



**AGENDA**  
**COUNCIL MEETING**  
**DECEMBER 6, 2022**  
**LISBON TOWN OFFICE**  
**7:00 P.M.**

Mark Lunt 2022  
Donald Fellows 2022  
Jason Smith 2022  
Fern Larochelle 2023  
Harry Moore, Jr. 2024  
Raymond Robishaw 2024  
Christine Cain 2022

1. CALL TO ORDER & PLEDGE TO FLAG

2. INAUGURATION OF ELECTED OFFICIALS

*Elected Officials - Swearing In*

2022-248 ORDER – Election of Council Chairman

2022-249 ORDER – Election of Vice Chairman

2022-250 ORDER – Recess

3. ROLL CALL

\_\_\_\_ Councilor Cain                      \_\_\_\_ Councilor Fellows                      \_\_\_\_ Councilor Smith                      \_\_\_\_ Councilor Larochelle  
\_\_\_\_ Councilor Lunt                      \_\_\_\_ Councilor Moore                      \_\_\_\_ Councilor Robishaw

4. GOOD NEWS & RECOGNITION

5. PUBLIC HEARINGS

A. Special Entertainment Permit for the Coombs Mountfort American Legion Post #158 & Slovak Catholic Assoc.

B. Automobile Graveyard Permit for Campbell's Used Auto Parts & Huston's Auto Salvage

C. Amendments to Chapter 10 Businesses – Articles XI and XII Marijuana Establishments, Appendix C Fee Schedule, and Chapter 70 Zoning Ordinance, Sec.70-531 Table of Land uses.

6. AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

7. CONSENT AGENDA

2022-251 ORDER –

A. Municipal Accounts Payable Warrants - \$ 392,904.39

B. Municipal Payroll Warrants – \$ 429,117.01

C. School Accounts Payable Warrants - *none*

D. School Payroll Warrants - *none*

E. Minutes of November 15, 2022

F. Tax Collector's Waiver of Foreclosure/Certificate of Settlement (2021 Taxes)

G. Approve Policy on Treasurer's Disbursement Warrants for Municipal Employee Wages, Benefits, & State Fees

H. Approve Policy on Treasurer's Disbursement Warrants for School Employee Wages & Benefits

I. Special Entertainment Permit & Liquor License for the Coombs Mountfort American Legion Post #158 & Slovak Catholic Assoc.

J. Renewal of Automobile Graveyard Permits for Huston's Auto Salvage & Campbell's Used Auto Parts

K. Set Public Hearing for Medical Marijuana Retail Store and Manufacturing Facility License for Crystal Spring Healing Alternatives

L. Pole Permits for Pole #5 & Pole #6 – Webster Road

8. COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

2022-252 ORDER – Sign Ordinance Moratorium Extension for additional 90 Days

2022-253 ORDER – Zoning Correction for parcel Map U20 Lot 020 – *Second Reading*

2022-254 ORDINANCE – Adopt Revolving Loan Fund Emergency Ordinance

2022-255 ORDER – Authorize Main Street Grant Program

2022-256 ORDINANCE – Amendments to Sec. 74-151 Revolving Loan Fund (RLF) Ordinance – *First Reading*

2022-257 ORDINANCE – Amendments to Chapter 10 Businesses – Articles XI and XII Marijuana Establishments, Appendix C Fee Schedule, and Chapter 70 Zoning Ordinance, Sec.70-531 Table of Land uses – *Second Reading*

2022-258 ORDER – Authorize the release of \$65,815.42 out of the Sewer Fund Committed Fund Balance and put back into the Sewer Funds FY23 budget account.

9. OTHER BUSINESS

A. Green Purchasing Policy Presentation

B. Council Committee Reports:

1. School Committee – Councilor Larochelle

2. Planning Board – Councilor Fellows

3. Lisbon Development Committee – Councilor Smith

4. Conservation Commission – Councilor Moore

5. Parks & Recreation Committee – Councilor Moore

6. County Budget Committee – Councilors Moore/Lunt

7. Library Governing Board – Councilor Lunt

8. Water Commission – Councilor Fellows

9. Finance Committee – Councilor Robishaw

C. Town Manager's Report

D. Review of Town Council Working Rules Article IV, Division 1, Section 74-201

10. APPOINTMENT – 2022-259 Finance Committee Appointment

11. COUNCIL COMMUNICATIONS

12. AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS

13. EXECUTIVE SESSION

14. ADJOURNMENT

2022-260 ORDER – To Adjourn

## SUMMARY OF LISBON COUNCIL MEETING RULES

*This summary is provided for guidance only. The complete council working rules may be found on the town website [www.lisbonme.org](http://www.lisbonme.org) on the Town Officials, Town Council page.*

The meeting agenda is available from the town website under Council Agendas and Minutes.

1. Please note the order that agenda items may be acted upon by the Council, however, if necessary, the Council may elect to change the order of the agenda.
2. The Council Chairman presides over the meeting. When the Chairman is not present, the Vice Chairman serves that function. The chair shall preserve decorum and decide all questions of order and procedure subject to appeal to the town council.
3. Public comment is not typically allowed during Council workshops. There may be occasions where public comment may be recruited, but normally, workshops are reserved for Council members to discuss and educate themselves on a variety of issues facing the Town. Prior to the conclusion of a workshop, if time permits, the chair may allow questions from the public.
4. During audience participation, anyone wishing to address council will wait to be recognized by the chair before beginning any remarks. Audience members will move to the lectern to address council, and shall provide name and address prior to addressing the council.
5. Note that "Consent Agenda" items (if there are any) are acted upon first, voted upon as a group, and will most often be voted on without discussion as these items often involve "housekeeping" issues (such as minor parking changes). On occasion "Consent Agenda" items are separated out as stand-alone action items by the Council to allow for more discussion.
6. Public comment on agenda items. General comments on agenda items should be made during audience participation. After introduction of an agenda item, appropriate motions, and time for explanation and council questions, the public may be allowed to comment on that agenda item at the discretion of the chair. During that period of time, the public comment shall address only the agenda item before council.
7. Action on agenda items. As each item on the agenda for any meeting is brought to the floor for discussion:
  - a. The town clerk reads the agenda item and the action being requested of council.
  - b. The sponsor of each item or, if there is no council sponsor, the town manager, or town staff, shall first be allowed to present their initial comments for consideration by the public and councilors.
  - c. Following this introduction of the issue, there will be time devoted to any questions of the sponsor or the town manager or staff regarding the agenda item which any councilor may have which would help to clarify the question presented by the agenda item. The chair may allow questions from the public during this time however; no debate or discussion of collateral issues shall be permitted.
  - d. When authorized by the chair, any additional public comment shall be no longer than two minutes per person and must be to request or furnish new or undisclosed information or viewpoints only.
  - e. Once an agenda item has been explained and clarified by any questioning, the discussion on the specific agenda item will remain with the council. Additional public comment, prior to final council vote; will only be allowed at the chairman's discretion.
8. New business is for the council to receive input on town matters not on the agenda for that meeting. It is not intended, nor shall it be construed as an opportunity for debate of previous agenda items or reinforcement of a point made by another speaker. Comments shall be to furnish new or undisclosed information or viewpoints and limited to a time period of two minutes or less and shall be directed through the chair.
9. If an "Executive Session" is conducted by the Council, State Statute prohibits public attendance for any discussion of the action to be addressed by the Council. Any action taken by the Council on any "Executive Session" matter must be acted upon in a public meeting, and may occur at the end of the "Executive Session" (which has no time element relative to the length of the discussion involved in the "session").





# Town of Lisbon

Glenn Michalowski  
Town Manager

**Town Council**  
Don Fellows  
Christine Cain  
Fern Laroche, Chair  
Mark Lunt  
Ray Robishaw  
Harry Moore, Jr., Vice Chair  
Jason Smith

## MEMO

To: Town Council  
From: Glenn Michalowski, Town Manager  
Subject: Recommendations  
Date: December 6, 2022

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### Consent Agenda Items 2022 – 251 Items A to L

- F. Tax Collector's Waiver of Foreclosure/Certificate of Settlement (2021 Taxes)
- G. Approve Policy on Treasurer's Disbursement Warrants for Municipal Employee Wages, Benefits, & State Fees
- H. Approve Policy on Treasurer's Disbursement Warrants for School Employee Wages & Benefits
- I. Special Entertainment Permit & Liquor License for the Coombs Mountfort American Legion Post #158 & Slovak Catholic Assoc.
- J. Renewal of Automobile Graveyard Permits for Huston's Auto Salvage & Campbell's Used Auto Parts
- K. Set Public Hearing for Medical Marijuana Retail Store and Manufacturing Facility License for Crystal Spring Healing Alternatives
- L. Pole Permits for Pole #5 & Pole #6 – Webster Road

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#### Agenda Item 2022 – 252

To allow the Planning Board time to finish working on it, request to extend the Sign Ordinance Moratorium.

#### *Recommendation*

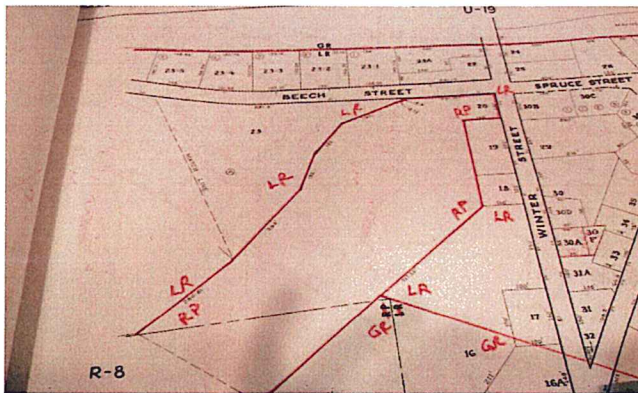
Authorize the extension of the Sign Ordinance Moratorium for an additional 90 days.

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#### Agenda Item 2022 – 253

#### **Zoning Correction for parcel Map U20 Lot 020 – *Second Reading***

The landowner, Ralph Sawyer, questioned the zoning of lot 20. Prior to 2012 this lot was zoned LR, but is now RP. After reviewing the tax maps, the change may have been made based on an incorrect assumption. The mapping of this lot is confusing. Lot 20 abuts Beaver Park, which is map R08, so that match line could have been mistaken for a zoning divide.



#### *Recommendation*

Approve the Amendment to change the Zoning District for Parcel Map R08 Lot 020 from Resource Protection to Limited Residential.

Agenda Item 2022 – 254

Adopt Revolving Loan Fund Emergency Ordinance

WHEREAS, there is an ongoing road construction project on Main Street that has negatively impacted local businesses by making it more difficult for customers to access businesses, and for businesses to make their presence known; and

WHEREAS, this has caused negative financial impacts to the businesses that, if left unaddressed, could result in their closure or departure from Lisbon; and

WHEREAS, the Town wishes to provide for an emergency grant assistance program to aid these Main Street businesses and promote economic stability within the Town, but currently lacks authority by ordinance to do so;

WHEREAS, in the judgment of the Town, these facts create an emergency within the meaning of Section 2.08(b) of the Town Charter, and require these emergency amendments to the Revolving Loan Fund Ordinance as immediately necessary for the preservation of the public welfare;

NOW, THEREFORE, the Town does hereby ordain that the following Emergency Amendments to the Revolving Loan Fund Ordinance be, and hereby are, enacted:

**Sec. 74-151. Revolving loan fund (RLF).**

- (a) *Statement of purpose.* The Town of Lisbon Revolving Loan Fund (RLF) is established to provide a source of financing, which may not otherwise be available, ~~for expanding or start-up businesses to support business development and sustainability.~~ Used to fill a "financing gap" in a business development project, the RLF offers an option to complete a financing package. A "gap" occurs when the business is unable to fully finance their projects with equity, conventional financing or other private and public sources. While the RLF is not a substitute for conventional financing, it can fill the gaps in existing local financial markets and attract additional capital, which would otherwise not be available for economic development. **It can also be used to assist businesses through emergent or temporary market conditions to help ensure their long-term sustainability.**

The RLF adds another tool to the "tool box" of the town's economic development efforts. The RLF is not the primary source of financing for a **business development** project, however, the combination of public and private financing lessens the risk for the primary lender.

...

- (d) *Eligibility and criteria.* Applicants must be a for-profit entity. Loans shall not be made to public, quasi-public or non-profit entities (with the exception of nonprofit housing organizations). The applicant must be the owner or have vested authority to apply for funding.

...

**(3) *Emergency assistance and businesses attraction grants:***

**From time to time the Town Council may authorize use of RLF monies to issue grants to businesses suffering the effects of temporary market conditions that, in the absence of the assistance to be provided through the RLF, may result in the closure of the business or its relocation outside of Lisbon. Additionally, the council may authorize development of a "Business Attraction Grant program" to be developed by the ECD Director to assist in a dedicated business attraction effort. Such grants shall be available only where authorized by order of the Council, which shall establish the eligibility, terms and conditions for such grants. The Council may delegate to the RLF Committee the authority to award grants up to an amount stated in the order.**

...

- (f) *Loan parameters.*

...

- (8) *Forgiveness:* Where recommended by the RLF Committee and authorized by the Town Council, a loan may be made forgivable upon fulfillment of certain conditions, to be specified in the loan documents, which are intended to incentivize economic growth and business development or to recognize particular economic circumstances of the borrower.**



- (9) *Delinquent loan and collection procedures definition:* Delinquent loans are loan accounts that have not had any payment activity during a 30-day period or those loans that are 30 days in arrears.

The town as the administrator of the RLF will provide its best effort to collect all monies lent under the RLF program.

If the applicant is more than 30 days in arrears he must notify the town of a plan to become current, which must be approved by the town.

The town will monitor the monthly repayment activity of all outstanding loan accounts and initiate normal collection procedures, i.e. notice for payments, collection calls and other legal means necessary to collect the outstanding debt. When normal procedures fail to produce the desired results the account will be turned over for legal action and pursued to a conclusion. All legal fees and any other fees associated with collection procedures will be the sole responsibility of the applicant.

- (10) *Reporting requirements.* The applicant is required to comply with any and all reporting requirements of the RLF program. In addition, yearly submission of financial statements, taxes and insurance will be required.

...

#### *Recommendation*

**Adopt the Emergency Revolving Loan Fund Ordinance to be effective immediately and to remain in effect for 90 (ninety) days from this day unless it is terminated or extended in accordance with this Ordinance.**

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#### **Agenda Item 2021 – 255**

#### **Authorize Main Street Grant Program**

As directed at the Nov 15, 2022 council meeting, Lisbon ECD and the Finance director, working with the town attorney, have revised the Lisbon Revolving Loan Fund ordinance to allow for forgivable loans and grants in unique situations to maintain economic stability or to create and implement a business attraction program.

Proposed revisions to the ordinance are attached for review.

Staff recommends immediate acceptance of these changes in an emergency status to allow us to implement a grant program to support Main St businesses.

#### *Recommendation*

**To Authorize the Main Street Grant Program 2022 as presented for immediate implementation.**

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#### **Agenda Item 2021 – 256**

#### **Amendments to Sec. 74-151 Revolving Loan Fund (RLF) Ordinance – *First Reading***

Under the provisions of Subsection 2.08(a) of the Town Charter, this is the First Reading of the Amendments to the RLF ordinance. Once passed, there will be a Hearing and Second Reading.

#### *Recommendation*

**To Amend Sec. 74-151 Revolving Loan Fund Ordinance as presented and to set a Hearing for January 3, 2023.**

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#### **Agenda Item 2021 – 257**

**Amendments to Chapter 10 Businesses – Articles XI and XII Marijuana Establishments, Appendix C Fee Schedule, and Chapter 70 Zoning Ordinance, Sec.70-531 Table of Land uses – *Second Reading***

#### *Recommendation*

**To approve the Amendments to Chapter 10 Businesses – Articles XI and XII Marijuana Establishments, Appendix C Fee Schedule, and Chapter 70 Zoning Ordinance, Sec.70-531 Table of Land uses.**

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**Agenda Item 2021 – 258**

**Authorize the release of \$65,815.42 out of the Sewer Fund Committed Fund Balance and put back into the Sewer Funds FY23 budget account.**

The Town of Lisbon closed on the interim financing for the sewer project on November 22, 2022. As part of the original agreement, USDA RD was scheduled to pay off the Town's interim financing with the First National Bank on the BAN (Bond Anticipation Note). The First National Bank sent over a payoff statement in the amount of \$6,452,663.60, of which \$65,815.42 was for accrued interest, which was not to be covered under USDA RD. In order to move forward with the closing \$65,815.42 was paid out of the Sewer Fund FY23 budget.

This request is to release \$65,815.42 out of the Sewer Fund's committed fund balance to pay off the accrued interest and in doing so put back into the FY23 Sewer Fund Budget account #65052500-50750. The FY22 audit is still ongoing as of the date of this memorandum, however, the FY21 committed fund balance had \$2,112,170 available and there has been no releases requested during FY22

***Recommendation***

**To release \$65,815.42 out of the Sewer Fund Committed Fund Balance and put back into the Sewer Funds FY23 budget account number 65052500-50750.**

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## **TOWN OF LISBON**

300 Lisbon Street, Lisbon, ME 04250

*Lisa M. Ward, Town Clerk*

*Lisa Smith, Deputy Clerk*

### **PUBLIC HEARING**

#### *Automobile Graveyard Permits and Business Licenses*

The Lisbon Town Council will hold a public hearing on **December 6, 2022 at 7:00 PM** at the Town Office at 300 Lisbon Street in the Public Meeting Room for the purpose of considering the following:

Renewal of Automobile Graveyard Permits:

Huston's Auto Salvage  
9 Capital Ave  
Lisbon Falls, ME

Campbell's Used Auto Parts  
36 River Road  
Lisbon, ME

*and*

Renewal of Special Entertainment Permit and Liquor License for:

Coombs Mountfort American Legion Post #158  
10 Webster Rd  
Lisbon, ME

Slovak Catholic Association  
26 Avery St  
Lisbon Falls, ME

*The public is invited to attend.*

*Lisa M. Ward  
Lisbon Town Clerk*

22-13114

Constable's  
Return Of Posting  
State Of Maine

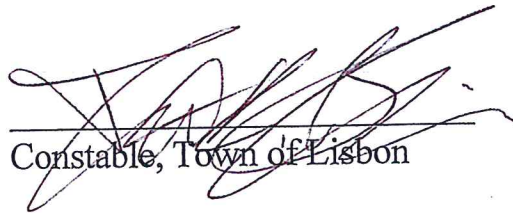
Lisbon,

Androscoggin, ss.

Pursuant to the within notice, I have posted said notice at the Lisbon Center Post Office and the Town Office Building, these being in District 1, and the Lisbon Falls Post Office, this being in District 2, all being conspicuous and public places within the Town of Lisbon.

Date:

11/17/22

  
\_\_\_\_\_  
Constable, Town of Lisbon





## **TOWN OF LISBON**

300 Lisbon Street, Lisbon, ME 04250

*Lisa M. Ward, Town Clerk*

*Lisa Smith, Deputy Town Clerk*

# ***PUBLIC HEARING***

## ***Ordinance Amendment and Zoning Correction***

Notice is hereby given that the Lisbon Town Council intends to hold a Public Hearing on Tuesday December 6, 2022 at 7:00 PM in the Town Office Public Meeting Room to hear comments on the following:

Amendments to Chapter 10 Businesses – Articles XI and XII Marijuana Establishments, Appendix C Fee Schedule, Chapter 70 Zoning Ordinance, Article IV. District Regulations, Division 13. District Uses & Sec.70-531 Table of Land uses.

*and*

Correction of the Zoning District in which parcel Map U20 Lot 020 is located. This property is on the corner of Beech Street and Winter Street in Lisbon, ME. Due to a clerical error, the parcel was placed in the Resource Protection (RP) district. The correct district had been, and should be in the Limited Residential (LR) district. The Council proposes to correct this error.

Copies of the amendment and correction may be viewed or obtained at the Town Clerk's Office, 300 Lisbon Street, Lisbon or online at [www.lisbonme.org](http://www.lisbonme.org).

*The public is invited to attend.*

*Lisa Ward, Town Clerk*

22-13113

Constable's  
Return Of Posting  
State Of Maine

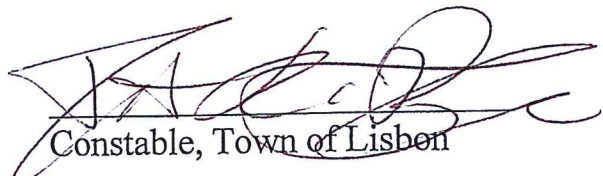
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Date:

11/17/22



Constable, Town of Lisbon



**Agenda Date: 12/06/2022**

<b>Date</b>	<b>Brenda Martin</b>		<b>Municipal Accts Payable</b>
11/14/2022	11102022	\$	7,675.38
11/29/2022	11152022	\$	360,240.89
11/29/2022	11162022	\$	6,976.28
12/2/2022	12022022	\$	18,011.84
		<b>\$</b>	<b>392,904.39</b>

<b>Date</b>	<b>Rebecca Hayslip</b>		<b>Municipal Payroll Warrants</b>
11/16/2022	221117	\$	233,347.81
11/16/2022	2211W2	\$	15,707.81
11/29/2022	221201	\$	163,917.78
11/29/2022	2212W1	\$	16,143.61
		<b>\$</b>	<b>429,117.01</b>

<b>Date</b>	<b>Louise Levesque</b>	<b>School Accts Payable</b>
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<b>Date</b>	<b>Eva Huston</b>	<b>School Payroll Warrants</b>
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**TOWN COUNCIL  
WORKSHOP & MEETING  
MINUTES  
NOVEMBER 15, 2022  
LISBON TOWN OFFICE**

Mark Lunt 2022  
Donald Fellows 2022  
Jason Smith 2022  
Fern Larochelle, Jr. Chair 2023  
Harry Moore, Jr. Vice-Chair 2024  
Raymond Robishaw 2024  
Christine Cain 2022

**WORKSHOP WITH MOXIE COMMITTEE**

The Moxie Committee members introduced themselves to the Council and described their roles in the Festival. Present from the Committee were Mark Stevens, Director of Parks and Recreation and Kate Madore, Assistance Parks and Recreation Director; Aline Strout, Recreation Department; and committee members Scott Geissler, Fishing Derby; Carlton Barnes, Parade; Jennifer Willey, administrative; Lisa Ward, Recipe Contest; Philip Tierney, and Norm Albert.

