

**Lebanon, Maine Select Board
Minutes – Regular Meeting
Monday March 6th, 2017**

Members Present

R. Heath
P. Nadeau

Others Present

Ben Thompson – Resident
Dana Coull - Tax Payer
David White – Resident
Jonathan Kinney – Resident
Deborah Wilson – Resident
Mary Lane – Resident
Bettie Harris-Howard – Resident
Cheryl Marsters – Resident
Becky Beal – Resident
Chip Harlow – Resident
Paul Philbrick – Planning Board Chairman

A motion to open the meeting was made by Selectman Heath. The motion was seconded by Selectman Nadeau. The vote was taken and carried. The meeting opened at 3:00 pm with the Pledge of Allegiance.

Selectman Heath read a letter of resignation from Chairwoman Christine Torno. Selectman Nadeau made the motion to accept the resignation. Selectman Heath seconded the motion. The vote was taken and it carried.

Selectman Heath ran the meeting in the absence of Chairwoman Torno.

Paperwork/Discussion-

The following paperwork was presented to the Select Board for discussion:

A memo in response to the Treasurers request for the pay rate for interim General Assistance Coordinator Paul Philbrick as well as Jenn Griffin, interim Select Board Administrative Assistant was presented for the Selectmen to review and sign.

Jenn Griffin asked when the interviews for the Select Board Administrative Assistant start and who would be setting up the interviews. Selectman Heath stated that the Treasurer had the applications.

The Lebanon Festival referendum was reviewed. A motion to accept the Lebanon Festival referendum for the May ballot was made by Selectman Heath. Selectman Nadeau seconded the motion. The vote was taken and the vote carried.

Jenn Griffin asked if the Select Board has written a letter for the Town Report as of yet. They have not at this time but they will give it to Dale once it is completed.

The subject of the budget process and the amount of work left to do was brought up. It was suggested that a workshop be set up for Wednesday, March 08 in order to review the budgets. The Budget

Committee holds their meetings on Wednesday evening and the Select Board also has a meeting on Wednesday evening. It was decided that the workshop would be held Wednesday morning at 10:00 am.

Resident **David White** approached the Board with an estimate to repair the front end of his vehicle. Mr. White stated that he had an inspection in January and the vehicle passed. Mr. White said he is not filing a complaint. He told the Select Board that he does not expect an answer right now. He will not use the vehicle until he receives a reply however so that there is no further damage. Selectman Heath will get back to Mr. White by the end of the week.

Cheryl Marsters approached the Board and requested to speak with the Board in private. It was mentioned that this is public information therefore cannot go into an executive session. Mrs. Marsters stated that she did not receive the notice on the foreclosure of her home. She had no idea. She came to make a payment and that is how she found out. Selectman Heath will call Mrs. Marsters by the end of the week.

Mr. Thompson addressed the Select Board concerning the request that he list the duties that he currently performs as the Assessing Agent. Mr. Thompson replied that a contract was signed which stated what his responsibilities were. Selectman Nadeau was only curious as to what projects Mr. Thompson was currently working on, not what he was hired to do.

Mr. Thompson added that 50% of Sue Collins responsibilities consisted of assessing duties. Since Ms. Collins retired, Mr. Thompson asked the Select Board if they would like for him to perform those duties. It will take both Selectmen to assess and place values on the properties. This leaves the question of, who will be entering the information into TRIO and completing the paperwork. Mr. Thompson mentioned that if the Board would like for him to take on these duties, it would increase the current 20 hours every other week. It will be slowing down a little bit due to the fact that abatements are only until April 3rd. Commitments do need to be sent into the State. An abatement was given to the Select Board to review.

Selectman Heath told Mr. Thompson to go ahead with the data entry into Trio that he will work closely with Mr. Thompson. Selectman Heath asked if the data entry was a task that Jenn Griffin could take care of. Mr. Thompson replied no, it would take too long to train her; he could have the information entered by the time she was fully trained.

Selectman Heath made the motion to allow the current Assessing Agent for the Town to continue the previous contracted duties as well as the additional task of data entry and the paperwork that the previous Select Board Administrative Assistant processed. Selectman Nadeau seconded the motion. A vote was taken and it carried.

Executive Session §405(6)(A) A motion was made by Selectman Heath to enter into an executive session at 3:34 pm. Selectman Nadeau seconded the motion. The vote was taken and it carried. A motion to close the executive session was made at 3:54 pm by Selectman Heath. The motion was seconded by Selectman Nadeau. The vote was taken and it carried.

Selectman Heath made the motion to accept the interim Select Board Administrative Assistant pay rate at \$14.50 per hour. The motion was seconded by Selectman Nadeau. The vote was taken and it carried.

