



**TOWN COUNCIL  
MEETING MINUTES  
JUNE 7, 2022  
LISBON TOWN HALL**

Mark Lunt 2022  
Donald Fellows 2022  
Jason Smith 2022  
Fern Larochelle, Chair 2023  
Harry Moore, Jr., Vice Chair 2024  
Raymond Robishaw 2024  
Christine Cain 2022

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

**ROLL CALL.** Members present were Councilors Fellows, Lunt, Larochelle, Robishaw, Smith, and Moore. Also present were Ryan McGee, Interim Town Manager; Randy Cyr, Public Works Director; Nate LeClair, Fire Chief; Ross Cunningham, Economic & Community Development Director; Bill Kuhl, Planning Board Chair; Lisbon Police Officers Bernard, Picard and St. Amant; Mandy Olver of Olver and Associates; and approximately 5 citizens in the audience.

**SWEARING-IN OF APPOINTED OFFICIAL**

The Town Clerk asked Christine Cain to come forward to be sworn in as Town Councilor. The Chairman welcomed Ms. Cain on behalf of the Council.

**GOOD NEWS & RECOGNITION**

Councilor Larochelle stated he watched the Memorial Day Parade and attended the Memorial Day events. He said there were 200-300 people, and later was a car show. He said one resident told him it was a great day for Lisbon.

Councilor Moore congratulated the Girls Track Team on their Class C State Championship.

Councilor Fellows pointed out that Public Works is doing a good job on the village area sidewalks.

**PUBLIC HEARINGS**

**A. MEDICAL MARIJUANA REGISTERED CAREGIVER RETAIL STORE – LISBON CANNABIS**

The Chairman opened the public hearing.

Paul Griesbach of Lisbon asked to speak about cannabis. He asked if there are pending applications, and if Lisbon plans to limit the number of cannabis operations. He stated he is concerned about the growing number of cannabis businesses in Lisbon. Mr. Griesbach requested the council consider a moratorium on cannabis businesses so the Town can look at possible limits. He said he looked at the results when the cannabis question went to voters and Lisbon was split; he said we may regret so many cannabis businesses.

Seeing no further comments, the Chairman closed the public hearing.

**B. ADULT USE MARIJUANA RETAIL STORE – RIVER DRIVER CANNABIS**

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

**AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS**

Bill Kuhl, Chair of the Planning Board, referenced the Planning Board request for Planning Services agenda item. He said there have been several recent issues that have come to the Planning Board, including Rural Open Space II, and the Board is working with one hand tied behind their backs. The members of the Board all have jobs outside the Board and would like to request funding to bring access to Planning Services on an as-needed basis. He said several recent issues might have been dealt with more expeditiously with the input of a Planner. He said they do not have the time themselves to do the research and to give guidance on some of the issues that are technically sophisticated. He said there are issues coming down the pike, and certain changes in the Comprehensive Plan that need to be made to reflect Lisbon as it is, not Lisbon as it was when the Comprehensive Plan was drafted some years ago. He asked the Council to keep this in mind when they consider the agenda item.

## CONSENT AGENDA

The Chairman recommended moving Item G of the Consent Agenda to a separate vote since Councilor Smith is the owner of Lisbon Cannabis. There were no objections from Council.

**VOTE (2022-128)** Councilor Fellows, seconded by Councilor Lunt, moved to accept the Consent Agenda as follows:

- A. Municipal Accounts Payable Warrants – \$ 370,781.04
- B. Municipal Payroll Warrants – \$ 343,781.04
- C. School Accounts Payable Warrants – \$176,421.57
- D. School Payroll Warrants – \$ 479,896.47
- E. Minutes of May 10<sup>th</sup> Council Meeting
- F. Set Public Hearing for June 21<sup>st</sup> for an Itinerant Vendor License for Red Barn, Inc. and Special Entertainment Permit for Frank's
- G. *Item moved to a separate vote*
- H. Adult Use Marijuana Retail Store for River Driver Cannabis

**Order passed – Vote 7-0.**

**VOTE (2022-128A)** Councilor Fellows, seconded by Councilor Lunt, moved to accept **Item G:** to approve Medical Marijuana Registered Caregiver Retail Store for Lisbon Cannabis.

**Order passed – Vote 6-0.** *Councilor Smith abstained because he is the owner of Lisbon Cannabis.*

## COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

CDBG Façade Grant Request for 19 MAIN STREET/BEAUTY BOX SALON  
CDBG Façade Grant Request for 671 LISBON STREET/FORMERLY GOOD TIMES LANES  
CDBG Façade Grant Request for 231 LISBON STREET/ALL CLEAN CARPET

**INTRODUCTION:** Ross Cunningham presented information for the CDBG grants to the Council.

19 Main St., Lisbon Falls – The Beauty Box Salon: The proposed façade project at 19 Main Street includes installation of a retractable awning totaling approximately \$5,200.00. Mr. Cunningham said it's a pretty straightforward project.

