AGENDA
COUNCIL MEETING
April 2, 2024
LISBON TOWN OFFICE
7:00 PM MEETING

1. CALL TO ORDER & PLEDGE TO FLAG
2. ROLL CALL
   Harry Moore, Jr., Chair
   Raymond Robishaw, Vice Chair
   Mark Lunt
   Normand Albert
   Jo-Jean Keller
   Christine Cain
   Fern Larochelle
3. EXECUTIVE SESSION
   A. Executive Session per 1 MRSA § 405(6)(e) Consultation with Legal Counsel POSTPONED
4. GOOD NEWS & RECOGNITION
5. PUBLIC HEARINGS
   A. Finance Committee Revisions
   B. Smiley's Ice Cream Shoppe Victualer's Permit
6. AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS
7. CONSENT AGENDA
   A. *Consent Agenda Items*
      1. Municipal Accounts Payable Warrants $ 360,614.36
      2. Municipal Payroll Warrants $ 213,042.24
      3. School Accounts Payable Warrant $ 446,639.01
      4. School Payroll Warrant $ 464,603.73
      5. Warrant for School Budget Validation Referendum Election, Order Ballot Printing, and Set Public Hearings on April 30, 2024 for School Budget & CIP and Set School Budget Adoption Date on April 30, 2024
      6. Set Public Hearing for Drew's New to You
      7. Approve Victualer's Permit for Smiley's Ice Cream Shoppe
8. COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES
   A. Approve Finance Committee Revisions - Second Reading
   B. Award Contract for Updates to Appraisal Schedules to William Van Tuinen
   C. Codes and Planning Re-Organization Ordinance - First Reading
9. OTHER BUSINESS
   A. Use of Pinewoods Road Landfill
   B. Town-owned Property Discussion with Warden's Service
   C. Town Manager's Report

AGENDA
COUNCIL MEETING
April 2, 2024
LISBON TOWN OFFICE
7:00 PM MEETING

D. Council Committee Reports:
   1. School Committee – Councilor Cain
   2. Planning Board –Councilor Larochelle
   3. Lisbon Development Committee – Councilor Larochelle
   4. Conservation Commission – Councilor Moore
   5. Parks & Recreation Committee – Councilor Moore
   6. County Budget Committee – Councilor Moore
   7. Library Governing Board – Councilor Keller
   8. Water Commission – Councilor Robishaw
   9. Finance Committee – Councilor Robishaw

10. APPOINTMENTS
    A. Appointment to the Finance Committee
11. COUNCIL COMMUNICATIONS
12. AUDIENCE PARTICIPATION & RESPONSE TO NEW ITEMS
13. EXECUTIVE SESSION
    A. Executive Session per 1 MRSA § 405(6)(d) Labor Negotiations
    B. Executive Session per 1 MRSA § 405(6)(a) Personnel Matters
14. ADJOURNMENT
    A. To Adjourn

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Executive Session per 1 MRSA § 405(6)(e) Consultation with Legal Counsel POSTPONED
Date: April 2, 2024

Summary

Consultation with Legal - Annual Harassment and FOAA Training

Recommendation

To enter into Executive Session per 1 MRSA Section 405(6)(e) Consultation with Legal Counsel for annual Harassment training and FOAA training.

Attachments

None

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Finance Committee Revisions
Date: April 2, 2024

Summary

Public Hearing: Finance Committee Revisions

Recommendation

Attachments

1. PH NOTICE ORD AMND

TOWN OF LISBON
300 Lisbon Street, Lisbon, ME 04250

Lisa Ward, Town Clerk
Alice Richards, Deputy Clerk

PUBLIC HEARING

Ordinance Amendment

Notice is hereby given that the Lisbon Town Council intends to hold a Public Hearing on April 2, 2024 at 7:00 PM in the Town Office Public Meeting Room to hear comments on the following:

Ordinance Amendment Chapter 2 – Administration
Article V. - Boards and Commissions
Division 2. Finance Committee- Sect. 2-506-Members,
Sect. 2-507 – Meetings &
Sect. 2-509 – Administration

&

Victualer's License - Smiley's Ice Cream Shoppe
590 Lisbon St.
Lisbon Falls, Me 04252

The public is invited to attend.
Lisa Ward, Town Clerk

24-3173

Constable's
Return of Posting
State of Maine

Lisbon,

Androscoggin, ss.

Pursuant to the within notice, I have posted said notice at the Lisbon Post Office, the Lisbon Falls Post Office, and the Town Office Building, all being conspicuous and public places within the Town of Lisbon.

