

Town of Lyman
Select Board Regular Meeting Agenda
Monday, July 1st, 2024 – Lyman Town Hall

Welcome to the July 1st, 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. Public Hearing – Floodplain Management Ordinance
- b. FEMA Floodplain Management Ordinance – Emergency enactment, per charter 3.13

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 • *MMA Legislative Policy Committee Letter*

ITEM #3 **MINUTES**

- a. Review / Approve meeting minutes 6/17/2024

ITEM #4 **SIGN WARRANTS**

- a. Payroll Warrant #49 in the amount of **\$10,423.60**
- b. Accounts Payable Warrant #50 (FY2024) in the amount of **\$106,523.97**
- c. Accounts Payable Warrant #51 (FY2025) in the amount of **\$853,995.37**

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 - Pest Control/Tick spraying applications quote.
- e. Town Hall Expansion

ITEM #6 **DEPARTMENT AND COMMITTEE REPORTS**

- a. Fire Chief – All Hands
- b. Victoria Gavel – Fire Commission Updates

ITEM #7 **NEW BUSINESS**

- a. Discuss upcoming referendum
- b. Review/Approve Resignation of Planning Board Member Joseph Wagner
- c. Appoint EMA Director
- d. Appoint EMA Deputy Director
- e. Appoint FOAA Officer
- f. Discussion/ Review – Amendment to Select Board Code of Conduct
- g. Discussion/Motion regarding affirmative and negative Board decisions for applicants for committee re-appointment.

OTHER

ADJOURN

Item #1: (a.) Public Hearing

Town of Lyman

Select Board

Notice of Public Hearing

11 South Waterboro Rd

Lyman, ME 04002

Tel. 207-247-0642

townmanager@lyman-me.gov

The Select Board will hold a public hearing on **July 1, 2024 at 6:00pm** located at the Lyman Town Hall for the purpose of presenting information and allowing public comment regarding a draft emergency ordinance entitled “Floodplain Management Ordinance for the Town of Lyman”

Copies of the Draft Ordinance is available at the Town Hall and on our Website

For information about the ordinance, [click here](#)

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

FLOODPLAIN MANAGEMENT ORDINANCE

FOR THE

TOWN OF LYMAN, MAINE

ENACTED: _____
Date

EFFECTIVE: _____
Date

CERTIFIED BY: _____
Signature

CERTIFIED BY: _____
Print Name

Title

Affix Seal

FLOODPLAIN MANAGEMENT ORDINANCE

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DRAFT

ARTICLE I - PURPOSE AND ESTABLISHMENT

Certain areas of the Town of Lyman, Maine are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968.

Therefore, the Town of Lyman, Maine has chosen to become a participating community in the National Flood Insurance Program and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as delineated in this Floodplain Management Ordinance.

It is the intent of the Town of Lyman, Maine to require the recognition and evaluation of flood hazards in all official actions relating to land use in the floodplain areas having special flood hazards.

The Town of Lyman has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Title 30-A MRSA, Sections 3001-3007, 4352, 4401-4407, and Title 38 MRSA, Section 440.

The National Flood Insurance Program, established in the aforesaid Act, provides that areas of the Town of Lyman having a special flood hazard be identified by the Federal Emergency Management Agency and that floodplain management measures be applied in such flood hazard areas. This Ordinance establishes a Flood Hazard Development Permit system and review procedure for development activities in the designated flood hazard areas of the Town of Lyman, Maine.

The areas of special flood hazard, Zones A, AE, and AH for the Town of Lyman, York County, Maine, identified by the Federal Emergency Management Agency in a report entitled "Flood Insurance Study – York County, Maine," dated July 17, 2024, with accompanying "Flood Insurance Rate Map" dated July 17, 2024, are hereby adopted by reference and declared to be a part of this Ordinance.

ARTICLE II - PERMIT REQUIRED

The Code Enforcement Officer shall be designated as the local Floodplain Administrator. The Floodplain Administrator shall have the authority to implement the commitment made to administer and enforce the requirements for participation in the National Flood Insurance Program.

Before any construction or other development (as defined in Article XIII), including the placement of manufactured homes, begins within any areas of special flood hazard established in Article I, a Flood Hazard Development Permit shall be obtained from the Code Enforcement Officer. This permit shall be in addition to any other permits which may be required pursuant to the codes and ordinances of the Town of Lyman, Maine.

ARTICLE III - APPLICATION FOR PERMIT

The application for a Flood Hazard Development Permit shall be submitted to the Code Enforcement Officer and shall include:

- A. The name, address, and phone number of the applicant, owner, and contractor;
- B. An address and a map indicating the location of the construction site;
- C. A site plan showing locations of existing and/or proposed development, including but not limited to structures, sewage disposal facilities, water supply facilities, areas to be cut and filled, and lot dimensions;

- D. A statement of the intended use of the structure and/or development;
 - E. A statement of the cost of the development including all materials and labor;
 - F. A statement as to the type of sewage system proposed;
 - G. Specification of dimensions of the proposed structure and/or development;
- [Items H-K.2. apply only to new construction and substantial improvements.]
- H. The elevation in relation to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or to a locally established datum in Zone A only, of the:
 - 1. base flood at the proposed site of all new or substantially improved structures, which is determined:
 - a. in Zone AE from data contained in the "Flood Insurance Study - York County, Maine," as described in Article I; or,
 - b. in Zone A:
 - (1) from any base flood elevation data from federal, state, or other technical sources (such as FEMA's Quick-2 model, FEMA 265), including information obtained pursuant to Article VI.M. and VIII.D.; or,
 - (2) in the absence of all data described in Article III.H.1.b.(1), information to demonstrate that the structure shall meet the elevation requirement in Article VI.H.2.b., Article VI.I.2.a. or b., or Article VI.J.2.b.
 - 2. highest and lowest grades at the site adjacent to the walls of the proposed building;
 - 3. lowest floor, including basement; and whether or not such structures contain a basement;
 - 4. lowest machinery and equipment servicing the building; and,
 - 5. level, in the case of non-residential structures only, to which the structure will be floodproofed.
 - I. A description of an elevation reference point established on the site of all developments for which elevation standards apply as required in Article VI;
 - J. A written certification by:
 - 1. a Professional Land Surveyor that the grade elevations shown on the application are accurate; and,
 - 2. a Professional Land Surveyor, registered professional engineer or architect that the base flood elevation shown on the application is accurate.
 - K. The following certifications as required in Article VI by a registered professional engineer or architect:

1. a Floodproofing Certificate (FEMA Form FF-206-FY-22-153, as amended), to verify that the floodproofing methods for any non-residential structures will meet the floodproofing criteria of Article VI.I.; and other applicable standards in Article VI;
 2. a Hydraulic Openings Certificate to verify that engineered hydraulic openings in foundation walls will meet the standards of Article VI.N.2.a.;
 3. a certified statement that bridges will meet the standards of Article VI.O.;
 4. a certified statement that containment walls will meet the standards of Article VI.P.
- L. A description of the extent to which any water course will be altered or relocated as a result of the proposed development; and,
- M. A statement of construction plans describing in detail how each applicable development standard in Article VI will be met.

ARTICLE IV - APPLICATION FEE AND EXPERT'S FEE

A nonrefundable application fee of \$25 for minor development or \$50 for new construction or substantial improvements shall be paid to the City/Town Clerk and a copy of a receipt for the same shall accompany the application.

An additional fee may be charged if the Code Enforcement Officer, Planning Board, and/or Board of Appeals needs the assistance of a professional engineer or other expert. The expert's fee shall be paid in full by the applicant within 10 days after the town submits a bill to the applicant. Failure to pay the bill shall constitute a violation of the ordinance and be grounds for the issuance of a stop work order. An expert shall not be hired by the municipality at the expense of an applicant until the applicant has either consented to such hiring in writing or been given an opportunity to be heard on the subject. An applicant who is dissatisfied with a decision to hire expert assistance may appeal that decision to the Board of Appeals.

ARTICLE V - REVIEW STANDARDS FOR FLOOD HAZARD DEVELOPMENT PERMIT APPLICATIONS

The Code Enforcement Officer shall:

- A. Review all applications for the Flood Hazard Development Permit to assure that proposed developments are reasonably safe from flooding and to determine that all pertinent requirements of Article VI (Development Standards) have been, or will be met;
- B. Utilize, in the review of all Flood Hazard Development Permit applications:
 1. the base flood and floodway data contained in the "Flood Insurance Study - York County, Maine," as described in Article I;
 2. in special flood hazard areas where base flood elevation and floodway data are not provided, the Code Enforcement Officer shall obtain, review, and reasonably utilize any base flood elevation and floodway data from federal, state, or other technical sources, including information obtained pursuant to Article III.H.1.b.(1); Article VI.M.; and Article VIII.D., in order to administer Article VI of this Ordinance; and,

3. when the community establishes a base flood elevation in a Zone A by methods outlined in Article III.H.1.b.(1), the community shall submit that data to the Maine Floodplain Management Program.
- C. Make interpretations of the location of boundaries of special flood hazard areas shown on the maps described in Article I of this Ordinance;
 - D. In the review of Flood Hazard Development Permit applications, determine that all necessary permits have been obtained from those federal, state, and local government agencies from which prior approval is required by federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1344;
 - E. Notify adjacent municipalities, the Department of Environmental Protection, and the Maine Floodplain Management Program prior to any alteration or relocation of a water course and submit copies of such notifications to the Federal Emergency Management Agency;
 - F. If the application satisfies the requirements of this Ordinance, approve the issuance of one of the following Flood Hazard Development Permits based on the type of development:
 1. A two part Flood Hazard Development Permit for elevated structures. Part I shall authorize the applicant to build a structure to and including the first horizontal floor only above the base flood level. At that time the applicant shall provide the Code Enforcement Officer with an “under construction” Elevation Certificate completed by a Professional Land Surveyor based on the Part I permit construction for verifying compliance with the elevation requirements of Article VI, paragraphs H., I., or J. Following review of the Elevation Certificate data, which shall take place within 72 hours of receipt of the application, the Code Enforcement Officer shall issue Part II of the Flood Hazard Development Permit. Part II shall authorize the applicant to complete the construction project; or,
 2. A Flood Hazard Development Permit for Floodproofing of Non-Residential Structures that are new construction or substantially improved non-residential structures that are not being elevated but that meet the floodproofing standards of Article VI.I.1. The application for this permit shall include a Floodproofing Certificate signed by a registered professional engineer or architect; or,
 3. A Flood Hazard Development Permit for Minor Development for all development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. Minor development also includes but is not limited to: accessory structures as provided for in Article VI.L., mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers.
 - G. Maintain, as a permanent record, copies of all Flood Hazard Development Permit Applications, corresponding Permits issued, and data relevant thereto, including reports of the Board of Appeals on variances granted under the provisions of Article IX of this Ordinance, and copies of Elevation Certificates, Floodproofing Certificates, Certificates of Compliance, and certifications of design standards required under the provisions of Articles III, VI, and VII of this Ordinance.

