



## **TOWN COUNCIL MEETING MINUTES MAY 2, 2017**

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 Councilors Ward, Albert, Kolbe, Brunelle, Lunt, and Crawford. Councilor Crafts was excused. Also present were Diane Barnes, Town Manager; Kathy Malloy, Assessor; Tracey Steuber, Economic & Community Development Director; Marc Hagan, Police Chief; William Alexander, Mark Stevens, Recreation Director; Donald Fellows, Planning Board Chairman; Scott Hall, Planning Board Member; Miriam Morgan Alexander, Appeals/Assessment Review Board member; and approximately 25 citizens in the audience.

### **GOOD NEWS & RECOGNITION**

The Town Clerk read the Town Report dedication as follows: Chief Brooks began his career in Lisbon in 1974 and was appointed to serve as Police Chief in 1980 at 26 years old. Since his retirement on June 30, 2016 he and his wife Lynn are enjoying the extra time with family and friends. Scott Stewart said Chief Brooks was an excellent mentor and helped him get into law enforcement. Chief Brooks indicated he wore his uniform 94.5% of the time during his tenure here. He reported public safety needs were not declining and that there had been an increase need for services since 2014. With calls on the rise, he always provided the best service possible with the equipment and personnel available. Chief Brooks brought many federal dollars to Lisbon which purchased equipment and funded many special programs, like the \$1,500 we received to run the Buckle Up-No Excuses Seat Belt Enforcement and Education Campaign or the \$3,900 for the 2016 Evidence Based Impaired Driving High Visibility Enforcement Grant Award, to mentioned a few. Lisbon was recognized as the 12<sup>th</sup> safest Community in Maine to live, due in large part to the leadership and employees in our public safety departments and the safety initiatives and improvements we have made over the years. Council Ward thanked Chief Brooks for his dedication and commitment over the years to the citizens of Lisbon and presented him with the annual 2015-2016 Town Report.

The Town Clerk read the second Town Report dedication as follows: Lieutenant Michel began his career in Lisbon in 1976 at 22 years old. He graduated from the Maine Criminal Justice Academy in 1975. An opening came up in Lisbon and his friend and college roommate, David Brooks, suggested he apply so he did. Lieutenant Michel was chosen over 77 others that day. He was always involved within his community, responding to thousands of calls for help, and investigating too many crimes to count. He served 33 of those years as Lieutenant. Councilor Ward thanked Lieutenant Michel for his many years of service to the residents of Lisbon and also presented him with the annual 2015-2016 Town Report.

### **PUBLIC HEARING**

**LIQUOR LICENSE/SPECIAL ENTERTAINMENT PERMIT – PETER AUSTIN D/B/A FRANKS**

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 (2017-112)** Councilor Kolbe, seconded by Councilor Albert moved to approve the Accounts Payable & Payroll Warrants #128, #129, #130, #131, and #132, along with the Minutes of April 11 and April 18, 2017, a

renewal mobile home park license for the Sabattus Creek Mobile Home Park, the Memorial Day Parade Street Closure, and a Special Entertainment Permit and Liquor License for Peter & Traci Austin d/b/a Lisbon Moxie Inc also known as Franks at 2 Main Street. **Order passed - Vote 6-0.**

## COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS

### REQUEST FOR ROAD NAME APPROVAL

**INTRODUCTION:** Mrs. Malloy said the Kelly Park Subdivision Plan was approved by the Planning Board on March 9, 2017 and that there were three new roads within the subdivision that require Council approval for road names. They are Premier Drive, Champagne Lane, and Wine Time Circle. Premier Drive is the entrance to the park and access for the multifamily units. Champagne Lane and Wine Time Circle will be the access roads for the single family homes. These road names conform to E-911 standards. Chief Galipeau and Chief Hagan have no objections to the proposed road names.

