

Lebanon, Maine
Select Board
Town Office Conference Room
Minutes –Meeting
Thursday, November 3, 2022

SR
ML
HP

Members Present

Paul Philbrick – Chairman
James DuPrie – Vice Chair
Ernest Lizotte, Jr. – Selectman
Shelli Boucher – Selectwoman
Michael Walsworth – Selectman

Others Present

Laura Bragg
Chris Gilpatrick, Sr.
Chris Gilpatrick, Jr.
Dottie Bebris
Eric Bergendahl & Kurt Zeller

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

5:00 PM Pledge of Allegiance

Public Apology by Chairman Philbrick and Request for Selectman Walsworth to conduct the night's meeting.

5:07 PM Executive Session

1. Selectman Walsworth motioned to enter into Executive Session for Labor Negotiations Pursuant to 1 M.R.S.A. 405 (6)(D) to discuss position descriptions and pay issue. Seconded by Selectwoman Boucher. Motioned passed 4-0.
2. Selectman Walsworth motioned to exit Executive Session. Seconded by Selectwoman Boucher. Motion passed 4-0.

6:01 Selectman Walsworth motioned to return to Public Session. Selectwoman Boucher seconded. Vote taken; vote carried all in favor.

6:03 Public Participation – Chris Gilpatrick, Jr. started by saying that this Board has inherited issues that go back 4 decades. There have been members of the public expressing concern about who is doing the roadside mowing. Mr. Gilpatrick stated that it doesn't matter if it is the Road Commissioners money, the Fire Chief's money etc. the Select Board is the overseer of the money and they should be sure that budgets are being followed. There needs to be more accountability. Mr. Gilpatrick expressed concern about some members of the public coming in and berating people while others have to abide by the rules. This needs to be corrected.

Laura Bragg – congratulated the Boy Scout Troop 369 for being awarded the Spirit of America Award. They do such great work. Ms. Bragg also reminded everyone that the elections are on November 8th and in recent years the polls have become nasty. Ms. Bragg reminds everyone that the election staff is doing their jobs - BE NICE!

Chris Gilpatrick, Sr. – advised the board that there were complaints about the mowing at Forest Grove. Mr. Gilpatrick stated that he went by the cemetery to see it and it looks terrible. Chairman Philbrick stated that there is only one mow in October and that is the last one for the year. Mr. Gilpatrick would like to know who has the road side mowing contract and do they have insurance. Mr. Gilpatrick would also like to know why we don't do paving until the fall. Selectman Philbrick stated that we have to wait for the budget numbers until the election in June and we have a small budget so we don't get priority scheduling. Mr. Gilpatrick stated his issues with getting inspections because the Code Officer stated

that due to Mr. Gilpatrick being on a couple of Town Boards, he wasn't comfortable doing the inspections himself. Mr. Gilpatrick has hired a 3rd party inspector. Mr. Gilpatrick paid for the Building Permit which includes money for inspections. He is now paying a 3rd party inspector and doesn't feel he should have to double pay. Mr. Gilpatrick also advised the Board that the Code Officer told him that he wasn't able to use unstamped lumber to build. Mr. Gilpatrick provided a handout of the code for building a timber framed building and that you are permitted to use unstamped wood. Selectman Walsworth will do some research and get back to Mr. Gilpatrick.

Eric Bergendahl – Selectman Walsworth recused himself due to conflict with his employer. Mr. Bergendahl would like to apply for a license and inspection. Mr. Bergendahl feels he is ready for inspection but the Town doesn't have anyone to do this. Selectwoman Boucher stated that the town has been facing some obstacles and is working diligently on this matter. The Board should have more information in 1 week.

6:35 Unfinished Business –

Install Light at Park & Ride on 202 – Waiting for excavation

Union Contract/Negotiations – ongoing – next mtg potentially 11/17 at 5pm

“COVID” Funds Plan – TBD

Transfer Station – 10/27 – Format Committee Guideline

Public Access Policy – TBD

Budget 22/23 worksheets – Chair Philbrick – 11/10

Pest Control – follow up with Station 1 & placement of traps at transfer station-improving

Fire Station – awaiting proposals for renovating & fixing station 1 & building a new station 11/15

6:45 Selectman Walsworth motioned to accept the proposal from Brian Biladue pending no other proposals are received by Monday, November 7, 2022 at 5:00pm. Selectwoman Boucher seconded. Vote taken; vote carried all in favor.

There was discussion regarding the audit engagement letter. The board discussed if they should more \$20,000 from contingency, contingency has a current balance of \$50,000. The issue for the monies will go before the voters however if it is moved now the auditors could start the process. Chair Philbrick motioned to fund the audit request to do an extra investment of \$20,000 from contingency at this time. Select Lizotte seconded. Vote taken; vote carried all in favor. Laura Bragg asked what the total is. The board stated that it could go as high as \$50,000 but anything left over would go back into the town coffers.

7:00 Selectman Issues - Vice Chair Walsworth addressed Chris Gilpatrick's concerns. Vice Chair Walsworth stated that in general this board is working on being more visible. The current board is different and realizes that the buck stops here and will do the right thing.

Selectwoman Boucher stated that we are not a board of professionals but we are group that wants to make things better.

