



**TOWN COUNCIL
WORKSHOP & MEETING
MINUTES
NOVEMBER 15, 2022
LISBON TOWN OFFICE**

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

WORKSHOP WITH MOXIE COMMITTEE

The Moxie Committee members introduced themselves to the Council and described their roles in the Festival. Present from the Committee were Mark Stevens, Director of Parks and Recreation and Kate Madore, Assistance Parks and Recreation Director; Aline Strout, Recreation Department; and committee members Scott Geissler, Fishing Derby; Carlton Barnes, Parade; Jennifer Willey, administrative; Lisa Ward, Recipe Contest; Philip Tierney, and Norm Albert.

Mark Stevens said that in 2018 the Town council asked Parks & Recreation to take over the Moxie Festival (previously run by the Economic Development office) in addition to the summer programming. He said they have excellent volunteers and his mission is to build the Festival to a point where the business community can run it instead of the Town.

Mr. Stevens said the Friday night events, bands and entertainment coordinators were all professionals. He said the Pow Wow cancelled at the last minute due to the cost of gas being so high. He added that the Parade on Saturday was very well attended and successful, as well as the Fireworks, Car Show and the Fishing Derby.

Councilor Larochelle asked if any changes need to be made since Council is heading into budget season. The committee members and the director agreed that no changes are needed for the budget. Mr. Stevens said we have money to be used, we're solid on budget and won't need to increase for next year.

Kate Madore, Assistant Parks and Recreation Director, said that this post-Covid event was what the thousands of people who attended the Festival needed. She reported that 40,000 people visited the Festival website during the week of the Festival. She said the coordination with Main Street businesses and the advertising worked well. She added that having the parade end at Crafts Cars worked well.

Scot Geissler said the Fishing Derby was the first in 25 years. He said it promoted catch & release very successfully, there were a lot of prizes and sponsors. He said everyone was very responsive to the rules, and the winner was a young man from Lisbon who received a lifetime fishing license. He said the State worked with him and it was all very positive.

Ryan McGee suggested we add a professional photographer or videographer to the staff for next year.

Mr. Stevens pointed out that folks can see the Festival photos and information at www.moxiefestival.com and on the Moxie Festival Facebook page.

COUNCIL MEETING

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 Cain. Councilor Moore joined the meeting by Zoom. Also present were Glenn Michalowski, Town Manager; Ryan McGee, Interim Assistant Town Manager; Mark Stevens, Parks & Recreation Director; Nate LeClair, Fire Chief; Jim MacDonnell, Lisbon EMS Chief; and approximately 12 citizens in the audience.

EXECUTIVE SESSION

VOTE (2022-233) Councilor Robishaw, seconded by Councilor Lunt, moved to go into Executive Session at 7:02 PM per MRSA § 405 (6) (A) Personnel Matters.

Roll Call Vote: Yeas – Cain, Larochelle, Lunt, Fellows, Robishaw, Smith. Nays – 0. [Councilor Moore was not able to vote due to audio issue].

Order passed – Vote 6-0.

The Council came out of executive session at 7:10 PM and resumed the meeting.

GOOD NEWS & RECOGNITION

Jim MacDonnell reported to the Council that Lisbon EMS will staff a second ambulance with paramedics for a month or two to see how it goes. He said they are still working on policies and have new staff.

PUBLIC HEARINGS

UPDATE ATV ACCESS ROUTES SEC. 50-264 AND SIGNS SEC. 50-265 ORDINANCES

Cheryl Haggerty reassured the Council that signage and warnings will be ready to ensure safety.

Ed Barrett asked about changing speed limits. Chief McGee said speed limits are not changing with these ordinance changes, and that there will need to be a separate ordinance change.

Councilor Larochelle asked that Public Safety offices be presented with updated maps once they are ready.

Seeing no further response, the Chair closed the Public Hearing.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

New Appeals Board member Gabrielle Profenno and Finance Committee member Kevin Ridley introduced themselves to the Council and thanked them for their appointments. Ms. Profenno stated that, though she has only been in Lisbon a little over a year, she has a great deal of experience from Committees she was on in Freeport. Mr. Ridley said he has been in Lisbon for many years and has finance experience.

CONSENT AGENDA

VOTE (2022-234) Councilor Robishaw, seconded by Councilor Fellows, moved to approve the Consent agenda as presented.

- A. Municipal Accounts Payable Warrants - \$ 597,745.23
- B. Municipal Payroll Warrants - \$ 424,723.14
- C. School Accounts Payable Warrants - \$ 386,421.39
- D. School Payroll Warrants - \$ 424,453.03
- E. Minutes for October 18, 2022 Council Meeting
- F. Ratify November 8, 2022 Election Results
- G. Set Public Hearings for December 6th for Business Licenses
- H. Set Public Hearings for December 6th for Renewal Automobile Graveyard Permits

Roll Call Vote: Yeas – Cain, Larochelle, Lunt, Fellows, Robishaw, Smith and Moore. Nays – 0.

