



AGENDA
COUNCIL MEETING
FEBRUARY 21, 2023
LISBON TOWN OFFICE
6:00 P.M. WORKSHOP
7:00 P.M. MEETING

Harry Moore, Jr., *Chair* 2024
Raymond Robishaw, *Vice Chair* 2024
Mark Lunt 2025
Donald Fellows 2025
Jo-Jean Keller 2025
Christine Cain 2024
Fern Larochelle 2023

1. CALL TO ORDER & PLEDGE TO FLAG
2. ROLL CALL

___ Councilor Lunt	___ Councilor Fellows	___ Councilor Larochelle	___ Councilor Keller
___ Councilor Moore, Jr	___ Councilor Robishaw	___ Councilor Cain	
3. WORKSHOP
4. GOOD NEWS & RECOGNITION
5. PUBLIC HEARINGS
A. Amendments to Division 5, Sign Ordinance
6. AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS
7. CONSENT AGENDA
2023-31 ORDER –
A. Municipal Accounts Payable Warrants – \$ 1,036,956.39
B. Municipal Payroll Warrants – \$ 200,453.37
C. School Accounts Payable Warrants– \$ 90,060.91
D. School Payroll Warrants – \$ 378,780.21
E. Minutes of February 7th
F. Set Public Hearing for March 7th for Special Entertainment & Liquor License for Flux and Liquor License for Olive Pit
G. Road Closings for Memorial Day Parade & Waive Banner Fee – American Legion Post 158 & Post 66
8. COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES
2023-32 ORDINANCE – Amendments to Division 5, Sign Ordinance – *Second Reading*
2023-33 ORDER – Approve Personnel Policy Updates
9. OTHER BUSINESS
A. Council Committee Reports:

1. School Committee – Councilors Lunt/Cain	5. Parks & Recreation Committee – Councilor Larochelle
2. Planning Board – Councilor Fellows	6. County Budget Committee – Councilors Moore/Lunt
3. Lisbon Development Committee – Councilor Lunt	7. Library Governing Board – Councilor Keller
4. Conservation Commission – Councilor Moore	8. Water Commission – Councilor Fellows
	9. Finance Committee – Councilor Robishaw

B. Town Manager's Report
C. Council Discussion: Municipal Interns
D. Traffic Control for the 2023 Construction Season
E. Council Goals Discussion
10. APPOINTMENTS
2023-34 ORDER – Council Appointment to the Lisbon Development Committee
11. COUNCIL COMMUNICATIONS
12. AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS
13. EXECUTIVE SESSION
2023-35 ORDER—Per MRSA Section 405 (6) (C) Acquisition of Real Property or Economic Development
14. ADJOURNMENT
2023-36 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

Glenn Michalowski
Town Manager

Town Council
Don Fellows
Christine Cain
Fern Larochelle
Mark Lunt
Ray Robishaw, Vice Chair
Harry Moore, Jr., Chair
Jo-Jean Keller

MEMO

To: Town Council

From: Glenn Michalowski, Town Manager

Subject: Recommendations

Date: February 21, 2023

Consent Agenda Items 2023 – 31 F

F. Set Public Hearing for March 7th for Special Entertainment & Liquor License for Flux

Agenda Item 2023 – 32 AMENDMENTS TO DIVISION 5, SIGN ORDINANCE – *SECOND READING*

Sec. 70-715. Definitions and sign types.

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Banner means a **type of temporary** sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National, state or municipal flags, or the official flag of any governmental agency shall not be considered banners.

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Sec. 70-716. Signs not requiring a permit.

The following types of signs do not require a sign permit, and do not count towards the maximum sign area allowed for a property. Notwithstanding the exemption from permitting requirements, such signs shall be subject to the provisions of Section 70-718 General Standards, except where expressly noted, and, if such sign constitutes a temporary sign, the provisions of Section 70-720 Temporary Signs.

- (1) Signs smaller than two (2) square feet.

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- (7) Informational signs less than two (2) square feet in size. Any property with more than four (4) such signs with additional permitted Signs shall be required to submit a signage plan **to the code enforcement officer** for approval.

- (8) Official business directional signs permitted by the Maine Department of Transportation.

(C.M. of 12-2-2014, V. 2014-257)

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Sec. 70-718. General standards.

- (1) Signs located adjacent a state numbered roadway shall comply with all applicable state sign regulations under the Maine Department of Transportation and Maine state law (23 MRS Chapter 21) in addition to the

requirements of this division. If there is any apparent conflict found between the state and local regulations, the more restrictive shall apply.

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(4) Size, dimensions, number of Signs.

- (a) No Sign or any part of its structure shall exceed 20 feet in height, as measured from the normal grade, and not a landscape mound or berm, at its base.
- (b) Except as otherwise indicated, no more than two (2) Signs requiring a sign permit shall be located on any property. This shall not include temporary or informational signs, or official business directional signs regulated by Title 23 M.R.S.A. Ch. 21.

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- (d) Entry Façade for buildings with a main entrance not fronting on a public street. Such Entry Facades are allowed the permitted number of Signs and maximum sign area for an additional façade, but may not place or locate more than the permitted number of signs or Maximum sign area along any one façade.
- (e) Signs requiring a sign permit which are to be located within a single property are subject to the Maximum sign area of the zoning district in which the property is located. Except as otherwise indicated, Signs not requiring a sign permit are subject only to size and dimensional standards (a) and (b) above. Upon application, the code enforcement officer may permit the following increases to the maximum sign area: For properties abutting Route 196, an increase of up to 50% of the Maximum sign area; for properties abutting the westerly side of Main Street in Lisbon Falls, between Union Street and Route 196, an additional 40 square feet of Maximum sign area for signs located on the rear of a building and visible from Route 196. The Maximum sign area may not be increased as provided herein except upon a written determination by the code enforcement officer or planning board (where planning board review is required) that doing so would not otherwise conflict with or frustrate the purposes of this division.
- (f) The Maximum sign area shall only apply to the physical dimensions of a freestanding sign, such that if the Sign is two-sided the dimensions will not be counted twice.
- (g) Where a property is included within two different zoning districts, the more restrictive standard shall apply.
- (h) The table below indicates the Maximum total sign area and number of signs per building within each zoning district. Signs not requiring a permit under this division shall be subject to the Maximum total sign area but not to the maximum number of signs.

Zoning District	Maximum Total Sign Area (sq. ft.)	Maximum Number of Signs
Resource Protection	24	2
Limited Residential	24	2
General Residential	24	2
Rural Open Space I	24	2
Rural Open Space II	24	2
Limited Rural Residential	24	2
Village	40	2

Commercial	40	2
Industrial	40	2
Diversified Development	40	2

(5) *Location and placement.*

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- (a) No Sign may be erected in such a manner as to obstruct clear and free vision, or another sign, nor, by reason of its position, shape, color, or illumination interfere with, obstruct the view of, or be confused with any authorized Public safety or traffic sign, signal or device or otherwise constitute a hazard to pedestrian or vehicular traffic.

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- (e) *Fuel station canopy signs.* Fuel station canopies are limited to displaying the fuel company or product and shall not count towards the property's allowed sign area or number of signs. Other freestanding canopies that include the business or use name or any kind of related product or service, shall be counted towards the property's allowed sign area and number of signs.

- (f) *Fuel station pricing signs.* Uses selling fuel may display one (1) on-premises sign, with numerals not to exceed one (1) foot in height, advertising the price of said fuel. A fuel station pricing sign shall not count towards the property's allowed sign area or number of signs.

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Sec. 70-719. Additional standards.

- (1) *Signage for multi-tenant buildings or multi-building properties.*

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- (6) *Building mounted signs.* Building mounted signs should be considered part of the building design and should be scaled and designed appropriate to the building on which they are placed. Building mounted signs should not obscure architectural details on the building. All Building mounted signs are counted towards the property's allowed maximum signage area (square feet) and the number of permitted signs allowed, and must meet applicable dimensional standards. This shall include lettering and advertising graphics placed directly on the building facade.

- 1) The height of a Building mounted sign, as measured from the highest part of the sign, may not be taller than the highest point of the building.

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- 5) *Building mounted signs on large-scale historic buildings.* The following properties identified as large-scale historic buildings may follow alternate dimensional standards in place of those in Section 70-718: Worumbo Mill Complex (U05-013-001 and U05-012); Farwell Mill Complex (U16-056-001 and U16-056-002); 1 Upland Road (U17-024); Old Lisbon High School (U04-026); Ancient York Lodge (U05-017). Large-scale historic buildings are allowed one (1) building mounted sign per façade, each with a maximum length of 75% of the façade width, and a maximum height of 3 feet. Such signs cannot be illuminated and shall not extend above the roofline or parapet wall. Signs on large-scale historic buildings shall be integrated into the architectural design and historic character of the building and shall not obscure any architectural details on the building.

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Sec. 70-720. Temporary signs.

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- (3) *Duration of sign use or posting; sign removal.*

- (a) A Temporary sign may not be used in any location for more than ninety (90) consecutive days in any 12-month period, except as otherwise provided in this section.

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- (c) A Temporary sign addressing an event occurring on a specific date or dates shall be removed within fifteen (15) days of the relevant date or dates.

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- (f) Temporary signs in the public right-of-way that do not require a permit, per Sec. 70-716 (3), may remain in place for a maximum duration in accordance with 23 M.R.S.A. § 1913-A.--

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Recommendation

Approve Amendments to Division 5, Sign Ordinance, as presented.

Agenda Item 2023 – 33 APPROVE PERSONNEL POLICY UPDATES

PART II - TOWN COUNCIL RULES, REGULATIONS AND POLICIES
Chapter 90 PERSONNEL POLICY

Chapter 90 PERSONNEL POLICY

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Sec. 90-10. Employees exempt from Fair Labor Standards Act.

The salaried employees having the following job titles are considered to be exempt from overtime and certain other provisions of the federal Fair Labor Standards Act because they meet the tests for either executive, administrative, or professional positions:

Town manager.
Assistant Town Manager
Human Resource Director
Parks and recreation director
Assistant parks and recreation director
Sewer superintendent
Finance director.
Assessor.
Public works director.
Code enforcement officer.
Fire chief.
Police chief.
Director of economic and community development.
Library director.
Town clerk.
Tax collector.
Treasurer.

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Sec. 90-14. Attendance at work.

- (a) Except in extraordinary circumstances, it is the employee's responsibility to notify their department head or immediate supervisor of the reason for any intended absence. Such notification shall be given as soon as practical but in no event less than one hour before the start of the regularly scheduled day. ~~Department heads who are absent shall contact the town manager's office no more than one half hour after the start of the regularly scheduled day.~~

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Sec. 90-15.3. Temporary office closures.

The town manager may approve the temporary closure of office(s) for brief periods of time, not to exceed one working day, for special functions or reasons (e.g., inclement weather) related to the availability of staffing. A notice shall be placed on the closed door(s) of those office(s), on the town's web page, and on the town's voice mail, indicating an apology to visitors, the time the office is expected to reopen, and, if possible, a referral to any other open office that may be covering for the closed office(s). ~~Employees who are able to perform their duties by remote means may be expected to do so during periods of office closures.~~ All regular employees who lack remote work capability shall be compensated for any temporary closures of town offices or facilities at the same rate of compensation as if they had worked. Such time shall not be used to compute overtime compensation. Employees absent from work due to leave will not receive additional compensation other than normal pay for the leave or absence.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

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Sec. 90-17. Holiday leave.

Permanent and probationary employees with a minimum of 30 calendar days of service shall receive paid holidays in accordance with the prescribed state employment association schedule, and any other holidays as granted by the town council (see section 90-37). If a legal holiday falls on a Saturday, the previous Friday shall be scheduled as a nonworking day in observance of the holiday. If a legal holiday falls on a Sunday, the following Monday shall be scheduled as a nonworking day in observance of the holiday. Non-union sewer, public works, and transfer station employees shall be granted a floating holiday for any holiday which falls on their normally scheduled day off and will be used within the same fiscal year it is offered, and will not be paid out as time earned if not used accordingly by the end of the fiscal year. The library department employees shall be closed on Tuesday in observance of any Monday holiday. Employees working and supervising special shifts of hours shall be subject to the same standards that apply to the employees which they supervise at the discretion of the town manager. Temporary employees shall not be entitled to paid holidays. Employees who are required to work on a holiday shall receive overtime pay at 1.5 times employee's current wage rate, or the employee may elect to receive comp time off for time worked pursuant to the compensatory policy, section 90-13. One personal day may be given at the discretion of the department head.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 7-15-2014, V. 2014-131; C.M. of 7-15-2014, V. 2014-132; C.M. of 8-19-2014, V. 2014-159; C.M. of 9-6-2016, V. 2016-211 ; C.M. of 11-14-2017, V. 2017-279)

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Sec. 90-21. Sick leave.

- (a) Sick leave for all full-time permanent employees is earned at eight hours per month. For employees as of July 1, 2003, sick leave may be accumulated to, but not exceeding, 960 hours of unused sick leave, Any employees hired after July 1, 2003 may accumulate up to 720 hours of unused sick leave, Employees who go an entire calendar year (calendar year from January 1 to December 31) using less than 2 sick days will be granted an additional day of vacation leave to be used at their discretion with approval of the town manager.

- (b) Sick leave may be granted by the town manager for salaried officials under the manager's supervision. Also, sick leave may be granted to an employee due to illness of a member of the employee's immediate family, at the discretion of the town manager. In order to be eligible for sick leave compensation, the employee shall complete the necessary form and return it to the department head for approval. After a decision by the department head, the form and department head's recommendation is forwarded to the town manager for a final decision, either approving or denying the request. The HR director may require a certificate from a qualified physician certifying that the condition of the employee justifies the absence from employment after three days absence.

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Sec. 90-22. Vacation leave.

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- (g) *Accrual limit.* Notwithstanding anything in these rules to the contrary, effective July 1, 2003, additional vacation leave shall not accrue on an employee's anniversary date if, at that date, the employee has unused vacation leave which is twice the amount of additional leave that would have accrued, on that date not including the additional amount due the employee on the anniversary date. The accrual of additional vacation shall be deferred until the employee's unused vacation balance accrual is below the above mentioned limit, said limit to include the deferred vacation time that would have been awarded on the anniversary date. The maximum amount of vacation leave that can be accrued by an employee will be capped at 2.5 times their annual leave allowance on a rolling basis. Rollover: Any unused vacation time will roll over to the next year, but will count towards the accrual cap.

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Sec. 90-22.5. Earned paid leave.

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The town reserves the right to grant or deny requests for planned use of EPL based on undue hardship to the town, such as a significant impact on the town's operations.

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Sec. 90-35. Retirees returning to employment with the town after retirement.

Employees who retire from the town and who are eligible to receive retirement benefits from the Maine Public Employees Retirement System (MainePERS) must terminate employment with the town as a condition of receiving retirement benefits from MainePERS, as provided in MainePERS rules and regulations. Employees who retire make a voluntary decision to terminate employment with the town, and the town does not guarantee or promise that employees who retire will be rehired by the town into either the same or a different position with the town. Any employee who retires and wants to be rehired to a former position, or to a different position, shall be subject to the selection and employment process as provided by town policy.

The town has the sole discretion to determine whether former employees will be rehired by the town in their former position or a position for which they are qualified to perform on a part-time or full-time basis. Any application to be rehired shall be in writing, and all requests must meet the eligibility conditions set forth by MainePERS. Any employee who is rehired by the town shall be subject to a rehire agreement for a fixed term.

Employees who retire shall be paid accumulated benefits as provided by town policy.

Except for retirement benefits outlined above, employees who retire and then are subsequently rehired by the town shall be considered new employees for the purposes of accruing and receiving benefits as provided by town policy. Any employee who retires from the town and receives a payout for unused sick leave at the time of retirement shall not be eligible for a payout of sick leave accrued during any post-retirement period of employment.

(C.M. of 1-20-2015, V. 2015-21)

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Sec. 90-37. Holiday schedule.

The following days shall be recognized as holidays:

- (1) New Year's Day, January 1.
- (2) Martin Luther King Day, third Monday in January.
- (3) Presidents Day, third Monday in February.
- (4) Patriots Day, third Monday in April.
- (5) Memorial Day, last Monday in May.
- (6) Juneteenth, June 19
- (7) Independence Day, July 4.
- (8) Labor Day, first Monday in September.
- (9) Indigenous Peoples Day, second Monday in October.
- (10) Veterans Day, November 11.
- (11) Thanksgiving Day, fourth Thursday in November.
- (12) Friday after Thanksgiving.
- (13) Christmas Day, December 25.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 5-19-2020, V. 2020-90)

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Sec. 90-45. Treatment plant uniform reimbursement.

The Town of Lisbon will reimburse each full-time **licensed operator** of the Lisbon Pollution Control Treatment Plant up to the amount of five hundred dollars (\$500.00) per calendar year for the purchase of uniforms. The Town will also reimburse up to two hundred fifty (\$250.00) dollars per employee per calendar year for the purchase of the following:

- Safety footwear containing a steel toe.
- Prescription safety eyewear including frames, permanently installed side shields and the appropriate lenses

(Note: The Town of Lisbon will not reimburse employees for the cost of the vision examinations).

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Sec. 90-46. Nepotism Policy.

In order to avoid potential conflicts of interest, it is the Town's policy to prohibit employment of close relatives in any supervisor/subordinate relationship. The Town also discourages the employment of close relatives within the same department, unless there are extraordinary circumstances that may warrant it. A close relative is defined in the case of nepotism as a spouse, registered domestic partner, child, parent, parent-in-law, brother, sister, brother-in-law, sister-in-law, grandchild, grandparent, stepchild, stepparent, stepbrother, or stepsister. Exemption: This policy does not apply to paid on-call firefighters.

If two (2) employees become relatives (whether by marriage or other legal action, including registered domestic partnerships or civil union), both are eligible to keep their jobs if they do not work in the same department, one does not supervise the other, or one is not the supervisor of the other's supervisor. In circumstances where such conflicts arise, efforts will be made to accommodate a transfer of one affected employee, subject to existing business considerations. Where such an accommodation cannot be reached, necessary steps will be taken, up to and including termination of one of the two affected individuals, if necessary, after offering the employees the opportunity for one of them to voluntarily discontinue his or her employment. The Town retains the right to make the final decision in such a case.

Sec. 90-47. Social Media Policy

Access or use of social media sites using town-owned equipment or the town's network is prohibited unless used for business reasons within the employee's job description or with advance supervisor approval of use and content. The Town shall monitor internet use for compliance with this policy.

Under state law, the town is prohibited from requiring employee to provide login information or allow access to their personal accounts on social media sites such as Facebook, Twitter and YouTube. State law also prohibits the Town from retaliating or discriminating against employees for refusing to provide their social media credentials or reporting alleged violations of this law. Notwithstanding these laws, employees are strictly prohibited from using social media sites to discuss confidential Town business or reference their status as a town employee or disparage town officials or actions when making comments.

The town may access any publicly available information on any social medium. Accordingly, the Town may also be provided with access to statements made and pictures shared on social media sites or on the internet in general by other employees and/or by members of the public voluntarily without the employee's consent or knowledge. Employees should therefore exercise caution and good judgment in posting any material to any social medium sites or on the internet. Employees are prohibited from representing themselves as agents of the town on any personal social media site and may be subject to discipline for information shared on or statements or pictures posted on social media sites or the internet.

The town may conduct investigations into social media use if it receives specific information about workplace misconduct or the unauthorized transfer of the town's proprietary or confidential information. Under no circumstances shall any employee post any comments or photographs pertaining to the town that are not known to the general public, that relate to any town employee or official, resident, resident information or any other confidential MUNICIPAL information on any social medium (i.e. Facebook, Twitter, Instagram, Snapchat, YouTube, etc.) Such violations of confidentiality will not be tolerated, and employees violating this policy will be subject to disciplinary action. Nothing in these policies is designed to interfere with, restrain, or prevent social media communications by employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment pursuant to the National Labor Relations Act. All Town employees have the right to engage in or refrain from such activities.

Sec. 90-48. Statements to the media

No press release or statement to the media relating to any town matters shall be issued by any employee or the head of any department unless and until permission to issue such release has been obtained from the town manager. The foregoing policy shall not apply to the Police Chief, Fire Chief or their designee, or the Town Clerk when notifying the press of election results, who are authorized to issue press releases. Program advertisements and event promotion are not included under this restriction.

When permission has been obtained from the town manager, the department head may issue the approved statement to the press or to a media representative. A copy of said statement shall be forwarded immediately to the office of the town manager.

All inquiries from newspapers or television reporters should be referred to the town manager, who will then refer the issue to the appropriate department head as he or she deems appropriate. The sole exception is the chief of police, Fire Chief or his/her designee, or Town Clerk when discussing election results, who may answer questions at their discretion.

Any employee who disregards the restrictions imposed on statements to the media shall be subject to disciplinary action.

Sec. 90-49. Dress code

The appearance of employees affects the way that members of the public view Town government. It is important for employees to project an air of professionalism both in their dress and in their manner. Members of the public expect the people who work for them to be neatly groomed and appropriately dressed for their work environment. The Office Attire Policy relies to a great extent upon the good judgment of employees. This policy provides general guidelines about work attire.

Neat appearance is required at all times. If a question arises about the appropriateness of particular items of clothing, these should be resolved by employees and their supervisors or Department Heads. Human Resources will provide guidance to employees and managers about the appropriateness of work attire. In the event that a Department Head finds clothing to be unacceptable, an employee will be sent home to change into appropriate attire.

The following types of clothing are not appropriate at any time:

Cutoffs or athletic shorts

Casual t-shirts with advertising or other messages on them

Undershirts or tank tops

Sweatshirts with advertising or other messages on them

Ripped, torn, or soiled clothing

Revealing clothing, including cropped tops and halter tops, or clothing that is too tight or too short

Strapless tops or dresses

Leotards or leggings, unless worn under longer tops, skirts, or dresses

Sweatpants or warm-up suits

Flip-flop sandals

Any article of clothing or accessory that, due to the employee's job duties, poses a risk of injury

Sec. 90-50. Employee Orientation

Starting a new job can be overwhelming and complex for anyone. The Town of Lisbon wants to ensure that new employees feel welcomed and are acclimated to their work tasks and environment in the most amenable and efficient way.

During each new employee's first week, the Human Resources Director, designated supervisor or Department Head will conduct a thorough orientation of the employee on such matters as the town's organization and functions; the employee's role in helping to achieve town and department objectives; the employee's job content and scope; training, performance and evaluation standards, promotional opportunities; workplace Safety; and any other matter of departmental importance. Departmental orientations are to be recorded on the prescribed orientation form, initialed by the person administering the orientation, and placed in the employee's personnel file as a permanent record.

Within the new employee's first week of employment, personnel staff will provide an additional orientation consisting of the completion of employment forms and records: an explanation of the town's compensation and benefit programs and personnel policies; and any other information as determined appropriate to the employee's orientation and integration into the Town's service.

After one month of employment, the Human Resources Director may follow up with the new employee to assess how the training and orientation is progressing. Any feedback from new employees on how to improve the process is welcomed at this follow up session.

Sec. 90-51. Personnel Records

The town maintains a personnel file on each employee. Generally, the contents of the file include the job application, reference letters, salary history, benefits records, discipline records, performance evaluations, and general correspondence. Official personnel files are maintained in the Human Resource Director's office. An employee may review his or her personnel file by appointment during regular business hours. Copies of personnel file materials may be obtained upon request. Employees shall have the ability to review and to respond in writing to any complaint, negative report, or disciplinary action. The employee's response shall be placed in the personnel file.

Sec. 90-51.5 Notice of Employee Change Status

Every appointment, transfer, promotion, demotion, change in compensation, resignation, suspension, vacancy, leave of absence, official reprimand, commendation, address change, name change, reclassification, and all other temporary or permanent changes in status of employment shall be reported to the Human Resources Director, in person with ID, on the proper form with original documents attached. The effective date and a record of the change will be maintained and kept by the Human Resources Manager.

Sec. 90-51.5 Notice of Employee Change Status

Change of Personal Information: Employees are responsible for keeping their personnel records up to date by notifying the Human Resources in person with ID Manager in writing of any personal information changes to the following information: name, address, telephone number, marital status (for benefits and tax withholding purposes only), addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only), beneficiary designations for any of the Town's insurance, disability, retirement, and deferred compensation plans, and persons to be notified in case of emergency. Failure to do so may delay or have an adverse effect on the timely receipt of correspondence being mailed, insurance coverage, and/or accurate assessment of premium rates for the Town. The town will not be responsible for an employee's error or omission in this regard.

