




**Lebanon, Maine
Select Board
Town Office Conference Room
Minutes –Meeting**

THURSDAY, MARCH 23, 2023

Members Present

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

Others Present

Molli & Eric Flynn	Matt Leggett
David Adam	Tom Potter
Josh Slate	Noah Tetreault
Tabitha Estes	Bryan Christianson
Deborah Wilson	James DuPrie
Dottie Bebris	

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

6:00 Pledge of Allegiance

6:00 Public Hearing for Mainezilla -Selectman Harlow passed handouts to board. Chair Philbrick motioned to appoint Selectman Harlow as moderator for both public hearings. Vote taken 3 yes (Philbrick, Boucher, Harlow), 1 abstained (Walsworth) 1 absent (Lizotte) Vote passed. Selectman Harlow read the procedure for the Public Hearing. Selectman Walsworth made a statement that he must recuse himself due to a conflict with his employer. He is employed by the Federal Government and must abstain from marijuana issues. Selectman Walsworth states this is not a reflection of the business and he left the room. Selectwoman Boucher motioned to open the Public Hearing for Mainezilla. Chair Philbrick seconded. Vote taken 3 in 3 in favor (Philbrick, Boucher, Harlow) (2 not present at the public hearing Walsworth & Lizotte). Selectman Harlow stated that this is quasi-judicial hearing regarding Lebanon Registered Caregiver License Ordinance dated 2/28/2021. Selectman Harlow stated that there is a quorum of 3 and no conflicts of interest. Selectman Harlow stated that this company is a diagonal neighbor but he is unbiased in this matter. The business has met code requirements and they have filed everything needed to proceed. There were no questions from the public. Selectwoman Boucher motioned to close testimony. Chair Philbrick seconded. Vote taken; vote carried. (3 in favor Philbrick, Boucher, Harlow) (2 not present at the public hearing Walsworth & Lizotte). Chair Philbrick asked if there had been any complaints by either the public or police. There have been no complaints or violations. Chair Philbrick seconded. Vote taken, vote carried 3 in favor Philbrick, Boucher, Harlow) (2 not present at the public hearing Walsworth & Lizotte). The Board deliberates – there are no comments or questions. Selectwoman Boucher motioned to issue the license for Mainezilla Gardens, LLC for Registered Caregiver Home Operation with 500 square feet, located at 20 Maggie's Lane with an expiration date of 2/24/2024, which is one year from their previous license expiration date. Chair Philbrick seconded. Vote taken; vote carried - 3 in favor Philbrick, Boucher, Harlow) (2 not present at the public hearing Walsworth & Lizotte). Selectwoman Boucher motioned to close public hearing. Chair Philbrick seconded. Vote taken, vote carried - 3 in favor Philbrick, Boucher, Harlow) (2 not present at the public hearing Walsworth & Lizotte).

6:15 Selectwoman Boucher motioned to open the Public Hearing for North Country Cannabis. Chair Philbrick seconded. Vote taken, vote carried - 3 in favor Philbrick, Boucher, Harlow) (2 not present at the public hearing Walsworth & Lizotte). Selectman Harlow states that there are 3 board members present and that is a quorum. This is quasi-judicial Public Hearing and verifies that there are no conflicts. North Country Cannabis Adult Use Store. Selectman Harlow reads the letter from code and added to the record, they are all set with the Code Officer. The letter from Chief Flynn states that they need a panic

bar and that is all that is left to be done. There were no questions from the board and no complaints have been made. Selectwoman Boucher motioned to end the deliberation. Chair Philbrick seconded. Vote taken, vote carried - 3 in favor Philbrick, Boucher, Harlow) (2 not present at the public hearing Walsworth & Lizotte). Mr. Flynn, of North Country Cannabis, will need 1 week to complete the panic bar. Selectwoman Boucher motioned to issue a license to North Country Cannabis for Adult Use Retail Store located at 1 Wiggin Road with an expiration date of 2/24/2024, which is one year from their previous license expiration date with the following condition – add a panic bar. North Country Cannabis is granted 1 week to get the panic bar installed. Chair Philbrick seconded. Vote taken, vote carried - 3 in favor Philbrick, Boucher, Harlow) (2 not present at the public hearing Walsworth & Lizotte).

6:25 Bryan Christiansen presented information regarding Comcast Franchising to Lebanon. They would like to compete with Breezeline and would add brand new infrastructure.

6:55 Noah Tetreault of Quality Septic updated the board on the septic system at the Transfer Station. The system is severely compromised and has roots growing through it. Mr. Tetreault would classify the system as a major failure. The estimate to replace the system with a 1500-gallon tank is \$7,000 - \$10,000 and would take a couple of days to complete.

