

[Handwritten signatures and initials]

Lebanon, Maine Select Board
Town Office Conference Room
Minutes –Meeting
September 16, 2021

Members Present

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

Others Present

Dede Bruce	Deborah Wilson
Rep. Ted Kryzak	Tom Potter
Don Bergman	Jon Kenyon
Chelsea Kenyon	John Bozak
Dan Blanchette	Rickie Pelletier
Gerard Lanoie	Michael Walsworth
Don Leuchs	Mel Warren
Chuck Braughall	Teri Poirier
Chris Gilpatrick	Jeri Brasko

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

5:30 Pledge of Allegiance

5:31 Vice Chair Philbrick motioned to accept the minutes of September 9, 2021 as written. Selectman DuPrie seconded. Vote taken; vote carried.

5:32 Paperwork – Firewall renewal from BEK, training request, purchase order for recreation department, Civil Rights Requirement document and Document for release of covid funds from US Treasurer – all signed by the BOS. A memorandum for payment of charges without receipts from the Fire Department – not signed, the BOS will speak with Chief.

5:36 John Bozak of the Conservation Commission with an update for the BOS about the town owned property – landlocked to the NE of the Hen House – the Commission is still working on this and will report back in writing once this is complete. Mr. Bozak inquired about the Hebo Hybo easement and information from the attorney. Chair Russell stated that the attorney needed some time to review the file as it is quite large. Chair Russell stated that the attorney should have this available at the next meeting.

5:41 Rep. Ted Kryzak presented a State Memorial for Mary Kinney who served as the Animal Control Officer in the Town of Lebanon for 20 years. Ms. Kinney will be recognized at the Capital. Rep. Kryzak provided an update about redistricting of the state as well as presentation of bills on Monday. There is new tax committee that will review how tax money is being spent by the State with a deadline of 12/1. Representative Kryzak explains the USDA Food Giveaway. Rep. Kryzak assures people that this is a non-political giveaway. This was started to help all people through the pandemic.

5:50 The BOS reviews the documents provided by O'Donnell & Associates in order to choose the mill rate from 3 options. Vice Chair Philbrick motioned to accept the mill rate of \$15.10. Selectman DuPrie seconded. Vote taken – 3 in favor Philbrick, Russell, DuPrie and 1 opposed Adams.

6:00 Chair Russell motioned to open the Public Hearing for the State General Assistance Ordinance & Appendices. Selectman DuPrie seconded. Vote taken; vote carried. The BOS signed the Adoption of the General Assistance Ordinance. Chair Russell motioned to close the Public Hearing. Selectman DuPrie seconded. Vote taken; vote carried.

6:05 Marijuana Lottery – Discussion about the lottery, the date and public notice. The lottery will be Sat. 9-25-2021 at 9am in the parking lot of the Town Office. This will meet the 7 days' notice requirement.

6:07 Chris Gilpatrick addressed the investigation of Eric Kelley and the animals that were taken. Mr. Gilpatrick asked who conducted the investigation. Vice Chair Philbrick stated it was he and Selectman DuPrie. Mr. Gilpatrick feels that is a conflict of interest. Mr. Gilpatrick asked if anyone else was consulted. Vice Chair Philbrick advised that he spoke with an attorney from Bernstein-Shur; ME Dept. of Agriculture, Director of Animal Welfare, Animal Control and used the State Police Report as well. It was found that animal control followed procedure other than the follow up office paperwork which needs to be developed by the ACO and the BOS. Mr. Gilpatrick asked about an

investigation of the marijuana, tools and other things taken. Selectman DuPrie stated that the Town doesn't have the authority to investigate this. Mr. Gilpatrick asks why the people with the animals asked Mr. Kelley for \$15,000.00 to get the animals back. Chairman Russell states they own the animals and can sell them if they choose. Mr. Gilpatrick asks about the town properties mowing contract – after discussion it is announced that M&K, who has the contract is owned by Matt Leggett. Mr. Gilpatrick provided copies of invoices without breakdowns of location of property being mowed. Chair Russell states that different companies have different ways to invoice. Mr. Gilpatrick wants it known that Chair Russell works for Mr. Leggett's company and yet signs the Warrant. Mr. Gilpatrick provides a photo to show that M&K, Matt Leggett's company, has not mowed Center Road & 202 for the entire season but has submitted invoices and was paid. Chair Russell states he will look into this and if the town has been overcharged he will request a refund.

6:40 Individual Selectman Issues – Selectman Adams states he is against the recall for all 4 people being recalled. Selectman Adams states he is being recalled because he is a disabled veteran. Selectman Adams asks the members of the Budget Committee that are suing the town to step down from their appointments. Vice Chair Philbrick presented the BOS with the Assistant Animal Control job description for approval. Selectman DuPrie motioned to accept the Assistant Animal Control Job Description. Selectman Adams seconded. Vote taken; vote carried. Chair Russell stated that he sent the bid specs for the Ctr. Road project to STS for a quote as he doesn't feel there is time to bid the project and it would be less expensive this way – the resident may sue the town if not completed this season. A resident questioned why the Bid Process wouldn't be followed and that this process should always be followed. Chair Russell disagrees in cases like this.

6:45 Tom Potter thought there was going to be discussion about Hebo-Hybo Road with the Conservation Commission. Mr. Potter advised destruction to his stone walls, fields etc. Deborah Wilson asked about the legalities of the Recall with the news that the Petitioner has moved out of town. Chair Russell advises that counsel has stated that because the person was a resident of the town at the time the petition was turned in, it is legal. Ms. Wilson states that there is a new website called lebanonpublicsquare.info Ms. Wilson is wondering who is behind this. A resident asked what the total costs of credit card bills without receipts are being paid and this creates work for the Treasurer to explain for auditing. Chair Russell states this is why the BOS signs the Memorandum. Michael Walsworth addressed the issue of a lawsuit by the Budget Committee. Mr. Walsworth states that there is no one named as Budget Committee on paperwork. Mr. Walsworth also advises that this is not a lawsuit – it is an injunction. There is no financial benefit to anyone involved in the filing of the injunction. Mr. Walsworth also states that it was never mentioned, nor is true that Selectman Adams is being recalled because he is a disabled vet. Mr. Walsworth states that as a disabled vet himself, he finds it shameful that Selectman Adams is using this. Teri Poirier asks the Chair to be placed on the agenda for next meeting. Chair Russell denies the request. After discussion, Chair Russell advised Ms. Poirier to provide a list of topics she would like to discuss to the Selectmen's Assistant and he can review.

7:15 Chair Russell motioned to adjourn. Selectman DuPrie seconded. Vote taken – 3 in favor Russell, DuPrie, Adams and 1 opposed – Philbrick.