3/23/24
Date

Constable, Town of Lisbon

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Smiley's Ice Cream Shoppe Victualer's Permit
Date: April 2, 2024

Summary

Recommendation

Attachments
None

	Agenda Date:		
Date	Brenda Martin		Municipal Accts Payable
3/20/2024	3192024	$	333,733.84
3/22/2024	3222024	$	13,981.85
3/29/2024	3292024	$	12,898.67
		$	***360,614.36***

Date	Lynna Izumi		Municipal Payroll Warrants
3/22/2024	MUN3.21.2024	$	192,529.70
3/22/2024	LWD3.21.24	$	20,512.54
		$	***213,042.24***

Date	Haley Anderson		School Accts Payable
3/26/2024	2417	***$***	***446,639.01***

Date	Eva Huston		School Payroll Warrants
3/20/2024	1124	$	59.46
3/20/2024	1123	$	82.92
3/20/2024	1122	$	15,085.88
3/27/2024	1126	$	418,700.63
3/27/2024	1127	$	11,865.61
3/27/2024	60	$	794.96
3/27/2024	1125	$	134.28
3/27/2024	1128	$	17,797.07
3/27/2024	1129	$	82.92
		$	***464,603.73***

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Municipal Accounts Payable Warrants $ 360,614.36
Date: April 2, 2024

Summary

Recommendation

Attachments
None

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Municipal Payroll Warrants $ 213,042.24
Date: April 2, 2024

Summary

Recommendation

Attachments
None

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: School Accounts Payable Warrant $ 446,639.01
Date: April 2, 2024

Summary

Recommendation

Attachments
None

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: School Payroll Warrant $ 464,603.73
Date: April 2, 2024

Summary

Recommendation

Attachments
None

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Warrant for School Budget Validation Referendum Election, Order Ballot Printing, and Set Public Hearings on April 30, 2024 for School Budget & CIP and Set School Budget Adoption Date on April 30, 2024
Date: April 2, 2024

Summary

Elections and School Budget Validation require Council approval, as well as the polling hours, registrar's hours, and casting of absentee ballots. This warrant will be publicly posted in advance of the election.

Recommendation

Attachments

1. June 11 2024 BVR Warrant and Return

WARRANT
SCHOOL BUDGET VALIDATION REFERENDUM
(20-A M.R.S.A. §§ 1486 and 2307)
TOWN OF LISBON

Androscoggin County, ss. State of Maine

TO: Ryan McGee, Constable of the Town of Lisbon: You are hereby required in the name of the State of Maine to notify the voters of the Town of Lisbon of the School Budget Validation Referendum Election described in this warrant.

TO THE VOTERS OF THE TOWN OF LISBON:

You are hereby notified that a School Budget Validation Referendum Election will be held at the Lisbon High School Gymnasium, 2 Sugg Drive, Lisbon Falls, Maine for Ward 1 and Ward 2 on Tuesday, June 11, 2024 for the purpose of determining the following questions:

QUESTION 1: DO YOU FAVOR APPROVING THE TOWN OF LISBON SCHOOL BUDGET FOR THE UPCOMING SCHOOL YEAR THAT WAS ADOPTED BY THE LISBON TOWN COUNCIL AT THE LATEST BUDGET MEETING? YES NO

The Registrar of Voters shall hold office hours while the polls are open to correct any error in, change a name, or address on the voting list; to accept the registration of any person eligible to vote; and to accept new enrollments. A person who is not registered as a voter may not vote in any election.

POLLING HOURS: Voting on the Questions shall be by secret ballot referendum at one polling location located within the Town of Lisbon, and the polls shall be opened at 7:00 a.m. and closed at 8:00 p.m.

REGISTRAR HOURS: Regular Town Office hours during the week, with additional hours on June 4th 8:30am-6:00pm, and Election Day June 11, 2024 from 7:00 a.m. to 8:00 p.m.

CASTING OF ABSENTEE BALLOTS: You are hereby notified that the Town Clerk intends to process absentee ballots Election Day at 8:00 a.m., 10:00 a.m., 12:00 p.m., 2:00 PM, 4:00 PM, 7:00 p.m. and 8:00 p.m. in accordance with M.R.S.A. Title 21A Section 759 (7).

WARRANT

SCHOOL BUDGET VALIDATION REFERENDUM

(20-A M.R.S.A. §§ 1486 and 2307)

TOWN OF LISBON

Given under our hand this 2nd day of April, 2024 at Lisbon, Maine.

_____

Harry Moore, Jr., *Chairman*

_____

Raymond Robishaw, *Vice-Chairman*

_____

Christine Cain

_____

Normand Albert

_____

Jo-Jean Keller

_____

Mark Lunt

_____

Fern Larochelle

A true Copy of the Warrant,

Attest: _____ (Clerk Signature & seal)

Municipal Clerk

RETURN

Androscoggin County, ss. State of Maine

TO: The Municipal Officers of the Town of Lisbon

I certify that I have notified the voters of the Town of Lisbon of the time and place of the referendum election by posting an attested copy of the within warrant as follows:

DATE	TIME	LOCATION OF POSTING
_____	_____	Lisbon Town Office & Lisbon Post Office, Ward 1
_____	_____	Lisbon Falls Post Office, Ward 2

Being public and conspicuous places in said town and being at least seven days next prior to the date of the referendum election.