Order passed – Vote 7-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

INTRODUCTION: The landowner, Ralph Sawyer, has questioned the zoning of lot 20. Prior to 2012 this lot was zoned LR, but is now RP. After reviewing the tax maps, I believe the change may have been made based on an incorrect assumption. The mapping of this lot is confusing. Lot 20 abuts Beaver Park, which is map R08, so that match line could have been mistaken for a zoning divide. A member from the planning board, at the time the changes were made, may be better able to give a definitive answer.

VOTE (2022-235) Councilor Fellows, seconded by Councilor Robishaw, moved to Approve the Amendment to change the Zoning District for Parcel Map U20 Lot 020 from Resource Protection to Limited Residential and set a Public Hearing for December 6, 2022.

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

Order passed - Vote 7-0.

UPDATE ATV ACCESS ROUTES SEC. 50-264 AND SIGNS SEC. 50-265 ORDINANCES

Second Reading

VOTE (2022-236) Councilor Fellows, seconded by Councilor Robishaw, moved to Approve Updates to Chapter 50, Article IV, Division I-Generally- Sec. 50-264 ATV Access Routes and Sec. 50-265 Signs Ordinance.

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

Order passed - Vote 7-0.

AMENDMENTS TO CHAPTER 10 – BUSINESSES - ARTICLE XI – MEDICAL MARIJUANA
ESTABLISHMENTS – *First Reading*

COUNCILOR COMMENTS: Councilor Larochelle said there were questions at the last meeting about reopening a closed business, he asked Town attorney Kristin Collins to clarify for Council.

Ms. Collins said some definitions were changed, the ordinance had required inspections at annual renewal, changed to be only when a physical change is made. She said the 2000' measurement from another business is outside wall to outside wall. She also said that if a location loses its license, it cannot renew.

Ms. Collins further explained that some of the grammar was corrected, specifically items in bold type that were not needed in that. To answer Councilor Larochelle, she said the license can be transferred if the store is open, and for up to 90 days. After that, she said, the business loses its opportunity to re-open as the same kind of business.

VOTE (2022-237) Councilor Robishaw, seconded by Councilor Lunt, moved to approve the Amendments to Chapter 10 – Businesses - Article XI – Medical Marijuana Establishments and Schedule a Public Hearing for December 6, 2022. Councilor Fellows, seconded by Councilor Lunt, offered a motion to amend the order to include both Medical and Adult Use establishments, including the following Sections: 10-613, 10-603, 10-606, 10-611, 10-706, 10-711, and 70-531. The amendment to the motion passed by Roll Call, Vote 6-0: Yeas – Cain, Fellows, Larochelle, Lunt, Moore, and Robishaw. Nays - None. Abstain – Smith.

Roll Call Vote for Amended Order: Yeas – Cain, Fellows, Larochelle, Lunt, Moore, and Robishaw. Nays - None. Abstain – Smith.

Amended Order Passed - Vote 6-0.

TO APPROVE PUBLIC WORKS REQUEST TO REPLACE UNDERGROUND GAS TANK

INTRODUCTION: Randy Cyr, Public Works Director requested approval to replace the Public Works Unleaded Gas Tank with an Underground Gas Tank using the current budget in the amount of \$95,000.

The cost estimate quote for a 6,000 gallon, **Above Ground Gas Storage Tank is \$132,642.00.**

1. Provide a 6,000 gal OW FIREGUARD aboveground storage tank with (1) new Gasboy single product single hose suction pump.
2. Concrete tank pad and pump mount for new suction pump.
3. Provide all necessary emergency vents, overfill alarms and remote spill containment.
4. City to provide barracks, fencing, guardrail or bollards for tank protection per required code.
5. Provide a fuel management system with 100 key fobs. **Annual fees for cell modem, help desk and cloud based reporting.
6. Provide electrical work for new pump and overfill alarm.
7. Remove and dispose of existing tank and pump set up. *Purge and clean existing gasoline tank.

The new proposal is for a 6,000-gallon **Underground Tank in the amount of \$94,896.**

1. OMNTEC tank monitoring system with the following components:
 - (2) Channel Alarm Console
 - (1) Tank Interstitial Sensor
 - (1) Dispenser Sump Sensor
2. Supply and install (1) FuelForce fuel management system with (100) factory encoded keys.

