



**TOWN COUNCIL
MEETING MINUTES
MARCH 21, 2023
LISBON TOWN OFFICE
7:00 PM 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 7:00 PM.

ROLL CALL. Members present were Councilors Fellows (remote attendance), Keller, Larochelle, Lunt, Moore, and Robishaw. Also present were Glenn Michalowski, Town Manager; Kayla Tierney, Finance Director; Mark Stevens, Parks and Recreation Director; Kevin Ridley, Finance Committee Member; Arthur McLean, Water Commission Member and Charles Harrison, General Manager of Water Department. There were no audience members.

VOTE (2023-47A) Councilor Larochelle, seconded by Councilor Robishaw, moved to excuse Councilor Cain's absence.

Roll Call Vote: Yeas – Moore, Robishaw, Fellows, Keller, Larochelle and Lunt. Nays – None.
Order passed – Vote 6-0.

GOOD NEWS & RECOGNITION

Mr. Michalowski shared that Mark Stevens, Lisbon's Parks and Recreation Director, was recently awarded the William V. Haskell Distinguished Professional of the Year Award. He said this award is the highest award that a Maine Parks and Recreation Director can obtain in the state. The conference was held at the Samoset Resort in Rockland. Mr. Steven's family was able to attend without him knowing about it. There will be an article in the Sun Journal regarding this award.

PUBLIC HEARINGS – VICTUALER'S LICENSE FOR ELITE NUTRITION

The Chairman opened and closed the Public Hearing with no comments.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS – NONE CONSENT AGENDA

VOTE (2023-47) Councilor Larochelle, seconded by Councilor Lunt, moved to accept the Consent Agenda as presented.

- A. Municipal Accounts Payable Warrants - \$ 285,842.07
- B. Municipal Payroll Warrants - \$ 218,720.78
- C. School Accounts Payable Warrants - \$ 100,152.00
- D. School Payroll Warrants – \$ 748,487.95
- E. Minutes of March 7, 2023
- F. Approve Road name Request for Martinez Lane off King Road
- G. Victualer's License for Elite Nutrition

Roll Call Vote: Yeas – Moore, Robishaw, Fellows, Keller, Larochelle and Lunt. Nays – None.
Order passed – Vote 6-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

AMENDMENT TO APPENDIX C FEE SCHEDULE – PARKS & RECREATION

INTRODUCTION:

Mr. Stevens stated the Parks and Recreation Department is under-market for a lot of programs and is requesting Fee Changes regarding the following:

APPENDIX C – FEE SCHEDULE**PARKS AND RECREATION**

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	Summer day camps—7 week session	
	a. Full time summer day camps: Resident	475.00 <u>550.00</u>
	b. Full time summer day camps: Non-resident	550.00 <u>750.00</u>
	c. 1/2 time summer day camps: Resident	325.00
	d. 1/2 time summer day camps: Non-resident	375.00
	e. Sibling discount	25.00 <u>50.00</u>
	Summer sports camps	30.00 <u>35.00</u> each
	Non-resident	45.00 <u>50.00</u> each
	Track and field	75.00
	Non-resident	90.00
	Swimming lessons	10.00 per week
	Non-resident	12.00 per week
	Moxie 5k Road Race	25.00 pre-registration
		30.00 race day per participant
	Moxie Car Show	10.00 per car
		5.00 per spectator
Section this Code	Description	Fee /Rate
	Horse camp—1 week	250.00
	Before school rec	45.00 <u>18.00</u> per week or 4.00 <u>5.00</u> per day
	After school rec	50.00 <u>65.00</u> per week or 12.00 <u>15.00</u> per day

