



**TOWN COUNCIL
MEETING MINUTES
JULY 31, 2007**

Fern Larochelle, Jr., At Large 2007
Charles Smith, At Large 2008
Michael Bowie, At Large 2009
Gina Mason, District 1 2007
Janet Henry, District 1 2009
Dale Crafts, District 2 2007
Norma Wells, District 2 2009

DRAFT

CALL TO ORDER & PLEDGE TO THE FLAG. The Chairman, Norma Wells, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Larochelle, Smith, Bowie, Mason, Henry, Crafts, and Wells. Also present were Curtis Lunt, Town Manager; Roger Therriault, Town Attorney; Rodney Moody, Finance Director; David Brooks, Chief of Police; Gerald Samson, Assessor/CEO; and approximately citizens in the audience.

PUBLIC HEARINGS

FISCAL YEAR-END APPROPRIATION TRANSFERS
SCHOOL & TOWN

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

COUNCIL HEARING: DANGEROUS BUILDING
SIEGLER - 49 FROST HILL AVE

The Chairman opened the public hearing.

Mr. Samson explained that the reason for the hearing regarding the property in question was that the building was substantially burned out in January and nothing was done until May, and it is structurally unsafe. He added that there are gaping holes in the roof, and the Town expected the house to be demolished within days. At this time the house is still unsafe and requires demolition.

Mr. Siegler stated that he was unaware of the normal practice of securing a damaged property after a damaging fire. He stated that he secured the windows, and was not aware that there was need to secure the roof.

Councilor Bowie asked what Mr. Siegler's plan was for the building. Mr. Siegler stated that his intention is to demolish the building and rebuild the structure. He explained that he has spent hundreds of hours haggling with his insurance company, and that he did not realize the level of concern regarding the demolition of the house. He stated that his building is evidence at this time, and that he would lose thousands of dollars if it were demolished. He also explained that an adjuster has only recently declared the house worthy of a full tear-down. Mr. Siegler stated that the items within the building are also insured, and that a personal property adjuster is required to ensure the evidence of his loss. He stated that he would be more than happy to keep the Council apprised of the situation as it unfolds, and that as soon as the adjusters sign off on his claim, he will be tearing it down immediately. Mr. Siegler said that he has a quote from a biohazard removal company to take out the asbestos, and that it is a small tile issue that does not even require a license for removal.

The Chairman closed the public hearing.

CONSENT AGENDA

VOTE (2007-109) Councilor Bowie, seconded by Councilor Smith, moved to adopt the following consent items: (A) Minutes of 7/10/2007, (B) MDOT Urban Renewal Initiative Funds Certification, (C) MMA Slate of Officers Ballot, (D) Verizon Pole Permit - 2 Stable Lane, and (E) CMP Pole Permit - 39 Bowdoinham Road. **Order passed - Vote 7-0.**

COUNCIL ORDERS, ORDINANCES & RESOLUTIONS**FISCAL 2006-07 YEAR-END APPROPRIATION TRANSFERS
SCHOOL & TOWN**

VOTE (2007-110) Councilor Bowie, seconded by Councilor Smith, moved to approve the fiscal year-end transfers of \$115,687.26 in Municipal funds and \$159,370.00 in School funds as recommended by the Budget Advisory Board. **Order passed - Vote 7-0.**

FISCAL YEAR 2006-07 CARRY FORWARDS

VOTE (2007-111) Councilor Bowie, seconded by Councilor Smith, moved to approve carry forwards as recommended by the Finance Director. **Order passed - Vote 0-7.** This item will be on the August 7th agenda.

**DANGEROUS BUILDING ORDER
SIEGLER - 49 FROST HILL AVENUE**

VOTE (2007-112) Councilor Smith, seconded by Councilor Crafts, moved to *table* the following order until August 21st:

Notice having been duly and seasonably given to all parties in interest, as defined in 14 M.R.S.A. § 6321, and pursuant to 17 M.R.S.A. § 2851(1), and a Hearing having been had on July 31, 2007, with regard to the condition of the structure on the above-captioned property, it is hereby found that the said structure is in a condition which classifies it as a dangerous structure, based on the following facts, which are specifically found:

1. The structure was severally damaged by a fire in the spring of 2007.
2. The fire caused significant interior damage, destroyed portions of the roof, and one end of the structure.
3. The building is open to the weather.
4. Except for the boarding of windows, no attempt has been made to prevent access to the structure, initiate repairs or demolition of the structure, and it continues to be structurally unsound and an eyesore.
5. The building is unsuitable for human habitation or for any other apparent purpose.
6. The building lacks structural integrity to warrant repairs.

Based on these findings, it is concluded that the building is structurally unsafe and constitutes a dangerous building based on its deteriorating condition, is structurally unsound, is uninhabitable due to its deteriorating and dilapidated condition, is unsafe, and constitutes a hazard to the health and safety of the Inhabitants.

