



TOWN COUNCIL MEETING MINUTES JULY 10, 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, Allen Ward, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Ward, Albert, Kolbe, Brunelle, Lunt, Crawford, and Larochelle. Also present were Diane Barnes, Town Manager; Mark Stevens, Parks & Recreation Director; Tom Martin, Public Works/Solid Waste Director; Tracey Steuber, Economic Development Director; and approximately 10 citizens in the audience.

GOOD NEWS & RECOGNITION

Dorothy Fitzgerald thanked the Council for the lights in the garden at the corner of Route 196 and School Street. She said she learned that Councilor Crawford donated and his son installed those lights for a community project. She said what a wonderful Dad; that was wonderful news to hear and she thanked them both.

PUBLIC HEARING

A. ITINERANT VENDOR FOR TARMO TAPSI D/B/A DOOR TO DOOR SALES FOR SOUTHWESTERN ADVANTAGE

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

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

Andrea Metayer requested the Council consider renaming Graziano's corner, Steven's Square. She said Mr. Stevens has done a whole lot for this community, rebuilding the MTM building into a nice facility for a thriving community center that serves the youth and seniors extremely well. She said our children and senior programs far exceeded our community's expectations and everyone is enjoying the center. You can learn how to quilt, play cards, put together puzzles, join in on day and week trips, get breakfast and or lunch there depending upon the week. They offer day summer camps for the children, along with quite a few sports for them to join. She said it would be awesome to see him get some recognition for his contributions to the community and encouraged the Council to consider her request.

CONSENT AGENDA

VOTE (2018-141) Councilor Larochelle, seconded by Councilor Kolbe moved to approve the following:

A. Municipal Accounts Payable & Payroll Warrants -

#144	\$15,289.23	#145	\$16,825.98
#146	\$134,731.62	#147	\$121,761.83
#1	\$197,145.17	#2	\$17,912.78

#3	\$34,555.13		
B. School Accounts Payable & Payroll Warrants -			
#35	\$1,008.27	#1069	\$342,090.76
#1070	\$12,294.15	#1825	\$105,025.54
#1826	\$184,531.86		
C. Special Council Meeting Minutes of June 26, 2018			
D. Itinerant Vendor for Tarmo Tapsi d/b/a Door to Door Sales for Southwestern Advantage			

Order passed - Vote 7-0.

COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS

FISCAL YEAR 2018 CARRY FORWARD ACCOUNTS

VOTE (2018-142) Councilor Albert, seconded by Councilor Larochelle moved to approve the Fiscal Year 2018 Carry Forwards as follows:

BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LISBON AS FOLLOWS:

That the Town Council authorizes the carry forward of the following accounts and balances as of June 30, 2018:

General Ledger Accounts: 2017-2018 balances either credit or debit to be carried:

1-2026-02	Grants Match	5,000.00
1-2026-03	Buildings	24,926.00
1-2026-04	Assessor Svs.	6,860.00
1-2026-06	Rt 196/Davis Street	50,000.00
1-2027-00	MDOT Match	155,946.07
1-2029-00	ACO Carry Forward	14,683.86
1-2030-00	Library Summer Reading Grant	1,817.64
1-2031-00	Library Patrick Memorial	1,397.33
1-2032-00	Library Adult Programs	667.00
1-2033-00	E Smith Memorial	1,000.00
1-2041-00	PD-Rifles	7,800.00
1-2050-01	PD OUI 2016	316.72
1-2051-00	2017 HSGP	4,175.38
1-2051-01	2018 CIOT	800.00
1-2053-00	2017 CIOT	1,798.08
1-2054-00	2018 Distracted Driving	432.90
1-2055-00	2018 Impaired Driving	619.02
1-2060-05	DARE	7,616.48
1-2061-00	TC Book Restoration	10,000.00
1-2063-00	Computer Server Upgrade	14,837.19
1-2064-00	Generator Pad Reserve	20,000.00
1-2071-00	Fire Truck Replacement	261,100.83
1-2072-00	FD Insurance CF	9,586.10
1-2073-00	PD Forfeiture Funds	20,758.34
1-2074-00	FD Equip Reserve	50,000.00
1-2075-00	Technology	75,000.00
1-2077-00	Library Carpet	8,000.00
1-2080-00	Blake Cemetery	383.58
1-2085-00	Union Street Dangerous Building	17,940.00
1-2086-00	Congress Street Dangerous Building	12,039.70
1-2087-00	Zaymore Street Dangerous Building	12,415.51
1-2090-00	Accrued Leave Reserve	50,000.00

