

**Lebanon, Maine
Select Board
Town Office Conference Room
Minutes –Meeting
May 18, 2023**

Members Present

PP Paul Philbrick – Chairman
Ernest Lizotte, Jr. – Selectman EXCUSED
SB Shelli Boucher – Selectwoman
ML Michael Walsworth – Vice Chair
C Richard Harlow III – Selectman

Others Present

Bethany Patstone & Randy Oakley
Tom Potter
Deborah Wilson

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

6:03 Pledge of Allegiance

6:04 Public Hearing – Mass Gathering for 4x4 event on May 26- 28, 2023. Selectman Harlow motioned to appoint Chair Philbrick as the Presiding Officer. Vice Chair Walsworth seconded. Vote taken; vote carried. Chair Philbrick stated that there is a quorum and asked for conflicts, there were no conflicts. This hearing is for 4x4 Proving Grounds Events. The application and documents are all there and the applicant is present. Randy Oakley advised the Board that the Sheriff has reviewed everything and he will not be signing the Mass Gathering Application. The Sheriff stated that he will follow the same procedure that the State Police had. If the sheriff's office is needed the venue will contact them for services. The Fire Department has been contracted by the venue for services. The Fire Chief has signed the document. The Code Officer will inspect just before the event. There are no questions by the Board members. There was discussion regarding noise and that the event will follow the Lebanon Noise Ordinance. Chair Philbrick stated that due to the insurance policy, the Board will only approve the event for May 26-28, 2023. The Board will sign the BYOB permit. There will be a need for a Public Hearing for the other events. Chair Philbrick motioned to deliberate. Vice Chair Walsworth seconded. Vote taken; vote carried. The BYOB permit was signed. Selectman Harlow motioned to approve the Mass Gathering Permit for the Spring Fling event on May 26-28, 2023. Vice Chair Walsworth seconded. Vote taken; vote carried.

6:25 Public Participation – Tom Potter stated that he is here for 2 reasons. The first is the issue of the ATV access route. Mr. Potter states that 3 Board members voted yes granting the access and that Matt Leggett had until the 15th to put up the signs. The signs are not up as of today. The people on these roads pay their property taxes and yet, permission has been given to the Sanford ATV Club which doesn't seem fair. The residents don't want the permission granted. Selectman Harlow motioned to allow more time to discuss this issue. Chair Philbrick seconded. Vote taken; vote carried. Selectman Harlow stated that enforcement is the issue and that he would be in favor of revoking access until the signage is up. Selectman Harlow motioned to revoke access until the signs are up. Selectman Walsworth states that the signage was supposed to be done. Selectman Walsworth stated that he has a text message from Matt Leggett stating that the signs are not up. Selectman Walsworth states he agrees to revoke. Ms. Wilson read text message as Mr. Leggett was texting her. Vice Chair Walsworth states that if Mr. Leggett would like to speak with the Board, he can call in. Mr. Leggett stated that he sent Vice Chair Walsworth that the signs were not up because they were back ordered and he hoped to have them today. Vice Chair Walsworth stated that he has a message from Matt Leggett on 5/5/23

stating the signs should arrive on the 15th. Mr. Leggett didn't ask for an extension or extra time. Matt Leggett stated he will put the signs up on Saturday.

7:00 Public Participation – Deborah Wilson stated that she spoke with Vice Chair Walsworth regarding scheduling work at the Transfer Station with John Costello. Ms. Wilson states that Mr. Costello isn't working under the Momentum Network and she isn't responsible for the scheduling. Ms. Wilson stated that Selectman Michael Walsworth is the point person and he should be working with Mr. Costello. Ms. Wilson stated that someone will need to flush the water and move the bin. Selectman Harlow said we can either address this issue or move on. Selectman Harlow prefers to address this. Selectman Harlow motioned to address the issue. Chair Philbrick seconded. Vote taken 2 in favor (Harlow, Philbrick) 1 no (Boucher) 1 abstained (Walsworth) motion failed.

7:16 Unfinished Business – the list was reviewed

Vice Chair Walsworth motioned to enter into Executive Session for Personnel Matters Pursuant to 1 M.R.S.A. § 405 (6) (A). Chair Philbrick seconded. Vote taken; vote carried.