**VOTE (2017-113)** Councilor Brunelle, seconded by Councilor Albert moved to approve the following road names within the Kelly Park Subdivision Plan: 1) Premier Drive, 2) Champagne Lane, and 3) Wine Time Circle. **Order passed - Vote 6-0.**

### CDBG FAÇADE GRANT BID AWARDS

Ms. Steuber presented the following revised bids for Council's approval:

Location	Bidder	Scope of Work	Price	Total	Grant Award
5 Main St.	Creative Carpentry	Window Repair/Replacement	\$ 2,450		
	Creative Carpentry	Masonry	\$ 4,100		
	Creative Carpentry	Exterior Carpentry	\$ 3,150		
				<b>\$ 9,700</b>	<b>\$ 4,850</b>
25 Main St.	JW Awning Co.	Awning	\$ 4,531.59		
	Atwood Painting	Exterior Paint/Brick Cleaning	\$ 2,800		
	Restorations Home Remodeling	Window/Door Replacement	\$21,972		
	Restorations Home Remodeling	Signage	\$ 3,002		
				<b>\$ 32,305.59</b>	<b>\$ 16,152.80</b>
9-13 Union St.	Restorations Home Remodeling	Roof	\$24,900		
	Restorations Home Remodeling	Siding Replacement	\$15,800		
	Restorations Home Remodeling	Exterior Carpentry	\$11,250		
	Restorations Home Remodeling	Door Replacement	\$ 2,400		
				<b>\$ 54,350</b>	<b>\$ 20,000</b>

**VOTE (2017-114)** Councilor Albert, seconded by Councilor Kolbe moved to award the CDBG Grant bids as revised above as follows: 5 Main Street to Creative Carpentry in an amount of \$9,700 [award \$4,850]; 25 Main Street to JW Awning Company in an amount of \$4,531.59, Atwood Painting in an amount of \$2,800, Restorations Home Remodeling in the amount of \$24,974 [award \$16,152.80]; and 9-13 Union Street to Restorations Home Remodeling in an amount of \$54,350 [award \$20,000]. **Order passed – Vote 6-0.**

## ROUTE 125/CANAL STREET AGREEMENT

**INTRODUCTION:** Mr. Leighton reported Lisbon has been working with Maine Department of Transportation (MDOT) and the Androscoggin Transportation Resource Center to determine a means of addressing the pavement condition on Canal and Main Streets while we wait for Main Street and the intersection project to be completed in 2019 or later.

Mr. Leighton said at this point there is no way that MDOT will be able to fund a band-aid for Main and Canal Streets. However, Lisbon was given permission to utilize MDOT's capital paving program's unit prices to get a reduced paving rate, mill roadways, and then pave them at an estimated cost of \$57,000, which would be out of town's pocket. The estimated length to pave is 4,800 feet, which is an estimated 630 tons of asphalt at the rate of \$51.35 per ton under Crooker's contract with MDOT, which is \$32,539.50, but when laying this that number could be up or down. He said Lisbon would have to enter into an agreement with MDOT to administer this project for us. Its \$2,500 a day for 1,000 tons, which we should be under so we would have to pay them that for traffic control, inspections, sweeping, and all the stuff that goes with it. In total, for \$35,000 Lisbon can patch the worst section, but it all needs to come for Lisbon's pockets.

**COUNCILOR COMMENTS:** Councilor Ward asked if there were any guarantees the MDOT reconstruction project will begin on a certain date. Mr. Leighton replied, no. Councilor Albert asked when this temporary patch work will begin. Mr. Leighton responded that it should begin in July. Mrs. Barnes suggested the funds to pay for this should come out of the existing MDOT fund and the remaining balance would be carried forward and there is also a carry-forward account with \$29,000 in it labeled MDOT matching funds for paving Route 196 which was completed two summers ago but Lisbon has not received its final bill. She pointed out that once Lisbon receives its final bill these remaining funds can be put back into the existing MDOT fund. There will be two carry-forwards. Mr. Leighton said Lisbon has funds to pay for the Professional Engineering part and right of way work for the Route 125 project, but that's another budget season away and then there is the Route 196 intersection project, so in total there are three projects here. He said we are quite certain in total these are likely underfunded based on the overall changes since these projects were originally conceived. There is a good chance this will stretch beyond the 2020 timeframe. All the design work could be done, public hearings held, and yet the MDOT funding might not be there. The first public hearing is tentatively scheduled for this June. It could take 15 to 18 months after that for the right of way negotiations to be completed. Mrs. Barnes said our share is 10% or around \$400,000. Mr. Leighton said Lisbon has set aside \$217,000 so far.