Mr. Cyr said school buses are all moving to gas instead of diesel and the cost has risen for above-ground tanks since last estimated. He said he will go to the Planning Board due to the tank being underground. He said he will send information to the Council about how long it will take and will have the information ready for the Planning Board. He added that the diesel tank needs to be replaced in 2029. He said \$95,000.00 has been approved and the school will be contributing as well due to their use.

VOTE (2022-238) Councilor Fellows, seconded by Councilor Lunt, moved to authorize the Public Works Director permission to replace the Public Works Unleaded Gas Tank with an Underground Gas Tank using our current budget in the amount of \$95,000.

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

Order passed - Vote 7-0.

APPROVE USE OF HGAC COOPERATIVE PURCHASING PROGRAM FOR FIRE TRUCK PURCHASE

INTRODUCTION: The Fire Chief requested approval to use the HGAC cooperative purchasing program to purchase the fire trucks as approved by referendum. The Town utilized HGAC in 2019 when purchasing the last fire truck.

The benefits of the cooperative purchasing program is taking advantage of group purchasing and saving time by avoiding the pit falls of the traditional bidding process while having a third party vetting the contract and pricing.

Chief LeClair said this will save time, about 4-6 weeks, in getting the bids.

VOTE (2022-239) Councilor Robishaw, seconded by Councilor Fellows, moved to Authorize the Fire Chief to use the HGAC cooperative purchasing program to purchase the Fire Trucks as approved by Referendum Vote.

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

Order passed - Vote 7-0.

AUTHORIZE POLICE CHIEF TO OPEN BIDDING FOR NEW POLICE CRUISER

INTRODUCTION: Chief McGee said that per the CIP they would look for a 2022 or newer Ford Interceptor and trade in cruiser #3. He said it should be \$33,000.00 to \$34,000.00. He asked permission to go out to bid and to allow the Town Manager to accept the lowest bid.

VOTE (2022-240) Councilor Fellows, seconded by Councilor Robishaw, moved to authorize the Police Chief to solicit bids for one (1) new Ford Interceptor SUV cruiser that was approved in the current budget and allow the Town Manager to accept the lowest bid.

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

Order passed - Vote 7-0.

AUTHORIZE SATISFACTION OF JUDGEMENT AT 1 HIGGINS STREET

VOTE (2022-241) Councilor Fellows, seconded by Councilor Lunt, moved to authorize the Satisfaction of Judgment at 1 Higgins Street as follows: It is hereby ordered by the Town Council that because the property located at 1 Higgins St. Lisbon, Maine has been cleaned up and brought into compliance with Town ordinances to the satisfaction of the Code Enforcement Officer, the Town Attorney is authorized to execute a Satisfaction Of Judgment to be filed at the Maine District court waiving all financial penalties and monetary judgment against Walter E. Morse Jr. and Morse Mechanics, Inc..

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

Order passed - Vote 7-0.

ROAD CLOSURE DECEMBER 10, 2022 ON MAIN ST – 3 PM-8PM

INTRODUCTION: Councilor Larochelle explained the closure is for the Town's annual Very Merry Main Street holiday celebration.

VOTE (2022-242) Councilor Robishaw, seconded by Councilor Cain, moved to authorize the closure of Main Street from Route 196 to School Street for the Town's annual holiday celebration.

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

Order passed - Vote 7-0.

AUTHORIZE SOLE SOURCE CONTRACT TO INSTALL HEAT PUMP AT BEAVER PARK LODGE

INTRODUCTION: Mr. Michalowski explained that the Town was not able to get three quotes, and asked Council to accept the quote from Sheehan Electric for \$7,000.00. He said most estimates seem to be within the same cost range. Sheehan was used at Public Works and they offer a warranty. He said the 3600 BTU unit will be supplemented with the wood stove currently there.

VOTE (2022-243) Councilor Fellows, seconded by Councilor Robishaw, moved to Authorize a Sole Source Contract to Install Heat Pump at Beaver Park Lodge as presented.

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

Order passed - Vote 7-0.

OTHER BUSINESS**COUNCIL COMMITTEE REPORTS**

1. School: Councilor Larochelle said he had nothing to report.
2. Planning Board: Councilor Fellows said the last meeting included discussion about a massage establishment and the revision of property maintenance standards to reference the correct State statutes.
3. Lisbon Development Committee: Mr. Cunningham said the LDC met a couple weeks ago and they are working on the abandoned building ordinance.
4. Conservation Commission: Councilor Moore said he had nothing to report.
5. Recreation Committee: Councilor Moore said he had nothing to report.
6. County Budget Committee: Councilor Moore said he plans to go to the county Budget meeting on December 7th. The Chairman said now that there is someone from Lisbon elected to the commission, he hopes to have them come to a Council meeting so the Council can share the Town's needs.
7. Library Governing Board: The Chairman asked for an update on the Library flooding issue. Chief McGee said that once the sidewalks are in they will fix damages and take care of the flooding problem.
8. Water Commission: Councilor Fellows said they voted to adopt the new budget at \$1.8 million. He also said they are seeking a rate hike that comes out to be about \$8.00 per quarter. He said the corrosion control and chlorination is slowly moving forward and that Roger Bickford has resigned. He said the council will need to appoint a new member to the vacancy.
9. Finance Committee: Councilor Robishaw said the committee met with new member Keven Ridley recently. He said they are looking at transfer station fees, and will set goals in December. He added they are getting ready for the audit and would like to know if council has any additional goals for them. He reminded the public that there is still a vacancy to fill on that committee.

