

AGENDA
COUNCIL MEETING
APRIL 3, 2018
LISBON TOWN OFFICE
7:00 P.M.

Town Council
Allen Ward, Chairman
Chris Brunelle, Vice Chairman
Norm Albert
Kris Crawford
Kasie Kolbe
Fern Larochelle
Mark Lunt

1. CALL TO ORDER & PLEDGE TO FLAG
2. ROLL CALL
____ Councilor Albert ____ Councilor Brunelle ____ Councilor Crawford ____ Councilor Kolbe
____ Councilor Larochelle ____ Councilor Lunt ____ Councilor Ward
Town Clerk reading of meeting rules
3. GOOD NEWS & RECOGNITION
 A. Proclamation recognizing the 2018 Spirit of American Award
4. PUBLIC HEARINGS
5. AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS
6. CONSENT AGENDA
 2018-62 ORDER – A. Municipal Accounts Payable & Payroll Warrants -
 #104 \$ 897.43 #105 \$ 8,791.09
 #106 \$166,148.09 #107 \$13,650.76
 #108 \$ 8,686.35 # \$
 B. School Accounts Payable & Payroll Warrants -
 #1050 \$313,871.36 #5051 \$13,863.97
 #1818 \$ 93,245.35 # \$
 C. Council Meeting Minutes of March 20, 2018 and Special Meeting Minutes of March 21, 2018
 D. Set Public Hearings on April 17 for Victualer Licenses for Flux Restaurant, EZ Mart d/b/a X-Tra Mart,
 & Walts Place and to hear comments on Amendments to Chapter 70, Zoning Ordinance, Division 13.-
 District Uses, Sec.70-531 Table of Land Uses
7. COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES
 2018-63 ORDER – RHR Smith Audit Engagement Letter
 2018-64 ORDER – Rec Department – Portland Greendrinks Micro Grant to GPS Trails and Produce Maps
 2018-65 ORDER – Amend Fee Schedule – Parks & Rec/Moxie Festival/Victualer–*under Rules, Regulations, & Policies*
 2018-66 ORDER – Amend Chapter 70 Zoning Ord, Division 13–District Uses, Sec 70-531 Table of Land Uses–*First Reading*
 2018-67 ORDER – Set Council Summer Meeting Dates
 2018-68 ORDER – School Committee–Set School Budget Validation Election Date, Order Public Hearing & Ballot Printing
 2018-69 ORDER – Set Registrar Hours and Casting of Absentee Ballots for June 12, 2018 Local & State Primary Election
 2018-70 ORDER – Tax Collector Certificate of Settlement
 2018-71 ORDER – Public Works Bid Projects
8. OTHER BUSINESS
 A. Council Committee Reports:
 1. School (Councilor Albert) 5. Conservation Commission (Councilor Ward)
 2. Planning Board (Councilor Ward) 6. Recreation (Councilor Kolbe)
 3. Water Department (Councilor Brunelle) 7. County Budget (Councilor Ward)
 4. LDC (Councilor Larochelle) 8. Library (Councilor Lunt)
 A. Town Manager's Report
9. APPOINTMENTS
 2018-72 ORDER – Conservation Commission (Regular Member–Term to June 30, 2020)
 2018-73 ORDER – Lisbon Development Committee (Regular Member–Term to January 31, 2019)
10. COUNCIL COMMUNICATIONS
11. AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS
12. EXECUTIVE SESSION
 2018-74 ORDER – 1 MRSA §405 (6) E Consultations with Legal Counsel
13. ADJOURNMENT
 2018-76 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

Allen Ward, Chairman
Christopher Brunelle, Vice Chair
Norm Albert
Kris Crawford
Kasie Kolbe
Fernand Laroche, Jr.
Mark Lunt

MEMO

To: Town Council

From: Diane Barnes, Town Manager

Subject: Recommendations

Date: April 3, 2018

Agenda Item 2018-63

RHR Smith Engagement letter for annual audit

The engagement letter from RHR Smith confirms the understanding and scope of services provided to the town during the annual audit. They will audit the financial statements of the governmental activities, business type activities, any aggregate discretely presented component units, each major fund, and any aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the Town of Lisbon for the fiscal year ending June 30, 2018

Town	\$9,850
School Department	\$9,717
Sewer Department	\$2,550

Recommendation

Authorize the Town Manager to sign the engagement letter with RHR Smith for the annual audit.

Agenda Item 2018-64

Rec Department – Portland Greendrinks Micro Grant to GPS Trails and Produce Maps

Mr. Stevens is requesting permission for the Conservation Commission to apply for a Portland Greendrinks Micro Grant. This grant from the environmental networking group, Portland Greendrinks will further the Greendrinks mission: to create a more environmentally, socially, and economically sustainable community by supporting local organizations, businesses, and green initiatives. The grant requires no match and the Conservation Commission intends to apply the \$500 towards creating new trail maps. A university of Maine in Farmington student has agreed to GPS our town trails and create maps that we can distribute at the town office, Beaver Park, and trail heads. The grant application deadline is April 25.

Recommendation

Authorize the Recreation Director/Conservation Commission to apply for a \$500 Portland Greendrinks Micro Grant.

Agenda Item 2018-65
Amend Fee Schedule – Parks & Rec/Moxie Festival/Victualer Fees

Mr. Stevens met with the Recreation Committee and they proposed increases in the following areas: Football, Moxie 5K, MTM Rentals for Commercial Gym/Pavilion and Pinewoods Rental. Ms. Steuber has requested the fee schedule include application fees for Art Vendors. The Town Clerk suggests two fee categories of licenses for Victualer's: 1) \$100 for Restaurants and all others, excluding Itinerant Vendors and \$50 for Itinerant Vendors.

Recommendation

Adopt the amendments to Appendix C Fee Schedule as submitted.

Agenda Item 2018-68
**School Committee – Set School Budget Validation Election Date,
Order Public Hearing, & Ballot Printing**

The School's Business Manager recommends the Council set the School Budget Validation Referendum Election on June 12, 2018 to coincide with the State Primary. This information is used to prepare the Warrant for the Council to sign at their April 17 Council meeting. The Business Manager, also, recommends the Council set the School Budget Public Hearing on May 8, 2018 at the Lisbon Town Office and order ballots using the date "May 15, 2018" for budget adoption.

Recommendation

Set the School Budget Validation Referendum Election on June 12, 2018, set the School Budget Public Hearing on May 8, 2018 at the Lisbon Town Office, and authorize the Town Clerk to order ballots printed with the May 15, 2018 budget adoption date.

Agenda Item 2018-69
Set Registrar House & Casting of Absentee Ballots for June 12, 2018 Election

The Town Clerk recommends setting the Registrar Hours and Casting of Absentees as follows:

Registrar Hours:

June 5, 6, 7, 8 and June 11 during regular office hours from 8:30 AM to 4:30 PM and on Election Day, June 12 during the polling hours from 7:00 AM to 8:00 PM.

Casting Absentee Ballots on Election Day:

8AM, 10AM, 1PM, 3PM, 4PM, 7PM and 8PM on Election Day in accordance with M.R.S.A. Title 21A Section 759 (7).

Recommendation

Set Registrar Hours and Casting of Absentee Ballots as follows:

Registrar Hours: June 5, 6, 7, 8 and June 11 during regular office hours from 8:30 AM to 4:30 PM and on Election Day, June 12 during the polling hours from 7:00 AM to 8:00 PM.

Casting Absentee Ballots on Election Day: 8AM, 10AM, 1PM, 3PM, 4PM, 7PM and 8PM on Election Day in accordance with M.R.S.A. Title 21A Section 759 (7).

**Agenda Item 2018-70
Tax Collector Certificate of Settlement**

The tax collector is entitled from his/her liability under Maine State Statute when the tax collector has settled in full all taxes assessed and committed for each given year.

This is the final step taken in connection with the duties of the tax collector, and is the foundation of his/her discharge from further liability for collection of taxes for that year.

The uncollected taxes for 2017 have either been paid in full or a legal process has been completed to collect the taxes.

Title 36, Chapter 105 §760-A. Minor or burdensome amounts

1. Not collected. After the date for perfection of collections, municipal officers may discharge collectors from any obligation to collect unpaid personal property taxes that the municipal officers determine are too small or too burdensome to collect economically and authorize the municipal treasurer to remove those taxes from the municipal books.

[1991, c. 231, (NEW) .]

2. Discharged. Collectors shall identify the unpaid taxes discharged under subsection 1 on the tax lists.

Golden Dragon Martial Arts Academy \$13.44

Recommendation

Approve and sign the certificate of settlement for Diane Barnes, Tax Collector for the tax years 2017, discharge the Tax Collector from any obligation to collect the personal property taxes assessed to Golden Dragon Martial Arts Academy, and authorize the Treasurer to write off the tax in the amount of \$13.44.

**Agenda Item 2018-71
Public Works Bid Projects**

We request permission to advertise the following projects for bid.

Paving RFP - As a result of discussions at the Town Council workshop on March 27, 2018 we request permission to develop an RFP for paving projects based on an anticipated budgeted amount of \$425,000. The RFP will clearly state bids will be awarded contingent on final budget adoption.

Road Striping - We are requesting permission to advertise the annual center line and edge line road striping.

Road Salt - Each year AVCOG advertises a joint purchase of Road Salt and Liquid Calcium/Magnesium Chloride RFP. We are requesting permission to have our estimated 3000 tons of salt included as part of this process.

Recommendation

Authorize the Public Works Director to advertise the bids for the paving RFP, road striping, and road salt.

300 Lisbon Street, Lisbon, ME 04250 | Phone: (207) 353-3000 | Fax: (207)
353-3007 | www.lisbonme.org

RESOLUTION

Agenda Item 2018-A

The 2018 Lisbon, Maine Spirit of America Foundation Tribute honors Sylvia Doughty for commendable community service.

Providing for: Recognition of Sylvia Doughty's volunteerism and community service for over 50 years.

BE IT RESOLVED by the Town Council of the Town of Lisbon as follows:

WHEREAS, Sylvia is well known throughout Lisbon for her life time of achievements through her commitment and her dedication to so many Lisbon organizations. In 1970, Sylvia was part of a group that created the Lisbon Recreation Department as an entity under the Lisbon Schools.

WHEREAS, Sylvia was involved with the Lisbon Jay-Cee's, the committee that founded and organized Lisbon Frontier Days, which became Lisbon Moxie Days in 1982. Sylvia was very involved with the High School Boosters, and more recently the Lisbon Sunshine Hill Senior's Program.

WHEREAS, The Sunshine Hill Senior's have been providing services to the retired population of Lisbon for over 10 years. Volunteer, Silvia Doughty, has helped to create a positive environment at the MTM Community Center for people to come, socialize, and develop lasting friendships. She is also a volunteer at the Lisbon Methodist Church.

WHEREAS, Sylvia is in the kitchen every Friday preparing meals for the folks that attend the MTM Center. She has provided hundreds of meals for thousands of people over the past ten years. She is considered by many to be Lisbon's Matriarch and a community leader to generations of Lisbon residents.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Lisbon that Sylvia Doughty be recognized for her admirable achievements and honors, which she has instilled upon this community receiving the 2018 Lisbon Spirit of America Foundation Tribute; and for her contributions to the youth and seniors that has not gone unnoticed by the people of Lisbon.

BE IT FURTHER RESOLVED that a copy of this resolution be framed and presented to Sylvia Doughty for appropriate display.

Given under our hands this 3rd day of April A.D. 2018.

LISBON TOWN COUNCIL

Allan Ward, Chairman

Christopher Brunelle

Norman Albert

Kris Crawford

Kasie Kolbe

Fern Larochelle

Mark Lunt

A true Copy,

Attest: _____
Municipal Clerk (Clerk Signature & seal)

Draft Mintues – To be approved by the Town Council at its April 3, 2018 meeting



**TOWN COUNCIL
MEETING MINUTES
MARCH 20, 2018**

Normand Albert, At Large 2018
Kasie Kolbe, District 1 2018
Allen Ward, District 2 2018
Christopher Brunelle, At Large 2019
Mark Lunt, District 1 2019
Kris Crawford, District 2, 2019
Fern Larochelle, At Large 2020

CALL TO ORDER. The Chairman, Councilor 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, Brunelle, Lunt, Crawford, and Larochelle. Also present were Diane Barnes, Town Manager; Ryan Leighton, Public Works Director; Steve Aievoli, Interim Public Works Director and Treatment Plant Manager; Mark Stevens, Parks & Recreation Director; Tracey Steuber, Economic Development Director; Donald Fellows, Planning Board Chairman; Miriam Morgan-Alexander, Assessment Review Board/Appeals Board Chairman; and approximately 10 citizens in the audience.

GOOD NEWS & RECOGNITION

A. PROCLAMATION FOR PHIL PALMORE FOR YEARS OF SERVICE

VOTE (2018-53G) Councilor Lunt, seconded by Councilor Kolbe moved to recognize Phil Palmore for 33 years of service to the Fire Department by adopting a proclamation as follows:

The Members of the Lisbon Town Council, meeting in regular session on March 20, 2018, do hereby adopt and pass the following resolution:

WHEREAS, the following person has served the citizens of Lisbon as a member of the Lisbon Fire Department for 33 years; Phillip Palmore was appointed a firefighter to the Lisbon Falls Fire Company on May 1, 1985; and

WHEREAS, in 1995 he transferred to the ET Smith Hose Company where he attained the rank of Lieutenant; and

WHEREAS, Phillip Palmore has retired on January 1, 2018 from the Lisbon Fire Department after serving as a dedicated and valued member of the department; and,

WHEREAS, his contribution of service to the Town of Lisbon and its citizens will always be appreciated.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Lisbon that Phillip Palmore shall be presented his helmet shield and fire department badges in recognition of his 33 years of dedicated service to the Town of Lisbon; and

BE IT FURTHER RESOLVED that a copy of this resolution be framed and presented to Phillip Palmore.

Order passed – Vote 7-0.

BUSINESS DEVELOPMENT AWARD
(Reported under A. CDBG public hearing)

Ms. Steuber reported to the Council that Lisbon had been chosen to receive the 2017 Business Development Award this year from AVCOG who recognized Lisbon for its wonderful façade program.

PUBLIC HEARING

A. CDBG DOWNTOWN REVITALIZATION GRANT

The Chairman opened the public hearing. Ms. Steuber reported the Town of Lisbon was fortunate enough to have been chosen by the Office of Community Development to submit a full 2018 Community Development Block Grant - Downtown Revitalization application for the Lisbon Village Streetscape Project in the amount of \$300,000. The Lisbon Development Committee along with staff recommends Council approval to submit the 2018 CDBG DR Grant Application to the Maine Department of Community Development. The deadline for the application is March 30, 2018. Seeing no further comments, the Chairman closed the public hearing.

B. AMEND CHAPTER 34 SEWER ORDINANCE

The Chairman opened the public hearing. Annaleis Hafford, P.E. from Olver Associates, presented the Sewer Amendments to the Council. She said the town has been working on updating its Sewer Ordinance for approximately a year. Several staff meetings and a recent Council Workshop have been held to work on improving the Town's existing ordinance. The town reviewed the ordinance in detail at the February 13, 2018 Council Meeting and has since had its attorney review it as well.

She reported a few of the most significant changes as follows:

1. Reorganized the ordinance with definitions in Appendix A, Fees in Appendix B and Construction Standards in Appendix C. This will make it easier to update certain aspects of the ordinance, specifically fees and construction standards. She indicated this will also make it easier to pass out the construction standards to contracts, etc.
2. Updated all aspects of the ordinance to reflect current standards, practices, and recommended ordinance conditions.
3. Key changes to the Town's Ordinance include:
 - a. Article 34.7.12, Protection from Damage, provides that the town has the right to implement local limits that are more restrictive than federal limitations to protect against passthrough of the Wastewater Treatment Plant.
 - b. Permits a customer to purchase a meter and outside reader from the Water Department versus an assumed unit determination if no meter reading are available for assessing the sewer charge.
 - c. Article 34.11, Abatements, is a new section permitting the town to provide a sewer abatement, provides the timeframe that an abatement can be authorized and formalizes existing practices of the existing on-time sewer abatement policy. This section also provides the method on how to derive the abatement, how corrections to the billing are done and clarifies the use of secondary meters.
 - d. Article 34.14, Board of Sewer Appeals, was updated to remove the requirement to be a resident and removes the requirement that the board serve without compensation. The definition of "undue hardship" was also clarified to conform with the Town's Zoning Board practices.

Seeing no further comments, the Chairman closed the public hearing.

C. AMEND CHAPTER 46 STREETS, SIDEWALKS, & OTHER PUBLIC PLACES, ARTICLE 1-IN GENERAL

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

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE

CONSENT AGENDA

VOTE (2018-53) Councilor Albert, seconded by Councilor Lunt moved to approve the following:

A. Municipal Accounts Payable & Payroll Warrants -

#99	\$11,929.80	#100	\$ 173,730.93
#101	\$ 17,550.82	#103	\$ 250,892.15

B. School Accounts Payable & Payroll Warrants -

#1816	\$196,761.90	#1817	\$128,701.10
#1047	\$293,162.51	#1048	\$ 13,701.45
#1049	\$327,304.58	#25	\$ 365.40

C. Minutes of March 6, 2018 (Note: Special Meeting on March 13 was cancelled due to the weather)

D. Approve a renewal Liquor License for Briana Bowen d/b/a Angelo's Restaurant

E. Approve Itinerant Vendor Application for Festivals for Positive Change Lisbon

F. Set a Special Council Meeting on March 21 for the School Budget Presentation

Order passed - Vote 7-0.

COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS

CDBG DOWNTOWN REVITALIZATION GRANT

VOTE (2018-54) Councilor Larochelle, seconded by Councilor Lunt moved to authorize the Town Manager permission to submit a 2018 CDBG Downtown Revitalization Grant Application to the Maine Department of Community Development for the Lisbon Village area. **Order passed - Vote 7-0.**

MID-MAINE WASTE ACTION CORPORATION RENEWAL CONTRACT

INTRODUCTION: Mid Maine Waste Action Corporation has submitted options to Lisbon for solid waste processing and disposal services. This contract would provide for processing, disposal capacity and pricing at their facility under either a 3-year or 5-year option. Under either option, the tipping fee is adjusted annually starting in year 2 for the remainder of the term in accordance with the Consumer Price Index, as described in their letter. All annual adjustments will have a 2% floor and a 4% cap. The terms and conditions between the town and MMWAC concerning the delivery of municipal solid waste, pricing, and capacity issues for use of MMWAC are covered in the contract in the packet.