Mark Stevens said that in 2018 the Town council asked Parks & Recreation to take over the Moxie Festival (previously run by the Economic Development office) in addition to the summer programming. He said they have excellent volunteers and his mission is to build the Festival to a point where the business community can run it instead of the Town.

Mr. Stevens said the Friday night events, bands and entertainment coordinators were all professionals. He said the Pow Wow cancelled at the last minute due to the cost of gas being so high. He added that the Parade on Saturday was very well attended and successful, as well as the Fireworks, Car Show and the Fishing Derby.

Councilor Larochelle asked if any changes need to be made since Council is heading into budget season. The committee members and the director agreed that no changes are needed for the budget. Mr. Stevens said we have money to be used, we're solid on budget and won't need to increase for next year.

Kate Madore, Assistant Parks and Recreation Director, said that this post-Covid event was what the thousands of people who attended the Festival needed. She reported that 40,000 people visited the Festival website during the week of the Festival. She said the coordination with Main Street businesses and the advertising worked well. She added that having the parade end at Crafts Cars worked well.

Scot Geissler said the Fishing Derby was the first in 25 years. He said it promoted catch & release very successfully, there were a lot of prizes and sponsors. He said everyone was very responsive to the rules, and the winner was a young man from Lisbon who received a lifetime fishing license. He said the State worked with him and it was all very positive.

Ryan McGee suggested we add a professional photographer or videographer to the staff for next year.

Mr. Stevens pointed out that folks can see the Festival photos and information at [www.moxiefestival.com](http://www.moxiefestival.com) and on the Moxie Festival Facebook page.

**COUNCIL MEETING**

**CALL TO ORDER.** The Chairman, Fern Larochelle, called the meeting to order and led the Pledge of Allegiance to the Flag at 7:00 PM.

**ROLL CALL.** Members present were Councilors Fellows, Lunt, Larochelle, Robishaw, Smith, and Cain. Councilor Moore joined the meeting by Zoom. Also present were Glenn Michalowski, Town Manager; Ryan McGee, Interim Assistant Town Manager; Mark Stevens, Parks & Recreation Director; Nate LeClair, Fire Chief; Jim MacDonnell, Lisbon EMS Chief; and approximately 12 citizens in the audience.

**EXECUTIVE SESSION**

**VOTE (2022-233)** Councilor Robishaw, seconded by Councilor Lunt, moved to go into Executive Session at 7:02 PM per MRSA § 405 (6) (A) Personnel Matters.

**Roll Call Vote:** Yeas – Cain, Larochelle, Lunt, Fellows, Robishaw, Smith. Nays – 0. [Councilor Moore was not able to vote due to audio issue].

**Order passed – Vote 6-0.**

The Council came out of executive session at 7:10 PM and resumed the meeting.



## GOOD NEWS & RECOGNITION

Jim MacDonnell reported to the Council that Lisbon EMS will staff a second ambulance with paramedics for a month or two to see how it goes. He said they are still working on policies and have new staff.

## PUBLIC HEARINGS

### UPDATE ATV ACCESS ROUTES SEC. 50-264 AND SIGNS SEC. 50-265 ORDINANCES

Cheryl Haggerty reassured the Council that signage and warnings will be ready to ensure safety.

Ed Barrett asked about changing speed limits. Chief McGee said speed limits are not changing with these ordinance changes, and that there will need to be a separate ordinance change.

Councilor Larochelle asked that Public Safety offices be presented with updated maps once they are ready.

Seeing no further response, the Chair closed the Public Hearing.

## AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

New Appeals Board member Gabrielle Profenno and Finance Committee member Kevin Ridley introduced themselves to the Council and thanked them for their appointments. Ms. Profenno stated that, though she has only been in Lisbon a little over a year, she has a great deal of experience from Committees she was on in Freeport. Mr. Ridley said he has been in Lisbon for many years and has finance experience.

## CONSENT AGENDA

**VOTE (2022-234)** Councilor Robishaw, seconded by Councilor Fellows, moved to approve the Consent agenda as presented.

- A. Municipal Accounts Payable Warrants - \$ 597,745.23
- B. Municipal Payroll Warrants - \$ 424,723.14
- C. School Accounts Payable Warrants - \$ 386,421.39
- D. School Payroll Warrants - \$ 424,453.03
- E. Minutes for October 18, 2022 Council Meeting
- F. Ratify November 8, 2022 Election Results
- G. Set Public Hearings for December 6<sup>th</sup> for Business Licenses
- H. Set Public Hearings for December 6<sup>th</sup> for Renewal Automobile Graveyard Permits

**Roll Call Vote:** Yeas – Cain, Larochelle, Lunt, Fellows, Robishaw, Smith and Moore. Nays – 0.

**Order passed – Vote 7-0.**

## COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

**INTRODUCTION:** The landowner, Ralph Sawyer, has questioned the zoning of lot 20. Prior to 2012 this lot was zoned LR, but is now RP. After reviewing the tax maps, I believe the change may have been made based on an incorrect assumption. The mapping of this lot is confusing. Lot 20 abuts Beaver Park, which is map R08, so that match line could have been mistaken for a zoning divide. A member from the planning board, at the time the changes were made, may be better able to give a definitive answer.

**VOTE (2022-235)** Councilor Fellows, seconded by Councilor Robishaw, moved to Approve the Amendment to change the Zoning District for Parcel Map U20 Lot 020 from Resource Protection to Limited Residential and set a Public Hearing for December 6, 2022.

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

**Order passed - Vote 7-0.**

### UPDATE ATV ACCESS ROUTES SEC. 50-264 AND SIGNS SEC. 50-265 ORDINANCES

#### *Second Reading*

**VOTE (2022-236)** Councilor Fellows, seconded by Councilor Robishaw, moved to Approve Updates to Chapter 50, Article IV, Division I-Generally- Sec. 50-264 ATV Access Routes and Sec. 50-265 Signs Ordinance.

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

**Order passed - Vote 7-0.**

AMENDMENTS TO CHAPTER 10 – BUSINESSES - ARTICLE XI – MEDICAL MARIJUANA  
ESTABLISHMENTS – *First Reading*

**COUNCILOR COMMENTS:** Councilor Larochelle said there were questions at the last meeting about reopening a closed business, he asked Town attorney Kristen Collins to clarify for Council.

Ms. Collins said some definitions were changed, the ordinance had required inspections at annual renewal, changed to be only when a physical change is made. She said the 2000' measurement from another business is outside wall to outside wall. She also said that if a location loses its license, it cannot renew.

Ms. Collins further explained that some of the grammar was corrected, specifically items in bold type that were not needed in that. To answer Councilor Larochelle, she said the license can be transferred if the store is open, and for up to 90 days. After that, she said, the business loses its opportunity to re-open as the same kind of business.

**VOTE (2022-237)** Councilor Robishaw, seconded by Councilor Lunt, moved to approve the Amendments to Chapter 10 – Businesses - Article XI – Medical Marijuana Establishments and Schedule a Public Hearing for December 6, 2022. Councilor Fellows, seconded by Councilor Lunt, offered a motion to amend the order to include both Medical and Adult Use establishments, including the following Sections: 10-613, 10-603, 10-606, 10-611, 10-706, 10-711, and 70-531. The amendment to the motion passed by Roll Call, Vote 6-0: Yeas – Cain, Fellows, Larochelle, Lunt, Moore, and Robishaw. Nays - None. Abstain – Smith.

**Roll Call Vote for Amended Order:** Yeas – Cain, Fellows, Larochelle, Lunt, Moore, and Robishaw. Nays - None. Abstain – Smith.

**Amended Order Passed - Vote 6-0.**

TO APPROVE PUBLIC WORKS REQUEST TO REPLACE UNDERGROUND GAS TANK

**INTRODUCTION:** Randy Cyr, Public Works Director requested approval to replace the Public Works Unleaded Gas Tank with an Underground Gas Tank using the current budget in the amount of \$95,000.

The cost estimate quote for a 6,000 gallon, **Above Ground Gas Storage Tank is \$132,642.00.**

1. Provide a 6,000 gal OW FIREGUARD aboveground storage tank with (1) new Gasboy single product single hose suction pump.
2. Concrete tank pad and pump mount for new suction pump.
3. Provide all necessary emergency vents, overfill alarms and remote spill containment.
4. City to provide barracks, fencing, guardrail or bollards for tank protection per required code.
5. Provide a fuel management system with 100 key fobs. \*\*Annual fees for cell modem, help desk and cloud based reporting.
6. Provide electrical work for new pump and overfill alarm.
7. Remove and dispose of existing tank and pump set up. \*Purge and clean existing gasoline tank.

The new proposal is for a 6,000-gallon **Underground Tank in the amount of \$94,896.**

1. OMNTEC tank monitoring system with the following components:
  - (2) Channel Alarm Console
  - (1) Tank Interstitial Sensor
  - (1) Dispenser Sump Sensor
2. Supply and install (1) FuelForce fuel management system with (100) factory encoded keys.

Mr. Cyr said school buses are all moving to gas instead of diesel and the cost has risen for above-ground tanks since last estimated. He said he will go to the Planning Board due to the tank being underground. He said he will send information to the Council about how long it will take and will have the information ready for the Planning Board. He added that the diesel tank needs to be replaced in 2029. He said \$95,000.00 has been approved and the school will be contributing as well due to their use.

**VOTE (2022-238)** Councilor Fellows, seconded by Councilor Lunt, moved to authorize the Public Works Director permission to replace the Public Works Unleaded Gas Tank with an Underground Gas Tank using our current budget in the amount of \$95,000.

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

**Order passed - Vote 7-0.**



**APPROVE USE OF HGAC COOPERATIVE PURCHASING PROGRAM FOR FIRE TRUCK PURCHASE**

INTRODUCTION: The Fire Chief requested approval to use the HGAC cooperative purchasing program to purchase the fire trucks as approved by referendum. The Town utilized HGAC in 2019 when purchasing the last fire truck.

The benefits of the cooperative purchasing program is taking advantage of group purchasing and saving time by avoiding the pit falls of the traditional bidding process while having a third party vetting the contract and pricing.

Chief LeClair said this will save time, about 4-6 weeks, in getting the bids.

**VOTE (2022-239)** Councilor Robishaw, seconded by Councilor Fellows, moved to Authorize the Fire Chief to use the HGAC cooperative purchasing program to purchase the Fire Trucks as approved by Referendum Vote.

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

**Order passed - Vote 7-0.**

**AUTHORIZE POLICE CHIEF TO OPEN BIDDING FOR NEW POLICE CRUISER**

INTRODUCTION: Chief McGee said that per the CIP they would look for a 2022 or newer Ford Interceptor and trade in cruiser #3. He said it should be \$33,000.00 to \$34,000.00. He asked permission to go out to bid and to allow the Town Manager to accept the lowest bid.

**VOTE (2022-240)** Councilor Fellows, seconded by Councilor Robishaw, moved to authorize the Police Chief to solicit bids for one (1) new Ford Interceptor SUV cruiser that was approved in the current budget and allow the Town Manager to accept the lowest bid.

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

**Order passed - Vote 7-0.**

**AUTHORIZE SATISFACTION OF JUDGEMENT AT 1 HIGGINS STREET**

**VOTE (2022-241)** Councilor Fellows, seconded by Councilor Lunt, moved to authorize the Satisfaction of Judgment at 1 Higgins Street as follows: It is hereby ordered by the Town Council that because the property located at 1 Higgins St. Lisbon, Maine has been cleaned up and brought into compliance with Town ordinances to the satisfaction of the Code Enforcement Officer, the Town Attorney is authorized to execute a Satisfaction Of Judgment to be filed at the Maine District court waiving all financial penalties and monetary judgment against Walter E. Morse Jr. and Morse Mechanics, Inc..

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

**Order passed - Vote 7-0.**

**ROAD CLOSURE DECEMBER 10, 2022 ON MAIN ST – 3 PM-8PM**

INTRODUCTION: Councilor Larochelle explained the closure is for the Town's annual Very Merry Main Street holiday celebration.

**VOTE (2022-242)** Councilor Robishaw, seconded by Councilor Cain, moved to authorize the closure of Main Street from Route 196 to School Street for the Town's annual holiday celebration.

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

**Order passed - Vote 7-0.**

**AUTHORIZE SOLE SOURCE CONTRACT TO INSTALL HEAT PUMP AT BEAVER PARK LODGE**

INTRODUCTION: Mr. Michalowski explained that the Town was not able to get three quotes, and asked Council to accept the quote from Sheehan Electric for \$7,000.00. He said most estimates seem to be within the same cost range. Sheehan was used at Public Works and they offer a warranty. He said the 3600 BTU unit will be supplemented with the wood stove currently there.

**VOTE (2022-243)** Councilor Fellows, seconded by Councilor Robishaw, moved to Authorize a Sole Source Contract to Install Heat Pump at Beaver Park Lodge as presented.

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

**Order passed - Vote 7-0.**

**OTHER BUSINESS****COUNCIL COMMITTEE REPORTS**

1. School: Councilor Larochelle said he had nothing to report.
2. Planning Board: Councilor Fellows said the last meeting included discussion about a massage establishment and the revision of property maintenance standards to reference the correct State statutes.
3. Lisbon Development Committee: Mr. Cunningham said the LDC met a couple weeks ago and they are working on the abandoned building ordinance.
4. Conservation Commission: Councilor Moore said he had nothing to report.
5. Recreation Committee: Councilor Moore said he had nothing to report.
6. County Budget Committee: Councilor Moore said he plans to go to the county Budget meeting on December 7<sup>th</sup>. The Chairman said now that there is someone from Lisbon elected to the commission, he hopes to have them come to a Council meeting so the Council can share the Town's needs.
7. Library Governing Board: The Chairman asked for an update on the Library flooding issue. Chief McGee said that once the sidewalks are in they will fix damages and take care of the flooding problem.
8. Water Commission: Councilor Fellows said they voted to adopt the new budget at \$1.8 million. He also said they are seeking a rate hike that comes out to be about \$8.00 per quarter. He said the corrosion control and chlorination is slowly moving forward and that Roger Bickford has resigned. He said the council will need to appoint a new member to the vacancy.
9. Finance Committee: Councilor Robishaw said the committee met with new member Keven Ridley recently. He said they are looking at transfer station fees, and will set goals in December. He added they are getting ready for the audit and would like to know if council has any additional goals for them. He reminded the public that there is still a vacancy to fill on that committee.

**TOWN MANAGER'S REPORT**

Mr. Michalowski reported on the following items:

1. The Library raffle fund raiser has raised \$1,280.00 for the Library account so far.
2. Public Works reported work on the salt shed is coming in under budget, and they also saved a lot by doing the ground work themselves.
3. The Public Works department will go back to a 5-day work week for the winter starting soon.
4. The Green Purchasing Policy is still being worked on, he plans to have an update for Council in December. So far, no other town in Maine has done this so Lisbon will start from scratch with help from AVCOG.
5. Ross Cunningham said the lack of a bucket truck for putting up and removing banners has caused a budgetary issue. He requested \$5,000.00 for ECD to help with that.
6. Ross Cunningham said that now that the two Lisbon downtowns, Main Street and Village Street, have both been updated with sidewalks, lights, etc., he would like to invest in holiday decorations in the amount of \$3,000.00.
7. The Rescue Vehicle purchase price has come in from SourceWell, at \$249,704.00, which is under the approved cost. It will take a couple of years for delivery of the vehicle.
8. The Sign Ordinance working group met with planners. It will go to the Planning Board and then come back to Council. We will need to extend the moratorium.

**VOTE (2022-243A)** Councilor Fellows, seconded by Councilor Lunt, moved to approve the use of \$5,000.00 from the Dingley TIFF for the Economic Development budget for installation and removal of banners.

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

**Order passed - Vote 7-0.**

**VOTE (2022-243B)** Councilor Fellows, seconded by Councilor Lunt, moved to approve the use of \$3,000.00 from the Downtown TIFF for the purchase of \$1,500.00 each for Main Street and Village Street holiday decorations.

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

**Order passed - Vote 7-0.**



## APPOINTMENTS

**VOTE (2022-243C)** Councilor Lunt, seconded by Councilor Robishaw, moved to appoint Carol LeClair to the Library Governing Board

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

**Order passed - Vote 7-0.**

## COUNCILOR COMMUNICATIONS

Councilor Larochelle asked Kayla Tierney to update the Council on the Giving Tree. Mrs. Tierney said the Town will be accepting applications until December 1<sup>st</sup>. She said the Library tree will be available November 21<sup>st</sup>, and the Food City tree soon after. She said interested families can call 353-3000 ext. 102 with questions. She said we have gotten a lot of requests so far.

Chief McGee added an update regarding Thanksgiving Baskets. He said with the help of many groups and people, they have 85 baskets to deliver. He said he would be making deliveries with the Town Manager.

Councilor Smith was thanked by the Councilors for his service and time.

## AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS

Chief McGee said CMP is working with the Town to replace all the old light heads on Village Street and Route 196 with ones that match the rest of the Town and should be done by Thanksgiving.

## EXECUTIVE SESSION

**VOTE (2022-244)** Councilor Robishaw, seconded by Councilor Fellows, moved to go into Executive Session at 8:30 PM per MRSA § 405 (6) (C) Acquisition of Real Property or Economic Development.

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

**Order passed - Vote 7-0.**

**VOTE (2022-244A)** Councilor Fellows, seconded by Councilor Smith, moved to direct staff and legal counsel to prepare proposed amendments to the Revolving Loan Fund Ordinance to allow the use of the funds for emergency grants and forgivable loans, and to prepare specifications for a proposed grant program to be used to help businesses directly impacted by the 2022 Main Street repairs.

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

**Order passed - Vote 6-0.**

**VOTE (2022-245)** Councilor Lunt, seconded by Councilor Smith, moved to go into Executive Session at 8:30 PM per MRSA § 405 (6) (E) Consultations with Legal Counsel.

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

**Order passed - Vote 7-0.**

The Council came out of executive session at 10:05 PM and resumed the meeting.

## ADJOURNMENT

**VOTE (2022-246)** Councilor Lunt, seconded by Councilor Robishaw, moved to adjourn at 10:15 PM.

**Roll Call Vote:** Yeas – Cain, Fellows, Larochelle, Lunt, and Smith. Nays – Moore, Robishaw.

**Order passed - Vote 5-2.**

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Lisa M. Ward, Council Secretary

Town Clerk

Date Approved: December 6, 2022



# Town of Lisbon

**Town** Agenda Item 2022-251 F  
Fern Larochelle, Chairman  
Harry Moore Jr., Vice  
Chairman  
Don Fellows  
Mark Lunt  
Raymond Robishaw  
Christine Cain  
Jo-Jean Keller

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## MEMORANDUM

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TO: Glenn Michalowski, Town Manager  
FROM: Kayla Tierney, Tax Collector/Finance Director/Treasurer  
SUBJECT: Request for Waiver of Foreclosure  
DATE: December 6, 2022

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I, Kayla Tierney, Treasurer for the Town of Lisbon am recommending that the Town Council waive foreclosure of the following properties to avoid acquiring property that may be burdensome, for example run-down, dilapidated or a toxic waste site. Automatic foreclosure can be waived by a vote of the municipality's legislative body, giving the Treasurer the authority to record a waiver of foreclosure in the Registry of Deeds (36 MRS section 944). MMA tax lien.

#4518 Miller Industries, Inc.	18 Mill Street
#4519 Miller Industries, Inc.	19 Mill Street
#4520 Miller Industries, Inc.	15 Mill Street
#2496 Estate of Roxanne Gerry	10 Congress Street
#4521 Miller Industries, Inc.	11 Upland Road
#4524 Miller Realty Co.	10 Mill Street
#1424 Charles Cox	18 Lisbon Street

**Recommendation: To authorize the Treasurer to record a waiver of foreclosure in the Registry of Deeds for the properties at 18 Mill Street, 19 Mill Street, 15 Mill Street, 10 Congress Street, 11 Upland Road, 10 Mill Street and 18 Lisbon Street as requested above.**

**Town of Lisbon**  
**Policy on Treasurer's Disbursement Warrants for**  
**Municipal Employee Wages, Benefits, & State Fees**

**Purpose:** This policy allows designated municipal officers (councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal treasurer's disbursement warrants for wages, benefits, & state fees only.

Policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer's warrant, including warrants for wages and benefits.

**Delegation of authority.** Pursuant to 30-A, M.R.S.A., Section 5603(2)(A)(1)(3), the following authority is granted with respect to treasurer's disbursement warrants for municipal employee wages, benefits, and state fees only:

**Current municipal officers.** The municipal officers in office at the time of execution of this policy are: **Donald Fellows, Fern Larochelle, Mark Lunt, Christine Cain, Harry Moore, Jr., Raymond Robishaw, and Jo-Jean Keller.**

The Chair of the municipal officers designates any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

**Effective date.** This policy becomes effective on December 6, 2022.

**Copies.** The Chair of the municipal officers will furnish copies of this policy to the municipal clerk and to the municipal treasurer.

**Lapse.** This policy lapses one year after its effective date, if not sooner amended or canceled.

**Renewal.** This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

**Reminder.** The treasurer shall remind the municipal officers to consider renewing this policy on or before the first Council meeting in December.