	Football	
	a. 7th/8th grade	85.00 <u>90.00</u>
	Non-resident	90.00 <u>95.00</u>
	b. Youth	75.00 <u>80.00</u>
	Peewee	70.00 <u>75.00</u>
	Non-resident	80.00 <u>85.00</u>
	c. Flag	35.00 <u>40.00</u>
	Non-resident	50.00 <u>55.00</u>
	Soccer	35.00 <u>40.00</u>
	Non-resident	50.00 <u>55.00</u>
	Field hockey	65.00
	Non-resident	80.00
	Basketball	35.00 <u>40.00</u>
	Non-resident	50.00 <u>55.00</u>
MTM RENTAL		
	a. Commercial (revenue producing for profit)	
	1. Pavilion or gym	60.00 <u>75.00</u> per hour
	2. Room	30.00 <u>40.00</u> per hour
	3. Kitchen	50.00 <u>100.00</u>
	b. Non-profit (non-revenue producing)	
	1. Pavilion or gym	30.00 <u>40.00</u> per hour
	2. Room	20.00 per hour
	3. Kitchen	50.00 <u>100.00</u>
	4. Town of Lisbon or school department events	Exempt

	Community gardens plot rental for annual 10' x 4' raised bed	30.00
	Pinewoods Road Sports Complex	150.00 per day
	<u>Graziano Square Rental</u>	
	<u>a. Commercial (revenue producing for profit)</u>	<u>75.00 per hour</u>
	<u>b. Non-profit (non-revenue producing)</u>	<u>40.00 per hour</u>

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COUNCILOR COMMENTS:

Councilor Fellows asked what percentage of kids are non-residents and where are they coming from. Mr. Stevens said last year they had 60 which is about 20% and they're coming from Bowdoinham, Lewiston, Auburn, Greene, Sabattus, Durham, Topsham because it is less expensive and is a good quality program.

Councilor Larochelle asked what the increase in Revenues these Fee changes would bring in. Mr. Stevens said that just in Summer Day Camps, it will bring in an additional \$14,000.00 and an overall increase of over \$50,000.00. Councilor Larochelle asked if this would help to pay staff members with the increase in minimum wage going up and to help retain current seasonal employees, and is it enough of an increase. Mr. Stevens said yes, it would be a justification for the increase and feels that he should go even higher to retain the seasonal employees.

VOTE (2023-48) Councilor Larochelle, seconded by Councilor Robishaw, moved to Approve amendments to the Parks & Recreation Fees, Appendix C Fee Schedule per the Parks & Recreation Director's recommendations.

Roll Call Vote: Yeas – Moore, Robishaw, Fellows, Keller, Larochelle and Lunt. Nays – None.
Order passed – Vote 6-0.

COUNCIL WORKING RULES – POLICY UPDATE**INTRODUCTION:****Sec. 74-201. Working rules for town council.**

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(d) Meetings.

- (1) *Generally.* Unless otherwise designated by the chair or by four members of council, and for good cause shown, meeting of the town council shall occur at the central meeting room in the town office building.
- (2) *Attendance.* Attendance by councilors in person is expected. Failure to attend 3 consecutive meetings of the Council without being excused by a vote of the Council will result in forfeiture of office. Acceptable excuses include, without limitation, illness, vacation, and family emergencies. Only two (2) [consecutive] absences from regularly scheduled Council meetings will be excusable for reason of vacation, even if the Council member is able to attend by remote means. A limit of seven (7) excused absences over a one year session shall trigger Council review.
- (3) *Meeting length.* All council meetings, workshops, or executive sessions shall be conducted, except in extraordinary circumstances, within 2½ hours of the time the meeting is called to order. At regularly scheduled meetings, this will call for adjournment on or before 9:30 p.m. The council may, by waiving these rules, agree to extend the time for meetings if it is deemed appropriate.

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COUNCILOR COMMENTS:

Councilor Moore said he is proposing the Amendment regarding attendance by Council Members and read his reasons as follows: He feels it is an expectation through the votes of the Citizens that Councilors be present to fulfill the responsibilities and to be there eye to eye to meet with citizens as necessary. He said he personally has not gone on