VOTE (2018-55) Councilor Crawford, seconded by Councilor Lunt moved to approve Option # 2 for a 5-year solid waste contract as presented with Mid-Maine Waste Action Corporation. **Order passed - Vote 7-0.**

AMEND CHAPTER 34 SEWER ORDINANCE *Final Reading*

VOTE (2018-56) Councilor Larochelle, seconded by Councilor Kolbe moved to adopt Chapter 34 Sewer Ordinance amendments as follows:

CHAPTER 34. SEWER USE ORDINANCE (March 2, 2018 – B & I Revisions)

ARTICLE TABLE OF CONTENTS PAGE

- 34.0 General
- 34.1 Reference to Definitions
- 34.2 Use of Public Sewers Required
- 34.3 Private Disposal Systems
- 34.4 Building Sewers and Connections
- 34.5 Sewer Extensions
- 34.6 Use of the Public Sewers
- 34.7 Pretreatment and Permitting of Industrial, Commercial
or Unusual Wastes
- 34.8 Power and Authority of Inspectors
- 34.9 Sewer Service Fees, Rates and Charges
- 34.10 Liens for Non-Payment
- 34.11 Abatements
- 34.12 Protection from Damage
- 34.13 Enforcement and Penalty
- 34.14 Board of Sewer Appeals
- 34.15 Repeal of Conflicting Ordinances
- 34.16 Severability
- 34.17 Effective Date

APPENDIX

Appendix A - Sewer Ordinance Definitions

Appendix B - Sanitary Sewer Ordinance Fee Schedule

Appendix C - Guidelines for Design and Construction of Sewers

Appendix D – Calculating the “One Time” Sewer Credit

Appendix E – Applicable Municipal References

CHAPTER 34 - SEWER USE ORDINANCE

Article 34.0 - General

Section 34.0.1 - Ordinance Scope. This Ordinance regulates the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system, and provides penalties for violations and procedures for enforcement.

Section 34.0.2 - Ordinance Purpose. The purpose of this Ordinance is to promote the health and general welfare of the citizens of the Town of Lisbon by regulating and restricting the construction and use of sewerage systems and the accumulation, transportation, treatment and disposal of sewage in such a manner that the creation of any sewerage system, whether public, private, commercial or industrial, shall not result in pollution, health hazards, or other nuisance. Hereafter, any person owning any building or structure within the Town which is the source of

sewage and/or commercial or industrial wastes, or who proposes to erect such building or structure shall conform to the requirements of this Ordinance.

Article 34.1 Reference to Definitions

Section 34.1.1 - Definitions. Language and terminology used in this Ordinance shall have the meanings commonly used and recognized in the wastewater collection and treatment field by professionals familiar with that field.

Section 34.1.2 - Appendix A. Specific definitions of some frequently used and referenced terms can be found in Appendix A of this Ordinance.

Section 34.1.3 - "Wastewater Treatment Facility or Sewer Works" is also known as the Sewer Department consisting of all public sewer treatment facilities including interceptor piping and connections, force main piping and connections, pump stations, treatment plant and facilities, treatment processes, and other assets along with personnel and vehicles of the Town of Lisbon utilized for the purpose of collecting, conveying, and treating sewage. The Wastewater Treatment Facilities exist as a Division of Lisbon's Public Works Department operated by the Town of Lisbon.

Article 34.2 Use of Public Sewers Required

Section 34.2.1 – General Restrictions. It shall be unlawful for any person to place, deposit or permit to be placed or deposited in any unsanitary manner on public or private property within the Town, or in any lake, pond, stream or harbor, or in any area under the jurisdiction of the Town, any human or animal excrement, garbage, or other objectionable waste. The term "unsanitary manner" shall not include reasonable spreading of animal excrement or other fertilizer in farming or animal husbandry operations.

Section 34.2.2 – Unlawful Discharge. It shall be unlawful to discharge to any natural outlet within the Town or in any area under the jurisdiction of the Town, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article and the requirements of State, Federal and local laws.

Section 34.2.3 – Individual Wastewater Disposal. - Except as hereinafter provided, , it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater except where no public sewer is available and where such private facilities are constructed or maintained in conformance with all State and municipal laws, ordinances, or regulations.

Section 34.2.4 - Requirements to Connect to the Public Sewer System. The owners of all buildings, or other properties used for human occupancy, employment, recreation or other purposes situated within the Town and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Town is required at the owner's expense to install suitable toilet facilities in such places and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article within 90 days after date of official notice to do so, provided that said public sewer is within 200 feet of the structure to be served unless undue hardship would result, in which case the property owner should request in writing a deferral of this property; and the owner shall be required to demonstrate the nature and degree of hardship. (Refer to Section 34.14.2(b) for definition of "Undue Hardship".) Readiness-to-serve charges will be made on unimproved lots if they are buildable within the terms of Chapter 70 of the Town's Codes upon issuance of a building permit.

Article 34.3 Private Disposal Systems

Section 34.3.1 - Private Disposal Systems. Where a public sewer is not available under the provisions of Section 34.2.4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article and the State of Maine Plumbing Code, Part II, Subsurface Wastewater Disposal Regulations 144A CMR 241, the Minimum Lot Size Law (12 M.R.S.A. § 4807 et seq.) and Town Ordinances as may be amended from time-to-time. No private wastewater disposal system shall be permitted to discharge to any natural outlet.

Section 34.3.2 - Plumbing Permits Required. Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit signed by the licensed Code Enforcement Officer/Plumbing Inspector. The application for such permit shall be made on a form furnished by the Town

obtained from the division of health engineering, state department of human services, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Code Enforcement Officer/Plumbing Inspector. A permit and inspection fee, as specified by the Town in Appendix B, shall be paid to the plumbing inspector at the time the application is filed.

Section 34.3.3 - Inspection of Private Disposal System Required. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Code Enforcement Officer/Plumbing Inspector. The Code Enforcement Officer/Plumbing Inspector shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall give the Code Enforcement Officer/Plumbing Inspector at least forty eight (48) hours before the work is ready for final inspection and before any underground portions are covered.

Section 34.3.4 - Maintenance of Private Sewage Facilities. The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Town.

Section 34.3.5 - Conflicts of Ordinance. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Town.

Section 34.3.6 - Use of Private Disposal Systems Following Availability of Public Sewer. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Section 34.2.4, a direct connection from the building sewer to the public sewer shall be made within 90 days after the date of official notice; and any septic tanks, cesspools, and similar private wastewater disposal facilities shall no longer be used and shall be cleaned of sludge and filled with suitable material, such as clean bank run gravel, or completely removed. Upon inspection, and to the satisfaction of the Code Enforcement Officer/Plumbing Inspector, the Superintendent may allow the continued use of a private wastewater disposal system for the duration of its useful life and in accordance with Section 34.2.4.

Article 34.4 Building Sewers and Connections

Section 34.4.1 - Sewer Connection Permit. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb the public sewer or appurtenance of the sewer without first obtaining a sewer connection permit from the Superintendent. All work related to the installation of building sewers and the connection to the public sewer shall be performed by persons qualified on this class of work and acceptable to the Superintendent.

Section 34.4.2 - Notification of New Discharge or Change. Any person proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Superintendent at least 45 days prior to the proposed change or connection, and shall comply with 38 M.R.S.A. § 361 et seq.

Section 34.4.3 - Classes of Building Sewer Permits. There shall be two (2) classes of building sewer permits, one for residential and commercial service and one for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee for residential or commercial building sewer permits and a separate fee plus all costs for the review and analysis of the waste for a commercial or industrial building sewer permit shall be paid to the Town at the time the application is filed. (Appendix B contains the most recent fees set by the Town Council).

Section 34.4.4 - Sewer Connection Fees. For all connections into the sewer system, there will be both a permit connection fee and an inspection fee. Both the connection fee and the inspection fee shall be paid at the time that the applicant files a permit for the connection. The applicant is also required to obtain the sewer connection permit at the time the building permit is applied for. The amount of these fees shall be set annually by the Town Council. (Appendix B contains the sewer connection fees set by the Town Council). A connection fee shall be charged for each new connection to the public sewer. (See Appendix B.) For non-residential customers discharging typical domestic-strength wastewater (no more than 300 mg/l BOD5 or 350 mg/l total suspended solids and no contaminants not expected to be found in typical domestic wastewater), the connection fee shall be based on a cost/gallon factor multiplied by the estimated flow in gallons per month. (See Appendix B.) For non-residential customers with estimated flows greater than 50,000 gallons per month or with wastes exceeding domestic-strength,

the fee shall be negotiated with the Superintendent, taking into consideration the quantity and character of the wastewater and approved by the Town Council.

Section 34.4.5 - Monetary Deposit for Certain Discharges Required. In the case of multiple building units or connections, connections involving sewer extensions, or industrial discharges or pretreatment applications, the Town may require a monetary deposit sufficient to cover the cost to review the application, including any expert advice deemed necessary by the Superintendent. The applicant may also be required to pay an initial deposit. The amount of deposit shall be estimated by the Town and upon payment by the applicant, kept in a non-interest-bearing account. Upon completion of the review process, the unused portion, if any, will be refunded. If the initial deposit is not sufficient to pay for the costs incurred by the Town, a second deposit shall be made and handled in the same manner as the first.

Section 34.4.6 - Permit Availability. One copy of the permit shall be available for inspection at all times at the site of the work.

Section 34.4.7 - Separate and Independent Sewer Required, Exceptions. A separate and independent building sewer shall be provided for every building requiring a sewer connection; except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, except for the purposes of Article 34.9, and if approved by the Superintendent. In such instance, the owner or user shall provide to the Superintendent proof of a recorded easement giving the right to cross the other property. Where building sewers are to serve multiple dwelling structures, there shall be provided at least one (1) separate building sewer to each group of four (4) structures.

Section 34.4.8 - Building Pipe Used. The new building sewer shall be polyvinyl chloride (PVC pipe) conforming to the requirements of ASTM D 3034 SDR 35, or other material approved by the Superintendent. (See Construction Requirements in Appendix C.)

Section 34.4.9 - Connection to Existing Building Sewers. Existing building sewers or portions thereof may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Ordinance and Appendix C.

Section 34.4.10 - Sewer Cleanouts. - Building sewer cleanouts shall be installed at intervals not to exceed 100 feet in straight lines and at all bends greater than 22-½ degrees. The cleanouts shall consist of wyes and 45-degree elbows. Cleanouts shall be installed vertically to within six (6) inches of the surface. A stainless-steel strap shall be installed around the top of cleanouts constructed of nonmetallic pipe to allow their detection with a metal detector. (See Appendix C for specific requirements.)

Section 34.4.11 - Building Sewer Depth and Elevations. The diameter of the building sewer shall not be less than four (4) inches and the slope of the pipe shall not be less than one-eighth inch per foot. (In some cases, the building sewer may be required to be larger – refer to Appendix C.) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost, but in no event shall the depth be less than three feet. The building sewer shall be laid at a uniform grade and in straight alignment insofar as possible as described in Section 34.4.11. The ends of building sewers which are not connected to the building drain of the structure for any reason shall be sealed against infiltration by a suitable mechanical, watertight cap or other means approved by the Superintendent.

Section 34.4.12 - Mechanical Lift Where Gravity Flow is Not Possible. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved mechanical means and discharged to the building sewer at the expense of the building owner. Plans and details of the proposed lifting method shall be submitted to the Superintendent for review. (See Appendix C for specific requirements.)

Section 34.4.13 - Connections to Force Mains Not Permitted. No connection of any kind shall be made directly from any private property to a Town pressurized force main sewer.

Section 34.4.14 - Excavations and Backfill. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with Appendix C and no backfill shall be placed until the work has been inspected.

Section 34.4.15 – Sewer Joints. All joints and connections shall be made gastight and watertight. The transition joint between pipes of different materials shall be made with adaptors and joint materials approved by the Superintendent. Pre-molded gasket joints shall be used and shall be neoprene compression type gaskets which provide a positive double seal in the assembled joint. The gasket shall be a pre-molded, one-piece unit designed for joining the pipe material used. The assembled joint shall be sealed by compression of the gasket between the exterior surface of the spigot and the interior surface of the hub. The joint shall be assembled following the manufacturer's recommendation using acceptable lubricant and special pipe coupling tools designed for that purpose. The lubricant shall be a bland, fat based, nontoxic material, and shall not chemically attack the gasket material. (See Appendix C.)

Section 34.4.16 – Pipe Inspection. The applicant for the building sewer permit shall notify the Superintendent at least forty-eight (48) hours before beginning the work and also when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

Section 34.4.17 – Inspection of Trenches. When trenches are opened for the laying of building sewer pipes, such trenches shall be inspected by the Superintendent before the trenches are filled; and the person performing such work shall notify the Superintendent when the installation of the building sewer is completed. If the trench is filled before inspection, the Superintendent may require it to be re-excavated for inspection.

Section 34.4.18- Leakage Testing. All parts of new building drains and sewers shall withstand, under test without observable leakage, a ten-foot head of water for a minimum period of fifteen minutes at a temperature above the freezing point of water. (Alternatively, the line may be air tested as defined in Appendix C.)

Section 34.4.19 – Protection of the Public from Excavations. All excavations for a building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

Section 34.4.20 – Method and Indemnification; Connection to Existing Public Sewer. The connection of the building sewer into an existing public sewer shall be made at the existing public sewer. All costs and expenses incident to the installation and connection of the entire length of building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The method of connection of the building sewer to the public sewer will be dependent upon the type of pipe material used, and in all cases, shall be approved by the Superintendent. The connection of the building sewer into the public sewer shall be made with a Wye or Tee branch. If none is available, a connection may be made by tapping the existing sewer with a saddle or other method approved by the Superintendent. All connections shall be made gastight and watertight and verified by proper testing. The Town is responsible for all maintenance and repairs of the public sewer only. The method of connection of the building sewer to the public sewer shall be dependent upon the type of pipe material used, and in all cases, shall be approved by the Superintendent. (Refer to Appendix C.)

Section 34.4.21 – Manhole Required for Certain Sewers. When any building sewer is to serve a school, hospital, or similar institution, public building, or is to serve a complex of industrial or commercial buildings, or will, in the opinion of the Superintendent, receive sewage or industrial wastes of such volume or character that frequent maintenance of the building sewer is anticipated, such building sewer shall be connected to the public sewer through a manhole. The Superintendent shall determine if and where this type of connection to the public sewer is required. Connections to existing manholes shall be made as directed by the Superintendent or his representative. If required, a new manhole shall be installed in the public sewer pursuant to Section 34.7.7 or Appendix C, and the building sewer connection made to the sewer as directed by the Superintendent.

Section 34.4.22- Privately Owned Sewer Lines. Main sewer collector lines which are constructed within subdivisions, condominiums and other developments, and which eventually discharge or connect into the public sewer system shall not be accepted by the Town of Lisbon for ownership and maintenance; but remain privately owned and privately maintained unless within a public right-of-way in which case, the Town could choose to accept the line. (Refer to Section 34.5.9). The engineering design for the construction of sewer lines within subdivisions, condominiums and other developments shall comply with this Ordinance and shall be submitted to the Town for written approval. The Town and Superintendent may require that the engineering design plans be submitted to the Town's Consulting Engineer for their evaluation and approval prior to final approval by the Town. Cost of the Town's Consulting Engineers to review, comment, recommend and approve the engineering design

plans and the cost of on-site inspection during construction, shall be borne by the applicant, subdivider, developer or builder who shall agree in writing when the sewer plans are submitted to the Town that he/she will pay for all review, approval and inspection costs. Private individual connections into private sewer lines shall also conform to this Ordinance.

Section 34.4.23 - Building Drain System Venting. The building drain system shall be so vented that under no circumstances will the seal of any appliance be subjected to a pressure differential in excess of one-inch of water. All appliances connected directly or indirectly to the building drain shall have traps with a liquid seal not less than two-inches in depth.

Section 34.4.24 - References for Sewer System Design. Sewer design, including building services, sewer collectors and interceptors shall conform to the State Plumbing Code and to the specific specifications set forth in the Town's Guidelines for Design and Construction of Sewers which is found in Appendix C. Any deviation from the prescribed procedures and materials must be approved by the Superintendent as being equivalent of, or superior to, those specified before installation.

Article 34.5 Sewer Extensions

Section 34.5.1 - Town Construction of Sewer Extension. Sewer extensions, including individual building sewers from the sewer to the property line, may be constructed by the Town under public contract if, in the opinion of the Town Council and approved at Town Referendum, if applicable, the number of properties to be served by such extension warrants its cost and if the treatment plant has the capacity to handle said extension. Under this arrangement, the property owner shall pay for and install the building sewer from the public sewer to his residence or place of business in accordance with the requirements of Article 34.4. Property owners may propose sewer extensions within the incorporated Town by drafting a written petition, signed by a majority of the benefiting property owners, and filing it with the Town Council. The cost of such extensions may be assessed to the benefited property owners by the Town in any manner recommended by the Town Council and the Town.

Section 34.5.2 - Property Owner Construction of Sewer Extension. If the Town does not elect to construct a sewer extension under public contract, the property owner, builder or developer may construct the necessary sewer extension, if such extension is approved by the Town Council in accordance with the requirements of Section 34.5.1. The property owner, builder or developer must pay for the entire installation, including all expenses incidental thereto. Each building sewer must be installed and inspected as previously required, and the inspection fees shall be paid. Design of sewers shall be as specified in this Article and the specifications set forth in the Guidelines for Design and Construction of Sewers which is included in Appendix C. The installation of the sewer extension must be subject to periodic inspection by the Superintendent or the Town's Engineer and the expenses for this inspection shall be paid for by the owner, builder or developer. The Superintendent's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass the exfiltration or leakage test required in Appendix C before it is to be used. The cost of sewer extensions thus made shall be absorbed by the developers or the property owners, including the cost of all building sewers.

Section 34.5.3 - State Law Adopted. The Town adopts, for the purpose of implementation of this Article involving sewer extensions and the construction of new sanitary sewers, the procedures, assessment of betterment fees, and the collection of those fees as set forth in 30-A M.R.S.A. §§ 3442-3445. (See Appendix E.)

Section 34.5.4 - Sewer Extension Design Requirements. All extensions to the sanitary sewer system shall be designed by a Professional Engineer registered in the State of Maine. Plans and specifications for sewer extensions shall be submitted to the Superintendent at least forty-five (45) days before the regularly scheduled Planning Board meeting at which approval of the plans and specifications will be evaluated based on recommendation by the Superintendent or Town Engineer. The expenses incurred by the Town in reviewing the plans and specifications shall be paid from a deposit made by the owner, builder, or developer at the time of application. The design of sewers and pump stations that may be deemed to the Town shall anticipate and allow for flows from possible future system extensions or developments within the future drainage areas.

Section 34.5.5 - Sewer Testing. All testing of sewers shall be conducted in the presence of the Superintendent or designee. If the installation fails any test, the source of leakage shall be found and repaired and all defective materials shall be replaced. (See specific Construction and testing requirements in Appendix C.)

Section 34.5.6 - Sewer Extension Ownership/Bond. All sewer extensions constructed at the property owner's, builder's or developer's expense after final approval and letter of acceptance by the Town Council, shall become the property of the Town and at the Town's sole discretion shall thereafter be maintained by the Town. The sewers after their acceptance by the Town shall be guaranteed against defects in materials and workmanship for twelve (12) months. The guarantee shall be in the form of a maintenance guarantee bond in an amount not less than 100 percent of the Engineer's estimate of the cost of the extension. The Town is under no obligation to accept any new sewer extension. Extensions that remain privately owned shall be maintained by their owners.

Section 34.5.7 - Suitable Sewage Disposal Required. No builder or developer shall be issued a building permit for a new dwelling or structure requiring sanitary facilities within the Town, unless a sewer permit has been obtained for a suitable and approved method of sewage disposal.

