointment Protocol

1. Re-appointments

- a. All appointed terms of board and committee members shall be considered to begin on July 1st of the year appointed unless filling the incomplete term of another member, and shall expire on June 30th of the year of expiration. Members appointed to complete a vacated term shall serve from the date appointed and sworn in to the term expiration.
- b. The Town Clerk shall submit to the Select Board at their first regular meeting in June a list of all appointed board and committee members whose terms are due to expire. Prior to submittal the Clerk shall ask the board/committee chairs to ascertain to the best of their ability whether or not the member desires to serve another term and forward that information to the Select Board along with the list.
- c. If unforeseen circumstances prohibit the Select Board from making appointments prior to July 1st the existing members shall serve until re-appointed or the position refilled.

2. Filling Positions Vacated by Resignation Prior to the End of a Term

- a. Upon receipt of written resignation public notification will be made by the board or committee from which the resignation is occurring announcing the resignation as a formally stated agenda item at the next regularly scheduled meeting.
- b. After the announcement of the resignation at the board or committee meeting, the formal acceptance of the resignation will be an agenda item for the next available Select Board's Meeting.
- c. After the Select Board accept the resignation, an advertisement for interested candidates will be posted on the Town's website, Facebook page, Cable TV channel, electronic sign, and, if deemed necessary by the Town Manager, in the local newspapers. Applications will be accepted for a 30-day period from the date of publication. After applications close, all applications will be forwarded to the board or committee for consideration at their next regularly scheduled meeting.
- d. Consideration of candidates will then appear as a formally stated board or committee agenda item at the next regular meeting wherein the board or committee will make a recommendation for the appointment to the Select Board.
- e. The recommendation will then be submitted to the Select Board and considered as an agenda item at the next regular Select Board's Meeting.
- f. The Select Board will make an appointment within 30 days based on the qualifications and background of the candidates seeking the position and the recommendation of the board or committee.
 - i. In the case of the Planning Board and the Zoning Board of Appeals the Select Board requires that the candidates attend the meeting in which their membership is to be considered.

3. Removal of Members

- a. Non-attendance – the Select Board shall, at the review and request of a board or committee, consider the removal of a member from such board or committee for repeated and continual absences without notification to the board or committee and good cause.
- b. Conflict of Interest – the Select Board shall rely on *30-A MRSA § 2605 Conflicts of Interest* as the basis for consideration of removal of a member of an appointed board or committee.

4. Complaints Brought by the Public

- a. Should any member of the public bring a complaint regarding the conduct of a board or committee member or their ability to serve in their capacity to the attention of a board, committee, the Select Board or the Town Manager, the complaint shall first be forwarded to the board or committee on which the member serves to be reviewed at their next regularly scheduled meeting. A review of the complaint shall be conducted, and a recommendation be forwarded to the Select Board. The

Select Board shall then hear the complaint at their next regularly scheduled meeting independent of any action or the involved board as required by law.

- b. The Select Board shall schedule a hearing in executive session at their next regularly scheduled meeting to determine if the complaint has merit and if so to consider the removal of the member. This hearing shall be open to the complainant and the member and shall be held in public at the request of the member. Should the member be unable to attend a scheduled hearing it shall be rescheduled to accommodate their attendance.

Approved this 17th day of September, 2019, by the Raymond Select Board:



