



AGENDA
COUNCIL MEETING
DECEMBER 7, 2021
LISBON TOWN OFFICE
7:00 P.M.

Mark Lunt 2022
Donald Fellows 2022
Jason Smith 2022
Fern Larochelle 2023
Harry Moore, Jr. 2024
Raymond Robishaw 2024
Clifford Miller 2024

1. CALL TO ORDER & PLEDGE TO FLAG
2. INAUGURATION OF ELECTED OFFICIALS
 - A. Outgoing Remarks
 - B. Results of November 2, 2021 Election
 - C. Swearing In Elected Officials
 - 2021-242 ORDER – Election of Council Chairman
 - 2021-243 ORDER – Vice Chairman
 - 2021-244 ORDER – Recess
3. ROLL CALL
 - ___ Councilor Fellows ___ Councilor Larochelle ___ Councilor Lunt ___ Councilor Miller
 - ___ Councilor Moore, Jr. ___ Councilor Robishaw ___ Councilor Smith
 - Town Clerk reading of meeting rules
4. GOOD NEWS & RECOGNITION
5. PUBLIC HEARINGS
 - A. Special Entertainment Permit for the Coombs Mountfort American Legion Post #158
 - B. Special Entertainment Permit for the Slovak Catholic Association
 - C. Automobile Graveyard Permit for Campbell's Used Auto Parts
 - D. Automobile Graveyard Permit for Huston's Auto Salvage
6. AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS
7. CONSENT AGENDA
 - 2021-245 ORDER –
 - A. Municipal Accounts Payable Warrants–\$ 232,758.87
 - B. Municipal Payroll Warrants – \$ 170,373.57
 - C. School Accounts Payable Warrants– \$ 183,490.74
 - D. School Payroll Warrants – \$ 839,491.63
 - E. Minutes of November 16, 2021
 - F. Renewal Automobile Graveyard Permits for Huston's Auto Salvage & Campbell's Used Auto Parts
 - G. Renewal Special Entertainment Permits & Liquor Licenses for Coombs Mountfort Post 158 and the Slovak Catholic Association
 - H. Policy on Treasurer's Disbursement Warrants for School Employee Wages & Benefits
 - I. Policy on Treasurer's Disbursement Warrants for Municipal Employee Wages, Benefits, & State Fees
 - J. State/Municipal Agreement-Main Street/Route 125 Frazier Bridge Project
 - K. MDOT Construction Overlimit Permit for Main Street/Route 125 Dearing Brook Project
 - L. MDOT Construction Overlimit Permit – Main Street/Route 125 Project from Route 196 to Huston Street
8. COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES
 - 2021-246 ORDER – Legal Rights and Town Council Duties - Attorney Dan Stockford
 - 2021-247 ORDER – Council Working Rules
9. OTHER BUSINESS
 - A. Council Committee Reports:
 1. School Committee
 2. Planning Board
 3. Lisbon Development Committee
 4. Conservation Commission
 5. Recreation Committee
 6. County Budget
 7. Library Committee
 8. Water Commission
 9. Finance Committee
 - B. Town Manager's Report
 - C. Department Head Reports
10. APPOINTMENTS
 - 2021-248 ORDER – Council Committee Assignments
 - Note: Remember to only select one secondary Liaison for LDC – Primary is re-appointed in February
11. COUNCIL COMMUNICATIONS
12. AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS
13. EXECUTIVE SESSION
14. ADJOURNMENT
 - 2021-249 ORDER – To Adjourn

SUMMARY OF LISBON COUNCIL MEETING RULES

This summary is provided for guidance only. The complete council working rules may be found on the town website www.lisbonme.org on the Town Officials, Town Council page.

The meeting agenda is available from the town website under Council Agendas and Minutes.

1. Please note the order that agenda items may be acted upon by the Council, however, if necessary, the Council may elect to change the order of the agenda.
2. The Council Chairman presides over the meeting. When the Chairman is not present, the Vice Chairman serves that function. The chair shall preserve decorum and decide all questions of order and procedure subject to appeal to the town council.
3. Public comment is not typically allowed during Council workshops. There may be occasions where public comment may be recruited, but normally, workshops are reserved for Council members to discuss and educate themselves on a variety of issues facing the Town. Prior to the conclusion of a workshop, if time permits, the chair may allow questions from the public.
4. During audience participation, anyone wishing to address council will wait to be recognized by the chair before beginning any remarks. Audience members will move to the lectern to address council, and shall provide name and address prior to addressing the council.
5. Note that "Consent Agenda" items (if there are any) are acted upon first, voted upon as a group, and will most often be voted on without discussion as these items often involve "housekeeping" issues (such as minor parking changes). On occasion "Consent Agenda" items are separated out as stand-alone action items by the Council to allow for more discussion.
6. Public comment on agenda items. General comments on agenda items should be made during audience participation. After introduction of an agenda item, appropriate motions, and time for explanation and council questions, the public may be allowed to comment on that agenda item at the discretion of the chair. During that period of time, the public comment shall address only the agenda item before council.
7. Action on agenda items. As each item on the agenda for any meeting is brought to the floor for discussion:
 - a. The town clerk reads the agenda item and the action being requested of council.
 - b. The sponsor of each item or, if there is no council sponsor, the town manager, or town staff, shall first be allowed to present their initial comments for consideration by the public and councilors.
 - c. Following this introduction of the issue, there will be time devoted to any questions of the sponsor or the town manager or staff regarding the agenda item which any councilor may have which would help to clarify the question presented by the agenda item. The chair may allow questions from the public during this time however; no debate or discussion of collateral issues shall be permitted.
 - d. When authorized by the chair, any additional public comment shall be no longer than two minutes per person and must be to request or furnish new or undisclosed information or viewpoints only.
 - e. Once an agenda item has been explained and clarified by any questioning, the discussion on the specific agenda item will remain with the council. Additional public comment, prior to final council vote; will only be allowed at the chairman's discretion.
8. New business is for the council to receive input on town matters not on the agenda for that meeting. It is not intended, nor shall it be construed as an opportunity for debate of previous agenda items or reinforcement of a point made by another speaker. Comments shall be to furnish new or undisclosed information or viewpoints and limited to a time period of two minutes or less and shall be directed through the chair.
9. If an "Executive Session" is conducted by the Council, State Statute prohibits public attendance for any discussion of the action to be addressed by the Council. Any action taken by the Council on any "Executive Session" matter must be acted upon in a public meeting, and may occur at the end of the "Executive Session" (which has no time element relative to the length of the discussion involved in the "session").



Town of Lisbon

Diane Barnes
Town Manager

Town Council
Mark Lunt 2022
Donald Fellows 2022
Jason Smith 2022
Fern Larochelle 2023
Harry Moore, Jr. 2024
Raymond Robishaw 2024
Clifford Miller 2024

MEMO

To: Town Council

From: Diane Barnes, Town Manager

Subject: Recommendations

Date: December 7, 2021

Consent Agenda Items 2021 – 245 A to L

H. Policy on Treasurer's Disbursement Warrants for School Employees Wages & Benefits and I. Policy on Treasurer's Disbursement Warrants for Municipal Employee Wages, Benefits, & State Fees

Title 30-A M.R.S.A. § 5603 provides several ways in which disbursement of municipal and school funds for employees' wages and benefits may be approved by less than a majority of the Town Council without a public meeting.

2. Duties. The treasurer shall:

A. Except as provided in subparagraphs (1) to (3), and except as otherwise provided by charter or ordinance, disburse money only on the authority of a warrant drawn for the purpose, affirmatively voted and signed by a majority of the municipal officers.

(1) The municipal officers may adopt a written policy to permit the disbursement of employees' wages and benefits when a disbursement warrant has been signed by one or more designated municipal officers. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers.

(2) The municipal officers may adopt a written policy to permit the disbursement of payments for municipal education costs when a disbursement warrant has been signed by the school superintendent and approved by a majority of the school board or by a finance committee appointed or duly elected by the school board. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers.

(3) The municipal officers may adopt a written policy to permit the disbursement of state fees when a disbursement warrant has been signed by one or more designated municipal officers. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers; [2009, c. 6, §1 (AMD).]

Authorizes the adoption of the policies on Municipal and School Treasurer's Disbursement Warrants as presented.

J. State/Municipal Agreement – Main Street/Route 125 Frazier Bridge Project: The Maine Department of Transportation has completed the final design of a bridge culvert replacement project of Frazier Bridge #3954, WIN: 023118.00 in the Town of Lisbon. Advertisement of the project is scheduled for December 2021. This Bridge culvert replacement project is located on Route 125 (Main St.) over Dearing Brook in Lisbon. The work will be done using a road closure, detouring traffic onto surrounding roadways during construction. The detour will consist of the following: Route 125 (Main St.), School St., Route 9/196 (Lisbon St.), Route 9 (Ridge Rd.), and Gould Rd. This road closure will be coordinated with the Town to avoid impacts to school bus routes. As part of the process, the Town must enter into an agreement with the Maine Department of

Transportation. The purpose of this Agreement is to set out the roles and responsibilities of the Parties with regard to the Project, and the established detour routes.

Authorizes the Town Manager to enter into a State/Municipal Agreement with MDOT on behalf of the Town of Lisbon to protect the Town's interest.

K. MDOT Construction Overlimit Permit for Main Street/Route 125 Dearing Brook Project: Maine DOT requires a municipality agree to issue an overlimit permit, if necessary, for overweight equipment on Town streets pursuant to 29-A MRSA § 2382 (7), which states a construction permit is a permit *"for a stated period of time that may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation"* and must be procured from the municipal officers for overlimit loads on a municipal way. Said section of highway under construction in the town of Lisbon is on Main Street/Route 125 over Dearing Brook: Project 023118.00. This is mandatory, but we do not expect Town streets to be used. If they do need to use them, we can require a bond from the contractor with the permit to insure any damage gets repaired.

Authorizes the Town Manager to sign an MDOT construction permit on behalf of the Town of Lisbon establishing permit conditions to protect the Town's interest.

L. MDOT Construction Overlimit Permit – Main Street/Route 125 Project: Maine DOT requires a municipality agree to issue a permit, if necessary, for overweight equipment on Town streets pursuant to 29-A MRSA § 2382 for Ultra-Thin Bonded Wearing Course on Route 196: Project 14862.00 that begins on Route 196 extending northwesterly to Huston Street in Lisbon. This is mandatory, but we do not expect Town streets to be used. If they do need to use them, we can require a bond from the contractor with the permit to insure any damage gets repaired.

Authorizes the Town Manager to sign an MDOT construction permit on behalf of the Town of Lisbon establishing permit conditions to protect the Town's interest.



TOWN OF LISBON

300 Lisbon Street, Lisbon, ME 04250

Twila D. Lycette, Town Clerk

Lisa Smith, Deputy Clerk

TOWN OF LISBON PUBLIC HEARINGS Renewal Business Licenses

*The Lisbon Town Council will hold public hearings on **December 07, 2021 at 7:00 PM** at the Town Office at 300 Lisbon Street in the Public Meeting Room for the purpose of considering renewal Special Entertainment Permits for the:*

*Slovak Catholic Association
26 Avery Street, Lisbon Falls, ME*

And

*Coombs Mountfort Post #158
10 Webster Road, Lisbon, ME*

In addition, to hear comments on renewal Graveyard Permits for the following:

*Campbell's Used Auto Parts
36 River Road, Lisbon, ME*

And

*Huston's Auto Salvage
9 Capital Avenue, Lisbon Falls, ME*

The public is invited to attend.

*Twila Lycette, CMC/CCM
Lisbon Town Clerk*

Service Made 11/17/21

 Glenn Darby

Lisbon PD

Agenda Date: 12-07-2021

Date	Brenda Martin	Municipal Accts Payable
11/17/2021	11162021	\$ 209,086.06
11/17/2021	11172021	\$ 5,174.22
11/29/2021	11242021	\$ 6,589.69
12/2/2021	12012021	\$ 11,908.90
		\$ 232,758.87

Date	Jennifer Martin	Municipal Payroll Warrants
12/1/2021	21120w	\$ 16,468.78
12/1/2021	211202	\$ 153,904.79
		\$ 170,373.57

Date	Louise Levesque	School Accts Payable
12/3/2021	2210	\$ 183,490.74

Date	Eva Huston	School Payroll Warrants
11/23/2021	28	\$ 2,302.81
11/23/2021	1061	\$ 361,042.90
11/23/2021	1062	\$ 11,905.51
11/30/2021	1063	\$ 17,026.20
11/30/2021	1064	\$ 180.54
12/10/2021	1065	\$ 361,337.97
12/10/2021	1066	\$ 11,829.28
12/10/2021	1067	73,866.42
		\$ 839,491.63



TOWN COUNCIL MEETING MINUTES NOVEMBER 16, 2021

Normand Albert 2021
Kasie Kolbe 2021
Allen Ward 2021
Mark Lunt 2022
Donald Fellows 2022
Gregory Garrison (appt to 12/7/21) 2022
Fern Larochelle 2023

CALL TO ORDER. The Chairman, Allen Ward, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Ward, Albert, Kolbe, Lunt, Garrison, and Fellows. Also present were Diane Barnes, Town Manager; Randy Cyr, Public Works Director; Nate LeClair, Fire Chief; Brett Richardson, ECD Director; Kayla Tierney, Finance Director; Haley McCrater, School Department Bookkeeper; Kelli Rogers, School Committee Member; Dan Leeman, Planning Board Member; Ron Smith, RHR Smith, Town Auditor; and Gregg Mann, Lisbon resident, in the audience.

VOTE (2021-228) Councilor Ward, seconded by Councilor Albert moved to excuse Councilor Larochelle's absence. **Order passed – Vote 6-0.**

GOOD NEWS & RECOGNITION

(Microphone Not On At Podium)

Chief LeClair reported Lisbon responded to an accident at the corner of Bowdoin and Lisbon Street. A car had hit the corner of the house putting a huge hole in the foundation. Chief explained that Bob Robitaille and Eric Watson went to Mr. Watson's house to get materials that he had on hand and then went back to the scene to secure the corner of the building. He pointed out that these two volunteers went above and beyond for our Lisbon residents. Council commended Bob Robitaille and Eric Watson for going back to the scene making sure the job was done.

Gregg Mann from King Road reported the sign "blind drive" ahead is not visible right now to motorist traveling along King Road and that it is covered with branches and leaves. He said if Public Works could trim these branches that would be nice.

Mr. Mann reported 25 years ago he circulated a petition to have the speed limit lowered on King Road, which eventually was lowered from 40 MPH to 30 MPH, but still the traffic goes by much faster than it should. There are no paved shoulders on this road. He said there is a curve in the road along with the hill that blocks the view for quite a few driveways. He reported some neighbors do walk along this road. He requested the town approach the state to discuss better signage promoting the speed limit again. He pointed out that recently someone died at the corner of King Road and Lisbon Street where several other accidents have happened by Dingley. He suggested better signage or a traffic light be installed to prevent further deaths. He reported the turning lane at the Post Office that almost extends to the Credit Union is not long enough to get into and out of the Credit Union, making it difficult for motorist to merge back into the traffic on Lisbon Street there. Again, Mr. Mann said, these are higher accident spots and it's too bad that a certain number of individuals have to die before we design and create a safer traffic solution.

Councilor Ward recommended Mr. Mann contact the Police Department about monitoring the traffic speed on King Road. Councilor Lunt said he used to live over off King Road, that he was very familiar with these issues, and that he supported what Mr. Mann was saying. He asked the Town Manager to contact MDOT about better signage and traffic patterns at these higher accident areas in town. Councilor Albert thanked Mr. Mann for bringing these to their attention.

PUBLIC HEARINGS – NONE

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS – NONE**CONSENT AGENDA**

VOTE (2021-229) Councilor Fellows, seconded by Councilor Albert moved to approve the following consent agenda items:

- A. Municipal Accounts Payable Warrants - \$924,834.29
- B. Municipal Payroll Warrants - \$337,198.01
- C. School Accounts Payable Warrants - \$667,469.83
- D. School Payroll Warrants - \$1,227,423.94
- E. Minutes for October 19, 2021
- F. Set Public Hearings for December 7 for the Slovak Catholic Association, Coombs Mountfort Post 158, Campbell's Used Auto Parts, and Huston's Auto Salvage
- G. MDOT Modification #2 to Three-Party Partnership Agreement authorizing the Town Manager to sign the Third-Party Agreement on behalf of the Town of Lisbon
- H. Municipal/State Agreement Proposed Improvements to Route 125 authorizing the Town Manager to sign the Municipal/State Agreement and authorizing the use of Dingley TIF funds to pay for the Town's 10% share
- I. Ratify Election Results
- J. Waiver of Foreclosure authorizing the Treasurer to record a waiver of foreclosure in the Registry of Deeds for properties at 18 Mill Street, 19 Mill Street, 15 Mill Street, 11 Upland Road, 10 Mill Street, and 18 Lisbon Street
- K. Road Name Request for Cattail Lane off of Mill Street.

Order passed – Vote 6-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES**AUDIT PRESENTATION**

(Microphone Not On At Podium)

INTRODUCTION: Ron Smith from RHR Smith said the town has made much progress over the past year, that financially, revenues were up \$1.4 million in surplus, that \$1.2 million has been dedicated to special projects, and that \$3.4 million is available in undesignated surplus. He mentioned the town was ½ million in favorable for Excise Tax and that expenses, while still in pandemic mode, had not returned to what we consider normal, although is normal for our time. He predicted it might be at least 3 years before expenses come back around to where they were. He advised that the town not live beyond its means, that Council develop a plan and purpose, and stay true to the town and school. He said stimulus funds will not last forever; don't live outside that.