Sec. 90-52. Department Management

Each separate and identifiable department of the Town may develop, implement, and revise as necessary such policies, procedures, and rules pertaining to unique operational requirements and their effect upon department employees as are needed for efficient and effective performance of the department. Such policies, procedures, and rules should not conflict with the policies and procedures represented in this policy manual, or amendments thereto, and must therefore be approved by the town manager prior to implementation. Where conflicts may arise, the policies and procedures contained in this handbook will prevail.

Sec. 90-52. Work Schedule and Flexible Work Policy

Flexible Scheduling- Employees performing work that does not require they be available at all times during Town Hall's hours may request an alternate schedule. This schedule must not vary from Town Hall's hours more than 1.5 hours. For example, on days where Town Hall opens at 8am all employees must arrive for their day between 6:30am and 9:30am. The schedule must be equal to 40 hours. Employees requesting an alternative work schedule should make this request in writing to the Director of Human Resources who will then meet with the Department Head to review the appropriateness of the request. The Director of HR will respond to the request with an approval or a denial in writing. Occasional and minor adjustments to this alternative schedule, for example to accommodate an appointment or when a work event alters hours, may be approved on an as needed basis by the Department Head. Approval of an alternate work schedule may be revoked at any time at the discretion of the department head or town manager.

Remote Work- Temporary remote work arrangements may be approved for circumstances such as inclement weather or if a child is home sick. These types of arrangements will be approved on an as-needed basis only, with no expectation of ongoing continuance. Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate. All informal remote work arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

The Town of Lisbon considers remote work to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Remote work may be appropriate for some employees and jobs but not for others. Remote work is not an entitlement, it is not a town-wide benefit, and it in no way changes the terms and conditions of employment with The Town of Lisbon. Any remote work arrangement may be discontinued at will and at any time at the request of either the employee or the supervisor.

Individuals requesting remote work arrangements must have a satisfactory performance record. Before entering into any remote work agreement, the employee, Department Head and Director of Human Resources will evaluate the suitability of such an arrangement, reviewing the following areas:

Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful remote work.

Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a remote work arrangement.

Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the remote work.

Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee. If the employee and Department Head agree, the Director of Human Resources will draft a remote work agreement to be signed by all parties. In the event that the Department Head and employee are not in agreement, the Director of Human Resources or Town Manager will make the final decision. On a case-by-case basis, The Town of Lisbon will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs for each remote work arrangement. The human resource and information system departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The Town of Lisbon accepts no responsibility for damage or repairs to employee-owned equipment. The Town of Lisbon reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only. The telecommuter must sign an inventory of all The Town of Lisbon property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property will be returned to the company, unless other arrangements have been made. The employee will establish an appropriate work environment within his or her home for work purposes. The Town of Lisbon will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, ergonomics, furniture or lighting, nor for repairs or modifications to the home office space.

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Remote work employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Remote work is not to be used as a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands.

Remote work employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the Town of Lisbon's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the employee's supervisor. Failure to comply with this requirement and any other abuse of the remote work arrangement may result in disciplinary action and the immediate termination of the remote work agreement.

Recommendation
Approve the Town Manager's updates to the Personnel Policy.

Agenda Item 2023 – 34
COUNCIL APPOINTMENT TO THE LISBON DEVELOPMENT COMMITTEE

Recommendation

To confirm the appointment of Councilor Mark Lunt as Council Liaison to the Lisbon Development Committee.



TOWN OF LISBON

300 Lisbon Street, Lisbon, ME 04250

23-1800

Lisa M. Ward
Town Clerk

Lisa B. Smith
Deputy Clerk

PUBLIC HEARING

Notice is hereby given that the Lisbon Town Council intends to hold a Public Hearing on Tuesday, February 21, 2023 at 7:00 PM in the Town Office Public Meeting Room to hear comments on the following:

Amendments to Division 5, Sign Ordinance

The public is invited to attend.

Lisa M. Ward, 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 Post Office, the Lisbon Falls Post Office, and the Town Office Building, all being conspicuous and public places within the Town of Lisbon.

2-9-23

Date



Constable, Town of Lisbon

Agenda Date: 02/21/2023

Date	Brenda Martin	Municipal Accts Payable
2/8/2023	2022023	\$ 18,096.78
2/8/2023	2072023	\$ 1,004,131.44
2/10/2023	2092023	\$ 7,645.98
2/16/2023	2162023	\$ 7,082.19
		\$ 1,036,956.39

Date	Rebecca Hayslip	Municipal Payroll Warrants
2/7/2023	230209	\$ 181,759.75
2/7/2023	2302W1	\$ 18,693.62
		\$ 200,453.37

Date	Louise Levesque	School Accts Payable
2/7/2023	V2317	\$ 90,060.91

Date	Eva Huston	School Payroll Warrants
2/8/2023	1102	\$ 101,639.10
2/8/2023	1103	\$ 774.39
2/8/2023	1104	\$ 144.68
2/8/2023	1105	\$ 257,527.97
2/8/2023	1106	\$ 18,445.93
2/8/2023	1107	\$ 248.14
2/15/2023	1108	\$ 363,826.79
2/15/2023	1109	\$ 13,147.96
2/15/2023	47	\$ 646.45
		\$ 756,401.41



**TOWN COUNCIL
MEETING MINUTES
FEBRUARY 7, 2023
LISBON TOWN OFFICE
6:00 P.M. EXECUTIVE SESSION
7:00 P.M. MEETING**

Harry Moore, Jr., *Chair* 2024
Raymond Robishaw, *Vice Chair* 2024
Mark Lunt 2025
Donald Fellows 2025
Jo-Jean Keller 2025
Christine Cain 2024
Fern Larochelle 2023

CALL TO ORDER. The Chair, Harry Moore, called the meeting to order and led the Pledge of Allegiance to the Flag at 6:00 PM.

ROLL CALL. Members present were Councilors Cain, Fellows (remote attendance), Keller, Larochelle, Lunt, Moore, and Robishaw. Also present were Glenn Michalowski, Town Manager; Kristen Collins, Legal Counsel; Kayla Tierney, Finance Director; Ross Cunningham, Economic & Community Development Director; and approximately 6 citizens in the audience.

EXECUTIVE SESSION

VOTE (2023-19) Councilor Larochelle, seconded by Councilor Cain, moved to go into Executive Session per 1 MRSA Section 405 (6) (a) Personnel Matters and MRSA Section 405 (6) (e) Consultations with Legal Counsel at 6:02 PM.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

VOTE (2023-19A) Councilor Larochelle, seconded by Councilor Robishaw, moved to come out of Executive Session and resume the meeting at 7:07 PM.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

**GOOD NEWS & RECOGNITION
MIKE'S FLOORING PROCLAMATION**

Mike's Flooring

Proclamation

WHEREAS Mike's Flooring has been a family owned and operated business in the Lisbon community for 50 years; and

WHEREAS Mike and Anita Kenopinsky established Mike's Flooring in 1973; and have been located in Lisbon at three different locations over the years; and

WHEREAS the Kenopinskys have served the Lisbon community and contributed to the business atmosphere by offering quality products and excellent customer service; and

WHEREAS the Kenopinskys continued to serve generations of the Lisbon community as they watched the town grow, and were able to be a contributor to the strength and growth of the Town; and

NOW, THEREFORE We, the Town Council of the Town of Lisbon, Congratulate and Thank Mike and Anita Kenopinsky for keeping Mike's Flooring operational for 50 years.

Additional Good News items added out of order after the Town Manager's Report.

Councilor Moore said Ross Cunningham, Economic & Community Development Director, was featured in the Maine Town & City publication's January issue for the recent Community Resilience Partnership Grant Lisbon recently received.

Councilor Moore said the Fire Department did an outstanding job under the extreme weather conditions over the weekend at the fire on Union Street. Mr. Cunningham added that the businesses stepped up with donations and there will be a spaghetti supper on Saturday at the MTM to help raise money for the displaced families. Councilor Cain said the community really came together and it made her proud to be a Lisbon resident.

Councilor Moore congratulated the High School Cheerleaders, they have won the MVC and Regionals so far.

PUBLIC HEARINGS—*NONE*

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS—*NONE*

AUTHORIZATION FOR WATER DEPARTMENT BOND

Item taken out of order.

VOTE (2023-22) Councilor Fellows, seconded by Councilor Robishaw, moved to Authorize the Finance Director to make an application with the Maine Municipal Bond Bank on behalf of the Water Department for a \$1.5 million infrastructure bond as part of the Clean Water State Revolving Loan Fund Program, with the understanding that issuance of the bond will not be authorized unless and until the Council approves a bond authorization order approving the terms and issuance of the bonds. The Town's Bond Counsel will be involved.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

CONSENT AGENDA

VOTE (2023-21) Councilor Larochelle, seconded by Councilor Robishaw, moved to accept the Consent Agenda as presented.

To approve the

- A. Municipal Accounts Payable Warrants - \$ 299,719.41
- B. Municipal Payroll Warrants - \$ 263,025.03
- C. School Accounts Payable Warrants - \$ 120,385.07
- D. School Payroll Warrants – \$ 808,269.73
- E. Minutes of January 3rd and January 17th
- F. Approve Road Name Request of Fenway Drive, second choice Boston Avenue, off Mill Street

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

AMENDMENTS TO DIVISION 5 SIGN ORDINANCE—*First Reading*

INTRODUCTION:

Sec. 70-715. Definitions and sign types.

...

Banner means a **type of temporary** sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National, state or municipal flags, or the official flag of any governmental agency shall not be considered banners.

...

Sec. 70-716. Signs not requiring a permit.

The following types of signs do not require a sign permit, and do not count towards the maximum sign area allowed for a property. Notwithstanding the exemption from permitting requirements, such signs shall be subject to the provisions of Section 70-718 General Standards, except where expressly noted, and, if such sign constitutes a temporary sign, the provisions of Section 70-720 Temporary Signs.

- (1) Signs smaller than two (2) square feet.

...

- (7) Informational signs less than two (2) square feet in size. Any property with more than four (4) such signs with additional permitted Signs shall be required to submit a signage plan **to the code enforcement officer** for approval.
- (8) Official business directional signs permitted by the Maine Department of Transportation.

(C.M. of 12-2-2014, V. 2014-257)

...

Sec. 70-718. General standards.

- (1) Signs located adjacent a state numbered roadway shall comply with all applicable state sign regulations under the Maine Department of Transportation and Maine state law (23 MRS Chapter 21) in addition to the requirements of this division. If there is any apparent conflict found between the state and local regulations, the more restrictive shall apply.

...

- (4) Size, dimensions, number of Signs.
 - (a) No Sign or any part of its structure shall exceed 20 feet in height, as measured from the normal grade, and not a landscape mound or berm, at its base.
 - (b) Except as otherwise indicated, no more than two (2) Signs requiring a sign permit shall be located on any property. This shall not include temporary or informational signs, or official business directional signs regulated by Title 23 M.R.S.A. Ch. 21.
- ...
- (d) **Entry Façade for buildings with a main entrance not fronting on a public street. Such Entry Facades are allowed the permitted number of Signs and maximum sign area for an additional façade, but may not place or locate more than the permitted number of signs or Maximum sign area along any one façade.**
 - (e) Signs requiring a sign permit which are to be located within a single property are subject to the Maximum sign area of the zoning district in which the property is located. Except as otherwise indicated, Signs not requiring a sign permit are subject only to size and dimensional standards (a) and (b) above. Upon application, the code enforcement officer may permit the following increases to the maximum sign area: For properties abutting Route 196, an increase of up to 50% of the Maximum sign area; for properties abutting the westerly side of Main Street in Lisbon Falls, between Union Street and Route 196, an additional **40** square feet of Maximum sign area for signs located on the rear of a building and visible from Route 196. The Maximum sign area may not be increased as provided herein except upon a written determination by the code enforcement officer or planning board (where planning board review is required) that doing so would not otherwise conflict with or frustrate the purposes of this division.
 - (f) The Maximum sign area shall only apply to the physical dimensions of a freestanding sign, such that if the Sign is two-sided the dimensions will not be counted twice.
 - (g) Where a property is included within two different zoning districts, the more restrictive standard shall apply.

- (h) The table below indicates the Maximum total sign area and number of signs **per building within** each zoning district. Signs not requiring a permit under this division shall be subject to the Maximum total sign area but not to the maximum number of signs.

Zoning District	Maximum Total Sign Area (sq. ft.)	Maximum Number of Signs
Resource Protection	24	2
Limited Residential	24	2
General Residential	24	2
Rural Open Space I	24	2
Rural Open Space II	24	2
Limited Rural Residential	24	2
Village	40	2
Commercial	40	2
Industrial	40	2
Diversified Development	40	2

(5) *Location and placement.*

...

- (a) No Sign may be erected in such a manner as to obstruct clear and free vision, or another sign, nor, by reason of its position, shape, color, or illumination interfere with, obstruct the view of, or be confused with any authorized Public safety or traffic sign, signal or device or otherwise constitute a hazard to pedestrian or vehicular traffic.

...

- (e) **Fuel station canopy signs.** Fuel station canopies are limited to displaying the fuel company or product and shall not count towards the property's allowed sign area or number of signs. Other freestanding canopies that include the business or use name or any kind of related product or service, shall be counted towards the property's allowed sign area and number of signs.
- (f) **Fuel station pricing signs.** Uses selling fuel may display one (1) on-premises sign, with numerals not to exceed one (1) foot in height, advertising the price of said fuel. A fuel station pricing sign shall not count towards the property's allowed sign area or number of signs.

...

Sec. 70-719. Additional standards.

- (1) *Signage for multi-tenant buildings or multi-building properties.*

...

- (6) **Building mounted signs.** Building mounted signs should be considered part of the building design and should be scaled and designed appropriate to the building on which they are placed. Building mounted signs should not obscure architectural details on the building. All Building mounted signs are counted towards the property's allowed maximum

signage area (square feet) and the number of permitted signs allowed, and must meet applicable dimensional standards. This shall include lettering and advertising graphics placed directly on the building facade.

- (1) The height of a Building mounted sign, as measured from the highest part of the sign, may not be taller than the highest point of the building.

...

- (5) Building mounted signs on large-scale historic buildings. The following properties identified as large-scale historic buildings may follow alternate dimensional standards in place of those in Section 70-718: Worumbo Mill Complex (U05-013-001 and U05-012); Farwell Mill Complex (U16-056-001 and U16-056-002); 1 Upland Road (U17-024); Old Lisbon High School (U04-026); Ancient York Lodge (U05-017). Large-scale historic buildings are allowed one (1) building mounted sign per façade, each with a maximum length of 75% of the façade width, and a maximum height of 3 feet. Such signs cannot be illuminated and shall not extend above the roofline or parapet wall. Signs on large-scale historic buildings shall be integrated into the architectural design and historic character of the building and shall not obscure any architectural details on the building.

...

Sec. 70-720. Temporary signs.

...

- (3) *Duration of sign use or posting; sign removal.*

- (a) A Temporary sign may not be used in any location for more than ninety (90) consecutive days in any 12-month period, except as otherwise provided in this section.

...

- (c) A Temporary sign addressing an event occurring on a specific date or dates shall be removed within fifteen (15) days of the relevant date or dates.

...

- (f) Temporary signs in the public right-of-way that do not require a permit, per Sec. 70-716 (3), may remain in place for a maximum duration in accordance with 23 M.R.S.A. § 1913-A.--

...

VOTE (2023-23) Councilor Larochelle, seconded by Councilor Cain, moved to approve the Amendments to Division 5, Sign Ordinance, as presented and to set a Public Hearing for February 21, 2023.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

AUTHORIZE THE TOWN MANAGER TO SIGN A MEMORANDUM OF AGREEMENT WITH THE POLICE SERGEANTS UNION

INTRODUCTION: The Town of Lisbon (“Town”) and the Fraternal Order of Police on behalf of the Police Sergeants Unit (“Union”) agree that the 2022-2025 Collective Bargaining Agreement between the parties will be updated to the following modifications, effective from July 1st, 2022:

ARTICLE 12: BEREAVEMENT LEAVE

§12.1 An employee shall be excused from work with pay for up to five (5) days because of the death of a spouse, child, step-child, mother, father, sister or brother, step parents. In the discretion of the Town Manager and the Chief of Police, additional paid bereavement leave may be provided in the event of the death of one of these relatives.

§12.2 An employee shall be excused from work with pay for up to three (3) days because of death of the following family members: grandparents, mother-in-law and father-in-law.

§12.3 In addition to the foregoing, employees shall be granted one (1) day from work with pay for the death of an aunt, uncle, niece, nephew, grandchild, stepparents, brother-in-law, sister-in-law, and spouse's aunt or uncle.

VOTE (2023-24) Councilor Larochelle, seconded by Councilor Robishaw, moved to authorize the Town manager to sign a Memorandum of Agreement with the Police Sergeants Union.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

AUTHORIZATION TO INITIATE A LAND USE COMPLAINT

VOTE (2023-25) Councilor Larochelle, seconded by Councilor Keller, moved to Authorize the Code Enforcement Officer and Town Attorney to initiate a land use complaint pursuant to Rule 80K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 against Daniel Nezol, 142 Ridge Rd , Lisbon Falls, ME 04252 Lisbon Tax Map/Lot: R05-003.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT THE FEMA BRIC GRANT

INTRODUCTION: The town manager requests authorization to apply for a Federal Emergency Management Agency (FEMA) Building Resilient Infrastructure and Communities (BRIC) grant. The BRIC grant provides funding to communities for hazard mitigation projects that increase resilience to natural disasters.

The grant requires a 75/25 match, with the town providing 25% of the funding for the project and FEMA providing the remaining 75%. With potential for up to a 90% match through DR4647 program.

The funds have already been appropriated through the current capital improvement budget. If awarded this grant would help offset the costs of the planned generator replacement for the Lisbon Sewer Department. The town worked with EMA staff at the state to get the grant application in by the January 1, 2023 deadline. The town manager is requesting authorization to continue with the process and accept the grant if awarded.

VOTE (2023-26) Councilor Larochelle, seconded by Councilor Robishaw, moved to authorize the Town Manager to apply for a Federal Emergency Management Agency (FEMA) Building Resilient Infrastructure and Communities (BRIC) Grant for 2023.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

OTHER BUSINESS COUNCIL COMMITTEE REPORTS

1. School: Councilor Lunt said he attended the School Budget meeting, he said it looks like the School will be under budget.
2. Planning Board: Councilor Fellows said the board was meeting tonight and again on Thursday regarding the cases for Jason Smith.
3. Lisbon Development Committee: Councilor Lunt said he had not attended a meeting yet. Ross Cunningham said there will be a meeting tomorrow night, they will discuss the Worumbo parking lot and crosswalk. He added that they will look at next steps in dealing with abandoned property.
4. Conservation Commission: Councilor Moore reviewed the last meeting, including increasing involvement with other town groups, a dog park option, fencing at Miller Park, a Forestry Plan at Beaver Park, research into a disc Golf option at Beaver Park and the possibility of building a new barn at Beaver Park. He also said they are looking at creating a digital map for Beaver Park, adding more wayfinding signs, and improving the MTM fitness room.
5. Recreation Committee: Councilor Larochelle said there was a meeting last night, the Committee is being re-evaluated to be in line with our Council form of government.
6. County Budget Committee: Councilor Moore said there was nothing to report, they have not met yet.
7. Library Governing Board: Councilor Keller said the Children's room was closed due to water leakage but the Library worked around it to serve young patrons. She said the Library had to close briefly due to the fire on Union Street, but re-opened. She

added that they received good shipment of puzzles and announced the Summer Reading Program theme is “All Together Now” and the Lisbon Library plans to work with other towns named Lisbon across the country.

8. Water Commission: Councilor Fellows said the Water Commission will meet Wednesday at 5PM at the Town Hall, followed by a 6PM Hearing for rate changes.

9. Finance Committee: Councilor Robishaw said they haven’t met but there is a meeting coming up.

TOWN MANAGER’S REPORT

Item taken out of order.

Mr. Michalowski offered his report to the Council:

1. When Lisbon went out to bid for Village Street resurfacing in 2022. The bids were too high, so Lisbon will re-bid the work. He added that Olver Associates is putting together the RFP.

2. The Public Works loader is down and the repair cost will be more than the value of the loader. He said the Public Works Director will lease one through the end of the winter, and we’ll replace it in the new budget year. He explained that when it is auctioned, that money will cover the lease cost, and then we will hope to get a discount on the leased item.

3. Over the weekend the sprinkler alarm in the town hall went off due to the freezing conditions. He said the sprinkler company came back on Monday due to a leak and, though it will be a major repair, it is fixed for now.

COUNCIL GOALS FOR 2023

The Clerk handed out the list of goals the Councilors had sent to the Chair. She offered to meet with the Chairman to consolidate the list and make it more cohesive for Council discussion and review at the next meeting.

APPOINTMENTS

VOTE (2023-27) Councilor Larochelle, seconded by Councilor Robishaw, moved to appoint Assistant Town Manager Melanie Alexander as Tax Collector.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

VOTE (2023-28) Councilor Larochelle, seconded by Councilor Keller, moved to appoint Richard Nadeau to the Conservation Commission.

Mr. Nadeau cited his goals for the Commission would be to see Summer Street Park renamed, perhaps to “Little River Park.” He said he would like to see Summer Street Park cleaned up, and to get rid of the old map which has old path names on it.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

COUNCILOR COMMUNICATIONS

Councilor Fellows said he connected with about 50 Lisbon people in Hawaii on their trip. He said they were in great spirits and having a good time.

Councilor Larochelle asked how the warming center worked out. Mr. Michalowski said there were heating issues at the Police Department but that the warming center in the training room worked fine and was utilized by the Fire Department for the displaced families from the Union Street fire.

AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS—*NONE*

ADJOURNMENT

VOTE (2023-29) Councilor Keller, seconded by Councilor Lunt, moved to adjourn at 7:45 PM.

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.

Order passed - Vote 7-0.

Lisa M. Ward, Council Secretary

Town Clerk

Date Approved: February 21, 2023

LISBON - SPECIAL ENTERTAINMENT APPLICATION

License Type: ☐ \$100 Application Fee
☐ \$ 80 Advertisement Fee For First Time Liquor License Applicants Only

*****NOTE: Must Attach State Liquor License Application**

Name of Business: Flux Restaurant Business Phone: (207) 407-4109

Location of Business: 12 Main Street

Business Mailing Address: Po Box 207, LISBON FALLS, ME, 04252

Owner: Tyson J. Jason LaVerdiere

Home Phone: (207) 861-1306 Cell Phone: (207) 861-1306

Email Address: tyson129@gmail.com

Owner's Home Address: 624 Bowdoinham Road, Sebattus, ME, 04280

Residence(s) for last five years: above mentioned and 12 Main Street apartment #1, Lisbon Falls, Me, 04252

List Applicant / Partners / Corporate Officers:

Name: Tyson LaVerdiere Name: Jason LaVerdiere Name: _____

Address: 624 Bowdoinham Rd Address: 14 Oak Street Address: _____

Town/State: Sebattus, Me Town/State: Lisbon Falls, Me 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 so, describe specific circumstances _____

Does the establishment have a valid liquor license? Yes If so, when does it expire? 3/11/23

I, Tyson LaVerdiere (name), owner (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: 2/15/23



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): <u>Olive Pit Brewing Co., LLC</u>	Business Name (D/B/A): <u>SAME</u>
Individual or Sole Proprietor Applicant Name(s):	Physical Location: <u>16 Main St Lisbon Falls, ME</u>
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: <u>04252</u>
Mailing address, if different from DBA address:	Email Address: <u>ccain@olivepitbrewing.com</u>
Telephone # Fax #: <u>585-298-0222</u>	Business Telephone # Fax #: <u>207-407-4044</u>
Federal Tax Identification Number: [REDACTED]	Maine Seller Certificate # or Sales Tax #: <u>1216870</u>
Retail Beverage Alcohol Dealers Permit:	Website address: <u>www.olivepitbrewing.com</u>

1. New license or renewal of existing license? ☒ New Expected Start date: ASAP
☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☐ Spirits



Coombs–Mountfort American Legion Post 158

Mail: P.O. Box 575

Location: 10 Webster Road

Lisbon, Maine 04250-0575

207-353-8192

January 12, 2023

Town Manager
300 Lisbon Street
Lisbon, ME 04250

Mr. Michalowski,


On Monday, May 29, 2023, the Town of Lisbon will be celebrating Memorial Day with a parade coordinated by the American Legion Coombs-Mountfort American Legion Post 158 and Nelson-Conley Post 66. The legions sincerely wish to continue coordinating this event and calling it the Lisbon Memorial Day Parade. The legions request that the banner that will read "Lisbon Memorial Day Parade" be displayed a minimum of two weeks in advance to announce to the town the upcoming event and that the banner fee be waived for this event.