Rolf Olsen, Chair



Marshall Bullock, Vice Chair



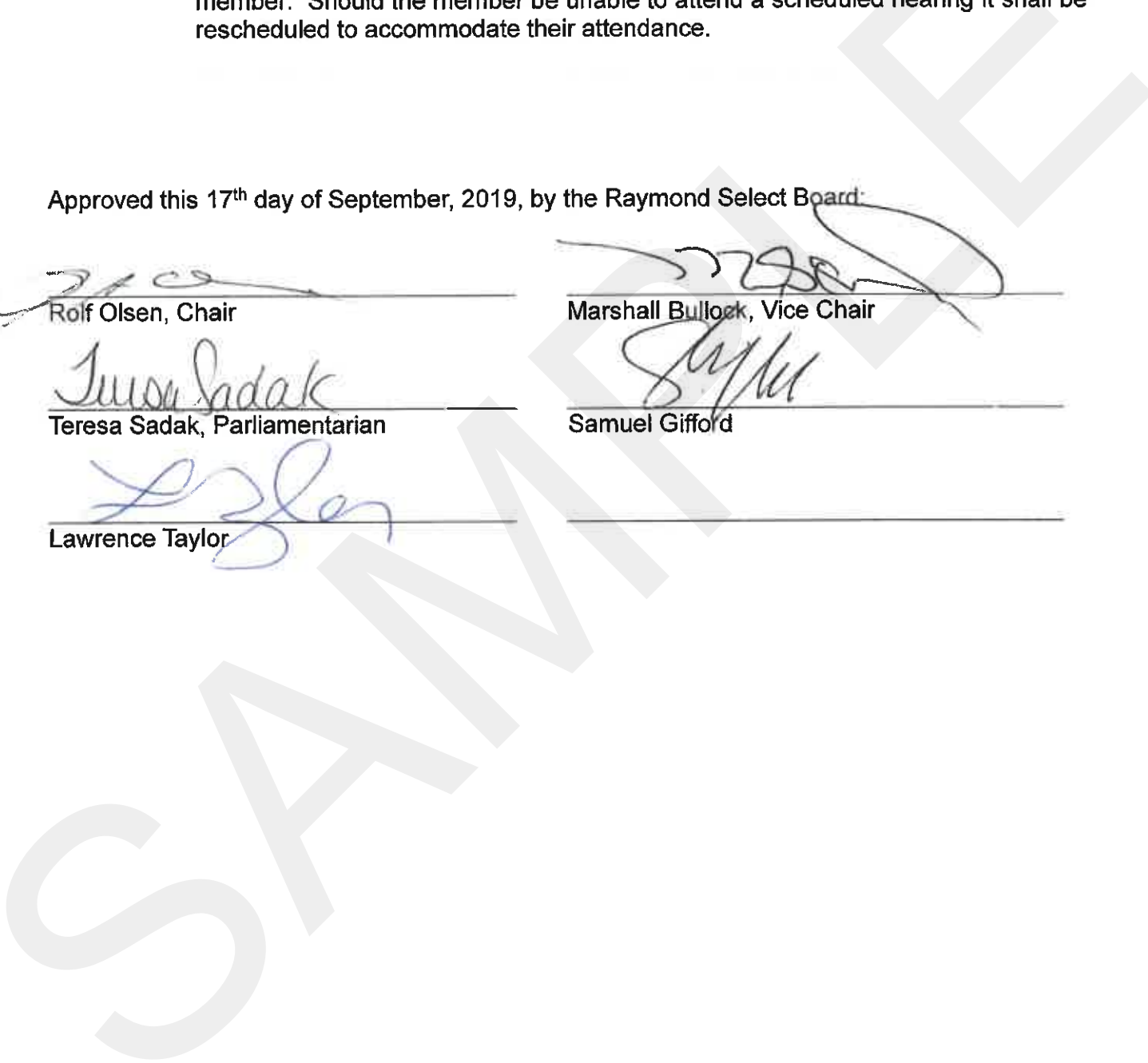
Teresa Sadak, Parliamentarian



Samuel Gifford



Lawrence Taylor



SELECTMEN POLICY FOR "OPEN TO THE PUBLIC"

The Board of Selectmen encourages citizens of the Town of Wells to attend Board meetings, which are open to both the press and the public, except during executive sessions. Executive sessions, which usually occur at the end of a meeting, deal with topics that the open discussion of which could potentially harm the Town, affected individuals or both. The Board of Selectmen follows state law with regard to executive sessions.

The Board encourages residents to bring issues of concern to an individual or to the community to the attention of the Board of Selectmen. Citizen involvement in Town governance enhances the sense of community that makes Wells a great place to live, work, and visit.

Selectmen meetings follow an agenda, which lists the issues the Board will address. The Board wants to hear from citizens and recognizes that one way for residents to participate is to speak out in the Open to the Public Sessions. The Board of Selectmen also recognizes that efficient, productive and orderly meetings are essential to ensure full and fair consideration of agenda subjects at each meeting. To balance these two interests, the Board of Selectmen adopted this Policy to govern the Open to the Public Agenda portions of the meetings.

1. There will be two Open to the Public segments at each regularly scheduled Selectmen's Meeting, near the beginning and end of the meetings. Each Open to the Public segment is limited to fifteen minutes.
2. All comments or questions are directed to the Chairman, who will recognize each speaker in turn. Remarks may not exceed three minutes. Each speaker must identify him/herself and the group he/she represents, if applicable. Speakers may not "read into the record" remarks prepared for or directed to another person or entity.
3. The Board of Selectmen will not accept written materials distributed at a Selectmen's meeting, other than petitions submitted in accordance with state law or a written summary of the speaker's remarks. Individuals or groups must submit written materials for the Board's attention to the Town Manager four business days before the meeting day for distribution to Board members before the meeting.
4. Questions about Town affairs and criticisms or concerns about Town policies, actions, or programs are welcome, provided they do not become personal.
5. No personal attacks on any individual, including Town employees, Town officials, or members of the public will be tolerated during meetings. Please direct concerns about individual employees or Town officials to the Town Manager or Chairman of the Board of Selectmen outside the public meeting.
6. The Board of Selectmen vests in its Chairman the discretion to terminate any remarks if the speaker does not adhere to this policy.

Individuals or groups who desire a response from the Board of Selectmen are encouraged to contact the Town Manager or Board Chairman about placing an item on the Board's agenda for discussion, rather than relying on Open to the Public.

Thank you for adhering to this Policy.

SAMPLE

EMPLOYEE ACKNOWLEDGEMENT

1. SOCIAL MEDIA POLICIES & GUIDELINES – Department; Employee
2. INFORMATION SYSTEMS ACCEPTABLE USE AGREEMENT - Revised

I, the undersigned employee of the City of South Portland, have been provided a copy of the a.) City of South Portland Employee Use of Social Media Policy & Guidelines, dated July 30, 2013; and, b.) City of South Portland Social Media Use Policy for Departments, dated July 30, 2013; and, c.) Information Systems Acceptable Use Agreement, Revised July 30, 2013. I agree to review and fully comply with each of these policies. I accept and understand the terms of these policies and agree to abide by all terms contained in it.

Employee

Print Name: _____

Employee Signature:

Date

City of South Portland Employee Use of Social Media Policy & Guidelines

At the City of South Portland (the “City”), we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the country. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established this Policy & Guidelines for appropriate use of social media.

POLICY & GUIDELINES

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the City, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. What you write or post is public, and will be so for a long time. It will also be spread to large audiences without your knowledge or permission. Recognize that the instantaneous, yet permanent, nature of social media can pose risk without effective controls.

Know and follow the rules

Carefully read this Policy & Guidelines, the City’s Personnel Policy, including the provisions on Employee Conduct, No Discrimination, Workplace Violence, Sexual and Anti-Harassment Prevention and Anti-Retaliation, and the City’s Information Systems Acceptable Use Agreement, and ensure your postings are consistent with this Policy & Guidelines. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated.

POLICY FOR ALL SOCIAL MEDIA COMMUNICATIONS

Use of social media on work time/equipment

Use social media while on work time or on equipment we provide must be work-related *and* approved by your Department Head or Supervisor; provided, however, that use of social media on work time or work equipment for personal reasons may be approved by your Department Head or Supervisor on a very limited basis and provided that it doesn’t interfere with normal work. Be advised that employees have no right to privacy with respect to personal use of social media or personal social media accounts accessed by means of City equipment or with respect to personal social media content so accessed. Employees should not expect or assume privacy or confidentiality with respect to any such personal social media use or social media content.