1-2091-00	Fire Donation	2,061.79
1-2092-00	Debt Reserve	323,274.00
1-2095-00	Playground Rec	1,876.31
1-2096-00	Giving Tree	3,278.86
1-2097-00	Heating Assistance	644.25
2-2060-00	Sewer Carry Forward	122,552.46

Expense Accounts: 2017-2018 balances to be carried:

E-01-110-5227	Grants Match	\$ 5,000.00
E-01-140-5340	Repair & Maintenance of Buildings	\$ 36,271.31
E-01-140-5400	Town Buildings	\$ 9,359.16
E-01-145-5240	Assessing Mapping & Microfilming	\$ 2,000.00
E-01-147-5258	Professional Services	\$ 3,243.98
E-01-148-5240	Mapping	\$ 1,000.00
E-02-205-5460	Fire Department Capital Project	\$ 71,043.86
E-20-100-5425	Sewer Improvements	\$ 25,498.85

ORDERED:

That the Town Council authorizes the following accounts to lapse into undesignated fund balance:

G-01-1198-00	Small Claims	\$ 71.26
G-01-1199-00	Tax Lien Costs	\$1,902.09

Order passed - Vote 7-0.

PAVING BID AWARD

INTRODUCTION: Mr. Martin reported the paving RFP's were advertised on June 4, 2018 on the Town's website. In addition, the RFP's were sent to the following vendors:

All States Asphalt, Inc.
Crooker
Pike Industries
Shaw Brothers Construction
Lane Construction

Lisbon received the attached bids for the paving projects with the overall total summarized below.

All States Asphalt Inc.	\$588,691.62
Pike Industries	\$659,738.00
Lane	\$712,467.50
Crooker Construction, LLC	\$738,921.96
Shaw Brothers Construction	No Bid

Mr. Martin explained he was working off from a bid that was from two years ago, that the overall total for the projects discussed will be \$588,691.62, and that originally requested was \$425,000 for paving this year. These roads for the most part, are streets being disturbed by the Sewer Replacement program. At the time of planning though, pavement was about 25% cheaper than it is today, which is the major factor in the price increase.

VOTE (2018-143A) Councilor Albert, seconded by Councilor Larochelle moved to award the paving bid to All State Asphalt, Inc. in an amount not to exceed \$588,691.62.

Mr. Martin recommended awarding the paving bid to All States Paving. He suggested the Council push the surface paving into the next fiscal year; today's estimate would be approximately \$209,000. He said All States Paving has been notified about the funding dilemma. He said he had not had a chance to discuss all the options with them though.

Mr. Martin explained the escalated clause in the contract. Councilor Ward mentioned change orders are unknown at this point, but some pieces of this project might come in less while others more. Mr. Martin said this would not be known until the project moves along. He estimated the town would get all of the base work done this year, but we might have to hold off on surface paving.

The Council discussed using undesignated. Councilor Ward recommended staying within the budget since Council has asked all departments to do that. He pointed out that the Council unfortunately set itself up for an unreasonable expectation, which it built into this budget. He estimated it would take about \$200,000 more to complete the scope of work in the contract.

VOTE (2018-143B) Councilor Larochelle, seconded by Councilor Albert moved Amendment #1 not to exceed \$425,000.00. **Amendment #1 passed - Vote 7-0.**

Main Motion as amended to award the paving bid to All State Asphalt, Inc. in an amount not to exceed \$425,000. **Order passed with Amendment #1 – Vote 7-0.**

MTM CENTER BUS REPLACEMENT

INTRODUCTION: Mr. Stevens explained the Recreation Department purchased a used bus for the senior program for \$10,000 from Stewart's Auto about 5 years ago. The funds used were monies raised from programming, which had been carried forward.

The Recreation Department started the Moxie Car Show the same year to raise funds so that the repairs and fuel costs for the bus would be covered by funds collected from this event.

Recently the Recreation Department budget lines were restructured so now the Moxie Car Show has a line item budget for expenses and the revenue collected goes into unassigned fund balance. Prior to this restructure, the revenue from the previous year was carried forward into expense line 5600, and the Recreation Department spent only what it was able to raise.