This year's parade will originate at Lisbon High School on Rte. 196, with a form up time between 8 and 8:30 a.m. The parade will start at 9 a.m. travel down Rte. 196, turn left onto Main Street, turn left onto School Street, turn right onto Addison St. and terminate at the MTM Community Center. There will be an observance and a guest speaker at the podium behind the MTM Community Center to conclude the ceremony and parade. There will also be a Tommy Field Memorial & Lost at Sea Ceremony at noon at St. Anne's Cemetery to honor our local hero Tommy Field and those service members lost at sea.

The members of American Legion Post 66 and 158 would like to extend to you and other town officials the opportunity to participate in this year's parade and ceremonies. The services the town provides make it possible for us to work together as a community. Please insure all the selectmen are extended the invitation to participate.

Points of Contact are James Veilleux at 330-1093 or Heidi Baird at 407-4171. Thank you in advance for your assistance.

Sincerely,


James A. Veilleux
Adjutant



Town of Lisbon, Maine

Office of the Town Clerk

Banner Permit Application

(Print or Type Written)

Organization Name: Town of Lisbon

***I certify this organization qualifies as non-profit, in accordance with Maine Statutes.**

Contact person: Heidi Baird Title: Committee Co-Chair

Phone #: 253-651-4530 Email: jakes6875@aol.com

Mailing address: 2 Admor Lane Lisbon Falls ME 04252
PO Box or Street City State Zip

Physical address: Same as above
Street City State

Purpose or Event: Memorial Day Parade / Ceremonies

(What event or activity is the banner advertising?)

Dates requested: 15-30 May 2023 Fee: \$100.00

Maximum two week period (14 consecutive days total) per request unless prior approval by the Town Manager per policy

Banner Configuration:

☒ Double Sided

☐ Height Dimensions (height & width) _____ height, _____ width

☐ Minimum dimensions are 3 1/2 feet wide by 16 feet long. Maximum dimensions are 4 feet wide by 30 feet long.

☐ Holes in Banner must have brass grommets and a maximum spacing of 24 inches.

☐ Holes must have heavy-duty stainless steel clips for hanging.

☐ Banner must have 2 rows of wind vents maximum spacing 4 feet apart with 5 inch semi-circles

By signing this application, I acknowledge that I have read, understand and agree to the terms in the Town of Lisbon's Banner Permit Policy, adopted by Council June 30, 2015.

Dated: 16 FEB 2023

Signed: Heidi Baird

Signed application, must be accompanied by proof of insurances and appropriate fee to be considered.

For Office Use Only

Fee
Proof of Insurance
Copy to Public Works

Extension required to hang banner over 14 days from Town Manager

Date: _____
Town Manager Approval to hand over 14 days

300 Lisbon Street • Lisbon, ME 04250
(207) 353-3000 Voice • (207) 353-3007 Fax
www.lisbonme.org

Adopted: 6/30/15

PART I - CODE OF ORDINANCES (requires altering in writing, 2 Council Readings, 1 Public Hearing to adopt)

Chapter 70 - ZONING ORDINANCE

ARTICLE VI. - SUPPLEMENTARY DISTRICT REGULATIONS

DIVISION 5. SIGNS

DIVISION 5. SIGNS¹**Sec. 70-711. Purpose.**

The purpose of this division is to allow for signage as necessary to serve the needs of individuals, businesses and other entities within the town; to maintain and enhance the aesthetic appearance of the town and the town's ability to attract economic development; to improve and maintain pedestrian, bicycle and vehicular safety; and to protect the public health, welfare and safety by minimizing the possible adverse effects of signs on public and private property.

(Code 1983, § 15-610(2); T.M. of 5-20-1996, art. 62, § 15-610; T.M. of 5-15-1999, art. 56; C.M. of 12-2-2014, V. 2014-257)

Sec. 70-712. Applicability.

- (1) This division shall apply to all exterior signs and signage placed on buildings and structures as seen from the exterior.
- (2) Except for nonconforming signs as described within Section 70-717 Nonconforming Signs or signs otherwise exempt under this division, no sign shall be erected, enlarged, illuminated or substantially altered without a sign permit issued by the code enforcement officer.
- (3) These standards do not supersede any state or federal requirements. Where any apparent conflicts between this division and any state or federal standards occur, the more restrictive standard shall apply.
- (4) Where conflicts arise between this division and other provisions of the Town of Lisbon Code of Ordinances, the more restrictive of the provisions shall apply.

(C.O. of 5-27-2008, § 2008-81; C.O. of 8-19-2008, § 2008-133; C.M. of 4-19-11, V. 2011-52; C.M. of 12-2-2014, V. 2014-257)

Sec. 70-713. Permitting and fees.

- (1) For all signs requiring a permit under this division, a sign permit issued by the code enforcement officer is required prior to the erection, replacement, relocation or construction of any sign, its structure or appurtenances to the structure. For signs located within the Resource Protection District, a conditional use permit issued by the planning board shall be required prior to the erection, replacement, relocation or construction of any sign, its structure or appurtenances to the structure.
- (2) All requests for a sign permit under the provisions of this division must be submitted to the code enforcement officer or, if applicable, the planning board on an application form supplied by the town.
- (3) Applications for a sign permit must be accompanied by the required fee, as specified in Appendix C—Fee Schedule of the Town of Lisbon Code of Ordinances. No application fee shall be required for a sign permit

¹Cross reference(s)—Streets, sidewalks and other public places, ch. 46.

application related to a property that has, within the past twelve months, received site plan approval from the planning board.

- (5) All sign plans or signs not requiring a permit must comply with all other applicable standards and requirements of this division and any state or federal laws or regulations.

(C.O. of 5-27-2008, § 2008-82; C.O. of 8-19-2008, § 2008-133; C.M. of 4-19-2011, V. 2011-52; C.M. of 12-2-2014, V. 2014-257)

Sec. 70-714. Enforcement, penalty, appeals.

- (1) Except as otherwise indicated, this division shall be enforced by the code enforcement officer.
- (2) When any violation of any provision of this division is found to exist, the code enforcement officer may issue a written order of correction and, if the violation persists, institute any actions or proceedings that may be appropriate or necessary to enforce the provisions of this division.
- (3) A violation of this division is punishable by a civil penalty of up to \$100 per day for each day the violation exists.
- (4) Appeals shall be addressed to the Zoning Board of Appeals in accordance with Sec. 70-120.

(C.M. of 12-2-2014, V. 2014-257)

Sec. 70-715. Definitions and sign types.

Animated sign means any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Building-mounted signs means any sign which is mounted directly onto or incorporated onto an architectural feature of or the exterior of a building, including wall-mounted, Hanging signs, Canopy signs, or wall graphics.

Changeable sign means an on-premises sign created, designed, manufactured or modified in such a way that its message may be electronically, digitally or mechanically altered by the complete substitution or replacement of a display by another on one or more sides. Changeable signs may include Animated signs, Digital or electronic signs, and Readerboard signs.

Banner means a **type of temporary** sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National, state or municipal flags, or the official flag of any governmental agency shall not be considered banners.

Canopy sign means a sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. This shall include gas station canopies.

Digital or electronic sign means any sign that in whole or in part uses electronic or digital means to display words, symbols, figures or images, including signs that can be electronically or mechanically changed by remote or automatic means. See also Animated Sign, Readerboard, and Changeable Sign.

Free standing sign means a fixed sign supported by one or more uprights or braces, permanently affixed to the ground, and not attached or affixed in any way to a building.

Hanging sign means a sign affixed to a building or wall and projecting outward from the building in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall, or a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Informational sign means a private sign which provides a street number or address, instruction or direction (including way-finding) and is located entirely on the property to which it pertains, including restroom, handicap

access, public telephone, pedestrian-oriented signs, parking signs, or vehicular circulation or entrance/exit signs. Information signs may not include the name of a business or a business logo.

Internally illuminated sign means a sign in which light shines through a transparent or semi-transparent sign face to illuminate the sign's message. Exposed neon is considered to be a form of internal illumination.

Maximum sign area means the total square footage of all signs requiring a permit that are erected or placed on a property in accordance with this division. Maximum sign area includes that portion of the sign used to convey information or advertisement and does not include any portions of a sign that are solely structural, such as braces, mounts, or poles, used to affix the sign to a building or to the ground.

Nonconforming sign means any legally erected sign existing as of the adoption of this division on December 2, 2014 or a relevant regulation newly adopted thereafter, that does not comply with the provisions of this division, including location, structure, size, dimension, setback, type, or any other provision of this division

Off-premises sign means a sign that is not located in or on the same property as the thing, person, business, activity or place which it advertises or calls attention to. Off-premises signs include signs posted or displayed in the public right-of-way.

Permanent sign means a non-portable sign that is designed and intended to be permanently mounted or affixed to the ground, a building, or a structure, and is intended for continuous and/or long-term use. Under this division, all signs are considered permanent unless specified as temporary.

Portable sign means a sign that is not designed or intended to be permanently affixed in the ground or to a building or other structure, but is used on a regular basis (versus only a temporary or limited timeframe). This shall include sandwich boards, which consist of two one-sided surfaces hinged at the top.

Public safety sign means any permanent sign used to maintain public safety, health, and well-being erected or required to be erected by the Town of Lisbon, or any state or federal agency or authority.

Public traffic and roadway sign means any sign within the public right-of-way under the jurisdiction of the Maine Department of Transportation or the Town of Lisbon, including official road and traffic signs, official permitted business directional signs, and temporary road safety or construction signs. Public traffic and roadway signs are not regulated under this division.

Readerboard sign means a sign or portion thereof with characters, letters or illustrations that can be manually changed or rearranged without altering the face or the surface of the sign. A Readerboard sign that may be changed or rearranged electronically or mechanically by remote or automatic means may be considered a digital or electronic sign or changeable sign.

Sign means any object, display, structure, logo, device or representation or part thereof which is designed or used to advertise or call attention to any thing, person, business, activity or place. The following shall not be considered signs under this division: National, state or municipal flags or the official flag of any governmental agency; banners, balloons or other decorations not expressly intended to advertise a business or business-related event or activity; any street signs, home numbers or other signage required to be posted pursuant to Part 1, Ch. 46, Streets, Sidewalks and Other Public Places of the Town of Lisbon Code of Ordinances not exceeding two (2) square feet in area; and plaques, memorials, tablets or other commemorative objects or structures erected by a charitable or non-profit organization or governmental authority not exceeding four (4) square feet in area.

Temporary sign means a sign that is not designed or intended to be permanently mounted or affixed to the ground, a building, or a structure, and which is displayed only for a temporary or limited timeframe.

Town signs means signs used and maintained by the Town of Lisbon, including but not limited to welcome/gateway signs, town business park signage, public school signs, town office or other town department or committee signs, and temporary notice or advertising for Town events and activities.

Window sign means any sign, text, graphics, symbol, or combination thereof that is placed inside a window, or upon the window panes or glass, and is visible from the exterior of the window.

(C.M. of 12-2-2014, V. 2014-257)

Sec. 70-716. Signs not requiring a permit.

The following types of signs do not require a sign permit, and do not count towards the maximum sign area allowed for a property. Notwithstanding the exemption from permitting requirements, such signs shall be subject to the provisions of Section 70-718 General Standards, except where expressly noted, and, if such sign constitutes a temporary sign, the provisions of Section 70-720 Temporary Signs.

- (1) Signs smaller than two (2) square feet.
- (2) Temporary signs smaller than twelve (12) square feet.
- (3) Signs within the public right-of-way as permitted under 23 M.R.S.A. § 1913-A, except temporary signs exceeding twelve (12) square feet.
- (4) Trespass, hunting, posted property signs. Any signage permitted or required by state or local law to post public notice of no trespassing, no hunting, or otherwise posting a private property.
- (5) Public safety signs.
- (6) Public traffic and roadway signs.
- (7) Informational signs less than two (2) square feet in size. Any property with more than four (4) such signs with additional permitted Signs shall be required to submit a signage plan to the code enforcement officer for approval.
- (8) Official business directional signs permitted by the Maine Department of Transportation.

(C.M. of 12-2-2014, V. 2014-257)

Sec. 70-717. Nonconforming signs.

The eventual elimination of Nonconforming signs is an objective of the town. The elimination of Nonconforming signs shall be brought about over a period of time and in such a manner as to avoid undue impact on the vested rights of the sign's owner.

- (1) Nonconforming signs may be maintained, given new lettering, colors or logos, or otherwise altered, so long as none of the events in subsection 4(a) of this section occurs.
- (2) No Nonconforming sign may be altered in such a manner as to increase its nonconformity or in a way that would cause a new violation of this division.
- (3) No illumination may be added to any nonconforming sign except in compliance with the provisions of this division.
- (4) Nonconforming signs may be retained and maintained in their nonconforming state until:
 - (a) The business or home occupation that erected or placed the Nonconforming sign closes or ceases operation and no new business or home occupation begins operating at the same location within twelve (12) months;

-
- (b) The structure or property on which the sign is located is the subject of a review by the planning board for a change of use;
 - (c) Material changes are made to the braces, poles or any portion of the system used to affix the sign to the ground or wall or structure;
 - (d) The condition of the Nonconforming sign deteriorates to the point where it is considered a safety hazard or the sign fails to meet the requirements for maintenance under Section 70-718(8) Maintenance of Signs.

(C.M. of 12-2-2014, V. 2014-257)

Sec. 70-718. General standards.

- (1) Signs located adjacent a state numbered roadway shall comply with all applicable state sign regulations under the Maine Department of Transportation and Maine state law (23 MRS Chapter 21) in addition to the requirements of this division. If there is any apparent conflict found between the state and local regulations, the more restrictive shall apply.
- (2) Except for Temporary and Portable signs, all Signs shall be constructed of permanent materials, such as wood, plastic, metal or stone, and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame or structure. Signs may not be permanently attached to trees or utility poles.
- (3) Any Sign not classified as a Temporary sign shall be treated as a permanent sign and shall be regulated according to this section.
- (4) Size, dimensions, number of Signs.
 - (a) No Sign or any part of its structure shall exceed 20 feet in height, as measured from the normal grade, and not a landscape mound or berm, at its base.
 - (b) Except as otherwise indicated, no more than two (2) Signs requiring a sign permit shall be located on any property. This shall not include temporary or informational signs, or official business directional signs regulated by Title 23 M.R.S.A. Ch. 21.
 - (c) Properties fronting on two or more public streets, such as corner lots, are allowed the permitted number of Signs and maximum sign area for each street but may not place or locate more than the permitted number of signs or Maximum sign area along any one street. A Sign placed on a property fronting on two or more public streets may not be located within one hundred (100) feet, as measured along the street frontage, of a Sign on the same property on an adjacent street.
 - (d) Entry Façade for buildings with a main entrance not fronting on a public street. Such Entry Facades are allowed the permitted number of Signs and maximum sign area for an additional façade, but may not place or locate more than the permitted number of signs or Maximum sign area along any one façade.[KB1]
 - (e) Signs requiring a sign permit which are to be located within a single property are subject to the Maximum sign area of the zoning district in which the property is located. Except as otherwise indicated, Signs not requiring a sign permit are subject only to size and dimensional standards (a) and (b) above. Upon application, the code enforcement officer may permit the following increases to the maximum sign area: For properties abutting Route 196, an increase of up to 50[GM2]% of the Maximum sign area; for properties abutting the westerly side of Main Street in Lisbon Falls, between Union Street and Route 196, an additional 40 square feet of Maximum sign area for signs located on the rear of a building and visible from Route 196. The Maximum sign area may not be increased as provided herein

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(Supp. No. 40)

except upon a written determination by the code enforcement officer or planning board (where planning board review is required) that doing so would not otherwise conflict with or frustrate the purposes of this division.

- (f) The Maximum sign area shall only apply to the physical dimensions of a freestanding sign, such that if the Sign is two-sided the dimensions will not be counted twice.
- (g) Where a property is included within two different zoning districts, the more restrictive standard shall apply.
- (h) The table below indicates the Maximum total sign area and number of signs per building within each zoning district^[KB3]. Signs not requiring a permit under this division shall be subject to the Maximum total sign area but not to the maximum number of signs.

Zoning District	Maximum Total Sign Area (sq. ft.)	Maximum Number of Signs
Resource Protection	24	2
Limited Residential	24	2
General Residential	24	2
Rural Open Space I	24	2
Rural Open Space II	24	2
Limited Rural Residential	24	2
Village	40 ^[KB4]	2
Commercial	40	2
Industrial	40	2
Diversified Development	40	2

(5) *Location and placement.*

- (a) No Sign may be erected in such a manner as to obstruct clear and free vision, or another sign, nor, by reason of its position, shape, color, or illumination interfere with, obstruct the view of, or be confused with any authorized Public safety or traffic sign, signal or device or otherwise constitute a hazard to pedestrian or vehicular traffic.
- (b) No Sign or any portion of a Sign or its structure may be located within four (4) feet of a street right-of-way or other lot line, except for Signs that are expressly allowed within a right-of-way. A property owner may apply to the code enforcement officer for a waiver of this setback standard for properties within the Village District. The code enforcement officer may not grant a waiver except upon a written

determination that such waiver would not otherwise conflict with or frustrate the purposes of this division.

- (c) Signs must be placed on the property on which the use or activity referred to or served by the Sign occurs, except that off-premises signs may be permitted with appropriate permission from the property owner as follows, unless said sign conflicts with any issued permit or with state or federal law:
- 1) Off-premises signs located within 5 miles of the use or activity being advertised;
 - 2) Public safety signs;
 - 3) Portable signs may be located on the sidewalk immediately in front of the property on Village Street and Main Street within the Village District, if the signs do not represent a pedestrian hazard or interfere with ADA accessibility standards; and
 - 4) Signs placed by the town.
- (d) *Building-mounted signs.* Building mounted signs will be considered part of the building design and should be scaled and designed appropriate to the building on which they are placed. Building-mounted signs should not obscure architectural details on the building. The following additional standards shall be met:
- 1) All Building-mounted signs will be counted towards the property's allowed maximum signage area (square feet) and the number of permitted signs allowed and must meet applicable dimensional standards. This shall include lettering and advertising graphics placed directly on the building facade.
 - 1) The height of a Building-mounted sign, as measured from the highest part of the sign, shall not exceed the height of the building.
 - 2) Hanging signs on buildings shall not interfere with vehicle, pedestrian, or cyclist safety, and shall extend no lower than ten (10) feet above ground level. All Hanging signs must comply with applicable lot and sign setback standards.
 - 3) Canopy signs and the canopies on which they are displayed are considered part of the building design and should be scaled and designed appropriate to the building on which they are placed.
 - 4) Wall graphics or signs stenciled, printed, painted or affixed directly onto the wall of a building, including any lettering and text, or any graphics associated with the use being made of the property, or with an off-site use by agreement with the property owner, will be counted towards the allowed maximum signage area, dimensional standards, and number of signs per property.
- (e) *Fuel station canopy signs.* Fuel [KB5] station canopies are limited to displaying the fuel company or product and shall not count towards the property's allowed sign area or number of signs. Other freestanding canopies that include the business or use name or any kind of related product or service, shall be counted towards the property's allowed sign area and number of signs.
- (f) *Fuel station pricing signs.* Uses selling fuel may display one (1) on-premises sign, with numerals not to exceed one (1) foot in height, advertising the price of said fuel. A fuel station pricing sign shall not count towards the property's allowed sign area or number of signs.[KB6]
- (g) *Signage on vehicles.* Cars, trucks or other vehicles shall not be used as signage. Commercial vehicles with advertising information shall not be regularly or permanently parked or placed in a location where a sign would not be permitted, or used in a way that has the effect of circumventing these standards or Lisbon's Ordinances.
- (h)

(6) *Graphics, color, lettering.*

- (a) Signs shall be simple, legible, and use simple geometric shapes. Complex graphics or colors, and signs with excessive wording are discouraged due to their negative visual impact and reduced legibility.
- (b) Animated signs are prohibited.
- (c) Lettering and graphics on signs visible from a public way should be sized appropriately to be legible to motorists traveling at the posted speed limit of the public way, unless expressly intended for pedestrian use.
- (d) Hand lettered signs are prohibited unless the lettering is stenciled and laid out in a well-designed, professional manner.

(7) *Lighting.*

- (a) Signs may not be illuminated except by stationary, shielded, non-flashing light sources, directed solely at the sign and not casting light off the property on which the sign is located.
- (b) External lighting illuminating a Sign shall be fully shielded and may not produce a glare that is distracting or poses a safety hazard to motorists, pedestrians, or cyclists. External lighting fixtures shall be placed to direct light only onto the sign. Top-mounted shielded lighting or indirect lighting is preferred over ground-mounted lighting due to its lower impact on light pollution and glare.
- (c) Internally illuminated signs may not create glare that would distract or pose a safety hazard to motorists. Internally illuminated signs may not direct light toward or disturb any surrounding residential properties or contribute to light pollution.
 - 1) Neon signs. Neon tube lettering or graphics may be used only for window signs, and may not exceed 25% of the window area in which they are located.

(8) *Maintenance of signs.*

- (a) Every Sign shall be maintained in a legible condition and in sound mechanical and structural condition, with timely replacement of defective parts and periodic cleaning and painting when necessary. The construction, alteration, maintenance and repair of all signs shall conform to all applicable building and electrical codes adopted by the town.
- (b) Signs erected by any business or use that has been closed or discontinued for more than twelve (12) months shall be removed or covered by the permit holder or property owner or by the Town at the permit holder or property owner's expense.
- (c) The code enforcement officer shall cause to be removed any Sign that endangers public safety, including signs which are materially, electrically or structurally defective, or signs for which no permit has been issued.

Sec. 70-719. Additional standards.

(1) *Signage for multi-tenant buildings or multi-building properties.*

- (a) Multi-tenant buildings or multi-building properties may have up to one (1) Sign identifying the property or building and tenants or buildings at the primary entrance from a public way. Multi-tenant buildings or multi-building properties fronting on two or more public ways, such as those on corner lots, are allowed an identification sign for each street if the signs are located at least 500 feet apart, as measured along the street frontage.

-
- 1) For a multi-tenant building or multi-building property permitted for a residential use, the Maximum sign area of any Sign permitted under this section shall be thirty (30) square feet, with no more than four (4) square feet of such Sign used to identifying any individual tenant or building.
 - 2) For a multi-tenant building or multi-building property permitted for a non-residential or mixed-use, the Maximum sign area of any Sign permitted under this section shall be forty (40) square feet; except within the Commercial, Industrial, or Diversified Development Districts, in which the Maximum sign area of any Sign permitted under this section shall be sixty (60) square feet. No more than four (4) square feet may be used to identify any individual tenant or building.
 - 3) A multi-tenant building or multi-building site where the total footprint of all structures exceeds five thousand (5,000) square feet may apply to the code enforcement officer for a waiver from the Maximum sign area provided under this section. The code enforcement officer may not grant a waiver except upon a written determination that a waiver is necessary to enable the applicant to appropriately advertise or call attention to all tenants or buildings and that issuance of a waiver would not otherwise conflict with or frustrate the purpose of this division. A waiver may not allow more than a 50% increase in the Maximum sign area permitted for a multi-tenant building or multi-building site under this division.
- (b) Individual businesses within a multi-tenant building or multi-building property shall be allowed only one (1) exterior or Building mounted sign with a maximum sign area of twelve (12) square feet.
 - (d) All multi-tenant buildings and multi-building properties seeking site plan review approval and permitting must submit a master signage plan that describes the size, location, lighting, color, and material for all proposed signs, including directional and informational signs.
- (2) *Readerboards.* Readerboards attached to a permanent sign may not occupy more than 50% of the total sign area.
 - (3) *Electronic or digital signs.* The following standards apply to Electronic or digital signs, including changeable sign and Readerboards:
 - (a) Animated signs are prohibited.
 - (b) Except as otherwise provided herein, changeable electronic or digital signs shall comply with 23 M.R.S.A. § 19144(11-A). Changeable electronic or digital signs must satisfy the following criteria to be permissible:
 - 1) Changes to any display may not occur more than once every ten (10) seconds;
 - 2) Changes to the display shall occur as quickly as possible and may not include any phasing, rolling, scrolling, flashing, or blending of messages or light intensity;
 - 3) The display may not flash, phase, scroll, or display continuous streaming of information or video animation; and
 - 4) The display or the brightness may not obscure or interfere with traffic control devices or traffic safety.
 - (4) *Home occupations signs.* No more than one (1) exterior Sign not to exceed eight (8) square feet may be allowed. No exterior storage of materials or any other exterior indicator of the home occupation that would circumvent the requirements of this division is allowed unless otherwise permitted by the Town of Lisbon Code of Ordinances.
 - (5) *Directional signs.* Directional signs must be located on the property to which they pertain, and may not create signage clutter on the property.

