

AGENDA

COUNCIL MEETING DECEMBER 3, 2019 RESCHEDULED TO

> **DECEMBER 10, 2019** LISBON TOWN OFFICE 7:00 P.M.

Norm Albert

Town Council

Kasie Kolbe Donald Fellows Jeffrey Ganong Fernand Larochelle, Jr. Mark Lunt Allen Ward

CALL TO ORDER & PLEDGE TO FLAG

2. INAUGURATION OF ELECTED OFFICIALS

- Results of November 2019 Election
- Elected Officials Swearing In
- 2019-220 ORDER Election of Council Chairman
- 2019-221 ORDER Vice Chairman
- 2019-222 ORDER Recess

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Councilor LarochelleCouncilor Lunt	Councilor Ward	

Town Clerk reading of meeting rules

4. GOOD NEWS & RECOGNITION

- 5. PUBLIC HEARINGS
- 6. AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS
- 7. CONSENT AGENDA

2019-223 ORDER - A. Municipal Accounts Payable & Payroll Warrants -

#191121 \$ 195,148.89 #1911W2 \$ 18,334.32 \$ 189,816.26 #1912W1 \$ 17,726.90 #191205 #1232019 \$ 144,657.07 #124209 \$ 9537.09

B. School Accounts Payable & Payroll Warrants -

#1031 \$ 365,182.56 #1032 \$ 13,199.21 #17 \$ 40.63 #2009 \$ 83,661.52

- C. Minutes of November 19, 2019
- D. Set Public Hearing for Dec 17 for Special Entertainment Permit for the Coombs Mountfort American Legion Post #158
- E. Set Public Hearing for Dec 17 for Special Entertainment Permit for the Slovak Catholic Association
- F. Set Public Hearings on December 17 for Junkyard Permits for Campbell's Used Auto Parts and Huston's Auto Salvage
- 8. COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

2019-224 ORDER - Policy on Treasurer's Disbursement Warrants for Municipal Employee Wages, Benefits, & State Fees 2019-225 ORDER - Policy on Treasurer's Disbursement Warrants for School Employee Wages & Benefits 2019-226 ORDER - Council Working Rules

- 9. OTHER BUSINESS
 - A. Council Committee Reports:
 - 1. School (Councilor Albert)
 - 2. Planning Board (Councilor Ward)
 - 3. LDC (Councilor Larochelle)
 - 4. Conservation Commission (Councilor Ward)
 - B. Review of Council's Achievements
 - C. Council Goal Setting
- 10. APPOINTMENTS

2019-227 ORDER - Council Committee Assignments

- 11. COUNCIL COMMUNICATIONS
- 12. AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS
- 13. EXECUTIVE SESSION
- 14. ADJOURNMENT

2019-228 ORDER - To Adjourn

- 5. Recreation (Councilor Kolbe)
- 6. County Budget (Councilor Ward)
- 7. Library (Councilor Lunt)

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.

- 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

Norm Albert
Kasie Kolbe
Jeffrey Ganong
Donald Fellows
Fernand Larochelle, Jr.
Mark Lunt
Allen Ward

MEMO

To: Town Council

From: Diane Barnes, Town Manager

Subject: Recommendations

Date: December 3, 2019

Agenda Item 2019-224 & 225

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

Policy on Treasurer's Disbursement Warrants for School Employees Wages & Benefits

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).]

Recommendation

To approve and adopt the policies on Municipal and School Treasurer's Disbursement Warrants as presented.



TOWN COUNCIL MEETING MINUTES NOVEMBER 19, 2019

Christopher Brunelle, At Large 2019 Mark Lunt, District 1 2019 Vacant, 2019 Fern Larochelle, At Large 2020 Normand Albert, At Large 2021 Kasie Kolbe, District 1 2021 Allen Ward, District 2 2021

CALL TO ORDER. The Vice-Chairman, Kasie Kolbe, 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, Kolbe, Lunt, and Larochelle. Also present were Diane Barnes, Town Manager, Dennis Douglass, Code Enforcement Officer, Brett Richardson, Economic & Community Development Director, Kayla Tierney, Finance Director, Allen Ouellette, Director of Operations & Transportation, Chief Donald McDonnell, Lisbon Emergency, John Cordts, 2nd Captain, Lisbon Emergency, Marc Hagan, Police Chief, Bill Alexander, Water Superintendent, Miriam Morgan-Alexander, Assessment Review & Board of Appeals Board Member, Don Fellows and approximately 3 citizens in the audience.