Use of City name/e-mail address

Personal social media account names or e-mail names should not be tied to the City. Do not use a City e-mail address to register on social networks, blogs or other online tools utilized for personal use. For those employees who use a City e-mail address for registration with social networks, blogs or other online tools utilized for personal use as of the date of adoption of this Policy & Guidelines.

Protection of private and confidential information

Many City employees have access to private and confidential information that must be actively guarded from publication. When using social media, all City employees are expected to actively protect private and/or confidential information. A good rule of thumb is that if you are not sure if the information is protected as confidential by law, ask before you post.

Guidelines for all communications (official and personal)

All City employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. Any employee who identifies a mistake in reporting should bring the error to the attention of his or her Supervisor or other appropriate staff. Employees must provide good customer service to both the public and co-workers. Regardless of whether the communication is in the employee's official City role or in a personal capacity, employees must comply with all laws relating to intellectual property rights, including, without limitation, trademark, copyright and software use. Employees must also follow all City policies that may apply.

Be mindful of public record and record retention laws

Maine's Freedom of Access Act ("Right-to-Know" law), State Archives Advisory Board Rules for Disposition of Local Government Records and e-discovery laws apply to social media content. Therefore, content must be able to be managed, stored and retrieved to comply with these laws.

Violations

Users who violate this Policy may be subject to discipline, up to and including termination of employment. This Policy is not intended to violate and will not be enforced in violation of federal, state or local law.

GUIDELINES FOR PERSONAL USE OF SOCIAL MEDIA

Some personal communications of employees may reflect on the City, especially if employees are commenting on City business, policies or fellow employees. These guidelines apply to personal communications involving various forms of social media. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate personal use of social media.

Be respectful

Always be fair and courteous to fellow employees and people who work on behalf of the City. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers or your Supervisor than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements,

photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage fellow employees and people who work on behalf of the City, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law.

Be honest and accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Do not post any information or rumors that you know to be false about the City, its officials, fellow employees or people working on behalf of the City.

Post only appropriate and respectful content

- Maintain the confidentiality of information made confidential by law to which you have access solely as a result of your employment with the City.
- Do not create a link from your blog, website or other social networking site to the City's website without identifying yourself as a City employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for the City. If the City is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the City, its officials, fellow employees or people working on behalf of the City. If you do publish a blog or post online related to the work you do or subjects associated with the City, make it clear that you are not speaking on behalf of the City. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of my employer, the City of South Portland."
- For safety and security reasons, City employees are cautioned not to display City logos, uniforms, or similar identifying items on personal web pages.

Be mindful of public record and record retention laws

Maine's Freedom of Access Act ("Right-to-Know" law), State Archives Advisory Board Rules for Disposition of Local Government Records and e-discovery laws apply to social media content. Beware that even your personal social media content may be treated as a "public record" if it has "been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business." *See* 1 M.R.S.A. § 402(3).

FOR MORE INFORMATION

If you have questions or need further guidance on this Policy & Guidelines, please contact your Department Head, your Supervisor, the Information Technology Director or the Human Resources Director.

**EMPLOYEE ACKNOWLEDGEMENT
SOCIAL MEDIA POLICY & GUIDELINES**

I, the undersigned employee of the City of South Portland, have been provided a copy of the City of South Portland Employee Use of Social Media Policy & Guidelines and understand its contents fully. I accept and understand the terms of the policy and agree to abide by all terms contained in it.

Employee
Print Name: _____

Date

SAMPLE

Information Systems Acceptable Use Agreement

Policy #: 27	Effective Date: 2/1/07	Change Control #:
ISO/IEC 17799:2005 Reference:	6.1.5, 7.1.3, 8.1.3, 10.8.4, 11.3.2, 11.7.1, 11.7.2, 15.1.5	
Policy Overview:	The purpose of this policy is to protect the assets of the organization by clearly informing workforce members of their roles and responsibilities for utilizing the organizations information technology assets and infrastructure.	

The City of South Portland is committed to protecting the information assets of our residents, our employees, our partners and the City itself from illegal or damaging actions by individuals, either knowingly or unknowingly. Our intention for publishing our Information System Code of Conduct is not to impose restrictions that are contrary to our established culture of openness, trust and integrity but to ensure that we honor the public trust.

The 21st Century environment of connected technologies offers many opportunities to malicious or unknowing people from all over the world to anonymously attack, damage and corrupt vital public information; and to disrupt our ability to communicate effectively and accomplish the mission of our organization. Effective security is a civic responsibility, and a team effort involving the participation and support of every employee and affiliate who deals with information and/or information systems. It is the responsibility of every employee and affiliate to know, understand and adhere to these policies, standards, procedures, and guidelines, and to conduct their activities accordingly.

Distribution:

Current employees shall receive and sign a copy of this agreement annually. New employees shall receive a copy of this agreement upon hire. Any employee who does not sign the acceptable use statement will have all access to information systems immediately removed and may have their employment terminated.

Code of Conduct Agreement:

As an employee of the City of South Portland, I agree to protect the confidential information with which our residents entrust us in accordance with all Information Security Policies of the City of South Portland.

I certify that I have read and fully understand the Information Systems Code of Conduct set forth in this document. I understand and acknowledge my obligations and responsibilities.

I understand that should I become aware of any misuse of the City's systems, I am obligated to inform a member of management immediately.

I understand that the City reserves the right to monitor system activity and usage. My signature on this document means I have consented to this monitoring.

I understand that electronic files created, sent, received, or stored on Information Systems owned, leased, administered, or otherwise under the custody and control of the City are not private and may be accessed City IS employees, management, or auditors at any time without my knowledge.

I understand that the City owns the email system and the information transmitted and stored within it. Employees shall have no expectation of privacy or confidentiality in any of their emails.

I understand that the City monitors Internet usage and that employees shall have no expectation of privacy or confidentiality for any information accessed via and/or published to the Internet via City information resources.

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 and criminal prosecution.

Acknowledged and agreed to by: _____
Employee Signature Date

NAME (Printed): _____

Please complete and send this form to HR.