vacation or other events on occasion because of a conflict with a scheduled Council meeting and he knows this is true of other Councilors as well. Many small or local government agencies restrict absences because of the benefit of direct communication with the public. In the peer review journal, "Local Government Studies," an article titled "**Municipality size, political efficacy and political participation, a systematic review**" authored by J. McDonnell in 2019, he concluded in his executive summary that "*Citizens of small municipalities feel a greater sense of political efficacy and participate to a greater degree in local politics if they can interact directly with local government officials.*" Councilor Moore said our own policy seems to reflect the importance of being present. He said this is reflected in the following policy governing attendance in section 74-200. **Attendance policy for Boards and Committees of the Town.** *There is hereby adopted by the Town Council, a standardized attendance policy for members of the boards and committees of the Town. Regular attendance at meetings is required. Two unexcused absences in a row or three or more in a year shall be considered cause for the board /committee to report the absences to the town council who shall notify the member to attend a town council Meeting to show cause why the member should not be removed by the board.* Councilor Moore stated that common sense dictates "that regular attendance at meetings is required means in person, not remote". He strongly believes that persons who identify as we call Snow Birds and are out of town, even out of State for several months at a time should make a choice of being the aforementioned Snow Bird or Town Councilor, not both. Councilor Moore said his Amendment was drafted by the Town's Legal department and has been determined to be sound legally. The Remote Policy does not include vacation time condition to use Remote Meeting Access but somehow it appears in the working rules, so that seemed to be the logical place to address the issue of long term absences. Inexplicably the word vacation came under some scrutiny, so Councilor Moore provided a definition from the Oxford languages: "*an extended period of leisure and recreation and especially one, spent away from home or in traveling*" This amendment addresses the importance of being present, not electronically, but in person. A voter who asks you, whom they voted for, to come and look at a pothole or a property issue or just want to sit and express their concerns in person are robbed of that interaction because of a policy that allows for long term absence. This amendment resolves that and it ought to pass.

Councilor Fellows read his thoughts as follows:

This item seems obviously aimed at a person who is in a situation like mine, i.e., meeting remotely for an extended period. I am a little confused though and I will explain why the change will not apply to members who are remote meeting attendees.

I have been meeting like this for what seems like a long time now. I think it was Fern who said we will see how it works for 4 months. I wrote the original and modified remote meeting policies along with some legal help, so I feel that I have some degree of knowledge if not responsibility to help address whatever problems there are. I spoke with Councilor Moore last Friday and will say to you essentially what I said to him. Don't get my purpose here wrong, I do agree, remote meetings are not good for the long run, i.e., what I have been doing. While I have not missed any Town Council meeting, most of the meetings have been difficult with poor audio, and video that is only adequate. Without upgrades, participation will continue to be very difficult for anyone, including the audience. That fix may be in the works, however. Liaison work with the Planning Board and Water Department have been complicated as well. Audio participation in a "workshop" atmosphere is particularly difficult. In addition, I think while remote meetings for extended periods can work well for entities like a business or volunteer committees, it seems less than ideal for an elected official. While I can technically accomplish many constituent duties remotely, close participation cannot happen over the longer term. Connectivity with the rest of the in-person meeting Council members is also lost, but having said all of that, I think we could do a better job of changing how we are allowed to meet remotely rather than by changing attendance policy in Working Rules. Here's why....

You probably remember that on July 12th, 2022, the Town Council, by a 7-0 vote, approved the modified remote meeting policy in accordance with the existing State Statute 1 MRS subsection 403-B. That approval was to be put into the Town Council working rules when codified. The codification was to be done but as of this time, the modification appears to remain as an update that is not in official codification. This current policy was properly implemented by first holding a hearing and then acting on the measure. The policy should appear in Chapter 74, Article IV which deals with boards and Committees. Sub section 201 is the council working rules and Sub Section 202 says it is the Town Council remote meeting policy but is actually the Lisbon Development committee remote meeting policy which was never a Town Council vote. Something went awry. I believe this was at the time of change between the Town Clerks and should be easily fixable.

At any rate the remote meeting policy was a legal action on the part of the Town Council, done properly, and therefore is in effect. I think we will be doing things **inefficiently, if not wrong** by changing Sub Section 201, the attendance policy. Here's more.