VOTE (2019-210A) Councilor Ward, seconded by Councilor Larochelle, moved to excuse Councilor Brunelle and Councilor Albert's absence. **Order passed – Vote 4-0**.

GOOD NEWS & RECOGNITION

Councilor Kolbe stated that the Class D Lisbon Football team won the Southern Championship game and are going to States on Saturday. They will be playing at Fitzpatrick Stadium in Portland at 2:30 pm.

Councilor Ward congratulated the LHS Drama Club for putting on a successful play called "Annie." He congratulated the recently elected officials and thanked all the election workers.

Mrs. Barnes introduced Brett Richardson the new Economic Development Director. Mr. Richardson thanked everybody for the opportunity to join the staff in Lisbon and community. He said he was looking forward to working with everyone in the future to make Lisbon a vibrant community.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE

CONSENT AGENDA

VOTE (2019-210B) Councilor Larochelle, seconded by Councilor Lunt, moved to sign the Certificate of Settlement for Diane Barnes, Tax Collector, for the tax year 2019 and approve the following:

A. Municipal Accounts Payable & Payroll Warrants -

#191024 #1910ER #10292019 #1152019 #1911W1	\$ 194,640.53 \$ 132.39 \$ 11,352.40 \$ 700,286.35 \$ 17,782.56	#1910W2 #10162019 #10302019 #191107 # 1162019	\$ 18,240.40 \$ 6,349.06 \$ 5,777.25 \$ 218,252.60 \$ 13,125.39	#11132019 #11152019 #11192019	\$ 9,352.56 \$ 392.40 \$193,167.60
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B. School Accounts Payable & Payroll Warrants -

#1018	\$ 319,273.68	#1019	\$ 358,933.94	#1020	\$ 12,987.39
#1021	\$ 356,678.09	#1022	\$ 13,247.54	#1023	\$ 6,451.16

191	November	19, 2019

Town	Council	Meeting	Minutes
TOWII	Council	Miccing	Minutes

#1024	\$ 66.24	#1025	\$ 1.125.58	#1026	\$ 327,898.61
#1027	\$ 346.055.29	#1028	\$ 13,099.09	#1029	\$ 7,543.12
#1030	\$ 66.24	#2007	\$ 263,027.68	#2008	\$ 59,779.87
#11	\$ 40.63	#12	\$ 2,759.08	# 15	\$581.44

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- C. Minutes of October 15, 2019
- D. Tax Collector Certificate of Settlement (2019 Taxes)
- E. Ratify November 5, 2019 Election Results
- F. Set Public Hearings for the Coombs-Mountfort Post #158's Special Entertainment Permit & the Slovak Catholic Association's Special Entertainment Permit for December 3
- G. A Mobile Home Park license for Guardian Communities, LLC the new owner of Davis Street Park
- H. Set Public Hearings to hear comments on amendments to Chapter 2, Article V, Division 2 Finance Committee Sections 5-505 to 5-509 and Chapter 46, Article V, Sections 46-133& 134 Access Management for December 17

Order passed - Vote 4-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

CAPITAL RESERVE REQUEST PIPE & DRAPE MATERIALS FOR PERFORMING ARTS CENTER

INTRODUCTION: Mrs. Barnes stated that the School Department is requesting \$3,835.71 out of the Capital Reserve Fund. The funds are to cover the pipe and drape materials for the Performing Arts Center. The current balance of the Capital Reserve Fund is \$13,823.00. On Wednesday, October 16, 2019, the Lisbon School Committee voted (4-0) to request authorization from the Town Council to utilize an amount not to exceed \$3,835.71 to cover the cost associated with the purchase of the pipe and drape materials for the Performing Arts Center.