Dated at the Town of Lisbon _____, 2024.

_____
Constable, Town of Lisbon, Maine

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Set Public Hearing for Drew's New to You
Date: April 2, 2024

Summary

Recommendation

Attachments
None

State of Maine Health Inspection Report

Establishment Name			
SMILEYS ICE CREAM SHOPPE			
License Expiry Date/EST. ID#	Address	City / State	
3/19/2024 / 26508	590 LISBON ST	LISBON FALLS	ME

Inspection Notes

Ok to issue. Certified Food Protection Manager - exempt.
Every eating establishment must employ on its staff a Certified Food Protection Manager (C... exempt from this requirement. A CFPM certificate must accompany the application for a ne... ownership. A CFPM must be hired within 60 days of the departure of the last CFPM lea... must post in a conspicuous area the certification of the CFPM(s), and the certificate mus... upon request. For a list of CFPM courses and trainers go to http://www.maine.gov/healt... copy of this certification(s) to the Health Inspection Program, 286 Water St. 3rd Floor, A... hiplicensing.dhhs@maine.gov or by faxing to 207-287-3165. Please include the name of ou... ID# with your certification(s).

Employee Health Policy
The Health Inspection Program implemented an educational public health initiative on Emp... lo... policy handouts will be provided to you by your inspector and reviewed during inspection ... on the Program's website: http://www.maine.gov/healthinspection

Violation Correction Timeframe
Critical violations should be corrected on site, but in any event, within 10 days. The licen... s... Jackson, when the critical violation has been addressed at 207-513-6652 or heather.p.jack... must be corrected within 30 days. Failure to satisfactorily correct these violations before t... enforcement proceedings by the Department to include fines and penalties. License ren... corrected within the noted timeframes.

C= Critical violation and NC= Non-critical violation
"Critical violation" means a provision of the Food Code that, if in non-compliance, is ... contribute to food contamination, illness or environmental health hazard.

Additional Inspection Fee
License fees provide for two inspections per year. When additional inspections are r... additional $100 fee to cover the costs of each additional inspection or visit.

Document Retention/Posting
Pursuant to the Administration and Enforcement of Establishments Regulated by t... conditional licenses, inspection reports, certificates or other notices issued by the D... visible to customers or other persons using a licensed establishment. If you have rec... print and retain onsite.

Pd $100.00
3-15-2024 LW

LISBON – VICTUALER APPLICATION

License Type: ✓ $ 100 Restaurants & Others

Name of Business: Smiley's IceCream Shoppe Business Phone: 212-0865

Business Location in town (street address): 590 Lisbon St

Mailing Address: 590 Lisbon St Lisbon Falls, ME 04252

Business Email Address: carebreton@hotmail.com

Owner's Name: Carrie E. Tuplin & Madelyn J Breton-Tupl

Home Phone: 212-0865 Owner's Cell Phone: 212-0865

Owner's Home Address: 160A Gould Rd, Lisbon Falls, ME

Residence(s) for last five years (Street/Town/Zip): same as above

List Applicant / Partners / Corporate Officers:

Name: Carrie E Tuplin Birth date: [redacted]

Name: Madelyn J Breton-Tuplin Birth date:

Name: Birth date:

Name: Birth date:

Applicant must have a valid State of Maine Food License. State ID License No: [redacted]

_____ If Yes, attached a copy of your **STATE FOOD LICENSE** to this application.

_____ IF NONE, date submitted: 3/15/24

Has applicant's business license ever been revoked? NO If so, why?

Has any applicant / partner / corporate officer ever been convicted of a felony? NO

If so, describe specific circumstances

Does the establishment have a valid liquor license? NO If so, when does it expire?

I, Carrie E Tuplin (owner's name), Owner (title) am authorized to sign on behalf of said business, and further declare that the forgoing information is accurate and true to the best of my knowledge and belief, and that the applicant does hereby acknowledge a public records check may be conducted. **All licenses expire annually May 31st.**
Re-inspection fees are $150 per visit after the first visit.

Signature: C. Tup Date: 3/15/24

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Approve Finance Committee Revisions - Second Reading
Date: April 2, 2024

Summary
Second Reading--moved from previous meeting. Council requested that staff members make revisions to the Finance Committee structure. The aim of these revisions is to enable the Council Liaison to become a voting member. This change is proposed in response to difficulties in recruiting volunteers, which has hindered the committee's ability to reach a quorum for voting. Additionally, we have updated the language to clarify that this is a standing committee, not an ad hoc one. The committee will convene quarterly and will also meet as directed by the chair or as required by our charter. The Finance Committee members also had input during this process.