**Original.** The clerk will maintain the original copy of this policy on file.

Dated: December 6, 2022

MUNICIPAL OFFICERS:

\_\_\_\_\_  
Don Fellows

\_\_\_\_\_  
Harry Moore, Jr.

\_\_\_\_\_  
Fern Larochelle

\_\_\_\_\_  
Raymond Robishaw

\_\_\_\_\_  
Mark Lunt

\_\_\_\_\_  
Jo-Jean Keller

\_\_\_\_\_  
Christine Cain



**Town of Lisbon**  
**Policy on Treasurer's Disbursement Warrants for**  
**School Employee Wages and Benefits**

**Purpose:** This policy allows designated municipal officers (councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign school disbursement warrants for wages and benefits only.

Policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any disbursement warrant, including warrants for wages and benefits.

**Delegation of authority.** Pursuant to 30-A, M.R.S.A., Section 5603(2)(A)(2), the following authority is granted with respect to disbursement warrants for school employee wages and benefits only when the treasurer has been presented with a disbursement warrant signed by the school superintendent and approved by the majority of the school board, and municipal officers delegated by the Chair:

**Current municipal officers.** The municipal officers in office at the time of execution of this policy are: **Donald Fellows, Fern Larochelle, Mark Lunt, Christine Cain, Harry Moore, Jr., Raymond Robishaw, and Jo-Jean Keller.**

The Chair of the municipal officers designates any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

**Effective date.** This policy becomes effective on December 6, 2022.

**Copies.** The Chair of the municipal officers will furnish copies of this policy to the municipal clerk and to the municipal treasurer.

**Lapse.** This policy lapses one year after its effective date, if not sooner amended or canceled.

**Renewal.** This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

**Reminder.** The treasurer shall remind the municipal officers to consider renewing this policy on or before the first Council meeting in December.

**Original.** The clerk will maintain the original copy of this policy on file.

Dated: December 6, 2022

MUNICIPAL OFFICERS:

\_\_\_\_\_  
Don Fellows

\_\_\_\_\_  
Harry Moore, Jr.

\_\_\_\_\_  
Fern Larochelle

\_\_\_\_\_  
Raymond Robishaw

\_\_\_\_\_  
Mark Lunt

\_\_\_\_\_  
Jo-Jean Keller

\_\_\_\_\_  
Christine Cain

## SPECIAL ENTERTAINMENT APPLICATION

License Type:

☒ \$100 Application Fee  
☐ \$80 Advertisement Fee For First Time Liquor License Applicants Only

**\*\*\*NOTE: Must Attach State Liquor License Application**

Owner: COOMBS MOUNTFORT POST 158 Home Phone: 207-353-8192Email Address: FINANCEPOST158@OUTLOOK.COM Cell Phone: N/AOwner's Home Address: 10 WEBSTER ST. LISBON ME 04250Residence(s) for last five years: SAMEName of Business: COOMBS MOUNTFORT POST 158 Business Phone: ( )Location of Business: 

List Applicant / Partners / Corporate Officers:

Name: ERIC COOPER Name: LARRY HALL Name: PAUL BRUNELLEAddress: 14 SPRING ST Address: 76 SUMMER ST #3 Address: 55 RIDGE RDTown/State: LISBON ME Town/State: LISBON FALLS ME Town/State: LISBON FALLS MEBirthdate:  Birthdate:  Birth date: Has applicant's business license ever been revoked: NO ?If so, why? N/AHas any applicant / partner / corporate officer ever been convicted of a felony? NOIf so, describe specific circumstances N/ADoes the establishment have a valid liquor license? YES If so, when does it expire? 3/31/23

I, ERIC M. COOPER (name), FINANCE OFFICER (title) is 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.

Signature: [Signature] Date: 12/1/22

Business Name: Combs Mountfort American Legion Post 158

**INSPECTION REQUIRED BELOW**

Notice of Compliance (By Council's Request): I, Mark Stambach, Code Enforcement Officer for the Town of Lisbon hereby certify I have inspected the above establishment and found the premises to be in compliance with applicable life safety codes.

Signature: Mark C Stambach Date: 12/5/22

**NOTE: State Liquor License Application must be completed and attached to this Special Entertainment Application**

**APPLICANT MUST HAVE COMPLETED TO HERE BEFORE FILING**

*For Office Use Only*

☒ **Public Records Check Completed.**

Notice of Compliance (By Council's Request): I, Ryan McGee, Police Chief hereby certify I have reviewed the application and public records check and recommend application for licensing.

Signature: Ry McGee Date: 12-5-2022

**INFORMATION**

The Councilors are the Municipal Licensing Board. All Special Entertainment application requires a public hearing each time. Public records checks can take up to three or more weeks to process. Complete applications contain the CEO and Police Chief signatures. Councilors meet on the first and third Tuesdays of the month. Complete application and fees paid are required prior to the Council meeting. Meetings are held at the Town Hall at 7:00 PM in the conference room.

**SUGGESTED CONTACTS:**

353-3000 Ext 112... Town Clerk  
353-3007..... Town Office Fax  
353-3000 Ext 111... Code Enforcement Officer  
353-2500..... Police Department  
353-3000 Ext 121... Health Officer  
287-5671..... State Health Inspection Dept.

624-9693 .....State Sales Tax Division  
624-7736.....Bureau of Corporations  
624-7220.....Bureau of Alcohol Beverages  
287-3841.....Agriculture Dept- Bakery Licenses  
624-6550.....Marine Resources  
1-800-872-3838..Business Answers





All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS:	Yes <input type="checkbox"/> No <input type="checkbox"/>

Legal Business Entity Applicant Name (corporation, LLC):	Business Name (D/B/A):
Coombs Mountfort American Legion Post 158	
Individual or Sole Proprietor Applicant Name(s):	Physical Location:
	10 Webster Road, Lisbon ME 04250
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address:
	financepost158@outlook.com
Telephone #                      Fax #:	Business Telephone #                      Fax #:
207-353-8192	207-353-8192
Federal Tax Identification Number:	Maine Seller Certificate # or Sales Tax #:
01 0212178	
Retail Beverage Alcohol Dealers Permit:	Website address:

- Page 1 of 11





4. Indicate the type of license applying for: (choose only one)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Restaurant<br>(Class I, II, III, IV)  | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)   | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)  | <input checked="" type="checkbox"/> Other: <u>Class V</u>                |   |
| <input type="checkbox"/> Qualified Caterer   | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |   |

*Refer to Section V for the License Fee Schedule on page 9*

5. Business records are located at the following address:

---

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☐ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_  
 \_\_\_\_\_

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
Coombs-Mountfort AL Post 158	CWC-1990-3012	10 Webster Rd, Lisbon ME 04250

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Eric M. Cooper (Finance Officer)	12/27/1965	Charleston SC

Residence address on all the above for previous 5 years

Name	Address:
Eric M. Cooper	14 Spring St. Lisbon ME (Nov 2021 - Present)
Name	Address:
Eric M. Cooper	109 Avery Hill Road, Ledyard CT (Sep 2016 - Nov 2021)
Name	Address:
Name	Address:



13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

\_\_\_\_\_

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☒ Yes ☐ No

If No, please provide the name and address of the owner:

\_\_\_\_\_

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: \_\_\_\_\_

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Bar area, kitchen, dance hall area, and outdoor pavilion

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Church of the Living Word

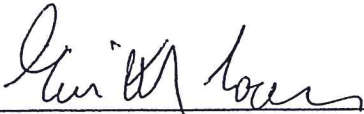
Distance: 0.10

## Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 12/2/22



Signature of Duly Authorized Person

\_\_\_\_\_  
Signature of Duly Authorized Person

ERIC M. COOPER

Printed Name Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

**Section III: For use by Municipal Officers and County Commissioners only**

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: \_\_\_\_\_

Who is approving this application? ☐ Municipal Officers of \_\_\_\_\_

☐ County Commissioners of \_\_\_\_\_ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of  
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

**A.** The bureau shall prepare and supply application forms.



**B.** The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

**C.** If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

**D.** If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

**2. Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

**A.** Conviction of the applicant of any Class A, Class B or Class C crime;

**B.** Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

**C.** Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

**D.** Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

**D-1.** Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

**E.** A violation of any provision of this Title;

**F.** A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and



G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

**3. Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

**A. Repealed**

**B.** If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

**4. Repealed**

**5. Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

#### **Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine**

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
  - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

## Section V: Fee Schedule

**Filing fee required.** In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

<b>Class of License</b>	<b>Type of liquor/Establishments included</b>	<b>Fee</b>
<b>Class I</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
<b>Class I-A</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only hotels that do not serve three meals a day.	\$1,100.00
<b>Class II</b>	<b>For the Sale of Spirits Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
<b>Class III</b>	<b>For the Sale of Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class IV</b>	<b>For the Sale of Malt Liquor Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class III and IV</b>	<b>For the Sale of Malt Liquor and Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
<b>Class V</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Club without catering privileges.	\$ 495.00
<b>Class X</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Class A Lounge	\$2,200.00
<b>Class XI</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Restaurant Lounge	\$1,500.00



## SPECIAL ENTERTAINMENT APPLICATION

License Type:

☒ \$100 Application Fee  
☐ \$80 Advertisement Fee For First Time Liquor License Applicants Only

**\*\*\*NOTE: Must Attach State Liquor License Application**

Owner: SLOVAK CATHOLIC ASSOC. Home Phone: 207-353-9606  
Email Address: SCA1894@GMAIL.COM Cell Phone: \_\_\_\_\_  
Owner's Home Address: 26 AVERY ST, LISBON FALLS, ME 04252  
Residence(s) for last five years: SLOVAK CATHOLIC ASSOCIATION  
Name of Business: SLOVAK CATHOLIC ASSOC Business Phone: 207-353-9606  
Location of Business: 26 AVERY ST. LISBON FALLS, ME 04252

List Applicant / Partners / Corporate Officers:

Name: _____	Name: _____	Name: _____
Address: _____	Address: _____	Address: _____
Town/State: _____	Town/State: _____	Town/State: _____
Birthdate: _____	Birthdate: _____	Birth date: _____

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? YES If so, when does it expire? 12-31-2022

I, Robert J. Staffieri (name), PRESIDENT (title) is 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.

Signature:  Date: 11/2/22

Business Name: SLOVAK CATHOLIC ASSOCIATION

INSPECTION REQUIRED BELOW

Notice of Compliance (By Council's Request): I, Mark Stambach, Code Enforcement Officer for the Town of Lisbon hereby certify I have inspected the above establishment and found the premises to be in compliance with applicable life safety codes.

Signature: [Signature] Date: 12/5/22

NOTE: State Liquor License Application must be completed and attached to this Special Entertainment Application

APPLICANT MUST HAVE COMPLETED TO HERE BEFORE FILING

*For Office Use Only*

☒ *Public Records Check Completed.*

Notice of Compliance (By Council's Request): I, Ryan McGee, Police Chief hereby certify I have reviewed the application and public records check and recommend application for licensing.

Signature: [Signature] Date: 11/16/22

INFORMATION

The Councilors are the Municipal Licensing Board. All Special Entertainment application requires a public hearing each time. Public records checks can take up to three or more weeks to process. Complete applications contain the CEO and Police Chief signatures. Councilors meet on the first and third Tuesdays of the month. Complete application and fees paid are required prior to the Council meeting. Meetings are held at the Town Hall at 7:00 PM in the conference room.

**SUGGESTED CONTACTS:**

353-3000 Ext 112... Town Clerk  
353-3007..... Town Office Fax  
353-3000 Ext 111... Code Enforcement Officer  
353-2500..... Police Department  
353-3000 Ext 121... Health Officer  
287-5671..... State Health Inspection Dept.

624-9693 .....State Sales Tax Division  
624-7736.....Bureau of Corporations  
624-7220.....Bureau of Alcohol Beverages  
287-3841.....Agriculture Dept- Bakery Licenses  
624-6550.....Marine Resources  
1-800-872-3838..Business Answers



STATE OF MAINE  
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS  
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Section I: Licensee/Applicant(s) Information;  
Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC): <u>SLOVAK CATHOLIC ASSOCIATION</u>	Business Name (D/B/A): <u>SAME</u>
Individual or Sole Proprietor Applicant Name(s):	Physical Location: <u>04252</u> <u>26 AVERY ST. LISBON FALLS, ME</u>
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: <u>PO BOX 294 LISBON FALLS, ME 04252</u>
Mailing address, if different from DBA address:	Email Address: <u>SCA1894@GMAIL.COM</u>
Telephone #      Fax #: <u>207-353-9606</u>	Business Telephone #      Fax #: <u>207-353-9606</u>
Federal Tax Identification Number: <u>01-0192265</u>	Maine Seller Certificate # or Sales Tax #: <u>0017345</u>
Retail Beverage Alcohol Dealers Permit: <u>NA</u>	Website address: <u>NA</u>

1. New license or renewal of existing license? ☒ New      Expected Start date: 1-1-2023  
☐ Renewal      Expiration Date: 12-28-2022

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \_\_\_\_\_ Beer, Wine or Spirits: \_\_\_\_\_ Guest Rooms: NA

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer)    ☒ Wine    ☒ Spirits



4. Indicate the type of license applying for: (choose only one)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant<br>(Class I, II, III, IV)   | <input type="checkbox"/> Class A Restaurant/Lounge<br>(Class XI)         | <input type="checkbox"/> Class A Lounge<br>(Class X)  |
| <input type="checkbox"/> Hotel<br>(Class I, II, III, IV)   | <input type="checkbox"/> Hotel – Food Optional<br>(Class I-A)            | <input type="checkbox"/> Bed & Breakfast<br>(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)<br>(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary                                       | <input type="checkbox"/> Mobile Cart                  |
| <input type="checkbox"/> Tavern<br>(Class IV)  | <input type="checkbox"/> Other: _____                                    |   |
| <input type="checkbox"/> Qualified Caterer   | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) |   |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

26 AVERY ST. LISBON FALLS, ME 04252

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

**NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.**

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: \_\_\_\_\_

\_\_\_\_\_

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
SEE ATTACHED		
Residence address on all the above for previous 5 years		
Name	Address:	
SEE ATTACHED		
Name	Address:	
Name	Address:	
Name	Address:	

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

\_\_\_\_\_

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☒ Yes ☐ No

If No, please provide the name and address of the owner:

\_\_\_\_\_



18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: NA

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

ALL BOUNDARIES OF PROPERTY INSIDE AND OUT. ONLY  
EXCLUSION IS FRONT STEPS NEAR ROAD WHICH  
ARE OFF LIMITS GIVEN PROXIMITY TO PUBLIC ROAD

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: LISBON HIGH SCHOOL

Distance: 1.5 MILES

## Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

*Please sign and date in blue ink.*


Dated: NOV. 1ST, 2022



Signature of Duly Authorized Person

ROBERT STAFFIERI

Printed Name Duly Authorized Person



Signature of Duly Authorized Person

DARREN LILLY

Printed Name of Duly Authorized Person

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The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: \_\_\_\_\_

Who is approving this application? ☐ Municipal Officers of \_\_\_\_\_

☐ County Commissioners of \_\_\_\_\_ County

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**D.** If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

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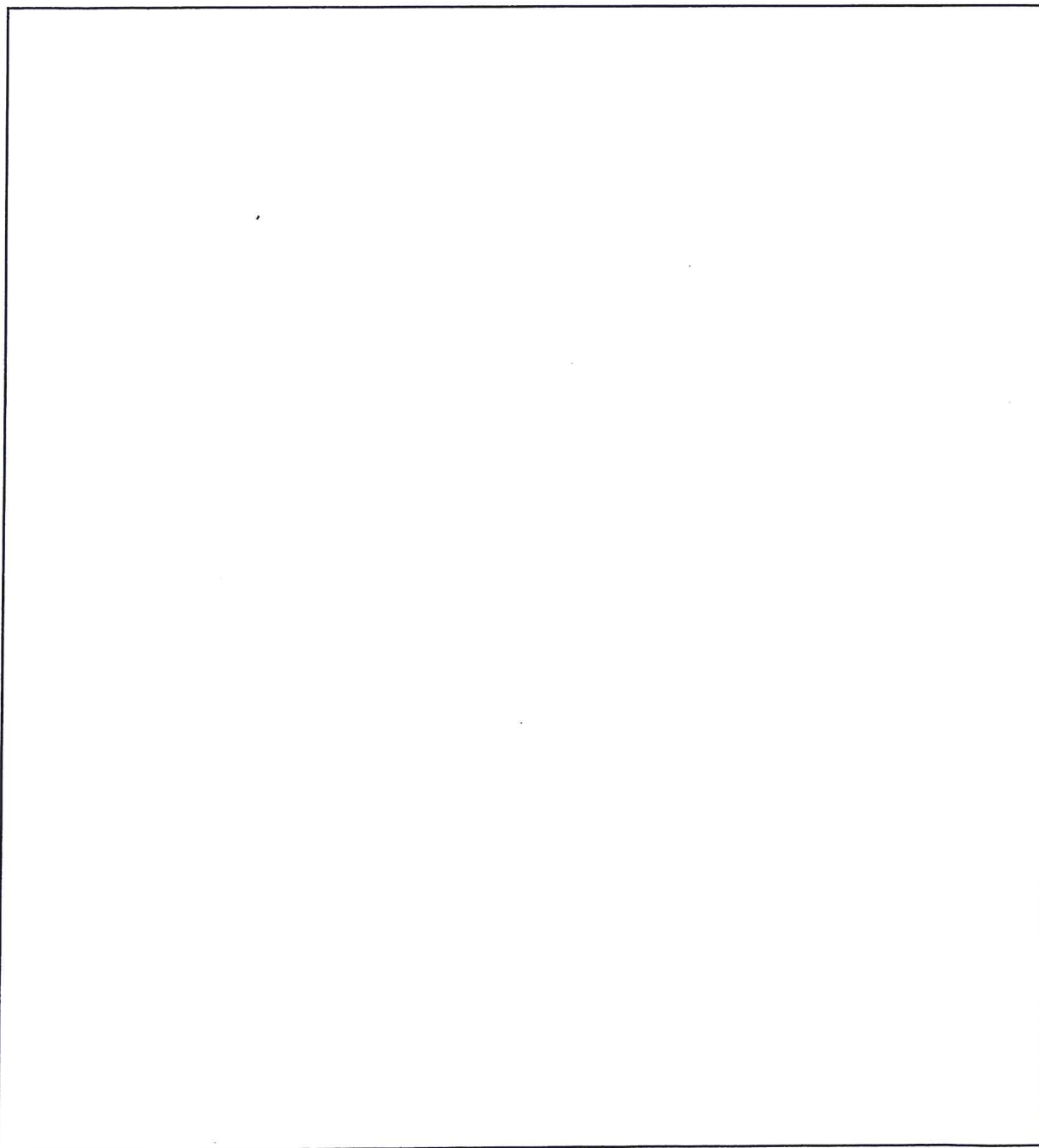
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## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



**Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities**

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: SLGVAK CATHOLIC ASSOCIATION
2. Doing Business As, if any: NON PROFIT PRIVATE CLUB
3. Date of filing with Secretary of State: 9-4-1897 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
NA
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
	SEE ATTACHED			

(Ownership in non-publicly traded companies must add up to 100%.)