It is therefore ordered as follows:

1. The building must be demolished within Fifteen (15) days of the date of this Order.

2. The debris shall be entirely removed from the property and properly disposed of at appropriate disposal sites within Thirty (30) days of the date of this Order.
3. The property shall be remediated and returned to its natural state within Forty (40) days of this Order.
4. The owner shall acquire, prior to any demolition, all necessary and appropriate permits.
5. If no demolition permit is obtained within the Fifteen (15) day period, or if any of the completion or partial completion dates in Paragraphs 1, 2 or 3 above are not met, then the Town shall cause the nuisance represented by the dangerous building to be abated or removed in compliance with this Order pursuant to 17 M.R.S.A. § 2857. All expenses for such abatement or removal shall be repaid to the Municipality by the owner of the property within Thirty (30) days after demand. If unpaid at the end of the Thirty (30) day period, then a special tax may be assessed by the Assessor against the land on which the building was located, in the amount of the expenses, said assessment to be included in the next Annual Warrant to the Tax Collector of the Town for collection. Collection shall be in the same manner as other Municipal ad valorem property taxes.

Order passed - Vote 6-0-1 (abstained: Mason).

CONFIRMATION OF TAX COLLECTOR APPOINTMENT

VOTE (2007-113) Councilor Bowie, seconded by Councilor Smith, moved to confirm the Town Manager's appointment of Nancy Bosse to the position of Tax Collector. **Order passed - Vote 7-0.**

2007 ACO PICKUP TRUCK BIDS

VOTE (2007-114) Councilor Bowie, seconded by Councilor Smith, moved to approve the bid of \$15,523.00 from O'Connor GMC for a 2007 extended cab pickup truck for use by the Animal Control Officer, and authorize a 3-year lease purchase agreement. **Order passed - Vote 7-0.**

LISBON CODE CHAPTER 90 PERSONNEL POLICY

VOTE (2007-115) Councilor Bowie, seconded by Councilor Smith, moved to approve Lisbon Code Chapter 90 Personnel Policy as redrafted by the Town Attorney with additions underlined and deletions struck through. **Order passed - Vote 7-0.**

OTHER BUSINESS

TOWN MANAGER'S REPORT

Since the last regular Council meeting, the Town Manager has completed the following tasks:

- **Dragon Pit.** After inspecting the land, he felt it would probably be a wise investment considering the proximity of the water table and the millions the Town has already invested in the nearby Moody Road well.
- **Economic & Community Development.** Jennifer Stowell Norris began Monday, and a mid-week late afternoon welcome event has been planned.
- **Snowplowing Award.** Public Works Truck Drivers David Judd and Duane Conant took 2nd place in the Annual State 16-County Snow Rodeo competition in Skowhegan. In addition, Duane had the overall best score.
- **Trail.** MDOT has approved a paving contract on the Ricker Farm Trail extension which is expected to be finished before Labor Day; a ribbon cutting event will be planned. In addition, the Trails Commission is requesting Council permission to apply for a Libra

Foundation Grant of \$5,000 to do a preliminary feasibility study cost estimate on the Androscoggin River section adjacent to the railroad tracks.

- **Public Works Open House.** Saturday, August 18th, from 7AM to 12 PM there will be another Public Works Building Open House. The architect and Engineer will be returning August 7th to discuss options for the November vote.

The Council requested that the Water Department be invited to attend the next meeting.

DRAFT TAX RATE & REVENUES

Mr. Lunt explained that increased revenues, particularly from State Revenue Sharing, were substantial. Excise taxes also exceeded expectation. Because of this, there is a possibility of a 50¢ (2%) decrease in taxes. Mr. Samson reported that there is also an increase in town value of over \$3 million. Mr. Lunt also suggested reducing the amount of undesignated funds used to offset the current budget. Mr. Moody stated that the tree growth has doubled based on an incorrect formula being used in the past by the state.

AUDIENCE PARTICIPATION

Traci Austin asked where on the list of paving projects Pinewoods Road is. Mr. Lunt explained that it has not yet been scheduled, but bids have come in under budget, and he expects it to be started in August.

APPOINTMENTS

Councilor Bowie said that has been the Chairman of the County Budget Committee for 2 or 3 years, and is willing to continue. He explained that at least one other Council member is needed for the August 14th meeting to nominate or vote for their choice of officer.

Mr. Lunt explained that there are several openings on boards and committees, and that only a few incumbents have applied. Councilor Bowie suggested reappointing those who have turned in applications; Mr. Lunt stated that he would add it to the next agenda.

COUNCILOR COMMUNICATIONS

Councilor Wells stated that the Tupper family has done a wonderful service for the Town, and that the turnout for today's ribbon-cutting event at the Library was high.

Councilor Bowie asked where the change to a single polling place stood. Mr. Lunt stated that it seemed unlikely that it would happen this fall. Councilor Wells explained that discussions would need to be scheduled with Town Clerk Twila Lycette and the School Committee.

Councilor Henry congratulated Judy Hardy-Goddard for accepting a contract for the next three months to head the General Assistance department. She also expressed discontent that a meeting discussed at the June 19th meeting was never held.

The Council welcomed their new member, Fern Larochelle, Jr.

EXECUTIVE SESSION

VOTE (2007-116) Councilor Bowie, seconded by Councilor Smith, moved to enter executive session at 8:00 PM to discuss labor negotiations and legal matters per MRSA Chapter 13 Section 405

(6) D, & E. **Order passed - Vote 7-0.** The recording secretary was dismissed. The Council returned at 9:42 PM.

ADJOURNMENT

VOTE (2007-117) Councilor Smith, seconded by Councilor Bowie, moved to adjourn at 8:43 PM. **Order passed - Vote 7-0.**

Respectfully Submitted,

Juliet C. LeBlond
Legislative Recorder

These minutes are not verbatim. Cassette tapes are filed in the Town Clerk's Office.