Recommendation
To approve Finance Committee revisions as presented.

Attachments
1. 3A - Finance Committee Ordinance - proposedmodification 2-28-24 (1) (1)

DIVISION 2. FINANCE COMMITTEE

Sec. 2-505. Purpose.

The purpose of this policy is to establish the composition and responsibilities of the Town's Finance Committee.

(C.M. of 12-17-2019, V. 2019-232)

Sec. 2-506. Members.

The finance committee shall be a standing ~~an ADHOC~~ committee of the town council. The committee shall be comprised of five registered voters in the Town of Lisbon ~~residents~~ appointed by the town council. The five members shall include one Town Council member who will have voting privileges. In addition, there ~~There~~ shall be one school committee liaison appointed by the Lisbon School Committee who shall have voting privileges only when the Finance Committee is considering school financial matters.~~, and one town council liaison with no voting privileges~~. The Lisbon Finance Director ~~and School Business Manager~~ shall attend all meetings. The School Business Manager shall attend all meetings when the committee is considering school financial issues and is encouraged to attend other sessions. Neither the Finance Director nor School Business Manager shall have voting privileges. The town manager and school superintendent shall attend when necessary. Members shall be appointed annually as terms are renewed in June prior to the beginning of the new fiscal year. ~~July 1st~~. Members shall serve three-year ~~three-year~~ staggered terms, concurrent with the July 1st to June 30th fiscal year. At its first meeting each fiscal year the committee shall select its chair and vice chair. Members shall ~~must~~ attend ½ of the meetings per year to remain in good standing.

(C.M. of 12-17-2019, V. 2019-232)

Sec. 2-507. Meetings.

The committee shall meet at least once per quarter ~~month~~. The meeting dates shall be established by a majority of the committee at the committee's first meeting each fiscal year. The committee chair shall call additional meetings as the chair deems necessary. Meeting times and places may be adjusted but only consistent with proper public notification processes and the ~~The~~ committee shall give public notice of its meetings in accordance with Maine's Freedom of Access Act (FOAA) and rules established by the town council. A majority of the members appointed to the committee, exclusive of the School Committee Liaison, shall constitute a quorum. A majority of concurring votes shall be necessary to constitute an action on any matter. The finance committee may adopt rules of procedure, consistent with this policy, to enable it to perform its functions.

The committee shall have the following duties:

(a) Review and make recommendations to the town council on the municipal and school annual operating budgets presented;

(b) Review and make recommendations on annual capital expenditure as presented by the town manager and finance director;

(c) Review and make recommendations on supplemental appropriations and expenditures and other budgetary action whenever proposed by the town manager;

(d) Encourage and participate in long-range financial planning;

(e) Review as requested by the town manager and school superintendent, requests for proposals for the purchase of municipal and school goods or services;

(f) In consultation with the town's administration, review and make recommendations on policies and/or procedures relating to the financial affairs of the town;

(g) Review annual audit findings as presented by auditor;

(h) Review monthly budget to actual statements as prepared by the finance department;

(i) Participate and make recommendations on the capital improvement plan;

(j) Make recommendations on referendum questions for a ballot; and

(k) Make such other recommendations on fiscal matters and/or projects as may from time to time be deemed ~~as it may from time to time be deem~~ advisable by town council or school committee.

(C.M. of 12-17-2019, V. 2019-232)

Sec. 2-508. Conflict of interest.

Members of the finance committee shall adhere to the conflict-of-interest conflict of interest policy established by the town council.

(C.M. of 12-17-2019, V. 2019-232)

Sec. 2-509. Administration.

The finance director shall ~~be responsible to~~ provide for the administration of the affairs of the finance committee, including preparing agendas and minutes, handling correspondence, and maintaining all official records. The finance director shall file adopted minutes in the town clerk's office.

(C.M. of 12-17-2019, V. 2019-232)

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Award Contract for Updates to Appraisal Schedules to William Van Tuinen
Date: April 2, 2024

Summary

The attached memo outlines the need to update the land and building pricing schedules for the Town of Lisbon in the TRIO system. The current schedules, developed by William Van Tuinen in 2016, are based on market conditions and data from a comprehensive town revaluation. Since then, the strong real estate market and rising costs have made these schedules outdated. Recent data from Maine Revenue Services shows Lisbon's average assessment ratio at 62% for the 2022 tax year with a quality rating of 12.0961. The demand for professional revaluation services is high, with some firms booked until the 2027-28 tax year. Kathy Malloy, the former assessor, and the memo's author believe the town's parcel data accuracy remains high, but the cost schedules for converting data to values are now outdated due to market changes. Recommend contracting William Van Tuinen for the update of the appraisal schedules for the 2024-2025 tax year, suggesting a sole source exemption due to his extensive knowledge of Lisbon's assessing system. Van Tuinen, who developed the current schedules during the 2016 revaluation, has submitted a proposal for this work. The contract with Van Tuinen would be funded from account Act # - 20000000-29728 - Revaluation reserve. This recommendation aims to align Lisbon's appraisal schedules with current real estate market conditions, ensuring accurate and fair assessments.

