



AGENDA
COUNCIL MEETING
AUGUST 17, 2021
LISBON TOWN OFFICE
7:00 P.M.

Town Council

Allen Ward, Chair
Don Fellows, Vice Chair
Norm Albert
Jeffrey Ganong
Kasie Kolbe
Fern Larochelle
Mark Lunt

1. CALL TO ORDER & PLEDGE TO FLAG
2. ROLL CALL
____ Councilor Albert ____ Councilor Fellows ____ Councilor Ganong ____ Councilor Kolbe
____ Councilor Larochelle ____ Councilor Lunt ____ Councilor Ward
Town Clerk reading of meeting rules
3. EXECUTIVE SESSION
2021-165 ORDER – Per 1 M.R.S.A. § 405 (6) (A) Personnel
2021-166 ORDER – Per 1 M.R.S.A. § 405 (6) (D) Labor Negotiations
4. GOOD NEWS & RECOGNITION
5. PUBLIC HEARINGS
 - A. Positive Change Lisbon – Mass Gathering Permit
 - B. Chapter 70 Zoning, Art. VIII Proposed Ground Mounted Solar Energy Systems Ordinance
 - C. Chapter 10 Businesses-Proposed Ordinance for Adult Use Marijuana Establishments
 - D. Amend Chapter 10 Businesses, Art. XI. Medical Marijuana Establishments
 - E. Amend Chapter 70 Zoning, Art IV. District Reg, Div 13. Dist. Uses Sec. 70-530 Land Uses
 - F. Amend Chapter 70 Zoning, Art IV. District Reg, Div 13. Dist. Uses Sec. 70-531 Table of Land Uses
 - G. Amend Appendix C - Fee Schedule (add new fees)
6. AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS
7. CONSENT AGENDA
2021-167 ORDER –
 - A. Municipal Accounts Payable Warrants – \$1,193,970.66
 - B. Municipal Payroll Warrants – \$ 363,147.79
 - C. School Accounts Payable Warrants – \$ 1,530,099.87
 - D. School Payroll Warrants – \$ 1,305,734.35
 - E. Minutes of July 13, 2021
 - F. Positive Change Lisbon – Mass Gathering Permit
 - G. Road Name Requests- Elderberry Lane – off Upland Road and Rockin T Lane off Edgecomb Road
 - H. Ratify Teamsters Local 340 Union Contract – PW Unit
8. COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES
 - 2021-168 ORDER – School Capital Reserve Request – Athletic Field Lights
 - 2021-169 ORDER – Rails to Trails Resolution
 - 2021-170 ORDER – MDOT Utility Agreement
 - 2021-171 ORDER – Award Bid for Public Works Excavator
 - 2021-172 ORDER – Request to Purchase one (1) 20 Ton Tilt Trailer
 - 2021-173 ORDER – Award Bids for Town Vehicles
 - 2021-174 ORDER – 15 Ann Street – Property Tax Abatement
 - 2021-175 ORDER – November 2, 2021 Election Warrant
 - 2021-176 ORDER – Recommendation on Ballot for Referendum Question
 - 2021-177 ORDINANCE – Bond Ordinance for Ferry Road & Set Public Hearing on September 7 (*first reading*)
 - 2021-178 ORDINANCE – New Remote Participation Ordinance (*first reading*)
 - 2021-179 ORDINANCE – Ch. 70 Zoning, Art. VIII Proposed Ground Mounted Solar Energy Systems Ord (*second reading*)
 - 2021-180 ORDINANCE – Ch. 10 Businesses-Proposed Ordinance for Adult Use Marijuana Establishments (*second reading*)
 - 2021-181 ORDINANCE – Amend Ch. 10 Businesses, Art. XI. Medical Marijuana Establishments (*second reading*)
 - 2021-182 ORDINANCE – Amend Ch.70 Zoning, Art IV Dist Reg, Div 13 Dist Uses Sec 70-530 Land Uses (*second reading*)
 - 2021-183 ORDINANCE – Amend Ch.70 Zoning, Art IV Dist Reg, Div 13 Dist Uses Sec 70-531 Table of Land Uses (*second reading*)
 - 2021-184 ORDER – Amend Appendix C - Fee Schedule (add new fees)
9. OTHER BUSINESS
 - A. Council Committee Reports:
 1. School (Councilor Albert)
 2. Planning Bd (Councilor Fellows)
 3. LDC (Councilor Albert)
 4. Recreation (Councilor Albert)
 5. Conservation Com (Councilor Ward)
 6. County Budget (Councilor Ward)
 7. Library (Councilor Lunt)
 8. Water Commission (Councilor Fellows)
 9. Finance Committee (Councilor Albert)
 - B. Town Manager's Report
 - C. Department Head Written Reports
7. APPOINTMENTS
2021-185 ORDER – MMA Election for Vice President and Executive Committee Members
8. COUNCIL COMMUNICATIONS
9. AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS
10. EXECUTIVE SESSION
11. ADJOURNMENT
2021-186 ORDER – To Adjourn

SUMMARY OF LISBON COUNCIL MEETING RULES

This summary is provided for guidance only. The complete council working rules may be found on the town website www.lisbonme.org on the Town Officials, Town Council page.

The meeting agenda is available from the town website under Council Agendas and Minutes.

1. Please note the order that agenda items may be acted upon by the Council, however, if necessary, the Council may elect to change the order of the agenda.
2. The Council Chairman presides over the meeting. When the Chairman is not present, the Vice Chairman serves that function. The chair shall preserve decorum and decide all questions of order and procedure subject to appeal to the town council.
3. Public comment is not typically allowed during Council workshops. There may be occasions where public comment may be recruited, but normally, workshops are reserved for Council members to discuss and educate themselves on a variety of issues facing the Town. Prior to the conclusion of a workshop, if time permits, the chair may allow questions from the public.
4. During audience participation, anyone wishing to address council will wait to be recognized by the chair before beginning any remarks. Audience members will move to the lectern to address council, and shall provide name and address prior to addressing the council.
5. Note that "Consent Agenda" items (if there are any) are acted upon first, voted upon as a group, and will most often be voted on without discussion as these items often involve "housekeeping" issues (such as minor parking changes). On occasion "Consent Agenda" items are separated out as stand-alone action items by the Council to allow for more discussion.
6. Public comment on agenda items. General comments on agenda items should be made during audience participation. After introduction of an agenda item, appropriate motions, and time for explanation and council questions, the public may be allowed to comment on that agenda item at the discretion of the chair. During that period of time, the public comment shall address only the agenda item before council.
7. Action on agenda items. As each item on the agenda for any meeting is brought to the floor for discussion:
 - a. The town clerk reads the agenda item and the action being requested of council.
 - b. The sponsor of each item or, if there is no council sponsor, the town manager, or town staff, shall first be allowed to present their initial comments for consideration by the public and councilors.
 - c. Following this introduction of the issue, there will be time devoted to any questions of the sponsor or the town manager or staff regarding the agenda item which any councilor may have which would help to clarify the question presented by the agenda item. The chair may allow questions from the public during this time however; no debate or discussion of collateral issues shall be permitted.
 - d. When authorized by the chair, any additional public comment shall be no longer than two minutes per person and must be to request or furnish new or undisclosed information or viewpoints only.
 - e. Once an agenda item has been explained and clarified by any questioning, the discussion on the specific agenda item will remain with the council. Additional public comment, prior to final council vote; will only be allowed at the chairman's discretion.
8. New business is for the council to receive input on town matters not on the agenda for that meeting. It is not intended, nor shall it be construed as an opportunity for debate of previous agenda items or reinforcement of a point made by another speaker. Comments shall be to furnish new or undisclosed information or viewpoints and limited to a time period of two minutes or less and shall be directed through the chair.
9. If an "Executive Session" is conducted by the Council, State Statute prohibits public attendance for any discussion of the action to be addressed by the Council. Any action taken by the Council on any "Executive Session" matter must be acted upon in a public meeting, and may occur at the end of the "Executive Session" (which has no time element relative to the length of the discussion involved in the "session").



Town of Lisbon

Diane Barnes
Town Manager

Town Council

Allen Ward, Chairman
Norm Albert
Donald Fellows, Vice Chair
Jeffrey Ganong
Kasie Kolbe
Fernand Larochelle, Jr.
Mark Lunt

MEMO

To: Town Council

From: Diane Barnes, Town Manager

Subject: Recommendations

Date: August 17, 2021

Consent Agenda Items 2021 – 167 A to H

G. Road Name Requests to adopt the names Elderberry Lane for an extended driveway in a subdivision off Upland Road and Rockin T Lane located off Edgcomb Road.

H. To Ratify the Teamsters Local 340 Union Contract for the Public Works Unit for the period 2020 to 2023.

Agenda Item 2021 – 168 School Capital Reserve Request for Athletic Field Lights

Superintendent Green reported that on April 29, 2019, the Lisbon School Committee voted 4-0 to request Council permission to spend \$57,000.00 from the Capital Reserve Fund to pay for the final phase installation of the Athletic Field Lights. The School Committee is requesting permission to expend this 57,000.00 from the Capital Reserve Fund now that these lights are ready to be purchased and installed. The remainder of the equipment and labor will be donated by Enterprise Electric.

Recommendation

To authorize the School Department to utilize an amount not to exceed \$57,000 to cover the cost of purchasing and installing Athletic Field Lights.

Agenda Item 2021 – 170 MDOT Utility Agreement

MDOT and the Town of Lisbon have entered into a transportation project for highway improvements along Rt. 125 beginning at the intersection of Rt. 196 and extending toward Huston Street. In connection with the Project, the Lisbon Sewer Department has expressed an interest in installing new facilities within the limits of the public highway right-of-way and the impact limits of the Project. The Sewer Department provided MDOT with the scope of work to be included in MDOT's construction contract for the Project. This agreement outlines the Parties responsibilities and establishes a process for including the Utility Work in the Department's construction contract for the Project.

Recommendation

Authorize the Town Manager to sign the MDOT Utility Agreement as presented.

Agenda Item 2021 – 171
Award Bid for Public Works Excavator

Bid 2021-005 is for a ONE (1) Excavator for Public Works. Bids were solicited from eight (8) different companies and opened on August 4, 2021 at 10:00am in the Council Chambers with Diane Barnes, Ray Soucy, Brent Davis from Milton CAT, Ryan Kennard from Whited Equipment, and Glenn Connell from Nortrax present. The following bids were opened:

Ahearn Equipment	Excavator	\$95,399.00
Whited Equipment	Excavator	\$95,485.00
Nortrax	Excavator	\$119,250.00
Milton CAT	Excavator	\$119,900.00

Mr. Cyr recommends awarding the bid for an excavator to Whited Equipment for \$95,485. Although not the lowest bid, Mr. Cyr confirmed that this machine meets the specifications required in our bid and falls within the local bidder preference given; the difference being \$86 between the lowest bid from Ahearn to Whited. Our budget for an Excavator is \$111,000.

Recommendation

Award the Excavator bid to Whited Equipment in an amount not to exceed \$95,485.00.

Agenda Item 2021 – 172
Request to Purchase one (1) 20-Ton Tilt Trailer

The Public Works Director is requesting permission to purchase a 20-Ton Tilt Trailer for the Public Works Department. The desired equipment will be utilized by the Public Works Department, for both summer and winter work. The Council approved the director's original request that was to solicit bids for an Excavator and Trailer with a budget of \$24,000.

The RFP was sent out via email to our vendor list and we received bids from four companies for an Excavator and two bids for a trailer: Nortrax for \$34,220 and Milton Cat for \$24,900. Trailers are popular right now and companies have already filled their orders so trailers are being backordered and come with a lengthy delivery time from 6 months to some exceeding 8 months.

After thorough review of several companies, the Public Works Director recommends going with the 20-Ton Tilt Trailer offered by Jessi Mitchell, at Rampant Trailers, LLC out of Raleigh, North Carolina for \$24,089 that includes the deliverer fee to Public Works at \$2,090. This trailer meets our specs and all our operational needs and would be onsite 8-10 weeks from the order date. The difference being \$811 less than our previous lowest bidder.

Recommendation

To authorize the Town Manager to purchase a 20-Ton Tilt Trailer in an amount not to exceed 24,089 from Rampant Trailers, LLC.

Agenda Item 2021 – 173
Award Bid for Town Vehicles

Bid 2021-006 is for ONE (1) new 2020 or Newer Truck for Public Works, Waste Water Treatment Plant, and Parks & Recreation. We requested bids on four (4) trucks total.

Bids were solicited from sixteen (17) different companies, and publicly opened. Present were Randy Cyr, Ray Soucy, Steve Aievoli, and Josh Tracy from Bessey Motors.

All bids received have truck price and additional price for all extras needed on the truck for operation. The following bids were received and reviewed. Following each bid is a recommendation:

PUBLIC WORKS:

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Public Works	Emerson Chevrolet	Chevy 3500 - Truck Only	\$32,241.00
		All Extras	25,370.47
		Power Inverter	\$1,509.99
			<u>\$59,121.46</u>
	Bessey Motor Sales	Ram 2500 - Truck & Extras	\$61,942.47
		Power Inverter	\$1,509.99
			<u>\$63,452.46</u>

Our recommendation is to award the bid for a Chevy 3500 with all extras to Emerson Chevrolet for \$59,121.46 for Public Works Department. The budget for Public Works to purchase a truck is \$50,000. The difference between our budget and lowest bid is \$9,121.46 but there will be available funds after purchasing the Excavator and Trailer, which came in lower than our budgeted amount.

WASTE WATER TREATMENT PLANT:

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Waste Water Treatment Plant	Emerson Chevrolet	Chevy 2500 - Truck Only	\$31,560.00
		All Extras	\$18,630.32
			<u>\$50,190.32</u>
	Bessey Motor Sales	Ram 2500 - Truck & Extras	<u>\$55,294.32</u>

Our recommendation is to award the bid to Emerson Chevrolet in an amount not to exceed \$50,190.32 for a Chevy 2500 truck with all extras for the Waste Water Treatment Plant. The budget for the Waste Water Treatment Plant to purchase a truck is \$50,000. The difference between our budget and the lowest bid is \$190.32.

PARKS AND RECREATION:

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Recreation Department (1)	Emerson Chevrolet	Chevy 1500 -Truck Only	\$30,978.00
		All Extras	\$4,155.00
			<u>\$35,133.00</u>
	Bessey Motor Sales	Ram 1500 - Truck & Extras	<u>\$36,058.99</u>

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Recreation Department (2)	Emerson Chevrolet	Chevy 2500 -Truck Only	\$33,081.00
		All Extras	\$4,155.00
			<u>\$37,236.00</u>
	Bessey Motor Sales	Ram 2500 - Truck & Extras	<u>\$40,086.99</u>

The budget for Parks & Recreation to purchase two (2) trucks is \$20,000 for each vehicle. However, all bids exceed the budgeted amount. Although not the lowest bid, the recommendation is to award the bid to Emerson Chevrolet for a Chevy 2500 with all extras in the amount of \$37,236, which is a larger truck and better for operational needs. The difference between the lowest bid from Emerson for a Chevy 1500 and the second truck for Chevy 2500 from Emerson is \$2,103.

Recommendation

To award the Town Vehicle bids as follows to:

- 1) Emerson Chevrolet in an amount not to exceed \$59,121.46 for a Chevy 3500 truck with all extras for the Public Works Department,**
- 2) Emerson Chevrolet in an amount not to exceed \$50,190.32 for a Chevy 2500 truck with all extras for the Waste Water Treatment Plant, and**
- 3) Emerson Chevrolet in an amount not to exceed \$37,236.00 for a Chevy 2500 truck with all extras for the Parks & Recreation Department**

Agenda Item 2021 – 174 15 Ann Street – Property Tax Abatement

The owner of 15 Ann Street is unknown. Real estate may be taxed to the person in possession, even when the owner is unknown per 36 M.R.S. § 553.

The Town's assessment records contain a note that, on April 2, 2019, that the owner lived with her daughter and that no one lived in the house at 15 Ann Street. On July 9, 2021, the daughter told the town that her mother now resides in a nursing home (as of July 13, 2015+/-). Taxes for 15 Ann Street assessed to that owner were paid through FY 19, which were committed on August 13, 2018. While that owner lived at 15 Ann Street, taxes were properly assessed to that owner as the person in possession; however, from available data today, it appears that this owner was no longer in possession of 15 Ann Street when the FY 19, FY 20 and FY 21 taxes were assessed.

Per 36 M.R.S. § 557-A provides an assessment procedure to be used for "real property for which no owner is known to the assessors for at least the preceding 20 tax years and for which the assessor has, with reasonable diligence, attempted to determine ownership." The town has not established who holds record title. Accordingly, FY 22 taxes for 15 Ann Street should be assessed to an unknown owner, and notice given to the unknown owner by publication and to abutting property owner, as required by 36 M.R.S. § 557-A.

The town's attorney advises the Town Manager notify the assessor in writing of the name of the proper party to be assessed, if known, and the reason why such tax is believed to be invalid, in order that a supplemental assessment may be made and have the Council approve an abatement for taxes assessed as invalid by reason of error.

Recommendation

Authorize the tax abatement of the 2020 Tax Lien \$623.70 and write off interest of \$90.43 and costs of \$60.90 on bill # 20200073 and the 2019 Tax Lien \$413.58 and write of interest of \$80.52 and costs of \$70.70 on bill # 1000179 assessed to Arlene Baud, 15 Ann Street, Map U06, Lot 004.

Agenda Item 2021 – 184 Amend Appendix C - Fee Schedule (add new fees)

Amendments to fees in the Medical Marijuana Establishment Ordinance, Adult Use Marijuana Establishment Ordinance, and more recently we discovered the need to add our current Plumbing Fees.

Section this Code	Description	Fee/Rate
BUSINESSES		
10-613	<u>Medical</u> Marijuana licensing fees:	
	Registered caregiver retail store	250.00
	<u>Registered caregiver cultivation facility</u>	<u>250.00</u>
	Registered dispensary	250.00
	Manufacturing facility	250.00
	Marijuana testing facility	250.00
<u>11-713</u>	<u>Recreational – Adult Use licensing fees:</u>	
	<u>Marijuana store</u> <u>(25% go to the local D.A.R.E program)</u>	<u>5,000.00</u>
	<u>Cultivation facility</u> <u>(25% go to the local D.A.R.E program)</u>	<u>5,000.00</u>
	<u>Manufacturing facility</u> <u>(25% go to the local D.A.R.E program)</u>	<u>5,000.00</u>
	<u>Marijuana testing facility</u> <u>(25% go to the local D.A.R.E program)</u>	<u>10,000.00</u>

Section this Code	Description	Fee/Rate		
<u>ELECTRICAL FEES</u>				
	<u>Minimum Permit Fee (see application for per sf fees)</u>	<u>\$35.00</u>		
	<u>Re-inspection Fee</u>	<u>\$25.00</u>		
	<u>Repair/Remodel/Alteration Fee</u>	<u>Minimum Fee of \$35 (30 openings) and \$25 per 30 openings</u>		
<u>PLUMBING FEES</u>				
<u>The LPI is the official charged with carrying out the duties required by 30-A M.R.S.A. 4221-4223. These fees were set by DHHS/CDC State Rule as of 11/13/2021. See Fees Below – Municipal Fee is 75% / State Fee is 25%.</u>				
	<u>Disposal System Components</u>	<u>Total Fee</u>	<u>State Share</u>	<u>DEP Surcharge</u>
	<u>Complete Non-Engineered System</u>	<u>\$250.00</u>	<u>\$62.50</u>	<u>\$15.00</u>
	<u>Primitive / Limited System (graywater & alt toilet)</u>	<u>\$100.00</u>	<u>\$25.00</u>	<u>\$15.00</u>
	<u>Alternative Toilet</u>	<u>\$50.00</u>	<u>\$12.50</u>	<u>n/a</u>
	<u>Non-Engineered Treatment Tank</u>	<u>\$150.00</u>	<u>\$37.50</u>	<u>n/a</u>
	<u>Holding Tank</u>	<u>\$100.00</u>	<u>\$25.00</u>	<u>\$15.00</u>

	<u>Non-Engineered Disposal Field</u>	<u>\$150.00</u>	<u>\$37.50</u>	<u>n/a</u>
	<u>Separated Laundry System</u>	<u>\$35.00</u>	<u>\$8.75</u>	<u>\$15.00</u>
	<u>Complete Engineered System</u>	<u>\$200.00</u>	<u>\$50.00</u>	<u>n/a</u>
	<u>Engineered Treatment Tank (only)</u>	<u>\$80.00</u>	<u>\$20.00</u>	<u>n/a</u>
	<u>Engineered Disposal Field (only)</u>	<u>\$150.00</u>	<u>\$37.50</u>	<u>n/a</u>
	<u>Pre-Treatment</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
	<u>Miscellaneous Components</u>	<u>\$30.00</u>	<u>\$7.50</u>	<u>n/a</u>
	<u>First-Time System Variances</u>	<u>\$20.00</u>	<u>\$5.00</u>	<u>n/a</u>
	<u>Replacement System Variances</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
	<u>Seasonal Conversion Permit</u>	<u>\$50.00</u>	<u>\$12.50</u>	<u>n/a</u>
	<u>Internal Plumbing Permits</u>			
	<u>Minimum fee, Includes up to 4 fixtures/hook-ups</u>	<u>\$40.00</u>	<u>\$10.00</u>	<u>n/a</u>
	<u>Individual fixtures, each, over 4</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>
	<u>Mobile or Modular Home – factory components</u>	<u>\$40.00</u>	<u>\$10.00</u>	<u>n/a</u>
	<u>Hook up to public sewer</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>
	<u>Hook up to existing subsurface system</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>
	<u>Piping relocation with no new fixtures</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>
	<u>Permit transfer</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>

Recommendation

To adopt amendments and new fees to Appendix C Fee Schedule as presented.



TOWN OF LISBON

300 Lisbon Street, Lisbon, ME 04250

Agenda Item - PH A

Twila D. Lycette, Town Clerk

Lisa B. Smith, Deputy Clerk

TOWN OF LISBON

PUBLIC HEARING

The Lisbon Town Council will hold a public hearing on Tuesday August 17, 2021 at 7:00 PM in the Town Office Public Meeting Room to hear comments on a Mass Gathering Permit for Positive Change Lisbon, Po Box 382, Lisbon Maine. The Public is invited to attend.

Twila Lycette, CMC/CCM
Lisbon Town Clerk

21-6667

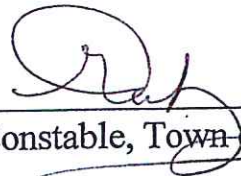
Constable's
Return Of Posting
State Of Maine

Lisbon,

Androscoggin, ss.

Pursuant to the within notice, I have posted said notice at the Lisbon Center Post Office and the Town Office Building, these being in District 1, and the Lisbon Falls Post Office, this being in District 2, all being conspicuous and public places within the Town of Lisbon.

Date: 7-16-21



Constable, Town of Lisbon



TOWN OF LISBON

300 Lisbon Street, Lisbon, ME 04250

Agenda Item - PH B - G

Twila D. Lycette, Town Clerk

Lisa Smith, Deputy Clerk

PUBLIC HEARING

Proposed Ordinances & Amendments

Notice is hereby given that the Lisbon Town Council intends to hold a public hearing on August 17, 2021 at 7:00 PM in the Town Office Public Meeting Room to hear comments on the following:

1. Chapter 70 Zoning Ordinance, Article VIII Proposed ordinance for Ground Mounted Solar Energy Systems
2. Chapter 10 Businesses–Proposed Ordinance for Adult Use Marijuana Establishments
3. Amend Chapter 10 Businesses, Article XI, Medical Marijuana Establishments to include Registered Caregiver Cultivation Facilities
4. Amend Chapter 70 Zoning Ordinance, Article IV. District Regulations, Division 13. District Uses, Sec. 70-530 Land uses
5. Amend Chapter 70 Zoning Ordinance, Article IV. District Regulations, Division 13. District Uses, Sec.70-531 Table of land uses (for solar and marijuana businesses)
6. Amend Appendix C – Fee Schedule (adding new business fees)

The public is invited to attend. Copies of the proposed ordinances and amendments may be viewed or obtained at the Town Clerk's Office, 300 Lisbon Street, Lisbon or online at www.lisbonme.org.

The public is invited to attend.

Twila Lycette, Town Clerk

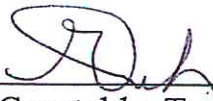
Constable's
Return Of Posting
State Of Maine

Lisbon,

Androscoggin, ss.

Pursuant to the within notice, I have posted said notice at the Lisbon Center Post Office and the Town Office Building, these being in District 1, and the Lisbon Falls Post Office, this being in District 2, all being conspicuous and public places within the Town of Lisbon.

Date: 7-16-20



Constable, Town of Lisbon

LISBON PUBLIC HEARING

Proposed Ordinances & Amendments

Notice is hereby given that the Lisbon Town Council intends to hold a public hearing on August 17, 2021 at 7:00 PM in the Town Office Public Meeting Room to hear comments on the following:

1. Chapter 70 Zoning Ordinance, Article VIII Proposed ordinance for Ground Mounted Solar Energy Systems
2. Chapter 10 Businesses–Proposed Ordinance for Adult Use Marijuana Establishments
3. Amend Chapter 10 Businesses, Article XI, Medical Marijuana Establishments to include Registered Caregiver Cultivation Facilities
4. Amend Chapter 70 Zoning Ordinance, Article IV. District Regulations, Division 13. District Uses, Sec. 70-530 Land Uses
5. Amend Chapter 70 Zoning Ordinance, Article IV. District Regulations, Division 13. District Uses, Sec.70-531 Table of Land Uses (for solar & marijuana businesses)
6. Amend Appendix C – Fee Schedule (add new business fees)

The public is invited to attend. Copies of the proposed ordinances and amendments may be viewed or obtained at the Town Clerk's Office, 300 Lisbon Street, Lisbon or online at www.lisbonme.org.

Twila Lycette, Town Clerk

Date	Brenda Martin		Municipal Accts Payable
7/14/2021	7142021	\$	19,214.54
7/26/2021	7202021	\$	249,407.48
7/26/2021	063021OL	\$	44,208.38
7/26/2021	7212021	\$	15,722.83
7/29/2021	7282021	\$	11,525.80
8/5/2021	8032021	\$	831,893.18
8/5/2021	8042021	\$	21,998.45
		\$	1,193,970.66

Date	Megan Lavigne		Municipal Payroll Warrants
7/27/2021	210729	\$	183,001.15
7/27/2021	2107W3	\$	16,745.31
8/10/2021	210812	\$	146,994.46
8/10/2021	2108W1	\$	16,406.87
		\$	363,147.79

Date	Louise Levesque		School Accts Payable
7/20/2021	2201	\$	321,408.49
8/3/2021	2202	\$	892,882.63
8/12/2021	2203	\$	315,808.75
		\$	1,530,099.87

Date	Eva Huston		School Payroll Warrants
7/20/2021	4	\$	614.36
8/5/2021	6	\$	270.82
8/5/2021	7	\$	176.51
8/17/2021	10	\$	176.51
7/20/2021	1006	\$	304,562.48
7/20/2021	1007	\$	12,222.02
7/26/2021	1008	\$	12,385.60
7/26/2021	1009	\$	25.00
8/5/2021	1010	\$	306,032.27
8/5/2021	1011	\$	12,134.96
8/5/2021	1012	\$	40.90
8/10/2021	1013	\$	12,385.60
8/10/2021	1014	\$	25.00
8/10/2021	1015	\$	92,646.31
8/10/2021	1016	\$	790.05
8/10/2021	1017	\$	139.17
8/10/2021	1018	\$	255,419.74
8/10/2021	1019	\$	925.13
8/17/2021	1020	\$	282,889.02
8/17/2021	1021	\$	11,872.90
		\$	1,305,734.35



**TOWN COUNCIL
MEETING MINUTES
JULY 13, 2021
TOWN HALL**

Normand Albert 2021
Kasie Kolbe 2021
Allen Ward 2021
Mark Lunt 2022
Donald Fellows 2022
Jeffrey Ganong 2022
Fern Larochelle 2023

CALL TO ORDER. The Vice-Chairman, Donald Fellows, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Kolbe, Lunt, Larochelle, Ganong, and Fellows.

VOTE (2021-146A) Councilor Larochelle, seconded by Councilor Lunt moved to excuse Councilor Ward's absence. **Order passed – Vote 5-0.**

VOTE (2021-146B) Councilor Larochelle, seconded by Councilor Kolbe moved to excuse Councilor Albert's absence. **Order passed – Vote 5-0.**

Also present were Diane Barnes, Town Manager; Diane Nadeau, Librarian; Randy Cyr, Public Works/Solid Waste Director; Brett Richardson, Economic & Community Development Director; and two citizens in the audience.

GOOD NEWS & RECOGNITION

Councilor Larochelle indicated the past weekend's Moxie Road Race and Moxie Car Show went really well. He said it was good to see the activity at both. He mentioned both events were well attended. Everyone he spoke with said they enjoyed both events.

Councilor Fellows mentioned he read an article in the local newspaper over the weekend about Conrad Davis, who has participated on many boards and committees, more recently the Police Advisory Committee, that reported his daughter's class ring had been found and returned to the family. The story was very touching and revealed how receiving this ring had positively affected this family.

PUBLIC HEARINGS - NONE

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE

CONSENT AGENDA

VOTE (2021-147) Councilor Larochelle, seconded by Councilor Kolbe moved to approve the following consent agenda items:

- A. Municipal Accounts Payable Warrants - \$ 1,004,926.56
- B. Municipal Payroll Warrants - \$353,785.04
- C. School Accounts Payable Warrants - \$ 570,545.00
- D. School Payroll Warrants - \$ \$1,114,862.97
- E. Special Meeting Minutes for June 22, 2021
- F. Set Public Hearing on August 17 for Mass Gathering Permit for Positive Change Lisbon

Order passed - Vote 5-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

AWARD DIGITAL ADVERTISING BOOT CAMP BID

INTRODUCTION: Mr. Richardson reported on May 26, 2021, the Maine Community Foundation's (MCF) notified ECD that the Town's proposal to MCF's Start Up Scale Up Grant Program to deliver a free Digital Advertising Boot Camp for local businesses and entrepreneurs throughout Maine was funded for the requested amount of \$13,000. Lisbon's Council authorized a bid process during their June 22, 2021 meeting to select a qualified consultant to deliver the boot camp trainings. The Digital Advertising Boot Camp bid process was open from June 23rd through 1pm on July 7th. The Town received one bid from Dream Local Digital of Machias, Maine, to create, help promote, and deliver the boot camp trainings for \$13,000.

Mr. Richardson explained this Digital Advertising Boot Camp will feature a series of digital trainings to be created, produced, and delivered by a consultant, plus tailored one-on-one consulting for up to 20 Lisbon businesses. The one-on-one consulting sessions will include hands-on strategic and tactical recommendations that Lisbon businesses can implement based on their current marketing platforms and business models. The kick-off and wrap-up trainings will be held in person at the planned Entrepreneurship Hub under development with the Ancient York Masonic Lodge. The sessions in-between will be delivered via a web-based live stream statewide. The ideal consultant will have specialized skills, broad experience, and the ability to produce and deliver compelling trainings.

Mr. Richardson reports that Dream Local Digital is led by principal Shannon Kinney. Ms. Kinney and her company are well-respected digital advertising experts and are more than qualified to deliver the Boot Camp trainings. References provided strong endorsements for Dream Local Digital's ability to ensure success trainings to support local Lisbon businesses. Therefore, Mr. Richardson respectfully requests Council award the Digital Advertising Boot Camp to Dream Local Digital for \$13,000 using funds from the Maine Community Foundation Start Up Scale Up Grant.

VOTE (2021-148) Councilor Kolbe, seconded by Councilor Ganong moved to award the Digital Advertising Boot Camp to Dream Local Digital for \$13,000 using funds from the Maine Community Foundation Start Up Scale Up Grant. **Order passed - Vote 5-0.**

MAINE STATE ARPA GRANT FROM THE MAINE STATE LIBRARY

INTRODUCTION: Mrs. Nadeau is seeking Council approval to apply for the Maine State Library ARPA grant. The Maine State Library received ARPA federal funds and is offering Maine public libraries a share of the funds to assist with patron services post COVID-19 pandemic. They have calculated the funds as follows:

- (1) Base amount for all libraries is \$1,000,
- (2) A community's population and
- (3) A community's school free/reduced lunch percentage.

Mrs. Nadeau indicates the Lisbon Library qualifies for \$2,750. She said the wonderful news is that no matching funds are required to receive this grant. The grant specifies that funds must be used for COVID-19 related items, technology, services and programs to assist and improve "face-to-face" library services in their communities.

VOTE (2021-149) Councilor Larochelle, seconded by Councilor Lunt moved to authorize the Town Manager and Librarian permission to apply for a Maine State ARPA Grant. **Order passed - Vote 5-0.**

CARRY FORWARD CORRECTION

INTRODUCTION: Mrs. Barnes explained that she had inadvertently asked Council to carry forward \$20,000 twice from the Town Buildings Account (Building Expense) at the June 22 meeting on the year-end budget warrant articles. She said she moved this \$20,000 in the warrant and did not delete it from the original spot. She said we only have \$20,000 to carry forward, instead of \$40,000, and requested Council make a correction to carry forward \$20,000 instead of \$40,000.

VOTE (2021-150) Councilor Kolbe, seconded by Councilor Ganong moved to authorize the Town Manager to carry forward \$20,000 from the Town Buildings Account (Buildings Expense) instead of \$40,000. **Order passed - Vote 5-0.**

FERRY ROAD RECONSTRUCTION BOND REFERENDUM

INTRODUCTION: Mr. Cyr said due to the condition of Ferry Road, he asked Olver Associates to prepare a preliminary opinion of cost for the reconstruction of an approximate 3-mile-long portion that is in need of reconstruction. The work area would start at the end of the recently paved area near the intersection of Ferry and Marshall Road and extend approximately 13,700 linear feet (LF) to the river bend area or Brooks property. He indicated that the project scope was included in the agenda packet. The preliminary opinion of costs for this project is estimated to be about \$2,765,000. He reported this should be the last road needing to be funded through a municipal bond. He requested Council approve the project and allow the Town Manager to work with bond counsel to prepare a warrant and referendum question for the November ballot.

VOTE (2021-151) Councilor Larochelle, seconded by Councilor Ganong moved to approve the Ferry Road reconstruction and authorize the Town Manager to work with bond counsel to prepare a warrant and referendum question for the November ballot. **Order passed - Vote 5-0.**

CHAPTER 70 ZONING ORDINANCE, PROPOSED GROUND MOUNTED SOLAR ENERGY SYSTEM ORDINANCE (First Reading)

INTRODUCTION: Mr. Lunt, Vice-Chairman of the Planning Board explained that the Chairman Bill Kuhl was not able to attend tonight. He said the Planning Board received their first solar application back in June of 2020, when there were no regulations in place and with no opposition, it was approved. Months later a second solar application for Frost Hill created lots of opposition, the solar array was re-arranged on the lot to all the neighbors satisfaction and the application was approved. Because of that opposition, the Council adopted a moratorium giving the Planning Board time to develop a solar ordinance. The Planning Board approved the solar ordinance 5-0 and the town's attorney reviewed it, making minor revisions.

COUNCILOR COMMENTS: Councilor Fellows said he appreciated all the work the Planning Board has done and said he would like to see it move forward to a public hearing. He indicated he had a couple of questions that could wait to be discussed later.

Councilor Ganong said he prefers to read things that are very clear and concise that leaves no room for questions. He said he was concerned about Section 5 paragraph C that mentions lot coverage for Ground Mounted Solar Energy Systems and it says it shall be calculated based on the area of the supporting structure that is in contact with the ground and not the area of the panels, as long as the area under the panels remains vegetated and there is sufficient space between the panels to allow sunlight necessary to sustain live growth. He asked what is considered sufficient space between the panels. Mr. Lunt said the town attorney added that section. Councilor Ganong said he would like to see a number specified, something concrete so there are no challenges subject to interpretation to face. Councilor Fellows said he questioned the same thing. Mr. Lunt said there are industry standards out there to go by and a methodology to the construction of these systems that allows for certain distances. They do have to go out there to maintain them.

Councilor Fellows said he was concerned with Section 4. Definitions where the language states that the total airspace projected over the ground that is greater than 20,000 square feet; and (c) that is not directly connected to a residential structure. He asked what directly connected means. He said it seems to indicate that a resident with a big solar array of 20,000 square feet or larger that is somehow connected to a residential structure would be okay without regulation. Mr. Lunt said he thought the town's attorney would fix that but when he did not, he said, he thought perhaps the attorney understood this better than the board. Councilor Fellows said maybe the Council and/or Planning Board needs to think about it or whatever but the Council could still let it go to hearing.

VOTE (2021-152) Councilor Larochelle, seconded by Councilor Ganong moved to adopt the new Chapter 70, Article VIII. Ground Mounted Solar Energy System Ordinance as follows:

Chapter 70 - Zoning Ordinance

Article VIII. - Town of Lisbon Ground Mounted Solar Energy System Ordinance:

Section 1. Purpose - The purpose of this Ordinance is to allow ground mounted solar energy systems in certain districts subject to setback, height, screening, maintenance, safety, and decommissioning requirements and Planning Board review. Refer to Sec. 70-531 Table of Land Uses. The Zoning district designation for a particular site shall be determined from the Zoning Map of Lisbon, Maine.

