

**Town of Lyman
Select Board Regular Meeting Minutes
Monday October 20th, 2025– 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: Victoria Gavel, Amber Swett, David Alves, Joseph Wagner, KerryJo Sampson
Selectboard members absent:

ITEM #1 **SPECIAL OFFERS/ PRESENTATIONS**

a. Public Hearing – Regarding the formal abandonment of Old Post Road.

The Select Board held a public hearing tonight to receive information and public comment regarding the discontinuance of Old Post Road by abandonment in accordance with Title 23 M.R.S. §3028-A. Town Counsel was present to provide legal guidance on the process.

Attorney Rick Hull, representing several residents of Old Post Road, explained that the property owners had petitioned the Town to formally declare the road abandoned under the statutory abandonment process. The intent is for the abutting property owners to assume responsibility for maintenance and potentially form a private road association. Mr. Hull noted that the road has not been publicly maintained for decades and that an official declaration would clarify that the Town holds no future maintenance obligations.

Town Counsel, Attorney Brad Morin, outlined the procedural steps followed: Collection of evidence and Town records confirming the absence of maintenance for at least 30 years; Notification to affected property owners and scheduling of the public hearing with proper statutory notice; Discussion and eventual Board determination whether to (1) declare the road abandoned and (2) decide whether to retain a public easement for continued public access.

Mr. Morren explained that retaining a public easement would allow continued public passage, while the Town would no longer be responsible for maintenance. Without such an easement, public access rights would cease.

Residents spoke in support of the abandonment, confirming the lack of Town maintenance and expressing preference that a public easement be retained to ensure access for all property owners and emergency services. Concerns regarding access to side roads, private driveways, and a nearby cemetery were addressed, with clarification that retaining the public easement would preserve access for all.

Questions were also raised regarding proper recording of the abandonment. Counsel confirmed that, following the Board's vote and appeal period, a certificate of discontinuance would be filed with both the York County Registry of Deeds and the Maine Department of Transportation.

KerryJo Sampson – Motioned ITEM #3 (a.) out of order

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

KerryJo Sampson – Motions to declare abandonment of Old Post Road beginning at the intersections of Alewife Road and running a distance of approximately 0.43 miles in a generally southwesterly direction to the intersection of is it Day Road.

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

KerryJo Sampson – Motions to declare to keep the public easement for the abandoned portion of Old Post Road for all purposes allowed by Maine law, travel by foot, motor vehicle, and utilities.

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

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ITEM #3

UNFINISHED BUSINESS

- a. Franchise Agreement, Updates if any – Brad Morin & Tony Vigue, discussion regarding franchise agreement revisions.

The Board received an update from Consultant Tony Vigue and Town Counsel Brad Morin regarding the ongoing renewal of the Town's cable Franchise Agreement with Charter/Spectrum. Mr. Vigue reviewed the history of the renewal process, noting delays due to Charter's limited cooperation, the COVID-19 pandemic, and recent legislative changes. He highlighted two new state law changes which strengthen municipal authority and ensure fair treatment of community access television channels. Mr. Vigue recommended that Attorney Morin work with him to merge the Town's previously negotiated franchise draft with the new Maine Model Franchise Agreement, incorporating beneficial updates while retaining terms already agreed to by Charter.

Further discussion included: The status of current and prior drafts (last revised in March 2024); Charter's refusal to upgrade transmission equipment for high-definition (HD) broadcast and the ongoing involvement of the Attorney General's Office and Greater Portland Council of Governments to address the issue; The non-exclusive nature of cable franchises and potential for alternative service providers, such as fiber or streaming companies, though many do not require a franchise agreement under current law; and clarification that the proposed Charter–Cox merger would not directly impact the Town's franchise; The cable ordinance, last revision drafted in 2024, which may only require minor updates to remain consistent with state law.

Mr. Vigue and Attorney Morin will review the most recent franchise draft, compare it with the new model, and present a red-lined version for Select Board review. Once finalized, the updated agreement will be sent to Charter for consideration.

EXECUTIVE SESSION

1 M.R.S.A § 405(6)(E) – Discussion regarding consultations with legal counsel

Amber Swett – Motions to go into executive session per M.R.S.A §405(6)(E) – Discussion regarding consultations with legal counsel.

KerryJo Sampson – Seconds the motion. Motion passes: 5-0-0

Victoria Gavel – Motions to come out of executive session.

Joseph Wagner – Seconds the motion. Motion passes: 3-0-2 (Victoria Gavel, Joseph Wagner, David Alves in favor; KerryJo Sampson, Amber Swett abstain, not present)

1 M.R.S.A § 405(6)(A) – Discussion regarding personnel matters

Victoria Gavel – Motions to go into executive session per M.R.S.A §405(6)(A) – Discussion regarding personnel matters

David Alves – Seconds the motion. Motion passes: 3-0-2 (Victoria Gavel, Joseph Wagner, David Alves in favor; KerryJo Sampson, Amber Swett abstain, not present)

Victoria Gavel – Motions to come out of executive session.

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

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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. The Board may not be able to respond to Q&A during public comment; If you wish to be placed on a future agenda, please contact the Town Manager.*
- Michelle Felicitti** - Provides comments regarding concerns about adherence to the Town Charter, Municipal Code of Ethics, and the Select Board's Code of Conduct. These documents are essential to maintain public trust, fairness, and accountability in local government. When officials have acted outside of established procedures by directing staff, organizing committees without going through proper channels, and discussing town business outside of public meetings, it constitutes a procedural breach as well as ethical violations. Individual board members hold no authority outside of official board meetings and public deliberations must occur transparently. All officials are to uphold the standards of respect, integrity, and lawful governance outlined in the Charter and related policies. Charter Section 3.7.2, which outlines circumstances under which a Select Board member shall forfeit office for intentional violations of the Charter.
- b. Mail • York County Sheriff Bulletin • York County Sheriff Report • ME Revenue Services Letter Reviewed in packet.