Information Systems Acceptable Use Agreement

January 2007

Please Retain this Document in a Convenient to Consult Location

SAMPLE

Acceptable use of Information Resources policy

These rules are in place to protect our residents, our employees and the City. Inappropriate use of our Information Resources exposes the City to risks including virus attacks, compromise of network systems and services, and legal issues. City resources are made available to employees to conduct official business. City information resources are not to be used to conduct personal business, business related to outside employment or for personal benefit. System users are advised that there should be no expectation of privacy when using any City information resources. Every system user is expected to comply with this policy.

In order to insure safety and security of information assets:

- 1.1 Users must not share their user account(s), passwords, Personal Identification Numbers (PIN), Security Tokens (i.e. Smartcard), or similar information or devices used for identification and authentication purposes.
- 1.2 Users must not attempt to access any data or programs contained on information systems for which they do not have authorization or explicit consent.
- 1.3 In the event that a system user is sent, delivered or inadvertently accesses inappropriate or prohibited material, or the material contains confidential information that the user does not have "need-to-know" access to, or authority to receive; the user is required to immediately secure the material from view and notify their supervisor.
- 1.4 Users must not make unauthorized copies of copyrighted software.
- 1.5 Users must not install software, shareware or freeware software including games.
- 1.6 Users must not attempt to circumvent approved anti-virus software or make any changes to the accepted configuration of anti-virus software.
- 1.7 Users must not download, install or run security programs or utilities that reveal or exploit weaknesses in the security of a system.
- 1.8 Users must report any weaknesses in computer security, any incidents of possible misuse or violation of this agreement to their supervisor.
- 1.9 The distribution of any information through the Intranet, Internet, computer-based services, email, and messaging systems is subject to the scrutiny of the City and or its auditors. The City reserves the right to determine the suitability of this information.

2. 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 accurately be referred to as "The Wild". 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:

- 2.1 Users must not - upload, download, or otherwise knowingly access or transmit in any fashion any confidential records of the City, its residents, or vendors without adequate authority to do so. Employees must know what is and is not acceptable based on their position and function within the City. Without limiting the foregoing, Users must be aware of and comply with City of South Portland's privacy policy, and policies and procedures for safeguarding information.
- 2.2 All authorized confidential information transmitted via the Internet – email, FTP, or otherwise, must be encrypted or secured in a manner approved by the City management.
- 2.3 Users must not knowingly visit Internet sites that contain obscene, hateful or other objectionable materials; send or receive any material, whether by email, voice mail, memoranda or oral conversation, that is obscene, defamatory, harassing, intimidating, offensive, discriminatory, or which is intended to annoy, harass, or intimidate another person.
- 2.4 Users must not solicit business for personal gain or profit via the City Information Services infrastructure.

- 2.5 Users must not use the Internet or email for any illegal purpose.
- 2.6 Users must not 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 the City's policies against harassment and discrimination.
- 2.7 Users must not download or install any software or electronic files without the prior written approval of the IS Director.
- 2.8 Users must not access the Internet via any means other than a City approved connection.
- 2.9 Users must not change any security settings in Internet Explorer unless under the direction of the IS department.
- 2.10 Users must not participate in unauthorized activities.
- 2.11 Users must not represent personal opinions as those of the City or purport to represent the City when not authorized to do so.
- 2.12 Users must not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the City.
- 2.13 Users must not 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.
- 2.14 Users must not reveal or publicize confidential or proprietary information which includes, but is not limited to: financial information, confidential client information, marketing strategies and plans, databases and any information contained therein, client lists, computer software source codes, computer/network access codes, and business relationships.

3. Email Use

Email use has become a standard method of communication. These policies are intended to offer rules of usage which will protect our information. Email use is subject to the following policies:

- 3.1 The City owns the email system and the information transmitted and stored within it. Employees should have no expectations of privacy.
- 3.2 All confidential information sent via email must use a designated secure email system.
- 3.3 The following activities are prohibited:
 - 3.3.1 Sending email that is intimidating or harassing.
 - 3.3.2 Using email for purposes of political lobbying or campaigning.
 - 3.3.3 Violating copyright laws by inappropriately distributing protected works.
 - 3.3.4 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.
- 3.4 The following activities are prohibited because they impede the functioning of network communications and the efficient operations of electronic mail systems:
 - 3.4.1 Sending or forwarding chain letters.
 - 3.4.2 Sending unsolicited messages to large groups except as required to conduct agency business.
 - 3.4.3 Sending excessively large messages.
 - 3.4.4 Sending or forwarding email that is likely to contain computer viruses.
- 3.5 Electronic mail users must not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the City.
- 3.6 Individuals must not send, forward or receive confidential or sensitive information through non-City email accounts. Examples of non-City email accounts include, but are not limited to, Hotmail, Yahoo mail, AOL mail, and email provided by other Internet Service Providers (ISP).

- 3.7 Individuals must not send, forward, receive or store confidential or sensitive information utilizing non-City accredited mobile devices. Examples of mobile devices include, but are not limited to, Personal Data Assistants, Palm Pilots, Blackberries, iPods, two-way pagers and cellular telephones.
- 3.8 Email messages are not private but are property of the City. The City may print and review email messages sent and received via an employee's email account.
- 3.9 Internet sites accessed from City resources are not private and the City may review the sites visited.

4. 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. All rules that apply to official use of information resources also apply to incidental usage as outlined above.

The following additional 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 the City.

Incidental use must not interfere with the normal performance of an employee'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 embarrass or offend the City, its Council Members, its Residents, or its Employees.

All messages, files and documents – including personal messages, files and documents – located on information resources are considered to be owned by the City and may be subject to open records requests, and may be accessed in accordance with this policy.

5. Passwords

All of the work we are doing at the City of South Portland to secure the confidential information will be ineffective if the most important aspect of Information Security, the users of our information resources, have weak passwords. Though we recognize that it is inconvenient at first, having strong passwords is the most important part of your participation. We would like to think of passwords as a "shared secret" between you and the City information resources.