ARTICLE VI - DEVELOPMENT STANDARDS

All developments in areas of special flood hazard shall meet the following applicable standards:

- A. **All Development** - All development shall:
1. be designed or modified and adequately anchored to prevent flotation (excluding piers and docks), collapse, or lateral movement of the development resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 2. use construction materials that are resistant to flood damage;
 3. use construction methods and practices that will minimize flood damage; and,
 4. use 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 flooding conditions.
- B. **Water Supply** - All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.
- C. **Sanitary Sewage Systems** - All new and replacement sanitary sewage systems shall be designed and located to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
- D. **On Site Waste Disposal Systems** - On site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during floods.
- E. **Watercourse Carrying Capacity** - All development associated with altered or relocated portions of a watercourse shall be constructed and maintained in such a manner that no reduction occurs in the flood carrying capacity of the watercourse.
- F. **Utilities** - New construction or substantial improvement of any structure (including manufactured homes) located within Zones A, AE, and AH shall have the bottom of all electrical, heating, plumbing, ventilation and air conditioning equipment, permanent fixtures and components, HVAC ductwork and duct systems, and any other utility service equipment, facilities, machinery, or connections servicing a structure, elevated to at least one foot above the base flood elevation.
- G. **Physical Changes to the Natural Landscape** - Certain development projects, including but not limited to, retaining walls, sea walls, levees, berms, and rip rap, can cause physical changes that affect flooding conditions.
1. All development projects in Zone AE that cause physical changes to the natural landscape shall be reviewed by a Professional Engineer to determine whether or not the project changes the base flood elevation, zone, and/or the flood hazard boundary line.
 2.
 - a. If the Professional Engineer determines, through the use of engineering judgement, that the project would not necessitate a Letter of Map Revision (LOMR), a certified statement shall be provided.
 - b. If the Professional Engineer determines that the project may cause a change, a hydrologic and hydraulic analysis that meets current FEMA standards shall be performed.

3. If the hydrologic and hydraulic analysis performed indicates a change to the base flood elevation, zone, and/or the flood hazard boundary line, the applicant may submit a Conditional Letter of Map Revision (C-LOMR) request to the Federal Emergency Management Agency for assurance that the as-built project will result in a change to the Flood Insurance Rate Map. Once the development is completed, a request for a Letter of Map Revision (LOMR) shall be initiated.
4. If the hydrologic and hydraulic analysis performed show a change to the base flood elevation, zone, and/or the flood hazard boundary line, as soon as practicable, but no later than 6 months after the completion of the project, the applicant shall submit the technical data to FEMA in the form of a Letter of Map Revision request.

H. **Residential** - New construction or substantial improvement of any residential structure located within:

1. Zone AE and AH shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation.
2. Zone AH shall have adequate drainage paths around structures on slopes, to guide floodwater away from the proposed structures.
3. Zone A shall have the lowest floor (including basement) elevated:
 - a. to at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.b.(1); Article V.B.; or Article VIII.D.; or,
 - b. in the absence of all data described in Article VI.H.3.a., to at least two feet above the highest adjacent grade to the structure.

I. **Non-Residential** - New construction or substantial improvement of any non-residential structure located within:

1. Zone AE and AH shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation, or together with attendant utility and sanitary facilities shall:
 - a. be floodproofed to at least one foot above the base flood elevation so that below that elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - b. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and,
 - b. be certified by a registered professional engineer or architect that the floodproofing design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Article III.K. and shall include a record of the elevation above mean sea level to which the structure is floodproofed.
2. Zone AH shall have adequate drainage paths around structures on slopes, to guide floodwater away from the proposed structures.

3. Zone A shall have the lowest floor (including basement) elevated:
 - a. to at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.b.(1); Article V.B.; Article VIII.D.; or,
 - b. in the absence of all data described in Article VI.I.3.a., to at least two feet above the highest adjacent grade to the structure; or,
 - c. together with attendant utility and sanitary facilities meet the floodproofing standards of Article VI.I.1.a., b., and c.

J. Manufactured Homes - New or substantially improved manufactured homes located within:

1. Zone AE and AH shall:
 - a. be elevated such that the lowest floor (including basement) of the manufactured home is at least one foot above the base flood elevation;
 - b. be on a permanent foundation, which may be poured masonry slab or foundation walls, with hydraulic openings, or may be reinforced piers or block supports, any of which support the manufactured home so that no weight is supported by its wheels and axles; and,
 - c. be securely anchored to an adequately anchored foundation system to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to:
 - (1) over-the-top ties anchored to the ground at the four corners of the manufactured home, plus two additional ties per side at intermediate points (manufactured homes less than 50 feet long require one additional tie per side); or by,
 - (2) frame ties at each corner of the home, plus five additional ties along each side at intermediate points (manufactured homes less than 50 feet long require four additional ties per side).
 - (2) All components of the anchoring system described in Article VI.J.1.c.(1) & (2) shall be capable of carrying a force of 4800 pounds.
2. Zones AH shall have adequate drainage paths around structures on slopes, to guide floodwater away from the proposed structures.
3. Zone A shall:
 - a. be elevated on a permanent foundation, as described in Article VI.J.1.b., such that the lowest floor (including basement) of the manufactured home is at least one foot above the base flood elevation utilizing information obtained pursuant to Article III.H.1.b.(1); Article V.B.; Article VIII.D.; or,
 - b. in the absence of all data as described in Article VI.J.3.a., to at least two feet above the highest adjacent grade to the structure; and,
 - c. meet the anchoring requirements of Article VI.J.1.c.

K. Recreational Vehicles - Recreational Vehicles located within:

1. Zones A, AE, and AH shall either:
 - a. be on the site for fewer than 180 consecutive days; and,
 - b. be fully licensed and ready for highway use. 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; or,
 - c. be permitted in accordance with the elevation and anchoring requirements for "manufactured homes" in Article VI.J.1.

L. Accessory Structures - New construction or substantial improvement of Accessory Structures, as defined in Article XIII, shall be exempt from the elevation criteria required in Article VI.H. & I. above, if all other requirements of Article VI and all the following requirements are met.

1. Accessory Structures located in Zones A, AE, and AH shall:
 - a. meet the requirements of Article VI.A.1. through 4., as applicable;
 - b. be limited in size to a one-story two car garage;
 - c. have unfinished interiors and not be used for human habitation;
 - d. have only ground fault interrupt electrical outlets. The electric service disconnect shall be located above the base flood elevation and, when possible, outside the Special Flood Hazard Area.
 - e. be located outside the floodway;
 - f. when possible, be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters and be placed further from the source of flooding than is the primary structure; and,
 - g. have hydraulic openings, as specified in Article VI.N.2., in at least two different walls of the accessory structure.

M. Floodways -

1. In Zone AE riverine areas, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted within a regulatory floodway which is designated on the community's Flood Insurance Rate Map, unless a technical evaluation certified by a registered professional engineer is provided demonstrating that such encroachments will not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
2. In Zones A and AE riverine areas for which no regulatory floodway is designated, encroachments, including fill, new construction, substantial improvement, and other development shall not be permitted in the floodway as determined in Article VI.M.3. unless a technical evaluation certified by a registered professional engineer is provided demonstrating

that the cumulative effect of the proposed development, when combined with all other existing development and anticipated development:

- a. will not increase the water surface elevation of the base flood more than one foot at any point within the community; and,
- d. is consistent with the technical criteria contained in FEMA's guidelines and standards for flood risk analysis and mapping.

3. In Zones A and AE riverine areas, for which no regulatory floodway is designated, the regulatory floodway is determined to be the channel of the river or other water course and the adjacent land areas to a distance of one-half the width of the floodplain as measured from the normal high water mark to the upland limit of the floodplain.

N. **Hydraulic Openings/Flood Vents** - New construction or substantial improvement of any structure in Zones A, AE, and AH, that meets the development standards of Article VI, including the elevation requirements of Article VI, paragraphs H., I., or J. and is elevated on posts, columns, piers, piles, or crawlspaces may be enclosed below the base flood elevation requirements provided all the following criteria are met or exceeded:

1. Enclosed areas are not "basements" as defined in Article XIII;
2. Enclosed areas shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood water. Designs for meeting this requirement must either:
 - a. be engineered and certified by a registered professional engineer or architect; or,
 - b. meet or exceed the following minimum criteria:
 - (1) a minimum of two openings having a total net area of not less than one square inch for every square foot of the enclosed area;
 - (2) the bottom of all openings shall be below the base flood elevation and no higher than one foot above the lowest grade; and,
 - (3) openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the entry and exit of flood waters automatically without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means;
3. The enclosed area shall not be used for human habitation; and,
4. The enclosed areas are usable solely for building access, parking of vehicles, or storage.

O. **Bridges** - New construction or substantial improvement of any bridge in Zones A, AE, and AH shall be designed such that:

1. when possible, the lowest horizontal member (excluding the pilings or columns) is elevated to at least one foot above the base flood elevation; and,
2. a registered professional engineer shall certify that:

- a. the structural design and methods of construction shall meet the elevation requirements of this section and the floodway standards of Article VI.M.; and,
- b. the foundation and superstructure attached thereto are designed to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all structural components. Water loading values used shall be those associated with the base flood.

P. **Containment Walls** - New construction or substantial improvement of any containment wall located within:

1. Zones A, AE, and AH shall:
 - a. have the containment wall elevated to at least one foot above the base flood elevation;
 - b. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and,
 - c. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. Such certification shall be provided with the application for a Flood Hazard Development Permit, as required by Article III.K.
2. Zones AH shall have adequate drainage paths around containment walls on slopes, to guide floodwater away from the proposed walls.

Q. **Wharves, Piers, and Docks** - New construction or substantial improvement of wharves, piers, and docks are permitted in Zones A, AE, and AH, in and over water, and shall comply with all applicable local, state, and federal regulations.

ARTICLE VII - CERTIFICATE OF COMPLIANCE

No land in a special flood hazard area shall be occupied or used and no structure which is constructed or substantially improved shall be occupied until a Certificate of Compliance is issued by the Code Enforcement Officer subject to the following provisions:

- A. For New Construction or Substantial Improvement of any elevated structure the applicant shall submit to the Code Enforcement Officer an Elevation Certificate completed by a Professional Land Surveyor for compliance with Article VI, paragraphs H., I., or J.
- B. The applicant shall submit written notification to the Code Enforcement Officer that the development is complete and complies with the provisions of this ordinance.
- C. Within 10 working days, the Code Enforcement Officer shall:
 1. review the Elevation Certificate and the applicant's written notification; and,
 2. upon determination that the development conforms with the provisions of this ordinance, shall issue a Certificate of Compliance.

ARTICLE VIII - REVIEW OF SUBDIVISION AND DEVELOPMENT PROPOSALS

The Planning Board shall, when reviewing subdivisions and other proposed developments that require review under other federal law, state law, or local ordinances or regulations, and all projects on 5 or more disturbed acres, or in the case of manufactured home parks divided into two or more lots, assure that:

- A. All such proposals are consistent with the need to minimize flood damage.
- B. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages.
- C. Adequate drainage is provided so as to reduce exposure to flood hazards.
- D. All proposals include base flood elevations, flood boundaries, and, in a riverine floodplain, floodway data. These determinations shall be based on engineering practices recognized by the Federal Emergency Management Agency.
- E. Any proposed development plan must include a condition of plan approval requiring that structures on any lot in the development having any portion of its land within a Special Flood Hazard Area are to be constructed in accordance with Article VI of this ordinance. Such requirement will be included in any deed, lease, purchase and sale agreement, or document transferring or expressing an intent to transfer any interest in real estate or structure, including but not limited to a time-share interest. The condition shall clearly articulate that the municipality may enforce any violation of the construction requirement and that fact shall also be included in the deed or any other document previously described. The construction requirement shall also be clearly stated on any map, plat, or plan to be signed by the Planning Board or local reviewing authority as part of the approval process.

ARTICLE IX - APPEALS AND VARIANCES

The Board of Appeals of the Town of Lyman may, upon written application of an aggrieved party, hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by, or failure to act by, the Code Enforcement Officer or Planning Board in the administration or enforcement of the provisions of this Ordinance.