Recommendation

To award the contract to William Van Tuinen to complete the updated cost schedules for tax year 2024-25 for an amount not to exceed $16,000.

Attachments

1. Updating Lisbons Land and Building Schedules
2. LISBON 2024 UPDATE PROPOSAL

Town of Lisbon

Amy Wiers
Assessor

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

Subject: Update Appraisal Schedules

Date: March 19, 2024

To: Glenn Michalowski, Town Manager

From: Amy Wiers, Assessor

Dear Glenn,

This memo serves to inform you of my recommendation to update land and building pricing schedules for the Town of Lisbon. Because of his thorough knowledge of the of Lisbon's assessing system, I am strongly recommending a soul source exemption for William Van Tuinen to complete the update of our appraisal schedules. He has submitted a proposal to complete this work in our TRIO system for the 2024-2025 tax year.

The land and building schedules currently being utilized in our TRIO system were developed by William VanTuinen when his firm conducted a complete revaluation of the Town in 2016. New pricing schedules are generally developed as a part of a revaluation and are largely based on knowledge of knowledge of the real estate market gained during the revaluation. According to Maine Revenue Services, our most recent report indicates Lisbon's average assessment ratio was 62% for the 2022 tax year with a quality rating of 12.0961.

The strong real estate market of the past four years is forcing many municipalities to contract with professional firms to conduct revaluations to reestablish more acceptable assessing standards. Because of the high demand for their services, some firms have contracted for completion of some revaluations as late as the 2027-28 tax year.

It is the opinion of Kathy Malloy, our previous assessor, and myself that as assessors we have maintained a high level of accuracy in the data we have for individual parcels throughout the Town. However, because of the increasing cost of building materials and other market related demands, our cost schedules used to convert the data to values are now dated.

Thank you for your consideration.

Amy Wiers
Assessor

William E. Van Tuinen
Tax Assessment Services
1049 East Madison Rd.
Madison, Maine 04950
Telephone 207-474-8866
E-mail bvt@beeline-online.net

March 8, 2024

Ms. Amy Wiers
Assessor
Town of Lisbon
300 Lisbon Street
Lisbon, Maine 04250

Re: Proposal To Update Appraisal Schedules

Dear Ms. Wiers:

Pursuant to recent email communications I submit this proposal to update the appraisal schedules for the Town of Lisbon.

I have viewed the sales ratio analysis included with the 2024 state valuation of the town. It indicates an average sales ratio of 62% with a quality rating of 13. This study is of sales during the period of 7/1/2021 to 6/30/2022. The indicated quality rating is very good. The ratio is very low and, perhaps, is even lower with more recent sales.

I propose to update the appraisal schedules of the Town contained in Trio Software files. This update would consist of the following.

1. Review third party cost schedule data, primarily "Means Square Foot Costs."
2. Perform extensive sales ratio analysis of Lisbon sales data overall and by stratified groups such as neighborhood, grade, story height, age, etc.
3. Upgraded appraisal schedules, including the dwelling schedule, outbuilding schedule, depreciation schedule, and land schedule would be tested and refined with this sales ratio analysis.
4. Publicly available data would be spot checked to confirm listing data on sold properties.

The proposal is based on the Assessor's Office maintaining accurate sales information on the town assessment data. It is also based on access to the Town data and assessment software on a remote basis. This entails the availability of a computer to make remote access possible.

The goal would be to update the values to an acceptable level.

Depending on the complexity of the work, I expect the project would cost $12,000 to $16,000. If you would prefer, I can submit a fixed price.

Please feel free to contact me if you have any questions.

Yours truly,

William Van Tuinen

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Codes and Planning Re-Organization Ordinance - First Reading
Date: April 2, 2024

Summary

The ordinance delineates the creation of the Planning Director position, which aligns with the Council's 2024 strategic goals. The Council's directive to augment the town's planning support staff capabilities, as discussed in prior meetings. The Planning Director will be tasked with overseeing land use planning and code enforcement. This role would manage the planning and codes department's operations, including supervision of planning development and code enforcement activities.