Councilor Albert said the Council hears a lot about our infrastructure and in particular our roads and asked how long this patch would hold. Mr. Leighton said this not a long-term solution and should hold about a couple of years, but if we do nothing then Public Works would need to continue to patch holes daily until whenever it is completed. He said even if the town cuts out and replaces a couple sections, it would cost about the same as this agreement.

Councilor Albert asked if some of the \$217,000 couldn't be used to attack some of the more aggressive problem areas and/or address some of our more immediate needs; not tap all of it. Councilor Ward said he understood this \$35,000 from the \$217,000 will help get us by. Mr. Leighton said this amount is all based on some guesses.

Councilor Albert suggested looking at this again once Main and Canal Streets are done. Mrs. Barnes said the Council could certainly re-designate some of those funds.

**VOTE (2017-115)** Councilor Brunelle, seconded by Councilor Crawford moved to authorize the Town Manager to enter into an agreement with Crooker based on the pricing provided to the Maine Department of Transportation for supplying, hauling, and placement of HMA for Canal and Main Streets, to enter into an agreement with MDOT to provide traffic control/sweeping, and to authorize the expenses to be funded through the MDOT Match for the Route 125 construction project. **Order passed - Vote 6-0.**

Mr. Leighton pointed out that the intended sections were from Route 196 Main Street to about Edgcombe Road/Wing Street and then around Sparsam Street to School Street. Crooker will be in next week to do the access way up to the Transfer Station and the Transfer Station areas that are the worst so the Transfer Station will be closing on Friday the 12<sup>th</sup> which will give them Thursday (already closed) and that Friday to get this work done unless there are any objections, that is the plan weather permitting. There were no objections. Councilor Ward suggested this be put on the webpage.

### SEWER DEPARTMENT USED PICKUP PURCHASE

**INTRODUCTION:** Mr. Leighton reported based on our most recent budget discussions we are requesting permission to purchase the used pickup truck for the Sewer Department out of our current budget and to remove it from the 2017-2018 Budget requests. Lisbon budgeted \$50,000 to replace the grinder at the Davis Street pump station and the bid was \$27,512. The funds left in that line along with other anticipated savings expected, from not doing some things based on the sewer study and that funding plan, should be enough to purchase the pickup now so it can be removed from the upcoming budget. He said he believed he could find a used pickup for about \$17,000. The bulk of the purchase will come from the 5410 - Equipment line in the Sewer Budget.

**VOTE (2017-116)** Councilor Brunelle, seconded by Councilor Crawford moved to authorize the purchase of a used pickup truck out of the FY 17 Sewer Budget in an amount not to exceed \$17,000. **Order passed - Vote 6-0.**

### SCHEDULE BUDGET WORKSHOP ON MAY 23, 2017

**INTRODUCTION:** Mrs. Barnes pointed out there is already a workshop scheduled at 6:00 pm with Western Maine Transportation Services (WMTS) so she would like to request the Council also schedule a Budget Workshop to this agenda to wrap up the budget directives in preparation for the municipal budget public hearing.

**COUNCILOR COMMENTS:** Councilor Lunt requested to see the estimated impact on the tax rate before the final vote on anything so the Council knows roughly where we are or what the ball park figure is. Mrs. Barnes asked if the Council wanted her to include the school's numbers. Councilor Lunt said yes so that the Council is not blindsided by something else. Councilor Ward said we were at \$1.5 million and now it's more like \$768,000 and counting down. He said we know where we stand right now, but that the Council needs to figure out what it will be satisfied with for an overall increase. Councilor Albert said the Council is in a good place, because the things that were talked about to be revisited will be easy to prioritize and then decide which items to fund now or put on hold. Councilor Ward asked Council members to get anything else not talked about to Mrs. Barnes so she can include them for discussion that night as well.

