

Lebanon, Maine  
Select Board  
Town Office Conference Room  
Minutes –Meeting  
Thursday, December 1, 2022

STB  
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IP

Members Present

Paul Philbrick – Chairman  
Ernest Lizotte, Jr. – Selectman  
Shelli Boucher – Selectwoman  
Michael Walsworth – Vice Chair

Others Present

Lindsey Melo   Brian Charland  
Rodney Furbush, Jr.  
Michael Kennedy

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

5:10    Pledge  
Reviewed Unfinished Business in full

5:30    Selectman Lizotte arrived. Discussed Charter. Vice Chair Walsworth made a motion to place a question on the June 2023 ballot to establish a charter committee. Selectwoman Boucher seconded. Vote taken; vote carried. There was discussion of a Comprehensive Plan by Selectwoman Boucher and the Board. Selectwoman Boucher motioned to accept the Fact and Findings for Dozia Farms 11-29-2022 as presented. Selectman Lizotte seconded. Vote taken. 3 in favor (Lizotte, Philbrick, Boucher) 1 abstained (Walsworth). Motion passed.

5:50    Paperwork - Warrant for Special Election of January 24, 2023. Chair Philbrick read the Warrant, needs a correction – no action. Time off request signed. Chair Philbrick motioned to accept the minutes of November 4, 2022. Selectwoman Boucher seconded. 3 in favor (Lizotte, Boucher, Philbrick) 1 abstained (Walsworth as he was not present at that meeting) Motion passed. Chair Philbrick motioned to accept the minutes of November 17, 2022. Selectwoman Boucher seconded. 3 in favor (Walsworth, Boucher, Philbrick) 1 abstained (Lizotte as he was not present at that meeting) Motion passed. Chair Philbrick discussed the banking investment opportunity presented by the Treasurer.

6:00 Public Participation – none

6:10 Public Hearing for Harvest Goddess – Vice Chair Walsworth recused himself and explained that due to his employer he is not permitted to participate with Marijuana issues. Vice Chair Walsworth left the room. Chair Philbrick explained that there is a need to elect the presiding officer. Selectwoman Boucher nominated Mr. Philbrick. Selectman Lizotte seconded. All 3 in favor, motion passed. (Selectman Walsworth not present – recused)

Chair Philbrick described the procedure of the hearing. Selectwoman Boucher motioned to open the Public Hearing. Selectman Lizotte seconded. . All 3 in favor, motion passed. (Selectman Walsworth not present – recused). Chair Philbrick advised that this is a Quasi-Judicial procedure and stated that a quorum is present. Chair Philbrick asked if anyone present has a conflict – no one does. Chief Flynn advised that he has inspected this business and everything meets requirements. Chair Philbrick discussed the documents – a copy of ordinance, the package and checklist of what is required. The other Board members present reviewed the package. The applicant is allowed to present their case must present direct all comments to the Presiding Officer. Lindsey Mello stated that she is the Manager and Brian Charland is the owner. Lindsey Mello stated that she is here to proceed with the approval for the Adult Use Store. They wish to have this business in order to help people who are unable to get a

Medical Card. Selectman Lizotte commented on their customer service and the cleanliness of the building. Chair Philbrick went through the checklist. Chief Flynn stated that they are fully compliant. Selectman Philbrick asked the questions from the checklist. Selectman Philbrick stated that he only had one question of concern, that being the current sign with the marijuana leaf. There was a condition placed on a previous license to the establishment and the same condition will apply to this as well. No more questions.

6:21 Selectwoman Boucher motioned to close the public input and move into deliberation. Selectman Lizotte seconded. All in favor, motion passed. (Selectman Walsworth not present – recused). Selectwoman Boucher motioned to grant Harvest Goddess the Adult Use Marijuana License. Selectman Lizotte seconded. All 3 in favor, motion passed. (Selectman Walsworth not present – recused)

6:24 Selectwoman Boucher motioned to close the Public Hearing. Selectman Lizotte seconded. All 3 in favor, motion passed. (Selectman Walsworth not present – recused)

6:25 Vice Chair Walsworth returned to the regular meeting.

