



**TOWN COUNCIL  
MEETING MINUTES  
FEBRUARY 4, 2020**

Fern Larochelle 2020  
Normand Albert, Vice Chair 2021  
Kasie Kolbe 2021  
Allen Ward, Chairman 2021  
Mark Lunt 2022  
Donald Fellows 2022  
Jeffrey Ganong 2022

**CALL TO ORDER.** The Chairman, Allen Ward, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

**ROLL CALL.** Members present were Councilors Ward, Albert, Lunt, Larochelle, and Fellows. Also present were Randy Cyr, Public Works Director; Mark Hagan, Police Chief; and approximately four citizens in the audience.

**VOTE (2020-21)** Councilor Albert, seconded by Councilor Fellows moved to excuse absences for Councilor Kolbe who is ill and Councilor Ganong who is traveling. **Order passed – Vote 5-0.**

**GOOD NEWS & RECOGNITION**

Councilor Albert mentioned that the Winter Festival at Beaver Park was a big success with lots attending, even more than the previous year. He said Frying-Pan Curling was a hit. He congratulated the Recreation Department for doing a very nice job.

**PUBLIC HEARINGS - NONE**

**AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE**

**CONSENT AGENDA**

**VOTE (2020-22)** Councilor Larochelle, seconded by Councilor Fellows moved to approve the following:

**A. Municipal Accounts Payable & Payroll Warrants -**

# 01242020	\$ 5,111.79	# 2001W3	\$ 15,050.66
# 200130	\$ 151,613.14	# 01302020	\$ 6,179.04
# 242020	\$ 283,942.64		

**B. School Accounts Payable & Payroll Warrants -**

# 31	\$ 3,204.07	# 1055	\$ 13,221.29
# 1054	\$ 339,214.05	# 1056	\$ 7,334.37
# 1057	\$ 66.24	# 2013	\$ 101,534.42

**C. Minutes of January 21, 2020**

**D. Set Polling Location, Polling Hours, and Board of Registration Hours for Presidential Preference  
Primary Election on March 3**

**E. Set a public hearing for February 18 for the Railroad Restaurant & Pub**

**Order passed - Vote 5-0.**

**COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES****TRANSFER STATION COMPACT TRAILER PURCHASE**

**INTRODUCTION:** Town of Lisbon, Public Works Department sent a request for Bids for a Steel Transfer Trailer based on required specifications noted in the bid packet.

Bids were sent via email on January 22, 2020, to all companies wanting to submit. The cut off time for submission of all sealed bids to the town was January 29, 2020 @ 10:00 am.

The companies that were sent a request for bids were Messer Truck Equipment, KNL Holdings LLC / Steco Trailer and Spector Manufacturing Inc. In order, the bids received and opened are as followed:

1. Messer Truck Equipment - \$101,671.50
2. KNL Holdings LLC / Steco Trailer - \$79,029.00
3. Spector Manufacturing Inc.- \$75,878.00

After thorough review of each submitted bid, we recommend that the winning bid go to Spector Manufacturing Inc, in the amount of \$75,878.00 due to the lower cost, no down payment and also because the specs within their bid packet meet our specification needs. The funding sources are \$50,000 from the CIP line of the Transfer Station budget and \$50,000 designated from Unassigned Fund Balance.

**COUNCILOR COMMENTS:** Councilor Ward asked if a down payment was required and suggested Lisbon make no payment until delivery to protect the town's interest since this company was new to Lisbon. Mr. Cyr explained that a down payment was not specified and that if one was requested he would recommend 10%. He said he would make sure the trailer from Spector had the typical warranty and would obtain that in writing. He indicated he would check to ensure it had the same floor and sides, which get the most wear. Councilor Ward recommended a standardize bid form be required so warranty and other information becomes much easier to compare.

**VOTE (2020-23)** Councilor Larochelle, seconded by Councilor Lunt moved to award the bid to Spector Manufacturing Inc. in the amount of \$75,878.00. **Order passed - Vote 5-0.**

**COPS HIRING PROGRAM GRANT**

**INTRODUCTION:** Chief Hagan said the Police Department would like to apply for a 2020 COPS Hiring Program (CHP) Grant. This is a competitive Federal program designed to advance public safety through community policing by addressing the full-time sworn officer needs of state, local, and tribal law enforcement agencies nationwide. CHP provides funds directly to law enforcement agencies to hire new or rehire existing career law enforcement officers, and to increase their community policing capacity and crime prevention efforts.

Chief Hagan said the removal of a previous SRO position in Lisbon has substantially limited the amount of time our remaining SRO has available to spend in any individual school. The addition of the Gartley Street School has further limited our SRO's time in any one venue. If the Federal funding request was approved it would provide a second School Resource Officer to the community, making it possible to have one SRO at both ends of towns creating a better response time when needed.