**VOTE (2017-117)** Councilor Brunelle, seconded by Councilor Lunt moved to Schedule a budget workshop following the previous scheduled WMTS workshop Tuesday, May 23, 2017 at 7:00 p.m. **Order passed – Vote 6-0.**

### UNASSIGNED FUND BALANCE EXPENDITURE DESIGNATION

**COUNCILOR COMMENTS:** Councilor Ward explained this is the official motion the Council talked about making at the April 24<sup>th</sup> workshop to start the MTM playground project funding the \$20,000 from unassigned fund balance.

**VOTE (2017-118)** Councilor Brunelle, seconded by Councilor Crawford moved to designate \$20,000.00 for the MTM playground from the unassigned fund balance. **Order passed - Vote 6-0.**

Luke Tuplin came forward to present the Council with a donation. He thanked the community for their overflowing support over the loss of their son Mitchel. He said it was above and beyond anything we could have ever imagined. He said they have been looking for an opportunity like this to express their gratitude and to give a little something back to the community. This is something Mitchel would have been proud of to have be a part of. He handed the town a check for \$16,000 to help fund this project. He said \$8,500 would be coming from his person account and \$7,500 would be from the MJBTS Scholarship this year which is used mostly for the efforts of the Lisbon community so it just makes sense to donate this to such an amazing cause. The Council thanked Mr. Tuplin for this donation, the committee's diligent work, and Mr. Tuplin's family, as well.

### TAX ACQUIRED BIDS

**INTRODUCTION:** Councilor Crawford announced he would be abstaining due to a conflict of interest. Mrs. Barnes reported the following bids were publicly opened on April 25, 2017 at 12:03pm in the presence of Jody Durisko, Megan Lavigne, and Diane Barnes:

<u>Location</u>	<u>Minimum Bid</u>	<u>Bidder</u>	<u>Amount</u>
3 Lincoln Street	\$ 6,018.87	Lois A. Wills	\$11,600
		Pamela Durisko	\$16,000
		David & Natalie Brewer	\$10,100
Summer Street	\$ 232.97	Walter C. Russell, Sr.	\$ 150

**VOTE (2017-119)** Councilor Brunelle, seconded by Councilor Kolbe moved to sell the 3 Lincoln Street property to Pamela Durisko in the amount of \$16,000, sell the Summer Street property to Walter C. Russell Sr. in the amount of \$150 as is without warranties, and to authorize the Town Manager/Treasurer to issue a quit claim deed when payment has been received and deposit the proceeds into the Sale of Town Property reserve account. **Order passed - Vote 5-0-1. (Abstaining: Crawford)**

#### TAX COLLECTOR'S SMALL CLAIMS COURT PROCEEDINGS

**INTRODUCTION:** Mrs. Barnes requested authorization to commence small claims court proceedings on delinquent personal property taxpayers. The Town of Lisbon currently has \$20,179.64 in 2017 outstanding personal property taxes. The taxpayers will be notified that small claims court proceedings will take place if payment is not made in full or if payment arrangements are not made.

**VOTE (2017-120)** Councilor Brunelle, seconded by Councilor Kolbe moved to authorize the Town Manager/Tax Collector to begin small claims court proceedings. **Order passed - Vote 6-0.**

#### DISPATCH SERVICE AGREEMENT WITH LISBON EMERGENCY

**INTRODUCTION:** The current contract with Lisbon Emergency expires June 30, 2017. Minor amendments have been made to the contract which has been approved by the Lisbon Emergency Board of Directors.