Mr. Smith said the lion's share of the MUNIS implementation is over, but some struggles still exist. For instance, the sewer resides on another system and is manually put into the new system. The town is maintaining two accounting systems right now, which is not recommended. He pointed out staff consistency is necessary and that without it there will be struggles. He said the faster the town gets out of the old software and into the new one the better off the town will be. He said Mrs. Tierney is up to the challenge. Once that happens, it should free up Mrs. Tierney's time so she will have more time for reconciling School Department accounts, talking with each other, and taking the time to be on the same page. He mentioned the town and school were making progress with cash reconciliations and finding commonalities, but the town needs to continue to progress and needs to make sure we continue to progress. He said the great news is that we see a lot of progress, but still housekeeping is needed overall, but great news. He said Lisbon received the highest opinion RHR Smith can offer and that Lisbon should carry on.

Councilor Ward said he appreciated all the hard work on both sides, both town and school and commended the auditors for getting the report to the town in this timeframe so both the town and school can enter into the budget season in a much better position when preparing budgets. He mentioned this will be the second year having a Finance Committee. He pointed out there were a lot of positive things to build upon, within the last year. Mr. Smith encouraged the Council to look at the Capital Plan and to move money in that direction.

BROWNFIELDS GRANT

(Microphone Not On At Podium)

INTRODUCTION: Mr. Richardson reported the town had successfully closed out the town's 2016 Brownfield Assessment Grant in partnership with the program consultant, TRC. In 2016, the Town was awarded \$200,000 from the U.S. Environmental Protection Agency (EPA). The town's Brownfield Assessment Grant provided funding to support redevelopment of commercial properties throughout the town through a range of planning activities and site assessments. The grant supported assessments of six properties, leading to expanded reuse options for property owners (Rusty Lantern and Worumbo) and the successful redevelopment of underutilized sites in Lisbon. The grant-funded projects include:

- 6 Phase I Environmental Site Assessments (ESA) – average cost between \$3,000 and \$6,000, depending on size of parcel.
- 4 Phase II ESAs/Supplemental Phase II ESAs/HBMS's – costs depend on scale of effort, but ranged from \$20,000 to \$45,000 each.
- 1 VRAP project – cost ~\$4,000.

Mr. Richardson indicated building upon that success, he and town staff were seeking Council approval to work with TRC to submit another application to the EPA for an additional Brownfield Assessment Grant Funding amount. TRC offered to develop the proposal with minimal town staff support and this proposal is due December 1, 2021. Should the EPA fund a second grant for Lisbon, the town would be required to carry out a bid process to select a consultant, even though TRC provided assistance with the proposal.

VOTE (2021-231) Councilor Albert, seconded by Councilor Kolbe moved to authorize the Town Manager to submit an application to EPA for an additional \$200,000 in Brownfield Assessment Funding to support ongoing economic and community development in Lisbon. **Order passed – Vote 6-0.**

EMPLOYEE COMPENSATION STUDY

INTRODUCTION: Mrs. Barnes reported the Town of Lisbon recently requested proposals from qualified professional personnel management consulting firms to conduct a Salary Market Analysis and a Classification and Compensation Study for non-union and union positions. The purpose of the project is to review the current salary market in comparison to the Town of Lisbon and to review existing classification/compensation plans and make recommendations for ensuring that these positions are internally equitable and externally competitive.

Mrs. Barnes explained compensation studies analyze our current practices and determine if they are competitive for our industry and geographic location. Employee satisfaction and retention is important to an organization. We want to make sure that the employees have the knowledge and skills to help them succeed. The requests for proposals went to the following:

Municipal Resources, Inc.	Plymouth, NH
HR Maine Consulting	Yarmouth, ME
Career Management Associates	Scarborough, ME

Bids were received from the following:

Municipal Resources, Inc.	\$32,100.00
Career Management Associates	\$19,355.00

COUNCILOR COMMENTS: Councilor Ward thanked all of the staff that participated in Mr. Tiner's workplace climate study. He said the Council heard those comments and what staff had to say. He said this the first item on the list to address as those items get carried forward. Keeping staff is a priority. Councilor Albert said this is the right time to do this study. The biggest challenge is keeping seasoned staff. Mrs. Barnes said a lot of other companies are doing the same thing for the same reasons.

VOTE (2021-232) Councilor Ward, seconded by Councilor Albert moved to award the bid to Career Management Associates in an amount not to exceed \$19,355.00. **Order passed – Vote 6-0.**

TURN OUT GEAR PURCHASE

(Microphone Not On At Podium)

INTRODUCTION: The Fire Chief is requesting permission to use Bergeron Protective Clothing as the sole source provider for the Fire Department turnout gear. Bergeron Protective Clothing is the dealer of Globe Firefighting Garments for Maine and New Hampshire. The Fire Department went to Globe three years ago after reassessing our options in the market. Globe is the oldest manufacturer of firefighting garments in the country, they are located in New Hampshire, and are used by several Maine departments including Lewiston, Auburn, Portland, Bangor, Topsham, and Brunswick. He said once the garment is chosen the town only has one choice for a vendor. Staying with one brand of garment ensures that the town has continuity in gear purchased. The State of Maine requires that all firefighting equipment meets the NFPA standards. Firefighting garments are rated and certified as an ensemble. Meaning that mixing different brands of gear places the firefighter into a non-certified ensemble. Doing so opens the town up for potential liability if a firefighter were ever injured. These garments get damaged, wear out, and need to be replaced on a regular basis.

Chief LeClair said the current quote is 10% higher than last year. 2020 prices per set were \$2,468.92 and this year its \$2,742.94 per set. This is due to an increase from the manufacturer for the flame retardant chemical that all gear manufacturers use. However, the quoted amount is still in line with what was budgeted for the five sets needing to be replaced.

VOTE (2021-233) Councilor Albert, seconded by Councilor Kolbe moved to approve purchasing Fire Department Turnout gear from a single source, Bergeron Protective Clothing. **Order passed – Vote 6-0.**

REQUEST TO AUCTION OLD EQUIPMENT & GRANITE CURBING

(Microphone Not On At Podium)

INTRODUCTION: Randy Cyr requested Council approve sending one vehicle from the Recreation Department, two vehicles from the Public Works Department, one large lot of granite curbing, and one generator from Police Department to Auctions International to sell. Mr. Cyr said these vehicles and generator are non-operational and dead. The granite curbing is from jobs going back several decades that is not being used and taking up too much space in the Public Works Yard.

COUNCILOR COMMENTS: Councilor Ward said he appreciated Mr. Cyr taking the lead on cleaning up the yard. It's a win-win situation. Mr. Cyr said he was surprised by the amount the town received for the last items sent to auction and indicated auctions bring typically higher amounts than the town can do on its own. These items should be gone before the snow arrives.

VOTE (2021-234) Councilor Albert, seconded by Councilor Fellows moved to approve sending the 2002 GMC from the Recreation Department, the 2004 Ford F250 and 1999 NAVI truck from Public Works, granite curbing, and the G100F1 generator from the Police Department to Auctions International to sell. **Order passed - Vote 6-0.**

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert indicated he had nothing new to report.
2. Planning: Councilor Fellows said the Planning Board received a new application for a subdivision.
3. LDC: Councilor Fellows said LDC is working on promotional banners and deciding on what information and pictures to put on them.
4. Conservation Commission: Councilor Ward reported the Conservation Commission meeting was cancelled.

5. Recreation: Councilor Albert reported a massive number of individuals attended the Soccer tournament and teams were rocking.
6. County Budget: Councilor Ward said the Androscoggin County Committee Budget meeting is tomorrow night and the final amount has not yet been decided. They tabled action on the budget to obtain answers to a few more questions.
7. Library: Councilor Lunt said he had nothing new to report.
8. Water Commission: Councilor Fellows said Arthur McLean is the new Chairman for the Water Commission. They recently adopted their 2022 calendar year budget. He mentioned the corrosion control project that may be starting around the first of the year. They are still waiting for tanks that should be delivered soon.
9. Finance Committee: Councilor Albert reported the Finance Committee will be gearing up at their next meeting for the budget season.

B. TOWN MANAGER'S REPORT

Mrs. Barnes reported the town is working on and should be delivering Thanksgiving Baskets on Monday. She mentioned the town is accepting applications for the Giving Tree at this time. The Route 125 project went out to bid today. She said it should be about a month before those estimates would be back.

C. DEPARTMENT HEAD WRITTEN REPORTS

TRAFFIC LIGHT AT PEPPERMINT CORNER (Route 196 & Littlefield Road)

Councilor Lunt requested the Town Manager reach out to MDOT regarding signage and a flashing light at the intersection of Route 196 and the Littlefield Road, along with lengthening the turning lane by the Post Office and Lisbon Credit Union. Councilor Kolbe said her husband drives a big truck and often enters and exits by Dingley Press, which is by the intersection of Littlefield Road and Route 196, and that he often complains about how many close calls and the degree of restricted visibility truck drivers experience when turning onto Route 196. She said there have been at least 3 or 4 deaths at the intersection at Peppermint Corner.

TURNING LANE NEAR LISBON POST OFFICE AND LISBON CREDIT UNION

Councilor Fellows explained that the turning lane is not long enough near the Lisbon Post Office and Lisbon Credit Union. He said more room is needed to prepare for turning and, also, getting out onto Route 196 on the Credit Union end. Councilor Albert agreed, and said making the call would be a great first step.

PUBLIC PARKING LOT AND TRAIL HEAD SIGNS

Councilor Lunt reported there are still no signs indicating the trail head off Capital Avenue. He requested signs at the corner of Capital Avenue and Route 196, along with signs indicating the public parking lot for the trail head off Capital Avenue.

MILLER TRAIL – EROSION CONTROL PROJECT

Councilor Ward thanked the Public Works crew for doing such a great job with erosion control on the Miller Trail. It looked awesome.

APPOINTMENTS

LDC & APPEALS BOARD

VOTE (2021-235) Councilor Ward, seconded by Councilor Albert moved to accept the resignation from Christopher Rugullies on the Board of Appeals, to appoint Noly Lopez to the Appeals Board, to accept the

resignation from Dean Willey on the Lisbon Development Committee, and to appoint Jo-Jean Keller to the Lisbon Development Committee as an Associate Member to 2023. **Order passed – Vote 6-0.**

ANNOUNCEMENT OF ETHICS PANEL APPOINTMENT BY SCHOOL COMMITTEE

The Chairman announced the School Committee appointment Leonard Lednum, a Regular Member to the Ethics Panel Monday, November 8, 2021.

COUNCILOR COMMUNICATIONS

Councilor Albert said thank you one and all for the privilege to work for this community. I understand better and appreciate more how hard staff, committee members, and volunteers work. He said, thank you for all I have learned from each of you. Although we may not all share the same opinions, we did have fun. He thanked his wife and children for their sacrifice and patience when he wasn't home because he was attending meetings.

Councilor Fellows recognized Councilors Albert, Kolbe, and Ward for their commitment over the past six years serving the citizens of Lisbon during some very difficult and not so difficult times at when there were disputes or opinions going back and forth on different topics, it was still a job well done. He presented each Councilor with an engraved Portfolio on behalf of the town to show our appreciation for their time and contribution.

Councilor Ward said six years ago when first elected he was prepared to be very vocal and in the minority, however within the first month that played out very differently. All were on board with thinking we can do a better job with our schools and the infrastructure. He said he would do the same thing again and not change our course.

Mrs. Barnes said it has been a great six-years, that this Council has moved Lisbon forward into a good position, and wished each Councilor the very best.

AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS

Greg Mann said it is very sad to have to say that so many individuals have to die before a change gets made to make our roads safer. He acknowledged that it is even said to know that postal workers have to hear these collisions and come to help. Councilor Albert thanked Mr. Mann for bringing this issue forward and indicated he should call the Lisbon Police Chief if speed is an issue, and mentioned that Public Works can cut down those limbs to unblock the sign.

EXECUTIVE SESSION

VOTE (2021-240) Councilor Fellows, seconded by Councilor Kolbe moved to go into Executive Session at 8:03 PM per 1 MRSA Section 405(6) (A) Personnel Matters. **Order passed – Vote 6-0.**

The Council came out of executive session at 8:18 PM and the meeting resumed.

ADJOURNMENT

VOTE (2021-241) Councilor Kolbe, seconded by Councilor Garrison moved to adjourn at 8:18 PM. **Order passed - Vote 6-0.**

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved: December 7, 2021

Application For Automobile Graveyard and/or Junkyard Permit

MUNICIPAL OFFICE USE ONLY

Tentative Date of Hearing December 7, 2021 Application Received

Time of Hearing 7:00 PM Permit No.

Place of Hearing Town Hall Public Meeting Room Fee Paid \$ 100.00

Notifications sent by Certified Mail Date

Sent by Applicant

To the City/Town Lisbon County Androscoggin Maine

I/We Carl Huston, Jr. d/b/a Huston's Auto Salvage hereby

make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile Graveyard and/or Junkyard at the following described location and in accordance with the provisions of Title 30, Sections 2451-B to 2459, Chapter 481, Public Laws 1966.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard
9 Capital Avenue, Lisbon Falls, ME 04252
2. Is this application made by or for a company, partnership, corporation-individual?
3. Is this property leased? Yes Property owned by Individual
Address: 162 Main Street, Lisbon Falls, ME 04252
4. How is "yard" screened? — Fence? (Type) Height 8' Trees? (Type)
Embankment? Gully? Hill? Other?
5. How far is edge of "yard" from center of highway? 247 Feet.
6. Can junk be seen from any part of highway? Yes No X
7. Was Junkyard Law, Requirements and Fees explained to you? Yes X No
8. Is any portion of this "yard" on public property? Yes No X
9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School, Church or Cemetery? Yes No X
10. When was "yard" established? 1981 By whom? Carl Huston, Jr.
11. When was last permit issued? 2020 To whom? Carl Huston, Jr.

One Copy of Application to City/Town
One Copy of Application to Applicant
One Copy of Application to State Police, Augusta
One Copy of Application to Dept. of Transportation

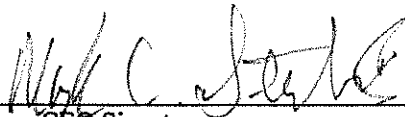
(over)

TOWN OF LISBON

JUNKYARD/AUTOMOBILE GRAVEYARD

INSPECTION COMPLIANCE CERTIFICATION

HUSTON'S AUTO SALVAGE
9 CAPITAL AVE
LISBON FALLS, ME

APPROVED: 
CEO Signature

DISAPPROVED: _____
CEO Signature

DATE: 12/6/21

COMMENTS: _____

.....
For Municipal Clerk's Use Only – Do Not Write Below This Line.

<input type="checkbox"/> Application Signed	<input type="checkbox"/> Put on Agenda
<input type="checkbox"/> Paid \$50.00 fee	<input type="checkbox"/> Permit Mailed to Applicant
<input type="checkbox"/> Inspection Certificate Completed	<input type="checkbox"/> Computer Database Updated
<input type="checkbox"/> Set Public Hearing Date when required	<input type="checkbox"/> Copies of Permit to MDOT/ROW
<input type="checkbox"/> Posted Public Hearing when required	<input type="checkbox"/> Notify abutters of application &
<input type="checkbox"/> Advertised Public Hearing when required	<input type="checkbox"/> The date when Council will take it up
<input type="checkbox"/> Copies of App to MDOT/ROW	

Application For Automobile Graveyard and/or Junkyard Permit

MUNICIPAL OFFICE USE ONLY

Tentative Date of Hearing December 7, 2021 Application Received 9/13/2021
Time of Hearing 7:00 PM Permit No.
Place of Hearing Town Hall Public Meeting Room Fee Paid \$100.00
Notifications sent by Certified Mail Date
..... Sent by Applicant

To the City/Town Lisbon County Androscoggin Maine
I/We Campbell's Used Auto Parts, Inc. hereby
make application (in quadruplicate) for a permit to establish, operate or maintain an Automobile
Graveyard and/or Junkyard at the following described location and in accordance with the provisions
of Title 30, Sections 2451-B to 2459, Chapter 481, Public Laws 1966.

Answer all questions in full.

1. Give location of Automobile Graveyard and/or Junkyard
..... 36 River Road, Lisbon, ME 04250
2. Is this application made by or for a company, partnership, corporation-individual? Corporation.....
3. Is this property leased? Property owned by Yes..... Corporation.....
Address:
4. How is "yard" screened? — Fence? (Type) Cedar..... Height 6'..... Trees? (Type)
Embankment? Gully? Hill? Other?
5. How far is edge of "yard" from center of highway? 25'..... Feet.
6. Can junk be seen from any part of highway? Yes No X.....
7. Was Junkyard Law, Requirements and Fees explained to you? Yes X..... No
8. Is any portion of this "yard" on public property? Yes No X.....
9. Is "yard" within 300 feet of a Public Park, Public Playground, Public Bathing Beach, School,
Church or Cemetery? Yes No X.....
10. When was "yard" established? 1959..... By whom? Alvah Campbell.....
11. When was last permit issued? 2020..... To whom? Martin, Mark, and David
Campbell

One Copy of Application to City/Town
One Copy of Application to Applicant
One Copy of Application to State Police, Augusta
One Copy of Application to Dept. of Transportation

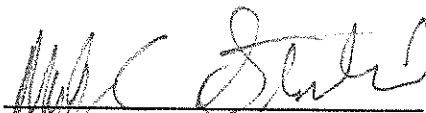
(over)

TOWN OF LISBON

JUNKYARD/AUTOMOBILE GRAVEYARD

INSPECTION COMPLIANCE CERTIFICATION

CAMPBELL'S USED AUTO PARTS, INC.
RIVER ROAD, LISBON

APPROVED: 
CEO Signature

DISAPPROVED: _____
CEO Signature

DATE: 12/5/21

COMMENTS: _____

.....