VOTE (2019-211) Councilor Larochelle, seconded by Councilor Kolbe moved to Authorize the Town Council to utilize an amount not to exceed \$3,835.71 to cover the cost associated with the purchase of the pipe and drape materials for the Performing Arts Center. **Order passed - Vote 4-0.**

DECEMBER 24TH NOON CLOSURE

VOTE (2019-212) Councilor Ward, seconded by Councilor Larochelle moved to approve closing the Town Offices and Departments at noon on December 24, 2019. Order passed - Vote 4-0.

ROAD NAME REQUEST - GINA'S WAY

VOTE (2019-213) Councilor Larochelle, seconded by Councilor Lunt moved to approve the road name request for Gina's Way off Ridge Road between 330 and 340. Order passed - Vote 4-0.

AWARD FOR GRAZIANO SQUARE EXCAVATION BID PROJECT

<u>INTRODUCTION:</u> On July 16, 2019, Council awarded the bid for the Graziano Square Excavation Project to L.P. Poirier & Son, Inc. in the amount of \$40,661.00 based on the estimates provided and the time frame for the project. Mr. Poirier was to start this project at the completion of the Village Street Streetscapes Project.

The proposal offered to Poirier, which has not been signed by Poirier, set a project completion date of November 1, 2019. Because Poirier never accepted the Town's proposal by signing and returning it to the Town, we do not believe that a binding contract has been executed. Even if a contract was entered into, it is our opinion that Poirier's failure to perform the work by the project completion date described in the proposal would be a material breach of the contract that justifies rescinding the award. Because Poirier has not initiated or completed the work by the project completion date set by the Town in the proposal, Mrs. Barnes recommend Council vote to rescind

the award to Poirier. Subsequently, Dennis Douglass has received a quote from St Laurent and Son, Inc. to complete the work in the amount of \$24,800.

<u>COUNCILOR COMMENTS</u>: Councilor Ward stated they asked about this at the last meeting. He said if they did not have any resolution on this from L.P. Poirier & Sons, Inc., that this is the directive they gave to the Town Manager.

VOTE (2019-214) Councilor Kolbe, seconded by Councilor Ward moved to rescind the proposal to enter into a contract with L.P. Poirier & Son, Inc. Excavation for excavation, drainage, walkway and retaining wall at Graziano Park. **Order passed - Vote 4-0.**

VOTE (2019-214) Councilor Larochelle, seconded by Councilor Ward moved to accept the Town Manager's recommendation to waive competitive bidding for the work on Graziano Park due to time factors and the quality, expertise, and value of a proposal from St. Laurent and Sons, and to award the contract for excavation, drainage, walkway and retaining wall at Graziano Park to St. Laurent & Sons in the amount of \$24,800. Order passed - Vote 4-0.

WORUMBO MILL SITE ASBESTOS REMOVAL

<u>INTRODUCTION:</u> Safe Environment Solutions provided a quote of \$2,250 for three tasks to include an asbestos demolition survey, additional sampling, and a final report including approximate quantities, descriptions, abatement cost estimate, and basic locations of identified materials.

Lisbon also obtained a quote from Atlantic Environmental Contractors, Inc. for asbestos oversite at the Worumbo Mill site as per sampling data at the site done by TRC for the Town of Lisbon. Atlantic would put an asbestos supervisor on site to oversee the clearing of the land and to pick up any asbestos found, the concrete would be leveled and covered over with fill, and the wood would be burned in place. The idea is not to excavate for any asbestos but to only remove what is found during leveling of the site. John Bucci, Director of the Asbestos and Lead division and the Brownfield division have been notified of this approach and have given the Town the goahead. Mr. Bucci will need a written asbestos plan from the Town.

The construction crew (Public Works) will need to have asbestos awareness training, the equipment used would need an enclosed cab. The Fire Department would need to be onsite for precautionary measures when the wood is being burned. Atlantic would provide the awareness training, write the design for the project, and put in a courtesy asbestos notification to the State and oversee the project. Costs are:

Design and notification to the State \$800 Supervisor on site day rate \$496 per day

Disposal of any asbestos found \$135 per yard (9 asbestos disposal bags)

<u>COUNCILOR COMMENTS</u>: Mr. Douglass spoke about the project. He stated that Public Works has the permit by rule from DEP for cleaning the tree line. They can also chip along the waterfront. He said that they would need to bring in equipment for this job.