Section 2. Applicability - This Ordinance shall apply to Ground Mounted Solar Energy Systems applications filed with the Planning Board for site plan review pursuant to Chapter 62. Site Plans.

Section 3. Authority and Validity –

A. This Ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2, Section 1 of the Maine Constitution, provisions of 30-A M.R.S. § 3001, Ordinance Power, and the provisions of 30-A M.R.S. § 4352, Zoning.

B. To the extent that any provision of this Ordinance is deemed invalid by a court of competent jurisdiction, such provision shall be removed from the Ordinance and the balance of the Ordinance shall remain valid.

C. Whenever a provision of this Ordinance conflicts with or is inconsistent with other provisions of this Ordinance, or of any other ordinance, regulation or standard, the more restrictive provision shall apply.

Section 4. Definitions –

Ground Mounted Solar Energy System: for purposes of this Ordinance: (a) a solar energy system that is structurally mounted to the ground; (b) has a physical size based on total airspace projected over the ground that is greater than 20,000 square feet; and (c) that is not directly connected to a Residential Structure.

Section 5. Dimensional Requirements –

A. Ground Mounted Solar Energy Systems in residential zoning districts shall not exceed twelve (12) feet in height when oriented at maximum tilt. Ground Mounted Solar Energy Systems shall not exceed twenty-five (25) feet in height when oriented at maximum tilt in Commercial, Industrial and Diversified Development zoning districts.

B. Minimum front setback shall be 50 feet, minimum side setback shall be 50 feet and minimum rear setback shall be 50 feet.

C. Lot coverage for Ground Mounted Solar Energy Systems shall be calculated based on the area of the supporting structure that is in contact with the ground and not the area of the panels, as long as the area under the panels remains vegetated and there is sufficient space between the panels to allow sunlight necessary to sustain live growth.

Section 6. Screening, Security, Maintenance and Regulatory Compliance –

A. Subject to the approval of the Lisbon Planning Board, the lots on which Ground Mounted Solar Energy Systems are located shall be buffered from roads and residences by plantings, berms, and natural topographical features.

B. Subject to the approval of the Lisbon Planning Board, the lots on which Ground Mounted Solar Energy Systems are located shall be protected by a perimeter fence designed to allow for passage of wildlife. One or more signs shall be affixed to the fence identifying the owner of the facility and 24-hour emergency contact information. A KnoxBox, or other system agreed to by the Fire Chief, that provides emergency access inside the security gate shall be installed.

C. For purposes of emergency services, the owner or operator of a Ground Mounted Solar Energy Systems shall provide a copy of the project summary, electrical schematic, and site plan to the Lisbon Fire Chief. All means of shutting down the system shall be clearly marked on the plan. The owner or operator shall identify a responsible person to the Fire Chief for public inquiries throughout the life of the installation.

D. The owner or operator of a Ground Mounted Solar Energy System shall maintain the facility in good condition. Maintenance shall include but not be limited to, painting, structural repairs, vegetation control and integrity of security measures. Site access shall be maintained to a level acceptable to the Lisbon Fire Chief. The owner or operator shall be responsible for the cost of maintaining the access road(s).

E. The owner or operator of a Ground Mounted Solar Energy System shall build and maintain it in compliance with all relevant Federal, State and Local Laws, Regulations, and Ordinances.

Section 7. Performance Guarantee - After the plan is approved but before a permit is issued, the applicant for a Ground Mounted Solar Energy System shall submit to the Town of Lisbon a performance guarantee in the amount of 150% of the applicant's estimated decommissioning cost of the system, subject to a review of such cost by the Code Enforcement Officer. The applicant may apply to the Code Enforcement Officer for release of the guarantee at such time that it or its assignees remove the system and associated abandoned structures, and such completed removal is found to be satisfactory by the Code Enforcement Officer.

Section 8. Decommissioning and Removal –

A. Any Ground Mounted Solar Energy System that has reached the end of its useful life, ceases to generate power or has been abandoned shall be removed pursuant to a plan approved by the Lisbon Planning Board during the application process. The owner or operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Code Enforcement Officer by certified mail, return receipt requested, of the proposed date of the discontinued operations and plans for removal.

B. Decommissioning shall consist of:

(1) physical removal of all solar energy systems, structures, equipment, security barriers and transmission lines from the site;

(2) disposal of all solid and hazardous waste in accordance with Local, State and Federal waste disposal regulations; and

(3) stabilization or re-vegetation of the site as necessary to minimize erosion. The Code Enforcement Officer may allow the owner or operator to leave landscaping or designated below-grade foundations to minimize erosion and disruptions to vegetation.

C. Absent a notice of a proposed date of decommissioning or written notice of extenuating circumstances, Ground Mounted Solar Energy Systems shall be considered abandoned when it fails to generate electricity for more than one year without having first obtained the written consent of the Code Enforcement Officer. Determination of abandonment shall be made by the Code Enforcement Officer.

D. If the owner or operator of a Ground Mounted Solar Energy System fails to remove the installation in accordance with the requirements of this section within 180 days of abandonment or the proposed date of decommissioning, the Town of Lisbon retains the right to use the performance guarantee and any and all legal or available means necessary to cause an abandoned, hazardous or decommissioned solar energy system to be removed.

Section 9. Effective Date and Duration - This Ordinance shall take effect 21 days after enactment by the Town of Lisbon unless otherwise provided and shall remain in effect until it is amended or repealed.

Section 10. Enforcement Violations and Penalties - This Ordinance shall be enforced by the municipal officers or their designee. Violation of this Ordinance shall be subject to the enforcement and penalty provisions of 30-A, M.R.S. § 4452, Enforcement of Land Use Laws and Ordinances.

Roll Call Vote: Yeas – Lunt, Larochelle, Kolbe, Ganong and Fellows. Nays - None.
Order passed – Vote 5-0.

AMEND CHAPTER 10 BUSINESSES,
ARTICLE XI. MEDICAL MARIJUANA ESTABLISHMENTS
TO INCLUDE REGISTERED CAREGIVER CULTIVATION FACILITIES
(First Reading)

VOTE (2021-153) Councilor Larochelle, seconded by Councilor Kolbe moved to amend Chapter 10 Businesses, Article XI Medical Marijuana Establishments, to include Registered Caregiver Cultivation facilities, etc. as follows:

ARTICLE XI. - MEDICAL MARIJUANA ESTABLISHMENTS

Sec. 10-601. - Authority.

This article is enacted pursuant to authority granted under 30-A M.R.S.A. § 3001, ~~22 M.R.S.A. § 2423~~ and 22 M.R.S.A. § 2429-D.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-602. - Purpose.

The purpose of this article is to provide procedures and standards relating to the operation of medical marijuana establishments and to require their annual licensing.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-603. - Definitions.

As used in this article, unless the context otherwise indicates, the following terms have the following meanings:

Cultivation of marijuana for medical use. "Cultivation of marijuana for medical use" means all cultivation of marijuana for medical use must comply with state rules and state statutes.

Disqualifying drug offense. "Disqualifying drug offense" means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, but does not include (1) An offense for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years earlier; or (2) An offense that consisted of conduct that would have been permitted under the Maine Medical Use of Marijuana Act.

Extraction. "Extraction" means a process of extracting marijuana concentrate from marijuana using water, lipids, gases, solvents or other chemicals or chemical processes. The use of inherently hazardous substances in marijuana extraction is restricted by state rule.

Marijuana product. "Marijuana product" means a product composed of marijuana, or marijuana concentrate and other ingredients that is intended for medical use. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana inhalant, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

Manufacture or manufacturing. "Manufacture" or "manufacturing" means the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products by a registered manufacturing facility or by a patient, caregiver or dispensary as authorized under 22 MRS, chapter 558-C. Manufacturing includes, but is not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing or manufacture" does not include cultivation.

Manufacturing facility. "Manufacturing facility" means a manufacturing facility authorized under state law to manufacture marijuana products for medical use or to engage in marijuana extraction for medical use.

Marijuana testing facility. "Marijuana testing facility" means an entity licensed by the State-Department of Administrative and Financial Services and certified to test medical use marijuana, including concentrates and products containing marijuana, for research and development purposes and to analyze contaminants in, and the potency and cannabinoid profile of, marijuana samples and products containing marijuana cultivated in accordance with 22 MRS, chapter 558-C.

Medical marijuana establishment. "Medical marijuana establishment" means a registered caregiver retail store, registered dispensary, marijuana testing facility, or manufacturing facility.

Registered caregiver retail store. "Registered caregiver retail store" means a registered caregiver authorized under state law to cultivate medical marijuana for qualifying patients that operates a retail store to sell medical marijuana to qualifying patients.

Registered caregiver cultivation facility. "Registered caregiver cultivation facility" means a registered caregiver authorized under state law to cultivate medical marijuana for qualifying patients.

Registered dispensary. "Registered dispensary" means a dispensary authorized under state law to cultivate and dispense medical marijuana to qualifying patients and caregivers.

Registration certificate. "Registration certificate" means a State-Department of Administrative and Financial Services document containing a unique registry identification number that permits the manufacturing of marijuana and marijuana products for medical use.

Registry identification card. "Registry identification card" means a photographic identification card issued by the State Department of Administrative and Financial Services to an individual who is authorized to manufacture marijuana or marijuana products for medical use, in the capacity of or in the employ of a patient, caregiver, dispensary or manufacturing facility. For the purposes of state rules, the State-Department of Administrative and Financial Services may issue a registry identification card to any person who holds an active and valid Individual Identification Card issued under Maine's Adult Use Marijuana Program authorized by 28-B MRS, chapter 1.

State registration authority. "State registration authority" means the authority created or designated by the state for the purpose of regulating and controlling registration for medical marijuana establishments.

(C.M. of 11-13-2018, V. 2018-247; C.M. of 1-15-2019, V. 2019-13; C.M. of 2-18-2020, V. 2020-40)

Sec. 10-604. - License required.

No person shall operate a medical marijuana establishment, nor shall any property owner permit the use of his or her premises to be operated as a medical marijuana establishment, without a valid license issued by the town. Each license shall be for a period of one year from the date of its issuance. A license must be obtained prior to the opening of a medical marijuana establishment. Applications for renewal licenses shall be submitted at least ninety (90) days prior to expiration of the existing term. Any licensee that fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.

(C.M. of 11-13-2018, V. 2018-247 ; C.M. of 1-15-2019, V. 2019-13)

Sec. 10-605. - Application.

Each applicant for a medical marijuana establishment license shall complete and file an application on the form provided by the town clerk, together with the applicable nonrefundable license fee, as well as the following supporting materials:

- (1) Copy of the applicant's state registration application and supporting documentation, as submitted to the state registration authority, if applicable.
- (2) Copies of all state approvals or conditional approvals required to operate a medical marijuana establishment, including, but not limited to, state registry identification card, state registration certificate, state application for registration or renewal manufacturing facility tier 1 or 2 along with approval

certification, and state application for registration or renewal testing facility and dispensary facility along with approval certifications as applicable.

- (3) If not included in the applicant's state registration application, a description of the form of ownership of the business enterprise together with attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the medical marijuana establishment.
- (4) If not included in the applicant's state registration application, an affidavit that identifies all owners, officers, members, managers or partners of the applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including but not limited to motor vehicle operator's license, motor vehicle registration, voter registration or utility bills shall be provided.
- (5) A release for each applicant and for each officer, owner, member, manager or partner of the applicant seeking a license allowing the Town of Lisbon to obtain criminal records and other background information related to the individual.
- (6) A statement as to the precise nature of the business with a description of the nature of all products and services offered to its customers.
- (7) A description of the premises for which the license is sought, including a plan of the premises and a list of all equipment, parts and inventory used in the operation of the medical marijuana establishment.
- (8) Evidence of an interest in the premises in which the medical marijuana establishment will be located, together with the form of interest, along with the written consent of the owner of the premises for such use if the applicant is not the owner.
- (9) Evidence of all land use approvals or conditional land use approvals required to operate the medical marijuana establishment, or applications that have been filed and are pending for the required approvals, including but not limited to building permit, conditional or special use approval, change of use permit and/or certificate of occupancy.
- (10) Copies of all other approvals or conditional approvals required to operate the medical marijuana establishment, including any applicable state food or local victualer's license as applicable.
- (11) Copies of compliance with the requirements of section 10-611 including, but not limited to State Department licensing, registration, and certification and evidence that the standards listed in section 10-610 have been met including but not limited to copies of Department of Administrative and Financial Services licensing, registration, and certification as applicable.

If the town clerk determines that a submitted application is not complete, the clerk shall notify the applicant of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the clerk's request, the application may be denied.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#); C.M. of 2-18-2020, V. [2020-40](#))

Sec. 10-606. - Investigation of applicant, officers, etc.

Upon receipt of an application or of a notice of a change of any of the individuals listed in subsection 10-605(4) above, the town shall provide copies of the completed application to the following staff members for purposes of conducting the investigations and issuing reports as listed below:

- (1) The building inspector shall verify that the premises at which the establishment will be located complies with all applicable town ordinances including, but not limited to, the building code, electrical code, plumbing code, and section 10-611, and shall report findings in writing to the town clerk.
- (2) The code officer shall inspect the location or the proposed location to determine whether the applicable ordinances relating to land use issues and building and safety codes issues have been satisfied and shall report findings in writing to the town clerk.
- (3) The health officer shall inspect the location or proposed location to determine whether all applicable ordinances relating to health and safety have been satisfied and shall report findings in writing to the town clerk.

- (4) The fire chief or his/her agent shall inspect the location or proposed location to determine if all town ordinances and any other applicable regulations concerning fire and safety have been satisfied and shall report findings in writing to the town clerk.
- (5) The police chief or his/her agent shall investigate the application, including the criminal history record information authorized under subsection 10-605(5) and under section 10-610 and shall report findings in writing to the town clerk.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#); C.M. of 2-18-2020, V. [2020-40](#))

Sec. 10-607. - Action on application.

- (1) *Public hearing.* The town clerk upon receipt of a completed application and upon receipt of the reports required under section 10-606 above, shall schedule a public hearing at a regular or special meeting of the town council and shall arrange for public notice of the public hearing to appear in the newspaper of general circulation within the Town of Lisbon at least seven days prior to the date of the scheduled public hearing. Costs of the hearing notice shall be paid out of the license and processing fee.
- (2) *Town council action.* The council, after notice and public hearing, shall determine whether the applicant complies with the requirements of this article. Upon such determination by the council, the town clerk shall be authorized to issue the license.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-608. - Status of license—Display.

No license issued under this article may be assigned or transferred to another entity. Any change in ownership or change in the officers of an owner shall require a new license. Licenses are limited to the premises for which they are issued and are not transferable to another location. The license shall be displayed in a conspicuous place in the medical marijuana establishment for which the license is issued.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-609. - Duty to update information.

Any licensee issued a license under this article shall have the duty to maintain updated and accurate information regarding all of the information provided pursuant to the application process and as required in section 10-605 within ten days of any change of status. Failure to provide and maintain current and accurate information may result in revocation of the applicant's license.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-610. - Standards for approval, denial, revocation.

A license application for a medical marijuana establishment shall be denied by the town council, and an existing license may be suspended or revoked by the town council after notice and hearing, if the applicant, or any owner of the applicant or licensee:

- (1) Fails to meet the requirements of this ordinance.
- (2) Is not at least twenty-one (21) years of age.
- (3) Is not a resident of the state of Maine.
- (4) Has had a license for a marijuana establishment revoked by a municipality or by the state.
- (5) Has not acquired all necessary state and local approvals prior to issuance of the license.
- (6) Has been convicted of a disqualifying drug offense.

(7) Has provided false or misleading information in connection with the license application.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-611. - Operating requirements.

In order to obtain a license pursuant to this ordinance, the applicant shall demonstrate to the town council that the following requirements will be met. A licensee shall comply with all of these requirements during the term of the license.

- (1) *Fixed location.* All licensed premises shall be fixed, permanent locations. Licensees shall not be permitted to operate medical marijuana establishments in other than the licensed premises, such as at farmer's markets, farm stands or kiosks.
- (2) *Security.*
 - (a) The licensed premises shall have lockable doors and windows and shall be served by an alarm system that includes automatic notification to the Lisbon Police Department.
 - (b) The licensed premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.
 - (c) The licensed premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).
- (3) *Ventilation.*
 - (a) The licensed premises shall comply with all odor and air pollution standards established by ordinance.
 - (b) All medical marijuana establishments that cultivate, manufacture or extract marijuana shall have an odor mitigation system installed that has been approved by a Maine licensed engineer, indicating that the system will provide odor control sufficient to ensure that no odors are perceptible off the premises.
 - (4) *Loitering.* The facility owner/operator shall make adequate provisions to prevent patrons or other persons from loitering on the premises. It shall be the licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed premises is ordered to leave.
 - (5) *Compliance with requirements of state and local law.* A medical marijuana establishment shall meet all operating and other requirements of state and local law. To the extent the state has adopted or adopts in the future any law or regulation governing medical marijuana establishments that conflicts in any way with the provisions of this article, the more restrictive shall control.

([C.M. of 11-13-2018, V. 2018-247](#) ; [C.M. of 12-18-2018, V. 2018-272](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-612. - Violations; penalties.

In addition to revocation or suspension of a medical marijuana establishment license as provided in this article, the violation of any provision of this article shall be punished by a fine of not less than \$500.00 nor more than \$2,500.00 for each offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. In addition to such penalty, the town may enjoin or abate any violation of this article. All fines and penalties, together with costs of prosecution of violations, which shall include the town's cost and attorney's fees, shall inure to the benefit of the town. This section shall be enforced by the Lisbon police chief, the Lisbon codes enforcement officer, and/or their designees. Notice of violations by medical marijuana establishment licensees of other provisions of this Code shall be provided to the police chief, town officers, and town attorney.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-613. - License fee.

~~For The~~ annual license fees ~~shall be as follows:~~ see Appendix C – Fee Schedule

~~Registered caregiver retail store: \$250.00~~

~~Registered caregiver cultivation facility: \$250.00~~

~~Registered dispensary: \$250.00~~

~~Manufacturing facility: \$250.00~~

~~Marijuana testing facility: \$250.00~~

(C.M. of 11-13-2018, V. 2018-247; C.M. of 1-15-2019, V. 2019-13)

Sec. 10-614. - Severability.

If any section, phrase, sentence or portion of this article is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

(C.M. of 11-13-2018, V. 2018-247; C.M. of 1-15-2019, V. 2019-13)

Sec. 10-615. - Appeals.

An appeal from any final decision of the town council under this article may be taken by any party to Superior Court within thirty (30) days of the decision being appealed in accordance with the provisions of Rule 80B of the Maine Rules of Civil Procedure.

(C.M. of 11-13-2018, V. 2018-247; C.M. of 1-15-2019, V. 2019-13)

Roll Call Vote: Yeas – Lunt, Larochelle, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 5-0.

AMEND APPENDIX C FEE SCHEDULE

COUNCILOR COMMENTS: Councilor Larochelle suggested all fees in the Medical Marijuana Establishments Ordinance be removed and placed into Appendix C Fee Schedule, that a \$250 application fee for a registered caregiver cultivation facility be added in the fee schedule, along with the Adult Use Marijuana Establishments fees. No objections were noted.

VOTE (2021-154) Councilor Larochelle, seconded by Councilor Kolbe moved to Amend Appendix C – Fee Schedule adding fees as follows:

PART II - TOWN COUNCIL RULES, REGULATIONS AND POLICIES
APPENDIX C FEE SCHEDULE

Section this Code	Description	Fee/Rate
BUSINESSES		
10-613	Marijuana licensing fees:	
	Registered caregiver retail store	250.00
	<u>Registered caregiver cultivation facility</u>	<u>250.00</u>
	Registered dispensary	250.00
	Manufacturing facility	250.00
	Marijuana testing facility	250.00

<u>11-713</u>	<u>Marijuana store</u> <u>(25% go to the local D.A.R.E program)</u>	<u>5,000.00</u>
	<u>Cultivation facility</u> <u>(25% go to the local D.A.R.E program)</u>	<u>5,000.00</u>
	<u>Manufacturing facility</u> <u>(25% go to the local D.A.R.E program)</u>	<u>5,000.00</u>
	<u>Marijuana testing facility</u> <u>(25% go to the local D.A.R.E program)</u>	<u>10,000.00</u>

Roll Call Vote: Yeas – Lunt, Larochelle, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 5-0.

AMEND CHAPTER 70 ZONING ORDINANCE,
ARTICLE IV. DISTRICT REGULATIONS,
DIVISION 13. DISTRICT USES,
SEC. 70-530 LAND USES & 70-531 LAND USE CHART
(For Ground Mounted Solar Systems & Marijuana Businesses)
(First Reading)

VOTE (2021-155) Councilor Larochelle, seconded by Councilor Kolbe moved to amend Chapter 70, Article IV. District Regulations, Division 13. District Uses, Sec. 70-530 Land Uses and 531 Land Use Chart as follows:

Sec. 70-530. - LAND USES.

All land use activities, as indicated Sec. 70-531 Table of Land Uses, shall conform to all of the applicable performance standards. The district designation for a particular site shall be determined from the Zoning Map of Lisbon, Maine.

Note: ~~Businesses dealing with Adult Use (Recreational) or with Medical Use of Marijuana are included in the Commercial/Business Uses category and are specifically titled "Medical Marijuana Businesses" and "Adult Use (Recreational) Marijuana Businesses."~~ No marijuana business shall be considered under any other section or sub-section of this Table of Land Uses.

(1) Key to Table of Land Uses:

P	Permitted by right if they comply with all applicable federal, state and town laws and regulations and the performance standards in article VI of this chapter. Uses may also require Subdivision and/or Site Plan Review approvals pursuant to other provisions of this Code.
C	Permitted upon authorization of a conditional use permit by the planning board in accordance with Article III of this Chapter. {May also required Site Plan Review and/or Subdivision approval}
No	Prohibited

(2) Abbreviations:

RP	Resource Protection
LR	Limited Residential
GR	General Residential
RO-I	Rural Open Space I
RO-II	Rural Open Space II

RR	Rural Residential
LRR	Limited Rural Residential
V	Village
C	Commercial
I	Industrial
DD	Diversified Development

(C.M. of 11-15-2011, V. 2011-208; [C.M. of 10-30-2018, V. 2018-238](#).)

Sec. 70-531. - TABLE OF LAND USES.

<i>Commercial/Business Uses</i>	RP	LR	GR ¹²	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Medical Marijuana Businesses (See footnote 14 for definitions) Marijuana: Retail Store											
• Registered Caregiver Retail Store	NO	NO	NO	NO	NO	NO	NO	C	C	NO	C
• <u>Registered Caregiver Cultivation Facility</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>C14</u>	<u>C14</u>	<u>C14</u>	<u>NO</u>	<u>NO</u>	<u>C14</u>	<u>C14</u>	<u>C14</u>
• Registered Dispensaries	NO	NO	NO	NO	NO	NO	NO	C	C	C	C
• Marijuana Testing Facilities	NO	NO	NO	NO	NO	NO	NO	C	C	C	C
• Manufacturing Facilities	NO	NO	NO	NO	NO	NO	NO	NO	C	C	C
Adult Use (Recreational) Marijuana Businesses (See footnote 15 for definitions)											
• Marijuana <u>Retail</u> Stores	NO	NO	NO	NO	NO	NO	NO	NO <u>C</u>	NO <u>C</u>	NO	NO <u>C</u>
• Cultivation Facilities	NO	NO	NO	NO <u>C</u>	NO <u>C</u>	NO <u>C</u>	NO	NO	NO <u>C</u>	NO <u>C</u>	NO <u>C</u>
• Products Manufacturing Facilities	NO	NO	NO	NO	NO	NO	NO	NO	NO <u>C</u>	NO <u>C</u>	NO <u>C</u>
• Testing Facilities	NO	NO	NO	NO	NO	NO	NO	NO <u>C</u>	NO <u>C</u>	NO <u>C</u>	NO <u>C</u>

Notes:

14. **Medical Marijuana Businesses:**

- Registered caregiver retail stores - authorized to ~~cultivate medical marijuana for qualifying patients, and operating~~ operate a retail store to sell medical marijuana to qualifying patients.
- Registered caregiver cultivation facilities - authorized to cultivate medical marijuana for qualifying patients except that the facility must be organized as a legal business entity recognized under the laws of the state and that the business must operate its cultivation area solely as an indoor operation.
- Registered dispensaries - authorized to cultivate and dispense medical marijuana to qualifying patients and caregivers.
- Marijuana testing facilities - authorized to test medical marijuana for contamination, potency and cannabinoid profile.
- Manufacturing facilities - authorized to manufacture marijuana products and marijuana concentrate for medical use.
- Signs, advertising and marketing used by or on behalf of Medical Marijuana business may not be placed within 500 feet of the property line of a pre-existing public or private school.

15. **Adult Use (~~Recreational~~) Marijuana Businesses:**

- Marijuana stores - authorized to sell marijuana, marijuana products, immature marijuana plants and seedlings directly to consumers.

- Cultivation facilities - authorized to grow, prepare and package marijuana for sale to other marijuana businesses.
- Products manufacturing facilities - authorized to blend, infuse or extract components of the marijuana plant to make marijuana products such as ointments, tinctures or edibles, for sale to marijuana stores or other marijuana products manufacturing facilities.
- Testing facilities - authorized to conduct research, analysis and testing of marijuana and marijuana products for contamination, potency and safety.
- Signs, advertising and marketing used by or on behalf of an Adult Use Marijuana business may not be placed within 500 feet of the property line of a pre-existing public or private school.

<i>Industrial Uses</i>	RP	LR	GR	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Junkyards	NO	NO	NO	C	NO	C	NO	NO	NO	C	NO
Transmission facilities-radio, television, power, telephone	NO	NO	NO	C	C	C	C	NO	C	P	NO
Sawmills	NO	NO	NO	C	C	C	NO	NO	NO	P	NO
Truck Terminal	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Bottling & beverages	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Manufacturing, processing, assembly of products or Goods	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Above ground storage of propane or flammable petroleum fuel products stored in accordance with rules promulgated by the state fire marshal	NO	NO	NO	NO	NO	NO	NO	C	C	P	NO
Commercial & industrial uses and facilities not meeting criteria for permitted uses	NO	NO	NO	NO	NO	NO	NO	NO	C	C	NO
Temporary construction, excavation, fabrication or Processing	NO	NO	NO	C	C	C	NO	NO	C	P	NO
Accessory Uses & Structures	NO	NO	NO	P	P	C	C	P	P	P	P
<u>Ground Mounted Solar Energy System</u>	<u>C</u>	<u>C</u>	<u>NO</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>NO</u>	<u>C</u>	<u>C</u>	<u>C</u>

Roll Call Vote: Roll Call Vote: Yeas – Lunt, Larochelle, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 5-0.

CHAPTER 10 BUSINESSES
PROPOSED ADULT USE MARIJUANA ESTABLISHMENTS ORDINANCE
(First Reading)

VOTE (2021-156) Councilor Larochelle, seconded by Councilor Kolbe moved to adopt the proposed ordinance for Chapter 10 Business Licenses, Article XII Adult Use Marijuana Establishments Ordinance as follows:

CHAPTER 10. BUSINESS LICENSES

Article XII.- ADULT USE MARIJUANA ESTABLISHMENTSSec. 70-701.-Authority.

This article is enacted pursuant to authority granted under 30-A M.R.S. § 3001 and 22 M.R.S. § 2429-D.

Sec. 70-702. -Purpose.

The purpose of this article is to provide procedures and standards relating to the operation of adult use marijuana establishments and to require their annual licensing.

Sec. 70-703.-Definitions.

As used in this article, unless the context otherwise indicates, the following terms have the following meanings:

Cultivation of marijuana for adult use. "Cultivation of marijuana for adult use" means all cultivation of marijuana for adult use must comply with state rules and state statutes.

Cultivation facility. "Cultivation facility" means a facility authorized under state law to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to products manufacturing facilities, to marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores.

Disqualifying drug offense. "Disqualifying drug offense" means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, but does not include (1) An offense for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years earlier; or (2) An offense that consisted of conduct that would have been permitted under Chapter 3 of Title 28-B of the Maine Revised Statutes.

Extraction. "Extraction" means a process of extracting marijuana concentrate from marijuana using water, lipids, gases, solvents or other chemicals or chemical processes. The use of inherently hazardous substances in marijuana extraction is restricted by state rule.

Marijuana product. "Marijuana product" means a product composed of marijuana, or marijuana concentrate and other ingredients that is intended for adult use. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana inhalant, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

Manufacture or manufacturing. "Manufacture" or "manufacturing" means the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products as authorized under 28-B M.R.S. chapter 1. Manufacturing includes, but is not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing or manufacture" does not include cultivation or testing.

Marijuana store. "Marijuana store" means a facility authorized under state law to purchase adult use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

Marijuana testing facility "Marijuana testing facility" means an entity licensed by the Department of Administrative and Financial Services to develop, research and test marijuana, marijuana products and other substances in accordance with 28-B M.R.S. chapter 1.

Adult use marijuana establishment. "Adult use marijuana establishment" means a marijuana store, a cultivation facility, a products manufacturing facility or a marijuana testing facility.

Products manufacturing facility. "Products manufacturing facility" means a facility authorized under state law to purchase adult use marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

Registration certificate. "Registration certificate" means a Department of Administrative and Financial Services document containing a unique registry identification number that permits the manufacturing of marijuana and marijuana products for adult use.

Registry identification card. "Registry identification card" means a photographic identification card issued by the Department of Administrative and Financial Services to an individual who is licensed to cultivate, sell, manufacture or test marijuana or marijuana products for adult use as an owner, officer, managers, contractor, employee or other support staff. For the purposes of state rules, the Department of Administrative and Financial Services may issue a registry identification card to any person who holds an active and valid Individual Identification Card issued under Maine's Adult Use Marijuana Program authorized by 28-B M.R.S., chapter 1.

State registration authority. "State registration authority" means the authority created or designated by the state for the purpose of regulating and controlling registration for adult use marijuana establishments.

Sec. 70-704. - License required.

No person shall operate an adult use marijuana establishment, nor shall any property owner permit the use of his or her premises to be operated as an adult use marijuana establishment, without a valid license issued by the town. Each license shall be for a period of one year from the date of its issuance. A license must be obtained prior to the opening of an adult use marijuana establishment. Applications for renewal licenses shall be submitted at least ninety (90) days prior to expiration of the existing term. Any licensee that fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.

Sec. 70-705.-Application.

Each applicant for an adult use marijuana establishment license shall complete and file an application on the form provided by the town clerk, together with the applicable nonrefundable license fee, as well as the following supporting materials:

- (1) Copy of the applicant's state registration application and supporting documentation, as submitted to the state registration authority, if applicable.
- (2) Copies of all state approvals or conditional approvals required to operate an adult use marijuana establishment, including, but not limited to, state registry identification card, state registration certificate, state application for registration or renewal along with approval certifications as applicable.
- (3) If not included in the applicant's state registration application, a description of the form of ownership of the business enterprise together with attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the adult use marijuana establishment.
- (4) If not included in the applicant's state registration application, an affidavit that identifies all owners, officers, members, managers or partners of the applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including but not limited to motor vehicle operator's license, motor vehicle registration, voter registration or utility bills shall be provided.
- (5) A release for each applicant and for each officer, owner, member, manager or partner of the applicant seeking a license allowing the Town of Lisbon to obtain criminal records and other background information related to the individual.
- (6) A statement as to the precise nature of the business with a description of the nature of all products and services offered to its customers.
- (7) A description of the premises for which the license is sought, including a plan of the premises and a list of all equipment, parts and inventory used in the operation of the adult use marijuana establishment.
- (8) Evidence of an interest in the premises in which the adult use marijuana establishment will be located, together with the form of interest, along with the written consent of the owner of the premises for such use if the applicant is not the owner.
- (9) Evidence of all land use approvals or conditional land use approvals required to operate the adult use marijuana establishment, or applications that have been filed and are pending for the required approvals, including but not limited to building permit, conditional or special use approval, change of use permit and/or certificate of occupancy.
- (10) Copies of all other approvals or conditional approvals required to operate the adult use marijuana establishment, including any applicable state food or local victualer's license as applicable.

- (11) Copies of compliance with the requirements of section 11 including, but not limited to Department of Administrative and Financial Services licensing, registration, and certification and evidence that the standards listed in section 10 have been met including but not limited to copies of Department of Administrative and Financial Services licensing, registration, and certification as applicable.

If the town clerk determines that a submitted application is not complete, the clerk shall notify the applicant of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the clerk's request, the application may be denied.

Sec. 70706 - Investigation of applicant, officers, etc.

Upon receipt of an application or of a notice of a change of any of the individuals listed in subsection 5(4) above, the town shall provide copies of the completed application to the following staff members for purposes of conducting the investigations and issuing reports as listed below:

- (1) The building inspector shall verify that the premises at which the establishment will be located complies with all applicable town ordinances including, but not limited to, the building code, electrical code, plumbing code, and section 11, and shall report findings in writing to the town clerk.
- (2) The code officer shall inspect the location or the proposed location to determine whether the applicable ordinances relating to land use issues and building and safety codes issues have been satisfied and shall report findings in writing to the town clerk.
- (3) The health officer shall inspect the location or proposed location to determine whether all applicable ordinances relating to health and safety have been satisfied and shall report findings in writing to the town clerk.
- (4) The fire chief or his/her agent shall inspect the location or proposed location to determine if all town ordinances and any other applicable regulations concerning fire and safety have been satisfied and shall report findings in writing to the town clerk.
- (5) The police chief or his/her agent shall investigate the application, including the criminal history record information authorized under subsection 5(5) and under section 10 and shall report findings in writing to the town clerk.

Sec. 70-707.-Action on application.

- (1) *Public hearing.* The town clerk upon receipt of a completed application and upon receipt of the reports required under section 6 above, shall schedule a public hearing at a regular or special meeting of the town council and shall arrange for public notice of the public hearing to appear in the newspaper of general circulation within the Town of Lisbon at least seven days prior to the date of the scheduled public hearing. Costs of the hearing notice shall be paid out of the license and processing fee.
- (2) *Town council action.* The council, after notice and public hearing, shall determine whether the applicant complies with the requirements of this article. Upon such determination by the council, the town clerk shall be authorized to issue the license.

Sec. 70-708.-Status of license—Display.

No license issued under this article may be assigned or transferred to another entity. Any change in ownership or change in the officers of an owner shall require a new license. Licenses are limited to the premises for which they are issued and are not transferable to another location. The license shall be displayed in a conspicuous place in the adult use marijuana establishment for which the license is issued.

Sec. 70-709.-Duty to update information.

Any licensee issued a license under this article shall have the duty to maintain updated and accurate information regarding all of the information provided pursuant to the application process and as required in section 5 within ten days of any change of status. Failure to provide and maintain current and accurate information may result in revocation of the applicant's license.

Sec. 70-710.-Standards for approval, denial, revocation.

A license application for an adult use marijuana establishment shall be denied by the town council, and an existing license may be suspended or revoked by the town council after notice and hearing, if the applicant, or any owner of the applicant or licensee:

- (1) Fails to meet the requirements of this ordinance.
- (2) Is not at least twenty-one (21) years of age.
- (3) Is not a resident of the state of Maine.
- (4) Has had a license for a marijuana establishment revoked by a municipality or by the state.
- (5) Has not acquired all necessary state and local approvals prior to issuance of the license.
- (6) Has been convicted of a disqualifying drug offense.
- (7) Has provided false or misleading information in connection with the license application.

Sec. 70-711.-Operating requirements.

In order to obtain a license pursuant to this ordinance, the applicant shall demonstrate to the town council that the following requirements will be met. A licensee shall comply with all of these requirements during the term of the license.

- (1) Fixed location. All licensed premises shall be fixed, permanent locations. Licensees shall not be permitted to operate adult use marijuana establishments in other than the licensed premises, such as at farmer's markets, farm stands or kiosks.
- (2) Security.
 - (a) The licensed premises shall have lockable doors and windows and shall be served by an alarm system that includes automatic notification to the Lisbon Police Department.
 - (b) The licensed premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.
 - (c) The licensed premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).
- (3) Ventilation.
 - (a) The licensed premises shall comply with all odor and air pollution standards established by ordinance.
 - (b) All adult use marijuana establishments that cultivate, manufacture or extract marijuana shall have an odor mitigation system installed that has been approved by a Maine licensed engineer, indicating that the system will provide odor control sufficient to ensure that no odors are perceptible off the premises.
- (4) Loitering. The facility owner/operator shall make adequate provisions to prevent patrons or other persons from loitering on the premises. It shall be the licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed premises is ordered to leave.
- (5) Compliance with requirements of state and local law. An adult use marijuana establishment shall meet all operating and other requirements of state and local law. To the extent the state has adopted or adopts in the future any law or regulation governing adult use marijuana establishments that conflicts in any way with the provisions of this article, the more restrictive shall control.

Sec. 70-712.-Violations; penalties.