**VOTE (2017-121)** Councilor Crawford, seconded by Councilor Kolbe moved to authorize the Town Manager to sign and enter a 3-year renewal for dispatch services with Lisbon Emergency as presented. **Order passed – Vote 6-0.**

### OTHER BUSINESS

#### A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert indicated there was nothing new to report.
2. Planning: Councilor Ward mentioned the Planning Board approved the Municipal and School Capital Improvement Plan. They also talked about Kieran Transport, LLC and a possible amendment to Kelly Park adding two duplexes in place of single family homes.
3. Water Commission: Councilor Crawford indicated there was nothing new to report.
4. LDC: Councilor Albert reported they were working on the graffiti issue.
5. Conservation Commission: Councilor Lunt indicated there was nothing new to report.
6. Recreation: Councilor Kolbe asked Mr. Stevens to report. Mr. Stevens said they met last evening to talk about the playground project.
7. County Budget: Councilor Ward indicated there was nothing new to report.
8. Library: Councilor Lunt reported the Library would be closed next Monday and Tuesday while they switch over to the new software.

#### B. TOWN MANAGER'S REPORT

Mrs. Barnes reported Lisbon is ahead of schedule collecting taxes as compared to last year at this time. There is \$30,000 less outstanding today on real estate taxes and quite a lot less on personal property. She said if this rate continues there should be more money to put back into the fund balance because Lisbon would have less liability on the books. She indicated this is due in large part to Megan Lavigne who has been doing such a good job, giving taxpayers options, and setting up payment arrangements. She reported a sturdy 3% increase in excise tax collections, which she felt Lisbon could depend upon for revenue next year so this amount will be added to next year's budget projection.

### C. CDBG DOWNTOWN REVITALIZATION PROJECT UPDATE

Ms. Steuber reported the purchase and sale agreement for the Miller Block has been signed. A Rusty's convenience store and gas station will go in there. The front will be lawn area with gas pumps located in the back. The downtown streetscape project included a sidewalk by the Miller Block, but if that sidewalk was completed this fall it could interfere with this project in 2018. She mentioned the developer has agreed to do the same concrete sidewalks with granite curbing at their cost in 2018 along with their project so the Downtown Revitalization Advisory Committee can reassign these funds to a different project in the downtown area. She reported Lisbon would work with our contractor for the lights after the sidewalk is in next spring.

Ms. Steuber said our engineer and Downtown Revitalization Advisory Committee will be considering what other projects might be done with these funds, like improving the sidewalk on Union Street connecting it to this revitalized section. She said they will be checking to see if this developer is interested in creating some public parking on the land they will not be utilizing so visitors could get access to the walking path from Davis Street. She mentioned that Mandy Olver is working directly with their engineers on the redesign of our project so it should blend into theirs very well.

### AUDIENCE PARTICIPATION FOR NEW ITEMS

William Kuhl from the Recreation Committee thanked the Council for their support tonight funding \$20,000 for the MTM playground. He said this will be a long-term asset for Lisbon.

Isaiah Lary, the District 4 Androscoggin County Commissioner introduced himself to the Council and community of Lisbon. He offered his services and welcomed concerns and/or complaints. He reported he was here to see what he could do for Lisbon. Councilor Ward thanked Mr. Lary for coming and suggested he give Mrs. Barnes his information.

### COUNCILOR COMMUNICATIONS

Councilor Ward recommended the Council schedule a time to discuss what to do with the marijuana moratorium. He indicated he would like to work towards making some progress on what ultimately is going to work for Lisbon. He said this discussion should be open for anyone to attend.

### APPOINTMENTS

#### RECREATION COMMITTEE

**INTRODUCTION:** Katelyn Syphers introduced herself to the Council and community of Lisbon. She said her family moved to Lisbon last summer, that she became involved with teaching classes at MTM right away, and can see good things happening there. She volunteered to serve on the Recreation Committee.

**VOTE (2017-122)** Councilor Brunelle, seconded by Councilor Kolbe moved to appoint Katelyn Syphers to the Recreation Committee. **Order passed - Vote 6-0.**

### EXECUTIVE SESSION – NONE

### ADJOURNMENT

**VOTE (2017-123)** Councilor Kolbe, seconded by Councilor Brunelle moved to adjourn at 8:02 PM. **Order passed - Vote 6-0.**

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Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC  
Date Approved May 16, 2016