The following policies apply to password use:

- 5.1 All passwords must be constructed and implemented according to the City's accepted and approved standards.
- 5.2 User account passwords must not be divulged to anyone, at any time, for any reason.
- 5.3 If passwords are forgotten, disclosed, or if the security of a password is in doubt, the password must be changed immediately.
- 5.4 Administrators may not circumvent the Password Policy for the sake of ease of use.
- 5.5 Users must not circumvent password entry with auto logon, password remembering features, embedded scripts or hard-coded passwords in client software.
- 5.6 Computing devices must not be left unattended without enabling a password protected screensaver, locking the workstation or completely logging off of the device.
- 5.7 In the event passwords are found or discovered on documents of any kind, the following steps must be taken:
 - 5.7.1 Take possession of the passwords and protect them,

- 5.7.2 Report the discovery to the Helpdesk,
- 5.7.3 Transfer the passwords to an authorized person as directed by the Helpdesk.

6. Remote Computing

Laptop computers, PDA's, and other portable computing devices are a great convenience and becoming more and more 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 portable computing devices follow these rules of use:

- 6.1 Only City approved portable computing devices may be used to access City information resources.
- 6.2 Portable devices are assigned to individual employees. Portable devices should not be used by any employee other than one to whom the device is assigned.
- 6.3 Physical security of portable computing devices is the responsibility of the user.
- 6.4 Lost or stolen portable devices must be reported to the IS department immediately.
- 6.5 Confidential / sensitive information must not be saved onto portable computing devices.
- 6.6 Remote connection to the City's network resources must only be done via approved access methods (i.e. VPN).
- 6.7 When left unattended, portable computing devices shall not be left logged into the City's network and/or have implemented a password protected screen saver to prevent unauthorized access.

7. Media Handling

Removable electronic storage media (floppy disks, CD's, DVD's, USB drives, flash drives, Zip disks, etc.) are evolving to where they can store an enormous amount of data on a very small device. This presents a unique challenge to organizations as the devices are difficult to secure. In order to protect our valuable information; it is important that users of electronic storage media follow these rules of use:

- 7.1 Confidential / sensitive information shall not be saved onto removable electronic media without approval from the IS manager. If approved, the information must be encrypted prior to being saved onto removable electronic media.
- 7.2 Removable media that contains (or previously contained) confidential / sensitive information shall be provided to the IS department to ensure that it has been "wiped" securely prior to reuse and/or disposal.
- 7.3 Removable media that contains (or previously contained) confidential / sensitive information shall not be shared with individuals that do not have a "need-to-know" of the information.
- 7.4 Removable media that contains (or previously contained) confidential / sensitive information shall be kept physically secure (in a locked cabinet and/or office) when not in use.

Enforcement:

Violations of this policy may result in disciplinary action. Depending on the severity or frequency of the violations, this could include:

1. Counseling statements for policy violations.
2. A suspension / termination of Internet or email privileges. This could then result in a position / function reassignment, and the employee's compensation package may be affected.
3. A termination of employment.
4. Personal liability under applicable local, state, or international laws.

Internal audits will be completed upon the request of management. It will investigate any breach of this policy and any enforcement will follow regular personnel procedures.

Standard Definitions:**Information Resources:**

Any and all computer printouts, online display devices, magnetic storage media, and all computer-related activities involving any device capable of receiving email, browsing Web sites, or otherwise capable of receiving, storing, managing, or transmitting electronic data including, but not limited to, mainframes, servers, personal computers, notebook computers, hand-held computers, personal digital assistant (PDA), pagers, distributed processing systems, telecommunication resources including cell phones and voice mail systems, network environments, telephones, fax machines, printers and service bureaus. Additionally, it is the procedures, equipment, facilities, software, and data that are designed, built, operated, and maintained to create, collect, record, process, store, retrieve, display, and transmit information.

Remote Computing Device:

Any easily portable device that is capable of receiving and/or transmitting data to and from City information resources. These include, but are not limited to, notebook computers, handheld computers, PDAs, pagers, and cell phones.

Electronic mail (email):

Any message, image, form, attachment, data, or other communication sent, received, or stored within an electronic mail system.

Internet:

A global system inter-connecting computers and computer networks. The computers and networks are owned separately by a host of organizations, government agencies, companies, and colleges. The Internet is the present "information super highway."

Intranet:

A private network for communications and sharing of information that, like the Internet, is based on TCP/IP, but is accessible only to authorized users within an organization. An organization's intranet is usually protected from external access by a firewall.

World Wide Web:

A system of Internet hosts that supports documents formatted in HTML (Hypertext Markup Language) which contain links to other documents (hyperlinks) and to audio, video, and graphic images. Users can access the Web with special applications called browsers, such as Netscape Navigator and Microsoft Internet Explorer.

ITEM #6: (a.) Kennebunk Pond Committee

From: [Karen Kane](#)
To: [Town Manager](#)
Cc: [Road Commissioner](#); [Treasurer](#); [david](#); [george tsobanakis](#)
Subject: Re: KPB
Date: Wednesday, June 12, 2024 11:42:12 AM
Attachments: [image004.png](#)
[image002.png](#)
[image003.png](#)
[image001.png](#)

Thanks, Lindsay. Also, remember that we may be eligible for the \$5,000 refund from the state. Once the pedestrian lights are installed, we can have someone from DOT come inspect the work. Fingers crossed!

I purchased 3 trash cans. I'll let you know when they're in and we can have Dave Riley take the old ones.

Karen

On Tue, Jun 11, 2024 at 10:34 AM Town Manager <townmanager@lyman-me.gov> wrote:

Okay, no worries. It's on the agenda for the next meeting and the committee can discuss it with the board.