-
- (6) *Building mounted signs.* Building mounted signs should be considered part of the building design and should be scaled and designed appropriate to the building on which they are placed. Building mounted signs should not obscure architectural details on the building. All Building mounted signs are counted towards the property's allowed maximum signage area (square feet) and the number of permitted signs allowed, and must meet applicable dimensional standards. This shall include lettering and advertising graphics placed directly on the building facade.
- 1) The height of a Building mounted sign, as measured from the highest part of the sign, may not be taller than the highest point of the building.
 - 2) Building mounted signs may not interfere with vehicle, pedestrian, or cyclist safety, and may extend no lower than ten (10) feet above ground level. All hanging signs must comply with applicable lot and sign setback standards.
 - 3) Canopy signs and the canopies on which they are displayed are considered part of the building design, and should be scaled and designed appropriate to the building on which they are placed.
 - 4) Wall graphics or signs stenciled, printed, painted or affixed directly onto the wall of a building, including any lettering and text, symbols, or graphics that advertise a commercial use, product, service or activity, shall count towards the allowed maximum signage area, dimensional standards, and number of signs per property. This will not apply to wall graphics that are not intended or construed to be intended for commercial use, such as artistic, political, religious, or community non-profit graphics or messages.
 - 5) Building mounted signs on large-scale historic buildings. The following properties identified as large-scale historic buildings may follow alternate dimensional standards in place of those in Section 70-718: Worumbo Mill Complex (U05-013-001 and U05-012); Farwell Mill Complex (U16-056-001 and U16-056-002); 1 Upland Road (U17-024); Old Lisbon High School (U04-026); Ancient York Lodge (U05-017). Large-scale historic buildings are allowed one (1) building mounted sign per façade, each with a maximum length of 75% of the façade width, and a maximum height of 3 feet. Such signs cannot be illuminated and shall not extend above the roofline or parapet wall. Signs on large-scale historic buildings shall be integrated into the architectural design and historic character of the building and shall not obscure any architectural details on the building. [KB7]
- [KB8](7) *Window signs.* Window signs do not count towards the maximum sign area if they constitute directional signs and are not scaled to be legible from a public or private way. Window signs and graphics may not cover more than 30% of the total glass surfaces of any building facade facing any public road. Buildings with more than one side facing a public road are allowed 30% window coverage per side/frontage.
- (8) *Vehicular signs.* Cars, trucks or other vehicles may not be used as signs. Commercial vehicles with advertising information may not be regularly or permanently parked or placed in a location where a sign would not be permitted, or used in a way that has the effect of circumventing this division or the Town of Lisbon Code of Ordinances.
- (9) *Portable signs.* One (1) Portable sign, such as a sandwich board sign, is allowed per property, provided the sign is only placed outside during the business or operation hours for that use (not overnight), and not placed in a manner that would otherwise constitute placement of a permanent sign. A portable sign is not considered a temporary sign. The maximum sign area of a portable sign is six (6) square feet. Portable signs may not be internally or externally illuminated. |

[KMC9]

Sec. 70-720. Temporary signs.

(1) *Size, dimensions, number of signs.*

- (a) No Temporary sign or any part of its structure may exceed 20 feet in height, as measured from the normal grade at its base, and not a landscape mound or berm. A banner hung over a street in compliance with this division is exempt from the height limitation.
- (b) The total number of Temporary signs on a single property may not exceed four (4) signs per residence or business at any one time. (c) A Temporary sign or banner placed in compliance with this division is allowed in addition to any non-temporary sign permitted under this division and does not count towards the number of signs allowed or the maximum sign area for an individual property.
- (d) No Temporary sign larger than twelve (12) square feet may be placed without first obtaining a permit, paying any required permit fee, and complying with any additional standards applicable under section 70-718 General Standards. Temporary signs for community, charitable or non-profit events and activities shall be exempt from the permit fee.
- (e) No Temporary sign may exceed the maximum sign size for the zoning district in which it is located.
- (f) No Temporary sign may be illuminated either internally or externally.
- (g) Temporary signs may not be repeatedly replaced with signs of similar content or purpose in a manner intended to circumvent the permit requirements that would apply if the sign were permanent.

(2) *Location and placement.*

- (a) Temporary signs may not be placed in a position that will obstruct or impair vision or traffic, either pedestrian or vehicular; may not infringe on handicap accessibility; and may not be located or placed in any manner that creates, in the judgment of the code enforcement officer, a hazard or disturbance to the health and welfare of the general public.

(3) *Duration of sign use or posting; sign removal.*

- (a) A Temporary sign may not be used in any location for more than ninety (90) consecutive days in any 12-month period, except as otherwise provided in this section.
- (b) Temporary public safety signs erected or required to be erected by the town or other local, state or federal governmental body or agency pursuant to any ordinance, regulation, rule or law shall not be limited in duration of use or posting.
- (c) A Temporary sign addressing an event occurring on a specific date or dates shall be removed within fifteen (15) days of the relevant date or dates.
- (d) Temporary signs directly related to a use or activity that has been inactive or discontinued for more than fourteen (14) days shall be removed.
- (e) A Temporary sign used to indicate the change in location for a business or use is allowed to remain in place for up to six (6) months after the date of change in location.

(f) Temporary signs in the public right-of-way that do not require a permit, per Sec. 70-716 (3), may remain in place for a maximum duration in accordance with 23 M.R.S.A. § 1913-A.--[KB10]

(4) *Exceptions.*

- (a) With the exception of the maximum height restriction set forth in subsection 1(a) of this section, the code enforcement officer may grant a waiver from the restrictions and requirements set forth in subsections 1 and 3 of this section for Temporary signs used to supplement or temporarily replace

permanent signage that has been partially or fully obstructed due to construction or other activity not undertaken by the sign permit holder or to supplement or temporarily replace permanent signage that has been damaged or destroyed due to unforeseen natural or other causes outside the control of the Sign permit holder.

- (b) Temporary signage located or placed pursuant to a waiver granted under this subsection shall be removed within fourteen (14) days after the date on which the relevant permanent signage is no longer obstructed or is repaired or replaced.

Secs. 70-721—70-730. Reserved.

PART II - TOWN COUNCIL RULES, REGULATIONS AND POLICIES
Chapter 90 PERSONNEL POLICY

Chapter 90 PERSONNEL POLICY¹

See. 90-1. Introduction.

- (a) This compilation of town policies is provided merely to inform town employees subject to it of current town policies.
- (b) This compilation of town policies does not create a contractual relationship between the town and its employees.
- (c) The town council reserves the right to alter, amend or add to this compilation or individual policies at any time, at its sole discretion.
- (d) This compilation of town policies supersedes any and all prior oral and written communications by the former board of selectmen, town manager or other town employees unless an exception is made in writing and approved by the town council.
- (e) All employees, unless the topic is the subject of a provision of a collective bargaining agreement or constitutes a provision subject to mandatory bargaining, shall adhere to all items herein.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-2. Benefit entitlement.

- (a) *Definitions.*
 - (1) Full-time employee means a permanent employee whose regularly scheduled work week is 30 hours or more.
 - (2) Part-time benefit eligible employee means a permanent employee whose regularly scheduled workweek is less than 30 hours but more than 20 hours.
 - (3) Part-time benefit ineligible employee means any employee, permanent or otherwise, who works a work schedule of less than 21 hours per week or an employee, regardless of hours worked, who is per diem or temporary, such as a seasonal employee or one who is filling in for a permanent employee who is absent (i.e., workers comp leave of absence)—see Section 90-4.5.
 - (4) When classifying employees who work irregular schedules, hours worked per week shall be the average of a four-week cycle.
- (b) *Benefit levels.*

¹Editor's note(s)—Codified in this chapter is the personnel policy of the town, as adopted by the former board of selectmen on Jan. 16, 1989, as amended through December 16, 2014. Amendments to the amended policy are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original amended policy.

Cross reference(s)—Administration of Code of Ordinances, ch. 2.

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- (1) *Full-time employees.* Permanent full-time employees shall be entitled to full participation in the following benefits:

- a. Sick leave.
- b. Bereavement.
- c. Jury service.
- d. Leaves of absence.
- e. Holidays.
- f. Vacation.
- g. Personal leave.
- h. Employee assistance program.
- i. Medical insurance.
- j. Retirement.
- k. Earned paid leave (Title 26, §637).
- L. Educational Incentive

- (2) *Part-time employees.* Part-time benefit eligible employees shall be entitled to a pro rata share of the following listed benefits:

- a. Sick leave.
- b. Bereavement.
- c. Jury service.
- d. Leaves of absence.
- e. Holidays.
- f. Vacation.
- g. Personal leave.
- h. Employee assistance program.
- i. Earned paid leave (Title 26, §637).

In arriving at the appropriate pro rata level of any particular benefit, the part-time employee's regularly scheduled workweek shall be divided by 30. Earned Paid Leave is not subject to pro-ration but is based on hours worked as required by state statute, Title 26, §637. Medical benefits and retirement benefits are not available to this classification of employee.

- (3) *Part-time ineligible employees.* Part-time benefit ineligible employees shall be entitled to earned paid leave only, according to state statute Title 26, §637. Seasonal employees, as listed in the statute shall not be entitled to any benefits.
- (4) *Current employees.* Current employees who work less than 30 hours, but receive medical benefits as of the date of the adoption of this policy, shall be grandfathered from this policy change and shall continue to receive benefits at the same level as received as of the date of adoption.

Note: The ratio for pro rata benefits is on the basis of 40 hours. It should also be noted that there is no pro rata share of medical insurance or retirement. The employee either qualifies for full benefits on these two items or receives no benefits at all.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 1-5-2021, V. 2021-04)

Sec. 90-3. Non-discrimination and equal employment opportunity policy.

The Town of Lisbon provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, national origin, ancestry, age, physical or mental disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. The Town of Lisbon will not discriminate because of an individual's previous assertion of a claim or right against a prior employer under the Workers' Compensation Act, or because of previous actions taken that are protected under the Whistleblowers' Protection Act. The Town of Lisbon also will not retaliate against a person who has filed a charge of discrimination, participated in a discrimination proceeding, or opposed a violation of the Maine Human Rights Act or other state law or federal law relating to nondiscrimination in employment.

The Town of Lisbon complies with applicable federal, state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

The Town of Lisbon expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender identity, sexual orientation, national origin, ancestry, age, genetic information, physical or mental disability or familial or veteran status. Improper interference with the ability of the Town of Lisbon employees to perform their expected job duties is absolutely not tolerated.

An employee who believes that he or she has been subjected to unlawful discrimination in employment is encouraged to appeal to the department head or town manager under Policy 90-29. The employee also may file a complaint with the Maine Human Rights Commission and/or the Equal Employment Opportunity Commission within 300 days of the alleged discrimination. An employee may contact the Human Rights Commission by writing to the Maine Human Rights Commission, State House Station 51, Augusta, ME 04333, or by phoning 207-624-6050. An employee also may contact the Equal Employment Opportunity Commission by writing to EEOC, John F. Kennedy Federal Building, Equal Employment Opportunity Commission, 475 Government Center, Boston, MA 02203, or by phoning 800-669-4000.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 6-17-2014, V. 2014-103; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-3.1. Sexual harassment.

- (a) *Generally.* It is the policy of the town that all employees should be able to work in an environment free from all forms of harassment. Harassment, as defined by this section, is prohibited. This policy refers not only to supervisor-subordinate actions but also to actions between coworkers. Any complaints of harassment will be investigated promptly. If an employee believes they are being subjected to any of the prohibited forms of harassment or believe they are being discriminated against because other employees are receiving favored treatment in exchange for sexual favors, they must bring this to the attention of the town. The very nature of harassment makes it virtually impossible to detect unless the person being harassed registers their discontent with the appropriate town representative. Consequently, in order for the town to deal with the problem, employees must report such offensive conduct or situations. There will be no intimidation,

discrimination or retaliation against any employee who makes a report of harassment. Sexual harassment is an extremely serious matter. It is prohibited in the workplace by any person and in any form.

(b) *Definition.*

- (1) Harassment on the basis of sex is a violation of federal law and section 4572 of the Maine Human Rights Act. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- (2) In other words, sexual harassment is the attempt to control, influence or affect the career, salary or job of an individual in exchange for sexual favors. Conduct that creates a hostile or offensive work environment or unreasonably interferes with a person's ability to perform their job can also be sexual harassment.
- (3) Specific prohibited conduct includes, but is not limited to:
 - a. Threats or insinuations, implicit or explicit, that any employee's refusal to submit to sexual advances will adversely affect the employee's retention, evaluation, wages, promotion, duties or any other condition of employment.
 - b. Unwelcome sexual flirtations, advances or propositions.
 - c. Verbal or written abuse of a sexual nature.
 - d. Graphic verbal comments about an individual's body.
 - e. Sexual comments of a provocative or suggestive nature.
 - f. Sexually degrading words used to describe an individual.
 - g. Jokes or innuendos intended for and/or directed to another employee.
 - h. The display in the workplace of sexually suggestive objects or pictures.

(c) *Report.* Any employee who believes they have been the subject of sexual harassment should report the alleged act immediately. The steps to take are as follows:

- (1) Remove yourself from the uncomfortable situation. You will never be retaliated against for removing yourself from sexually harassing conduct in the workplace.
- (2) Inform your supervisor, department head or the town manager of the sexual harassment. If your supervisor is the alleged harasser, you should report the concern to your department head or the town manager. If the town manager is the alleged harasser, you should inform the chairman of the town council. You are welcome to involve a trusted third party in this process.
- (3) Cooperate as needed with any investigation. The town needs to understand the facts in order to properly respond to them. Steps will be taken to ensure your safety, comfort, and separation from the alleged harasser during the investigation period.

(d) *Confidentiality.* A record of the complaint and the findings will become a part of the complaint investigation record, and the file will be maintained separately from the complaining employee's personnel file. It is

understood any person electing to utilize this complaint resolution procedure will be treated courteously, and the problem handled swiftly and confidentially.

- (e) *Discipline/discharge for violation.* Any employee who is found after appropriate investigation to have engaged in sexual harassment will be subject to discipline, up to and including discharge.
- (f) *No retaliation for filing a complaint.* The registering of a complaint will in no way be used or held against the employee, nor will it have an adverse impact on the complaining individual's employment status.
- (g) *No retaliation will occur as a result of filing a report.* It is unlawful under the Maine Human Rights Act and federal law for an employer to retaliate against an employee because the employee filed a charge or because the employee aided in an investigation. If the employee believes retaliation has occurred, the employee should inform their supervisor, department head, or the town manager. If the town manager is the one retaliating, the employee should inform the chairman of the town council.
- (h) *Grievance procedures.* An employee who does not agree with a department head's resolution of a harassment complaint may appeal to the town manager under Policy 90-29. The employee also may file a complaint with the Maine Human Rights Commission and/or the Equal Opportunity Commission within 300 days of alleged discrimination. The employee may call or visit the commission's office, and a staff person will assist the employee. An employee may contact the Human Rights Commission by writing to the Maine Human Rights Commission, State House Station #51, Augusta, ME 04333, or by phoning 207-624-6050. An employee also may contact the Equal Employment Opportunity Commission by writing EEOC, John F. Kennedy Federal Building, Equal Employment Opportunity Commission, 475 Government Center, Boston, MA 02203, or by phoning 800-669-4000.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 6-17-2014, V. 2014-103; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-3.2. Americans with Disabilities Act (ADA) and Maine Human Rights Act (MHRA)

Policy for Individuals with Disabilities.

- (a) *Policy statement.* It is the policy of the Town of Lisbon that no qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment. This protection against discrimination shall apply to individuals with disabilities as defined in Title II of the ADA, i.e., those persons who have a physical or mental impairment that substantially limits one or more of their major life activities, have a record of such an impairment, or are regarded as having such an impairment. This protection against discrimination also applies to individuals with physical or mental disabilities as defined in the Maine Human Rights Act, including individuals with physical or mental impairments that substantially limit a major life activity, that significantly impair physical or mental health, or that require special education, vocational rehabilitation or related services. The MHRA also protects individuals who have a record of, are regarded as, or are likely to develop a physical or mental impairment or any of the specific disabilities under the MHRA.

The Town of Lisbon is committed to providing accommodations for eligible individuals with physical or mental disabilities as defined by federal and state law in the most timely and effective manner possible under applicable laws and regulations. The municipality's intent is to ensure that every request for an accommodation is promptly and properly reviewed. The municipality is committed to following the requirements of the ADA, the MHRA and all appropriate federal and/or state laws, rules and regulations.

All requests for accommodations are to be submitted to the town manager's office for consideration and review. In evaluating requests for accommodation, the town may request additional medical documentation, examinations and/or opinions to the extent the information requested is job-related and consistent with business necessity.

(b) *Accommodation process.*

- (1) The employee or the employee's immediate supervisor shall contact the town manager's office for assistance in addressing a request for accommodation. No department or individual may grant any accommodation, whether formal or informal, without first receiving approval of the town manager. If an employee's supervisor makes the request for accommodation on behalf of the employee, the employee must then work with the town manager's office directly. The employee's supervisor should not act as an advocate or surrogate for the employee. The town manager's office shall assist the employee in all ways reasonably possible in completing the accommodation process in a timely and efficient manner.
- (2) Any information submitted shall be considered confidential and may be shared only with those who have a need to know in accordance with federal and/or state law. The town manager's office shall make the determination of the need to know in consultation with the applicable department.
- (3) The town manager's office will make the following necessary determinations for each ADA or MHRA accommodation request:
 - a. Whether the individual has a disability. This determination may require appropriate documentation from a medical care professional, if such documentation is job-related and consistent with business necessity.
 - b. Whether an accommodation is needed for the individual to perform the essential function(s) of the employee's position.
 - c. Whether the accommodation(s) is (are) reasonable and would not create an undue hardship for the town.
 - d. The town manager's office shall implement the decision through appropriate municipal procedures if the employee is to be accommodated.
- (5) The town manager's office shall make a determination within a reasonable time upon receipt of a request for accommodation. A reasonable time is necessarily flexible, taking into consideration such factors as the complexity of the request, cooperation of the employee, any need(s) for additional medical information, and so forth. The town manager may request a second medical opinion regarding the existence or extent of a disability and the medical need for the requested accommodation.
- (6) If an employee is not satisfied with the determination regarding a requested accommodation, the employee may submit a request for reconsideration to the town manager. The town manager shall promptly review and respond to the request for reconsideration and notify the employee of the town manager's decision.
- (7) An employee who believes that he or she has been subjected to unlawful disability discrimination or retaliation shall report the issue to the town manager's office, or if the town manager committed the alleged discrimination or retaliation, to the chair of the town council. Upon submission of a complaint, the town manager or town council (as relevant) will investigate the complaint and make a determination as to whether discrimination or retaliation has occurred, and order any appropriate resolution.

The employee also may file a complaint with the Maine Human Rights Commission and/or the Equal Employment Opportunity Commission within 300 days of the alleged discrimination. An employee may contact the Human Rights Commission by writing to the Maine Human Rights Commission, State House Station 51, Augusta, ME 04333, or by phoning 207-624-6050. An employee also may contact the Equal Employment Opportunity Commission by writing to EEOC, John F. Kennedy Federal Building, Equal Employment Opportunity Commission, 475 Government Center, Boston, MA 02203, or by phoning 800-669-4000.

Sec. 90-4. Employment.

- (a) *Applications.* Applications for employment must be filed on forms prescribed by the town manager. Such forms may require whatever information is deemed necessary, and all applications must be signed by the person applying.
- (b) *Preemployment medical inquiries.* The town will not require an applicant to take a pre-employment medical examination or make preemployment inquiry of an applicant as to whether the applicant is an individual with a physical or mental disability or as to the nature or severity of a physical or mental disability. The town may, however, make pre-employment inquiry into an applicant's ability to perform job-related functions. The town also may condition an offer of employment on the results of a medical examination conducted prior to the employee's commencement of duties, provided that 1) all similarly situated employees are subjected to such an examination regardless of physical or mental disability, and 2) the results of such an examination are used in accordance with the requirements of the Maine Human Rights Act and the American with Disabilities Act.
- (c) *Background and reference checks.* To ensure that individuals who join the Town of Lisbon are well qualified and to ensure that the municipality maintains a safe and productive work environment, it is our policy to conduct pre-employment background checks on all applicants who accept an offer of employment. Background checks may include verification of any information on the applicant's resume or application form.

All offers of employment are conditioned on receipt of a background check report that is acceptable to the Town of Lisbon. All background checks are conducted in conformity with the Federal Fair Credit Reporting Act, the Americans with Disabilities Act, the Maine Human Rights Act, and state and federal privacy and antidiscrimination laws. Reports are kept confidential and are only viewed by individuals involved in the hiring process.

If information obtained in a background check would lead the Town of Lisbon to deny employment, a copy of the report may be viewed by the applicant, and the applicant will have the opportunity to dispute the report's accuracy. The applicant may obtain additional background checks or obtain materials to refute the background check at their own expense. Background checks may include a criminal record check, although a criminal conviction does not automatically bar an applicant from employment.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 6-17-2014, V. 2014-103; C.M. of 8-19-2014, V. 2014-159; C.M. of 7-19-2016, V. 2016-166)

Sec. 90-4.5. Temporary employment.

- (a) When the public interest requires and when the task to be accomplished is temporary or seasonal in nature, a department head, with the approval of the town manager, may appoint individuals with the skill and ability to fill the temporary position.
- (b) In circumstances where a regular employee is absent from the workplace due to circumstances such as a leave of absence, workers compensation injury, or long-term sick leave, or the like, and where the permanent employee is expected to return to work, the position may be filled by a temporary employee appointed by the department head with the approval of the town manager, who has the skill and ability to perform the work of the position.
- (c) Temporary hires are not eligible for benefits except as otherwise provided by this policy.
- (d) The maximum duration of a temporary appointment shall be no more than six months.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-5. Promotion.

Employees of the town shall be given the maximum opportunity to advance within service. Present employees shall be given first consideration in filling a vacancy if so qualified. However, it is recognized that from time to time the public interest may require any vacancy to be filled from outside the service.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-6. Probationary period.

- (a) Newly appointed or hired employees and promoted employees shall be subject to a period of probation. The probationary period shall be six calendar months.
- (b) The town, through the town manager, shall have the right to terminate the employment of any newly appointed or hired employee during their probationary period without cause and employee recourse.
- (c) The town manager shall have the right to terminate the employment of any promoted employee during this probationary period, but the employee may avail himself of the grievance procedure.
- (d) By agreement with the employee, the town, through the town manager, may extend the probationary period, not to exceed a total probationary period of one year.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-7. Compensation.

It is the intent that all town employees are paid salaries and compensation for comparable public and private work in the area and that will attract and retain well-qualified employees. This compensation shall be set annually by the salary order of the council upon the recommendation of the town manager. Jobs included in collective bargaining agreements shall have salary grades and ranges as determined through negotiations, and as expressed in these agreements.

Pay Plan (Salary Grade and Ranges) **See Attachment "A"**

The town manager shall prepare a recommended uniform and equitable pay plan for those positions not included in collective bargaining agreements. This pay plan shall be presented to the town council for review and approval. Determination of salary ranges shall be based upon qualifications required, prevailing rates of pay for comparable work in other public employment in the area, the financial policy of the community, and any other relevant factors. After adoption by the council, no position may be assigned a salary higher than provided for. Merit pay shall be available as an added percentage to each step raise upon successful completion of a pay for performance plan. The elements of each employee performance plan shall be approved by the town council. The salary grade of the new employee may reflect prior training and experience.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-8. Training.

Both the town and the employees profit from the provision of educational training opportunities at reasonable expense to the town. Training programs shall be selected or designed to improve the quality of the

employee's performance and to bring about a more efficient, effective or economical operation. Training programs which are intended for reimbursement must have prior approval from the town manager and must be directly related to improvement of required job skills/knowledge. Upon satisfactory completion of the course work, the employee may file an expense account with the town manager for prior approved expenses incurred while taking the course. The town manager will cause to be placed before the council a budget recommendation each year for training needs.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-8.5 Educational Incentive:

[Starting after July 1, 2023, full-time employees will be able to receive this Educational Benefit.] In order to encourage professional development, the town agrees to pay all or a portion for the cost of courses, including tuition, for bachelors or associates level courses related to the job description they are currently employed in at the Town of Lisbon. [Employees that are Department Heads, shall also be eligible for reimbursement of Master's Degree level courses.] In order to be eligible for reimbursement, employees must give written notice of intent to take a specific course to the Department head by February 1 preceding the fiscal year in which the course will be taken. Reimbursement will be limited to 2 courses per fiscal year for any one employee, and it has to be related to their field of work. Tuition payments will be capped at University of Maine rates. Such payments shall be made upon successful completion of the course with a grade of no less than "B".