For Municipal Clerk's Use Only – Do Not Write Below This Line.

- | | |
|--|---|
| <input type="checkbox"/> Application Signed | <input type="checkbox"/> Put on Agenda |
| <input type="checkbox"/> Paid \$50.00 fee | <input type="checkbox"/> Permit Mailed to Applicant |
| <input type="checkbox"/> Inspection Certificate Completed | <input type="checkbox"/> Computer Database Updated |
| <input type="checkbox"/> Set Public Hearing Date when required | <input type="checkbox"/> Copies of Permit to MDOT/ROW |
| <input type="checkbox"/> Posted Public Hearing when required | <input type="checkbox"/> Notify abutters of application & |
| <input type="checkbox"/> Advertised Public Hearing when required | the date when Council will take it up |
| <input type="checkbox"/> Copies of App to MDOT/ROW | |

SPECIAL ENTERTAINMENT APPLICATION

License Type:

☒ \$100 Application Fee☐ \$80 Advertisement Fee For First Time Liquor License Applicants Only

*****NOTE: Must Attach State Liquor License Application**

Owner: Thomas M. Brunelle
NA American Legion Post #158 Home Phone: _____

Email Address: Finance post 158 @ outlook.com Cell Phone: _____

Owner's Home Address: 10 137 Main St. Lisbon Falls ME 04252

Residence(s) for last five years: Same

Name of Business: American Legion Post #158 Business Phone: 207 353 8192

Location of Business: 10 Webster Rd, Lisbon ME 04250

List Applicant / Partners / Corporate Officers:

Name: <u>Thomas M. Brunelle</u>	Name: <u>Larry Hall</u>	Name: <u>Jack Lechance</u>
Address: <u>137 Main St.</u>	Address: <u>1207 Webster Rd</u>	Address: <u>1 Watson Way</u>
Town/State: <u>Lisbon Falls ME</u>	Town/State: <u>Bowdoin, ME</u>	Town/State: <u>Sabbatus ME</u>
Birthdate: _____	Birthdate: _____	Birth date: _____

Has applicant's business license ever been revoked: NO ?

If so, why? _____

Has any applicant / partner / corporate officer ever been convicted of a felony? NO

If so, describe specific circumstances _____

Does the establishment have a valid liquor license? YES If so, when does it expire? 12-31-2021

I, Thomas M. Brunelle (name), Finance Officer (title) is authorized to sign on behalf of said business, and further declare that the forgoing information is accurate and true to the best of my knowledge and belief, and that the applicant does hereby acknowledge a public records check may be conducted.

Signature: Thomas M. BrunelleDate: 03 Nov 2021

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

CLUB APPLICATION

NEW application: ☐ Yes ☒ No Business hours: M-Th 1-9

If business is NEW or under new ownership,
indicate starting date: _____

Requested inspection (New Licensees/ Ownership Changes Only) Date: _____

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS w/ DBA: <input type="checkbox"/> Yes <input type="checkbox"/> No	

PRESENT LICENSE EXPIRES 12-31-2021

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE: ☒ \$10.00 Filing Fee (must be included on all applications)

☒ \$495.00 Club w/o Catering (Class V – Malt, Vinous & Spirituous)

☐ Club with Catering : ☐ Malt, Vinous, & Spirituous-Class I (\$900.00) ☐ Spirituous Only-Class II (\$550.00)
☐ Vinous Only-Class III (\$220.00) ☐ Malt Only-Class IV (\$220.00)
☐ Malt & Vinous Only-Class III & IV Combination (\$440.00)

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name:			Business Name (D/B/A)		
			<u>Coombs Mountfort American Legion Post #158</u>		
APPLICANT(S) –(Sole Proprietor)		DOB:	Physical Location:		
			<u>10 Webster St.</u>		
		DOB:	City/Town	State	Zip Code
			<u>Lisbon</u>	<u>ME</u>	<u>04250</u>
Address			Mailing Address		
			<u>P.O. Box 575</u>		
City/Town	State	Zip Code	City/Town	State	Zip Code
			<u>Lisbon</u>	<u>ME</u>	<u>04250</u>
Telephone Number		Fax Number	Business Telephone Number		Fax Number
			<u>207-353-8192</u>		
Federal I.D. #			Seller Certificate #: <u>0023844</u> <u>01 Feb 1974</u> or Sales Tax #:		
Email Address: Please Print			Website: <u>NA</u>		

1. State amount of gross income from period of last license: ROOMS \$ 0 FOOD \$ 00 LIQUOR \$ _____

2. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☒

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

3. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

(Use an additional sheet(s) if necessary.)

License # _____ Name of Business _____

Physical Location _____

City / Town _____

Business Name: Cosmbs-Mount Hst American Legion Post #158

INSPECTION REQUIRED BELOW

Notice of Compliance (By Council's Request): I, Mark Stambach, Code Enforcement Officer for the Town of Lisbon hereby certify I have inspected the above establishment and found the premises to be in compliance with applicable life safety codes.

Signature: Mark Stambach Date: 12/3/21

NOTE: State Liquor License Application must be completed and attached to this
Special Entertainment Application

APPLICANT MUST HAVE COMPLETED TO HERE BEFORE FILING

For Office Use Only

☒ Public Records Check Completed.

Notice of Compliance (By Council's Request): I, Ryan McGee, Police Chief hereby certify I have reviewed the application and public records check and recommend application for licensing.

Signature: Ryan McGee Date: 11/16/21

INFORMATION

The Councilors are the Municipal Licensing Board. All Special Entertainment application requires a public hearing each time. Public records checks can take up to three or more weeks to process. Complete applications contain the CEO and Police Chief signatures. Councilors meet on the first and third Tuesdays of the month. Complete application and fees paid are required prior to the Council meeting. Meetings are held at the Town Hall at 7:00 PM in the conference room.

SUGGESTED CONTACTS:

353-3000 Ext 112... Town Clerk
353-3007... Town Office Fax
353-3000 Ext 111... Code Enforcement Officer
353-2500... Police Department
353-3000 Ext 121... Health Officer
287-5671... State Health Inspection Dept.

624-9693State Sales Tax Division
624-7736.....Bureau of Corporations
624-7220.....Bureau of Alcohol Beverages
287-3841.....Agriculture Dept- Bakery Licenses
624-6550.....Marine Resources
1-800-872-3838..Business Answers

Revised March 12, 2018

SPECIAL ENTERTAINMENT APPLICATION

License Type:

☒ \$100 Application Fee
☐ \$80 Advertisement Fee For First Time Liquor License Applicants Only

*****NOTE: Must Attach State Liquor License Application**

Owner: SLOVAK CATHOLIC ASSOC. Home Phone: _____
Email Address: SCA1894@GMAIL.COM Cell Phone: _____
Owner's Home Address: 26 AVERY STREET, LISBON FALLS, ME 04252
Residence(s) for last five years: SLOVAK CATHOLIC ASSOCIATION
Name of Business: SLOVAK CATHOLIC ASSOC Business Phone: 207-353-9606
Location of Business: 26 AVERY ST, LISBON FALLS, ME 04252

List Applicant / Partners / Corporate Officers:

Name: _____ Name: See Attached Name: _____
Address: _____ Address: _____ Address: _____
Town/State: _____ Town/State: _____ Town/State: _____
Birthdate: _____ Birthdate: _____ Birth date: _____

Has applicant's business license ever been revoked: NO ?

If so, why? _____

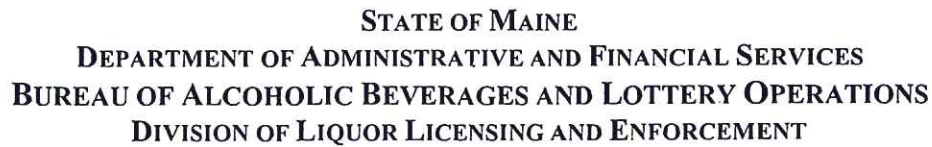
Has any applicant / partner / corporate officer ever been convicted of a felony? No

If so, describe specific circumstances _____

Does the establishment have a valid liquor license? Yes If so, when does it expire? 12/31/2021

I, Robert Kelleher (name), President (title) is authorized to sign on behalf of said business, and further declare that the forgoing information is accurate and true to the best of my knowledge and belief, and that the applicant does hereby acknowledge a public records check may be conducted.

Signature: [Signature] Date: 10/16/2021



All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Legal Business Entity Applicant Name (corporation, LLC): Slovak Catholic Association	Business Name (D/B/A): Same
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 26 Avery St. Lisbon Falls, ME 04252
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: Box 294 Lisbon Falls, ME 04252
Mailing address, if different from DBA address:	Email Address: SCA1894@gmail.com
Telephone # Fax #: 207-353-9606	Business Telephone # Fax #: 207-353-9606
Federal Tax Identification Number: 01-0192265	Maine Seller Certificate # or Sales Tax #: 0017345
Retail Beverage Alcohol Dealers Permit: N/A	Website address: N/A

1. New license or renewal of existing license? ☒ New Expected Start date: 1/1/2022
☐ Renewal Expiration Date: _____
2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
Food: \$3,500 Beer, Wine or Spirits: \$0 Guest Rooms: N/A
3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

Business Name: SLOVAK Catholic Association

INSPECTION REQUIRED BELOW

Notice of Compliance (By Council's Request): I, **Mark Stambach, Code Enforcement Officer** for the Town of Lisbon hereby certify I have inspected the above establishment and found the premises to be in compliance with applicable life safety codes.

Signature: [Signature] Date: 12/3/21

NOTE: State Liquor License Application must be completed and attached to this Special Entertainment Application

APPLICANT MUST HAVE COMPLETED TO HERE BEFORE FILING

For Office Use Only

 Public Records Check Completed.

Notice of Compliance (By Council's Request): I, **Ryan McGee, Police Chief** hereby certify I have reviewed the application and public records check and recommend application for licensing.

Signature: _____ Date: _____

INFORMATION

The Councilors are the Municipal Licensing Board. All Special Entertainment application requires a public hearing each time. Public records checks can take up to three or more weeks to process. Complete applications contain the CEO and Police Chief signatures. Councilors meet on the first and third Tuesdays of the month. Complete application and fees paid are required prior to the Council meeting. Meetings are held at the Town Hall at 7:00 PM in the conference room.

SUGGESTED CONTACTS:

353-3000 Ext 112... Town Clerk
353-3007..... Town Office Fax
353-3000 Ext 111... Code Enforcement Officer
353-2500..... Police Department
353-3000 Ext 121... Health Officer
287-5671..... State Health Inspection Dept.

624-9693State Sales Tax Division
624-7736.....Bureau of Corporations
624-7220.....Bureau of Alcohol Beverages
287-3841.....Agriculture Dept- Bakery Licenses
624-6550.....Marine Resources
1-800-872-3838..Business Answers

Revised March 12, 2018

Business Name: Slovak Catholic Association

INSPECTION REQUIRED BELOW

Notice of Compliance (By Council's Request): I, **Mark Stambach, Code Enforcement Officer** for the Town of Lisbon hereby certify I have inspected the above establishment and found the premises to be in compliance with applicable life safety codes.

Signature: _____ Date: _____

NOTE: State Liquor License Application must be completed and attached to this Special Entertainment Application

APPLICANT MUST HAVE COMPLETED TO HERE BEFORE FILING

For Office Use Only

☒ **Public Records Check Completed.**

Notice of Compliance (By Council's Request): I, **Ryan McGee, Police Chief** hereby certify I have reviewed the application and public records check and recommend application for licensing.

Signature:  Date: 10-22-21

INFORMATION

The Councilors are the Municipal Licensing Board. All Special Entertainment application requires a public hearing each time. Public records checks can take up to three or more weeks to process. Complete applications contain the CEO and Police Chief signatures. Councilors meet on the first and third Tuesdays of the month. Complete application and fees paid are required prior to the Council meeting. Meetings are held at the Town Hall at 7:00 PM in the conference room.

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624-7736.....Bureau of Corporations
624-7220.....Bureau of Alcohol Beverages
287-3841.....Agriculture Dept- Bakery Licenses
624-6550.....Marine Resources
1-800-872-3838..Business Answers

Revised March 12, 2018

Town of Lisbon
Policy on Treasurer's Disbursement Warrants for
School Employee Wages and Benefits

Purpose: This policy allows designated municipal officers (councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign school disbursement warrants for wages and benefits only.

Policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any disbursement warrant, including warrants for wages and benefits.

Delegation of authority. Pursuant to 30-A, M.R.S.A., Section 5603(2)(A)(2), the following authority is granted with respect to disbursement warrants for school employee wages and benefits only when the treasurer has been presented with a disbursement warrant signed by the school superintendent and approved by the majority of the school board, and municipal officers delegated by the Chair:

Current municipal officers. The municipal officers in office at the time of execution of this policy are: Donald Fellows, Fern Larochelle, Mark Lunt, Clifford Miller, Harry Moore, Jr., Raymond Robishaw, and Jason Smith.

The Chair of the municipal officers designates any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

Effective date. This policy becomes effective on December 7, 2021.

Copies. The Chair of the municipal officers will furnish copies of this policy to the municipal clerk and to the municipal treasurer.

Lapse. This policy lapses one year after its effective date, if not sooner amended or canceled.

Renewal. This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

Reminder. The treasurer shall remind the municipal officers to consider renewing this policy on or before the first Council meeting in December.

Original. The clerk will maintain the original copy of this policy on file.

Dated: _____

MUNICIPAL OFFICERS:

 Don Fellows

 Harry Moore Jr.

 Fern Larochelle

 Raymond Robishaw

 Mark Lunt

 Jason Smith

 Clifford Miller

Town of Lisbon
Policy on Treasurer's Disbursement Warrants for
Municipal Employee Wages, Benefits, & State Fees

Purpose: This policy allows designated municipal officers (councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal treasurer's disbursement warrants for wages, benefits, & state fees only.

Policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer's warrant, including warrants for wages and benefits.

Delegation of authority. Pursuant to 30-A, M.R.S.A., Section 5603(2)(A)(1)(3), the following authority is granted with respect to treasurer's disbursement warrants for municipal employee wages, benefits, and state fees only:

Current municipal officers. The municipal officers in office at the time of execution of this policy are: Donald Fellows, Fern Larochelle, Mark Lunt, Clifford Miller, Harry Moore Jr., Raymond Robishaw, and Jason Smith.

The Chair of the municipal officers designates any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

Effective date. This policy becomes effective on December 7, 2021.

Copies. The Chair of the municipal officers will furnish copies of this policy to the municipal clerk and to the municipal treasurer.

Lapse. This policy lapses one year after its effective date, if not sooner amended or canceled.

Renewal. This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

Reminder. The treasurer shall remind the municipal officers to consider renewing this policy on or before the first Council meeting in December.

Original. The clerk will maintain the original copy of this policy on file.

Dated: _____

MUNICIPAL OFFICERS

Don Fellows

Harry Moore Jr.

Fern Larochelle

Raymond Robishaw

Mark Lunt

Jason Smith

Clifford Miller



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
ACTING COMMISSIONER

March 26, 2021

Town of Lisbon
300 Lisbon St.
Lisbon, ME 04250

Subject: Frazier Bridge #3954
Bridge Culvert Replacement Project
WIN: 023118.00
Town of Lisbon

To Diane Barnes, Town Manager:

The Maine Department of Transportation is currently working on the final design of a bridge culvert replacement project of Frazier Bridge #3954, WIN: 023118.00 in the Town of Lisbon. Advertisement of the subject project for competitive bids is scheduled for December 2021. Construction of this project is anticipated to be completed during the 2022 Construction season.

The project is further described as follows:

Bridge culvert replacement project for Frazier Bridge #3954 which carries Route 125 (Main St.) over Dearing Brook in the Town of Lisbon.

The work will be done using a road closure, detouring traffic onto surrounding roadways during construction. The detour route will consist of the following: Route 125 (Main St.), School St., Route 9/196 (Lisbon St.), Route 9 (Ridge Rd.), and Gould Rd. This road closure will be coordinated with the Town to avoid impacts to school bus routes.

We hereby request that you provide a copy of this notice to all municipal officials, employees and boards with responsibilities for utility and/or land-use planning/permitting, and that you post this letter on any municipal public bulletin boards, media outlets and/or municipal websites as a public meeting will not be held regarding this project unless specifically requested by the municipality.

Should you have any questions, concerns or other areas of interest, we would appreciate your comments and input. My contact information can be found below.

Sincerely,

Devan Eaton, P.E.
Project Manager
Maine Department of Transportation
Bridge Program
207-215-5729
devan.c.eaton@maine.gov



MAINE DEPARTMENT OF TRANSPORTATION
MUNICIPAL/STATE AGREEMENT
Culvert Replacement of Frazier Bridge
Lisbon, Maine
Including Vehicular Detour Authorization
(non-monetary)

(MaineDOT Use Only)

<u>Project Location:</u>	Frazier Bridge Bridge #3954	Agreement Begin Date: <u>Upon MaineDOT Execution</u>
		Agreement End Date: <u>11/30/2022</u>
<u>State WIN:</u>	023118.00	<u>Federal Aid Project #:</u> 02311800

This Agreement is entered into between the **Maine Department of Transportation** (hereafter "MaineDOT") and the **Municipality of Lisbon**, a municipal corporation located in Androscoggin County (hereafter the "Municipality") (MaineDOT and the Municipality jointly hereafter being the "Parties") regarding MaineDOT's project described below.