In addition to revocation or suspension of an adult use marijuana establishment license as provided in this article, the violation of any provision of this article shall be punished by a fine of not less than \$500.00 nor more than \$2,500.00 for each offense. Each act of violation and every day upon which any such violation shall occur shall

constitute a separate offense. In addition to such penalty, the town may enjoin or abate any violation of this article. All fines and penalties, together with costs of prosecution of violations, which shall include the town's cost and attorney's fees, shall inure to the benefit of the town. This section shall be enforced by the Lisbon police chief, the Lisbon codes enforcement officer, and/or their designees. Notice of violations by adult use marijuana establishment licensees of other provisions of this Code shall be provided to the police chief, town officers, and town attorney.

Sec. 70-713.-License fee. (25% of the license fees and license renewal fees go to the local D.A.R.E program)

For annual license fees See Appendix C – Fee Schedule.

Sec. 70-714.-Severability.

If any section, phrase, sentence or portion of this article is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Sec. 70-715.-Appeals.

An appeal from any final decision of the town council under this article may be taken by any party to Superior Court within thirty (30) days of the decision being appealed in accordance with the provisions of Rule 80B of the Maine Rules of Civil Procedure.

Roll Call Vote: Yeas – Lunt, Larochelle, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 5-0.

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. Planning: Councilor Fellows reported this board approved a home daycare application for 140 Moody Road, two rear lots on Stable Lane, and a nine-lot subdivision on Hatch Road for Johnson Estates.
2. Water Commission: Councilor Fellows reported the board estimated to cost to repair the leaky pump on Moody Road might cost \$22,000 to fix. He indicated the Water Department would continue with their corrosion project that was to be completed in July; however, the employee working on that project has left so the board is looking for a contract to complete this work.

B. TOWN MANAGER'S REPORT

Mrs. Barnes reported on this fiscal year's fuel numbers as follows:

	<u>2020-2021</u>	<u>2021-2022</u>
Diesel	\$1.58	\$2.3412
Gas	\$1.49	\$2.3740
#2 Heating Oil	\$1.7315	\$2.325

C. DEPARTMENT HEAD WRITTEN REPORTS

Councilor Fellows indicated Councilor Ward sent in a few comments for this meeting and one comment was to thank Amy Wiers for picking up the extra tasks and for working on the Assessor's Certification of Assessment.

C. NOMINATION PAPERS FOR NOVEMBER 2021 ANNUAL MUNICIPAL ELECTION

The Town Clerk announced the following elected seats were available for the November 2, 2021 ballot:

Town Council (Three 3-Yr Terms) at large: Allen Ward, Normand Albert, and Kasie Kolbe

School Committee (Two 3-Yr Terms): Kimberly Labbe-Poisson and Kathi Yergin
Water Commission (One 3-Yr Term): Marie Hale

The Town Clerk said nomination papers will be available on or after July 26 at 8:30 AM and must be returned to the Town Clerk for filing on or before September 3 at 4:00 P.M.

APPOINTMENTS - NONE

COUNCILOR COMMUNICATIONS

Councilor Fellows announced that he has been working on creating a process for remote meetings for Lisbon now that the Governor's Emergency Executive Orders expired. He indicated the legislature passed legislation to allow towns the ability to create their own process following the guidelines outlined in that legislation. Something should be ready for the next meeting, he said.

Councilor Fellows indicated the Conservation Commission suggested the Council consider adopting another Rail to Trail Resolution. The previous one was adopted by Council in 2013. The Casco Bay Trail Alliance would like to get various communities involved to increase support to gain momentum for this project.

AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS - NONE

EXECUTIVE SESSION

VOTE (2021-157, 158, & 159) Councilor Larochelle, seconded by Councilor Kolbe moved to go into Executive Session at 8:10 PM per 1 MRSA Section 405 (6) (A) Personnel Matters, 405 (6) C) Economic Development, and 405 (6) (D) Union Negotiations. **Order passed – Vote 5-0.**

The Council came out of executive session at 8:42 PM.

VOTE (2021-160) Councilor Kolbe, seconded by Councilor Lunt moved to end the executive session and resume the meeting. **Order passed - Vote 5-0.**

VOTE (2021-161) Councilor Ganong, seconded by Councilor Larochelle moved to approve a loan to Ashley Wood for \$33,000 at 5% interest over a term of up to 10 years from the IRP loan account. **Order passed - Vote 5-0.**

VOTE (2021-162) Councilor Ganong, seconded by Councilor Larochelle moved to enter into a contract with Kathy Malloy, C.M.A. for Assessing Agent services effective July 14, 2021. **Order passed - Vote 5-0.**

ADJOURNMENT

VOTE (2021-163) Councilor Fellows, seconded by Councilor Larochelle moved to adjourn at 8:47 PM. **Order passed - Vote 5-0.**

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved: August 17, 2021

ITINERANT VENDOR APPLICATION

License Fee: ☒ \$150 6-Months Itinerant Vendor ☐ \$200 Carnival/Festivals
☒ ~~\$200~~ 12-Months Itinerant Vendor ☐ \$100 Outdoor Flea Market
☒ Exempt - mass gathering ☐ \$200 Indoor Flea Market

Required: ☐ \$50 Public Records Checks per person
☐ Landowner permission (submit letter if fixed location)
☐ If roaming, please submit a route map for the Police Chief to review

Owner: POSITIVE CHANGE LISBON Home Phone: _____

Email Address: POSITIVECHANGE@GMAIL.COM Cell Phone: 751-2417

Owner's Home Address: PO BOX 382 LISBON

Residence(s) for last five years: _____

Name of Business: PCL Business Phone: 751-2417

Location doing Business in town: VARIOUS

List Applicant / Partners / Corporate Officers:

Name: ROSS CUNNINGHAM | Name: _____ | Name: _____

Address: 120 MAIN ST | Address: _____ | Address: _____

Town/State: _____ | Town/State: _____ | Town/State: _____

Birthdate: _____ | Birthdate: _____ | Birth date: _____

Has applicant's business license ever been revoked: NO

If so, why? _____

Has any applicant / partner / corporate officer ever been convicted of a felony? NO

If yes, describe specific circumstances _____

Does the establishment have a valid liquor license? NO If yes, when does it expire? _____

I, ROSS CUNNINGHAM (owner's name), PRESIDENT (title) is authorized to sign on behalf of said business, and further declare that the forgoing information is accurate and true to the best of my knowledge and belief, and that the applicant does hereby acknowledge a public records check may be conducted.

Signature: [Signature] Date: 6/25/21

Business Name: POSITIVE CHANGE LISBON

INSPECTION REQUIRED

- ☐ Yes, if preparing food (includes making coffee)
☐ No, if prepackaged ice cream or food

Notice of Compliance (By Ordinance): I, **Dennis Douglass Health Officer** for the Town of Lisbon hereby certify I have inspected the above establishment and found the premises meet all requirements under the Lisbon Code and any applicable state regulations.

Signature: [Signature] Date: 7/8/21

COMPLETE TO HERE BEFORE FILING

For Office Use Only

☒ Public Records Check Completed.

Notice of Compliance (By Ordinance): I, **Ryan McBratney**, Police Chief for the Town of Lisbon hereby certify I have reviewed this application and the vendor will not create safety problems for either traffic or pedestrians, and that information on file does not indicate the applicant is a person of bad moral character.

Signature: [Signature] Date: 6/29/2021

INFORMATION

The Councilors are the Municipal Licensing Board. The first itinerant Vendor application requires a public hearing, but renewals will not. Public records checks can take up to two or more weeks to process. Complete applications contain the CEO and Health Officer signatures. Councilors meet on the first and third Tuesdays of the month. Complete application and fees paid are required prior to the Council meeting. Meetings are held at the Town Hall at 7:00 PM in the conference room.

Temporary permits can be granted by the Town Clerk, after meeting all the requirements of the ordinance, for no longer than 90 days.

SUGGESTED CONTACTS:

353-3000 Ext 118... Town Clerk
353-3000 Ext 111 ...Health Officer
353-3000 Ext 111... Code Enforcement Officer
353-2500..... Police Department
287-5671..... State Health Inspection Dept.

624-9693 State Sales Tax Division
624-7736..... Bureau of Corporations
624-7220..... Bureau of Alcohol Beverages
287-3841..... Agriculture Dept- Bakery Licenses
624-6550..... Marine Resources
1-800-872-3838.. Business Answers

MEMO TOWN OF LISBON

TO: LISBON TOWN COUNCIL
FROM: AMY WIERS, ADDRESSING OFFICER
DATE: JULY 27, 2021
RE: NEW ROAD NAME

Jeremiah J. Raitt, Little River Land Surveying, Inc., is working on a subdivision off Upland Road. Map R05 Lot 32-B

The client, Denjan LLC, would like the new road to be named "Elderberry Lane".

This new road is between R05-032 (105 Upland Road) and R05-037 (91 Upland Road).

These road names meet E-911 standards and are in compliance with the Town's road naming ordinance Sec. 46-93.

Amy Wiers, Addressing Officer
Town of Lisbon
Awiers@lisbonme.org

LITTLE RIVER



LAND SURVEYING, INC.

ME PLS #2376 NH LLS #957 MA LS #56221

PO Box 332, Lisbon Falls, Maine 04252

Phone: 207-841-0056 Email: jraitt@lrls.net

Town Council, Town of Lisbon
300 Lisbon Street
Lisbon, ME 04250

July 27, 2021

Re: Subdivision Plan of Upland Meadow (road name)

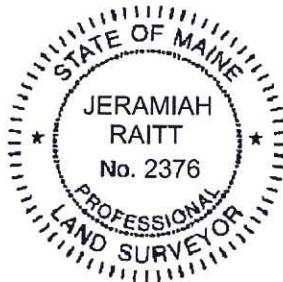
Council members,

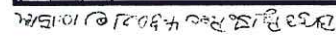
Our client, Denjan LLC, recently had a small subdivision of tax map R-5, lot 32-B approved off Upland Road, just east of it's intersection with Mill Street.

We are requesting approval for the name of the private road shown on the recorded plan, which we are hoping to call **Elderberry Lane**.

Please do not hesitate to call or email if you have any questions or concerns.

Jeramiah J. Raitt
ME PLS #2376
NH LLS #957
MA LS #56221





MEMO TOWN OF LISBON

TO: LISBON TOWN COUNCIL
FROM: AMY WIERS, ADDRESSING OFFICER
DATE: AUGUST 6, 2021
RE: NEW ROAD NAME

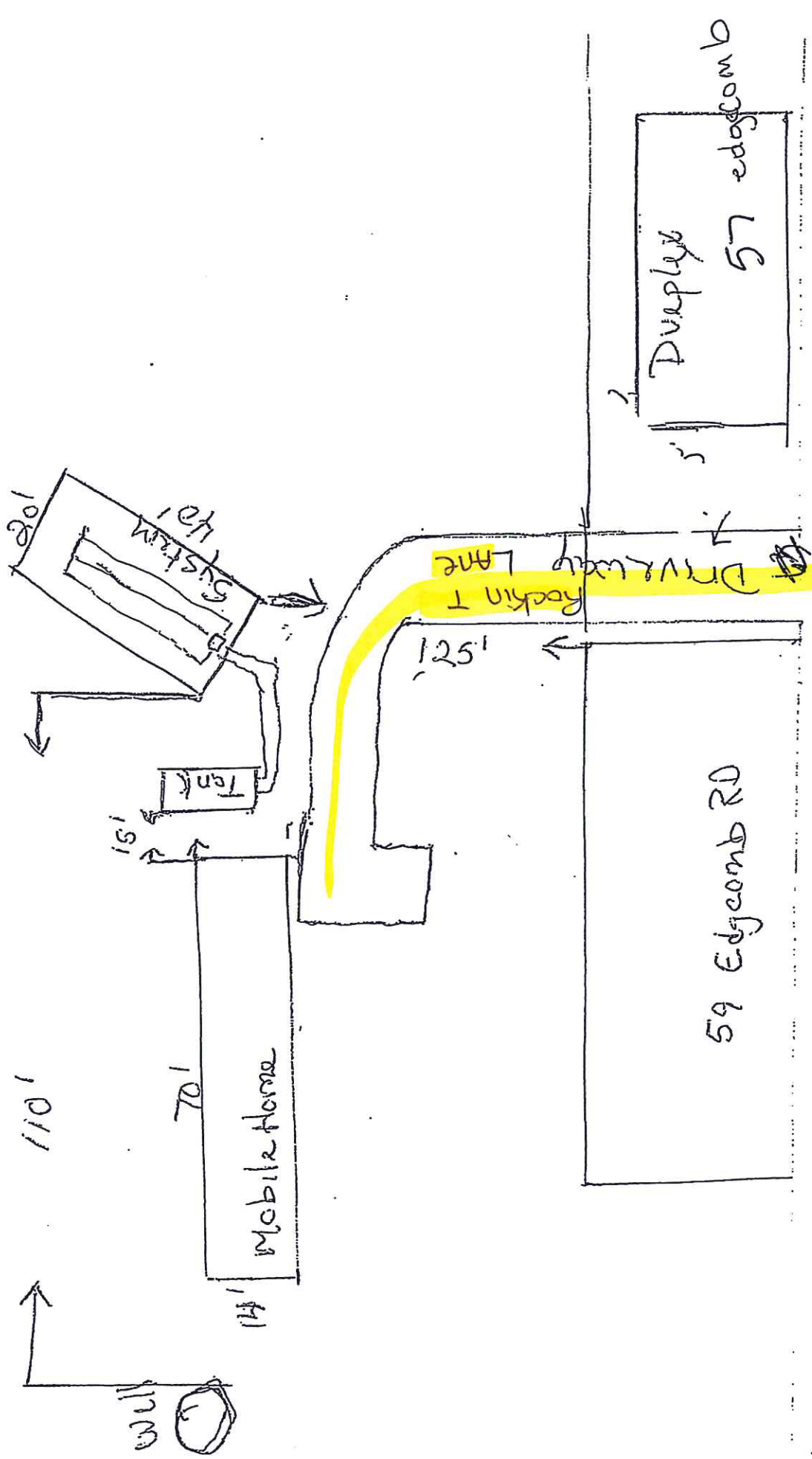
Andrew and Janet Tuttle would like to name their new road "Rockin T Lane".

This new road is between R01-003 (57 Edgecomb Road) and R01-004 (59 Edgecomb Road).

I have discussed this name with Ryan Magee, Police Chief and Nate Leclair, Fire Chief, which they have approved.

This road name meets E-911 standards and is in compliance with the Town's road naming ordinance Sec. 46-93.

Amy Wiers, Addressing Officer
Town of Lisbon
Awiers@lisbonme.org

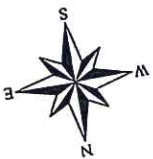


Edgecomb RD



Town Of LISBON Maine

Map updated to:
April 1, 2019



DISCLAIMER
For Assessment Purposes Only
Not For Property Conveyances

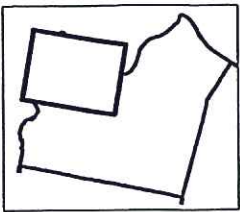
LEGEND

- Town Line
- Adjacent Towns
- Parcels
- Streams
- Flood Zones
- Zoning
- Easements
- Adjacent Maps
- Water
- Road ROW

Lisbon 2019 GIS Tax Map
Revision by:



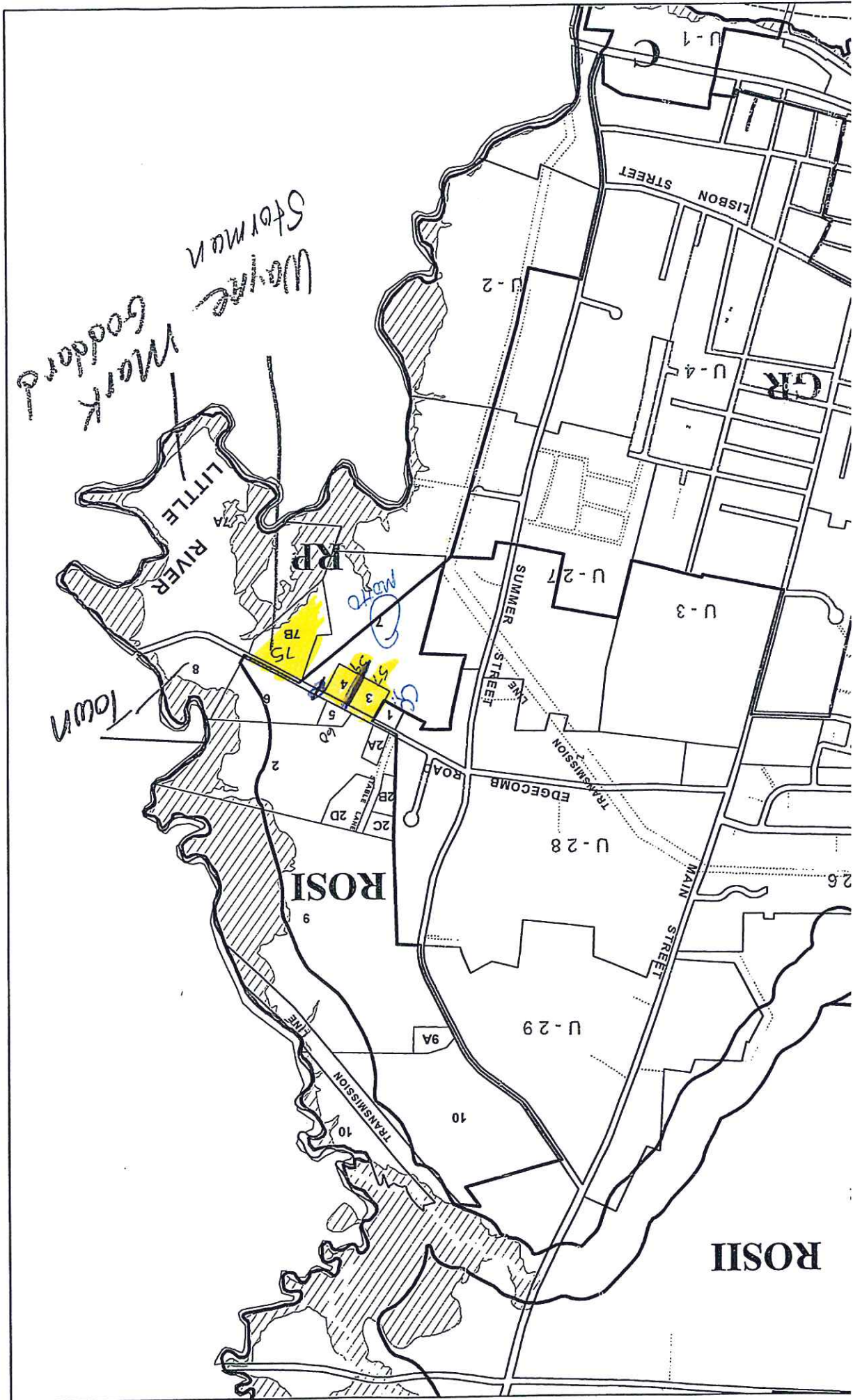
Corson GIS Solutions



R-1

TAX MAP

SCALE: 1" = 500 Feet
0 500 1000 Feet




OFFICE OF SUPERINTENDENT OF SCHOOLS

Richard A Green, Superintendent of Schools

LISBON SCHOOL DEPARTMENT

TO: Lisbon Town Council

FROM: Richard Green 

DATE: August 2, 2021

RE: Capital Reserve Request

The Capital Reserve Fund was created in 2011 to allow the School Committee to use existing money to pay for maintenance and minor remodeling. Since 2011, money from the undesignated balance and unanticipated revenues has been transferred into the Capital Reserve Fund. As you know, using the Capital Reserve Fund has allowed the Lisbon School Committee to utilize existing money without having to increase the taxpayer's local share. The current balance of the Capital Reserve Fund is \$82,000 and the following request is to utilize an amount not to exceed \$57,000 to pay for the final Phase installation of the Athletic Field Lights.

On Monday, April 29, 2019, the Lisbon School Committee voted (4-0) to request authorization from the Town Council to utilize an amount not to exceed \$57,000 from the Lisbon School Department's Capital Reserve Fund to pay for the final Phase installation of the Athletic Field Lights. Attached you will see a copy of an email from Enterprise Electric outlining that remaining work and costs.

Please feel free to contact me if you have any questions or require any additional information prior to your next meeting. I thank you in advance for your consideration.

From: **Jeff Kelly** <jeff@enterpriseelectric.net>

Date: Mon, Jun 14, 2021 at 11:44 AM

Subject: Lisbon Musco Lighting - Pricing as of 6/14/2021

To: Jeff Kelly <jeff@enterpriseelectric.net>, Traci school <taustin@lisbonschoolsme.org>

Traci:

Since our suppliers will not hold prices more than 5 days currently, here is the closest I can get you for now to complete the system:

CMP Cost: \$ 29,090.14 (please note that this quote is over a year old and will need to be updated as well).

Material Cost: \$ 27,160.00

Total Cost: \$ 56,250.14

We will donate the remainder of the equipment and labor to complete the project.

Sincerely,

Jeff Kelly

Enterprise Electric, Inc.
46 Capital Avenue
Lisbon Falls, Maine 04252
207-353-2697 ext #202
207-713-5866 cell

--

TOWN OF LISBON

A

RESOLUTION

Of the Lisbon Town Council, Lisbon, Maine

WHEREAS, the Lisbon Town Council on December 17, 2013 voted unanimously to support a Regional Rail to Trail Committee and to work with Lewiston, Auburn, Androscoggin Land Trust and other non-profit organizations on a plan to construct a multi-use trail from Lisbon to Lewiston on the inactive rail line.

AND WHEREAS, the 2013 resolution states that the Lisbon Town Council “supports any legislative effort that will result in the development and completion of a multi-use trail for recreational and wellness activities. The effect of the completion of this trail will allow all citizens of the State of Maine and its visitors to have access to all that Maine has to offer in terms of recreation and area to encourage healthy lifestyles. It will also optimize and develop regional cooperation that would enhance economic development opportunities for the Androscoggin County region.”

AND WHEREAS, the Casco Bay Trail network envisions an interconnected system of trails connecting Portland, Lewiston-Auburn, and Brunswick, Maine, and includes the multi-use trail between Lisbon and Lewiston referenced in the 2013 resolution.

AND WHEREAS, the Casco Bay Trail network plan includes the Lisbon Papermill Trail, a multi-use trail on the inactive rail line between Lisbon and Lewiston, and a multi-use trail on the disused rail corridor (hereinafter “Casco Bay and Royal River SLA Corridor”) from Portland to Falmouth, Cumberland, Yarmouth, North Yarmouth, Pownal, New Gloucester, and Auburn, currently known as the St Lawrence and Atlantic rail corridor, that was acquired by the State of Maine in 2007 and 2010.

AND WHEREAS, the Lisbon-to-Lewiston rail trail plan, the Casco Bay and Royal River SLA Corridor plan, and the broader Casco Bay Trail network plan together enhance the regional impact of its component projects on recreation, wellness, transportation, and economic development opportunities for the Town of Lisbon.

AND WHEREAS, the Maine legislature enacted two bills in 2021, one of which establishes a Rail Corridor Advisory Council process within the Maine Department of Transportation, designed to evaluate prospective future uses of state-owned rail corridors, and one of which directs the Maine Department of Transportation to establish a statewide active transportation plan.

BE IT THEREFORE RESOLVED, that the Lisbon Town Council hereby petitions the Maine Department of Transportation to consider in its active transportation plan the Lisbon to Lewiston rail trail, the Casco Bay and Royal River SLA Corridor rail trail, and the larger Casco Bay Trail network.

BE IT FURTHER RESOLVED, that the Town of Lisbon petitions the Maine Department of Transportation to create a Rail Corridor Use Advisory Council to consider future use of the Casco Bay and Royal River SLA Corridor as a multi-use trail.

IN WITNESS WHEREOF, We have here unto set our hands and caused the Seal of the Town of Lisbon, Maine to be affixed at Lisbon, Maine this 17th day of August, 2021.

Lisbon Town Council, Town of Lisbon, Maine:

Allen Ward, Chairman

Don Fellows, Vice Chairman

Norm Albert

Jeff Ganong

Kasie Kolbe

Fern Larochelle

Mark Lunt

Attest: _____
Twila D. Lycette, Lisbon Town Clerk

<i>MaineDOT Use Only</i>	
TEDOCS #:	_____
CT#:	_____
CSN#:	_____
Program:	_____

MAINE DEPARTMENT OF TRANSPORTATION UTILITY RECEIVABLE AGREEMENT

<i>(MaineDOT Use Only)</i>			
Project Location:	Lisbon	Estimated Agreement Amount:	\$1,271,380.00
State WIN #:	#14862.00	Vendor Customer #:	_____
Federal Aid Project #:	#STP-1486(200)X	MaineDOT Signed Date:	TBD
		Forecasted Agreement End Date:	May 2023

THIS AGREEMENT, entered into the last date signed herein at the end of this agreement, between the **Maine Department Of Transportation** (hereafter the “Department”) and **Town of Lisbon Sewer Department**, duly authorized and existing under the Laws of the State of Maine and having an office in the Town of Lisbon, County of Androscoggin (the “Utility”) (the Department and the Utility are collectively referred to as the “Parties”).

1. The Department is implementing a transportation project identified as “Federal Aid Project Number #STP-1486(200)X; State WIN: #14862.00 (the “Project”) for highway improvements in the Town of Lisbon, Androscoggin County;
2. In connection with the Project, the Department has prepared plans and specification for the Project that resulted in the following determination:
 - a. The Utility has expressed an interest in installing new utility facilities within the limits of the public highway right-of-way and the impact limits of the Project (the “Affected Facilities”).
3. The Affected Facilities consist of installing new sewer main piping/structures/services from the station 10+00 (Route #125/Route #196 intersection) to station 54+50 (approximately 0.8 mile).
4. The Utility has prepared and provided to the Department the scope of work necessary for relocating or installing the Affected Utilities (the “Utility Work”) and the estimated costs associated therewith, which are outlined in **Appendix A**, attached hereto and made a part hereof. The costs associated with the Utility Work are the sole responsibility of the Utility.
5. The Parties wish to establish a process for including the Utility Work in the Department’s construction contract for the Project.

NOW, THEREFORE, the Parties agree as follows:

6. Plans, Specifications and Estimate:

- a. The Utility shall, at its own expense, perform and provide all engineering, design and related services related to the Utility Work necessary to enable the Department and/or its consultant to generate construction plans, specifications and an estimate of material quantities for the Utility Work to be included in the Project contract. The Utility will be responsible for locating and recording the location of all Utility Work, including services and other appurtenances within the Project area. To the extent possible and consistent with laws, practices and policies of the Department and the industry, the Utility Work shall be performed in accordance with the plans and specifications provided by the Utility and, if applicable, the most recent version of the Department's Standard Specifications.
- b. All plans shall be on sheets of the same size used by the Department and be reproducible by black and white printing. Specifications shall be on 8 ½ x 11-inch paper, suitable for binding with the Department's specifications. The estimate of quantities shall be in the form prescribed by the Department. In the event of field changes to the Utility Work, the Utility shall prepare any additional plans and specifications and the Department shall prepare a Project change order and amend this Agreement incorporating any changes therein. All plans and specifications will be marked with the Federal Aid Project Number referenced in this Agreement.
- c. The Utility will provide the Department with the plans, specifications and an updated estimate as described in Appendix A no later than one month prior to the scheduled advertise date for the Project.
- d. The Utility shall be responsible for obtaining a Utility Location Permit from the Department in accordance with Title 35-A M.R.S.A. Chapter 25 and for recording the location of all utilities in a manner and form to be specified by the Department.
- e. Standard Approach: The Department will prepare the Project contract documents to include the Utility Work specified in Appendix A. The Utility agrees to have these items included in the Department's Project construction contract. Bidders will be required to bid both the Project work and the Utility Work. The Utility Work will be paid for by the Utility, and any changes that increase the Utility Work estimate or amount will be paid for through a written modification of this agreement approved by both the Utility and the Department.

7. Inspection:

- a. The Utility shall be responsible for providing all engineering and inspection associated with the Utility Work including computing quantities for payment and other incidental and related work unless otherwise stated herein. By the end of each workday, whenever Utility Work is performed, the Utility will provide the Department's on-site representative with an itemized summary of all the Utility Work completed.

- b. The Department shall provide inspection of the quality and compaction of backfill installed in connection with the construction contract, excluding bedding and other special backfills and materials used in the installation of the Utility Work.
- c. If the Utility Work is included in the Project contract pursuant to Section 6.e. above, the Utility agrees to the following:
 - i. Should the Utility find the Project contractor's materials or workmanship to be insufficient in any way, the Utility agrees to inform the Department's on-site representative as soon as possible, but no later than the end of the day in which the problem is identified.
 - ii. As administrator to the construction contract, the Department's on-site representative shall be responsible for authorizing all payments relating to the Utility Work, issuing all directives to the Project's contractor and making the final determination in the event of any disagreements.
- 8. **Ownership of Completed Utilities:** Upon completion of the Utility Work the Utility shall assume complete ownership of, and responsibility for, the utility facilities installed in connection with the Utility Work.
- 9. **Claims:** The Utility shall be responsible for the prompt review and settlement of any claims arising from or related to the Utility Work or its impact on the Project.
- 10. **Indemnification:** The Utility shall indemnify, defend and hold harmless the Department and its officers, employees, agents and assigns, from and against any and all claims, liability or expenses, including but not limited to reasonable attorney's fees and litigation costs (the "Claims"), to the extent such Claims are caused, or alleged to have been caused, by acts or omissions of the Utility or any of its officers, employees, agents, representatives, supervisors, contractors, subcontractors or consultants in connection with the performance of its obligations under this Agreement. Nothing in this Agreement is intended or shall be construed to waive any defense, immunity or limitation of liability that may be available to the Department or the Utility pursuant to the Maine Tort Claims Act (14 M.R.S. § 8101 *et seq.*) or any other privileges or immunities provided by law. The terms outlined in this section shall survive any termination or expiration of this Agreement.
- 11. **American Iron and Steel (AIS) Requirements:** The following regulations regarding AIS requirements are incorporated and made a part hereof by reference:

For USDA Funded Projects: Section 746 of Title VII of the Consolidated Appropriations Act of 2017 (Division A - Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2017) and subsequent statutes mandating domestic preference applies an American Iron and Steel requirement to this project. Specific requirements are presented in RUS Bulletin 1780-35 which is incorporated and made a part hereof by reference.

For USEPA (SRF) Funded Projects: Clean Water Act (CWA) 2014, Section 608, includes requirements for the use of AIS in Clean Water State Revolving Fund (CWSRF) projects. **America's Water Infrastructure Act of 2018' (AWIA)** also includes several updates and revisions to the Safe Drinking Water Act (SDWA), including the Drinking Water State Revolving Fund (DWSRF) provisions.

The AIS requirements will apply ONLY to the utility construction work and materials described in Appendix A. Buy America requirements will apply ONLY to the MaineDOT construction project work and materials.

12. **Subsequent Excavations and/or Installations:** Except in the case of an emergency, the Utility acknowledges and agrees to refrain from applying for a permit for the excavation of the highway within the limits of the Project for a period of at least five (5) years following the completion of the Project, and agrees to make all necessary notifications to abutters and occupants of the highway as otherwise required of any municipal government under the provisions of 23 M.R.S.A. § 3351. In all cases, whether an excavation moratorium as described above applies, or as in the case of Light Capital Paving projects where no excavation moratorium applies, the Utility further acknowledges and agrees that all subsequent excavations and/or installations within the right-of-way of the Project limits shall be regulated and controlled in the manner specified by the most recent version of the Department's *"Utility Accommodation Rules"*, which are incorporated and made a part hereof by reference. The terms outlined in this section shall survive any termination or expiration of this Agreement.
13. **Non-Appropriation and Termination:** Anything herein to the contrary notwithstanding, the Utility acknowledges and agrees that, although the execution of this Agreement by the Department manifests the Department's intent to honor its terms and to seek funding to fulfill any obligations arising hereunder, by law any such obligations are subject to available budgetary appropriations by the Maine Legislature and, therefore, this Agreement does not create any obligation on behalf of the Department in excess of such appropriations. In the event of unanticipated impacts on the Project, such as, changes in the Project design, or a loss in Project funding, or a delay in advertising or awarding of the contract, the Department may postpone, suspend, abandon or otherwise terminate this Agreement upon thirty (30) days written notice to the Utility and in no event shall any such action be deemed a breach of contract.
14. **Payment:** If the Utility Work is included in the Project contract pursuant to Section 6.e. above, the Utility agrees to reimburse the Department for the full amount of the cost of the utility work. A detailed breakdown of the anticipated cost of the Utility Work is attached hereto and incorporated herein as Appendix A. The Department will issue a final invoice after all the Utility Work is complete, all quantities are verified and any required adjustments have been made. The Department, at its sole discretion, may issue periodic invoices for portions of the Utility Work as it is being completed. The final invoice will include any remaining costs or credits. The Utility shall submit payment to the Department within 30 days from the invoice date.

15. Contact Information:

For the Department:

Name: Mark S. LaGross
Address: Augusta 04333-0016
E-mail: mark.s.lagross@maine.gov
Office: 642-3117
Mobile: 592-9389

For the Utility:

Name: Mandy Holway Olver P.E.
Olver Associates Inc.
Address: P.O. Box 679
Winterport 04496
E-mail: mandy@olverassociatesinc.com
Office: 223-2232
Mobile: 949-4680

- 16. No Relief of Responsibilities:** Nothing in this agreement is intended, nor shall be interpreted, to relieve the Utility of any responsibilities or duties imposed upon it by law.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement effective on the date last signed below.

TOWN OF LISBON_SEWER DEPARTMENT

By: _____

Print Name: _____

Town Manager
Duly Authorized

DATE: _____

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

By: _____

Print Name: _____

Senior Project Manager
Duly Authorized

DATE: _____

NOTE: MaineDOT utility invoices shall be forwarded to the town manager at the following address:

*Lisbon Town Offices
300 Lisbon Street
Lisbon, Maine 04252*

APPENDIX A PROJECT SCOPE

MAINE DEPARTMENT OF TRANSPORTATION UTILITY RECEIVABLE AGREEMENT

Town of Lisbon Sewer Department

Along Route #125 from the Route #196 intersection to the Huston Street intersection

FEDERAL AID PROJECT: #STP-1486(200)X

STATE PROJECT IDENTIFICATION (WIN): #14862.00

Project Scope: Provide all materials, equipment and labor necessary to install new sewer main/service piping; and manhole structures from the station 10+00 (Route #125/Route #196 intersection) to station 54+50 (approximately 0.8 mile).

ESTIMATE OF UTILITY WORK:

reviewed 08/05/21

Item #	Pay Item	Estimated Quantity-Units	Unit Price	Utility Cost
304.10	Aggregate Subbase Course Gravel	10 cy	\$35/cy	\$350
403.2081	12.5MM Polymer Modified Hot Mix Asphalt	5 tons	\$260/tons	\$1300
403.209	Hot Mix Asphalt 9.5MM	2 tons	\$200/tons	\$400
602.30	Flowable Concrete Fill	40 cy	\$300/cy	\$12,000
652.36	Maintenance of Traffic Control Devices	75 days	\$300/day	\$22,500
652.38	Flaggers	1500 hours	\$35/hr	\$52,500
801.03	Test Pits	60 each	\$550 each	\$33,000
801.132	2" Force Main	40 lf	\$50/lf	\$2000
801.17	8" PVC Sanitary Sewer (SDR-35)	235 lf	\$110/lf	\$25,850
801.175	10" PVC Sanitary Sewer (SDR-35)	2920 lf	\$120/lf	\$350,400
801.18	12" PVC Sanitary Sewer (SDR-35)	1500 lf	\$140/lf	\$210,000
803.134	4" Service Leads	1800 lf	\$65/lf	\$117,000
803.135	6" Service Leads	500 lf	\$70/lf	\$35,000
803.173	Sewer Manhole – 4' diameter	16 each	\$6500 each	\$104,000
803.181	Remove/Abandon Manhole	17 each	\$1500 each	\$25,500
812.17	Sewer Drop Manhole	4 each	\$8000 each	\$32,000
827.30	Rock Excavation Remove/Refill	150 cy	\$250/cy	\$37,500
827.302	Unsuitable Soil Excavation – Below Grade	50 cy	\$30/cy	\$1500
827.331	2" Rigid Trench Insulation	100 sy	\$30/sy	\$3000
827.3641	Removal/Disposal Asbestos Cement Pipe	3000 lf	\$30/lf	\$90,000
		Sub-Total Cost:		\$1,155,800
MOBILIZATION (% depends on contract costs)		using 10% of sub-total:		\$115,580
		Total Estimated Cost:		\$1,271,380

*Note #1: The final Mobilization line item is calculated per the equation stated in the Utility Policy #2013-1 _ Pay Items and Opt-Out Clauses in Utility Receivable Agreements. The equation is based on the following:
((total contract cost of utility work/total cost of project work) * contract mobilization dollar amount) equals to utility mobilization quantity.*

Note #2: The Town of Lisbon Sewer Department shall be proceeding with this agreement per the standard approach because the utility scope shall exceed a total cost of \$100K.

ESTIMATED PAYMENT SCHEDULE:

Utility	Payment Amount	Estimated Invoice Date
Town of Lisbon_Sewer Department	Per Work Progress (unit values)	Monthly (tentative last invoice date May 2023)

MEMORANDUM FROM THE PUBLIC WORKS DIRECTOR

DATE: AUGUST 4, 2021
TO: DIANE BARNES, TOWN MANAGER
FROM: RANDY CYR, PUBLIC WORKS DIRECTOR
SUBJECT: 2021-005 / EXCAVATOR AND 20 TON TILT TRAILER

Bid 2021-005 is for a ONE (1) Excavator and ONE (1) 20 Ton Tilt Trailer for Public Works.