Section 34.5.8 - Connection of Sewer Extension to Public Sewer. Connection of the sewer extension to the Town's facilities shall not be permitted until, 1) the completed sewer has been tested and passed to the satisfaction of the Superintendent, 2) all building permits have been obtained and all fees have been paid to the Town for the approved lots to be connected, 3) the one year maintenance guarantee bond in a form acceptable to the Town has been delivered, and 4) a formal decision has been made by the Town to retain the line as private and to allow its connection to the public sewer or to allow it to be connected for later consideration for acceptance as a Town sewer.

Section 34.5.9 - Requirements for Acceptance of Sewer as Public. Should the Town, at its sole discretion, elect to accept the connected sewer as a public sewer to be owned by the Town, no such acceptance may be made until 1) reproducible record drawings of the completed sewer have been provided to the Town, 2) an offer has been made from the owner(s), builder(s) or developer(s), in a form acceptable to the Town, to transfer ownership and maintenance responsibilities and property and easement rights to the Town, and 3) the Town has formally agreed to accept the sewer line.

Article 34.6 Use of the Public Sewers

Section 34.6.1 - Discharge of Unpolluted Waters. No stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters shall be discharged or caused to be discharged to any sanitary sewer. No direct connection shall be made from a public or private water supply to a building drain discharging to any sanitary sewer without specific permission from the Superintendent.

Section 34.6.2 - Discharge of Unpolluted Drainage to Natural Outlet. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Superintendent. Unpolluted industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer or natural outlet if in accordance with regulations of the Maine Department of Environmental Protection or 38 M.R.S.A. § 413 or other applicable standards.

Section 34.6.3 General Discharge Prohibitions. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW or collection system whether or not the user is subject to National Categorical Pretreatment Standards, or any other national, state or local pretreatment standards or requirements. The following described waters or wastes shall not be discharged or caused to be discharged to any public sewers:

(a.) Any liquids, solids or gases which by reason of their nature or quantity are or may be sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system be more than five (5) percent nor any single reading over ten (10) percent of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohol, ketones, aldehydes, peroxides, chlorates, percolates, bromates, carbides, hydrides, and sulfides and other substances which the Town, DEP or EPA has notified the user is a fire hazard or a hazard to the system.

(i.) No person shall discharge wastewater containing in excess of the following standards:

Parameter	Maximum (mg/l)	Daily Average
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		(mg/l)
Arsenic	4.0	1.0
Cadmium	0.6	0.5
Chlorine	15.0	15.0
Chromium	5.0	2.75
Copper	8.0	8.0
Lead	4.0	2.0
Mercury	0.2	0.1
Nickel	5.0	2.5
Phenolic Compounds	10	10
Silver	3.0	1.0
Zinc	10	5.0
Cyanide	3.0	2.0

(b.) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW, or to exceed the limitation set forth in a categorical pretreatment standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to section 307(a) of the act.

(c.) The standards in subsection (a) above shall apply unless a more stringent National Pretreatment Standard has been promulgated by EPA, or as further regulated by the Town's Wastewater Discharge Permit or by the Town's Superintendent in setting Local Limits to protect the treatment plant. State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this article. The Town reserves the right to establish by Ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in Article 34.0.

(d.) Waters or wastes having a single grab pH sample lower than 5.0 s.u. or having a composite of less than 5.5 s.u., or any other corrosive property capable of causing damage or hazard to structure or waters or wastes having a single pH result of greater than 12.0 s.u. or a composite sample in excess of 9.5 s.u.

(e.) Solid or viscous substances in quantities or of such size which may cause obstruction to the flow in a sewer, or other interference with the operation of the wastewater treatment facilities or collection system, such as, but not limited to, grease, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshing's, entrails, whole blood, feathers, ashes cinders sand spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, beer or distillery slops, wastepaper, cardboard, paper dishes, disposable wipes, cups, milk containers, wood, plastics, gravel, ashes, cinders, sand, concrete, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes, etc.

(f.) Garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Superintendent.

(g.) Any wastewater having a temperature which would inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with a temperature at the introduction into the POTW which exceeds 40 degrees Celsius (104 degrees Fahrenheit).

(h.) Water or waste containing fats, soluble fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/L or containing substances, which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (and 0 to 66 degrees Celsius) which, in the sole opinion of the Superintendent, may overload or inhibit or otherwise cause adverse impacts on the treatment plant and its processes or on the sewerage collection system or its pump stations.

(i.) Waters or wastes containing strong acid, iron-pickling wastes, or concentrated plating solutions whether neutralized or not.

(j.) Waters or wastes containing iron, chromium, copper, zinc, and similar objectionable, or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.

(k.) Waters or wastes containing phenols or other taste or odor-producing substances in such concentration not to exceed 10 mg/l or any other more stringent limits, which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(l.) Any wastewater containing radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.

(m.) Materials which exert or cause unusual concentrations of inert suspended solids such as, but not limited to, fuller's earth, lime slurries and lime residues, or dissolved solids such as; but not limited to, sodium chloride and sodium sulfate.

(n.) Material which exert or cause excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.

(o.) Any pollutants, including oxygen demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the POTW. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed for any time period longer than 15 minutes more than five times the average 24-hour concentration, quantities or flow during normal operation. In no case shall a peak day discharge have a flow rate or contain pollutant loadings of any controlled substance in excess of twice the 30-day, 24-hour average flow, concentration or quantity.

(p.) Materials which exert or cause unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(q.) Overflowing by draining from cesspools or other receptacles storing organic wastes.

(r.) Steam exhausts, boiler blow-off, sediment traps, or pipes carrying hot circulating water.

(s.) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, which may inhibit treatment plant processes or sludge use, disposal criteria, guidelines or regulations developed under Section 405 of the Solid Waste Disposal Act, the Clean Air-Act, the Toxic Substance Control Act or any state criteria applicable to the Sludge Management Method used, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the groundwater receiving waters of the Town's wastewater treatment system.

(t.) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into sewers for maintenance and repair.

(u.) Any stormwater, roof drains, spring water, cistern or tank overflow, footing drains, discharge from any non-approved car wash, non-approved floor drains or the contents of any privy vault, septic tank or cesspool. (The Town's goal is to review the discharge to the sewer system of certain discharges such as car wash systems and commercial drain systems - additional controls may be required by the Superintendent. Refer to Section 34.6.5.)

(v.) Any wastewater which causes a hazard to human life or creates a public nuisance. No person shall discharge or cause to be discharged any waters or wastes containing a toxic or poisonous substance, a high chlorine or oxygen demand, or suspended solids in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard or violation in the groundwater receiving waters or effluent of the Town's sewage treatment plant, or contaminate or restrict the final end use of the treatment plant's sludge residuals.

(w.) Any wastewater with objectionable color not removed in the treatment process, such as but not limited to dye wastes and vegetable tanning solutions which could cause a visible discoloration of the treatment's plant's effluent.

(x.) Any waters or wastes containing suspended solids, whether inert or organic, which would cause visible turbidity of the treatment plant's effluent.

(y.) Any substance which will cause the POTW to violate its NPDES or/or state disposal system permits or the receiving water quality standards.

(z.) Any septage, septic process or camper discharge without the express written approval of the Superintendent or which causes pass through or interference with the treatment works.

Section 34.6.4 - Pretreatment of High Strength Wastes. Any discharge of waters or wastes having a) a five (5) day Biochemical Oxygen Demand (BOD) greater than 300 parts per million; or b) containing more than 350 parts per million of suspended solids, or c) containing more than 15 parts per million of chlorine demand, or d) containing any quantity of substances having the characteristics described in this Article or e) having an average daily flow or pollutant mass greater than two (2) percent of the average daily sewage flow of the Town, shall be subject to the review and approval of the Superintendent. Where necessary, in the opinion of the Superintendent, the owner shall provide, at his expense, such pretreatment as may be necessary to, 1) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or 2) reduce the chlorine demand to 15 parts per million, or 3) reduce objectionable characteristics or constituents to within the maximum limits provided for in this Article, or 4) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed pretreatment facilities shall be submitted for the approval of the Town, and no construction of such facilities shall be commenced until said approvals are obtained in writing. Failure to comply with one or more of the remedial procedures as required by the Town shall constitute a violation of this Ordinance.

Section 34.6.5 – Grease, Oil and Sand Interceptors. Grease, oil and sand interceptors shall be provided by the producer when the Ordinance limits for those substances are exceeded or when, in the opinion of the Superintendent or Code Enforcement Officer, they are necessary for the proper handling of liquid wastes containing grease in excess amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living units.

All interceptors shall be of a minimum type and capacity permitted by Maine Subsurface Wastewater Disposal Rules, 144A CMR 241 and shall be approved by the Superintendent prior to installation, and shall be located as to be readily and easily accessible for cleaning and inspection. Although the Maine Internal Plumbing Code Rules may permit smaller trap sizes, the provisions of the Maine Subsurface Wastewater Rules, 144A CMR 241, shall prevail. External grease and oil receptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight. In the maintenance of these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal, which are subject to review by the Superintendent. A maintenance record shall be maintained by the owner for the Town's periodic review for any removal and hauling of the collected materials. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by licensed waste disposal firms.

Section 34.6.6 - Treatment of Unusual Wastes. No statement contained in this Article shall be construed as preventing any special agreement or arrangements between the Town and any discharger whereby a waste of unusual strength or character may be accepted by the Town for treatment, subject to payment by the discharger of concern, provided that such agreements do not contravene any requirements of existing federal or state laws and/or regulations promulgated under such laws, and are compatible with any user charge in effect.

Article 34.7 Pretreatment and Permitting of Industrial, Commercial or Unusual Wastes

Section 34.7.1 - Pretreatment, General. Users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all National Categorical Pretreatment Standards within the time limitations specified by the pretreatment regulations. Any facilities required to pretreat wastewater to a level acceptable to the Town shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Town for review and shall be

acceptable to the Town before construction of the facility. The review of such plans and operational procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Town under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Town prior to the user's initial initiation of the changes.

Section 34.7.2 – Town's Right to Require Pretreatment. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 34.6.3, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town may:

- (a.) Reject the wastes.
- (b.) Advise the user of the impact of the contribution to the collection system or POTW.
- (c.) Develop effluent limitations for such user to correct the interference with the POTW and require pretreatment to an acceptable condition for discharge to the public sewer.
- (d.) Require control over the quantities and rates of discharge.
- (e.) Require payment to cover the added cost or sewer charges for the handling and treatment of such wastes under the provisions of this Ordinance.
- (f.) If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and the Town, and subject to the requirements of all applicable codes, ordinances, and laws and Discharge Permit. Under no circumstances will the National Categorical Pretreatment Standards or Federal Prohibited Discharges be contravened.

Section 34.7.3 - Approval Process for Industrial, Commercial or Unusual Wastes. The Town, at its discretion, may elect to allow an industrial or commercial or unusual waste producer to utilize the sewage works provided that it can be demonstrated that acceptance of the waste will result in:

- (a.) No violation of applicable Federal or State regulations, including DEP/EPA pretreatment requirements.
- (b.) No inhibition of, or damage to, the treatment plant's processes or equipment and no upsets of the plant's processes which lead to nuisance conditions, operational problems, or discharge license non-compliance.
- (c.) No pass through of any waste material not treatable in the Town's treatment plant.
- (d.) No contamination of the Town's sewage sludge with toxic or undesirable waste constituents and no impairment of the Town's ability to dispose of the treatment plant's sludge residuals.
- (e.) No creation of hazardous or unsafe conditions in the sewer system or treatment plant which might jeopardize the health and welfare of the general public or the Town's staff.
- (f.) Equitable allocation of sewer user fees such that the true cost of treating the industrial or unusual waste is fully borne by the sewer user that generated the wastes.

Section 34.7.4 - Flow Equalization. Prior to accepting the waste, the Town may require that appropriate industrial or unusual wastes undergo pretreatment or flow equalization prior to its discharge into the Town's sewer system.

Section 34.7.5 – Pretreatment Operation and Maintenance. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 34.7.6 – Monitoring Facilities. The Town shall require to be provided and operated at the user's own expense monitoring facilities to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises; but the

Town may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles. There shall be ample room in or near such facilities to allow accurate sampling and preparation of samples for analysis. The facility, sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Town's requirements and applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the Town.

Section 34.7.7 - Sampling Manholes. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes or other discharges of concern shall install a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer, to facilitate observation sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him to be safe and accessible to the Superintendent at all times.

Section 34.7.8 - Sampling and Analysis Procedures. All industries discharging in to a public sewer shall permit such monitoring of their discharges as the Superintendent may reasonably require, including installation, use and maintenance of monitoring equipment and keeping records and reporting the results of such monitoring to the Superintendent. Such records shall be made available upon request by the Superintendent to other agencies having jurisdiction over discharges to the receiving waters. All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with procedures established by the administrator of the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR 136, or with any other test procedures approved by the administrator. Sampling shall be at the control manhole or other designated sampling location approved by the Superintendent.

Section 34.7.9 - Dilution is not Permitted. No discharger or user shall ever increase the use of potable or process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the National Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the Town or State.

Section 34.7.10 - Requirements for Wastewater Discharge Permit for Categorical Pretreatment Standards. Upon the promulgation of the National Categorical Pretreatment Standards for a particular industrial subcategory, the national standard, if more stringent than the limitations imposed under this Article for sources in that subcategory, shall immediately supersede the limitations imposed under this Article. The superintendent shall notify all affected users of the applicable reporting requirements under 40 CFR 403.12.

Section 34.7.11 - Modification of National Categorical Pretreatment Standards. Within nine months of the promulgation of a National Categorical Pretreatment Standard, the wastewater discharge permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a National Categorical Pretreatment Standard has not previously submitted an application for a wastewater discharge permit as required by Section 34.7.10, the user shall apply for a wastewater discharge permit within 180 days after the promulgation of the applicable National Categorical Pretreatment Standard. In addition, the user with an existing wastewater discharge permit shall submit to the Superintendent within 180 days after the promulgation of an applicable National Categorical Pretreatment Standard the information required by Section 34.7.13 (a) through (o).

Where the Town's wastewater treatment system achieves consistent removal of pollutants limited by national pretreatment standards, the Town may apply to the approval authority for the modification of specific limits in the national pretreatment standards. The term "consistent removal" shall mean reduction in the amount of a pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in 40 CFR 403.7(c)(2). The Town may then modify pollutant discharge limits in the national pretreatment standards if the requirements contained in 40 CFR 403.7 are fulfilled and prior approval from the approval authority is obtained.

Section 34.7.12 - Development of Local Limits. Local limits for certain pollutants may also be established by the Town to protect against pass-through, interference, process inhibition and damage, safety concerns, and sludge residual contamination or any other regulatory or operational concern. No person shall discharge wastewater containing in excess of the instantaneous maximum allowable discharge limits as identified in this Ordinance or on the user's wastewater discharge permit. All discharge limits shall be technically based and approved by the appropriate regulatory agency.

Section 34.7.13 Wastewater Application Form and Requirements. When required by the Superintendent or Town, users must complete a wastewater application form, on a form supplied by the Superintendent, which contains information on the nature and characteristics of their wastes. This application must be submitted to the Superintendent prior to the discharge of the user's wastewater into the Town's sewage works. All new applications shall be accompanied by a fee as established in Appendix B. The Superintendent is authorized to prepare a form for this purpose and may periodically require existing users to update the information provided to determine compliance with this Article. Failure to complete the submission of updated information shall be reasonable grounds for terminating service to the user and shall be considered a violation of this Ordinance. Existing industrial dischargers or any other commercial establishment shall file wastewater application forms or provide updated information within thirty (30) days after being notified by the Superintendent or the Town, and proposed new dischargers shall file such forms at least ninety (90) days prior to connecting to the sewage works. The form shall include as applicable, but not be limited to, the following information:

- (a.) The name, address, and location of the user.
- (b.) The SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget 1972, as amended and as applicable.
- (c.) Chemical analysis of wastewaters - Wastewater constituents and characteristics including but not limited to those listed in this Ordinance as determined by a reliable analytical laboratory. Any sampling and analysis that is required by the Town shall be performed in accordance with procedures established by the EPA pursuant to section 304(g) of the Clean Water Act (33 USC 1201 et seq.) and contained in 40 CFR 136, as amended or the latest edition of Standard Methods. The costs of all such sampling, analysis, and reporting shall be fully borne by the user.
- (d.) The time and duration of discharge or contribution.
- (e.) Wastewaters discharge peak rate and volume over a specified time period. The average daily, instantaneous peak and 30-minute peak wastewater flow rates, in gallons per day, including daily, monthly and seasonal variations, if any. All flows shall be as actually measured unless other verifiable measurement techniques are approved by the Town.
- (f.) A plot plan of sewers of the user's property showing sewer an pretreatment facility location - The site plans, floor plans, pretreatment facility location and details, mechanical and plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size, location, and elevation adjacent to, or at, the user's premises.
- (g.) Description of the activities, facilities, and plant processes on the premises, including all materials which are, or could be, discharged.
- (h.) Where known, the nature and concentration of any pollutants in the discharge which are limited by any Town, State or Federal pretreatment standards, and a statement regarding whether or not compliance is being, or will be, achieved with this Ordinance or pretreatment regulations on a consistent basis, and if not, whether additional operation and maintenance activities and/or additional pretreatment is required for the user to comply with this Ordinance and applicable pretreatment standards.
- (i.) The identification of each product produced by the user by type, amount, process or processes, and rate of production.
- (j.) The type and amount of raw materials processed, average and maximum per day, by the user.
- (k.) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system.
- (l.) Quantity and disposition of specific liquids, sludges, oils, solvents, or other materials important for sewer use control.
- (m.) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

(n) If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. (See Section 34.7.26.)

(o.) Any other information as may be deemed by the Town to be necessary to evaluate the permit application.

Section 34.7.14 - Required Signatory. All disclosure forms, applications and any periodic reports submitted by a user shall be signed by the principal executive officer of the user and shall contain the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations".

Section 34.7.15 - Evaluation of Application Forms. The Superintendent or designee will evaluate the completed wastewater permit application forms furnished by the user and may require the user to furnish additional information. The User shall submit within fifteen (15) days, after receiving notification from the Superintendent, that the additional information is required. After full evaluation and acceptance of all of the data furnished, the Superintendent or Town may issue a wastewater discharge permit subject to terms and conditions provided in this Section.

Section 34.7.16 - Requirements of Categorical Users. Every new or existing user of the Town's sewage works who is determined to be a categorical user or significant industrial user as defined in this Ordinance is required to obtain a wastewater discharge permit from the Superintendent.

Section 34.7.17 - Prevention of Pass-through and Interference. Wastewater discharge permits shall include such conditions as are reasonably deemed necessary by the Superintendent to prevent waste pass-through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the sewage works. Wastewater discharge permits may impose effluent restrictions or limits on the user if the Superintendent determines that such limits are necessary to protect the quality of the treatment plant influent, effluent, or sludge, or to maintain compliance with any applicable Federal or State law, including requirements under the Town's DEP or NPDES permit and national categorical pretreatment standards for new and existing sources set forth in 40 CFR Chapter I, Subchapter N Parts 401-471.

