

2013

# Town of Lyman Annual Town Meeting Warrant

Lyman (Me.). Town Select Board

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TOWN OF LYMAN  
ANNUAL TOWN MEETING WARRANT

TO CAROL A. STEWART, RESIDENT IN THE TOWN OF LYMAN, COUNTY OF YORK,  
AND THE STATE OF MAINE.

**GREETINGS:** In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Lyman, qualified to vote in town affairs, to meet at the Lyman Town Hall on Tuesday, June 11, A.D., 2013, at 8:00 AM, then and there to act on Articles numbered 1 through 3.

**ARTICLE 1:** To choose a Moderator to preside at said meeting.

**ARTICLE 2:** To choose, by secret ballot, one Selectman / Overseer of the Poor; two Budget Committee members; and one Director of R.S.U. #57 for terms of three years each.

**ARTICLE 3:** To see if the Town will vote to develop ordinance changes that would allow and regulate the raising of livestock or poultry for personal use in the Residential Zone.

*The polls will be opened at 8:00 A.M. and close at 8:00 P.M. After the closing of the polls, the meeting will be recessed until Saturday, June 15 A.D., 2013 at 1:00 P.M., at the Lyman Elementary School in said town, at which time the remainder of the warrant will be acted upon.*

**ARTICLE 4:** To see if the Town will vote to raise and appropriate the sum of \$378,789.00 for Wages, Salaries, Taxes, Unemployment Wages, and Stipends for personnel. (Last year's appropriation was \$343,389.00 - Taxes)

Requested: \$387,789.00

Selectmen's Recommendation: Voted 4-1 in favor.

Budget Committee Recommendation: Voted 6-1 in favor.

**ARTICLE 5:** To see if the Town will vote to raise and appropriate the sum of \$10,880.00 for street lights and electricity for Town buildings. (Last year's appropriation was \$10,680.00 - Taxes)

Requested: \$10,880.00

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Commendation: Voted 6-1 in favor.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate the sum of \$88,925.00 for the Operating Account. (Last year's appropriation was \$87,170.00 - Surplus)

Requested: \$88,925.00

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 6-1 in favor.

**ARTICLE 7:** To see if the Town will vote to raise and appropriate the sum of \$6,500.00 for the annual audit. (Last year's appropriation was \$6,500.00 – Surplus)

**Requested: \$6,500.00**

**Selectmen's Recommendation: Voted 4-1 in favor.**

**Budget Committee Recommendation: Voted 7-0 in favor.**

**ARTICLE 8:** To see if the Town will vote to raise and appropriate the sum of \$2,000.00 for office equipment. (Last year's appropriation was \$2,000.00 – Surplus)

**Requested: \$2,000.00**

**Selectmen's Recommendation: Voted 5-0 in favor.**

**Budget Committee Recommendation: Voted 7-0 in favor.**

**ARTICLE 9:** To see if the Town will vote to raise and appropriate the sum of \$10,000.00 to be deposited in a non-lapsing reserve account known as the Revaluation Account. (Last year's appropriation was \$10,000.00 – Taxes)

**Requested: \$10,000.00**

**Selectmen's Recommendation: Voted 5-0 in favor.**

**Budget Committee Recommendation: Voted 7-0 in favor.**

**ARTICLE 10:** To see if the Town will vote to raise and appropriate the sum of \$8,000.00 for the Contingency Account. (Last year's appropriation was \$2,000.00 – Taxes)

**Requested: \$8,000.00**

**Selectmen's Recommendation: Voted 5-0 in favor.**

**Budget Committee Recommendation: Voted 7-0 in favor.**

**ARTICLE 11:** To see if the Town will vote to appropriate the sum of \$500.00 for the Twelve Town Group. (Last year's appropriation was \$500.00 – Surplus)

**Requested: \$500.00**

**Selectmen's Recommendation: Voted 5-0 in favor.**

**Budget Committee Recommendation: Voted 7-0 in favor.**

**ARTICLE 12:** To see if the Town will vote to raise and appropriate the sum of \$2,000.00 to pay CPI Qualified Plan Consultants, Inc. for its professional services to the Town for administering the Town's employee retirement account. (Last year's appropriation was \$2,000.00 - Taxes)

