

Lebanon, Maine Select Board
Town Office Conference Room
Minutes –Meeting
Thursday, August 6, 2020

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Members Present

Charles Russell, Jr. – Chairman
Paul Philbrick – Vice Chair
Ernest Lizotte, Jr. – Selectman (Excused)
Corinna Cole – Selectman
Jeffrey Adams – Selectman

Others Present

Deborah Wilson	James Duprie
Andrew Perry	Chris Gilpatrick
Jerry Kibbey	Christine Torno
Jim Cray	Tom Place
Karen Gerrish	Terri Poirier
Dana Coull	Chip Harlow

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

5:30 Pledge of Allegiance

5:31 Public Participation – Chris Gilpatrick presented information from the Code Enforcement File on 16 Trainor Road. Mr. Gilpatrick reads through the list of violations and correspondence from the State and the Town Code office. Discussion of complaints by residents, excessive boats, trash, marijuana, shoreland zoning issues, etc. Chair Russell responds to with his explanation of events. 5:40 Selectman Adams leaves the room. Mr. Gilpatrick continues to read documents from the file. 5:45 Selectman Adams returns to the meeting. Mr. Gilpatrick referenced the monies that Chair Russell was to pay for attorney's fees per the signed agreement and questions why this hasn't been paid. Mr. Gilpatrick states the monies were due on 6/7/2019 and 6/1/2020. Chair Russell states that the June 7, 2019 payment was made and he will provide a cancelled check. Chair Russell acknowledges that the 6/1/2020 payment is late and that he will be making a payment next week and will have the balance paid soon. Mr. Gilpatrick states that there was no copy of the payment in the FOAA information provided. Chair Russell states the check was paid directly to the attorney for legal fees. Chairman Russell questions Mr. Gilpatrick as to why, per his contract with the Town, the fire department has not been mowed per the contract. Mr. Gilpatrick states that there are ruts and it isn't able to be mowed. Chairman Russell questions why Mr. Gilpatrick is billing the entire amount if the work isn't being done.

6:00 Karen Gerrish addressed the BOS and asks that Selectman Adams not walk out of the meeting while she is speaking. Ms. Gerrish states that she received 3 messages from Diane Russell via FB and would like to know why she wants to meet with Ms. Gerrish as she doesn't know Mrs. Russell. Chairman Russell states that he will not allow Ms. Gerrish to talk about his wife on camera and shuts the camera off. Approximately 3 minutes later the camera was turned back on because Ms. Gerrish agrees not to discuss Mrs. Russell. Ms. Gerrish feels that the apology by text message from Mr. Russell should have been done in public. Ms. Gerrish asked why Selectman Philbrick and Chair Russell stayed late without the BOS to have a meeting. Chair Russell stated that the entire BOS was present, Vice Chair Philbrick agreed as did Selectman Adams. Ms. Gerrish questions why the new bridge contract hasn't been signed. Chairman Russell advised that the Town is waiting for the contract to come from the State of ME DOT. Ms. Gerrish asked Chair Russell and his wife to stop texting or messaging her – just leave her alone.

6:14 James Duprie mentioned the marijuana forms and asked the BOS to review. Mr. Duprie also suggested that individual public participation be limited to 5 minutes. Ms. Wilson states that people didn't like it when the BOS previously did that. Andrew Perry addressed the disrepair on Hershom Lane and possible repairs being done. 6:20 Christine Torno and Tom Place addressed the BOS about blocking off the discontinued road. There is illegal drug activity and dumping of trash. Selectman Philbrick will look into the legalities of this and advise the BOS of findings. 6:35 Deborah Wilson thanks Pastor Bob

and Rep. Kryzak for picking up and delivering the USDA food boxes to the Town. There will be a voluntary toll booth fundraiser for the Legion on 8-22-2020 from 10 am to 2 pm with the permission of the BOS. Selectman Adams motioned to grant permission for the voluntary toll booth at the transfer station on August 27, 2020 from 10am to 2pm. Chairman Russell seconded. Vote taken; vote carried. Terri Poirier updated the BOS about getting a campground permit, parking on her road frontage and overflow parking at Steve Collins home. The schedule of her events are as follows: August 14, 15 & 16, 2020; September 12 & 13, 2020; September 19 & 20, 2020; September 26, 2020; October 17 & 18, 2020; November 11, 2020 and December 19, 2020.

6:55 Chip Harlow presented the BOS with the idea for a Veterans Memorial Park, Skate Park, Skate Rink, Walking Trail etc. Mr. Harlow shared his ideas and vision for this area to be a Community Center as well. Mr. Harlow advised the BOS that the planning would happen in stages and the first being an ad hoc committee. The BOS agrees that he should form the committee and we will put the information on the Town website for anyone interested in participating.

