



## TOWN COUNCIL MINUTES

**MAY 2, 2023**

### LISBON TOWN OFFICE

**5:30 PM WORKSHOP**

**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 Workshop to order at 5:30 PM.

ROLL CALL. Members present were Councilors Cain, Fellows, Keller, Larochelle, Lunt, Moore and Robishaw. Also present were Glenn Michalowski, Town Manager; Dr. Rick Green, School Superintendent; Nate LeClair, Fire Chief; Ryan McGee, Police Chief; Ross Cunningham, ECD Director; Bill Kuhl, Planning Board Chair; Nicholas Craig, Planning Board member; Laura Craig and Margaret Galligan-Schmoll, School Board Members; Amy MacDonnell, Deputy Chief of Lisbon EMS; Dennis Russell, United Ambulance representative and approximately 25 citizens in the audience.

### WORKSHOP MINUTES

Mr. Michalowski read a letter to the Council explaining the reason for the Workshop. He said it is allowed by our ordinances to request additional information, and if the council decides to award the bid to the higher bidder they can do so. He explained the Council would need to provide reasons for choosing the higher bid if this is the case.

The Chair asked Mr. Dennis Russell, the representative from United Ambulance, to present information about the EMS bid that United submitted. Mr. Russell handed out info to the Council and explained that he would address concerns in his presentation.

Mr. Russell said he started with an RFQ from Maine EMS to include all EMS responses for both Lisbon EMS and United Ambulance. He explained that he included all of that objective data in the packet he handed out.

Mr. Russell explained that the ambulance company is accredited in an independent accreditation process. He said a big question is staffing, that everyone has staffing issues right now. He said we've changed our wages and management, and changed what we pay providers. He said they now have 55 providers and are adding 5 more soon, the highest number of providers on staff for a very long time. He clarified that the 55 are only the Lewiston base, not other bases. He agreed there have been staffing issues, but we have increased staffing and it's exciting. He went on to say United has changed their licensing from Paramedic to Basic EMS for many reasons. One reason is to provide the appropriate level of service. He said EMS as an industry struggles, but United has a training center and processes in place.

As for scope, Mr. Russell continued, basically we provide a minimum of an A-EMT, and they are looking at re-training and staffing. He said for the response plan, it basically follows the response codes of Echo, Delta, Charlie, etc., and respond appropriately to those. He said one big thing we've done is, for Charlie level calls, an A-EMT is the appropriate response. He said the response is determined by the code. He went on to say that another piece is location. He said, we don't currently have a contract so we don't have one in Lisbon, but we have looked at investing in brick & mortar and planned for it.

Mr. Russell said that for mutual aid, an ambulance that's in town needs to be able to offer mutual aid, so that needs to continue. He said he has talked with other towns to work out additional mutual aid. He said as far as supplies, all supplies go to the Lewiston base and go out in par levels of equipment to restock appropriately.

For patient transport, Mr. Russell said they would not force a customer/patient to go to CMMC or St. Mary's, they could request MidCoast if they want. He said United will follow Maine EMS protocols, that sometimes a hospital will re-direct if they are unable to take the patient.

Amy MacDonnell, Deputy Chief of Lisbon EMS, read a letter to the Council stating that she cares deeply for Lisbon and wants to provide the best care possible for Lisbon. She said Lisbon EMS staffs at the Paramedic level 90% of the time. She said, we know Lisbon and its residents, and we listen to our Board. She said many of our providers have 10, 20, and 30 years or more of experience, and that Lisbon deserves Paramedic care as much as possible.

Deputy Chief MacDonnell said United does not offer full time Paramedic care, and her chart shows the difference between Lisbon EMS and United. She stated that United already covers 90 miles, and it would take 15 minutes for a Paramedic fly-car to arrive from Lewiston. She also said that the bid amount did not change from last year. She said we are involved with Lisbon in more ways than providing service. She agreed that Lisbon Emergency will be interested in creating a quasi-municipal arrangement with the Town, there would be many benefits to it. She said their contract also affects sporting and special events, as well as mutual aid.

Deputy Chief MacDonnell listed some questions for United, including how long do they plan to cover Lisbon? And, will they always have a fly car? And, will it be dedicated to Lisbon? She also asked about mutual aid and staffing. She said that for her, personally, it's worth the extra \$5 per year in taxes to have the coverage Lisbon EMS offers.

The Chair solicited questions from Council for the presenters.

