



**TOWN COUNCIL
MEETING MINUTES
NOVEMBER 20, 2007**

Fern Larochele, 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

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 Wells, Smith, Henry, Mason, Crafts, and Larochele. Councilor Bowie was excused. Also present were David Brooks, Interim Town Manager; Rodney Moody, Finance Director; Ryan Leighton, Town Engineer; Jennifer Norris, Economic Development Director; and approximately eight citizens in the audience.

PUBLIC HEARINGS

TAX INCREMENT FINANCING - LONGCHAMPS

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

CONSENT AGENDA

VOTE (2007-194) Councilor Smith, seconded by Councilor Crafts moved to adopt the following consent items: A. Minutes of October 30th, November 5th and November 8th. **Order passed - Vote 6-0.**

COUNCIL ORDERS, ORDINANCES & RESOLUTIONS

TAX INCREMENT FINANCING - LONGCHAMPS

VOTE (2007-195) Councilor Smith, seconded by Councilor Crafts moved to approve a 50-acre Tax Increment Financing District for Longchamps Realty as recommended by the Economic and Community Development Director (*see attachments*). **Order passed - Vote 6-0.**

DANGEROUS BUILDING - SIEGLER

VOTE (2007-196) Councilor Smith, seconded by Councilor Crafts moved to waive reading the notice. Order to waive the reading passed - 6-0. The Council discussed the order. Councilor Smith, seconded by Councilor Crafts moved that the following order be approved (*changes were agreed upon prior to moving as printed below*):

ORDER REGARDING DANGEROUS BUILDING

Pursuant to 17 M.R.S.A. § 2851

TO: Raymond J. Siegler, Jr.
6 Mill Street
Lisbon, ME 04250

David Bordetsky
5 Riverdale Avenue
Dover, NH 03802

Peter L. Pastor
1 Winding Brook Lane
South Berwick, ME 03908

FROM: Town Council
Town of Lisbon, Maine

RE: Building on Property Located at 49 Frost Hill Avenue, Lisbon Falls, Maine
More Particularly Identified as Lot #18 on
Town of Lisbon Tax Map #U9

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, the matter having been addressed by Council on several occasions and a final hearing having been had on November 20, 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 severely 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. No attempt has been made to 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. All required asbestos removal shall be completed within Fifteen (15) days of the date of approval of this Order.
2. The building must be demolished within Thirty (30) days of the date of approval of this Order.
3. The debris shall be entirely removed from the property and properly disposed of at appropriate disposal sites within Forty-Five (45) days of the date of approval of this Order.
4. The property shall be remediated and returned to its natural state on or before May 1, 2008.
5. The owner shall acquire, prior to any demolition, all necessary and appropriate permits.
6. If no demolition permit is obtained within the Thirty (30) day period, or if any of the completion or partial completion dates in Paragraphs 1, 2, 3 or 4 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.

You are advised that pursuant to 17 M.R.S.A. § 2851(3), an attested copy of this Order will be recorded in the Androscoggin County Registry of Deeds, by the Clerk of the Town of Lisbon.

You are further advised of your right to appeal this decision of the Municipal Officials to the Superior Court in and for the County of Androscoggin, pursuant to the provisions of the Maine Rules of Civil Procedure, Rule 80B, all in accordance with 17 M.R.S.A. § 2852.

Order passed - Vote 5-0-1 (Abstained: Mason).

REVISION - LISBON CODE CHAPTER 10 ARTICLE V VICTUALERS

VOTE (2007-197) Councilor Smith, seconded by Councilor Crafts moved that Lisbon Code Chapter 10 Article V Victualers be revised as presented with additions underlined and deletions struck through (*see attached*). Vote By Roll Call - Yeas: Councilors Crafts, Henry, Mason, Smith, Larochelle, and Wells. Nays: None. **Order Passed - Vote 6-0 (First reading).**

EAST AVENUE STREET LIGHTS

VOTE (2007-198) Councilor Wells, seconded by Councilor Crafts moved to approve the addition of two street lights on East Avenue in Lisbon Falls. **Order passed - Vote 6-0.**

RICKER FARM TRAIL

VOTE (2007-199) Councilor Smith, seconded by Councilor Crafts moved to approve the use of \$26,754.35 in Public Works reimbursement funds received and \$785.64 in Town grant match funds to complete the Ricker Farm Trail segment.