TOWN MANAGER'S REPORT

Mr. Michalowski reported on the following items:

1. The Library raffle fund raiser has raised \$1,280.00 for the Library account so far.
2. Public Works reported work on the salt shed is coming in under budget, and they also saved a lot by doing the ground work themselves.
3. The Public Works department will go back to a 5-day work week for the winter starting soon.
4. The Green Purchasing Policy is still being worked on, he plans to have an update for Council in December. So far, no other town in Maine has done this so Lisbon will start from scratch with help from AVCOG.
5. Ross Cunningham said the lack of a bucket truck for putting up and removing banners has caused a budgetary issue. He requested \$5,000.00 for ECD to help with that.
6. Ross Cunningham said that now that the two Lisbon downtowns, Main Street and Village Street, have both been updated with sidewalks, lights, etc., he would like to invest in holiday decorations in the amount of \$3,000.00.
7. The Rescue Vehicle purchase price has come in from SourceWell, at \$249,704.00, which is under the approved cost. It will take a couple of years for delivery of the vehicle.
8. The Sign Ordinance working group met with planners. It will go to the Planning Board and then come back to Council. We will need to extend the moratorium.

VOTE (2022-243A) Councilor Fellows, seconded by Councilor Lunt, moved to approve the use of \$5,000.00 from the Dingley TIFF for the Economic Development budget for installation and removal of banners.

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

Order passed - Vote 7-0.

VOTE (2022-243B) Councilor Fellows, seconded by Councilor Lunt, moved to approve the use of \$3,000.00 from the Downtown TIFF for the purchase of \$1,500.00 each for Main Street and Village Street holiday decorations.

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

Order passed - Vote 7-0.

APPOINTMENTS

VOTE (2022-243C) Councilor Lunt, seconded by Councilor Robishaw, moved to appoint Carol LeClair to the Library Governing Board

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

Order passed - Vote 7-0.

COUNCILOR COMMUNICATIONS

Councilor Larochelle asked Kayla Tierney to update the Council on the Giving Tree. Mrs. Tierney said the Town will be accepting applications until December 1st. She said the Library tree will be available November 21st, and the Food City tree soon after. She said interested families can call 353-3000 ext. 102 with questions. She said we have gotten a lot of requests so far.

Chief McGee added an update regarding Thanksgiving Baskets. He said with the help of many groups and people, they have 85 baskets to deliver. He said he would be making deliveries with the Town Manager.

Councilor Smith was thanked by the Councilors for his service and time.

AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS

Chief McGee said CMP is working with the Town to replace all the old light heads on Village Street and Route 196 with ones that match the rest of the Town and should be done by Thanksgiving.

EXECUTIVE SESSION

VOTE (2022-244) Councilor Robishaw, seconded by Councilor Fellows, moved to go into Executive Session at 8:30 PM per MRSA § 405 (6) (C) Acquisition of Real Property or Economic Development.

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

Order passed - Vote 7-0.

VOTE (2022-244A) Councilor Fellows, seconded by Councilor Smith, moved to direct staff and legal counsel to prepare proposed amendments to the Revolving Loan Fund Ordinance to allow the use of the funds for emergency grants and forgivable loans, and to prepare specifications for a proposed grant program to be used to help businesses directly impacted by the 2022 Main Street repairs.

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

Order passed - Vote 6-0.

VOTE (2022-245) Councilor Lunt, seconded by Councilor Smith, moved to go into Executive Session at 8:30 PM per MRSA § 405 (6) (E) Consultations with Legal Counsel.

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

Order passed - Vote 7-0.

The Council came out of executive session at 10:05 PM and resumed the meeting.

ADJOURNMENT

VOTE (2022-246) Councilor Lunt, seconded by Councilor Robishaw, moved to adjourn at 10:15 PM.

Roll Call Vote: Yeas – Cain, Fellows, Larochelle, Lunt, and Smith. Nays – Moore, Robishaw.

Order passed - Vote 5-2.

Lisa M. Ward, Council Secretary

Town Clerk

Date Approved: December 6, 2022