Section 34.7.18 - Permit Conditions. Wastewater discharge permits shall be expressly subject to all provisions of this Article and all other applicable regulations, user charges and fees established by the Town. Permits may contain the following:

- (a.) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer.
- (b.) Limits on the average and maximum wastewater constituents and characteristics.
- (c.) Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization.
- (d.) Requirements for installation and maintenance of inspection and sampling facilities.
- (e.) Specifications for monitoring programs, which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.
- (f.) Compliance schedules.
- (g.) Requirements for submission of technical reports or compliance reports. (See Section 34.7.27.)
- (h.) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Town and affording town access to such records.

- (i.) Requirements for notification of the Town of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system.
- (j.) Requirements for notification of slug discharges as per Section 34.7.23.
- (k.) Other conditions as deemed appropriate by the Town to ensure compliance with this Article.

Section 34.7.19 – Permit Duration. Wastewater discharge permits shall be issued for a specified time period not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Town during the term of the permit as limitations or requirements as identified in this Ordinance are modified or other just cause exists. Each wastewater discharge permit shall indicate a specific date upon which it will expire. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of the change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Section 34.7.20 - Permit Modifications. The Superintendent may modify, at any time, the wastewater discharge permit with good cause. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Section 34.7.21 - Transfer of Ownership. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner or a new user, different premises, or a new or changed operation without the approval of the Town. To facilitate the issuance of new, separate permits, the Superintendent may allow new owners or individuals to operate under an existing wastewater discharge permit for a period not to exceed ninety (90) days. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

Section 34.7.22 - Requirement for Pretreatment Devices. Wastewater discharge permits may contain requirements and compliance schedules for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, any of which would be designed to reduce, eliminate, or prevent the introduction of pollutants into the Town's sewage system.

Section 34.7.23 - Accidental Discharges/Slug Control Plan. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Article. The Superintendent may require any user to develop and implement an accidental discharge/slug control plan. At least once every five (5) years, the Superintendent shall evaluate whether each significant industrial user needs such a plan. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Town for review, and shall be approved by the Town before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this Article. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. Any user required to develop and implement an accidental discharge/slug control plan shall submit a plan which addresses, at a minimum, the following:

- (a.) Description of discharge practices, including nonroutine batch discharges;
- (b.) Description of stored chemicals;
- (c.) Procedures for immediately notifying the Town of any accidental or slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in this Ordinance; and
- (d.) Procedures to prevent adverse sewage system impacts from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

Section 34.7.24 – Written Notice of Accidental Discharge – Within five (5) days following an accidental discharge, the user shall submit to the superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expenses, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to persons or property; nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this Article or other applicable law.

Section 34.7.25 – Notice to Employees – A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of an accidental discharge. Employers shall ensure that all employees who may cause or suffer such an accidental discharge to occur are advised of the emergency notification procedure.

Section 34.7.26 - Pretreatment Compliance Schedule. Where additional pretreatment and/or operations or maintenance activities will be required to comply with this Ordinance, the user shall provide a declaration of the shortest schedule by which the user will provide such additional pretreatment and/or implementation of additional operations and maintenance activities. The Town reserves the right to determine the reasonableness of the proposed schedule, to modify the proposed schedule, or to reject the schedule.

(a.) The schedule shall contain increments of progress in the form of milestone dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards, including, but not limited to, dates relating to hiring an engineer, completing preliminary plans, completing final plans, executing contracts for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this Ordinance.

(b.) No later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Superintendent including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return to the established schedule.

(c.) In no event shall more than nine months elapse between such progress reports to the Superintendent.

Section 34.7.27 – Compliance Reports. Within 90 days following the date for final compliance with applicable pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the publicly owned treatment works, any user subject to pretreatment standards and requirements shall submit to the Superintendent a report. All significant industrial user(s) shall, at a frequency stated in their wastewater permit or as determined by the Superintendent, but in no case less than twice per year, submit a report to the Superintendent. The report shall indicate the nature and concentration of pollutants in the discharge from the regulated processes which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user facility which are limited by such pretreatment standards or requirements. All periodic compliance reports must be signed and certified in accordance with this Ordinance. All wastewater samples collected must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge. If a user subject to the reporting requirement in this Ordinance or its permit monitors any pollutant more frequently than required, the results of this additional monitoring shall also be included in the report. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional Operation and Maintenance (O&M) and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user and certified by a qualified professional engineer.

(a.) Any user subject to a pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of a new source, after commencement of the discharge into the publicly owned treatment works, shall submit to the Superintendent during the months of June and December, unless required more frequently in the pretreatment standard or by the Superintendent, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow. At the discretion of the Superintendent

and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which these reports are to be submitted.

(b.) The Superintendent may impose mass limitations on users. In such cases, the report required by subsection (a) of this section shall indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user. These reports shall contain the results of sampling and analysis of the discharge, including the flow, nature, concentration and mass where requested by the Superintendent, of pollutants contained in the discharge which are limited by the applicable pretreatment standard. All analyses shall be performed in accordance with procedures established by the administrator pursuant to section 304(g) of the clean water act and contained in 40 CFR 136 as amended or with any other test procedures approved by the administrator. Sampling shall be performed in accordance with the techniques approved by the administrator.

(Note: Where 40 CFR does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April, 1977, as amended, or with any other sampling and analytical procedures approved by the Superintendent.)

Section 34.7.28 - Planned Significant Changes. Each user must notify the Superintendent in writing of any planned significant changes to its operations or process systems which might alter the nature, quality or volume of its wastewater at least sixty (45) days before the change. No user shall implement the planned changed condition(s) until and unless the Superintendent has responded in writing to the user's notice. Significant changes include, but are not limited to, flow or pollutant load increases of ten percent (10%) or greater, and the discharge of any previously unreported pollutants.

Section 34.7.29 - Sampling Violations. If sampling performed by a user indicates a violation of their permit or this Ordinance, the user must notify the Superintendent within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Superintendent within thirty (30) days after becoming aware of the violation. In the case of any discharge, including, but not limited to, hazardous waste discharges, accidental discharges, discharges of a nonroutine or episodic nature, a noncustomary batch discharge, or a slug load that may cause potential problems for the sewage works, the user shall immediately telephone and notify the Superintendent of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user. (See Reporting Requirements included in Section 34.7.24 and Notice Requirements in Section 34.7.25.)

Article 34.8 Power and Authority of Inspectors

Section 34.8.1 – Private Property. The Superintendent, the Town Engineer, and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter upon all industrial and commercial properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this chapter. Persons or occupants of premises shall allow the Town or its representative ready access to all locations where wastewater is created or discharged at all reasonable times for the purposes of inspection, sampling, records examination or copying, or in the performance of any of their duties. Where a user has security measures in force which would require proper identification and clearance before entry into his premises, the user shall make necessary arrangements with his security guards so that upon presentation of suitable identification, personnel from the town and the approval authority will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. Inspection of private residences, upon complaint, will be completed after 24-hour notice by the Superintendent.

Section 34.8.2 – Public Easement. The Superintendent, and other duly authorized employees of the Town bearing proper credentials and identifications shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewer works lying within the easement. All entry and subsequent work, if any, on said easement, shall be done in accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Section 34.8.3 - Inspection of Installations. All installations shall be inspected before burying by a duly authorized inspector employed by the Town.

Section 34.8.4 - Sampling and Metering Authority. The Superintendent shall have the authority to set up, on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's waste discharges. The user shall bear the costs of such setup or installation. (Also see Section 34.7.6.)

Section 34.8.5 - Sampling and Monitoring Equipment Required. The Town may require the user to install monitoring equipment as the Superintendent deems necessary. The user's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at least annually to ensure their accuracy. (Also see Section 34.7.6 and 34.7.7.)

Section 34.8.6 - Availability of Records. Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records or information obtained pursuant to any monitoring activities required by this Ordinance and any additional records or information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include, but are not limited to, the date, exact place, method, and time of sampling and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall be retained by the user for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the Town, or where the user has been specifically notified of a longer retention period by the Superintendent.

Section 34.8.7 - Confidential Information. Information and data on a user obtained from reports, questionnaires, permit applications, and monitoring programs, and from the Superintendent's inspections and sampling activities, shall be available to the public or other governmental agency without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Superintendent, that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or proprietary information of the user under applicable State or Federal law. Effluent data shall be considered a matter of public information at all times, however.

When requested by, and demonstrated by the user furnishing a report, that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately, upon request, to State and Federal governmental agencies for users related to this Section, the National Pollutant Discharge Elimination System (NPDES) permit, state disposal system permit and/or the pretreatment programs and such portions of a report shall also be available for use by the state of any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the Town as confidential shall not be transmitted to the general public by the Town.

Section 34.8.8 - Access Refused. If the Superintendent or designee has been refused access to any building, structure or property, or any part thereof, for the purpose of inspecting, sampling or otherwise monitoring compliance with this Ordinance, the Town Council shall seek to secure an Administrative Inspection Warrant from the District Court pursuant to Rule 80E of Maine Rules of Civil Procedure. The warrant, if issued by the District Court, shall be executed pursuant to Rule 80E of Maine Rules of Civil Procedure and the Superintendent shall be accompanied by a uniformed Town police officer during said execution.

Article 34.9 Sewer Service Fees, Rates and Charges

Section 34.9.1 – General - The Town may change and adopt charges and fees included in Appendix B which may include:

- a. Fees for reimbursement of costs of setting up and operating the Town's pretreatment program;
- b. Fees for monitoring, inspections and surveillance procedures;
- c. Fees for reviewing accidental discharge procedures and construction;
- d. Fees for permit applications;
- e. Fees for filing appeals;
- f. Fees for consistent removal by the Town of pollutants otherwise subject to federal pretreatment standards; and
- g. Other fees as the Town may deem necessary to carry out the requirements contained in this Ordinance.

- 2) These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the Town.

Section 34.9.2 – Source of Revenues. The source of the revenues needed for retiring debt services, capital expenditures, operation and maintenance of the public sewer system shall be a sewer service charge assigned to Owners of property located within the limits of the Town whose residency, property or place of business is connected within the boundaries of the public sewer system.

Section 34.9.3 - Establishment of Rates. Sewer service charge rates, including "Ready-to-Serve" charges shall be determined by the Town Council after notice and hearing. This charge will be computed and billed on a quarterly basis throughout each calendar year and will be based on the volume of water consumed, as determined by records of the Water Department. In the event, the water supply is not metered, the customer shall be billed at a flat rate determined by multiplying together the number of bedrooms in the dwelling unit, 1,100 cubic feet per quarter per bedroom, and the prevailing user charge per cubic foot. The number of units will be determined by assessment records or an assessor's review. Alternatively, a customer at his own expense can purchase a meter and outside reader from the Water Department in order to obtain a metered rate. Each customer shall be required to install the meter and outside reader utilizing a licensed plumber at their own expense.

Section 34.9.4 – Billing Abatements. All billing shall also be subject to just and equitable discounts and abatements in exceptional cases (Refer to Section 34.11), or in the case of private water supply, a fair estimate shall be used or reading from an installed water meter shall be made. (Refer to Section 34.11.4). The Town may also assess capacity consumption fees and impact fees, as applicable, for new or modified sewer connections. (Refer to Sections 34.9.9.)

Section 34.9.5 – Summer Usage Policy. To allow for the correction for the excessive summer usage due to irrigation and filling pools, billing for the two summer quarters will be based on the average of the two winter quarters or consumption reported by the Lisbon Water Department, whichever is less. (Refer to Appendix D.)

Section 34.9.6 – Changes in Rates. The Town Council reserves the right to change the rates of sewer service charges originally or previously assigned to any property owner.

Section 34.9.7 - Collection of Unpaid Rates. The owner of the property connected to the municipal sewer will be charged for the use of sewer service. Each sewer charge levied pursuant to this division which remains unpaid shall be collected as provided in 30-A M.R.S. A. § 3406(3). (See Article 34.10.)

Section 34.9.8 - Interest Charges. An interest charge at the same rate as established by the Town for uncollected taxes will be made on all sewer bills not paid within thirty (30) days after the due date.

Section 34.9.9 - Special Industrial or Commercial Rates. A special sewer service charge shall be established for any industrial firm, commercial user, who, by virtue of the volume, strength or unusual characteristic of their waste alone, would overload or upset the capacity of efficiency of the sewerage works or any part thereof if such waste entered the public sewer, if the cost to treat that wastewater is higher than that of typical domestic sanitary sewage, or whose waste disposal situation is such that it would be in the public interest to waive the basic requirements. The Town, after appropriate study, shall establish a Special Sewer Service Charge to the industrial firm, commercial user, or organization by separate agreement with said firm. The appropriate portions of the preceding sections, as well as the equitable rights of the public, shall be the basis for such an arrangement.

Section 34.9.10 - "Ready-to-Serve" Fee. The Town may assess a "Ready-to-Serve" fee to be paid by any property owner (with an improved lot or vacant lot) that has an active Building Permit and Sewer Application Permit or if the lot was previously billed, unless the stub has been capped as approved by the Superintendent. This only applies when the public sewer service is available within two-hundred feet (200') of the structure to be served, but for any reason, has yet to connect to the sewer, provided that a building sewer stub has been installed and is ready for connection. If no building sewer stub is in-place, no Ready-to-Serve fee will be assessed. This fee is intended to offset the cost of making sewer service available to the property in the future even though there is not a current physical connection. This fee will be billed quarterly at the same time as connected sewer users receive their sewer bills.

Section 34.9.11 - Sanitary Sewer Connection Fee - Before the issuance of a connection permit for any activity requiring a connection permit under this Ordinance, the applicant shall pay to the Town a sanitary sewer connection fee in accordance with a fee schedule established by order of the Town Council as shown in Appendix

B. The purpose of this fee is to allow the Town to recover a portion of the costs of the wastewater infrastructure capacity which will be consumed by a new sewer user or by the modified use of an existing sewer user.

Section 34.9.12 - Impact Fee for Existing Infrastructure. In instances where any proposed development or use of any parcel of land in the Town results in the need to construct, replace, upgrade, reconstruct, enlarge, expand, or repair any essential infrastructure of the sanitary sewer system in order to accommodate the wastewater attributable to the proposed development or use, the Town may require the payment of an impact fee to cover the costs of the required improvements. The amount of the impact fee shall be determined by the Town Council based on the portion of the improvements that will be utilized by the development or use. All impact fees shall be deposited into a special interest-bearing reserve fund, and any impact fee may only be expended for the purpose for which it was collected. If the Town does not use any impact fee within ten years from the date of payment, Town shall refund that impact fee, with interest, to the person who paid the fee, or that person's successor or assignee. In addition, Town shall refund any portion of the impact fee that exceeds the development's share of the Town's actual costs for the improvements associated with that impact fee. If the development or use for which an impact fee was paid is not commenced within two years from the date of payment of the fee, the Town shall refund the impact fee, with interest, to the person who paid the fee, or that person's successor or assignee, unless the Town and the person enter into a written agreement extending the time for the commencement of the development or use. Provided, however, that if Town has incurred costs or entered into obligations in reliance on the proposed development and the payment of the impact fee, Town may retain so much of the impact fee as may be reasonably necessary and appropriate to cover those costs or obligations.

Section 34.9.13 - Construction of Excess Capacity. The Town may elect, at its sole discretion, to construct excess capacity in a service area in conjunction with a project requiring the assessment of an impact fee. For example, a new sewer line upgrade or a pump station upgrade may be constructed with capacity beyond that needed for the current project since the sizing of such projects is not exact. Should a developer pay the full cost of a project through impact fees, the Town shall collect proportionate impact fees from future connections that benefit from the added capacity and shall refund the newly collected fees to the previous developer or their assignees. Should the Town elect to pay a portion of the initial capital costs for which impact fees are assessed, it may recover proportionate future impact fees from future connected sewer users that benefit from the added incremental capacity that was provided.

Article 34.10 Liens for Non-Payment

Section 34.10.1 Each sewer charge levied pursuant to the ordinance is hereby made a lien on the premises and if the same is not paid within 30 days after it shall be due and payable, it shall be certified to the Treasurer of the Town who shall place the same on the real property tax bill for that year with interest and penalties allowed by law, and be collected as other Town taxes are collected.

Section 34.10.2 There shall be a lien placed on real estate served or benefited by a municipal sewer to secure the payment of sewer service charges duly established hereunder which shall take precedence over all other claims on such real estate excepting only claims for taxes. The Town shall have the same authority and power to collect such sewer service charges as are granted in 38 M.R.S.A. § 3406 as amended. In addition to the lien established hereby, the Town may bring a civil action against the party so charged for the amount of said sewer service charges in any court competent to try the same, and in such action, may recover the amount of such charges with legal interest on the same from the date of said charge plus costs.

Article 34.11 Abatements

Section 34.11.1 - Abatement Recommendation and Due Care. All requests for sewer abatements shall be forwarded to the Superintendent for his recommendation and then shall be forwarded to the Town Manager for decision. Abatements of sewer use charges may be granted by the Town Manager based on recommendation by the Superintendent upon application of a ratepayer where the ratepayer can demonstrate that a "loss" of water that did not enter the sewer occurred due to no fault of the ratepayer, his or her agents, or employees. Ratepayers are responsible for exercising "due care" in the maintenance of their water and sewer systems to prevent water losses for purposes of abatement. "Due care" shall be defined as the normal and reasonable steps which would be taken by a prudent individual in operating and maintaining their water and sewer systems. Abatements may also be granted if an applicant can demonstrate that an error in billing occurred or that significant volumes of water did not enter the sewer.

Section 34.11.2 – One-Time Sewer Usage Abatement. A one-time sewer abatement will be assessed at the request of the property owner for consumption calculated to be above four times the average water use for the previous year. This abatement can only be used once per each property owner.

Section 34.11.3 - Abatement Review. The Town Manager shall be responsible for reviewing the basis for the requested abatement in light of the “due care” standard established in Section 34.11.1 above. The Superintendent or his designee shall make a record of the results of the investigation which shall include an estimate of the amount of water lost. The estimate of water loss shall be based on the previous four quarters of water consumption, if available, and consideration of seasonal water use patterns. If not available, the abatement shall be based on the current flat rate billing procedure until such time there are a minimum of two (2) quarters available. This estimate of water loss shall be used to calculate the amount of the abatement should one be granted.

Section 34.11.4- Billing Records. When an abatement is granted, the Town Treasurer shall be responsible for taking the necessary steps to correct the appropriate billing records to reflect the abatement or to process a credit where the sewer use charge in question has been paid. Any abatement provided, will only apply to the specific account being abated. For abatements involved in real-estate transactions, the abatement will only be granted after the final meter readings. If no prior history is available on which to base an abatement, an excessive first bill will receive an abatement based on what the non-metered rate would be for a similar building. After the property has been billed for consumption for the first year, the abatement shall be reassessed and appropriate charges made.

Section 34.11.5 - Requirement for Secondary Meter. Abatements shall not be granted for water used for watering lawns, gardens, filling swimming pools, or other outside water uses outside their summer average quarters, unless ratepayers, at their own cost, install a secondary water meter that will measure only water used for these water use purposes. The installation of the meter shall be inspected by the Superintendent or his designee and must have an outside reader. The ratepayer will read the meter quarterly in order to allow abatements, if applicable, to quarterly sewer bills. The Superintendent reserves the right to periodically inspect such meters to ensure continued compliance with the requirements of this subsection. Where a secondary meter is installed, the ratepayer may be granted an abatement. The Town Manager shall have the ability to prorate and abate the first bill of a non-metered flat rate account based on the date of the sewer entrance permit.