Sec. 90-9. Evaluation.

- (a) In order to ensure the public the highest quality of services, all personnel shall be formally evaluated, in writing, by the employee's immediate supervisor. The supervisor shall conduct these evaluations as frequently as is deemed desirable; however, every employee shall be evaluated every year. The employee shall review, sign, date and comment on the evaluation before it is submitted to the town manager.
- (b) Probationary employees shall be formally evaluated, in writing, at the end of their probationary period by each employee's immediate supervisor. A successful evaluation will result in the employee's achieving permanent status. This report will be sent to the town manager for review.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-10. Employees exempt from Fair Labor Standards Act.

The salaried employees having the following job titles are considered to be exempt from overtime and certain other provisions of the federal Fair Labor Standards Act because they meet the tests for either executive, administrative, or professional positions:

Town manager.

Assistant Town Manager

Human Resource Director

Parks and recreation director

Assistant parks and recreation director

Sewer superintendent

Finance director.

Assessor.

Public works director.

Code enforcement officer.

Fire chief.

Police chief.

Director of economic and community development.

Library director.

Town clerk.

Tax collector.

Treasurer.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 1-5-2021, V. 2021-04)

Sec. 90-11. Hours of work.

Due to variations in the different services provided by the town, it is necessary to have variations in the hours of work per week in like positions. The hours of work for any department shall be established by the town manager, with the advice of department heads and approved by the town council.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-12. Overtime.

For employees who are not exempt from overtime under applicable law, occasional overtime work, in excess of 40 hours per week, if deemed necessary by the department head, will be compensated for by overtime pay at a rate equal to 1.5 times the employee's regular wage or by compensatory time at 1.5 times the hours worked for the employee. Election of overtime pay or compensatory time will be left up to the employee's discretion, subject to applicable limits on accrual of compensatory time. Hours used in overtime calculations shall include holidays, vacations, sick leave, bereavement, jury duty, and compensatory time. For salaried positions exempt from overtime, it is understood that job responsibility is the basis for which salaried positions are paid, and it is the responsibility of the person who fills this position to accomplish the work within reason. Employees working and supervising special shifts or hours shall be subject to the same standards that apply to the employees that they supervise at the discretion of the town manager.

Full time paid firefighters will earn overtime in excess of 42 hours per seven-day work period, as authorized by Section 207(7)(k) of the Fair Labor Standards Act(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009. § 2009-62; C.M. of 8-19-2014, V. 2014-159 ; C.M. of 3-6-2018, V. 2018-46)

Sec. 90-12.5. Treatment plant call-time policy.

An employee of the Lisbon Pollution Control Treatment Plant assigned to on-call status shall receive one (1) hour at time and one half pay for every week night, and two and one half (2.5) hours at time and one half pay for

every weekend day on-call. An employee assigned to on-call status that is not available when called shall forfeit the on-call pay.

An employee who is called-back while on-call shall receive time and one half pay for the hours worked. If an employee is called back within one hour of the beginning of a regular work shift then the employee shall be paid time and one half pay for one hour but shall be paid their regular wage on top of the overtime pay for the overlapping time. However, the overlapping time of the regular work shift will be counted for the purpose of determining the forty (40) hour work week.

If necessary, the on-call employee can call in support staff to be paid at time and one half pay for hours worked with a minimum of two (2) hours per call-in. The support staff will also be reimbursed for mileage at the Maine Municipal Association standard rate. If an employee is called back within one hour of the beginning of a regular work shift than the employee shall be paid time and one half pay for the one hour, but shall not be paid their regular wage on top of the overtime pay for the overlapping time. However, the overlapping time of the regular work shift will be counted for the purpose of determining the forty (40) hour work week.

(C.M. of 3-6-2018, V. 2018-46)

Sec. 90-13. Compensatory time.

- (a) In instances where an employee subject to overtime regulations under state law and the federal Fair Labor Standards Act works in excess of 40 hours in a calendar week and is entitled to overtime compensation for hours worked over the 40 hours, the employee may elect to take compensatory time off in lieu of monetary overtime compensation. If the employee makes such an election, the compensatory time shall be at a rate of 1.5 hours of compensatory time for each hour of overtime worked. Compensatory time may be accumulated up to a maximum of 24 total hours (representing 16 overtime hours worked). Any employee who has accumulated a maximum of 24 hours compensatory time shall be paid at overtime rates for all overtime hours worked in excess of 24 hours.
- (b) If an employee chooses to be paid 1.5 times their normal hourly rate rather than accumulate comp time, that employee may elect to do so by notifying their supervisor in writing and only during the same fiscal year.
- (c) This policy directive does not apply to salaried employees or employees who are considered exempt under the Fair Labor Standards Act, Listings of employees who are considered exempt under the Fair Labor Standards Act are listed in section 90-10 of this policy.
- (d) Exempt employees listed in section 90-10 are not subject to overtime requirements of state law and the Fair Labor Standards Act and are not eligible to accumulate compensatory time. It is recognized, however, that exempt employees often work outside the normal work week and in excess of a normal 40-hour work week. It is at the discretion of the town manager to allow the exempt employee to have time off with prior approval.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-14. Attendance at work.

- (a) ~~Except in extraordinary circumstances, it is the employee's responsibility to notify their department head or immediate supervisor of the reason for any intended absence. Such notification shall be given as soon as practical but in no event less than one hour before the start of the regularly scheduled day. Department heads who are absent shall contact the town manager's office no more than one half hour after the start of the regularly scheduled day.~~

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- (b) Unless otherwise specified by the department head, employees shall be expected to call on each day of absence or, if unable to call, have someone call for them. When the nature of the absence indicates an extended period of time away from work, special procedures for reporting may be established by the department head. Recurring or prolonged illnesses of the same nature may require a physician's statement attesting to the justification for any excessive absence from work.
 - (c) A failure to comply with these requirements may result in discipline including discharge.
 - (d) All employees are required to account for their work time on weekly or biweekly payroll time cards. Work time shall be approved by their immediate superior and the town manager. All payroll time cards will be submitted to the payroll clerk biweekly. The town manager shall determine the form used for the payroll time cards.
 - (e) Approval of absences will be given on a case-by-case basis. The fact that an employee may have accrued leave does not guarantee approval of a particular absence.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-15. Bereavement leave.

An employee shall be excused from work with pay for up to five working days because of the death of current spouse or child, including step-children, unless a longer period is approved by the department head and town manager. An employee shall be excused from work with pay for up to three working days because of death in their immediate family, unless a longer period is approved by the department head and town manager. The term "immediate family" is defined for the purposes of this policy as mother, father, step-parents, sister, brother, grandparents, grandchild, mother-in-law, and father-in-law. An employee shall be granted one day from work with pay for the death of an aunt, uncle, niece, nephew, brother-in-law, sister-in-law, and grandparent-in-law unless a longer period is approved by the department head and town manager.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 1-5-2021, V. 2021-04)

Sec. 90-15.3. Temporary office closures.

The town manager may approve the temporary closure of office(s) for brief periods of time, not to exceed one working day, for special functions or reasons (e.g., **inclement weather**) related to the availability of staffing. A notice shall be placed on the closed door(s) of those office(s), on the town's web page, and on the town's voice mail, indicating an apology to visitors, the time the office is expected to reopen, and, if possible, a referral to any other open office that may be covering for the closed office(s). **Employees who are able to perform their duties by remote means may be expected to do so during periods of office closures.** All regular employees **who lack remote work capability** shall be compensated for any temporary closures of town offices or facilities at the same rate of compensation as if they had worked. Such time shall not be used to compute overtime compensation. Employees absent from work due to leave will not receive additional compensation other than normal pay for the leave or absence.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-15.5. Pay periods.

- (a) The pay period for the town is Sunday through Saturday, on a bi-weekly basis, and payday is that following Thursday, by 11:30 a.m., unless unavoidable delays are caused by unforeseen or uncontrollable circumstances.
- (b) When a payday falls on a holiday, employees will be paid on the last workday prior to the holiday, unless unavoidable delays are caused by unforeseen or uncontrollable circumstances.
- (c) On call fire department personnel will be paid on a bi-weekly basis.
- (d) If an error occurs the employee must see the department head. The department head will work with payroll to research the error. If the error was made by the employer a correction will be made on the next regularly scheduled bi-weekly pay period. In certain circumstances the correction may be made sooner than the next regularly scheduled bi-weekly payroll at the discretion of the town manager.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 6-7-2011, V. 2011-97; C.M. of 8-19-2014, V. 2014-159; C.M. of 7-19-2016, V. 2016-166)

Sec. 90-16. Court leave.

Town employees called upon for jury service will receive their regular salary from the town during jury service, less the amount received for serving on the jury. Any employee summonsed as a witness on the behalf of any local, county, state or national government shall be granted court leave and will receive their regular salary from the town during such service, less the amount received for serving as a witness.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-17. Holiday leave.

Permanent and probationary employees ~~with a minimum of 30 calendar days of service~~ shall receive paid holidays in accordance with the prescribed state employment association schedule, and any other holidays as granted by the town council (see section 90-37). If a legal holiday falls on a Saturday, the previous Friday shall be scheduled as a nonworking day in observance of the holiday. If a legal holiday falls on a Sunday, the following Monday shall be scheduled as a nonworking day in observance of the holiday. Non-union sewer, public works, and transfer station employees shall be granted a floating holiday for any holiday which falls on their normally scheduled day off and will be used within the same fiscal year it is offered, and will not be paid out as time earned if not used accordingly by the end of the fiscal year. The library department employees shall be closed on Tuesday in observance of any Monday holiday. Employees working and supervising special shifts of hours shall be subject to the same standards that apply to the employees which they supervise at the discretion of the town manager. Temporary employees shall not be entitled to paid holidays. Employees who are required to work on a holiday shall receive overtime pay at 1.5 times employee's current wage rate, or the employee may elect to receive comp time off for time worked pursuant to the compensatory policy, section 90-13. One personal day may be given at the discretion of the department head.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 7-15-2014, V. 2014-131; C.M. of 7-15-2014, V. 2014-132; C.M. of 8-19-2014, V. 2014-159; C.M. of 9-6-2016, V. 2016-211 ; C.M. of 11-14-2017, V. 2017-279)

Sec. 90-18. Leave of absence.

The town manager at the recommendation of the department head may at his or her discretion grant permanent employees a leave of absence without pay or benefits not to exceed 6 months beyond exhaustion of any federal or state family and medical leave benefits. In deciding whether to approve such leave the town manager shall consider the necessity for the leave, the likelihood that the employee will be able to return to work within a reasonable time period, and the impact of the leave on the town. The town manager may authorize extension of benefits during the leave period, in extraordinary circumstances, after consultation with the town council. While the town will endeavor to preserve the availability of an employee's position during any period of approved leave of absence, this cannot be guaranteed.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 12-16-2014, V. 2014-284)

Sec. 90-19. Family medical leave.

Family medical leave shall be provided in accordance with the requirement of the State Family Medical Leave Act, 26 M.R.S.A. § 843 et seq. and the Federal Family Medical Leave Act, 29 USC 2601 et seq. (26 CFR 825). Leave will be provided for eligible employees in accordance with the provisions of the state and federal acts.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-20. Reserve service leave.

Permanent employees who are members of the organized military reserves and who are required to perform field duty shall be granted reserve leave not to exceed two weeks in any calendar year, in addition to regular vacation leave. During any such period of reserve service leave, the town shall pay the employee the balance between the service pay and the employee's regular compensation, the total equaling the regular pay of the employee, as if the employee had been in service of the town during the period of the leave. As a condition of payment, the employee shall file with the town manager an official statement from the proper military authorities, stating their rank, pay and allowances.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-21. Sick leave.

- (a) Sick leave for all full-time permanent employees is earned at **eight** hours per month. For employees as of July 1, 2003, sick leave may be accumulated to, but not exceeding, 960 hours of unused sick leave, Any employees hired after July 1, 2003 may accumulate up to 720 hours of unused sick leave, Employees who go an entire calendar year (calendar year from January 1 to December 31) **using less than 2 sick days** will be granted an additional day of vacation leave to be used at their discretion with approval of the town manager.
- (b) Sick leave may be granted by the town manager for salaried officials under the manager's supervision. Also, sick leave may be granted to an employee due to illness of a member of the employee's immediate family, at the discretion of the town manager.
- (c) ~~In order to be eligible for sick leave compensation, the employee shall complete the necessary form and return it to the department head for approval. After a decision by the department head, the form and department head's recommendation is forwarded to the town manager for a final decision, either approving~~

or denying the request. The HR director may require a certificate from a qualified physician certifying that the condition of the employee justifies the absence from employment after three days absence.

- (d) *Entitlement upon separation.* Sick leave accumulation shall be forfeited upon separation from town employment unless the employee has 15 years of continued service. Upon separation employees with 15 or more years of consecutive service shall receive one-quarter of their accumulated unused sick leave to a maximum payment of 30 days. Such payment shall be made at the employee's regular rate of pay at the time of separation. Employees terminated for cause will not be entitled to sick leave pay out at separation.
- (e) *Sick leave bank.* An employee shall designate on a form provided by the town by June 30 of each fiscal year of any sick leave that would have accrued to an employee, who has reached the maximum accrual level, may at the election of that employee be credited to the town's sick leave pool. Any retiree who is leaving the employment of the town may donate accumulated sick leave, not otherwise reimbursed, to the sick leave pool. The pool may accumulate up to a maximum of 1,000 hours. Any employee of the town not covered by a bargaining agreement, who because of serious or extended illness or extenuating circumstances, is without sick leave, may draw sick leave from the pool. The employee's use of sick leave from the pool shall be in accordance with the following terms and conditions:
 - (1) A condition which supports the need for the use of sick leave shall be a legitimate long-term disability or illness suffered by the employee.
 - (2) The condition shall not be the result of a work related injury.
 - (3) The employee suffering the long-term disability or illness shall have no income and shall not be in a condition to earn income.
 - (4) Any allocation of sick leave shall be in increments of no more than 160 hours and shall be reviewed at least monthly for continued eligibility.
 - (5) Nothing herein shall affect the employee's rights under the Federal and State Family and Medical Leave Acts. Time spent on sick leave provided under the sick leave pool under the provisions of this section shall be included for purposes of calculating available timeframes under State and Federal Family and Medical Leave Acts.
- (f) Accumulated sick leave also may be used when an employee is required by the employer to stay home from work for purposes of quarantine or isolation during a declared state or federal emergency related to a health pandemic or epidemic.

All decisions regarding allocation of sick leave from the sick leave pool shall be approved by the town manager after determining that the above terms and conditions have been met and after reviewing the employee's previous use of sick leave. If it is determined that the conditions of this section are met and there is no evidence of previous abuse of sick leave, then approval will not be unreasonably withheld. All decisions by the manager, however shall be final and shall not be subject to appeal, grievance or any other provision or procedure under these personnel rules or otherwise available.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 1-5-2021, V. 2021-04)

Sec. 90-22. Vacation leave.

- (a) Each employee of permanent standing shall be awarded vacation time with pay at the convenience of the town, in accordance with their current term of continuous employment, and prescribed as follows each year:

1 year 2 weeks

5 years 3 weeks

12 years 4 weeks

18 years 5 weeks

- (b) Vacation leave will be accounted for on an employee anniversary basis. No vacation leave will be granted during a probationary period, but the time accumulated during the probationary period will be credited retroactively to the employee's total service time. After probation, a new employee may take one week of vacation charged against the two weeks for one year's service.
- (c) An employee may carry forward into the next year, based on the employee's anniversary date, the same number of weeks that are accumulated as vacation leave based on the employee's longevity. Any vacation above the carry over limit will be lost, provided that when an employee was unable to use vacation time for reasons beyond the employee's control the town manager may allow the employee to carry over additional vacation time.
- (d) Accrued vacation leave shall be paid to employees in good standing upon separation of service or to their beneficiary to estate upon their death.
- (e) While efforts will be made to approve vacation in line with an employee's request, approval is not guaranteed and is within the supervising department head's or town manager's discretion based on the operational needs of the town.
- (f) In computing service time for vacation leave, official leave of absence or absence from duty for which sick leave is paid shall not constitute a break in the employee's service record. Employees working and supervising special shifts or hours shall be subject to the same standards that apply to the employees, which they supervise, at the discretion of the town manager.
- (g) ~~Accrual limit. Notwithstanding anything in these rules to the contrary, effective July 1, 2003, additional vacation leave shall not accrue on an employee's anniversary date if, at that date, the employee has unused vacation leave which is twice the amount of additional leave that would have accrued, on that date not including the additional amount due the employee on the anniversary date. The accrual of additional vacation shall be deferred until the employee's unused vacation balance accrual is below the above mentioned limit, said limit to include the deferred vacation time that would have been awarded on the anniversary date.~~ **The maximum amount of vacation leave that can be accrued by an employee will be capped at 2.5 times their annual leave allowance on a rolling basis. Rollover: Any unused vacation time will roll over to the next year, but will count towards the accrual cap.**

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 7-19-2016, V. 2016-166)

Sec. 90-22.5. Earned paid leave.

Beginning January 1, 2021 all employees, whether full-time, part-time, temporary, or per diem, but excluding seasonal employees, will accrue one (1) hour of earned paid leave ("EPL") per every 40 hours worked, up to a maximum accrual of 40 hours per calendar year. New employees accrue EPL from their first day of employment

but must wait 120 days before being eligible to use EPL. Subject to this waiting period, EPL may be used as accrued for any reason, including for an emergency, illness, sudden necessity, personal reasons, or planned vacation. Employees will be required to give 2 weeks advance notice for use of leave, except in the event of illness or emergency, in which event employees must make a good faith effort to provide as much notice as is feasible under the circumstances.

The town reserves the right to grant or deny requests for planned **use of** EPL based on undue hardship to the town, such as a significant impact on the town's operations.

All paid time off taken by an employee for whatever reason each year shall be deducted first from the employee's accrued EPL hours. Once accrued EPL hours are used up, an employee may take any remaining paid time off from their allotted sick leave or vacation leave per the requirements of those policies. Employees must use EPL in increments of not less than 1 hour.

EPL will be paid at the base rate of pay (as defined in the Maine Earned Paid Leave law) that the employee received in the week immediately prior to taking the leave.

Accrued but unused EPL may be rolled over year to year in a maximum amount of 40 hours. Because EPL will never exceed a maximum total of 40 hours per year, the rollover of EPL will impact the earning of EPL in the following year. For example, if an employee rolls over 8 hours of EPL from year 1 to year 2, in year 2 they will only earn an additional 32 hours of EPL.

EPL is not paid out if unused by the end of the year or when an employee resigns or is terminated for any reason during the year. If an employee returns to employment with the town within a year, however, their earned EPL will be reinstated. If an employee resigns or is terminated for any reason during the year and has used more EPL than they have accrued, the town may deduct that amount from their final paycheck.

(C.M. of 1-5-2021, V. 2021-04)

See. 90-23. Injuries in the line of duty.

- (a) The town provides worker's compensation coverage for all employees.
- (b) Any employee who sustains a compensable illness or injury which arises out of and in the course of their employment shall be paid during each week of total incapacity resulting from the injury or illness an amount sufficient, when added to the weekly payment of worker's compensation paid under the laws of the state, to equal their regular weekly net salary or normal wage, excluding overtime.
- (c) Any injured employee may request on forms provided by the town that the town begin full payment of salary immediately, to ensure that there will be no delay in worker's compensation benefits. The employee however must stipulate to reimbursement of such payments to the town upon receipt of worker's compensation payments.
- (d) Such additional payments shall not be continued beyond four weeks except upon an order passed by the council. No additional payments shall be made in any instance when, in the opinion of the department head and town manager, the illness or injury is not work-related or occurred as a result of intoxication, willful intent, violation of rules and regulations on the part of the employee, or while the employee was in the employment of any other person.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-23.5. Discipline.

The town recognizes its responsibility to provide its citizens with the most efficient and effective service delivery system available. This requires that we develop and administer rules, regulations, policies, and disciplinary measures in an equitable and consistent manner. Employees must likewise recognize their obligations to conform to all applicable rules, regulations, and policies. Should an employee fail to observe them, the town will initiate appropriate disciplinary action based on the severity of the violation. Such disciplinary action may include, but is not limited to, oral or written reprimands, suspensions with or without pay, reassignments or transfers, demotions, probation or termination. While progressive discipline is supported, it is not required and supervisors have the right to order any discipline deemed appropriate based on the circumstances. Employees may appeal any discipline imposed through section 90-29.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-24. Suspension.

When in the judgment of the department head, as approved by the town manager, an employee's poor work performance or conduct is serious or repeated, the employee may be suspended without pay for a period of not more than 15 consecutive days; and for a second or subsequent offense or act within a calendar year, such suspension may be for a period not exceeding 30 days. The employee will be given reasonable notice and an opportunity to be heard prior to the imposition of a suspension.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-25. Dismissals.

An employee may be dismissed (or demoted) when in the judgment of the town manager the employee's work or misconduct so warrants. The employee will be given reasonable notice and an opportunity to be heard prior to the imposition of a suspension.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-26. Layoffs.

Any employee may be laid off whenever it becomes necessary to reduce the number of employees due to a shortage of funds or a lack of work or other related reasons which do not reflect discredit upon the employee. The town manager shall notify the town council and shall state the names of the employees, stating the reasons for the layoffs and whether it is temporary or permanent. Seniority shall be the deciding factor only when all considerations are equal.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-27. Reemployment.

The employee's right to recall shall expire at the expiration of two years from the layoff date. If, within the two-year timeframe, the manager proposes to fill a vacancy created by layoff either temporary or permanent, or where a position has been abolished and subsequently recreated, the person filling that position shall be sent correspondence by certified mail, advising that employee that he/she may resume the position with the town. The employee must respond to the certified mail notice within seven days as to whether or not he/she desires to be

reemployed. If the reemployment is indicated, the employee shall report to work no later than one week after notice to accept reemployment is given. The employee shall be responsible, during the layoff period, of providing the town with notice of any change of address for purposes of the certified mail correspondence. If the employee filling a position chooses not to be reemployed, then notice shall be sent to the next laid off employee qualified for the position in terms of seniority with the town. The manager may refuse to reemploy anyone laid off due to reasons that fall under the provisions of sections 90-23.5, 90-24, and 90-25 or anyone who fails to meet the qualifications which the position currently requires at the time of rehire.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-28. Abolishment of positions.

The town council reserves the right to abolish any position at any time, and the abolishment of a position shall automatically constitute the discharge of the employee from that position without reflecting any discredit upon the employee; however, if that same position is recreated within two years, the person discharged due to the abolishment shall be reemployed if available.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-29. Appeal procedure.

If, due to any decision made by a supervisor or other condition of employment, an employee feels aggrieved, the employee shall have the right to appeal, in writing, within ten working days from the date the alleged grievance occurred, to the department head for the purpose of adjusting or resolving the grievance. The department head shall render a decision, in writing, to all parties, within seven calendar days from the date the grievance was submitted. If the decision of the department head does not resolve the grievance to the satisfaction of all parties, a written appeal may be taken to the town manager; and such appeal must be submitted within seven calendar days from the date the department head rendered their decision. The town manager shall meet with the employee within ten calendar days from the town manager's receipt of the appeal and shall issue a decision to all parties within seven calendar days of the meeting. The decision of the town manager shall be final. This appeal process does not apply to grievances related to decisions made by the town manager, which shall be final.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-29.5. General.

All employees are expected and required to treat supervisors, other employees, and the public with promptness, patience, courtesy, and respect. Many town employees have access to confidential information pertaining to persons or property in town. Employees shall not use this privileged information to their private advantage or to the advantage of anyone else. No employee may release any information that is not required to be released under the Right to Know Law. Employees are expected to conduct themselves at all times during their hours of employment in a manner that will bring no discredit to their department or to the town.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-30. Political activity.

- (a) No employee may use their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for political office.
- (b) No employee may directly or indirectly coerce, attempt to coerce, command or advise another employee to pay, send or contribute anything of value to a party, committee, organization, agency or person for political purposes.
- (c) No employee shall during their working hours attempt to directly or indirectly influence another employee or the general public in any manner for or against any political subjects or candidates during their working hours.
- (d) If an employee is elected to any political office that is incompatible with or creates a conflict of interest with their duties of employment, the employee shall terminate their employment with the town prior to assuming the duties of the political office.
- (e) In addition to the provisions of subsections (a) through (d) of this section, employees shall refrain from engaging in political activity during working hours or while on town duty after regular working hours. Improper political activity shall include but not be limited to the following:
 - (1) Wearing campaign buttons or clothing items.
 - (2) Posting of political signs, pamphlets or stickers in or on town buildings.
 - (3) Use of town equipment, including but not limited to telephone, photocopiers, computers and typewriters, to produce or transmit political messages, signs or advertisements.
 - (4) Working at the polls for any political party or candidate, or circulating petitions or campaign literature for candidates for elected town positions.
 - (5) Working on political campaigns or for political candidates.
- (f) Employees in the town shall retain the right to vote as they choose and/or the right to express their opinions on political subjects and candidates, and/or to become or continue to be a member of a political organization or campaigns during nonworking hours.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-31. Gifts and gratuities.

