


Lebanon, Maine
SELECT BOARD MEETING
Town Office Conference Room
Minutes –Meeting
8-31-2023

 Paul Philbrick – Chairman
Shelli Boucher – Selectwoman
Michael Walsworth - Vice Chair
 Richard Harlow III – Selectman
 Kevin Edwards – Selectman

Skip Wood
Tim Bragdon
Janice Church
Mark Foster
Chief Stefano Family Members

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

5:30 Swearing in of Chief Joseph Stefano

5:43 Selectman Harlow discussion the location study and details of the visit. Selectman Harlow would like to schedule a meeting. After discussion, the date of 9/11 will work. Selectman Harlow will schedule. Selectman Walsworth stated that if the vote passes on 9/9, he would like to have the Board sign the contract on 9/11 at a Board Meeting.

Chair Philbrick stated a re-opening of the meeting starting with Roll Call.

5:58 Public Hearing for Tim Bragdon dba Nature's Gift.

Selectman Harlow stated he would entertain a motion to open the Public Hearing. Selectman Edwards so moved. Vote taken 3 in favor (Philbrick, Edwards, Harlow), 2 abstained (Boucher, Walsworth). Selectwoman Boucher recused herself due to a familial bias. Selectwoman Boucher will stay present at the meeting just to observe. Vice Chair Walsworth stated that he must recuse himself in order to stay in compliance with his employer. Selectman Harlow stated he would entertain a motion to open. Chair Philbrick so moved. Vote taken; vote carried. Selectman Harlow read a statement regarding the Public Hearing and asks if there is a quorum. There is a quorum. Selectman Harlow reviews the process. This hearing is for a Registered Caregiver Facility with grow of up to 500 sq. with a small manufacturing add on. Tim Bragdon is doing business as Nature's Gift. Selectman Harlow reviewed the checklist. Selectman Harlow advised that that there will be no fee as the applicant overpaid and the Town owed him money back – which has been paid. There is no conflict with the current sign as it is for a separate business. Selectman Harlow motioned to deliberate. No questions. Selectman Edwards seconded. Vote taken; vote carried. Selectman Harlow motioned to approve the application and issue the license to Tim Bragdon dba Natures Gift. Selectman Edwards seconded. Vote taken; vote carried. Selectman Harlow motioned to close hearing at 6:06 – Selectman Edwards seconded. Vote taken; vote carried.

6:09 Selectman Walsworth re-entered the meeting.

Chief Stefano advised the board the there is false information going around on Facebook that he was fired from Berwick. This is untrue and a letter from the Town Manager of Berwick is attached to these meeting minutes verifying that information. Another rumor was that he was fired from Sanford. That rumor is also untrue. Chief left Sanford to attend UNE Pre-med. However, COVID hit and he went to Berwick. Chief addressed AED allocations using CIP up to \$4772.46 and trade in the old ones. Line item 25-43 for 2 AED on respond vehicle – Chair

feels we should enter into a contract with them. They ALWAYS put Lebanon kids about their schedule.

INDIVIDUAL SELECTMAN ISSUES

Vice Chairman Walsworth- Costello has finished the work at the Transfer Station. The work included fixing the 3" pipe, fascia boards, covering the LVL with Aluminum coil. Chairman Philbrick offers to go to the transfer station on Tuesday of next week to verify.

Chairman Philbrick- The Daughters of the Revolution have a proclamation they would like posted in the town office for the month of September. Paul reads the proclamation to the board. There is no board objection to posting the proclamation.

The board approves the winter road maintenance contract.

Selectman Edwards mentions holding an informational session at the fire station on September 8, from 5-7PM. The board agrees that there should be an informational meeting. He will reach out the Fire Chief to see if he is available and is in favor of the idea.

Town Treasurer is asking the board if she should attend a training for swapping Trio over to a cloud-based database. Trio is currently a SQL database. The training is free and held on September 20, 2023. The board is in favor of her taking the training.

