



**TOWN COUNCIL**  
**WORKSHOP & MEETING**  
**MINUTES**  
**JUNE 21, 2022**  
**LISBON TOWN HALL**

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

**CALL TO ORDER.** The Chairman, Fern Larochele, called the meeting to order and led the Pledge of Allegiance to the Flag at 6:00 PM.

**ROLL CALL.** Members present were Councilors Fellows, Lunt, Larochele, Robishaw, Smith, and Cain. Also present were Ryan McGee, Interim Town Manager; Steve Aievoli, Sewer Superintendent; Glenn Michalowski, Assistant Town Manager; Ross Cunningham, Economic & Community Development Director; Mark Stevens, Parks & Recreation Department Director; Mark Stambach, Code Enforcement Officer; Kayla Tierney, Finance Director; Diane Nadeau, Library Department Director; and approximately 5 citizens in the audience.

**VOTE (2022-142)** Councilor Fellows, seconded by Councilor Lunt, moved to excuse Councilor Moore's absence.

**Order passed – Vote 6-0.**

**MUNICIPAL BUDGET WORKSHOP**

Finance Director Kayla Tierney presented the changes made by the Council in the previous meeting. She reviewed the Budget Expenditures and Revenues, as well as the Capital Improvement Plan (CIP). She explained that the Technology line for the new security cameras for the Town Office would be replaced with an additional SRO (School Resource Officer) for Public Safety. She said the changes would be offset by the funds in the Portland Trust. She said there were no changes in the Sewer budget

Auditor Ron Smith addressed Portland Trust and the fiscal health of the Town. He stated he is confident that, at the end of this Fiscal Year, the Town will have about 90 days of Fund Balance, which is the higher end of where you want to be. He said financially, we'll be where we were last year, which is where you want to be. He said the Town has put itself in a good position for end of June 2022. He said the School is also in a good position. They've done a good job.

Mr. Smith confirmed that, long term, the Town's debt is in a good place. He said last time he saw this was in 2008, the stimulus from Covid doesn't compare. He also said we are in times that will disappear, be careful and make sure we don't build outside our means. He warned the Town to be careful.

Councilor Lunt asked what happens if we have a recession or change of leadership in Augusta. Mr. Smith said Lisbon will be in a much better position than our neighbors. For that day, he said, you've put yourself in a position to come up with a mitigating plan. He said in 3-4-5 years, brace for impact.

Mr. Smith added that revenue problems are real, but we haven't seen them due to the artificial funding from Covid. He said we have Build Back America funds coming.

The Chairman thanked Mrs. Tierney and Mr. Smith.

**EXECUTIVE SESSION**

**VOTE (2022-143, 2022-144, & 2022-156)** Councilor Fellows, seconded by Councilor Lunt, moved to go into Executive Session per 1 MRSA Section 405 (6)(c) Acquisition of Real Property or Economic Development, and per 1 MRSA Section 405 (6)(a) Personnel Matters, and per 1 MRSA Section 405 (6) (d) Labor Negotiations at 6:20 PM.

**Order passed – Vote 6-0.**

The Council came out of executive session at 7:05 PM and resumed the meeting.

**GOOD NEWS & RECOGNITION**  
**2022 LISBON MAINE SPIRIT OF AMERICA TRIBUTE**

**PROCLAMATION**

*The 2022 Lisbon Maine Spirit of America Foundation Tribute honors Tony and Traci Austin for commendable community service. A Resolution by the Town Council of the Town of Lisbon follows:*

**Whereas**, Traci Austin has served on the Lisbon School Committee for 16 years; *and*

**Whereas**, Traci has served as the School committee chair for 11 years and served on 13 sub-committees; *and*

*Whereas*, Traci served as a key driving force in the facilities committee for the new Gymnasium; *and*

*Whereas*, Traci volunteered for over 6 years with the Lisbon Athletic Boosters, dedicating countless hours to athletic and school wide events; *and*