Bids were solicited from eight (8) different companies, and publicly opened on Wednesday, August 4, 2021 at 10:00am in the Council Chambers.

Diane Barnes, Town Manager; Ray Soucy, PW Admin; Brent Davis, Milton CAT; Ryan Kennard, Whited Equipment and Glenn Connell, Nortrax were present at the bid opening.

The following bids were opened and reviewed by Diane Barnes and Ray Soucy:

Ahearn Equipment	Excavator	\$95,399.00
Whited Equipment	Excavator	\$95,485.00
Nortrax	Excavator	\$119,250.00
	20-Ton Tilt Trailer	\$34,220.00
Milton CAT	Excavator	\$119,900.00
	20-Ton Tilt Trailer	\$24,900.00

I recommend awarding the bid for ONE (1) Excavator to Whited Equipment for \$95,485.

Although not the lowest bid, I have confirmed that this machine meets the specifications required set forth by our bid request and because they are local while Ahearn is based in Massachusetts. The difference between lowest bid from Ahearn and Whited is \$86.00. Our budget for an Excavator is \$111,000.

I recommend not to award a bid for ONE (1) 20 Ton Tilt Trailer as each bid was over our budget of \$24,000 and we will request to submit a new RFP for a trailer only in the near future.

This recommendation is being presented to the Town Council for consideration.

2021-005 Excavator & 20 Ton Tilt Trailer
Wednesday, August 4, 2021
Council Chambers
10:00am

Present: Diane Barnes, Town Manager
Ray Soucy, Public Works Admin

Bids were solicited from eight (8) different companies. The following bids were received for a
Excavator and 20 Ton Tilt Trailer and publicly opened:

EXCAVATOR:

Ahearn Equipment 460 Main Street Spencer, MA 01562	\$95,399.00
Whited Equipment 2160 Hotel Rd Auburn, ME 04210	\$95,485.00
Nortrax 396 County Rd Westbrook, ME 04092	\$119,250.00
Milton CAT 16 Pleasant Hill Rd Scarborough, ME 04074	\$119,900.00

TRAILER:

Milton CAT 16 Pleasant Hill Rd Scarborough, ME 04074	\$24,900.00
Nortrax 396 County Rd Westbrook, ME 04092	\$34,220.00

TOWN OF LISBON**EXCAVATOR****BID NO. 2021-005****Bid Date: August 4, 2021 @ 11:00 a.m.****PROPOSAL FORM**

The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Description	Amount
Item 1: (1) Excavator as specified: FOB Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252	\$ 95,399.00

Specify base warranty terms	* whichever comes first	5,000 hours / 5 years*
Cost for an extended 5 year Powertrain Hydraulic warranty		\$0.00 (included in price)

STATE MAKE	SANY SY80U
STATE DELIVERY TIME	WITHIN 30 DAYS OF ENDORSED ORDER
STATE TERMS	30 DAYS

COMPANY NAME	AHEARN EQUIPMENT, INC
SIGNED	
PRINTED NAME/TITLE	NEIL GORMAN CONSTRUCTION EQUIPMENT SPECIALIST
ADDRESS	460 MAIN STREET SPENCER MA 01562
DATE	August 3, 2021
PHONE #	508-885-7085 or 603-324-1164
FAX #	N/A
E-MAIL ADDRESS	ngorman@ahearnequipment.com

TOWN OF LISBON**EXCAVATOR****BID NO. 2021-005****Bid Date: August 4, 2021 @ 11:00 a.m.****Specifications/Questionnaire****This form must be filled out completely and returned with Proposal Form**

Line item	ENGINE	YES	NO
1	Rated net power shall be less than 65 HP	X	
2	Four cylinder diesel w/min. displacement of 3.3 liter	X	
3	Engine to have auto idle when hydraulics are not in use	X	
4	Engine oil and filter intervalsto be min. of 500 hours	X	
5	Spin on fuel filter to include water separator	X	
6	Off-level capacity to be no less than 35 degrees	X	
7	Engine to have cold start aid such as glow plugs	X	
8	Engine oil and fuel filters will be remotely mounted for ease of service	X	
	COOLING		
9	Engine coolant to be min. of 34 degrees	X	
10	Variable speed fan; cooling fan to have a fan guard	X	
	POWER TRAIN		
11	Two speed propel with auto-shifting when travel motors encounter heavier loads. Will also include a switch to select high and low range. Min. travel speed in high range of 3 MPH	X	
12	Short stroke hydraulic pilot control	X	
13	Wet Disc swing brake, spring applied hydraulically released		X
14	Travel brake shall be spring applied not provided, hydraulically released, provided and hydraulically released		X
15	Draw bar pull to be min. of 14,000 lbs. (15,000+lbs towing force provided)	X	
	HYDRAULICS		
16	Open center load sensing hydraulic system Closed center load sensing hydraulic system provided		X
17	Multiple variable-displacement axial-piston pumps w/min. combined flow of 40 GPM or greater	X	
18	Boom & Arm to have holding valves for stability & to hold positioning		X

Line item	ELECTRICAL	YES	NO
-----------	------------	-----	----

19	24 volt electrical system	12 volt provided		×
20	Alternator to have min. 50 amp output		×	
21	Work lights min. one (1) chassis mounted (boom side) & one (1) boom mounted		×	
22	Batteries min. of two (2) 450 CCA		×	
23	Fuse panel to be in the cab		×	
	UNDERCARRIAGE			
24	Rollers min. 1 - carrier and 5 - track. Lifetime lubricated bearings		×	
25	Track to be rubber crawler pads min. 18" wide		×	
26	Sealed and lubricated track chain		×	
27	Hydraulically adjustable track	Manually adjust track cylinder length with grease pressure provided.		×
28	Ground pressure not to exceed 6 PSI	5.3 provided	×	
	SERVICEABILITY			
29	Fuel capacity min. 32 gallons	26.4 gal. provided		×
30	Hydraulic capacity min. 15 gallons		×	
31	All fluid checks are accessible at ground level by way of dip stick or sight gauges.		×	
32	LCD display tracks scheduled maintenance, as well as diagnostic troubleshooting		×	
33	All coolers are easily accessible for inspection and cleaning		×	
	OPERATOR STATION			
34	Station shall have fluid filled elastic mounts to absorb shocks & vibrations or air seat		×	
35	AM-FM stereo and bluetooth	Bluetooth not provided	×	
36	Auto climate control/heat & air conditioning, with positive pressure cab enclosure. Will include fresh air or recirculating modes		×	
37	Machine will have a min. of one (1) work mode, two (2) power modes and numerous attachment modes, add 4 way hydraulics		×	
38	Cab to have a cell phone power outlet		×	
39	Cab to be wired with a min. 15 amp 12 volt power & ground switch & wiring for 2 way radio that will be installed at a later date.		×	
40	Monitoring package shall display the following: Engine coolant temperature, oil pressure, air filter restriction, alternator voltage, fuel level DEF level if required and check engine light	all provided, except air filter restriction		×
Line item	OPERATOR STATION (continued)		YES	NO

41	Monitoring system shall be able to store maintenance & service info.	×	
42	Monitor shall be able to show trouble codes as well as diagnostic info	×	
43	Cab to have interior lighting	×	
44	Hot & cold storage compartment as well as cup holder <small>only a cup holder provided</small>		×
45	Electronic throttle control, w/auto idle circuit to idle down engine after approx. 4 sec of inactivity <small>Dial throttle control provided</small>		×
46	Windshield wiper w/intermittent settings & washer system	×	
47	Cab front window to have opening top & bottom windows	×	
48	Top hatch to be transparent w/anti-glare tinting & sun shade		×
49	Deluxe cloth adjustable operator's seat w/mechanical suspension, reclining back rest and headrest	×	
50	Engine shall perform start-up diagnostics	×	
51	Shall have both propel pedals & levers	×	
52	Lockable control pattern selector valve	×	
	OPERATING SPECIFICATIONS		
53	Operating weight shall be no less than 20,000 lbs <small>Operating Weight of 19,401 lbs provided</small>		×
54	Arm digging force min. of 8,000 lbs <small>9,105 lbs provided</small>	×	
55	Bucket digging force min. of 10,400 lbs <small>16,343 lbs provided</small>	×	
56	Maximum reach min. 22'6" <small>23'11" provided</small>	×	
57	Maximum digging depth min. 14'0" <small>14'10.5" provided</small>	×	
58	Maximum dumping height min. 17'0" <small>17'10" provided</small>	×	
59	Tail swing ratios max. of 4'6"		
60	Blade width appropriate for width of machine <small>7'3" provided</small> approximately 7'-8'	×	
61	Lifting capacity: @ 10' - min. 4,000 lbs; @ 15' - min. 3,200 lbs	×	
62	Min. machine ground clearance 14"	×	
	BOOM/ARM CONFIGURATION		
63	Arm configuration with the above required operating specification. Off-set boom	×	
64	Oil-impregnated bushings & extended grease intervals	×	
65	Spring applied, hydraulically released parking brake that applies when control lever is released	×	

Line item	BOOM/ARM CONFIGURATION (continued)	YES	NO
-----------	------------------------------------	-----	----

66	Wet disk swing brake		X
	ATTACHMENTS		
67	Minimum of one (1) 28" heavy duty digging bucket 30" provided	X	
68	One (1) 48" hydraulically articulated ditching bucket w/bolt on cutting edge. Hydraulic articulation to be part of the bucket 54" provided	X	
69	Direct pin hydraulic thumb to lace with digging bucket	X	
70	Hydraulically operated wedge style coupler mechanical quick coupler provided		X
	MISCELLANEOUS		
71	Unit shall be equipped with a system that can provide fleet management, logistics and remote diagnostics capabilities for three (3) years, with option to extend	X	
72	(2) sets of Owner Operator, Service, Repair, Overhaul & Parts Manuals	X	
Public Works must be satisfied the equipment dealer maintains adequate parts & service facilities to include a full shop & field service performed by factory trained mechanics within 75 miles radius of Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252 *			
Training to be conducted at the time of delivery by a Factory Trained qualified representative at Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252			

* We have a dealership located at 10 West Rd, Hudson, NH 03051 approximately 135 miles from Lisbon Public Works. We are fully equipped with factory trained mechanics available to service your needs.

TOWN OF LISBON

EXCAVATOR

BID NO. 2021-005

Bid Date: August 4, 2021 @ 11:00 a.m.

PROPOSAL FORM

The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Description	Amount
Item 1: (1) Excavator as specified: FOB Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252	\$ 95485

Specify base warranty terms	3000 Hours or 3 years
Cost for an extended 5 year Powertrain Hydraulic warranty	\$ 1400 5 year 4000 hours
5 year 4000 hour complete machine warranty	\$1700

STATE MAKE	Hyundai HX85
STATE DELIVERY TIME	60-90 Days
STATE TERMS	

COMPANY NAME	Whited Equipment
SIGNED	
PRINTED NAME/TITLE	Ryan Kennard
ADDRESS	2160 Hotel Road Auburn, ME 04210
DATE	08/02/2021
PHONE #	207-346-0279
FAX #	
E-MAIL ADDRESS	ryan.kennard@whitedtruck.com

TOWN OF LISBON**EXCAVATOR****BID NO. 2021-005****Bid Date: August 4, 2021 @ 11:00 a.m.****Specifications/Questionnaire****This form must be filled out completely and returned with Proposal Form**

Line item	ENGINE	YES	NO
1	Rated net power shall be less than 65 HP	✓	
2	Four cylinder diesel w/min. displacement of 3.3 liter	✓	
3	Engine to have auto idle when hydraulics are not in use	✓	
4	Engine oil and filter intervalsto be min. of 500 hours	✓	
5	Spin on fuel filter to include water separator	✓	
6	Off-level capacity to be no less than 35 degrees	✓	
7	Engine to have cold start aid such as glow plugs	✓	
8	Engine oil and fuel filters will be remotely mounted for ease of service	✓	
	COOLING		
9	Engine coolant to be min. of 34 degrees	✓	
10	Variable speed fan; cooling fan to have a fan guard	✓	
	POWER TRAIN		
11	Two speed propel with auto-shifting when travel motors encounter heavier loads. Will also include a switch to select high and low range. Min. travel speed in high range of 3 MPH	✓	
12	Short stroke hydraulic pilot control	✓	
13	Wet Disc swing brake, spring applied hydraulically released	✓	
14	Travel brake shall be spring applied and hydraulically released	✓	
15	Draw bar pull to be min. of 14,000 lbs.	✓	
	HYDRAULICS	✓	
16	Open center load sensing hydraulic system	✓	
17	Multiple variable-displacement axial-piston pumps w/min. combined flow of 40 GPM or greater <i>386PM - 4100 PSI</i>		
18	Boom & Arm to have holding valves for stability & to hold positioning	✓	

Line item	ELECTRICAL	YES	NO
-----------	------------	-----	----

19	24 volt electrical system		
20	Alternator to have min. 50 amp output 100 Amp	✓	
21	Work lights min. one (1) chassis mounted (boom side) & one (1) boom mounted	✓	
22	Batteries min. of two (2) 450 CCA	✓	
23	Fuse panel to be in the cab	✓	
	UNDERCARRIAGE		
24	Rollers min. 1 - carrier and 5 - track. Lifetime lubricated bearings	✓	
25	Track to be rubber crawler pads min. 18" wide	✓	
26	Sealed and lubricated track chain	✓	
27	Hydraulically adjustable track		✓
28	Ground pressure not to exceed 6 PSI	✓	
	SERVICEABILITY		
29	Fuel capacity min. 32 gallons 30.4		
30	Hydraulic capacity min. 15 gallons	✓	
31	All fluid checks are accessible at ground level by way of dip stick or sight gauges.	✓	
32	LCD display tracks scheduled maintenance, as well as diagnostic troubleshooting	✓	
33	All coolers are easily accessible for inspection and cleaning	✓	
	OPERATOR STATION		
34	Station shall have fluid filled elastic mounts to absorb shocks & vibrations or air seat Suspension Seat	✓	
35	AM-FM stereo and bluetooth	✓	
36	Auto climate control/heat & air conditioning, with positive pressure cab enclosure. Will include fresh air or recirculating modes	✓	
37	Machine will have a min. of one (1) work mode, two (2) power modes and numerous attachment modes, add 4 way hydraulics	✓	
38	Cab to have a cell phone power outlet	✓	
39	Cab to be wired with a min. 15 amp 12 volt power & ground switch & wiring for 2 way radio that will be installed at a later date.	✓	
40	Monitoring package shall display the following: Engine coolant temperature, oil pressure, air filter restriction, alternator voltage, fuel level DEF level if required and check engine light	✓	
Line item	OPERATOR STATION (continued)	YES	NO

41	Monitoring system shall be able to store maintenance & service info.	✓	
42	Monitor shall be able to show trouble codes as well as diagnostic info	✓	
43	Cab to have interior lighting	✓	
44	Hot & cold storage compartment as well as <u>cup holder</u>	✓	
45	Electronic throttle control, w/auto idle circuit to idle down engine after approx. 4 sec of inactivity	✓	
46	Windshield wiper w/intermittent settings & washer system	✓	
47	Cab front window to have opening top & bottom windows	✓	
48	Top hatch to be transparent w/anti-glare tinting & sun shade	✓	
49	Deluxe cloth adjustable operator's seat w/mechanical suspension, reclining back rest and headrest	✓	
50	Engine shall perform start-up diagnostics	✓	
51	Shall have both propel pedals & levers	✓	
52	Lockable control pattern selector valve	✓	
	OPERATING SPECIFICATIONS		
53	Operating weight shall be no less than 20,000 lbs	✓	
54	Arm digging force min. of 8,000 lbs	✓	
55	Bucket digging force min. of 10,400 lbs	✓	
56	Maximum reach min. 22'6"	✓	
57	Maximum digging depth min. 14'0"	✓	
58	Maximum dumping height min. 17'0"	✓	
59	Tail swing ratios max. of 4'6" 5'3"	✓	
60	Blade width appropriate for width of machine approximately 7'-8'	✓	
61	Lifting capacity: @ 10' - min. 4,000 lbs; @ 15' - min. 3,200 lbs	✓	
62	Min. machine ground clearance 14"	✓	
	BOOM/ARM CONFIGURATION		
63	Arm configuration with the above required operating specification. Off-set boom	✓	
64	Oil-impregnated bushings & extended grease intervals	✓	
65	Spring applied, hydraulically released parking brake that applies when control lever is released	✓	

Line item	BOOM/ARM CONFIGURATION (continued)	YES	NO
-----------	------------------------------------	-----	----

66	Wet disk swing brake	✓	
	ATTACHMENTS		
67	Minimum of one (1) 28" heavy duty digging bucket	✓	
68	One (1) 48" hydraulically articulated ditching bucket w/bolt on cutting edge. Hydraulic articulation to be part of the bucket	✓	
69	Direct pin hydraulic thumb to lace with digging bucket	✓	
70	Hydraulically operated wedge style coupler Full Hydraulic	✓	
	MISCELLANEOUS		
71	Unit shall be equipped with a system that can provide fleet management, logistics and remote diagnostics capabilities for three (3) years, with option to extend	✓	
72	(2) sets of Owner Operator, Service, Repair, Overhaul & Parts Manuals	✓	
Public Works must be satisfied the equipment dealer maintains adequate parts & service facilities to include a full shop & field service performed by factory trained mechanics within 75 miles radius of Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252			
Training to be conducted at the time of delivery by a Factory Trained qualified representative at Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252			

TOWN OF LISBON
EXCAVATOR & 20 TON TILT TRAILER

BID NO. 2021-005

Bid Date: August 4, 2021 @ 11:00 a.m.

PROPOSAL FORM

The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Description	Amount
Item 1: (1) Excavator as specified: FOB Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252	\$ 119,250.00

Specify base warranty terms	1 years
Cost for an extended 5 year Powertrain Hydraulic warranty	\$ 2275.00

5yr / 5000 hr PTH

STATE MAKE	John Deere 856
STATE DELIVERY TIME	Est. late September 2021
STATE TERMS	upon receipt to net 15 days

.....

Description	Amount
Item 2: (2) 20 Ton Tilt Trailer: FOB Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252	\$ 34,220.00

STATE MAKE	Interstate 40TDL
STATE DELIVERY TIME	10 plus/minus months
STATE TERMS	upon receipt to net 15 days

COMPANY NAME	Nortrax, John Deere
SIGNED	<i>[Signature]</i>
PRINTED NAME/TITLE	Mike Sullivan
ADDRESS	396 County Rd Westbrook 04092

DATE	8-3-21
PHONE #	(207) 773-3777
FAX #	(207) 773-4675
E-MAIL ADDRESS	glenn.connell@nortrax.com

TOWN OF LISBON
EXCAVATOR
BID NO. 2021-005

Bid Date: August 4, 2021 @ 11:00 a.m.

John Deere 856
Interstate 40TDL

Specifications/Questionnaire

This form must be filled out completely and returned with Proposal Form

Line item	ENGINE	YES	NO
1	Rated net power shall be less than 65 HP <i>56.9 HP</i>	✓	
2	Four cylinder diesel w/min. displacement of 3.3 liter	✓	
3	Engine to have auto idle when hydraulics are not in use	✓	
4	Engine oil and filter intervalsto be min. of 500 hours	✓	
5	Spin on fuel filter to include water separator	✓	
6	Off-level capacity to be no less than 35 degrees	✓	
7	Engine to have cold start aid such as glow plugs	✓	
8	Engine oil and fuel filters will be remotely mounted for ease of service	✓	
	COOLING		
9	Engine coolant to be min. of 34 degrees	✓	
10	Variable speed fan; cooling fan to have a fan guard	✓	
	POWER TRAIN		
11	Two speed propel with auto-shifting when travel motors encounter heavier loads. Will also include a switch to select high and low range. Min. travel speed in high range of 3 MPH	✓	
12	Short stroke hydraulic pilot control	✓	
13	Wet Disc swing brake, spring applied hydraulically released	✓	
14	Travel brake shall be spring applied and hydraulically released	✓	
15	Draw bar pull to be min. of 14,000 lbs.	✓	
	HYDRAULICS		
16	Open center load sensing hydraulic system	✓	
17	Multiple variable-displacement axial-piston pumps w/min. combined flow of 40 GPM or greater	✓	
18	Boom & Arm to have holding valves for stability & to hold positioning	✓	

Line item	ELECTRICAL	YES	NO
-----------	------------	-----	----

19	24 volt electrical system	✓	
20	Alternator to have min. 50 amp output	✓	
21	Work lights min. one (1) chassis mounted (boom side) & one (1) boom mounted	✓	
22	Batteries min. of two (2) 450 CCA	✓	
23	Fuse panel to be in the cab	✓	
	UNDERCARRIAGE		
24	Rollers min. 1 - carrier and 5 - track. Lifetime lubricated bearings	✓	
25	Track to be rubber crawler pads min. 18" wide	✓	
26	Sealed and lubricated track chain	✓	
27	Hydraulically adjustable track	✓	
28	Ground pressure not to exceed 6 PSI	✓	
	SERVICEABILITY		
29	Fuel capacity min. 32 gallons <i>31.7 gal</i>	✓	
30	Hydraulic capacity min. 15 gallons	✓	
31	All fluid checks are accessible at ground level by way of dip stick or sight gauges.	✓	
32	LCD display tracks scheduled maintenance, as well as diagnostic troubleshooting	✓	
33	All coolers are easily accessible for inspection and cleaning	✓	
	OPERATOR STATION		
34	Station shall have fluid filled elastic mounts to absorb shocks & vibrations or air seat	✓	
35	AM-FM stereo and bluetooth <i>no bluetooth</i>		✓
36	Auto climate control/heat & air conditioning, with positive pressure cab enclosure. Will include fresh air or recirculating modes	✓	
37	Machine will have a min. of one (1) work mode, two (2) power modes and numerous attachment modes, add 4 way hydraulics	✓	
38	Cab to have a cell phone power outlet	✓	
39	Cab to be wired with a min. 15 amp 12 volt power & ground switch & wiring for 2 way radio that will be installed at a later date.	✓	
40	Monitoring package shall display the following: Engine coolant temperature, oil pressure, air filter restriction, alternator voltage, fuel level DEF level if required and check engine light	✓	
Line item	OPERATOR STATION (continued)	YES	NO

41	Monitoring system shall be able to store maintenance & service info.	✓	
42	Monitor shall be able to show trouble codes as well as diagnostic info	✓	
43	Cab to have interior lighting	✓	
44	Hot & cold storage compartment as well as cup holder		
45	Electronic throttle control, w/auto idle circuit to idle down engine after approx. 4 sec of inactivity	✓	
46	Windshield wiper w/intermittent settings & washer system	✓	
47	Cab front window to have opening top & bottom windows	✓	
48	Top hatch to be transparent w/anti-glare tinting & sun shade	✓	
49	Deluxe cloth adjustable operator's seat w/mechanical suspension, reclining back rest and headrest	✓	
50	Engine shall perform start-up diagnostics	✓	
51	Shall have both propel pedals & levers	✓	
52	Lockable control pattern selector valve	✓	
	OPERATING SPECIFICATIONS		
53	Operating weight shall be no less than 20,000 lbs <i>19,244 lbs</i>		✓
54	Arm digging force min. of 8,000 lbs	✓	
55	Bucket digging force min. of 10,400 lbs	✓	
56	Maximum reach min. 22'6"	✓	
57	Maximum digging depth min. 14'0"	✓	
58	Maximum dumping height min. 17'0" <i>16'8"</i>		✓
59	Tail swing ratios max. of 4'6" <i>4'7 1/2"</i>		✓
60	Blade width appropriate for width of machine approximately 7'-8'		✓ <i>7'3"</i>
61	Lifting capacity: @ 10' - min. 4,000 lbs; @ 15' - min. 3,200 lbs	✓	
62	Min. machine ground clearance 14"	✓	
	BOOM/ARM CONFIGURATION		
63	Arm configuration with the above required operating specification. Off-set boom	✓	
64	Oil-impregnated bushings & extended grease intervals	✓	
65	Spring applied, hydraulically released parking brake that applies when control lever is released	✓	

Line item	BOOM/ARM CONFIGURATION (continued)	YES	NO
-----------	------------------------------------	-----	----

66	Wet disk swing brake	✓	
	ATTACHMENTS		
67	Minimum of one (1) 28" heavy duty digging bucket	✓	
68	One (1) 48" hydraulically articulated ditching bucket w/bolt on cutting edge. Hydraulic articulation to be part of the bucket	✓	
69	Direct pin hydraulic thumb to lace with digging bucket	✓	
70	Hydraulically operated wedge style coupler	✓	
	MISCELLANEOUS		
71	Unit shall be equipped with a system that can provide fleet management, logistics and remote diagnostics capabilities for three (3) years, with option to extend		✓
72	(2) sets of Owner Operator, Service, Repair, Overhaul & Parts Manuals	✓	
Public Works must be satisfied the equipment dealer maintains adequate parts & service facilities to include a full shop & field service performed by factory trained mechanics within 75 miles radius of Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252			
Training to be conducted at the time of delivery by a Factory Trained qualified representative at Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252			

TOWN OF LISBON
EXCAVATOR & 20 TON TILT TRAILER
BID NO. 2021-005

Bid Date: August 4, 2021 @ 11:00 a.m.

PROPOSAL FORM

The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Description	Amount
Item 1: (1) Excavator as specified: FOB Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252	\$ 119,900 ⁰⁰


Specify base warranty terms	5YR 4000 HR PT&HYD
Cost for an extended 5 year Powertrain Hydraulic warranty	\$ INCLUDED

STATE MAKE	CATERPILLAR
STATE DELIVERY TIME	2 WEEKS* THIS UNIT SUBJECT TO PRIOR SALE
STATE TERMS	NET 30

.....

Description	Amount
Item 2: (2) 20 Ton Tilt Trailer: FOB Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252	\$ 24,900 ⁰⁰

STATE MAKE	TOWMASTER T-40T
STATE DELIVERY TIME	ASAP
STATE TERMS	NET 30

COMPANY NAME	MILTON CAT
SIGNED	
PRINTED NAME/TITLE	BRENT DAVIS, SALES REP
ADDRESS	16 PLEASANT HILL ROAD

	SCARBOROUGH, ME 04074
DATE	8/3/21
PHONE #	207 - 883 - 9586
FAX #	
E-MAIL ADDRESS	BRENT_DAVIS@MILTCAT.COM

TOWN OF LISBON**EXCAVATOR****BID NO. 2021-005****Bid Date: August 4, 2021 @ 11:00 a.m.****Specifications/Questionnaire****This form must be filled out completely and returned with Proposal Form**

Line item	ENGINE	YES	NO
1	Rated net power shall be less than 65 HP	<input checked="" type="checkbox"/>	
2	Four cylinder diesel w/min. displacement of 3.3 liter	<input checked="" type="checkbox"/>	
3	Engine to have auto idle when hydraulics are not in use	<input checked="" type="checkbox"/>	
4	Engine oil and filter intervalsto be min. of 500 hours	<input checked="" type="checkbox"/>	
5	Spin on fuel filter to include water separator	<input checked="" type="checkbox"/>	
6	Off-level capacity to be no less than 35 degrees	<input checked="" type="checkbox"/>	
7	Engine to have cold start aid such as glow plugs	<input checked="" type="checkbox"/>	
8	Engine oil and fuel filters will be remotely mounted for ease of service	<input checked="" type="checkbox"/>	
	COOLING		
9	Engine coolant to be min. of 34 degrees	<input checked="" type="checkbox"/>	
10	Variable speed fan; cooling fan to have a fan guard	<input checked="" type="checkbox"/>	
	POWER TRAIN		
11	Two speed propel with auto-shifting when travel motors encounter heavier loads. Will also include a switch to select high and low range. Min. travel speed in high range of 3 MPH	<input checked="" type="checkbox"/>	
12	Short stroke hydraulic pilot control	<input checked="" type="checkbox"/>	
13	Wet Disc swing brake, spring applied hydraulically released	<input checked="" type="checkbox"/>	
14	Travel brake shall be spring applied and hydraulically released	<input checked="" type="checkbox"/>	
15	Draw bar pull to be min. of 14,000 lbs.	<input checked="" type="checkbox"/>	
	HYDRAULICS		
16	Open center load sensing hydraulic system	<input checked="" type="checkbox"/>	
17	Multiple variable-displacement axial-piston pumps w/min. combined flow of 40 GPM or greater	<input checked="" type="checkbox"/>	
18	Boom & Arm to have holding valves for stability & to hold positioning	<input checked="" type="checkbox"/>	

Line item	ELECTRICAL	YES	NO
-----------	------------	-----	----

19	24 volt electrical system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
20	Alternator to have min. 50 amp output	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21	Work lights min. one (1) chassis mounted (boom side) & one (1) boom mounted	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22	Batteries min. of two (2) 450 CCA (1 900 CCA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23	Fuse panel to be in the cab	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	UNDERCARRIAGE		
24	Rollers min. 1 - carrier and 5 - track. Lifetime lubricated bearings	<input checked="" type="checkbox"/>	<input type="checkbox"/>
25	Track to be rubber crawler pads min. 18" wide	<input checked="" type="checkbox"/>	<input type="checkbox"/>
26	Sealed and lubricated track chain	<input checked="" type="checkbox"/>	<input type="checkbox"/>
27	Hydraulically adjustable track	<input checked="" type="checkbox"/>	<input type="checkbox"/>
28	Ground pressure not to exceed 6 PSI	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	SERVICEABILITY		
29	Fuel capacity min. 32 gallons	<input checked="" type="checkbox"/>	<input type="checkbox"/>
30	Hydraulic capacity min. 15 gallons	<input checked="" type="checkbox"/>	<input type="checkbox"/>
31	All fluid checks are accessible at ground level by way of dip stick or sight gauges.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
32	LCD display tracks scheduled maintenance, as well as diagnostic troubleshooting	<input checked="" type="checkbox"/>	<input type="checkbox"/>
33	All coolers are easily accessible for inspection and cleaning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	OPERATOR STATION		
34	Station shall have fluid filled elastic mounts to absorb shocks & vibrations or air seat	<input checked="" type="checkbox"/>	<input type="checkbox"/>
35	AM-FM stereo and bluetooth	<input checked="" type="checkbox"/>	<input type="checkbox"/>
36	Auto climate control/heat & air conditioning, with positive pressure cab enclosure. Will include fresh air or recirculating modes	<input checked="" type="checkbox"/>	<input type="checkbox"/>
37	Machine will have a min. of one (1) work mode, two (2) power modes and numerous attachment modes, add 4 way hydraulics	<input checked="" type="checkbox"/>	<input type="checkbox"/>
38	Cab to have a cell phone power outlet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
39	Cab to be wired with a min. 15 amp 12 volt power & ground switch & wiring for 2 way radio that will be installed at a later date.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
40	Monitoring package shall display the following: Engine coolant temperature, oil pressure, air filter restriction, alternator voltage, fuel level DEF level if required and check engine light	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Line item	OPERATOR STATION (continued)	YES	NO

12 VOLT

SYSTEM IS
12 VOLTS

41	Monitoring system shall be able to store maintenance & service info.	✓	
42	Monitor shall be able to show trouble codes as well as diagnostic info	✓	
43	Cab to have interior lighting	✓	
44	Hot & cold storage compartment as well as cup holder	✓	
45	Electronic throttle control, w/auto idle circuit to idle down engine after approx. 4 sec of inactivity	✓	
46	Windshield wiper w/intermittent settings & washer system	✓	
47	Cab front window to have opening top & bottom windows	✓	
48	Top hatch to be transparent w/anti-glare tinting & sun shade	✓	
49	Deluxe cloth adjustable operator's seat w/mechanical suspension, reclining back rest and headrest	✓	
50	Engine shall perform start-up diagnostics	✓	
51	Shall have both propel pedals & levers	✓	
52	Lockable control pattern selector valve	✓	
	OPERATING SPECIFICATIONS		
53	Operating weight shall be no less than 20,000 lbs	✓	
54	Arm digging force min. of 8,000 lbs	✓	
55	Bucket digging force min. of 10,400 lbs	✓	
56	Maximum reach min. 22'6"	✓	
57	Maximum digging depth min. 14'0"	✓	
58	Maximum dumping height min. 17'0"	✓	
59	Tail swing ratios max. of 4'6" 57" w/o CW 65" w CW	✓	
60	Blade width appropriate for width of machine approximately 7'-8'	✓	
61	Lifting capacity: @ 10' - min. 4,000 lbs; @ 15' - min. 3,200 lbs	✓	
62	Min. machine ground clearance 14"	✓	
	BOOM/ARM CONFIGURATION		
63	Arm configuration with the above required operating specification. Off-set boom (SWWQ)	✓	
64	Oil-impregnated bushings & extended grease intervals	✓	
65	Spring applied, hydraulically released parking brake that applies when control lever is released	✓	

Line item	BOOM/ARM CONFIGURATION (continued)	YES	NO
-----------	------------------------------------	-----	----

66	Wet disk swing brake	✓	
	ATTACHMENTS		
67	Minimum of one (1) 28" heavy duty digging bucket	✓	
68	One (1) 48" hydraulically articulated ditching bucket w/bolt on cutting edge. Hydraulic articulation to be part of the bucket	✓	
69	Direct pin hydraulic thumb to lace with digging bucket	✓	
70	Hydraulically operated wedge style coupler (PIN GRABBER)		✓
	MISCELLANEOUS		
71	Unit shall be equipped with a system that can provide fleet management, logistics and remote diagnostics capabilities for three (3) years, with option to extend	✓	
72	(2) sets of Owner Operator, Service, Repair, Overhaul & Parts Manuals	✓	
Public Works must be satisfied the equipment dealer maintains adequate parts & service facilities to include a full shop & field service performed by factory trained mechanics within 75 miles radius of Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252			
Training to be conducted at the time of delivery by a Factory Trained qualified representative at Lisbon Public Works, 14 Capital Avenue, Lisbon Falls, ME 04252			

MEMORANDUM FROM TOWN OF LISBON PUBLIC WORKS

TO: DIANE BARNES, TOWN MANAGER
FROM: RANDY CYR, PUBLIC WORKS DIRECTOR
SUBJECT: REQUEST TO PURCHASE ONE (1) 20-TON TILT TRAILER
DATE: AUGUST 11, 2021

I, Randy Cyr, am requesting approval to purchase one (1) One-20 Ton Tilt Trailer for the Public Works Department. The desired equipment will be utilized by the Public Works Department, for both summer and winter work.

My original request to solicit bids for a trailer was for RFP 2021-005, dated July 2, 2021, which was for an Excavator and Trailer. This request was approved by Council for a budget of \$24,000.

RFP 2021-005 was sent out via email to our vendor list and we received bids from four companies for an Excavator and two bids for a trailer from Nortrax for \$34,220 and Milton Cat for \$24,900. Reason why we only received two bids is because trailers are a hot item this year and most companies have filled their orders and are now unavailable. All trailers are then placed backorder and come with a lengthy delivery time from 6 months and with some exceeding 8 months. I held off from purchasing a trailer from Milton Cat to continue shopping for better rates and delivery times.

I have researched and contacted several more companies for trailers within our budget. After thorough review of several companies for a 20-ton Trailer, I feel our best option will be with Jessi Mitchell, at Rampant Trailers LLC out of Raleigh, North Carolina. I have reviewed a 20-ton Trailer that Jessi offered and the specs on this trailer meet all our operational needs.

The cost of ONE (1) 20-ton Trailer with Rampant Trailers LLC is \$21,999. Delivery fee to Public Works is \$2,090. Total price for Trailer and Delivery is **\$24,089**. Delivery time will be 8-10 weeks from the order date.

The difference between our first lowest bid from RFP 2021-005 and a trailer from Rampant is \$811.

I have concluded after my thorough research that the 20-ton trailer with Rampant Trailers will be our best option for our budget, delivery time and overall operational needs and am requesting to contact Jessi Mitchel to purchase this trailer.

See attached trailer specification page and email from Jessi Mitchell regarding this 20-ton Trailer.

MEMORANDUM FROM THE PUBLIC WORKS DIRECTOR

DATE: AUGUST 11, 2021
TO: DIANE BARNES, TOWN MANAGER
FROM: RANDY CYR, PUBLIC WORKS DIRECTOR
SUBJECT: 2021-006 / TRUCK FOR: PUBLIC WORKS, SEWER & RECREATION

Bid 2021-006 is for ONE (1) new 2020 or Newer Truck for Public Works, Waste Water Treatment Plant and Parks & Recreation. We requested bids on four (4) trucks total.

Bids were solicited from sixteen (17) different companies, and publicly opened Randy Cyr, Public Works Director; Ray Soucy, PW Admin; Steve Aievoli, Sewer Superintendent and Josh Tracy, Bessey Motors were present at the bid opening. Requested was one (1) truck each for Public Works and Waste Water Treatment Plant to choose and two (2) trucks of different size for Recreation Department.