The Board of Appeals may grant a variance from the requirements of this Ordinance consistent with state law and the following criteria:

- A. Variances shall not be granted within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
- B. Variances shall be granted only upon:
 - 1. a showing of good and sufficient cause; and,
 - 2. a determination that should a flood comparable to the base flood occur, the granting of a variance will not result in increased flood heights, additional threats to public safety, public expense, or create nuisances, cause fraud or victimization of the public, or conflict with existing local laws or ordinances; and,
 - 3. a showing that the issuance of the variance will not conflict with other state, federal, or local laws or ordinances; and,
 - 4. a determination that failure to grant the variance would result in "undue hardship," which in this sub-section means:

- a. that the land in question cannot yield a reasonable return unless a variance is granted; and,
 - b. that the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood; and,
 - c. that the granting of a variance will not alter the essential character of the locality; and,
 - d. that the hardship is not the result of action taken by the applicant or a prior owner.
- C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief, and the Board of Appeals may impose such conditions to a variance as it deems necessary.
- D. Variances may be issued for new construction, substantial improvements, or other development for the conduct of a functionally dependent use provided that:
1. the criteria of Article IX.A. through C. and Article VI.M. are met; and,
 2. the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- E. Variances may be issued for the repair, reconstruction, rehabilitation, or restoration of Historic Structures upon the determination that:
1. the development meets the criteria of Article IX.A. through C.; and,
 2. the proposed repair, reconstruction, rehabilitation, or restoration will not preclude the structure's continued designation as a Historic Structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- F. Variances may be issued for new construction and substantial improvement of Agricultural Structures being used for the conduct of agricultural uses provided that:
1. the development meets the criteria of Article IX.A. through C.; and,
 2. the development meets the criteria of Article VI.M. and Article VI.N.
- G. Any applicant who meets the criteria of Article IX.A. through C. and Article IX.D., E., or F. shall be notified by the Board of Appeals in writing over the signature of the Chairman of the Board of Appeals that:
1. the issuance of a variance to construct a structure below the base flood level will result in greatly increased premium rates for flood insurance up to amounts as high as \$25 per \$100 of insurance coverage; and,
 2. such construction below the base flood level increases risks to life and property; and,
 3. the applicant agrees in writing that the applicant is fully aware of all the risks inherent in the use of land subject to flooding, assumes those risks, and agrees to indemnify and defend the municipality against any claims filed against it that are related to the applicant's decision to use land located in a floodplain and that the applicant individually releases the municipality from any

claims the applicant may have against the municipality that are related to the use of land located in a floodplain.

H. Appeal Procedure for Administrative and Variance Appeals

1. An administrative or variance appeal may be taken to the Board of Appeals by an aggrieved party within thirty days after receipt of a written decision of the Code Enforcement Officer or Planning Board.
2. Upon being notified of an appeal, the Code Enforcement Officer or Planning Board, as appropriate, shall transmit to the Board of Appeals all of the documents constituting the record of the decision appealed from.
3. The Board of Appeals shall hold a public hearing on the appeal within thirty-five days of its receipt of an appeal request.
4. The person filing the appeal shall have the burden of proof.
5. The Board of Appeals shall decide all appeals within thirty-five days after the close of the hearing and shall issue a written decision on all appeals.
6. The Board of Appeals shall submit to the Code Enforcement Officer a report of all variance actions, including justification for the granting of the variance and an authorization for the Code Enforcement Officer to issue a Flood Hazard Development Permit, which includes any conditions to be attached to said permit.
7. Any aggrieved party who participated as a party during the proceedings before the Board of Appeals may take an appeal to Superior Court in accordance with State laws within forty-five days from the date of any decision of the Board of Appeals.

ARTICLE X - ENFORCEMENT AND PENALTIES

- A. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance pursuant to Title 30-A MRSA § 4452.
- B. The penalties contained in Title 30-A MRSA § 4452 shall apply to any violation of this Ordinance.
- C. In addition to any other actions, the Code Enforcement Officer, upon determination that a violation exists, may submit a declaration to the Administrator of the Federal Insurance Administration requesting a denial of flood insurance. The valid declaration shall consist of:
 1. the name of the property owner and address or legal description of the property sufficient to confirm its identity or location;
 2. a clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation, or ordinance;
 3. a clear statement that the public body making the declaration has authority to do so and a citation to that authority;
 4. evidence that the property owner has been provided notice of the violation and the prospective denial of insurance; and,

5. a clear statement that the declaration is being submitted pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

ARTICLE XI - VALIDITY AND SEVERABILITY

If any section or provision of this Ordinance is declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

ARTICLE XII - CONFLICT WITH OTHER ORDINANCES

This Ordinance shall not in any way impair or remove the necessity of compliance with any other applicable rule, ordinance, regulation, bylaw, permit, or provision of law. Where this Ordinance imposes a greater restriction upon the use of land, buildings, or structures, the provisions of this Ordinance shall control.

ARTICLE XIII - DEFINITIONS

Unless specifically defined below, words and phrases used in this Ordinance shall have the same meaning as they have at common law and to give this Ordinance its most reasonable application. Words used in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary.

Accessory Structure - a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure.

Adjacent Grade - the natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Agricultural Structure - structures that are used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.

Area of Special Flood Hazard - the land in the floodplain having a one percent or greater chance of flooding in any given year, as specifically identified in the Flood Insurance Study cited in Article I of this Ordinance.

Base Flood - a flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

Basement - any area of the building having its floor subgrade (below ground level) on all sides.

Building - see **Structure**.

Certificate of Compliance - A document signed by the Code Enforcement Officer stating that a structure is in compliance with all of the provisions of this Ordinance.

Code Enforcement Officer - A person certified under Title 30-A MRSA, Section 4451 (including exceptions in subsection 4451, paragraph 1) and employed by a municipality to enforce all applicable comprehensive planning and land use laws and ordinances.

Containment Wall - a wall surrounding all sides of an above ground tank to contain any spills or leaks.

Development - any man made change to improved or unimproved real estate. This includes, but is not limited to, buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials; and the storage, deposition, or extraction of materials.

Elevated Building - a non-basement building that is:

- a. built, in the case of a building in Zones A, AE, or AH, to have the top of the elevated floor elevated above the ground level by means of pilings, columns, posts, piers, or shear walls; and,
- b. adequately anchored so as not to impair the structural integrity of the building during a flood of up to one foot above the magnitude of the base flood.

In the case of Zones A, AE, or AH, **Elevated Building** also includes a building elevated by means of fill or solid foundation perimeter walls with hydraulic openings sufficient to facilitate the unimpeded movement of flood waters, as required in Article VI.N.

Elevation Certificate - an official form (FEMA Form FF-206-FY-22-152, as amended) that is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program.

Existing Manufactured Home Park or Subdivision - a manufactured home park or subdivision that was recorded in the deed registry prior to the adoption date of the community's first floodplain management regulations.

Flood or Flooding -

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 1. The overflow of inland or tidal waters.
 2. The unusual and rapid accumulation or runoff of surface waters from any source.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.

Flood Elevation Study - an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Flood Insurance Rate Map (FIRM) - an official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study - see **Flood Elevation Study**.

Floodplain or Flood-prone Area - any land area susceptible to being inundated by water from any source (see **Flood or Flooding**).

Floodplain Management - the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain Management Regulations - zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing - any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and contents.

Floodway - see **Regulatory Floodway**.

Floodway Encroachment Lines - the lines marking the limits of floodways on federal, state, and local floodplain maps.

Freeboard - a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions.

Functionally Dependent Use - a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Historic Structure - any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or,
 2. Directly by the Secretary of the Interior in states without approved programs.

Locally Established Datum - for purposes of this ordinance, an elevation established for a specific site to which all other elevations at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD), or any other

established datum and is used in areas where Mean Sea Level data is too far from a specific site to be practically used.

Lowest Floor - the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements described in Article VI.N. of this ordinance.

Manufactured Home - a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

Manufactured Home Park or Subdivision - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean Sea Level - for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD), or other datum to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Minor Development - all development that is not new construction or a substantial improvement, such as repairs, maintenance, renovations, or additions, whose value is less than 50% of the market value of the structure. It also includes but is not limited to: accessory structures as provided for in Article VI.L., mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers.

National Geodetic Vertical Datum (NGVD) - the national vertical datum, whose standard was established in 1929, which is used by the National Flood Insurance Program (NFIP). NGVD was based upon mean sea level in 1929 and has been called "1929 Mean Sea Level (MSL)".

New Construction - structures for which the "start of construction" commenced on or after the effective date of the initial floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

North American Vertical Datum (NAVD) - the national datum whose standard was established in 1988, which is the new vertical datum used by the National Flood Insurance Program (NFIP) for all new Flood Insurance Rate Maps. NAVD is based upon the vertical data used by other North American countries such as Canada and Mexico and was established to replace NGVD because of constant movement of the earth's crust, glacial rebound and subsidence, and the increasing use of satellite technology.

100-year flood - see **Base Flood**.

Recreational Vehicle - a vehicle which is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection, not including slideouts;
- c. designed to be self-propelled or permanently towable by a motor vehicle; and,

- d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway -

- a. the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height, and,
- b. when not designated on the community's Flood Insurance Rate Map, it is considered to be the channel of a river or other water course and the adjacent land areas to a distance of one-half the width of the floodplain, as measured from the normal high water mark to the upland limit of the floodplain.

Riverine - relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Special Flood Hazard Area - see **Area of Special Flood Hazard**.

Start of Construction - the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, or modification of any construction element, whether or not that alteration affects the external dimensions of the building.

Structure - for floodplain management purposes, a walled and roofed building. A gas or liquid storage tank that is principally above ground is also a structure.

Substantial Damage - damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement - any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or,
- b. Any alteration of a Historic Structure, provided that the alteration will not preclude the structure's continued designation as a historic structure, and a variance is obtained from the community's Board of Appeals.

Variance - a grant of relief by a community from the terms of a floodplain management regulation.

Violation - the failure of a structure or development to comply with a community's floodplain management regulations.

ARTICLE XIV - ABROGATION

This ordinance repeals and replaces any municipal ordinance previously enacted to comply with the National Flood Insurance Act of 1968 (P.L. 90-488, as amended).

ARTICLE XV - DISCLAIMER OF LIABILITY

The degree of flood protection required by the ordinance is considered reasonable but does not imply total flood protection.

ITEM #2: (b.) Mail



**MAINE MUNICIPAL
ASSOCIATION SINCE 1936**

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428
(f) 207-624-0129

RECEIVED

JUN 17 2024

To: Key Municipal Officials of MMA's Member Municipalities
From: Diane Hines, President, Maine Municipal Association
Date: June 13, 2024
Re: Ballot for Election to MMA's Legislative Policy Committee



MMA's member municipalities have made their nominations for the 2024-2026 Legislative Policy Committee (LPC). It is now time to elect your representatives to serve on the committee. The enclosed election ballot must be completed by the Select Board or Town/City Council of your municipality.

Number of votes

A majority of municipalities are being asked to vote for two candidates, because there are two elected LPC members for most districts. Some municipalities only vote for one candidate, because the other LPC member in that district is appointed. ***You are instructed on the ballot (above the list of candidates) whether to vote for two candidates or just one.***

Candidate profiles

If you are not familiar with any of the candidates, please review the Candidate Profiles on the back of the ballot. Feel free, also, to contact the candidates directly.

Write-in candidates

In addition to the candidates listed on the ballot, you may vote for a candidate whose name is not on the ballot by writing that person's name in. The write-in candidate need not be from your municipality but must be an elected or appointed official from a MMA member municipality in your Senate/LPC District. ***Check to be sure the write-in candidate is willing to serve if elected!*** Write-in candidates should be communicating their interest in serving among the municipal officers within their district.

If you are instructed to vote for two candidates and only one candidate is on the ballot, please use the "write-in" line for your second vote if you know of someone who is willing to serve.

Deadline for returning ballot

Return to ballot by 5:00 p.m. on **August 1, 2024** to Laura Ellis either in the enclosed envelope, via email (lellis@memun.org) or FAX: 624-0129

Your participation is important – Thank You!