RECITALS

- A. The scope of work that is the subject of this Agreement is the culvert replacement of Frazier Bridge (Bridge No. 3954) (the "Bridge") on Routes 125 in Lisbon, Maine (the "Project"). The Project is further detailed in the **Scope of Project** section of this Agreement.
- B. Project implementation shall include the temporary closure of the Bridge to all traffic for the duration of the Project, which will require detouring Route 125 traffic.
- C. All Route 125 traffic will be detoured to the town way of Gould Road, State Routes 9/196 and the state aid road of School Street. The detour routes are further detailed in the **Municipal Approval of Vehicular Detour Routes** section of this Agreement.
- D. The purpose of this Agreement is to set out the roles and responsibilities of the Parties with regard to the Project, and the established detour routes.

AGREEMENT

Now therefore, the Parties agree to the following Project-related terms and conditions:

The following appendices are hereby incorporated into this Agreement by reference:

- **Appendix A** – Project General Plan;
- **Appendix B** –Project Detour Map showing Vehicular route.

1. Scope of Project

The "Project" shall include the following components, all as further detailed on MaineDOT's Project General Plan attached hereto as **Appendix A**: the culvert replacement of Frazier Bridge

#3954 that carries State Route 125 (Main Street) over Dearing Brook (the “Bridge”); and the reconstruction of the immediate approaches leading thereto.

2. Municipal Approval of Vehicular Detour and Pedestrian Detour Routes.

- a. By execution of this Agreement, the Municipality hereby authorizes MaineDOT to redirect vehicular traffic over the routes depicted on **Appendix B** for the duration of the Project, further described as follows (collectively the “Detour Routes”):

Vehicular & Pedestrian Detour:

All Route 125 traffic will be detoured to the town ways of Gould Road, to State Route 9 (Ridge Road), State Route 9/196 (Lisbon Street) and the state aid road of School Street.

- b. Prior to implementing the Detour Routes, MaineDOT shall install appropriate signage to advise the travelling public of the changes in local traffic patterns and shall remove all signs upon Project completion. All associated signage shall be installed and removed at no cost to the Municipality.
- c. Prior to implementing the Detour Routes, MaineDOT’s Project Resident Engineer and the Municipality’s designated representative shall jointly review and document the existing conditions of the town ways affected by the Detour Routes. Upon Project completion, MaineDOT shall, at MaineDOT’s expense, repair any damage to the affected town ways to the extent that they are left in a condition that is comparable to the documented condition prior to implementation of the Detour Routes. The Resident Engineer will review any proposed improvements or repairs with the Municipality’s representative prior to initiating such improvements or repairs.
- d. In accordance with 23 M.R.S. § 654, MaineDOT shall, for the duration of the Project and at MaineDOT’s expense, ensure that the segment of Gould Road carrying the vehicular Detour Route is maintained in a condition adequate to serve traffic.
- e. In accordance with MaineDOT’s Standard Specifications, MaineDOT shall require its Project contractor to contact essential police, fire, rescue and ambulance service providers in the area to advise them of the Detour Routes and their impacts to emergency traffic flow through the Project area.

3. Contract Procurement, Construction and Cost Sharing

- a. MaineDOT shall procure and administer a contract to construct the Project (the “Contract”) in accordance with the plans and specifications developed by MaineDOT. MaineDOT expects to advertise the Project for solicitation of competitive construction bids in December 2021. Construction is estimated to extend through the 2022 construction season, with an anticipated completion in the fall of 2022.
- b. MaineDOT shall be the sole administrator of the Contract and will pay all Project costs except for those costs associated with Additional Work as identified below, if any.
- c. Neither MaineDOT nor its contractors will be required to pay for inspections by and permits from the Municipality.

- d. The Municipality, at its election, may request that changes be made or work added to the Project during the period of construction (the “Additional Work”), provided the Municipality agrees in writing to pay 100% of any additional costs plus an amount not to exceed fifteen percent (15%) of such costs to cover all necessary engineering, inspection and administrative expenses associated therewith, unless otherwise specified. All requests for Additional Work shall be subject to approval by MaineDOT at its sole discretion.
 - i. In the event Additional Work is incorporated into the Project at the Municipality’s request, MaineDOT will invoice the Municipality for the full estimated amount due prior to the Additional Work being implemented.
 - ii. A final invoice will be created following MaineDOT’s final voucher payment to the Project contractor after all quantities are verified and any required adjustments have been made. The cost of any remaining municipal share, for which MaineDOT will bill the Municipality, or any resulting reimbursement due to the Municipality, shall be determined by the contract prices and the completed quantities of the work, and will be reflected in this final invoice.
 - iii. The Municipality shall submit all payments to MaineDOT within 30 days from invoice date.
- e. The Municipality agrees to allow MaineDOT’s contractor to control all traffic through the Project areas in accordance with the Traffic Control Plan approved by MaineDOT per its standard protocol. As a component of this Traffic Control Plan, the Municipality agrees to allow MaineDOT to re-route detoured traffic in accordance with the Detour Routes depicted on Appendix B.
- f. The Municipality agrees to alter, move, relocate or remove, or cause to be, at no cost to the Project, any municipal property, including all fixtures, facilities or monuments, located on, under or above the ground as necessary to permit construction of the Project that have not otherwise been provided for during the development of the Project. Any work necessary to do so during the period of construction shall be coordinated with the contractor for the Project.
- g. To the extent necessary to permit construction of the Project, the Municipality will, at no cost to MaineDOT, assure proper adjustment, relocation, or repair of any portion of a utility service, whether above or below ground, that is located within the limits of the highway right-of-way and connected to any municipal utility. The Municipality agrees to hold the Department harmless from any claims for damages occurring as a result thereof.

4. Post Construction Municipal Highway Enforcement

- a. The Municipality agrees that during and after construction it will apply the requirements of the most recent version of MaineDOT’s “Utility Accommodation Policy” as the minimum guidelines, notwithstanding any municipal rules that are more lenient. A copy of MaineDOT’s policy will be provided to the Municipality by MaineDOT.
- b. The Municipality agrees that, except in an emergency or as allowed in 23 M.R.S. § 3351-A, it will prohibit the excavation of the highway within the limits of the Project for a period of at least five (5) years after completion of the Project, and agrees to make all necessary

notifications to abutters and occupants of the highway as otherwise required of any city government under the provisions of 23 M.R.S. § 3351. Thereafter, all future excavations within the right-of-way of the Project shall be regulated and controlled in the manner specified by MaineDOT in its most recent *"Rules, Regulations and Policies for Highway Openings"*, which is incorporated herein and made a part hereof by reference.

- c. The Municipality agrees to keep the right-of-way of the Project inviolate from all encroachments and agrees to remove, or cause to be removed, anything that may encroach thereon.
- d. When applicable, the Municipality agrees to regulate all entrances to the highway within the limits of the Project in accordance with the provisions of 23 M.R.S. § 704.

5. Termination

- a. MaineDOT reserves the right to postpone, suspend, abandon or otherwise terminate the Project for any reason.
- b. MaineDOT may postpone, suspend, abandon or otherwise terminate this Agreement upon thirty (30) days written notice to the Municipality and in no event shall any such action be deemed a breach of contract. Postponement, suspension, abandonment or termination may be taken for any reason by MaineDOT or specifically as the result of any failure by the Municipality to perform any of the services required under this Agreement to MaineDOT's satisfaction.

6. Miscellaneous Provisions

- a. Rights of Set-Off. MaineDOT shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State of Maine's option to withhold for the purposes of set-off monies owed to the Municipality under a specific project contract up to any amounts due and owed to MaineDOT with regard to this Agreement, and any other agreement/contract with any State of Maine department or agency, including any agreement/contract for a term commencing prior to the term of this Agreement, plus any amounts due and owed to the State of Maine for any reason including without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. MaineDOT shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by MaineDOT, its representatives, or the State Controller.
- b. Municipal Authority. The Municipality represents that it has received all necessary approvals or authorizations by its governing authorities to approve the Project and enter into this Agreement, and that it commits to obligate the necessary funds to satisfy its obligations identified herein.
- c. Indemnification. To the extent permitted by law, the Municipality shall indemnify, defend and hold harmless the State of Maine, its officers, agents and employees from all claims, suits or liabilities arising from any negligent or wrongful act, error or omission by the Municipality, its officials, employees, agents, consultants or contractors. Nothing herein shall waive any defense, immunity or limitation of liability that may be available to either party under the Maine Tort Claims Act (14 M.R.S. § 8101 et seq.) or any other privileges or immunities

provided by law. Any other provision of this Agreement to the contrary notwithstanding, this provision shall survive any termination or expiration of this Agreement.

- d. The Parties agree to: comply with and abide by all applicable state and federal laws, statutes, rules, regulations, standards and guidelines, including the Manual of Uniform Traffic Control Devices (the "MUTCD"), the Americans With Disabilities Act ("ADA"), the Occupational Safety and Health Administration ("OSHA") standards, and all Agreement provisions; avoid hindering each other's performance; fulfill all obligations diligently; and cooperate in achievement of the intent of this Agreement.
- e. All provisions of this Agreement as appended, except those which by their very nature are intended to survive, shall expire upon completion of Project construction and final collection and/or payment of all outstanding Project invoices, if any.
- f. Subject to Legislative Appropriation. Anything herein to the contrary notwithstanding, the Municipality acknowledges and agrees that, although the execution of this Agreement by MaineDOT manifests its intent to honor its terms and to seek funding to fulfill any obligations arising hereunder, by law any such obligations are subject to available budgetary appropriations by the Maine Legislature and, therefore, this Agreement does not create any obligation on behalf of MaineDOT in excess of such appropriations.
- g. Amendment and Modification. This Agreement, and all attachments, may only be modified or amended in writing and signed by duly authorized representatives of the Parties.
- h. Binding Effect. The Parties shall be bound by the terms of this Agreement. This provision shall apply to the Parties' successors, administrators and legal representatives.
- i. Assignment. No assignment of this Agreement is contemplated, and in no event shall any assignment be made without MaineDOT's express written permission.
- j. Independent Capacity. The Municipality, its respective employees, agents, representatives, consultants and contractors shall not act as officers, employees or agents of MaineDOT.
- k. Counterparts and Electronic Signatures. This Agreement may be implemented in one or more counterparts, each of which will be deemed to be an original copy and all of which, when taken together, will be deemed to constitute one and the same Agreement, and will be effective when counterparts have been signed by each of the Parties and delivered to the other Parties. Each Party agrees that this Agreement and any other documents to be executed in connection herewith may be electronically signed and that any electronic signatures appearing on this Agreement or the associated documents are the same as handwritten signatures for the purposes of validity, enforceability and admissibility.
- l. Notice. Any communications, requests or notices required or appropriate to be given under this Agreement shall be in writing and mailed via U.S. Mail, Certified or Registered, Return Receipt Requested or sent via a recognized commercial carrier such as, but not limited to Federal Express, that requires a return receipt delivered to the sending party. Alternatively, communication may be sent via email and shall satisfy the delivery requirements of this section through express acknowledgement of receipt by the receiving party. Said communications, requests or notices shall be sent to the other party as follows:

MaineDOT; Maine Department of Transportation
16 State House Station
Augusta, ME 04333-0016
Attn.: Devan Eaton, Project Manager
Email: devan.c.eaton@maine.gov

Municipality Municipality of Lisbon
300 Lisbon St
Lisbon, ME 04250
Attn.: Diane Barnes, Town Manager
Email: DBarnes@lisbonme.org

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement in duplicate, effective on the day and date last signed below.

MAINE DEPARTMENT OF TRANSPORTATION

Date: _____

By: _____
Devan Eaton
Project Manager
Bridge Program, Bureau of Project Development
Duly authorized*

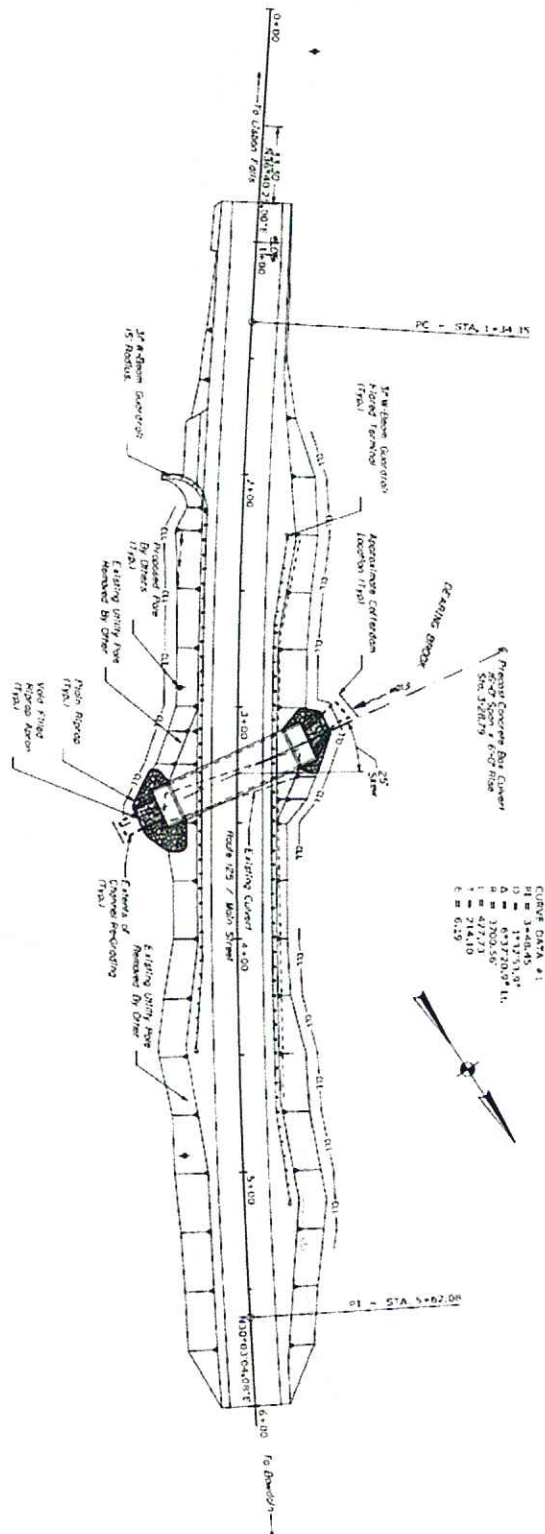
MUNICIPALITY OF LISBON

Date: _____

By: _____
Print name: _____
Its _____
Duly authorized*

** I certify that the signature above is true and accurate. I further certify that the signature, if electronic: (a) is intended to have the same force as a manual signature; (b) is unique to me; (c) is capable of verification; and (d) is under my sole control.*

APPENDIX A **(Project General Plan)**



APPENDIX B
(Project Detour Map)





STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

Twila D. Lycette, Clerk
Town of Lisbon
300 Lisbon St
Lisbon, ME 04250

Subject: Frazier Bridge Replacement
Project No: 023118.00
Town of Lisbon

Dear Ms. Lycette:

The Maine Department of Transportation will soon solicit quotes for the subject project for construction, and pursuant to 29-A MRSA § 2382 (7) we have established a "Construction Area". A copy of 29-A § 2382 is enclosed for your information. Also included is an agreement, which requires signature by the municipal officers, and additional background documents.

The agreement stipulates that the municipality will issue a permit for a stated period of time to the MDOT contractor for transporting construction equipment (backhoes, bulldozers, etc.) that exceed legal weight limits, over municipal roads. The agreement acknowledges the municipality's right to require a bond from the contractor to "guarantee suitable repair or payment of damages" per 29-A MRSA.

29-A MRSA § 2382 (7) states that "*the suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers*". In other words, municipal officers determine the suitability of repairs on municipal ways and bridges.

The State cannot force municipalities to allow overweight vehicles to travel on posted municipal roads. Municipal postings supersede overweight permits. However, the agreement requires municipalities to make reasonable accommodations for overweight vehicles that are operated by contractors and the MDOT in connection with the construction project.

The specific municipal roads involved are not necessarily known at present, as the contractor's plan of operation won't be known until just prior to the start of work. If the municipality plans to require a bond; the amount of the bond should be determined prior to the start of work. If the project number administratively changes, you will be notified, and the agreement modified accordingly. Please return the completed agreement to my attention. Should you have any questions, please contact me at 624-3410.

Sincerely,

A handwritten signature in blue ink that reads "George M.A. Macdougall".

George M.A. Macdougall
Contracts & Specifications Engineer
Bureau of Project Development

Return this AGREEMENT, when completed, to:

Maine Department of Transportation
ATTN.: George Macdougall, Contracts & Specifications Engineer
#16 State House Station, Child Street
Augusta, Maine 04333-0016

Project: 023118.00
Location: Main Street/ Route 125

Pursuant to 29-A MRSA § 2382, the undersigned municipal officers of the **Town of Lisbon** agree that a construction overlimit permit will be issued to the Contractor for the above-referenced project allowing the contractor to haul non-divisible overlimit loads on municipal ways.

The municipality may require the contractor to obtain a satisfactory bond pursuant to 29-A MRSA § 2388 to cover the cost of any damage that might occur as a result of the overlimit loads. If a bond is required, the exact amount of said bond should be determined prior to the use of any municipal way. The Maine DOT will assist in determining the amount of the bond if requested. A suggested format for a general construction overlimit bond is attached. A suggested format for a construction overlimit permit is also attached. This construction overlimit permit does not supersede rules that restrict the use of public ways, such as posting of public ways, pursuant to 29-A MRSA § 2395.