- (a) Employees of the town shall not accept gifts in the forms of cash or gift certificates in any amount for an individual or business that does business with the town. The sole exception to this prohibition is a door prize at a conference or convention.
- (b) Employees of the town shall not accept any gift or gratuity from an individual or business that does business with the town that is more than a nominal value or which exceeds the level of customary courtesies extended in the course of ethical business standards.
- (c) It is imperative that an employee's motives and conduct in expending town funds remain above reproach and completely impartial. Gifts and/or gratuities which exceed a nominal value raise a suspicion of impropriety. Yet, in the current business climate, it would be impractical, though possibly preferable, to refuse any and all gifts and/or gratuities offered. Accepting hats, pads of paper, pens or pencils, magnets, and similar items with business logos or an isolated reasonably priced meal is acceptable pursuant to this policy, as they should not raise an issue of impropriety or partiality in subsequent dealings the individual or

business providing such items that does business with the town, or their competitors, or citizens. The prohibition is against any gifts or gratuity which might place an employee in an embarrassing or awkward position or interfere or influence in any way the impartial performance of an employee's duties.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-31.5. Conflict of interest.

No town employee who is authorized to make purchases shall have any interest either directly or indirectly in any purchase or any contract with the town. No town employee shall sell materials to the town or in any way award any type of contract or proposal for purchases or services in which they have a direct or indirect interest other than through a sealed bid process or written approval by the town manager.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-32. Longevity compensation.

- (a) As of July 1 of each year and commencing with five years of continuous employment with the town, all permanent employees shall be credited with longevity compensation at the rate of \$5.00 per month up to and including a maximum of 180 months.
- (b) Upon the separation of employment or retirement, longevity compensation will be paid up to and including the final full month of employment. In the event of any employee's death, longevity compensation shall be paid to their beneficiary or estate.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-32.5. Longevity stipend.

Starting after July 1st 2023, for non-union employees with full-time status and qualifying years of service, longevity stipends will be awarded on their anniversary date of service as follows:

25 years of service, increase the current hourly pay by \$1.00/hour

30 years of service, increase the current hourly pay by \$1.00/hour

35 years of service, increase the current hourly pay by \$1.00/hour

(C.M. of 8-19-2014, V. 2014-159; ; C.M. of 1-5-2021, V. 2021-04)

Sec. 90-33. Health insurance.

The town shall provide health insurance benefits to those eligible employees and their dependents. The employer shall pay a percentage, as approved by the town council, of the cost (single, two people or family plan) of the plan.

Where an employee, who has been covered under the town's health insurance plan, or who is a new employee, has access to other adequate health insurance coverage, and elects not to be covered under the town's health insurance plan or to reduce the level of coverage, then the employee will be paid, on an annual basis, July 1 to June 30, a base sum of \$3,000.00 that will be increased annually at a rate based on the annual increase in wages. This payment will be distributed in bi-weekly payments. This benefit shall be available, however, only to those employees who have demonstrated that they have adequate and acceptable coverage from another source

and the employee's spouse or person providing the coverage does not work for the Town of Lisbon municipal or school department. This election may be made at any time but the benefit shall be prorated over the portion of the fiscal year remaining if not effective as of the beginning of the fiscal year. The payment of premium savings in lieu of health insurance will not prevent the employee from re-enrolling in the town provided health insurance plan at a later date.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 7-19-2016, V. 2016-166)

Sec. 90-34. Retirement; flexible pretax benefits, social security.

- (a) *Maine Public Employees Retirement System (optional)*. The town is a participating district in the Maine Public Employees Retirement System. An employee who normally works 21 hours or more and who is not seasonal or temporary will be offered the opportunity to participate in the system. It is not required that an employee participate—just that the employee be given the choice to participate or not. This is an important decision because the employee's choice to participate or not is permanent for all current and future employment in any position with optional membership with the Town of Lisbon. Employees should be encouraged to contact the PLD Unit at the Retirement System at 1-800-451-9800 for information about the plan before making their election.
- (1) Should any employee choose to participate, the town will deduct a percentage of the employee's paycheck in the form of a payroll deduction. The town will make a contribution on behalf of the employee at a rate to be determined by the retirement system. Employees electing to join MainePERS must start participation when initially hired and must contribute to the plan during any period of employment with the Town of Lisbon or Lisbon School Department.
- (2) An employee who is a member of MainePERS may apply for a full refund of their own contributions plus accumulated interest after terminating employment with the Town of Lisbon. Employees who take a refund who are vested in the system are giving up their right to a monthly lifetime retirement allowance upon reaching normal retirement age. Withdrawal must take place via the proper application and there is a waiting period before the funds can be released to the employee by the system.
- (b) *ICMA—Money purchase plan (optional)*. Permanent full time and permanent part time employees may choose to participate in this tax-deferred retirement plan. Employees are eligible as of the date of hire. Employees may enroll at any time during the course of the year permitted by the plan. Contributions of the employee are matched by a town contribution at a rate not to exceed the state retirement system total rate. For employees, who elected to enroll in both retirement plans, the town will only contribute the town portion of the MSRS and the eligible employee shall pay the ICMA plan. The town will not make ICMA or other contributions where the employee has elected to collect retirement benefits from the MSRS or other.
- (c) *Flexible benefits plan*. The town may provide a flexible benefits plan as allowed under Section 125 of the Internal Revenue Code. Employees shall bear the cost of either the medical reimbursement and/or dependent care options. Employees not opting to participate in the flexible benefits plan immediately upon being employed or not sustaining a lifestyle change during the year will not be eligible to participate until the next calendar year.
- (d) *Premium conversion plan*. The town shall make available a premium conversion plan which enables employees to have their premiums deducted on a pre-taxed basis for participation in the health, dental, or flexible benefits plan, i.e. reducing the cost impact of the premiums for participation in fringe benefits requiring employee contributions.

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- (e) *Income protection plan.* The town shall provide the Maine Municipal Employees Health Trust Income Protection Plan or its equivalent to all full time employees. The plan premiums shall be borne entirely by the employees.
 - (f) *Social security.* All employees of the town shall participate in social security in accordance with federal law. The rate of contribution for both the town and the employee will be as determined by federal regulations.
 - (g) *Vision plan.* Effective January 1, 2015, the town may provide a vision plan to all full time employees. The plan premiums shall be borne entirely by the employees.

(Sel. Ord. of 3-1-05, § 5.175; T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 7-19-2016, V. 2016-166 ; C.M. of 1-5-2021, V. 2021-04)

Sec. 90-35. Retirees returning to employment with the town after retirement.

Employees who retire from the town and who are eligible to receive retirement benefits from the Maine Public Employees Retirement System (MainePERS) must terminate employment with the town as a condition of receiving retirement benefits from MainePERS, as provided in MainePERS rules and regulations. Employees who retire make a voluntary decision to terminate employment with the town, and the town does not guarantee or promise that employees who retire will be rehired by the town into either the same or a different position with the town. Any employee who retires and wants to be rehired to a former position, or to a different position, shall be subject to the selection and employment process as provided by town policy.

The town has the sole discretion to determine whether former employees will be rehired by the town in their former position or a position for which they are qualified to perform on a part-time or full-time basis. Any application to be rehired shall be in writing, and all requests must meet the eligibility conditions set forth by MainePERS. ~~Any employee who is rehired by the town shall be subject to a rehire agreement for a fixed term.~~

Employees who retire shall be paid accumulated benefits as provided by town policy.

Except for retirement benefits outlined above, employees who retire and then are subsequently rehired by the town shall be considered new employees for the purposes of accruing and receiving benefits as provided by town policy. ~~Any employee who retires from the town and receives a payout for unused sick leave at the time of retirement shall not be eligible for a payout of sick leave accrued during any post retirement period of employment.~~

(C.M. of 1-20-2015, V. 2015-21)

Sec. 90-36. Drug free workplace policy.

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the employee's workplace or in the performance of any duty for the town except where medically indicated and approved by the town manager. Manufacture, distribution, dispensing, possession or use of cannabis or cannabis products is prohibited in the employee's workplace or in the performance of any duty for the town except where medically indicated and approved by the town manager.

As a condition of employment with the town, all employees will abide by the terms of this policy and notify the employer of any criminal drug statute conviction for violation occurring in the workplace no later than five days after such conviction. The town, within 30 days of receiving notice, with respect to any employee who is so convicted, will take one of the following actions:

- (1) Taking appropriate personnel action against such an employee up to and including discharge; and/or

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- (2) Requiring such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-37. Holiday schedule.

The following days shall be recognized as holidays:

- (1) New Year's Day, January 1.
- (2) Martin Luther King Day, third Monday in January.
- (3) Presidents Day, third Monday in February.
- (4) Patriots Day, third Monday in April.
- (5) Memorial Day, last Monday in May.
- (6) Juneteenth, June 19
- (7) Independence Day, July 4.
- (8) Labor Day, first Monday in September.
- (9) Indigenous Peoples Day, second Monday in October.
- (10) Veterans Day, November 11.
- (11) Thanksgiving Day, fourth Thursday in November.
- (12) Friday after Thanksgiving.
- (13) Christmas Day, December 25.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 5-19-2020, V. 2020-90)

Sec. 90-38. Use of town equipment.

Personal use of town-owned equipment is prohibited.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-38.5. Computer system and electronic communications policy.

- (a) *General.* The Town of Lisbon (hereinafter the "town") is committed to providing an environment that encourages the use of computer systems as essential tools to support and enhance the municipal mission. As the town provides a computer system to its employees for this purpose, it is the responsibility of each employee to ensure that this technology is used for business purposes and not to the detriment of town business. Therefore, the town expects all employees to conduct their use of the computer system in a professional, responsible, respectful and courteous manner and as provided in this policy.

(Sel. Ord. of 3-21-2006, § 5, 186)

- (b) *Coverage.* All users of the town system.

(Sel. Ord. of 3-21-2006, § 5, 186)

(c) *Definitions.*

- (1) The word "system" shall mean all telephones, computers, facsimile machines, copy-machines, voicemail, e-mail, word processing, and other electronic communication, copying, or data storage systems leased, owned or in possession of the town. The "system" includes, but is not limited to, any town network computer system, as well as any local personal computer, laptop, any floppy-disk, any hard-drive and any other storage device or medium that the town provides to an employee or which is connected either physically or electronically, directly or indirectly, to any other part of the system.
- (2) The word "communication" means all electronic communications, all data, all software, all files and all other information made upon, created by or upon, received or transmitted by, or stored upon, any part of the system. "Communications" include, but are not limited to, voicemail and e-mail messages. Internet usage and all information placed upon the system.
- (3) The word "user" means all persons connected with the town, whether employees, contractors, agents, or any others, and including all individuals who are employed by or work for departments interfacing with the town's system, such as the school department and/or the water department, who use the system as that term is defined in subsection (a) above or any component of the system.

(Sel. Ord. of 3-21-2006, § 5, 186).

- (d) *Use.* All parts of the system are town property and/or are provided for business use and for town communications. All communications and data accessed by or stored on town-owned devices are town property.

(Sel. Ord. of 3-21-2006, § 5, 186)

- (e) *Disclaimer.* Much of the information available from the town system is available from sources outside the Town of Lisbon and refers to information generated outside the Town of Lisbon. The town makes no assurances of any kind, whether expressed or implied, with regard to any of this external material. The town will not be responsible for any damages suffered by an employee on used by the use of the information obtained from sources outside the Town of Lisbon, and the use of any such information is at the employee's own risk. The town further accepts no responsibility for the quality of information obtained from extra-town sources.

The town assumes no responsibility for any unauthorized charges or fees, including, but not limited to, long distance charges, per minute surcharges, and/or equipment or line charges.

(Sel. Ord. of 3-21-2006, § 5, 186)

- (f) *Privacy.* Because all systems and communications are the property of the town. employees should not expect that communications are private. Specifically, employee communications are not considered private despite any such designation by the sender or the recipient. Some data on the system may be classified as public record and may be subject to disclosure under applicable state laws.

(Sel. Ord. of 3-21-2006, § 5, 186)

- (g) *Monitoring.* Because all systems and communications are the property of the town, the townthrough the town manager or his/her designee has the specific right to monitor all communications of employees, including, but not limited to, Internet usage, all voicemail messages, all e-mail messages, all electronic files, all software, all data, and all other relevant information. The town may monitor and review the content of any of the above at any times and for any purpose whatsoever and may disseminate such communications for any purpose without the permission of the employee.

(Sel. Ord. of 3-21-2006, § 5, 186)

(h) *Internet.*

- (1) The town system, including its connections to the Internet and communications relating thereto is to be used primarily for town business purposes and any personal use shall be restricted to occasional use that will not in any manner interfere with the town's business purposes or the employee's job duties. Any unauthorized use of the Internet is strictly prohibited. Use of the Internet shall be regarded as a communication.
- (2) Any downloading or installation of unauthorized material is prohibited.
- (3) Unauthorized use includes, but is not limited to, connecting, posting, or downloading pornographic material; engaging in computer "hacking" and other related activities; attempting to disable or compromise the security information contained on the town system.
- (4) Internet messages should be treated as non-confidential. Anything sent through the Internet passes through a number of different computer systems, all with the differing levels of security. The confidentiality of messages may be compromised at any point along the way, unless the messages are encrypted.
- (5) Internet access provides the town with significant access and the opportunity to disseminate information to individuals outside the town. Since access to Internet messages are capable of being forwarded without the express permission of the original author, users must exercise caution in the transmission and dissemination of messages outside of the town and all such messages must comply with this policy, other applicable town policies and ordinances, and all state and federal laws.
- (6) Because postings placed on the Internet may display the town address, make certain before posting information on the Internet that the information reflects the standards and policies of the town. Under no circumstances shall information of a confidential, sensitive or otherwise proprietary nature be placed on the Internet.
- (7) Subscriptions to news groups and mailing lists are permitted when the subscription is for a business related purpose. All other subscriptions are prohibited.
- (8) Information posted or viewed on the Internet may constitute published material. Therefore, reproduction of information posted or otherwise available over the Internet may be done only by express permission from the author or copyright holder and according to all applicable copyright laws.
- (9) Unless the prior approval of the town manager and/or his designee has been obtained, employees may not establish Internet or other external network connections that could allow unauthorized persons to gain access to the town's systems and information. These connections include, but are not limited to, the establishment of hosts with public mode dial-ins, World Wide Web home pages and File Transfer Protocol ("FTP").
- (10) Use of a modem is permitted only to provide certain hardware or software vendors access to specific servers or personal computers on the town network to provide technical support. Such modem connections must be approved by the town manager and/or his designee. All other modem connections are prohibited.
- (11) The town manager and/or his designee must approve all files downloaded from the Internet. All files must be checked for possible computer viruses.
- (12) Offensive, demeaning or disruptive messages are prohibited. This includes, but is not limited to, messages that are sexually explicit or obscene; communications containing libelous or defamatory material; ethnic, racial or religious slurs; or anything that may be construed as disparagement or harassment of others based on race, national origin, gender, sexual orientation, age, disability, religious or political beliefs, or any other basis prohibited by federal and state law.

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- (13) With approval by the town manager and use of town-provided equipment on a system deemed acceptable by the town's IT provider, an employee may be permitted to perform town work from home or another remote location. Employees performing remote work are expected to adhere to this policy at all times while using town equipment and/or while performing duties on behalf of the town. All equipment used to access town systems shall be secured to the extent possible to prevent unauthorized access of town information.

(Sel. Ord. of 3-21-2006, § 5, 186)

(i) *Electronic mail (e-mail).*

- (1) Electronic mail. Internet mail, internal electronic mail and telecommunication access shall be regarded as communications.
- (2) Since no computer system is completely secure, and there is no expectation or right of privacy regarding use of the system or communications, e-mail should not transmit sensitive material such as personnel decisions or any other similar information where unauthorized access may be an issue. Such information should be more appropriately communicated by written memorandum or personal contact.
- (3) The town maintains "public" e-mail addresses that may be used by the public to transmit, request or transfer information to the town. These e-mail addresses shall be monitored. Due to the nature of e-mail, a response is not guaranteed.
- (4) Individuals may be assigned confidential passwords. Users should be aware that such an assignment does not imply that the system is for personal confidential communication. The use of the e-mail system remains for the conduct of town business. Passwords should be periodically changed to ensure the security of the e-mail system. Users should not share their passwords with anyone else, other than his or her department head or the town manager. The town manager may allow certain individuals to have "private" e-mail accounts for the transfer of correspondence or information from outside entities directly to that person. These accounts also are not to be considered a system for personal confidential communication and shall be governed by this policy.
- (5) Generally, e-mail messages are intended to be temporary communications that are non-vital and may be discarded routinely. However, depending on the content of the e-mail message, it may be considered a more formal record and should be retained pursuant to all applicable laws, rules, and regulations.
- (6) Employees should be aware that when they have deleted messages from their workstation mailbox, it might not have been deleted from the central e-mail system. The message may be residing in the recipient's mailbox or forwarded to other recipients. Furthermore, the message may be stored on the computer's back-up system for an indefinite period of time.

(Sel. Ord. of 3-21-2006, § 5, 186)

(j) *Other prohibitions.* When using the town system and using communications, employees are responsible for all actions that are prohibited. Specific examples of prohibitions follow below, but are illustrative only, and should not be considered as all-inclusive:

- (1) Intentionally or negligently damaging the system or data, deleting data created by other users or causing harm to the system through the introduction of programs designed to harm data or degrade system performance.
- (2) Vandalism to the system which shall include any attempt to harm or destroy any equipment materials or data. This includes, but is not limited to, the uploading or creation of computer viruses.

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- (3) Making illegal copies of town provided software.
 - (4) Solicitation or use for commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations; unauthorized use for private, financial or commercial gain or for private or commercial advertising.
 - (5) Use that wastes resources.
 - (6) Unauthorized use of another's account or password.
 - (7) Posting material created by others without their consent.
 - (8) Posting anonymous messages.
 - (9) Any installation of software without the town manager's and/or his designee's, consent.
 - (10) Any use of unlicensed software.
 - (11) Any other uses that may compromise the integrity of the town and its business in any way.

(Sel. Ord. of 3-21-2006, § 5, 186)

- (k) *Violations and remedies.* The town manager shall determine in all instances whether or not this policy has been violated or violation of any other applicable town rule, regulation or ordinance or any federal or state law or regulation has occurred. Upon such determination, the manager shall have, but not be limited to, all of the following remedies:

- (1) *Reimbursement.* To require all town employees to reimburse the town for any losses, costs, telephone charges, or damages incurred by the town relating to or arising out of that employee's violation.
- (2) *Revocation of privilege.* To revoke, limit or otherwise circumscribe the employee's use of and access to the town's system or communications.
- (3) *Discipline.* To impose discipline in accordance with the Town of Lisbon Personnel Policies and/or other applicable rules, regulations or laws, up to, and including, dismissal.
- (4) *Prosecution.* Where the nature of the violation warrants, to refer the violation to the appropriate authorities for criminal prosecution.

(Sel. Ord. of 3-21-2006, § 5, 186)

- (l) *Employee termination; leave of absence; vacation, etc.* When an employee leaves the employ of the town for any reason, the town reserves the right to review and retain all communications, (including, but not limited to, e-mail, voicemail and computer files) of or relating to the departing employee for any reason. Any employee who leaves the employ of the town shall not delete, modify, take or retain any communications (including, but not limited to, e-mail voicemail, software, and computer files). Employees are prohibited from gaining, or attempting to gain, access to another employee's e-mail or computer files without the employee first obtaining authorization from a supervisor or department head. Employees who leave employment with the town have no right to the contents of their e-mail messages and are not allowed access to the e-mail system. Supervisors or department heads may access an employee's e-mail if employees are on leave of absence, vacation, or are transferred from one department to another department, and it is necessary for the town's business purpose.

(Sel. Ord. of 3-21-2006, § 5, 186)

- (m) *Report of violations.* Each employee who observes a violation of this policy or circumstances where the use of the town's system is detrimental to the town or inhibits the town's ability to do its business, shall notify his/her immediate supervisor, department head, or the town manager.

(Sel. Ord. of 3-21-2006, § 5, 186)

- (n) *Employee agreement and verification.* An employee's use of the town's system constitutes that employee's agreement to abide by the town's policy governing use of the system and communications as set forth herein or as may be from time to time modified. All employees authorized to use or access the town's system shall be required to read and signify acceptance of their obligations under this policy by signing an agreement that acknowledges receipt, review and understanding of the policy and an intention to follow and abide by the policy.

(Sel. Ord. of 3-21-2006, § 5, 186)

- (o) *Amendments.* The town may amend this policy from time to time as it deems to be in its best interests. Amendments shall be circulated to affected employees and shall be acknowledged and verified in the manner described above.

(Sel. Ord. of 3-21-2006, § 5, 186)

(C.M. of 8-19-2014, V. 2014-159)

Sec. 90-38.6. Use of town vehicles.

- (a) *Statement of policy.* This policy is intended to provide a consistent standard for the use of town-owned vehicles. The town recognizes that certain employees are required to be "on-call" during off-duty hours or a 24-hour emergency call on a permanent, seasonal or as needed basis. This policy is intended to assure that these employees are able to have the vehicles at their disposal necessary to fulfill the duties of their positions while at the same time ensuring only those uses authorized by the town are permitted. Further, the town recognizes that an employee responding to a call for service outside of regular hours from their place of residence will decrease response time for the call.

It is the intention of this policy to establish operating procedures for all vehicles and/or equipment that are owned or leased by the Town of Lisbon in order to ensure that proper safety practices are being followed for the protection of employees and the public. This policy will address specific safety practices and does not supersede, amend, or replace any regulation required by state and federal agencies or any regulation required by other agencies for insurance or other purposes. Individual town department policies shall comply with the general provisions of this directive, but may deviate from the specific requirements depending on the department's mission-specific operations and type of equipment operated.

Town vehicles are for official use only and are never to be used for personal reasons. Official use is defined as use that is instrumental to the provision of town services. Personal use is defined as use that is specific to personal errands, trips, or purposes. A valid operator's license appropriate for the class of the vehicle is required.

- (b) *Employee responsibility.*

- (1) It is the employee's responsibility to maintain the proper driver's license in the required class of classification, and to immediately notify the town manager or his/her designee of any revocation or suspension.
- (2) Employees shall wear seatbelts at all times when operating town-owned vehicles or equipment that is so equipped, in compliance with state and federal laws. Employees who are passengers in any town-owned vehicles or equipment shall wear seatbelts at all times.
- (3) Employees shall ensure that no non-employee is allowed to ride in town-owned vehicles or equipment except in cases of emergency or with prior authorization of the town manager. The police chief may authorize non-employees to participate in a "ride along" program with a uniformed officer provided a

liability waiver is obtained from the participant prior to the "ride along." Non-employees who are passengers in any town-owned vehicles or equipment shall wear seatbelts at all times.

- (4) Any employee operating a town vehicle must strictly adhere to all town and state traffic laws and/or regulations.
- (5) Each employee will be responsible to ensure the maintenance of the vehicles or equipment in their use for their shift. Each employee will conduct a walk-around on their vehicles/equipment to ensure that it is in safe operating condition. This will include checking the tires and lights.
- (6) If mechanical problems are encountered while operating any vehicle/equipment, the department head shall be notified by the employee and will schedule the vehicle/equipment for proper repair and any required follow-up maintenance.
- (7) No smoking is allowed in any town-owned vehicle. Accessory equipment such as but not limited to a two-way radio shall only be used by employees having received the proper training in the equipment's use and protocols.