Councilor Larochelle thanked them for their information. He said over the years, we've had a problem with volunteers for things like the Fire Department. He wondered what we need to do for the long term. He said that, as a councilor, anything we do is to look at options for now and the future. He said many people believe Lisbon EMS is already a part of the Town. He expressed his appreciation for both presenters for coming in and providing the information we need to help Lisbon evolve. He said changes are happening, there's a lot to be thought about. He said we have to make sure it's not just a decision made for today.

Councilor Larochelle asked Mr. Russell how United already responds to Lisbon. He said, you already respond to other communities, both companies do, and there is actually a second unit in town. Mr. Russell said, yes, if all the units are busy, there is an ebb and flow. Councilor Larochelle said if we had Durham respond to Lisbon, do they have an EMT or a Paramedic? Chief LeClair said Topsham usually has one, but not always.

Councilor Lunt asked Mr. Russell what percentage of time a Paramedic would be in Lisbon, and would it be guaranteed? Mr. Russell said the plan is to look at what is needed. He said it's not unreasonable, but it is not likely.

Councilor Cain asked Mr. Russell what the retention and turnover rates are at United. Mr. Russell said he didn't have the numbers, it's the nature of EMS, we have some long-standing employees, it's a high-volume service. Councilor Cain asked if United anticipates any losses. Mr. Russell said no, in fact he has three more applicants to consider next week. Councilor Cain asked Deputy Chief MacDonnell how often Lisbon EMS has multiple calls at once. Deputy Chief MacDonnell replied that it depends on the volume, probably about 15 times per month.

Councilor Lunt asked Mr. Russell if United only intends to contract for one year, in case Lisbon EMS goes out of business. Mr. Russell replied no, we haven't discussed that, we can look at other options. He said we don't want Lisbon EMS to go out of business, we've been very fair to all sizes of communities.

Councilor Larochelle asked Deputy Chief MacDonnell how many employees are Lisbon Residents. She stated that six of the 32 employees are Lisbon residents. She also said the Chief is not a paramedic.

Councilor Robishaw stated the information Mr. Russell handed out was very good information. He asked if United has a yearly audit. Mr. Russell said yes, and it could be made available to Council if needed. He added that United is a not-for-profit organization. Councilor Robishaw said people have called and asked about the EMS choice. He said we are still required to be fair in the bidding process, it's there for a reason.

Mr. Michalowski asked both presenters if they are at their target staffing levels. Mr. Russell said he is bringing five more on board, that it will be close to target. Mr. Michalowski also asked, of the new hires, are they licensed? Mr. Russell confirmed they are all licensed providers.

Councilor Robishaw said to Deputy Chief MacDonnell, we've been asking for an auditor. Mr. John Cordts, an employee of Lisbon EMS and a Board member, said there wasn't enough money in the budget for an audit. He added that Lisbon EMS has always given the Finance Director full access to their books. He said they have someone lined up for the fall, expecting September/October.

Councilor Fellows directed his question to both presenters. He said when you're in business, you schedule a number of hours per week, so how does the schedule work. Deputy Chief MacDonnell said all employees are per diem, but three paramedics will be full time at 36 hours per week. Councilor Fellows asked how many shifts that is, Deputy Chief MacDonnell said it's hard to say because the shifts differ, and Mr. Russell said the same schedule challenges are true for United. He said hours vary, but rotating trucks can make it easier.

Mr. Michalowski asked if Labor is organized at United. Mr. Russell said they are in negotiations right now and working with legal and the union. He said right now there is no union contract.

Councilor Larochelle asked Mr. Russell if he sees a need to call people in due to a lack of staff. He explained, we are a growing town, that he is curious if there's room for expansion. Mr. Russell said they have hired five new people, and are working on staffing issues. He said yes, in the next few months we will be adequately staffed. He said on a busy day, transfers have to wait. He said they will not have more trucks, but they have more staff to rotate in. He explained on some days they are overstaffed, others not, it is hard to predict. He said he looks at history and data and try to predict for staffing. Councilor Larochelle asked about mutual aid. Mr. Russell said there are agreements, most EMS and Fire Departments have it. He clarified that they are agreements, not contracts.

Councilor Larochelle asked Deputy Chief MacDonnell if Lisbon EMS is committed to any mutual aid agreements. She said yes—Bowdoinham, Durham and Auburn. She said we send one of two trucks. Mr. Russell agreed, he said we only send it if we can.

Councilor Robishaw said, regarding United's assets and vehicles, how often are they replaced. Mr. Russell said we have a remounting process, we have multiple units and we have at least one remount per year. He said they do rotate in quite often and they have 3 backup trucks.