The maximum speed limit for trucks on any municipal way will be 25 mph (40 km per hour) unless a higher speed limit is specifically agreed upon, in writing, by the Municipal Officers.

TOWN OF LISBON
By the Municipal Officials

SPECIAL PROVISION 105
CONSTRUCTION AREA

A Construction Area located in the **Town of Lisbon** has been established by the Maine Department of Transportation (MDOT) in accordance with provisions of 29-A § 2382 Maine Revised Statutes Annotated (MRSA).

- (a) The section of highway under construction in the town of Lisbon, Androscoggin County on Main Street/ Route 125 over Dearing Brook.
- (b) (Main Street) over Dearing Brook station 0+75.00 to station 6+00.00 of the construction plus approaches.

Per 29-A § 2382 (7) MRSA, the MDOT may “*issue permits for stated periods of time for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:*

A. Must be procured from the municipal officers for a construction area within that municipality;

B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:

(1) Withholding by the agency contracting the work of final payment under contract; or

(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;

C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and

D. For construction areas, carries no fee and does not come within the scope of this section.”

The Municipal Officers for the **Town of Lisbon** agreed that an Overlimit Permit will be issued to the Contractor for the purpose of using loads and equipment on municipal ways in excess of the limits as specified in 29-A MRSA, on the municipal ways as described in the “Construction Area”.

As noted above, a bond may be required by the municipality, the exact amount of said bond to be determined prior to use of any municipal way. The MDOT will assist in determining the bond amount if requested by the municipality.

The maximum speed limits for trucks on any town way will be 25 mph (40 km per hour) unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

GENERAL GUIDANCE

CONSTRUCTION OVERLIMIT PERMIT AND BONDING

The Maine Bureau of Motor Vehicles (BMV) establishes requirements and standards for the permitting of non-divisible over dimensional and overweight vehicles and loads (collectively overlimit loads) on state roads. These state motor vehicle permits are available on-line. 29-A MRSA and Secretary of State Administrative Rules Chapters 155-157 apply. Additionally, municipalities and county commissioners may issue overweight permits for travel on municipal and county ways maintained by that municipality or county. These permits are typically single trip permits requiring vehicle registration data, intended route etc.

However, in this case we're dealing with *Construction Permits* involving overlimit loads in support of construction projects. According to 29-A MRSA § 2382 (7), a Construction Permit is a permit *"for a stated period of time that may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation"*. According to 29-A § 2382 MRSA, the construction overlimit permit must be procured from the municipal officers for overweight loads on a municipal way in support of a construction project within that municipality.

By signing the attached agreement, the municipality agrees to issue construction overlimit permits to the MDOT construction contractor.

Frequently Asked Questions:

A. Why sign the document in advance of the actual construction contract?

Response: There are three primary reasons: First, to comply with 29-A § 2382. Second, to ensure that there are no surprises regarding the use of municipal roads by the Maine DOT contractor (to reasonably reduce risk and thus keep the cost of construction down) and third, to ensure the town is aware of its rights to control its own roads, and its rights to require a separate contractor's bond. (This is in addition to the Payment Bond and the Performance Bond the Maine DOT requires of the contractor).

B. Different roads may require different levels of scrutiny. How is a posted road handled?

Response: Despite the general construction overweight permit, the contractor cannot exceed the load limit on a posted municipal road without specific municipal permission. 29-A § 2395 MRSA notes that any ways requiring special protection (such as posted roads) will continue to be protected and overweight permits are superseded by such postings. In such a case the contractor would have to use an alternate route.

C. Is there any reason why the contractor cannot be held to indemnify and hold harmless the Municipality beyond the simple posting of a bond?

Response: The objective of our standard letter is to deal with overweight equipment and trucks on municipal ways during construction of a Maine DOT construction project. The bond merely provides a measure of protection against damage to municipal ways as a direct result of construction activity. Other areas of risk and indemnification are beyond the scope of our letter.

D. Are we required to obtain a bond?

Response: No. In fact, few municipalities have required a construction bond. It is a matter of risk management.

E. If used, what amount should be required on the bond?

Response: Previous MDOT letters used to speak about a maximum bond amount of \$14,000 / mile (\$9,000 / kilometer) of traveled length, however 29-A § 2382 sets no maximum. The amount of the bond (if any bond is required at all) is based on the individual situation. The MDOT will assist in providing a bond amount estimate if so requested.

F. Why the blanket approval?

Response: The blanket approval we seek is the reasonable accommodation by the municipality to allow the Maine DOT contractor to use town ways (if required) to haul overweight construction equipment and trucks. This theoretically gives the municipality and the MDOT time to discuss exceptions to a blanket approval. In general, this avoids unnecessary risks and saves money for all concerned in the long run.

G. Who determines the suitability of repairs?

Response: For municipal ways, the suitability of repairs may be determined by municipal officers. The MDOT will assist.

H. What is a non-divisible load?

Response: Per Chapter 157 (The Administration of Over-Dimension and Overweight Permits) under the Secretary of State administrative rules (See Rule Chapters for the Department of the Secretary of State on line), a non-divisible load is defined as: A load which, if separated into smaller loads or vehicles, would:

- 1) make it unable to perform the function for which it was intended;
- 2) destroy its value or;
- 3) require more than eight work hours to dismantle using appropriate equipment. Sealed oceangoing containers, spent nuclear materials in casks, and government-controlled military vehicles and their loads will be considered non-divisible

I. What is the standard for Overweight trucks and equipment?

Response: Overweight means a weight that exceeds the legal limits established in 29-A MRSA Chapter 21.

J. This is an unorganized township with no county or municipal roads. Why should I respond?

Response: Because of limited staff, we send out a standard letter to cover contingencies and minimize risk to the construction process. From time to time the letter may not have a practical application. In most cases of unorganized territories, the agreement is signed and returned as a matter of routine. This ensures that surprises will not be encountered after the start of construction regarding travel over municipal and county ways.

Additional tips:

False Information - Permit are invalidated by false information. A permit is invalidated by the violation of any condition specified by the terms of the permit or by false information given on the application. On evidence of such violation of falsification, the permittee may be denied additional permits.

Proper Registration - Overload permits do not relieve the registrants of vehicles from their obligations to properly register their vehicles in accordance with Motor Vehicle Laws.

Agent's Power of Attorney - If you do require a contractor's bond, make sure you have a copy of the Surety Agent's power of attorney authorizing the surety agent to sign for the surety. Keep the power of attorney with your duplicate original bond at the municipality. The contractor will also have a duplicate original.

Other bonds - The Maine DOT requires a payment bond and a performance bond of the contractor which is held against unsatisfactory performance on the part of the contractor for all construction projects over \$100,000. (The Miller Act (40 U.S.C. 270a-270f) normally requires performance and payment bonds for any federal aid construction contract exceeding \$100,000. 14 MRSA § 871 provides a similar requirement for state funded construction projects.) These bonds cover the proper performance of the contract and the payment of all employees, suppliers and subcontractors.

SPECIAL PROVISION 105
OVERLIMIT PERMITS

Title 29-A § 2382 MRSA Overlimit Movement Permits.

1. Overlimit movement permits issued by State. The Secretary of State, acting under guidelines and advice of the Commissioner of Transportation, may grant permits to move nondivisible objects having a length, width, height or weight greater than specified in this Title over a way or bridge maintained by the Department of Transportation

2. Permit fee. The Secretary of State, with the advice of the Commissioner of Transportation, may set the fee for single trip permits, at not less than \$6, nor more than \$30, based on weight, height, length and width. The Secretary of State may, by rule, implement fees that have been set by the Commissioner of Transportation for multiple trip, long-term overweight movement permits. Rules established pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

3. County and municipal permits. A county commissioner or municipal officer may grant a permit, for a reasonable fee, for travel over a way or bridge maintained by that county or municipality

4. Permits for weight. A vehicle granted a permit for excess weight must first be registered for the maximum gross vehicle weight allowed for that vehicle.

5. Special mobile equipment. The Secretary of State may grant a permit, for no more than one year, to move pneumatic-tire equipment under its own power, including Class A and Class B special mobile equipment, over ways and bridges maintained by the Department of Transportation. The fee for that permit is \$15 for each 30-day period.

6. Scope of permit. A permit is limited to the particular vehicle or object to be moved, the trailer or semitrailer hauling the overlimit object and particular ways and bridges.

7. Construction permits. A permit for a stated period of time may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:

A. Must be procured from the municipal officers for a construction area within that municipality;

B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:

(1) Withholding by the agency contracting the work of final payment under contract; or

(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;

C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and

D. For construction areas, carries no fee and does not come within the scope of this section.

8. Gross vehicle weight permits. The following may grant permits to operate a vehicle having a gross vehicle weight exceeding the prescribed limit:

A. The Secretary of State, with the consent of the Department of Transportation, for state and state aid highways and bridges within city or compact village limits;

B. Municipal officers, for all other ways and bridges within that city and compact village limits; and

C. The county commissioners, for county roads and bridges located in unorganized territory.

9. Pilot vehicles. The following restrictions apply to pilot vehicles.

A. Pilot vehicles required by a permit must be equipped with warning lights and signs as required by the Secretary of State with the advice of the Department of Transportation.

B. Warning lights may be operated and lettering on the signs may be visible on a pilot vehicle only while it is escorting a vehicle with a permit on a public way.

With the advice of the Commissioner of Transportation and the Chief of the State Police, the Secretary of State shall establish rules for the operation of pilot vehicles.

9-A. Police escort. A person may not operate a single vehicle or a combination of vehicles of 125 feet or more in length or 16 feet or more in width on a public way unless the vehicle or combination of vehicles is accompanied by a police escort. The Secretary of State, with the advice of the Commissioner of Transportation, may require a police escort for vehicles of lesser dimensions.

A. The Bureau of State Police shall establish a fee for state police escorts to defray the costs of providing a police escort. A county sheriff or municipal police department may establish a fee to defray the costs of providing police escorts.

B. The Bureau of State Police shall provide a police escort if a request is made by a permittee. A county sheriff or municipal police department may refuse a permittee's request for a police escort.

C. A vehicle or combination of vehicles for which a police escort is required must be accompanied by a state police escort when operating on the interstate highway system.

10. Taxes paid. A permit for a mobile home may not be granted unless the applicant provides reasonable assurance that all property taxes, sewage disposal charges and drain and sewer assessments applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from those taxes. A municipality may waive the requirement that those taxes be paid before the issuance of a permit if the mobile home is to be moved from one location in the municipality to another location in the same municipality for purposes not related to the sale of the mobile home.

11. Violation. A person who moves an object over the public way in violation of this section commits a traffic infraction.

Section History:

PL 1993, Ch. 683, §A2 (NEW).

PL 1993, Ch. 683, §B5 (AFF).

PL 1997, Ch. 144, §1,2 (AMD).

PL 1999, Ch. 117, §2 (AMD).

PL 1999, Ch. 125, §1 (AMD).

PL 1999, Ch. 580, §13 (AMD).

PL 2001, Ch. 671, §30 (AMD).

PL 2003, Ch. 166, §13 (AMD).

PL 2003, Ch. 452, §Q73,74 (AMD).

PL 2003, Ch. 452, §X2 (AFF).

MUNICIPAL OVERLIMIT PERMIT FOR CONSTRUCTION

MUNICIPALITY: _____

Phone: 207- _____; fax: 207- _____

APPLICATION FOR OVERLIMIT PERMIT TO MOVE CONSTRUCTION EQUIPMENT AND LOADS IN EXCESS OF LEGAL LIMITS ON MUNICIPAL WAYS

Construction Time Period:

Per 29-A § 2382 (7) MRSA, application is hereby made to the MUNICIPALITY OF _____
for An Overlimit Permit to move construction equipment, material, objects or loads in excess of legal limits over
ways maintained by the MUNICIPALITY in support of construction operations for the following Maine DOT
project

Project Description:

Project Identification Number (PIN):

NAME OF PERMITTEE (Construction Company):

STREET/P.O. BOX:

CITY:

STATE/PROV:

ZIP / POSTAL CODE:

PHONE:

FAX:

This object or load cannot be readily reduced to the legal limits.

Signed by:

(name & title)

Permit is granted. A copy of this signed permit will be provided to the permittee as prove of permit. This permit
will automatically expire at the physical completion of the above construction project. The original permit will be
held on file at the municipality.

Signed:

Municipal Official



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

Diane Barnes, Town Manager
Re: Town of Lisbon
300 Lisbon Street,
Lisbon, 04250

11/17/21

Subject: Full Reconstruction
Project No.: 14862.00
Location: Lisbon
Roadway: Route 196

Dear Ms. Barnes:

The Maine Department of Transportation will soon solicit quotes for the subject project for construction, and pursuant to 29-A MRSA § 2382 (7) we have established a "Construction Area." A copy of 29-A § 2382 is enclosed for your information. Also included is an agreement, **which requires signature by the municipal officers**, and additional background documents.

The agreement stipulates that the municipality will issue a permit for a stated period of time to the MDOT contractor for transporting construction equipment (backhoes, bulldozers, etc.) that exceed legal weight limits, over municipal roads. The agreement acknowledges the municipality's right to require a bond from the contractor to "guarantee suitable repair or payment of damages" per 29-A MRSA.

29-A MRSA § 2382 (7) states that "*the suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers.*" In other words, municipal officers determine the suitability of repairs on municipal ways and bridges.

The State cannot force municipalities to allow overweight vehicles to travel on posted municipal roads. Municipal postings supersede overweight permits. However, the agreement requires municipalities to make reasonable accommodations for overweight vehicles that are operated by contractors and the MDOT in connection with the construction project.

The specific municipal roads involved are not necessarily known at present, as the contractor's plan of operation won't be known until just prior to the start of work. If the municipality plans to require a bond; the amount of the bond should be determined prior to the start of work. If the project number administratively changes, you will be notified, and the agreement modified accordingly. Please return the completed agreement to my attention. Should you have any questions, please contact me at 207 624-3410.

Sincerely,

George M.A. Macdougall, P.E.
Contracts & Specifications Engineer
Bureau of Project Development

Please return this AGREEMENT, when completed, to:

Maine Department of Transportation
ATTN.: George Macdougall, Contracts & Specifications Engineer
#16 State House Station, Child Street
Augusta, Maine 04333-0016

Project No.: 14862.00
Location: Lisbon

Pursuant to 29-A MRSA § 2382, the undersigned municipal officers of the Town of Lisbon agree that a construction overlimit permit will be issued to the Contractor for the above-referenced project allowing the contractor to use overweight equipment and loads on municipal ways.

The municipality may require the contractor to obtain a satisfactory bond pursuant to 29-A MRSA § 2388 to cover the cost of any damage that might occur as a result of the overlimit loads. If a bond is required, the exact amount of said bond should be determined prior to the use of any municipal way. The MaineDOT will assist in determining the amount of the bond if requested. A suggested format for a general construction *overlimit bond* is attached. A suggested format for a construction *overlimit permit* is also attached. This construction overlimit permit does not supersede rules that restrict the use of public ways, such as posting of public ways, pursuant to 29-A MRSA § 2395.

The maximum speed limit for trucks on any municipal way will be 25 mph (40 km per hour) unless a higher speed limit is specifically agreed upon, in writing, by the Municipal Officers.

TOWN OF LISBON
By the Municipal Officials

SPECIAL PROVISION 105
CONSTRUCTION AREA

Construction Areas located in the Town of Lisbon have been established by the Maine Department of Transportation (MDOT) in accordance with provisions of 29-A § 2382 Maine Revised Statutes Annotated (MRSA).

The sections of highway under construction in Androscoggin County:

***Project 14862.00** is located in Lisbon beginning on Route 196 and extending 1.00 mile northeasterly to Huston Street.*

Per 29-A § 2382 (7) MRSA, the MDOT may “issue permits for stated periods of time for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:

- A. Must be procured from the municipal officers for a construction area within that municipality;*
- B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:*
 - (1) Withholding by the agency contracting the work of final payment under contract; or*
 - (2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.*
- The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;*
- C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and*
- D. For construction areas, carries no fee and does not come within the scope of this section.”*

The Municipal Officers for the Town of Lisbon agreed that an Overlimit Permit will be issued to the Contractor for the purpose of using loads and equipment on municipal ways in excess of the limits as specified in 29-A MRSA, on the municipal ways as described in the “Construction Area.”

As noted above, a bond may be required by the municipality, the exact amount of said bond to be determined prior to use of any municipal way. The MDOT will assist in determining the bond amount if requested by the municipality.

The maximum speed limits for trucks on any town way will be 25 mph (40 km per hour) unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

GENERAL GUIDANCE

CONSTRUCTION OVERLIMIT PERMIT AND BONDING

The Maine Bureau of Motor Vehicles (BMV) establishes requirements and standards for the permitting of non-divisible over dimensional and overweight vehicles and loads (collectively overlimit loads) on state roads. These state motor vehicle permits are available on-line. 29-A MRSA and Secretary of State Administrative Rules Chapters 155-157 apply. Additionally, municipalities and county commissioners may issue overweight permits for travel on municipal and county ways maintained by that municipality or county. These permits are typically single trip permits requiring vehicle registration data, intended route etc.

However, in this case we're dealing with *Construction Permits* involving overlimit loads in support of construction projects. According to 29-A MRSA § 2382 (7), a Construction Permit is a permit *"for a stated period of time that may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation"*. According to 29-A § 2382 MRSA, the construction overlimit permit must be procured from the municipal officers for overweight loads on a municipal way in support of a construction project within that municipality.

By signing the attached agreement, the municipality agrees to issue construction overlimit permits to the MDOT construction contractor.