- The proposed revision conflicts with the remote meeting policy in that only two consecutive absences from a regular meeting would be allowed. The remote meeting policy says that long term remote attendance (defined as more than three consecutive meetings) shall be discouraged. But more importantly,
- The proposed revision to the Working rules seems to attempt to call out remote meetings for "reason of vacation" as absences which may be excused at some level. Both the state statute and our remote meeting

policy require that for a person who participates remotely, attendance be "considered present for purposes of a quorum and voting". Therefore, if given permission to meet remotely, there is no absence at all requiring excusals. That is also why we do not excuse me when I attend remotely. **And that is the main reason why the change will not apply to those who are allowed to meet remotely.**

- Secondly the proposal lacks a definition for 'vacation'. It seems to be unclear. In my case, I was not on vacation but acting more like what we call "snowbirds." Even though I think the word "absence" cannot apply here, it should be clearer if used.
- The remote meeting policy as it is now written gives the Council Chair the authority to grant remote meeting ability. And even though it is discouraged, **individual circumstances of long-term remote meeting ability, can be approved subject to the recommendation of the Chair to the entire Town Council in order to affirm the decision to either allow or disallow.** The authority is clearly in writing.
- I realize there have been some recent changes to the state statute, but they mostly concern liberalizing the reasons for having remote meetings and definitely giving the Town Council the authority to have one blanket authority for all boards and committees. The following is what the statute now says.
- **1MRSSs403b 2. Requirements.** A public body subject to this subchapter may allow members of the body to participate in a public proceeding using remote methods only under the following conditions:
 - A. After notice and hearing the body has adopted a written policy governing the conditions upon which members of the body and the public may participate in a public proceeding of that body by remote methods.
- **That's it!** If there is no remote meeting policy in place, there are provisions for that as well.
- Bottom line to me is that we should finish the job of codifying our remote meeting policy into the ordinances and then modify that as necessary. Maybe the Town Council wants to take some pressure off the Chair and or itself by making the remote meeting authority a little more stringent, limited or more direct, but that is a later discussion. There may be some justifiable reasons for long term remote meeting that we do not understand and the authority given to the Chair in conjunction with the entire Council was inserted for those reasons, I don't think I meet that requirement. I want to add that our working rules subsection 704.201 d. Meetings (9) says that the Working Rules may be modified in a manner consistent with the requirements of the Remote Meeting policy.

Councilor Fellows stated there is a motion on the floor but suggested postponing action until the Council can again consult with the Town's Attorney for clarification on this issue and revise the Remote Meeting Policy to exclude situations like his and perhaps take the weight off of the Town Council and do it properly.

The Town Manager said he did contact the Town's Attorney and the Attorney said the Council Rules as far as she's concerned would trump anything vague or contrary in the Remote Meeting Policy. The Attorney said she did review both when writing this proposed change.

Councilor Larochelle said going into a situation like this, being an unknown when COVID hit and when he was Chair he said we'll have to see how this will work out and if we have the capability, which proved that the Council has some, but not a lot. Councilor Larochelle asked Councilor Fellows what he thought should change.

Councilor Fellows said whether it's two or three meetings attended remotely, which is reasonable, when you have a Remote Meeting Policy, attendance is Remote and you are present and we have that policy. Councilor Fellows agrees that it should be short term and he doesn't think that it was meant to cover his circumstance and was not his wish when this started. Councilor Fellows said the Town Council was unopposed, he stated at the time that he wanted to withdraw, but chose not to since that would have meant having another election.

Councilor Lunt said he thought the best place to change it would be in the Remote Participation Policy and make it tougher language that if there's a recommendation of anything more than 5 or 6 meetings, then you're removed from Council.

Councilor Moore said the Remote Meeting Policy was put in place because of COVID and does not say anything about vacation and doesn't say anything other than about Emergency or urgent issue that requires a body to meet

via remote methods or the illness or other physical condition or temporary absence of a member from the Town of Lisbon that causes significant difficulty traveling to the meeting location.

VOTE: (2023-49) Councilor Larochelle, seconded by Councilor Robishaw moved to accept the Town Council working rules as amended.

Roll Call Vote: Yeas – Moore, Robishaw, Keller, Larochelle and Lunt. Nays – Fellows.
Order passed – Vote 5-1.