Mr. Larochelle asked Mrs. Barnes if there was enough in the Downtown TIF account to earmark for this project. Mrs. Barnes stated that they have \$214,000 in this account. She stated DEP is working on the VRAP and ready to send the town its letter as soon as we find out how the town wants to proceed with cleanup.

Councilor Ward asked if this was an allowable use of the Brownfield funds, and if not, why do they need permission. He asked if we have a time-frame for this work. Mrs. Barnes said not for cleanup and they do not have a time frame yet.

Mr. Larochelle stated that it is more of an overview from Brownfield as the Town works on the site, especially if they are going to put their name on the VRAP. He also recommended that Mr. Douglass receive the training, as well, on asbestos awareness so he could oversee the project and be available should a situation come up. Mr. Douglass agreed. He indicated he would include that information in a letter to the state, specifying that he would not be on-site all the time, but would be on-call.

VOTE (2019-215A) Councilor Larochelle, seconded by Councilor Ward moved to accept the proposal and plan set forth by Atlantic Environmental Contractors, Inc. using Downtown TIF funds to pay for the project, and to have Dennis Douglass attend the Asbestos Awareness Training so he can oversee the project and be on-call if they need him and for Public Works to rent equipment for excavation and removal. **Order passed - Vote 4-0.**

VOTE: (2019-215B) Mr. Larochelle, seconded by Mr. Lunt moved to approve the use of the Downtown TIF funds for the excavation, removal, and preparation for the Worumbo Mill Site. Order passed – 4-0.

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

- 1. Planning Board: Councilor Ward reported Curtis Lunt was voted in as Chairman of the Planning Board and William Kuhl as Vice-Chairman. He indicated they discussed additional dwelling units and accepted Don Fellows' resignation from the Board.
- 2. LDC: Councilor Larochelle said they did not have a meeting this month.
- 3. Conservation Commission: Councilor Ward said that Richard Main was voted in as Chairman and Alan Seamans as Vice-Chair. They met last night and are working on goals for the coming year.
- 4. Recreation: Councilor Kolbe said she would be in contact with Mark Stevens.
- 5. County Budget: Councilor Ward said the Commissioners passed the County Budget with a 5.27% increase over the prior year.
- 6. Library: Councilor Lunt said the new fence is a great improvement.

B. TOWN MANAGER'S REPORT

Mrs. Barnes stated Mrs. Nadeau has received many comments on how well the new fence looks. She said Booker Street's tree removal should be done in the next couple of weeks, which will allow her to close out the 2016 CDBG Grant and then the town will be able to apply for funds again. She said the Farwell Mill bus shelters came in and will be assembled right away.

C. DEPARTMENT HEAD WRITTEN REPORTS

Mr. Ward asked if they could get a 6-month financial update, and audit outlook, and the FY 2020's actual expenses at the next meeting, since we're entering into the budget season. He asked for an update from the Fire Department on Business Inspections. He recommended the Town Planner work together with the new Economic Development Director, now that the Comp plan is done.

D. POLICE DEPARTMENT UPDATE

With the retirement this year of Sergeants' Tapley and Moore, Chief Hagan advised the Town Council of his intent to reorganize the Lisbon Police Department back into its former organizational hierarchy. This would return the supervisory positions for this agency back to a Chief, Lieutenant, and two Patrol Sergeant system.

Chief Hagan said the Lisbon Police Department had maintained the "traditional" police organizational make-up until Lieutenant Michel's retirement in 2016. At that time, the Lieutenant's position was left unfilled, and a Detective Sergeant's position was introduced. The failure to have a Lieutenant's position has led to some organizational difficulties however, and the retirements of Sergeant's Tapley and Moore make this the perfect opportunity to return to the traditional law enforcement hierarchy.

Chief Hagan said the return of the Lieutenant's position, and removal of the vacant Detective Sergeant position, will allow the following to occur:

- ✓ Greater supervisory coverage as the Lieutenant will work a 5 day, 8 hour, workweek to include a weekend shift.
- ✓ Greater patrol coverage as the Lieutenant will spend equal amounts of time on patrol as they do conducting administrative duties.
- ✓ Greater contact and communication between the administration, supervisory, and patrol personnel as the Lieutenant will work an offset schedule covering day and evening hours.
- ✓ Patrol Sergeants will be freed from previous administrative duties (evidence management, court, vehicle maintenance, grant work, payroll. etc.) to allow more direct supervision of their personnel.
- ✓ Greater coordination of day-to-day operations of the agency.
- ✓ Less liability to the Town of Lisbon due to increased supervision.
- ✓ Meeting a stated Council goal of "succession planning" by placing the Lt. in a managerial position to learn larger administrative level issues.