The request for this new position is included in the Fiscal Year 2025 (FY25) budget proposal, which is pending approval. Recognizing the potential for budgetary constraints, the ordinance provides a flexible pathway for the Town Manager to appoint a contracted planner should the position not receive funding.

It is recommended that the Council review the attached ordinance to formalize the creation of the Planning Director position.

Recommendation

To approve the Codes and Planning Re-Organization Ordinance and set a Public Hearing for April 16, 2024.

Attachments

1. Ordinance creating planning director position

ORDINANCE CREATING THE POSITION OF PLANNING DIRECTOR

The position of Planning Director is hereby created. The Planning Director shall be considered a department head and shall report directly to the Town Manager. The Planning Director shall oversee the Town's land use, planning and code enforcement functions, and shall manage the Town's planning and code enforcement staff. The Town Manager shall create a comprehensive job description for the position.

In furtherance of the creation of the Planning Director position, the following ordinances are hereby amended:

DIVISION 8. PLANNING AND CODES DEPARTMENT

Sec. 2-425. Established; appointment.

There shall be a planning and codes department, whose department head shall be the ~~codes enforcement officer~~ planning director who shall be appointed by the town manager. ~~He/she may also be the building inspector, plumbing inspector and electrical inspector, or individuals may be appointed by the town manager to serve as a particular inspector.~~ The planning director shall have authority to hire, supervise and remove a code enforcement officer and such building, plumbing and electrical inspectors as agreed to by the town manager.

Sec. 2-426A. Duties of the planning director.

The planning director shall:

(a) Supervise all planning, development and code enforcement functions of the Town of Lisbon.

(b) Receive applications for building activity or other development required by any town codes or state law to be reviewed by the planning board, and make recommendations to the planning board regarding the compliance of a proposal with relevant codes or laws.

(c) Coordinate the review of all applications submitted for planning board or board of appeals review and administer the review process.

(d) Make recommendations for improvement of the town's land use maps and ordinances, for consideration by the planning board and/or town council, as appropriate.

(e) Develop planning goals and initiatives to ensure economically and environmentally viable development in the Town of Lisbon.

(f) Prepare and submit annually to the town manager a budget relating to all planning and codes department activities.

Sec. 2-426B. Duties of the codes enforcement officer.

The codes enforcement officer or such other building and inspection officials of the Town of Lisbon, as so designated, shall:

(a) Administer and enforce the ordinances, codes, and statutes that pertain to the development of property, building construction and maintenance.

(b) Place a stop order on activities that are in violation of any municipal code or statute that he/she is responsible for enforcing.

(c) Receive applications for building activity or other development required by any town codes or state law to be approved by the codes enforcement officer, determine whether the applications meet code or legal requirements, and ~~to~~ render decisions thereon or where appropriate to refer the application to

the appropriate town board for further determination and ~~to~~ maintain all records regarding applications and decisions thereon as rendered by this department.

(d) Conduct inspections whether in response to inquires or complaints, at the inspector's initiative, or in accordance with a program of systematic inspection and enforcement, or as otherwise may be deemed necessary and appropriate, to assure compliance with applicable codes, regulations and law; ~~to~~ maintain records of such inspections, ~~to~~ provide notices of violation where same are found to the owner of record and/or occupant of the property, and ~~to~~ maintain such other records of inspection and inspection reports as are necessary and appropriate.

(e) Provide assistance to the public in applying for permits and complying with permitting code requirements.

(f) Issue a certificate of approval when it is determined that all the requirements of any municipal code or statute which the CEO must enforce have been met, if required.

(g) ~~To p~~Perform such other duties as may be imposed upon him/her by law or, from time to time, by the town council or town manager.

(h) ~~Shall be responsible for issuing all permits as generally, and~~Issue all building permits and inspect~~ing~~ all permitted construction.

(i) ~~Shall be responsible for i~~Issuing plumbing permits and inspect~~ing~~ all permitted plumbing work in accordance to the state plumbing code and/or such codes as may be adopted by the town council.

~~(j) Prepare and submit annually to the town manager a budget relating to all codes department activities.~~

(~~k~~j) ~~Shall be responsible for inspecting~~Inspect all electrical work in accordance with the National Electrical Code as adopted by the town council and/or such other codes as may be adopted by the town council.

~~(l) Serve as staff for the planning board and the board of appeals.~~

(m) Perform all other duties required by Town Charter, town ordinances, state law or as may from time to time be requested by the town manager and/or ~~town council~~planning director.

Sec. 70-193. Application procedure.

(a) *Application required.* Any person advised by the ~~codes enforcement office~~planning director that a proposed use requires a conditional use permit from the Town of Lisbon Planning Board, shall submit a written application to the ~~codes enforcement office~~planning director on a form provided by the town. All applications shall be signed by the owner of the property, or other duly authorized person applying for the permit, certifying that the information on the application together with any submissions or supporting data, is complete and correct. All applications shall be dated upon submission to the codes enforcement office, noting on each application the time and date of its receipt. Ten copies of each application, together with additional submissions and supporting data, shall be filed.