ITEM #3

UNFINISHED BUSINESS

- b. *Solar On Earth – Solar Subscription Presentation / Tabled from last Meeting.*
- During discussion, Board members shared differing perspectives: Some members expressed skepticism about the reliability and long-term performance of third-party solar subscription programs, citing mixed feedback from other municipalities and concerns about the difficulty of canceling agreements. Amber Swett had reached out to the Town of Waterboro and was informed they were not part of a solar subscription as was indicated in the presentation from Solar on Earth. Other Towns Amber contacted, indicated that when they signed up, it was a three year wait until they were officially subscribed to a farm, and the subscription did not include streetlights. Amber's other concern was that if subscribed, then it may be difficult or timely to get off the plan, and the percentage of savings is not a guaranteed consistent amount. Joe Wagner suggested subscribing on an interim basis until the Town chooses to apply other solar methods, such as installation of solar panels to the Town Hall expansion.
- Victoria Gavel – Motions to table the item indefinitely.**
- Amber Swett – Second the motion. Motion passes: 5-0-0**
- c. *Old Post Road – Review/Approve formal abandonment*
- Motioned out of order. See above under ITEM #1
- d. *Quarterly Newsletter update – review of email, social media & communications analytics*
- Updates on the quarterly newsletter: Strong engagement on social media platforms via Mailchimp and Facebook, and printed copies were distributed. The newsletter received positive feedback from residents, including new community members, highlighting its value in keeping the public informed. Mailchimp data indicated higher-than-usual link clicks and engagement, suggesting the newsletter successfully reached a significant portion of subscribers. The Board discussed the benefits of continuing the newsletter, with members expressing willingness to support future editions, including the upcoming January issue. The next newsletter edition is expected to be prepared for publication around mid-December.

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ITEM #4

DEPARTMENT AND COMMITTEE REPORTS

a. **Fire Commission/ Fire Chief**

Victoria Gavel – GMFR Open House was successful and had a good turnout. The new roof repairs are completed. Next meeting will be on November 6th, 2025 at 5:15 at the Fire Department.

b. **Treasurer – Expense Report** – Reviewed in agenda packet.

c. **Discussion – Committee Quarterly Reports**

The Board discussed the status of committee quarterly reports, noting that while some committees had submitted their reports, several had not, even when no significant activity occurred. It was noted that committees are expected to hold meetings at town facilities, and failure to report or meet may warrant reconsideration of the committee's continuation. It was suggested, Board liaisons can follow up with their respective committees to ensure reports are received, even if they simply indicate no recent activity.

ITEM #5

NEW BUSINESS

a. **Zoning Board of Appeals – Application for re-appointment**

David Alves – **Motions to appoint Steve Walker to the Zoning Board of Appeals (Alternate Position)**

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

Discussion regarding a public inquiry at the October 6th meeting and whether the Board is interested in exploring the potential purchase of a local community building on Church Street. The Board revisited a public inquiry from the October 6th meeting regarding the potential purchase of a local community building on Church Street. Members expressed interest in the concept but noted concerns about timing, budget constraints, and the costs associated with bringing an older building up to code. While some felt the town should explore opportunities to acquire local properties when available, others emphasized that ongoing projects, including the town hall expansion, upgrades at Bunganut Park, and potential ball field improvements, make immediate acquisition challenging. The discussion included the possibility of presenting the purchase to the voters through a special town meeting or election, though the timeline for such a process could range from one to three months. Board members agreed that while the property has potential as a community center, further consideration, funding options, and community input would be necessary before moving forward.

ITEM #6

MINUTES

a. **Review / Approve meeting minutes 10/06/2025**

David Alves – **Motions to approve. KerryJo Sampson seconds. Motions passes: 5-0-0**

Discussion adding changes to ITEM #1 changing "Haunted Tours" to Historical Tours"

ITEM #7

SIGN WARRANTS

a. **Payroll Warrant #17 in the amount of \$34,815.24**

Joseph Wagner – **Motions to approve: KerryJo Sampson seconds. Motion passes: 5-0-0**

b. **Accounts Payable Warrant #18 (FY2026) in the amount of \$195,960.63**

Joseph Wagner – **Motions to approve. Amber Swett seconds. Motions passes: 5-0-0**

ADJOURN

David Alves – **Motions to adjourn. KerryJo Sampson seconds. Motion passes: 5-0-0**

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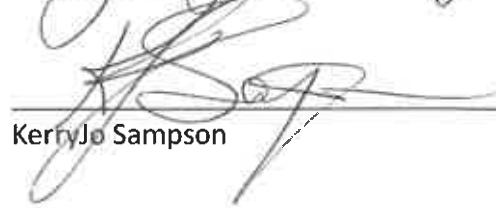
Victoria Gavel



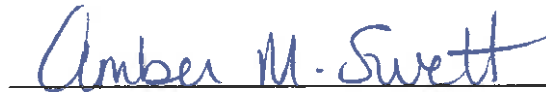
Joseph Wagner



David Alves



KerryJo Sampson



Amber Swett

I, Lindsay Gagne, Town Manager of the Town of Lyman, Maine, do hereby certify that the foregoing document consisting of 5 pages are the original minutes of the Select Board Meeting dated October 20th, 2025



Lindsay Gagne