New Hampshire Department of Transportation sent over preliminary plans for the New Bridge Project. They are asking for both Lebanon and Milton to review and agree to the purposed plans. There is no date in place yet for a joint town meeting with Milton, NH.

UNFINISHED BUSINESS 8:34PM

Union contracts- working with Union Rep on office staff contract. There will be new contracts to discuss for Fire Department.

ARPA FUNDS- Will review after November.

Transfer station- All the flagged trees have been removed.

Adding: Upper Guinea Road bridge (broken guard rail)

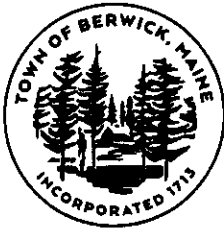
Fraternization Policy - Involve Fire Chief.

Office improvements- address modification to drop box, investigate sound dampening panels- Shelli.

Roads- Reach out to Road Commissioner again about attending regular meetings the 1st of the month.

Adding budgets to the website for the residents to view

Location study- meeting one 9/11 at 2:30PM or later.



TOWN OF BERWICK
WHERE TRADITION MEETS TOMORROW

August 31, 2023

Mr. Stefano,

You have requested verification that you resigned and were not terminated from the Berwick Fire Department. I am confirming this is accurate.

James

James Bellissimo
Berwick Town Manager

Paul Philbrick

From: Joseph Stefano <j.stefano@lebanonfireems.org>
Sent: Thursday, August 31, 2023 4:42 PM
To: Paul Philbrick
Subject: Fwd: J.Stefano letter
Attachments: Stefano Letter 8.31.23.pdf

Can you add this to the minutes this evening? I would like to make a brief statement at the start of the department head update

Joe Stefano A.A.S., NR-P, FO-II
Fire Chief
Lebanon Fire & EMS
3 Upper Cross Rd
Lebanon, ME 04027
Station: (207)457-6556

From: Berwick Town Manager <townmanager@berwickmaine.org>
Sent: Thursday, August 31, 2023 1:02:40 PM
To: Joseph Stefano <j.stefano@lebanonfireems.org>
Subject: Re: J.Stefano letter

Joe, I hope this works for what you need. Congratulations on confirmation tonight.

James

From: Joseph Stefano <j.stefano@lebanonfireems.org>
Sent: Thursday, August 31, 2023 12:01 PM
To: Berwick Town Manager <townmanager@berwickmaine.org>
Subject: J.Stefano letter

Good afternoon James,

I just wanted to provide you with my email and thank you again for your time. I appreciate it very much.

Joe Stefano A.A.S., NR-P, FO-II
Fire Chief
Lebanon Fire & EMS
3 Upper Cross Rd
Lebanon, ME 04027
Station: (207)457-6556

COASTAL RIPTIDE

George Stuart FIELD <Future date TBD >

OVERVIEW

1. Project Description

Coastal Riptide is proposing the following field upgrades and maintenance to the field located at the Center Road, Lebanon, Maine, along with a partnership with our coaching staff to include but not limited to winter clinics, coaching clinics, and camps. Riptide will provide these upgrades and services in exchange for field use during the spring, summer and fall months, April – November. Field use is defined as weekdays and weekends when town ball is not using the fields. The Lebanon Board of Selectman AND Coastal Riptide are responsible for the field schedule and together can “rent” fields when not being used by the community or Coastal Riptide. Proceeds from these rentals would be shared with the Town of Lebanon at 50% of the net profit. This agreement would be in effect for ONE YEAR?, at that time would be reevaluated.

2. Proposed Upgrades and Opportunities Provided by Coastal Riptide

- Recut infields to accommodate 90' basepaths which is standard Babe Ruth playing distance.
- Upgrade and level clay mix to create a smooth and level playing surface.
- Distribute a top surface to the new infield mix (surface) which will help reduce weeds and absorb rain.
- Skin off the mound on field.
- Touch up current fencing and add protective tubing.
- Improving and adding netting to the backstop
- During the Fall season, Riptide will provide port a potty on site, if needed during summer ball as well.
- Coaching clinics provided by Riptide Coaching Staff
- Winter Clinics provided by Riptide Coaching Staff
- Summer Camps provided by Riptide Coaching Staff.