Section 34.11.6 - Abatement Period. An abatement request shall only be considered for a maximum six month (two quarter period). If such conclusive proof cannot be demonstrated to the satisfaction of the Superintendent, the abatement may be denied for all or part of the maximum period. The Town Manager can approve an abatement request outside this timeframe but no longer than a one-year period for due cause.

Section 34.11.7 - Payment Receipts. In order for an abatement to be considered for any previous billing quarters, the applicant must demonstrate, with receipts marked “Paid”, that full payment has been made for those sewer billing quarters. No abatement request will be reviewed for any billing quarter in which outstanding sewer bills, interest or penalties remain unpaid. Abatement requests for the current billing quarter will be considered even though the current bill is unpaid; however, the applicant shall remain responsible for all interest and penalties that may accrue during the current period while the abatement request is under review. Abatement will not be applied to any billing in the rears.

Section 34.11.8- Water Used in Manufacturing. Any ratepayer who uses water in its end manufactured product which is shipped from the ratepayer’s facility or in the process of manufacturing a product or providing a service and where such water does not enter into the sewer system, either in whole or in part, may apply for consideration of an adjustment to their sewer use fee determination to offset that portion of the water which does not reach the Town’s sewer system. The applicant shall bear the burden of providing the necessary proof and documentation which must accompany the request for adjustment and must clearly demonstrate the quantity of water used which does not enter into the sewer system. All such requests for adjustment shall be made to the Superintendent who shall be responsible for reviewing the basis for the adjustment as well as the adequacy of the information provided. The Superintendent shall provide to the Town Manager his or her recommendation as to whether the adjustment should or should not be granted. The Town Manager shall make the final determination as to whether the sewer rate adjustment request shall or shall not be granted. The applicant should make this request at the time that they first connect their manufacturing process to the Town’s sewer. During the period in which an adjustment is in effect, the Superintendent reserves the right to periodically inspect the ratepayer’s premises and records to ensure that the ratepayer is in compliance with the terms and basis by which the adjustment was considered and granted. Should it be determined that the information provided by the ratepayer is invalid, that changes have occurred in the ratepayer’s processes which have the effect of increasing the amount of water reaching the sewer system, or that more water is reaching the sewer system than reported by the ratepayer, the Town Manager may revoke the

adjustment and the ratepayer shall be subject to a revised user charge equal to the full value of the adjustment for the period in which a current or prior adjustment was in effect.

Article 34.12 Protection from Damage

Section 34.12.1 - Damage to Public Sewer Prohibited. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment, which is a part of the sewer works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

Section 34.12.2 - Evidence of Insurance by Contractor. A contractor must present a certificate of insurance showing minimum liability coverage for bodily injury and a limit for property damage including collapse and underground coverage in an amount established annually by the Town before a permit will be issued for construction of building sewers or sewer extensions. Sewer extensions may require higher coverage if so recommended by the Town Council, Town Manager or Town Engineer. Minimum insurance coverage shall be liability coverage of \$1,000,000/\$2,000,000 for bodily injury and a \$300,000 limit for property damage including collapse and underground coverage.

Article 34.13 Enforcement and Penalty

Sec. 34.13.1. - Notice of violation. Any person found to be violating any provision of this Ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for its satisfactory correction. The offender shall, within the period of time stated in such notice, permanently cease all violations. Any person found in violation of section 34.12.1 shall be prosecuted and punished under relevant sections of 17-A M.R.S.A. § 1 et seq. (Maine Criminal Code).

Sec. 34.13.2 - Harmful contributions: suspension of service.

(a.) The Town may suspend the wastewater treatment service and/or a wastewater contribution permit when such suspension is necessary, in the opinion of the town, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or to the environment, causes interference to the publicly owned treatment works, or causes the Town to violate any condition of its National Pollution Discharge Elimination System permit.

(b.) Any person notified of a suspension of the wastewater treatment service and/or the wastewater contribution permit shall immediately stop or eliminate the contribution. If the person fails to comply voluntarily with the suspension order, the Town shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The Town shall reinstate the wastewater contribution permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the town within 15 days of the date of occurrence.

Sec. 34.13.3. - Revocation of permit. Any user who violates the following conditions of this section, or applicable state and federal regulations, is subject to having his permit revoked in accordance with the procedures of this section:

- (a.) Failure of a user to factually report the wastewater constituents and characteristics of his discharge;
- (b.) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
- (c.) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
- (d.) Violation of conditions of the permit.

Sec. 34.13.4. - Notification of violation. Whenever the Town finds that any user has violated or is violating this chapter, wastewater contribution permit, or any prohibition, limitation or requirements contained in this chapter, the Town may serve upon such person a written notice stating the nature of the violation. Within 30 days of the

date of the notice, a plan for the satisfactory correction of the violation shall be submitted to the Town by the user. The Town may also suspend service as described in Section 34.13.2 (a).

Sec. 34.13.5. - Show-cause hearing.

(a.) The Town may order any user who causes or allows an unauthorized discharge to enter the POTW to show cause before the Town Council why the proposed enforcement action should not be taken. A notice shall be served on the user, specifying the time and place of a hearing to be held by the town council regarding the violation, the reasons why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the Town Council as to why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of a corporation.

(b.) The Town Council may conduct the hearing and take the evidence, or may designate any of its members or any officer or employee to:

(i) Issue in the name of the Town Council notices of hearings, requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings.

(ii) Take the evidence.

(iii) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Town Council for action.

(c.) At any hearing held pursuant to this section, testimony taken must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges.

(d.) After the Town Council have reviewed the evidence, they may issue an order to the user responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed and are properly operated. Further orders and directives as are necessary and appropriate may be issued.

Sec. 34.13.6. - Legal action. If any person discharges sewage, industrial wastes or other wastes into the Town's wastewater disposal system contrary to the provisions of this chapter, federal or state pretreatment requirements, or any order of the Town, the Town may commence a court action for appropriate legal and/or equitable relief, including suspension of service as described in Section 34.13.2 (a).

Sec. 34.13.7. - Civil penalties. Any user who is found to have violated an order of the Town or who willfully or negligently failed to comply with any provision of this chapter and the orders, rules, regulations and permits issued under this chapter shall be fined as defined in Appendix B for each offense, plus reimbursement of all costs incurred as a result of each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided in this section, the Town may recover reasonable attorney's fees, court costs, court reporter's fees and other expenses of litigation by appropriate suit at law against the person found to have violated this chapter or the orders, rules, regulations and permits issued under this chapter.

Sec. 34.13.8 - Falsifying information. Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or wastewater contribution permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this chapter, shall be subject to civil penalties as established in Appendix B, and also shall be subject to criminal prosecution in accordance with applicable law.

Section 34.13.9 - Advertisement of Significant Noncompliance. The Town shall annually publish in a newspaper a list of the users which were in significant noncompliance with any pretreatment requirements or standards at least once during the twelve (12) previous months. The notification shall also summarize any enforcement actions taken against the users during the same twelve (12) months. For this provision, significant noncompliance shall mean a violation which:

- (a.) Remains uncorrected 45 days after notification;
- (b.) Is part of a pattern of noncompliance over a 12-month period;
- (c.) Involves a failure to accurately report noncompliance; or
- (d.) Resulted in the POTW exercising its emergency authority under clean water act, § 403.8(f)(1)(iv)(B).

(e.) All records relating to compliance with pretreatment standards shall be made available to officials of the Environmental Protection Agency or approval authority upon request.

Sec. 34.14 Board of Sewer Appeals

Sec. 34.14.1. - Creation and appointment. The establishment of a board of sewer appeals is authorized. The members of the board shall be appointed by the Town Council and be the same board as hears the appeals of zoning. In accordance with the Zoning Board of appeals rules and laws of the state, the following provisions shall apply:

- (a.) Composition. The board shall consist of five members and one associate member.
- (b.) Municipal officers prohibited. No municipal officer shall be a member or associate member of the board of sewer appeals.
- (c.) Associate members to act. When a member is unable to act because of conflict of interest, physical incapacity or absence from the state, the associate member shall act in his stead.
- (d.) Vacancy. When there is a permanent vacancy, the Town Council shall appoint a person to serve for the unexpired term.
- (e.) Officers. The board of sewer appeals shall elect a chairman and a secretary from its own membership annually in the month of April.

Sec. 34.14.2. - Powers and duties. The Board of Sewer Appeals shall follow the Zoning Board of appeals rules and have the following powers and duties, to be exercised only upon written appeal by a person aggrieved by a decision of the Superintendent, the Town Health Officer, and/or Code Enforcement Officer the Town Manager, or the plumbing inspector insofar as each decision arises from requirements of this chapter:

(a.) Review decisions; chapter interpretation. To determine whether the decisions of the officers are in conformity with the provisions of this chapter, and to interpret the meaning of this chapter in cases of uncertainty.

(b.) Variances. To grant variances from the terms of this chapter where necessary to avoid undue hardship, provided there is no substantial departure from the intent of this chapter. The Board of Sewer Appeals shall determine, in specific cases, where a relaxation of the terms of this ordinance would not be contrary to the public interest and where, owing to the conditions peculiar to the property and not to the results of the actions by the applicant, a literal enforcement of the requirements would result in an "undue hardship".. The term "Undue Hardship" shall mean:

- i) That the land in question cannot yield a reasonable return unless a variance is granted.
- ii) That the need for a variance is due to the unique circumstances of the property and not the general condition of the neighborhood'
- iii) That the granting of a variance will not alter the essential character of the locality; and
- iv) That the hardship is not the result of an action taken by the applicant of a prior owner.

(c.) Federal categorical standards and prohibited discharges. The Board of Sewer Appeals shall have no jurisdiction over imposition of either federal categorical standards or prohibited discharges. The discharge requirements of the Clean Water Act and the Town's National Pollution Discharge Elimination System permit may not be contravened by local initiative.

Sec. 34.14.3. - Hearings. The Board of Sewer Appeals shall meet the third Monday of the month at 7:00 PM as necessary. All appeals or other matters to come before the Board requiring a notice shall be filed with the Town Clerk at least 15 days prior to the next monthly meeting date. The Town Clerk shall cause to be advertised in a newspaper of general circulation in the town a notice of such appeal, identifying the property involved, the nature of the appeal and stating the time and place of a public hearing of such appeal. The public hearing shall not be earlier than ten days after the date of such publications. Owners of properties within 300 feet of the property for which the appeal is made shall be notified by registered mail. Failure of any such owner to receive this notice shall not invalidate the proceedings prescribed in this division.

(a.) The Superintendent shall attend all hearings pertaining to the public sewer system. The Health Officer and/or Code Enforcement officer shall attend all hearings pertaining to the private sewer systems. The plumbing inspector shall attend such hearings as he may be involved in.

(b.) The officer concerned shall present to the board of sewer appeals all plans, photographs or other factual material which is appropriate to an understanding of the appeal.

(c.) The Board of Sewer Appeals shall not continue hearings on an appeal to a future date except for good cause. Written notice of the decision of the Board shall be sent to the appellant and to the officer concerned, forthwith. Failure of the board to issue such notice within 30 days of the date of the hearing shall constitute a denial of the appeal.

Sec. 34.14.4 - Appeal procedure. Any person and any municipal department aggrieved by the decision of the Superintendent, the Town Health Officer, Town Manager, and/or the Code Enforcement Officer/Plumbing Inspector, which decisions arise from provisions of this chapter, may appeal such decision to the Board of Sewer appeals.

(a) Appeal deadline. Within 30 days of the date of the decisions of the Superintendent, Health Officer and/or Code Enforcement Officer/Plumbing Inspector, Town Manager, the appeal shall be entered at the office of the Town Clerk upon forms to be approved by the board of appeals. The appellant shall set forth in the form the grounds of his appeal and shall refer to the specific provisions of this chapter that are involved. Following the receipt of any appeal, the Town Clerk shall notify forthwith the officer concerned and the chairman of the board of appeals. The appellant shall pay to the Town Treasurer a fee of as defined in Appendix B.

(b) Appeal to superior court. An aggrieved person may appeal from the decision of the Board of Sewer Appeals to the superior court as provided by the laws of the State.

Sec. 34.14.5. - Successive appeals. After a decision has been made by the board of sewer appeals, a new appeal of similar nature by the same appellant shall not be entertained by the board until one year shall have elapsed from the date of the decision; except that the board may entertain a new appeal if the chairman believes that, owing to a mistake of law or misunderstanding of fact, an injustice was done, or if he believes that a change has taken place in some essential aspect of the appeal.

Article 34.15 Repeal of Conflicting Ordinances

Section 34.15.1 - All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Article 34.16 Severability

Section 34.16.1 - The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Article 34.17 Effective Date

Section 34.17.1 - This Ordinance shall be in full force and effect on Town Council Meeting, dated March 20, 2018, at which time, it was adopted by the Town of Lisbon.

Roll Call Vote: Yeas – Albert, Lunt, Crawford, Larochelle, Ward, Kolbe, and Brunelle. Nays - None.
Order passed – Vote 7-0.

AMEND CHAPTER 46 STREETS, SIDEWALKS, & OTHER PUBLIC PLACES, ARTICLE 1-IN GENERAL

Final Reading

VOTE (2018-57) Councilor Crawford, seconded by Councilor Koble moved to adopt Chapter 46 Streets, Sidewalks, & Other Public Places, Article 1-In General Amendments as follows:

Section 46-61. - Purpose

The purpose of this Article is to provide a uniform, consistent, and equitable process for the dedication and acceptance of municipal roads.

Sec. 46-61-62. - Minimum right-of-way.

No street or extension of a street shall be accepted by the town with a right-of-way of less than 50 feet, except that (1) streets or ways dedicated prior to January 1, 1969, may be accepted at lesser widths to the extent of their dedicated and recorded rights-of-way, provided they otherwise meet the construction standards as established in section 66-147 and chapter 66, article III, division 3; and (2) any street or way which, through extended public

usage and prolonged maintenance by the town highway department prior to January 1, 1969, may, with the approval of the Planning Board, be recommended for acceptance by the Town Council.
(Code 1983, § 13-201; C.M. of 4-18-2017, V. 2017-96)

Sec. 46-62-63. - Minimum construction standards.

- (a) *Generally.* No building permit shall be issued for any structure proposed for erection on an unaccepted street or way, except on those streets or ways that meet the standards provided in section 66-147 and chapter 66, article III, division 3.
- (b) *Less than 50-foot right-of-way.* Permits may be issued for structures proposed for erection on unaccepted streets or ways with dedicated rights-of-way less than 50 feet in width, providing such dedication occurred prior to January 1, 1969, and further providing that the applicant or owner has constructed, or guaranteed by the posting of a performance bond to construct, a roadway contiguous to the accepted portion of the street or way to the end of the lot to be built upon in accordance with the specifications set forth in section 66-147 and chapter 66, article III, division 3 except specification 66-186(1), Minimum right-of-way.
- (c) *Form of bond.* With the application for a building permit, the applicant shall tender either a certified check payable to the town or a faithful performance bond running to the town in an amount of money to be determined by the town manager to be equal to the costs of furnishing, installing, connecting and completing all aspects of the street grading, construction, storm drainage and utilities required within one year from the date of the check or bond. This bond may be renewed for one additional year at the discretion of the town manager.

(Code 1983, § 13-202; C.M. of 4-18-2017, V. 2017-96)

Section 46-64. - Preliminary Threshold Requirements

Prior to submitting an application for the dedication and acceptance of a road proposed to be accepted as a municipal road, the applicant must comply with the following standards.

- Fifty Percent Rule: Fifty percent of the lots abutting the private road proposed for acceptance as a municipal road must be developed, including the construction of the principal structure.
- Exception to Fifty Percent Rule: If the private road (or portion of the private road) proposed for acceptance as a municipal road extends between two municipal roads, connecting those two roads, then the fifty percent threshold requirement for applications road acceptance shall be reduced to twenty five percent
- Connection to Municipal Road: The private road (or portion of the private road) proposed for acceptance as a municipal road must connect to an existing municipal road in a manner acceptable to the Public Works Director
- Street Design and Construction Standards: The private road proposed for acceptance as a municipal road shall be built to Chapter 66, Article III, Division 3 of the Lisbon Subdivision Ordinance prior to an application being filed for road acceptance.

Section 46-65. - Application Process and Review Procedure for the Dedication and Acceptance of Municipal Roads

This section outlines the process and procedure required by the town to review and accept a private road as a municipal road.

1. Prior to submittal of a formal application the applicant must present to the Public Works Director the following documentation:
 - a. Proof of unencumbered fee simple title in the private way being proposed for acceptance;
 - b. Proof that all improvements required by the Planning Board have been satisfactorily completed and that all performance guarantees associated with those improvements have been released; and
 - c. Proof that the private way has endured without damage at least one consecutive freeze/thaw cycle after construction
 - d. An application packet including an original application form as prescribed by the Public Works Director and all required documents and items specified in Section 46-66. Applications may contain multiple streets within a development.

2. The Public Works Director, or their designee, shall determine if the application is complete within thirty (30) business days of receipt.
3. If the application is determined incomplete Public Works staff shall notify the applicant of the missing information. When an application is determined to be complete, the Department shall forward the application to the Police Chief and Fire Chief.
4. The Public Works Director, Police Chief, and Fire Chief shall provide written reports within thirty (30) days of receipt of the determination of completeness. Reports shall address the following:
 - a. Conformance with the town's comprehensive plan as well as other adopted plans that address desired street patterns;
 - b. Budget impact regarding provision of adequate municipal services;
 - c. Expenditures by the town for upgrading or extending water and/or sewer mains, storm drains, sanitary sewers, gas mains, culverts, underdrains and all underground and overhead utilities;
 - d. Town liability for damage to private property such as, but not limited to, walks, fences, lawns and other items that encroach within the proposed right-of-way; and
 - e. Any concerns for providing public safety and access to the street and its occupants.
5. At such time as the Public Works Director determines that the application is ready for consideration by the Town Council, the Town Manager shall place the application on the next available Town Council agenda.
6. In determining whether to accept a private road, the Town Council shall consider the recommendations of the Public Works Director, Fire Chief and Police Chief as to whether or not acceptance of the private road (or portion of the private road) would be in the best interest of the town for public safety and/or road maintenance reasons. If the Town Council determines that the street is in order for acceptance, an order shall be scheduled at such time as the Public Works Director determines that all documents noted in Section 46-66 are submitted and acceptable.