Councilor Larochelle asked about contract numbers. He said, if we were to ask for extras like Moxie Festival, are those extra charges, because we would need extra coverage. Mr. Russell said United does hire an extra truck when needed. He said that for a large influx we would need to discuss that in the contract. Councilor Fellows asked if that would be up to the event-holder.

Mr. Cordts said Lisbon EMS charges Moxie Festival for the additional coverage, and contracts with the school for school events. He said for schools, one provider is there, and specifically for football, there is a contract with the school. He said for in-town events we sometimes stage at the event. He said it's about \$3,600.00 for one extra unit at Moxie but we're looking at a second to help cover.

The Chair closed questions from the Council. He said that, as a law enforcement officer, he worked closely with Lisbon EMS. He said he worked many calls with them, and likes how they've developed their service. He said he would like to hear from the Police Chief and from the audience as time allows.

Chief McGee said he sat on the committee that made the original recommendation to the Council to choose United regarding the bid. He said he reviewed both and scored them using the matrix provided. He said he has worked with Lisbon EMS for almost 22 years, and recognizes an increase in expertise in the past year. He explained how the items were scored during the bid review and stated that he would like to see a second EMS truck around the clock, that a paramedic is preferable to a paramedic fly-car, and pointed out that Lisbon EMS and Auburn both cover for United. He said it is more expensive, but you get what you pay for. Chief McGee said that Lisbon is the 23<sup>rd</sup> largest community in the state, and that Lisbon is larger than many towns that have a dedicated ambulance company for the town. He urged the Council to contract with Lisbon EMS.

Councilor Moore asked Mr. Russell if he could explain Lisbon EMS's bid. He said, what does your gut tell you? Mr. Russell said it's due to infrastructure, explaining that United has multiple communities and more resources.

Councilor Moore then asked Deputy Chief MacDonnell to explain the United bid. She said it's due to the level of service provided, she added that Lisbon EMS offers paramedic level rather than EMS level.

Chief LeClair agreed with Chief McGee, and said the committee based the original recommendation on the objective points in the bids. He said that his concern is with United's staffing, though it is understandable. He stated that he recommends that Lisbon goes with what we know [Lisbon EMS].

Councilor Larochelle said a year or so ago the chair and I met and talked with Lisbon EMS about getting another unit, it would be about \$300,000.00. What's happened to that unit? Deputy Chief MacDonnell said last year there was an influx of applications, so the truck was subsidized with transfers and now we can staff it.

The Chair opened the floor for questions from the audience.

Mike Robitaille, Lisbon resident, said he is a Fire Chief and EMS in a nearby town. He said the service United proposes is less than Lisbon already has and that we need to keep it local, that it is not the best for service delivery to the residents of Lisbon. He pointed out that the savings of \$59,000 will not affect his tax bill, there is no savings. He said that Lisbon responds to United's requests for backup more than Lisbon requests theirs, and a training facility will not affect service. He said Lisbon EMS uses a mechanic like the Fire Department, and asked how the Fire Department can help more. He stated that 177 of over 400 calls were answered by the Fire Department too.

Tom Garipee, Bowdoin Fire Chief, said he backs up what Chief McGee said about the improvements in just the past year at Lisbon EMS. He said Lisbon EMS provides service and training for Bowdoin and is a lifesaver for them. He said Bowdoin would like to be a part of this process.

Norm Albert said this is a difficult process, and we must respect the bid process. He asked if this is an apples to apples comparison. He said there is not enough information, and wouldn't mutual aid time tell us something about response time? He pointed out the turnover at Lisbon EMS was none, really, and there is value in that. He said Public Safety should be paramount; we've added new positions, look at that cost. He said choosing the low bid would be penny wise and pound foolish.

Mark Bernier, a Bowdoin Selectperson, said he has been on the Lisbon EMS board and it has given him insight. He said if Lisbon goes with United, Lisbon EMS may not survive. He stated that Bowdoin is a partner in this, Lisbon EMS has

bolstered their coverage with additional staff and given us access to financial info. He urged Council to support Lisbon EMS to keep it going.

Georg Roy introduced himself as a Lisbon resident and a Director at Lisbon EMS, as well as at the Lisbon Credit Union. He said the Credit Union supports Lisbon EMS, too. He said he has seen many instances of needing immediate service. He said Lisbon has two members on the Board of Directors, and they came to the decision that volunteers would not be enough. He said they attracted new staff and upgraded equipment. He said, don't just think about the dollars saved, think about the quality.

Denise Dube, a Lisbon resident, said that many years ago she had doubts about Lisbon EMS, but time can make a difference, and just 8 miles can make a difference. She said she has heard stories about waiting for help, timing and a quick response makes a difference. She said the choice will be between local, or waiting. She said that Lisbon EMS is local, it's convenient, and it is community.