In June, the Public Work's Department and Don's Automotive told the department the bus was not fit for the road; frame repairs and other repairs total over \$5,000. The Recreation Department would like to replace this bus for the Senior's. They average 3 to 4 trips a month and average around 200 to 250 miles per month. This bus is a 15-passenger wheel chair accessible bus. Renting vans for extended periods does not seem to be a viable option for the seniors because they have low ceilings, high steps, and constricted access to the back of these vans.

Mr. Stevens said he could find a used 15-passenger bus for about \$20,000. He pointed out the Recreation Department collected a considerable amount more revenue this year because their programs grew again.

COUNCILOR COMMENTS: Councilor Ward said this was an unfortunate situation to happen at the first part of this fiscal year. He said the easier fix for this situation is to go back to the car show for help to pay for the first year lease purchase on a replacement van. Mr. Stevens said we told people in the past that these funds would go back into a project like this. Mrs. Barnes said there might be funds left over from the previously designated server upgrade that could go towards this.

Councilor Larochelle cautioned that if these vans cost \$100,000 new and you are paying \$20,000 for it used, then 80% of the vans life has already been used and this is where maintenance issues overwhelm the budget and where we sell ourselves short.

Councilor Larochelle said if the current van is not usable then put it out for sale and get the cash now. Councilor Ward said that would be his recommendation, also.

VOTE (2018-144) Councilor Larochelle, seconded by Councilor Kolbe moved to go out to bid for a replacement van. **Order passed - Vote 7-0.**

Councilor Ward asked Mr. Stevens to let the Council know what is available and what it will cost. The Council supported renting vans prior to the Council's next meeting if necessary. Councilor Larochelle requested Mr. Stevens send out a bid package that is compatible with what the department already has.

SET PUBLIC HEARING FOR DANGEROUS BUILDINGS - 428 & 430 RIDGE ROAD

INTRODUCTION: Mrs. Barnes reported this hearing is to determine whether the residential structure, located at 430 Ridge Road, Lisbon, Maine, identified as Lot 14 on Tax Map R09 of the Town of Lisbon Tax Maps (the "Structure"), and further described in a Deed recorded in the Androscoggin County Registry of Deeds at Book 4645, Page 1, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy. The location of the Structure is also known as 921 Middle Road, Sabattus, Maine, identified as Lot 26 on Tax Map 2 of the Town of Sabattus Tax Maps. It is expected that the Town of Sabattus Board of Selectmen will also hold a hearing pursuant to 17 M.R.S. § 2851, *et. seq.* at the same place and same or similar time.

Mrs. Barnes explained that if the Council finds that the Structure is dangerous or a nuisance, it may order the appropriate corrective action, including but not limited to, demolition and removal of the Structure. If the corrective action is not taken by the deadline established by the Town Council's order, and no appeal is taken, the Town may take the corrective action at the Town's expense. The Town may also recover all of its expenses, including reasonable attorney's fees and costs, by means of a special tax or civil action. She said Sabattus has agreed to split the demolition costs and revenues from the sale by percentage based on assessment. Ms. Malloy and Mr. Douglass will need to get together to determine which structures are on which side of the town line before the next meeting. Councilor Larochelle said he would like to know prior to the next meeting.

This hearing provides an opportunity to present evidence as to why the Structure is not dangerous or a nuisance and/or to oppose any corrective action ordered by the Town Council; failure to attend may result in the waiver of certain rights with regard to this property. This hearing is also to determine whether the Structure poses a serious threat to public health and safety, within the meaning of 17 M.R.S. § 2856, and must be secured. If the Town secures the Structure, it may then recover all of their expenses, including reasonable attorney's fees and costs, by means of a special tax or civil action.

VOTE (2018-145) Councilor Larochelle, seconded by Councilor Kolbe moved to authorize the Notice of Hearing for September 18, 2018 at 6:00 PM at the Lisbon Town Hall regarding the dangerous building located at 428 & 430 Ridge Road, Lisbon a/k/a 921 Middle Road, Sabattus. **Order passed - Vote 7-0.**

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said he had nothing to report.
2. Planning: Councilor Ward said the Planning Board recently received a Subdivision Amendment from Johnson Wood Estates to include a new pedestrian right-of-way starting from Young Road and running between lot 8 and lot 9 and then along the property line to the river and set a public hearing on July 12. They also set a public hearing on July 12 to discuss a Subdivision Amendment from the Ricker Farm to add the addition of Lot 2C, which was originally part of Lot 2B. The two lots will share the current driveway used by Lot 2B.
3. Water Commission: Councilor Brunelle said he has been working with Shelly at the Water Department and that he would keep the Council informed of changes.
4. LDC: Councilor Larochelle reported they are moving forward.
5. Conservation Commission: Councilor Ward reported they have trimmed the Norway Maple and are getting ready to move forward with removing them.