Frequently Asked Questions:

A. Why sign the document in advance of the actual construction contract?

Response: There are three primary reasons: First, to comply with 29-A § 2382. Second, to ensure that there are no surprises regarding the use of municipal roads by the Maine DOT contractor (to reasonably reduce risk and thus keep the cost of construction down) and third, to ensure the town is aware of its rights to control its own roads, and its rights to require a separate contractor's bond. (This is in addition to the Payment Bond and the Performance Bond the Maine DOT requires of the contractor).

B. Different roads may require different levels of scrutiny. How is a posted road handled?

Response: Despite the general construction overweight permit, the contractor cannot exceed the load limit on a posted municipal road without specific municipal permission. 29-A § 2395 MRSA notes that any ways requiring special protection (such as posted roads) will continue to be protected and overweight permits are superseded by such postings. In such a case the contractor would have to use an alternate route.

C. Is there any reason why the contractor cannot be held to indemnify and hold harmless the Municipality beyond the simple posting of a bond?

Response: The objective of our standard letter is to deal with overweight equipment and trucks on municipal ways during construction of a Maine DOT construction project. The bond merely provides a measure of protection against damage to municipal ways as a direct result of construction activity. Other areas of risk and indemnification are beyond the scope of our letter.

D. Are we required to obtain a bond?

Response: No. In fact, few municipalities have required a construction bond. It is a matter of risk management.

E. If used, what amount should be required on the bond?

Response: Previous MDOT letters used to speak about a maximum bond amount of \$14,000 / mile (\$9,000 / kilometer) of traveled length, however 29-A § 2382 sets no maximum. The amount of the bond (if any bond is required at all) is based on the individual situation. The MDOT will assist in providing a bond amount estimate if so requested.

F. Why the blanket approval?

Response: The blanket approval we seek is the reasonable accommodation by the municipality to allow the Maine DOT contractor to use town ways (if required) to haul overweight construction equipment and trucks. This theoretically gives the municipality and the MDOT time to discuss exceptions to a blanket approval. In general, this avoids unnecessary risks and saves money for all concerned in the long run.

G. Who determines the suitability of repairs?

Response: For municipal ways, the suitability of repairs may be determined by municipal officers. The MDOT will assist.

H. What is a non-divisible load?

Response: Per Chapter 157 (The Administration of Over-Dimension and Overweight Permits) under the Secretary of State administrative rules (See Rule Chapters for the Department of the Secretary of State on line), a non-divisible load is defined as: A load which, if separated into smaller loads or vehicles, would:

- 1) make it unable to perform the function for which it was intended;
- 2) destroy its value or;
- 3) require more than eight work hours to dismantle using appropriate equipment. Sealed oceangoing containers, spent nuclear materials in casks, and government-controlled military vehicles and their loads will be considered non-divisible

I. What is the standard for Overweight trucks and equipment?

Response: Overweight means a weight that exceeds the legal limits established in 29-A MRSA Chapter 21.

J. This is an unorganized township with no county or municipal roads. Why should I respond?

Response: Because of limited staff, we send out a standard letter to cover contingencies and minimize risk to the construction process. From time to time the letter may not have a practical application. In most cases of unorganized territories, the agreement is signed and returned as a matter of routine. This ensures that surprises will not be encountered after the start of construction regarding travel over municipal and county ways.

Additional tips:

False Information - Permit are invalidated by false information. A permit is invalidated by the violation of any condition specified by the terms of the permit or by false information given on the application. On evidence of such violation of falsification, the permittee may be denied additional permits.

Proper Registration - Overload permits do not relieve the registrants of vehicles from their obligations to properly register their vehicles in accordance with Motor Vehicle Laws.

Agent's Power of Attorney - If you do require a contractor's bond, make sure you have a copy of the Surety Agent's power of attorney authorizing the surety agent to sign for the surety. Keep the power of attorney with your duplicate original bond at the municipality. The contractor will also have a duplicate original.

Other bonds - The Maine DOT requires a payment bond and a performance bond of the contractor which is held against unsatisfactory performance on the part of the contractor for all construction projects over \$100,000. (The Miller Act (40 U.S.C. 270a-270f) normally requires performance and payment bonds for any federal aid construction contract exceeding \$100,000. 14 MRSA § 871 provides a similar requirement for state funded construction projects.) These bonds cover the proper performance of the contract and the payment of all employees, suppliers and subcontractors.

Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 21: WEIGHT, DIMENSION AND PROTECTION OF WAYS
Subchapter 2: DIMENSION
§2383

§2382. Overlimit movement permits

1. Overlimit movement permits issued by State. The Secretary of State, acting under guidelines and advice of the Commissioner of Transportation, may grant permits to move nondivisible objects having a length, width, height or weight greater than specified in this Title over a way or bridge maintained by the Department of Transportation.

2. Permit fee. The Secretary of State, with the advice of the Commissioner of Transportation, may set the fee for single trip permits, at not less than \$6, nor more than \$30, based on weight, height, length and width. The Secretary of State may, by rule, implement fees that have been set by the Commissioner of Transportation for multiple trip, long-term overweight movement permits. Rules established pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

3. County and municipal permits. A county commissioner or municipal officer may grant a permit, for a reasonable fee, for travel over a way or bridge maintained by that county or municipality.

4. Permits for weight. A vehicle granted a permit for excess weight must first be registered for the maximum gross vehicle weight allowed for that vehicle.

5. Long-term permits. The Secretary of State may grant permits for up to one year for trucks, truck tractors, semitrailers, heavy duty recovery vehicles and Class A special mobile equipment. Notwithstanding Title 5, section 8071, subsection 2, paragraph A, the Secretary of State, in consultation with the Commissioner of Transportation, shall establish the fee schedule by rule. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

6. Scope of permit A permit is limited to the particular vehicle or object to be moved, the trailer or semitrailer hauling the overlimit object and particular ways and bridges.

7. Construction permits. A permit for a stated period of time may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:

- A. Must be procured from the municipal officers for a construction area within that municipality;
- B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:
 - 1. Withholding by the agency contracting the work of final payment under contract; or
 - 2. The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;

- C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and
- D. For construction areas, carries no fee and does not come within the scope of this section.

8. Gross vehicle weight permits. The following may grant permits to operate a vehicle having a gross vehicle weight exceeding the prescribed limit:

- A. The Secretary of State, with the consent of the Department of Transportation, for state and state aid highways and bridges within city or compact village limits;
- B. Municipal officers, for all other ways and bridges within that city and compact village limits; and
- C. The county commissioners, for county roads and bridges located in unorganized territory.

9. Pilot vehicles. The following restrictions apply to pilot vehicles.

- A. Pilot vehicles required by a permit must be equipped with warning lights and signs as required by the Secretary of State with the advice of the Department of Transportation.
- B. Warning lights may be operated and lettering on the signs may be visible on a pilot vehicle only while it is escorting a vehicle with a permit on a public way.

With the advice of the Commissioner of Transportation and the Chief of the State Police, the Secretary of State shall establish rules for the operation of pilot vehicles.

9-A. Police escort. A person may not operate a single vehicle or a combination of vehicles of 125 feet or more in length or 16 feet or more in width on a public way unless the vehicle or combination of vehicles is accompanied by a police escort. The Secretary of State, with the advice of the Commissioner of Transportation, may require a police escort for vehicles of lesser dimensions.

- A. The Bureau of State Police shall establish a fee for state police escorts to defray the costs of providing a police escort. A county sheriff or municipal police department may establish a fee to defray the costs of providing police escorts.
- B. The Bureau of State Police shall provide a police escort if a request is made by a permittee. A county sheriff or municipal police department may refuse a permittee's request for a police escort.
- C. A vehicle or combination of vehicles for which a police escort is required must be accompanied by a state police escort when operating on the interstate highway system.

10. Taxes paid. A permit for a mobile home may not be granted unless the applicant provides reasonable assurance that all property taxes, sewage disposal charges and drain and sewer assessments applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from those taxes. A municipality may waive the requirement that those taxes be paid before the issuance of a permit if the mobile home is to be moved from one location in the municipality to another location in the same municipality for purposes not related to the sale of the mobile home.

11. Violation. A person who moves an object over the public way in violation of this section commits a traffic infraction.

SECTION HISTORY:

PL 1993, c. 683, §A2 (NEW).
PL 1993, c. 683, §B5 (AFF).
PL 1997, c. 144, §§1,2 (AMD).
PL 1999, c. 117, §2 (AMD).
PL 1999, c. 125, §1 (AMD).
PL 1999, c. 580, §13 (AMD).
PL 2001, c. 671, §30 (AMD).

PL 2003, c. 166, §13 (AMD).
PL 2003, c. 452, §§Q73,74 (AMD).
PL 2003, c. 452, §X2 (AFF).
PL 2007, c. 703, §25 (AMD).
PL 2011, c. 356, §23 (AMD).
PL 2011, c. 556, §22 (AMD).
PL 2019, c. 335, §9 (AMD).

MUNICIPAL OVERLIMIT PERMIT FOR CONSTRUCTION

MUNICIPALITY: _____

Phone: 207-_____; fax: 207- _____

APPLICATION FOR OVERLIMIT PERMIT TO MOVE CONSTRUCTION EQUIPMENT AND LOADS IN EXCESS OF LEGAL LIMITS ON MUNICIPAL WAYS

Construction Time Period:

Per 29-A § 2382 (7) MRSA, application is hereby made to the MUNICIPALITY OF _____
for An Overlimit Permit to move construction equipment, material, objects or loads in excess of legal limits over
ways maintained by the MUNICIPALITY in support of construction operations for the following Maine DOT
project

Project Description:

Project Identification Number (PIN):

NAME OF PERMITTEE (Construction Company):

STREET/P.O. BOX:

CITY:

STATE/PROV:

ZIP / POSTAL CODE:

PHONE:

FAX:

This object or load cannot be readily reduced to the legal limits.

Signed by:

(name & title)

Permit is granted. A copy of this signed permit will be provided to the permittee as prove of permit. This permit
will automatically expire at the physical completion of the above construction project. The original permit will be
held on file at the municipality.

Signed:

Municipal Official

Sec. 74-201. - Working rules for town council.

- (a) *Purpose.* The purpose of these rules is to establish procedures for the conduct of town business before the council, pursuant to the authority of council under Section 2.06(b) of the Charter.
- (b) *Effective date/adoption/amendment.*
- (1) *Effective date.* These rules shall be effective for the council year that runs from the organizational meeting on the first Tuesday after the first Monday in December to the next organizational meeting in the ensuing year. Should the council fail to adopt working rules at its organizational meeting, then the rules for the previous year shall remain in full force and effect.
 - (2) *Adoption.* The adoption of these working rules, or any amendment thereof, shall require four affirmative votes.
 - (3) *Amendment.* These working rules may be amended at any regular or special meeting of the town council. Any amendment proposed for these working rules shall be submitted in writing and shall be included in the agenda package for the meeting at which the amendment is to be considered.
- (c) *Agenda.*
- (1) *Development.* The development of agendas for meetings of the Lisbon Town Council shall be in accordance with Section 2.04(a)(2) of the Charter.
 - (2) *Deadline.* For regular and special meetings of the council held at the designated time and place, all agenda items shall be provided to the manager's office by close of business on the Wednesday prior to the regular Tuesday meeting.

The agenda shall be provided online by the close of business on the Friday prior to the regular Tuesday meeting. Changes to the agenda will not normally be made after this time and documentation for all agenda items will be included with the agenda. Any missing documents will be addressed via memorandum from the Town Manager (i.e., fuel bids).

For special meetings not scheduled at the regular Tuesday meeting time, agenda items shall be provided by the town manager's office at least 48 hours before the scheduled time and date of the meeting.

When an emergency meeting is called, or changes to the regular meeting agenda are needed, agenda items shall be provided as much in advance as possible prior to the meeting, but may be presented at the meeting itself if circumstances so require.

In the event a councilor, resident and/or taxpayer of the Town of Lisbon, authorized representatives of such resident or taxpayer, or in the case of an organization, the authorized representative of that organization, wishes a matter to be considered at a council meeting, it shall be submitted to the town manager as far in advance of the meeting as possible, and prior to the normal Wednesday deadline. The individual requesting the matter be considered shall explain the reason or necessity for consideration in order for the request to be considered by the council for inclusion on the agenda.
 - (3) *Consent agenda.* Those items which in the opinion of the chair are considered routine matters not requiring debate, may be included on the agenda as a consent item. If so designated, it shall be listed on the agenda under "consent agent." Any councilor wishing to have any item so listed, removed from the consent agenda, shall have the unlimited right to do so at any time prior to the vote by council on the consent agenda. If such an item is removed from the consent agenda, it shall be considered as the next item of business after the consent agenda. In the case of items included as consent items, the motion to approve the item shall be considered to have been adopted by the town council as part of its vote to approve the consent agenda.

- (4) *Fiscal items.* If a proposal has a direct fiscal impact of \$10,000.00 or more and requires a council vote outside the ar budget process, the council may consider that proposal only after the finance department has provided the council written evaluation of the direct impact of the proposal on town revenues and expenditures during the current and f fiscal year. As used in this rule, "proposal" means a supplemental appropriation, a proposed contract, or a propose This rule does not preclude the council from considering a proposal's longer term impact on town revenues and ex
- (5) *Order of business.* All regular meetings of the town council shall transact their business in the following order:
- a. Call to order and pledge to flag;
 - b. Roll call;
 - c. Reading of meeting rules;
 - d. Good news, recognition;
 - e. Public hearings;
 - f. Audience participation and response for agenda items;
 - g. Consent agenda;
 - h. Council orders, resolutions, and ordinances;
 - i. Other business;
 - j. Appointments;
 - k. Councilor communication;
 - l. Audience participation and response for new items;
 - m. Executive session;
 - n. Adjournment.

The town council may have the right to change the agenda order and to take up any agenda item out of order upon a majority vote of those councilors present.

- (6) *Non-agenda items.* In the event the town manager, town staff, or a councilor, wishes a matter to be considered at the current council meeting, that was not able to be submitted prior to the deadline and has not been included on the agenda, then that matter in proper form shall be submitted to the town council as far in advance of the meeting as possible, but it may be presented at the meeting. The council member, the manager or staff requesting that the matter be considered, shall explain the reason for and the necessity of immediate consideration at the current meeting. The council may vote to waive the rules to consider that item, and upon a majority vote of those councilors present, the item(s) shall be considered for action by council.

(d) *Meetings.*

- (1) *Generally.* Unless otherwise designated by the chair or by four members of council, and for good cause shown, meeting of the town council shall occur at the central meeting room in the town office building.
- (2) *Attendance.* Failure to attend 3 consecutive meetings of the Council without being excused by a vote of the Council will result in forfeiture of office. Acceptable excuses include, without limitation, illness, vacation, and family emergencies. A limit of seven (7) excused absences over a one year session shall trigger Council review.
- (3) *Meeting length.* All council meetings, workshops, or executive sessions shall be conducted, except in extraordinary circumstances, within 2½ hours of the time the meeting is called to order. At regularly scheduled meetings, this will call for adjournment on or before 9:30 p.m. The council may, by waiving these rules, agree to extend the time for meetings if it is deemed appropriate.
- (4) *Adjourned sessions.* Any session of the town council may be continued or adjourned from day to day, or for

more than one day, but no adjournment shall be for a longer period than until the next regular meeting.

- (5) *Organizational meeting.* The council shall conduct an organizational meeting at 7:00 p.m. at its regular place of meeting, on the first Tuesday after the first Monday of December of each year. The meeting shall address the installation and oath of office of newly elected councilors, the election of a chair and vice chair, appropriate annual appointments as may be necessary, consideration and adoption of council working rules for the ensuing year, and such other organizational matters as may be deemed necessary and appropriate.
- (6) *Regular meetings.* The town council shall hold its regular meetings at 7:00 p.m. on the first and third Tuesdays of each month. If that Tuesday falls on a holiday, then the meeting shall be held on the next day. For good cause, the meeting date may be changed by the chair or by the vote of four councilors to another date and or time. If it is determined by the chair that there is no business to come before the town council, then he/she shall advise the town council accordingly and no meeting need be held.
- (7) *Special meetings.* Special meetings shall be held upon the call of the chair or four or more members of the council in accordance with the provisions of Section 2.06 of the Charter. The same notice requirements for a regular meeting shall pertain to the calling of a special meeting.
- (8) *Emergency meetings.* Where circumstances justify and constitute a hazard to the health, safety and welfare of the inhabitants, that requires action by the town council, then an emergency meeting may be held. Notice shall be given in the best practical manner including telephonically and electronically. The press shall be given the same notice within the same time frame as the town councilors.

(e) *Conduct of meetings.*

- (1) *Rules of procedure.* Meetings shall be conducted in accordance with Robert's Rules of Order except as otherwise provided herein or required by the Charter.
- (2) *Decorum.* The chair shall preserve decorum and decide all questions of order and procedure subject to appeal to the town council. Anyone desiring to speak shall address the chair, and upon recognition by the chair, shall confine themselves to the question under debate and shall avoid all personal attacks and indecorous language. No person shall enter into any discussion either directly or indirectly or through a member of the town council without the permission of the chair. Any person making personal, impertinent, and slanderous remarks or who becomes boisterous while addressing the town council or while attending the town council meeting may be removed from the premises and such person shall be barred from further audience before the town council for the duration of the meeting. The chair may direct a police officer to remove such offenders from the premises and aggravated cases shall be prosecuted on appropriate complaint signed by the chair.