The Chair closed the public comments, and urged residents to email questions and comments to the Town Manager. He closed the Workshop at 7:20 for a brief break before the Meeting.

The Chair called the meeting to order and led the Pledge of Allegiance to the Flag at 7:30 PM.

Councilor Moore said we've all learned a lot, we have a lot to think about. The Public Safety Committee will reconvene and consider the information, as well.

#### **AWARD EMERGENCY SERVICES BID**

*Item taken out of order.*

**VOTE (2023-72)** Councilor Fellows, seconded by Councilor Robishaw, moved to award the Emergency Services Bid at the next regular meeting on May 16, 2023.

**Order Passed - Vote 7-0.**

#### **GOOD NEWS & RECOGNITION**

Mr. Michalowski introduced the new Finance Director, Samantha Bryant, to the Council. Ms. Bryant said she's excited to serve Lisbon in this capacity. She said she has served in Pennsylvania as Treasurer and is excited to be in Maine.

#### **PUBLIC HEARINGS**

##### **SCHOOL BUDGET & SCHOOL CIP BUDGET**

Dr. Rick Green, School Superintendent, presented an update on the School Budget, including updated numbers and the updated subsidy report. He stated the School Committee adopted the revised budget last night, it has changed since originally presented in March. He said the school received additional state funding and has been able to increase staffing, including Social-Emotional-Instructional (SEI) staffing and English as a Second Language (ESL) staffing. He said it is much needed, where we historically had about 4 or 5 ESL students we now have 18.

### 23-24 Subsidy Comparison Report Lisbon School Department

*(All Subsidy figures for 23/24 are Preliminary!)*

**General Education Budget:**

	<b>FUNDING 22/23**</b>	<b>FUNDING 23/24</b>	<b>Difference</b>
<b>Budget Expenditures-Fund 100</b>	<b>\$ 18,990,943</b>	<b>\$ 19,862,452</b>	<b>\$871,509.00</b>
Amount from Unassigned Fund Balance:			
Balance to help defray taxes	\$236,422	\$118,211	(\$118,211)
State Grant/MLTI	\$0	\$0	\$0
Regular Instruction Reserve Account	\$0	\$93,524	
Anticipated Revenue:			
Capital Reserve Fund-GPC	\$43,209	\$67,896	\$24,687
Interest Credit	\$0	\$0	\$0
ARF Funds	\$164,425	\$58,560	(\$105,865)
Special Purpose School	\$300,000	\$300,000	\$0
<b>Total Revenue</b>	<b>\$744,056</b>	<b>\$638,191</b>	<b>(\$105,865)</b>
<b>Total Budget after Revenue</b>	<b>\$18,246,887</b>	<b>\$ 19,224,261</b>	<b>\$977,374</b>
<b>Local Only Debt Service</b>	<b>\$438,820</b>	<b>\$430,229</b>	<b>(\$8,591)</b>
<b>Total Budget after Revenue and Local Only Debt Service</b>	<b>\$17,808,067</b>	<b>\$ 18,794,032</b>	<b>\$985,965</b>
100% EPS	<b>\$14,953,256</b>	<b>\$16,106,619 *</b>	<b>\$1,153,363</b>
Amount above 100% EPS	<b>\$2,854,811</b>	<b>\$ 2,687,413</b>	<b>\$ (167,398)</b>
Transition Amount	<b>\$0</b>	<b>\$0 *</b>	<b>\$0</b>
<b>Total Additional Local Funds</b>	<b>\$2,854,811</b>	<b>\$ 2,687,413</b>	<b>\$ (167,398)</b>
<b>State Subsidy:</b>			
State Contribution	<b>\$10,617,530</b>	<b>\$11,605,054 *</b>	<b>\$987,524</b>
Required Local Contribution	<b>\$4,417,383</b>	<b>\$4,588,816 *</b>	<b>\$171,433</b>
Local Only Debt Service	<b>\$438,820</b>	<b>\$430,229</b>	<b>(\$8,591)</b>
Local Additional Funds	<b>\$2,854,811</b>	<b>\$ 2,687,413</b>	<b>(\$167,398)</b>
<b>Total Local Funding</b>	<b>\$7,711,014</b>	<b>\$7,706,458</b>	<b>(\$4,556)</b>
	<b>\$18,328,544</b>	<b>\$19,311,512</b>	<b>\$982,968</b>
There is an increase in State Funding from 22/23 to 23/24 of \$987,524			
There is a increase in Local Funding from 22/23 to 23/24 of (\$4,556)			