Sec. 46-66. – Application Documents Required

The following documentation shall be included in an application for dedication and acceptance of a road:

1. A plot plan showing the as-built condition of the private way drawn to a scale of forty (40) feet to one (1) inch or a scale acceptable to the Public Works Director and on one (1) or more sheets of paper not exceeding twenty-four (24) inches by thirty-six (36) inches in size:
 - a. magnetic and true north,
 - b. bar and ratio scale,
 - c. current ownership, name of way and subdivision, if any,
 - d. date of Planning Board approval, revision dates and other pertinent information,
 - e. the location, frontage lengths and current ownership of all adjoining lots of land,
 - f. right-of-way width(s),
 - g. location of easements with necessary metes and bounds for location in the field and deed reference,
 - h. location of all underground and overhead utilities, including sanitary sewer and building laterals, transformers, electrical service, telephone service, cable and fiber optic service, water mains, fire hydrants, utility poles and street lights,
 - i. locations of boundary monuments including type,
 - j. location, species and size of street trees,
 - k. location and schedule of any street signs, including name, speed limit, and caution signs,
 - l. edge of pavement, edge of shoulders, edge of sidewalks and edge of curbs,
 - m. pavement markings,
 - n. original and finished contours associated with the private way, both within and outside of the right-of-way,
 - o. natural and manmade drainage courses with contours at not greater than two-foot intervals, plus all existing storm drainage systems, including any laterals installed for connecting to building foundation and /or floor drains,
 - p. all angles, bearings curve data and radii necessary for the plotting of the streets and lots and their reproduction on the ground, including turning radii,
 - q. the relative location to the nearest public street or way, together with the stations of their sidelines,
 - r. any private improvements which encroach within the right-of-way such as irrigations systems, fences, walls, etc., and

- s. seal and signature of a Maine Registered Land Surveyor or Maine Professional Engineer and certification that the plans reflect an "as-built" condition.
2. A profile of the proposed street drawn to a horizontal scale of 1"=50' (one inch equals fifty feet) and vertical scale of 1"=5' (one inch equals five feet) The profile shall show:
 - a. the profile of the centerline of the proposed street,
 - b. centerline stationing,
 - c. street grades at critical points,
 - d. elevations of all underground utilities, drainage structures, including pipe sizes and materials, pipe slope and the location and inverts of all catch basins and manholes,
 - e. complete curve data for all vertical curves, and
 - f. seal and signature of a Maine Professional Engineer.
3. A cross section of the proposed street drawn to a horizontal scale of five (5) feet to one (1) inch and a vertical scale of one (1) foot to one (1) inch with the following details:
 - a. the location, size, materials and conditions of the existing and proposed water and/or sewer mains, storm drains, sanitary sewers, gas mains, culverts, underdrains,
 - b. the location of all underground and overhead utilities, and
 - c. seal and signature of a Maine Professional Engineer.
4. Documentation on any deviations from the current street standards.
5. List of waivers granted by the Planning Board for street standards.
6. A digital copy of all plans and documents shall accompany the paper submission, one file set in PDF format and one in AutoCad (dwg) format.
7. Proposed warranty deed describing the right-of-way, all necessary easements, and paper street connections to other properties. Deed shall reference any existing easements encumbering the property being deeded.
8. Application fees as required by the Town Council.
9. Copies of any documents containing restrictions or easements on the development such as utility easements, declarations of covenants, and the like.
10. Public and private responsibilities for improvements within the right-of-way. If it is proposed that the town assume these costs, historical costs of maintenance shall be provided. Ownership or maintenance responsibility for detention ponds and common space outside of the right-of-way shall not be transferred to the town without specific approval of the Town Council. The request shall include a statement about the responsibility for:
 - a. street lights and landscape lighting,
 - b. fire hydrants,
 - c. landscaping,
 - d. signs,
 - e. walls and fences,
 - f. copy of, and if applicable, transfer of, any Maine Department of Environmental Protection, Army Corps of Engineers or other storm water, wetlands or similar permits. Any transfer of permits must be under conditions that the town does not agree to maintenance obligations over and above those typically required of the town.

Section 46-67. – Documentation Required Prior to Council Acceptance

Prior to the Council scheduling an order to accept the a private road, the applicant shall produce the following documents as required:

1. A petition, agreement, warranty deed, affidavit or other writing specifically describing the property or interest and its location, and stating that the owner voluntarily offers to transfer such interests to the municipality without claim for damages,
2. Recordable mylars and one paper copy of the plans of the street for recording at the Androscoggin County Registry of Deeds,
3. Defect guarantee,
 - a. A defect guarantee shall be furnished prior to the order for acceptance by the Town Council.

The guarantee shall provide that the applicant will be financially responsible for the repair of any defects or conditions as determined by the Public Works Director to be unsatisfactory to the town for a period of two years from the date of acceptance and which arise out of the failure of the applicant or developer to construct the road to Chapter 66, Article III, Division 3 Streets of the Lisbon Subdivision Ordinance. This guarantee shall be in addition to, and independent from any performance guarantee given to the town in connection with any other matter.

- b. The defect guarantee, unless waived by the Town Council, shall be tendered in the form of a certified check payable to the town or faithful performance bond consistent with section 66-85.
- c. The Town Council may waive the defect guarantee provided the road has been constructed and in place for a minimum of two years and there are no known defects at the time of the proposed acceptance as determined by the Public Works Director.
4. Executed utility agreements (CMP, Fairpoint, Spectrum, Unitil, etc.).
5. Title insurance, and
6. Any other item as required by the Town Council.

Need to change 66-52, 4, s - Typical cross-section views of all proposed streets and drainage systems as prepared by a licensed professional engineer:

To: Typical cross-section views of all proposed streets, drawn to a horizontal scale of five (5) feet to one (1) inch and a vertical scale of one (1) foot to one (1) inch showing all drainage, and utility systems as prepared by a licensed professional engineer

**Roll Call Vote: Yeas – Albert, Lunt, Crawford, Larochelle, Ward, Kolbe, and Brunelle. Nays - None.
Order passed - Vote 7-0.**

MMA EXECUTIVE COMMITTEE AND VICE PRESIDENT CALL FOR NOMINATIONS

Councilor Ward explained that nominations were being accepted for the MMA Executive Committee and Vice President. Forms are available in the packet for those interested. He said to give them to Mrs. Barnes to submit by May 7 and that interviews would be taking place on May 15.

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said the School Committee is finishing up their budget tomorrow. He reported a parent expressed concern over student's security in light of the recent Florida school shooting event. Superintendent Green responded that the School Committee and he were actively working on this, that Lisbon has a very active and committed group working hard on safety, which is still #1 in our school.
2. Planning: Councilor Ward said the next meeting is Thursday at which time they will be discussing the Comprehensive Plan at 6 PM and then moving into their regular meeting to do a public hearing on zoning changes that address marijuana storefronts in the Land Use Table.
3. Water Commission: Councilor Brunelle said their meeting is next Thursday.
4. LDC: Councilor Larochelle said things are going along good. He mentioned they met last week and were still working on improving the village area. He invited those interested to join them.
5. Conservation Commission: Councilor Ward reported the commission is working on obtaining a micro grant to develop trail maps, identifying evasive species, reviewing the forestry program, and discussing Beaver Park.
6. Recreation: Councilor Kolbe reported the Recreation Committee is working on their goals and budget.

7. County Budget: Councilor Ward said this group is all set for now and will meet again during the next budget process.

8. Library: Councilor Lunt announced the Sun Journal printed a wonderful article about our library, which was super positive press for Lisbon.

B. TOWN MANAGER'S REPORT

Mrs. Barnes reported she had been very busy working on the budget, which is now ready for the Council.

C. 2018-2019 MUNICIPAL BUDGET PRESENTATION

Mrs. Barnes pointed out tonight's presentation is the first draft of the FY 19 Municipal and Waste Water expenditure budgets for your review and consideration. We propose a budget for municipal services with the goal to fund our operational needs and begin a capital improvement reserve for future expenditures. This budget maintains the level of service currently provided to the citizens of Lisbon. She thanked the Department Heads and Staff for their assistance in preparing the proposed budget.

The FY 2019 estimated revenues are not part of the budget document but will be presented at a later date. (The expenditures listed are as of March 7, 2018).

Mrs. Barnes reported 2017-2018 was an extremely demanding and busy year. The Town Council and Department Heads worked diligently together ensuring the smooth operation of municipal government and assisting me with valuable advice and guidance. These efforts in turn enabled us to see that services were provided to the best of our ability at the most reasonable cost to the taxpayers. With so many uncertainties in the future direction of the economy at the state and national level, we will continue to find ways to be more resourceful in delivering quality services to our community. Although our municipal services are used to their maximum, non-controllable costs for some goods and services continue to escalate, causing our budget requests to react in-kind. Increases are proposed only if absolutely necessary to keep pace with those non-controllable cost items that are critical to our service delivery.

The economy has a major impact on revenue available to fund municipal services. Considering the slow growing economy of the area, Lisbon has been fortunate to benefit from a steady increase in motor vehicle excise taxes; a trend that I see ending during FY 2019. Excise tax is our major revenue source after property tax revenue. Property tax collections are up slightly from the previous year. For the first time in many years, the Town no longer has any tax-acquired properties in its real estate portfolio.

The revenues for FY 2019 are expected to increase slightly due to a forecasted increase in State Municipal Revenue Sharing and the continuing growth in excise taxes. By our June budget meetings, I will have better estimates of our final revenues and expenditures for this fiscal year, as well as, a more refined estimate of next year's revenue.

The Budget-Initial Request

The Municipal budget initial department requests, excluding the County Tax and the local contribution to the School Department, total \$10,129,791.00 for an increase of \$1,938,484.00 or 23.7% over the current FY budget of approximately \$8,191,307.00.

The Town's share of the County budget has an increase of \$59,842.00 over the current FY budget.

Wages and benefits total \$5,018,747.00 comprising 49.6% of the budget. The total wage increase is \$201,838.00 and the total benefit increase is \$242,258.00. A 1.5% cost of living adjustment, in the amount of \$96,263.00, and minimum wage increases have been included in the calculation of the FY 2019 budget. A 9% cost increase in the health insurance premiums has been factored into the assumptions beginning January 1, 2019.

This budget also includes employees opting to take the health insurance instead of the insurance buyout as of 3/1/2018. Vacant positions and requested new positions were calculated at the highest cost health insurance available to employees.

Included in this year's budget are capital requests for operational needs and planning for the future by funding capital improvement reserve accounts. This will enable Council to see what the budget would entail if we raised through taxation the needs of all the departments.

The Budget-Manager Request

The Municipal budget Town Manager requests, excluding the County Tax and the local contribution to the School Department, total \$9,061,541.00 for an increase of \$870,234.00 or 10.6% over the current FY budget of approximately \$8,191,307.00.

Wages and benefits total \$5,018,747.00 comprising 55.4% of the budget.

Some of the significant non salary and wage increases include the following:

Technology:	Service & Software	\$ 23,580
Town Buildings:	R & M Buildings	25,000 (Capital Improvement)
Planning Department:	Contracted Services	14,000
Police Department:	Police Officer Position	95,235 (Salary & Benefits)
	& Restructuring	
	R & M Equipment	6,500
Fire Department	PPE	16,000
	Tires	2,600
	Equipment	24,200
	Hose Replacement	5,000
Lisbon Emergency	LES	127,885
Public Works:	Equipment	415,000 (Capital Improvement)
	Heavy Machinery	50,000 (Capital Improvement)
	MDOT Match	200,000
Public Works Winter	Contracted Services	10,000 (Winter Sidewalk)
	Buildings	250,000 (Capital Improvement)
Solid Waste	Waste Disposal	25,000
	Capital Improvements	25,000 (Capital Improvement)
Hydrant Rental	Hydrant Rental	80,267
Recreation Dept.	New Positions	52,783 (Salary & Benefits)
County Tax	County Tax	59,842
Debt Service Lease Agreements		81,838
Capital Outlay Bonds		163,348

There are a few unknown cost drivers we are working on to bring to resolution. We have estimated a 5% increase to the Town general insurance accounts as a placeholder. I will make the necessary adjustments to those line items once I hear back from the underwriter.

Mrs. Barnes said Lisbon's unassigned fund balance of \$2,816,310 has improved over last year. It is essential that the Town maintain adequate levels of unassigned fund balance to mitigate financial risks that can occur from unforeseen revenue fluctuations and unanticipated expenditures. The fund balance also provides cash flow for the Town's general operations which will reduce the Town's need for a Tax Anticipation Note and the interest and borrowing costs associated with the note. The Council strives to maintain an appropriate level of unassigned fund balance. However, if the Council chooses to use a portion of the unassigned, she recommended its use for non-recurring capital costs.

D. DEPARTMENT HEAD WRITTEN REPORTS

Councilor Larochelle asked about the Winter Budget. Mrs. Barnes indicated it was going well until March. She said it's anticipated this line will be overdrawn. She said at this point it is \$7,000 overdrawn, but March is not over yet.

APPOINTMENTS – NONE

COUNCILOR COMMUNICATIONS

Councilor Ward mentioned Boards & Committee's requests will come up when corresponding budgets are discussed with departments, and a follow up discussion on the progress on goals has been scheduled for the November 20, 2018 agenda.

Councilor Ward invited Councilors to attend AVCOG's breakfast on April 11 at 9 AM, which is when Lisbon will be presented the area 2017 Business Development Award.

AUDIENCE PARTICIPATION FOR NEW ITEMS - NONE

EXECUTIVE SESSION

VOTE (2018-59) Councilor Albert, seconded by Councilor Lunt moved to go into Executive Session at 7:34 PM per 1 MRSA Section 405(6) (C) Acquisition of Real Property or Economic Development. **Order passed – Vote 7-0.**

The Council Secretary was dismissed. The Council came out of executive session at 8:45 PM and the meeting resumed.

ADJOURNMENT

VOTE (2018-60) Councilor Brunelle, seconded by Councilor Albert moved to adjourn at 8:45 PM. **Order passed - Vote 7-0.**



Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved: April 3, 2018



**TOWN COUNCIL
SPECIAL
MEETING MINUTES**
MARCH 13, 2018 POSTPONED TO
MARCH 21, 2018

Dale Crafts, At Large 2017
Normand Albert, At Large 2018
Kasie Kolbe, District 1 2018
Allen Ward, District 2 2018
Christopher Brunelle, At Large 2019
Mark Lunt, District 1 2019
Kris Crawford, District 2, 2019

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 Councilor Brunelle, Albert, Crafts, Crawford, Kolbe, Larochelle, Lunt, and Ward. Also present were Diane Barnes, Town Manager; Traci Austin, School Committee Chairman; Kathi Yergin, School Committee Vice Chairman; Haley Redman, School Business Manager; Rick Green, Superintendent of Schools; and approximately three other citizens in the audience.

SCHOOL BUDGET PRESENTATION

OVERVIEW

Superintendent Green stated the 2018-2019 school budget, unlike prior years, includes several variables including the enacted figures from our ED-279. This budget currently would have an increase on the local taxes in the amount of \$654,893. The primary concern/challenge for this year is our ability to utilize unassigned funds to help build this budget. Dr. Green stated we are fortunate that the audit has been completed; however, he reminded everyone that there was an additional \$209,451 utilized from our unassigned fund balance last year to help offset costs. As of today, it doesn't appear we will be able to access the same amount for the next year as we only carried over \$5678 from 2016-2017. Another concern is the fact that the municipal tax rate calculations form included the use of \$200,000 in state school subsidy as revenue. Although that amount doesn't impact any of our subsidy report figures, because the original local tax amount that was approved by the voters in June was still raised through taxes, it will have an impact on the financial figures that will be used to set the tax rate for the next year.

BUDGET GOALS/FOCUS

Dr. Green stated the primary goal was to maintain our current student programs and services, which are currently included in this budget, including funds to hire a part time maintenance person. We also received multiple inquiries from members of the public who would like us to add an additional SRO position to our budget. Although preliminary conversations have occurred, this additional position is not included in these figures. As always, we will continue to look at our current programs and service to make sure that we are operating in the most efficient manner, and we will consider additional restructuring through attrition and needs that are addressed through our professional conversations.

The Governor's enacted budget has several funding changes that will impact our current and future funding. These prominent changes include:

- The increase in the local share for Maine State Retirement (MainePers) was .4% or a \$11,733 increase. As you know, this cost was shifted from the state to the local property taxes in 2013 and currently contributes to over \$368,692 of our total budget.
- While General Purpose Aid increased for the upcoming fiscal year, the primary source of this funding is still related to your local tax as the valuation and mil rate have increased (calculated mil rate 8.14-8.51).
- Recognizing 100 percent of EPS versus 97 percent, which increased total allocation by \$42 million.
- Changing the way CTE is funded to a program-based model and providing 100 percent funding from the state versus a state and local shared cost. Allocations for CTE Centers are going directly to the Centers and not to sending schools.

SUBSIDY COMPARISON REPORT

The attached comparison report shows a total increase for the 2018-2019 school year is \$837,647 with an increase in taxes of \$654,893.

ADDITIONAL AREAS OF POTENTIAL SAVINGS/COSTS (VARIABLES)

Anticipated/ Actual Resignations
Capital Reserve
Guaranteed Performance Service Contracts (Phase II)
LAA/LEA Negotiations (Tentative Agreements)
Regional Service Center (RSU #4)
Restructuring
Salaries/Benefits
 - Salaries (\$455,586)
 - Insurance 9% (\$234,335)
Special Education (Enrollment)
 - Local Entitlement
Unassigned Amount
Unanticipated Revenue

NOTABLE INCREASES, DECREASES AND TRANSFERS

- State Subsidy increased by \$371,191 compared to FY 17/18.
- Salaries for FY 18/19 are \$9,698,091 which is an increase of \$ 455,586.
- Health insurance is budgeted at 9% increase which is roughly an increase of \$234,335.
- Workers Comp Mod Rate increase from .95 to 1.58% which is about \$63,000 increase. This will impact budget for next 2 to 3 years.
- Water and Sewer rate increase; around 12%
- Adding a half time maintenance position - \$28,759
- Retirements and sick pay sell back
- Staff turnover and changes in insurance

COUNCILOR COMMENTS

Councilor Larochelle asked if the \$455,586 yearly increase in salaries would be added each year. Dr Green stated the increase was indeed a yearly increase.

Councilor Larochelle asked if the 9% increase in insurance costs had been confirmed. Dr Green stated that he had not received the insurance numbers yet. Dr Green said the rate has varied widely in past years so he budgeted for the max increase of 9%. Dr Green stated he should have the numbers by early April.

Dr Green stated that he would have more realistic numbers as soon as the agreement with the teachers union had been ratified.

Councilor Crawford asked if the Gartley Street School had met expectations. Dr Green stated they over budgeted revenue last year because they did not understand how time consuming it was to deal with Mainecare. Dr Green said some changes in staff had to be made as well. The Education Techs have to be trained BHP's and a new social worker was hired as well. Dr Green stated that we are fortunate to have the staff we have at the school.

Councilor Larochelle asked if the school board had recommended any changes at the school budget meeting. Dr Green said they wanted to look into what the cost would be to add an SRO officer at the school. Dr Green stated he had worked with Chief Hagan and they were looking into what it would cost and what we are able to do contractually. Dr Green said it comes down to what the insurance would be. Councilor Albert said there was some creative ideas mentioned at the meeting, such as offering an office space at the school for the officers to do their

paperwork as opposed to completing paperwork at town hall. Dr Green stated that was feasible. Dr Green stated the state is trying to pass a \$20million security renovation for schools as well.

Councilor Larochelle asked if the workers compensation rate was already a fixed number in the budget. Dr Green replied the rate was set and had gone up due to several ice injuries.

Councilor Larochelle stated the next meeting would with the School Committee would be on May 7th. Dr Green stated the two big variables left for the budget were the insurance rates and the negotiations with the teachers union.

ADJOURNMENT

VOTE (2018-61) Councilor Larochelle, seconded by Councilor Kolbe moved to adjourn at 7:42 p.m.
Order passed - Vote 6 - 0.

