Town Council
MEETING MINUTES
July 16, 2024
LISBON TOWN OFFICE
7:00 PM - COUNCIL MEETING

Harry Moore, Jr., Chair
Raymond Robishaw, Vice Chair
Mark Lunt
Normand Albert
Jo-Jean Keller
Christine Cain
Fern Larochelle

CALL TO ORDER & PLEDGE TO FLAG

ROLL CALL

Members present were Councilors Cain, Keller, Larochelle, Lunt, Moore and Robishaw. Also present were Glenn Michalowski, Town Manager; Sarah Bennett, Assistant Town Manager; Samantha Bryant, Finance Director; and approximately 5 citizens in the audience.

During Roll Call, Councilor Moore initiated a moment of silence to honor the memory of recently-passed former Town Councilor Chris Brunelle.

Councilor Larochelle, seconded by Councilor Moore, moved to excuse Councilor Albert's absence.
Roll Call Vote: Yeas – 6. Nays – 0.
Order Passed – Vote 6-0.

GOOD NEWS & RECOGNITION

Proclamation Honoring the Retirement of US Air Force Major Pierre LaPlume
Major Pierre LaPlume's father, Ray Laplume attended the meeting to read the proclamation for his son.

PUBLIC HEARINGS

Food Truck Permit for Lou Sarofeen DBA The Ugly Dumpling
The Chair opened the Public Hearing. Seeing no comments, the Chair closed the Public Hearing.

Itinerant Vendor Permit for Renewal by Andersen of Greater Maine
The Chair opened the Public Hearing. Seeing no comments, the Chair closed the Public Hearing.

Ordinance Amendment: Chapter 70, Article II, Division 5: Variances, Section 70-120 - Powers and Duties (a), Administrative Appeals
The Chair opened the Public Hearing. Seeing no comments, the Chair closed the Public Hearing.

Ordinance Amendment: Chapter 70 Proposed Ordinance Changes per LD 337 Affecting Manufactured Housing
The Chair opened the Public Hearing. Seeing no comments, the Chair closed the Public Hearing.

General Assistance Ordinance and Appendices
The Chair opened the Public Hearing. Seeing no comments, the Chair closed the Public Hearing.

Liquor License Renewal for Flux Restaurant
The Chair opened the Public Hearing. Seeing no comments, the Chair closed the Public Hearing.

Itinerant Vendor Permit for Southwestern Advantage
The Chair opened the Public Hearing. Seeing no comments, the Chair closed the Public Hearing.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

None.

CONSENT AGENDA

Consent Agenda Items

VOTE (2024-118) Council Member Larochelle, seconded by Council Member Cain, moved to accept the Consent Agenda as presented.
Order Passed– Vote 6-0.

Adopt updated General Assistance Ordinance and Appendices

Approve Liquor Catering Permit for Sliders

Set Public Hearings for August 20, 2024 for Food Truck Permits for Vy Banh Mi and Fishermen's Net

Set Public Hearings for August 20, 2024 for Itinerant Vendor permits for Homemade by Tina and for Blessings Cookies

Approve Liquor License Renewal for Flux Restaurant

Approve Itinerant Vendor Licenses for Renewal by Anderson and Southwestern Advantage

Approve Food Truck Permit for The Ugly Dumpling

Approve Road Name per Lisbon Addressing Officer: Blue Jay Lane

Municipal Accounts Payable Warrants - $ 934,955.59

Municipal Payroll Warrants - $ 240,651.02

School Accounts Payable Warrants - $ 985,420.08

School Payroll Warrants - $ 1,205,911.71

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

Ordinance Amendment - Chapter 70, Article II, Division 5: Variances, Section 70-120 - Powers and Duties (a), Administrative Appeals - *Second Reading*

Assistant Town Manager Sarah Bennett explained that the ordinance amendment was developed after an inconsistency within the Zoning Ordinance related to the Town's Zoning Board of Appeals (ZBA) jurisdiction was identified earlier this year and communicated to North Star Planning (NSP) staff. This inconsistency is as follows: Section 70-614.(h)(3) of the Zoning Ordinance notes that any alleged code enforcement violator may appeal the code enforcement officer's decision to the ZBA. The appeal shall be in accordance with Section 70-120.(a) in the Zoning Ordinance. However, Section 70-120 in the Zoning Ordinance states, "administrative appeals shall not include enforcement decisions by the codes enforcement officer or the failure to provide for enforcement." This directly contradicts Section 70-614.(h)(3).