\* Amounts based on Legislative Budget Approval FY 23/24 ED279 as of January 31, 2023

\*\* Amounts from Town Council Meeting dated \_\_\_\_\_

**Adult Education:**

Anticipated Revenue	<b>\$3,500</b>	<b>\$3,500</b>	<b>#</b>	<b>\$0</b>
State Contribution	<b>\$8,250 **</b>	<b>\$7,735 ***</b>	<b>***</b>	<b>(\$515)</b>
Total Local Funding	<b>\$16,903 **</b>	<b>\$17,418</b>		<b>\$515</b>
Total Expenditures	<b>\$28,653</b>	<b>\$28,653</b>		<b>\$0</b>
There is an increase in State Funding from 21/22 to 22/23 of (\$515)				
There is a decrease in Local Funding from 21/22 to 22/23 of \$515				

# Amount based on actual revenue received in 22-23

\*\*\* Amount based on actual subsidy received in 22-23

<b>Total Increase to Taxes:</b>	<b>\$7,727,917</b>	<b>\$7,723,876</b>	<b>(\$4,041)</b>
<b>Total increase in Budget Including Adult Education:</b>	<b>\$19,019,596</b>	<b>\$19,891,105</b>	<b>\$871,509</b>

4/27/2023

Warrant Article Lang 23-24

Dr. Green said the revised budget includes about \$40,000.00 in professional services funds to analyze and increase the infrastructure at the middle school, where we have well over 100 students in the 7<sup>th</sup> grade. He said our numbers in town are increasing, and the School has to deal with this. He said we added an additional Assistant Principal to help manage students and support for teachers, plus several other new positions for support which allows the Assistant Principals to focus.

Dr. Green said focus continues to be on the social and emotional needs of students and staff post-Covid. He said the School Committee was pro-active and as a result, needs have been met; he said recovery funds have provided resources and support as we move into the next phase. He explained that Lisbon schools used limited recovery funds for staffing to avoid raising the funds later. He said many other schools are going to their towns to ask for more money and Lisbon is the only school district in the region that has a small decrease instead of an increase.

As a result, Dr. Green explained, the decreased amount needed from taxes and the additional funds received at the state level have raised levels of services. He said a decrease of .005% from 2022 to 2023 is because of the proactive use of Covid relief funds.

Dr. Green said the Facilities Committee looked at the option of adding six new classrooms to the middle school, we want to be shovel ready, he said, and have used ARFA funds on things that were needed and will have a plan in place. He explained the middle school now needs focus, that when it was built it had no library, so has fewer rooms. He said they hope to hire an architect/engineer to come in and show us what can be done to add the classrooms.

Dr. Green commended the School Committee, School Staff and Administration, and the Council and community for support.

Councilor Fellows said he's been watching other surrounding communities, and congratulated the Lisbon Schools for the foresight on how to use the Covid relief funds. Councilor Robishaw concurred, and said it was a great job.

The Chair thanked Dr. Green for the presentation. Seeing no further comment, the Chair closed the Public Hearing.

**ITINERANT VENDOR RENEWAL FOR RIVERSIDE FLEA MARKET  
VICTUALER'S LICENSE FOR PINKY D'S FOOD TRUCK  
AMEND CHAPTER 10 BUSINESSES, ART. V, VICTUALERS, SEC. 10-292 (C)**

The Chair opened the Public Hearings. Seeing no comments, the Chair closed the Public Hearings.

**AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS**

Norm Albert said it was great to hear there's a reduction in the School Budget, although the new School contract has not been signed yet. He said we will have a big bill next year.

**CONSENT AGENDA**

**VOTE (2023-70A)** Councilor Fellows, seconded by Councilor Lunt, moved to remove Item N, *Request for RFP 2023-006 Road Resurfacing – Littlefield Road*, from the Consent Agenda for separate consideration.

**Order passed – Vote 7-0.**

**VOTE (2023-70)** Councilor Larochelle, seconded by Councilor Robishaw, moved to accept the Consent Agenda Items A-M and O as presented.