OFFICIAL BALLOT – District 32


Maine Municipal Association’s Legislative Policy Committee

July 1, 2024 – June 30, 2026

VOTE FOR ONE (*Biddeford appoints one member*):

Mary Hoffman, Selectboard Member, Town of Hollis

Marc Lessard, City Councilor, City of Biddeford

_____ (name) _____ (position) _____ (municipality)  write in)

Candidate Profiles Are On Reverse Side

MUNICIPALITY: _____ DATE: _____

 **BY SELECTMEN/COUNCILORS:**

_____ signature

_____ print name

_____ signature

_____ print name

_____ signature

_____ print name

_____ signature

_____ print name

_____ signature

_____ print name

Return by 5:00 p.m., August 1, 2024 to:

Laura Ellis, Maine Municipal Association

lellis@memun.org

Fax: 624-0129

ITEM# 3: (a.) Minutes

Town of Lyman
Select Board Meeting Minutes
June 17th, 2024 – Lyman Town Hall

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

Selectboard members present: Jessica Picard, Amber Swett, Victoria Gavel, Joseph Wagner, David Alves
Selectboard members absent:

ITEM #1 SPECIAL OFFERS/ PRESENTATIONS

a. Select Board Vote Chair, Vice Chair, Fire Commission member

David Alves – Motions to nominate Jessica Picard as Chair

Amber Swett – Seconds the motion.

Joseph Wagner – Nominates Victoria Gavel as chair.

David Alves – States that nomination is out of order there has been a motion made on the floor and there was a second.

Motion Passes for Jessica Picard as Chair: 4-0-1 (David Alves, Victoria Gavel, Amber Swett, Jessica Picard in favor; Joseph Wagner opposed).

Joseph Wagner – Nominates Victoria Gavel as Vice Chair.

Jessica Picard – Seconds the motion. Motion passes: 3-1-1 (Jessica Picard, David Alves, Joseph Wagner in favor; Amber Swett opposed; Victoria Gavel abstains).

Joseph Wagner – Nominates Victoria Gavel as Fire Commission Member

Jessica Picard – Seconds the motion. Motion passes: 4-0-1 (Jessica Picard, David Alves, Amber Swett, Joseph Wagner in favor; Victoria Gavel abstains)

b. Rustic Dreams – Special Amusement Permit Application

Jessica Picard opens the Public Hearing for Rustic Dreams.

Richard Emmons – States he is a neighbor and in support of their business.

David Lavoy – States he is a neighbor and in support of their business, he has not seen any detriment from their events.

Amber Swett – Inquires about the inspection report from the CEO

Rebekah Thompson – States there were some discrepancies she noted, and the property owner has since fixed all but two of them and is actively working on resolving the remaining issues. The certificate of occupancy was written based on the 2015 building codes which includes 2015 plumbing codes which goes over the number of facilities needed per occupancy of people.

Keith Sevigny – States he had a soil scientist test the septic system and verified the system is good for up to 176 people and provided the information to the building and codes department. There is no further comment, Jessica Picard closes the public hearing.

David Alves – Motions to approve the special amusement permit application.

Amber Swett – Seconds the motion. Motion passes: 5-0-0

David Alves – Motions to approve the liquor license for Rustic Dreams

Amber Swett – Seconds the motion. Motion passes: 5-0-0

c. Welcome New Select Board Members

Workshop is scheduled June 24, 2024 at 6:00pm at the Town Hall.

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

Amber Swett – Motions to go into executive session per 1 M.R.S.A §405 (C) Acquisition of real property

David Alves – Seconds the motion. Motion passes: 4-1-0 (Jessica Picard, Amber Swett, David Alves, Victoria Gavel in favor; Joseph Wagner opposed)

Town of Lyman
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Joseph Wagner – Motions to come out of executive session
Amber Swett – Seconds the motion. Motion passes: 5-0-0

Amber Swett – Makes a motion not to accept the abatement application
Joseph Wagner – Seconds the motion. Motion passes: 5-0-0

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

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

Sue Briggs – States she is the treasurer of the Goodwin Mills Cemetery Committee and wanted to thank the board for their consideration of transfer of property to their committee. If acquired by the committee, they are looking into using the small parcel for cemetery signage.

Karen Kane – Discusses the Town Meeting vote to close the reserve account on South Waterboro Road. Requests the Select Board approve funds for cleanup of the leaves at Kennebunk Pond. She will contact ME DEP and inquire about pulling leaves out of the water.

Lindsay Gagne – Explains per DEP rules anything in the water, such as leaves, cannot be removed. If someone wanted to or was volunteering to help clean up the beach area, this is okay to do, however, the Board should plan and account for these things in case there are no volunteers available.

Rusty Blackington – States the election and town meeting ran smoothly.

Tom Hatch – Thanks the board he worked with while serving on the board and thanks the employees and volunteers of the Town.

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

ITEM #3 **MINUTES**

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

Amber Swett – Motions to approve. Victoria Gavel seconds. Motion passes: 3-0-2 (Jessica Picard, Victoria Gavel, Amber Swett in favor; David Alves, Joseph Wagner abstain).

Discussion: Victoria Gavel clarifies she was speaking about the side of the road at the end of Kennebunk Pond Road under the Other section. Amber Swett clarifies she was abstaining from being appointed as Eco Maine Rep.

ITEM #4 **SIGN WARRANTS**

- a. *Payroll Warrant #47 in the amount of \$46,442.81*

Victoria Gavel – Motions to approve. Amber Swett seconds. Motion passes: 4-0-1 (Jessica Picard, Amber Swett, Victoria Gavel, Joseph Wagner in favor; David Alves abstains).

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

Amber Swett – Motions to approve. Victoria Gavel seconds. Motion passes: 4-0-1 (Jessica Picard, Amber Swett, Victoria Gavel, Joseph Wagner in favor; David Alves abstains).

Discussion: CEO mileage paid for after it was submitted. BD carpentry for concession stand stairs, Lindsay will follow up with the board to verify the amount that was approved when it went out to bid.

ITEM #5 **UNFINISHED BUSINESS**

- a. *Franchise Agreement, Updates if any – No new updates*

- b. *Discussion from 4-22-24 Workshop, updating agenda format, board bylaws, social media policy, etc.*

Discussion: The board tables the item for the workshop on June 24th.

Town of Lyman
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c. [Discussion – Company Picnic/event](#)

Discussion: Potential scheduling early to mid-September. Determine if the event will be on a weekend or weekday. Potential options of serving BBQ picnic in the Pines, or keep to a smaller event. Item tabled for workshop scheduled on June 24th.

d. [Discussion – Review process for donating/selling land to Goodwins Mills Cemetery Association](#)

Lindsay Gagne – States the item would have to be put to the voters and the board needs to decide if they want to do an open town meeting or secret ballot or add to November referendum. More referendum information will be on the next agenda.

The board agrees to add to the November referendum.

e. [Discussion – Capital Improvement Plan](#)

Lindsay Gagne – Recommends hiring a third party to inspect the Town’s buildings and facilities and generate a report that can be used to help identify a capital improvement plan.

Discussion: the board agrees to begin soliciting for quotes for inspection services.

ITEM #6

DEPARTMENT AND COMMITTEE REPORTS

a. [Kennebunk Pond Committee – Updates re: Landscape Improvements](#)

Karen Kane – States they are waiting on the Pedestrian signs to be installed. When they came from the State they did not come assembled. GT scapes will do the installation but cannot do the wiring for the solar components of the signs. GT scapes will not do the watering of the new plantings, however they will lend a tank if someone were available to help with watering. She thanks the committee, and everyone involved for all their hard work.

Lindsay Gagne – States the gate arm was damaged recently. After investigating it was found that the magnetic field was not strong enough to pick up a boat trailer while a driver was waiting for traffic to pass before pulling out of the parking area. The gate company will come out to assess the damage. They recommended adjusting the timer so that the exit arm stays open, and they will increase the sensitivity of the magnetic field. Regarding the solar signs, there is no ARPA funds available, and the board would have to consider taking funds out of a reserve to hire an electrician.

Ken Burr – Offers to help with the watering if he can get more information on what’s involved.

b. [Fire Chief – All Hands](#) – Reviewed in agenda packet.

c. [Planning Board – 3rd Quarter Report](#) – Reviewed in agenda packet.

ITEM #7

NEW BUSINESS

a. [S.M.A.S.H Field Use Request Form](#)

Amber Swett – **Motions to approve the field use request.**

David Alves – **Seconds the motion. Motion passes: 5-0-0**

Discussion: The board agrees to have Parks & Recs and Town Manager facilitate field use approvals.

b. [Ordinance Review Committee: Re-Appointment Application](#)

Victoria Gavel – **Motions to reappoint George Cheney on the Ordinance Review Committee for a three-year term.**

Joseph Wagner – **Seconds the motion. Motion passes: 5-0-0**

Discussion: All members coming up on their terms have been notified. Some expressed an interest, and some have not. The board was provided with recommendations from the Town Manager. Any interested parties have been notified.

c. [Review/ Approve Policy on Disbursements](#)

Lindsay Gagne – States this policy approves the disbursement of Payroll and money that is held for the State. Otherwise, the Board approves all disbursements on the warrants.

Victoria Gavel – **Motions to approve with the following changes; to strike the names of Ralph Blackington and Thomas Hatch and add the names Joseph Wagner and David Alves.**

David Alves – **Seconds the motion. Motion passes: 5-0-0**

Town of Lyman
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June 17th, 2024 – Lyman Town Hall

OTHER

Amber Swett – Asks about a prior board liaisons on Bunganut Committee. Discussion: the committee is currently an Ad Hoc committee; the board can choose liaisons if they'd like. Item tabled for the workshop on June 24th.

Joseph Wagner – Suggests having newly elected select board members sworn by the Town Clerk beginning on July 1 in effort to allow an onboarding/orientation period between end of Town Meeting and the beginning of the new fiscal year. He submits his resignation from the Planning Board.

ADJOURN

Amber Swett – Motions to adjourn. David Alves seconds. Motion passes: 5-0-0

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 4 pages are the original minutes of the Select Board Meeting date June 17th, 2024

Lindsay Gagne

ITEM #4: (a.) Payroll Warrant

LYMAN
1:44 PM

Payroll Check Register

Pay Date: 06/26/2024

06/18/2024
Page 1

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

Employee Checks

1	1,101.37	0.00	1,101.37	06/26/24	021 JANICE M AUGER
1	0.00	107.81	107.81	06/26/24	038 DOROTHY A MACFARLANE
2	1,659.35	0.00	1,659.35	06/26/24	79 SUSAN J BELLEROSE
3	1,187.49	0.00	1,187.49	06/26/24	025 THOMAS M CROTEAU
4	2,461.97	0.00	2,461.97	06/26/24	028 LINDSAY GAGNE
5	1,875.46	0.00	1,875.46	06/26/24	016 LAURIE L GONSKA
6	319.86	0.00	319.86	06/26/24	117 PAUL HAKALA
7	91.47	0.00	91.47	06/26/24	078 SUSAN K HATHORNE
8	259.30	0.00	259.30	06/26/24	007 THOMAS M HOLLAND
9	88.21	0.00	88.21	06/26/24	18 BARBARA E HULL
10	26.14	0.00	26.14	06/26/24	075 KAREN P KANE
11	78.41	0.00	78.41	06/26/24	030 EILEEN D KELLY
12	2,011.62	0.00	2,011.62	06/26/24	015 JEANETTE E LEMAY
13	791.76	0.00	791.76	06/26/24	036 JULIE LEMIEUX
14	124.15	0.00	124.15	06/26/24	072 EVELYN S LORD
15	91.47	0.00	91.47	06/26/24	073 STEPHEN E LORD
16	213.37	0.00	213.37	06/26/24	067 MARGARET C MACDONALD
17	1,285.30	0.00	1,285.30	06/26/24	041 RANDALL L MURRAY
18	505.10	0.00	505.10	06/26/24	19 BRIAN D. RACICOT
19	581.73	0.00	581.73	06/26/24	123 KYLE D RACICOT
20	104.54	0.00	104.54	06/26/24	30 KATRINA C RANDALL
21	418.72	0.00	418.72	06/26/24	002 DAVID W RILEY
22	339.38	0.00	339.38	06/26/24	024 JAMES ROBERTS
23	68.60	0.00	68.60	06/26/24	033 KIMBERLY J ROLLINS
24	228.83	0.00	228.83	06/26/24	020 DAVID H SANTORA
25	160.08	0.00	160.08	06/26/24	34 IRENE C SINGLE
26	1,628.76	0.00	1,628.76	06/26/24	037 REBEKAH S THOMPSON
27	284.95	0.00	284.95	06/26/24	40 RAYMOND J VALLIERE
28	91.47	0.00	91.47	06/26/24	074 DIANE WALLS
Total	18,078.86	107.81	18,186.67		