Maintenance Provided by Town of Lebanon

- * The town of Lebanon will provide mowing services for the outfield grassed surfaces.

**Coastal Riptide would have exclusive rights to these fields, with a few exceptions: Lebanon Babe Ruth, town men's/women's softball, town tournaments or special planned events. Coastal Riptide would be involved in the scheduling of all activities. No other travel organization would have access to the fields without authorization from Coastal Riptide.*

COASTAL RIPTIDE

_____ FIELD December 16, 2020

OVERVIEW

1. Project Description

Coastal Riptide is proposing the following field upgrades and maintenance to the field located at the _____, along with a partnership with our coaching staff to include but not limited to winter clinics, coaching clinics, and camps. Riptide will provide these upgrades and services in exchange for exclusive field use during the spring, summer and fall months, April – November. Field use is defined as weekdays and weekends when town ball is not using the fields. Riptide will have exclusive* access during this time. Riptide is responsible for the field schedule and has authority to “rent” fields when not being used by _____ or Coastal Riptide. Proceeds from these rentals would be shared with _____ at 50% of the net profit. This agreement would be in effect until November 1, 2025, at that time would be reevaluated.

2. Proposed Upgrades and Opportunities Provided by Coastal Riptide

- * Recut infields to accommodate 50-70 and well as standard _____ playing distance.
- * Upgrade and level clay mix to create a smooth and level playing surface.
- * Distribute a top surface to the new infield mix (turf) which will help reduce weeds and absorb rain.
- * Skin off the mound on field 2 and level out the mound area on field 1. Purchase portable mounds (2) that can be used on both fields as needed or be removed to accommodate multiple softball games.
- * Establish base anchors to mark correct distances for both field distances of 70ft and 60ft with base plugs for easy base removal and insertion.
- * Touch up current fencing and protective tubing.
- * Meet with the town and _____ to discuss feasibility of moving the fence back 20 ft on field 1 and raise the fence to 7ft for both fields’ homerun fence.
- * During the fall season, Riptide will provide port a potty on site, if needed
- * Coaching clinics provided by Riptide Coaching Staff
- * Winter Clinics provided by Riptide Coaching Staff
- * Summer Camps provided by Riptide Coaching Staff.

Maintenance Provided by _____

- * _____ will provide mowing services for the outfield grassed surfaces
- * Spraying of the fields would be a shared cost

**Coastal Riptide would have exclusive rights to these fields, with a few exceptions:*

******, town men’s/women’s softball, town tournaments. Coastal Riptide would be involved in the scheduling of all activities. No other travel organization would have access to the fields without authorization from Coastal Riptide.*

LEBANON ADULT USE/MEDICAL MARIJUANA BUSINESS ORDINANCE

BOARD OF SELECTMEN PUBLIC HEARING CHECKLIST

(June 13, 2023, revisions)

Public Hearing for: Timothy D. Bragdon DBA Natures Gift Date: 8/31/2023
 Location 1384 Carl Broggi Hwy
 Cannabis Establishment Type Reg Caregiver Facility w/ Add-on Small manuf. State License CGR 25237