- A. Municipal Accounts Payable Warrants – \$ 344,180.23
- B. Municipal Payroll Warrants – \$ 250,784.42
- C. School Accounts Payable Warrants– \$ 70,343.73
- D. School Payroll Warrants – \$ 357,539.02
- E. Minutes of April 18, 2023
- F. Renewal of Mobile Home Park Permits
- G. Extend Physical Area & Set Hearing for May 16 for Special Amusement License Renewal for Railroad Restaurant & Pub
- H. Itinerant Vendor Renewal for Riverside Flea Market
- I. Victualers & Itinerant Vendor License for Pinky D's Food Truck
- J. Set Public Hearing for May 9th for Victualer's Licenses for Sweet Cakes Bake Shop, Anything Goes and Smokin Phils Belly Bustin BBQ
- K. Set Public Hearing for May 16th for Medical Marijuana Retail Store Renewal for Lisbon Cannabis & Adult Use Marijuana Retail Store Renewal for River Driver Cannabis Co.
- L. Set Public Hearing for May 16th for Medical Marijuana Retail Store License for Smoky Falls
- M. Request for RFP 2023-005 Road Striping
- N. *Request for RFP 2023-006 Road Resurfacing – Littlefield Road—Item removed for separate Discussion*
- O. Set Public Hearing for May 9th for Union Street Property

**Order passed – Vote 7-0.**

**COUNCILOR COMMENTS:** Councilor Fellows said he did not know what the RFP would include for the Littlefield Road resurfacing.

Mr. Michalowski explained that he had spoken with the Public Works Director and that this is so we can get on a schedule. It will be pending the approval of the budget.

**VOTE (2023-70B)** Councilor Fellows, seconded by Councilor Larochelle, moved to accept Consent Agenda Item N, *Request for RFP 2023-006 Road Resurfacing – Littlefield Road*, as presented.

**Order passed – Vote 7-0.**

### **COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES**

#### **ORDINANCE AMENDMENT TO CHAPTER 10 BUSINESSES, ART. V, VICTUALERS, SEC. 10-292 (C), *Second Reading***

**VOTE (2023-71)** Councilor Larochelle, seconded by Councilor Fellows, moved to approve the amendment to Chapter 10 - Businesses - Article V - Victualers, Sec. 10-292(c) as presented:

Chapter 10 – Businesses – Article V. - Victualers

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Sec. 10-292. - License Required; bond; expiration.

- (a) No person shall engage in the business of victualer without first obtaining a license.
- (b) All licenses issued under this article shall expire on May 31 after the date of issuance.
- (c) Such license shall not be granted except upon certification of the health officer that the premises meet all requirements under this article and any applicable state regulations, and certification by the codes enforcement officer, excluding mobile units, that the location is in compliance with applicable life safety codes.
- (d) The initial license shall be issued by the town council after public hearing. Renewal licenses may be issued by the town council without subsequent public hearing, except that the town council shall have the authority to require a public hearing either at the request of the applicant or in circumstances where the town council feel a public hearing would produce information relevant to the license renewal.
- (e) The clerk may issue temporary permits, for a period not to exceed 90 days, upon receipt of notice of compliance with subsection (c) of this section.
- (f) The town council may waive licensing requirements for special events of a limited duration such as Moxie Days. The council shall also have the authority to require a license in such instances but to suspend all or some portion of the licensing fee.
- (g) The town council may issue a conditional license for a period not to exceed six months under circumstances where the applicant has demonstrated that all sanitary and food safety requirements of this article and all applicable state rules and regulations, have been met and that there is no risk or danger to the general public being served by the establishment. The purpose of this provision for a conditional license is to allow operation of the establishment where only technical requirements of this section have not been met and there is no effect on the ability of the establishment to meet all applicable standards regarding sanitation and provide a healthy, risk free environment.

(T.M. of 5-15-1993, art. 92, § 16-102; T.M. of 5-18-2004, art. 48; T.M. of 12-4-2007, § 2007-214; C.M. of 9-18-2012, V. 2012-143)

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

**Order passed – Vote 7-0.**

#### **AWARD EMERGENCY SERVICES BID**

*Item taken out of order at beginning of meeting, after workshop.*

#### **TRANSFER STATION FEE CHANGES – *First Reading***

**VOTE (2023-73)** Councilor Larochelle, seconded by Councilor Fellows, moved to change the residential transfer station fee from \$35.00 to \$52.00 annually and set a Public Hearing for May 16, 2023.

#### **APPENDIX C – FEE SCHEDULE**

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SOLID WASTE TRANSFER AND RECYCLING FACILITY		
<a href="#">98-38</a>	There shall be no <b>fee</b> for disposal of waste materials at the site except for the following:	
	Residential Permit:	
	a. Residents	<del>30.00</del> <u>52.00</u>
	b. Business	<del>30.00</del> <u>52.00</u>
<a href="#">98-39(b)</a>	Temporary Permits issued for no more than 6 months:	
	a. Residents	<del>30.00</del> <u>52.00</u>
	b. Nonresidents	<del>30.00</del> <u>52.00</u>

...