Councilor Smith, seconded by Councilor Crafts moved Amendment #1 to authorize the Town Engineer to fund the Ricker Farm Trail project completion with Option #2 as follows: Public Works Labor \$10,594.19, Park and Ride \$ 11,130.36, Public Works Equipment \$ 5,815.45 (80% of \$7,269.31 after billing MDOT). **Amendment #1 passed - Vote 6-0. Order as amended #1 passed - Vote 6-0.**

PRELIMINARY ALIGNMENT OF TRAIL SEGMENTS III & IV

VOTE (2007-200) Councilor Smith, seconded by Councilor Crafts moved to approve the hiring of an outside firm to complete the preliminary alignment of Trail Segments III & IV, as well as use of Recreation Land Fund monies for same.

Justin Liudvinaitis explained the three proposals. He said TYLin's proposal was for \$7,917 was recommended by the committee. Councilors Larochelle asked about the Recreation Land Fund; Mr. Brooks explained this was funded from snowmobile registration fees, that the snowmobile club already approached him with a verbal request to purchase two new groomers this year for \$18,000, which should leave a balance of \$6,000. Councilor Crafts asked how much this year's revenue would be; Mr. Moody answered \$2,500. Councilor Wells pointed out historically the snowmobile club gets first use of this money. Councilor Larochelle indicated he would like to see this money used for something positive, but that he did not want to take this money away from what it was originally planned for and suggested going with the lower bid to make it work out for everyone.

Councilor Smith said he would like to communicate with the snowmobile club first to discuss their needs because this would wipe the fund dry. Councilor Crafts asked whether the Council could put this off until the next meeting to give him time to do some research and talk with the snowmobile club.

Mr. Liudvinaitis said his committee was up against a deadline, because requests for spring funding and this preliminary work should be done before the ground freezes. Noyes Lawrence said he didn't want Lisbon to miss the funding deadline because it would be another two years before Lisbon would have another opportunity. Mr. Brooks said Woodard & Curran's bid would accomplish the same thing, but for \$3,200 less, adding that it would not interfere with the remaining amount for the snowmobile club. Mr. Lawrence asked the Council to consider Woodard & Curran's proposal, adding that it would be a help if the Council could make this decision tonight.

Councilor Smith withdrew his order and asked whether the December 4th meeting would allow them enough time to meet their deadline; Mr. Lawrence answered that it was a matter of the weather. **Councilor Crafts seconded the withdrawal, no objections were noted, and the order was withdrawn.**

Councilor Wells said this committee came back with a very fair proposal by compromising and agreeing to go with the smaller amount not to exceed \$4,700, leaving enough money in the Recreation Land Fund for the snowmobile club to purchase groomers if needed.

Councilor Smith, seconded by Councilor Crafts moved an order to award this bid to Woodard & Curran for an amount not to exceed \$4,700. Order passed - Vote 6-0.

TOWN OFFICE ELECTRONIC SIGN BIDS

VOTE (2007-201) Councilor Smith, seconded by Councilor Mason moved to award this bid to Neokraft Signs, Inc. for a sum of \$23,219 to install a new electronic message sign incorporated with the current Town of Lisbon sign, as well as a five-year lease purchase for the cost of the sign. **Order passed - Vote 6-0.**

Mr. Brooks said five bids were solicited; three responded, all within \$700 of each other. Mr. Brooks recommended the low bidder Neokraft Signs, Inc. out of Lewiston. \$5,000 was budgeted for a three year lease purchase; he recommended this item be included into the Public Works truck lease as one lease purchase. Mr. Brooks said there was a standard manufacturer's warranty included, also. Councilor Larochelle asked if this was listed in someone's job description that there would be nothing worse than going through town seeing a beautiful \$20,000 sign with two week old information on it. Mr. Brooks recommended that controls for the sign remain in the Town Manager's office. Councilor Crafts said these signs can be programmed for up to a year in advance so somebody with a little bit of effort should be able to stay on top of it.

OTHER BUSINESS

A. PUBLIC WORKS GARAGE

Councilor Wells said the referendum question to build another garage was turned down so she asked Mr. Leighton and Mr. Beal to address what needs to be done; this building still exists, the problems have not gone away, and the Council still needs to move forward in some way. She suggested scheduling a workshop to discuss the roof, boiler, electrical system, mechanical system, and space requirements. Councilor Larochelle said this is a perfect example of what can happen to a building over time when it has not been maintained. Mr. Brooks suggested forming a Garage Committee to help share information with the public, address these issues, and determine the future of this building. Councilor Henry said she wanted to help in some way resolve these problems;

however, the public was questioning her about just how many times were they going to have to vote down this issue. Councilor Smith said he feels the problem lies with communication based upon what he is hearing. Councilor Crafts said he didn't totally agree. He said the mind set today is that people are very financially strapped taxes and fuel being so high and so forth, adding that maybe people know there is a need, but they still don't want to spend the money. Councilor Mason suggested this committee address the cost of individual repairs. Councilor Wells said she will schedule a workshop on this soon.