6:26 Chair Philbrick stated that it is time to open the sealed fire equipment bids. Chair Philbrick explained that the equipment is as is, where is and the winners have 2 weeks from tonight to remove the equipment. Chair Philbrick opened and read the bids.

Bid #2-2022 - 2004 SMEAL Model – HME Ground Fire Suppression Engine – highest bid \$2699.00 from NE Fire Equipment & Apparatus Corp. – Selectwoman Boucher motioned to accept the \$2699 bid from NE Fire. Vice Chair Walsworth seconded. Vote taken; vote carried.

Bid #1-2022 - 1997 FORD Model F-9000 Tanker or Tender - highest bid \$3999.99 from Abbott Equipment Sales. Selectwoman Boucher motioned to accept the \$3999.99 for the 1997 FORD Model F-9000 Tanker or Tender bid from Abbott Equipment. Vice Chair Walsworth seconded. Vote taken; vote carried.

Bid #3-2022 – 2004 SMEAL Model – Ground Fire Suppression, Engine – Fire Chief advised that this is actually a Simon Duplex Engine – highest bid \$16,000.00 from Goodwin Well & Water, Inc. Selectwoman Boucher motioned to accept the \$16,000.00 bid from Goodwin Well & Water, Inc. Vice Chair Walsworth seconded. Vote taken; vote carried.

Bid #4-2022 – 2003 FORD Model 350 Brush Truck – highest bid \$3500.00 from Rodney Furbush, Jr. Selectwoman Boucher motioned to accept the \$3500.00 from Rodney Furbush, Jr. Vice Chair Walsworth seconded. Vote taken; vote carried.

Chief Flynn stated that he is concerned about the fuel cost.

6:50 Vice Chair Walsworth motioned to enter Executive Session for Personnel Matters Pursuant to 1 MRSA § 405 (6) (A) for interview. Selectwoman Boucher seconded. Vote taken; vote carried all in favor. Chair Philbrick stated they will come back to regular session afterward.

7:15 Chair Philbrick motioned to exit executive session. Vice Chair Walsworth seconded the motion. Vote taken; vote carried.

7:16 Chair Philbrick motioned to return to regular session. Vice Chair Walsworth seconded the motion. Vote taken; vote carried.

Individual Selectmen Issues:

Selectman Lizotte – None

Selectwoman Boucher – None

Vice Chair Walsworth – None

Chair Philbrick:

Presented information to the Board about the annual performance reviews for staff.

Presented the Generator Connections quote for transferring the emergency generator from Station 2 to Station 1.

Requested discussion on the necessity of building the temporary wall in Station 2 to heat the fire truck bay only this heating season, it was agreed the wall needs to be done as soon as possible.

Presented a proposal from First National Bank to deposit the town's fund into a higher interest earning account. The Board was favorable to hear more about the proposal from the bank representative.

Read a written response to a resident's request for a public explanation of the assessing practices currently being used by the contract assessors. (Attached to these minutes)

Read a written response to Ms. Gerrish's letter that was read publicly by her on November 17, 2022 in regards to the unacceptable response to her Right to Know Request (FOAA). (Attached to these minutes)

Requested Vice Chair Walsworth excuse himself from the room in order for the Board to be able to discuss marijuana issues. Discussion was held on the current marijuana ordinances the Town has and how they differ from surrounding communities. Discussion included the complexity of working with the documents, the changes to the program that have occurred since the acceptance of the ordinances, and the need to consider updating them. The possibility of holding a Public Forum to obtain public input on this was agreed upon and will be scheduled. Discussion was also held on the "non-lapsing account" that was established to keep the marijuana fees separate from the general fund.

8:04 pm – Chair Philbrick motioned to adjourn the meeting. Vice Chair Walsworth seconded the motion. Vote taken; vote carried.