*Whereas*, Tony Austin spent 13 years as president of the Lisbon Junior Athletic League; *and*

*Whereas*, Tony recruited countless dedicated volunteers and oversaw the creation of the Lisbon athletic fields complex; *and*

*Whereas*, Tony coached numerous youth baseball teams, instilling a sense of teamwork and positive attitude in the youth of Lisbon; *and*

*Whereas*, Tony and Traci Austin purchased, renovated and preserved the historic Moxie Building property at 2&4 Main St Lisbon falls; *and*

*Whereas*, Tony and Traci established Frank's Restaurant and Pub, creating a first class local restaurant that pays tribute to the history of Lisbon and provides multiple local good paying jobs; *and*

*Whereas*, Tony and Traci Austin used Frank's Restaurant and Pub to hold community fundraisers for several local and regional organizations providing thousands of dollars in support; *and*

*Whereas*, Tony and Traci have been an instrumental influence in the rebirth of our Lisbon Falls Main Street region.

Therefore, **Be It Resolved** by the Town Councilors of the Town of Lisbon, with sincere gratitude and appreciation, that **Tony and Traci Austin** are hereby recognized for their exemplary citizenship and outstanding achievements and honors brought upon this community, with the 2022 Lisbon Spirit of America Foundation Tribute.

Interim Town Manager Ryan McGee presented Traci and Tony Austin with the award and thanked them for their hard work in the community.

## PUBLIC HEARINGS

### A. MUNICIPAL BUDGET FISCAL YEAR 2022-2023

The Chairman opened the hearing. Seeing no speakers; the Chairman closed the hearing.

### B. ITINERANT VENDOR FOR RED BARN, INC.

The Chairman opened the hearing. Seeing no speakers; the Chairman closed the hearing.

### C. SPECIAL ENTERTAINMENT PERMIT FOR FRANK'S

The Chairman opened the hearing. Seeing no speakers; the Chairman closed the hearing.

## AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

Paul Griesbach said he was joined by three other residents to request a cannabis moratorium. He said they put together a petition to see what interest might be in town to have a moratorium. They collected over 50 signatures outside Food City. He presented the petitions to Chairman Laroche. He said the petition is to enact a moratorium and expressed the need for a cap in order to fine tune the ordinances. He said he called some other towns and this issue is bubbling up.

Andrew Rotondo said he helped collect signatures, not many people said no and they were surprised we already have six marijuana businesses in Lisbon. He said they did an informal survey on Facebook and got responses about a lot of different businesses. He asserted there is strong preliminary evidence that people in town would like more discussion on this.

Christian Madore of Avery Street said he has concerns about developing our business district in a reasonable and balanced way. He said he hears that Lisbon is a cannabis town and there's a risk to that. He requested Council think of the kind of environment we want for our families, he said we need to slow down and think about this and come up with ordinances moving forward.

## CONSENT AGENDA

**VOTE (2022-146)** Councilor Fellows, seconded by Councilor Lunt, moved to approve the Consent Agenda as presented.

- A. Municipal Accounts Payable Warrants - \$ 597,024.61
- B. Municipal Payroll Warrants - \$ 165,513.10
- C. School Accounts Payable Warrants - \$ 134,167.72
- D. School Payroll Warrants - \$ 802,734.97
- E. Minutes of May 17, 2022
- F. Ratify Election Results
- G. Set Public Hearing for Itinerant Vendor Permit-Transient Seller for July 12<sup>th</sup> for Andrias Adamson  
- The Southwestern Company
- H. Renewal Victualer's License for Railroad Restaurant & Pub, Special Entertainment Permit for Frank's  
Restaurant and Itinerant Vendor Permit for Red Barn, Inc.

**Order passed - Vote 6-0.**

**COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES****LISBON HIGH SCHOOL / ROOF REPAIR SCHOOL CAPITAL RESERVE FUND**

**INTRODUCTION:** Traci Austin, School Committee Chair, requested to use Capital Reserve funds for the older flat roof at the high school. She said they already budgeted the fifties wing, but the seventies wing roof needs work. She requested to use \$90,600.00.