B. REVALUATION REVIEW COMMITTEE

Councilor Wells said there were only four applications for the seven member review committee. Councilor Mason said she would like to contact business people to see if any were willing to serve. Councilor Laroche suggested members from other committee might be willing to serve and agreed to talk with Mr. Samson about staffing the committee. Councilor Crafts said there may be other individuals out there willing to serve, but haven't heard this message. Councilor Wells recommended a new time line be established as well.

C. TOWN MANAGER'S REPORT

Mr. Brooks said the good news is our health insurance increased by only 4% as of January 1st. He said this sub-line received an 11% increase last year. Councilor Wells said Lisbon budgeted for an 8% overall increase in premium. 3.1% was due to anticipated plan changes. She said Lisbon should see a \$19,000 savings in the health insurance line this year.

Mr. Brooks mentioned Daniel Stevenson was willing to talk to the Council again about TIF's. He met with Mr. Evrard from Northern Data, Mr. Moody, Mr. Woods, and Mr. Leighton to discuss computer issues and discovered that some of the issues were real, however, a number of them were training issues that will require more training on the software. He said \$14,000 wasn't budgeted to cover a prepayment so Mr. Leighton would need to find out how much water and sewer could reimburse the Town in order to recoup a portion of this expense. The Library's basement wall above ground on the Main Street side was leaking into the children's room and has been temporarily patched; however, this will need to be addressed in the next fiscal year's budget.

AUDIENCE PARTICIPATION - NONE

APPOINTMENTS - NONE

COUNCILOR COMMUNICATIONS

Councilor Mason said she and Mrs. Norris were working on a new brochure to be used as an advertising tool for the Town. She said they started on the map and would like businesses to come forward to place ads. There is a lot to do yet. She said the Lisbon Falls Grammar/High School is now listed on the National Registrar of Historical Places.

Councilor Henry congratulated all the candidates who won, especially those who won write-in seats. She said a lot of elderly residents like their local polling places, which some of them walk to on Election Day, and that one person told her she thought she was voting against the school's consolidation with Topsham. She congratulated everyone on a great job and commented that everything went very smoothly.

Councilor Wells said she, Mr. Moody, and George Roy had been interviewing this week for the new Finance Director. She reminded everyone that Mr. Moody's retirement party will take place on November 30th.

Councilor Wells said the first meeting in January falls on New Year's Day. The Council unanimously decided to hold its regular meetings on the second and fourth Tuesdays of that month (January 8th and 22nd). She asked Mr. Brooks to reserve the room for those meetings. She asked Councilors to let Mr. Brooks know if they will be attending the Elected Officials Workshop and/or the School Consolidation Workshop.

EXECUTIVE SESSION - CANCELLED

WORKSHOP

FINANCIAL REPORTS

Mr. Moody indicated he had no revenue concerns. He said the Council needed to pay attention next year to R1150 escrow interest because the bond refund rate went way down. He said the Town will get its last reimbursement of \$11,000 (not \$24,000) in 2008-2009, and then it runs out. He said MMA refunds the Town yearly for worker's compensation insurance and for unemployment.

He informed the Council that he would need \$16,000 to cover the overages in the Social Security and Maine State Retirement lines. He suggested the Council use the transfer year end figures when calculating next year's needs. He recommended the Council do transfers in the middle of the year as soon as they are known, because budgets were very tight and everyone would need to hold the line. He recommended the Council put \$100,000 into contingency next year to be used solely by the Council to handle transfers and then roll it back into surplus if it's not needed. The Council agreed to have Mr. Moody take funds from the General Assistance salary line to cover the shortfalls in the Social Security and Maine State Retirement lines. Councilor Wells said she didn't want to wait until June 30th to make transfers and encouraged the Councilors to ask questions now. Mr. Brooks estimated that the mileage reimbursement amount would be going up to about .50 on January 1st.

ADJOURNMENT

VOTE (2007-203) Councilor Smith, seconded by Councilor Larochelle moved to adjourn at 9:20 PM. **Order passed - Vote 6-0.**

Respectfully Submitted,

Twila Lycette, Town Clerk
Lifetime Certified Clerk of Maine

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