Michelle Rene Foss, Assistant Town Clerk
Date Approved _____



TOWN OF LISBON

300 Lisbon Street, Lisbon, ME 04250

Twila D. Lycette, Town Clerk
Michelle Foss, Assistant Clerk

PUBLIC HEARING

TOWN OF LISBON

Notice is hereby given that the Lisbon Town Council intends to hold a public hearing on April 17, 2018 at 7:00 PM in the Town Office Public Meeting Room to hear comments on the Amendments to Chapter 70, Zoning Ordinances, Division 13.- District Uses, sec. 70-531 Table of Land Uses. A copy is on file at the Clerk's office.

AND

To hear comments on the following new Victualer's Licenses for:

Flux Restaurant
10 Main Street
Lisbon Falls

Walts Place
13 Village Street
Lisbon

EZ Mart d/b/a X-Tra Mart
10 Frost Hill Avenue
Lisbon Falls

The public is invited to attend.

Twila Lycette, Town Clerk
Town Council Secretary

**TOWN OF LISBON
VICTUALER APPLICATION**

License Type: _____ \$ 100 NO ALCOHOL ☒ \$ 200 WITH ALCOHOL

Owner: Tyson LaVerdiere Home Phone: (207)-861-1306
Business Email Address: Tyson129@gmail.com Cell Phone: (207)-861-1306
Owner's Home Address: 10 Main Street, Lisbon Falls, Me, 04252
Home Phone: (207)-899-5527 Cell Phone: (207)-899-5527
Home Email Address: jrchef0316@icloud.com
Residence(s) for last five years: #13, 19th Fire Road, Ching Village, Me 04926
Name of Business: FLUX Restaurant Business Phone: _____
Location doing Business in town (street address): 12 Main Street, Lisbon Falls

List Applicant / Partners / Corporate Officers:

Name: <u>Tyson LaVerdiere</u>	Birth date: _____
Name: _____	Birth date: _____
Name: _____	Birth date: _____
Name: _____	Birth date: _____

Does the applicant have a valid State of Maine Food Vendor License: NO

If YES, **attached COPY to application** before submitting. IF NOT, date submitted: TBD

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? NO If so, when does it expire? _____

I, Tyson LaVerdiere (owner's name), Owner (title) am 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. All licenses expire annually May 31st.
Re-inspection fees are \$150 per visit after the 1st visit.

Signature: Tyson LaVerdiere Date: 1-30-18

Business Name: Flux Restaurant Victualer's

INSPECTION REQUIRED

Notice of Compliance (By Ordinance): I, **Dennis Douglass**, Health Officer for the Town of Lisbon hereby certify I have inspected the above establishment and found the premises meet all requirements under the Lisbon Code entitled Victualer and any applicable state regulations.

Signature: [Signature] Date: 2/15/18

Notice of Compliance (By Ordinance): I, **Dennis Douglass**, 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: 2/15/18

COMPLETE TO HERE BEFORE FILING

INFORMATION

All Victualer licenses expire May 31 annually. The Councilors are the Municipal Licensing Board. The first Victualer application requires a public hearing, but renewals will not. Public records checks can take up to a week or more to process. Complete applications must contain the Health Office/CEO signature. 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 7PM in the conference room.

Temporary permits can be granted by the Town Clerk, after meeting all the requirements of the ordinance, for no longer than 90 days.

SUGGESTED CONTACTS:

353-3000 Ext 112... Town Clerk
353-3000 Ext 111....Health Officer
353-3000 Ext 111... Code Enforcement Officer
353-2500..... Police Department
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

TOWN OF LISBON

VICTUALER APPLICATION

License Type: _____ \$ 100

Owner: Mustafa Samal Home Phone: 914-346-8797
Business Email Address: EZmartFoodsCorp@gmail.com Cell Phone: (914) 906-5644
Owner's Home Address: 112 IROQUOIS Rd
Home Phone: 914-906-5644 Cell Phone: _____
Home Email Address: MUST389@gmail.com
Residence(s) for last five years: 112 IROQUOIS Rd
Name of Business: EZ Mart Foods of ME Business Phone: 207-353-4610
Location doing Business in town (street address): 10 Front Hill Ave. Lisbon Hills ME
List Applicant / Partners / Corporate Officers:
Name: Mustafa Samal Birth date: 10/3/73
Name: Khalil Samal Birth date: 4/24/68
Name: _____ Birth date: _____
Name: _____ Birth date: _____

Does the applicant have a valid State of Maine Food Vendor License: NO pending

If YES, attached COPY to application before submitting. IF NOT, date submitted: _____

Has applicant's business license ever been revoked? _____ 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? pending If so, when does it expire? _____

I, Mustafa Samal (owner's name), M-V-P (title) am 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. All licenses expire annually May 31st.

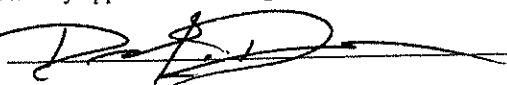
Re-inspection fees are \$150 per visit after the 1st visit.

Signature: [Signature] Date: 3-21-18


Business Name: EZ Mart Foods of Main INC.

INSPECTION REQUIRED

Notice of Compliance (By Ordinance): I, Dennis Douglass, Health Officer for the Town of Lisbon hereby certify I have inspected the above establishment and found the premises meet all requirements under the Lisbon Code entitled Victualer and any applicable state regulations.

Signature:  Date: 3/20/18

Notice of Compliance (By Ordinance): I, Dennis Douglass, 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: 3/20/18

COMPLETE TO HERE BEFORE FILING

INFORMATION

The Councilors are the Municipal Licensing Board. The first Victualer application requires a public hearing, but renewals will not. Public records checks can take up to three or more weeks to process. Complete applications contain the CEO and Health Officer 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 7PM in the conference room.

Temporary permits can be granted by the Town Clerk, after meeting all the requirements of the ordinance, for no longer than 90 days.

SUGGESTED CONTACTS:

353-3000 Ext 112... Town Clerk
353-3007..... Town Office Fax
353-3000 Ext 111... Deputy Code Enforcement Officer
353-2500..... Police Department
353-3000 Ext 111....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

Jamel Realty, LLC
P.O. Box 311
Yonkers, NY

TOWN OF LISBON

VICTUALER APPLICATION

License Type: _____ \$ 100

Owner: Walter Monse Lois Campbell Home Phone: 837-1517

Business Email Address: Walt's Place 17@gmail.com Cell Phone: 319 0108

Owner's Home Address: 1 Higgins Street Lisbon Falls

Home Phone: 837-1517- Cell Phone: 319 0108

Home Email Address: _____

Residence(s) for last five years: 1 Higgins Street

Name of Business: Walt's Place Business Phone: 504.2283

Location doing Business in town (street address): 13 Village Street

List Applicant / Partners / Corporate Officers:

Name: Walter Monse Birth date: _____

Name: Lois Campbell Birth date: _____

Name: _____ Birth date: _____

Name: _____ Birth date: _____

Does the applicant have a valid State of Maine Food Vendor License: Yes

If YES, **attached COPY to application before submitting.** IF NOT, date submitted: _____

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? NO If so, when does it expire? _____

I, Walter Monse (owner's name), Lois Campbell (title) am 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. **All licenses expire annually May 31st.**

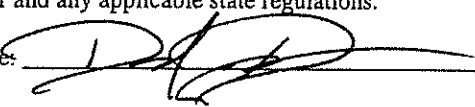
Re-inspection fees are \$150 per visit after the 1st visit.

Signature: Walter Monse Lois Campbell Date: 3-21-18


Business Name: Walt's Place.

INSPECTION REQUIRED

Notice of Compliance (By Ordinance): I, **Dennis Douglass, Health Officer** for the Town of Lisbon hereby certify I have inspected the above establishment and found the premises meet all requirements under the Lisbon Code entitled Victualer and any applicable state regulations.

Signature:  Date: 3/21/18

Notice of Compliance (By Ordinance): I, **Dennis Douglass, 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: 3/21/18

COMPLETE TO HERE BEFORE FILING

INFORMATION

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353-3000 Ext 111... Health Officer
353-3000 Ext 111... Code Enforcement Officer
353-2500..... Police Department
287-5671..... State Health Inspection Dept.

624-9693 State 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



Proven Expertise and Integrity

December 14, 2017 --

Ms. Diane Barnes
Town Manager
Town of Lisbon
300 Lisbon Street
Lisbon, ME 04250

Dear Ms. Barnes:

We are pleased to confirm our understanding of the services we are to provide the Town of Lisbon for the year ending June 30, 2018. We will audit the financial statements of the governmental activities, any business type activities, any aggregate discretely presented component units, any major fund, and any aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the Town of Lisbon as of and for the year ending June 30, 2018. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the basic financial statements of the Town of Lisbon. Such information, although not a part of the basic financial statements, is required by the *Governmental Accounting Standards Board* who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. As part of our engagement, we will apply certain limited procedures to the Town of Lisbon's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis

We have also been engaged to report on supplementary information other than RSI that accompanies the Town of Lisbon's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements:

1. Schedule of expenditures of federal awards.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinion. We will issue written reports upon completion of our single audit. Our reports will be addressed to the Town Council of the Town of Lisbon. We cannot provide assurance that unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or add emphasis-of-matter or other-matter paragraphs. If our opinion on the financial statements or the single audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express opinion or issue reports, or we may withdraw from this engagement.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to

obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contract, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town of Lisbon's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the OMB Compliance Supplement for the types of compliance requirements that could have a direct and material effect on each of the Town of Lisbon's major programs. The purpose of these procedures will be to express an opinion on the Town of Lisbon's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the draft financial statements that are based on management's chart of accounts and trial balance and any adjusting, correcting, and closing entries that have been approved by management; preparing draft Management's Discussion and Analysis, notes to the financial statements, Schedule of Expenditures of Federal Awards, Schedule of Expenditures of Department Agreements and Compilation of Agreement Settlement Forms based on information determined and approved by management; maintaining depreciation schedules for which management has determined the method of depreciation, rate of depreciation, and salvage value of the asset, all in conformity with U.S. generally accepted accounting principles, permissible nonattest services under the AICPA Code of Conduct and nonaudit services under *Government Auditing Standards* for attest/audit engagements, and Uniform Guidance. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*.

We will perform the nonattest/nonaudit services in accordance with applicable professional standards, including the Code of Conduct issued by the American Institute of Certified Public Accountants. These services are limited to the financial statements and depreciation schedule services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for (1) establishing and maintaining effective internal controls, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial

statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements).

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the Organization involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the Organization received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and a corrective action plan) to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports nine months or after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

We will provide copies of our reports to the Organization; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of RHR Smith & Company and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to an oversight agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of RHR Smith & Company personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by an oversight agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party (ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Ronald H.R. Smith is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$22,117, broken down as follows:

June 30, 2018 Audit: Town	\$9,850
School Department	\$9,717
Sewer Department	\$2,550

Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

You may request that we perform additional services not addressed in this engagement letter. If this occurs, we will communicate with you regarding the scope of the additional services and the estimated fees. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter.

A copy of our most recent external peer review report and any subsequent reports received during the contract period accompanies this letter.

We appreciate the opportunity to be of service to the Town of Lisbon and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very Best,

RHR Smith & Company

RHR Smith & Company, CPAs
RHRS/18

RESPONSE:

This letter correctly sets forth the understanding of the Town of Lisbon.

Management signature: _____

Title: _____

Date: _____

Carleton, Lopez & Wiesman CPA's, Inc.
Certified Public Accountant
91 Montvale Avenue, 1st Floor
Stoneham, MA 02180

(781) 279-7800
FAX (781) 279-2345

Member - American
Institute of Certified
Public Accountants

Member - MA
Society of Certified
Public Accountants



System Review Report

May 22, 2015

To the Owner of RHR Smith & Company, CPA's
And the Peer Review Committee of the
New England Peer Review

We have reviewed the system of quality control for the accounting and auditing practice of RHR Smith & Company, CPA's (the firm) in effect for the year ended September 30, 2014. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As a part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by the Standards, engagements selected for review included engagements performed under Government Auditing Standards and audits of Employee Benefit Plans.

In our opinion, the system of quality control for the accounting and auditing practice of RHR Smith & Company, CPA's in effect for the year ended September 30, 2014, has been suitably designed and complied with to provide the firm reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency (ies)* or *fail*.

RHR Smith & Company, CPA's has received a peer review rating of *pass*.

Carleton, Lopez & Wiesman CPA's, Inc.



TOWN OF LISBON

Agenda Item 2018-64

Mark Stevens

Lisbon Parks & Recreation Director

18 School Street

Lisbon Falls, ME 04250

(207) 353-2289

mstevens@lisbonme.org

TO: Diane Barnes; Town Manager
SUBJECT: Micro Grant
DATE: March 22, 2018

The Conservation Commission has the opportunity to apply for a micro grant from the environmental networking group, Portland Greendrinks. The community micro grants are available for projects that will further the Greendrinks mission: To create a more environmentally, socially, and economically sustainable community by supporting local organizations, businesses, and green initiatives. The grant requires no match and the commission intends to apply for \$500 to be used for creating new trail maps. A University of Maine Farmington student has agreed to GPS town trails and use mapping software to create new maps. This grant would offset the costs of this student's time, mileage, and mapping software usage. It would also be used to print the new trail maps for distribution at the town office, Beaver Park entrance, and trail heads. The grant deadline application is April 25th.

www.greendrinks.com

PORTLAND GREENDRINKS

About Partners Connect Team Events f t

NEXT EVENT
FEATURING:
Portland Greendrinks Micro-Grants
March 20th, 2018
Where: Portland Club
5:30pm
S5 BYOV /S10 Awesome Mug • 21+ • BRING YOUR ID

Portland Greendrinks Micro-Grants

Our community micro grants are available to anyone who has a project that will further the Greendrinks mission: *To create a more environmentally, socially, and economically sustainable community by supporting local organizations, businesses, and green initiatives.*

Twila Lycette

From: Diane Barnes
Sent: Tuesday, March 6, 2018 1:16 PM
To: Twila Lycette
Subject: FW: Fees

This will need to go before Council at another meeting.

From: Mark Stevens
Sent: Tuesday, March 06, 2018 11:49 AM
To: Diane Barnes
Subject: Fees

Diane,

We met with the Recreation Committee last night and discussed increase in fees.

Football:

7/8 League 85.00
Youth League 75.00
Pee Wee league 70.00
No change in flag

Moxie 5K 25.00 pre-reg.
30 day of reg.

MTM Rental

Commercial Gym/Pavilion 60.00
Room 30.00

Non-profit Gym/Pavilion 30.00
Room 20.00

Pinewoods Rental 150.00 for the day.

Mark Stevens

Lisbon Recreation Director
18 School Street
Lisbon Falls, Maine 04252
(207)353-2289 W
(207)712-3208 C

APPENDIX C - FEE SCHEDULE⁽¹⁾

Section this Code	Description	Fee/Rate
PARKS AND RECREATION		
30-90	Beaver Park fees:	
	Day use, per person per day:	
	Residents of Lisbon	2.00
	Non-residents	4.00
	Children three and under	Free
	Family pass, per family per year:	
	Residents of Lisbon	20.00
	Non-residents	35.00
	Sports teams, per season	35.00
	Per team practice, single game	5.00
	Lisbon School field trips	½ the fee the school collects
	Men's Adult Football League at Beaver Park	Season \$400.00
	Groups of 10 or more such as family reunions, company picnics, class reunions, nonresident schools, etc., will be charged \$2.00 per person regardless of resident or nonresident	2.00 per person

Lone Pine Lodge and picnic shelter reservations	25.00 non-refundable deposit two weeks prior to event. 2.00 per person beyond the first 12 people attending
Lisbon Fitness Center	15.00 per month
a. Senior citizens (60 years and over)	10.00 per month
Adult softball	
a. Fall slow pitch	\$325.00 per team
b. Women's fast pitch	\$425.00 per team
c. Summer co-ed slow pitch	\$450.00 per team
Summer day camps—7 week session	
a. Resident	350.00
b. Non-resident	375.00
c. 1/2 time summer day camps	225.00
d. Non-resident	250.00
e. Sibling discount	-25.00
Summer sports camps	30.00 each
Non-resident	45.00 each
Track and field	75.00
Non-resident	90.00
Swimming lessons	10.00 per week
Non-resident	12.00 per week

Moxie 5k Road Race	20.00 <u>25.00</u> pre-registration
	25.00 <u>30.00</u> race day per participant
Moxie Car Show	10.00 per car
	5.00 per spectator
Horse camp—1 week	250.00
Before school rec	12.00 per week or 3.00 per day
After school rec	40.00 per week or 10.00 per day
Football	
a. 7th/8th grade	75.00 <u>85.00</u>
Non-resident	90.00
b. Youth/peewee	65.00 <u>75.00</u>
<u>Peewee</u>	65.00 <u>70.00</u>
Non-resident	80.00
c. Flag	35.00
Non-resident	50.00
Soccer	35.00
Non-resident	50.00
Field hockey	65.00

	Non-resident	80.00
	Basketball	35.00
	Non-resident	50.00
MTM RENTAL		
a. Commercial (revenue producing for profit)		
	1. Pavilion or gym	40.00 <u>60.00</u> per hour
	2. Room	20.00 <u>30.00</u> per hour
	3. Kitchen	50.00
b. Non-profit (non-revenue producing)		
	1. Pavilion or gym	20.00 <u>30.00</u> per hour
	2. Room	10.00 <u>20.00</u> per hour
	3. Kitchen	50.00
	4. Town of Lisbon or school department events	Exempt
	Community gardens plot rental for annual 10' x 4' raised bed	30.00
	Pinewoods Road Sports Complex	100.00 <u>150.00</u> per day

APPENDIX C - FEE SCHEDULE^[1]

Section this Code	Description	Fee/Rate
ADMINISTRATIVE		
	Moxie Festival Saturday Craft/Trade Vendor Fees:	
	Lisbon Business or Lisbon Non-profit	\$75.00
	After May 18	\$125.00
	Out of Town or Out of Town Non-Profit	\$125.00
	After May 18	\$175.00
	Moxie Festival Saturday Food Vendor Fees:	
	Lisbon Businesses	\$100.00
	After May 18	\$150.00
	Out of Town Businesses	\$175.00
	After May 18	\$225.00
	Electrical Fee Per Space for Saturday only	\$25.00
	Friday Night All Vendors – no power available	\$100.00
	Clean Up Fee (if area not left clean)	\$25.00
	<u>Art Vendor Non-Refundable Application Fee</u>	<u>\$35.00</u>
	<u>After April 14</u>	<u>\$50.00</u>

MOXIE FESTIVAL ART VENDOR APPLICATION-2018

Saturday, July 14th 2018, 8 AM – 4 PM

GENERAL INFORMATION:

- ☐ This is a JURIED show. Results will be emailed to entrants by May 25, 2018.
- ☐ To be considered you MUST provide 2 to 5 images of works that will be representative of the work you will show at the festival; if sent electronically please clearly state name in email to marcead2@gmail.com.
- ☐ A non-refundable application fee of \$50 dollars is due before the deadline of May 14th 2018. The application fee is \$35 dollars for those artists(early birds) who get a completed application including payment in by April 14th, 2018.
- ☐ Saturday, July 14 2018 vendors will be allowed to set up at 6:30am (vehicles will need to be clear by 8:30 AM; set up is along the parade route) tear down is no earlier than 4:00pm (NO EXCEPTIONS.) Art Vendors are responsible for cleaning-up their area or they will be charged an additional \$25.00 clean-up fee.
- ☐ All work must be handcrafted and original by the vendor. Works of art may include items such as paintings, photographs, prints, and sculptures. This is not a craft show.
- ☐ Please be professional! Appropriate conduct is expected. If the vendor becomes verbally or physically aggressive they will be asked to leave. The Moxie Festival reserves the right to refuse any vendor.
- ☐ Selected artists will be given a 10 foot spot on the sidewalk. It is up to the artist to provide a tent if so desired and tables for display. All displays must be professional in appearance.
- ☐ Return application to: Town of Lisbon (Moxie Festival) 300 Lisbon Street, Lisbon, ME 04250
- ☐ Make checks payable to: Town of Lisbon

We are excited to add the arts to the Moxie festival in 2018! This is a wonderful opportunity for local artists to get exposure and sell some art.