7:46 PM

Vice Chair Walsworth motioned to exit executive session. Seconded by Selectman Harlow. Motion carried 3-0.

7:50 PM

Returned to Public Session: Continued reviewing Unfinished Business.

8:06 PM – Individual Selectmen Issues

Selectman Harlow addressed the SAD 60 Select Board meeting held on May 16, 2023

Vice Chair Walsworth addressed: insurance, ATVs, miscommunication in general. Also addressed re-affirming the areas of "responsibility" for individual board members, this led to a brief discussion of what "responsibility" meant and the expectation of that "responsibility". Three areas of "flooding" issues was addressed, Blaisdell Corner, Dixon Road, and Merchant Row.

Chair Philbrick read an email from Matthew Leggett to the Selectmen, dated May 18, 2023:

"I wanted to reach out to the Lebanon select board to regret to inform you that we cannot complete work at the cemeteries that we had bid on. I appreciate your consideration in choosing our company to complete work at the cemeteries but unfortunately, due to staffing issues we are unable to complete the work at this time. We will be able to complete lawn services at the town properties, but we'll be unable to complete work at Forest Grove and Prospect Hill cemetery. We did complete the spring clean-up and cut Forest Grove but we have not completed any work at prospect Hill. I sincerely apologize for the inconvenience this has caused for the town of Lebanon." Signed by Matthew Leggett – Owner.

Chair Philbrick commented that after inspecting the mowing work accomplished at the Town Office, Town Pound, and Forest Grove Cemetery, that the work was well done by M & K. Discussion was held by the Board as to the next step to take.

Selectman Harlow motioned to award the contracts for Forest Grove Cemetery and Prospect Hill Cemetery to the next bidder in line, Birch Point Property Management, to replace the current contract holder. Seconded by Vice Chair Walsworth. Motion carried 3-0.

Chair Philbrick stated that he would be participating at the York County Budget Committee meeting on May 22, 2023 and would not be available to attend the Town of Milton Board of Selectmen Meeting for the bridge review. Selectman Harlow will attend the Milton meeting. Chair Philbrick stated that he had received a concern about water run-off from the marina on New Bridge Road and he had forwarded the

information to the Three Ponds Protective Association because of the flow of water into the lake according to the complaint.

Chair Philbrick asked Deborah Wilson about Fed-Cap volunteer's criteria. There are two small cemeteries in Town that need brush removal.

Chair Philbrick presented a request to the Board from the Treasurer in regards to signing a letter of termination in regards to the change in health care insurance provider.

Selectman Harlow motioned to authorize Chair Philbrick to sign the letter to Maine Municipal Employee Health Trust terminating the medical, dental, vision, and life insurance. Seconded by Vice Chair Walsworth. Motion carried 3-0.

Review of Minutes:

Minutes could not be reviewed due to missing members at this meeting who were present at the May 11, 2023 meeting.

Paperwork:

Board reviewed a request for Map/Lot R12-038-0001 to allow payment of back taxes. Board agreed to allow the process to proceed for the owner to redeem the property.

Board approved and signed an abatement for VCO-000-0007. For the abated tax of \$48.44.

Board signed two training requests.

Board signed three requests for time off.

8:58 PM

Chair Philbrick made a motion to enter into Executive Session for Confidential Records – 1 MRA 405 (6) (F). Seconded by Selectman Harlow. Motion carried 3-0

Chair Philbrick made a motion to exit Executive Session. Seconded by Vice Chair Walsworth. Motion carried 3-0.

Chair Philbrick made a motion to grant a Hardship Abatement for the year 2022 to case number P-0523-1 for the house value of \$205,000.00. Seconded by Selectman Harlow. Motion carried 3-0

9:23 PM

Chair Philbrick made a motion to enter into Executive Session for Labor Negotiations- 1 MRSA 405 (6)(D). Seconded by Selectman Harlow. Motion carried 3-0.

10:05 PM

Vice Chair Walsworth made a motion to exit Executive Session. Seconded by Selectman Harlow. Motion carried 3-0.

Vice Chair Walsworth motioned to recess the Select Board meeting till 10:00 AM – Friday (May 19, 2023). Seconded by Chair Philbrick. Motion carried 3-0.