(c) *Vehicle assignments.*

- (1) *Marked vehicles/unmarked vehicles.* Employees whose positions require that they are available during off-duty hours to respond to stakeouts, surveillance sites, fire or emergency calls, may with the request of the Department Head and prior approval of the town manager, use the town's marked/unmarked vehicles while "on-call" during off-duty hours. Any personal use of the town's marked/unmarked vehicles by an employee at a time when they are off-duty and not "on call" is strictly prohibited.
- (2) Police, fire, public works, parks, and recreation departments may be allowed vehicle assignments with the prior approval of the town manager. A department head with prior approval from the town manager may temporarily give written authorization to on-call emergency supervisors/officers/foremen/employees from these departments to keep an assigned town-owned vehicle at their residence during the time that they are temporarily on-call to be used exclusively for any town business-related purpose. Vehicles are not to be used for personal use while at home.
- (3) Under IRS regulations, use of town vehicles for commuting is considered taxable income to an employee and the value of the personal use of the town vehicle will be included in the employee's taxable compensation. Excluded from this rule are marked police, fire, or public safety vehicles that are required to be used for commuting by a police officer, firefighter, or public safety officer who, when not on a regular shift, is on call at all times. Other than commuting, personal use of these vehicles, outside the limit of the police officer's arrest powers or the obligation of a firefighter or public safety officer to respond to an emergency, is prohibited pursuant to IRS regulations.

- (d) *Accidents involving town vehicles.* All accidents involving town vehicles require a police report no matter how minor. Except when absolutely necessary, a town vehicle involved in an accident will not be moved prior to authorization by an investigating police officer.

Should an accident occur the person driving the vehicle shall do the following:

- (1) Assist any injured person.
- (2) Contact law enforcement via the quickest possible means.
- (3) Take the names and addresses of all witnesses present.
- (4) Report the accident as soon as possible to the town manager.

Failure to comply with this policy may result in forfeiture of vehicle assignment and/or disciplinary action.

(C.M. of 5-16-2017, V. 2017-133)

Sec. 90-39. Residency requirements for emergency personnel.

All emergency personnel shall be required to locate their primary residence within a 20-minute response time; said response time to be measured at normal speeds and under normal road conditions.

(Sel. Ord. of 3-5-02; § 5.161; T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-40. Mileage reimbursement.

Mileage for the use of privately owned vehicles in the conduct of official business shall be reimbursed at the Internal Revenue Service rate.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-41. Outside employment.

A town employee may engage in outside employment outside the employee's normal working hours or schedules if, in the opinion of the town manager, it does not interfere with job performance and so long as it does not conflict with the best interests of the town.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-42. Smoking policy.

Smoking in any municipal building is not permitted. If an employee wishes to smoke, that employee may do so by going outside of the building on their work breaks to a designated place where the public will not be exposed to second-hand smoke. The personnel director shall post at each workplace a written policy as required by 22 M.R.S.A. § 1580-A.

- (1) *Purpose.* The Town of Lisbon recognizes the health risks of tobacco use and secondhand smoke for non-smokers, as well as the rights of those who use tobacco. In addition, per 22 M.R.S.A. § 1542, state law prohibits smoking in public places. In addition, parks, ball fields, and other recreational areas are protected by Lisbon Code § 30-88.5(b). The town is committed to providing a safe work environment for employees, volunteers, contractual persons, and the public by prohibiting tobacco use in any building or structure owned or leased by the town. The aim is to minimize the harmful effects of tobacco use among staff and eliminate secondhand smoke exposure for staff and the public in those buildings controlled by the town. In support of this commitment, tobacco use will be prohibited in all town-owned or leased buildings and vehicles.

- (2) *Definitions.*

Campus means any building or land owned or leased by the town on which regular business is conducted. This includes, but is not limited to, all town offices, public works, recreation, solid waste, treatment plant, water department, police and fire facilities owned by the Town of Lisbon.

Smoker means a person who is smoking or using smokeless tobacco products.

Smoking means the use or possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product, or who is using smokeless tobacco of any kind.

Tobacco products means any product that contains tobacco and is intended for human consumption.

Work site means any place not listed as "grounds" where one or more employees gather for the purpose of carrying out work-related duties, including construction zones, emergency scenes, town vehicles, or any area outlined in Lisbon Code Chapter 30 as a park or recreational use facility.

- (3) *Policy.* Tobacco use is prohibited in all of the following:
- All campuses owned by the town as defined in subsection (2).
 - Campuses that are leased by the town as leaser.
 - Campuses or areas of buildings that are leased by the town as lessee and occupied by the town.
 - Public transportation vehicles owned or leased by town and used by the public.
 - Non-public vehicles, including police cruisers, fire engines, snow plows, or any other vehicle owned or leased by the town.
 - All work sites as defined in subsection (2).
- (4) *Designated tobacco use areas.* In areas identified in subsection (3), tobacco use is only permitted in smoking areas designated by the facility manager. When applicable, special "smoking huts" may be made available for use as well at the discretion of the facility manager. Smoking is permitted outside of town vehicles identified in subsection (3), provided that the person smoking does not stand adjacent to or within ten (10) feet of an open window or air intake. If the work site is located outdoors, a tobacco use area shall be established by the site supervisor at least twenty (20) feet from the main work site.
- (5) *Applicability.* This policy applies to all employees, volunteers, and contractual persons. Employees are encouraged to ask the public not to use tobacco in any area described in subsection (3).
- (6) *Signage.*
- Persons in charge of campuses identified in subsection (3) shall post signs at all building entrances and exits explaining the prohibition on tobacco use. Signs may be posted in other areas of the buildings as well. For example, signs may be posted in other areas in the building where tobacco use is likely, such as bathrooms and dining areas.
 - Persons in charge of vehicles identified in subsection (3) shall post signs in the vehicles explaining the prohibition. The signs must be displayed in areas where passengers will be able to see the signs but the placement of the signs must not interfere with the safe operation of the vehicle.
 - The signs required by subsections (1) and (2) of this section must use clear and unambiguous language to convey the prohibition, and have letters at least one inch in height per 22 M.R.S.A. § 1543. The signs may include language such as "TOBACCO FREE BUILDINGS," "TOBACCO USE PROHIBITED IN THIS BUILDING," "TOBACCO USE NOT PERMITTED IN THIS BUILDING," or "TOBACCO USE NOT PERMITTED IN THIS VEHICLE." If a sign includes the international "No Tobacco Use" symbol (which consists of a pictorial representation of a burning cigarette and smokeless tobacco enclosed in a red circle with a red bar across it), it must also include written text explaining the prohibition.
 - All publicly available ashtrays shall be removed from any area where smoking is prohibited by this policy by the operator, manager, or other person having control of the area.
- (7) *Tobacco cessation programs.* The Town of Lisbon provides support to employees who want to quit the use of tobacco products. These employees are encouraged to talk to their health care provider about

quitting; ask about appropriate pharmacotherapy available through the town health insurance plan or employee's insurer and use the quitting support services of Healthy Androscoggin.

(8) *Compliance and penalties.*

- a. The town manager and all supervisors and department heads shall ensure the tobacco use policy is enforced. this does not preclude employees from bringing violations to the attention of their management and/or the town manager.
- b. Employees are responsible for complying with the tobacco use policy. Employees who violate this policy may be subject to sanctions consistent with the personnel policy.
- c. A person in charge of the building or vehicle identified in subsection (3) or his or her designee, management and supervisors who see an individual (other than an employee) who is using tobacco in violations of this policy must ask the individual to stop using the tobacco product, If, after having been asked to stop using tobacco, the individual continues to use a tobacco product, the person in charge shall issue a warning and must ask the individual to leave the building.

(9) *Effective date.* This policy shall be effective March 4, 2008.

(C.M. of 8-19-2014, V. 2014-159)

Sec. 90-42.5. Cell phone use policy.

(a) *Purpose.* The purpose of this policy is to promote a safe and productive work environment and increase public safety. This policy applies to both incoming and outgoing cellular calls.

(b) *Scope.* This policy applies to all employees.

(c) *Policy and procedure.*

- (1) Employees shall not violate the state statute regarding the use of any electronic multi-media devices.
- (2) Employees may carry and use personal cell phones while at work on a sporadic basis. If employee use of a personal cell phone causes disruptions or loss in productivity, the employee may become subject to disciplinary action per personnel policy.
- (3) If an employee is operating a town vehicle and receives a call on a cell phone, the employee may answer on a hands free device, or pull over to a safe location. Failure to follow this policy may result in disciplinary action.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-43. Policy for firefighters on payroll to go to fires.

It shall be the policy of the town that volunteer firefighters who are employees of the town be encouraged to provide firefighting services 24 hours a day seven days a week. Therefore volunteers may leave the workplace to attend to structural fire calls provided leaving the municipal work site does not present a safety hazard, all while staying on the town payroll during normal working hours. The firefighter on any standby shall request permission of the senior officer in command for permission to return to municipal work duty which shall not be unreasonably withheld. When possible a request by the firefighter to leave duty to attend fire duty shall be made and not unreasonably withheld. When a[n] employee is being paid for overtime detail and is called to a fire, the municipal pay shall cease. A record of attendance at fires and hours shall be maintained by the department. Any appeals of this policy shall be to the town manager whose decision shall be final.

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159 ; C.M. of 3-6-2018, V. 2018-46)

Sec. 90-44. Saving and separability clause.

If any provision of these personnel policies is invalid, the validity of the remaining provisions of these personnel policies shall not be affected thereby. If the application of these personnel policies or any of its provisions to any person or circumstance is held invalid, the application of these personnel policies and its provisions to other persons or circumstances shall not be affected thereby. If any provision of these personnel policies is held invalid by reason of any conflict with federal or state law, the provisions of the applicable federal or state law shall automatically become incorporated within these personnel policy(ies) in place of the invalid provision(s).

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159)

Sec. 90-45. Treatment plant uniform reimbursement.

The Town of Lisbon will reimburse each full-time **licensed operator** of the Lisbon Pollution Control Treatment Plant up to the amount of five hundred dollars (\$500.00) per calendar year for the purchase of uniforms. The Town will also reimburse up to two hundred fifty (\$250.00) dollars per employee per calendar year for the purchase of the following:

- Safety footwear containing a steel toe.
- Prescription safety eyewear including frames, permanently installed side shields and the appropriate lenses (Note: The Town of Lisbon will not reimburse employees for the cost of the vision examinations).

In order to be reimbursed for the items purchased, employees must submit all receipts for the items along with the appropriate Reimbursement Form to the Sewer Superintendent of the Town of Lisbon. In lieu of reimbursement, any clothing items purchased where the town currently has an account can be ordered through the employee's supervisor.

(; C.M. of 3-6-2018, V. 2018-46)

Sec. 90-46. Nepotism Policy.

In order to avoid potential conflicts of interest, it is the Town's policy to prohibit employment of close relatives in any supervisor/subordinate relationship. The Town also discourages the employment of close relatives within the same department, unless there are extraordinary circumstances that may warrant it. A close relative is defined in the case of nepotism as a spouse, registered domestic partner, child, parent, parent-in-law, brother, sister, brother-in-law, sister-in-law, grandchild, grandparent, stepchild, stepparent, stepbrother, or stepsister. Exemption: This policy does not apply to paid on-call firefighters.

If two (2) employees become relatives (whether by marriage or other legal action, including registered domestic partnerships or civil union), both are eligible to keep their jobs if they do not work in the same department, one does not supervise the other, or one is not the supervisor of the other's supervisor. In circumstances where such conflicts arise, efforts will be made to accommodate a transfer of one affected employee, subject to existing business considerations. Where such an accommodation cannot be reached, necessary steps will be taken, up to and including termination of one of the two affected individuals, if necessary, after offering the employees the opportunity for one of them to voluntarily discontinue his or her employment. The Town retains the right to make the final decision in such a case.

Sec. 90-47. Social Media Policy

Access or use of social media sites using town-owned equipment or the town's network is prohibited unless used for business reasons within the employee's job description or with advance supervisor approval of use and content. The Town shall monitor internet use for compliance with this policy.

Under state law, the town is prohibited from requiring employee to provide login information or allow access to their personal accounts on social media sites such as Facebook, Twitter and YouTube. State law also prohibits the Town from retaliating or discriminating against employees for refusing to provide their social media credentials or reporting alleged violations of this law. Notwithstanding these laws, employees are strictly prohibited from using social media sites to discuss confidential Town business or reference their status as a town employee or disparage town officials or actions when making comments.

The town may access any publicly available information on any social medium. Accordingly, the Town may also be provided with access to statements made and pictures shared on social media sites or on the internet in general by other employees and/or by members of the public voluntarily without the employee's consent or knowledge. Employees should therefore exercise caution and good judgment in posting any material to any social medium sites or on the internet. Employees are prohibited from representing themselves as agents of the town on any personal social media site and may be subject to discipline for information shared on or statements or pictures posted on social media sites or the internet.

The town may conduct investigations into social media use if it receives specific information about workplace misconduct or the unauthorized transfer of the town's proprietary or confidential information. Under no circumstances shall any employee post any comments or photographs pertaining to the town that are not known to the general public, that relate to any town employee or official, resident, resident information or any other confidential MUNICIPAL information on any social medium (i.e. Facebook, Twitter, Instagram, Snapchat, YouTube, etc.) Such violations of confidentiality will not be tolerated, and employees violating this policy will be subject to disciplinary action.

Nothing in these policies is designed to interfere with, restrain, or prevent social media communications by employees engaging in protected concerted activities regarding wages, hours, or other terms and conditions of employment pursuant to the National Labor Relations Act. All Town employees have the right to engage in or refrain from such activities.

Sec. 90-48. Statements to the media

No press release or statement to the media relating to any town matters shall be issued by any employee or the head of any department unless and until permission to issue such release has been obtained from the town manager. The foregoing policy shall not apply to the Police Chief, Fire Chief or their designee, or the Town Clerk when notifying the press of election results, who are authorized to issue press releases. Program advertisements and event promotion are not included under this restriction.

When permission has been obtained from the town manager, the department head may issue the approved statement to the press or to a media representative. A copy of said statement shall be forwarded immediately to the office of the town manager.

All inquiries from newspapers or television reporters should be referred to the town manager, who will then refer the issue to the appropriate department head as he or she deems appropriate. The sole exception is the chief of police, Fire Chief or his/her designee, or Town Clerk when discussing election results, who may answer questions at their discretion.

Any employee who disregards the restrictions imposed on statements to the media shall be subject to disciplinary action.

Sec. 90-49. Dress code

The appearance of employees affects the way that members of the public view Town government. It is important for employees to project an air of professionalism both in their dress and in their manner. Members of the public expect the people who work for them to be neatly groomed and appropriately dressed for their work environment. The Office Attire Policy relies to a great extent upon the good judgment of employees. This policy provides general guidelines about work attire.

Neat appearance is required at all times. If a question arises about the appropriateness of particular items of clothing, these should be resolved by employees and their supervisors or Department Heads. Human Resources will provide guidance to employees and managers about the appropriateness of work attire. In the event that a Department Head finds clothing to be unacceptable, an employee will be sent home to change into appropriate attire.

The following types of clothing are not appropriate at any time:

- Cutoffs or athletic shorts
- Casual t-shirts with advertising or other messages on them
- Undershirts or tank tops
- Sweatshirts with advertising or other messages on them
- Ripped, torn, or soiled clothing
- Revealing clothing, including cropped tops and halter tops, or clothing that is too tight or too short
- Strapless tops or dresses
- Leotards or leggings, unless worn under longer tops, skirts, or dresses
- Sweatpants or warm-up suits
- Flip-flop sandals
- Any article of clothing or accessory that, due to the employee's job duties, poses a risk of injury

Sec. 90-50. Employee Orientation

Starting a new job can be overwhelming and complex for anyone. The Town of Lisbon wants to ensure that new employees feel welcomed and are acclimated to their work tasks and environment in the most amenable and efficient way.

During each new employee's first week, the Human Resources Director, designated supervisor or Department Head will conduct a thorough orientation of the employee on such matters as the town's organization and functions; the employee's role in helping to achieve town and department objectives; the employee's job content and scope; training, performance and evaluation standards, promotional opportunities; workplace safety; and any other matter of departmental importance. Departmental orientations are to be recorded on the prescribed orientation form, initialed by the person administering the orientation, and placed in the employee's personnel file as a permanent record.

Within the new employee's first week of employment, personnel staff will provide an additional orientation consisting of the completion of employment forms and records: an explanation of the town's compensation and benefit programs and personnel policies; and any other information as determined appropriate to the employee's orientation and integration into the Town's service.

After one month of employment, the Human Resources Director may follow up with the new employee to assess how the training and orientation is progressing. Any feedback from new employees on how to improve the process is welcomed at this follow up session.

Sec. 90-51. Personnel Records

The town maintains a personnel file on each employee. Generally, the contents of the file include the job application, reference letters, salary history, benefits records, discipline records, performance evaluations, and general correspondence. Official personnel files are maintained in the Human Resource Director's office. An employee may review his or her personnel file by appointment during regular business hours. Copies of personnel file materials may be obtained upon request. Employees shall have the ability to review and to respond in writing to any complaint, negative report, or disciplinary action. The employee's response shall be placed in the personnel file.

Sec. 90-51.5 Notice of Employee Change Status

Every appointment, transfer, promotion, demotion, change in compensation, resignation, suspension, vacancy, leave of absence, official reprimand, commendation, address change, name change, reclassification, and all other temporary or permanent changes in status of employment shall be reported to the Human Resources Director, in person with ID, on the proper form with original documents attached. The effective date and a record of the change will be maintained and kept by the Human Resources Manager.

Sec. 90-51.5 Notice of Employee Change Status

Change of Personal Information: Employees are responsible for keeping their personnel records up to date by notifying the Human Resources in person with ID Manager in writing of any personal information changes to the following information: name, address, telephone number, marital status (for benefits and tax withholding purposes only), addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only), beneficiary designations for any of the Town's insurance, disability, retirement, and deferred compensation plans, and persons to be notified in case of emergency. Failure to do so may delay or have an adverse effect on the timely receipt of correspondence being mailed, insurance coverage, and/or accurate assessment of premium rates for the Town. The town will not be responsible for an employee's error or omission in this regard.

Sec. 90-52. Department Management

Each separate and identifiable department of the Town may develop, implement, and revise as necessary such policies, procedures, and rules pertaining to unique operational requirements and their effect upon

department employees as are needed for efficient and effective performance of the department. Such policies, procedures, and rules should not conflict with the policies and procedures represented in this policy manual, or amendments thereto, and must therefore be approved by the town manager prior to implementation. Where conflicts may arise, the policies and procedures contained in this handbook will prevail.

Sec. 90-52. Work Schedule and Flexible Work Policy

Flexible Scheduling- Employees performing work that does not require they be available at all times during Town Hall's hours may request an alternate schedule. This schedule must not vary from Town Hall's hours more than 1.5 hours. For example, on days where Town Hall opens at 8am all employees must arrive for their day between 6:30am and 9:30am. The schedule must be equal to 40 hours. Employees requesting an alternative work schedule should make this request in writing to the Director of Human Resources who will then meet with the Department Head to review the appropriateness of the request. The Director of HR will respond to the request with an approval or a denial in writing. Occasional and minor adjustments to this alternative schedule, for example to accommodate an appointment or when a work event alters hours, may be approved on an as needed basis by the Department Head. Approval of an alternate work schedule may be revoked at any time at the discretion of the department head or town manager.

Remote Work- Temporary remote work arrangements may be approved for circumstances such as inclement weather or if a child is home sick. These types of arrangements will be approved on an as-needed basis only, with no expectation of ongoing continuance. Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, if appropriate. All informal remote work arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.

The Town of Lisbon considers remote work to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Remote work may be appropriate for some employees and jobs but not for others. Remote work is not an entitlement, it is not a town-wide benefit, and it in no way changes the terms and conditions of employment with The Town of Lisbon. Any remote work arrangement may be discontinued at will and at any time at the request of either the employee or the supervisor.

Individuals requesting remote work arrangements must have a satisfactory performance record.

Before entering into any remote work agreement, the employee, Department Head and Director of Human Resources will evaluate the suitability of such an arrangement, reviewing the following areas:

Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful remote

work.

Job responsibilities. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a remote work arrangement.

Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the remote work.

Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee and Department Head agree, the Director of Human Resources will draft a remote work agreement to be signed by all parties. In the event that the Department Head and employee are not in agreement, the Director of Human Resources or Town Manager will make the final decision.

On a case-by-case basis, The Town of Lisbon will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs for each remote work arrangement. The human resource and information system departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The Town of Lisbon accepts no responsibility for damage or repairs to employee-owned equipment. The Town of Lisbon reserves the right to make determinations as to appropriate equipment, subject to change at

any time. Equipment supplied by the organization is to be used for business purposes only. The telecommuter must sign an inventory of all The Town of Lisbon property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all company property will be returned to the company, unless other arrangements have been made.

The employee will establish an appropriate work environment within his or her home for work purposes. The Town of Lisbon will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, ergonomics, furniture or lighting, nor for repairs or modifications to the home office space.

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards.

Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the company's workers' compensation policy. Remote work employees are responsible for notifying the employer of such injuries as soon as practicable. The

employee is liable for any injuries sustained by visitors to his or her home worksite.

Remote work is not to be used as a replacement for appropriate child care. Although an individual employee's schedule may be modified to accommodate child care needs, the focus of the arrangement must remain on job performance and meeting business demands.

Remote work employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the Town of Lisbon's time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the employee's supervisor. Failure to comply with this requirement and any other abuse of the remote work arrangement may result in disciplinary action and the immediate termination of the remote work agreement.



Application to Donate Hours to the Sick Leave Bank

ROUTING	<input type="checkbox"/> DEPARTMENT HEAD	<input type="checkbox"/> TOWN MANAGER	<input type="checkbox"/> HUMAN RESOURCES	<input type="checkbox"/> _____
Employee Name:	_____		Social Security #:	_____
Department:	_____		Employee #:	_____
Address:	_____			
Telephone #:	()	_____	Job Title:	_____
Date of Birth:	_____	<input type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt	<input type="checkbox"/> Union	Unit: _____

Employee Initial

Date of Request:	_____
Amount of hours of donated:	_____

I have reviewed the requirements of the Town of Lisbon Sick Leave Bank Policy and its conditions set forth and I agree with all of the terms and conditions and consider myself to be a qualified donor.

Employee Signature	_____	Date Submitted	_____
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Application to Receive Hours from the Sick Leave Bank

ROUTING: ☐ DEPARTMENT HEAD ☐ TOWN MANAGER ☐ HUMAN RESOURCES ☐ _____

Employee Name: _____ Social Security #: _____
Department: _____ Employee #: _____
Address: _____
Telephone #: () _____ Date of Birth: _____
Job Title: _____ ☐ Exempt ☐ Non-Exempt ☐ Union Unit: _____

Date of Request: _____
Amount of hours of sick time requested: _____
Date Probationary period completed: _____

Employee Initial

I have a physician's statement which includes the beginning date and expected duration of incapacitation
I have exhausted all accumulated sick time
I have exhausted all compensatory time
I have exhausted all vacation time
I am not receiving any form of income at this time (*Income Protection, Workers Compensation, other*)
This request is not a work related injury
I am not receiving Workers Compensation from the Town of Lisbon or any other employer
I am not out on disciplinary action or administrative leave.

Please accept this application as a request for sick time hours from the Sick Leave Bank. I understand that all applications are reviewed and held in confidence and that approval will be made based on the number of hours available in the Sick Leave Bank and the number of requests currently being reviewed for consideration.

Employee Signature: _____ Date Submitted: _____

☐ Approved
☐ Denied

Reason for Denial: _____

Department Head	_____	Date	_____
Print Name	_____	Title	_____
Town Manager	_____	Date	_____
Print Name	_____		



Employee Request for Time Off

Absence Information

Employee Name: _____

Employee Title: _____ Department: _____

Manager: _____

Type of Absence Requested:

- | | | | |
|---------------------------------------|------------------------------------|--|---|
| <input type="checkbox"/> Sick | <input type="checkbox"/> Vacation | <input type="checkbox"/> Bereavement | <input type="checkbox"/> Time Off Without Pay |
| <input type="checkbox"/> Military | <input type="checkbox"/> Jury Duty | <input type="checkbox"/> Maternity/Paternity | <input type="checkbox"/> Personal Day |
| <input type="checkbox"/> Other: _____ | | | |

Dates of Absence: From: _____ To: _____

Reason for Absence: _____

You must submit requests for absences, other than sick leave, a minimum of two days prior to the first day you will be absent.

Employee Signature

Date

Manager Approval

- ☐ Approved
☐ Rejected

Comments: _____

Manager Signature

Date

**TOWN OF LISBON
REQUEST FOR DIRECT DEPOSIT**

I authorize the Town of Lisbon to automatically deposit my check as I so designate below.

I understand this agreement may be terminated by me or by the Town of Lisbon at any time by written notification. Any such notification requires a reasonable time to act upon it.