WATER DEPARTMENT GENERAL OBLIGATION BOND APPROVAL

INTRODUCTION:

BOND AUTHORIZATION ORDER

WHEREAS, by referendum vote conducted on November 5, 2019, the voters of the Town of Lisbon ratified an Ordinance, duly passed by the Town Council of the Town of Lisbon, which authorized the issuance of up to \$6,000,000 in general obligation bonds of the Town to finance various Water Department projects, including but not limited to upgrading meter reading equipment, purchasing equipment and replacing failing infrastructure, including infrastructure on and around Route 125 in the Town of Lisbon (the “Project”); and

WHEREAS, the Water Department has determined that it is ready to conduct another \$1.5 million in improvements related to the Project; and

WHEREAS, the Water Department and the Town Council have determined that the interest of the Town will best be served by issuing the Town’s \$1,500,000 2023 General Obligation Water Bond (the “Bond”) through the Maine Municipal Bond Bank’s General Resolution program, Spring 2023 issuance (the “Bond Issuance”) to finance the Project;

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Lisbon that the Finance Director and the Town Manager are authorized to participate in the Bond Issuance, and to prepare and sign such forms, certificates, applications and other documents as they deem necessary or convenient to accomplish that purpose, and further that the issuance of the Bond, subject to the terms and conditions of the Bond Issuance, is hereby approved.

COUNCILOR COMMENTS: Councilor Larochelle stated since it’s already been ratified by the voters there is no need to go to vote, but just an approval by Council to move forward with the Bond Bank. His biggest concern is long term, having nothing to do with the Water Department, but that we make sure we have it earmarked.

Shellie Reynolds, Water Department Manager, said the first \$1.5 million was for the whole project for the Water Mains to be replaced on smaller streets on a smaller scope, then the State decided to move forward with the Route 125 project, which did not give them enough lead time to get another Bond, and taking into consideration not increasing the rate one year later. They were still unsure if the State would go through with the project in the Spring, and if they did not get back a bid at the range that everyone agreed on that the cost would be, then it was going to be off the books again. They did not want to chase a rate, take on a bond that they did not need and pay for. She said they had a list of other smaller projects they could do themselves in house, so they put all of that on hold when the State said they were starting their project in the Spring, so they stopped all spending of the first \$1.5 million to cover the 2022 cost of that project.

Councilor Larochelle asked if they have a Capital outlay plan for the remaining amount of the Bond Allowance of \$6 Million. Ms. Reynolds said their plan is to take \$1.5 million every three years depending on when the State or EPA tells them when they have to meet the criteria.

Councilor Larochelle asked if any Federal money for infrastructure is available to the Water Department. Ms. Reynolds replied there are two SRF Grants. One for clean water and one for drinking water. She said the Drinking water SRF is pretty stringent on how that money is managed throughout the project, certain wages you have to meet, payment requisitions procedures and they cannot do the work in house, it would have to be sent out to a contract bid. This would add to the Wages line to pay for outside contracts and would allow less for the actual project.

VOTE: (2023-50) Councilor Larochelle, seconded by Councilor Robishaw, moved to Authorize the Finance Director and the Town Manager to participate in the Bond Issuance, and to prepare and sign such forms, certificates, applications and other documents as they deem necessary or convenient to accomplish that purpose, and further that the issuance of the Bond, subject to the terms and conditions of the Bond Issuance, is hereby approved.

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

Order passed – Vote 6-0.

OTHER BUSINESS

A. MUNICIPAL REVENUES

Mrs. Tierney, Finance Director presented Municipal Revenues.

She said for Motor Vehicle/Excise Taxes she is projecting a \$200,000.00 increase in Fiscal Year 2024's Revenues due to peaks and drops since COVID 19. She said State Revenue sharing as of March 3, 2023 is coming in at \$2,220,323.03 and based on last year to this year and based on where Lisbon stands in 2023, there will be a small decrease because of the steady increases seen as a result of COVID.

Mrs. Tierney talked about getting reimbursed \$21,727.00 by the State for the State Roads that Public Works plows.