Best regards,

Lindsay Gagne

Town Manager

FOAA officer

[11 So. Waterboro Rd Lyman, ME 04002](#)



207-247-0642



207-499-7562



townmanager@lyman-me.gov



lyman-me.gov

Under Maine's Freedom of Access ("Right to Know") law, all e-mail and e-mail attachments received or prepared for use in matters concerning Town business or containing information relating to Town business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law. If you have received this message in error, please notify us immediately by return e-mail. Thank you for your cooperation.

From: Karen Kane <kjkane04@gmail.com>

Sent: Tuesday, June 11, 2024 10:03 AM

To: Town Manager <townmanager@lyman-me.gov>

Cc: Road Commissioner <roadcommissioner@lyman-me.gov>; david <dm@davidmaynesstudio.com>; george tsobanakis <gtscapes@outlook.com>

Subject: Re: KPB

I don't feel qualified to explain what needs to be done, nor do we have all the parts. The town got these lights from the state. Perhaps someone from the town can reach out to Maine DOT.

Karen

On Tue, Jun 11, 2024 at 9:47 AM Town Manager <townmanager@lyman-me.gov> wrote:

At this point, even if we had all the components for the pedestrian sigs, we'd still need an electrician to set up the electrical functions and we didn't put aside ARPA funds for that piece of it. I think we need to get confirmation from the Select Board if they feel comfortable taking money out of Capital Improvement. If you want to reach out to some vendors and get some quotes, you're more than welcome to.

Lindsay Gagne

Town Manager

FOAA officer

[11 So. Waterboro Rd Lyman, ME 04002](#)



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From: Karen Kane <kjkane04@gmail.com>

Sent: Tuesday, June 11, 2024 9:29 AM

To: Town Manager <townmanager@lyman-me.gov>

Cc: Road Commissioner <roadcommissioner@lyman-me.gov>; david <dm@davidmaynesstudio.com>; george tsobanakis <gtscapes@outlook.com>

Subject: Re: KPB

Sounds good. You're right, all the assembly needs to be done before George can install. Can you get an estimate for electrician?

Thanks!

On Tue, Jun 11, 2024 at 8:59 AM Town Manager <townmanager@lyman-me.gov> wrote:

Hi Karen,

Thank you for all your help with this. Everything looks amazing over there!

I can help with ordering some signage. I also received the keys for the gate boxes and a copy of the instructions for the timer.

Unfortunately, this is true we didn't seem to receive all the components for the pedestrian signs. We also need an electrician to wire everything together as I am told. When we went out to bid the contractor put in \$1,250 for each side for the installation of the sign, but I don't believe this includes wiring and setting up the solar equipment. We don't have funding available for an electrician and you may need to bring that to the board to consider.

The crosswalk comes out of our striping funds. The road commissioner would be able to schedule them to come out. It also depends on the weather and when the vendor is available to come out to do the striping.

I don't have anyone available to do the watering. The committee should bring this to the board also.

I'll put the committee on the agenda for the next Select Board meeting if you want to come out and talk with the board about wrapping up some of the final ends.


Best regards,


Lindsay Gagne

Town Manager

FOAA officer

[11 So. Waterboro Rd Lyman, ME 04002](https://www.lyman-me.gov/11-So-Waterboro-Rd-Lyman-ME-04002)

 207-247-0642

 207-499-7562

 townmanager@lyman-me.gov

 lyman-me.gov

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From: Karen Kane <kjkane04@gmail.com>

Sent: Monday, June 10, 2024 8:24 PM

To: Town Manager <townmanager@lyman-me.gov>

Cc: david <dm@davidmaynesstudio.com>; george tsobanakis <gtscapes@outlook.com>; Road Commissioner <roadcommissioner@lyman-me.gov>

Subject: KPB

Lindsay,

The KPB committee met with David Maynes and George & Jeannine from GTScapes this afternoon to review the work that's been completed.

Remaining:

- **Gates:** Gates are installed. I'm assuming the key(s) to the gate boxes was brought to the Town Hall. I hung a few signs indicating the time the entrance gate will open & close, which should suffice until you receive the new signs.
- **Pedestrian signs:** not all components are with the signs that we got from the State. There's no post or materials to secure the sign to the ground. The signs/post also need assembling. We need someone from the town to secure these materials and put the posts together. GTScapes will lay the concrete base and secure the post once it's assembled.
- **Crosswalk:** The town is responsible for erasing the old crosswalk and putting a new one in.
- **Plant Watering:** I told them that I expected GTScapes to do the watering, but they pushed back and said they expected the town to do so. So, while they have been taking care of it, they want the town to take it over. It will require watering at least twice a week, less if it rains and more if there's a hot spell. They have an extra tank that they're willing to give to the town and will show someone how to do the watering. You would need someone with a pickup truck that's able to hold the weight of a full tank.

Please let me know if you can handle these things or if I should bring them to the Select Board at next week's meeting as part of the KPB committee closeout. It's been a pleasure working with everyone on the committee, the town officials, Dave Maynes, George & Jeannine Tsobanakis on this project and I think we can all be very proud of the work that has been done and how much nicer the area is.

Thank you,

Karen



“All Hands” Newsletter

INCIDENT STATISTICS

06/03/24 - 06/09/24

MONTHLY TOTALS

Aircraft Incident		
Alarms (Fire / CO)		
Appliance / Chimney Fire		
Brush / Woods Fire		
Gas Leaks / Hazmat		
Lines / Trees Down		
Medical Emergencies	13	
Mutual Aid (EMS)	2	18
Mutual Aid (FIRE)	1	503
Odor/Smoke Investigation		389

2023	2024
JAN: 86	92
FEB: 68	78
MAR: 69	128
APR: 70	100
MAY: 77	75
JUN: 72	-
JUL: 74	-
AUG: 74	-
SEP: 106	-
OCT: 62	-
NOV: 98	-
DECR: 130	-

Total Incidents (2023): **986**
 Total Incidents (2022): **897**
 Total Incidents (2021): **857**