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

**Order passed – Vote 7-0.**

#### ORDINANCE AMENDMENT-POST CONSTRUCTION STORMWATER MANAGEMENT

**VOTE (2023-74)** Councilor Fellows, seconded by Councilor Larochele, moved to amend the Code of Ordinances Chapter 42 Stormwater Management, Article IV. Post-Construction Stormwater Management, Section 42-121 (2) per State mandate as presented and set a Public Hearing for May 16, 2023.

**INTRODUCTION:** Mr. Michalowski advised Council that this is a statutory requirement.

#### ARTICLE IV. POST-CONSTRUCTION STORMWATER MANAGEMENT

##### DIVISION 3. POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN COMPLIANCE

##### **Sec. 42-121. General requirements.**

Any person owning, operating, leasing or having control over stormwater management facilities required by a post-construction stormwater management plan approved under this ordinance shall demonstrate compliance with that plan as follows.

(1) That person or a qualified post-construction stormwater inspector hired by that person, shall, at least annually, inspect the stormwater management facilities, including but not limited to any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.

(2) If the stormwater management facilities require maintenance to function as intended by the approved post-construction stormwater management plan, that person shall take corrective action(s) to address the deficiency or deficiencies no later than 60 days following the date the deficiency was identified. If 60 days is not possible, then the permittee must establish an expeditious schedule to complete the maintenance and establish a record of the deficiency and corrective action(s) taken.

(3) That person shall employ a qualified post-construction stormwater inspector to provide, on or by March 1 of each year, a completed and signed certification to the enforcement authority in a form identical to that attached as Appendix 2 to this ordinance, certifying that the stormwater management facilities have been inspected, and that they are adequately



maintained and functioning as intended by the approved post-construction stormwater management plan, or that they require maintenance or repair, describing any required maintenance and any deficiencies found during inspection of the stormwater management facilities, and, if the stormwater management facilities require maintenance or repair of deficiencies in order to function as intended by the approved post-construction stormwater management plan, the person shall provide a record of the required maintenance or deficiency and corrective action(s) taken.

(C.M. of 3-3-2015, V. 2015-57; C.M. of 3-17-2015, V. 2015-71 )

...

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

**Order passed – Vote 7-0.**

ORDINANCE AMENDMENT – CHAPTER 54- ARTICLE III-SWIMMING POOLS SEC. 54-71-  
DEFINITIONS – *First Reading*

COUNCILOR COMMENTS: Councilor Fellows said this is so the Ordinance meets the rest of the standards. Mr. Kuhl clarified that this is so our standards meet the State's standards.

**VOTE (2023-75)** Councilor Fellows, seconded by Councilor Larochelle, moved to Amend Chapter 54- Article III- Swimming Pools Sec. 54-71-Definitions as presented and set a Public Hearing for May 16, 2023.

...

**Sec. 54-71. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Swimming pool* means any outdoor artificial receptacle, either in the ground or above the ground, ~~having a surface area of 250 square feet or more and~~ designed to hold water to a depth of at least 24 inches, the primary purpose of which is for swimming or bathing.

(Code 1983, § 4-301)

Cross reference(s)—Definitions generally, § 1-2.

...

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

**Order passed – Vote 7-0.**

ORDINANCE AMENDMENT – CHAPTER 70, ARTICLE IV-DIST. REGULATIONS, DIVISION 14.  
DIMENSIONAL REQUIREMENTS, SEC. 70-536 TABLE OF DIMENSIONAL REQUIREMENTS – *First Reading*

INTRODUCTION: Mr. Kuhl explained this is a correction to a footnote typographical error.

COUNCILOR COMMENTS: Councilor Larochelle asked if the Planner can look at Chapter 70 for us to make all changes at once. Councilor Fellows said that right now ROS I & II are the Planner's focus. Mr. Kuhl said the Planner is valuable, it is good to have her expertise.

**VOTE (2023-76)** Councilor Fellows, seconded by Councilor Larochelle, moved to approve the Amendment to Chapter 70, Article IV-Dist. Regulations, Division 14. Dimensional Requirements, Sec. 70-536 Table of Dimensional Requirements and set a Public Hearing for May 16, 2023.

...