Direct Deposit Checks

29	0.00	18,078.86	18,078.86	06/26/24	D / D 1 BIDDEFORD SAVINGS BANK
Total	0.00	18,078.86	18,078.86		

Trust & Agency Checks

30	0.00	6,180.98	6,180.98	06/26/24	T & A 1 I.R.S.
31	0.00	1,452.09	1,452.09	06/26/24	T & A 3 ICMA
32	0.00	1,082.21	1,082.21	06/26/24	T & A 2 MAINE REVENUE SERVICES
33	0.00	1,708.32	1,708.32	06/26/24	T & A 9 MPERS
Total	0.00	10,423.60	10,423.60		

Payroll Check Register
Pay Date: 06/26/2024

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

Summary

Checks:	Regular	107.81	29
	D / D	18,078.86	1
	Employee	18,186.67	
	T & A	10,423.60	4
	Voided		0
	Total	28,610.27	34

WARRANT: 49

Check	D / D	Check	Employee	Gross Pay
1	1,101.37	0.00	021 JANICE M AUGER	1,710.00
1	0.00	107.81	038 DOROTHY A MACFARLANE	116.74
2	1,659.35	0.00	79 SUSAN J BELLEROSE	2,379.00
3	1,187.49	0.00	025 THOMAS M CROTEAU	1,744.83
4	2,461.97	0.00	028 LINDSAY GAGNE	3,494.23
5	1,875.46	0.00	016 LAURIE L GONSKA	2,913.46
6	319.86	0.00	117 PAUL HAKALA	400.50
7	91.47	0.00	078 SUSAN K HATHORNE	99.05
8	259.30	0.00	007 THOMAS M HOLLAND	286.85
9	88.21	0.00	18 BARBARA E HULL	95.51
10	26.14	0.00	075 KAREN P KANE	28.30
11	78.41	0.00	030 EILEEN D KELLY	84.90
12	2,011.62	0.00	015 JEANETTE E LEMAY	2,875.81
13	791.76	0.00	036 JULIE LEMIEUX	1,071.00
14	124.15	0.00	072 EVELYN S LORD	134.43
15	91.47	0.00	073 STEPHEN E LORD	99.05
16	213.37	0.00	067 MARGARET C MACDONALD	231.04
17	1,285.30	0.00	041 RANDALL L MURRAY	1,960.80
18	505.10	0.00	19 BRIAN D. RACICOT	602.49
19	581.73	0.00	123 KYLE D RACICOT	711.56
20	104.54	0.00	30 KATRINA C RANDALL	113.20
21	418.72	0.00	002 DAVID W RILEY	453.40
22	339.38	0.00	024 JAMES ROBERTS	367.50
23	68.60	0.00	033 KIMBERLY J ROLLINS	74.29
24	228.83	0.00	020 DAVID H SANTORA	247.78
25	160.08	0.00	34 IRENE C SINGLE	173.34
26	1,628.76	0.00	037 REBEKAH S THOMPSON	2,497.83
27	284.95	0.00	40 RAYMOND J VALLIERE	308.55
28	91.47	0.00	074 DIANE WALLS	99.05
29	0.00	18,078.86	D / D 1 BIDDEFORD SAVINGS BANK	
30	0.00	6,180.98	T & A 1 I.R.S.	
31	0.00	1,452.09	T & A 3 ICMA	
32	0.00	1,082.21	T & A 2 MAINE REVENUE SERVICES	
33	0.00	1,708.32	T & A 9 MPERS	

WARRANT: 49

Check	D / D	Check	Employee	Gross Pay
Total	18,078.86	28,610.27		25,374.49

Put into A/P	10,739.94
Taken out of A/P	(10,423.60)
Total Payroll	28,926.61

<u>Count</u>	
Checks	34

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
9:31 AM

A / P Check Register

Bank: BIDDEFORD SAVINGS

06/27/2024
Page 1

Type	Check	Amount	Date	Wrnt	Payee
P	10705	9,315.37	06/17/24	50	0569 SECRETARY OF STATE
P	10706	5,603.47	06/18/24	50	0291 GT SCAPES
P	10707	107.81	06/18/24	50	0339 DOROTHY MACFARLANE
P	10708	14,084.17	06/25/24	50	0569 SECRETARY OF STATE
P	10709	4,855.00	06/25/24	50	0335 C.I.A. SALVAGE INC
R	10710	2,135.55	07/02/24	50	0218 AMAZON CAPITAL SERVICES
R	10711	2,189.75	07/02/24	50	0287 CUSTOM CONCEPTS INC
R	10712	610.00	07/02/24	50	0133 DAVID W. RILEY
R	10713	43,982.75	07/02/24	50	0151 DAYTON SAND & GRAVEL, CO.,INC.
R	10714	100.60	07/02/24	50	0341 FIORE, ROBERT P
R	10715	53.80	07/02/24	50	0316 JAMES ROBERTS
R	10716	3,300.00	07/02/24	50	0265 JOSEPH GOFF
R	10717	875.00	07/02/24	50	0295 LEE BAXTER ENTERPRISES INC
R	10718	453.86	07/02/24	50	1111 MARCEL DESROSIERS
R	10719	135.00	07/02/24	50	0010 NELSON ANALYTICAL MAINE
R	10720	117.50	07/02/24	50	0036 NORTH COAST SERVICES
R	10721	34.50	07/02/24	50	0502 REGISTRY OF DEEDS
R	10722	170.00	07/02/24	50	0812 RICHARD HULL, III
R	10723	116.10	07/02/24	50	0302 RURAL FIRE PROTECTION OF N.E.
R	10724	1,138.35	07/02/24	50	0048 SHEILA MCNEIL
R	10725	68.40	07/02/24	50	0976 SUSAN BELLEROSE
R	10726	93.13	07/02/24	50	0062 THOMAS HOLLAND
R	10727	3,500.00	07/02/24	50	0629 THYNG PAVING, LLC
R	10728	7,875.00	07/02/24	50	0277 TINKER TOM EXCAVATOR
R	10729	1,166.11	07/02/24	50	0985 WARRENS OFFICE SUPPLIES
R	10730	146.00	07/02/24	50	0338 WINDING BROOK TURF FARM
P	99999	52.73	07/02/24	50	0095 CARDMEMBER SERVICE
P	99999	494.44	07/02/24	50	0095 CARDMEMBER SERVICE
P	99999	495.33	07/02/24	50	0095 CARDMEMBER SERVICE
P	99999	495.33	07/02/24	50	0095 CARDMEMBER SERVICE
P	99999	2,679.87	07/02/24	50	0095 CARDMEMBER SERVICE
P	99999	58.00	07/02/24	50	0095 CARDMEMBER SERVICE
P	99999	21.05	07/02/24	50	0095 CARDMEMBER SERVICE
Total		106,523.97			

2024

Count

Checks	33
Voids	0

A / P Warrant

Warrant 50

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description	Account	Proj				
00218 AMAZON CAPITAL SERVICES						
0621	10710	06	TRF CAMERAS	1YHF-FH7M-XXX3		
TRF CAMERAS	E 703-86-90-999				1,305.79	0.00
	CAP IM / RESERVES - OTHER / MISC					
			Invoice Total-		1,305.79	
0621	10710	06	CAR MAGNETS	1MY7-NVWQ-6VYN		
CAR MAGNETS	E 110-11-60-610				29.77	0.00
	SUPPLIES / SUPPLIES					
			Invoice Total-		29.77	
0621	10710	06	SLIDE	1P9D-3WGW-L17M		
SLIDE	E 161-21-40-450				799.99	0.00
	REPAIRS & MA / EQUIPMENT					
			Invoice Total-		799.99	
			Vendor Total-		2,135.55	
00335 C.I.A. SALVAGE INC						
0621	10709	06	HAULING	4214		
MSW HAULING	E 150-31-35-355				2,185.00	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-		4,855.00	
00095 CARDMEMBER SERVICE						
0621	99999	06	BUSINESS CARDS GA	VP_83C26GXL		
BUSINESS CARDS GA	E 110-11-60-610				52.73	0.00
	SUPPLIES / SUPPLIES					
			Invoice Total-		52.73	
0621	99999	06	STAMPS	6/20/24		
STAMPS	E 110-11-60-650				494.44	0.00
	SUPPLIES / POSTAGE					
			Invoice Total-		494.44	
0621	99999	06	STAMPS	6/20/24		
STAMPS	E 110-11-60-650				495.33	0.00
	SUPPLIES / POSTAGE					
			Invoice Total-		495.33	
0621	99999	06	STAMPS	6/20/24		
STAMPS	E 110-11-60-650				495.33	0.00
	SUPPLIES / POSTAGE					
			Invoice Total-		495.33	
0621	99999	06	UBIQUITI TRF CAMERAS	1128510		
UBIQUITI TRF CAMERAS	E 703-86-90-999				2,679.87	0.00
	CAP IM / RESERVES - OTHER / MISC					
			Invoice Total-		2,679.87	
0621	99999	06	BUSINESS CARDS	VP-VNTX871F		
BUSINESS CARDS	E 110-11-60-610				58.00	0.00
	SUPPLIES / SUPPLIES					

A / P Warrant

Warrant 50

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
				Invoice Total-	58.00	
0621	99999	06	POSTAGE	062624		
POSTAGE			E 110-11-60-650		21.05	0.00
			SUPPLIES / POSTAGE			
				Invoice Total-	21.05	
				Vendor Total-	4,296.75	
00287 CUSTOM CONCEPTS INC						
0621	10711	06	TOWN HALL EXP	2540		
TOWN HALL EXP			E 181-11-33-310		1,569.75	0.00
			CONT PROF / PROF SERV			
				Invoice Total-	1,569.75	
0621	10711	06	TOWN HALL EXPANSION	415233		
TOWN HALL EXPANSION			E 181-11-37-399		620.00	0.00
			CONT OUT / CONT SVS OTH			
				Invoice Total-	620.00	
				Vendor Total-	2,189.75	
00133 DAVID W. RILEY						
0621	10712	06	SERVICES	64		
ROADS REPAIRS/MAINT			E 131-51-40-483		420.00	0.00
			REPAIRS & MA / RDS/REPAIRS			
				Invoice Total-	420.00	
0621	10712	06	SERVICES	65		
FUELING			E 150-31-35-310		40.00	0.00
			CTRCT SVS WA / PROF SVS			
				Invoice Total-	40.00	
0621	10712	06	SERVICES	66		
MOVING			E 141-11-31-310		150.00	0.00
			CTRCT SVS BL / PROF SVS			
				Invoice Total-	150.00	
				Vendor Total-	610.00	
00151 DAYTON SAND & GRAVEL, CO., INC.						
0621	10713	06	52800	26450		
52800			E 131-51-40-483		238.75	0.00
			REPAIRS & MA / RDS/REPAIRS			
				Invoice Total-	238.75	
0621	10713	06	52800	000624-2		
52800			E 131-51-40-482		43,744.00	0.00
			REPAIRS & MA / RDS/RESURFA			
				Invoice Total-	43,744.00	
				Vendor Total-	43,982.75	
00339 DOROTHY MACFARLANE						
0621	10707	06	PAYROLL (DID NOT GO AS AC			
PAYROLL (DID NOT GO AS AC			G 1-100-00		107.81	0.00
			CASH-GNRL BI			
				Vendor Total-	107.81	
00341 FIORE, ROBERT P						
0621	10714	06	REFUND			
REFUND			G 1-130-24		100.60	0.00
			R/E TAXES 24			