PRIDE / OWNERSHIP / PROFESSIONALISM

06/13/24

ITEM #6: (b.) Fire Chief Report

May 2024 / 2023

MONTHLY RECAP

Monthly Incidents 75 / 77	<p>Points of Interest</p> <ul style="list-style-type: none"> 05/19 - Lyman, Cardiac Arrest 7 Gmills Responders & Arundel & Biddeford EMS 05/22 - Serious EMS incident in Gorham, GMills sent ambulance to cover Gorham as 4 Ambulances in the area were Out of Service, and towns on other side of Gorham committed at separate incident. GMills Covered one EMS call 05/26 - Dyer Fire resulted in occupant having breathing problems, transported to hospital. 3 SRTC students complete FFI/II at no costs beyond their MSAD #57 Memorial Day Parade well attended by FD personnel Welcome to 2 new junior firefighters 2 employees successfully complete Fire Officer 1 certification program. Brock Road hydrant upgraded flows 1500+ GPM Successful Memorial Day Parade Working with GMFRA American Flag were put up through the village. Busiest Day of the Week for incidents: Saturday, 17 incidents Busiest hour(s): 12:00-1:00 pm & 3:00pm-4pm, both had 8 incidents 	Dayton Incidents 14 / 19	Trainings 4 / 13
Lyman Incidents 51 / 42		Certifications 5 / 2	
Multi-Incidents 7 / 4		Qualifications 1	
Mutual Aid - Given 10 / 16		Career Staff 5	
Mutual Aid - Received 8 / 8		Call-Force Staff 47	
Incidents to Date 473 / 370		Total Responders 29 Total Responders: Members who responded to at least one incident.	

Transports to Hospitals

Maine Health Biddeford 29	Maine Health Sanford 1	Maine Health Portland 8	Other Mercy/York 1
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ITEM #6: (c.) Planning Board report



LYMAN PLANNING BOARD Quarterly Report Third Quarter, Fiscal Year 2023/2024

Acceptance of Rod Tetu's resignation from the Board and presented him with a plaque for him many years of dedicated service to the Planning Board and Town.



**Election of Joe Wagner as Chair and Kelly Demers as Vice Chair.
Recommendation for Cecile Dupuis to fill the full voting member vacancy and continue as secretary.**

The Planning Board held a workshop in January to review and discuss docks and other structures in the Shoreland Zone. Created a PSA for property owners based on the Lyman Shoreland Zoning Ordinance, which is based on the State Department of Environmental Protection's Chapter 1000 guidelines.

The Board discussed and voted to move the meeting starting time from 6:00pm to 5:30pm beginning with the first meeting in April 2024.

Peter & Penny Briggeman – 195 Barkers Pond Rd – Map 14 Lot 039 – Best Practical Location review for unpermitted deck in the Shoreland Zone:

- Applicant hired a contractor to build a deck, no permit was pulled as required, to get permitted a Site Plan Review is required.
- Received a notice from the Department of Environmental Protection that the deck was too close to the water and needed to be removed immediately.
- Discussion on what the applicant could do to keep the deck, or something similar. Decision was that a floating dock can be installed, and the deck would need to be removed in consultation with the Code Enforcement Officer.

Josh Martino – 331 Brock Rd, Map 01 Lot 005 – Proposed rental cabins/cottages:

- Reviewed topographic survey that the applicant submitted.
- Applicant was encouraged to reach out to the Department of Environmental Protection due to wetlands, small ponds, and some vernal pools to see if land was buildable.

Merry Morning – 382 Goodwins Mills Rd – Revision of notice of Decision timeframe necessary for the completion of the new septic system:

- Reviewed and signed Notice of Decision.

Brookview Estates – Map 1 Lot 12-2 – Review of NOD:

- Applicant requested a revision to the Notice of Decision date for his bank to approve bank funding.
- Revision approved.
- Sign revised Notice of Decision.

MX-207 - 53 Bartletts Bridge Rd, Map 09, Lot 3-1 – Reviewed Original Conditional Use Permit:

- Reviewed and signed Notice of Decision.

Kyle Gassman – 66 Shore Rd – Map 16 Lot 008 – Discussion of the removeable dock at the end of a right of way:

- The town has jurisdiction over docks that are attached to the land, and a permit would be required.
- The dock is not attached to the land, and not under the town’s jurisdiction, it was recommended that Mr. Gassman reach out to the Department of Environmental Protection to obtain permission for the dock.
- A letter from the abutters was submitted to the Planning Board which was forwarded to the Town Manager.

Hissong Ready-Mix Aggregates – 98 Old Kennebunk Rd – Map 04 Lot 003 – Investigated complaints of noise reported to be coming from the property that is aggravating property owners in the area:

- CEO continued to work with representative from Hissong and didn’t think the noise was coming from there.
- Investigation continued until the origin of the noise was found.

Dubois – 99 Old Kennebunk Rd – Map 04 Lot 062 – The Board requested the owners to attend a meeting to discuss noise complaints that they believe is coming from their gravel pit:

- Noise complaints were received, it was discovered to have come from this property.
- Mr. Dubois added plywood around the machine generating the noise and changed the angles of its fans.
- Different noise reducing materials were discussed if noise persists.
- Residents in the area confirmed that the sound has significantly abated due to the modifications by the pit owners.

Rodney & Jennifer Tardif – Duke Ln – Map 07 Lot 103-2A2 – Requirements to have a private way to obtain road frontage:

- Held a Site Walk with the Road Commissioner who confirmed the adequacy of the composition of the private way.
- Reviewed the application.
- Held a Public Hearing.
- Wrote Notice of Decision.

Richard & Judith Huot – 75 Barkers Pond Rd – Map 14 Lot 020 – Best Practical Location review for demoing existing seasonal camp and rebuilding on same footprint:

- Held a Site Walk.
- Reviewed the application.
- Held a Public Hearing.
- Wrote Notice of Decision.