Chief Hagan said the Lieutenant's position would be an hourly, non-union position, as it was with Lieutenant Michel. Mr. Larochelle asked if they would hire from within. Chief Hagan said yes, that they do have candidates for all positions internally.

E. PLANNING BOARD REPORT Nothing was Reported

F. LISBON EMERGENCY REPORT

Mr. Cordts spoke, thanking Lisbon and Bowdoin for their financial support. Mrs. Tierney was appointed to their Board of Directors and is now their Treasurer, which automatically places her on the Budget Committee. The Budget Committee consists of Kayla Tierney, George Roy, John Cordts and Chief McDonnell. They have been working on policy and procedures to safeguard their non-profit assets. He said they implemented a debt reduction plan in July by taking \$50,000 in liquid assets to pay off ambulance 401 and applied the remainder on Ambulance 44's loan. Their business plan allows them to be debt free as of 2024 so they can begin ambulance replacement at that time. He said they have been able to attain their goal to keep three months' worth of expenses available in liquid assets by including their credit line. They increased their payroll, according to their business plan, and have increased their paramedic level pay. He said they have been able to hire two additional paramedics and have increased the amount of paramedic coverage on their schedule. Their first quarter profit/loss was showing a net income of \$26,262. He said they would have shown a net loss of \$21,528.90 without the Town of Lisbon and Bowdoin's contributions.

APPOINTMENTS

ZONING APPEALS BOARD RESIGNATION Lisa ward

<u>INTRODUCTION:</u> The Council requested to add the Planning Board and Assessment Review Board resignations for Don Fellows. Mr. Larochelle stated that there is an opening for an Associate Member on the Planning Board.

VOTE (2019-216) Councilor Larochelle, seconded by Councilor Ward moved to accept Lisa Ward's resignation on the Zoning Appeals Board and Don Fellows' resignation on the Assessment Review Board and Planning Board. **Order passed - Vote 4-0.**

APPOINTMENTS

MARC HAGAN AS INTERIM TOWN MANAGER FROM NOV 21-DEC 6

VOTE (2019-217) Councilor Larochelle, seconded by Councilor Ward moved to appoint Marc Hagan as Interim Town Manager from November 21, 2019 to December 6, 2019. Order passed - Vote 4-0.

COUNCILOR COMMUNICATIONS

Councilor Ward stated Councilors Kolbe and Larochelle and he have been working with the American Legion and Positive Change Lisbon on the Banners and Flag Promotion Project for the Veterans, which the Council previously discussed.

AUDIENCE PARTICIPATION FOR NEW ITEMS

Janet Tuttle spoke about her concerns about the taxes going up since she and other community members are on a fixed income.

EXECUTIVE SESSION

VOTE (2019-218) Councilor Larochelle, seconded by Councilor Ward moved to go into Executive Session at 8:00 PM per 1 MRSA Section 405 (6) (H) Consultation with Code Enforcement Officer on Pending Matter in District Court. **Order passed – Vote 4-0.**

The Council came out of executive session at 8:25 PM and resumed the meeting.

ADJOURNMENT

VOTE (2019-219) Councilor Ward, seconded by Councilor Larochelle moved to adjourn at 8:25 PM. Order passed - Vote 4-0.

Lisa Smith, Deputy Town Clerk Date Approved: December 3, 2019



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 <u>December 17</u>, <u>2019 at 7:00 PM</u> 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

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 police are: Normand Albert, Donald Fellows, Jeffrey Ganong, Kasie Kolbe, Fern Larochelle, Mark Lunt, and Allen Ward.