A / P Warrant

Warrant 50

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description	Account	Proj				
				Vendor Total-	100.60	
00291 GT SCAPES						
0621	10706	06	KBP	89		
KBP			E 551-84-70-790		5,603.47	0.00
			FED - EQUIPMENT / OTHER EQUIP			
				Vendor Total-	5,603.47	
00316 JAMES ROBERTS						
0621	10715	06	MILEAGE	6/6-6/13		
MILEAGE			E 110-11-90-910		53.80	0.00
			OTHER / MILEAGE/TRAV			
				Vendor Total-	53.80	
00265 JOSEPH GOFF						
0621	10716	06	LITTLEFIELD CEMETERY	061424		
LITTLEFIELD CEMETERY			E 181-15-37-399		3,300.00	0.00
			CONT OUT / CONT SVS OTH			
				Vendor Total-	3,300.00	
00295 LEE BAXTER ENTERPRISES INC						
0621	10717	06	BALANCE OF LABOR KBP	32307		
BALANCE OF LABOR KBP			E 551-84-70-790		375.00	0.00
			FED - EQUIPMENT / OTHER EQUIP			
				Vendor Total-	875.00	
01111 MARCEL DESROSIERS						
0621	10718	06	MILEAGE	5/23-6/25		
MILEAGE			E 110-11-90-911		453.86	0.00
			OTHER / MI/TRAV ELE			
				Vendor Total-	453.86	
00010 NELSON ANALYTICAL MAINE						
0621	10719	06	POND TESTING	224060433		
RECREATION			E 141-21-40-410		55.00	0.00
			REPAIRS & MA / BLDGS & GROU			
				Invoice Total-	55.00	
0621	10719	06	WATER TEST KBP	224060479		
RECREATION			E 141-21-40-410		80.00	0.00
			REPAIRS & MA / BLDGS & GROU			
				Invoice Total-	80.00	
				Vendor Total-	135.00	
00036 NORTH COAST SERVICES						
0621	10720	06	RECYCLING	47115		
RECYCLING			E 150-31-35-350		117.50	0.00
			CTRCT SVS WA / PROF SVS TIP			
				Vendor Total-	117.50	
00502 REGISTRY OF DEEDS						
0621	10721	06	MAY TRANSFER	24279661		
MAY TRANSFER			E 110-11-39-399		15.50	0.00
			CONT SVS OTH / OTHER			
				Invoice Total-	15.50	
0621	10721	06	DISCHARGE			

A / P Warrant

Warrant 50

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
DISCHARGES			E 110-11-39-399		19.00	0.00
			CONT SVS OTH / OTHER			
			Invoice Total-		19.00	
			Vendor Total-		34.50	
00812 RICHARD HULL, III						
0621	10722	06	TOWN MEETING MODERATOR	06/13/24		
TOWN MEETING MODERATOR			E 101-13-10-183		170.00	0.00
			SALARIES / TM MODERATOR			
			Vendor Total-		170.00	
00302 RURAL FIRE PROTECTION OF N.E.						
0621	10723	06	HYDRANT WORK	06		
HYDRANT WORK			E 721-86-90-999		116.10	0.00
			HYD / RESERVES - OTHER / MISC			
			Vendor Total-		116.10	
00569 SECRETARY OF STATE						
0621	10705	06	31170	6/6-6/13		
31170			G 1-250-00		9,315.37	0.00
			MTR VEHICLE			
			Invoice Total-		9,315.37	
0621	10708	06	31170	6/13-6/21		
31170			G 1-250-00		14,084.17	0.00
			MTR VEHICLE			
			Invoice Total-		14,084.17	
			Vendor Total-		23,399.54	
00048 SHEILA MCNEIL						
0621	10724	06	REIMBURSE EXPOXY	112-3657916-405		
REIMBURSE EXPOXY			E 181-15-37-399		34.26	0.00
			CONT OUT / CONT SVS OTH			
			Invoice Total-		34.26	
0621	10724	06	REIMBURSE CEMETARY COMM E			
FIRST AID KIT			E 181-15-37-399		43.92	0.00
			CONT OUT / CONT SVS OTH			
CROSS TRIMM LINE			E 181-15-37-399		25.25	0.00
			CONT OUT / CONT SVS OTH			
SAFETY VEST			E 181-15-37-399		26.33	0.00
			CONT OUT / CONT SVS OTH			
SAFETY GOGGLES			E 181-15-37-399		44.19	0.00
			CONT OUT / CONT SVS OTH			
BUG SPRAY			E 181-15-37-399		46.34	0.00
			CONT OUT / CONT SVS OTH			
SUNBLOCK			E 181-15-37-399		48.34	0.00
			CONT OUT / CONT SVS OTH			
MISC SUPPLIES			E 181-15-37-399		46.34	0.00
			CONT OUT / CONT SVS OTH			
GLOVES & BOXES			E 181-15-37-399		47.95	0.00
			CONT OUT / CONT SVS OTH			
GLOVES			E 181-15-37-399		37.39	0.00
			CONT OUT / CONT SVS OTH			
BOXES TO CARR SUPPL			E 181-15-37-399		47.95	0.00
			CONT OUT / CONT SVS OTH			
VETERANS MARKERS			E 181-15-37-399		221.44	0.00
			CONT OUT / CONT SVS OTH			

A / P Warrant

Warrant 50

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
BIOLOGICAL SOLUTION			E 181-15-37-399		143.95	0.00
			CONT OUT / CONT SVS OTH			
CHAIN			E 181-15-37-399		324.70	0.00
			CONT OUT / CONT SVS OTH			
			Invoice Total-		1,104.09	
			Vendor Total-		1,138.35	
00976 SUSAN BELLEROSE						
0621	10725	06	MILEAGE & REIMBURSEMENT	062524		
MILEAGE			E 110-11-90-910		27.14	0.00
			OTHER / MILEAGE/TRAV			
REIMBURSEMENT			E 115-13-60-610		41.26	0.00
			SUPPLIES / SUPPLIES			
			Vendor Total-		68.40	
00062 THOMAS HOLLAND						
0621	10726	06	MILEAGE	5/26-6/5		
MILEAGE			E 125-72-90-910		93.13	0.00
			OTHER / MILEAGE/TRAV			
			Vendor Total-		93.13	
00629 THYNG PAVING, LLC						
0621	10727	06	OLD NORTH BERWICK	109		
OLD NORTH BERWICK			E 131-51-40-482		3,500.00	0.00
			REPAIRS & MA / RDS/RESURFA			
			Vendor Total-		3,500.00	
00277 TINKER TOM EXCAVATOR						
0621	10728	06	CLEAN TREES, DITCHES ETC	37		
CLEAN TREES, DITCHES ETC			E 131-51-40-483		7,875.00	0.00
			REPAIRS & MA / RDS/REPAIRS			
			Vendor Total-		7,875.00	
00985 WARRENS OFFICE SUPPLIES						
0621	10729	06	TOWLYM	205809-00		
TOWLYM			E 110-11-60-610		20.50	0.00
			SUPPLIES / SUPPLIES			
			Invoice Total-		20.50	
0621	10729	06	PURCHASE ORDER	205586-00		
PURCHASE ORDER			E 110-11-80-830		698.27	698.27
			ADVER, PRINT / FORMS			
			Invoice Total-		698.27	
0621	10729	06	TOWLYM	530672-00		
TOWLYM			E 110-11-60-610		272.63	0.00
			SUPPLIES / SUPPLIES			
			Invoice Total-		272.63	
0621	10729	06	TOWLYM	530776-00		
TOWLYM			E 110-11-60-610		174.71	0.00
			SUPPLIES / SUPPLIES			
			Invoice Total-		174.71	
			Vendor Total-		1,166.11	
00338 WINDING BROOK TURF FARM						
0621	10730	06	SEED	144580		

A / P Warrant

Warrant 50

Jrnl	Check	Month	Invoice Description	Reference		
Description			Account	Proj	Amount	Encumbrance
SEED			E 131-51-40-483		146.00	0.00
			REPAIRS & MA / RDS/REPAIRS			
			Vendor Total-		146.00	
			Prepaid Total-		38,262.57	
			Current Total-		68,261.40	
			EFT Total-		0.00	
			Warrant Total-		106,523.97	

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: (c.) AP Warrant FY2025

Lyman
9:46 AM

A / P Check Register

Bank: BIDDEFORD SAVINGS

06/27/2024
Page 1

Type	Check	Amount	Date	Wrnt	Payee
R	10731	6,606.50	07/01/24	51	0029 ANIMAL WELFARE SOCIETY, INC.
R	10732	2,450.00	07/01/24	51	0022 BEAN DATA
R	10733	45,250.00	07/01/24	51	0972 BIDDEFORD POLICE DEPARTMENT
R	10734	157,291.00	07/01/24	51	0119 COMMUNITY LIBRARY, INC.
R	10735	125.00	07/01/24	51	0211 CRIPPLE CREEK CORPORATION
R	10736	585.00	07/01/24	51	0133 DAVID W. RILEY
R	10737	41,715.00	07/01/24	51	0248 DAYTON SNOW FIGHTERS INC.
R	10738	58,891.25	07/01/24	51	0233 GOODWINS MILLS FIRE & RESCUE
R	10739	500.00	07/01/24	51	0284 HALF MOON JUG BAND
R	10740	500.00	07/01/24	51	0230 JESSICAS CLEANING SERVICE
R	10741	4,750.00	07/01/24	51	0340 JONES ASSOCIATES INC
R	10742	5,554.40	07/01/24	51	0311 KCB LANDSCAPING
R	10743	5,000.00	07/01/24	51	0169 LYMAN HISTORICAL SOCIETY
R	10744	360.00	07/01/24	51	0280 MRS PROPERTY TAX DIVISION
R	10745	500.00	07/01/24	51	0325 RIEMAN, CORY
R	10746	499,217.22	07/01/24	51	0419 RSU #57
R	10747	12,300.00	07/01/24	51	0176 SANFORD - SPRINGVALE YMCA
R	10748	500.00	07/01/24	51	0258 STEPHEN CHAISSON
R	10749	11,400.00	07/01/24	51	0281 TIBBETTS FARMS LLC
R	10750	500.00	07/01/24	51	0309 VICTORIA L POLAND

Total **853,995.37**

Count

Checks	20
Voids	0

A / P Warrant

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
00029 ANIMAL WELFARE SOCIETY, INC.						
0622	10731	06	CONTRACT - FY 2025			
CONTRACT-FY 25			G 1-129-00		6,606.50	0.00
			PREPAID EXP			
			Vendor Total-		6,606.50	
00022 BEAN DATA						
0622	10732	06	SERVICES	1699		
MONTHLY MANAGED SERVICES			G 1-129-00		2,450.00	0.00
			PREPAID EXP			
			Vendor Total-		2,450.00	
00972 BIDDEFORD POLICE DEPARTMENT						
0622	10733	06	PSAP			
PSAP			G 1-129-00		45,250.00	0.00
			PREPAID EXP			
			Vendor Total-		45,250.00	
00119 COMMUNITY LIBRARY, INC.						
0622	10734	06	APPROPRIATION	FY 2025		
APPROPRIATION FY 2025			G 1-129-00		157,291.00	0.00
			PREPAID EXP			
			Vendor Total-		157,291.00	
00211 CRIPPLE CREEK CORPORATION						
0622	10735	06	STORAGE UNIT			
STORAGE UNIT			G 1-129-00		125.00	0.00
			PREPAID EXP			
			Vendor Total-		125.00	
00133 DAVID W. RILEY						
0622	10736	06	SERVICES	67		
TOWN HALL TRASH			G 1-129-00		35.00	0.00
			PREPAID EXP			
			Invoice Total-		35.00	
0622	10736	06	SERVICES	68		
P&R TRASH REMOVAL			G 1-129-00		50.00	0.00
			PREPAID EXP			
BUNGANUT TRASH REMOVAL			G 1-129-00		350.00	0.00
			PREPAID EXP			
KBP TRASH			G 1-129-00		150.00	0.00
			PREPAID EXP			
			Invoice Total-		550.00	
			Vendor Total-		585.00	
00248 DAYTON SNOW FIGHTERS INC.						
0622	10737	06	PLOWING CONTRACT FY 2025	JULY 24		
PLOWING CONTRACT FY 2025			G 1-129-00		41,715.00	0.00
			PREPAID EXP			
			Vendor Total-		41,715.00	
00233 GOODWINS MILLS FIRE & RESCUE						
0622	10738	06	APPROPRIATION			
FY 25 CONTRACT			G 1-129-00		16,629.25	0.00
			PREPAID EXP			