All bids received have truck price and additional price for all extras needed on the truck for operation. As you review each bid, please refer to individual attachments per each company and department for complete specifications. (too many to list) The following bids were received and reviewed. Following each bid is a recommendation:

PUBLIC WORKS:

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Public Works	Emerson Chevrolet	Chevy 3500 - Truck Only	\$32,241.00
		All Extras	25,370.47
		Power Inverter	<u>\$1,509.99</u>
			\$59,121.46
	Bessey Motor Sales	Ram 2500 - Truck & Extras	\$61,942.47
		Power Inverter	\$1,509.99
			\$63,452.46

I recommend awarding the bid for ONE (1) Chevy 3500 with all extras to Emerson Chevrolet for \$59,121.46 for Public Works Department.

Budget expense for Public Works to purchase ONE (1) truck is \$50,000. The difference between our budget and lowest bid is \$9,121.46 but will have available funds after purchasing the Excavator and Trailer, which comes in lower than our budgeted amount.

WASTE WATER TREATMENT PLANT:

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Waste Water Treatment Plant	Emerson Chevrolet	Chevy 2500 - Truck Only	\$31,560.00
		All Extras	\$18,630.32
			<u>\$50,190.32</u>
	Bessey Motor Sales	Ram 2500 - Truck & Extras	<u>\$55,294.32</u>

I recommend awarding the bid for ONE (1) Chevy 2500 with all extras to Emerson Chevrolet for \$50,190.32 for Waste Water Treatment Plant.

Budget expense for Waste Water Treatment Plant to purchase ONE (1) truck is \$50,000. The difference between our budget and lowest bid is \$190.32.

PARKS AND RECREATION:

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Recreation Department (1)	Emerson Chevrolet	Chevy 1500 -Truck Only	\$30,978.00
		All Extras	\$4,155.00
			<u>\$35,133.00</u>
	Bessey Motor Sales	Ram 1500 - Truck & Extras	<u>\$36,058.99</u>

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Recreation Department (2)	Emerson Chevrolet	Chevy 2500 -Truck Only	\$33,081.00
		All Extras	\$4,155.00
			<u>\$37,236.00</u>
	Bessey Motor Sales	Ram 2500 - Truck & Extras	<u>\$40,086.99</u>

Budget expense for Parks and Recreation to purchase TWO (2) trucks is \$20,000 for each vehicle. However, all bids exceed the budget amount.

Although not the lowest bid, I recommend awarding the bid for ONE(1) Chevy 2500 in the amount of \$37,236.from Emerson Chevrolet. This is a larger truck and better for operational needs.

The difference between lowest bid from Emerson for a Chevy 1500 and the second truck for Chevy 2500 from Emerson is \$2,103.

This recommendation for all trucks and departments is being presented to the Town Council for consideration.

2021-006 A total of four (4) trucks for
Public Works; Waste Water Treatment Plant and Parks & Recreation
Tuesday, August 10, 2021
Council Chambers
10:00am

Present: Randy Cyr, Public Works Director
Ray Soucy, Public Works Admin

Bids were solicited from sixteen (17) different companies. The following bids were received for each department's truck and publicly opened:

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Public Works	Emerson Chevrolet	Chevy 3500 - Truck Only	\$32,241.00
		All Extras	25,370.47
		Power Inverter	\$1,509.99
			\$59,121.46
	Bessey Motor Sales	Ram 2500 - Truck & Extras	\$61,942.47
		Power Inverter	\$1,509.99
			\$63,452.46

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Waste Water Treatment Plant	Emerson Chevrolet	Chevy 2500 - Truck Only	\$31,560.00
		All Extras	\$18,630.32
			\$50,190.32
	Bessey Motor Sales	Ram 2500 - Truck & Extras	\$55,294.32

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Recreation Department (1)	Emerson Chevrolet	Chevy 2500 - Truck Only	\$33,081.00
		All Extras	\$4,155.00
			\$37,236.00
	Bessey Motor Sales	Ram 2500 - Truck & Extras	\$40,086.99

DEPARTMENT	COMPANY NAME	EQUIPMENT TYPE	COSTS
Recreation Department (2)	Emerson Chevrolet	Chevy 1500 - Truck Only	\$30,978.00
		All Extras	\$4,155.00
			\$35,133.00
	Bessey Motor Sales	Ram 1500 - Truck & Extras	\$36,058.99

(SEE BID RESULTS FOR SPECIFICATIONS PER EACH TRUCK)

~~2~~ 3
11

TOWN OF LISBON, MAINE BID

#: 2021-006

BID #3 ONE (1) PARKS &
RECREATION TRUCK

REQUIREMENTS

BID #3 PARKS & RECREATION DEPARTMENT

One (1) 2020 or newer Parks and Rec ¾ ton or One-Ton Truck with Extra cab

MODEL	EXTRA CAB / ¾ or 1-TON / 4x4 / AUTOMATIC	✓
YEAR	2020 or Newer	✓
TYPE		✓
COLOR	BLACK	✓
ENGINE	BIGGEST V-8 (GAS)	✓
TRANSMISSION	AUTOMATIC / 6-8 SPEED (TOW)	✓
Axle Ratio	4:10 3.73	★ (1)

MINIMUM VEHICLE DIMENSIONS (Inches unless otherwise noted)

WHEELBASE	143.5"	✓
VEHICLE LENGTH		
HEIGHT		
HEAD ROOM		
LEG ROOM		
SHOULDER ROOM		
HIP ROOM		
CARGO AREA	6 foot bed	✓

CHASSIS

STEERING	TILT	✓
BRAKES	FRONT ROTORS / REAR DRUMS Rotors	★ (2)
SUSPENSION	LEAF SPRING	✓
DIFFERENTIAL	POSI - TRACK REAR - END	✓
RADIATOR		
TIRES/WHEELS	METAL RIMS / 16" TIRES - LT 10 PLY 17"	★ (3)

BODY & ACCESSORIES

SEATS	CLOTH SEATS / RUBBER FLOOR MATS
☆☆	STROBE LIGHTS
☆☆	120 AC POWER INVERTER
POWER MIRRORS	
SPEEDOMETER	
WINDOW GLASS	
DOOR LAMP SWITCHES	
WARRANTY	100,000 MILES

NOTE: ANY EQUIPMENT NOT SPECIFIED BUT REQUIRED BY LAW WILL BE INCLUDED

☆☆: Quoted by Body Company
 "See Quote Sheets" (enclosed) Separate

TOWN OF LISBON, MAINE BID

#: 2021-006

**BID #3 ONE (1) PARKS &
RECREATION TRUCK
PROPOSAL FORM**

To receive consideration, the Proposal Form must be filled in and signed.

The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefore the following sum:

Year	2022
Make/Model	Chevrolet CK20753
★ <u>Truck Only</u> TOTAL BID PRICE: (Item 1 Less 2-4) \$ 33,081.00 ★	

Terms	PO # or COD
Delivery Terms	Approx 10/12 wks - once GM Accepts
Warranty	3yr/36K B/B 5yr/100K P. Train
Extended Warranty Available	<input checked="" type="checkbox"/>
If yes, COST:	\$ 2995.00 6yr/unlimited miles
Exceptions to Specifications	<input checked="" type="checkbox"/>

If yes, list exceptions:

① 3.73 Axle ratio ② Rotors (rear) ③ LT265/70R17E All Terrain

FIRM	Emerson Chevrolet
TAX ID/ DUNS #	01-0270117
SIGNED BY	<u>SK</u>
PRINTED OR TYPED NAME	Scott Kivius
PRINTED OR TYPED TITLE	Commercial Sales Mgr.
ADDRESS	941 Center St. Auburn, Me. 04210
E-MAIL ADDRESS	scottkivius@emersonchevy.com
TELEPHONE #	207-784-3503
DATE	8/9/21

★ Total Bid Price is for Truck Only
Please Add Accy Co. Quote "Separate"



Messer Truck Equipment
170 Warren Ave.
Westbrook, ME 04092

207-854-9751
byron@messerte.com
www.messertruckequipment.com

Quote

Date	Quote #
7/30/2021	3350

Name / Address
Emerson Chevrolet Buick, Inc PO Box 860 Auburn, ME 04212

Attention	Terms	Sale Rep	Acct. Rep	P.O. No.
Scott	Net 30	Brandon	BC	

Description	Qty	U/M	Total
Lisbon Bid #3 (2021-006)			
Buyers LED mini light bar magnetic mounted	1	ea	205.00
Pure Sine 3000 watt power inverter, remote control with LCD screen installed at customer discretion.	1	ea	1,509.99

We propose to furnish material and labor, in accordance with the above specifications. All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the quotation. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by worker's compensation insurance. Any applicable Federal Excise Tax is not included in the above quotation. Quote valid for 30 days from date of issue.

Sales Tax (0.0%) \$0.00

Total \$1,714.99

Acceptance of Proposal - Sign and Return



Estimate

Date	Estimate #
8/3/2021	807
	P.O. No.

999 - 1009 Center St
Auburn, ME 04210
207 333-3390

autocityofmaine.com

Name / Address		Cab Config.		Rep	Bed Length	Paint Code
EMERSON CHEVROLET PO BOX 860 AUBURN, ME. 04212-0860		Due on receipt		CD		
Description	Qty	Rate	Total			
8891049, 11 INCH BEACON IN AMBER/GREEN	1	196.00	196.00			
PST-3000-12 POWER INVERTER 3000 WATT	1	1,695.00	1,695.00			
RC-300 INVERTER REMOTE CONTROL	1	104.00	104.00			
DC3500KIT INVERTER WIRING KIT	1	624.00	624.00			
8890410 SURFACE MOUNT STROBES AMBER/GREEN	4	159.00	636.00			
SHOP SUPPLIES	1	50.00	50.00			
Strobe Light Install, ROOF MOUNT BEACON	1	150.00	150.00			
INSTALL ACCESSORIES, 4 STROBES TO SERVICE BODY	7	100.00	700.00			
AND INVERTER W/ REMOTE CONTROL						
LABOR IS AN ESTIMATE ONLY						
The above configuration for an A.R.E. Cap tonneau is approved to be custom built to specs outlined on this document. By signing this form you have agreed to purchase this unit which cannot be returned for any reason .		Subtotal		\$4,155.00		
		Sales Tax (0.0%)		\$0.00		
		Total		\$4,155.00		

Signature _____

4

TOWN OF LISBON, MAINE BID

#: 2021-006

BID #4 ONE (1) PARKS &
RECREATION TRUCK

REQUIREMENTS

BID #4 PARKS & RECREATION TRUCK

One (1) 2020 or newer Parks and Rec ½ TON Truck with Extra cab

MODEL	½ TON / 4x4 / AUTOMATIC
YEAR	2020 or Newer
TYPE	
COLOR	BLACK
ENGINE	V-8 (GAS)
TRANSMISSION	AUTOMATIC / 6-8 SPEED (TOW)
Axle Ratio	4:10 3.42

MINIMUM VEHICLE DIMENSIONS (Inches unless otherwise noted)

WHEELBASE	143.5"
VEHICLE LENGTH	
HEIGHT	
HEAD ROOM	
LEG ROOM	
SHOULDER ROOM	
HIP ROOM	
CARGO AREA	8 foot bed 6'

CHASSIS

STEERING	TILT
BRAKES	FRONT ROTORS / REAR DRUMS Rotors
SUSPENSION	LEAF SPRING
DIFFERENTIAL	POSI - TRACK REAR - END
RADIATOR	
TIRES/WHEELS	METAL RIMS / 16" TIRES - LT 10 PLY

BODY & ACCESSORIES

SEATS	CLOTH SEATS / RUBBER FLOOR MATS
☆☆	
	STROBE LIGHTS
	120 AC POWER INVERTER
POWER MIRRORS	
SPEEDOMETER	
WINDOW GLASS	
DOOR LAMP SWITCHES	
WARRANTY	100,000 MILES

NOTE: ANY EQUIPMENT NOT SPECIFIED BUT REQUIRED BY LAW WILL BE INCLUDED

☆☆: Quoted by Body / Accy Co's. - Separate
See enclosed Quote sheets

TOWN OF LISBON, MAINE BID

#: 2021-006

**BID #4 ONE (1) PARKS &
RECREATION TRUCK
PROPOSAL FORM**

To receive consideration, the Proposal Form must be filled in and signed.

The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Year	2022
Make/Model	Chevrolet CK18753
★ <u>Truck Only</u>	TOTAL BID PRICE: → \$ 30,978 ★

Terms	DO# or C.O.D.
Delivery Terms	Approx 10/12 wks - once GM accepts
Warranty	3yr/36k B/B - 5yr/100k P. Train
Extended Warranty Available	<input checked="" type="checkbox"/>
If yes, COST:	\$ 2995.00 6yr/unlimited miles
Exceptions to Specifications	<input checked="" type="checkbox"/>

If yes, list exceptions:

① 3.42 Axle Ratio, ② 6' Bed ③ Rotors (rear) ④ LT265/70R17C All Terrain

FIRM	Emerson Chevrolet
TAX ID/ DUNS #	01-0270117
SIGNED BY	<u>SK</u>
PRINTED OR TYPED NAME	Scott Kiulus
PRINTED OR TYPED TITLE	Commercial Sales Mgr
ADDRESS	946 Center St. Auburn, Me. 04210
E-MAIL ADDRESS	scotkiulus@emersonchevy.com
TELEPHONE #	207-784-3503
DATE	8/9/21

★ Total Bid Price is for Truck Only ★
Please Add Accy Co. Quote



Messer Truck Equipment
170 Warren Ave.
Westbrook, ME 04092

207-854-9751
byron@messerte.com
www.messertruckequipment.com

Quote

Date	Quote #
7/30/2021	3351

Name / Address
Emerson Chevrolet Buick, Inc PO Box 860 Auburn, ME 04212

Attention	Terms	Sale Rep	Acct. Rep	P.O. No.
Scott	Net 30	Brandon	BC	

Description	Qty	U/M	Total
Lisbon Bid #4 (2021-006)			
Buyers LED mini light bar magnetic mounted	1	ea	205.00
Pure Sine 3000 watt power inverter, remote control with LCD screen installed at customer discretion.	1	ea	1,509.99

We propose to furnish material and labor, in accordance with the above specifications. All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the quotation. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by worker's compensation insurance. Any applicable Federal Excise Tax is not included in the above quotation. Quote valid for 30 days from date of issue.

Sales Tax (0.0%) \$0.00

Total \$1,714.99

Acceptance of Proposal - Sign and Return



Estimate

Date	Estimate #
8/3/2021	807
	P.O. No.

999 - 1009 Center St
Auburn, ME 04210
207 333-3390

autocityofmaine.com

Name / Address		Cab Config.		Rep	Bed Length	Paint Code	
EMERSON CHEVROLET PO BOX 860 AUBURN, ME. 04212-0860		Due on receipt		CD			
Description	Qty	Rate	Total				
8891049, 11 INCH BEACON IN AMBER/GREEN	1	196.00	196.00				
PST-3000-12 POWER INVERTER 3000 WATT	1	1,695.00	1,695.00				
RC-300 INVERTER REMOTE CONTROL	1	104.00	104.00				
DC3500KIT INVERTER WIRING KIT	1	624.00	624.00				
8890410 SURFACE MOUNT STROBES AMBER/GREEN	4	159.00	636.00				
SHOP SUPPLIES	1	50.00	50.00				
Strobe Light Install, ROOF MOUNT BEACON	1	150.00	150.00				
INSTALL ACCESSORIES, 4 STROBES TO SERVICE BODY AND INVERTER W/ REMOTE CONTROL	7	100.00	700.00				
LABOR IS AN ESTIMATE ONLY							
The above configuration for an A.R.E. Cap tonneau is approved to be custom built to specs outlined on this document. By signing this form you have agreed to purchase this unit which cannot be returned for any reason .					Subtotal		\$4,155.00
					Sales Tax (0.0%)		\$0.00
					Total		\$4,155.00

Signature

TOWN OF LISBON, MAINE BID

#: 2021-006

**BID #3 ONE (1) PARKS &
RECREATION TRUCK****PROPOSAL FORM**

To receive consideration, the Proposal Form must be filled in and signed.

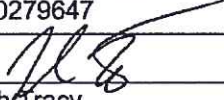
The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefore the following sum:

Year	2022
Make/Model	Ram 2500, Tradesman
TOTAL BID PRICE: (Item 1 Less 2 - 4)	
\$ 40,086.99	

Terms	F.O.B	
Delivery Terms	To be determined at time of order	
Warranty	5 year/100k Powertrain. 3 year/36k B-B	
Extended Warranty Available	Yes	6 year/125k
If yes, COST:	\$ 3,200	
Exceptions to Specifications	Yes	

If yes, list exceptions:

See included letter for Clarification to Bid Specs

FIRM	Bessey Motor Sales Inc.
TAX ID/ DUNS #	01-0279647
SIGNED BY	
PRINTED OR TYPED NAME	Josh Tracy
PRINTED OR TYPED TITLE	Commercial/Fleet Sales Manager
ADDRESS	209 Main St./P.O. Box H, South Paris, ME 04281
E-MAIL ADDRESS	josh@besseymotorsales.com
TELEPHONE #	207-743-6341 x115
DATE	8/4/2021

TOWN OF LISBON, MAINE BID**#: 2021-006****BID #4 ONE (1) PARKS &
RECREATION TRUCK
PROPOSAL FORM****To receive consideration, the Proposal Form must be filled in and signed.**

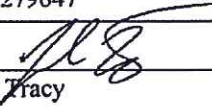
The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Year	2022
Make/Model	Ram 1500 DS, Quad Cab, Tradesman
TOTAL BID PRICE:	\$ 36,058.99

Terms	F.O.B
Delivery Terms	To be determined at time of order
Warranty	5 year/100k Powertrain. 3 year/36k B-B
Extended Warranty Available	Yes 6 year/125k
If yes, COST:	\$ 3,000
Exceptions to Specifications	Yes

If yes, list exceptions:

See included letter for Clarification to Bid Specs

FIRM	Bessey Motor Sales Inc.
TAX ID/ DUNS #	01-0279647
SIGNED BY	
PRINTED OR TYPED NAME	Josh Tracy
PRINTED OR TYPED TITLE	Commercial/Fleet Sales Manager
ADDRESS	209 Main St./P.O. Box H, South Paris, ME 04281
E-MAIL ADDRESS	josh@besseymotorsales.com
TELEPHONE #	207-743-6341 x115
DATE	8/4/2021

TOWN OF LISBON, MAINE BID
#: 2021-006
BID #1 ONE (1) PUBLIC WORKS ONE-
TON TRUCK

REQUIREMENTS

One (1) 2021 or newer Public Works One-Ton Truck

MODEL	REGULAR CAB / 1-TON or 3/4 TON / 4x4 / AUTOMATIC / SINGLE REAR WHEEL
YEAR	2021 or Newer
TYPE	
COLOR	BLACK
ENGINE	BIGGEST V-8 (GAS)
TRANSMISSION	AUTOMATIC / 6-8 SPEED (TOW)
Axle Ratio	4:10 3.73

MINIMUM VEHICLE DIMENSIONS (Inches unless otherwise noted)

WHEELBASE	ADJUST FOR UTILITY BODY INSTALLATION
VEHICLE LENGTH	
HEIGHT	
HEAD ROOM	
LEG ROOM	
SHOULDER ROOM	
HIP ROOM	
CARGO AREA	COMMERCIAL GRADE UTILITY / SERVICE BODY

CHASSIS

STEERING	TILT
BRAKES	FRONT ROTORS / REAR ROTORS
SUSPENSION	LEAF SPRING
DIFFERENTIAL	POSI - TRACK REAR - END
RADIATOR	
TIRES/WHEELS	METAL RIMS / 18" TIRES - LT 10 PLY

☆☆: Quoted by Body / Accy Companies
 See enclosed Quote Sheets
 "separate"

BODY & ACCESSORIES		
SEATS	CLOTH SEATS / RUBBER FLOOR MATS	✓
REQUIRED ACCESSORIES	TILT STEERING WHEEL	✓
	AM/FM & BLUETOOTH	✓
	A/C	✓
	CRUISE	✓
	POWER WINDOWS	✓
	8' SERVICE BODY	★
	9.5' SNOW PLOW / V-BLADE	★
	TOW PACKAGE	★
	STROBE LIGHTS	★
	CRANE – MODEL DT7K	★
	120 AC POWER INVERTER	★
POWER MIRRORS	HEATED	✓
SPEEDOMETER		✓
WINDOW GLASS		✓
DOOR LAMP SWITCHES		✓
WARRANTY	100,000 MILES	✓

NOTE: ANY EQUIPMENT NOT SPECIFIED BUT REQUIRED BY LAW WILL BE INCLUDED

★★: Quoted by Body / Accy Companies
 See enclosed Quote Sheets
"separate"

TOWN OF LISBON, MAINE BID
#: 2021-006
BID #1 ONE (1) PUBLIC WORKS ONE-
TON TRUCK
PROPOSAL FORM

To receive consideration, the Proposal Form must be filled in and signed.

The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Year	2022	
Make/Model	Chevrolet CK30903	
★ <i>Truck Only</i> ★	TOTAL BID PRICE: →	\$ 32,241.00 ★

Terms	PO # or C.O.D.	
Delivery Terms	Approx 10/12 wks - once GM Accepts	
Warranty	3yr/36k B/B 5yr/100k P. Train	
Extended Warranty Available	<input checked="" type="checkbox"/>	
If yes, COST:	\$ 3495.00 6yr/Unlimited miles	
Exceptions to Specifications	<input checked="" type="checkbox"/>	

If yes, list exceptions:

① 3.73 Axle ratio ② LT275/70R18 E All Terrain
--

FIRM	Emerson Chevrolet
TAX ID/ DUNS #	01-0270117
SIGNED BY	<i>Sh</i>
PRINTED OR TYPED NAME	Scott Kivus
PRINTED OR TYPED TITLE	Commercial Sales Mgr.
ADDRESS	946 Center St. Auburn, Me. 04210
E-MAIL ADDRESS	scottkivus@emersonchevy.com
TELEPHONE #	207-784-3503
DATE	8/9/21

★ Total Bid Price is for Truck Only. ★
 "Please Add Body Co. Quote"



Messer Truck Equipment
170 Warren Ave.
Westbrook, ME 04092

207-854-9751
byron@messerte.com
www.messertruckequipment.com

Quote

Date	Quote #
8/3/2021	3371

Name / Address
Emerson Chevrolet Buick, Inc PO Box 860 Auburn, ME 04212

Attention	Terms	Sale Rep	Acct. Rep	P.O. No.
Scott	Net 30	Brandon	BC	

Description	Qty	U/M	Total
<p>Lisbon Bid #1 (2021-006)</p> <p>8' Knapheide Crane Body Model 696</p> <p>Price includes: Installation on 56" C.A. single rear wheel cab chassis Rugged 14 ga. 2-sided A-40 galvanneal body shell Right rear crane reinforcement Double spring over center door closures on all vertical doors Stainless paddle activated rotary style latches Thick automotive bulb-type neoprene door seals Light gray finish painted interior compartments Stainless steel continuous hinges Slammable tailgate Flush mount light package with interior light guards Body painted black - single stage (no base coat clear coat) Torsion box understructure design strengthens floor to resist flexing Service body rear bumper with 2" receiver tube, 7-way RV plug and single side manual outrigger K-coat protection and full undercoating 6 year warranty Ventura Crane Model: DT7K capacity 2200lbs, 50' of 3/16" wire rope, single drop down jack leg, 250 amp circuit breaker</p>	1	ea	18,414.00



Messer Truck Equipment
170 Warren Ave.
Westbrook, ME 04092

207-854-9751
byron@messerte.com
www.messertruckequipment.com

Quote

Date	Quote #
8/3/2021	3371

Name / Address
Emerson Chevrolet Buick, Inc PO Box 860 Auburn, ME 04212

Attention	Terms	Sale Rep	Acct. Rep	P.O. No.
Scott	Net 30	Brandon	BC	

Description	Qty	U/M	Total
NOTE: Rear spring work maybe necessary to level body after crane installation. Not included in price. Wire Knapheide tail lights to strobe as well Two grill mounted strobe lights Fisher 9.6 MS XV2 plow installed municipal discount	1	ea	6,956.47
OPTION AVAILABLE NOT INCLUDED IN PRICE: For 3000watt Pure Sine Wave power inverter, remote control with LCD screen installed in service body compartment add \$1509.99			

We propose to furnish material and labor, in accordance with the above specifications. All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the quotation. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by worker's compensation insurance. Any applicable Federal Excise Tax is not included in the above quotation. Quote valid for 30 days from date of issue.

Sales Tax (0.0%) \$0.00

Total \$25,370.47

Acceptance of Proposal - Sign and Return

TOWN OF LISBON, MAINE BID
#: 2021-006
BID #1 ONE (1) PUBLIC WORKS ONE-
TON TRUCK
PROPOSAL FORM

To receive consideration, the Proposal Form must be filled in and signed.

The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Year	2022
Make/Model	Ram 2500, Tradesman
TOTAL BID PRICE:	\$ 61,942.47

Terms	F.O.B
Delivery Terms	To be determined at time of order
Warranty	5 year/100k Powertrain. 3 year/36k B-B
Extended Warranty Available	Yes 6 year/125k
If yes, COST:	\$ \$3,200
Exceptions to Specifications	Yes

If yes, list exceptions:

See included Clarification to Bid Spec Letter

FIRM	Bessey Motor Sales Inc.
TAX ID/ DUNS #	01-0279647
SIGNED BY	
PRINTED OR TYPED NAME	Josh Tracy
PRINTED OR TYPED TITLE	Commercial/Fleet Sales Manager
ADDRESS	209 Main St./P.O. Box H, South Paris, ME 04281
E-MAIL ADDRESS	josh@besseymotorsales.com
TELEPHONE #	207-743-6341 x115
DATE	8/4/2021

TOWN OF LISBON, MAINE BID
#: 2021-006
BID #2 ONE (1) WASTEWATER
TREATMENT PLANT
ONE-TON TRUCK WITH SERVICE
BODY

REQUIREMENTS

BID #2 WASTE WATER TREATMENT PLANT

One (1) 2021 or newer Sewer Department 3/4-Ton Truck with Service Body

MODEL	REGULAR CAB / 3/4-TON / 4x4
YEAR	2021 or Newer
TYPE	
COLOR	Silver
ENGINE	BIGGEST V-8 (GAS)
TRANSMISSION	AUTOMATIC / 6-8 SPEED (TOW)
Axle Ratio	4:10 <i>3.73</i>

MINIMUM VEHICLE DIMENSIONS (Inches unless otherwise noted)

WHEELBASE	140"
VEHICLE LENGTH	
HEIGHT	
HEAD ROOM	
LEG ROOM	
SHOULDER ROOM	
HIP ROOM	
CARGO AREA	Service Body

CHASSIS

STEERING	TILT
BRAKES	FRONT ROTORS / REAR ROTORS
SUSPENSION	LEAF SPRING
DIFFERENTIAL	POSI - TRACK REAR - END
RADIATOR	
TIRES/WHEELS	LT 10 PLY / METAL WHEELS

BODY & ACCESSORIES

AA: Quoted by Body Companies "Separate"
See enclosed Quote Sheets

SEATS	CLOTH SEATS / RUBBER FLOOR MATS	✓
REQUIRED ACCESSORIES ☆☆	TILT STEERING WHEEL	✓
	AM/FM & BLUETOOTH	✓
	CARPET DELETE	✓
	A/C	✓
	CRUISE	✓
	POWER WINDOWS & LOCKS	✓
	☆☆ 8' SERVICE BODY	☆☆
	☆☆ 8.5' SNOW PLOW / V-BLADE (FISHER XV2)	☆☆
	☆☆ STROBE LIGHTS	☆☆
	☆☆ 120 AC POWER INVERTER	☆☆
	☆☆ BEDLINER IN ENTIRE CARGO AREA	☆☆
	☆☆ BEDLINER ON COMPARTMENT TOPS AND REAR BUMPER	☆☆
	TRAILER BRAKE CONTROLLER	✓
POWER MIRRORS	TOWING - HEATED	✓
SPEEDOMETER		
WINDOW GLASS		
DOOR LAMP SWITCHES		
WARRANTY	100,000 MILES	✓

NOTE: ANY EQUIPMENT NOT SPECIFIED BUT REQUIRED BY LAW WILL BE INCLUDED

☆☆ : Quoted by Body Company "Separate"
 "See enclosed Quote sheets"

TOWN OF LISBON, MAINE BID
#: 2021-006
BID #2 ONE (1) WASTEWATER
TREATMENT PLANT TRUCK
PROPOSAL FORM

To receive consideration, the Proposal Form must be filled in and signed.

The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Year	2022	
Make/Model	Chevrolet CK20903	
Truck Only	TOTAL BID PRICE: \longleftrightarrow	\$ 31,560.00

Terms	PO # or C.O.D.	
Delivery Terms	Approx 10/12 wks - Once GM Accepts.	
Warranty	3yr/36k B/B 5yr/100k P. Train	
Extended Warranty Available	<input checked="" type="checkbox"/>	
If yes, COST:	\$ 3495.00 6yr/Unlimited miles	
Exceptions to Specifications	<input checked="" type="checkbox"/>	

If yes, list exceptions:

① 3.73 Axle Ratio	② LT265/70R17 E
All Terrain	

FIRM	Emerson Chevrolet
TAX ID/ DUNS #	01-0270117
SIGNED BY	<u>Scott Kiurus</u>
PRINTED OR TYPED NAME	Scott Kiurus
PRINTED OR TYPED TITLE	Commercial Sales Mgr
ADDRESS	946 Center St. Auburn, Me, 04210
E-MAIL ADDRESS	scottkiurus@emersonchevy.com
TELEPHONE #	207-784-3503
DATE	8/9/21

★ Total Bid Price is for Truck Only. ★

“ Please Add Body Co. Quote ”



Messer Truck Equipment
170 Warren Ave.
Westbrook, ME 04092

207-854-9751
byron@messerte.com
www.messertruckequipment.com

Quote

Date	Quote #
7/30/2021	3349

Name / Address
Emerson Chevrolet Buick, Inc PO Box 860 Auburn, ME 04212

Attention	Terms	Sale Rep	Acct. Rep	P.O. No.
Scott	Net 30	Brandon	BC	

Description	Qty	U/M	Total
Lisbon Bid #2 (2021-006) Knapheide Service Body Model 696 Price includes Installed on 56" CA single rear wheel pickup Rugged 14 ga A-40 galvaneal steel body shell w/exclusive Knapheide 6 yr warranty Double spring over center door closures work in equally well in cold and hot climates 250# capacity adjustable shelves with dividers Slammable tailgate Diamond plate rock guard protectors front corners of service body Interior light guards Automotive bulb-type neoprene door seals All stainless steel continuous hinges Double shell 20 ga two-sided A-40 galvaneal steel hat section reinforced doors Stainless steel paddle handles Security ring strikers Pooched rear bumper with recess for hitch Full lighting package Epoxy primer with electric fusion during 100% body submersion	1	ea	11,978.99



Messer Truck Equipment
170 Warren Ave.
Westbrook, ME 04092

207-854-9751
byron@messerte.com
www.messertruckequipment.com

Quote

Date	Quote #
7/30/2021	3349

Name / Address
Emerson Chevrolet Buick, Inc PO Box 860 Auburn, ME 04212

Attention	Terms	Sale Rep	Acct. Rep	P.O. No.
Scott	Net 30	Brandon	BC	

Description	Qty	U/M	Total
Painted black silver single stage, paint match not guaranteed Heavy duty 2" receiver hitch and 7 blade RV trailer plug 3000 watt Pure Sine power inverter, remote control with LCD screen installed in service body compartment of customers choosing. Factory rear LED strobe and additional two grill mounted strobe lights. Vortex lined service body cargo area, compartment tops and rear bumper Brake controller installed Fisher XV2 V-plow Mild Steel Yellow installed	1	ea	6,651.33

We propose to furnish material and labor, in accordance with the above specifications. All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the quotation. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by worker's compensation insurance. Any applicable Federal Excise Tax is not included in the above quotation. Quote valid for 30 days from date of issue.

Sales Tax (0.0%)	\$0.00
Total	\$18,630.32

Acceptance of Proposal - Sign and Return

TOWN OF LISBON, MAINE BID**#: 2021-006****BID #2 ONE (1) WASTEWATER****TREATMENT PLANT TRUCK****PROPOSAL FORM****To receive consideration, the Proposal Form must be filled in and signed.**

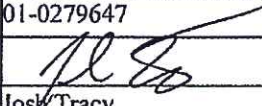
The undersigned hereby declares that he has carefully examined the specifications and that he/she proposes and agrees, if this proposal is accepted, to provide the items identified in his/her proposal in accordance with the specifications listed; and that he/she will accept full payment therefor the following sum:

Year	2022
Make/Model	Ram 2500, Tradesman
TOTAL BID PRICE:	\$ 55,294.32

Terms	F.O.B
Delivery Terms	To be determined at time of order
Warranty	5 year/100k Powertrain. 3 year/36k B-B
Extended Warranty Available	Yes 6 year/125k
If yes, COST:	\$3,200
Exceptions to Specifications	Yes

If yes, list exceptions:

See included letter for Clarification to Bid Specs

FIRM	Bessey Motor Sales Inc.
TAX ID/ DUNS #	01-0279647
SIGNED BY	
PRINTED OR TYPED NAME	Josh Tracy
PRINTED OR TYPED TITLE	Commercial/Fleet Sales Manager
ADDRESS	209 Main St./P.O. Box H, South Paris, ME 04281
E-MAIL ADDRESS	josh@besseymotorsales.com
TELEPHONE #	207-743-6341 x115
DATE	8/4/2021

MEMO TOWN OF LISBON

TO: DIANE BARNES, TOWN MANAGER
FROM: KATHY MALLOY, ASSESSOR
DATE: JULY 21, 2021
RE: 15 ANN STREET

I have abated the property taxes for the 2021 tax year. As per State Statute Title 36 §841 an assessor can only grant an abatement within one year from commitment. The Municipal Officers will need to grant abatements for fiscal years 2019 and 2020.

Once the abatements have been approved, we will supplement the 3 years to "Owner Unknown"

Account # 302 Map U06 Lot 004
Arlene Baud
P.O. Box 335
Lisbon Falls, Maine 04252

2019

Value	\$33,330.00
Mil Rate	.02484
Tax	\$827.17

2020

Value	\$27,000.00
Mil Rate	.02310
Tax	\$623.70



MEMORANDUM - FINANCE

SUBJECT: Ferry Road Reconstruction Summary
TO: Diane Barnes, Town Manager
FROM: Kayla Tierney, Finance Director
DATE: August 17, 2021

The following supporting information is in reference to the Warrant for the November 2, 2021 election; on the warrant is the Bond Ordinance – Question 1 as it is made reference to the Ferry Road Reconstruction project.

The bond for the Ferry Road Reconstruction Project is \$2,800,000 based on information obtained from our Town Engineer. Please see the following detail and summarized information obtained from the Maine Municipal Bond Bank for the Bond Ordinance:

10 Year Bond with Maine Municipal Bond Bank (MMBB)

- Total Principal \$2,800,000
- Total Interest \$183,722
- Total Payments \$2,983,722
- Average fiscal year payment \$295,748.60 (derived by taking each fiscal year total and dividing by 10). The first principal and interest payment in FY24 will be \$305,466.00

Maine Municipal Bond Bank
Estimate of Borrowing - 10 Year Bond

Date	Principal	Rate	Interest	Total Payment	FY Total
11/1/2022			\$ 13,118.00	\$ 13,118.00	
5/1/2023			\$ 13,118.00	\$ 13,118.00	\$ 26,236.00
11/1/2023	\$ 280,000.00	0.5500%	\$ 13,118.00	\$ 293,118.00	
5/1/2024			\$ 12,348.00	\$ 12,348.00	\$ 305,466.00
11/1/2024	\$ 280,000.00	0.5800%	\$ 12,348.00	\$ 292,348.00	
5/1/2025			\$ 11,536.00	\$ 11,536.00	\$ 303,884.00
11/1/2025	\$ 280,000.00	0.6200%	\$ 11,536.00	\$ 291,536.00	
5/1/2026			\$ 10,668.00	\$ 10,668.00	\$ 302,204.00
11/1/2026	\$ 280,000.00	0.6800%	\$ 10,668.00	\$ 290,668.00	
5/1/2027			\$ 9,716.00	\$ 9,716.00	\$ 300,384.00
11/1/2027	\$ 280,000.00	0.7900%	\$ 9,716.00	\$ 289,716.00	
5/1/2028			\$ 8,610.00	\$ 8,610.00	\$ 298,326.00
11/1/2028	\$ 280,000.00	0.9300%	\$ 8,610.00	\$ 288,610.00	
5/1/2029			\$ 7,308.00	\$ 7,308.00	\$ 295,918.00
11/1/2029	\$ 280,000.00	1.0800%	\$ 7,308.00	\$ 287,308.00	
5/1/2030			\$ 5,796.00	\$ 5,796.00	\$ 293,104.00
11/1/2030	\$ 280,000.00	1.2300%	\$ 5,796.00	\$ 285,796.00	
5/1/2031			\$ 4,074.00	\$ 4,074.00	\$ 289,870.00
11/1/2031	\$ 280,000.00	1.3900%	\$ 4,074.00	\$ 284,074.00	
5/1/2032			\$ 2,128.00	\$ 2,128.00	\$ 286,202.00
11/1/2032	\$ 280,000.00	1.5200%	\$ 2,128.00	\$ 282,128.00	\$ 282,128.00
TOTALS	\$ 2,800,000.00		\$ 183,722.00	\$ 2,983,722.00	

15 Year Bond with Maine Municipal Bond Bank (MMBB)

- Total Principal \$2,800,000
- Total Interest \$411,558.89
- Total Payments \$3,211,558.89
- Average fiscal year payment \$211,525.94 (derived by taking each fiscal year total and dividing by 15). The first principal and interest payment in FY24 will be \$224,823.15
- The 15 year bond is the recommendation of the Finance Committee.