Chair Philbrick stated that Birchpoint has the contract for Forest Grove Cemetery.

7:05 Vice Chair Walsworth motioned to enter into Executive Session for Consultation with Legal Counsel in accordance with 1 M.R.S.A § 405(6) (E) to discuss an enforcement action. Selectwoman Boucher seconded. Vote taken; vote carried all in favor.

8:23 PM Chair Philbrick motioned to come out of Executive Session. Seconded by Selectman Lizotte. Motion passed 3-0, Selectman Walsworth not present.

Chair Philbrick motioned to return to Public Session. Seconded by Selectwoman Boucher. Motion passed 3-0. Selectman Walsworth not present.

Selectwoman Boucher motioned to direct the Town's Attorney to act on enforcement action ID # L-1103-1 as discussed in Executive Session. Seconded by Selectman Lizotte. Motion passed 3-0. Selectman Walsworth not present. The ID should be L-1122-1 (2 digit month, 2 digit year) Selectman Walsworth returned to the meeting.

Individual Selectman Issues:

1. Selectman Lizotte: ATV Club closed Lebanon trails
2. Selectwoman Boucher: Referenced conducting an interview of a potential Appeals/Planning Board appointee.
3. Selectman Walsworth: Legal escrow held by Drummond and Wilson, Champion Street water run-off, Re-assignment of Select Board responsibilities due to change in Board make-up.
 - Add Marijuana to Chairman Philbrick
 - Add Library to Selectwoman Boucher
 - Add Planning and Appeals to Selectman Lizotte
4. Chairman Philbrick: Requested selection of BOS Chairman and BOS Vice Chair due to change in BOS members.
 - Selectman Walsworth nominated Paul Philbrick to be Chairman. Nomination seconded by Selectman Lizotte. No other nominations. Vote was 3-yes, 0-no, Paul Philbrick abstained.
 - Selectwoman Boucher nominated Michael Walsworth to be Vice Chairman. Nomination seconded by Selectman Lizotte. No other nominations. Vote was 3- yes, 0-no, Michael Walsworth abstained.

Review of Minutes

1. Selectwoman Boucher motioned to accept the minutes of October 20, 2022 as presented. Seconded by Vice Chair Walsworth. Motion passed 4-0.
2. Selectwoman Boucher motioned to accept the minutes of October 24, 2022 as presented. Seconded by Vice Chair Walsworth. Motion passed 3-0. Chair Philbrick was not present at the meeting.
3. Selectwoman Boucher motioned to accept the minutes of October 27, 2022 as presented. Seconded by Vice Chair Walsworth. Motion passed 3-0. Chair Philbrick was not present at the meeting.
4. Selectwoman Boucher motioned to accept the minutes of November 1, 2022 as presented. Seconded by Vice Chair Walsworth. Motion passed 4-0.

Paperwork

1. Tax Abatements:
 - Selectwoman Boucher motioned to accept the Tax Abatement of \$1,131.17 in tax dollars on personal property for Account PP 103. Seconded by Selectman Lizotte. Motion passed 4-0
 - Selectwoman Boucher motioned to accept the Tax Abatement of \$258.34 in tax dollars on personal property for Account PP 3508. Seconded by Selectman Lizotte. Motion passed 4-0.
 - Selectwoman Boucher motioned to accept the Tax Abatement of \$736.80 in tax dollars on real estate for Map/lot R09-039-0004-A. Seconded by Selectman Lizotte. Motion passed 4-0
 - Selectwoman Boucher motioned to accept the Tax Abatement of \$724.80 in tax dollars on real estate for Map/lot R09-039-0004-A. Seconded by Selectman Lizotte. Motion passed 4-0
 - Selectwoman Boucher motioned to accept the Tax Abatement of \$383.75 in tax dollars on real estate for Map/Lot VXX-000-0075. Seconded by Selectman Lizotte. Motion passed 4-0.
 - Selectwoman Boucher motioned to accept the Tax Abatement of \$377.50 in tax dollars on real estate for Map/Lot VXX-000-0075. Seconded by Selectman Lizotte. Motion passed 4-0

- Selectwoman Boucher motioned to accept the Tax Abatement of \$549.53 in tax dollars on real estate for Map/Lot R12-044-C000. Seconded by Selectman Lizotte. Motion passed 4-0.
 - Selectwoman Boucher motioned to accept the Tax Abatement of \$2,379.25 in tax dollars on real estate for Map/Lot U11-015. Seconded by Selectman Lizotte. Motion passed 4-0.
2. Certificate of Supplemental Commitment was reviewed, but not approved.
 3. Vice Chair Walsworth motioned to accept the Agreement Between Town of Lebanon Maine and Teamsters Local Union No. 340 Affiliated with the International Brotherhood of Teamsters for the General Government Unit – July 1, 2022 – June 30, 2023. Seconded by Selectwoman Boucher. Motion passed 4-0.
 4. Purchase Order for Harassment Training was reviewed, but not signed. Additional information required from HR.
 5. Vice Chair Walsworth motioned to grant the overtime request by the Office Manager for a total of 15 hours for the week of November 5, 2022. Seconded by Selectwoman Boucher.

9:09 PM

Chair Philbrick motioned to adjourn. Seconded by Selectman Lizotte. Motion passed 4-0.