Councilor Moore asked a question to confirm if the ordinance amendment was to remove the inconsistency, and Town Manager Glenn Michalowski confirmed that the ordinance amendment is an administrative correction.

VOTE (2024-119) Council Member Larochelle, seconded by Council Member Lunt, moved to amend Chapter 70, Article II, Division 5: Variances, Section 70-120 - Powers and Duties (a), Administrative Appeals as presented.
Roll Call Vote:
Yeas – Council Chair Moore, Vice Chair Robishaw, Council Member Cain, Council Member Keller, Council Member Larochelle, Council Member Lunt.
Nays – None.
Order Passed – Vote 6-0.

Ordinance Amendment - Chapter 70, Proposed Ordinance Changes per LD337 - *Second Reading*

Assistant Town Manager Sarah Bennett explained that the new ordinance was developed after the Maine State Legislature recently passed LD337, which goes into effect in July 2024. This law

requires that municipalities permit manufactured housing to be placed on individual lots where single-family dwellings are allowed, subject to the same requirements as single-family dwellings. Municipalities may establish design criteria such as a pitched roof, a permanent foundation, and exterior siding that is residential in appearance. The proposed ordinance changes bring Lisbon into compliance with LD337 by amending the definition of manufactured housing and removing “mobile home” from the use table. A new section under Zoning -> Supplemental District Regulations -> Generally creates additional design and siting standards for manufactured homes on individual lots. These standards will not apply to manufactured homes in mobile home parks.

Councilor Larochelle reviewed the discussion held during the new ordinance's first reading, and Town Manager Glenn Michalowski confirmed that the new ordinance allows the town to clarify design standards for manufactured homes on individual lots.

VOTE (2024-120) Council Member Larochelle, seconded by Council Member Lunt, moved to adopt Ordinance Amendment - Chapter 70, Proposed Ordinance Changes per LD337 as presented.
Roll Call Vote:
Yeas – Council Chair Moore, Vice Chair Robishaw, Council Member Cain, Council Member Keller, Council Member Larochelle, Council Member Lunt.
Nays – None.
Order Passed – Vote 6-0.

Approve Council Minutes
VOTE (2024-121) Council Member Larochelle, seconded by Vice Chair Robishaw, moved to approve the minutes of the following meetings: October 17, 2023; November 21, 2023; December 5, 2023; May 21, 2024; June 4, 2024; June 18, 2024.
Order Passed – Vote 6-0.

Disposal of Tax Acquired Properties
Finance Director Samantha Bryant explained Section 92-8 of Lisbon Town Code requires Council approval on any disposal method selected for foreclosed properties and for Town staff to provide notice of these properties to Council within 90 days of foreclosure. The Finance Director provided various recommendations on how to address each property, with some requiring sale and others requiring additional steps before sale that could allow the owner(s) to return to tax compliance. Councilor Moore asked if the owners were being notified before any sale actions are taken, and the Finance Director confirmed that she sends 45-day notices before the property goes into foreclosure, and an additional 90-day warning prior to property sale.

VOTE (2024-122) Council Member Larochelle, seconded by Vice Chair Robishaw, moved to approve the disposal of tax-acquired properties, per Section 92-8 of the Lisbon Town Code, as recommended by the Finance Department.
Order Passed – Vote 6-0.

Appointment of RHR Smith for FY24 Audit
Finance Director Samantha Bryant stated that even though she and Town Manager Glenn Michalowski had expressed frustrations with audit contractor RHR Smith during the previous Town Council Meeting, she and the Town Manager had productive talks with RHR Smith. During the discussions between the Finance Director, the Town Manager, and the audit company, the audit company agreed to complete the FY24 audit by December 31. Councilor Robishaw asked if this would be RHR Smith's last opportunity to meet the town's audit requirements, and the Finance Director confirmed Fiscal Year 2024-2025 will be the audit company's last opportunity to meet the town's requirements.

VOTE (2024-123) Council Member Larochelle, seconded by Council Member Lunt, moved to Appoint

RHR Smith to serve as auditor for the Town's fiscal year 2024 audit.
Order Passed – Vote 6-0.

Approve Fiscal Year 2024-2025 Budget Adjustments

Finance Director Samantha Bryant explained that a reduction in net expenses for the general fund can be used to offset net increases in the sewer fund.