**Requested: \$2,000.00**

**Selectmen's Recommendation: Voted 5-0 in favor.**

**Budget Committee Recommendation: Voted 7-0 in favor.**

**ARTICLE 13:** To see if the Town will vote to raise and appropriate the sum of \$2,000.00 to be deposited in a non-lapsing reserve account to update the Town Tax Maps. (Last year's appropriation was \$2,000.00 – Surplus)

**Requested: \$2,000.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 14:** To see if the Town will vote to raise and appropriate the sum of \$15,000.00 to cover legal fees for the Town. (Last year's appropriation was \$20,000.00 – Surplus)

**Requested: \$15,000.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 15:** To see if the Town will vote to raise and appropriate the total sum of \$28,236.00 to contract with the City of Biddeford for dispatching services and to answer 911 emergency calls (PSAP) for the Town of Lyman from July 1, 2013 to June 30, 2014. (Last year's appropriation was \$28,236.00 – Taxes)

**Requested: \$28,236.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 16:** To see if the Town will vote to raise and appropriate the sum of \$11,370.00 for Animal Welfare with \$5,700.00 for a contract with Animal Welfare Society of West Kennebunk and \$5,610.00 for the Animal Control Officer's salary. (Last year's appropriation was \$5,610.00 and was for only Animal Welfare Society contract – Taxes)

**Requested: \$11,370.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 17:** To see if the Town will vote to raise and appropriate the sum of \$1300.00 for the Cemetery Committee to decorate and maintain military graves and to compile a list of all cemeteries in the Town of Lyman.

**Requested: \$1300.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 18:** To see if the Town will vote to raise and appropriate \$500.00 for the Conservation Committee.

**Requested: \$500.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 19:** To see if the Town will vote to raise and appropriate the sum of \$13,000.00 for the maintenance and repair of Town buildings. (Last year's appropriation was \$15,000.00 – Surplus).

**Requested: \$13,000.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 20:** To see if the Town will vote to authorize the Selectmen to purchase a Blanket Fidelity Bond to cover Town Officials, and to vote to raise and appropriate the sum of \$110,000.00 for all insurance carried by the Town, including fire insurance, liability insurance, employees health insurance, worker's compensation insurance and public officials liability insurance. (Last year's appropriation was \$92,235.00 – Excise).

**Requested: \$110,000.00**

Selectmen's Recommendation: Voted 4-1 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 21:** To see if the Town will vote to raise and appropriate the sum of \$3,000.00 to be deposited into the Computer Reserve Account.

**Requested: \$3,000.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 22:** To see if the Town will vote to raise and appropriate the sum of \$10,000.00 to be deposited into the existing Capital Improvement Reserve Account. (Last year's appropriation was \$10,000.00 – Taxes).

**Requested: \$10,000.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 23:** To see if the Town will vote to raise and appropriate the sum of \$10,000.00 to be deposited into the existing Town Hall Reserve Account.

**Requested: \$10,000.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 24:** To see if the Town will vote to raise and appropriate the sum of \$25,000.00 to maintain the Old Cousen's School for the 2013-2014 municipal year. (Last year's appropriation was \$30,000.00 – Taxes)

**Requested: \$25,000.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 25:** To see if the Town will vote to raise and appropriate \$271,993.00 for the Town of Lyman's share of the Lyman-Dayton Joint Fire-Rescue Department for operating and personnel costs, said sum to be paid pursuant to the Interlocal Agreement between the Town of Lyman and the Town of Dayton. (Last year's appropriation was \$224,674.00 - Taxes). Any unused amounts will be carried forward to defer the next year's budget. To be effective, this question must pass in both the Town of Lyman and the Town of Dayton.

**Requested: \$271,993.00**

**Selectmen's Recommendation: Voted 5-0 in favor.**

**Budget Committee Recommendation: Voted 7-0 in favor.**

**ARTICLE 26:** To see if the Town will vote to approve \$21,992.00 from fire department surplus to be rolled over to the Town of Lyman Fire Truck account.