Maine Municipal Bond Bank
Estimate of Borrowing - 15 Year Bond

Date	Principal	Rate	Interest	Total Payment	FY Total
11/1/2022			\$ 19,334.93	\$ 19,334.93	
5/1/2023			\$ 19,334.93	\$ 19,334.93	\$ 38,669.86
11/1/2023	\$ 186,666.62	0.5500%	\$ 19,334.93	\$ 206,001.55	
5/1/2024			\$ 18,821.60	\$ 18,821.60	\$ 224,823.15
11/1/2024	\$ 186,666.67	0.5800%	\$ 18,821.60	\$ 205,488.27	
5/1/2025			\$ 18,280.26	\$ 18,280.26	\$ 223,768.53
11/1/2025	\$ 186,666.67	0.6200%	\$ 18,280.26	\$ 204,946.93	
5/1/2026			\$ 17,701.60	\$ 17,701.60	\$ 222,648.53
11/1/2026	\$ 186,666.67	0.6800%	\$ 17,701.60	\$ 204,368.27	
5/1/2027			\$ 17,066.93	\$ 17,066.93	\$ 221,435.20
11/1/2027	\$ 186,666.67	0.7900%	\$ 17,066.93	\$ 203,733.60	
5/1/2028			\$ 16,329.60	\$ 16,329.60	\$ 220,063.20
11/1/2028	\$ 186,666.67	0.9300%	\$ 16,329.60	\$ 202,996.27	
5/1/2029			\$ 15,461.60	\$ 15,461.60	\$ 218,457.87
11/1/2029	\$ 186,666.67	1.0800%	\$ 15,461.60	\$ 202,128.27	
5/1/2030			\$ 14,453.60	\$ 14,453.60	\$ 216,581.87
11/1/2030	\$ 186,666.67	1.2300%	\$ 14,453.60	\$ 201,120.27	
5/1/2031			\$ 13,305.60	\$ 13,305.60	\$ 214,425.87
11/1/2031	\$ 186,666.67	1.3900%	\$ 13,305.60	\$ 199,972.27	
5/1/2032			\$ 12,008.26	\$ 12,008.26	\$ 211,980.53
11/1/2032	\$ 186,666.67	1.5200%	\$ 12,008.26	\$ 198,674.93	
5/1/2033			\$ 10,589.60	\$ 10,589.60	\$ 209,264.53
11/1/2033	\$ 186,666.67	1.8780%	\$ 10,589.60	\$ 197,256.27	
5/1/2034			\$ 8,836.80	\$ 8,836.80	\$ 206,093.07
11/1/2034	\$ 186,666.67	2.1350%	\$ 8,836.80	\$ 195,503.47	
5/1/2035			\$ 6,844.13	\$ 6,844.13	\$ 202,347.60
11/1/2035	\$ 186,666.67	2.3180%	\$ 6,844.13	\$ 193,510.80	
5/1/2036			\$ 4,680.67	\$ 4,680.67	\$ 198,191.47
11/1/2036	\$ 186,666.67	2.4470%	\$ 4,680.67	\$ 191,347.34	
5/1/2037			\$ 2,396.80	\$ 2,396.80	\$ 193,744.14
11/1/2037	\$ 186,666.67	2.5680%	\$ 2,396.80	\$ 189,063.47	\$ 189,063.47
TOTALS	\$ 2,800,000.00		\$ 411,558.89	\$ 3,211,558.89	

20 Year Bond with Maine Municipal Bond Bank (MMBB)

- Total Principal \$2,800,000
- Total Interest \$668,927
- Total Payments \$3,468,927
- Average fiscal year payment \$171,024.35 (derived by taking each fiscal year total and dividing by 20). The first principal and interest payment in FY24 will be \$188,055.
- The 20 year bond is the recommendation of the Town Manager and Finance Director.

Maine Municipal Bond Bank
Estimate of Borrowing - 20 Year Bond

Date	Principal	Rate	Interest	Total Payment	FY Total
11/1/2022			\$ 24,220.00	\$ 24,220.00	
5/1/2023			\$ 24,220.00	\$ 24,220.00	\$ 48,440.00
11/1/2023	\$ 140,000.00	0.5500%	\$ 24,220.00	\$ 164,220.00	
5/1/2024			\$ 23,835.00	\$ 23,835.00	\$ 188,055.00
11/1/2024	\$ 140,000.00	0.5800%	\$ 23,835.00	\$ 163,835.00	
5/1/2025			\$ 23,429.00	\$ 23,429.00	\$ 187,264.00
11/1/2025	\$ 140,000.00	0.6200%	\$ 23,429.00	\$ 163,429.00	
5/1/2026			\$ 22,995.00	\$ 22,995.00	\$ 186,424.00
11/1/2026	\$ 140,000.00	0.6800%	\$ 22,995.00	\$ 162,995.00	
5/1/2027			\$ 22,519.00	\$ 22,519.00	\$ 185,514.00
11/1/2027	\$ 140,000.00	0.7900%	\$ 22,519.00	\$ 162,519.00	
5/1/2028			\$ 21,966.00	\$ 21,966.00	\$ 184,485.00
11/1/2028	\$ 140,000.00	0.9300%	\$ 21,966.00	\$ 161,966.00	
5/1/2029			\$ 21,315.00	\$ 21,315.00	\$ 183,281.00
11/1/2029	\$ 140,000.00	1.0800%	\$ 21,315.00	\$ 161,315.00	
5/1/2030			\$ 20,559.00	\$ 20,559.00	\$ 181,874.00
11/1/2030	\$ 140,000.00	1.2300%	\$ 20,559.00	\$ 160,559.00	
5/1/2031			\$ 19,698.00	\$ 19,698.00	\$ 180,257.00
11/1/2031	\$ 140,000.00	1.3900%	\$ 19,698.00	\$ 159,698.00	
5/1/2032			\$ 18,725.00	\$ 18,725.00	\$ 178,423.00
11/1/2032	\$ 140,000.00	1.5200%	\$ 18,725.00	\$ 158,725.00	
5/1/2033			\$ 17,661.00	\$ 17,661.00	\$ 176,386.00
11/1/2033	\$ 140,000.00	1.8780%	\$ 17,661.00	\$ 157,661.00	
5/1/2034			\$ 16,346.40	\$ 16,346.40	\$ 174,007.40
11/1/2034	\$ 140,000.00	2.1350%	\$ 16,346.40	\$ 156,346.40	
5/1/2035			\$ 14,851.90	\$ 14,851.90	\$ 171,198.30
11/1/2035	\$ 140,000.00	2.3180%	\$ 14,851.90	\$ 154,851.90	
5/1/2036			\$ 13,229.30	\$ 13,229.30	\$ 168,081.20
11/1/2036	\$ 140,000.00	2.4470%	\$ 13,229.30	\$ 153,229.30	
5/1/2037			\$ 11,516.40	\$ 11,516.40	\$ 164,745.70
11/1/2037	\$ 140,000.00	2.5680%	\$ 11,516.40	\$ 151,516.40	
5/1/2038			\$ 9,718.80	\$ 9,718.80	\$ 161,235.20
11/1/2038	\$ 140,000.00	2.6750%	\$ 9,718.80	\$ 149,718.80	
5/1/2039			\$ 7,846.30	\$ 7,846.30	\$ 157,565.10
11/1/2039	\$ 140,000.00	2.7320%	\$ 7,846.30	\$ 147,846.30	
5/1/2040			\$ 5,933.90	\$ 5,933.90	\$ 153,780.20
11/1/2040	\$ 140,000.00	2.7840%	\$ 5,933.90	\$ 145,933.90	
5/1/2041			\$ 3,985.10	\$ 3,985.10	\$ 149,919.00
11/1/2041	\$ 140,000.00	2.8310%	\$ 3,985.10	\$ 143,985.10	
5/1/2042			\$ 2,003.40	\$ 2,003.40	\$ 145,988.50
11/1/2042	\$ 140,000.00	2.8620%	\$ 2,003.40	\$ 142,003.40	\$ 142,003.40
TOTALS	\$ 2,800,000.00		\$ 668,927.00	\$ 3,468,927.00	

Timeline - Annual Municipal And Bond Referendum Election For Permanent Financing

Item #	Action	Legal Deadline	Recommended Date
1	Announce Nomination Papers to be Released for Circulating.	Per Charter papers are available 100 days prior to Election Day on July 26, 2021	Thursday, July 13, 2021
2	Introduce proposed Bond Order.	Council Meeting	Tuesday, August 17, 2021
3	Council Adopts Bond Order-First Reading & approves Election Warrant for Nov 2, 2021	Council Meeting	Tuesday, August 17, 2021
4	Council sets public hearing on September 7, 2021	Council Meeting	Tuesday, August 17, 2021
5	Council votes YES or NO on ballot recommendation for referendum question	Council Meeting	Tuesday, August 17, 2021
6	Send ad to Sun Journal	Email Public Hearing ad for bond order to run in newspaper on Sunday, Aug 29, 2021	Thursday, August 26, 2021
7	Notice of Public Hearing is published in a local newspaper having general circulation in the Town.	Per Title 30-A § 2104 subsection 5 paragraph A - at least 7 days before the public hearing. However, Not more than 15 days but not less than 7 days before final council action. See charter Sec. 6.09.(a).2.	Sunday, August 29, 2021
8	Nomination Papers Due & Ballots Ordered	Not less than 45 days prior to election day. See 30-A MRSA 2528 However, Voter's approved new deadline for filing nomination papers 60 days prior to the Election and that's when the ballots get ordered for printing so we need the language, treasurer's information, signatures, etc not less than 60 days prior to Election.	Friday, September 3, 2021
9	Council Holds Bond Ord Public Hearing & Adopt Second Reading for Bond Order	Hold hearing not less than 7 days before published notice in newspaper. Per Charter, Second Reading for Bond Ordinance	Tuesday, September 7, 2021
10	Absentee ballots available	30 days prior to referendum.	Friday, October 1, 2021
11	Post Election Warrants and Specimen Ballot on Weeb site, Post Offices in each district, and Town Office Building	7 days before election. See 21-A MRSA 621-A and 30-A MRSA 2523	Tuesday, October 25, 2021
12	Annual Municipal & Bond Referendum Election	Per Charter, hold Annual Municipal Election	Tuesday, November 2, 2021

8/5/2021

TOWN OF LISBON

WARRANT

NOVEMBER 2, 2021

Androscoggin County, ss.

State of Maine

TO: Ryan McGee, Constable of the Town of Lisbon: You are hereby required in the name of the State of Maine to notify the voters of the Town of Lisbon of the Annual Municipal and Referendum Election.

TO THE VOTERS OF THE TOWN OF LISBON:

You are hereby notified that a Municipal and Bond Referendum Election will be held by secret ballot for both Districts 1 and 2 at the Lisbon High School Gymnasium, 2 Sugg Drive, polling place located within the Town of Lisbon on Tuesday, November 2, 2021.

The municipal election will be held in accordance with and include details set out in an Order adopted by the Lisbon Town Council on September 7, 2021, copies of which are on file with and may be reviewed at the office of the Lisbon Town Clerk.

THE FOLLOWING OFFICES WILL BE DETERMINED:

- Councilor – At Large (Vote for Three) 3 Year Terms
- School Committee – (Vote for Two) 3 Year Terms
- Water Commission – (Vote for One) 3 Year Term

THE FOLLOWING REFERENDUM QUESTION WILL BE DETERMINED:

BOND ORDER – QUESTION 1

QUESTION: “SHALL A BOND ORDER APPROVED BY THE TOWN COUNCIL AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SECURITIES OF THE TOWN OF LISBON IN AN AMOUNT NOT TO EXCEED \$2,800,000 FOR THE PURPOSE OF FINANCING RECONSTRUCTION OF A PORTION OF THE FERRY ROAD AND RELATED IMPROVEMENTS, FOR A TERM NOT TO EXCEED 15 YEARS BE APPROVED AND RATIFIED?”

**YES
NO**

Town Council Recommends -
Finance Committee Recommends - Yes

FINANCE DIRECTOR'S CERTIFICATE

Town of Lisbon

Financial Statement presented pursuant to 30-A MRSA 5772:

1. Total Town Indebtedness

Bonds outstanding and unpaid:	\$19,876,912.12
Bonds authorized but unissued:	\$ 0
Bonds proposed under this referendum:	\$2,800,000.00

TOTAL if this question is approved: \$22,676,912.12

2. Costs

Term in years:	15
Estimated interest rate:	0.5500% - 2.5680%%
Net estimated interest cost:	\$411,558.89
Principal:	\$2,800,000.00
Total debt service costs:	\$3,211,558.89

3. Validity

The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the estimate made pursuant to paragraph 2. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Date: _____

Kayla Tierney
Finance Director
Town of Lisbon

REGISTRAR HOURS: October 26, 27, 28, 29, and November 1 from 8:30 a.m. to 4:00 p.m. and Election Day November 2 from 7:00 a.m. to 8:00 p.m.

CASTING OF ABSENTEE BALLOTS: You are hereby notified that the Town Clerk intends to process absentee ballots Election Day at 8:00 a.m., 10:00 a.m., 12:00 p.m., 2:00 PM, 4:00 PM, 7:00 p.m. and 8:00 p.m. in accordance with M.R.S.A. Title 21A Section 759 (7).

POLLING HOURS: The polls shall open at 7:00 a.m. and close at 8:00 p.m.

Given under our hands this 7th day of September, A.D. 2021.

Allen Ward, Chairman

Donald Fellows, Vice Chairman

Norman Albert

Jeffrey Ganong

Kasie Kolbe

Fern Larochelle

Mark Lunt

A true Copy,

Attest: _____ (Clerk Signature & seal)
Lisbon Municipal Clerk

Constable's
Return of Posting

Lisbon,

State of Maine

Androscoggin, ss.

Pursuant to the within notice, I have posted said notice at the Lisbon Post Office and the Town Office Building, these being in District 1, and the Lisbon Falls Post Office, this being in District 2, all being conspicuous and public places within the Town of Lisbon.

Date: _____

Constable, Town of Lisbon, Maine

**Sample Ballot
Town of Lisbon
Municipal Election
November 2, 2021**

BOND ORDER: QUESTION 1

“SHALL A BOND ORDER APPROVED BY THE TOWN COUNCIL AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SECURITIES OF THE TOWN OF LISBON IN AN AMOUNT NOT TO EXCEED \$2,800,000 FOR THE PURPOSE OF FINANCING RECONSTRUCTION OF A PORTION OF THE FERRY ROAD AND RELATED IMPROVEMENTS, FOR A TERM NOT TO EXCEED 15 YEARS, BE APPROVED AND RATIFIED?”

YES
NO

Town Council Recommends -- _____

Finance Committee Recommends -- _____

TREASURER'S CERTIFICATE

Town of Lisbon

Financial Statement presented pursuant to 30-A MRSA 5772:

1. Total Town Indebtedness

Bonds outstanding and unpaid:	\$19,876,912.12
Bonds authorized but unissued:	\$ 0
Bonds proposed under this referendum:	\$2,800,000.00

TOTAL if this question is approved: \$22,676,912.12

2. Costs

Term in years:	15
Estimated interest rate:	0.5500% - 2.5680%%
Net estimated interest cost:	\$411,558.89
Principal:	\$2,800,000.00
Total debt service costs:	\$3,211,558.89

3. Validity

The validity of the bonds and the voters' ratification of the bonds may not be affected by any errors in the estimate made pursuant to paragraph 2. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Kayla Tierney
Finance Director
Town of Lisbon

Date

ORDER AUTHORIZING THE TOWN OF LISBON TO ISSUE UP TO \$2,800,000 IN BONDS TO FINANCE THE RECONSTRUCTION OF A PORTION OF THE FERRY ROAD AND RELATED IMPROVEMENTS.

BE IT ORDERED, pursuant to Articles 6.09 and 8.11(b)(2) of the Charter of the Town of Lisbon and section 5772 of Title 30-A of the Maine Revised Statutes,

- (1) That the Town of Lisbon (the "Town") be authorized to issue general obligation bonds in an amount not to exceed \$2,800,000 and notes in anticipation thereof (collectively, the "Bonds"), to fund the reconstruction of approximately 2.5 miles of the Ferry Road from the intersection of Ferry and Marshall Roads extending to the river bend area, and related improvements (the "Project");
- (2) That the proceeds of the Bonds, including any investment earnings on the Bonds, be appropriated for the costs of the Project;
- (3) That the Finance Director be authorized to arrange for the sale of the Bonds at public or private sale to such parties as the Finance Director determines to be in the Town's best interest, to execute and deliver loan agreements and other contracts, certificates and instruments as the Finance Director shall determine prudent in connection with the issuance and sale of the Bonds, to approve the date(s), maturity or maturities, denomination(s), interest rate(s), place(s) of payment, form(s) and other terms, provisions, and details of such Bonds, and to provide for the sale and delivery against payment thereof, to provide that the Bonds may be redeemable or callable, with or without premium, prior to their maturity, and to hire such financial advisors and other consultants, if any, as the Finance Director deems necessary to assist with the sale of the Bonds, all on such terms (not inconsistent with this Order) as the Finance Director shall approve;
- (4) That the Bonds be issued in registered form in the name of the Town, executed and delivered by the Finance Director and countersigned by the Chairman of the Town Council and the Town Manager under the official seal of the Town attested by the Town Clerk;
- (5) That the Municipal Officers, being the Town Council, Town Manager, Finance Director and Clerk of the Town of Lisbon are each authorized to do or cause to be done all such acts, including but not limited to the execution and delivery of any and all contracts, agreements, certificates and other documents as may be necessary or advisable in order to carry out the provisions of this Order in connection with the issuance and delivery by the Town of the Bonds;
- (6) That if any Municipal Officer whose signature may be required in connection with the issuance and sale of the Bonds is for any reason unavailable to approve and execute the

required documents, the persons then acting in such capacity on behalf of such Municipal Officer, whether an assistant, a deputy or in some other capacity, is authorized to act on behalf of such Municipal Officer and to perform such acts themselves;

- (7) That if any of the Municipal Officers who have signed, attested, or sealed the Bonds shall cease to be such officers before the Bonds so signed, attested and sealed shall have been actually authenticated and delivered by the Town, such Bonds nevertheless may be authenticated, delivered and issued with the same force and effect as though the person or persons who signed, attested or sealed the Bonds had not ceased to be such Municipal Officer;
- (8) That any short-term notes issued in anticipation of the completion of the Project shall be and hereby are designated "Qualified Tax-Exempt Obligations" within the meaning of Section 265(b)(c)(3) of the Internal Revenue Code.
- (9) That it shall be a condition to the foregoing authority conferred by this Order that the voters of the Town, pursuant to Article 8.11(b)(2) of the Town Charter, ratify the adoption of this Order;
- (10) That the Town Clerk file an attested copy of this Order with the minutes of this meeting and in accordance with section 8.25(b) of the Town Charter make attested copies of this Order available to the public;
- (11) That a referendum election question regarding the ratification of this Order be placed on the ballot for the November 2, 2021 municipal election, and that the Town Clerk is hereby authorized to take all actions required of the Town Clerk for that referendum question to be considered by the voters, and that a ballot title and referendum question in the following form appear in the warrant for and on the ballot at said election, accompanied by a statement of the Town's Finance Director with respect to said indebtedness in accordance with section 5772 of Maine Revised Statutes Title 30-A:

ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SECURITIES OF THE TOWN OF LISBON IN AN AMOUNT NOT TO EXCEED \$2,800,000 FOR THE PURPOSE OF FINANCING RECONSTRUCTION OF A PORTION OF THE FERRY ROAD AND RELATED IMPROVEMENTS, FOR A TERM NOT TO EXCEED 20 YEARS.

[The remainder of this page is intentionally left blank]

ORDER FOR PUBLIC HEARING

WHEREAS, the Municipal Officers of the Town of Lisbon have considered and approved in concept issuing bonds to finance the reconstruction of a portion of the Ferry Road and related improvements; and

WHEREAS, pursuant to the Charter of the Town of Lisbon, a public hearing is required in order to authorize any such financing;

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Lisbon that a public hearing be held on Tuesday, the 7th day of September, 2021 at 7:00 PM o'clock at the Lisbon Town Office, 300 Lisbon Street, in the Town of Lisbon, and be it further ordered by the Town Council that notice of the hearing be published in one or more newspapers of general circulation within the Town of Lisbon not less than seven nor more than fifteen days prior to such public hearing and the scheduled final action by the Council scheduled after the public hearing at its regular meeting on September 7, 2021.

NOTICE OF PUBLIC HEARING

TOWN OF LISBON

The Municipal Officers of the Town of Lisbon have considered and approved in concept appropriating an amount not to exceed \$2,800,000 to finance the reconstruction of a portion of the Ferry Road and related improvements (the "Project"), and have determined that the most efficient way to finance that appropriation would be through the issuance of one or more bonds of the Town.

Pursuant to the Charter of the Town of Lisbon (the "Charter"), approval of the financing of this purchase requires that a public hearing be conducted prior to the issue of an order calling for a referendum. Therefore, pursuant to the authority conferred by Section 8.21(b), and the requirements of Sections 6.09 and 8.11(b)(2) of the Charter, a public hearing shall be held on September 7, 2021 at 7:00 PM at the Lisbon Town Office, 300 Lisbon Street, in the Town of Lisbon, for the purpose of hearing public comment on the Order providing for the issuance of such bonds and securing the financing described above, intended to raise \$2,800,000 for the Project.

Copies of the proposed text may be viewed or obtained at the Town Clerk's office, 300 Lisbon Street, Lisbon, or online at www.lisbonme.org.

Date: _____

Attest: _____

Lisbon Municipal Clerk

Sec. 2-34. Meeting procedures.

The town council meetings shall be conducted in a manner that is in accordance with Article II, Section 2.06 of the Town Charter and in accordance with council working rules.

(a) Duties of the presiding officer; generally. The presiding officer shall do the following:

- (1) Take any question by yeas and nays.
- (2) Preserve order and decorum and may speak on points of order in preference to members on the floor.
- (3) Decide all questions of order, subject to an appeal on motion of any member regularly seconded.
- (4) Address the council, state facts, put questions and read to the council.
- (5) Propound all questions in the order in which they are moved. Amendments must be dealt with separately; amendments to amendments are not allowed. Additional amendments are allowed after the previous amendment has been voted upon.
- (6) Nominate all committees, unless otherwise provided for or especially directed by council.
- (7) Declare all votes, but if a vote be doubted he may call for a revote.
- (8) Call any member to the chair, who may preside for one meeting.
- (9) May express his opinion on any subject under debate.

(b) Order of precedence of motions. The order of precedence of motions shall be as follows:

- (1) To adjourn.
- (2) To process.
- (3) To lay on the table indefinitely.
- (4) To lay on the table for a time certain.
- (5) For the previous question.
- (6) To refer to a committee.
- (7) To amend.
- (8) The main question.

The motions enumerated in this section shall have precedence in the order in which they are arranged. The motions under subsections (1), (2) and (5) shall not be debatable and the motion for the previous question shall require a two-thirds vote of the council present and voting. The council may conduct any, all or any part of its business by a consent agenda.

(c) Disposal of motions, withdrawal. After a motion is stated or read by the chair or the chair's designee, it shall be deemed to be in the possession of the council, and shall be disposed of by vote; but the mover may withdraw it at any time before a division or amendment with the consent of the seconder.

(d) Motion for reconsideration. When a motion has once been made and carried in the affirmative or negative, any member voting with the majority may move a reconsideration thereof at the same meeting. If seconded, it shall be open to debate and disposed of by the council. If the motion is made at such meeting, a majority of the members present may pass a vote of reconsideration; but only one motion for the reconsideration of any vote shall be permitted.

-
- (e) Interruption of a member speaking. No member speaking shall be interrupted by another, but by a call to order or to correct a mistake. If any member in speaking, or otherwise, transgresses the rules of the council, the presiding officer shall, or any member may call him to order; in which case the member so called to order shall explain if permitted to do so; and the council, if appealed to, shall decide on the case without debate. If the decision is in favor of the member so called to order, the member shall be at liberty to proceed; if otherwise, the member shall not proceed without leave of the council.
- (f) Improper use of amendments. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

(T.M. of 4-3-2007, § 2007-39)

Sec. 2-35 Meeting Participation by Remote means

The town council meetings held using remote participation shall be conducted in a manner that is in accordance with Article II, Section 2.06 of the Town Charter and in accordance with council working rules as delineated in Sec 2-34 above. In addition, they shall be held in accordance with 1 MRSA § 403-B which became effective June 17, 2021. The following requirements are imposed for this method of conducting meetings.

- (a) Town Councilors are expected to be physically present for public proceedings except when physical presence is not practicable due to the following circumstances:
- (1) There is the existence of an "emergency or urgent issue," as declared by the Town Council Chair in coordination with the Town Manager, which would require the entire body to meet remotely.
 - (2) A Board member is ill, experiencing another physical condition, or is temporarily absent from the jurisdiction of the Town Council, that would cause significant difficulties for a board member in traveling to and attending the meeting in person. The presence of this exigency shall be determined by the Town Council Chair in coordination with the Town Manager in advance of the meeting.
 - (3) In an instance where the Town Council is meeting in person but significant difficulty exists for a Board member as described in subsection (a)(2) above, no more than two members may be allowed to attend remotely. Attendance by those members may be via telephonic or video technology in such a manner as to allow for "simultaneous reception of information." Members may not attend by "text only" means. "Livestreaming", posting a video recording of the proceeding, or any other "post proceeding" means do not meet the communication requirements here-in described.
- (b) Notice of the proceeding shall be provided in accordance with 1 MRSA §406. Members of the public may attend remotely by using electronic means outlined by the Town Council in the notice. Members of the public may attend the proceeding in person at the location stated in the notice and shall not be limited to remote participation unless there is an emergency or urgent matter that requires the entire public body (Town Council) to meet by remote methods.
- (c) All documents and other materials considered by the Town Council shall be available electronically to the same extent customarily available to members of the public, but only to the extent that no additional costs are incurred.
- (d) When at least one member of the Board attends the proceeding remotely:
- 1 They are present for the purposes of a quorum and voting;
 - 2 All votes taken by the body must be taken by roll call that can be seen and heard (if using video technology) or heard (if only using audio technology) by the in-person members and the public participants;

-
- 3 Members of the public shall be afforded a meaningful opportunity to attend and participate in the proceeding by remote methods, such as telephonic or video conferencing. Reasonable accommodations may be provided when necessary to ensure access to individuals with disabilities.
-

PUBLIC SECTOR CLIENT ALERT

July 7, 2021

Analysis of LD 32, an Act Regarding Remote Participation in Public Proceedings

Background: In March of 2020, the Maine Legislature passed LD 2167, which authorized remote-access public proceedings during the COVID-19 state of emergency under a new public records law, 1 M.R.S.A. § 403-A. The law laid out basic requirements for remote public meetings (including notice and accessibility requirements) and stipulated that it would be repealed 30 days after the termination of the state of emergency. Governor Mills lifted Maine's State of Civil Emergency as of June 30, 2021, meaning § 403-A will be repealed on July 30th.

On June 17, 2021, the Legislature passed emergency legislation in order to provide for continued remote participation in certain public proceedings after the termination of the current state of emergency. The recently passed emergency legislation, LD 32 (enacted as 1 M.R.S.A. § 403-B) took effect immediately on June 21, 2021. This memo outlines the requirements for public bodies providing remote participation in public proceedings under § 403-B, which replaced the temporary authorizations of § 403-A.

Q & A

➔ *What is "remote participation"?*

The statute applies to remote participation in public proceedings by board members and the public via telephonic or video technology that allows for the "simultaneous reception of information." It may include other means for the purposes of reasonably accommodating individuals with disabilities. The statute explicitly states that public proceedings may not be conducted by text-only means such as email, text messages or chat functions.

➔ *Can a public body continue hybrid in person/remote meetings?*

Yes, as long as the proceedings meet the statutory requirements (see below).

July 8, 2021
Page 2

➔ *What are the requirements of conducting proceedings with remote participation by board members under the new law?*

Written Policy: After notice and hearing, the public body is required to adopt a written policy governing the conditions of remote participation. See § 403-B(2)(A). The written policy must state that board members are expected to be physically present for public proceedings except when being physically present is not practicable. Circumstances that are “not practicable” for participation of members of the body include:

- The existence of an “emergency or urgent issue” that would require the public body to meet remotely.
- Illness, another physical condition, or the temporary absence from the jurisdiction of the board that would cause significant difficulties for a board member in traveling to and attending in person.

Notice: Notice of the proceeding must be provided in accordance with Title 1, § 406. The notice must also include (1) the means by which members of the public may access the proceeding using remote methods and (2) the location for members of the public to attend in person. A public body **may not** limit public attendance to remote participation except when there is “an emergency or urgent issue that requires the public body to meet by remote methods.”

Effective Communication: When a public body provides an opportunity for public input during the proceeding, it must provide “an effective means of communication” between the members of the public body and the public. This provision does not expressly state that the public must be able to speak remotely or have the same remote participation rights as the public who are physically present at the meeting. A public body could provide for the written presentation of public comment (through chat for example) if this is an effective means of communication between the public body and the public.

Voting: A member of a public body who participates by remote methods is present for the purposes of a quorum and voting. In addition, all votes taken during a public proceeding using remote methods must be taken by a roll call vote that can be seen and heard (if using video technology) or heard (if using only audio technology) by the public body and public participants.

Availability of Materials: The public body must make all documents and other materials considered by the body available electronically or otherwise to the same extent customarily available to members of the public who attend in person, as long as additional costs are not incurred by the public body.

July 8, 2021

Page 3

➔ ***Must a public body allow members of the public to participate remotely?***

The new law requires the public body to provide members of the public with a “meaningful opportunity to attend by remote methods” *when members of the body participate by remote methods*. If a member of the public body is participating remotely, the public body should provide remote communication opportunities for the public, including having “an effective means of communication” between the public body and the public. The new law also requires public bodies to provide reasonable accommodations to individuals with disabilities when necessary.

➔ ***Is the public body required to livestream their meetings?***

No. M.R.S.A § 403-B does not require public entities to livestream meetings. As stated above, if members of the body are participating remotely, the public body must provide remote communication opportunities for the public (not just one-way livestreaming or uploading a video after the fact).

➔ ***Are there any meetings where remote participation is not permitted?***

Yes. The Act specifically states that it does not authorize regional school unit budget meetings pursuant to Title 20-A, Section 1482-A to be held remotely or for municipalities to hold town meetings remotely.

After reading the proposed solar farm ordinance and looking at some provisions that seemed either confusing or unclear, I made some minor modifications using some of the suggestions from AVCOG and some of my own thoughts as to intent that would add to the relevance of this potential ordinance. I have incorporated some of the suggestions that AVCOG proposed because, while this ordinance may have little impact now, its impact may be felt more in the future as CMP (or whomever owns the grid) implements further Solar improvements.

Deletions are in red and ~~lined through~~, and additions are underlined in red.

Don

My Take - - -

...

Section 4. Definitions: Ground Mounted Solar Energy System: for purposes of this Ordinance: (a) a solar energy system that is structurally mounted to the ground; (b) has a physical size based on total airspace projected over the ground ~~is greater than 20,000 square feet;~~ and (c) ~~that is not directly connected to a Residential Structure.~~ is attached to a pole or other mounting system but physically detached from any other structure.

Section 5. Dimensional Requirements

...

C. Lot Coverage/Footprint ~~– for Ground Mounted Solar Energy systems shall be calculated based on the area of the supporting structure that is in contact with the ground and not the area of the panels as long as the area under the panels remains vegetated and there is sufficient space between the panels to allow sunlight necessary to sustain live growth.~~ Lot coverage for Ground Mounted Solar Energy Systems may be exempt from zoning restrictions based on some conditions. Those requirements are that the entire area of above ground panels covered by the structure(s) on a lot(s), including but not limited to cantilevered or similar overhanging extensions systems be located over live ground cover. Sufficient space must exist between the panels to allow sunlight for vegetation in order to sustain the live growth. Lot Coverage/footprint permissions are not granted unless the above conditions are met.

...

New Ordinance (Code Company to reassign Section numbers)

Chapter 70 - Zoning Ordinance

Article VIII. Ground Mounted Solar Energy System Ordinance:

Section 1. Purpose - The purpose of this Ordinance is to allow ground mounted solar energy systems in certain districts subject to setback, height, screening, maintenance, safety, and decommissioning requirements and Planning Board review. Refer to Sec. 70-531 Table of Land Uses. The Zoning district designation for a particular site shall be determined from the Zoning Map of Lisbon, Maine.

Section 2. Applicability - This Ordinance shall apply to Ground Mounted Solar Energy Systems applications filed with the Planning Board for site plan review pursuant to Chapter 62. Site Plans.

Section 3. Authority and Validity –

A. This Ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2, Section 1 of the Maine Constitution, provisions of 30-A M.R.S. § 3001, Ordinance Power, and the provisions of 30-A M.R.S. § 4352, Zoning.

B. To the extent that any provision of this Ordinance is deemed invalid by a court of competent jurisdiction, such provision shall be removed from the Ordinance and the balance of the Ordinance shall remain valid.

C. Whenever a provision of this Ordinance conflicts with or is inconsistent with other provisions of this Ordinance, or of any other ordinance, regulation or standard, the more restrictive provision shall apply.

Section 4. Definitions –

Ground Mounted Solar Energy System: for purposes of this Ordinance: (a) a solar energy system that is structurally mounted to the ground; (b) has a physical size based on total airspace projected over the ground that is greater than 20,000 square feet; and (c) that is not directly connected to a Residential Structure.

Section 5. Dimensional Requirements –

A. Ground Mounted Solar Energy Systems in residential zoning districts shall not exceed twelve (12) feet in height when oriented at maximum tilt. Ground Mounted Solar Energy Systems shall not exceed twenty-five (25) feet in height when oriented at maximum tilt in Commercial, Industrial and Diversified Development zoning districts.

B. Minimum front setback shall be 50 feet, minimum side setback shall be 50 feet and minimum rear setback shall be 50 feet.

C. Lot coverage for Ground Mounted Solar Energy Systems shall be calculated based on the area of the supporting structure that is in contact with the ground and not the area of the panels, as long as the area under the panels remains vegetated and there is sufficient space between the panels to allow sunlight necessary to sustain live growth.

Section 6. Screening, Security, Maintenance and Regulatory Compliance –

A. Subject to the approval of the Lisbon Planning Board, the lots on which Ground Mounted Solar Energy Systems are located shall be buffered from roads and residences by plantings, berms, and natural topographical features.

B. Subject to the approval of the Lisbon Planning Board, the lots on which Ground Mounted Solar Energy Systems are located shall be protected by a perimeter fence designed to allow for passage of wildlife. One or more signs shall be affixed to the fence identifying the owner of the facility and 24-hour emergency contact information. A KnoxBox, or other system agreed to by the Fire Chief, that provides emergency access inside the security gate shall be installed.

C. For purposes of emergency services, the owner or operator of a Ground Mounted Solar Energy Systems shall provide a copy of the project summary, electrical schematic, and site plan to the Lisbon Fire Chief. All means of shutting down the system shall be clearly marked on the plan. The owner or operator shall identify a responsible person to the Fire Chief for public inquiries throughout the life of the installation.

D. The owner or operator of a Ground Mounted Solar Energy System shall maintain the facility in good condition. Maintenance shall include but not be limited to, painting, structural repairs, vegetation control and integrity of security measures. Site access shall be maintained to a level acceptable to the Lisbon Fire Chief. The owner or operator shall be responsible for the cost of maintaining the access road(s).

E. The owner or operator of a Ground Mounted Solar Energy System shall build and maintain it in compliance with all relevant Federal, State and Local Laws, Regulations, and Ordinances.

Section 7. Performance Guarantee - After the plan is approved but before a permit is issued, the applicant for a Ground Mounted Solar Energy System shall submit to the Town of Lisbon a performance guarantee in the amount of 150% of the applicant's estimated decommissioning cost of the system, subject to a review of such cost by the Code Enforcement Officer. The applicant may apply to the Code Enforcement Officer for release of the guarantee at such time that it or its assignees remove the system and associated abandoned structures, and such completed removal is found to be satisfactory by the Code Enforcement Officer.

Section 8. Decommissioning and Removal –

A. Any Ground Mounted Solar Energy System that has reached the end of its useful life, ceases to generate power or has been abandoned shall be removed pursuant to a plan approved by the Lisbon Planning Board during the application process. The owner or operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Code Enforcement Officer by certified mail, return receipt requested, of the proposed date of the discontinued operations and plans for removal.

B. Decommissioning shall consist of:

(1) physical removal of all solar energy systems, structures, equipment, security barriers and transmission lines from the site;

(2) disposal of all solid and hazardous waste in accordance with Local, State and Federal waste disposal regulations; and

(3) stabilization or re-vegetation of the site as necessary to minimize erosion. The Code Enforcement Officer may allow the owner or operator to leave landscaping or designated below-grade foundations to minimize erosion and disruptions to vegetation.