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 4, 2018

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 OFFIERS:
	Normand Albert
	Normand Albert
	Donald Fellows
*	Jeffrey Ganong
	Kasie Kolbe
	Fern Larochelle
	Mark Lunt
	Allen Ward

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 police are: Normand Albert, Donald Fellows, Jeffrey Ganong, Kasie Kolbe, Fern Larochelle, Mark Lunt, and Allen Ward.

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 3, 2019.

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:
	Normand Albert
	Donald Fellows
	Jeffrey Ganong
	Kasie Kolbe
	Fern Larochelle
	Mark Lunt
	Allen Ward

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 <u>Section 2.06(b)</u> 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 <u>Section 2.04(a)(2)</u> 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 Thursday 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 annual budget process, the council may consider that proposal only after the finance department has provided the council with a written evaluation of the direct impact of the proposal on town revenues and expenditures during the current and following fiscal year. As used in this rule, "proposal" means a supplemental appropriation, a proposed contract, or a proposed grant. This rule does not preclude the council from considering a proposal's longer term impact on town revenues and expenditures.
- (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;
- g. Consent agenda;
- h. Council orders, resolutions, and ordinances;
- i. Other business;
- j. Appointments;
- k. Councilor communication;
- Any business and council response;
- m. Executive session;
- n. Adjournment.

The town council shall have the right to change the agenda order and to take up any agenda item out of order.

(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 councilman, the manager or staff requesting that the matter be considered, shall explain the reason for 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. 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. Once recognized by the chair, persons desiring to address the town council shall state their name for the record, and shall limit their remarks to the matter under discussion. 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.

a. General public comment. During the time scheduled for public comment on the regular town council meeting agenda (audience participation), members of the public who are residents and/or taxpayers of the Town of Lisbon or authorized representatives of such resident or taxpayer, or in the case of an organization, the authorized representative of that organization, may address the town council regarding items or issues that are on the agenda for that meeting.

b.

Public comment on agenda items. After introduction of an agenda item, appropriate motions, and time for explanation and council questions, the public shall 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.

- 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 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.
- 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.
- 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 <u>Section 2.06(c)</u> 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.
- (8) New business. During the time scheduled for public comment on the regular town council meeting agenda (New business), councilors, town employees, members of the public who are residents and/or taxpayers of the Town of

Lisbon or authorized representatives of such resident or taxpayer, or in the case of an organization, the authorized representative of that organization, may address the town council regarding items or issues that are not on the agenda for that meeting.

- a. 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.
- b. The purpose of 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.
- (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. 2017-300B)

2019-2020 Town Council Liaison Assignments

Councilor Lunt Administration/Library Committee meets as needed TBA Councilor Lunt Public Safety Councilor Luncohalle Committee meets as needed TBA Councilor Luncohalle Councilor Luncohalle Councilor Luncohalle Committee meets as needed TBA Councilor Luncohalle School Committee Councilor Mand TBA TBA Councilor Albert School Committee Councilor Mand TDA 8 4th Honday of each month TDAN 00/fice Councilor Albert School Committee Councilor Mand Add th Honday of each month TDAN 00/fice Councilor Albert Walter Commission Councilor Albert Add th Honday of each month TOAN 00/fice Councilor Luncohalle Walter Commission Councilor Albert Add Thursday of each month TOAN 00/fice Councilor Luncohalle Walter Registration Appeals Board Councilor Albert Councilor Albert Councilor Albert TOAN 00/fice Councilor Luncohalle Ethics Panel Councilor Albert Councilor Albert TOAN 00/fice TOAN 00/fice Councilor Luncohalle Councilor Albert Council	Liaisons	Board/Committee	Add'l Liaisons	Changes - Additions	Changes Deletions	Monthly Meetings	Location
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Commercial Revolving Loan Councilor Albert Committee meets as needed Image: Councilor Lunt Wed nights Sept-Oct Finance Committee TBD	Councilor Kolbe	Recreation Committee	Councilor Albert			1st Monday of each month	MTM Center
County Budget Committee Committee Councilor Lunt Wed nights Sept-Oct Finance Committee TBD	Councilor Lunt	Commercial Revolving Loan	Councilor Albert			Committee meets as needed	Town Office
TBD	Councilor Ward	County Budget Committee	Councilor Lunt			Wed nights Sept-Oct	County Bldg
		Finance Committee				TBD	Town Office