**Requested: \$21,992.00**

**Selectmen's Recommendation: Voted 5-0 in favor.**

**ARTICLE 27:** To see if the Town will vote to approve to establish an Ambulance Reserve Account and deposit the Town's share of the existing People's Choice Credit Union Certificate of Deposit at maturity. As of March 31, 2013, the Town's share was \$59,206.00

**Requested: \$59,206.00**

**Selectmen's Recommendation: Voted 5-0**

**ARTICLE 28:** To see if the Town will vote to raise and appropriate the sum of \$25,000.00 which will be deposited in the existing Reserve Fire Truck Account.

**Requested: \$25,000.00**

**Selectmen's Recommendation: Voted 4-1 in favor.**

**Budget Committee Recommendation: 7-0 in favor.**

**ARTICLE 29:** To see if the Town will vote to raise and appropriate the sum of \$170,000.00 for general road reconstruction. (Last year's appropriation was \$145,000.00 - Excise).

**Requested: \$170,000.00**

**Selectmen's Recommendation: Voted 3-2 in favor.**

**Budget Committee Recommendation: Voted 7-0 in favor.**

**ARTICLE 30:** To see if the Town will vote to raise and appropriate the sum of \$175,000.00 for general road resurfacing. (Last year's appropriation was \$175,000.00 - Excise)

**Requested: \$175,000.00**

**Selectmen's Recommendation: Voted 3-2 in favor.**

**Budget Committee Recommendation: Voted 7-0 in favor.**

**ARTICLE 31:** To see if the Town will vote to raise and appropriate the sum of \$75,000.00 for general road repair. (Last year's appropriation was \$75,000.00 – Excise)

**Requested: \$75,000.00**

Selectmen's Recommendation: Voted 3-2 in favor.

Budget Committee Recommendation: Voted 6-0-1 in favor.

**ARTICLE 32:** To see if the Town will vote to raise and appropriate the sum of \$269,920.00 for snow removal and sanding its roads in winter, and further authorize the Selectmen, on behalf the Town, to negotiate and enter into a contract for the snow removal and sanding of its roads. (Last year's appropriation was \$269,920.00 – Excise)

**Requested: \$269,920.00**

Selectmen's Recommendation: Voted 3-2 in favor.

Budget Committee Recommendation: Voted 6-0-1 in favor.

**ARTICLE 33:** To see if the Town will vote to raise and appropriate the sum of \$1,500.00 for the purchase, installation, and maintenance of street signs. (Last year's appropriation was \$2,500.00 – Excise)

**Requested: \$1,500.00**

Selectmen's Recommendation: Voted 3-2 in favor.

Budget Committee Recommendation: Voted 6-0-1 in favor.

**ARTICLE 34:** To see if the Town will vote to raise and appropriate the sum of \$70,868.00 for the Community Library with \$27,099.99 for operating expenses and \$42,968.00 for personnel. (Last year's appropriation was \$67,899.00 – Taxes)

**Requested: \$70,868.00 Taxes**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 35:** To see if the Town will vote to raise and appropriate the sum of \$206,500.00 for the Solid Waste Program, and further authorize the Selectmen, on behalf of the Town, to negotiate and enter into a contract for the disposal of the solid waste in the Town of Lyman. (Last year's appropriation was \$258,800.00 – Taxes)

**Requested: \$206,500.00**

Selectmen's Recommendation: Voted 4-0-1 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 36:** To see if the Town will vote to raise and appropriate the sum of \$2,500.00 for the General Assistance Program. (Last year's appropriation was \$6,000.00 Taxes)

**Requested: \$2,500.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 37:** To see if the Town will vote to appropriate from accumulated surplus the sum of \$13,550.00 for the social service agencies as follows: (Last year's appropriation was \$14,179.00 - Surplus)