	WO/Water & Sewer- 20,000 sq. ft. <sup>4</sup>  Single family W/Water & Sewer 5,000 sq. ft. Multi-family W/Water & Sewer- 3,000 sq. ft. per DU Other 5,000 sq. ft. per principal use	50'	100'	10' <sup>5</sup>	25'	10' <sup>6</sup>	10'	75 Percent	50'		
Commercial	WO/Water & Sewer- 2 acres W/Water & Sewer 1 acre	200'	100'	50' arterial 35' collector 25' minor	25'	25' <sup>3</sup>	25'			30 Percent <sup>4-2</sup>	
Industrial	WO/Water & Sewer- 5 acres W/Water & Sewer 2 acres	200'	100'	50' arterial 35' collector 25' minor	25'	25'	25'			30 Percent <sup>7</sup>	

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

**Order passed – Vote 7-0.**

## OTHER BUSINESS

### COUNCIL COMMITTEE REPORTS

1. **School:** Councilors Lunt & Cain said there was nothing to report.
2. **Planning Board:** Councilor Fellows said they covered the items before the Council today.
3. **Lisbon Development Committee:** Councilor Lunt said he had nothing to report.
4. **Conservation Commission:** Councilor Moore said he had nothing to report.
5. **Recreation Committee:** Councilor Larochelle said their next meeting is next Monday.
6. **County Budget Committee:** Councilor Moore said there was nothing to report.
7. **Library Governing Board:** Councilor Keller said the library is gathering books to sell at Moxie Festival and also accepting puzzles. She added that the books are stored at the Methodist Church.
8. **Water Commission:** Councilor Fellows said they meet next week.
9. **Finance Committee:** Councilor Robishaw said they meet next on May 8<sup>th</sup>.

### TOWN MANAGER'S REPORT

Mr. Michalowski said recent storms damaged the Borrough Road bridge. He said the Public Works Director met with an engineer for recommendations and weight limitations. He explained the Finance Director is looking at options. He said if we get the Congressional funding we are hoping for, we may not be able to request FEMA funds. He said we won't have to pay but we may have to front the funds and get reimbursed.

Regarding Worumbo and the recent Easter Egg Hunt, Mr. Michalowski said he would like to put together a staff committee to review and modify the Mass Gathering Permit. He said he will come back to the Council with their findings.

Mr. Michalowski explained that both the street sweeper and the snowplow are in the CIP, they are about the same cost. He said the snowplow needs to be replaced sooner than planned, but the sweeper can wait an extra year, so he'd like to swap their places for replacement.

A Tax Collector has been hired, and another clerk for that same office, Mr. Michalowski reported.

Mr. Michalowski said that regarding the Union Street (fire damaged) property, we are working with the owner to get it taken care of before we need to take any formal action.

Mr. Michalowski said that Councilor Moore would join him at the County Spirit of America Award reception to honor all the recipients, including Traci & Tony Austin. He added that we are currently looking for nominees for this year.

## APPOINTMENTS

### APPOINT RICK ROBERTS AS WARDEN FOR JUNE 13, 2023 ELECTION

**VOTE (2023-77)** Councilor Larochelle, seconded by Councilor Fellows, moved to appoint Rick Roberts as Warden for the June 13, 2023 Election.

**Order passed – Vote 7-0.**

### APPOINT TAX COLLECTOR

Mr. Michalowski said it is nice to promote from within, that Ms. Scribner currently works in the Vehicle Registration and Tax Office.

**VOTE (2023-78)** Councilor Fellows, seconded by Councilor Robishaw, moved to appoint Amy Scribner as Tax Collector.

**Order passed – Vote 7-0.**

## COUNCILOR COMMUNICATIONS

Councilor Keller said the construction on Main Street is controlled chaos but McGee Construction is doing a great job.

Councilor Larochelle asked Mr. Cunningham to talk about the event in town this weekend. Mr. Cunningham said Jane's Walk with the Historical Society will take place at 10:30 am at Graziano Square, then again on Main Street in Lisbon Falls at 12:30. He said Al Smith from the Historical Society will speak about the new banners that feature historical Lisbon scenes. He said there is an Open House with the Historical Society following the second walk, hosted at Olive Pit Brewing Company.

**AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS**

Norm Albert said he wanted to know more about the Mass Gathering Permits that the Town Manager mentioned.

Mr. Michalowski said it will be to determine whether there needs to be fees so that the taxpayers aren't footing the bill for Public Works or Public Safety.

Mr. Albert also said he'd like to know more about the dump permit costs and how they will be pro-rated.

**EXECUTIVE SESSION—NONE****ADJOURNMENT**

**VOTE (2023-79)** Councilor Fellows, seconded by Councilor Lunt, moved to adjourn at 8:30 PM.

**Order passed – Vote 7-0.**

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Lisa M. Ward, Council Secretary

Town Clerk

Date Approved: May 16, 2023