Chief Hagan said the grant program provides 75% of the approved salaries and fringe benefits of the newly hired officer, over a three year (36 months) grant period. There is a 25% local cash match each year, as well as a 12-month retention requirement for the position funded after 36 months, for a 4-year total commitment. The grant requires that the officer deployed into the SRO position spend a minimum of 75% of their time in and around primary and/or secondary schools, working on youth-related activities.

Chief Hagan explained that the Lisbon Police Department would be responsible for the 25 percent match of approximately \$22,690 over the entire 4-year period. The Federal Government would cover 75 percent of the cost over the initial 3 years, with the Lisbon School Department funding the fourth and ongoing years. Notifications of

grant acceptance are currently estimated to be in the fall of 2020. This position would then be filled for the fall of 2021. The grant deadline is March 11, 2020. If given Council permission to move forward with the grant application the police department administrators will go before the Lisbon School Board on February 10th to seek their commitment to this program. It should be noted that the Town could remove itself from this grant process at any point prior to the hiring of the officer.

**COUNCILOR COMMENTS:** Councilor Albert suggested setting aside funds each year to supplement the salary for the fourth year to ensure our commitment. Ryan McGee explained that this is a great opportunity to be proactive about safety concerns, along with increasing response times and the availability for meeting with parents. He stressed the importance of being visible and approachable to students, along with conducting educational classes. He mentioned the increased need for an additional SRO now that Lisbon has an additional school on Gartley Street. He said previously we had two SRO's for three schools and today we have one SRO for four schools so the need is definitely there.

**VOTE (2020-24)** Councilor Fellows, seconded by Councilor Albert moved to authorize the Police Chief/Town Manager to apply for a 2020 COPS Hiring Program (CHP) Grant. **Order passed - Vote 5-0.**

#### MANUFACTURED MOBILE HOME PARK LICENSE FOR AVERY STREET MOBILE HOME PARK TRUST

**INTRODUCTION:** Michael Brown is applying for his first Manufactured Mobile Home Park License for Avery Street Mobile Home Park Trust upon behalf of ME Home Buyer, LC.

**VOTE (2020-25)** Councilor Larochelle, seconded by Councilor Lunt moved to approve the Manufactured Mobile Home Park License for Avery Street Mobile Home Park Trust. **Order passed - Vote 5-0.**

#### AMENDMENTS TO CHAPTER XI MEDICAL MARIJUANA ESTABLISHMENTS, SECTIONS 10-603, 605, & 606

##### *First Reading*

**INTRODUCTION:** The Town Clerk reported the amendment added some state definitions, which were used in the State of Maine's rules and regulations, and clarifies items required to be submitted with local applications.

**VOTE (2020-26)** Councilor Larochelle, seconded by Councilor Albert moved to adopt these amendments as follows, set a public hearing for February 18, 2020, and add this item to the agenda for a second reading:

#### ARTICLE XI. - MEDICAL MARIJUANA ESTABLISHMENTS

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Sec. 10-603. - Definitions. (Codifier will put definitions in alpha order)

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

**Cultivation of marijuana for medical use. All cultivation of marijuana for medical use must comply with State rules and State statutes.**

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

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

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

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

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

*Marijuana testing facility.* "Marijuana testing facility" means a public or private laboratory authorized under state law to test medical marijuana for contamination, potency or cannabinoid profile.

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

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

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

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

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

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

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

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

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Sec. 10-605. - Application.