## Section V: Fee Schedule

**Filing fee required.** In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

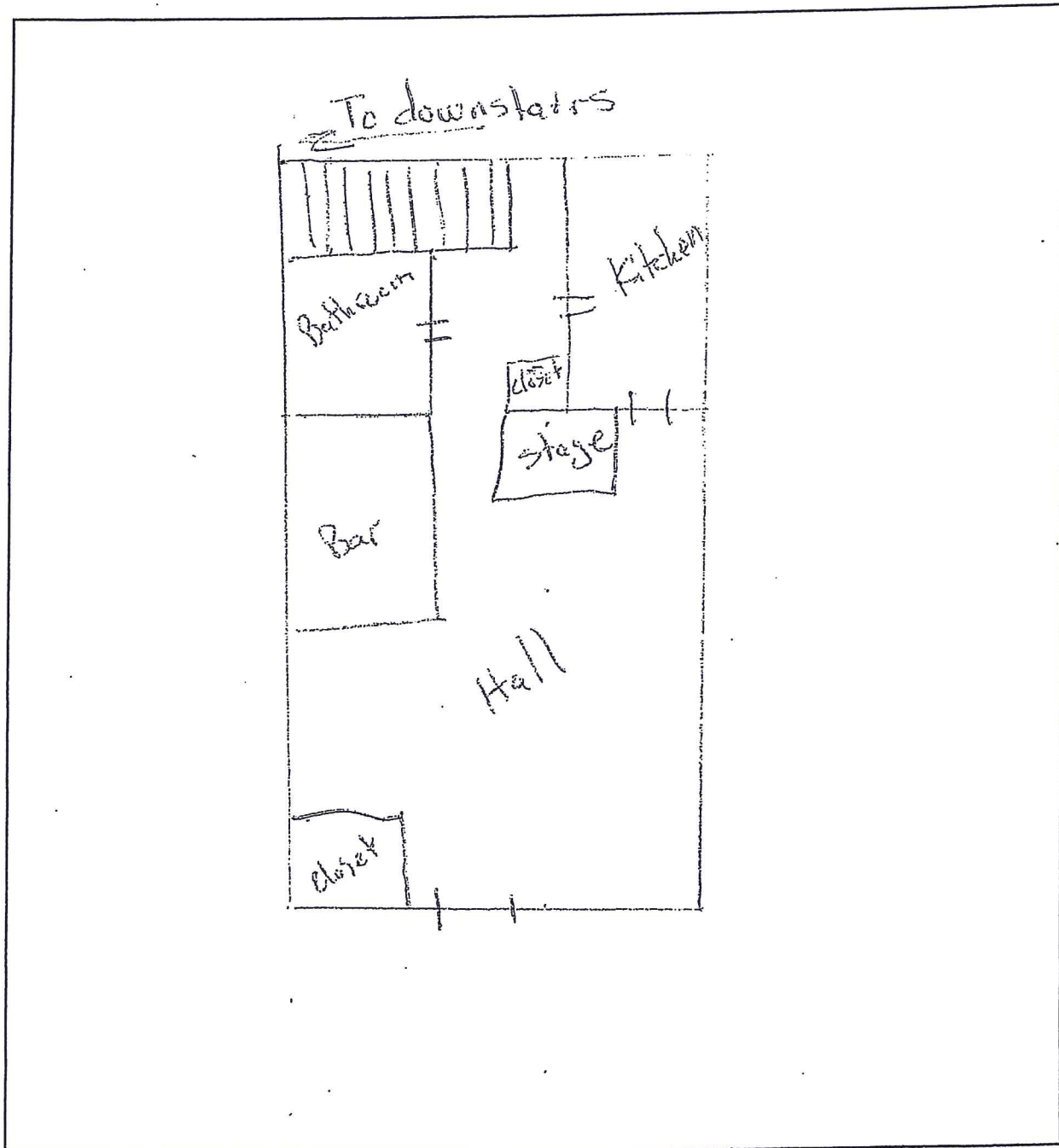
**Please note:** For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

<b><u>Class of License</u></b>	<b><u>Type of liquor/Establishments included</u></b>	<b><u>Fee</u></b>
<b>Class I</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
<b>Class I-A</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only hotels that do not serve three meals a day.	\$1,100.00
<b>Class II</b>	<b>For the Sale of Spirits Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
<b>Class III</b>	<b>For the Sale of Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class IV</b>	<b>For the Sale of Malt Liquor Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
<b>Class III and IV</b>	<b>For the Sale of Malt Liquor and Wine Only</b> This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
<b>Class V</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Club without catering privileges.	\$ 495.00
<b>Class X</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Class A Lounge	\$2,200.00
<b>Class XI</b>	<b>For the sale of liquor (malt liquor, wine and spirits)</b> This class includes only a Restaurant Lounge	\$1,500.00

## Section VII Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

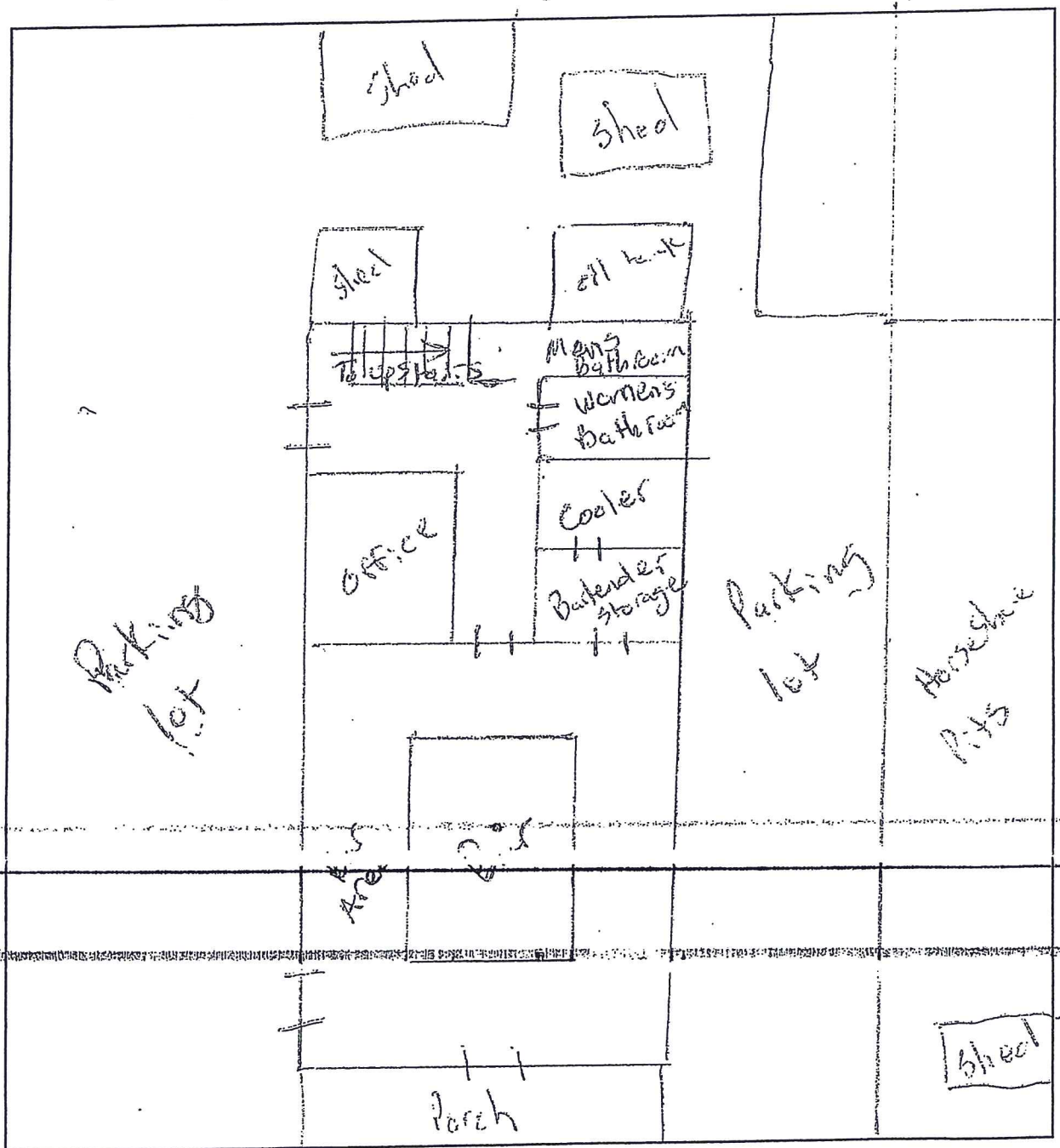


Second Floor Plan

## Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



1st Floor plan



# Application For Automobile Graveyard and/or Junkyard Permit

## MUNICIPAL OFFICE USE ONLY

Tentative Date of Hearing December 6, 2022 Application Received 11-22-22  
 Time of Hearing 7:00 PM Permit No. \_\_\_\_\_  
 Place of Hearing Town Hall Public Meeting Fee Paid \$ 100.00  
 Notifications sent by Certified US Mail Room \_\_\_\_\_ Date 11-22-22  
11-21-22 sent by M. Campbell

To the City/Town Lisbon County Androscoggin Maine  
 I/We Campbell's Used Auto Parts, Inc. hereby  
 make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile  
 Graveyard and/or Junkyard at the following described location and in accordance with the provisions  
 of Title 30, Sections 2451-B to 2459, Chapter 481, Public Laws 1966.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard \_\_\_\_\_  
36 River Road, Lisbon, ME 04250
2. Is this application made by or for a company, partnership, corporation-individual? Corporation
3. Is this property leased? \_\_\_\_\_ Property owned by Yes - Corporation  
 Address: \_\_\_\_\_
4. How is "yard" screened? — Fence? (Type) Cedar Height 6' Trees? (Type) \_\_\_\_\_  
 Embankment? \_\_\_\_\_ Gully? \_\_\_\_\_ Hill? \_\_\_\_\_ Other? \_\_\_\_\_
5. How far is edge of "yard" from center of highway? 25' Feet.
6. Can junk be seen from any part of highway? Yes \_\_\_\_\_ No X
7. Was Junkyard Law, Requirements and Fees explained to you? Yes X No \_\_\_\_\_
8. Is any portion of this "yard" on public property? Yes \_\_\_\_\_ No X
9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School,  
 Church or Cemetery? Yes \_\_\_\_\_ No X
10. When was "yard" established? 1959 By whom? Alyah Campbell
11. When was last permit issued? \_\_\_\_\_ To whom? Martin, Mark, and David  
 Campbell

One Copy of Application to City/Town  
 One Copy of Application to Applicant  
 One Copy of Application to State Police, Augusta  
 One Copy of Application to Dept. of Transportation

(over)

**TOWN OF LISBON**

**JUNKYARD/AUTOMOBILE GRAVEYARD**

**INSPECTION COMPLIANCE CERTIFICATION**

CAMPBELL'S USED AUTO PARTS, INC.  
RIVER ROAD, LISBON

APPROVED:   
CEO Signature

DISAPPROVED: \_\_\_\_\_  
CEO Signature

DATE: 11/28/22

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

.....  
**For Municipal Clerk's Use Only – Do Not Write Below This Line.**

☒ Application Signed  
☒ Paid \$50.00 fee  
☒ Inspection Certificate Completed  
☒ Set Public Hearing Date when required  
☒ Posted Public Hearing when required  
☒ Advertised Public Hearing when required  
☐ Copies of App to MDOT/ROW

☒ Put on Agenda  
☐ Permit Mailed to Applicant  
☐ Computer Database Updated  
☐ Copies of Permit to MDOT/ROW  
☒ Notify abutters of application &  
the date when Council will take it up

# Application For Automobile Graveyard and/or Junkyard Permit

## MUNICIPAL OFFICE USE ONLY

Tentative Date of Hearing December 6, 2022 Application Received 11-21-2022  
Time of Hearing 7:00 PM Permit No. ....  
Place of Hearing Town Hall Public Meeting Room Fee Paid \$ 100.00  
Notifications sent by Carl Huston Date 11-21-2022  
Certified US Mail 11-21-22

To the City/Town Lisbon County Androscoggin Maine

I/We Carl Huston, Jr. d/b/a Huston's Auto Salvage hereby  
make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile  
Graveyard and/or Junkyard at the following described location and in accordance with the provisions  
of Title 30, Sections 2451-B to 2459, Chapter 481, Public Laws 1966.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard .....  
9 Capital Avenue, Lisbon Falls, ME 04252
2. Is this application made by or for a company, partnership, corporation-individual? .....
3. Is this property leased? Yes No Property owned by Individual .....  
Address: 162 Main Street, Lisbon Falls, ME 04252
4. How is "yard" screened? — Fence? (Type) ..... Height 8' Trees? (Type) .....  
Embankment? ..... Gully? ..... Hill? ..... Other? .....
5. How far is edge of "yard" from center of highway? 247 ..... Feet.
6. Can junk be seen from any part of highway? Yes ..... No X .....
7. Was Junkyard Law, Requirements and Fees explained to you? Yes X ..... No .....
8. Is any portion of this "yard" on public property? Yes ..... No X .....
9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School,  
Church or Cemetery? Yes ..... No X .....
10. When was "yard" established? 1981 ..... By whom? Carl Huston, Jr. .....
11. When was last permit issued? ..... To whom? Carl Huston, Jr. .....

One Copy of Application to City/Town  
One Copy of Application to Applicant  
One Copy of Application to State Police, Augusta  
One Copy of Application to Dept. of Transportation

(over)



**TOWN OF LISBON**

**JUNKYARD/AUTOMOBILE GRAVEYARD**

**INSPECTION COMPLIANCE CERTIFICATION**

HUSTON'S AUTO SALVAGE  
9 CAPITAL AVE  
LISBON FALLS, ME

APPROVED:   
CEO Signature

DISAPPROVED: \_\_\_\_\_  
CEO Signature

DATE: 11/28/22

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**For Municipal Clerk's Use Only – Do Not Write Below This Line.**

☒ Application Signed  
☒ Paid \$50.00 fee  
☒ Inspection Certificate Completed  
☒ Set Public Hearing Date when required  
☒ Posted Public Hearing when required  
☒ Advertised Public Hearing when required  
☐ Copies of App to MDOT/ROW

☒ Put on Agenda  
☐ Permit Mailed to Applicant  
☐ Computer Database Updated  
☒ Copies of Permit to MDOT/ROW  
☒ Notify abutters of application &  
The date when Council will take it up

# Private Power Services

## APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION

In the Town of: Lisbon, Maine

☐ City

☐ Town of \_\_\_\_\_, Maine

☐ Country

☐ Private Power Services hereby applies for permission to:

☐ Construct and maintain together with attached facilities and appurtenances upon, along, or across certain streets in said city/town as described below.

☐ Construct and maintain buried cables, conduits, manholes, and handholds, together with wire and cables, transformers, cutouts, and other equipment therein, under, along and across certain streets and highways in said city/town as described below:

☒ Private Power Services hereby applies for permission to construct a pole line together with attached facilities and appurtenances upon, or across certain streets in said town as described below:

1. Starting Point: CMP Pole #: 4
2. Road: WEBSTER RD
3. Directions: N
4. Distance: 160' - 180'
5. Number of poles: 2 Poles 3 Anchors
6. Overhead wires and cables shall have a minimum clearance of 18 feet over public highway, and be constructed to conform to the requirements of the National Electrical Safety Code.

☐ Buried cable facilities shall be placed at a minimum depths of 26" under pavement and 30" elsewhere and be constructed to the requirements of the National Electrical Safety Code.

Any persons, firm or corporation claiming to be adversely affected by this proposed location shall file a written objection with the D.O.T., City, Town, and Country stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

☐ Public Notice of this Application has been given by publishing the text of the same in \_\_\_\_\_ on \_\_\_\_\_

☐ Not Published

☐ Approved by the Town Hall

By: \_\_\_\_\_

Date: \_\_\_\_\_

Private Power Services: Motor Services

Date: 9-3-22

CMP NOTIFICATION # 10300880966

## POLE LOCATION PERMIT

Upon the Application of Fortin Construction dated 10-3-22, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the Town of Lisbon, approximately located as follows:

1. Starting Point: CMP Pole #4
2. Road (State & CMP): Webster Rd
3. Direction: N
4. Distance: 160' - 180'
5. Number of Poles: 2 Poles 3 Anchors

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

*Municipal Officers*

Office of the \_\_\_\_\_

Received and Recorded in Book \_\_\_\_\_, Page \_\_\_\_\_

Attest: \_\_\_\_\_

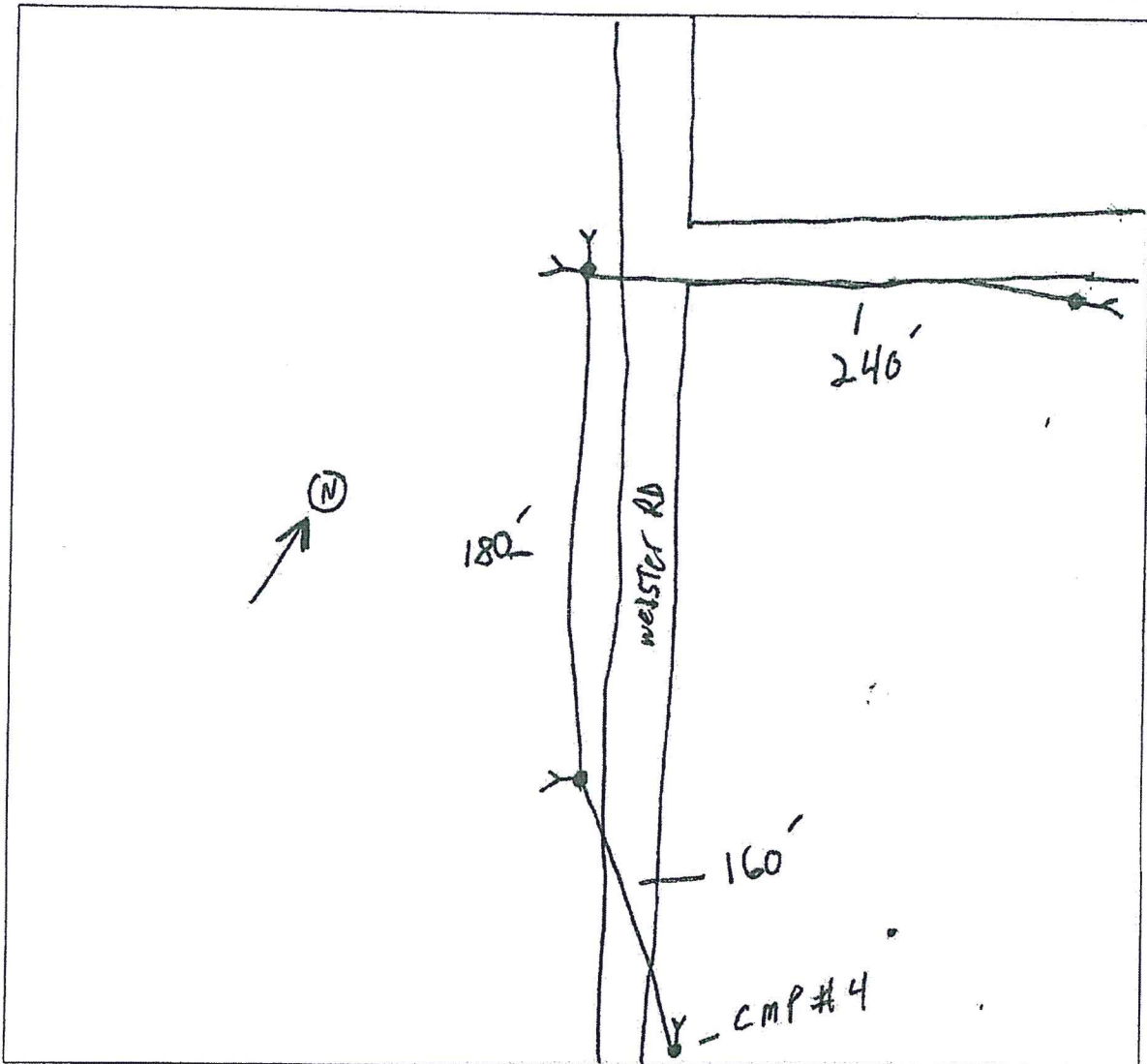
*Clerk*



# WORK SKETCH SHEET

Customer: Fortin Construction	Date: 10-3-22
Phone #: 207-318-5742	CMP W/O#: 10300880966
Town: Lisbon	
Street: WEBSTER RD Hse 139	
Takeoff Pole: 4	

REMARKS:



## LISBON POLE PERMIT INSPECTION REPORT

PERMIT REQUESTED BY: Fortin Construction

LOCATION: Webster Road

### CODE ENFORCEMENT DEPARTMENT

I, Mark C Stambach, have reviewed the application and find the pole is located in front of property owned by: FORTIN CONSTRUCTION INC.

and the physical address of the property is 143 WEBSTER ROAD

Additional Comments: POLES ACROSS THE ROAD SHALL BE W/IN ROW

Approved Date: 11/17/22 Signed by: Mark C Stambach

\*\*\*\*\*

Deny permission for the following reason: \_\_\_\_\_

Date Denied: \_\_\_\_\_ Signed by: \_\_\_\_\_

### PLEASE FORWARD TO PUBLIC WORKS DEPARTMENT

### PUBLIC WORKS DEPARTMENT

I, Randy Cyr, have visually inspected this location and find no reason to prohibit placing pole(s) where requested.

Comments: ASK GINA Approved

Approved Date: 11-21-22 Signed by: [Signature]

\*\*\*\*\*

Deny permission for the following reason: \_\_\_\_\_

Date Denied: \_\_\_\_\_ Signed by: \_\_\_\_\_

PLEASE RETURN TO THE TOWN CLERK

**TOWN OF LISBON  
EMERGENCY SIGN ORDINANCE**

**THE TOWN OF LISBON** adopts an Emergency Sign Ordinance as follows:

**WHEREAS**, concerns have been identified regarding the Town's existing sign ordinance, Chapter 70, Article VI, Division 5 of the Lisbon Code of Ordinances, that require review, recommendation and consideration by the Town Council and Planning Board as to potential revisions to the sign ordinance;

**WHEREAS**, the Town needs time to study its Code of Ordinances to determine the implications of current and potential revisions to the sign ordinance and to develop reasonable ordinance amendments;

**WHEREAS**, the Town Council and the Planning Board, with such professional advice and assistance as they deem necessary and appropriate, shall study the Town's ordinances to determine the land use and other regulatory implications of signs and what sign regulations might be appropriate;

**WHEREAS**, amendments to existing ordinance may require public hearings by the Planning Board and Town Council and votes by the Planning Board and Town Council;

**WHEREAS**, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least ninety (90) days from the date the Town first considers this emergency ordinance;

**WHEREAS**, it is appropriate to temporarily stay enforcement actions by the Town related to existing signs until the Town has an opportunity to consider potential amendments to existing ordinances;

**WHEREAS**, there is currently road construction in Town that has the potential to negatively impact local businesses by making it more difficult for customers to access businesses, and for businesses to make their presence known; and

**WHEREAS**, temporarily allowing businesses to place temporary signage during this time period is necessary to mitigate the impact of road construction on local businesses, and also to allow time for the Town to study its Code of Ordinances and to develop reasonable ordinance amendments;

**WHEREAS**, in the judgment of the Town, these facts create an emergency within the meaning of Section 2.08(b) of the Town Charter, and require this Emergency Sign Ordinance as immediately necessary for the preservation of the public welfare;

**NOW, THEREFORE**, the Town does hereby ordain that the following Emergency Sign Ordinance be, and hereby is, enacted:

**Section 1. Stay on Enforcement Actions.**

The Town hereby declares that there shall be a temporary stay on enforcement actions



under the Town's existing sign ordinance related to all signs that existed on the effective date of this ordinance. This temporary stay on enforcement actions shall remain in effect for ninety (90) days from the effective date of this Emergency Sign Ordinance, unless extended or modified by the Town Council, for the express purpose of allowing the Town to consider an amendment or amendments to the Town's existing sign ordinance; and

**BE IT FURTHER ORDAINED**, that notwithstanding any law to the contrary, this temporary stay of enforcement actions, when enacted, shall apply to any enforcement actions related to signs that exist on the effective date of this Emergency Sign Ordinance, regardless of whether such enforcement actions were commenced prior to the effective date of this Emergency Sign Ordinance; and

**BE IT FURTHER ORDAINED**, that during the time this Emergency Sign Ordinance is in effect, no officer, official, employee, office, administrative board or agency of the Town shall take any enforcement action under the existing sign ordinances related to signs that existed on the effective date of this Emergency Sign Ordinance; and

**BE IT FURTHER ORDAINED**, that nothing in this Emergency Sign Ordinance shall limit or restrict the Town, after expiration of this Emergency Sign Ordinance, from initiating enforcement actions relating to any sign or from continuing enforcement actions related to signs that were initiated prior to the effective date of this Ordinance; and

**BE IT FURTHER ORDAINED**, that existing Town ordinance provisions related to construction and permitting of new permanent signs shall remain in effect during the applicability of this Emergency Sign Ordinance, and the Code Enforcement Officer shall keep the Planning Board informed of any permit applications for new permanent signs that are submitted or approved during the applicability of this Ordinance.