(b) *Application requirements.* Each application shall contain, as a minimum, the following submission requirements:

(1) A complete set of plans in accordance with the submission requirements for preliminary plans under section 66-52(3) of the Town of Lisbon Subdivision Ordinance.

(2) A statement addressing all of the applicable factors listed in section 70-194 of this zoning ordinance.

(3) If the applicant is not the owner of the property, then a letter of intent from the owner authorizing the application as submitted and noting that it is provided with the full authority of the owner.

(c) *~~Codes enforcement office~~planning director action.* Upon receipt of the application required under subsection (a) above, the ~~codes enforcement officer~~planning director, or ~~his~~ their designee, shall:

(1) Note on each copy of the application, the date and time of receipt in the ~~codes enforcement~~planning office.

(2) Review each application to determine whether the submission requirements under subsection (b) above have been met, and to determine the next scheduled meeting, no sooner than 14 days after the date of filing of the application, at which the planning board may consider the application. If additional information from town staff is required, the ~~codes enforcement officer~~planning director or ~~his~~ their designee may refer the application to the appropriate staff member for staff review of the plan and for comments or recommendations on the application.

(3) If an application is deemed to meet all of the submission requirements, then the ~~codes enforcement officer~~planning director shall schedule a public hearing before the planning board on the application and notify all abutters and the general public, in accordance with the notice requirements set forth below.

(4) If the applicant has not met all submission requirements, then the ~~codes enforcement officer~~planning director or ~~his~~ their designee shall notify the applicant in writing of any additional submission requirements that need to be provided in order to meet the application requirements of subsection (b) above. If the ~~codes enforcement officer~~planning director or ~~his~~ their designee is uncertain, or needs input from the planning board regarding submission requirements, then the matter may be placed on the next planning board agenda for the sole purpose of determining what, if any, additional submissions will be required prior to processing the application. In this instance, no public hearing shall be scheduled until at least 14 days after receipt of any required additional submissions.

(d) *Notice requirements.* The ~~codes enforcement officer~~planning director shall provide notice of the filing of an application to all abutters. Abutters shall be defined as those property owners as designated in the Town of Lisbon tax records, of all properties immediately adjacent to the property subject to the conditional use application, and any other properties directly across any street or right-of-way from that property. The ~~codes enforcement officer~~planning director or ~~his~~ their designee shall also provide notice of any public hearing by causing a notice of that public hearing identifying the applicant, the property, nature of the conditional use, and the time, date and place of the hearing, in a newspaper of general circulation within the Town of Lisbon, with copies by regular mail to all abutters at least seven days prior to the hearing date. The notice of filing of the application and the notice of public hearing may be combined into a single notice. Notice of planning board review of submission requirements shall be sent by regular mail to all abutters at least seven days prior to the meeting at which same shall be considered and may be combined with the abutters notice of filing.

***

(h) *Presentation by ~~CEO~~planning director.* The ~~code enforcement officer~~planning director shall attend all ~~hearings~~ application review meetings and hearings and may present to the planning board all plans, photographs or other material ~~he~~ they deem~~s~~ appropriate for an understanding of the application and make recommendations as to any requested waivers and as to findings of fact regarding the application.~~.~~

Town of Lisbon

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

MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Use of Pinewoods Road Landfill
Date: April 2, 2024

Summary

Discussion of the town-owned property that is the former landfill on Pinewoods Road, including forestry and tree-cutting option.

Recommendation

Attachments

1. LDC Town Council Letter - 03_14_2023 - Google Docs

To: Lisbon Town Council
From: Lisbon Development Committee
Date: March 13, 2023
Re: Proposed Pinewoods Project and Conservation Committee Concerns

Thank you for your time and consideration.

During a meeting of the Lisbon Development Committee (LDC) in the fall of 2023, the question of whether the Town of Lisbon owned land that could feasibly be developed was brought forth, with multiple benefits being presented as part of this idea, those being:

1. Increasing the tax base, thereby benefiting the town with additional tax revenues
2. Filling a dire need for mid priced homes for those wishing to move to the region by partnering with a developer who would be required to meet the specific requirements of the Town
3. Removing the maintenance, management and other costs associated with the selected parcel from the Town, thereby saving on expenditures
4. Adding an attractive and new housing development to encourage families to make the move the Lisbon, increasing the appeal of our town to potential commercial investors

Tasked with this duty, Economic Development Director Ross Cunningham returned to a subsequent LDC meeting to report on the availability of the Pinewoods Road parcel. LDC, in following meetings, put a plan together to determine the practicality of such a project, knowing there were no funds allocated for a feasibility study within the town budget. These plans included a site walk through the parcel with a licensed forester on November 9th, which included members of LDC, Ross, Town Manager Glenn Michalowski and Town Counselor JoJean Keller. The intent of the site walk was to determine if harvesting the lot for lumber could yield sufficient revenues to fund a feasibility study. Additional plans also included a presentation to the Conservation Commission on January 16th to uncover any additional barriers to the project.

