



## TOWN COUNCIL MEETING MINUTES APRIL 18, 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, Kolbe, Brunelle, Lunt, and Crawford. Councilors Crafts and Albert were excused. Counsel Dan Stockford arrived at 7:40 PM. Also present were Diane Barnes, Town Manager; Ryan Leighton, Public Works Director; Marc Hagan, Police Chief; Miriam Alexander-Morgan, Assessment/Appeals Board Member; Fern Larochelle, Lisbon Development Committee/PCL Chair; and approximately 2 citizens in the audience.

### GOOD NEWS & RECOGNITION

#### MUNICIPAL CLERK'S WEEK PROCLAMATION

Councilor Kolbe read the following proclamation:

**Whereas,** The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

**Whereas,** The Office of the Municipal Clerk is the oldest among public servants, and

**Whereas,** The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**Whereas,** Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

**Whereas,** The Municipal Clerk serves as the information center on functions of local government and community.

**Whereas,** Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

**Whereas,** It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**Now, Therefore,** the Lisbon Town Council, do recognize the week of May 7 through May 13, 2017, as Municipal Clerks Week, and further extends appreciation to our Municipal Clerk, Twila Lycette, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

**VOTE (2017-93)** Councilor Brunelle, seconded by Councilor Lunt moved to adopt the Municipal Clerk's Week Proclamation. **Order passed - Vote 5-0.**

### KIDS TO PARKS DAY PROCLAMATION

The Town Clerk read the following proclamation:

**Whereas,** May 20, 2017 is the seventh Kids to Parks Day organized and launched by the National Park Trust; and

**Whereas,** Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks; and

**Whereas**, it is important to introduce a new generation to our nation's parks; and

**Whereas**, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension, and hypercholesterolemia; and

**Whereas**, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

**Whereas**, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

**Now, Therefore**, We the Town Council of Lisbon do hereby proclaim to participate in Kids to Parks Day. We the Town Council urge residents of Lisbon to make time May 20, 2017 to take the children in their lives to a neighborhood, state, or national park.

**VOTE (2017-94)** Councilor Kolbe, seconded by Councilor Crawford moved to adopt the Kids to Parks Day Proclamation. **Order passed - Vote 5-0.**

## **PUBLIC HEARING**

### **A. CHAPTER 46 STREET ACCEPTANCE AMENDMENT**

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

### **B. USDA RURAL DEVELOPMENT GRANT/LOAN APPLICATION**

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

## **AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE**

## **CONSENT AGENDA**

**VOTE (2017-95)** Councilor Kolbe, seconded by Councilor Crawford moved to approve the Accounts Payable & Payroll Warrants #124 for \$122,963.43, #125 for 14,637.27, #126 for 15,480.49, and #127 for \$108,583.38, along with the Workshop Minutes of March 28, 2017, regular minutes of April 4, 2017, a Pole Permit for Fair Point for the Moody Road, and the following Mobile Home Park Renewals:

Avery Street Park	Grimmels Trailer Park
Beaudoin Mobile Home Park	Ridge Mobile Home Park
Brookwood Court	St. Ann's Mobile Home Park
Colonial Gardens Mobile Home Park	Town & Country Village
Davis Street Park	Whispering Pines
Gendron's Mobile Home Park	Worumbo Estates and Worumbo Park

**Order passed – Vote 5-0.**

## **COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS**

### **ORDINANCE –ADOPT CHAPTER 46 STREET ACCEPTANCE STANDARDS AMENDMENT (Second Reading – Roll Call Vote Required)**

**INTRODUCTION:** The Planning Board recommended changing Chapter 46 in the Codes book. The construction standards have been removed and have been replaced by language referencing Chapter 66, Article III, Division 3 in the ordinance. This section is part of the subdivision ordinance and provides all the necessary design standards.

**VOTE (2017-96)** Councilor Kolbe, seconded by Councilor Lunt moved to adopt the amendment to Chapter 46 Street Acceptance standards as follows:

**ARTICLE III. - STREET ACCEPTANCE STANDARDS****Sec. 46-61. - 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; ~~section 46-62 and further providing~~ 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 be determined by the town manager and town council to be in suitable condition for acceptance may, with the approval of the planning board, be recommended to an annual town meeting for acceptance.~~ may, with the approval of the Planning Board, be recommended for acceptance by the Town Council.

(Code 1983, § 13-201)

**Sec. 46-62. - 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 as provided in subsection (b) or (c) of this section: 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 following specifications: set forth in section 66-147 and chapter 66, article III, division 3 except specification 66-186(1), Minimum right of way.