**COUNCILOR COMMENTS:** Councilor Larochelle asked what the policy is at the school for amounts to be requested. Mrs. Austin said anything over \$250,000.000, and that the contractor is the same one who did the middle school roof. She stated the roof will be a rubberized membrane.

**VOTE (2022-147)** Councilor Fellows, seconded by Councilor Lunt, moved to authorize the School Committee to utilize an amount not to exceed \$90,600.00 from the School's Capital Reserve Fund to pay for the roof repairs at the Lisbon High School.

**Order passed - Vote 6-0.**

**APPROVAL FOR AVCOG LOAN APPLICATION**

**INTRODUCTION:** Ross Cunningham stated that, per the Executive Session discussion, this loan will help a local business.

**COUNCILOR COMMENTS:** None.

**VOTE (2022-148)** Councilor Fellows, seconded by Councilor Lunt, moved to approve the AVCOG Revolving Loan application.

**Order passed - Vote 6-0.**

**REQUEST RFP FOR PARKS AND RECREATION TRUCK**

**INTRODUCTION:** Mark Stevens stated he would like permission to request quotes for a new truck for the Parks and Recreation Department.

**COUNCILOR COMMENTS:** Councilor Larochelle asked what the purpose of the truck will be. Mr. Stevens said it will be used for landscaping work, Parks work, and to haul soil and compost. He said for efficiency we will need a dump body truck, previously they used barrels. He said he expects it to last 15 years since they take good care of their vehicles.

**VOTE (2022-149)** Councilor Fellows, seconded by Councilor Robishaw, moved to authorize the Interim Town Manager and Parks & Recreation Director to solicit bids for the purchase of a new 1-Ton 4x4 Dump Body Truck.

**Order passed - Vote 6-0.**

**REQUEST FOR RFP FOR PARKS AND RECREATION UTILITY TERRAIN VEHICLE**

**INTRODUCTION:** Mr. Stevens said he would like to request permission to ask for quotes for a UTV.

**COUNCILOR COMMENTS:** Councilor Fellows said this is a very specific request. Chief McGee said they are looking at stripped down models and municipal pricing. He said the one we have has a lot of hours on it. Mr. Stevens said we will continue to use the old one on the Lisbon trails and will use the new one at Beaver Park.

**VOTE (2022-150)** Councilor Robishaw, seconded by Councilor Smith, moved to authorize the Interim Town Manager and Parks & Recreation Director to solicit bids for the purchase of a UTV – Utility Terrain Vehicle.

**Order passed - Vote 6-0.**

**ADOPT MUNICIPAL BUDGET & MUNICIPAL CAPITAL PLAN**

**INTRODUCTION:** The Chairman pointed out this will be as presented and discussed by the Finance Director and waive the reading, as it was just discussed by the Finance Director.

**COUNCILOR COMMENTS:** None.

**VOTE (2022-151)** Councilor Robishaw, seconded by Councilor Smith, moved to adopt the 2022-2023 Municipal Budget and Municipal Capital Plan.

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

**Order passed - Vote 6-0.**

## AWARD BID FOR LEGAL COUNSEL

INTRODUCTION: None.

COUNCILOR COMMENTS: None.

**VOTE (2022-152)** Councilor Cain, seconded by Councilor Fellows, moved to appoint Preti Flaherty Law Firm as the new Legal representation for the Town of Lisbon and proposed that Attorney Kristin M. Collins be the principal Attorney for the Town of Lisbon starting on July 1, 2022.

**Order passed – Vote 6-0.**

## FERRY ROAD PROJECT UPDATE/REQUEST

INTRODUCTION: Randy Cyr passed out to Council a letter from Olver Associates and said he talked with the Interim Town Manager and wanted to give an update on Village Street. He said there were multiple issues with replacing the sidewalks and they will remove some troublesome trees but will move the sidewalk to save some maples. He said we have more than enough to pay for it from the rest of the Ferry Road project bond money. He said the street lights that were removed from Main Street for the construction have been moved to Village Street and have been installed and are working.