Persons desiring to address the town council shall follow the procedures outlined in "(e) Conduct of meetings (5) Public Comment" section below. All remarks and questions addressed to the town council shall be addressed to the town council as a whole and not to any individual member thereof. All remarks and questions addressed to the administration of the town shall be addressed to the town manager and not to any individual town employee. No comment shall be allowed which has the effect of embarrassing or attacking the character of any individual, staff member, or councilor, and this rule shall be liberally construed and strictly enforced. No one, other than the individual having the floor, shall enter into any discussion either directly or indirectly without permission of the chair.

Councilors, staff, and the public shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the order of the chair or the rules of the town council. All members of the town council, staff and public shall accord the utmost courtesy to each other, to town employees and to the public members appearing before the town council and shall refrain at all times from rude and

derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personal attacks. Town councilors shall confine their questions as to the particular matters before the assembly and in debate shall confine their remarks to issues before the town council. Individuals shall be removed from the meeting for failure to comply with decisions of the chair or for continued violations of the rules of the town council. If the chair fails to act, any member may move to require the chair to enforce the rules and the affirmative vote of the majority of the town council shall require the chair to act.

- a. *Council.* During the town council meetings, a councilor, once recognized, shall not be interrupted while speaking unless called to order by the chair, unless a point of order is raised by another member or unless the speaker chooses to yield to questions from another member. If a councilor is called to order while speaking, the councilor shall cease speaking immediately until the question of order is determined. If ruled to be in order, the town councilor shall be permitted to proceed. If ruled to be not in order, the town councilor shall remain silent or shall alter the remarks so as to comply with rules of the town council.
 - b. *Staff.* While the chair shall have the authority to preserve decorum in meetings as far as staff members and town employees are concerned, the town manager shall also be responsible for the orderly conduct and decorum of all town employees under the town manager's direction and control. The town manager shall take such disciplinary action as may be necessary to insure that such decorum is preserved at all times by town employees in town council meetings.
 - c. *Public.* Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted and may result in removal of the offenders from the premises.
- (3) *Tabling motions.* Although tabling motions under Robert's Rules of Order are not designated as motions which are debatable, this council shall allow debate on a tabling motion. However, any such debate will be limited to the reasons for the tabling motions and shall not be a continuation of the merits of the motion or any amendments that may be offered to the motion.
- (4) *Chair-presiding officer.*
- a. *Presiding officer.* The chair shall be the presiding officer at all meetings and workshops of the Lisbon Town Council. In his/her absence, the vice chair shall assume the duties of presiding officer. If both the chair and the vice chair are absent, then those town council members present, if constituting a quorum, shall proceed to elect by majority vote of those present a chair pro tem to preside at that particular meeting. If the chair or vice chair appears at the meeting, then they shall assume the duties of presiding officer.
 - b. *Participation by presiding officer.* The presiding officer, whether the chair, vice chair or chair pro tem, shall have full and complete authority to fully participate in the meeting and all agenda items. Specifically, the presiding officer may move, second, declare by unanimous consent and debate from the chair subject only to those limitations of debate as are by these rules imposed on all council members, and shall not be deprived of any of the rights and privileges of a councilor by reason of acting as presiding officer.
- (5) *Public comment.* The purpose of this comment period is to furnish new or undisclosed information or viewpoints. This time shall not be considered a "public hearing."
- a. *Scheduled public comment.* During the time scheduled for public comment on the regular town council meeting agenda ("Audience participation and Response for Agenda Items" and "Audience Participation and Response for New Items"), members of the public may address the town. Such members of the public shall ensure that only "agenda" items or "new" items are addressed and only at the appropriately scheduled time.
 - b. *Other public comment on agenda items.* After introduction of an agenda item, appropriate motions, and time for explanation and council questions, members of the public may be allowed to comment on that agenda

item at the discretion of the chair. During that period of time, any public comment shall address only the agenda item before council.

- c. *Procedure for public comment.* Members of the public who are residents and/or taxpayers of the Town of Lisbon or authorized representatives of such residents or taxpayers, or in the case of an organization, the authorized representative of that organization; may address the town council.

1. Any individual wishing to address council, after being recognized by the chair, will move to the lectern to address council, and shall give his or her name and address and organization being represented (if applicable) before beginning any remarks.
2. No individual shall be permitted to address the council more than twice on any subject or agenda item during a council meeting. The purpose of public comment is for the council to receive input from the general public on town matters. It is not intended, nor shall it be construed as an opportunity for debate.
3. Comments shall be limited to the items on the agenda and to a time period of three minutes or less and shall be directed through the chair.
4. Comments by the public shall be limited to the expression of opinions or concerns regarding the agenda item or direct questions pertaining to any factual question presented by the agenda item.
5. If, during time of public comment, a person seeks merely to reinforce a point made by another speaker, his or her remarks should simply note concurrence with the specific point.

- (6) *Action on agenda items.* As each item on the agenda for any meeting is brought to the floor for discussion:

- a. The town clerk reads the agenda item and the action being requested of council.
- b. The sponsor of each item or, if there is no council sponsor, the town manager, or town staff, shall first be allowed to present their initial comments for consideration by the public and councilors.
- c. Following this introduction of the issue, there will be time devoted to any questions of the sponsor or the town manager or staff regarding the agenda item which any councilor may have which would help to clarify the question presented by the agenda item. The chair may allow questions from the public during this time, however, no debate or discussion of collateral issues shall be permitted.
- d. When authorized by the chair, any additional public comment shall be no longer than two minutes per person and must be to request or furnish new or undisclosed information or viewpoints only.
- e. Once the agenda item has been explained by its sponsor or the town manager or staff and clarified by any questioning, the discussion on the specific agenda item will remain with the council and additional public comment, prior to final council vote, will only be allowed at the chairman's discretion.

- (7) *Voting.*

- a. *Affirmative votes.* In accordance with the provisions of Section 2.06(c) of the Charter, four affirmative votes shall be required for the adoption of any item by the town council.
- b. *Roll call votes.* Roll call votes where the vote of each individual councilor is solicited by the clerk, may be called for by the chair or by any individual member of the town council, with respect to any particular agenda item.
- c. *Abstentions.* All council members recognize the duty of each councilor to represent their constituents by participating in voting on all items that come before council in the conduct of the town's business. Therefore, abstentions on particular items will only be permitted where there is an expressed conflict of interest or other serious matter that precludes the councilor from participating in and voting on that item. Where the councilor intends to abstain from participation and voting on a particular item, he shall advise the other

councilors present as soon as that item is placed on the floor, of his intent not to participate and to abstain from voting, and the reasons that the abstention is required. Once expressing the intent to abstain, the councilor shall have no further participation in that particular agenda item.

- (f) *Committees and appointments.* The council, from time to time, and where deemed necessary and appropriate to effectively and efficiently carry out the business of the town, may appoint such committees and make other individual appointments as may be required. Committees may be ad hoc or may be adopted as standing committees. Where the council elects to use an interview system, and receive recommendations from the interview panel, such recommendations shall be taken into consideration, but shall not be considered binding or requiring the appointment of a particular candidate.
- (g) *Executive sessions.* All motions for executive sessions shall state the nature of matters to be dealt with, with specific statutory references to the particular subject matter. No topic(s) other than these referred to in the motion shall be discussed during executive session. All matters discussed during executive session shall be held in strictest confidence by councilors and shall not be discussed with or divulged to any person other than a fellow councilor or persons in attendance at the executive session. Any violation of this confidentiality requirement shall be deemed to be malfeasance of office and shall subject the offending councilor to sanction by the council.
- (h) *Workshops.*
 - (1) Workshop meetings shall be held when deemed appropriate and necessary.
 - (2) Workshop meetings should be focused on the council's formulation of policy based upon general topic discussions of current issues or project orientated. They may be also held for the purpose of disseminating information for council enlightenment and evaluation or for the discussion or refinement of future agenda items.
 - (3) No binding vote shall be taken on any matter under discussion, but a non-binding vote on any matter under discussion may be taken.
 - (4) Citizens are welcome to attend workshops, however, citizens will not normally participate in workshop discussion unless invited to do so by the town manager or town council.
 - (5) Prior to the conclusion of a workshop, if time permits, the chair may allow questions from the public. Comments by the public shall be limited to no longer than two minutes per person and no debate or discussion of collateral issues shall be permitted. Comments shall be limited to the expression of opinions, questions or concerns pertaining to agenda items.
- (i) *Conflicts.*
 - (1) *Financial interest.* A town councilor who has a financial interest in any contract with the town or in the sale, purchase or lease of any land, material, supplies or services to or from the town, shall disclose the interest and abstain from negotiating, voting upon or otherwise participating in decisions involving such contract, sale, purchase or lease, unless the contract, lease or sale is awarded through a competitive bidding process. Similarly, a councilor who has a financial interest in any matter for the town council shall disclose the interest and abstain from voting on any matter involving the interest. A copy of the disclosure and the abstention shall be recorded with the town clerk. A councilor has "financial interests" within the meaning of this section if the councilor owns at least a ten percent interest in the business or economic entity or ten percent or more of the stock of the corporation involved in the pending transaction or matter.
 - (2) *Relationship.* A town councilor is disqualified in any quasi-judicial matter before the town council, if the councilor is related to any of the parties within the sixth degree (second cousin). The councilor shall disclose the interest and abstain from voting unless all parties waive the disqualification in writing.
 - (3) *Appearance of conflict.* A town councilor shall avoid the appearance of a conflict of interest, whether there is a

technical conflict or not, by disclosure of the facts underlying the potential conflict, and where appropriate, be abstaining from voting on the matter. If, after disclosure, the councilor believes the interest will affect the councilor's ability to make a fair and impartial decision faithful to the public interest, the councilor shall abstain from voting.

- (4) *Participation.* An abstaining councilor may but need not remain in the town council chamber during debate or votes on that issue.
- (5) *Judgment of qualifications.* If there is any doubt as to whether a councilor has a conflict of interest in any matter, the chair shall determine the qualification of the challenged member by the vote of council. The decision of the town council shall be final.
- (j) *Anonymous communications.* Anonymous communications submitted to council, the town manager or staff, shall not be considered before council nor shall it be made a part of the record of council proceedings.
- (k) *Waiver.* Any of the rules contained herein or any portion of any rule may be waived for the purpose of any meeting or any portion thereof, by a majority vote of the councilors present.

(Sel. Ord. of 6-15-04, § 5.012; C.M. of 8-1-2006, §§ 1—11; C.M. of 12-15-2009, V. 2009-183; C.M. of 6-21-2011, V. 2011-111; C.M. of 12-17-2013, V. 2013-187; C.M. of 6-17-2014, V. 2014-104; C.M. of 12-16-2014, V. 2014-280; C.M. of 12-5-2017, V. 2017-300; C.M. of 12-5-2017, V. 2017-300B; C.M. 1-7-2020, V. 2020-06.)

Town Manager Monthly Departmental Project Agenda (January 2022)

The following list includes goals for work to be completed within specific projects in the following month. This in no way represents a list of all work done within this department, nor does it guarantee that all items will be completed exactly on schedule. The constantly changing requirements placed by the public and internal service aspect of my department along with cooperation with outside agencies will always come into play when scheduling projects within the town.

Department	Project	Items to Complete
Town Manager	<ul style="list-style-type: none"> • Construction Meetings 	Continue monthly construction meetings on WWTP/Davis St. Pump Station projects
	<ul style="list-style-type: none"> • CDBG-Housing Grant • CDBG-Façade Grant • AVCOG Finance Committee, Executive Committee, & Policy Committee Meetings • Department Visitations • General Assistance • Collective Bargaining Agreements • Finance Committee Meetings • Technology • Generator Bids • Town Office Lighting • Budget • Wage Study 	<p>Will continue working on the grant with the Finance Director and Economic Development Director</p> <p>Will continue working on the grant with the Finance Director and Economic Development Director</p> <p>Attend monthly committee meeting with AVCOG.</p> <p>Will continue to conduct monthly off-site department visits</p> <p>Train GA Caseworker</p> <p>Police & Sergeant contracts</p> <p>Continue with Finance Committee meetings</p> <p>Work with Burgess Technology to clean up computer room</p> <p>Work on soliciting bids for the Fire/PW Generators</p> <p>Complete Town Office entrance and exit lighting project</p> <p>Begin working on Budget, CIP and Department Goals</p> <p>Provide information to CMA for the wage study</p>



Town of Lisbon

Diane Barnes
Town Manager

Town Council
Allen Ward, Chair
Don Fellows, Vice Chair
Norm Albert
Gregg Garrison
Kasie Kolbe
Fern Larochelle
Mark Lunt

TO: Diane Barnes, Town Manager
FROM: Amy Wiers, Assessing Clerk
DATE: November 29, 2021
RE: Monthly Department Report

For the month of November, we have been reviewing Homestead and Veteran Exemption applications. We have several on hold until we can verify residency and name changes from deeds have been completed.

The Sales Analysis Return has been completed and returned to Maine Revenue Services.

Kathy has been working on BETR applications and they are close to being finished.

For the next month, we will continue processing deeds we have received since April 1st. With all the new mobile homes on Trent and Bree Ann Drives, we will continue measuring and verifying information for assessing.

Code Enforcement

Mark C. Stambach

Code Enforcement Officer, Building Inspector/LPI

Monthly Report for November 2021

Building permits issued - 16

Electrical permits issued - 19

Plumbing permits issued – 11

Planning Board: New Business

None

Planning Board: Old Business

None

Other Business

Case # 21-15 King Road Acres – Discussion of proposed Subdivision Ralph Sawyer
King Road Lisbon Maine Map R09 Lot 16D

Appeals Board – No Cases to report

***** Goals/Projects – November/December**

Set up Review Committee of Department Heads to review Planning Board cases in advance of submission to the board.

Catch up on junkyard complaints

Modify all permit applications

Review and propose modifications of permit fees

Explore possible grants for digital and online permitting

Modify website to include informational and help documents



TOWN OF LISBON

Economic & Community Development
300 Lisbon Street
Lisbon, ME 04250
(207) 353-3000, ext. 122

TO: Diane Barnes, Town Manager
FROM: Brett Richardson, Economic & Community Development Director
DATE: December 7, 2021
RE: Monthly Department Report

WORUMBO COMMUNITY VISIONING

The Chesapeake Group (TCG) will present findings from the Lisbon Market Analysis on December 8th at 6pm. A live stream of the presentation will be available for Lisbon residents and businesses to view on Town Hall Streams. In furtherance of the Lisbon Development Committee's Worumbo Public Input Plan approved by Town Council in October, over 500 Lisbon residents and business owners completed a consumer survey and local businesses owners, stakeholders, and regional economic development leaders have been interviewed by TCG. Following the presentation on December 8th, next steps for the visioning process include:

- Presentation in late January 2022 of findings from a parking study conducted by TCG to understand current parking supply relative to current parking demand and future demand based on redevelopment scenarios.
- Subsequent benefit-cost analyses for a range of redevelopment scenarios to identify financial implications for the Town and local taxpayers.
- Further public input to identify preferred redevelopment preferences informed by benefit-cost analyses and parking implications.

RIBBON CUTTINGS FOR JULIET'S RESALE BOUTIQUE

At 6:30pm on Tuesday, December 7th, Town Councilors, staff, members of the Lisbon Development Committee and community champions will celebrate the opening of Juliet's Resale Boutique at 12 Village Street. Juliet's is adjacent to Lisbon's new park at Graziano Square and is an exciting new addition to Village Street.

GRANT SUBMISSIONS.

- EPA Brownfield Assessment Grant. Through a team effort of Town staff and the Town's environmental consultant, TRC, the Town applied to EPA for \$200,000 to support additional environmental assessment work to support redevelopment of commercial properties in Lisbon.
- State of Maine's Coworking Development Fund. ECD coordinated the development of a business plan and grant application submitted by the Ancient York Lodge for \$19,888 to support continued efforts to develop a coworking facility at the Masonic Lodge in Lisbon Falls.

ENTREPRENEURSHIP INITIATIVE.

- Digital Advertising Academy. Dream Local Digital (DLD) hosted the second session of the six-part academy on November 17th. Each participating business will receive an assessment of their online marketing platform prior to the next session on December 15th.
- Moxie Hub. Development of the Hub continues with fundraising, design work, and business planning.

- Moxie Commerce. A new local 501©6 business support and advocacy organization is under development by local business leaders that emerged from the Maine Community Foundation-funded initiative.

GOALS FOR MONTH AHEAD

- Support holiday marketing efforts for local businesses
- Advance the market analysis, parking study, and additional public input for the former Worumbo Mill site
- Continue planning, due diligence, and fundraising for Entrepreneur Hub based on the MOU with the Ancient York Lodge
- Continue Digital Advertising Academy through winter 2022
- Wrap-up business façade projects and solicit new applications to support with remaining funds
- Continue business retention and expansion work by connecting local business owners with real estate leads, business development resources, and Town programs



Town of Lisbon

Fire Department

Nathan LeClair, Fire Chief



To: Lisbon Town Council
Department Monthly Report: November 2021

In the month of November:

In the month of November, the Fire Department responded to 42 calls for service (includes inspections, various investigations, and complaints, such as unpermitted burns). At the time of the writing of this report, data was not available for the statistical breakdown that is usually given.

In the month of November we responded 4 mutual aid calls. We responded direct to the scene in Durham, Wales, and Sabattus and we provided station coverage to the City of Lewiston.



At this time we are currently at 402 calls for the calendar year.

In November we responded to several types of incidents. This time of year we start seeing an increase in traffic accidents. Two of which are worthy enough to mention.

On the 6th we responded to an accident at the corner of 196 and Bowdoin Street. After losing control a vehicle struck the house causing significant damage to the vehicle and the residence. Crews had to shore up the corner of the building where the foundation was damaged, prior to moving the vehicle. Capt Watson and Deputy Robitaille went above and beyond, by going back to their homes and getting lumber so this could be done.