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Amount	Encumbrance
Description			Account	Proj		
FY 25 PERSONNEL			G 1-129-00		42,202.00	0.00
			PREPAID EXP			
Vendor Total-					58,891.25	
00284 HALF MOON JUG BAND						
0622	10739	06	CONCERT IN THE PARK 8/22/			
CONCERT IN THE PARK 8/22/			G 1-129-00		500.00	0.00
			PREPAID EXP			
Vendor Total-					500.00	
00230 JESSICAS CLEANING SERVICE						
0622	10740	06	CLEANING SERVICES	99.1285		
TH CLEANING SERVICE			G 1-129-00		500.00	0.00
			PREPAID EXP			
Vendor Total-					500.00	
00340 JONES ASSOCIATES INC						
0622	10741	06	FORESTRY WORK TOWN PROPER	2024-2-55		
FORESTRY WORK TOWN PROPER			G 1-129-00		4,750.00	0.00
			PREPAID EXP			
Vendor Total-					4,750.00	
00311 KCB LANDSCAPING						
0622	10742	06	SERVICES	JULY 24		
SERVICES			G 1-129-00		5,554.40	0.00
			PREPAID EXP			
Vendor Total-					5,554.40	
00169 LYMAN HISTORICAL SOCIETY						
0622	10743	06	APPROPRIATION FY 25			
APPROPRIATION FY 25			G 1-129-00		5,000.00	0.00
			PREPAID EXP			
Vendor Total-					5,000.00	
00280 MRS PROPERTY TAX DIVISION						
0622	10744	06	GONSKA TRAINING	PROPERTY TAX		
GONSKA TRAINING			G 1-129-00		360.00	0.00
			PREPAID EXP			
Vendor Total-					360.00	
00325 RIEMAN, CORY						
0622	10745	06	CONCERT PARK 7/25			
CONCERT PARK 7/25			G 1-129-00		500.00	0.00
			PREPAID EXP			
Vendor Total-					500.00	
00419 RSU #57						
0622	10746	06	FY 2025 ASSESSMENT			
FY 2025 ASSESSMENT			G 1-129-00		499,217.22	0.00
			PREPAID EXP			
Vendor Total-					499,217.22	
00176 SANFORD - SPRINGVALE YMCA						
0622	10747	06	JULY 24	JULY 24		
CONTRACT			G 1-129-00		12,300.00	0.00
			PREPAID EXP			

A / P Warrant

Warrant 51

Jrnl	Check	Month	Invoice Description	Reference	Encumbrance
Description	Account	Proj	Amount		
			Vendor Total-	12,300.00	
00258 STEPHEN CHAISSON					
0622	10748	06	CONCERT PARK 7/11/24		
CONCERT PARK 7/11/24	G 1-129-00		500.00		0.00
			PREPAID EXP		
			Vendor Total-	500.00	
00281 TIBBETTS FARMS LLC					
0622	10749	06	ROADSIDE MOWING	5404	
ROADSIDE MOWING	G 1-129-00		11,400.00		0.00
			PREPAID EXP		
			Vendor Total-	11,400.00	
00309 VICTORIA L POLAND					
0622	10750	06	CONCERT PARK 8/8		
CONCERT PARK 8/8	G 1-129-00		500.00		0.00
			PREPAID EXP		
			Vendor Total-	500.00	
			Prepaid Total-	0.00	
			Current Total-	853,995.37	
			EFT Total-	0.00	
			Warrant Total-	853,995.37	

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.

TOWN OF LYMAN, BOARD OF SELECTMEN
 DAVID ALVES
 VICTORIA GAVEL
 JESSICA PICARD
 AMBER SWETT
 JOSEPH WAGNER

ITEM #5: (a.) Franchise Updates

From: [Tony Vigue](#)
To: [Town Manager](#)
Cc: [Bradley Morin](#)
Subject: Re: FW: Lyman Franchise Update
Date: Thursday, June 20, 2024 1:21:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Lindsay,

You have done everything correctly. I'm guessing Shelley is busy just now trying to get as many towns to sign their corporate franchise agreement before the new law goes into effect.

Due to the last (extended) session, the new law doesn't go into effect until August 9th, 90 days following the end of session as State Statutes provide.

Sorry, I should have informed you sooner.

The Generic version of the Charter VSP Franchise that I sent you on March 16th has been updated as the Maine Model VSP Franchise and submitted to MMA and the Maine Connectivity Authority for their legal review.

Once that is complete and the law goes into effect, I will provide you and Brad with Lyman's version, using what we have worked on so far as a basis, but incorporating the new law.

Any questions, please let me know.

Thanks for your patience!

Tony

(207) 642-5055 (h)
(207) 329-6243 (m)

On Thu, Jun 20, 2024 at 10:44 AM Town Manager <townmanager@lyman-me.gov> wrote:

Hi Tony,

I've sent this on to Shelly but have not heard back from her. Do you have nay updates with the new law changes? When would they take effect in July?


Thank you


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: Town Manager
Sent: Friday, May 10, 2024 9:53 AM
To: Winchenbach, Shelley J <Shelley.Winchenbach@charter.com>
Subject: Lyman Franchise Update

Good morning Shelly,

Please see attached. The Select Board have adopted a Cable Franchise Ordinance and with recent law changes, will submit a revised Franchise RFP document once the new laws take effect in July.


If you have any questions, please don't hesitate to contact me.


Best regards,

Lindsay Gagne

Town Manager
FOAA officer

11 So. Waterboro Rd Lyman, ME 04002

 207-247-0642

 207-499-7562

 selectboard@lyman-me.gov

 lyman-me.gov

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ITEM #5: (d.) Pest Control Quote, Parks/Fields



Liberty Pest Control, Inc.

P.O. Box 706

Alfred, ME 04002

Office: 207-459-7615 or 207-459-7617

Email: info@liberty-pest-control.com

ATTN: Town of Lyman Parks and Rec: Holly Hart

Proposal for Tick Applications

For the best control of ticks, we recommend that these services be done approximately every two months (eight weeks apart), which comes out to about three applications per year. For the first application of each season, the entire area must be sprayed for adequate control of ticks (this is the mosquito and tick application quote for each location). The remaining applications per season can drop down to the reduced tick application spray area and pricing.

For the best control of mosquitoes and ticks, we recommend that these services be done approximately every month (four weeks apart), which comes out to approximately five applications per year. Each of these applications will take place in the entirety of the measured area at each service.

Preparation of the property is necessary before each application. Before any mosquito and tick treatment, the entire lawn to be sprayed should be mowed to minimize impact on pollinators and maximize product effectiveness. Tick treatments are applied only to the property edges to create a barrier against re-infestation, but the lawn within ten feet of the edge should ideally be mowed. Please ensure that any children's toys or personal items are removed from the spray area before our arrival. Our technicians will attempt to clear any personal items missed. For safety and efficacy, no other contractors or members of the public should be present in the spray area during and for two hours following our technicians' work to allow the product to dry.

The following quotes apply to tick control or combined mosquito and tick control. You can select the number and type of applications for each location without committing to a specific arrangement, however, the totals in bold would be our recommendations for either tick or tick and mosquito services.

Thank you,

Wesley A. Bucklin

Field Technician of Liberty Pest Control, Inc.

Dated: 06/17/2024

Kennebunk Pond Parking Area (349 Kennebunk Pond Road)

*No mosquito and tick price provided because the only option at this location is for tick applications.

Tick Application:

\$155.00 per application

$\$155.00 \times 3 = \mathbf{\$465.00 \text{ per year}}$

Bunganut Field (150 Brock Road)

Tick Application:

\$238.50 per application

$\$962.50 + (\$238.50 \times 2) = \mathbf{\$1,439.50 \text{ per year}}$

Mosquito and Tick Application:

\$962.50 per application

$\$962.50 \times 5 = \mathbf{\$4,812.50 \text{ per year}}$

Entire Chadbourne Field and Playground Area (10 John Street)

Tick Application:

\$245.00 per application

$\$685.00 + (\$245.00 \times 2) = \mathbf{\$1,175.00 \text{ per year}}$

Mosquito and Tick Application:

\$685.00 per application

$\$685.00 \times 5 = \mathbf{\$3,425.00 \text{ per year}}$

Chadbourne Playground Area Only

Tick Application:

\$166.00 per application

$\$353.00 + (\$166.00 \times 2) = \mathbf{\$685.00 \text{ per year}}$

Mosquito and Tick Application:

\$353.00 per application

$\$353.00 \times 5 = \mathbf{\$1,765.00 \text{ per year}}$

Chadbourne Field Only

Tick Application:

\$183.50 per application

$\$605.00 + (\$183.50 \times 2) = \mathbf{\$972.00}$ per year

Mosquito and Tick Application:

\$605.00 per application

$\$605.00 \times 5 = \mathbf{\$3,025.00}$ per year

Enitre Bunganut Parkside (224 Brock Road)

Tick Application:

\$341.00 per application

$\$710.00 + (\$341.00 \times 2) = \mathbf{\$1,392.00}$

Mosquito and Tick Application:

\$710.00 per application

$\$710.00 \times 5 = \mathbf{\$3,550.00}$

Bunganut Parkside Parking Area Only

Tick Application:

\$197.50 per application

$\$273.00 + (\$197.50 \times 2) = \mathbf{\$668.00}$ per year

Mosquito and Tick Application:

\$273.00 per application

$\$273.00 \times 5 = \mathbf{\$1,365.00}$ per year

Bunganut Parkside Field and Right Walkthrough Only

Main Area:

Tick Application:

\$193.50 per application

$\$457.00 + (\$193.50 \times 2) = \mathbf{\$844.00 \text{ per year}}$

Mosquito and Tick Application:

\$457.00 per application

$\$457.00 \times 5 = \mathbf{\$2,285.00 \text{ per year}}$

Picnic Area:

Tick Application:

\$160.00 per application

$\$190.00 + (\$160.00 \times 2) = \mathbf{\$510.00 \text{ per year}}$

Mosquito and Tick Application:

\$190.00 per application

$\$190.00 \times 5 = \mathbf{\$950.00 \text{ per year}}$

Thank you,

Wesley A. Bucklin

Field Technician of Liberty Pest Control, Inc.

Dated: 06/17/2024



“All Hands” Newsletter

6/17/24 - 6/23/24

INCIDENT STATISTICS

ITEM #6: (a.) All Hands Report

MONTHLY TOTALS

	<u>2023</u>	<u>2024</u>
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**

Aircraft Incident		
Alarms (Fire / CO)		1
Appliance / Chimney Fire		
Brush / Woods Fire	1	
Gas Leaks / Hazmat	1	5
Lines / Trees Down	1	1
Medical Emergencies	8	
Mutual Aid (EMS)		20
Mutual Aid (FIRE)	2	541
Odor/Smoke Investigation		415
Outside Fires (non-brush)		
Service Call / Public Assist		1
Special / Technical Rescue		
Structure Fire		
Vehicle Crash		5
Vehicle Fire		1
Water / Ice Rescue		
WEEK TOTAL		20
YEAR TO DATE (2024)		541
YEAR TO DATE (2023)		415

PRIDE / OWNERSHIP / PROFESSIONALISM

06/24/24

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
-------------------------------------	----------------------------------	-----------------------------------	------------------------------



Congratulations to our
Jon, Keegan, Collin &
Andrew for completing
Firefighter I/II



Congratulations to
Spencer for passing
his EMT class. This
was the last class that
will be offered for free
through workforce
development funding.