Executive Session §405(6)(F) A motion was made by Selectman Heath to enter into an executive session at 3:58 pm. Selectman Nadeau seconded the motion. The vote was taken and it carried. A motion to close the executive session was made at 4:08 pm by Selectman Heath. The motion was seconded by Selectman Nadeau. The vote was taken and it carried.

Deborah Wilson asked the Board as to why Mrs. Marsters was not offered the same option as other residents as far as a payment plan goes. Selectman Heath explained that he cannot comment on that question until he has an opportunity to research the situation properly. Selectman Nadeau added the circumstances are not the same.

Mr. Harlow addresses the Board in regards to the proper procedure of revising and or creating a Town Ordinance. Mr. Harlow was under the impression that an ordinance as well as any revisions must go before the residents for approval. If this is correct, then why did Code Enforcement Officer Mike Beaulieu revise one Ordinance and create another to be voted upon at the last Select Board meeting on March 1st. The approval of a notice for a fine for those who start a project then apply for a permit was made and was effective immediately per Selectman Heath. There is no information listed on the website which states what projects need permits. Selectman Heath will research the Ordinance. Mr. Harlow gave Jenn Griffin the copy of the Ordinance which he was referring to.

Deborah Wilson asked the Board if the resignation of Christine Torno means that there are two seats open for Selectman for the May 9th Town Vote. Selectman Heath answered that it does. This needs to be researched as far as how it needs to be handled.

Paul Philbrick Planning Board Chairman came before the Select Board and distributed copies of the Retail Marijuana Prohibition Ordinances', Revised Lot Size Ordinance and Moratorium for Retail Marijuana Establishments and Retail Marijuana Social Clubs for the Referendum Articles for the ballot for the Town vote in May. The Planning Board is still waiting to hear the final wording from Legal, but it would not change the wording for the ballot, only for the ordinance.

Selectman Heath made the motion to approve the "Town of Lebanon, Maine Ordinance Establishing a Moratorium on Retail Marijuana Establishments and Retail Marijuana Social Clubs", to be placed on the Town referendum ballot for the May vote. Selectman Nadeau seconded the motion. The vote was taken and carried.

Selectman Heath made the motion to approve the "Ordinance Prohibiting Retail Marijuana Stores" to be placed on the Town referendum ballot for the May vote. Selectman Nadeau seconded the motion. The vote was taken and carried.

Selectman Heath made the motion to approve the "Ordinance Prohibiting Retail Marijuana Social Clubs" to be placed on the Town referendum ballot for the May vote. Selectman Nadeau seconded the motion. The vote was taken and carried.

Selectman Heath made the motion to approve the "Ordinance Prohibiting Retail Marijuana Testing Facilities" to be placed on the Town referendum ballot for the May vote. Selectman Nadeau seconded the motion. The vote was taken and carried.

Selectman Heath made the motion to approve the "Ordinance Prohibiting Retail Marijuana Products Manufacturing Facilities" " to be placed on the Town referendum ballot for the May vote. Selectman Nadeau seconded the motion. The vote was taken and carried.

Selectman Heath made the motion to approve the "Ordinance Prohibiting Retail Marijuana Cultivation Facilities" to be placed on the Town referendum ballot for the May vote. Selectman Nadeau seconded the motion. The vote was taken and carried.

Selectman Heath made the motion to approve the "Lot Size Ordinance 2017" " to be placed on the Town referendum ballot for the May vote. Selectman Nadeau seconded the motion. The vote was taken and carried.

Mr. Harlow asked the Board if the Lot Size Ordinance was going to change from the minimum 2 acre lot with 200 feet of road frontage. Selectman Heath asked Mr. Thompson to explain what this Ordinance would cover.

Mr. Thompson explained that this Ordinance will deal with non-conforming lots both on the waterfront and for interior lots as well. The majority of the lots on the waterfront are currently illegal lots. This ordinance allows these lots to be "grandfathered" for lots prior to 1973 as long as setbacks can be

made. If the setbacks cannot be made, then the owner would go through the State for construction approval.

Deborah Wilson asked the Board if the Town acknowledges employees who have worked for the Town for a specific amount of time such as a certificate of appreciation etc. as a thank you. Selectman Royce replied that I am sure that employees have been thanked at some point in time for their service.

Ms. Wilson wanted to acknowledge on camera that Natasha Kinney has been in service to the Town for 20 years in May.

The motion to adjourn was made by Selectman Heath and seconded by Selectman Nadeau. The vote was taken and it carried. The meeting adjourned at 4:36 pm

Minutes were signed 3/16/2017