~~(1) Construction standards:~~

~~a. Drainage. Adequate storm and surface drainage shall be provided.~~

~~b. Grade. Street grade shall be a minimum of one percent and a maximum of seven percent.~~

~~c. Side slopes. Streets in cut or fill shall be provided with side slopes not steeper than two feet horizontal, to one foot vertical.~~

~~d. Base. Gravel base of a type approved by the town manager shall be applied, compacted, graded to a crown consistent with good engineering practice and rendered easily passable by normal vehicular traffic to a width of 30 feet and at a minimum depth of 18 inches in cross section.~~

~~e. Surface. A fine aggregate surface course of a type approved by the town manager shall be applied to a depth of two inches over the full width and length of the 30-foot traveled portion of the street.~~

~~f. Water system. The installation of a water system in all details involved in type, alignment, size, length, depth and appurtenances shall meet the requirements of the board of water commissioners of the town.~~

~~g. Sewer system. A properly designed on site sewer system shall be developed with all sewers to be not less than eight inches in diameter when the proposed street is on or easily accessible to the town's sewer system.~~

(c) ~~(2)~~ *Form of bond.* With his 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.

~~(c) Right of way 50 feet or greater. Permits may be issued for structures proposed for erection on unaccepted streets or ways with dedicated rights of way 50 feet or more 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 and provisions established under this section.~~

~~(Code 1983, § 13-202)~~

**Roll Call Vote: Yeas – Lunt, Crawford, Ward, Kolbe, and Brunelle. Nays - None. Order passed - Vote 5-0.**

### **USDA RURAL DEVELOPMENT GRANT/LOAN APPLICATION**

**INTRODUCTION:** On March 22, 2017 Lisbon started the application process for a loan/grant funding solution to complete the sewer projects Council discussed at a workshop on February 14, 2017. On February 21, 2017, Council authorized the Town Manager and Public Works Director to submit an application. As part of this process we are required to hold a public hearing.

**VOTE (2017-97)** Councilor Kolbe, seconded by Councilor Brunelle moved to continue with the application process. **Order passed - Vote 5-0.**

### **NATURAL GAS CONVERSION AT THE LISBON LIBRARY & LISBON FALLS FIRE COMPANY**

**INTRODUCTION:** Mr. Leighton recommended the town connect the Lisbon Library and the Lisbon Falls Fire Station to natural gas. Based on the development projects currently underway and local businesses in Lisbon Falls willing to connect to natural gas, it appears Unitil will be extending natural gas service to the Lisbon Falls downtown area. Mr. Leighton estimated the replacement burner at the Library would be about \$5,600 and the boiler replacement at the Lisbon Falls Fire Station is still unknown. He suggested the Council approve going out to bid contingent upon Council's approving a budget so that they can work with Unitil on the connection and advertise for the bid necessary to retrofit the library and fire station.

**VOTE (2017-98)** Councilor Brunelle, seconded by Councilor Crawford moved to authorize the Public Works Director to work with Unitil and advertise for the bid necessary to retrofit the library and fire station contingent upon Council's approving a budget to do this work. **Order passed - Vote 5-0.**

### **BID ITEMS**

**INTRODUCTION:** Mr. Leighton requested permission to advertise the following projects for bid:

**PW Cab and Chassis** - Based on the Town Council workshop on April 11, 2017, he requested permission to advertise for two new cab and chassis trucks with new plow gear and the installation of the stainless steel dump bodies being removed from the old trucks pending final budget adoption.

**Paving RFP** - As a result of discussions at the Town Council workshop on April 11, 2017, he requested 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 upon final budget adoption.

**Sidewalk Snow Removal Bid** - As a result of discussions at the Town Council workshop on April 11, 2017, he requested permission to develop an RFP for snow removal and sanding/salting on town sidewalks on an as needed basis. The RFP would be based on the original contract language in place when this operation was a contracted service as well as potential additional efforts based on discussions with the School Department.

**Road Striping** – Mr. Leighton requested permission to advertise the annual center line and edge line road striping.

**Road Salt** - Each year AVCOG advertises the joint purchase of road salt and liquid calcium/magnesium chloride by RFP. He requested permission to have our estimated 2,500 tons of salt included as part of this process.

**VOTE (2017-99)** Councilor Brunelle, seconded by Councilor Kolbe moved to authorize the Public Works Director to advertise the bids for the public works cab and chassis, paving RFP, sidewalk snow removal, road striping, and road salt. **Order passed - Vote 5-0.**

PERMISSION TO JOIN  
MAINE WATER/WASTEWATER AGENCY RESPONSE NETWORK

INTRODUCTION: Mr. Leighton explained that as a result of a training attended by the Sewer Department Operations Manager, Steve Aievoli, he is requesting permission to join the Maine Water/Wastewater Agency Response Network. There is no cost to join and being a part of a network opens opportunities for resource sharing in the event of a disaster.