671 Lisbon St., Lisbon Falls – Former Bowling Alley: Mr. Cunningham said it's a two-story project, we can only fund for the original façade. He said today we discovered a spot that was missed in the project. He said the letter of our town law states that 50% of the building would need to be commercial. This one is mostly residential, but the owner has plans for a large portion of the lower level to be a commercial space. So in addition to approving the grant, Mr. Cunningham said he would like the Council to approve a variance to allow the owner to make the commercial portion 25%. Otherwise the whole building would be residential, but this gives the town the opportunity to put another commercial opportunity on Route 196 and gives us input on the project, as well.

231 Lisbon St., Lisbon – All Clean Carpet: Mr. Cunningham said this proposed façade project at 231 Lisbon Street was formerly the recycling center. He said the plan is to do new windows, new doors, new siding all around to really improve the property quite a bit.

Mr. Cunningham said he is excited to see these projects move forward, he said they will add a splash to Main Street and some real quality looks to Route 196 and to the Village area.

**COUNCILOR COMMENTS:** Councilor Larochelle asked Mr. Cunningham to clarify the application process for the public's knowledge. Mr. Cunningham said the process started in the Fall, the applications are done and then the Lisbon Development Committee reviews them, approves the projects, then looks at the funding, send it off for a historical waiver to make sure it's not a historical property, then it is sent in for an environmental review which came back this week. The next step after Council approval will be to put the two that are over \$10,000.00 out to bid. Three bids from different contractors will come back to Council for approval. He said after Council approval the projects will then move forward. He said the businesses will then come back to the Town and we will reimburse them based on the grant funds that we have.

The Chairman suggested the Council consider one project at a time.

**VOTE (2022-129)** Councilor Fellows, seconded by Councilor Robishaw, moved to approve the CDBG Façade Grant request for 19 Main Street/Beauty Box Salon.

**VOTE (2022-130A)** Councilor Fellows, seconded by Councilor Robishaw, moved to approve the CDBG Façade Grant request for 671 Lisbon Street.

The Chairman opened the discussion. Councilor Fellows asked if we waive the 50% rule for 671 Lisbon Street, do we violate any statutes. Mr. Cunningham said no, it's a Town rule, on our application, not a State statute. It's up to us, he said, but the project is so far along and it was not caught earlier. Councilor Fellows asked how much of the CDBG funds will be left. Mr. Cunningham said about \$5,000.00 to \$6,000.00, but until we finalize the numbers we won't know exactly. He said we'll have a small amount left we could invest somewhere.

Councilor Larochelle said 671 Lisbon has been a commercial building forever, and it needs to be revamped, and anything we can do as a Council and a community to support that is beneficial, so if we need to make a variance that would be fine. He asked the Council Secretary if Council can do it in one motion, with the variance and approval as one vote. Ms. Ward said yes, the change would stay within the spirit of the law, the façade is the full front of the first floor of the building, with the residential portion behind it.

Councilor Larochelle asked if the motion Councilor Fellows proposed will suffice. Councilor Fellows withdrew his motion. Councilor Robishaw withdrew his second.

**Motion for VOTE 2022-130A withdrawn.**

Councilor Moore asked if the second story of the building at 671 Lisbon Street will duplicate the footprint of the first floor. Mr. Cunningham said the second story will be all apartments, the first story will have apartments in the back. He provided Councilor Moore with a rough blueprint of the proposed building.

Councilor Larochelle said anything that is built on Route 196 must fall within the Route 196 standards, which means it has to comply and look aesthetically correct to our guidelines. Councilor Moore asked how many apartments will be there. Mr. Cunningham said a total of nine, four on the first floor, five on the second.

**VOTE (2022-130B)** Councilor Fellows, seconded by Councilor Robishaw, moved to approve the CDBG Façade Grant request for 671 Lisbon Street with a one-time allowance to reduce the required commercial space from 50% to 25% of the main level.

**Order passed - Vote 7-0.**

The Chairman opened the discussion for 231 Lisbon Street/All Clean Carpet. Councilor Fellows stated he was happy the windows were boarded and painted in the meantime, and the roof is done.

Councilor Moore asked where the parking is, doesn't the Town own that. Councilor Larochelle clarified that most of the property next to the building is the parking for it. He said it has frontage on Village Street and on Route 196.

Councilor Larochelle asked if the renovations have to meet the 196 standards and if it needs to go to the Planning Board. Mr. Cunningham said it has not gone to the Planning Board yet.