COUNCILOR COMMENTS: Councilor Larochelle asked Mr. Cyr to check with Water and Sewer to see if there is any infrastructure work that needs to be done.

Mrs. Tierney said the Town could use the rest of the bond money to use toward paying interest but could only pay up to three years interest. Councilor Larochelle stated since the interest rate is so reasonable it does make sense to use the money for additional work where possible.

Mr. Cyr said Northeast Paving can do it right away but we will still put it out to bid first.

**VOTE (2022-153)** Councilor Lunt, seconded by Councilor Fellows, moved to request bids for the Ferry Road Improvements Project for an amount not to exceed \$1,567,715.00.

**Order passed – Vote 6-0.**

## OTHER BUSINESS

## A. COUNCIL COMMITTEE REPORTS

1. School Committee: Councilor Larochelle thanked the voters for turning out to pass the School Budget.
2. Planning Board: Councilor Fellows said the Planning board meets on Thursday and will discuss the sign ordinance.
3. Lisbon Development Committee: Mr. Cunningham said they are meeting in a couple of weeks. He said they will finalize the Masonic Lodge agreement, and will discuss the Banner Project. He said there will be a Worumbo discussion in July.
4. Conservation Commission: Councilor Moore was not present.
5. Recreation Committee: The Chairman suggested a new Council Liaison be assigned at the next meeting.
6. County Budget Committee: Councilor Lunt said he had nothing new to report.
7. Library Governing Board: Councilor Lunt said he had nothing new to report.
8. Water Commission: Councilor Fellows said he had nothing new to report.
9. Finance Committee: Councilor Robishaw said the Committee met last night and approved the budget. He said they asked what else they can do for the Council.

## B. TOWN MANAGER'S REPORT

Chief McGee reported that Main Street will be open in both directions for Moxie Festival weekend. He said the parade will not go up Main Street due to the hazards on Main Street but it will end at Craft's Auto. He said that having the Main Street open will allow community members to make it to the businesses easier that weekend.

Chief McGee said the Blues Festival went great, and there are some improvements that can be made for the future. He asked Mr. Cunningham to say a few words about the Festival.

Mr. Cunningham said it was a fantastic weekend and businesses were very successful. He said it was a great group to work with and they will work out the wrinkles for next time. He thanked all who helped and said he will have a full presentation at the next meeting.

Chief McGee thanked the Finance Director and Department Heads for putting together the budget. He said it was great teamwork from everyone.

The Chairman thanked the Interim Town Manager for his six months of service and said his six-month contract is ending. He said we've asked and he is willing to extend his contract.

**VOTE (2022-153A)** Councilor Larochelle, seconded by Councilor Fellows, moved to extend the Interim Town Manager's position for an additional six months beginning July 1, 2022.

**Order passed 6-0.**

Councilor Larochelle said we've been thrilled and happy with the first six months and our Town is in a better place for it and he thanked Chief McGee. He told Chief McGee that with the management team and his leadership we can keep moving forward.

**C. DEPARTMENT HEADS WRITTEN REPORTS**

Councilor Larochelle said that Council has asked the Department Heads to make their reports available on the Town website so that the public can see those reports. The Clerk added that, until that is up and running, we do upload the reports in the Agenda packets available on the website.

**D. MARIJUANA BUSINESS MORATORIUM DISCUSSION**

Councilor Larochelle said that at the last meeting a group of people came forward regarding a moratorium on marijuana businesses, and some Councilors also voiced concerns. He said we've done some research on what other towns have done.

Councilor Fellows said he was interested in hearing more. He doesn't want to hurt anyone either in business or invested. He said he is in favor of establishing something for guidelines.

Councilor Lunt said there is value in polling the public and he would support a moratorium while there's more to discuss.