VOTE (2024-124) Council Member Larochelle, seconded by Vice Chair Robishaw, moved to approve Fiscal Year 2024-2025 Budget Adjustments, as recommended by the Finance Department.
Order Passed – Vote 6-0.

Approve the Memorandum of Understanding Between the Town of Lisbon, JMC LLC, and JMC Farwell LLC

Town Manager Glenn Michalowski explained that The Town Council is requested to approve a Memorandum of Understanding (MOU) between the Town of Lisbon, JMC Limited Liability Company (JMC LLC), and JMC Farwell Limited Liability Company (JMC Farwell). This MOU acknowledges the transfer of the managing member interest in JMC LLC from the Estate of Joseph M. Cloutier to JMC Partners LLC. JMC Partners LLC, affiliated with Realty Resources, will ensure continuity in the management of the Farwell Mill project. The Town of Lisbon holds a mortgage on this project, and this consent is required to facilitate the transfer.

Councilor Lunt and Councilor Larochelle discussed some of the property's history.

VOTE (2024-125) Council Member Larochelle, seconded by Vice Chair Robishaw, moved to Authorize the Town Manager to sign the Memorandum of Understanding and consent to the transfer of the managing member interest in JMC Limited Liability Company from the Estate of Joseph M. Cloutier to JMC Partners LLC, as outlined in the provided documentation.
Order Passed – Vote 6-0.

OTHER BUSINESS

FY24 Quarterly and Year End Unaudited Report

Finance Director Samantha Bryant briefly explained the state laws that required her to write the report. The Finance Director highlighted several factors that contributed to the increased cash flow, including higher than expected revenues from Motor Vehicle Registration, Investment Revenue, a state grant for the town's drug enforcement officer, and Parks and Recreation programs. The Finance Director also highlighted decreased expenses from Public Works due to less snow, and stated that nearly all departments had net expenses less than budgeted. Continuing, the Finance Director noted that the increased cash flow could indicate that more taxes than necessary may have been collected from residents, that the surpluses from FY24 could be used to offset next year's taxes, and that she would like to make sure residents are taxed more accurately going forward.

Council Committee Reports:

School Committee

Councilor Albert was absent.

Planning Board

Councilor Larochelle stated that he did not attend the most recent Planning Board meeting.

Lisbon Development Committee

Councilor Larochelle stated that he did not attend the most recent Development Committee meeting.

Conservation Commission

Councilor Moore stated that the Conservation Commission canceled their most recent meeting.

Parks & Recreation Committee

Councilor Moore stated that the Parks and Recreation Committee canceled their most recent meeting.

County Budget Committee

Councilor Moore stated that he contacted Androscoggin County Budget Committee Chairperson Lisa Cesare to report that the two committee members from Lisbon's district did not attend a single meeting during the previous year and see if it would be possible to have their seats vacated. Councilor Moore continued by stating that Chairperson Cesare reached out to the committee members, and that the lack of a response from the committee members allowed the seats to be considered vacated. Councilor Moore would like the town to help with adding new members, as both seats need to be filled for the committee to reach a quorum.

Library Governing Board

Councilor Keller reported that the Friends of the Library had a successful book sale during Moxie Fest. She also talked about the Summer Reading Program for adults and kids, and the collaboration between the Artist Collective and the Androscoggin-Sagadahoc Extension Office for additional summer programming for kids. Councilor Keller additionally mentioned that the Inter-Library loan program may also return soon.

Water Commission

Councilor Robishaw stated that he was unable to attend the previous meeting.

Finance Committee

Councilor Robishaw stated that the committee would not be meeting until later in the month.

Town Manager's Report

Assistant Town Manager Sarah Bennett recommended a joint meeting between the Town Council and the Planning Board to discuss Village Zoning Height Adjustments, and the Town Council agreed to schedule a joint meeting before the upcoming Town Council Meeting on August 20th, 2024. The Assistant Town Manager then announced that the town was selected by MTCMA to receive an internship grant that will offset some of the wages paid to Summer Intern Oscar Herrara. Next, the Assistant Town Manager and the Town Manager thanked the Moxie Committee; the Parks and Recreation Department; staff from Public Works, the Police and Fire Departments, Lisbon EMS, and other staff and volunteers who helped to make the Moxie Festival successful. The Assistant Town Manager also read a statement from Parks and Recreation Director Mark Stevens.

Town Manager Glenn Michalowski then provided an update on the ongoing negotiations between the Town, Lisbon EMS, and other local towns in regard to the creation of inter-local emergency services. Discussion followed.