Mrs. Tierney stated the Public Works Director has spoken with the Vendor for paving that the Town has used before to get an estimate for the paving of Littlefield Road and 100 yards where it connects to King Road. She said if the Council decides to put the \$500,000 back into the normal paving line, it would cover the Littlefield Road construction. The Council agreed to have the Public Works Director attend the next meeting for clarification on the project and cost.

Mrs. Tierney said the Solid Waste Revenues will increase by \$48,760.00 or 23.42 % which is largely attributable to the increase in the Dump Sticker price from \$35.00 to \$52.00. She said the average number of stickers is about 3,000. Councilor Robishaw asked if the price of the additional sticker that citizens can get will increase as well. Mrs. Tierney said the increase is just for the initial Sticker. The Council decided to discuss this at a future time to make that decision.

B. SAFETY COMMITTEE FORMATION & DISCUSSION

Councilor Moore stated that he, the Police Chief and the Fire Chief formed a Safety Committee and decided it should be Ad Hoc (meet as needed). It will be called the Ad Hoc Public Safety Committee and will be an advisory committee to the Town Council made up of five members to include the Police Chief, Fire Chief, EMA Director, Town Councilor and a member of the public. Alternate members will include the Town Manager, Public Works Director and Rick Mason, Maine State Representative. The Goal of the Committee is to provide a safe community where all residents feel equally served and protected, insuring the Town has adequate staffing across all Public Safety Departments, studying and preparing recommendations on Public Safety in Lisbon to include Emergency Management, Fire Protection and Emergency Medical Services; to maintain and enhance Public Safety infrastructure; implement new technology; provide operation and training opportunities; improve communication among public safety agencies; and to accept nothing less than excellence. Councilor Moore said the first task for the Committee is the Public Safety Building.

C. COUNCIL COMMITTEE REPORTS

1. School: Councilor Lunt said he had nothing to report.
2. Planning Board: Councilor Fellows said they meet on Thursday and have Cases on the Agenda for the Spring Works Farm Expansion, Littlefield Farm Camp, Line Lot revision on Frost Hill Avenue, Tier 2 Review for the former Lisbon Falls Getty and a Rear Lot Conditional Review.
3. Lisbon Development Committee: Councilor Lunt said he had nothing to report.
4. Conservation Commission: Councilor Moore said the last meeting got cancelled due to a snow storm.
5. Recreation Committee: Councilor Larochelle said they presented rate increases to the Council.
6. County Budget Committee: Councilor Moore said there was nothing to report.
7. Library Governing Board: Councilor Keller said the Council had a great update during the Budget process.

8. Water Commission: Councilor Fellows said the next meeting is scheduled for April 11th at 5:00pm.
9. Finance Committee: Councilor Robishaw said he had nothing to report.

TOWN MANAGER'S REPORT

Mr. Michalowski said they went out to bid for the Worumbo Waterfront loam and seed project, the EMS bid closes at noon tomorrow and the bid for the Ferry Road project closes next week.

Mr. Michalowski requested authorization from the Council for a minor policy update for Section 90-15. Bereavement leave in the Personnel Policy.

PERSONNEL POLICY

VOTE: (2023-51A) Councilor Larochelle, seconded by Councilor Robishaw, moved to approve the amendment to the Personnel Policy, Section 90-15. Bereavement leave as follows:

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Sec. 90-15. Bereavement leave.

(a) An employee shall be excused from work with pay for up to five (5) days because of the death of an immediate family member. These include: current spouse, child, step-child, mother, father, sibling, or step-parent. Additional paid bereavement leave may be provided at the discretion of the Town Manager and Department Head.

(b) An employee shall be excused from work with pay for up to three (3) days because of the death of extended family member, including: grandparent, grandchild, mother-in-law, or father-in-law,

(c) An employee shall be excused from work with pay for one (1) day due to the death of an aunt, uncle, niece, nephew, brother-in-law, sister-in-law, or current spouse's aunt or uncle.