Sanford/Springvale YMCA and John Wasileski – 39 Muscatawa Rd – Map 06 Lot 043 – YMCA would like to run a summer day camp on the property owned by Mr. Wasileski:

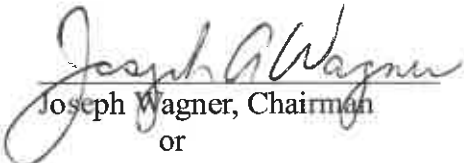
- Held a Site Walk.
- Reviewed the application.
- Held a Public Hearing.
- Wrote Notice of Decision.

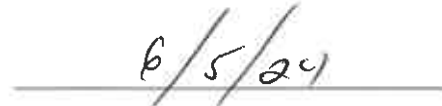
On a Plain Brewing – 347 Hill Rd – Map 11 Lot 137A – Review Notice of Decision regarding outside seating:

- Reviewed Notice of Decision and agreed that outside seating was allowed.
- Wrote letter to Town Manager and Select Board stating this did not conflict with original Notice of Decision.

Daniel & Danielle Marquardt – 49 Shore Rd – Map 16 Lot 045 – Review Notice of Decision regarding existing garage:

- Reviewed Notice of Decision regarding applicant keeping existing garage, rebuilt a little smaller than existing footprint, instead of demoing it
- Confirmed removal of pavement to reduce lot coverage that will allow the applicant to keep the garage rebuilt with a smaller footprint.


Joseph Wagner, Chairman
or
Cecile Dupuis, Secretary


Date

ITEM #7: (a.) Field Use Request Form

LYMAN PARKS & RECREATION

FIELD USE REQUEST FORM

11 South Waterboro Rd.

Lyman, Me. 04002

NAME OF ORGANIZATION: S. M.A.S. H. ^{Southern athletic sports Haven}

TEAM NAME: Lions

CONTACT PERSON: Kristen Cunningham

EMAIL ADDRESS: kristen.cunningham@ymail.com

ADDRESS: SMASH 245 Main St., South Berwick, Maine 03908

PHONE #:(home) _____ (work) _____ (cell) _____

ALTERNATE CONTACT: Dr. Chris Molda

EMAIL ADDRESS: cjmolda@hotmail.com

PHONE #:(home) _____ (work) _____ (cell) _____

FIELD REQUESTED: Bunganut Field @ 150 Brock Rd., Lyman

PURPOSE: GAMES PRACTICES LEAGUE TOURNAMENT
 BASEBALL SOFTBALL SOCCER ^{Fall} OTHER

PITCHING DISTANCE: N/A BASE DISTANCE N/A

AGE GROUP: 3-16 #OF PLAYERS: approx. 60 ^{no idea} _{til they regist}

RESIDENCE OF PLAYERS: mostly Lyman as well as ^{ESU 57 district} surrounding southern Maine towns

The application must be accompanied with a **complete listing** of all practices and/or games you are requesting with this application. Include all dates, days of the week and start/end times.

SIGNATURE: Kristen Cunningham DATE: 6/8/2024

PARKS & REC. SIGNATURE: _____ DATE: _____

APPROVED: _____ DATE: _____

NOTES: _____

2024

* I can give times we won't be there once schedules are nailed down, if that helps for monthly (I'm told the Y finishes on Aug 16th)

MONTH: Aug

W/E 3rd wk (Aug 19th) -> end of month

DAYS: MON. TUES. WED. THUR.. FRI. SAT. SUN. (PLEASE CHECK BOXES)

TIMES: 10A-4p

MONTH: Sept

W/E all

DAYS: MON. TUES. WED. THUR.. FRI. SAT. SUN. (PLEASE CHECK BOXES)

TIMES: 10A-4p

MONTH: Oct

W/E all

DAYS: MON. TUES. WED. THUR.. FRI. SAT. SUN. (PLEASE CHECK BOXES)

TIMES: 10A-4p

MONTH: Nor

W/E 1st + 2nd wk not sure end date yet (NO later than 2nd wk.)

DAYS: MON. TUES. WED. THUR.. FRI. SAT. SUN. (PLEASE CHECK BOXES)

TIMES: 10A-4p

MONTH: _____

W/E _____

DAYS: MON. TUES. WED. THUR.. FRI. SAT. SUN. (PLEASE CHECK BOXES)

TIMES: _____

ITEM #7: (c.) Policy on Dispersements

TOWN OF LYMAN

Policy on Treasurer's Disbursement Warrants For Employees Wages And Benefits And State Fees Collected By The Town

PURPOSE: *This policy allows designated municipal officers (select board or councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal treasurer's disbursement warrants for wages and benefits and state fees collected by the Town.*

This Policy is in addition to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by a majority vote, to act on any treasurer's warrant, including warrants for wages and benefits and state fees collected by the Town.

Delegation of authority. Pursuant to 30-A MRSA § 5603 (2)(A)(1), the following authority is granted with respect to treasurer's disbursements warrants **for municipal employee wages and benefits and state fees collected by the Town only.**

Current municipal officers. The current municipal officers in office at this time of execution of this policy are:

Ralph Blackington (Chair), Thomas Hatch (Vice Chair), Jessica Picard, Victoria Gavel, Amber Swett

Any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

Effective Date. This policy becomes effective on the date indicated below. **Copies.** The Chair of the municipal officers will furnish two copies of this policy to the municipal clerk and to the municipal treasurer. If the clerk and the treasurer are the same person, a copy should nonetheless be provided to that person in each capacity.

Lapse. This policy lapses one year after its effective date, if not sooner amended or cancelled.

Renewal. This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless sooner date of expiration is specified.

Reminder. If the municipal treasurer is an appointed official, the treasurer shall remind the municipal officers to consider renewing this policy annually before it lapses. If the municipal treasurer is an elected official, the treasurer is requested to provide such an annual reminder.

Original. The Chair of the municipal officers will maintain the original of this policy on file unless the municipal clerk is an appointed official, in which case the clerk shall maintain it on file, if requested to do so by the Chair.

Effective: June 17th, 2024

_____ Jessica Picard

_____ Amber Swett

_____ Victoria Gavel

_____ David Alves

_____ Joseph Wagner

A Majority of the Board of Selectpersons

Lyman, Maine