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

- (1) ~~A~~ Copy of the applicant's state registration application and supporting documentation, as submitted to the state registration authority, if applicable.
- (2) ~~Evidence~~ Copies of all state approvals or conditional approvals required to operate a medical marijuana establishment, including, but not limited to, ~~a~~ state registry identification card, ~~or~~ state registration certificate, state application for registration or renewal manufacturing facility tier 1 or 2 along with approval certification, and state application for registration or renewal testing facility and dispensary facility along with approval certifications as applicable.
- (3) If not included in the applicant's state registration application, a description of the form of ownership of the business enterprise together with attested copies of any articles of incorporation, bylaws, operating agreement, partnership agreement or articles of association that govern the entity that will own and/or operate the medical marijuana establishment.
- (4) If not included in the applicant's state registration application, an affidavit that identifies all owners, officers, members, managers or partners of the applicant, their ownership interests, and their places of residence at the time of the application and for the immediately preceding three (3) years. Supporting documents, including but not limited to motor vehicle operator's license, motor vehicle registration, voter registration or utility bills shall be provided.
- (5) A release for each applicant and for each officer, owner, member, manager or partner of the applicant seeking a license allowing the Town of Lisbon to obtain criminal records and other background information related to the individual.
- (6) A statement as to the precise nature of the business with a description of the nature of all products and services offered to its customers.
- (7) A description of the premises for which the license is sought, including a plan of the premises and a list of all equipment, parts and inventory used in the operation of the medical marijuana establishment.
- (8) Evidence of an interest in the premises in which the medical marijuana establishment will be located, together with the form of interest, along with the written consent of the owner of the premises for such use if the applicant is not the owner.
- (9) Evidence of all land use approvals or conditional land use approvals required to operate the medical marijuana establishment, or applications that have been filed and are pending for the required approvals, including but not limited to building permit, conditional or special use approval, change of use permit and/or certificate of occupancy.
- (10) ~~Evidence~~ Copies of all other approvals or conditional approvals required to operate the medical marijuana establishment, including any applicable state food or local victualer's license as applicable.
- (11) ~~Evidence~~ Copies of compliance with the requirements of section 10-611 including, but not limited to State Department licensing, registration, and certification and evidence that the standards listed in section 10-610 have been met including but not limited to copies of State Department licensing, registration, and certification as applicable as applicable.

If the town clerk determines that a submitted application is not complete, the clerk shall notify the applicant ~~within ten (10) business days~~ of the additional information required to process the application. If such additional information is not submitted within thirty (30) days of the clerk's request, the application may be denied.

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

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

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

- (1) The building inspector shall verify that the premises at which the establishment will be located complies with all applicable town ordinances including, but not limited to, the building code, electrical code, ~~and~~ plumbing code, and subsection 10-611, and shall report findings in writing to the town clerk.

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

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

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

## **OTHER BUSINESS**

### **A. COUNCIL COMMITTEE REPORTS**

- 1.School: Councilor Albert said he recently attended a Technology Workshop and recommended discussing a shared local IT position split between the town and school. He mentioned reaching out to the School Committee Chair about the SRO position discussed tonight.
- 2.Planning: Councilor Fellows said the Planning Board is working on another Medical Marijuana Storefront application for 8 Main Street and will be holding a public hearing to hear comments on Accessory Dwelling Units on February 13 at 7PM.
- 3.LDC: Councilor Larochelle said there is an LDC meeting coming up next week.
- 4.Conservation Commission: Councilor Ward said the Conversation Commission will be meeting later on this month.
- 5.Recreation: Councilor Albert said he recently attended the Moxie Committee meeting. They discussed what worked well and what did not this past July. He said they were all excited about the new vision. There seemed to be great dialogue among the large number of folks attending. He noted key players are in place.
- 6.County Budget: Councilor Ward said he had nothing new to report.
- 7.Library: Councilor Lunt said he had nothing new to report.
8. Water Commission: Councilor Fellows said they had not met since their last meeting.

### **B. TOWN MANAGER’S REPORT - NONE**

## **APPOINTMENTS**

### **APPOINT WARDEN FOR MARCH 3, 2020 PRESIDENTIAL PREFERENCE PRIMARY**

**VOTE (2020-27)** Councilor Larochelle, seconded by Councilor Albert moved to appoint Richard Roberts as Warden for the March 3, 2020 Presidential Preference Primary. **Order passed – Vote 5-0.**

## COUNCILOR COMMUNICATIONS

Councilor Albert said absentee ballots are available at the Town Clerk's Office now. He announced the Democrat Caucus will be held at the Town Office on Sunday, March 8 from noon until done (around 3PM) and the Republican Caucus will be done on Saturday, March 7 on a county wide basis at the Lewiston Middle School located at 76 Central Avenue in Lewiston from 10AM until done (around noon).

Councilor Ward indicated he received two more applications for the Finance Committee, but he will need a couple more. He suggested discussing the Town Manager's evaluation at their first meeting in March. He reported that he was looking for specifics from the legion for the Banner Project.

## AUDIENCE PARTICIPATION FOR NEW ITEMS

Richard Nadeau recommended the Council create a World War II memorial in Lisbon. He reported Martha Coombs had lost three sons, Captain Robert Mountfort, Staff Sergeant Clarence Coombs, and Staff Sergeant Ralph Coombs. He suggested the Council establish a committee to work on this project. Council Ward asked Mr. Nadeau to contact the legion and the Coombs family and suggested he work with them on the details and finalizing this project prior to the town's involvement.

## EXECUTIVE SESSION - NONE

## ADJOURNMENT

**VOTE (2020-28)** Councilor Albert, seconded by Councilor Fellows moved to adjourn at 8:23 PM. **Order passed - Vote 5-0.**

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Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC  
Date Approved: February 18, 2020