7:10 Public Participation – Deborah Wilson read a statement and resigned from the Appeals Board. David Adam of Babe Ruth Baseball advised the board that the sign-ups have started and anyone is welcome. The games are Monday, Wednesday and Thursday starting in June and ending July 4th. There was discussion of repairing the wooden fence. The Board stated that this is an Eagle Scout project, contact Dana Grover. Selectman Harlow motioned to allow the momentum network to manage the concession stand. Vice Chair Walsworth seconded. Vote taken vote carried.

7:30 Tom Potter thanked the Road Commissioner, Scott Gerrish and his crew for the fantastic work they have done this winter season.

7:33 Matt Leggett addresses the ATV access and permissions for trails. Tom Potter stated that he heard discussions of adding a Park and Ride. Mr. Potter stated that this is terrible idea.

Selectman Harlow motioned to enter into Executive Session for Personnel Matters pursuant to 1 M.R.S.A. § 405 (6)(A). Selectwoman Boucher seconded. Vote taken; vote carried.

7:45PM Vice Chairman Walsworth makes a motion to exit executive session. Selectman Harlow seconds the motion. Vote taken; vote carried 4-0.

7:46PM Vice Chairman Walsworth makes a motion to enter into executive session for Personnel Matters pursuant to 1 M.R.S.A. 405 (6)(A). Selectman Harlow seconds the motion. Vote takes; vote carried 4-0.

7:54PM Vice Chairman Walsworth makes a motion to exit executive session. Chairman Philbrick seconds the motion. Vote taken; vote carried 4-0.

7:55PM Vice Chairman Walsworth makes a motion to enter into executive session for matters pursuant to 1 M.R.S.A. 405 (6)(A) for interview. Chairman Philbrick seconds the motion. Vote taken; vote carried 4-0.

8:09PM Vice chairman Walsworth makes a motion to exit executive session. Chairman Philbrick seconds the motion. Vote taken; vote carried 4-0.

Transfer station repairs being pushed out one more week.

Covid Funds: \$581,784.81 left. Options to put money towards the Fire Station proposal or contract deputies with the sheriff's office.

Co-op with Northeast Resource Recycling- Selectwoman Boucher will meet with Leslie and fill out the application.

Referendum ballot finalization voting on questions 26,27,28, 34,35,36

9:15PM Unfinished Business- The board agrees to put in a new septic design and system.

9:23PM Selectman Harlow makes a motion to approve up to \$900.00 for a septic design and digging a test hole from the Capital Reserve round for modifications/improvements to the Transfer station. Vice Chairman Walsworth seconds the motion. Vote taken; vote carried 4-0.

10:09 Individual selectman issues

Selectman Harlow -addresses have a Public Hearing for Comcast. Date is tentatively set for April 20 at 7PM.

Vice Chairman Walsworth – ATV meeting Monday, Brian Bronson led the meeting.

-Adding fraternization policy to the list of Unfinished Business.

-The board needs to readdress repairs needed at the town office. Example: Faucets, vault door, shelving in vault, expirer first aid kits, front door.

-The board signs the thank you letter to the North Berwick Fire Department for use of their ambulance when both of Lebanon's were out of commission.

10:25PM Paperwork

-The fire department requested an excavator to the property on river road that burnt down. The excavator has not been paid for.

Selectman Harlow makes a motion to pay for the \$2,750.00 bill for excavation of the burnt residence on River Road from Outside Services Fire Department Budget. Chairman Philbrick seconds the motion. Vote taken; vote carried 4-0.

-Selectwoman Boucher reaching out to New Bridge Marina in regards to questions from engineering firm.

-Selectman Harlow is attending a mediation hearing as the town's representative in Kennebunk a 10am.

-The thirty-day grievance window is running out for the opportunity for a former employee to plead his case. Board agrees to no longer hear the grievances after the individual missed two prior appointments and if they miss the 30-day window.

10:49PM Minutes

-Vice Chairman Walsworth makes a motion to accept the minutes for March 2, 2023. Selectman Harlow seconds the motion. Vote taken; vote carried 4-0.

-Vice Chairman Walsworth makes a motion to accept the minutes for March 9, 2023. Selectman Harlow seconds the motion. Vote taken; vote carried 4-0.

-Vice Chairman Walsworth makes a motion to accept the minutes for March 21, 2023. Selectman Harlow seconds the motion. Vote taken; vote carried 4-0.

Training request for Lynne Davis and Christine Torno for Inland Fisheries. Christine Torno appointment papers for Town Clerk and Tax Collector Her appointment to run until June 30, 2023.

10:55PM Chairman Philbrick makes a motion to adjourn. Vice Chairman Walsworth seconds the motion. Vote taken; vote carried 4-0.