

**Lebanon, Maine Select Board
Town Office Conference Room
Minutes –Meeting
July 22, 2021**

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Members Present

Charles Russell, Jr. – Chairman
Paul Philbrick – Vice Chair
Jeffrey Adams - Selectman
Ernest Lizotte, Jr. – Selectman
James DuPrie– Selectman

Others Present

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| Deborah Wilson | Mel Warren |
| Michael Walsworth | Jeri Brasko |
| Chris Gilpatrick | Stephen Nugent |
| Matthew Leggett | Becky Batchelder |
| Bettie Howard-Harris | Jim Cray |
| Corinna Cole | Shellie Boucher |

For complete meeting minutes please view the meeting in full at <https://www.youtube.com/c/TownofLebanon>

5:34 Pledge of Allegiance

5:35 Public Participation – Michael Walsworth discussed his being forced to leave the BOS meeting on 7-15-2021. Mr. Walsworth read a statement asking the BOS to remove Mr. Russell as Chair and demand Mr. Russell's resignation. Mr. Walsworth asks for vote – BOS doesn't act. Jeri Brasko addressed the BOS regarding Censure of Mr. Russell to follow the State Law regarding conflict of interest as Mr. Russell was consultant to Tier 1 and his son works for Tier 1. This is also against the Ethics Policy of the Town. Mr. Russell swore under oath and the BOS can not ignore the factual nature of this complaint. Ms. Brasko asks Vice Chair Philbrick if they will vote to censure Mr. Russell. Vice Chair Philbrick stated that this falls under the Ethics Policy and there is a procedure in the Policy that must now be followed because of this formal charge. Vice Chair Philbrick read the portion of the Ethics Policy that applies. Chris Gilpatrick addressed the BOS about a conversation at a previous BOS meeting. Mr. Gilpatrick stated that Chair Russell stated there was no letter from DEP about an illegal grow at his property. Mr. Gilpatrick presented and read a portion of the letter from DEP about a large grow. Chair Russell states that it says nothing about illegal grow. Mr. Gilpatrick addressed the issue of misinformation about the cost of the previous recall. Mr. Gilpatrick stated that Chair Russell stated the previous election was \$17,000 - \$20,000 which is incorrect. Mr. Gilpatrick submitted a FOAA request and the actual numbers are - election \$3000 and with the attorney fees totaled \$14000. Corinna Cole addressed the BOS about her Censure when she was in office and ignoring the Ethics Policy Procedure. Ms. Cole also asked about the status of the audit. Ms. Cole would like the Town to bid out the auditor as they are not timely in doing their job. Ms. Cole asked about protocol for hiring – i.e., the Animal Control positions that were appointed last week – Ms. Cole feels that with the allegations, this job should have been posted. Deb Wilson discussed the audit and that going back to 2014 there was \$300,000 that was transferred from one account to another without vote of the people. Ms. Wilson states this happened twice. Chair Russell states the bonding issue is from previous employees as current employees work hasn't been audited. Vice Chair Philbrick advised that the audit should be completed in a couple of weeks and they are already working on 2020. Matt Leggett asks the BOS to limit Public Participation to 2 or 3 minutes. Michael Walsworth doesn't agree with 2-minute limit. Michael Walsworth asked if his complaint is under the Ethics Policy. Vice Chair Philbrick stated it was and Mr. Walsworth asked to included his formal complaint in the Ethics Violation investigation.

6:26 Vice Chair Philbrick motioned to accept the Minutes of 7-15-2021 as written. Selectman Lizotte seconded. Vote taken; vote carried.

6:27 Paperwork signed – Time Off, Catering Permit, Appointment to Budget Committee for Robert Travers thru 6/30/22 and Chris Gilpatrick, Jr. thru 6/30/2023, a pay raise for employee of transfer

station and appointment of Michael Walsworth to the Planning Board thru 6/30/2022. Corinna Cole asked the BOS why the ALT Budget Committee position was advertised. Ms. Cole advised the BOS that she was a Declared write-in (the only one) and had votes so she should be appointed. Vice Chair Philbrick stated that he is going to address this during Selectman Issues.

6:32 Old Business – Entire list reviewed.

6:35 Selectman DuPrie addressed the Town Park and a request from Shelly Boucher to have the Town hold the donations. Selectman DuPrie motioned to create a formal Park Committee for the purpose of raising funds to generate survey and plan. There was discussion. Selectman DuPrie retracted his motion. Vice Chair Philbrick asked Stacie Hartley to explain issues with holding funds i.e., dugout donations as this are not Town money. Some of the concerns are that tax money is paying employees to keep track of private monies. BOS doesn't have control of money and this is not instantly available to the person trying to withdraw money and it would be easy for the entity to overspend. The audit flags these types of transactions. The BOS agrees this should be a private Park Committee. Chair Russell discussed the drainage project on Center Road and that the plan has come in from the engineer. The BOS will put this out to bid and find out what the Road Commissioner wants to do about the road work portion. Vice Chair Philbrick discussed Corinna Cole being the only Declared Write-In candidate for the Budget Committee and that she got 22 votes. Vice Chair Philbrick motioned to appoint Corinna Cole as an Alternate to the Budget Committee. Selectman Adams seconded. Vote taken; vote carried. Vice Chair Philbrick discussed the email regarding Solar Panel fees. The current structure is a flat rate of \$75 and with solar farms coming into town, the town is losing significant revenue. The BOS will discuss a new fee schedule. Vice Chair Philbrick asked Matt Leggett, who has a mowing contract with town, for a bill as we haven't received one. Selectman Lizotte addressed the BOS and Matt Leggett about the ATV issues – many citizens complaints. Vice Chair Philbrick advised the BOS of a resident that is going to create a private cemetery on his personal land. Vice Chair Philbrick stated he couldn't find any town requirements, he reached out to Laura Bragg who sent him the State statute. The BOS agreed that the resident should go by the State Statue.

6:58 Selectman DuPrie will have a Meet & Greet on 7/31/21 from 10:00am – 12:00pm at Mel's Diner. Deborah Wilson thanks everyone for donations to the fire victims.

7:06 Vice Chair Philbrick motioned to enter into Executive Session for Personnel Matters pursuant to 1 MRSA § 405 (6)(A). Chair Russell seconded. Vote taken; vote carried.

7:47 Chair Russell motioned to adjourn. Selectman Adams seconded. Vote taken; vote carried.