## **Section 2. Suspension of Sign Ordinance Provisions Related to Temporary Signs**

The Town hereby declares that all provisions in the Town's existing sign ordinance related to temporary signs shall be suspended, and shall not be in effect, during the time that this Emergency Sign Ordinance is in effect. This suspension of the existing sign ordinance provisions related to temporary signs shall remain in effect for ninety (90) days from the effective date of this Ordinance, unless extended or modified by the Town Council, for the express purpose of allowing greater flexibility for businesses that may be impacted by current road construction in Town, and for the purpose of allowing time for the Town to consider an amendment or amendments to the Town's existing sign ordinance. The placement or display of any temporary signs during the applicability of this Emergency Sign Ordinance shall not create any right to maintain such signs beyond the time that this Ordinance is in effect, nor shall placement or display of any temporary sign during the applicability of this Ordinance create any rights related to non-conforming signs under applicable Town ordinances.

## **Section 3. Definitions.**

**Temporary sign** shall have the same meaning as set forth in the Town's existing sign ordinance, Lisbon Code of Ordinances Section 70-715, i.e., a sign that is not designed or intended to be permanently mounted or affixed to the ground, a building, or a structure, and which is displayed only for a temporary or limited timeframe.

**Town** means the Town of Lisbon, Maine, a municipal corporation organized and existing under the laws of the State of Maine.

#### **Section 4. Effect on Existing Ordinances; Severability**

Those provisions of the Town's existing ordinances that are inconsistent or conflicting with the provisions of this Emergency Sign Ordinance, are hereby repealed to the extent that they are applicable for the duration of this Emergency Sign Ordinance, and as it may be extended as permitted by law, but not otherwise. Should any section or provision of this Emergency Sign Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.

#### **Section 5. Effective Date; Emergency Declaration**

This Emergency Sign Ordinance shall be effective immediately upon enactment by the Town Council and shall remain in effect for 90 (ninety) days from the date of enactment unless it is terminated or extended in accordance with this Ordinance. In accordance with Section 2.08(b) of the Town Charter, this Ordinance shall be enacted as an emergency ordinance.

Proposed: August 3, 2022

Extension: December 6, 2022

Approved: \_\_\_\_\_ (EMERGENCY)

# MEMO

To: Mark Stambach, CEO  
From: Kathy Malloy, Assessor  
Date: September 7, 2022  
Re: Tax Map U20 Lot 20

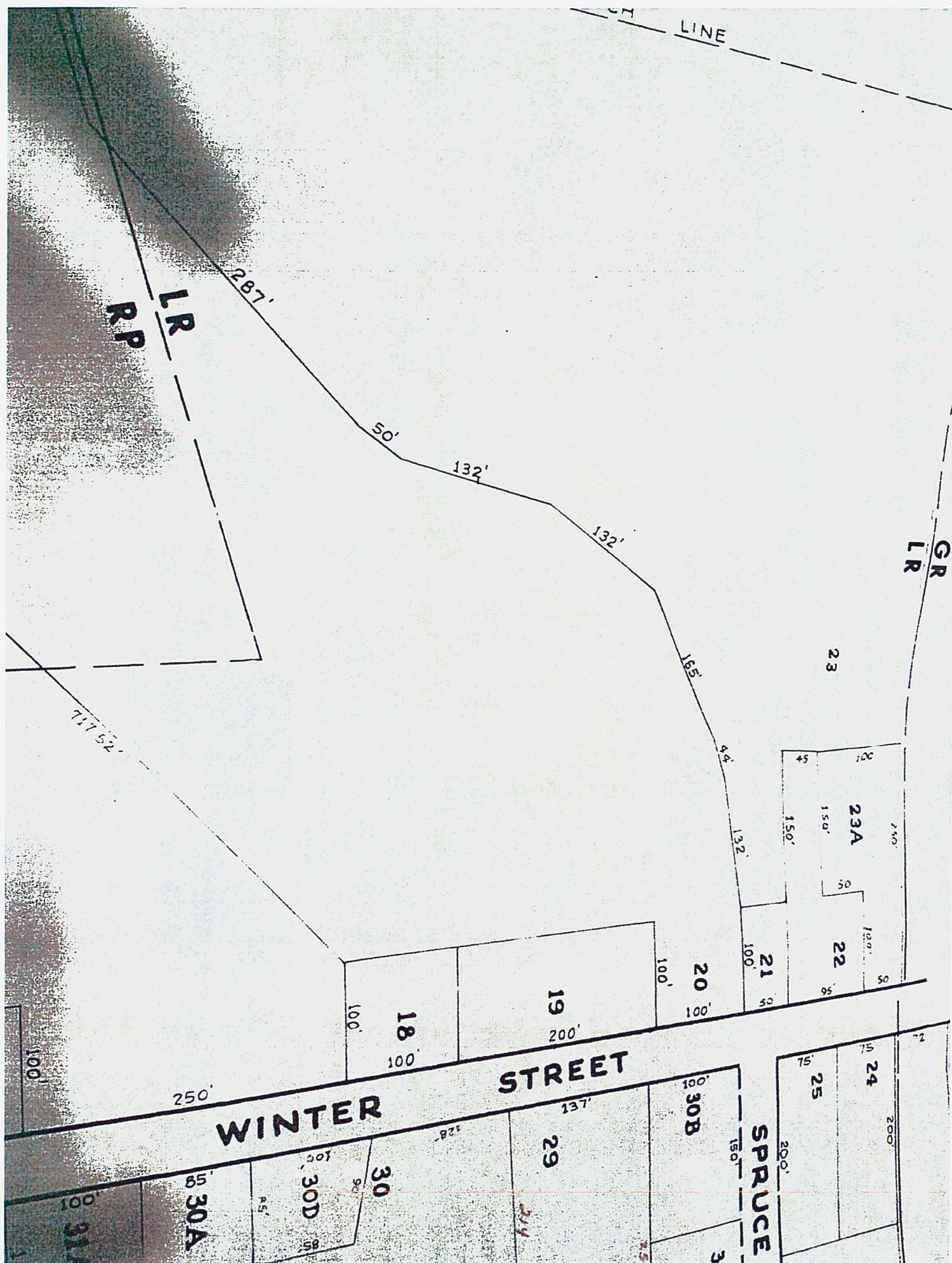
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The landowner, Ralph Sawyer, has questioned the zoning of lot 20. Prior to 2012 this lot was zoned LR, but is now RP. After reviewing the tax maps, I believe the change may have been made based on an incorrect assumption.

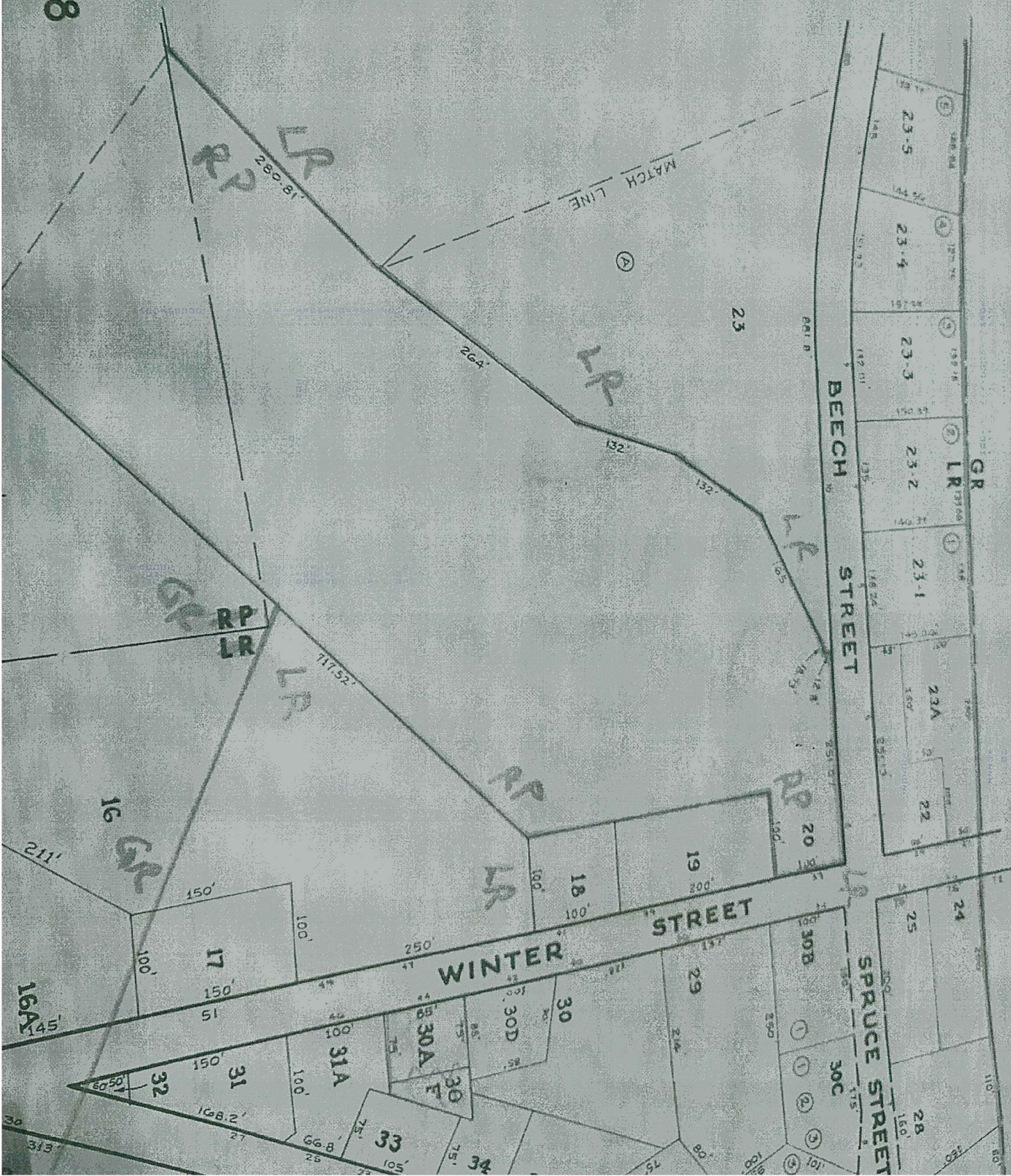
The mapping of this lot is confusing. Lot 20 abuts Beaver Park, which is map R08, so that match line could have been mistaken for a zoning divide.

A member from the planning board, at the time the changes were made, may be better able to give a definitive answer.







$$D = \frac{1}{\omega}$$




## Emergency Revolving Loan Fund Ordinance

**THE TOWN OF LISBON** adopts the Emergency Revolving Loan Fund Ordinance as follows:

WHEREAS, there is an ongoing road construction project on Main Street that has negatively impacted local businesses by making it more difficult for customers to access businesses, and for businesses to make their presence known; and

WHEREAS, this has caused negative financial impacts to the businesses that, if left unaddressed, could result in their closure or departure from Lisbon; and

WHEREAS, the Town wishes to provide for an emergency grant assistance program to aid these Main Street businesses and promote economic stability within the Town, but currently lacks authority by ordinance to do so;

WHEREAS, in the judgment of the Town, these facts create an emergency within the meaning of Section 2.08(b) of the Town Charter, and require these emergency amendments to the Revolving Loan Fund Ordinance as immediately necessary for the preservation of the public welfare;

NOW, THEREFORE, the Town does hereby ordain that the following Emergency Amendments to the Revolving Loan Fund Ordinance be, and hereby are, enacted:

### **Sec. 74-151. Revolving loan fund (RLF).**

- (a) *Statement of purpose.* The Town of Lisbon Revolving Loan Fund (RLF) is established to provide a source of financing, which may not otherwise be available, ~~for expanding or start-up businesses to support business development and sustainability~~. Used to fill a "financing gap" in a business development project, the RLF offers an option to complete a financing package. A "gap" occurs when the business is unable to fully finance their projects with equity, conventional financing or other private and public sources. While the RLF is not a substitute for conventional financing, it can fill the gaps in existing local financial markets and attract additional capital, which would otherwise not be available for economic development. **It can also be used to assist businesses through emergent or temporary market conditions to help ensure their long-term sustainability.**

The RLF adds another tool to the "tool box" of the town's economic development efforts. The RLF is not the primary source of financing for a **business development** project, however, the combination of public and private financing lessens the risk for the primary lender.

- (b) *Goals and objectives.* It is the intent of the RLF to consider both existing and start-up businesses as equal under the criteria, with preference given to those expansions and start-ups that result in retained and new jobs and/or new sources of economic activity within the town. Lisbon seeks to work with healthy companies that have excellent potential for growth, will provide increased employment in the town and will help diversify the economic base.

Further the RLF seeks to:

- (1) Retain and attract businesses that provide permanent jobs.
  - (2) Maximize investment within the town.
  - (3) Redevelop/utilize vacant and/or blighted property (land and/or buildings).
  - (4) Provide financial assistance to eligible businesses.
  - (5) Rehabilitation and/or creation of Lisbon housing stock.
  - (6) Further the comprehensive plan and economic development strategy.
- (c) *Program description.* The RLF program is designed to offer financial support for the purchase of fixed capital assets or working capital. Depending on the loan program, eligible businesses may finance up to 30 percent of a project's cost up to a \$100,000.00 (amount of available funding is determined by account balance). Special consideration for greater participation up to 50 percent will be given to projects that create high end, high wage positions and/or a substantial number of new job opportunities. Under certain circumstances and depending on the loan program, the maximum amount that could be available is 75 percent or \$250,000.00 whichever is less.

Initial participation by conventional lending institutions is preferred, and Lisbon will take a subordinated security position to the bank, thus assisting less established firms in forming a banking relationship. Since



Lisbon participation in a project must not displace local commercial lenders, a commercial lender letter declining participation must accompany any request for direct Lisbon financing unless both entities are participating in the project.

- (d) *Eligibility and criteria.* Applicants must be a for-profit entity. Loans shall not be made to public, quasi-public or non-profit entities (with the exception of nonprofit housing organizations). The applicant must be the owner or have vested authority to apply for funding.

Eligible industries include\*:

- (1) Manufacturing.
- (2) Industrial/commercial (service sector).
- (3) Retail.
- (4) Housing.
- (5) Technology.
- (6) Tourism.
- (7) Biological and natural resources.
- (8) Research and development.

\*Exception—If warranted, a project may be presented by a business other than those mentioned for consideration if substantial economic impact is determined by job creation and/or retention or any other special criteria that is deemed acceptable.

Existing businesses within Lisbon or individuals looking to start a new business in Lisbon are eligible to apply for financing. The applicant must demonstrate a need for funds. All loan proceeds must be used in operations located within Lisbon.

Expansions and new businesses must be able to document that the planned project will result in job creation and/or retention or new sources of economic activity within Lisbon. (If the loan is based upon the retention of jobs, the applicant must clearly demonstrate that the jobs would be lost without the presence of the RLF funds).

(1) *Existing business criteria:*

- a. Dedicated and experienced management.
- b. Past performance.
- c. Current economic viability of the business.
- d. High potential for profitability.
- e. High potential for growth.
- f. Sufficient collateral and cash flow to service and secure the loan.
- g. Inability to obtain conventional financing at rates and terms that make the project viable.

(2) *Start up business criteria:*

- a. Market strengths such as providing a new service or product development or distribution in Lisbon as demonstrated by local market and/or feasibility study.
- b. Complementary business development that serves an existing town/regional business entity.
- c. Consistent with comprehensive plan and goals of the economic development plan for types of business and industry.

(3) *Emergency assistance and businesses attraction grants:*

**From time to time the Town Council may authorize use of RLF monies to issue grants to businesses suffering the effects of temporary market conditions that, in the absence of the assistance to be provided through the RLF, may result in the closure of the business or its relocation outside of Lisbon. Additionally, the council may authorize development of a “Business Attraction Grant program” to be developed by the ECD Director to assist in a dedicated business attraction effort. Such grants shall be available only where authorized by order of the Council, which shall establish the eligibility, terms and conditions for such**

**grants. The Council may delegate to the RLF Committee the authority to award grants up to an amount stated in the order.**

(4) *Additional business requirements.*

- a. The business must not sell or move within a period of five years.
- b. The business must show adequate financial ability to repay the debt.
- c. Must maintain hazard insurance on all collateral.
- d. Must carry lines of insurance coverage appropriate to the business and corporate organization—minimum requirements would include business interruption insurance, general liability insurance and worker's compensation insurance (note: key man life insurance may be a requirement).
- e. The Town of Lisbon must be listed as a lien holder when applicable.

(5) *Activities/use of funds.*

- a. Land and building acquisitions.
- b. Site preparation and land development costs.
- c. Building construction.
- d. Building renovations.
- f. Machinery and equipment.
- g. Inventory and working capital.
- h. Infrastructure costs.
- i. Professional fees including engineering and legal.
- g. Refinance existing debt.

(6) *Ineligible activities.*

- a. Acquire an equity position or an interest in a private business.
- b. Subsidize interest payments on an existing loan.
- c. Invest in interest-bearing accounts, CD's or other investments.
- d. Land banking and construction of spec buildings.
- e. Assisting in the relocation of jobs from another labor area or relocation of jobs within the local labor area unless there is a demonstrated need.
- f. A project that would create a potential conflict of interest for any officers, employees or any persons involved in the application process, review, awarding or administering of the loan.
- g. Provide equity contribution required of applicants participating in other federal programs.

- (e) *Confidentiality and legal requirements.* In the process of gathering information about a qualifying business, the town may receive information about the business which is confidential and, if released, could cause harm to the business or give unfair advantage to its competitors. State law authorizes towns and other public entities to maintain the confidentiality of business records which come into their possession.

To protect the businesses applying for funds and to encourage them to make full and frank disclosures of business information relevant to their application, the town may take the following steps to ensure the confidentiality of the information it receives:

- (1) The adoption of an ordinance which makes such information confidential and punishes disclosure;
- (2) A restriction on the number of people with access to the files with the program administrator primarily responsible for their safe-keeping, and
- (3) A requirement that personnel involved in the program sign statements of confidentiality regarding all personal and private submittals by qualified businesses.

All applicants must comply with all federal, state and local laws, codes and ordinances including but not limited to: civil rights, environment, flood protection insurance, ADA, etc.

(f) *Loan parameters.*

- (1) *Loan size.* The maximum loan for land, building, machinery and equipment (fixed assets) or working capital that one applicant may borrow is \$100,000.00 or 30 percent of the total project cost whichever is less. Special consideration for greater participation up to 50 percent will be given to projects that create high end, high wage positions and/or a substantial number of new job opportunities. Under certain



circumstances and depending on the loan program, the maximum amount that could be available is 75 percent or \$250,000.00 whichever is less.

- (2) *Private sector investment.* Loans will preferably be made in conjunction with private sector lending sources, owner equity, private equity or other private sources. Private investment should equal 70 percent of the project funding. Exceptions to this structure may be considered on a case-by-case basis. Full documentation will be required in verification of other financing sources.
- (3) *Equity.* Projects will normally require a minimum ten percent owner equity and a minimum 60 percent bank participation. Exceptions to this structure may be considered on a case-by-case basis. All applicants will be required to provide evidence of the equity needed for the completion of the proposed project. Equity may be in the form of cash, securities, real property, equipment, labor or such other form that is deemed appropriate.
- (4) *Loan security.* All loans will be secured by the highest position available on one or more of the following assets: Land, buildings, machinery, equipment, accounts receivable and inventory and/or personal assets or such other assets as are deemed appropriate. In addition loans will require corporate and/or personal guarantees unless a situation exists where such guarantors are not available, (i.e. widely held private corporations).
- (5) *Terms.* Loans for real estate will have a typical repayment period of ten years; special circumstances can allow for a fifteen-year term. Machinery and equipment loans will have a maximum term of eight years or no longer than the useful life of the assets being financed. Working capital loans will have a maximum term of three years; special circumstances can allow for a five-year term. The town retains the right to adjust individual loan terms in order to facilitate a successful RLF project.
- (6) *Interest rate.* The RLF committee will recommend the interest rate for each loan based on risk, collateral and other pertinent criteria.
- (7) *Fees and penalties.* The town charges the following processing fees: (No loan disbursements will be made until all fees are paid in full.)
  - a. Nonrefundable application fee of \$350.00.
  - b. Closing fees; reasonable and customary legal costs for reviewing, processing (credit report fees), filing and recording, title fees, transfer taxes, document preparation and title insurance premiums.
  - c. Title work when real estate is used as collateral, UCC checks when personal property is used as collateral, recording fees
  - d. Any appraisal fees or environmental studies needed will be paid for by the applicant.
  - e. A two percent origination fee will be charged at the time of the loan closing
  - f. A late payment charge of five percent will be added to all loan payments that are 15 days late.
  - g. Failure to meet any of the terms and conditions of the loan may result in an increase in the interest rate of up to seven points above the prevailing prime rate.
- (8) ***Forgiveness: Where recommended by the RLF Committee and authorized by the Town Council, a loan may be made forgivable upon fulfillment of certain conditions, to be specified in the loan documents, which are intended to incentivize economic growth and business development or to recognize particular economic circumstances of the borrower.***
- (9) *Delinquent loan and collection procedures definition: Delinquent loans* are loan accounts that have not had any payment activity during a 30-day period or those loans that are 30 days in arrears.

The town as the administrator of the RLF will provide its best effort to collect all monies lent under the RLF program.

If the applicant is more than 30 days in arrears he must notify the town of a plan to become current, which must be approved by the town.

The town will monitor the monthly repayment activity of all outstanding loan accounts and initiate normal collection procedures, i.e. notice for payments, collection calls and other legal means necessary to collect the outstanding debt. When normal procedures fail to produce the desired results the account will be turned over for legal action and pursued to a conclusion. All legal fees and any other fees associated with collection procedures will be the sole responsibility of the applicant.

(10) *Reporting requirements.* The applicant is required to comply with any and all reporting requirements of the RLF program. In addition, yearly submission of financial statements, taxes and insurance will be required.

(g) *Application process.* The members of the Lisbon RLF Advisory Loan Committee shall review all loan applications. All applications will be evaluated on a first come, first served basis. Said committee will provide recommendations to the Town Council of Lisbon for final approval.

(1) The Lisbon Economic/Community Development Office will be available to assist the applicant at any and all levels of the RLF loan process.

(2) Below is a list of required documentation needed for a complete application package. (If information is given on application or included in the business plan please indicate that and reference the page numbers on the checklist):

- a. Completed application form.
  - b. Complete business plan with financials.
  - c. Financial statements, specifically a balance sheet, an income sheet and a statement of changes in financial position (including accountant's report and footnotes) for the past three years.
  - d. Financial projections of the balance sheet, income statement and a statement of change in financial position for the next two years.
  - e. Cash flow projections for three years.
  - f. Tax returns for the business entity and all guarantors for the previous three years.
  - g. Amount of financing required and the purposes for which the funds will be used.
  - h. Bank letter outlining participation including amounts and purpose, if any.
  - i. Description of the product line(s).
  - j. Market for the products, including a list of major customers, the amount of sales to each and projections of future markets.
  - k. Names of competitors and how the company is able to meet competition.
  - l. Number of employees at present, at year end for the past three years and projected employment for each of the next three years.
  - m. History of the company.
  - n. Background information (resumes) and personal financial statements of the principals of the business, notarized.
  - o. Signed consumer credit authorization form(s).
  - p. Completed and signed consumer credit authorization(s).
  - q. Details of existing bank loans and other financing of the company, including stock pledges.
  - r. Details of the capital of the company, including ownership and amounts of investment.
  - s. For regulated enterprises, full details of all types of governmental regulations.
  - t. A listing of accounts payable (aged) and telephone numbers for major suppliers.
  - u. Appraisals of real estate and/or machinery and equipment.
- (3) The economic/community development director will review the application for completeness and determine that the applicant meets the basic eligibility criteria for the town. Once determined eligible, a complete financial review and underwriting shall be conducted to establish the merits of each application. The ECD director may utilize an independent contractor or outside agency to do the underwriting of the loan. A detailed summary on each project will be compiled for presentation to the RLF advisory loan committee for action.
- a. Projects are reviewed using three distinct components:
    1. Evaluation of the project in terms of the RLF guidelines and operating procedure.
    2. Analysis of credit worthiness of the applicant.
    3. Assessment of economic potential of the proposed project.
  - b. The loan committee uses two forms of analysis:
    1. Basic financial analysis include three components:
      - i. Credit analysis—review of the history of the business, principals of a new enterprise, management personnel, financial condition and bank and trade credit standing.



- ii. Collateral analysis—review of ownership and effective value to the creditor of any asset pledged as collateral for the loan.
  - iii. Cash flow analysis—review of proforma statement describing the projected future condition of the business subsequent to the placement of the loan and all factors affecting the future condition of the business including market and economic trends.
- 2. Impact analysis—to determine the extent to which the proposed transaction meets the previously stated objective of the program.
  - i. Creation and retention of permanent jobs with consideration given to wages and income levels of jobs created.
  - ii. Diversification of the economic base.
  - iii. Retention and expansion of existing industrial base.
  - iv. Energy self-sufficiency.
  - v. Environmental quality impact.
  - vi. Implication for other local strategies and programs.
- (4) The advisory loan committee (comprised of no greater than seven members) will meet monthly to process applications. Special meetings of the committee may be called if time is a factor. The committee shall approve, deny or table applications, as they deem necessary. Approved applications will be submitted to the Lisbon Town Council in the form of a commitment letter for final ratification.
- (5) Upon ratification by the Lisbon Town Council, the economic/community development director will forward the approved commitment letter to the applicant. This commitment letter is to include any conditions of the loan, such as clear title to any real estate being used to secure the loan of clear title to any personal property used to secure the loan.
- (6) Upon acceptance, an attorney will prepare the necessary documents to close the loan.
- (7) Fund disbursement—All funds will be disbursed upon completion of the closing documents.
- (8) Timing—Typically complete applications can be processed and presented to the advisory loan committee within 45 days. Lisbon Town Council meets twice per month and typically can take action on a RLF application within two weeks of the approval date by the advisory loan committee.
- (h) *Administration.* The economic/community development office of the town is responsible for oversight and administration of the revolving loan fund program. The ECD director with assistance from others will:
  - (1) Assist applicants with packaging of development proposals and application process or other technical assistance.
  - (2) Notify the applicant in writing of the town council decision of approval or denial. If the loan is denied an explanation for the action will be stated.
  - (3) Billing, receiving and posting payments and notification of past due accounts.
  - (4) Collecting evidence on ongoing compliance with loan requirements, counseling of delinquent accounts and initiation of collection procedures for delinquent accounts.
  - (5) Collecting and reviewing yearly data and reports from applicant (financial statements, taxes, insurance coverage, etc.).
  - (6) Ensure the RLF is audited yearly as part of the town's external audit.
  - (7) Prepare and submit all required reports to outside agencies (i.e. USDA, FAME, etc.)
  - (8) Annually monitor administration of revolving loan fund to insure that operation policies are in accordance with the guidelines and procedures.
  - (9) If loan is approved the ECD office will facilitate a loan agreement that will clearly state all the terms of the loan including any special conditions that may be required. Once the loan agreement is signed by both parties (the town and the applicant) the loan will be processed for payment.
  - (10) Unsuccessful applicants may request a review of the decision to deny the loan based on errors of fact or procedure. Such a review may not be based on judgments concerning the feasibility of a proposed project or the credit-worthiness of a particular applicant. An applicant may submit a new loan application at any time.

- (11) Manage a loan review committee that will review loans and make recommendations to the town council for approval or denial.

The RLF committee will be comprised of the following people when possible:

- a. Town manager (or designee).
  - b. Council members (two).
  - c. Finance director.
  - d. Legal advisor.
  - e. Banker.
  - f. Business person at large.
  - g. Economic/community development director (ex-officio).
- (i) *Procedure for amendment.* As necessary, the advisory loan committee shall review the overall operations of the Lisbon Revolving Loan Fund Program. When the need for change or modification of policy arises, the committee will instruct the economic/community development director to submit such recommendations to the Town Council of Lisbon for review and subsequent action.

(C.O. of 6-17-2008, § 2008-98B)

This Emergency Revolving Loan Fund Ordinance shall be effective immediately upon enactment by the Town Council and shall remain in effect for 90 (ninety) days from the date of enactment unless it is terminated or extended in accordance with this Ordinance. In accordance with Section 2.08(b) of the Town Charter, this Ordinance shall be enacted as an emergency ordinance.

Proposed: December 6, 2022

Approved: \_\_\_\_\_ (EMERGENCY)





# Town of Lisbon

Ross H. Cunningham, Director  
Office of Economic and Community Development

## Town Council

Fern Larochelle, Chair  
Harry Moore Jr., Vice Chair  
Don Fellows  
Mark Lunt  
Christine Cain  
Raymond Robishaw  
Jason Smith

To: Glenn Michalowski, Town Manager

From: Ross Cunningham, Director, ECD

Date: 11/30/22

As directed at the Nov 15, 2022 council meeting, Lisbon ECD, and the Finance director, working with the town attorney have revised the Lisbon Revolving Loan Fund ordinance to allow for forgivable loans and grants in unique situations to maintain economic stability or to create and implement a business attraction program.

Proposed revisions to the ordinance are attached for review.

Staff recommends immediate acceptance of these changes in an emergency status to allow us to implement a grant program to support Main St businesses.

Respectfully,

Ross H. Cunningham



## **Town of Lisbon**

### **Main Street Grant Program 2022**

### **Purpose and Guidelines**

#### **Background**

The “Town of Lisbon Main St Grant 2022” (MSG) has been designed and is being implemented as a means to provide support to the businesses directly impacted by the 2022-2023 Main St Construction project. This grant, using funds from the Town Revolving Loan Fund, is intended to assist businesses financially through the slower winter months (Support period Jan 01 – May 01 2023) in order to keep them as a vibrant part of the Lisbon Falls Main St community and position them to succeed in this location for years to come. This grant is not to exceed \$25,000 per business and the total funds available are limited to \$150,000.

#### **Eligibility**

In order to apply for this grant, a business needs to be located on Main St in Lisbon Falls Maine between the intersection with Rte. 196 and the School Street intersection and be able to prove losses during the eligibility period of May 1 2022- Dec 1 2022. Grant recipients are expected to maintain their business in their Main St location in the Town of Lisbon for 3 years. Please provide a notarized narrative summarizing your intentions for the business over the coming three years and attesting that you have no current plans to relocate the business outside of Lisbon in the next three years.

#### **Application**

Businesses must complete the attached application form (Appendix A) and submit it to the Town of Lisbon Economic and Community Development office no later than Jan 5 2023. This application requires a balance sheet for the eligibility period and a comparison to previous levels that clearly indicate a level of loss during the eligibility period. The application will also require that the business forecast their expenses during the support period. Please include all applicable expected expenses. The applications will initially be reviewed by the Town ECD director and the Town Finance Director with feedback to the applicant as appropriate if application is not complete.

#### **Selection**

Following the application period, the ECD office will convene the Revolving Loan Fund Committee. This committee will review all applications and each businesses projected expenses. Working with the available funds, the Revolving Loan Fund Committee will assign a grant amount to each business. These awards will be reviewed and approved by Town Council as appropriate on Jan 17<sup>th</sup>. Businesses will be notified the following day.



**Payment**

Following Notification of Award, the business owner shall set up a time to meet with the Lisbon Finance Director and complete the Grant Acceptance form (Appendix C). Checks will be presented to the business owner no later than Jan 31, 2023.

**Reporting**

At the end of the support period, and no later than June 1, 2023, each business is required to submit the Grant Feedback Report (Appendix B) detailing how their grant moneys were expended. Receipts of payments to utilities and other vendors are required to show where the grant money was invested.

**Eligible Expenditures; Compliance**

Grant funds must be used for operating costs of the business. They may be used to make payments on an existing loan from the Town. They may be used for repairs or replacement of malfunctioning equipment, but not for capital improvements or acquisitions, or for expansion of the business. If a business is not able to document appropriate use of the funds, the Town will be entitled to seek return of the grant funds that were not used for documented eligible purposes. By applying for and accepting a grant under this program, the grantee agrees to comply with these terms.



**Town of Lisbon**  
**Main Street Grant Program 2022**  
**Application (Appendix A)**

**Application**

Name of applicant \_\_\_\_\_

Business Tax ID \_\_\_\_\_

Business Name \_\_\_\_\_

Business Address \_\_\_\_\_

Years in Business \_\_\_\_\_

1 – Please provide, on a separate page, a profit and loss statement for the 2022 calendar year, broken down by month. Please provide the same for 2021 and 2020 if available.

2- Please provide, on a separate page, a narrative of how the Main St Construction project has affected your business. Please limit this to one page.

3- Please provide a **notarized** narrative summarizing your intentions for the business over the coming three years and attesting that you have no current plans to relocate the business outside of Lisbon in the next three years.

4 – Please provide below an estimate of your expenses from Jan 1 2023, through May 1 2023.

Rent / Mortgage \_\_\_\_\_ Insurance \_\_\_\_\_

Electricity \_\_\_\_\_ Heat \_\_\_\_\_

Water / Sewer \_\_\_\_\_ Payroll \_\_\_\_\_

Other (describe) \_\_\_\_\_

Other (describe) \_\_\_\_\_

Other (describe) \_\_\_\_\_

Other (describe) \_\_\_\_\_

Total Expenses for this period \_\_\_\_\_







**Town of Lisbon**

**Main Street Grant Program 2022**

**Grant Acceptance Form (Appendix C)**

It is with great pleasure that the Town of Lisbon presents this Grant Acceptance Form as follows:

**Terms of Grant:** The grant to your organization from the Town of Lisbon (Grantor), is for the explicit purpose(s) described below and is subject to your acceptance of the following terms:

**Grantee:** {insert business name}

**Date Authorized:** {insert date of award}

**Amount Authorized:** \${insert amount awarded}

**Purpose:** Grant funds must be used for operating costs of the business. They may be used to make payments on an existing loan from the Town. They may be used for repairs or replacement of malfunctioning equipment, but not for capital improvements or acquisitions, or for expansion of the business.

**Accounting:** The Grantee is responsible for maintaining adequate supporting records that document the expenditure of the funds in accordance with this Grant Acceptance Form, and will complete and submit the Grand Feedback Report no later than June 1, 2023.

**Return of Grant Funds:** If a business is not able to document appropriate use of the funds, the Town will be entitled to seek return of the grant funds that were not used for documented eligible purposes.

We, {insert business name} accept the funds by check and agree to their intended use as outlined in the grant proposal narrative provided in the grant application form and in accordance to the guidelines laid out in the grant award letter.

The foregoing conditions are hereby accepted and agreed to as of the date indicated.

**Please sign and return to the Town of Lisbon Office within one week of receipt.**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date



## Sec. 74-151. Revolving loan fund (RLF).

- (a) *Statement of purpose.* The Town of Lisbon Revolving Loan Fund (RLF) is established to provide a source of financing, which may not otherwise be available, ~~for expanding or start-up businesses to support business development and sustainability.~~ Used to fill a "financing gap" in a business development project, the RLF offers an option to complete a financing package. A "gap" occurs when the business is unable to fully finance their projects with equity, conventional financing or other private and public sources. While the RLF is not a substitute for conventional financing, it can fill the gaps in existing local financial markets and attract additional capital, which would otherwise not be available for economic development. **It can also be used to assist businesses through emergent or temporary market conditions to help ensure their long-term sustainability.**

The RLF adds another tool to the "tool box" of the town's economic development efforts. The RLF is not the primary source of financing for a **business development** project, however, the combination of public and private financing lessens the risk for the primary lender.

- (b) *Goals and objectives.* It is the intent of the RLF to consider both existing and start-up businesses as equal under the criteria, with preference given to those expansions and start-ups that result in retained and new jobs and/or new sources of economic activity within the town. Lisbon seeks to work with healthy companies that have excellent potential for growth, will provide increased employment in the town and will help diversify the economic base.

Further the RLF seeks to:

- (1) Retain and attract businesses that provide permanent jobs.
  - (2) Maximize investment within the town.
  - (3) Redevelop/utilize vacant and/or blighted property (land and/or buildings).
  - (4) Provide financial assistance to eligible businesses.
  - (5) Rehabilitation and/or creation of Lisbon housing stock.
  - (6) Further the comprehensive plan and economic development strategy.
- (c) *Program description.* The RLF program is designed to offer financial support for the purchase of fixed capital assets or working capital. Depending on the loan program, eligible businesses may finance up to 30 percent of a project's cost up to a \$100,000.00 (amount of available funding is determined by account balance). Special consideration for greater participation up to 50 percent will be given to projects that create high end, high wage positions and/or a substantial number of new job opportunities. Under certain circumstances and depending on the loan program, the maximum amount that could be available is 75 percent or \$250,000.00 whichever is less.

Initial participation by conventional lending institutions is preferred, and Lisbon will take a subordinated security position to the bank, thus assisting less established firms in forming a banking relationship. Since Lisbon participation in a project must not displace local commercial lenders, a commercial lender letter declining participation must accompany any request for direct Lisbon financing unless both entities are participating in the project.

- (d) *Eligibility and criteria.* Applicants must be a for-profit entity. Loans shall not be made to public, quasi-public or non-profit entities (with the exception of nonprofit housing organizations). The applicant must be the owner or have vested authority to apply for funding.

Eligible industries include\*:

- 
- (1) Manufacturing.
  - (2) Industrial/commercial (service sector).
  - (3) Retail.
  - (4) Housing.
  - (5) Technology.
  - (6) Tourism.
  - (7) Biological and natural resources.
  - (8) Research and development.

\*Exception—If warranted, a project may be presented by a business other than those mentioned for consideration if substantial economic impact is determined by job creation and/or retention or any other special criteria that is deemed acceptable.

Existing businesses within Lisbon or individuals looking to start a new business in Lisbon are eligible to apply for financing. The applicant must demonstrate a need for funds. All loan proceeds must be used in operations located within Lisbon.

Expansions and new businesses must be able to document that the planned project will result in job creation and/or retention or new sources of economic activity within Lisbon. (If the loan is based upon the retention of jobs, the applicant must clearly demonstrate that the jobs would be lost without the presence of the RLF funds).

(1) *Existing business criteria:*

- a. Dedicated and experienced management.
- b. Past performance.
- c. Current economic viability of the business.
- d. High potential for profitability.
- e. High potential for growth.
- f. Sufficient collateral and cash flow to service and secure the loan.
- g. Inability to obtain conventional financing at rates and terms that make the project viable.

(2) *Start up business criteria:*

- a. Market strengths such as providing a new service or product development or distribution in Lisbon as demonstrated by local market and/or feasibility study.
- b. Complementary business development that serves an existing town/regional business entity.
- c. Consistent with comprehensive plan and goals of the economic development plan for types of business and industry.

(3) *Emergency assistance and businesses attraction grants:*

**From time to time the Town Council may authorize use of RLF monies to issue grants to businesses suffering the effects of temporary market conditions that, in the absence of the assistance to be provided through the RLF, may result in the closure of the business or its relocation outside of Lisbon. Additionally, the council may authorize development of a "Business Attraction Grant program" to be developed by the ECD Director to assist in a dedicated business attraction effort. Such grants shall be available only where authorized by order of the Council, which shall establish the eligibility, terms**



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and conditions for such grants. The Council may delegate to the RLF Committee the authority to award grants up to an amount stated in the order.

(4) *Additional business requirements.*

- a. The business must not sell or move within a period of five years.
- b. The business must show adequate financial ability to repay the debt.
- c. Must maintain hazard insurance on all collateral.
- d. Must carry lines of insurance coverage appropriate to the business and corporate organization—minimum requirements would include business interruption insurance, general liability insurance and worker's compensation insurance (note: key man life insurance may be a requirement).
- e. The Town of Lisbon must be listed as a lien holder when applicable.

(5) *Activities/use of funds.*

- a. Land and building acquisitions.
- b. Site preparation and land development costs.
- c. Building construction.
- d. Building renovations.
- f. Machinery and equipment.
- g. Inventory and working capital.
- h. Infrastructure costs.
- i. Professional fees including engineering and legal.
- g. Refinance existing debt.

(6) *Ineligible activities.*

- a. Acquire an equity position or an interest in a private business.
- b. Subsidize interest payments on an existing loan.
- c. Invest in interest-bearing accounts, CD's or other investments.
- d. Land banking and construction of spec buildings.
- e. Assisting in the relocation of jobs from another labor area or relocation of jobs within the local labor area unless there is a demonstrated need.
- f. A project that would create a potential conflict of interest for any officers, employees or any persons involved in the application process, review, awarding or administering of the loan.
- g. Provide equity contribution required of applicants participating in other federal programs.

- (e) *Confidentiality and legal requirements.* In the process of gathering information about a qualifying business, the town may receive information about the business which is confidential and, if released, could cause harm to the business or give unfair advantage to its competitors. State law authorizes towns and other public entities to maintain the confidentiality of business records which come into their possession.

To protect the businesses applying for funds and to encourage them to make full and frank disclosures of business information relevant to their application, the town may take the following steps to ensure the confidentiality of the information it receives:

- 
- (1) The adoption of an ordinance which makes such information confidential and punishes disclosure;
  - (2) A restriction on the number of people with access to the files with the program administrator primarily responsible for their safe-keeping, and
  - (3) A requirement that personnel involved in the program sign statements of confidentiality regarding all personal and private submittals by qualified businesses.

All applicants must comply with all federal, state and local laws, codes and ordinances including but not limited to: civil rights, environment, flood protection insurance, ADA, etc.

(f) *Loan parameters.*

- (1) *Loan size.* The maximum loan for land, building, machinery and equipment (fixed assets) or working capital that one applicant may borrow is \$100,000.00 or 30 percent of the total project cost whichever is less. Special consideration for greater participation up to 50 percent will be given to projects that create high end, high wage positions and/or a substantial number of new job opportunities. Under certain circumstances and depending on the loan program, the maximum amount that could be available is 75 percent or \$250,000.00 whichever is less.
- (2) *Private sector investment.* Loans will preferably be made in conjunction with private sector lending sources, owner equity, private equity or other private sources. Private investment should equal 70 percent of the project funding. Exceptions to this structure may be considered on a case-by-case basis. Full documentation will be required in verification of other financing sources.
- (3) *Equity.* Projects will normally require a minimum ten percent owner equity and a minimum 60 percent bank participation. Exceptions to this structure may be considered on a case-by-case basis. All applicants will be required to provide evidence of the equity needed for the completion of the proposed project. Equity may be in the form of cash, securities, real property, equipment, labor or such other form that is deemed appropriate.
- (4) *Loan security.* All loans will be secured by the highest position available on one or more of the following assets: Land, buildings, machinery, equipment, accounts receivable and inventory and/or personal assets or such other assets as are deemed appropriate. In addition loans will require corporate and/or personal guarantees unless a situation exists where such guarantors are not available, (i.e. widely held private corporations).
- (5) *Terms.* Loans for real estate will have a typical repayment period of ten years; special circumstances can allow for a fifteen-year term. Machinery and equipment loans will have a maximum term of eight years or no longer than the useful life of the assets being financed. Working capital loans will have a maximum term of three years; special circumstances can allow for a five-year term. The town retains the right to adjust individual loan terms in order to facilitate a successful RLF project.
- (6) *Interest rate.* The RLF committee will recommend the interest rate for each loan based on risk, collateral and other pertinent criteria.
- (7) *Fees and penalties.* The town charges the following processing fees: (No loan disbursements will be made until all fees are paid in full.)
  - a. Nonrefundable application fee of \$350.00.
  - b. Closing fees; reasonable and customary legal costs for reviewing, processing (credit report fees), filing and recording, title fees, transfer taxes, document preparation and title insurance premiums.
  - c. Title work when real estate is used as collateral, UCC checks when personal property is used as collateral, recording fees



- 
- d. Any appraisal fees or environmental studies needed will be paid for by the applicant.
  - e. A two percent origination fee will be charged at the time of the loan closing
  - f. A late payment charge of five percent will be added to all loan payments that are 15 days late.
  - g. Failure to meet any of the terms and conditions of the loan may result in an increase in the interest rate of up to seven points above the prevailing prime rate.
- (8) **Forgiveness: Where recommended by the RLF Committee and authorized by the Town Council, a loan may be made forgivable upon fulfillment of certain conditions, to be specified in the loan documents, which are intended to incentivize economic growth and business development or to recognize particular economic circumstances of the borrower.**
- (9) **Delinquent loan and collection procedures definition:** Delinquent loans are loan accounts that have not had any payment activity during a 30-day period or those loans that are 30 days in arrears.
- The town as the administrator of the RLF will provide its best effort to collect all monies lent under the RLF program.
- If the applicant is more than 30 days in arrears he must notify the town of a plan to become current, which must be approved by the town.
- The town will monitor the monthly repayment activity of all outstanding loan accounts and initiate normal collection procedures, i.e. notice for payments, collection calls and other legal means necessary to collect the outstanding debt. When normal procedures fail to produce the desired results the account will be turned over for legal action and pursued to a conclusion. All legal fees and any other fees associated with collection procedures will be the sole responsibility of the applicant.
- (10) **Reporting requirements.** The applicant is required to comply with any and all reporting requirements of the RLF program. In addition, yearly submission of financial statements, taxes and insurance will be required.
- (g) **Application process.** The members of the Lisbon RLF Advisory Loan Committee shall review all loan applications. All applications will be evaluated on a first come, first served basis. Said committee will provide recommendations to the Town Council of Lisbon for final approval.
- (1) The Lisbon Economic/Community Development Office will be available to assist the applicant at any and all levels of the RLF loan process.
  - (2) Below is a list of required documentation needed for a complete application package. (If information is given on application or included in the business plan please indicate that and reference the page numbers on the checklist):
    - a. Completed application form.
    - b. Complete business plan with financials.
    - c. Financial statements, specifically a balance sheet, an income sheet and a statement of changes in financial position (including accountant's report and footnotes) for the past three years.
    - d. Financial projections of the balance sheet, income statement and a statement of change in financial position for the next two years.
    - e. Cash flow projections for three years.
    - f. Tax returns for the business entity and all guarantors for the previous three years.
    - g. Amount of financing required and the purposes for which the funds will be used.

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- h. Bank letter outlining participation including amounts and purpose, if any.
  - i. Description of the product line(s).
  - j. Market for the products, including a list of major customers, the amount of sales to each and projections of future markets.
  - k. Names of competitors and how the company is able to meet competition.
  - l. Number of employees at present, at year end for the past three years and projected employment for each of the next three years.
  - m. History of the company.
  - n. Background information (resumes) and personal financial statements of the principals of the business, notarized.
  - o. Signed consumer credit authorization form(s).
  - p. Completed and signed consumer credit authorization(s).
  - q. Details of existing bank loans and other financing of the company, including stock pledges.
  - r. Details of the capital of the company, including ownership and amounts of investment.
  - s. For regulated enterprises, full details of all types of governmental regulations.
  - t. A listing of accounts payable (aged) and telephone numbers for major suppliers.
  - u. Appraisals of real estate and/or machinery and equipment.
- (3) The economic/community development director will review the application for completeness and determine that the applicant meets the basic eligibility criteria for the town. Once determined eligible, a complete financial review and underwriting shall be conducted to establish the merits of each application. The ECD director may utilize an independent contractor or outside agency to do the underwriting of the loan. A detailed summary on each project will be compiled for presentation to the RLF advisory loan committee for action.
- a. Projects are reviewed using three distinct components:
    - 1. Evaluation of the project in terms of the RLF guidelines and operating procedure.
    - 2. Analysis of credit worthiness of the applicant.
    - 3. Assessment of economic potential of the proposed project.
  - b. The loan committee uses two forms of analysis:
    - 1. Basic financial analysis include three components:
      - i. Credit analysis—review of the history of the business, principals of a new enterprise, management personnel, financial condition and bank and trade credit standing.
      - ii. Collateral analysis—review of ownership and effective value to the creditor of any asset pledged as collateral for the loan.
      - iii. Cash flow analysis—review of proforma statement describing the projected future condition of the business subsequent to the placement of the loan and all factors affecting the future condition of the business including market and economic trends.



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2. Impact analysis—to determine the extent to which the proposed transaction meets the previously stated objective of the program.
    - i. Creation and retention of permanent jobs with consideration given to wages and income levels of jobs created.
    - ii. Diversification of the economic base.
    - iii. Retention and expansion of existing industrial base.
    - iv. Energy self-sufficiency.
    - v. Environmental quality impact.
    - vi. Implication for other local strategies and programs.
  - (4) The advisory loan committee (comprised of no greater than seven members) will meet monthly to process applications. Special meetings of the committee may be called if time is a factor. The committee shall approve, deny or table applications, as they deem necessary. Approved applications will be submitted to the Lisbon Town Council in the form of a commitment letter for final ratification.
  - (5) Upon ratification by the Lisbon Town Council, the economic/community development director will forward the approved commitment letter to the applicant. This commitment letter is to include any conditions of the loan, such as clear title to any real estate being used to secure the loan of clear title to any personal property used to secure the loan.
  - (6) Upon acceptance, an attorney will prepare the necessary documents to close the loan.
  - (7) Fund disbursement—All funds will be disbursed upon completion of the closing documents.
  - (8) Timing—Typically complete applications can be processed and presented to the advisory loan committee within 45 days. Lisbon Town Council meets twice per month and typically can take action on a RLF application within two weeks of the approval date by the advisory loan committee.
  - (h) *Administration.* The economic/community development office of the town is responsible for oversight and administration of the revolving loan fund program. The ECD director with assistance from others will:
    - (1) Assist applicants with packaging of development proposals and application process or other technical assistance.
    - (2) Notify the applicant in writing of the town council decision of approval or denial. If the loan is denied an explanation for the action will be stated.
    - (3) Billing, receiving and posting payments and notification of past due accounts.
    - (4) Collecting evidence on ongoing compliance with loan requirements, counseling of delinquent accounts and initiation of collection procedures for delinquent accounts.
    - (5) Collecting and reviewing yearly data and reports from applicant (financial statements, taxes, insurance coverage, etc.).
    - (6) Ensure the RLF is audited yearly as part of the town's external audit.
    - (7) Prepare and submit all required reports to outside agencies (i.e. USDA, FAME, etc.)
    - (8) Annually monitor administration of revolving loan fund to insure that operation policies are in accordance with the guidelines and procedures.

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- (9) If loan is approved the ECD office will facilitate a loan agreement that will clearly state all the terms of the loan including any special conditions that may be required. Once the loan agreement is signed by both parties (the town and the applicant) the loan will be processed for payment.
  - (10) Unsuccessful applicants may request a review of the decision to deny the loan based on errors of fact or procedure. Such a review may not be based on judgments concerning the feasibility of a proposed project or the credit-worthiness of a particular applicant. An applicant may submit a new loan application at any time.
  - (11) Manage a loan review committee that will review loans and make recommendations to the town council for approval or denial.

The RLF committee will be comprised of the following people when possible:

- a. Town manager (or designee).
  - b. Council members (two).
  - c. Finance director.
  - d. Legal advisor.
  - e. Banker.
  - f. Business person at large.
  - g. Economic/community development director (ex-officio).
- (i) *Procedure for amendment.* As necessary, the advisory loan committee shall review the overall operations of the Lisbon Revolving Loan Fund Program. When the need for change or modification of policy arises, the committee will instruct the economic/community development director to submit such recommendations to the Town Council of Lisbon for review and subsequent action.

(C.O. of 6-17-2008, § 2008-98B)



PART III - BYLAWS(only requires Council adoption)  
APPENDIX C FEE SCHEDULE

	Out of town Businesses—Craft Vendors Friday	100.00
	Saturday	125.00
	Out of town Businesses—Food Vendors Friday	125.00
	Saturday	175.00
	After May 17 <sup>th</sup>	
	Lisbon Non-Profit/School Groups Friday & Saturday	Free
	Lisbon Businesses—Craft Vendors Friday	100.00
	Saturday	125.00
	Lisbon Businesses—Food Vendors Friday	125.00
	Saturday	150.00
	Out of town Businesses—Craft Vendors Friday	125.00
	Saturday	175.00
	Out of town Businesses—Food Vendors Friday	150.00
	Saturday	225.00
	2 Day Participation Discount	-25.00
	Electrical Fee Per Space for Saturday only	25.00
	Friday Night All Vendors—No power available	100.00
	Clean Up Fee (if area not left clean)	25.00
	Art Vendor Non-Refundable Application Fee	35.00
	After April 14	50.00
10-613	Marijuana licensing fees:	
	Registered caregiver retail store	250.00
	Medical marijuana cultivation facility	250.00
	Registered dispensary	250.00
	Manufacturing facility	250.00
	Marijuana testing facility	250.00
11-713	Marijuana store (25% go to the local D.A.R.E program)	5,000.00
	Cultivation facility (25% go to the local D.A.R.E program)	5,000.00
	Manufacturing facility (25% go to the local D.A.R.E program)	5,000.00
	Marijuana testing facility (25% go to the local D.A.R.E program)	10,000.00
10-505	Pawnbroker	250.00
10-166	Special amusement permit application fee	100.00
82-51	Victualer establishment annual license fee:	
	Restaurants and all others, excluding itinerant vendors	100.00
	Itinerant vendors	50.00
	Reinspection by health officer or codes enforcement officer, per reinspection	150.00
CEMETERY FEES		

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## Sec. 10-603. Definitions.

As used in this article, unless the context otherwise indicates, the following terms have the following meanings:

*Cultivation of marijuana for medical use.* "Cultivation of marijuana for medical use" means all cultivation of marijuana for medical use which must comply with state rules and state statutes.

*Disqualifying drug offense.* "Disqualifying drug offense" means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for one year or more, but does not include (1) An offense for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years earlier; or (2) An offense that consisted of conduct that would have been permitted under the Maine Medical Use of Marijuana Act.

*Extraction.* "Extraction" means a process of extracting marijuana concentrate from marijuana using water, lipids, gases, solvents or other chemicals or chemical processes. The use of inherently hazardous substances in marijuana extraction is restricted by state rule.

*Marijuana product.* "Marijuana product" means a product composed of marijuana, or marijuana concentrate and other ingredients that is intended for medical use. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana inhalant, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

*Manufacture or manufacturing.* "Manufacture" or "manufacturing" means the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products by a registered manufacturing facility or by a patient, caregiver or dispensary as authorized under 22 MRS, chapter 558-C. Manufacturing includes, but is not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing or manufacture" does not include cultivation.

*Manufacturing facility.* "Manufacturing facility" means a manufacturing facility authorized under state law to manufacture marijuana products for medical use or to engage in marijuana extraction for medical use.

*Marijuana testing facility.* "Marijuana testing facility" means an entity licensed by the Department of Administrative and Financial Services and certified to test medical use marijuana, including concentrates and products containing marijuana, for research and development purposes and to analyze contaminants in, and the potency and cannabinoid profile of, marijuana samples and products containing marijuana cultivated in accordance with 22 MRS, chapter 558-C.

*Medical marijuana cultivation facility.* "Medical marijuana cultivation facility" means a facility authorized under state law to cultivate medical marijuana for qualifying patients.

*Medical marijuana establishment.* "Medical marijuana establishment" means a registered caregiver retail store, registered dispensary, marijuana testing facility, medical marijuana cultivation facility, or manufacturing facility.

*Registered caregiver retail store.* "Registered caregiver retail store" means a store that has attributes generally associated with retail stores, including, but not limited to, a fixed location, a sign, regular business hours, accessibility to the public and sales of goods or services directly to a consumer, and that is used by a registered caregiver to offer marijuana plants or harvested marijuana for sale to qualifying patients.

*Registered dispensary.* "Registered dispensary" means an entity registered under 22 M.R.S. § 2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana plants or related supplies and educational materials to qualifying patients and the caregivers of those patients.



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*Registration certificate.* "Registration certificate" means a Department of Administrative and Financial Services document containing a unique registry identification number that permits the manufacturing of marijuana and marijuana products for medical use.

*Registry identification card.* "Registry identification card" means a photographic identification card issued by the Department of Administrative and Financial Services to an individual who is authorized to manufacture marijuana or marijuana products for medical use, in the capacity of or in the employ of a patient, caregiver, dispensary or manufacturing facility. For the purposes of state rules, the Department of Administrative and Financial Services may issue a registry identification card to any person who holds an active and valid Individual Identification Card issued under Maine's Adult Use Marijuana Program authorized by 28-B MRS, chapter 1.

*State registration authority.* "State registration authority" means the authority created or designated by the state for the purpose of regulating and controlling registration for medical marijuana establishments.

( C.M. of 11-13-2018, V. 2018-247 ; C.M. of 1-15-2019, V. 2019-13 ; C.M. of 2-18-2020, V. 2020-40 ; C.M. of 8-17-2021, V. 2021-181 )

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*Extraction.* "Extraction" means a process of extracting marijuana concentrate from marijuana using water, lipids, gases, solvents or other chemicals or chemical processes. The use of inherently hazardous substances in marijuana extraction is restricted by state rule.

*Marijuana product.* "Marijuana product" means a product composed of marijuana, or marijuana concentrate and other ingredients that is intended for medical use. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana inhalant, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

*Manufacture or manufacturing.* "Manufacture" or "manufacturing" means the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products by a registered manufacturing facility or by a patient, caregiver or dispensary as authorized under 22 MRS, chapter 558-C. Manufacturing includes, but is not limited to, marijuana extraction or preparation by means of chemical synthesis. "Manufacturing or manufacture" does not include cultivation.

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*Registered dispensary.* "Registered dispensary" means an entity registered under 22 M.R.S. § 2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana plants or related supplies and educational materials to qualifying patients and the caregivers of those patients.



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( C.M. of 11-13-2018, V. 2018-247 ; C.M. of 1-15-2019, V. 2019-13 ; C.M. of 2-18-2020, V. 2020-40 ; C.M. of 8-17-2021, V. 2021-181 )

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## **Sec. 10-606. Investigation of applicant, officers, etc.**

Upon receipt of an application or of a notice of a change of any of the individuals listed in subsection 10-605(4) above, the town shall provide copies of the completed application to the following staff members for purposes of conducting the investigations and issuing reports as listed below:

- (1) The building inspector shall verify that the premises at which the establishment will be located complies with all applicable town ordinances including, but not limited to, the building code, electrical code, plumbing code, and section 10-611, and shall report findings in writing to the town clerk.
- (2) The code officer shall inspect the location or the proposed location to determine whether the applicable ordinances relating to land use issues and building and safety codes issues have been satisfied and shall report findings in writing to the town clerk.
- (3) The health officer shall inspect the location or proposed location to determine whether all applicable ordinances relating to health and safety have been satisfied and shall report findings in writing to the town clerk.
- (4) The fire chief or his/her agent shall inspect the location or proposed location to determine if all town ordinances and any other applicable regulations concerning fire and safety have been satisfied and shall report findings in writing to the town clerk. Once the initial license has been issued, renewals shall not require inspection unless physical changes have been made to the licensed premises or the fire chief has reasonable suspicion that the premises are not compliant with applicable codes.
- (5) The police chief or his/her agent shall investigate the application, including the criminal history record information authorized under subsection 10-605(5) and under section 10-610 and shall report findings in writing to the town clerk.

( C.M. of 11-13-2018, V. 2018-247 ; C.M. of 1-15-2019, V. 2019-13 ; C.M. of 2-18-2020, V. 2020-40 )



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## Sec. 10-611. Operating requirements.

In order to obtain a license pursuant to this ordinance, the applicant shall demonstrate to the town council that the following requirements will be met. A licensee shall comply with all of these requirements during the term of the license.

- (1) *Location.* All licensed premises shall be fixed, permanent locations. Licensees shall not be permitted to operate medical marijuana establishments in other than the licensed premises, such as at farmer's markets, farm stands or kiosks. **No new registered caregiver retail store may be located within 2,000 feet of an existing licensed registered caregiver retail store or adult use marijuana store, with such distance being measured between the nearest exterior walls of the two stores. For the purposes of this provision, a store that has never been licensed, that has not been regularly open for business for a period of 90 days, or for which a previously issued license has lapsed without timely renewal, shall be considered a new store..**
- (2) *Security.*
  - (a) The licensed premises shall have lockable doors and windows and shall be served by an alarm system that includes automatic notification to the Lisbon Police Department.
  - (b) The licensed premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.
  - (c) The licensed premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).
- (3) *Ventilation.*
  - (a) The licensed premises shall comply with all odor and air pollution standards established by ordinance.
  - (b) All medical marijuana establishments that cultivate, manufacture or extract marijuana shall have an odor mitigation system installed that has been approved by a Maine licensed engineer, indicating that the system will provide odor control sufficient to ensure that no odors are perceptible off the premises.
- (4) *Loitering.* The facility owner/operator shall make adequate provisions to prevent patrons or other persons from loitering on the premises. It shall be the licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed premises is ordered to leave.
- (5) *Compliance with requirements of state and local law.* A medical marijuana establishment shall meet all operating and other requirements of state and local law. To the extent the state has adopted or adopts in the future any law or regulation governing medical marijuana establishments that conflicts in any way with the provisions of this article, the more restrictive shall control.

( C.M. of 11-13-2018, V. 2018-247 ; C.M. of 12-18-2018, V. 2018-272 ; C.M. of 1-15-2019, V. 2019-13 )

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## **Sec. 10-706. Investigation of applicant, officers, etc.**

Upon receipt of an application or of a notice of a change of any of the individuals listed in subsection 10-705(4) above, the town shall provide copies of the completed application to the following staff members for purposes of conducting the investigations and issuing reports as listed below:

- (1) The building inspector shall verify that the premises at which the establishment will be located complies with all applicable town ordinances including, but not limited to, the building code, electrical code, plumbing code, and section 10-711, and shall report findings in writing to the town clerk.
- (2) The code officer shall inspect the location or the proposed location to determine whether the applicable ordinances relating to land use issues and building and safety codes issues have been satisfied and shall report findings in writing to the town clerk.
- (3) The health officer shall inspect the location or proposed location to determine whether all applicable ordinances relating to health and safety have been satisfied and shall report findings in writing to the town clerk.
- (4) The fire chief or his/her agent shall inspect the location or proposed location to determine if all town ordinances and any other applicable regulations concerning fire and safety have been satisfied and shall report findings in writing to the town clerk. Once the initial license has been issued, renewals shall not require inspection unless physical changes have been made to the licensed premises or the fire chief has reasonable suspicion that the premises are not compliant with applicable codes.
- (5) The police chief or his/her agent shall investigate the application, including the criminal history record information authorized under subsection 10-705(5) and under section 10-710 and shall report findings in writing to the town clerk.

(C.M. of 8-17-2021, V. 2021-180 )

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## Sec. 10-711. Operating requirements.

In order to obtain a license pursuant to this ordinance, the applicant shall demonstrate to the town council that the following requirements will be met. A licensee shall comply with all of these requirements during the term of the license.

- (1) Location. All licensed premises shall be fixed, permanent locations. Licensees shall not be permitted to operate adult use marijuana establishments in other than the licensed premises, such as at farmer's markets, farm stands or kiosks. No new marijuana store may be located within 2,000 feet of an existing marijuana store registered caregiver retail store, with such distance being measured between the nearest exterior walls of the two stores. For the purposes of this provision, a store that has never been licensed, that has not been regularly open for business for a period of 90 days, or for which a previously issued license has lapsed without timely renewal, shall be considered a new store.
- (2) Security.
  - (a) The licensed premises shall have lockable doors and windows and shall be served by an alarm system that includes automatic notification to the Lisbon Police Department.
  - (b) The licensed premises shall have video surveillance capable of covering the exterior and interior of the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day, seven days per week and video shall be retained for a minimum duration of thirty (30) days. Such records shall be made available to law enforcement agencies when investigating a criminal complaint.
  - (c) The licensed premises shall have exterior spot lights with motion sensors covering the full perimeter of the building(s).
- (3) Ventilation.
  - (a) The licensed premises shall comply with all odor and air pollution standards established by ordinance.
  - (b) All adult use marijuana establishments that cultivate, manufacture or extract marijuana shall have an odor mitigation system installed that has been approved by a Maine licensed engineer, indicating that the system will provide odor control sufficient to ensure that no odors are perceptible off the premises.
- (4) Loitering. The facility owner/operator shall make adequate provisions to prevent patrons or other persons from loitering on the premises. It shall be the licensee's obligation to ensure that anyone found to be loitering or using marijuana or marijuana products in the parking lot or other outdoor areas of a licensed premises is ordered to leave.
- (5) Compliance with requirements of state and local law. An adult use marijuana establishment shall meet all operating and other requirements of state and local law. To the extent the state has adopted or adopts in the future any law or regulation governing adult use marijuana establishments that conflicts in any way with the provisions of this article, the more restrictive shall control.