NAME _____

START ☐ CHANGE ☐ STOP ☐

(PLEASE PRINT CLEARLY)

BANK NAME _____

BANK ADDRESS _____

BANK PHONE NUMBER _____

PLEASE ENTER THE FOLLOWING INFORMATION ABOUT YOUR ACCOUNT:

BANK ROUTING NUMBER _____

SAVINGS ACCOUNT NUMBER _____

CHECKING ACCOUNT NUMBER _____

AMOUNT TO BE DEDUCTED _____

AMOUNT CHANGING FROM _____ TO _____

SIGNATURE _____ DATE _____



Town of Lisbon Staff Evaluation

Date Of Evaluation: _____ Evaluator: _____
Employee: _____ Date Hired: _____
Job Title: _____ Type Of Evaluation: _____

Expectations

Job Description is attached, please conduct a thorough review and discuss any inaccuracies with evaluator, and return signed acknowledgement of job description.

Evaluation Purpose

The purpose of this evaluation should be to format a simple tool to accomplish two purposes:

1. Have good communication which can help in an individual's development and
2. Provide input to the preparation of the plans and goals for the year ahead.

Performance Ratings and Definitions

Exceeds Expectations (E) – is a truly outstanding performance that results in extraordinary and exceptional accomplishments with significant contributions to the objectives of the department, group, or organization. The performance exceeds the level expected for this position.

Significant Contribution (SC) – is a performance that consistently generates results above those expected of the position. The incumbent contributes in a superior manner to innovations both technical and functional.

Meets Expectations (M) – Performs all duties and responsibilities in this category in a fully satisfactory and consistent manner. Performs competently and may on occasion generate results above those expected of the position.

Shows Improvement (SI) – Performance leaves room for improvement. This performance level may be the result of new or inexperienced incumbent on the job or an incumbent not responding favorably to instruction.

Unacceptable (U) – is the lowest performance level, which is clearly less than acceptable, and is obviously well below the minimum position requirements. The incumbent significantly fails to perform in a satisfactory manner. This situation requires review and action. Possible separation or reassignment is in order without significant and immediate performance improvement.

Evaluation Categories

- | | |
|--|---------------------------|
| 1. Work Skills <ul style="list-style-type: none">a. Work is delivered correctly, neatly and accuratelyb. Work is performed in a timely fashionc. Employee's skill on required equipmentd. Employee is well organizede. Understands job duties and responsibilitiesf. Has necessary skills and knowledge Comments: | Performance Rating |
|
 | |
| 2. Work Habits and Work Relationships <ul style="list-style-type: none">a. Punctuality and Attendanceb. Dependability and ability to perform without supervisionc. Ability to work with others; support staff and professional staff Comments: | Performance Rating |
|
 | |
| 3. Work Habits and Work Relationships <ul style="list-style-type: none">a. Accepts direction and constructive criticismb. Willingly pitches in with group efforts and work overloadc. Makes an effort to improve skills and work habits takes an interest in work Comments: | Performance Rating |
|
 | |
| 4. Communication Skills <ul style="list-style-type: none">a. Works well with the publicb. Ability to work with other agenciesc. Communication skills, verbally and orallyd. Listening skills Comments: | Performance Rating |

5. Safety

Performance Rating

- a. Routinely practices safe work habits
- b. Uses proper safety equipment for assigned tasks
- c. Takes initiative to correct unsafe working conditions
- d. Reports unsafe working conditions or practices to management

Comments:

Overall Rating

M/SC

Summary

Goals

- 1.
- 2.
- 3.

Employee Signature	_____	Date	_____
Evaluator Signature	_____	Date	_____

ATTACHMENT "A"

New Grade	Lisbon Job Title
A	Before/After School Aides
B	Assistant Town Clerk
	Custodian
	Library/MTM Custodian
C	After School Coordinator
	Before School Coordinator
	Laborer- Parks
	Library Aide
	Library/Circulation Aide
	Office Assistant
	Senior Coordinator
D	Accounts Payable Clerk
	Administrative Assistant - Parks & Rec
	Administrative Assistant - Public Works
	Adult + Interlibrary Loan Services Assistant
	Bus Driver
	Parks Maintenance Supervisor
	Cataloguer Technical Services
	Collections Clerk
	Deputy Town Clerk
	Motor Vehicle Clerk
	Motor Vehicle Agent
	Moxie Coordinator
E	Animal Control Officer
	Collections/Sewer Billing Clerk
F	Call Firefighter
	Electrical Inspector
	Finance Assistant
	Wastewater TP Operator
	Wastewater TP Lab Tech
G	Administrative Assistant - Police
	Administrative Assistant - Town Manager
	Assessor's Clerk
	Assistant Director - Parks & Rec
	Firefighter
	Operations Manager - Transfer Station
	Children's Librarian
H	Assistant Director - Library
	Assistant Director - Parks & Rec
	Town Clerk
	Treatment Plant Operations Manager
I	Assessor
	Code Enforcement Officer
	Director - Library
J	Director - Parks & Rec
K	Economic Development Director
L	Chief - Fire
	Director - Public Works
	Finance Director
	Human Resources Director
	Treatment Plant Superintendent
M	Assistant Town Manager
	Chief-Police
N	Emergency Management Director
	Town Manager

Created: 2022-05-17

(Supp. No. 39)

	Steps								
Grade	ENTRY	1	2	4	6	8	12	16	20
A	\$ 12.15	\$ 12.51	\$ 12.89	\$ 13.41	\$ 13.94	\$ 14.64	\$ 15.37	\$ 16.14	\$ 16.95
B	\$ 12.73	\$ 13.11	\$ 13.51	\$ 13.91	\$ 14.33	\$ 14.90	\$ 15.50	\$ 16.27	\$ 17.09
C	\$ 13.95	\$ 14.51	\$ 15.09	\$ 15.69	\$ 16.32	\$ 16.97	\$ 17.65	\$ 18.36	\$ 19.09
D	\$ 15.35	\$ 15.96	\$ 16.60	\$ 17.27	\$ 17.96	\$ 18.68	\$ 19.42	\$ 20.20	\$ 21.01
E	\$ 16.98	\$ 17.66	\$ 18.37	\$ 19.10	\$ 19.86	\$ 20.66	\$ 21.49	\$ 22.34	\$ 23.24
F	\$ 18.85	\$ 19.60	\$ 20.39	\$ 21.20	\$ 22.05	\$ 22.93	\$ 23.85	\$ 24.81	\$ 25.80
G	\$ 21.03	\$ 21.87	\$ 22.75	\$ 23.66	\$ 24.60	\$ 25.59	\$ 26.87	\$ 28.21	\$ 29.62
H	\$ 23.46	\$ 24.40	\$ 25.37	\$ 26.39	\$ 27.44	\$ 28.82	\$ 30.26	\$ 31.77	\$ 33.36
I	\$ 26.28	\$ 27.33	\$ 28.42	\$ 29.56	\$ 30.74	\$ 32.28	\$ 33.90	\$ 35.59	\$ 37.37
J	\$ 29.44	\$ 30.62	\$ 31.84	\$ 33.12	\$ 34.44	\$ 36.16	\$ 37.97	\$ 39.87	\$ 41.86
K	\$ 33.14	\$ 34.47	\$ 35.84	\$ 37.28	\$ 38.77	\$ 40.71	\$ 42.74	\$ 44.88	\$ 47.12
L	\$ 37.46	\$ 38.96	\$ 40.52	\$ 42.14	\$ 44.45	\$ 46.67	\$ 49.01	\$ 51.46	\$ 54.03
M	\$ 42.35	\$ 44.04	\$ 45.81	\$ 47.64	\$ 50.02	\$ 52.52	\$ 55.15	\$ 57.90	\$ 60.80
N	\$ 48.50	\$ 50.93	\$ 53.47	\$ 56.14	\$ 58.95	\$ 61.90	\$ 64.99	\$ 68.24	\$ 71.66

This attachment is the model of our base pay scale structure for the Town of Lisbon. All positions were analyzed based on the job descriptions that were provided to a third party consulting firm that specializes in pay scale structures. This pay structure aligns job titles to a step structure, the above chart reflects base pay; furthermore, an individual's wage rate could be higher than the above chart based on other variables such as education and certifications, experience and other related factors

Maine Government Summer Internship Program

Municipal Intern Request

Maine Government
Summer Internship Program



Program Numbers

- ▶ 52 full-time paid summer internships (2022)
- ▶ 15 interns in municipal & county government (2022)
- ▶ 150-200 applicants each year



How to Request an Intern

Step 1: [Online intern request form](#). Deadline is March 1.

Step 2: Fill out the [Municipal signature form](#).

Dates: May 30 – August 18 (12 weeks total)

Intern Wages: \$15 per hour as temporary full-time employee

Additional costs: \$250 administrative fee



Maine Government Internships

Internships Home

Student Application

State Information & Application

Municipal/County Information & Application

FAQs for Students

FAQs for Supervisors

Photos, Annual Reports & History

Maine Government Summer Internship Program

Student interns participate in and contribute to Maine state agencies and municipal and county governments, gaining professional experience and networking. Supervisors benefit from hardworking interns with new ideas, energy and skills. Internships are full-time, paid work experience for 12 weeks of the summer.

Read the [2022 Internship Annual Report](#) (pdf).

Maine Government
Summer Internship Program



Student Application
and Information



State Agency
Application and
Information



Municipal/County
Application and
Information

TOP

Maine Government
Summer Internship Program



1865 THE UNIVERSITY OF
MAINE
Margaret Chase Smith
Policy Center

Application Details

- Description of workplace & supervisor role
- Description of intern activities
- General category of intern job

Please choose the primary focus of your internship from the following list.

- ☐ Accounting/Finance
- ☐ Business
- ☐ Communication: Outreach/Marketing
- ☐ Communication: Social media/website
- ☐ Data analysis/Economic analysis
- ☐ Engineering
- ☐ Environmental sciences



Application Details

- Skills required of intern
- Level of experience necessary
- Degree of intern independence required

For each of the following skill sets please indicate what level of proficiency is required for your internship.

	Not relevant to this internship	None	Beginner	Proficient	Advanced
Spreadsheets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Database	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Programming	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Desktop Publishing/Design	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Video editing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Website editing/social media skills	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Step 2: HR Form

Internship Title:			
Agency Name:			
Supervisor's Name Printed ▲	Supervisor's Signature ▲		
Supervisor's Title ▲			Date ▲
Town/City/County Manager Signature▲	Manager Title ▲	Date ▲	

Supervisor: The supervisor's signature indicates that you understand your responsibilities and are prepared to provide a positive learning experience for a student intern.

Town/City/County Manager: Indicates review and approval of the intern request and assures **that the intern will be appropriately employed and paid.**



Selection mid–March to mid–April

1. Clarify
2. We propose one or two candidates.
3. You confirm or rank.
4. You have option to (promptly) talk with the student.
5. We offer the job to the student.

Summer

1. Intern Educational Day
2. [Maine Career Catalyst](#)
3. Support



Questions?

Peggy McKee

margaret.mckee@maine.edu

(207) 581-1644

Applications due by March 1!

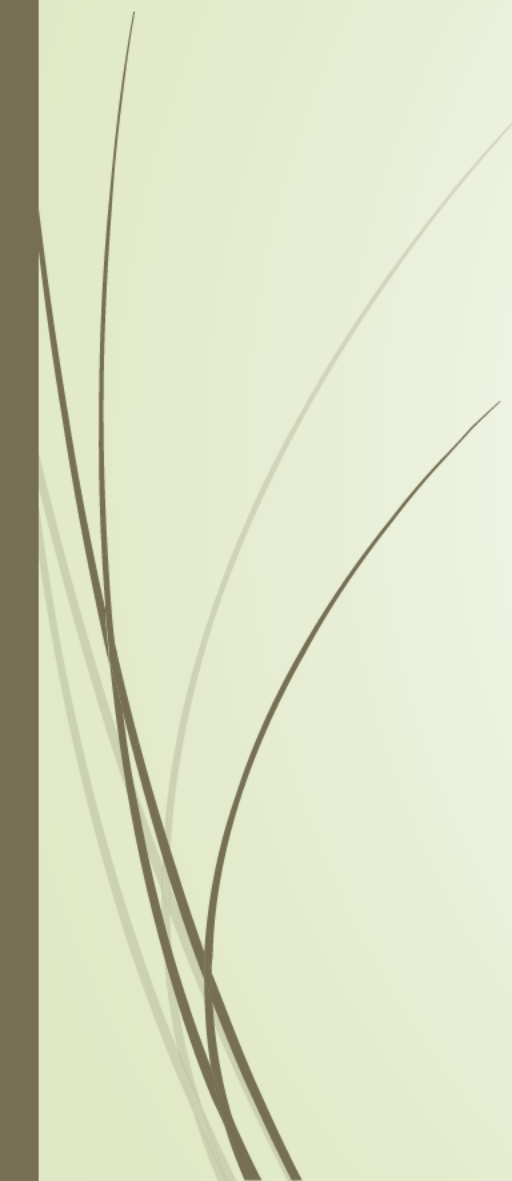
Please contact us if you want an intern but cannot meet the deadline

Maine Government
Summer Internship Program





2023 MMA Municipal Internship Grant

- MMA's Executive Committee remains committed to supporting Maine's towns and cities with **municipal workforce recruitment and development**.
 - As part of MMA's ongoing efforts, we especially understand the importance of municipal government internships as a way to **introduce students to careers in municipal government, make professional connections, and engage in meaningful work experiences**.
 - Towns and cities gain from the opportunity to **hire students with fresh perspectives who can contribute to the community**.
 - In 2022, MMA made four intern grant awards to Bath, Houlton, New Gloucester, and Winthrop.
- 




MMA Municipal Grant Award Details:

- MMA will award **four \$3,000 grants** to member municipalities that commit to hiring an intern through the Maine Government Summer Internship Program:
 - \$2,500 to offset the intern's salary
 - \$250 to offset the administrative fee payable to the Margaret Chase Smith Policy Center
 - \$250 to offset costs associated with any necessary training for the intern during the course of their internship
- During the internship and for one year after, interns will also receive a complimentary MMA student membership and have registration fees waived for MMA trainings, conferences, and Convention.



How to be Considered for a Grant:

- Municipalities must **complete the Margaret Chase Smith Policy Center's Intern Request Form and Municipal Signature Form by the March 1 deadline.**
- Within the Intern Request Form, please **select that your municipality would like to be considered for an MMA Municipal Government Internship Grant.** Indicating this interest gives the Margaret Chase Smith Policy Center permission to share your application with MMA.
- **MMA will convene a committee to consider applications and decide on award recipients.** This committee will make award decisions based on the quality of the proposed internship experience; the intended impact of the intern's work on the community; and the potential for the internship to provide meaningful exposure to municipal careers. The committee will also work to balance geography and municipality size in determining award recipients.
- **Award recipients will be notified of their grant award by April 1, 2023.** Disbursement of the grant is contingent on the successful placement of an intern in the municipality and awards will be presented at the conclusion of the completed summer internship program in August 2022.



For more information or with questions
about the grant, please contact:

Peter Osborne

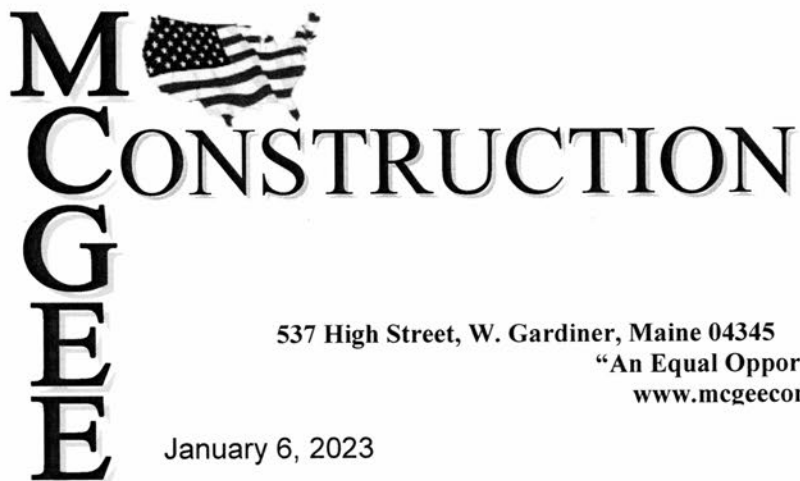
Director of Educational Services

Maine Municipal Association

posborne@memun.org

207-623-8428 x2390





Commercial/Residential Site-work
 Trucking Paving Carpentry
 Gravel Sand Stone Loam
 Tank Installation & Removals
 Concrete Forestry Surveying
 Land Development & Sales

537 High Street, W. Gardiner, Maine 04345 Phone: (207) 582-8810 Fax: (207) 582-8847
 "An Equal Opportunity Employer"
www.mcgeeconstruction.com

January 6, 2023

Shane Amoroso
 64 Mountain View Drive
 Peru, Maine 04290

Reference: Lisbon – Highway Reconstruction (WIN: 014862.00)
 Traffic Control for the 2023 Construction Season

Shane,

McGee Construction has been looking ahead at the work in Lisbon for the 2023 Construction Season along Main Street (Route 125). There are a number of side streets that McGee Construction will be working in front of during the course of the work, which are Earle Street, Willard Street, North Street, South Street, Douglas Street, Bibber Street, Hewey Street and Huston Street. To complete this work in the safest and most efficient manner McGee Construction would like to propose the closure of the Main Street end of these roads to traffic while the crews are in the vicinity of them (80' to 100' either side). These closures will prevent traffic from entering onto Main Street (Route 125), or exiting off of Main Street (Route 125) at each respective side street. Each of these streets have an outlet to/from another street that has access to/from Main Street (Route 125). McGee Construction feels that most locals will travel the back streets to avoid the immediate construction area each day, so the closures will be more of a notification formally to show where the immediate work areas are.

McGee Construction will also be working in front of David Street and Sparsam Street this upcoming 2023 Construction Season. These two (2) streets are different than the ones listed above because these streets do not have outlets onto other streets. McGee Construction will have road plates readily available to set in place to allow traffic to pass over the ongoing work to access these side streets. There will be a slight delay in access across the work area when McGee Construction is in front of these streets.

The McGee Construction management group on site (Superintendent and Utility Foreman) will be in communication with the residents along these two (2) streets as well as each individual resident with a private driveway along Main Street (Route 125) to communicate the work schedule with these residents. This will be needed to try to coordinate access to limit the delays that will take place during the upcoming work in the Spring.

McGee Construction would like to schedule time in front of the Town Council to review the upcoming 2023 Construction Season. This will give McGee Construction time to present the traffic control ideas that we have and to receive comments back as to how to improve on the traffic control needed for the upcoming work.

Sincerely,

Tom Linindoll

Tom Linindoll, Project Manager

Council Goals

Individual Councilor Goals as listed by them

LAROCHELLE:

- To review all our town committees and make sure that are still active and have the support and training needed.
- To start a public safety committee to review and support the town's services and work towards a new public safety building.

LUNT:

- Provide good guidance and appropriate training to the new Town Manager to help him be successful in his new role, particularly in the specifics of Maine law.
- Work with the new Worumbo group to help them develop the Worumbo site into an attractive venue and park, utilizing money from the Downtown TIF fund to accelerate that work where appropriate. This could include features such as a bandstand with power, lights and sound, public bathrooms, paved parking, and a playground.
- Develop better communication with Lisbon Emergency so that both sides have a clearer understanding of the desires and intentions of the other.
- Make progress on cleaning up the worst offenders in terms of unlicensed junkyards.
- Develop plans for expanding housing within Lisbon, with a focus on encouraging development in areas where there is appropriate infrastructure while maintaining our small town character. This will require working with the Planning Board and Town Planner, along with holding sessions for public input.
- Continue work on developing a sustainability policy that can fit within our budget reality.
- Continue to work with Police and Fire to ensure that they have all the tools and training needed to handle a potential active shooter/hostage situation should such a situation arise.

FELLOWS:

- The first is that I would encourage us as a town to make more of an investment in our meeting room. The School gave us the tv but the sound system is lacking. The chief complaint from viewers of the stream is always that they cannot hear, with clarity, what is being said. As you know, that is sometimes true for those who are remote too. When I have met remotely as liaison, the electronic backgrounds of staff are also in play. I think that could be improved and I think outside firms can help us.

- The second is that I think Graziano Square needs further work on the grass. It seems to be largely weeds and clover and, although there is a sprinkler system, it seems to feed the weeds. Not sure what can be done but we have local firms that could be of help to the Rec Department to get us looking a little better.

KELLER:

As a council goal, I propose we adapt a communication process to determine impacts to residents and to communicate those impacts in a proactive way. Important aspects to include in the process:

- Prioritize importance of the situation
- Assess impacts
- Determine communication methods (Lisbonme.org, Facebook, public meetings, signs)
- Assign responsibility
- Provide a mechanism for resident feedback

ROBISHAW:

- Have growth using smart growth goals that keep residential mill rates down.
- Encouraged job and housing opportunities through our Director of economic and development department. (Ross)
- Ensure public safety through our town manager and his department heads.
- Have our town's revenue and financial stability with efficiency using the town's resources and maintaining town's long term financial stability.

MOORE:

- Reduce mil rate by 1/2 - 1 mil.
- Review policies, ordinances and charter for compliance with State and Federal laws and local concerns.

CAIN:

- To review all our town committees and make sure that are still active and have the support and training needed.
- To start a public safety committee to review and support the towns services and work towards a new public safety building.

COUNCIL GOALS

2023 NEW GOALS

1. Review Committees
 - Still active?
 - Support & Training
2. Creation of New Committee: Public Safety
 - To review and support Town services
 - Work toward Public Safety Building
3. Improve Public Meeting Room
 - Sound technology
 - Remote Meeting technology
4. Improve Graziano Square grass
5. Communication process with the Public
 - Review process
 - Make improvements where needed
6. Focus on Mil Rate
 - Smart Growth to keep mil rate down
 - Reduce mil rate by 1/2 to 1 mil
7. Use Town resources (i.e., ECD office) to improve residential opportunities
 - Jobs
 - Housing
8. Public Safety improvements
 - Town Manager
 - Department Heads
9. Financial stability of the Town—make more efficient
 - Town resources
 - Current Town long term financial stability
10. Review for compliance with State & Federal Laws
 - Charter
 - Policies
 - Ordinances

ONGOING GOALS/ CONTINUED / UNFINISHED GOALS:

1. Add 250 Housing units
2. Move forward with Public Safety Building
3. Rejuvenate Lisbon Village
4. Review of Policies: Personnel
5. Town Services for Public Awareness
 - Develop comprehensive description of services
 - Continue with updates to CivicPlus
 - Continue to increase use of Facebook & Town sign
6. Develop procedure to apply climate study
7. Identify and address needs of Lisbon businesses
 - Website information
 - Continue to develop list of needs & address them
8. Continue to identify Housing needs & collateral issues
 - How to develop responsibly
 - Cost to Town
 - School needs



Town of Lisbon

Lisa M. Ward
Town Clerk

Town Council
Don Fellows
Christine Cain
Fern Larochelle, Jr.
Mark Lunt
Ray Robishaw *Vice Chair*
Harry Moore, Jr. *Chair*
Jo-Jean Keller

MEMORANDUM

Date: February 14, 2023
To: Glen Michalowski
From: Lisa Ward, Town Clerk
Subject: LDC Liaison Appointment by Vote

Each February the Town Council appoints the Council Liaison to the Lisbon Development Committee (LDC), with the option of a secondary Liaison. The By-Laws of the LDC require a Council vote for this appointment (unlike other Town Committees), so this procedural vote will confirm the appointment that was informally decided at the December 6, 2022 meeting.

Below please find the current chart of the Council Liaisons to all the Town Committees:

Town Council Liaison Assignments 2023				
Ad-Hoc Committee Name		Council Liaison(s)	Monthly Meeting	Location
School Committee	Primary	Councilor Lunt	2nd & 4th Monday of each month	Town Office
	Secondary	Councilor Cain		
Planning Board	Primary	Councilor Fellows	2nd & 4th Thursday of each month	Town Office
Water Department	Primary	Councilor Fellows	2nd & 4th Monday of each month	Water Dept.
Lisbon Development Committee	Primary	Councilor Lunt	4th Thursday of each month	Town Office
Library Governing Board	Primary	Councilor Keller	2nd Wednesday of each month	Library
Conservation Commission	Primary	Councilor Moore	2nd Tuesday of each month	Town Office
Recreation Committee	Primary	Councilor Larochelle	1st Monday of each month	MTM Center
County Budget Committee	Primary	Councilor Moore	Wed nights Sept-Oct	County Bldg
	Secondary	Councilor Lunt		
Finance Committee	Primary	Councilor Robishaw	Last Mon of Month	Town Office

Recommendation:

Approve appointment of Councilor Mark Lunt as Council Liaison to the Lisbon Development Committee for 2023.