	<u>2013-2014</u>
S.A.R.S	\$0.00
American Red Cross	\$1,500.00
York County Community Action	\$2,000.00
Caring Unlimited	\$1,000.00
So. Me. Area Agency on Aging	\$1,400.00
Visiting Nurse Services	\$2,000.00
Child Abuse Prevention Council	\$0.00
York County Shelters	\$2,000.00
So. Maine Parent Awareness	\$250.00
Day One	\$1,000.00
Counseling Services, Inc.	\$2,000.00
Woodfords Family Services	\$0.00
Biddeford Free Clinic	\$400.00

**Requested: \$13,550.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 38:** To see if the Town will vote to raise and appropriate the sum of \$30,225.00 for the use of Bunganut Lake Park. (Last year's appropriation was \$32,040.00 - Taxes)

**Requested: \$30,225.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 39:** To see if the Town will vote to raise and appropriate the sum of \$18,650.00 for use by the Parks and Recreation Committee. (Last year's appropriation was \$31,051.00 - Taxes)

**Requested: \$18,650.00**

Selectmen's Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 40:** To see if the Town will vote to raise and appropriate the sum of \$25,560.00 for the purpose of mowing and maintaining Town grounds.

**Requested: \$25,560.00**

Selectmen Recommendation: Voted 5-0 in favor.

Budget Committee Recommendation: Voted 7-0 in favor.

**ARTICLE 41:** To see if the Town will vote to appropriate monies from the Surplus Account to cover the above Articles.

Selectmen's Recommendation: Voted 5-0 in favor.



**ARTICLE 42:** To see if the Town will vote to appropriate monies from the Excise Fund to cover the above Articles.

Selectmen's Recommendation: Voted 5-0 in favor.

**ARTICLE 43:** To see if the Town will vote to appropriate monies from Taxes to cover the above voted on Articles.

Selectmen's Recommendation: Voted 5-0 in favor.

**ARTICLE 44:** To see if the Town will vote to authorize the Board of Selectmen to transfer available funds, such as State Funds, Excise Tax in the amount of \$725,000.00, Surplus in the amount of \$300,000.00, and any other funds which might be used to reduce the tax commitment.

Selectmen's Recommendation: Voted 5-0 in favor.

**ARTICLE 45:** To see if the Town will vote to authorize the Board of Selectmen, upon a majority vote of the full Board of Selectmen, to exceed by no more than 5% annually, the amount authorized for each account approved in Articles 4 through 39 above, so long as the amount spent for the sum total of each article does not exceed the total appropriation for each article.

**ARTICLE 46:** To see if the town will vote to authorize transferring ownership of the Cousen's School building to the Community Library, or a new non-profit entity, in order to obtain Grant Funding for hazardous material removal for a period not to exceed eighteen (18) months.

**ARTICLE 47:** To see if the Town will vote to transfer monies appropriated for the repair/maintenance of Cousen's School to the transferred owner for the same use (repair/maintenance).

**ARTICLE 48:** To see if the Town will vote to take from the State of Maine Snowmobile Registration fee fund a sum of \$6.62 per registered snowmobile, said monies to be turned over to the Lyman Snowmobile Club. These funds will be released after the Town is reimbursed for 2013-2014 registrations, as determined by the State of Maine.

**ARTICLE 49:** To see if the Town will vote to authorize the Tax Collector to accept any prepayments of taxes not yet due or assessed. Any taxes paid above the amount finally authorized shall be repaid without interest, at the date the tax finally is due and payable.

**ARTICLE 50:** To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at 3% for the fiscal year.

**ARTICLE 51:** To see if the Town will vote to set a date for taxes to become due and payable to fix a rate for interest charged on taxes unpaid after this or 30 days after the bills are mailed, whichever is later.

**ARTICLE 52:** To see if the Town will vote to authorize the Board of Selectmen to waive foreclosure of a tax lien mortgage and pursuant to State statute if (1) the taxpayer agrees in writing to pay outstanding balance, plus interest and costs, within 1 year; and (2) no such waiver has been granted by the Town or Board of Selectmen within the past three (3) years.

**ARTICLE 53:** To see if the Town will vote to authorize the Board of Selectmen to waive foreclosure of a tax lien mortgage pursuant to State statute on such terms as may be determined by the Board of Selectmen to be in the Town's best interest.

**ARTICLE 54:** To see if the Town will authorize the Board of Selectmen, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for nonpayment of taxes thereon, or acquired by deed, at public auction after being advertised thirty (30) days prior to said auction, advertising to be done at the Lyman Transfer Station, Jackson Corner Store, and the bulletin board at the Lyman Town Hall, being conspicuous places in the town; and also posting on the Town website, in the Journal Tribune and such other newspaper as the Selectmen may in their discretion choose, three (3) times, provided that if through inadvertence or the like, said tax liens remain outstanding of record, when in fact said taxes have been paid, the Selectmen may execute and deliver quit claim deeds without the necessity of following the auction process.

**ARTICLE 55:** To see if the Town will vote to increase the so called "property tax levy limit" of \$870,733.79, established for Lyman by State law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that exceeds property tax levy limit.

**ARTICLE 56:** To see if the Town will vote to amend the zoning district map to change Map 6, Lots 12 and 12-2 to the General Purpose Zoning District.

**ARTICLE 57:** To see if the Town will vote to approve the Board of Selectmen to accept multi-year contracts already in effect. Upon expiration of said contracts, bid processes will be followed according to the Town Charter.

**ARTICLE 58:** To see if the Town will vote to authorize the Board of Selectmen to accept and expend State and Federal Grant funds and any other revenues received during the fiscal year.

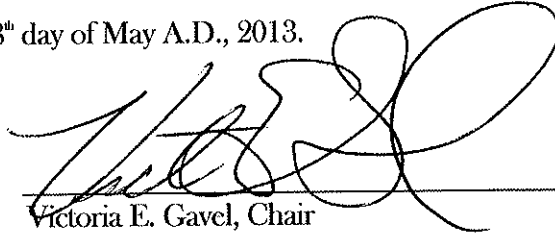
**ARTICLE 59:** To see if the Town will vote to change the ordinance regarding "Yard Sales" (with Yard Sale defined as: *an indoor and/or outdoor sale of used personal or household belongings held on the sellers premises, the term shall include garage sale, porch sale, tag sale, church fairs, and the like [See Article 10 Section 10.18 for Yard Sales Standards]*) to be allowed in the Residential District, General Purpose District, and Commercial Residential District.

**ARTICLE 60:** To see if the Town will vote to change the ordinance regarding "Flea Markets" (with Flea Markets defined as: *A commercial and/or industrial facility involving the sale of used or new merchandise, customarily involving the lease of sales space indoors or outdoors to others seasonally or continuously operated*) to be allowed, upon staff review, in the General Purpose District and the Commercial Residential District, but not allowed in the Residential District.

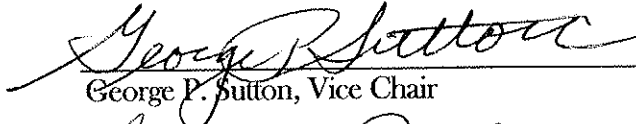
\*\* At the end of each article is the recommendation of the Board of Selectmen and the Budget Committee. Each person's vote is recorded.

*The Selectmen hereby give notice that the Registrar of Voters will be in session at the Lyman Town Hall the day of said meeting, June 11, 2013, for the purpose of correcting the list of voters, from 8:00 AM until the closing of the polls.*

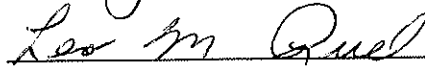
Given under our hand at Lyman, Maine this 8<sup>th</sup> day of May A.D., 2013.



Victoria E. Gavel, Chair



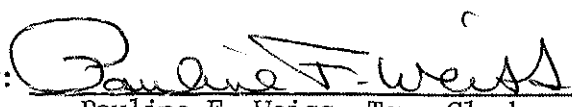
George P. Sutton, Vice Chair



Leo M. Ruel

\_\_\_\_\_  
Steven E. Marble

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Roger Grant, Sr.

True Attest Copy:   
Pauline F. Weiss, Town Clerk