Check	Application: Supporting Materials (para. 10)
✓	A. Evidence of compliance with the location requirements requiring frontage on Carl Broggi Hwy, where applicable, and with setback requirements.
✓	B. Evidence of conditional license approval by OCP or evidence of Registered Caregiver with valid ID card and list of authorizations by OCP.
✓	C. Verify Business name on State license/ID matches name on Town application
✓	D. Evidence of compliance with the requirements of the ordinance
✓	E. Site plan Review complete and approved by Planning Board
✓	F. License fees paid in full <u>Deducted from fees owed back</u>
✓	G. Completed application – Public Hearing Scheduled – Minimum 7-day notice
Check	Standards for Approval, Denial, Revocation (para. 14)
✓	A. Does not fail to meet the requirements of this ordinance, or any other applicable Town Ordinance, including any applicable location, setback, building and life safety code requirements
✓	B. Has not provided false or misleading information in connection with the license application.
✓	C. Has not failed to update information as required by this Ordinance.
✓	D. Has not failed to obtain or maintain in effect a State approval, authorization or registration.
✓	E. Has not failed to pay any applicable Town license fee.
	Suspending, revoking, or refusing to renew a license for a marijuana business, considerations
	N/A for Initial License
	A. Number and types of complaints the Town or law enforcement received and/or investigated.
	B. Citizen Complaints
	C. Failing to correct or abate a violation that the Town is authorized to enforce
	D. Failing to correct or abate any violation of this Ordinance, any other applicable Town ordinance, or any State cannabis rule or regulation.
Check	Operating Requirements (para 16)
✓	A. Fixed Location: Fixed, permanent location, Location approved by the Select Board, Stores/Manufacturing Facility (not add-on)/Testing Facility frontage on Carl Broggi, Business not located inside of a building containing residential units.
✓	B. No visibility to public exterior: Outdoor cultivation and/or outdoor storage of marijuana or supplies prohibited. No related paraphernalia shall be visible from outside of the building

✓	C. Setbacks: Not located within two thousand (2000) feet of the property line of a school, childcare, place of worship, or safe zone. (N/A for Registered Caregiver Home Operation) More than one marijuana business may be located on the same parcel, provided all State and local requirements are met.
✓	D. Signs: Cannot appeal to under 21-year-olds, No health or physical benefit claims, meets the Town's advertising ordinance, No image or images of the marijuana plant.
✓	E. Hours of Operation: Between the authorized hours of 8 AM and 11:00 PM
✓	F. Annual Inspection and Knox Box: Fire Department approval (N/A for Adult/Med Retail Store)
✓	G. Compliance with requirements of State and Local law.
Check	Performance Standards for Adult Use Marijuana Cultivation Facilities
1	A. Outdoor Marijuana cultivation prohibited
N/A	B. Maximum plant canopy of 20,000 sq. feet. Per facility
1	C. Insurance of 1 million required for canopy over 500 sq ft.
1	D. Sign - maximum 6 x 18 inch - Business name, address, contact information
Check	Performance Standards for Adult Use Marijuana Products Manufacturing Facilities and Adult Use Marijuana Testing Facilities
N/A	A. Insurance of 1 million
	B. Signs: Attached 6x18 inch - Business name, address, contact info.
Check	Performance Standards for Adult Use Marijuana Stores
1	A. Prohibited activities: Vending machine sales, Drive through sales or delivery windows, Shipping and delivery of any marijuana or marijuana products directly to customers
N/A	B. Signs: 1 foot by 1 foot - attached to building - "Must be 21 to Enter", signage limited to displaying the following information - name of business, logogram of business, business address, hours of operation, contact information. No advertising for marijuana or marijuana products shall be displayed on any sign in a publicly visible location.
1	C. Preventing unauthorized access: ID checks at the door. No one allowed into the store under the age of 21.
Check	Performance Standards for Medical Marijuana Manufacturing Facilities
1	A. Insurance of 1 million
N/A	B. Signs: Attached 6x18 inch - Business name, address, contact info.
Check	Performance Standards for Registered Caregiver Retail Stores
1	A. Site Requirements: Registered Caregiver Retail Store not operated from a Registered Caregiver's residence, only one Registered Caregiver Store on a single parcel of land, Frontage on Carl Broggi Highway, Not located in a building containing residential units etc.
N/A	B. Fixed Hours of Operation: 8 AM to 11:00 PM
1	C. Prohibited Activities: No vending machine sales, Drive through sales, Delivery windows
1	D. Signs: 1 foot X 1 foot sign on all entrances stating "No admittance without a valid medical MJ card, Signage has only business name/logo/address/hours of operation/contact information, NO advertising signs for MJ or MJ products in a publicly visible location, signage in compliance with the current Town's Advertising and Sign Ordinances.

