



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

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

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

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

EXECUTIVE SESSION

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

**Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.
Order passed - Vote 7-0.**

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

**Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.
Order passed - Vote 7-0.**

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

Mike’s Flooring

Proclamation

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

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

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

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

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

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

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

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

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

PUBLIC HEARINGS—*NONE*

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS—*NONE*

AUTHORIZATION FOR WATER DEPARTMENT BOND

Item taken out of order.

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

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

Order passed - Vote 7-0.

CONSENT AGENDA

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

To approve the

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

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

Order passed - Vote 7-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

AMENDMENTS TO DIVISION 5 SIGN ORDINANCE—*First Reading*

INTRODUCTION:

Sec. 70-715. Definitions and sign types.

...

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

...

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

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

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

...

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

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

...

Sec. 70-718. General standards.

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

...

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

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

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

(5) *Location and placement.*

...

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

...

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

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

...

Sec. 70-719. Additional standards.

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

...

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

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

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

...

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

...

Sec. 70-720. Temporary signs.

...

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

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

...

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

...

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

...

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

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

Order passed - Vote 7-0.

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

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

ARTICLE 12: BEREAVEMENT LEAVE

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

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

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

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

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

Order passed - Vote 7-0.

AUTHORIZATION TO INITIATE A LAND USE COMPLAINT

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

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

Order passed - Vote 7-0.

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

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

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

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

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

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

Order passed - Vote 7-0.

OTHER BUSINESS COUNCIL COMMITTEE REPORTS

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

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

8. Water Commission: Councilor Fellows said the Water Commission will meet Wednesday at 5PM at the Town Hall, followed by a 6PM Hearing for rate changes.
9. Finance Committee: Councilor Robishaw said they haven’t met but there is a meeting coming up.

TOWN MANAGER’S REPORT

Item taken out of order.

Mr. Michalowski offered his report to the Council:

1. When Lisbon went out to bid for Village Street resurfacing in 2022. The bids were too high, so Lisbon will re-bid the work. He added that Olver Associates is putting together the RFP.
2. The Public Works loader is down and the repair cost will be more than the value of the loader. He said the Public Works Director will lease one through the end of the winter, and we’ll replace it in the new budget year. He explained that when it is auctioned, that money will cover the lease cost, and then we will hope to get a discount on the leased item.
3. Over the weekend the sprinkler alarm in the town hall went off due to the freezing conditions. He said the sprinkler company came back on Monday due to a leak and, though it will be a major repair, it is fixed for now.

COUNCIL GOALS FOR 2023

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

APPOINTMENTS

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

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.
Order passed - Vote 7-0.

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

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

Roll Call Vote: Yeas – Cain, Fellows, Keller, Larochelle, Lunt, Moore, and Robishaw. Nays - None.
Order passed - Vote 7-0.

COUNCILOR COMMUNICATIONS

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

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

AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS—*NONE*

ADJOURNMENT

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

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

Order passed - Vote 7-0.

Lisa M. Ward, Council Secretary

Town Clerk

Date Approved: February 21, 2023