The Town Manager also mentioned that he plans to work with the Town Attorney to create a new contract for LACO Food Pantry.

Transfer Station Advisory Committee

Assistant Town Manager Sarah Bennett stated that as a result of the Council's request at the June 18th meeting, Town Manager Glenn Michalowski prepared a recommended structure for the Transfer Station Advisory Committee. Additionally, the Assistant Town Manager said that the committee is essential for ensuring the efficient and effective operation of our transfer station, addressing community concerns, and enhancing our environmental sustainability efforts; and that the primary goal of the committee is to address the revenue imbalances at the Transfer Station. She continued by providing a recommended structure that would include 2 citizen representatives to provide community perspectives; a Finance Committee Liaison; the Finance Director as Committee Secretary in a non-voting, support role; 2 Town Council members to act as liaisons; a Conservation Commission Liaison; Public Works/Transfer Station Representative; an AVCOG Environmental Resiliency/Solid Waste Planner; and an open invitation for commercial haulers to participate as ex

officio members to ensure that their insights and concerns are considered.

Town Manager Glenn Michalowski then had a discussion with the Town Council regarding the logistics of how potential committee members could be notified of the newly opened positions and about who would appoint the new members to the various seats.

VOTE (2024-126) Council Member Larochelle, seconded by Council Member Cain, moved to Authorize the Town Manager to create ads to fill committee seats for the Transfer Station Advisory Committee.
Order Passed– Vote 6-0.

APPOINTMENTS

Reappoint Bryan Bachelder as Sealer of Weights and Measures
Bryan Bachelder explained his role as Sealer of Weights and Measures.

VOTE (2024-127) Council Member Larochelle, seconded by Council Member Lunt, moved to reappoint Bryan Bachelder to the position of Sealer of Weights and Measures.
Order Passed – Vote 6-0.

Appoint William Kuhl to Regular Planning Board Member and Reappoint Shaun Carr to Planning Board Member
VOTE (2024-128) Council Member Larochelle, seconded by Vice Chair Robishaw, moved to appoint William Kuhl as a Regular Member of the Planning Board.
Order Passed– Vote 6-0.

Reappoint Angela Shambarger and Anne Labbe to Library Board
VOTE (2024-129) Council Member Larochelle, seconded by Vice Chair Robishaw, moved to reappoint Angela Shambarger and Anne Labbe to the Library Board each for another 3 year term.
Order Passed– Vote 6-0.

Reappoint Linda Berube to the Board of Appeals
VOTE (2024-130) Council Member Larochelle, seconded by Council Member Lunt, moved to reappoint Linda Berube for another 3 year term on the Board of Appeals.
Order Passed– Vote 6-0.

Reappoint Tim Carville and Lindsay Larochelle to the Recreation Committee
VOTE (2024-131) Council Member Larochelle, seconded by Vice Chair Robishaw, moved to reappoint Tim Carville and Lindsay Larochelle for another 3 year term on the Recreation Committee.
Order Passed– Vote 6-0.

Reappoint Veronica Moffitt and Cherie Garnett to the Conservation Commission
VOTE (132-2024) Council Member Larochelle, seconded by Vice Chair Robishaw, moved to reappoint Veronica Moffitt and Cherie Garnett to additional 3 year terms on the Conservation Commission.
Order Passed– Vote 6-0.

Reappoint David Mailhot to the Cemetery Committee
VOTE (2024-133) Council Member Larochelle, seconded by Vice Chair Robishaw, moved to reappoint David Mailhot to the Cemetery Committee.
Order Passed– Vote 6-0.

COUNCIL COMMUNICATIONS

Councilor Keller mentioned that the Androscoggin/Sagadahoc Extension Office would be receiving a Grow and Learn mural in the next few weeks. Councilors Larochelle and Moore congratulated the Moxie Festival's organizers and presenters. Councilor Larochelle additionally mentioned that a Better

Living Health Food Store would be opening soon.

AUDIENCE PARTICIPATION & RESPONSE TO NEW ITEMS

Lisbon Falls resident Ricky Rivard asked to see if a memorial tree could be planted in honor of the recently passed Chris Brunelle. Council discussed the possibility, and encouraged the idea of a memorial bench on a walking trail.

ADJOURNMENT

To Adjourn

VOTE (2024-134) Vice Chair Robishaw, seconded by Council Member Keller, moved to adjourn at 8:53 pm.

Order Passed – Vote 6-0.

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Council Secretary

Date Approved: