

Lebanon, Maine Select Board
Town Office Conference Room
Minutes –Meeting
Thursday, September 10, 2020

Handwritten initials: JR, JSA, ET, and CC.

Members Present

Charles Russell, Jr. – Chairman
Paul Philbrick – Vice Chair
Ernest Lizotte, Jr. – Selectman
Corinna Cole – Selectman
Jeffrey Adams – Selectman

Others Present

Deborah Wilson
James Duprie
Ken George

For complete meeting minutes please view the meeting in full at <https://www.youtube.com/c/TownofLebanon>

5:33 Pledge of Allegiance

5:34 Deborah Wilson expressed concerns about not being able to come into the BOS meeting until 5:15 for the 5:30 meeting. Ms. Wilson states that if she waits outside and something happens to her, the Town is liable. Chairman Russell states that this is the office of the Land Use Clerk and she is working and it becomes harder when the room is full of people. Chair Russell feels that if people could come in and be quiet, he doesn't have a problem. Chair Russell fees it would change to 5:00pm. Jenn Griffin states that people in general come in and interrupt. Selectman Cole has an issue with opening a half hour early is too early. Selectman Cole states that she comes in to do A/P and it is distracting to the work being done a feel that 15 minutes early is sufficient. Chair Russell feels that if everyone is quiet it shouldn't be an issue.

5:46 Vice Chair Philbrick motioned to accept the Minutes of 9-3-2020 as written. Selectman Adams seconded. Vote taken; vote carried.

5:48 Paperwork – Time off request, training request both signed. Tax Collector appointment paper for Marybeth Pordon signed. Reviewed BEK's recommendation for a laptop for the BOS. The decision is postponed. Letter from the Town Assessing agent, John O'Donnell & Assoc. was presented to the BOS by Vice Chair Philbrick. The purpose of the letter and a discussion was held by the Board o which of the three options to accept for the 2020-2021 mil rate. Chair Russell motioned to choose option A (\$15.85). Selectman Cole seconded. Vote taken; vote carried.

6:02 The final Marijuana forms were presented to the BOS by James Duprie. Selectman Adams made a motion to adopt the marijuana applications as drafted. Chair Russell seconded. Vote taken 4 yes – 1 abstained (Selectman Cole). Discussion was held on whether to use Maine Municipal Association lawyer on the Town's Law Firm (Drummond Woodsum) for specific questions about the marijuana implementation work being accomplished.

6:15 Chairman Russell read the entire email received from the Town Attorney dated 9-10-2020 at 1:06pm addressing the recall ordinance, misunderstanding or communication of advice given of 9-3-2020 to Selectman Philbrick and the time restraints for holding the recall election. Based on the email from the lawyer and confirmation from the school of a date of 10-21-202, when the facility could be used for the election. Chair Russell motioned to hold the recall election on Wednesday, 10-21-2020 & the public hearing of Saturday, October 5, 2020. Selectman Philbrick seconded. Discussion followed. (date of public hearing corrected to Saturday, October 3, 2020). Chair Russell stated that he spoke with

Richard Nass about moderating the election. Vote taken; Chair Russell yes, Vice Chair Philbrick yes, Selectman Cole No; Selectman Adams abstained and Selectman Lizotte abstained. Motion passed 2 to 1.

6:21 to 6:36 Selectman Adams read his statement, Chair Russell commented & Selectman Lizotte commend, Deborah Wilson commented and James Duprie commend. Chairman Russell made a final response. Discussion then held on a moderator.

6:38 Old Business -reviewed the status of each item. The snowmobile club parking update from Corinna is that she will reach out to CMP. No other changes.

6:47 Individual Selectman Issues – Selectman Cole presented to the BOS of the 10 acres Town own property on Hebo Hybo, adjacent to the Town forest. She shared her desire to add the 10 acres to the Town Forest. Discussion was held as to whether or not the lot was already in the town forest and the procedure to do this. Selectman Lizotte shared his concern with the Selectmen contacting the lawyers directly and not following the protocol that the BOS agreed to. Selectman Adams expressed his concern with the recall. Selectman Philbrick presented a request by the Town Clerk to have the hours of the election changed from 6:00am to 8:00pm to 8:00am to 8:00pm. After discussion, Selectman Adams made a motion to have the hours of 6:00am to 8:00pm for the Presidential election on 11-3-2020 and the hours of 8:00am to 8:00pm for the Recall election. Chair Russell seconded. Vote taken; vote carried. There was a recommendation that the election staff do a count of the number of voters between 6:00am and 8:00am and provide that information to the BOS. Selectman Philbrick shared with the BOS that after researching the Select Board meeting minutes as far back as 2017 and he was unable to find any motion made that addressed the write-in ballot question for the budget committee. Deborah Wilson stated that her research did not find it either. Chair Russell made a motion to bring all possible candidates in that are interested in serving on the budget committee to share their desire to serve and appoint accordingly. Selectman Lizotte seconded the motion. Vote 3 yes (Adams, Russell, Lizotte) and 2 no (Cole). Selectman Cole stated that she would further research this issue. Vice Chair Philbrick presented a concern with the Commercial Hauler's Ordinance and application/license. Information received from a resident has shown the interpretation for the ordinance may be questionable. The intent of the ordinance and the possible interpretation of the ordinance itself do not appear to be the same. Chairman Russell made a motion to suspend the Commercial Hauler's Permit, until the Solid Waste Ordinance is clarified. Selectman Adams seconded. Vote taken; vote carried. Animal control requested guidance from the BOS in regard to feral cats on Richardson Drive. A private organization as offered to handle the feral cat situation for a fee of \$1000.00. This includes catching, neutering and returning the cats to the area. Selectman Lizotte to follow up.

7:49 Chair Russell made a motion to adjourn the meeting, Selectman Lizotte seconded. Vote taken; vote carried.