**VOTE (2022-131)** Councilor Fellows, seconded by Councilor Lunt, moved to approve the CDBG Façade Grant request for 231 Lisbon Street/All Clean Carpet.

**Order passed – Vote 7-0.**

**PROCESS FOR USE OF FINANCE AUTHORITY OF MAINE (FAME) FUNDS**

INTRODUCTION: Ross Cunningham explained that there are local businesses seeking funding to continue to operate through some of the challenges we are facing on our Main Street. He said the FAME Loans are meant to have no matching fund requirements, no denial required, that it's a working capital loan to help small businesses succeed. He said the Town rolled the Fame Loan into the ordinance with other revolving loan funds, he would like to separate the FAME money from the other revolving loans. He said there is currently about \$1 million in the revolving loan fund, he explained we started the FAME fund with \$75,000.00 and it is currently at \$125,062.99.

Mr. Cunningham said he recommends the Council separate the FAME funds from the other loans in keeping with the spirit of the original FAME loan process. Mrs. Tierney said we annually report to FAME that we have achieved the mission but do continue to report.

COUNCILOR COMMENTS: Councilor Fellows asked how we can go about doing that. Councilor Lunt said we would need a first and second reading. Councilor Larochelle agreed and recommended discussion to see if that is the direction Council would like to go.

Councilor Larochelle said we are not making interest on the account so he is all for it. It would fall under Town guidelines and would be a lower interest rate for our businesses.

Mr. Cunningham pointed out that he spoke with Legal at Maine Municipal Association about this and he indicated that this could be done as an order and encouraged it.

**VOTE (2022-132)** Councilor Fellows, seconded by Councilor Lunt, moved to authorize the loan parameters and loan application and approval process as presented for the use of the FAME Regional Economic Development Revolving Loan Program funds as originally intended by the Finance Authority of Maine.

**Order passed - Vote 7-0.**

## PLANNING BOARD REQUEST FOR PLANNING SERVICES

**INTRODUCTION:** Bill Kuhl stated the Planning Board is requesting to hire a Town Planner on an on-call basis to help with more complicated issues and research. He pointed out the recent ROSII issues as an example. Mr. Kuhl said Lisbon is not the same town it was when the Comprehensive Plan was developed. The housing boom has shown that. He said we need more experience to help us with this monster of a project.

**COUNCILOR COMMENTS:** Councilor Fellows asked that if we are developing an RFP, what are we going to say. He said he agreed that the Planning board doesn't need a Planner all the time, but it does need help that hasn't been available. He said it would need to be someone who would on occasion be available to the Planning Board. Councilor Lunt added that it should be up to the Planning Board to decide when they need help, they need someone on-call for when they need something.

Mr. Kuhl said sometimes it's run of the mill stuff that the Planning Board can handle, but sometimes people come before us and we want to be fair.

Councilor Fellows said the ROSII item later in the agenda is an example, we don't want to keep patching things.

Councilor Moore asked for clarification on the original question, asked if it's a request to contract with North Star Planning. Mr. Kuhl explained that is who the Planning Board used before. The Chairman confirmed the \$15,000.00 requested amount is what has been budgeted during the budget process. He said the question isn't the money, it's the process we use to go about it. He said it's needed at this time, the Planning Board members put in a lot of time.

Councilor Larochelle said the previous Planner did not have direction, but now Lisbon has an Assistant Town Manager and he has been tasked with following along with the Planning Board. He said he would like to see us go out to bid, and put that together, with the Assistant Town Manager, a bid for an hourly fee of what we would look for. We have the resources now to put together these projects. We haven't had the staff to monitor before, and now we do.

**VOTE (2022-133)** Councilor Fellows, seconded by Councilor Moore, moved to develop an RFP to contract with a Planning firm to help us with planning services, not to exceed the \$15,000.00 that has been budgeted.

**Order passed – Vote 7-0.**

## FERRY ROAD IMPROVEMENTS BID RESULTS AND RECOMMENDATION

**INTRODUCTION:** Randy Cyr asked Mandy Olver from Olver Associates to explain the recommendation to the Council and answer questions. Mr. Cyr recommended accepting the Northeast Paving bid, and referenced the bids received as follows:

CONTRACTOR	LOCATION	Base Bid	Alternate Bid	Total Bid
Northeast Paving	Bangor, Maine	\$1,410,310	\$156,715	\$1,567,025
St. Laurent & Son Inc.	Lewiston, Maine	\$1,488,820	\$124,070	\$1,612,890
Pratt & Sons Inc.	Mechanic Falls, Me	\$2,057,650	\$149,050	\$2,206,700

Ms. Olver said the scope of the project starts at Gross Development and goes down around Brooks Corner at the double culvert, that's the end of the scope of the work. She said the work consists of replacing all the culverts along that stretch, milling the road, and paving. She said she originally over-budgeted, the estimate was for \$2.2 million, and the actual bid came in at \$1,567,025.00. She said Northeast Paving was the low bidder and recommended the bid go to Northeast Paving.