C. Absent a notice of a proposed date of decommissioning or written notice of extenuating circumstances, Ground Mounted Solar Energy Systems shall be considered abandoned when it fails to generate electricity for more than one year without having first obtained the written consent of the Code Enforcement Officer. Determination of abandonment shall be made by the Code Enforcement Officer.

D. If the owner or operator of a Ground Mounted Solar Energy System fails to remove the installation in accordance with the requirements of this section within 180 days of abandonment or the proposed date of decommissioning, the Town of Lisbon retains the right to use the performance guarantee and any and all legal or available means necessary to cause an abandoned, hazardous or decommissioned solar energy system to be removed.

Section 9. Effective Date and Duration - This Ordinance shall take effect 21 days after enactment by the Town of Lisbon unless otherwise provided and shall remain in effect until it is amended or repealed.

Section 10. Enforcement Violations and Penalties - This Ordinance shall be enforced by the municipal officers or their designee. Violation of this Ordinance shall be subject to the enforcement and penalty provisions of 30-A, M.R.S. § 4452, Enforcement of Land Use Laws and Ordinances.

Chapter 10. BUSINESS LICENSES

Article XII.- ADULT USE MARIJUANA ESTABLISHMENTS

Sec. 70-701.-Authority.

This article is enacted pursuant to authority granted under 30-A M.R.S. § 3001 and 22 M.R.S. § 2429-D.

Sec. 70-702. -Purpose.

The purpose of this article is to provide procedures and standards relating to the operation of adult use marijuana establishments and to require their annual licensing.

Sec. 70-703.-Definitions.

As used in this article, unless the context otherwise indicates, the following terms have the following meanings:

Cultivation of marijuana for adult use. "Cultivation of marijuana for adult use" means all cultivation of marijuana for adult use must comply with state rules and state statutes.

Cultivation facility. "Cultivation facility" means a facility authorized under state law to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to products manufacturing facilities, to marijuana stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to marijuana stores.

Disqualifying drug offense. "Disqualifying drug offense" means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, but does not include (1) An offense for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years earlier; or (2) An offense that consisted of conduct that would have been permitted under Chapter 3 of Title 28-B of the Maine Revised Statutes.

Extraction. "Extraction" means a process of extracting marijuana concentrate from marijuana using water, lipids, gases, solvents or other chemicals or chemical processes. The use of inherently hazardous substances in marijuana extraction is restricted by state rule.

Marijuana product. "Marijuana product" means a product composed of marijuana, or marijuana concentrate and other ingredients that is intended for adult use. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana inhalant, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

Manufacture or manufacturing. "Manufacture" or "manufacturing" means the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products as authorized under 28-B M.R.S. chapter 1. Manufacturing includes, but is not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing or manufacture" does not include cultivation or testing.

Marijuana store. "Marijuana store" means a facility authorized under state law to purchase adult use marijuana, immature marijuana plants and seedlings from a cultivation facility, to purchase adult use marijuana and adult use marijuana products from a products manufacturing facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

Marijuana testing facility "Marijuana testing facility" means an entity licensed by the Department of Administrative and Financial Services to develop, research and test marijuana, marijuana products and other substances in accordance with 28-B M.R.S. chapter 1.

Adult use marijuana establishment. "Adult use marijuana establishment" means a marijuana store, a cultivation facility, a products manufacturing facility or a marijuana testing facility.

Products manufacturing facility. "Products manufacturing facility" means a facility authorized under state law to purchase adult use marijuana from a cultivation facility or another products manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

Registration certificate. "Registration certificate" means a Department of Administrative and Financial Services document containing a unique registry identification number that permits the manufacturing of marijuana and marijuana products for adult use.

Registry identification card. "Registry identification card" means a photographic identification card issued by the Department of Administrative and Financial Services to an individual who is licensed to cultivate, sell, manufacture or test marijuana or marijuana products for adult use as an owner, officer, managers, contractor, employee or other support staff. For the purposes of state rules, the Department of Administrative and Financial Services may issue a registry identification card to any person who holds an active and valid Individual Identification Card issued under Maine's Adult Use Marijuana Program authorized by 28-B M.R.S., chapter 1.

State registration authority. "State registration authority" means the authority created or designated by the state for the purpose of regulating and controlling registration for adult use marijuana establishments.

Sec. 70-704. - License required.

No person shall operate an adult use marijuana establishment, nor shall any property owner permit the use of his or her premises to be operated as an adult use marijuana establishment, without a valid license issued by the town. Each license shall be for a period of one year from the date of its issuance. A license must be obtained prior to the opening of an adult use marijuana establishment. Applications for renewal licenses shall be submitted at least ninety (90) days prior to expiration of the existing term. Any licensee that fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.

Sec. 70-705.-Application.

Each applicant for an adult use marijuana establishment license shall complete and file an application on the form provided by the town clerk, together with the applicable nonrefundable license fee, as well as the following supporting materials:

- (1) Copy of the applicant's state registration application and supporting documentation, as submitted to the state registration authority, if applicable.
- (2) Copies of all state approvals or conditional approvals required to operate an adult use marijuana establishment, including, but not limited to, state registry identification card, state registration certificate, state application for registration or renewal along with approval certifications as applicable.

- (3) If not included in the applicant's state registration application, a description of the form of ownership of the business enterprise together with attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the adult use marijuana establishment.
- (4) If not included in the applicant's state registration application, an affidavit that identifies all owners, officers, members, managers or partners of the applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including but not limited to motor vehicle operator's license, motor vehicle registration, voter registration or utility bills shall be provided.
- (5) A release for each applicant and for each officer, owner, member, manager or partner of the applicant seeking a license allowing the Town of Lisbon to obtain criminal records and other background information related to the individual.
- (6) A statement as to the precise nature of the business with a description of the nature of all products and services offered to its customers.
- (7) A description of the premises for which the license is sought, including a plan of the premises and a list of all equipment, parts and inventory used in the operation of the adult use marijuana establishment.
- (8) Evidence of an interest in the premises in which the adult use marijuana establishment will be located, together with the form of interest, along with the written consent of the owner of the premises for such use if the applicant is not the owner.
- (9) Evidence of all land use approvals or conditional land use approvals required to operate the adult use marijuana establishment, or applications that have been filed and are pending for the required approvals, including but not limited to building permit, conditional or special use approval, change of use permit and/or certificate of occupancy.
- (10) Copies of all other approvals or conditional approvals required to operate the adult use marijuana establishment, including any applicable state food or local victualer's license as applicable.
- (11) Copies of compliance with the requirements of section 11 including, but not limited to Department of Administrative and Financial Services licensing, registration, and certification and evidence that the standards listed in section 10 have been met including but not limited to copies of Department of Administrative and Financial Services licensing, registration, and certification as applicable.

If the town clerk determines that a submitted application is not complete, the clerk shall notify the applicant of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the clerk's request, the application may be denied.

Sec. 70706 - Investigation of applicant, officers, etc.

Upon receipt of an application or of a notice of a change of any of the individuals listed in subsection 5(4) above, the town shall provide copies of the completed application to the following staff members for purposes of conducting the investigations and issuing reports as listed below:

- (1) The building inspector shall verify that the premises at which the establishment will be located complies with all applicable town ordinances including, but not limited to, the building code, electrical code, plumbing code, and section 11, and shall report findings in writing to the town clerk.
- (2) The code officer shall inspect the location or the proposed location to determine whether the applicable ordinances relating to land use issues and building and safety codes issues have been satisfied and shall report findings in writing to the town clerk.

- (3) The health officer shall inspect the location or proposed location to determine whether all applicable ordinances relating to health and safety have been satisfied and shall report findings in writing to the town clerk.
- (4) The fire chief or his/her agent shall inspect the location or proposed location to determine if all town ordinances and any other applicable regulations concerning fire and safety have been satisfied and shall report findings in writing to the town clerk.
- (5) The police chief or his/her agent shall investigate the application, including the criminal history record information authorized under subsection 5(5) and under section 10 and shall report findings in writing to the town clerk.

Sec. 70-707.-Action on application.

- (1) *Public hearing.* The town clerk upon receipt of a completed application and upon receipt of the reports required under section 6 above, shall schedule a public hearing at a regular or special meeting of the town council and shall arrange for public notice of the public hearing to appear in the newspaper of general circulation within the Town of Lisbon at least seven days prior to the date of the scheduled public hearing. Costs of the hearing notice shall be paid out of the license and processing fee.
- (2) *Town council action.* The council, after notice and public hearing, shall determine whether the applicant complies with the requirements of this article. Upon such determination by the council, the town clerk shall be authorized to issue the license.

Sec. 70-708.-Status of license—Display.

No license issued under this article may be assigned or transferred to another entity. Any change in ownership or change in the officers of an owner shall require a new license. Licenses are limited to the premises for which they are issued and are not transferable to another location. The license shall be displayed in a conspicuous place in the adult use marijuana establishment for which the license is issued.

Sec. 70-709.-Duty to update information.

Any licensee issued a license under this article shall have the duty to maintain updated and accurate information regarding all of the information provided pursuant to the application process and as required in section 5 within ten days of any change of status. Failure to provide and maintain current and accurate information may result in revocation of the applicant's license.

Sec. 70-710.-Standards for approval, denial, revocation.

A license application for an adult use marijuana establishment shall be denied by the town council, and an existing license may be suspended or revoked by the town council after notice and hearing, if the applicant, or any owner of the applicant or licensee:

- (1) Fails to meet the requirements of this ordinance.
- (2) Is not at least twenty-one (21) years of age.
- (3) Is not a resident of the state of Maine.
- (4) Has had a license for a marijuana establishment revoked by a municipality or by the state.
- (5) Has not acquired all necessary state and local approvals prior to issuance of the license.

- (6) Has been convicted of a disqualifying drug offense.
- (7) Has provided false or misleading information in connection with the license application.

Sec. 70-711.-Operating requirements.

In order to obtain a license pursuant to this ordinance, the applicant shall demonstrate to the town council that the following requirements will be met. A licensee shall comply with all of these requirements during the term of the license.

- (1) *Fixed location.* All licensed premises shall be fixed, permanent locations. Licensees shall not be permitted to operate adult use marijuana establishments in other than the licensed premises, such as at farmer's markets, farm stands or kiosks.
- (2) *Security.*
 - (a) The licensed premises shall have lockable doors and windows and shall be served by an alarm system that includes automatic notification to the Lisbon Police Department.
 - (b) The licensed premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.
 - (c) The licensed premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).
- (3) *Ventilation.*
 - (a) The licensed premises shall comply with all odor and air pollution standards established by ordinance.
 - (b) All adult use marijuana establishments that cultivate, manufacture or extract marijuana shall have an odor mitigation system installed that has been approved by a Maine licensed engineer, indicating that the system will provide odor control sufficient to ensure that no odors are perceptible off the premises.
- (4) *Loitering.* The facility owner/operator shall make adequate provisions to prevent patrons or other persons from loitering on the premises. It shall be the licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed premises is ordered to leave.
- (5) *Compliance with requirements of state and local law.* An adult use marijuana establishment shall meet all operating and other requirements of state and local law. To the extent the state has adopted or adopts in the future any law or regulation governing adult use marijuana establishments that conflicts in any way with the provisions of this article, the more restrictive shall control.

Sec. 70-712.-Violations; penalties.

In addition to revocation or suspension of an adult use marijuana establishment license as provided in this article, the violation of any provision of this article shall be punished by a fine of not less than \$500.00 nor more than \$2,500.00 for each offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. In addition to such penalty, the town may enjoin or abate any violation of this article. All fines and penalties, together with costs of prosecution of violations, which shall include the town's cost and attorney's fees, shall inure to the benefit of the town.

This section shall be enforced by the Lisbon police chief, the Lisbon codes enforcement officer, and/or their designees. Notice of violations by adult use marijuana establishment licensees of other provisions of this Code shall be provided to the police chief, town officers, and town attorney.

Sec. 70-713.-License fee. (25% of the license fees and license renewal fees go to the local D.A.R.E program)

For annual license fees See Appendix C – Fee Schedule

Sec. 70-714.-Severability.

If any section, phrase, sentence or portion of this article is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Sec. 15.-Appeals.

An appeal from any final decision of the town council under this article may be taken by any party to Superior Court within thirty (30) days of the decision being appealed in accordance with the provisions of Rule 80B of the Maine Rules of Civil Procedure.

ARTICLE XI. - MEDICAL MARIJUANA ESTABLISHMENTS

Sec. 10-601. - Authority.

This article is enacted pursuant to authority granted under 30-A M.R.S.A. § 3001, ~~22 M.R.S.A. § 2423~~ and 22 M.R.S.A. § 2429-D.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-602. - Purpose.

The purpose of this article is to provide procedures and standards relating to the operation of medical marijuana establishments and to require their annual licensing.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-603. - Definitions.

As used in this article, unless the context otherwise indicates, the following terms have the following meanings:

Cultivation of marijuana for medical use. "Cultivation of marijuana for medical use" means all cultivation of marijuana for medical use must comply with state rules and state statutes.

Disqualifying drug offense. "Disqualifying drug offense" means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, but does not include (1) An offense for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years earlier; or (2) An offense that consisted of conduct that would have been permitted under the Maine Medical Use of Marijuana Act.

Extraction. "Extraction" means a process of extracting marijuana concentrate from marijuana using water, lipids, gases, solvents or other chemicals or chemical processes. The use of inherently hazardous substances in marijuana extraction is restricted by state rule.

Marijuana product. "Marijuana product" means a product composed of marijuana, or marijuana concentrate and other ingredients that is intended for medical use. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana inhalant, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

Manufacture or manufacturing. "Manufacture" or "manufacturing" means the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products by a registered manufacturing facility or by a patient, caregiver or dispensary as authorized under 22 MRS, chapter 558-C. Manufacturing includes, but is not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing or manufacture" does not include cultivation.

Manufacturing facility. "Manufacturing facility" means a manufacturing facility authorized under state law to manufacture marijuana products for medical use or to engage in marijuana extraction for medical use.

Marijuana testing facility "Marijuana testing facility" means an entity licensed by the ~~State~~ [Department of Administrative and Financial Services](#) and certified to test medical use marijuana, including concentrates and products containing marijuana, for research and development purposes and to analyze contaminants in, and the potency and cannabinoid profile of, marijuana samples and products containing marijuana cultivated in accordance with 22 MRS, chapter 558-C.

Medical marijuana establishment. "Medical marijuana establishment" means a registered caregiver retail store, registered dispensary, marijuana testing facility, or manufacturing facility.

Registered caregiver retail store. "Registered caregiver retail store" means a registered caregiver authorized under state law to ~~cultivate medical marijuana for qualifying patients~~ that operates a retail store to sell medical marijuana to qualifying patients.

Registered caregiver cultivation facility. "Registered caregiver cultivation facility" means a registered caregiver authorized under state law to cultivate medical marijuana for qualifying patients.

Registered dispensary. "Registered dispensary" means a dispensary authorized under state law to cultivate and dispense medical marijuana to qualifying patients and caregivers.

Registration certificate. "Registration certificate" means a ~~State~~Department of Administrative and Financial Services document containing a unique registry identification number that permits the manufacturing of marijuana and marijuana products for medical use.

Registry identification card. "Registry identification card" means a photographic identification card issued by the ~~State~~ Department of Administrative and Financial Services to an individual who is authorized to manufacture marijuana or marijuana products for medical use, in the capacity of or in the employ of a patient, caregiver, dispensary or manufacturing facility. For the purposes of state rules, the ~~State~~Department of Administrative and Financial Services may issue a registry identification card to any person who holds an active and valid Individual Identification Card issued under Maine's Adult Use Marijuana Program authorized by 28-B MRS, chapter 1.

State registration authority. "State registration authority" means the authority created or designated by the state for the purpose of regulating and controlling registration for medical marijuana establishments.

(C.M. of 11-13-2018, V. 2018-247; C.M. of 1-15-2019, V. 2019-13; C.M. of 2-18-2020, V. 2020-40)

Sec. 10-604. - License required.

No person shall operate a medical marijuana establishment, nor shall any property owner permit the use of his or her premises to be operated as a medical marijuana establishment, without a valid license issued by the town. Each license shall be for a period of one year from the date of its issuance. A license must be obtained prior to the opening of a medical marijuana establishment. Applications for renewal licenses shall be submitted at least ninety (90) days prior to expiration of the existing term. Any licensee that fails to submit a renewal application by the applicable deadline shall not have authority to operate until a license is granted.

(C.M. of 11-13-2018, V. 2018-247; C.M. of 1-15-2019, V. 2019-13)

Sec. 10-605. - Application.

Each applicant for a medical marijuana establishment license shall complete and file an application on the form provided by the town clerk, together with the applicable nonrefundable license fee, as well as the following supporting materials:

- (1) Copy of the applicant's state registration application and supporting documentation, as submitted to the state registration authority, if applicable.
- (2) Copies of all state approvals or conditional approvals required to operate a medical marijuana establishment, including, but not limited to, state registry identification card, state registration certificate, state application for registration or renewal manufacturing facility tier 1 or 2 along with approval certification, and state application for registration or renewal testing facility and dispensary facility along with approval certifications as applicable.
- (3) If not included in the applicant's state registration application, a description of the form of ownership of the business enterprise together with attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the medical marijuana establishment.

- (4) If not included in the applicant's state registration application, an affidavit that identifies all owners, officers, members, managers or partners of the applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including but not limited to motor vehicle operator's license, motor vehicle registration, voter registration or utility bills shall be provided.
- (5) A release for each applicant and for each officer, owner, member, manager or partner of the applicant seeking a license allowing the Town of Lisbon to obtain criminal records and other background information related to the individual.
- (6) A statement as to the precise nature of the business with a description of the nature of all products and services offered to its customers.
- (7) A description of the premises for which the license is sought, including a plan of the premises and a list of all equipment, parts and inventory used in the operation of the medical marijuana establishment.
- (8) Evidence of an interest in the premises in which the medical marijuana establishment will be located, together with the form of interest, along with the written consent of the owner of the premises for such use if the applicant is not the owner.
- (9) Evidence of all land use approvals or conditional land use approvals required to operate the medical marijuana establishment, or applications that have been filed and are pending for the required approvals, including but not limited to building permit, conditional or special use approval, change of use permit and/or certificate of occupancy.
- (10) Copies of all other approvals or conditional approvals required to operate the medical marijuana establishment, including any applicable state food or local victualer's license as applicable.
- (11) Copies of compliance with the requirements of section 10-611 including, but not limited to State Department licensing, registration, and certification and evidence that the standards listed in section 10-610 have been met including but not limited to copies of Department of Administrative and Financial Services licensing, registration, and certification as applicable.

If the town clerk determines that a submitted application is not complete, the clerk shall notify the applicant of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the clerk's request, the application may be denied.

([C.M. of 11-13-2018, V. 2018-247](#); C.M. of 1-15-2019, V. [2019-13](#); C.M. of 2-18-2020, V. [2020-40](#))

Sec. 10-606. - Investigation of applicant, officers, etc.

Upon receipt of an application or of a notice of a change of any of the individuals listed in subsection 10-605(4) above, the town shall provide copies of the completed application to the following staff members for purposes of conducting the investigations and issuing reports as listed below:

- (1) The building inspector shall verify that the premises at which the establishment will be located complies with all applicable town ordinances including, but not limited to, the building code, electrical code, plumbing code, and section 10-611, and shall report findings in writing to the town clerk.
- (2) The code officer shall inspect the location or the proposed location to determine whether the applicable ordinances relating to land use issues and building and safety codes issues have been satisfied and shall report findings in writing to the town clerk.

- (3) The health officer shall inspect the location or proposed location to determine whether all applicable ordinances relating to health and safety have been satisfied and shall report findings in writing to the town clerk.
- (4) The fire chief or his/her agent shall inspect the location or proposed location to determine if all town ordinances and any other applicable regulations concerning fire and safety have been satisfied and shall report findings in writing to the town clerk.
- (5) The police chief or his/her agent shall investigate the application, including the criminal history record information authorized under subsection 10-605(5) and under section 10-610 and shall report findings in writing to the town clerk.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#) ; C.M. of 2-18-2020, V. [2020-40](#))

Sec. 10-607. - Action on application.

- (1) *Public hearing.* The town clerk upon receipt of a completed application and upon receipt of the reports required under section 10-606 above, shall schedule a public hearing at a regular or special meeting of the town council and shall arrange for public notice of the public hearing to appear in the newspaper of general circulation within the Town of Lisbon at least seven days prior to the date of the scheduled public hearing. Costs of the hearing notice shall be paid out of the license and processing fee.
- (2) *Town council action.* The council, after notice and public hearing, shall determine whether the applicant complies with the requirements of this article. Upon such determination by the council, the town clerk shall be authorized to issue the license.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-608. - Status of license—Display.

No license issued under this article may be assigned or transferred to another entity. Any change in ownership or change in the officers of an owner shall require a new license. Licenses are limited to the premises for which they are issued and are not transferable to another location. The license shall be displayed in a conspicuous place in the medical marijuana establishment for which the license is issued.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-609. - Duty to update information.

Any licensee issued a license under this article shall have the duty to maintain updated and accurate information regarding all of the information provided pursuant to the application process and as required in section 10-605 within ten days of any change of status. Failure to provide and maintain current and accurate information may result in revocation of the applicant's license.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-610. - Standards for approval, denial, revocation.

A license application for a medical marijuana establishment shall be denied by the town council, and an existing license may be suspended or revoked by the town council after notice and hearing, if the applicant, or any owner of the applicant or licensee:

- (1) Fails to meet the requirements of this ordinance.
- (2) Is not at least twenty-one (21) years of age.
- (3) Is not a resident of the state of Maine.
- (4) Has had a license for a marijuana establishment revoked by a municipality or by the state.
- (5) Has not acquired all necessary state and local approvals prior to issuance of the license.
- (6) Has been convicted of a disqualifying drug offense.
- (7) Has provided false or misleading information in connection with the license application.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-611. - Operating requirements.

In order to obtain a license pursuant to this ordinance, the applicant shall demonstrate to the town council that the following requirements will be met. A licensee shall comply with all of these requirements during the term of the license.

- (1) *Fixed location.* All licensed premises shall be fixed, permanent locations. Licensees shall not be permitted to operate medical marijuana establishments in other than the licensed premises, such as at farmer's markets, farm stands or kiosks.
- (2) *Security.*
 - (a) The licensed premises shall have lockable doors and windows and shall be served by an alarm system that includes automatic notification to the Lisbon Police Department.
 - (b) The licensed premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.
 - (c) The licensed premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).
- (3) *Ventilation.*
 - (a) The licensed premises shall comply with all odor and air pollution standards established by ordinance.
 - (b) All medical marijuana establishments that cultivate, manufacture or extract marijuana shall have an odor mitigation system installed that has been approved by a Maine licensed engineer, indicating that the system will provide odor control sufficient to ensure that no odors are perceptible off the premises.
- (4) *Loitering.* The facility owner/operator shall make adequate provisions to prevent patrons or other persons from loitering on the premises. It shall be the licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed premises is ordered to leave.
- (5) *Compliance with requirements of state and local law.* A medical marijuana establishment shall meet all operating and other requirements of state and local law. To the extent the state has adopted or adopts in the future any law or regulation governing medical marijuana

establishments that conflicts in any way with the provisions of this article, the more restrictive shall control.

([C.M. of 11-13-2018, V. 2018-247](#) ; [C.M. of 12-18-2018, V. 2018-272](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-612. - Violations; penalties.

In addition to revocation or suspension of a medical marijuana establishment license as provided in this article, the violation of any provision of this article shall be punished by a fine of not less than \$500.00 nor more than \$2,500.00 for each offense. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. In addition to such penalty, the town may enjoin or abate any violation of this article. All fines and penalties, together with costs of prosecution of violations, which shall include the town's cost and attorney's fees, shall inure to the benefit of the town. This section shall be enforced by the Lisbon police chief, the Lisbon codes enforcement officer, and/or their designees. Notice of violations by medical marijuana establishment licensees of other provisions of this Code shall be provided to the police chief, town officers, and town attorney.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-613. - License fee.

~~For The~~ annual license fees ~~shall be as follows:~~ [see Appendix C – Fee Schedule](#)

~~Registered caregiver retail store: \$250.00~~

~~Registered caregiver cultivation facility: \$250.00~~

~~Registered dispensary: \$250.00~~

~~Manufacturing facility: \$250.00~~

~~Marijuana testing facility: \$250.00~~

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-614. - Severability.

If any section, phrase, sentence or portion of this article is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 10-615. - Appeals.

An appeal from any final decision of the town council under this article may be taken by any party to Superior Court within thirty (30) days of the decision being appealed in accordance with the provisions of Rule 80B of the Maine Rules of Civil Procedure.

([C.M. of 11-13-2018, V. 2018-247](#) ; C.M. of 1-15-2019, V. [2019-13](#))

Sec. 70-530. - LAND USES.

All land use activities, as indicated Sec. 70-531 Table of Land Uses, shall conform to all of the applicable performance standards. The district designation for a particular site shall be determined from the Zoning Map of Lisbon, Maine.

~~Note: Businesses dealing with Adult Use (Recreational) or with Medical Use of Marijuana are included in the Commercial/Business Uses category and are specifically titled "Medical Marijuana Businesses" and "Adult Use (Recreational) Marijuana Businesses." No marijuana business shall be considered under any other section or sub-section of this Table of Land Uses.~~

(1) Key to Table of Land Uses:

P	Permitted by right if they comply with all applicable federal, state and town laws and regulations and the performance standards in article VI of this chapter. Uses may also require Subdivision and/or Site Plan Review approvals pursuant to other provisions of this Code.
C	Permitted upon authorization of a conditional use permit by the planning board in accordance with Article III of this Chapter. {May also required Site Plan Review and/or Subdivision approval}
No	Prohibited

(2) Abbreviations:

RP	Resource Protection
LR	Limited Residential
GR	General Residential
RO-I	Rural Open Space I
RO-II	Rural Open Space II
RR	Rural Residential
LRR	Limited Rural Residential
V	Village
C	Commercial
I	Industrial
DD	Diversified Development

(C.M. of 11-15-2011, V. 2011-208; [C.M. of 10-30-2018, V. 2018-238](#).)

Sec. 70-531. - TABLE OF LAND USES.

<i>Commercial/Business Uses</i>	RP	LR	GR ¹²	RO-I	RO-II	RR	LRR	V	C	I
Medical Marijuana Businesses (See footnote 14 for definitions) Marijuana: Retail Store										
• Registered Caregiver Retail Store	NO	NO	NO	NO	NO	NO	NO	C	C	NO
• <u>Registered Caregiver Cultivation Facility</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>C14</u>	<u>C14</u>	<u>C14</u>	<u>NO</u>	<u>NO</u>	<u>C14</u>	<u>C14</u>
• Registered Dispensaries	NO	NO	NO	NO	NO	NO	NO	C	C	C
• Marijuana Testing Facilities	NO	NO	NO	NO	NO	NO	NO	C	C	C
• Manufacturing Facilities	NO	NO	NO	NO	NO	NO	NO	NO	C	C
Adult Use (Recreational) Marijuana Businesses (See footnote 15 for definitions)										
• Marijuana <u>Retail</u> Stores	NO	NO	NO	NO	NO	NO	NO	NO <u>C</u>	NO <u>C</u>	NO
• Cultivation Facilities	NO	NO	NO	NO <u>C</u>	NO <u>C</u>	NO <u>C</u>	NO	NO	NO <u>C</u>	NO <u>C</u>
• Products Manufacturing Facilities	NO	NO	NO	NO	NO	NO	NO	NO	NO <u>C</u>	NO <u>C</u>
• Testing Facilities	NO	NO	NO	NO	NO	NO	NO	NO <u>C</u>	NO <u>C</u>	NO <u>C</u>

Notes:

14. **Medical Marijuana Businesses:**

- Registered caregiver retail stores - authorized to ~~cultivate medical marijuana for qualifying patients, and operating~~ operate a retail store to sell medical marijuana to qualifying patients.
- Registered caregiver cultivation facilities - authorized to cultivate medical marijuana for qualifying patients except that the facility must be organized as a legal business entity recognized under the laws of the state and that the business must operate its cultivation area solely as an indoor operation.
- Registered dispensaries - authorized to cultivate and dispense medical marijuana to qualifying patients and caregivers.
- Marijuana testing facilities - authorized to test medical marijuana for contamination, potency and cannabinoid profile.
- Manufacturing facilities - authorized to manufacture marijuana products and marijuana concentrate for medical use.
- Signs, advertising and marketing used by or on behalf of Medical Marijuana business may not be placed within 500 feet of the property line of a pre-existing public or private school.

15. **Adult Use ~~(Recreational)~~ Marijuana Businesses:**

- Marijuana stores - authorized to sell marijuana, marijuana products, immature marijuana plants and seedlings directly to consumers.
- Cultivation facilities - authorized to grow, prepare and package marijuana for sale to other marijuana businesses.

- Products manufacturing facilities - authorized to blend, infuse or extract components of the marijuana plant to make marijuana products such as ointments, tinctures or edibles, for sale to marijuana stores or other marijuana products manufacturing facilities.
- Testing facilities - authorized to conduct research, analysis and testing of marijuana and marijuana products for contamination, potency and safety.
- Signs, advertising and marketing used by or on behalf of an Adult Use Marijuana business may not be placed within 500 feet of the property line of a pre-existing public or private school.

<i>Industrial Uses</i>	RP	LR	GR	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Junkyards	NO	NO	NO	C	NO	C	NO	NO	NO	C	NO
Transmission facilities-radio, television, power, telephone	NO	NO	NO	C	C	C	C	NO	C	P	NO
Sawmills	NO	NO	NO	C	C	C	NO	NO	NO	P	NO
Truck Terminal	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Bottling & beverages	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Manufacturing, processing, assembly of products or Goods	NO	NO	NO	NO	NO	NO	NO	NO	P	P	NO
Above ground storage of propane or flammable petroleum fuel products stored in accordance with rules promulgated by the state fire marshal	NO	NO	NO	NO	NO	NO	NO	C	C	P	NO
Commercial & industrial uses and facilities not meeting criteria for permitted uses	NO	NO	NO	NO	NO	NO	NO	NO	C	C	NO
Temporary construction, excavation, fabrication or Processing	NO	NO	NO	C	C	C	NO	NO	C	P	NO
Accessory Uses & Structures	NO	NO	NO	P	P	C	C	P	P	P	P
<u>Ground Mounted Solar Energy System</u>	<u>C</u>	<u>C</u>	<u>NO</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>NO</u>	<u>C</u>	<u>C</u>	<u>C</u>

AMEND FEES IN SEC. 10-613, SEC. 11-713 & APPENDIX C - FEE SCHEDULE

Section this Code	Description	Fee/Rate
BUSINESSES		
10-613	Marijuana licensing fees:	
	Registered caregiver retail store	250.00
	<u>Registered caregiver cultivation facility</u>	<u>250.00</u>
	Registered dispensary	250.00
	Manufacturing facility	250.00
	Marijuana testing facility	250.00
<u>11-713</u>	<u>Marijuana store</u> <u>(25% go to the local D.A.R.E program)</u>	<u>5,000.00</u>
	<u>Cultivation facility</u> <u>(25% go to the local D.A.R.E program)</u>	<u>5,000.00</u>
	<u>Manufacturing facility</u> <u>(25% go to the local D.A.R.E program)</u>	<u>5,000.00</u>
	<u>Marijuana testing facility</u> <u>(25% go to the local D.A.R.E program)</u>	<u>10,000.00</u>

PART II - TOWN COUNCIL RULES, REGULATIONS AND POLICIES
APPENDIX C FEE SCHEDULE

APPENDIX C FEE SCHEDULE

Section this Code	Description	Fee/Rate		
PLUMBING FEES				
The LPI is the official charged with carrying out the duties required by 30-A M.R.S.A. 4221-4223. These fees were set by DHHS/CDC State Rule as of 11/13/2021. See Fees Below – Municipal Fee is 75% / State Fee is 25%.				
	<u>Disposal System Components</u>	<u>Total Fee</u>	<u>State Share 25%</u>	<u>DEP Surcharge</u>
	<u>Complete Non-Engineered System</u>	<u>\$250.00</u>	<u>\$62.50</u>	<u>\$15.00</u>
	<u>Primitive / Limited System (graywater & alt toilet)</u>	<u>\$100.00</u>	<u>\$25.00</u>	<u>\$15.00</u>
	<u>Alternative Toilet</u>	<u>\$50.00</u>	<u>\$12.50</u>	<u>n/a</u>
	<u>Non-Engineered Treatment Tank</u>	<u>\$150.00</u>	<u>\$37.50</u>	<u>n/a</u>
	<u>Holding Tank</u>	<u>\$100.00</u>	<u>\$25.00</u>	<u>\$15.00</u>
	<u>Non-Engineered Disposal Field</u>	<u>\$150.00</u>	<u>\$37.50</u>	<u>n/a</u>
	<u>Separated Laundry System</u>	<u>\$35.00</u>	<u>\$8.75</u>	<u>\$15.00</u>
	<u>Complete Engineered System</u>	<u>\$200.00</u>	<u>\$50.00</u>	<u>n/a</u>
	<u>Engineered Treatment Tank (only)</u>	<u>\$80.00</u>	<u>\$20.00</u>	<u>n/a</u>
	<u>Engineered Disposal Field (only)</u>	<u>\$150.00</u>	<u>\$37.50</u>	<u>n/a</u>
	<u>Pre-Treatment</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
	<u>Miscellaneous Components</u>	<u>\$30.00</u>	<u>\$7.50</u>	<u>n/a</u>
	<u>First-Time System Variances</u>	<u>\$20.00</u>	<u>\$5.00</u>	<u>n/a</u>
	<u>Replacement System Variances</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
	<u>Seasonal Conversion Permit</u>	<u>\$50.00</u>	<u>\$12.50</u>	<u>n/a</u>
	<u>Internal Plumbing Permits</u>			
	<u>Minimum fee, Includes up to 4 fixtures/hook-ups</u>	<u>\$40.00</u>	<u>\$10.00</u>	<u>n/a</u>
	<u>Individual fixtures, each, over 4</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>
	<u>Mobile or Modular Home – factory components</u>	<u>\$40.00</u>	<u>\$10.00</u>	<u>n/a</u>
	<u>Hook up to public sewer</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>
	<u>Hook up to existing subsurface system</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>
	<u>Piping relocation with no new fixtures</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>
	<u>Permit transfer</u>	<u>\$10.00</u>	<u>\$2.50</u>	<u>n/a</u>

Plumbing/Subsurface Wastewater Disposal System Permit Fee Schedule

Disposal System Components	Fee	State Share (25%)	DEP Surcharge
1. Complete Non-Engineered System	\$250.00	\$62.50	\$15.00
2. Primitive / Limited System (graywater & alt toilet)	\$100.00	\$25.00	\$15.00
3. Alternative Toilet	\$50.00	\$12.50	NA
4. Non-Engineered Treatment Tank	\$150.00	\$37.50	NA
5. Holding Tank	\$100.00	\$25.00	\$15.00
6. Non-Engineered Disposal Field	\$150.00	\$37.50	NA
7. Separated Laundry System	\$35.00	\$8.75	\$15.00
8. Complete Engineered System	\$200.00	\$50.00	NA
9. Engineered Treatment Tank (only)	\$80.00	\$20.00	NA
10. Engineered Disposal Field (only)	\$150.00	\$37.50	NA
11. Pre-Treatment	NA	NA	NA
12. Miscellaneous Components	\$30.00	\$7.50	NA
First-Time System Variances	\$20.00	\$5.00 *	NA
Replacement System Variances	NA	NA	NA
Seasonal Conversion Permit	\$50.00	\$12.50	NA

Internal Plumbing Permits

Minimum fee, includes up to 4 fixtures/hook-ups	\$40.00	\$10.00
Individual fixtures, each, over 4	\$10.00	\$2.50
Mobile or Modular Home – factory components	\$40.00	\$10.00
Hook up to public sewer	\$10.00	\$2.50
Hook up to existing subsurface system	\$10.00	\$2.50
Piping relocation with no new fixtures	\$10.00	\$2.50
Permit transfer	\$10.00	\$2.50

* The State only receives a 25% share of variance fees for *first-time system variances requiring state and local plumbing inspector approval.*

Plumbing/Subsurface Wastewater Permits – Payments to State SSWW Program

Tips and Reminders

1. **Please try to submit your permits to us on a monthly schedule – or at least quarterly.** This will better ensure accuracy on both ends and make it easier for us to identify issues that might arise from our reconciliation of permits and fees.
2. **All plumbing and subsurface wastewater permit submittals received in our office must be accompanied by appropriate payment of the State's 25% share of fees collected.** Likewise, checks for the State's 25% share of permit fees must be accompanied by copies of the corresponding permits. Checks received without corresponding permits, or permits received without accompanying payment (if payment is due), will be returned to the originating municipal office immediately.

We understand that there will be occasions when this is not possible. In these instances, please contact our office to make us aware of the situation. These exceptions will be granted on a case-by-case basis.