On the 26th a vehicle traveling at high rate of speed, lose control and crashed o School Street. The vehicle rolled several times, leaving a debris field over 300'. Crews had to deal with downed power lines, several victims, one of which had to be extricated from the car.

In the month of November the Department trained on our SKED device, which is a device used to remove people from difficult places.





Town of Lisbon

Fire Department

Nathan LeClair, Fire Chief



Glen Bordas has been busy working on equipment. He does weekly checks on all the equipment including apparatus, power tools, and breathing apparatus. He also provided the training this past month.

Holidays are here. We ask for everyone to make sure that they are using decorations wisely and appropriately. Keep candles away from items that can ignite and make sure to keep your trees watered.

Upcoming Project Agenda

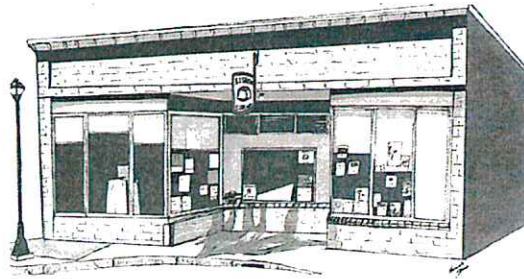
Training – Yearly mandates

Respectfully submitted

A handwritten signature in black ink, appearing to read "Nathan LeClair".

Nathan LeClair

Fire Chief



LISBON LIBRARY DEPARTMENT

:

TOWN COUNCIL MONTHLY REPORT

November 2021

Adult Books	817	Adult DVD's	114
Juvenile Books	723	Juvenile DVD's	39
Audio Books	30	Children's Room Door Count	492
ILL In	164	ILL Out	190
Cloud Library Users	44	Cloud Library E-books	86
Front Door/Patron Count	909	Cloud Library Audio Bks	84
Patron Use Computers Sessions	152	New Patrons	7
Garden Playhouse key checkout	3	Paperback Rack	78
Crafts with Bill ; Fall Leaf Mobile	11	Heart & Soul Day Care Outreach Program	42
Pre-School Storytime	24	Steam Lab Program	6
Brainteasers & Logic Puzzles Program	8 children & 2 Adults	Juvenile Audio Books	6
Crafting with Kerri Adult Program: Snowman candy bars	24 Take-Home Bags given out, 132 Lisbon citizens reached, 24 video views	"Featured Author" Program: Kurt Vonnegut	124 People reached
In the Kitchen: Thanksgiving Dinner Recipes	201 Lisbon Citizens reached	<i>On the Move:</i>	<i>NA November 2021</i>
Display Case November : Bill Meakin's Lathe Turned Wood Works	<i>330 people reached</i>	<i>"Just Seniors" Fire Safety with Chief Nate LeClair program specific to Senior Citizens safety.</i>	6
Follow Up calls to Library from Seniors Program for Chief LeClair	1	<i>Homeschool Families Visits</i>	4

Stop Motion Animation children's program	NA November 2021	Scavenger Hunt & coloring Sheets children's program	9
Lego Spike Prime Kits (purchased with ARPA FUNDS)	Both kits checked out for Approx. 19.50 hours coding & building		

Although November was a short month with three closures for holidays, the library was busy with programs and checkout of materials.

Adults continued to be pleased with the selection of new books as well as new paperbacks for the "exchange rack". We finally received our backordered paperback titles. These items are not checked out through the barcode and circulation system. Patrons simply give us a number of "PB's they are taking home and simply return them when read. The system is convenient for patrons who travel, work nights or simply enjoy paperbacks rather than hard cover books.

Adults continued to enjoy the Grab-n-Go craft bags. November featured a Hershey chocolate bar wrapped in white paper and made into a snowman. The hat was made with a pair of children's winter gloves. We requested that the gloves be shared with families with young children or donated to the local elementary school. Patrons were pleased with this way of giving back to our community.

The pre-school Story Time program continued to be popular with families. Several new families have come in specifically for this program to ensure their young children have a place and a program that is specific to their needs. The new "Lego Spike Prime Kits" that we purchased with the ARPA funds, are being enjoyed by the middle school age children. Per our policy, the kits are requested and reserved for "Library Use Only."

The November "Just Seniors" outreach program featured Fire Chief LeClair who did an excellent job with fire safety tips specific to senior citizens. Our December outreach program scheduled for December 10, 2021 will feature Lisbon Police Detective St. Amant who will focus on on-line/internet safety for senior citizens. We are proud to bring these very important programs to the Lisbon Senior Citizens. We will continue to focus on their needs and interests.

The library is participating in the town's Giving Tree program again this year. We are honored part of this very important outreach program. Patrons appreciate the convenience of having the tree at this location as well as a drop-off site.

The Children's Services staff is planning our traditional holiday Main Street Caroling event dependent upon the circumstances at the time of the event. The event is scheduled for Friday, December 17, 2021 at 4PM. The children and their families will have their jingle bell wands and "glow sticks" to entertain the Main Street business owners and customers.



Lisbon Police Department

A Community Policing Agency

300 Lisbon St.
Lisbon, ME 04250

Ryan A. McGee
Chief of Police

November 2021 Report to Council

Police Department

In the month of November, the requests for police assistance totaled 965 calls. There were 46 investigations initiated to include; fondling, Simple Assault, Theft from a M/V, Larceny, M/V Theft, Vandalism, Trespass, Leaving the Scene of a M/V Accident, DUI, Violation of a Protection Order, and Solicitation of a Child. 18 individuals were arrested or charged with criminal violations. There were 32 motor vehicle crashes, and 171 motor vehicle stops conducted during directed traffic enforcement details.

During the month of November, the police department had a full department meeting and training on the proper use of First Aid, CPR and AED. During this training, we also had an awards ceremony for two of our Lisbon Police Officers.

Sgt. Jeffrey Picard was presented with a Life Saving Award and Letter of Commendation for his actions. On January 26, 2021, Sgt. Picard received an emergency call for a male banging on a door asking for help. The caller was afraid to open the door, and Sgt. Picard quickly arrived on the scene and located a male juvenile with multiple stab wounds.

The male had serious life-threatening stab wounds, and Sgt. Picard promptly and professionally started triaging and tending to the wounds to stop the bleeding. Sgt. Picard also quickly and calmly relayed pertinent information of the victim's wounds, as well as the suspect information to the Lisbon Communication Center. Every passing minute counts in a critical incident, and this victim did not have a lot of time. Sgt. Picard was able to request the help of a neighbor whom he knew was a doctor, to assist. Sgt. Picard's fast actions - mobilizing assistance from EMS and other area departments, helped save this victim's life, and contributed to the arrest of a dangerous suspect.

If it were not for Sgt. Picard's swift acts, this person may not be with us today. Sgt. Picard's actions are admirable and a positive reflection on the Lisbon Police Department and the Town of Lisbon.

Officer Glenn Darby was also presented with a Life Saving Award and Letter of Commendation for his actions. On Wednesday, 09/08/2021 at 0715 hrs. Officer Darby responded to a medical call in Lisbon Falls, where it was reported that the 69-year-old male had chest pains and was clammy. Officer Darby arrived to assist Lisbon Emergency, and the patient was loaded into the ambulance to be transported to the hospital.



Lisbon Police Department

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300 Lisbon St.
Lisbon, ME 04250

Ryan A. McGee
Chief of Police

Up until that point, it was a normal “routine” medical call to assist Lisbon Emergency. Things then changed rapidly when the patient went into cardiac arrest, their heart stopped, and it was determined the patient died. The ambulance had two EMTs that were needed in the back of the ambulance to work on life saving measures in order to save the patient’s life, and a driver to get them to the hospital was needed immediately. A call was made for an ambulance driver, but the closest unit was at least 5 minutes away.

We all know that every minute counts in a lifesaving event. Officer Darby, went above and beyond, got into the ambulance, and advised the EMTs he would drive them to the hospital so they could focus on saving the patient’s life. Officer Darby successfully transported the patient to the hospital and the EMTs were able to restart the patient’s heart, and save this person’s life. Officer Darby’s quick actions and excellent teamwork, working alongside our Lisbon Emergency EMTs, helped a community member who is now alive and doing well. Officer Darby’s actions are admirable and a positive reflection on the quality of service that the Lisbon Police Department provides to the Town of Lisbon.



Sgt. Jeffrey Picard



Officer Glenn Darby



Lisbon Police Department

A Community Policing Agency

300 Lisbon St.
Lisbon, ME 04250

Ryan A. McGee
Chief of Police

During the month of November, the police department provided 45 minute "ALICE" training to our teachers/staff at all four of our schools in town. ALICE is a federally endorsed safety protocol. The letters in ALICE stand for Alert, Lockdown, Inform, Counter, Evacuate.

With the ALICE training, school staff is oriented to different options to respond to a school intruder who is intent on doing harm. It is the intention of the ALICE training to be proactive and give educational staff and students options to be proactive in the event of a harmful intruder.

Over the next several months, we will also be providing two-hour blocks of ALICE training to teachers and school staff to take place after school. The police department is working in conjunction with the Superintendent of Schools by taking a proactive approach to providing our schools with the best training available. Special thanks to Officer Renee Bernard and Sgt. Jeffrey Picard for spearheading this project.

Also in the month of November, we had some exciting news. The department was able to fill one of our vacant reserve police officer positions, and a full-time police officer position. Timothy Robinson was sworn in on November 16th as our newest part-time police officer. Officer Robinson is a full-time patrol deputy for Sagadahoc County Sheriff's Office. Before SAG SO, Tim worked as a federal police officer and attended the Federal Law Enforcement Training Center Academy. Officer Robinson is also a Veteran of the United States Air Force.

On November 29th, Brady Cusson was sworn in as our newest full-time police officer. Brady is from Lewiston, enjoys the outdoors and loved playing hockey all through high school. He is a graduate of Central Maine Community College with a degree in Criminal Justice. Brady is excited to serve the citizens of Lisbon.



Reserve Officer Timothy Robinson



Officer Brady Cusson



Lisbon Police Department

A Community Policing Agency

300 Lisbon St.
Lisbon, ME 04250

Ryan A. McGee
Chief of Police

“Sand for Seniors” has also started back up in the month of November. The department was grateful to receive a donation of buckets from LOWE’s in Brunswick. These buckets are used for Sand for Seniors, and our patrol officers deliver these to the elderly in our community that do not have access to Public Works to get sand. This has been a great community-policing program, and we have already started delivering sand to our seniors.

Lastly, in November, Officer Nicholas Kauffman safely returned from a yearlong deployment with the United States Army. We are happy to have him back safe, and he could not have returned at a better time, since we have one officer out on injury, another off on sick leave, and two officers in training. His return was a much-needed relief, in many ways this month.

The Projection for the Month of December:

In the month of December, we will be starting field training for our new police officers. Also in December, we will be working on traffic enforcement, and educating and reminding the public to clear the ice and snow off the windshields of their vehicles.

The department is also looking to host a training for the elderly on fraud and scams during the month of December, and more details will be forthcoming on this.

Thank you,

Ryan McGee
Chief of Police

MEMORANDUM FROM THE PUBLIC WORKS DIRECTOR

TO: DIANE BARNES, TOWN MANAGER
FROM: RANDY CYR
SUBJECT: NOVEMBER 2021, MONTHLY REPORT
DATE: DECEMBER 2, 2021

Public Works – In the month of November, we investigated and actioned on resident and dispatch calls for potholes, trimming bushes, ditching, drainage issues as well as policing up trash and deceased animals. Took trees down on Potter Rd , fixed the big culvert and ditching. All employees had annual hearing tests. Assisted the clerks with voting. Fixed washout on Ann St. Painted lines for some catch basins. Took down flags from cmp poles. Worked on walking trail with Park and Rec. Picked up trash on 196. Christmas lights for tree and poles. Put new cameras in at the shop. Spot sand/salt slippery areas on roads. Received new Excavator and trailer. Brought food to Lisbon Baptists Church. Disposed of old cabinets at town office. Went to scheduled CPR clas but cancelled and will reschedule. Fixed washout next to post office. Randy assessed beaver dam down water dept road.

Mechanics continued working on vehicles / equipment to ensure inspections were completed and safe for operation and ready for winter. Plow trucks were ready and picked up the shop, salt shed and employee areas for cleanliness.

PW January Goals: Cutting down tree(s) for safety concerns; MS4; winter equipment; culverts, assist rec with walk path.

Transfer Station - Below is a summary of the items shipped during the past month.

<u>Item</u>	<u>Tonnage</u>
Single Stream	4.69
Trash	227
Bulky Waste	26.55
Wood	16.63
Brush	15.3
Leaves	60.76
Cardboard	21 tons

SW January Goals: Continue to follow new fee schedule; Continue checking vehicles for permits; always looking to make operations better.

MEMORANDUM FROM THE SEWER SUPERINTENDENT

TO: DIANE BARNES, TOWN MANAGER

FROM: STEVE AIEVOLI

SUBJECT: MONTHLY REPORT FOR NOVEMBER & THE PROJECT AGENDA FOR JANUARY

DATE: DECEMBER 1, 2021

1. Below is a summary of the activities beyond the typical sewer system and treatment plant maintenance completed during the month of November.

- Pumped down and swapped contact tanks for the project
- Dealt with a flow meter issue on the contact tank project
- Vactor truck was taken to C.N. Wood for a recall. The debris body cylinder was replaced
- Installed new windows in the headwork's building
- Annual inspection completed on the fire extinguishers
- Dealing with minor issues on the centrifuge
- New brush installed on the Lakeside Screen
- Assisted the school department by cleaning 4 catch basins

2. January Project Agenda. The following list includes goals for work to be completed in the following month. This in no way represents a list of all work done within a department, nor does it guarantee that all items will be completed exactly on schedule.

- Replace ceiling tiles in Dewatering building laboratory area
- Wax and buff main office floor
- Paint belt conveyor frame in the Dewatering Building
- Change oil in all treatment plant blowers
- Change oil in all conveyor gearboxes
- Service all vehicles

Please contact me if you have any questions.

**TOWN CLERK AND
ELECTION DEPARTMENT
DECEMBER 2021**

Dog Licenses: Dog tags for 2021 are being sold. Residents can register their dogs on-line now at www.doglicensing.com. There is a link on the Town Clerk's web page if you need it. License(s) expire annually December 31 and late fees begin after January 31. Male/Female dogs are \$6.00 and Spayed/Neutered dogs are \$11. After January 31 you need to add the automatic late fee of \$25 per dog as well.

Meetings & Workshops: The meeting minutes of the Town Council were transcribed and posted on-line. The Council Inauguration plans are underway. The Planning Board meeting minutes were transcribed by Lisa Smith, Deputy Clerk and posted on-line on the town's website.

Election Update: 2,628 voters voted in the November 2021 Election. New voter registration cards were processed, filed, and voter participation history was added to the Central Voter Registration program. To do this the incoming voter list was opened and each name checked off the list was entered into each voter's record indicating that the voter had voted on 11-02-2021. Supply boxes were cleaned out and materials were repacked in the closet.

Projects Update: The current codification supplement has just been completed. New changes to be adopted will be sent to Municipal Code Corporation for codification. The last update will be authorized late February or early March to be completed by June 30. All changes are posted online for quick reference pending codification.

Binders for Council and Other Boards have been ordered. We are in the process of reviewing files and paperwork from the Codes Department for final filing in the vault, whether that's minutes for minutes' books or maps for the mapping drawer. This work is about a quarter of the way complete.

The vital records project, which contains the restoration of 3 volumes by Kofile, is about half way completed and expected to be done on time.

Next on the horizon:

- Certifying petitions circulated on Election Day and by other circulators from other locations
- Preparing Certificates of Appreciation
- Responding to FOA Requests
- Reviewing matched voter records with vital records for deletions
- Review proof for Supplement #40 for the Lisbon Code Book
- Annual Town Report is 50% completed - need year-end department reports, along with the Council's Report



Town Council Liaison Assignments

Ad-Hoc Committee Name		Council Liaison(s)	Monthly Meeting	Location
Administration/Library	Primary		Committee meets as needed	TBA
	Secondary			
Public Safety	Primary		Committee meets as needed	TBA
	Secondary			
Public Works/Parks & Recreation	Primary		Committee meets as needed	TBA
	Secondary			
School Facility Committee	Primary		Committee meets as needed	TBA
	Secondary			
School Committee	Primary		2nd & 4th Monday of each month	Town Office
	Secondary			
Planning Board	Primary		2nd & 4th Thursday of each month	Town Office
	Secondary			
Water Department	Primary		2nd & 4th Monday of each month	Water Dept.
	Secondary			
Lisbon Development Committee	Primary	<i>Don Fellows-Feb Re-Appointment</i>	4th Thursday of each month	Town Office
	Secondary			
Assessment Review Board	Primary		Committee meets as needed	Town Office
	Secondary			
Voter Registration Appeals Board	Primary		Committee meets as needed	Town Office
	Secondary			
Ethics Panel	Primary		Committee meets as needed	Town Office
	Secondary			
Library Governing Board	Primary		2nd Wednesday of each month	Library
	Secondary			
Appeals Board	Primary		3rd Monday of each month as need	Town Office
	Secondary			
Conservation Commission	Primary		2nd Tuesday of each month	Town Office
	Secondary			
Recreation Committee	Primary		1st Monday of each month	MTM Center
	Secondary			
Commercial Revolving Loan Committee	Primary		Committee meets as needed	Town Office
	Secondary			
County Budget Committee	Primary		Wed nights Sept-Oct	County Bldg
	Secondary			
Finance Committee	Primary		Last Mon of Month	Town Office
	Secondary			