ITEM #6: (c.) ECO ME Rep

From: [Reader 101](#)
To: [Town Manager](#)
Subject: Fwd: [External] Help with wording for community education
Date: Thursday, June 27, 2024 2:36:20 PM
Attachments: [image001.png](#)
[image001.png](#)

Hi Lindsay,

Here is the email thread I had with Bea earlier today! Thanks for adding it to the agenda for me.

Have a great rest of your day,
Amber

----- Forwarded message -----

From: **Reader 101** <amberswett@gmail.com>
Date: Thu, Jun 27, 2024 at 2:21 PM
Subject: Re: [External] Help with wording for community education
To: <Johnson@ecomaine.org>

Thanks so much Bea. Thar explanation is great. I will talk to randy, our transfer station manager, and see if we could arrange something like that.

Thanks again for your help. I greatly appreciate it.
Amber

On Thu, Jun 27, 2024, 12:39 PM Bea Johnson <Johnson@ecomaine.org> wrote:

Hi Amber,

I hope you are doing well! We suggest that people break down their boxes to conserve space, especially with large boxes when they run through our system. The same goes for the transfer station, if the boxes are flattened, the more space there is in the hopper. The more space in the hopper, the less time is needed to compact the materials and the smoother the operation. This is my understanding of why it is important to flatten the boxes. I hope that helps!

Also, let us know if you would like some of our team to come to the Lyman Transfer Station to table and pass out information and educate about recycling. Sounds like this might be beneficial for the community.

Best,

Bea

Beatrice Johnson

Environmental Educator



64 Blueberry Rd, Portland, ME 04102

207-523-3141

From: Reader 101 <amberswett@gmail.com>
Date: Thursday, June 27, 2024 at 12:04 PM
To: Bea Johnson <Johnson@ecomaine.org>
Subject: [External] Help with wording for community education

Good afternoon Bea,

I have heard that our Lyman residents are a little "up in arms" over that fact that they are now being asked to break down their boxes. Could you please provide me with the best language to share, why ecomaine is now asking this to be done so we could possibly remove some of the heat off our transfer station workers?

I greatly appreciate any help you can provide.

Thanks in advance,

Amber Swett

Lyman

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

ITEM #7: (a.) Municipal Referendum

Discussion – Municipal Referendum Questions

The board has discussed the following for referendum:

- ORC – Ordinance Amendments
 - Repeal Contract Zoning
 - Amendment to LZO section 10.6 (ADUs)
 - Amendment to Shoreland section 15-B (ADUs)
 - Floodplain Management Ordinance
 - Updated Lyman Zoning Map

This will be on the November Ballot

- Removing standing committee (Board of Assessment Review) from Charter
Per MMA recommendation to have assessment appeals go to the county commission.
- Polling Question re: voter opinion on aerial imagery services
- Adoption of a Domestic Partner Clause for the Towns Employee Health Insurance Benefits
Legal Council currently reviewing. This will have to go to the voters similar to when the Town adopted ME PERS
- Donating or selling land (Former Rhodes Hall) to Goodwins Mills Cemetery Association
Warrant article allows board to put property out to bid, auction, or sale by real estate broker. If donating or not using the above methods, then would have to be voted on by town. Board discussed on 6/17/24 to put this on November Ballot.
- Land Swap for Town Hall Expansion
Legal counsel is currently drafting a contingency agreement and the swap would need to be voted on by the Town.

Other than the ORC referendum, all other referendums can either be added to the November Ballot or the board could hold a special town meeting by secret ballot or open town meeting on a different date.

Deadline to get referendum questions on the November Ballot: The board would have to sign an order of referendum by September 3rd, 2024.

ITEM #7: (b.) Planning Board Resignation

To: The Lyman Select Board

In accordance with the Lyman Town Charter, I hereby submit my resignation from the Lyman Planning Board effective as of June 13, 2024. It has been a privilege and an honor to serve on the Planning Board with distinguished and dedicated colleagues.

A handwritten signature in black ink that reads "Joe Wagner". The signature is written in a cursive style with a large, looping initial "J".

Joe Wagner

cc: Lyman Town Manager

copy

TOWN OF LYMAN

Select Board Code of Conduct

1. Purpose

This Code of Conduct is designed to describe the manner in which Select Board members should treat one another, Town employees, appointees, constituents, and others they come into contact with in representing the Town of Lyman. It reflects the work of the Lyman Select Board with defining more clearly the behavior, manners, rules of order, and courtesies that are suitable for various occasions. All members of the Select Board have equal votes, and all should be treated with equal respect. Board members shall demonstrate civility and respect at all times and shall not use their elected position for personal gain, for that of themselves or others, or for any conduct of a self-serving nature. The Select Board serve in their capacity as representatives of Lyman and shall endeavor to work for the benefit of the citizens and of the Town.

2. Board Meetings

Board Meetings will be held at the Town Hall unless otherwise designated by the Chair or Vice Chair. A suitable alternative location that meets the needs of public attendance will be designated as needed. All meetings are open to the public, except under such provisions of executive session Title 1 M.R.S.A §405 et seq.

Presiding Officer: The Chair shall be the presiding officer during Board meetings. In the absence of the Chair, the Vice Chair shall be the presiding officer. In the absence of the Chair and Vice Chair, the next senior Board member shall preside. For the purpose of this section, a senior Board member shall be defined as a Board member currently serving the longest, consecutive term of all other Board members present.

Agendas: will be prepared by the Town Manager and approved by the Chair or Vice Chair before being posted. All reports, communications, resolutions, documents or other matters to be submitted to the Board shall be delivered to the Town Manager's Office by Thursday before noon prior to the regular meeting for consideration at that meeting and following the approval of the Chair or Vice Chair. In matters of extenuating circumstances, where items not on the agenda are brought to the Board, then the Board shall have discretion by a majority vote to consider the item and the reason for the extenuation shall be recorded and documented in the minutes. No votes or decisions shall be taken on any items or topics not on the agenda and such items shall be tabled and placed on the next agenda for continued consideration.

Executive Sessions: The Board may only enter into executive session by a majority (3/5) vote of the Board. No orders, rules, resolutions, regulations, contracts, appointments, or other official action shall be finally approved during executive sessions. Any discussion of matters in executive session shall not be shared outside of the executive session.

3. Conduct of Public Meetings

Decorum and Order: All comments and questions shall be directed to the Chair or otherwise presiding officer of the meeting. A public member who wishes to address the board may do so during public comment or if called upon by the Chair or presiding officer.

The Chair or presiding officer has the right to prohibit public comment that is disorderly, inappropriate, offensive, disruptive, or threatening in any way. Any Select Board member has the right to call a point of order requesting the Chair or presiding officer to take corrective action of any disorderly conduct. Side conversations, whispering, or other distractions should be addressed by the Chair or presiding officer, to maintain order and limit disruptions.

Any persons who disrupt a Board meeting may be required to leave in order to permit orderly consideration of the matter for which the meeting was called. If the Chair or presiding officer requests any persons to leave and they do not do so, any member of the Board may call for an adjournment. In the event of an early adjournment, all remaining items not addressed will be tabled to the next meeting unless the Chair determines to hold an additional meeting sooner.

Matters pertaining to the day-to-day operations of the Town, that is not specifically on the agenda, should be redirected to the Town Manager. This is to help aid residents or any interested party in obtaining information being requested and limit time constraints on Board meetings.

The Chair or presiding officer will determine how to address public comment inquiries and may answer the inquiry if reasonably able to do so; or may table to allow for further review into the inquiry; or may choose to take no action. The Chair or presiding officer reserves the right to refrain from engaging in argumentative, or debate forum and may redirect commentary as they deem necessary.

Practice Civility and Professionalism in Discussions and Debate: Select Board members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings. They shall demonstrate effective problem-solving approaches to find common ground and seek compromise when disparate points of view are expressed.

Confidentiality of Executive Sessions: Select Board members must take care to preserve the confidentiality of information received or discussed in duly-called executive sessions. Information received or discussed in a duly-called executive session shall not be discussed with or communicated to members of the public, the press, or other persons (except Town employee(s) as needed in connection with the item concerned), unless disclosure is approved

by a majority of the Select Board and is not prohibited by applicable Maine or federal law; or as may be required by court order, subpoena, or litigation discovery request.

4. Select Board Conduct with Town Employees

Developing Effective Working Relationships: Firsthand information obtained from random and carefully planned observation of Town activities can be useful in providing proper oversight of the Town's activities and responsibilities. However, too frequent involvement in Town administrative activities or overzealous pursuit of information can undermine the efficiency and effectiveness of the Town Manager and other properly appointed department heads and supervisors. Therefore, Select Board members shall not stop, disrupt or unduly preoccupy any Town employee in the proper conduct of their activities, nor shall Select Board members excessively occupy any Town employee's personal working space such that their presence interferes with the proper and efficient conduct of their duties.

The Board subscribes to the concept that effective working relationships between Board members and the Town Manager are based on a clear understanding of respective roles, responsibilities and an appreciation for the value of constructively working through differences. Both the Board and the Manager should additionally embrace the goal of working together as associates with a common purpose without stifling independent thinking.

To that end, Select Board members should adhere to the following:

- Treat all employees with mutual respect, demonstrate clear and honest communication, and promote professionalism among the workplace.
- Limit contact to specific personnel. Requests for follow-up or directions to employees should be made only through the Town Manager. When in doubt about what employee follow-up or directions are appropriate, Select Board members should ask the Town Manager for direction.
- Do not disrupt Town employees from their jobs. Select Board members should not disrupt Town employees while they are in meetings, on the phone, or when performing their respective functions in order to meet the needs of an individual Select Board member.
- Never publicly criticize a Town employee. Critical comments about an employee's performance should be made only to the Town Manager and in confidentiality.
- Demonstrate the same mutual respect and limited interference, as outlined for employees, for Volunteers serving on boards, committees, and commissions.

5. Select Board Conduct with the Public

Make no promises on behalf of the Select Board or the Town: Select Board members may be broached on topics or issues pertaining to Town Business as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to the Town Manager for further information. It is inappropriate to overtly or implicitly promise Select Board action, or to promise Town employees will take specific action.

Potential Access of Written Notes, Voicemail/Text Messages, and e-mail: Freedom of Access laws describe public access to Town communications; written, voice, or electronic communication. Any Select Board members' communications should recognize potential access and evaluate communication with an exception of public dialog.

It is important Select Board members know that any written, electronic or digital communication pertaining to Town business is public record under Maine law, if the communication is one that is stored in a retrievable form, regardless of the device used to send, receive or store the communication. Furthermore, all Select Board members are expected to adhere to all rules governing in accordance with the Maine State Archives Local Government Record Retention Schedules.

6. Response to Violations of Select Board Code of Conduct

Select Board members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Select Board. Serious infractions of the Code of Conduct could lead to other sanctions as deemed appropriate by the Select Board. Board members should point out to the offending Select Board member infractions of the Code of Conduct.

7. Amendment

These rules may be amended by a majority vote of the Board. An amendment must be submitted in writing at a preceding meeting and shall be placed on the next agenda under the order of new business.

This Select Board Code of Conduct was amended by a majority of the Lyman Select Board on this ___ day of _____, 2024

Adopted: March 7th, 2024

Amended:

_____ Jessica Picard - Chair

_____ Victoria Gavel – Vice Chair

_____ Amber Swett

_____ David Alves

_____ Joseph Wagner

A Majority of the Board of Selectpersons

Lyman, Maine