Councilor Robishaw said he is against a moratorium. He said marijuana businesses have a right to do business, too. He added that it's not right to restrict businesses. He said they are well-run businesses and he has no interest in marijuana but believes restricting businesses is not a good rule. He asked, where do you stop? He stated everyone in Lisbon has the same opportunity for business.

Councilor Cain stated she is of two minds. She said she agrees with Councilor Robishaw from a business and economic point of view. She said that looking at the economic development of the town, it would be better to be more diverse. She said she is open to discussion.

Councilor Smith asked to be excused from comment because he is a marijuana business owner.

Councilor Larochelle said it is a good time to get the community educated, we want to make sure we listen. He said we will need to know how to use the 90 days of a moratorium, and we need to create that process beforehand. He stated he is in favor of a moratorium. He said we will need to be careful in what we're looking at, it's not just storefronts.

Councilor Fellows said we need time to think of that process, we should be careful with wording. He said we should have a representative from the Planning Board involved in the decision.

Chief McGee requested direction for himself and the Assistant Town Manager. Assistant Town Manager Glenn Michalowski said the Maine Municipal Association recommends legal counsel for a moratorium.

Councilor Larochelle invited Mr. Paul Griesbach to speak again to make sure Council is addressing his concerns. Mr. Griesbach said we've had enough dissension in the world, it's not about fighting. He said it's about calmly taking a look and that he's looking for a commitment and a vote because that's what we really need—a yes, we agree that we need to stop and take a look. He said, you have the power right now to say you want to stop and take a look, even for people in the pipeline.

The Chairman respectfully reminded Mr. Griesbach that the Council can only vote on things that are active and we can't vote on a moratorium that is not written and we cannot legally make a decision tonight that would restrict any businesses without that in place. He said he wished it was that easy.

Councilor Fellows addressed the Chairman and suggested to proceed with a moratorium.

Councilor Robishaw cautioned that we do not know what we do not know regarding legal matters and said we have to be careful.

**VOTE (2022-153B)** Councilor Lunt, seconded by Councilor Fellows, moved to direct Town staff to work with Legal to research and draft a moratorium regarding new Marijuana or Cannabis businesses in Lisbon.

**Order passed 4-1 No: Robishaw, Abstained: Smith**

### E. SABATTUS RIVER DAM DISCUSSION

The Chairman welcomed Scott Craig from the Maine Fishery Resources Office of the Department of the Interior to give an update on the Upper Dam and Sabattus River restoration.

Mr. Craig said the dam is partially breached and his goals are to restore the natural water channel, to inform the public, and seek input on the Upper Dam project. He said if the Council is opposed then he would do more research.

Casey Clark from the Maine Department of Marine Resources said Mr. Craig is going through the permitting process.

Councilor Fellows asked what the removal of the dam would mean. He said the concern is the river level.

The Chairman said he's looking for more public input. He would look for a workshop with the property owners on the river. He said the previous project that was done didn't serve the needs of the members of the community. He added that we want to make sure that it's right and everybody in the community is represented.

Mr. Clark said he'd like Council to add information to the website and send it to community members in that area. He passed out information about what it will look like and pointed out that they can use flood mapping from FEMA. He said it's close to what it will be already due to the recent breach of the upper dam. He said they will ask FEMA to change the flood maps, and he could have information on the aftermath and cleanup by the next Council meeting. He said they are not changing the level of the river.

Councilor Larochelle agreed to the use of the Council Chambers for a meeting tentatively set for Wednesday July 20, 2022. Mr. Clark said the RFPs are in hand, along with concrete removal plans. He said he will need permission to go on the property.

The Chairman thanked Mr. Craig and Mr. Casey for their presentation.

### APPOINTMENTS

The Council Chairman appointed Mr. David Bowie to a one-year term as Chair of the Ethics panel.