(C.M. 8-17-2021, V. 2021-180 )



**Sec. 70-531. Table of land uses.**

Convalescent, rest, nursing, or boarding homes	NO	NO	C	C	NO	C	C	P	NO	NO	C
Business occupations by resident in detached buildings	NO	NO	C	NO	C	NO	NO	P	P	NO	NO
Small businesses, on individual lots/principal building not exceeding 2,500 sq. ft.	NO	NO	C	NO	NO	NO	NO	P	P	NO	P
Campgrounds	NO	NO	NO	C	NO	C	NO	NO	NO	NO	NO
Hotel, motel, inn, tourist home	NO	NO	NO	NO	NO	NO	NO	P	P	NO	C
Medical/dental office or facility	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Retail Store or outlet, such as grocery, drug, furniture	NO	NO	NO	NO	NO	NO	NO	P	P	NO	P
Medical Marijuana Businesses (See footnote 14 for definitions)											
• Registered Caregiver Retail Store	NO	NO	NO	NO	NO	NO	NO	C	C	NO	C
• <b>Medical Marijuana</b> Cultivation Facility	NO	NO	NO	C14	C14	C14	NO	NO	C14	C14	C14
• Registered Dispensaries	NO	NO	NO	NO	NO	NO	NO	C	C	C	C
• Marijuana Testing Facilities	NO	NO	NO	NO	NO	NO	NO	C	C	C	C
• Manufacturing Facilities	NO	NO	NO	NO	NO	NO	NO	C	C	C	C
Adult Use Marijuana Businesses (See footnote 15 for definitions)											
• Marijuana Retail Stores	NO	NO	NO	NO	NO	NO	NO	C	C	NO	C
• Cultivation Facilities	NO	NO	NO	C	C	C	NO	NO	C	C	C

Created: 2022-03-24 10:58:44 [EST]

(Supp. No. 40)



# Town of Lisbon

Town C  
Fern Lai  
Harry Mc  
Chairman  
Don Fellows  
Mark Lunt  
Raymond Robishaw  
Christine Cain  
Jo-Jean Keller

Agenda Item 2022-258

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## MEMORANDUM

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TO: Glenn Michalowski, Town Manager  
FROM: Kayla Tierney, Tax Collector/Finance Director/Treasurer  
SUBJECT: Request release of Sewer Fund Committed Fund Balance  
DATE: December 6, 2022

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The Town of Lisbon closed on the interim financing for the sewer project on November 22, 2022. As part of the original agreement, USDA RD was scheduled to pay off the Town's interim financing with the First National Bank on the BAN (Bond Anticipation Note). The First National Bank sent over a payoff statement in the amount of \$6,452,663.60, of which \$65,815.42 was for accrued interest, which was not to be covered under USDA RD. In order to move forward with the closing \$65,815.42 was paid out of the Sewer Fund FY23 budget.

This request is to release \$65,815.42 out of the Sewer Fund's committed fund balance to pay off the accrued interest and in doing so put back into the FY23 Sewer Fund Budget account #65052500-50750. The FY22 audit is still ongoing as of the date of this memorandum, however, the FY21 committed fund balance had \$2,112,170 available and there has been no releases requested during FY22

**Recommendation:** To release \$65,815.42 out of the Sewer Fund Committed Fund Balance and put back into the Sewer Funds FY23 budget account number 65052500-50750.

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**Sec. 74-201. Working rules for town council.**

- (a) *Purpose.* The purpose of these rules is to establish procedures for the conduct of town business before the council, pursuant to the authority of council under Section 2.06(b) of the Charter.
- (b) *Effective date/adoption/amendment.*
  - (1) *Effective date.* These rules shall be effective for the council year that runs from the organizational meeting on the first Tuesday after the first Monday in December to the next organizational meeting in the ensuing year. Should the council fail to adopt working rules at its organizational meeting, then the rules for the previous year shall remain in full force and effect.
  - (2) *Adoption.* The adoption of these working rules, or any amendment thereof, shall require four affirmative votes.
  - (3) *Amendment.* These working rules may be amended at any regular or special meeting of the town council. Any amendment proposed for these working rules shall be submitted in writing and shall be included in the agenda package for the meeting at which the amendment is to be considered.
- (c) *Agenda.*
  - (1) *Development.* The development of agendas for meetings of the Lisbon Town Council shall be in accordance with Section 2.04(a)(2) of the Charter.
  - (2) *Deadline.* For regular and special meetings of the council held at the designated time and place, all agenda items shall be provided to the manager's office by close of business on the Wednesday prior to the regular Tuesday meeting.  
  

The agenda shall be provided online by the close of business on the Friday prior to the regular Tuesday meeting. Changes to the agenda will not normally be made after this time and documentation for all agenda items will be included with the agenda. Any missing documents will be addressed via memorandum from the Town Manager (i.e., fuel bids).

For special meetings not scheduled at the regular Tuesday meeting time, agenda items shall be provided by the town manager's office at least 48 hours before the scheduled time and date of the meeting.

When an emergency meeting is called, or changes to the regular meeting agenda are needed, agenda items shall be provided as much in advance as possible prior to the meeting, but may be presented at the meeting itself if circumstances so require.

In the event a councilor, resident and/or taxpayer of the Town of Lisbon, authorized representatives of such resident or taxpayer, or in the case of an organization, the authorized representative of that organization, wishes a matter to be considered at a council meeting, it shall be submitted to the town manager as far in advance of the meeting as possible, and prior to the normal Wednesday deadline. The individual requesting the matter be considered shall explain the reason or necessity for consideration in order for the request to be considered by the council for inclusion on the agenda.
  - (3) *Consent agenda.* Those items which in the opinion of the chair are considered routine matters not requiring debate, may be included on the agenda as a consent item. If so designated, it shall be listed on the agenda under "consent agent." Any councilor wishing to have any item so listed, removed from the consent agenda, shall have the unlimited right to do so at any time prior to the vote by council on the consent agenda. If such an item is removed from the consent agenda, it shall be considered as the next item of business after the consent agenda. In the case of items included as consent items, the motion to approve the item shall be considered to have been adopted by the town council as part of its vote to approve the consent agenda.



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(4) *Fiscal items.* If a proposal has a direct fiscal impact of \$10,000.00 or more and requires a council vote outside the annual budget process, the council may consider that proposal only after the finance department has provided the council with a written evaluation of the direct impact of the proposal on town revenues and expenditures during the current and following fiscal year. As used in this rule, "proposal" means a supplemental appropriation, a proposed contract, or a proposed grant. This rule does not preclude the council from considering a proposal's longer term impact on town revenues and expenditures.

(5) *Order of business.* All regular meetings of the town council shall transact their business in the following order:

- a. Call to order and pledge to flag;
- b. Roll call;
- c. Reading of meeting rules;
- d. Good news, recognition;
- e. Public hearings;
- f. Audience participation and response for agenda items;
- g. Consent agenda;
- h. Council orders, resolutions, and ordinances;
- i. Other business;
- j. Appointments;
- k. Councilor communication;
- l. Audience participation and response for new items;
- m. Executive session;
- n. Adjournment.

The town council may have the right to change the agenda order and to take up any agenda item out of order upon a majority vote of those councilors present.

(6) *Non-agenda items.* In the event the town manager, town staff, or a councilor, wishes a matter to be considered at the current council meeting, that was not able to be submitted prior to the deadline and has not been included on the agenda, then that matter in proper form shall be submitted to the town council as far in advance of the meeting as possible, but it may be presented at the meeting. The council member, the manager or staff requesting that the matter be considered, shall explain the reason for and the necessity of immediate consideration at the current meeting. The council may vote to waive the rules to consider that item, and upon a majority vote of those councilors present, the item(s) shall be considered for action by council.

(d) *Meetings.*

- (1) *Generally.* Unless otherwise designated by the chair or by four members of council, and for good cause shown, meeting of the town council shall occur at the central meeting room in the town office building.
- (2) *Attendance.* Failure to attend 3 consecutive meetings of the Council without being excused by a vote of the Council will result in forfeiture of office. Acceptable excuses include, without limitation, illness, vacation, and family emergencies. A limit of seven (7) excused absences over a one year session shall trigger Council review.

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- (3) *Meeting length.* All council meetings, workshops, or executive sessions shall be conducted, except in extraordinary circumstances, within 2½ hours of the time the meeting is called to order. At regularly scheduled meetings, this will call for adjournment on or before 9:30 p.m. The council may, by waiving these rules, agree to extend the time for meetings if it is deemed appropriate.
  - (4) *Adjourned sessions.* Any session of the town council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting.
  - (5) *Organizational meeting.* The council shall conduct an organizational meeting at 7:00 p.m. at its regular place of meeting, on the first Tuesday after the first Monday of December of each year. The meeting shall address the installation and oath of office of newly elected councilors, the election of a chair and vice chair, appropriate annual appointments as may be necessary, consideration and adoption of council working rules for the ensuing year, and such other organizational matters as may be deemed necessary and appropriate.
  - (6) *Regular meetings.* The town council shall hold its regular meetings at 7:00 p.m. on the first and third Tuesdays of each month. If that Tuesday falls on a holiday, then the meeting shall be held on the next day. For good cause, the meeting date may be changed by the chair or by the vote of four councilors to another date and or time. If it is determined by the chair that there is no business to come before the town council, then he/she shall advise the town council accordingly and no meeting need be held.
  - (7) *Special meetings.* Special meetings shall be held upon the call of the chair or four or more members of the council in accordance with the provisions of Section 2.06 of the Charter. The same notice requirements for a regular meeting shall pertain to the calling of a special meeting.
  - (8) *Emergency meetings.* Where circumstances justify and constitute a hazard to the health, safety and welfare of the inhabitants, that requires action by the town council, then an emergency meeting may be held. Notice shall be given in the best practical manner including telephonically and electronically. The press shall be given the same notice within the same time frame as the town councilors.
- (e) *Conduct of meetings.*
- (1) *Rules of procedure.* Meetings shall be conducted in accordance with Robert's Rules of Order except as otherwise provided herein or required by the Charter.
  - (2) *Decorum.* The chair shall preserve decorum and decide all questions of order and procedure subject to appeal to the town council. Anyone desiring to speak shall address the chair, and upon recognition by the chair, shall confine themselves to the question under debate and shall avoid all personal attacks and indecorous language. No person shall enter into any discussion either directly or indirectly or through a member of the town council without the permission of the chair. Any person making personal, impertinent, and slanderous remarks or who becomes boisterous while addressing the town council or while attending the town council meeting may be removed from the premises and such person shall be barred from further audience before the town council for the duration of the meeting. The chair may direct a police officer to remove such offenders from the premises and aggravated cases shall be prosecuted on appropriate complaint signed by the chair.

Persons desiring to address the town council shall follow the procedures outlined in "(e) Conduct of meetings (5) Public Comment" section below. All remarks and questions addressed to the town council shall be addressed to the town council as a whole and not to any individual member thereof. All remarks and questions addressed to the administration of the town shall be addressed to the town manager and not to any individual town employee. No comment shall be allowed which has the effect of embarrassing or attacking the character of any individual, staff member, or councilor, and this rule shall be liberally construed and strictly enforced. No one, other than the individual having the floor, shall enter into any discussion either directly or indirectly without permission of the chair.



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Councilors, staff, and the public shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the order of the chair or the rules of the town council. All members of the town council, staff and public shall accord the utmost courtesy to each other, to town employees and to the public members appearing before the town council and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personal attacks. Town councilors shall confine their questions as to the particular matters before the assembly and in debate shall confine their remarks to issues before the town council. Individuals shall be removed from the meeting for failure to comply with decisions of the chair or for continued violations of the rules of the town council. If the chair fails to act, any member may move to require the chair to enforce the rules and the affirmative vote of the majority of the town council shall require the chair to act.

- a. *Council.* During the town council meetings, a councilor, once recognized, shall not be interrupted while speaking unless called to order by the chair, unless a point of order is raised by another member or unless the speaker chooses to yield to questions from another member. If a councilor is called to order while speaking, the councilor shall cease speaking immediately until the question of order is determined. If ruled to be in order, the town councilor shall be permitted to proceed. If ruled to be not in order, the town councilor shall remain silent or shall alter the remarks so as to comply with rules of the town council.
  - b. *Staff.* While the chair shall have the authority to preserve decorum in meetings as far as staff members and town employees are concerned, the town manager shall also be responsible for the orderly conduct and decorum of all town employees under the town manager's direction and control. The town manager shall take such disciplinary action as may be necessary to insure that such decorum is preserved at all times by town employees in town council meetings.
  - c. *Public.* Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted and may result in removal of the offenders from the premises.
- (3) *Tabling motions.* Although tabling motions under Robert's Rules of Order are not designated as motions which are debatable, this council shall allow debate on a tabling motion. However, any such debate will be limited to the reasons for the tabling motions and shall not be a continuation of the merits of the motion or any amendments that may be offered to the motion.
- (4) *Chair-presiding officer.*
- a. *Presiding officer.* The chair shall be the presiding officer at all meetings and workshops of the Lisbon Town Council. In his/her absence, the vice chair shall assume the duties of presiding officer. If both the chair and the vice chair are absent, then those town council members present, if constituting a quorum, shall proceed to elect by majority vote of those present a chair pro tem to preside at that particular meeting. If the chair or vice chair appears at the meeting, then they shall assume the duties of presiding officer.
  - b. *Participation by presiding officer.* The presiding officer, whether the chair, vice chair or chair pro tem, shall have full and complete authority to fully participate in the meeting and all agenda items. Specifically, the presiding officer may move, second, declare by unanimous consent and debate from the chair subject only to those limitations of debate as are by these rules imposed on all council members, and shall not be deprived of any of the rights and privileges of a councilor by reason of acting as presiding officer.
- (5) *Public comment.* The purpose of this comment period is to furnish new or undisclosed information or viewpoints. This time shall not be considered a "public hearing."



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- a. *Scheduled public comment.* During the time scheduled for public comment on the regular town council meeting agenda ("Audience participation and Response for Agenda Items" and "Audience Participation and Response for New Items"), members of the public may address the town. Such members of the public shall ensure that only "agenda" items or "new" items are addressed and only at the appropriately scheduled time.
  - b. *Other public comment on agenda items.* After introduction of an agenda item, appropriate motions, and time for explanation and council questions, members of the public may be allowed to comment on that agenda item at the discretion of the chair. During that period of time, any public comment shall address only the agenda item before council.
  - c. *Procedure for public comment.* Members of the public who are residents and/or taxpayers of the Town of Lisbon or authorized representatives of such residents or taxpayers, or in the case of an organization, the authorized representative of that organization; may address the town council.
    - 1. Any individual wishing to address council, after being recognized by the chair, will move to the lectern to address council, and shall give his or her name and address and organization being represented (if applicable) before beginning any remarks.
    - 2. No individual shall be permitted to address the council more than twice on any subject or agenda item during a council meeting. The purpose of public comment is for the council to receive input from the general public on town matters. It is not intended, nor shall it be construed as an opportunity for debate.
    - 3. Comments shall be limited to the items on the agenda and to a time period of three minutes or less and shall be directed through the chair.
    - 4. Comments by the public shall be limited to the expression of opinions or concerns regarding the agenda item or direct questions pertaining to any factual question presented by the agenda item.
    - 5. If, during time of public comment, a person seeks merely to reinforce a point made by another speaker, his or her remarks should simply note concurrence with the specific point.
- (6) *Action on agenda items.* As each item on the agenda for any meeting is brought to the floor for discussion:
- a. The town clerk reads the agenda item and the action being requested of council.
  - b. The sponsor of each item or, if there is no council sponsor, the town manager, or town staff, shall first be allowed to present their initial comments for consideration by the public and councilors.
  - c. Following this introduction of the issue, there will be time devoted to any questions of the sponsor or the town manager or staff regarding the agenda item which any councilor may have which would help to clarify the question presented by the agenda item. The chair may allow questions from the public during this time, however, no debate or discussion of collateral issues shall be permitted.
  - d. When authorized by the chair, any additional public comment shall be no longer than two minutes per person and must be to request or furnish new or undisclosed information or viewpoints only.
  - e. Once the agenda item has been explained by its sponsor or the town manager or staff and clarified by any questioning, the discussion on the specific agenda item will remain with the council and additional public comment, prior to final council vote, will only be allowed at the chairman's discretion.

(7) *Voting.*

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- a. *Affirmative votes.* In accordance with the provisions of Section 2.06(c) of the Charter, four affirmative votes shall be required for the adoption of any item by the town council.
  - b. *Roll call votes.* Roll call votes where the vote of each individual councilor is solicited by the clerk, may be called for by the chair or by any individual member of the town council, with respect to any particular agenda item.
  - c. *Abstentions.* All council members recognize the duty of each councilor to represent their constituents by participating in voting on all items that come before council in the conduct of the town's business. Therefore, abstentions on particular items will only be permitted where there is an expressed conflict of interest or other serious matter that precludes the councilor from participating in and voting on that item. Where the councilor intends to abstain from participation and voting on a particular item, he shall advise the other councilors present as soon as that item is placed on the floor, of his intent not to participate and to abstain from voting, and the reasons that the abstention is required. Once expressing the intent to abstain, the councilor shall have no further participation in that particular agenda item.
- (f) *Committees and appointments.* The council, from time to time, and where deemed necessary and appropriate to effectively and efficiently carry out the business of the town, may appoint such committees and make other individual appointments as may be required. Committees may be ad hoc or may be adopted as standing committees. Where the council elects to use an interview system, and receive recommendations from the interview panel, such recommendations shall be taken into consideration, but shall not be considered binding or requiring the appointment of a particular candidate.
- (g) *Executive sessions.* All motions for executive sessions shall state the nature of matters to be dealt with, with specific statutory references to the particular subject matter. No topic(s) other than these referred to in the motion shall be discussed during executive session. All matters discussed during executive session shall be held in strictest confidence by councilors and shall not be discussed with or divulged to any person other than a fellow councilor or persons in attendance at the executive session. Any violation of this confidentiality requirement shall be deemed to be malfeasance of office and shall subject the offending councilor to sanction by the council.
- (h) *Workshops.*
- (1) Workshop meetings shall be held when deemed appropriate and necessary.
  - (2) Workshop meetings should be focused on the council's formulation of policy based upon general topic discussions of current issues or project orientated. They may be also held for the purpose of disseminating information for council enlightenment and evaluation or for the discussion or refinement of future agenda items.
  - (3) No binding vote shall be taken on any matter under discussion, but a non-binding vote on any matter under discussion may be taken.
  - (4) Citizens are welcome to attend workshops, however, citizens will not normally participate in workshop discussion unless invited to do so by the town manager or town council.
  - (5) Prior to the conclusion of a workshop, if time permits, the chair may allow questions from the public. Comments by the public shall be limited to no longer than two minutes per person and no debate or discussion of collateral issues shall be permitted. Comments shall be limited to the expression of opinions, questions or concerns pertaining to agenda items.
- (i) *Conflicts.*
- (1) *Financial interest.* A town councilor who has a financial interest in any contract with the town or in the sale, purchase or lease of any land, material, supplies or services to or from the town, shall disclose the interest and abstain from negotiating, voting upon or otherwise participating in decisions involving



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such contract, sale, purchase or lease, unless the contract, lease or sale is awarded through a competitive bidding process. Similarly, a councilor who has a financial interest in any matter for the town council shall disclose the interest and abstain from voting on any matter involving the interest. A copy of the disclosure and the abstention shall be recorded with the town clerk. A councilor has "financial interests" within the meaning of this section if the councilor owns at least a ten percent interest in the business or economic entity or ten percent or more of the stock of the corporation involved in the pending transaction or matter.

- (2) *Relationship.* A town councilor is disqualified in any quasi-judicial matter before the town council, if the councilor is related to any of the parties within the sixth degree (second cousin). The councilor shall disclose the interest and abstain from voting unless all parties waive the disqualification in writing.
- (3) *Appearance of conflict.* A town councilor shall avoid the appearance of a conflict of interest, whether there is a technical conflict or not, by disclosure of the facts underlying the potential conflict, and where appropriate, be abstaining from voting on the matter. If, after disclosure, the councilor believes the interest will affect the councilor's ability to make a fair and impartial decision faithful to the public interest, the councilor shall abstain from voting.
- (4) *Participation.* An abstaining councilor may but need not remain in the town council chamber during debate or votes on that issue.
- (5) *Judgment of qualifications.* If there is any doubt as to whether a councilor has a conflict of interest in any matter, the chair shall determine the qualification of the challenged member by the vote of council. The decision of the town council shall be final.
- (j) *Anonymous communications.* Anonymous communications submitted to council, the town manager or staff, shall not be considered before council nor shall it be made a part of the record of council proceedings.
- (k) *Waiver.* Any of the rules contained herein or any portion of any rule may be waived for the purpose of any meeting or any portion thereof, by a majority vote of the councilors present.

(Sel. Ord. of 6-15-04, § 5.012; C.M. of 8-1-2006, §§ 1—11; C.M. of 12-15-2009, V. 2009-183; C.M. of 6-21-2011, V. 2011-111; C.M. of 12-17-2013, V. 2013-187; C.M. of 6-17-2014, V. 2014-104; C.M. of 12-16-2014, V. 2014-280; C.M. of 12-5-2017, V. 2017-300 ; C.M. of 12-5-2017, V. 2017-300B ; C.M. 1-7-2020, V. 2020-06 )