**COUNCILOR COMMENTS:** Councilor Fellows asked if it was “milling” the road. Ms. Olver clarified that it will be a full-depth reclaim.

Councilor Larochelle asked if we will recapture the milling like we did last time. Mr. Cyr said no, we’ll use it as the base for the same road. Ms. Olver clarified that it will enhance the gravel base of the road and keep the cost down. Councilor Larochelle pointed out the original estimate was actually close to another of the bids, so it wasn’t far off. He asked if the alternative to the bid would be cutting trees and finishing lawns and driveways. Ms. Olver replied that she cut the last section of the original request that included replacing guardrail and culverts at the end, but it turned out we have enough money for everything.

Councilor Larochelle said we went out to bond for this project, and we can’t reduce the amount of the bond, so that’s we have. Is there the potential to extend the paving and milling within the budgeted amount. Mr. Cyr said we can shim and overlay and that would take us almost up to the Pinewoods Road section with the extra money. Councilor Larochelle asked if we are still in the same area and part of the same project, are we still able to use that money. Ms. Olver agreed that we can.

Councilor Fellows asked if an alternative might be to use the extra money to pay part of the loan back. Mrs. Tierney said we got legal advice on Pinewoods Road already and we are already obligated for the fifteen years. We would have three fiscal years of interest payments, Ferry Road would have less. She said we already have the \$2.8 million, so we could use it for 3 fiscal years of interest. Ms. Olver said there is work that needs to be done there, if we can go further with the money we can get more done.

Councilor Larochelle said paving is not going to get any cheaper and it would chew up anything we might have saved in interest. He said these bonds are at a pretty good interest rate, better than in years past. Ms. Olver said we can put our heads together and see if we can get the best of both worlds and bring it back. Councilor Larochelle asked if we will need to go out to bid again. Ms. Olver stated there is no obligation to use the same contractor, we can use whoever gives the better pricing. Mr. Cyr said the Northeast bid is locked in, there’s no cost escalation in the contract. He said the rate might not be the same for additional paving.

Councilor Larochelle advised that the vote tonight would be to award the bid and asked Ms. Olver when we have to make the decision on how to spend the rest of the bond money. She replied that it wouldn’t have to be this season, but the prices aren’t going down so the more we can get done, the better.

Councilor Moore asked if there’s anything special that needs to be done at Brooks Corner. Ms. Olver said we are just rehabbing the road, but not making any changes regarding flooding.

**VOTE (2022-134)** Councilor Lunt, seconded by Councilor Fellows, moved to award the bid for the Ferry Road Improvements Project to Northeast Paving in amount not to exceed \$1,567,025.

**Order passed - Vote 7-0.**

## AMEND CHAPTER 70, SECTIONS 361 & 536 DIMENSIONAL REQUIREMENTS and SECTION 70-362 (2) PERFORMANCE OR LAND USE STANDARDS *first reading*

**INTRODUCTION:** The Chairman asked Mr. Kuhl to help clarify, Mr. Kuhl said this is the ROSII issue, which is to help with the immediate needs of the Planning Board until we can address the larger issues.

**COUNCILOR COMMENTS:** Councilor Fellows suggested we go above the requirements for notification so that we don’t have surprised residents. Councilor Larochelle clarified, stating since this is the First Reading, that prior to the Second Reading we should have some kind of verification that everyone is aware of it. Councilor Fellows said we have to send out notifications if we haven’t already, Mr. Kuhl said we do.

Councilor Larochelle said there’s a certain area of Route 9 that has a different set of rules that makes it challenging for people who have large parcels of land to do any extended development.

Councilor Fellows said Route 9 and Upland Road are part of that and there have been misgivings in the past about what has been done, so he wanted to make sure they’re included.

Councilor Larochelle asked if this will help with the back lots so people can use them. Mr. Kuhl said yes. Councilor Lunt said the current limits make it very difficult, lots need a lot of frontage for building. Mr. Kuhl said the Planning Board wanted to make sure that people who own land can use their family land for building for their families.

**VOTE (2022-135)** Councilor Fellows, seconded by Councilor Lunt, moved to approve the Amendments to Chapter 70 Sections 361 and 536 Dimensional requirements and Section 70-362 (2) Performance or land use standards as follows:

## **DIVISION 5A. RURAL OPEN SPACE II**

### **Sec. 70-361. Dimensional requirements.**

Lots in the rural open space II district shall meet or exceed the minimum requirements as identified in section 70-536 ~~and the following (refer also to article VI of this chapter):~~

~~(1) Maximum coverage. Maximum coverage of lot by structures in the rural open space district II shall not exceed 20 percent; except that high intensity farming shall not exceed 25 percent.~~

~~(2) Lot standards. Lots shall comply with the following:~~

~~a. Lots shall have a minimum area of 60,000 square feet and a maximum area of 100,000 square feet.~~

~~b. After the effective date of this amendment, lots for residential use shall have the required frontage on an existing publically maintained road.~~

~~c. The lot frontage to lot depth ratio shall be 1:1.5.~~

(C.M. of 11-15-2011, V. 2011-208)

### **Sec. 70-362. Performance or land use standards.**

Permitted uses and conditional uses in this division shall conform to the performance standards delineated in article VI of this chapter and the following:

(1) After the effective date of this amendment, residential subdivisions are prohibited.

(2) After the effective date of this amendment, ~~backlots~~ rear lots are prohibited.

(C.M. of 11-15-2011, V. 2011-208)

### **Secs. 70-363—70-380. Reserved.**

### **Sec. 70-536. Dimensional requirements.**

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Rural Open Space II	<del>60,000 sq. ft. Minimum</del> <del>100,000 sq. ft. Maximum</del>  100,000 sq. ft.	<del>See Sec. 70-361(2)-a</del> 200'	200'	50'	75'	25'	25'	20	Percent			
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**Roll Call Vote: Yeas – Councilors Lunt, Fellows, Larochelle, Smith, Moore, Cain and Robishaw. 0 Nays. Order passed – Vote 7-0.**

## **MAINE WORKFORCE DEVELOPMENT COMPACT MEMBERSHIP**

**INTRODUCTION:** Mr. Cunningham presented information to the Council on behalf of Lynna Izumi, Human Resources Director. He explained the Harold Alfond Center for the Advancement of Maine's Workforce is currently offering grant funding to all Maine Businesses and organizations in the amount of \$1,200.00 per employee to facilitate training through December of this year. He said it will be to reimburse for training. The Town would need to join the compact and then submit for training reimbursement for all employees. Mr. Cunningham explained The Town of Lisbon would become a member of the Maine Workforce Development Compact in order to access this "Non Match" funding. He said for all employees that we use this money for, we are granted an additional \$600 each year in 2023 and 2024, as well. He said HR would come to council periodically to approve the submissions for reimbursement.

**COUNCILOR COMMENTS:** Councilor Larochelle asked if it is for all employees, Mr. Cunningham said yes, it is.

Councilor Robishaw said he is familiar with it and that it is a good program.

Councilor Larochelle pointed out that this could potentially be thousands of dollars of training for Town employees. He said it could help offset the professional development costs. Chief McGee agreed, and asked if it could be reimbursed back to the department budget professional development lines instead of going into undesignated funds. Councilor Larochelle responded that since we've been talking about bettering our employment, an educational benefit and ongoing education beyond professional development goes right along with that. He said it would be good to budget correctly and manage the funding.

Councilor Larochelle asked Mr. Cunningham if he has mentioned this to the School Department. Mr. Cunningham said he hadn't had the opportunity yet but he will be sure to share the information with them.

**VOTE (2022-136)** Councilor Robishaw, seconded by Councilor Smith, moved to approve membership in the Maine Workforce Development Compact.

**Order passed - Vote 7-0.**

#### FIRE DEPARTMENT PICKUP TRUCK BID

**INTRODUCTION:** Chief LeClair said the Fire Department went out to bid for a new Fire Department Pick-up Truck. RFPs were sent out to 8 different dealers and posted on the Town Web Site. He said he had only two vendors show interest but only received one bid for \$45,383 from O'Connor Auto Park. The bid was opened at 4 pm on the 3<sup>rd</sup> of June with the Chief and Lisa Smith present. He requested to award the bid to O'Connor's.

**COUNCILOR COMMENTS:** Councilor Lunt noted that \$51,000.00 was budgeted for the truck and asked how much to outfit it for the Fire department's use. Chief LeClair said it would cost about \$13,000.00.

Councilor Moore asked why only one of eight dealers responded. Chief LeClair said Ford is not giving prices at all until the Fall, and GM is having issues. He said orders open on one day and close the next, it's a tight time frame.

Councilor Larochelle asked if it is just a pickup truck. Chief LeClair replied yes, and it will be able to tow a boat or a trailer if needed. Councilor Larochelle asked what the truck duties would be. Chief LeClair said it will be an all-purpose utility vehicle and it should last ten years. He said the bid specs call for the finished truck to be black with orange striping, that vinyl could be an option. He stated that delivery will depend on the factory, it may be six months.

**VOTE (2022-137)** Councilor Robishaw, seconded by Councilor Lunt, moved to award the bid to O'Connor Auto Park for the amount of \$45,383.

**Order passed - Vote 7-0.**

#### TOWN MANAGER REQUEST FOR RFP FOR LEGAL REPRESENTATION FOR THE TOWN

**INTRODUCTION:** Chief McGee said he is requesting to seek proposals from qualified applicants to serve as Town Attorney on a contractual basis under appointment by the Town Council. He said the Town Attorney will provide legal advice to municipal officials; town employees, boards and committees; and will represent them in court as may be required. He said the attorney will also prepare and review contracts, deeds, leases, ordinances, etc., and reserve and provide opinions for the town on a variety of subjects. He added that the attorney may be asked to attend Town Council or other meetings and hearings and will be expected to provide legal assistance in a prompt and efficient manner.

Chief McGee requested to put the RFP out for tomorrow, June 8 to be due back on June 17 in order to present them to Council in time for the next meeting

**COUNCILOR COMMENTS:** Councilor Larochelle said it is healthy to go out to bid on our agreements. He said this will be good to start our new fiscal year in July.

**VOTE (2022-138)** Councilor Fellows, seconded by Councilor Robishaw, moved to approve the Town Manager's request to go to bid for Legal Counsel for the Town.

**Order passed - Vote 7-0.**

**OTHER BUSINESS****A. COUNCIL COMMITTEE REPORTS**

1. School Committee: Councilor Larochelle said the School Committee has been working through their budget and we'll hear some more on that later on tonight.
2. Planning Board: Councilor Fellows said the last meeting was on May 26, the Planning Board received several applications for Conditional Use. He said it will be on the agenda this Thursday, June 25<sup>th</sup>, along with Public Hearings for those items.
3. Lisbon Development Committee: Mr. Cunningham stated the next meeting would be tomorrow night, June 24<sup>th</sup>, to discuss the ongoing banner project, go over current CDBG items, and working on a couple other issues they've been trying to get rolling. He said they are always looking for new volunteers, there are seven full members and one alternate, but they are able to have up to four alternates so there are three vacancies. He said the meeting is 6:00 pm tomorrow night in the Council room.
4. Conservation Commission: Councilor Moore said he had nothing to report.
5. Recreation Committee: The Chairman stated the liaison appointment is open at this time, so if anyone has any interest in filling the position that would be awesome.
6. County Budget Committee: Councilor Lunt said he had nothing to report until September or October when they meet again.
7. Library Governing Board: Councilor Lunt said he had nothing new to report, except the Summer Reading Program is coming up. He urged residents to sign their children up.
8. Water Commission: Councilor Fellows said he had nothing new to report, they are meeting at noon on June 14<sup>th</sup>. They are still dealing with the downtown issues due to the construction on Main Street.
9. Finance Committee: Councilor Robishaw said he had nothing to report.

**B. TOWN MANAGER'S REPORT**

Chief McGee said that for the Portland Trust update, he met with the Finance Committee, the Auditor Ron Smith, and the Finance Director and the money is accounted for by the auditors. He explained it was in undesignated funds and has not been touched since it was put there in 2016. He said the Auditor, Mr. Smith, said the Town's plan to do the offset in the new budget is a solid plan and would have no issue with it.

Chief McGee said the fence on Miller Trail had to be made longer which brought it to about \$1,400.00 more. The money was budgeted for this and the project has been long-awaited. He thanked all involved in getting this project done, it will keep everyone safe on the trail next to the river.

Chief McGee said he would like to update Grant procedures. He said he would like the Council to authorize the Town Manager to approve grants that do not require matching funds. Councilor Fellows said we can change the policy and procedures, but only for non-matching grants. Once it is approved, he said it would come to Council for approval to use the Grant funding. He asked the Council to support this due to time constraints, and reiterated that it would not be for Grants requiring matching funds.

Councilor Larochelle asked if that is the way it's written right now, all Grants must be approved by Council prior to application. Chief McGee replied that it is not, but has been the Policy, he is requesting a change in the Policy. He said we've always brought them to the Council, it's been our past practice.

Councilor Fellows suggested it would be good to write a Policy for this. Councilor Lunt agreed.

Councilor Lunt said he'd like to ask about the money in the Reserve fund. What would removing the money from the fund do to our Reserves since the policy is to keep 12.5% in Reserves. He asked where we would be if we spend that money. Chief McGee asked Mrs. Tierney to speak to that question, but he doesn't have the numbers yet and the auditor has said we would be in good shape.

Mrs. Tierney said we would need to have 30-90 days operational for emergency purposes, which is 12% per our Charter. Councilor Lunt asked if we will still have 12.5% in the Reserves. Chief McGee said yes, we have not touched that. He said the money we use does not come from that account.



Mrs. Tierney said another factor is that we are close to the end of the fiscal year. She said when the books close the fund balance will be audited and she would have a new number for Council. She also said that the expectation is that we are financially healthy and those funds will continue to grow and show that financial health. She said that projecting out, we'll be right back where we are now as far as amounts and fiscal health. It will pull us back to where we are, even taking the offset into consideration. She said we currently have in liquid assets, using audited numbers, FY21 shows a \$3.4 million unassigned fund balance. She said taking that 12%, that reserves about \$2 million for operational costs in case of emergency. She said she uses the 3.4 million as a benchmark right now, and then taking out that 12%, the difference is what we had to use for unassigned fund balance, which is just about \$1.4 million. She said in FY22 \$1,179,750.00 was allocated for unassigned fund balance. She said thus far we have expended \$544,000.00 of that appropriated fund. She said given that, and the way we are seeing price changes and difficulties with manufacturing timelines, and the salt shed which is a \$450,000.00 allocation, is part of that \$1.179 million that was appropriated. She said the \$450,000.00 for the salt shed will be re-allocated to FY23, same as the Solid Waste forklift, they are all part of the fluidness. She said cash and cash equivalents were \$9,015,000.00 in FY21, so when we look at that 12.5% we are very financially healthy.

Chief McGee said the Auditor has assured us and offered to explain that this will work well moving forward and that Lisbon is very financially stable.

Chief McGee said the last thing he wanted to cover is the status of the Town manager search. He said we received 13 applications and resumes for the position and the process is moving forward.

#### SRO (SCHOOL RESOURCE OFFICER) REQUEST DISCUSSION – CHIEF MCGEE

Chief McGee said the COPS grant for an SRO is a year out and we should not wait. He said Officer Bernard covers four schools as SRO. He said the grant can only be for new funding, and there are other issues with the grant application since the last council meeting. He said the first step is approved and he is moving to the second step. However, he recommends that it would be better to have an SRO sooner. He suggested that he should remove the \$70,000.00 from his budget that is slated for Technology and re-allocate it for an SRO position. He stated he will work to get a grant for the Technology we need, there's grant fund for that and the Assistant Town Manager will work with him on that.

Assistant Town Manager Glenn Michalowski said there is cybersecurity money for grants, he's planning to go to an MMA meeting on Thursday and will see if there is more out there.

Chief McGee invited Officer Bernard to speak about her experience as an SRO. She said we used to have two SROs for three schools, now there is one for four schools. She said she can only be in one place at a time. She described her duties, saying she teaches DARE at the elementary and middle schools, but her other roles are reactive instead of pro-active. She said students and staff both reach out to the SRO on a daily basis, even at the elementary school level.

Chief McGee said we cannot use non-SRO-trained officers to cover for extra help. Councilor Larochelle said it is something we need to do, and to be more pro-active than reactive. He said previously the SRO was paid partly by the School. Chief McGee said with the Town-only funding we will be able to utilize the officers in other places, as well.

Officer Picard added to the comments, stating it's a matter of having a police officer in place. He said statistics show it's very unlikely to have an active shooter when there's an officer on site. He said one officer cannot do it alone.

Councilor Larochelle suggested that Chief McGee propose a budget change for his department at the next meeting, but continue to move forward with the SRO grant process. He thanked the Police Department for everything they are doing.

#### C. TOWN COUNCIL REMOTE MEETING POLICY DISCUSSION

The Chairman invited Councilor Fellows to introduce the topic. Councilor Fellows stated the proposed policy was checked by the Town Attorney and some small changes were made. Councilor Fellows said the current policy is for emergencies only, this would allow some people to be remote, like other boards and committees do. He said we will want to have a hearing, and then we can vote on it, it's a policy, not an ordinance.

Councilor Larochelle asked if we have the technology to do this. Chief McGee said we can do Zoom with the ClearTouch screen in the Council room. He said he will plan so viewers can see it on the screen as well. Councilor Larochelle said he would like to make sure we have the technology to do this correctly.

Councilor Lunt expressed his concerns about the possibility of having a full room of audience members and six Councilors remote. Councilor Fellows replied that if we have seven responsible Councilors, it shouldn't be a problem.

Councilor Larochelle said Don's point was that no matter what the Chair needs to pre-approve it and cannot be done on the spur of the moment. He asked what the next step would be to move this forward. Councilor Fellows said a Public Hearing would need to be held. He said the Policy is already written, as presented. This would be a change in policy.

The Council was in agreement to bring the new policy to a hearing. The Chairman suggested the hearing be held on July 19<sup>th</sup>, the Clerk noted that they can do it on June 21<sup>st</sup> if needed.

## APPOINTMENTS

### APPOINTMENT OF ALTERNATE MEMBER TO LISBON DEVELOPMENT COMMITTEE

**VOTE (2022-139)** Councilor Lunt, seconded by Councilor Fellows, moved to appoint Linda Berube as an Alternate Member of the Lisbon Development Committee.

**Order passed - Vote 7-0.**

## COUNCILOR COMMUNICATIONS

Councilor Fellows said that at the March 15<sup>th</sup> meeting, Council voted to postpone the survey mailer for Worumbo until a new Economic & Community Development Director is hired or to have a goal of July 1<sup>st</sup> for the mailer. He requested to put it on the next agenda to move one way or another with it.

The Chairman agreed we should put it on an upcoming agenda. Councilor Fellows said we need to do something to update the issues with the survey before we move forward with it.

The Chairman asked Chief LeClair to speak about the newspaper article regarding the Fire Department. He said he has received a few phone calls asking when we plan to build a new Fire Station.

Chief LeClair said we have started the process with a study, it will be six months for the study to be completed. He said the study is one part of a large process to gather information so we can make decisions. He added that the study will look at current facilities and practices, which is part of a multi-step process before going to the referendum process. He pointed out that the Fire Department has half the fires they've had in the past, but twice the calls. He confirmed that the study will not make the decision, the Town will.

In response to the marijuana questions earlier in the meeting, Councilor Larochelle said there was a lot of discussion about limiting marijuana retail stores. He said if we put a moratorium, we will not know if we'll get more information than we did over the two years we worked on it.

Councilor Fellows said it was debated thoroughly, it's a free market and it will regulate itself through attrition. He said many people have commented there are a lot of medical and recreational marijuana stores.

Councilor Larochelle said there is one recreational facility opening in town, Mr. Cunningham said there are three more expressing interest. Councilor Moore stated he would be in favor of a moratorium. Councilor Larochelle said that there was previously not very much public input about the marijuana businesses.

The Chairman asked Mr. Griesbach to speak again. Mr. Griesbach said people may have a different view now. He said business use and proliferation gives a different culture in the town, and maybe people have a different view.

Emily Ruger from Lisbon Falls said she moved here less than a year ago and loves living here. She said there is a delicate balance between "adult" business and others, including alcohol. She said we are at a tipping point.

Leon Griesbach said he has lived here 37 years, he's concerned about the feeling and identity of downtown becoming "adult". He said he's concerned, and would like a positive approach to create a more diverse community.

Mr. Kuhl spoke on behalf of the Planning Board. He asked Council to keep in mind, zoning makes marijuana businesses locate where they are. He said retail marijuana does need to be concentrated in small areas, we may need multiple moratoriums. He stated that more people came to the solar farm hearing s than the marijuana hearings.

Chief McGee reminded Council that the Planning Board will be getting a Planner, they can help with these concerns.

Andrew Rotondo said it's a new perspective and asked what the process would be.

Councilor Larochelle said it will go to additional Town Council discussion. Councilor Fellows said the moratorium would be for 90 days only.

Mr. Paul Griesbach said other towns are putting moratoriums and requested the Council put this discussion on the next agenda. The Chairman said we have looked at moratoriums; our job is to make sure we discuss it.

The Chairman thanked the members of the public who came to speak.

### **AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS**

Glenn Michalowski introduced himself as the new Assistant Town Manager, he said he started on Monday. Mr. Michalowski said he moved to Maine with his wife, and worked as an Assistant Town Manager previously in New Jersey. He welcomed Council and the public to stop by his office to meet him. Mr. Michalowski received a warm welcome from the Councilors.

### **EXECUTIVE SESSION**

**VOTE (2022-140)** Councilor Fellows, seconded by Councilor Lunt, moved to go into Executive Session Per 1 M.R.S.A. §405 (6) (A) Personnel Matters at 9:58 PM.

**Order passed - Vote 7-0.**

The Council came out of Executive Session at 10:28 PM and resumed the meeting.

### **ADJOURNMENT**

**VOTE (2022-141)** Councilor Fellows, seconded by Councilor Robishaw, moved to adjourn at 10:28 PM.

**Order passed - Vote 7-0.**

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Lisa M. Ward, Council Secretary

Town Clerk

Date Approved: July 12, 2022