6. Recreation: Councilor Kolbe reported about 200 kids attended Beaver Park today. She said 161 new registrants signed up for the Moxie 5k as compared to last year's 106.
7. County Budget: Councilor Ward said he had nothing to report until the end of August.
8. Library: Councilor Lunt said he had nothing to report.

B. TOWN MANAGER'S REPORT

Mrs. Barnes said she went out for fuel bids before the end of June. Propane came in about .10 cents higher, heating fuel is about .48 cents higher, and fixed pricing on diesel came in at 2.558 and gasoline fixed pricing is 2.2984. Last year gasoline was rack price. Diesel last year was 2.079, which is about .48 cents higher. She reported these prices were better than we she looked at it before; the fixed price maybe favorable for us.

C. NOMINATION PAPERS & ELECTION VACANCIES

The Town Clerk reported the upcoming vacancies on the November 6, 2018 ballot as follows:

Councilors (3-year terms)

At Large Position, District #1, & District #2

School Committee (3-year terms)

Two positions

Water Commission (3-year term)

One position

She said nomination papers are available starting July 30, 2018 at 8:30 AM and have to be returned to the Town Clerk's office by 4:30 PM September 7. You need 50 signatures, but not more than 75 signatures from registered voters in the District you run in.

APPOINTMENTS - NONE

COUNCILOR COMMUNICATIONS

Councilor Larochelle thanked the School Department for painting the flagpole and cleaning up the area there.

Councilor Larochelle reported the ATV club would like to address the Council for permission to access the downtown area differently by using Wing Street to come into the same location. He asked the Councilors if they had any thoughts. Councilor Albert asked if that meant they would be coming out from the pit on Wing Street and traveling down Route 9 to downtown. Councilor Larochelle said yes, but there should not be a question about traffic if it is done correctly. He indicated Chief Hagan had reviewed this request. Councilor Ward pointed out this happens from June 1 to October, sometime before hunting season begins. Mrs. Barnes said the Council would need to schedule a public hearing to discuss the ordinance changes and adopt a new ATV map. Councilor Lunt recommended Route 9 be posted with extra signage and warnings about ATV crossings.

VOTE (2018-145B) Councilor Larochelle, seconded by Councilor Albert moved to set a public hearing regarding ATV Ordinance and ATV Map changes on August 14, 2018. **Order passed - Vote 7-0.**

AUDIENCE PARTICIPATION FOR NEW ITEMS

Dot Fitzgerald requested the Council add a kiosk in the Route 196/School Street Garden. She requested the information about the wheels be displayed in the garden so visitors can read about our town heritage and where

these wheels came from (Worumbo Mill), etc. She suggested that Faye Brown who obtained the wheels and had them installed in the garden do the kiosk/informational dedication.

EXECUTIVE SESSION

VOTE (2018-146A) Councilor Kolbe, seconded by Councilor Crawford moved to take a 5 minute break at 8:03 PM and then go into Executive Session per 1 MRSA Section 405(6) (C) Acquisition or Disposition of Real Property or Economic Development. **Order passed – Vote 7-0.**

The Council came out of executive session at 8:35 PM and the meeting resumed.

VOTE (2018-146B) Councilor Crawford, seconded by Councilor Larochelle moved to approve up to \$20,000 from the Business Façade Grant Program for applicants, Robert and Aline Strout, for 273 Lisbon Street contingent upon the sale of the property to the applicants.

It has been disclosed that Aline Strout works for the Parks & Recreation Department and that the Façade Grant will go to the building and that her position in the Parks & Recreation Department has no influence in the decision in the administration of the Façade Program.

Order passed – Vote 7-0.

ADJOURNMENT

VOTE (2018-147) Councilor Kolbe, seconded by Councilor Lunt moved to adjourn at 8:36 PM. **Order passed - Vote 7-0.**

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved 8/14/2018