**ORDER (2022-154)** No vote was taken.

### ANNUAL REAPPOINTMENTS TO TOWN COMMITTEES

<u>Re-Appointment Request</u>	<u>Board/Committee &amp; term</u>
Clyde Cavender	Assessment Review Board 3 Year Regular Member
Marie Hale	Assessment Review Board 3 Year Regular Member
Eric Metivier	Board of Appeals 3 Year Regular Member
Leonard Lednum	Ethics Panel 3 Year Regular Member
Dan Leeman	Finance Committee 3 Year Regular Member
Jo-Jean Keller	Library Governing Board 3 Year Regular Member
Trudy Duval	Library Governing Board 3 Year Regular Member
Curtis Lunt	Planning Board 3 Year Regular Member
Chris Huston	Planning Board 3 Year Regular Member
Dan Leeman	Planning Board 3 Year Associate Member
William Kuhl	Recreation Committee 3 Year Regular Member
Christopher Cloutier	Recreation Committee 3 Year Regular Member
Heather Duley	Recreation Committee 3 Year Regular Member
Kevin Kimball	Voter Registration Appeals Board – 3 Year Regular Member
Garrett Mason	Voter Registration Appeals Board – 3 Year Regular Member

**VOTE (2022-155)** Councilor Fellows, seconded by Councilor Lunt, moved to reappoint Committee Members per the reappointment request Memo.

**Order passed - Vote 6-0.**

### COUNCILOR COMMUNICATIONS

**VOTE (2022-155A)** Councilor Fellows, seconded by Councilor Lunt, moved to approve the Memorandum of Agreement with the Public Works Teamsters Union.

**Order passed - Vote 6-0.**

**VOTE (2022-155B)** Councilor Fellows, seconded by Councilor Lunt, moved to authorize the Interim Town Manager to sign the contract with Lisbon Emergency.

**Order passed - Vote 6-0.**

Councilor Larochelle thanked all who helped with the Blues Festival, including the crossing guard. He said the details made it a success and that a lot of people like the crossing guard made it a success. He said there was a lot of positive input.

Councilor Fellows said he missed it because he volunteered with the Trek across Maine for his 19<sup>th</sup> year. He said this is the first time since Covid so it was a challenge. He said he saw pictures from the Blues Festival and it looked like everyone had a good time.

**AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS**

Celine Goddard of 167 Ridge Road addressed the Council. She said she is concerned regarding the business, Bush's Bushes, which is the business next door to her. She stated he has been expanding and cutting trees down, that now the tree line between their properties is completely removed. She said she went to get a fill permit and was told that Mr. Bush is not licensed to compost. She said the Town contracts with him for that.

Mrs. Goddard stated she is working with McGee Construction hoping to save money because she will need 2,000 yards of fill and that it will cost \$21,000.00 to \$25,000.00 to put it in. She said Mr. Bush's actions are costing her to correct something she didn't do and there are no permits. She also said he deceived the Town and this has caused her a hardship. She asked the Town to require Mr. Bush to replant trees and stated that she is looking for Council direction because she is frustrated.

Councilor Larochelle said the Council cannot act directly, but they can direct the Town Manager to work with the Town departments. Mr. Fellows clarified that the Council is the Legislative body, but the Town can help.

Mrs. Goddard asked why her neighbor does not have a permit, that the DEP says it is a Town issue. Chief McGee replied that the Code Enforcement Officer will address it. He said the DEP is in touch with the CEO on the issue. He offered to meet with her to see what needs to be done.

Mrs. Goddard added that her neighbor swore at her thru the woods with her Daycare children present. She said she wants to replenish the tree line. Chief McGee reiterated that he could meet with her and her neighbor, along with the CEO, to help resolve the issue.

The Chairman thanked Mrs. Goddard for her input.

**EXECUTIVE SESSION**

*Order (2022-156) moved to be included in Executive Session at the beginning of meeting.*

**ADJOURNMENT**

**VOTE (2022-157)** Councilor Fellows, seconded by Councilor Lunt, moved to adjourn at 8:55 PM.

**Order passed - Vote 6-0.**

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Lisa M. Ward, Council Secretary

Town Clerk

Date Approved: July 12, 2022