(1) Art vendor - \$35 (due before April 14th)

(2) Art vendor - \$50 (due on or after May 14th)

Artists name: _____

Contact person: _____

Title: _____

Address: _____

City/State: _____ Zip Code _____

Phone #: _____ Fax#: _____ Email: _____

APPENDIX C - FEE SCHEDULE⁽¹⁾

Section this Code	Description	Fee/Rate
BUSINESSES		
10-253	Itinerant vendors application fee:	
	Temporary Stands (90 days or less)	75.00
	Six months itinerant vendor	100.00
	12 months itinerant vendor	150.00
	One week carnivals and festivals	200.00
	12-month outdoor flea market	100.00
	12-month indoor flea market	200.00
82-51	Victualer establishment annual license fee:	
	<u>Restaurants and all others, excluding Itinerant Vendors</u>	100.00
	<u>Itinerant Vendors</u>	<u>50.00</u>
	Reinspection by health officer or codes enforcement officer, per reinspection	150.00

(Sel. Ord. of 3-19-2002, § 5.171; Sel. Ord. of 4-2-2002, § 5.173(B); Sel. Ord. of 12-3-2002, § 5.121; Sel. Ord. of 11-1-2005, § 5.110; T.M. of 10-17-2006, § 2006-62; T.M. of 8-21-2007, § 2007-135; T.M. of 9-18-2007, § 2007-158; C.O. of 11-6-2008, § 2008-183; C.M. of 3-4-2014, V. 2014-33; C.M. of 7-1-2014, V. 2014-118; C.M. of 9-16-2014, V. 2014-187; C.M. of 2-3-2015, V. 2015-37 ; C.M. of 3-17-2015, V. 2015-72 ; C.M. of 4-7-2015, V. 2015-86 ; C.M. of 8-8-2015, V. 2015-237 ; C.M. of 9-15-2015, V. 2015-277 ; C.M. of 9-15-2015, V. 2015-278 ; C.M. of 2-16-2016, V. 2016-35 ; C.M. of 3-1-2016, V. 2016-55 ; C.M. of 3-21-2017, V. 2017-65.)

Footnotes:

--- (1) ---

Cross reference— Businesses, ch. 10; Manufactured housing, mobile homes and trailers, ch. 22; recreation and parks, ch. 30; sanitary sewers, ch. 34; street excavations, ch. 47; traffic and vehicles, ch. 50; floods, ch. 58; site plans, ch. 62; subdivisions, ch. 66; animals, ch. 78; businesses, ch. 82; solid waste transfer and recycling, ch. 98.

Sec. 10-294. - Types of victualers licenses; fees.

The various classifications of victualers licenses and fees corresponding to those classifications shall be set by the town council. The town council shall have the further power to adjust the fees and classifications, as may be necessary or appropriate. The fees and requirements are contained in part II, section 82-51 of this volume.

(T.M. of 5-15-1993, art. 92, § 16-126; T.M. of 12-4-2007, § 2007-214)

Twila Lycette

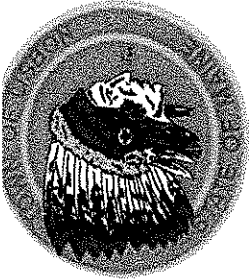
From: Dennis Douglass
Sent: Friday, March 23, 2018 9:32 AM
To: Diane Barnes; Twila Lycette
Cc: Don Fellows; Karin Paradis; Ben Smith
Subject: Marijuana issue
Attachments: Agenda March 22 2018.pdf; LAND USE CHART - Ordinance Amendment 3-8-2018.docx

Attached is the amendment to the Land Use Chart as recommended by the Planning Board. The Planning Board held a Public Hearing for this amendment on 3/22/2018.

1. A category has been added for Marijuana Retail Stores under Commercial/Business Uses
2. Amendments were made to the existing category, Retail sales of products manufactured on premises

Dennis J. Douglass

Town of Lisbon
CEO, BI, LPI, LHO



LAND USE CHART

Sec. 70-530. Land uses.

All land use activities, as indicated Sec. 70-531 Table of Land Uses, shall conform to all of the applicable performance standards. The district designation for a particular site shall be determined from the Zoning Map of Lisbon, Maine.

(1) Key to Table of Land Uses:

P	Permitted by right if they comply with all applicable federal, state and town laws and regulations and the performance standards in article VI of this chapter. Uses may also require Subdivision and/or Site Plan Review approvals pursuant to other provisions of this Code.
C	Permitted upon authorization of a conditional use permit by the planning board in accordance with Article III of this Chapter. {May also require Site Plan Review and/or Subdivision approval}
No	Prohibited

(2) Abbreviations:

RP	Resource Protection
LR	Limited Residential
GR	General Residential
RO-I	Rural Open Space I
RO-II	Rural Open Space II
RR	Rural Residential
LRR	Limited Rural Residential
V	Village
C	Commercial
I	Industrial
DD	Diversified Development

Commercial/Business Uses		R/PLR	GR ¹²	RO-I	RO-II	RR	LRRV	C	I	DD ⁸
Child day care in home/eight or fewer children		NOC	C	C	C	C	NO	C	NO	P
Children's Day Care Facility		NONO	C	C	NO	C	C	C	C	C
Nursery school		NOP	C	P	NO	P	P	NO	NO	C
Offices/office buildings not exceeding 2,500 sq. ft.		NONO	P	NO	NO	NO	NO	P	P	P
Office Building greater than 2,500 sq. ft.		NONO	NO	NO	NO	NO	NO	P	P	P
Convalescent, rest, nursing, or boarding homes		NONO	C	C	NO	C	C	P	NO	C
Business occupations by resident in detached buildings		NONO	C	NO	C	NO	NO	P	NO	NO
Small businesses, on individual lots/principal building not exceeding 2,500 sq. ft.		NONO	C	NO	NO	NO	NO	P	NO	P
Campgrounds		NONO	NO	C	NO	C	NO	NO	NO	NO
Hotel, motel, inn, tourist home		NONO	NO	NO	NO	NO	NO	P	NO	C
Medical/dental office or facility		NONO	NO	NO	NO	NO	NO	P	NO	C
Retail Store or outlet, such as grocery, drug, furniture		NONO	NO	NO	NO	NO	NO	P	NO	P
Marijuana Retail Store		NONO	NO	NO	NO	NO	NO	P	NO	P
Service Establishment, such as barbershop, beauty parlor, cleaner		NONO	NO	NO	NO	NO	NO	C	NO	C
Lawn & garden equipment sales/service		NONO	NO	NO	NO	NO	NO	P	NO	P
Snowmobile, motorcycle, recreational vehicle, ATV, boat sales/service		NONO	NO	C	C	NO	NO	P	NO	C
Automobile sales, etc		NONO	NO	NO	NO	NO	NO	P	NO	P
Auto service station, auto repair, gasoline service establishment		NONO	NO	NO	NO	NO	NO	P	NO	NO
Bakery or Food Shop		NONO	NO	NO	NO	NO	NO	P	NO	P
Eating Place		NONO	NO	NO	NO	NO	NO	P	NO	P
Recreational use such as bowling, theaters, dance hall		NONO	NO	NO	NO	NO	NO	P	NO	NO
Funeral home		NONO	NO	NO	NO	NO	NO	P	NO	NO
Auditoriums, gymnasiums, places of amusement or places of assembly		NONO	NO	NO	NO	NO	NO	P	NO	C
Self-storage facility		NONO	NO	NO	NO	NO	NO	P	P	C
Shop of painter, carpenter or other skilled worker		NONO	NO	NO	NO	NO	NO	P	NO	C
Wholesale establishment		NONO	NO	NO	NO	NO	NO	NO	P	NO
Warehouses		NONO	NO	NO	C	NO	NO	NO	P	P
Laboratory or research facility		NONO	NO	NO	NO	NO	NO	NO	P	NO
Laundry/dry cleaning		NONO	NO	NO	NO	NO	NO	P	P	NO
Retail sales of lumber/building supplies		NONO	NO	NO	NO	NO	NO	NO	P	NO
Yards of electrical, heating, painting, or roofing contractor		NONO	NO	NO	NO	NO	NO	NO	P	NO
Retail business or service involving manufacturing on the premises and not employing more than 10 people, the products of which are principally at sale at retail on the premises.		NONO	NO	NO	NO	NO	NO	NO	P	NO
Light manufacturing										
Business Office related directly to an industrial use on Premises		NONO	NO	NO	NO	NO	NO	C	C	P
Retail sales of products manufactured on premises		NONO	NO	NO	C	NO	NO	P	P	NO
Accessory Uses & Structures		NONO	P/C	P/C	P/C	P/C	P/C	P	P	P
Industrial Uses		R/PLR	GR	RO-I	RO-II	RR	LRRV	C	I	DD ⁸
Junkyards		NONO	NO	C	NO	C	NO	NO	C	NO
Transmission facilities-radio, television, power, telephone		NONO	NO	C	C	C	C	NO	C	NO
Sawmills		NONO	NO	C	C	C	C	NO	NO	NO
Truck Terminal		NONO	NO	NO	NO	NO	NO	NO	P	NO

To: Diane Barnes, Town Manager
Lisbon Town Council

From: Haley M. Redman, Business Manager

RE: Set the School Budget Validation Referendum Date, Order Ballots, and Schedule a Public Hearing

Date: March 27, 2018

Please schedule the following for the council agenda on April 3, 2018:

ORDER TO Set the School Budget Validation Referendum Election Date And Order Ballots Printed

To set the date for the next School Budget Validation Referendum for June 12, 2018, and authorize the Town Clerk to print the same ballots used previously with the non-binding question using "adopted at the Town Council meeting held on "May 15, 2018" for the date.

ORDER TO Set the School Budget Validation Referendum Public Hearing Date

To set a hearing on May 8, 2018 at the Lisbon Town Office to hear additional comments regarding the School Budget.

Schedule for School Budget Validation Referendum FY1819 - BVR

Action	Legal Deadline or Timeframe & Notes	Recommended Date
School Committee Meeting	Discuss budget amounts to send to Council and voters	Monday, February 26, 2018
School Committee Presents Budget to Council		Tuesday, March 13, 2018
School Committee requests Council to Set Election and Public Hearing Dates	Send Memo no later than Wednesday the week before meeting to Town Clerk requesting Council set dates, then facilities needs to be reserved.	Tuesday, April 3, 2018
Send Notice to Sun Journal Advertising Notice of Public Hearing	Has to be to the Sun Journal before 10AM. Send 2nd request for second ad at the same time. <i>Note the second ad can't run less than 2 weeks after the 1st ad.</i>	Friday, April 13, 2018
First Publication of Notice of Public Hearing in a local newspaper having general circulation in the Town.	Town Charter, Sec. 6.04. <i>(Council shall publish in one or more newspapers... a general summary of the budgets and a notice stating time and place of Public Hearing.)</i>	Sunday April 15, 2018
School Committee requests Council to Approve Warrant	Send Warrant no later than Wednesday the week before meeting to Town Clerk When adopted ballots get ordered	Tuesday, April 17, 2018
Second Publication of Notice of Public Hearing in a local newspaper having general circulation in the Town.	Town Charter, Sec. 6.04. <i>(Council shall publish in one or more newspapers... a general summary of the budgets and a notice stating time and place of Public Hearing.) Must run at least 7 days before hearing.</i>	Monday April 30, 2018
School Committee's final vote on Budget and Vote on "Notice of amounts adopted at budget meeting"		Monday, May 7, 2018
Public Hearing/Public Comment at Town Office. Capital Improvement Plan Public Hearing	Per Town Charter Sec. 6.04 (Council shall publish in one or more newspapers... a general summary of the budgets and a notice stating time and place of Public Hearing.)	Tuesday, May 8, 2018
Council adopts School Budget at <u>Budget Meeting</u> .	Budget Meeting date used on the warrant. Absentee ballots available next day.	Tuesday, May 15, 2018
Town Clerk posts Warrant	Warrant typically posted day after budget meeting. Warrant shall be posted 7 days prior to Election Day. <i>20-A MRSA § 1486(3)</i>	Wednesday, May 16, 2018
School Budget Validation Referendum	Must be held on or before 30 th day following <u>budget meeting</u> per law. <i>20-A MRSA § 1486(2)</i> "Notice of Amounts Adopted at Budget Meeting" is a necessary posting to occur at the polling place(s).	Tuesday, June 12, 2018

MEMORANDUM FROM THE TOWN CLERK

TO: Town Manager & Town Councilors

FROM: Town Clerk

SUBJECT: June 12, 2018 School Budget Validation Referendum Election

DATE: April 3, 2018

The Council should vote to set the Registrar Hours and Casting of Absentees as follows:

Registrar Hours:

June 5, 6, 7, 8 and June 11 during regular office hours from 8:30 AM to 4:30 PM and on Election Day, June 12 during the polling hours from 7:00 AM to 8:00 PM.

The Council should also vote to set the following:

Casting Absentee Ballots on Election Day:

8AM, 10AM, 1PM, 3PM, 4PM, 7PM and 8PM on Election Day in accordance with M.R.S.A. Title 21A Section 759 (7).

Note: *The School Budget Validation Referendum Election Warrant sets the following:*

Polling Hours:

7:00 AM to 8:00 PM

Polling Locations:

Ward/District 1 & Ward/District 2: : LHS Gymnasium

CERTIFICATE OF SETTLEMENT
36 MRSA § 763

COUNTY OF Androscoggin

ss.

STATE OF MAINE

TO: Diane Barnes

, Tax Collector of the Municipality

of Lisbon

within this County:

We hereby certify that the 2017 taxes committed to you consisting of:

- | | | |
|--|----|------------------|
| 1. Real and Personal Tax commitments: | \$ | 11,720,997.12 |
| 2. Supplemental commitments totaling: | \$ | 38,826.16 |
| 3. Interest: | \$ | |
| 4. A grand total of: | | \$ 11,759,823.28 |
| 5. Cash Payments: | \$ | 11,482,906.25 |
| 6. Abatements granted: | \$ | 65,207.66 |
| 7. Tax lien mortgages:
(Recorded in the Androscoggin
County Registry of Deeds) | \$ | 210,377.79 |
| 8. Other credits: | \$ | 1,318.14 |
| 9. A net total of: | | \$ 11,759,809.84 |
| 10. Balance due of: | \$ | 13.44 |

Under the authority contained in MRSA, Title 36, section 763, as amended,
we hereby discharge you from further liability or obligation to collect the
balance due of:

\$ 13.44

and acknowledge receipt of the tax lists for the taxable year 2017.

Given under our hands this 3 day of April 2018.

Municipal Officers

MEMORANDUM FROM THE PUBLIC WORKS DIRECTOR

TO: DIANE BARNES, TOWN MANAGER
FROM: STEVE AIEVOLI, WWTP SUPERINTENDENT/INTERIM PW DIRECTOR
SUBJECT: REQUEST TO BID PROJECTS
DATE: 3/28/2018

We request permission to advertise the following projects for bid.

Paving RFP - As a result of discussions at the Town Council workshop on March 27, 2018 we request permission to develop an RFP for paving projects based on an anticipated budgeted amount of \$425,000. The RFP will clearly state bids will be awarded contingent on final budget adoption.

Road Striping - We are requesting permission to advertise the annual center line and edge line road striping.

Road Salt - Each year AVCOG advertises a joint purchase of Road Salt and Liquid Calcium/Magnesium Chloride RFP. We are requesting permission to have our estimated 3000 tons of salt included as part of this process.

Please contact me if you have any questions.



TOWN OF LISBON

300 Lisbon Street, Lisbon, Maine, 04250
Telephone 353-3000 Fax 353-3007

APPLICATION FOR APPOINTMENT TO BOARD OR COMMITTEE

Please Check One:

- | | |
|---|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Planning Board |
| <input checked="" type="checkbox"/> Conservation Commission | <input type="checkbox"/> Recreation Committee |
| <input type="checkbox"/> Ethics Panel | <input type="checkbox"/> Technology Committee |
| <input type="checkbox"/> Library Governing Board | <input type="checkbox"/> Trail Commission |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Other _____ |

Application Date: 3/19/18	
Name: Alan R. Seamans	
Street Address: 1 Andrea St., Lisbon, ME 04250	
Mailing Address:	
How long have you lived in Lisbon? Since 2002	
Occupation:	Employer: Self
Are you interested in other committees? List them in priority order. NO	
Have you attended any meetings of the Board for which you are applying? Yes	
List Improvements you feel you can make to the committee: I am a Maine Master Naturalist with experience in public natural history education and outreach, plus volunteer stewardship experience.	
Email Address: alanseamans1@gmail.com	
Home Phone: —	Cell Phone: [REDACTED]



TOWN OF LISBON

300 Lisbon Street, Lisbon, Maine, 04250

Telephone 353-3000 Fax 353-3007

APPLICATION FOR APPOINTMENT TO BOARD OR COMMITTEE

Please Check One:

- | | |
|---|---|
| <input type="checkbox"/> Board of Appeals | <input checked="" type="checkbox"/> Planning Board |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Recreation Committee |
| <input type="checkbox"/> Ethics Panel | <input type="checkbox"/> Technology Committee |
| <input type="checkbox"/> Library Governing Board | <input type="checkbox"/> Trail Commission |
| <input type="checkbox"/> Board of Assessment Review | <input checked="" type="checkbox"/> Other <u>Development Comm</u> |

Application Date: <u>3/22/18</u>	
Name: <u>Meridith Lord</u>	
Street Address: <u>226 Lisbon St Lisbon ME 04250</u>	
Mailing Address:	
How long have you lived in Lisbon? <u>2010</u>	
Occupation: <u>Attorney</u>	Employer: <u>Maine Family Legal</u>
Are you interested in other committees? List them in priority order.	
Have you attended any meetings of the Board for which you are applying? <u>yes</u>	
List Improvements you feel you can make to the committee:	
<u>Invested in the village area because recently opened a business there. As an attorney could contribute legal + statutory research</u>	
Email Address: <u>mlord@mainefamily</u>	
Home Phone: <u>207-</u> [REDACTED]	Cell Phone: <u>207-</u> [REDACTED]
<u>cell</u>	<u>work</u>