After many discussions, and a few presentations to Council, LDC was presented with a letter outlining the concerns of the Lisbon Conservation Commission. A major area of concern was highlighted in the second paragraph of said letter indicating that “any development or disposal of town own(ed) resources should be considered fully before moving forward to avoid the polarizing effect on the community, or loss of future opportunities….” indicating there have been similar transactions in the past (namely the sale of the Worumbo site, and a site on Rt 9) which had adverse consquences for the Town. Additionally, the Conservation Commission listed multiple points about the proposed project which conflict with the Town’s Comprehensive Plan, as well as concerns about the viability of well water on that site, adverse effect on public utlilities, adverse effects of rapid growth on the town infrastructure, etc.

The Lisbon Development Committee acknowledges the concerns listed in the letter are valid, and looks to the Town of Lisbon, and the Conservation Commission for further guidance, and

would like to continue to explore the development of the Pinewoods parcel in a manner that addresses the Conservation Commission's concerns. LDC would also like to continue to explore other development opportunities which are presented to us in the future. The overarching goal of the LDC is to improve the economic landscape of our town, and to be successful, we must collaborate with other stakeholders to ensure the Town's time and resources are used wisely. We welcome the chance to name, develop and implement the best demonstrated practices for future collaboration between Town entities at an upcoming LDC meeting. We look forward to hearing from any Town official or committee member who would be interested in assisting us move forward to improve the economic status for the Town of Lisbon, and its residents.

The Lisbon Development Committee formally proposes to the Town Council that we (the Town of Lisbon) sustainably harvest the property on Pinewoods Road, and that any proceeds from that harvest be allocated to fund a feasibility study for future uses of that parcel.

Respectfully submitted-

Angela D'Amours
Chair
Lisbon Development Committee

Town of Lisbon

Harry Moore, Jr., Chair 2024
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MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Town-owned Property Discussion with Warden's Service
Date: April 2, 2024

Summary

Game Warden Corporal Kris MacCabe will present information on landowner liability and landowner relations.

Game Warden Corporal Cody Lounder will be present and speak on issues of enforcement with the current Town Ordinance, as well as complaints from area hunters and farmers.

Wildlife Biologist Scott Lindsay will speak on the current over-abundance of deer and the biological aspects of the necessity of hunting.

Recommendation

Attachments

None

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MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Appointment to the Finance Committee
Date: April 2, 2024

Summary

Jeremy Barnard has requested to join the Finance Committee and has passed a background check.

Recommendation

Appoint Jeremy Barnard to the Finance Committee.

Attachments

1. JBARNARD FIN COM APP

TOWN OF LISBON

300 Lisbon Street, Lisbon, Maine 04250
207-353-3000 Fax 353-3007

APPLICATION FOR APPOINTMENT TO BOARD OR COMMITTEE

Please Check One:

- ☐ Board of Appeals
- ☐ Planning Board
- ☐ Conservation Commission
- ☐ Recreation Committee
- ☐ Ethic Panel
- ☐ Lisbon Development Committee
- ☐ Library Governing Board
- ☐ Assessment Review Board
- ☐ Cemetery Committee
- ☒ Finance Committee

Application Date: 3/25/2024	
Name: JEREMY P BARNARD	
Street Address: 14 HIGH ST LISBON FALLS ME 04252	
Mailing Address: SAME	
Email Address: halftwin78@yahoo.com	
Home Phone: 207-576-0503	Cell Phone: SAME
Occupation: FINANCIAL ADVISOR	Employer: SELF
How long have you lived in Lisbon? 10 years	
Have you attended any meetings of the board/committee for which you are applying? Are you interested in other committees? List them in priority order.	
No and No	
Please list any contributions or improvements you feel you can make to the committee:	
I'm simply looking to give back to the town.	

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MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Executive Session per 1 MRSA § 405(6)(d) Labor Negotiations
Date: April 2, 2024

Summary

Contract Negotiations - FOP - Sergeant's Union

Recommendation

Attachments

None

Town of Lisbon

Harry Moore, Jr., Chair 2024
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MEMO

To: Town Council
From: Glenn Michalowski, Town Manager
Subject: Executive Session per 1 MRSA § 405(6)(a) Personnel Matters
Date: April 2, 2024

Summary
Personnel matters.

Recommendation

Attachments
None