Check	Performance Standards for Licensed Caregiver Facilities (A Registered Caregiver that owns or leases space on a separate lot from their primary residence must obtain a Licensed Caregiver Facility License from the Town of Lebanon)
✓	A. Outdoor Marijuana cultivation prohibited
✓	B. Customer Sales and Wholesale Transactions by appointment only, no drive through services and/or delivery windows, Delivery to Qualify Patients only between 8:00 AM to 11:00 PM
✓	C. Sign – maximum 6 x 18 inch – Business name, address, contact information
✓	D. Maximum cultivation of 500 square feet or the number of Mature Marijuana Plant indicated on both the Registered Caregiver's card issued by the State Registration Authority and the local license
Check	Performance Standards for Multiple Licensed Caregiver Facilities (Landlord must obtain a license)
	C. Outdoor cultivation/storage/processing of marijuana prohibited
	D. Signs: Attached 6x18 inch – Business name, address, contact info.
N/A	E. Limitation on size of facility. Only lease up to 20,000 sq ft of total building space to Registered Caregivers on any given lot
	F. Caregiver licensing requirements: Retention of Records: Rented only to current holders of a Licensed Caregiver Facilities licenses from the Town of Lebanon
Check	Performance Standards for Registered Caregiver Home Operations
	A. Site Requirements: Caregiver's primary residence, Odor control measures (may be required), No non-member of the household cultivating, Member of the household cultivating has own license
N/A	B. Customer Sales and Wholesale Transactions: Not open to the public, Sales/Consultations/Interactions by appointment only, No drive through services and/or delivery window, Delivery only between 8:00 AM and 11:00 PM
	C. Signs and Notices – No advertising of the business to the public, Notice posted within the area(s) on the use of onsite use of marijuana, Registered Caregiver's registration number is posted in a visible location

Comments: large sign out w front is not used for grow or manufacturing.

TOWN OF LEBANON MJ PUBLIC HEARING – BOS GUIDELINE

Selection of Presiding Officer: BOS Chair, Vice Chair, or other Selected Member of the Board

ORDER OF BUSINESS AND TESTIMONY:

1. Entertain a motion to appoint a presiding officer.
2. The Presiding Officer (Chair) calls the hearing to order by requesting a motion to open the Public Hearing.
3. Chair opening statement:
 - A. “This is a quasi-judicial hearing based on due process requirement that every decision and hearing shall be based on fair and reasonable written ordinance(s) and regulations that correspond to the facts at issue. The ordinance that applies to this hearing is Lebanon Medical Marijuana Business Ordinance, dated June 13, 2023.”
 - B. “Equal protection” requirement mandates that everyone affected by the ordinance or law be treated in a similar fashion.
 - C. Evidence shall be submitted in print form in sufficient copies for the Board to review. Irrelevant, immaterial, or unduly repetitious evidence will not be accepted unless otherwise determined by the Presiding Officer of the Board.
 - D. The Presiding Officer will rule upon issues of evidence, regulate the course of the hearing, and rule upon issues of procedure.
4. Any written statements or documents submitted must be retained by the Chair.
5. Chair determines whether there is a quorum present.
6. Determine if there are any conflicts of interest.
7. The Chair explains the process:
 - A. Purpose of the hearing.
 - B. Documentation received.
 - C. How the Proceedings will be followed:
 - a. Chair will reads through the Checklist in review of the application.
 - b. Applicant to present their case with response,
 - c. Any Interested party to present their case with response,
 - d. Observer comments/questions,
 - e. Closing of testimony,
 - f. Deliberations by the board, decision, written decision.
 - D. All speaking to be addressed to the Chair
8. Chair states the purpose of the Hearing.