Municipalities have the option of submitting copies of permits electronically. Scanned copies of permits can be emailed to our office, with remittance to follow (sent via USPS). Municipalities that wish to take advantage of this option should contact our office to establish a procedure that meets the Town or City's needs as well as our requirements. We will not accept emailed permits without a prior understanding.

3. **Some municipalities include a summary of their submission, listing permits and fees.** This is not required; however, if you do choose to enclose a summary, we ask that...
 - a. Permit numbers are noted *as they appear on the permit documents*;
 - b. Each permit in the listing is noted to indicate Internal (plumbing) or External (subsurface wastewater), and
 - c. Full standard State fees are indicated.
4. **Please be sure permits are complete, accurate, and legible.**
 - a. Signatures from both the issuing LPI and the property owner/applicant are required; unsigned permits will be considered INVALID and will be returned to the issuing Town office.
 - b. All fields on a permit should be addressed. If a field or question on a permit is not relevant to the work being described, it should be so noted ('NA').

Remember: these are also legacy documents intended, in part, to serve as an accurate record of fees and property improvements.

5. **When correcting permits, please do not cross-out, scribble-out, or over-write notations.** Instead, use a white correction product to make these adjustments.
6. In the event an **updated permit** is submitted with no additional fee, please remember to note "REVISED" clearly on the permit.

7. **The water quality surcharge** (a.k.a. DEP fee/surcharge) is a \$15.00 fee over and above the fee charged for a permit. It should be applied to all *non-engineered systems* (line items 1, 2, 5, and 7 on the SSWW permit application). The water quality surcharge is not applicable to any of the other disposal system components. (The entire amount of the surcharge is remitted to the State; it is not figured into the State's 25% share of permit fees.)
- Permit fees and water quality surcharges must be remitted on separate checks.** They can be mailed together in one envelope, and we will forward the water quality surcharges along to the appropriate agency.
8. **All payments should originate from the issuing municipality.** Do not forward personal checks from LPIs, private property owners or applicants.
9. **Variance fees** should only be factored-in to the State's 25% share for *first time systems requiring State approval*; the State does not receive a share of fees collected for replacement system variances.
10. Municipalities are not required to report **double fees** as part of the State's share. Also, municipalities are not required to report **additional fees applied per local rule or ordinance**. Only standard minimum fees should be reported. Revenues over and above the State's 25% share of standard fees may be kept by the municipality.
11. **While municipalities do have the latitude to waive *their portion of permit fees***, such as for work done at municipal or non-profit facilities, the State is still due 25% of the value of the permit as determined by the approved fee schedule.
12. **Permit transfers should be presented separately from the original permit**, with only a \$10.00 fee (State share \$2.50). No additional fixtures should be noted on a permit transfer.
13. **Receipts for permit fee remittances are automatically sent to municipalities that provide at least one valid email address.** Paper receipts for permit submittals will only be provided when specifically requested.
14. **Contact information, mailing addresses, etc.:**
- For any questions regarding plumbing/SSWW permit fees, please contact the Subsurface Wastewater Program – email subsurface.wastewater@maine.gov or phone (207) 287-2070.
 - Checks for permit fees should be **mailed to:**

Maine DHHS/CDC
Division of Environmental and Community Health
286 Water Street, 3rd Floor
11 State House Station
Augusta, ME 04333-0011

(Checks should be made **payable to Treasurer, State of Maine**)

Online:

- Subsurface Wastewater Program:
<http://www.maine.gov/dhhs/mecdc/environmental-health/plumb/index.htm>
- Drinking Water Program: www.medwp.com
- DWP on Facebook: <https://www.facebook.com/MaineCDCDWP/>

Town Manager Monthly Departmental Project Agenda (September 2021)

The following list includes goals for work to be completed within specific projects in the following month. This in no way represents a list of all work done within this department, nor does it guarantee that all items will be completed exactly on schedule. The constantly changing requirements placed by the public and internal service aspect of my department along with cooperation with outside agencies will always come into play when scheduling projects within the town.

Department	Project	Items to Complete
Town Manager	<ul style="list-style-type: none"> • Construction Meetings • CDBG-Housing Grant • CDBG-Façade Grant • AVCOG Finance Committee, Executive Committee, & Policy Committee Meetings • Department Visitations • Job Descriptions • Collective Bargaining Agreements • Finance Committee Meetings • Technology • Salary Survey • November Referendum • Generator Bids • Graziano Square • Town Office Lighting 	<p>Continue monthly construction meetings Webster Rd/St. Ann St./Upland Road/Crest Avenue/Davis St. Pump Station</p> <p>Will continue working on the grant with the Finance Director and Economic Development Director</p> <p>Will continue working on the grant with the Finance Director and Economic Development Director</p> <p>Attend monthly committee meeting with AVOCG.</p> <p>Will continue to conduct monthly off-site department visits</p> <p>Complete job descriptions</p> <p>Police & Sergeant contracts</p> <p>Gather Solid Waste and Recycling information for the Finance Committee</p> <p>Work with Burgess Technology to update computers and new server</p> <p>Work with Megan on a first draft of a salary survey</p> <p>Work on taxpayer information sheet for Ferry Road reconstruction project to mail before the November referendum</p> <p>Solicit bids for generators</p> <p>Complete fencing project</p> <p>Get quotes for Town Office entrance and exit lighting</p>



Town of Lisbon

Chairman
Don Fellows
Jeff Ganong
Kasie Kolbe
Fern Larochelle
Mark Lunt

TO: Diane Barnes, Town Manager
FROM: Amy Wiers, Assessing Clerk
DATE: August 6, 2021
RE: Monthly Department Report

The past month, we have been working on Commitment. We have been running reports, reviewing information, and looking for errors. The Tax Commitment day was July 28, 2021.

Commitment this year was a three day process. Running reports, matching up numbers, and making sure the transfer from TRIO to Munis matched.

In the upcoming weeks we will be printing the Commitment Book pages. We need 2 copies, one for the public to review and one for our Commitment Book.

For the past month, I have been also helping with the Codes Department.



TOWN OF LISBON

Economic & Community Development
300 Lisbon Street
Lisbon, ME 04250
(207) 353-3000, ext. 122

TO: Diane Barnes, Town Manager
FROM: Brett Richardson, Economic & Community Development Director
DATE: August 17, 2021
RE: Monthly Department Report

NEW BUSINESS CELEBRATIONS

Olive Pit Brewing open house on Sunday, August 15th at 16 Main Street. Olive Pit founder Christie Cain welcomed the community to Lisbon's first craft brewery during the Delta Knights concert at Moxie Plaza from 12p to 3p. Olive Pit Brewing will officially open this fall.

Unbreakable Health and Fitness Ribbon Cutting on Friday, August 20th at 5pm. Lisbon community champions will celebrate the arrival of Aaron Gould's Unbreakable Health and Fitness at 501 Lisbon Street. Refreshments and fun activities will run from 2p to 6p.

WORUMBO COMMUNITY VISIONING

To further the Town visioning process for the former Worumbo Mill site, Town Council approved a market analysis in conjunction with a parking study at their June 22nd meeting. A Request for Proposals to conduct the market analysis has been distributed with a deadline of Friday, August 20th for potential consultants to submit a proposal. Interviews with RFP respondents will be scheduled during the week of August 23rd and Lisbon Development Committee members have been invited to participate. Following the interview sessions and appropriate committee input, ECD will offer a bid award recommendation for Council consideration at the Council's meeting on September 7th. Findings from the market analysis are expected by mid-November.

ENTREPRENEURSHIP INITIATIVE

During a July 14th community open house at the Ancient York Lodge in Lisbon Falls, Town Manager Diane Barnes and Lodge representative Toby Williams signed a Memorandum of Understanding laying out a joint approach to develop an entrepreneurship hub and co-working space on the first floor of the Lodge. Locally-sourced refreshments were provided by the Sausage Kitchen and Little Ridge Farm. The hub is being developed as part of the implementation phase of the Maine Community Foundation/Maine Downtown Center-sponsored entrepreneurship initiative. Ongoing planning is underway to transform the first floor of the historic building into a self-sustaining hub for economic development.

On July 13th, Town Council approved Dream Local Digital from Rockland to carry out a digital advertising boot camp with funding from the Maine Community Foundation Start Up Scale Up program. Dream Local Digital was selected through a bid process to create, help promote, and deliver a free digital advertising boot camp for Lisbon businesses. The boot camp is scheduled for fall 2021 and winter 2022 to help local entrepreneurs capitalize on growing online sales opportunities.

GOALS FOR MONTH AHEAD

- Select a consultant to conduct the market analysis for the former Worumbo Mill site
- Continue planning and due diligence for Entrepreneur Hub based on the MOU with the Ancient York Lodge
- Support events at Moxie Plaza to attract foot traffic to Main Street
- Ribbon Cutting for Unbreakable Health and Fitness on Friday, August 20th
- Promote the Digital Advertising Boot Camp for fall 2021 / winter 2022
- Coordinate façade grant activities and scheduling to complete five projects during Fall 2021
- Continue business retention and expansion work by connecting local business owners with real estate leads, business development resources, and Town programs



MEMORANDUM - FINANCE

SUBJECT: Finance Report – Other Items
TO: Diane Barnes, Town Manager
FROM: Kayla Tierney, Finance Director
DATE: August 17, 2021

End of Month Goals/Projects

- We have filled the two vacant positions in the Finance and Tax Departments. Jennifer Martin will be starting as Finance Assistant on Monday August 23rd. Jenna Williams will be starting as Collections and Sewer Billing Clerk on Monday August 23rd.
 - We will be doing training and cross-training over the next several months
- FY21 audit will be conducted the week of September 20th
 - From now until September 20th, Finance is prepping for audit.
- Finance Committee had a meeting on Monday August 2nd and will reconvene on Monday August 30th.



FINANCE REPORT - REVENUE

SUBJECT: Finance Department Council Report – Revenues through Period 1 (July 2021)

Kayla Tierney, Finance Director

DATE: August 17, 2021

Revenues:

- Revenue Sharing for July:
 - \$206,687.91
 - Budgeted \$1,370,000 for Revenue Sharing in FY22.
- Motor Vehicle Excise Taxes
 - \$175,912.47 collected in July
- Boats
 - Not seeing as much boats registered in July; bigger influx of registrations was in spring time as residents prepped for the summer.
 - \$536.10 collected in July
- Solid Waste Permits
 - New Red Stickers become effective September 1st at the Transfer Station and residents can purchase these stickers now.
 - \$4,340 collected in Solid Waste Permit Sticker sales in July
- Solid Waste Other Revenue (including cardboard, metal, mixed paper, newspaper, yard items, tires and universal waste)
 - \$13,018.90 collected in July
- Parks and Rec
 - Summer programs have been going very well
 - Moxie Car Show brought in \$5,547.25, where \$3,000 hit the Parks & Rec Moxie Car Show revenue account and \$2,547.25 went to MTM Seniors Program.
 - Overall Parks & Rec has \$10,109.50 collected in Revenue for July.
- WWTP
 - \$201,998.39 Revenue collected in July

Overall, the first period of the new fiscal year has been meeting expectations. The commitment was done on 7/28/2021 and the tax bills are going out to the residents. September 15th is the first installment tax day.



FINANCE REPORT - EXPENSES

SUBJECT: Finance Department Council Report – Expenses through Period 1 (July)
Kayla Tierney, Finance Director

DATE: August 17, 2021

Expenses:

- Total General Fund Budgeted Expenses are: \$17,450,054
- Total General Fund YTD Expended through July 31, 2021 is \$1,668,524.62, with \$978,224.76 encumbered.
- The onset of the new fiscal year has a lot of annual type expenses paid in the first two warrants of the year; for example the FY22 PSAP fees are paid in the first period.
 - The County Tax is encumbered to be paid in August.
- Overall Expenses are in line with expectations for this first period of the new fiscal year.

General Fund by Org	YTD Expended	FY21 Budget	FY21 %
1000-20 Gen Fund - Gen Gov't	1,668,524.62	9,442,081	17.7%
1000-30 Gen Fund - Health & Welfare/General As	1,165.42	38,733	3.0%
1000-40 Gen Fund - Public Safety	262,088.96	3,035,370	8.6%
1000-50 Gen Fund - Public Works	398,123.21	3,004,798	13.2%
1000-60 Gen Fund - Culture & Recreation	123,175.39	989,730	12.4%
1000-70 Gen Fund - Economic Development	20,803.57	114,230	18.2%
1000-85 Gen Fund - Intergovernmental	21,891.87	825,112	2.7%
	2,495,773.04	17,450,054	

General Fund by Org	YTD Expended
1000-20 Gen Fund - Gen Gov't	1,668,524.62
1000-30 Gen Fund - Health & Welfare/General As	1,165.42
1000-40 Gen Fund - Public Safety	262,088.96
1000-50 Gen Fund - Public Works	398,123.21
1000-60 Gen Fund - Culture & Recreation	123,175.39
1000-70 Gen Fund - Economic Development	20,803.57
1000-85 Gen Fund - Intergovernmental	21,891.87
TOTAL	2,495,773.04

By Department (General Fund and Sewer Fund)

General Fund by Dept	YTD Expended	% Expended
Elected Officials	2,227.63	93.20
Town Manager	32,367.84	91.90
Appeals Board	80.88	39.40
Planning Board	563.94	21.10
Legal	-	132.60
Clerk	16,456.86	75.90
Finance	23,620.25	91.70
Tax Collection	16,974.67	86.90
Assessor	5,579.32	91.20
Code Enforcement	17,463.05	89.40
Liability Insurance Program	2,872.06	104.60
Technology	58,432.35	86.70
School	649,214.67	91.70
Town Buildings	14,808.43	80.00
Abatements	623.70	100.00
Health Officer	628.78	92.10
General Assistance	536.64	56.60
Police	141,270.93	86.10
Fire	28,558.23	90.20
Emergency Management	50,163.06	100.00
ACO	8,370.74	86.30
Lisbon Communication Center	33,726.00	85.50
Public Works	398,123.21	86.60
Library	27,682.70	87.40
Parks & Rec	95,492.69	75.20
Other Public Services	0.00	76.90
Economic Development	20,803.57	96.40
County Tax	21,891.87	100.00
Sewer	62,952.76	95.10
TOTAL GENERAL FUND	1,668,534.07	
TOTAL SEWER FUND	62,952.76	



Town of Lisbon

Fire Department

Nathan LeClair, Fire Chief



To: Lisbon Town Council
Department Monthly Report: July 2021

In the month of July:

The Fire Department responded to 33 calls for service (includes inspections, various investigations, and complaints, such as unpermitted burns) in the month of July. The Department responded to 12 requests for the Fire Department First Responders, two of which we were canceled on. The Department responded to 2 request to assist Lisbon Emergency this past month. One request was for manpower assistance and another was for lifting assistance.



In the month of July we responded to no request for mutual aid.

In the month of July the Department conducted extrication training with Maine-aic training. Firefighters spent several hours practicing rescue techniques with the hydraulic rescue tools and struts on vehicles placed in different positions for different scenarios.

Compared to some of the earlier months, the department was a little slower. However, we still responded to a variety of calls. One of which was an accident that occurred between Rusty Lantern and the Railroad Dinner when a vehicle, traveling at a high rate of speed crash in the parking lot. The occupant had to be extricated from the vehicle. We also assisted with Moxie 5K road race and stood by during the fireworks event.



The annual NFPA required flow testing of the Self-Contained Breathing Apparatus (SCBA) was conducted. The required annual pump testing also was started.

Upcoming Project Agenda

Training – Structural firefighting – Live Burns
Continuation of annual NFPA testing and servicing of equipment



Town of Lisbon

Fire Department

Nathan LeClair, Fire Chief



Month of June incident type break down.

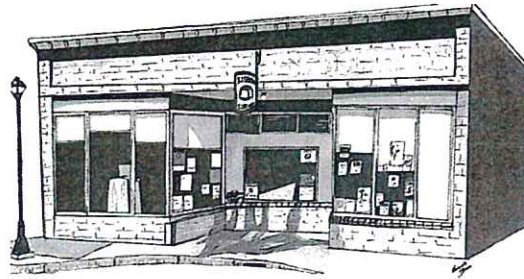
Incident Type	Occurrences
Building fire	1
Medical assist, assist EMS crew	2
EMS Call, excluding vehicle accident with injuries	10
Motor vehicle accident with injuries	2
Motor vehicle accident with no injuries	2
Extrication of victim(s) from vehicle	1
Hazardous condition, other	1
Gasoline or other flammable liquid spill	2
Public service	2
Unauthorized burning	1
Cover assignment, standby, move-up	1
Good intent call, other	3
Dispatched & canceled en route	2
System malfunction, other	1
Smoke detector activation due to malfunction	1
CO detector activation due to malfunction	1
Total:	33

Respectfully submitted

A handwritten signature in black ink, appearing to read "Nathan LeClair".

Nathan LeClair

Fire Chief



LISBON LIBRARY DEPARTMENT

TOWN COUNCIL /TOWN MANAGER MONTHLY REPORT

July 2021

Statistics:

Adult Books	1,015	Adult DVD's	145
Juvenile Books	955	Juvenile DVD's	72
Audio Books	36	Children's Room Door Count	863
ILL In	181	ILL Out	235
Cloud Library Users	53	Cloud Library E-books	87
Front Door/Patron Count	1,131	Cloud Library Audio Bks	99
Patron Use Computers Sessions	215	New Patrons	17
Garden Playhouse Family Use	23	Paperback Rack	94
Children's Summer Read Program "minutes" logged reading time	978		
Pre-School Storytime 6/18 & 6/25	29	Soul-to Soul Day Care outreach program	18
"Express Activities " In-house Summer Read Program	93 children took part in 512 Children's Room activities over 27 days.	Juvenile Audio Books	6
Adult Summer Reading Program "minutes logged in"	1,447 minutes spent reading	Adult Summer Reading Program "Broadway" participants	34
Adult Summer reading Program: craft (2 programs)	53 kits given out "in-house" 388 patron views on-line	Adult Summer Reading Program :Recipes	201 views
Adult Summer Reading Program: Trivia Game	144 patron views "on-line"	Children's "Tails to Tales" Summer Reading Program Participants	K-6: 117 kid & Teens: 18

Children Summer Read "TAKE HOME" Fun craft/science pack (5 wks.)	341 home kits	Children's Summer Reading Program weekly in-house attendance	37
Teens Summer Reading Program crafts	6		

The Library Department had a very busy month of July with the Children's and Adult Summer Reading Programs. I am happy to report that we had lots of enthusiastic readers of all ages who read a total of 2,425 minutes last month. The children were happy with the "in-house" activities that had them on a treasure hunt in the children's room and garden. They were also pleased with the variety of crafts and science projects they either took home in a grab-n-go-bag or completed the project in-house with their family and friends.

Both programs will continue into the month of August and end on August 17, 2021 with a cupcake party in the children's garden. It is interesting to note that most families chose to drop in at their convenience rather than attend a specific group program. The Children's Department staff have done a great job accommodating the needs of the children and their families throughout this transition period from on-line virtual programs to in-house programs. Children's Librarian, Bill Meakin, and I will assess the success and issues with these types of programming as we move forward with fall 2021 programs. This will ensure we best meet the needs of the community's children and their families.

Families continued to visit the children's garden and enjoy the playhouse. We have noticed that more adults who work in the Main St. area also spend time in the garden on their lunch breaks or meeting with friends. The garden looks much better with the pond filled in and no longer a hazard to visitors. The park bench fits that spot nicely and provides a shady spot on those very hot days.

The library building had two significant upgrades in the month of July. We have installed a 4-camera HD System to monitor the children's garden and the front of the building facing both sides of Main St. We had a bit of vandalism in July. The memorial flower boxes on the front of the building were tampered with and flowers were stuffed into the book return box when the library was closed. The mess was caught early by Governing Board member Jo-Jean Keller. There was no damage to the books that were in the return box. We also found a bag of tobacco in the children's garden and chairs set into the back of the book shed. I reported this to the Town Manager and she recommended I reach out to Steve Aievoli, Sewer Department Director, because he had recently installed the same system at the Sewer Treatment Plant. I met with Police Chief McGee to get his expert opinion on the best locations for the 4 cameras to best provide security to our building. The system and cameras are working very well, were very affordable and offer quality images of the areas we want to monitor. I thank Mr. Aievoli and Chief McGee for their help.

Patriot Mechanical successfully upgrade the old 2006, (cooling only), pumps in the children's room. Although the work was completed on August 3, 2021, I felt it was important to report this building upgrade to the Council with this report. The Town Manager worked quickly to take care of the upgrade

since the old units completely failed the last week of July and the children's room was left with limited ventilation. I thank the Town Manager for expediting this equipment upgrade to keep the children safe and comfortable. The two new units offer the latest technology to cool and heat the children's room. The two outdoor condensers that support the units are off the ground and will be more efficient.

I have completed and submitted the Maine State Library ARPA grant that the Town Council approved. We finally received our "VIN" number. Finance Director, Kayla Tierney, took care of this part of the grant process to ensure the state had all the necessary paperwork from the Town of Lisbon. We are hearing from other libraries that had their VIN numbers from previous transactions with the State of Maine ready on July 1st that they are just beginning to receive their ARPA funds. I will keep the Town Council and Town Manager informed.

GOALS: September 2021: Implement the ARPA grant funds and begin the Senior Citizens Outreach programs, transition children's programs to after school programs that reflect the community's children and their family's needs.



Lisbon Police Department

A Community Policing Agency

300 Lisbon St.
Lisbon, ME 04250

Ryan A. McGee
Chief of Police

July 2021 Report to Council

Police Department

In the month of July, the requests for police assistance totaled 1052 calls. There were a total of 46 investigations initiated (Involving Assaults, Thefts, Weapons Offenses, Liquor Law Violations, Attempted/Threatened Suicide, Domestic Violence, Death Investigations, and a Missing person). 20 individuals were arrested or charged with criminal violations. There were a total of 20 motor vehicle crashes and 145 motor vehicle stops conducted during directed traffic enforcement details.

During the month of July, the Police Department went to the MTM Center with two of our patrol cruisers and met with children in the recreation summer camp programs. Allowing the children to go inside the cruisers and check out all of the equipment that our Officers carry to help protect and serve the community.

Also during the month of July, we worked in partnership with the Recreation Department and held a bike rodeo for kids at the different schools in the town where the recreation camps were held. Lisbon Police Officers put kids through a bike course and also registered their bicycles and passed out free helmets to the kids. Lisbon Officers went over bicycle safety with the kids at all of the recreation camps. The event went excellent and the recreation department raffled off free bicycles to the kids.

The Projection for the Month of August:

In the month of August Lisbon Police Officers will be completing the following Mandatory MCJA training; De-Escalation Training, Implicit Human Bias Training, Investigation of Electronic Evidence Training. These training's will be provided through Dirigo Safety LLC.

Students will be going back to school and Patrol Officers will be out in full force conducting traffic enforcement details. We will also be conducting operation "School Bus Safety" again this year searching for violators that pass stopped school buses, which was very successful last year. Also in the Month of August, we will be filling a patrol officer vacancy.

Thank you,

Ryan McGee
Chief of Police



TOWN OF LISBON

Mark Stevens

Lisbon Parks & Recreation Director

18 School Street
Lisbon Falls, ME 04250
(207) 353-2289
mstevens@lisbonme.org

TO: Diane Barnes; Town Manager

SUBJECT: Monthly Report, June and July 2021

DATE: August 12, 2021

June flew by for our department, with all hands on deck to keep our many programs running and prepare for our busy month of July.

Before and After School ended this month, and right on its heels came Summer Day Camp. Our staff completed a full four days of training, including CPR and First Aid certification. Our Summer Rec Camps have been an incredible positive testament to what we can accomplish in a tough situation. Our training was top notch this year and our staff really stepped up to the plate again holding 3 camps for 200 children. Staff completed a full four days of training, including CPR and First Aid certification. To make things more interesting we invited the Maine Crime Lab and State Police to come and demonstrate all they do to catch criminals. We also had Mr. Drew's Animals come and display many of his exotic animals to our camps. We navigated challenges finding bus drivers and having to reschedule our first few field trips due to weather and amusement park availability. In spite of this, we registered more than twice as many campers as last year and all three locations got up and running smoothly.

Moxie Plaza was opened for the year on June 23. Moxie Coordinator Lise Tancrede did a great job uploading a full calendar of events for the summer, both responding to public requests and taking the initiative to explore new offerings for downtown.



We took registrations for summer sport camps throughout June, and track began a very full program with nearly fifty registrants. We hired two assistant coaches for this program as well.

Moxie Cruise nights at the old Worumbo Mill site has been a popular venue for many classic car owners this summer. Every Monday night the parking lot fills up with cars from the 30s to the 80s. This year we were



able to bring back the Moxie Car Show. The Car show was held on July 11th, Fireworks on Monday July 5th, and the Moxie 5K was held on July 10th. It was great to get these two big events off the ground again since last year we were unable to hold any events. Our volunteers were happy to come out of retirement for both the 5k and the Car Show. We appreciate all our incredible volunteers, sponsors and staff that make all of this happen.

The annual bike rodeo that we offer in conjunction with LPD was held on July 29th. We gave away 4 bikes to lucky

raffle winners.

To make things more interesting we invited the Maine Crime Lab and State Police to come and demonstrate all they do to catch criminals. We also had Mr. Drew's Animals come and display many of his exotic animals to our camps.



Our Senior meals were held every Friday in July. Aline has also brought back day trips and her monthly calendar, which were eagerly received by the Sunshine Hill Community.

Jordan and our park team spent many hours working the parks trails and gardens. We are in reactive mode because of the unbelievable amount of rain. The grass is growing in July as it was during the month of May. We are down one 40 hour a week person and we are finding hard to find help due to the low hourly rate of pay.

We began holding our football, basketball and field hockey sports camps at the end of the month. Registrations are higher than last year.



MEMORANDUM FROM THE PUBLIC WORKS DIRECTOR

TO: DIANE BARNES, TOWN MANAGER
FROM: RANDY CYR
SUBJECT: JULY 2021, MONTHLY REPORT
DATE: AUGUST 11, 2021

Public Works – In the month of July, we investigated and actioned on resident and dispatch calls for potholes, trimming bushes, ditching, drainage issues as well as policing up trash and deceased animals. Worked on Earle St by taking old hottop out and down some reclaim and also fixing shoulders. Continue sweeping streets and sidewalks while also spot-checking previously completed areas. Had a night crew work on painting lines and safety markings while paving operations continue throughout town. Worked on by grading and putting down 225 feet of curbing on Josephine St. Installed speed bumps on various routes for Main St detours to slow down traffic. Used Recs side by side to spray vinegar weed killer on sidewalk vegetation. Fixed broken flag on 196. Put reclaim on Wagg Rd. Worked on clogged culvert on Ferry Rd caused by beaver. Also, set up time for animal trapper but the beaver was struck by vehicle and found dead. Worked on culvert complaint from Forbes Rd, which needed to be cleaned.

Mechanics continued working on vehicles / equipment to ensure inspections were completed and safe for operation. Picked up the shop, salt shed and employee areas for cleanliness.

PW September Goals: Replace Culverts; ditching operations; paving; start tearing out sidewalk; Cutting down tree(s) for safety concerns.

Transfer Station - Below is a summary of the items shipped during the past month.

<u>Item</u>	<u>Tonnage</u>
Single Stream	6.73
Trash	246.68
Bulky Waste	23.36
Wood	40.6
Brush	19.43
Freon	67 units
Tires	2.73
Cardboard	21.11 @ \$110 per ton

SW September Goals: Continue to follow new fee schedule; Purchase a Forklift; Hand out buckets for composting program; Ray selling FY22 permits at the transfer station.

MEMORANDUM FROM THE SEWER SUPERINTENDENT

TO: DIANE BARNES, TOWN MANAGER

FROM: STEVE AIEVOLI

SUBJECT: JULY MONTHLY REPORT & THE PROJECT AGENDA FOR SEPTEMBER

DATE: AUGUST 9, 2021

1. Below is a summary of the activities beyond the typical sewer system and treatment plant maintenance completed during the month of July.
 - Raising manhole covers on the paving project roads.
 - Issue with #2 pump at Lewiston Line pump station. Electrical Contractor repaired a wire in the pump wire harness.
 - Inspected a sink hole in the shoulder of Andrea Street. It does not appear to be a sewer issue and was filled with Gravel. If it returns it will need to be excavated.
 - Having bowl speed fault issues with the centrifuge. Replaced two speed sensors and had an automation contractor inspect the machine. It appears is running fine now
 - Installed a new intrinsically safe relay on the lead pump float at the D&B pump station.
 - Work is ongoing on the Chlorine Contact Tank and at the Davis Street pump station.
 - Work is ongoing on the Phase 2 Sewer Replacements in Lisbon on Webster, St. Ann and Upland.
2. September Project Agenda. The following list includes goals for work to be completed in the following month. This in no way represents a list of all work done within a department, nor does it guarantee that all items will be completed exactly on schedule.
 - Continue construction on the Davis Street pump station rebuild.
 - Continue the chlorine contact tank enlargement project.
 - Inspect cross country sewer lines.
 - Remove brush and tress around the perimeter of the treatment plant.
 - Extending the steel plates and installing a concrete pad at the sludge container door opening.

Please contact me if you have any questions.

DEPARTMENTAL STATUS REPORT
TOWN CLERK & ELECTION OFFICE - TWILA LYCETTE, CMC
AUGUST 2021

TOWN CLERK:

1. Council minutes were transcribed and posted for July.
2. The new codebook updates have been received, distributed, and we updated the pages in the Code Office, Town Manager's Office, and Finance Department, and Town Clerk's Office. New ordinances have been sent to Municipal Code for posting online.
3. We processed 43 vital records requests.
4. Recording renewal oaths which are mostly completed.
5. We processed a couple of FOA requests and business filings.
6. We processed a couple of business licenses for Moxie Plaza.
7. We removed several boxes from the vault in accordance with the Municipal Disposition Schedule.

ELECTIONS:

1. Voter registration cards have all been entered into the computer. Weekly voter registration cards are still coming in. All have been scanned into CVR. Passwords were required to be updated prior to the November Election
2. Memory Sticks were returned to state for the DS200 and Express Vote.
3. Nomination papers were created for November, vacancies and positions posted on the web, at the post offices, and town bulletin board.
4. Warrant and Bond order information arrived, after adjustments and Council approval this information will be forwarded to ES&S for ballot programing & Printing.
5. State Election forms are being filled out and emailed in as required.
6. Election supply boxes were made ready. Our Warden accepted our offer to work again on November 2.
7. The Annual Municipal November Election was set up in CVR. Absentee applications are now available at the counter and though our link online.

GOALS

- *List of Election Workers for Nov Election created so will call and schedule workers the week of September 6.*
- *Send Updates to Code Company after final readings*
- *Program Election Tabulators*
- *Clean Election Tabulators for November Election*
- *Download Election Forms from State's Website and finish preparing supply boxes*
- *Post Public Hearings & Order Ads for Bond Ref Election*
- *Attend Networking and Annual Business Meeting for MTCCA*
- *Attend Town Employee Appreciation Event*



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of MMA Vice President and Executive Committee Members

Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 20, 2021

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Elaine Aloes, Chair of Selectboard, Town of Solon

☐

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

David Cyr, Town Manager, Town of Frenchville

☐

Melissa Doane, Town Manager, Town of Bradley

☐

**Justin Poirier, Town Manager, Town Administrator
Town of Chebeague Island**

☐

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ **Municipality:** _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____ **Signature:** _____
Position: _____

OR Signed by a Majority of Municipal Officers **Current # of Municipal Officers:** _____

Print Names:

Signatures:

Return To:

**MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358
Email: rlambert@memun.org**

**MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2022 EXECUTIVE COMMITTEE**

**MMA VICE PRESIDENT
(1-Year Term)**

ELAINE ALOES (CHAIR OF SELECTBOARD, TOWN OF SOLON)

Professional & Municipal Experience:

- Chair of Selectboard, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1998 – present)
- 2nd Selectman, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1990 – March 1994)
- Auto Damage Appraiser, Bishop Adjustment Company (March 1990 – present)
- Budget Committee, Town of Solon (1995 – 1998)
- Owner/Operator, Mid Maine Adjustment Company (independent insurance adjusting company) (June 1987 – March 2005)
- Auto body repair businesses in Massachusetts and Maine (1972 – June 1987)
- Tax Preparer, H & R Block (1985 – 1992)
- Salesperson, Combined Insurance (health and accident insurance) (1985 – 1986)

Other Experience, Committees and Affiliations:

- Member, Somerset County Budget Committee (2001 – present); Vice Chair (2012 – 2016); Chair (2017 – present)
- Member, MMA Legislative Policy Committee (1999 – present)
- Member, MMA Executive Committee (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Strategic & Finance Committee (2002 – 2003) and (2017 – present)
- President, Somerset County Municipal Association (2001 – present)
- First Park Representative (2006 – present)
- Member, MMA Nominating Committee for Executive Committee (2011, 2012 and 2014)
- Member, Maine Municipal Association Rural/Service Center Committee (2002)
- Member, Somerset County Jail Planning Committee (2006 – 2008)
- Vice Chairman, Somerset County Charter Commission (2008 – 2010)
- Chair, Regional School Planning Committee for MSAD 74, MSAD 59, MSAD 12, MSAD 13 and several small towns (2007 – 2009)

Education:

- High school graduate, Medfield High School, Medfield, Massachusetts
- Kennebec Valley Technical College (courses in computers, accounting and supervisory management)
- Insurance Institute of America (Introduction to Claims)
- State of Maine (four part Property Tax Assessment course)
- Maine Municipal Association (many workshops and training on a wide variety of municipal topics such as budget preparation, finance management, personnel issues, right to know, town meetings, assessing)
- Maine Local Roads Center (variety of workshops on road issues and maintenance)

Awards and Certifications:

- State of Maine, All Lines Adjuster
- Maine Roads Scholar – Maine Local Roads (completed ten required road related workshops to earn award)

MELISSA DOANE (TOWN MANAGER, TOWN OF BRADLEY)

Professional & Municipal Experience:

- Town Manager, Clerk, Treasurer, Tax Collector, General Assistance Administrator, Registrar of Voters and Road Commissions, Town of Bradley, Maine (2005 – present)
- Membership Coordinator, GrowSmart of Maine (2016 – 2020)
- Secretary/Administrative Assistant, Roy Associates, CPAs (2004 – 2005)
- Administrative Assistant/Town Agent, Town of Bradley, Maine (1998 – 2004)
- Coor, Clinical Operations/Secretary/Patient Accounts/Registrations, Neurology Associates, (1994 – 1998)
- Secretary/Receptionist, Dr. James Iannetta Medical Office (1991 – 1994)

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2019 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2019 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2019 – present)
- Member, MMA Strategic & Finance Committee (2019 – present)
- Member, Executive Board, Municipal Review Committee (2021 – present)
- Member, Executive Board, Maine Town, City & County Management Association (2016 – present)
- Co-Chair Membership Committee, Maine Town, City & County Management Association (2016 – present)
- Chair, Sponsorship Committee, Maine Town, City & County Management Association (present)
- Member, Maine Town, City & County Management Association (2005 – present)
- Member, Maine Town & City Clerks Association
- Member, Maine Municipal Tax Collectors & Treasurer Association
- Member, Maine Welfare Directors Association
- President, Executive Board, Living History Museum, Maine Forest and Logging Museum

Education:

- Business Management Studies, Husson College
- Associate Degree, Business Management, Beal College
- Associate Degree, Office Management, Beal College
- Associate College Preparation, Foxcroft Academy

Awards and Certifications:

- Certified Municipal Manager, Maine Town, City & County Management Association
- Rookie of the Year Award, Maine Town, City & County Management Association (2009)
- State of Maine Notary
- State of Maine Dedimus Justice

JUSTIN POIRIER (TOWN ADMINISTRATOR, TOWN OF CHEBEAGUE ISLAND)

Professional & Municipal Experience:

- Town Administrator, Town of Chebeague Island (Nov 2020 – present)
- Urban Development Specialist, City of Auburn (July 2020 – November 2020)
- Director, Maine Revenues Services, Property Tax Division (2017 – 2020); Deputy Director (2014 – 2017)
- Member, Town of Winthrop, Planning Board (2019 – 2020)
- Member, City of Augusta, Planning Board (2013 – 2018); Chair (2017 – 2018)
- Director, Community Development Coordinator; City of Bath (2012-2014); Coordinator (2011 – 2012)
- Administrative Assistant, Board of Selectpersons, Town of Pownal (2010 – 2011)
- Administrative Coordinator, Building Services Department, Town of Belmont, MA (2007 – 2010)

(continued)



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: David Barrett, Interim MMA Executive Director
(Director, MMA Personnel Services & Labor Relations)

DATE: July 12, 2021

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 20, 2021 by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote in the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and on the MMA Executive Committee. The MMA Nominating Committee completed its task in May and put forth the 2022 Proposed Slate of Nominees to member municipalities.

Petition Process – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Friday, July 9, by 4:30 pm. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

Election Process – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 20, 2021. We have enclosed a self-addressed self-stamped envelope for your convenience. MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President James Gardner, Jr., Town Manager, Town of Easton.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Monday, August 23. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held and live broadcasted on Thursday, September 30, at 11:00 a.m. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon as well as the MMA Annual Business Meeting and will officially take office on January 1, 2022.

If you have any questions on the Election Process, please contact me or Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.