~~An employee shall be excused from work with pay for up to five working days because of the death of current spouse or child, including step children, unless a longer period is approved by the department head and town manager. An employee shall be excused from work with pay for up to three working days because of death in their immediate family, unless a longer period is approved by the department head and town manager. The term "immediate family" is defined for the purposes of this policy as mother, father, step parents, sister, brother, grandparents, grandchild, mother in law, and father in law. An employee shall be granted one day from work with pay for the death of an aunt, uncle, niece, nephew, brother in law, sister in law, and grandparent in law unless a longer period is approved by the department head and town manager.~~

(T.M. of 7-31-2007, § 2007-115; T.M. of 4-7-2009, § 2009-62; C.M. of 8-19-2014, V. 2014-159; C.M. of 1-5-2021, V. 2021-04)

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

Order passed – Vote 6-0.

Mr. Michalowski requested authorization to execute the contract renewal with Mid Maine Waste Action Corporation for a 5 year contract locking in at \$83.00/ton. He said the three year contract is \$85.00/ton.

VOTE: (2023-51B) Councilor Larochelle, seconded by Councilor Fellows, moved to Authorize the Town Manager to execute a five year contract with Mid Maine Waste Action Corporation

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

Order passed – Vote 6-0.

Mr. Michalowski said on February 7th, the Council authorized the Town to initiate a land use complaint against the property on 142 Ridge Road. The representative for the property owner, who now has power of attorney, met

with Mr. Michalowski after that meeting. Mr. Michalowski is now requesting from the Council to negotiate a consent agreement and if they cannot reach a consent agreement by May 31st, then to proceed with Court action.

Councilor Moore said he'd like to make sure that if they are told to remove items from their property, that they are actually removed and not relocated on the property or put in the woods. Councilor Lunt said they should also not be allowed to remove items onto a neighboring property.

VOTE:(2023-51C) Councilor Larochelle, seconded by Councilor Robishaw, moved to Authorize the Town Manager and Code Enforcement Office to negotiate a Consent Agreement regarding property on 142 Ridge Road and defer the action taken on February 7, 2023 (**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: R05-00*), with the understanding that if the Agreement is not complied with, the Town will then proceed with Court Action.

Roll Call Vote: Yeas – Moore, Robishaw, Fellows, Keller, Larochelle and Lunt. Nays – None.
Order passed – Vote 6-0.

Mr. Michalowski requested authorization to create a full time Tax Collector position at the Salary Grade I in the Wage Scale. He said the goal is to partially fund the position with the salary of an anticipated vacancy in the front office and perhaps a portion of overlay to get through to the next fiscal year and then have the Tax Collector use their discretion to staff that office.

VOTE: (2023-51D) Councilor Larochelle, seconded by Councilor Keller, moved to authorize the creation of a Full time Tax Collector Position at the Salary Grade I in the Wage Scale.

Roll Call Vote: Yeas – Moore, Robishaw, Fellows, Keller, Larochelle and Lunt. Nays – None.
Order passed – Vote 6-0.

APPOINTMENTS – NONE

COUNCILOR COMMUNICATIONS

Councilor Larochelle remarked on the theory that two unregistered cars on a property is being considered an automobile junkyard, he recommended that the Town pay attention this spring to the properties that may fall under that definition and not being licensed through the town, especially on the Rt. 196 Corridor.

AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS – NONE

EXECUTIVE SESSION

VOTE:(2023-51E) Councilor Larochelle, seconded by Councilor Robishaw, moved to go into Executive Session at 9:20 pm per M.R.S.A. Section 405 (6) (A) Personnel Matters.

Roll Call Vote: Yeas – Moore, Robishaw, Fellows, Keller, Larochelle and Lunt. Nays – None.
Order passed – Vote 6-0.

The Council returned from Executive Session at 9:53 pm and resumed the meeting.

ADJOURNMENT

VOTE: (2023-52) Councilor Larochelle, seconded by Councilor Robishaw moved to adjourn at 9:53pm.

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

Order passed – Vote 6-0.

Lisa B. Smith
Deputy Town Clerk
Date Approved: April 4, 2023