7:35 Vice Chair Philbrick asked for a 5-minute break.

7:45 Reconvened Vice Chair Philbrick motioned to accept the Minutes dated 7-30-2020 as written. Selectman Adams seconded. Vote taken; vote carried.

Paperwork processed and signed – time off and training request.

Old Business – Selectman Cole - Commercial Haulers document reviewed. Vice Chair Philbrick provided marked up copy so that the original can be corrected. The fees are in the Ordinance so they cannot be changed without a vote by the people. Selectman Cole asked who would be responsible for cleaning up Hebo Hybo to the forest. Board advised this is a private road and the property owners would either have to do it themselves or grant permission for someone to do it. Selectman Adams talks about permissions for the use of the balls field. Selectman Adams has given this assignment back to Lynne Davis and she will be doing the scheduling. Selectman Adams will give the current schedules to Lynne Davis on Monday so that she can reach out about soccer using the field. Selectman Adams addresses the issues around parking as people are parking on both sides of the street and blocking traffic. Selectman Adams also addressed the fact that kids are running from vehicles to the other side without looking, creating a dangerous situation. Selectman Cole reminded everyone to complete the Census as this is how the Town gets federal funds for things such as roads and schools. Selectman Cole motioned to hire the grant writer for the fire department. No second. There was discussion among the BOS about concerns they have with the wording and/or lack of wording in the contract. Selectmen Adams will contact the grant writer and ask that the contract be changed. Selectman Cole asked if the hot water tank at the fire department has been fixed – it has not. Selectman Cole asked if anyone had read the draft copies of the Reimbursement Policies that JT Harmon provided last week. The BOS still needs to review. Vice Chair Philbrick advised the BOS that there is a resident who would like to hunt on Town owned land and is asking if he needs permission. The BOS states that no permission is needed. Vice Chair Philbrick advised the BOS that Road Commissioner, Scott Gerrish, is asking that a posting for a laborer be posted to replace the employee he lost. The position is for approximately 25 hours per week and the pay is \$13.50 per hour. Vice Chair Philbrick would also like to post for a backup person at the transfer station. The BOS discussed the possibility of adding that job to the laborer position. Vice Chair Philbrick advised the BOS that the Code Enforcement Officer was told in his offer letter that he would be reimbursed for cell phone usage. This was not done for the months of March, April and May. The BOS agrees that the payment should be made. Discussion of employees traveling out of state and the need to either quarantine or provide a negative test. The BOS would like to wait for Selectman Lizotte before deciding if there should be a policy on this. Vice Chair Philbrick concerned about employee's wellbeing. Selectman Adams states he will not vote yes on this. Vice Chair Philbrick addressed the issue of smoking

outside the front door and complaints about this. The smokers will need to move to the grassy area so that no one has to walk through the smoke. Chair Russell spoke to the BOS about animal control officers' concerns with visiting homes and people adopting pets and the need for background checks. Chair Russell asked Lynne Davis to email Lt. Ross of the ME State Police to see if he can provide information on this. Chair Russell motioned that the municipal officers of the Town of Lebanon hereby enact the authority to have unauthorized vehicles towed away at the owner's expense. Pursuant to Title 30-A MRS section 3009 which gives the authority to do so. Selectman Adams seconded. Vote taken; vote carried. Chairman Russell discussed the issue of the two candidates who were written in for the Budget Committee and won two empty seats. Chair Russell states that the Town Attorney said that her legal opinion is that the seats should be considered offices and the write in winners should take office. The Town Attorney also stated that this would not be without the possibility of being challenged as there is no judicial precedent. Chairman Russell feels the BOS should interview people and appoint the new members. The BOS decided to wait to put this to a vote until Selectman Lizotte is present to vote.

8:40 Vice Chair Philbrick motioned to enter into Executive Session for personnel matters pursuant to 1 MRSA 405 (6)(A). Selectman Adams seconded. Vote taken; vote carried.

9:37 Selectman Adams motioned to exit Executive Session. Vice Chair Philbrick seconded. Vote taken; vote carried.

9:39 Vice Chair Philbrick motioned to reopen General Session. Selectman Adams seconded. Vote taken; vote carried.

Selectman Adams motioned that the Town is responsible for the towing bill that resulted from an error in the amount of \$166.00. Chair Russell seconded. Vote taken; vote carried.

9:42 Chair Russell motioned to adjourn. Selectman Adams seconded. Vote taken; vote carried.