**VOTE (2017-100)** Councilor Brunelle, seconded by Councilor Kolbe moved to authorize the Lisbon Sewer Department to join the Maine Water/Wastewater Agency Response Network and authorize the Town Manager to sign the agreement. **Order passed - Vote 5-0.**

SCHEDULE SPECIAL MEETING  
PRIOR TO BUDGET WORKSHOP ON APRIL 25, 2017

INTRODUCTION: Mrs. Barnes suggested the Council scheduled a bid opening on April 20, 2017 for the excavation work planned on the Bowdoinham Road, Gould Road, and Summer Street projects. Since there is a scheduled workshop April 25, 2017, she requested the Town Council advertise a special meeting for that evening so they can present the bid results and seek permission to award it in order to get a contractor on board faster. At the same time, she indicated they will also be requesting permission to purchase culverts from the low bidder for those items as well.

**VOTE (2017-101)** Councilor Kolbe, seconded by Councilor Lunt moved to schedule a Special Council Meeting on Tuesday, April 25, 2017 at 6:45 p.m. prior to the Budget Workshop. **Order passed - Vote 5-0.**

JAG/BYRNE GRANT APPLICATION

INTRODUCTION: Chief Hagan requested permission to apply for the annual JAG/Byrne grant. The Federal Government decides what each agency is awarded based on their annual reported crime statistics. Lisbon has been awarded \$2,859. If approved, this money will be used to purchase a new radar unit and some new batteries for our hand held portable radios. The grant is non-matching so there is no cost to the town. He is requesting permission to apply for and spend this grant funding.

**VOTE (2017-102)** Councilor Brunelle, seconded by Councilor Kolbe moved to authorize the Police Chief to apply, accept, and spend the JAG/Byrne Grant in the amount of \$2,859.00. **Order passed - Vote 5-0.**

UNDERAGE DRINKING ENFORCEMENT  
TASKFORCE GRANT APPLICATION

INTRODUCTION: Chief Hagan explained that this grant is one that the Androscoggin County Sheriff's Office has received to address the consumption of alcohol by minors. By joining their Underage Drinking Enforcement Taskforce Lisbon will be eligible to have officers work overtime on Alcohol Enforcement Detail within the Town of Lisbon and we will be reimbursed through the Sheriff's Office. The Lisbon Police Department does not need to apply for this grant. He requested permission to engage in the receipt of the Androscoggin County Sheriff's Office grant funding for Under Aged Drinking Enforcement Detail.

**VOTE (2017-103)** Councilor Brunelle, seconded by Councilor Kolbe moved to authorize the Police Chief to engage in the receipt of the Androscoggin County Sheriff's Office grant funding for under aged drinking enforcement details. **Order passed - Vote 5-0.**

SET A DIFFERENT DATE  
FOR THE JULY 4, 2017 COUNCIL MEETING

**INTRODUCTION:** Mrs. Barnes said this item was added for the Council to decide how they would like to handle the July 4, 2017 meeting date since it falls on Independence Day.

**VOTE (2017-104)** Councilor Brunelle, seconded by Councilor Kolbe moved to cancel this meeting and to meet as scheduled on July 18. **Order passed - Vote 5-0.**

## ELECTION PROCESS FOR MMA EXECUTIVE COMMITTEE & VICE PRESIDENT

**COUNCILOR COMMENTS:** Councilor Crawford said he may be interested in serving on the Executive Committee, but that he would need to check his schedule first.

**VOTE (2017-105)** Councilor Brunelle nominated Councilor Crawford with the condition that if he accepts the nomination, he can fill out the form, and submit it to MMA by the May 1, 2017 deadline. **Order passed - Vote 5-0.**

## OTHER BUSINESS

### A. COUNCIL COMMITTEE REPORTS

1. Planning: Councilor Ward reported the Planning Board meet and approved a daycare on Hinkley Street.
2. Library: Councilor Lunt reported the Library will be closed one day, May 9 from 9a.m. to 4 p.m. for training and switching over to the new system.

### B. TOWN MANAGER'S REPORT

Mrs. Barnes reported Mr. Leighton and she are going to Augusta to talk with MDOT about the Main Street Project to see what can be done to get Lisbon by until they start their project.

### C. FINANCE DIRECTOR'S REPORT

Mrs. Colston said General Government Revenues are at approximately 99% collected for the fiscal year. Last year we were at approximately 96.7% at this time. There were quite a few audit adjustments made at year end for last year, but most of these numbers were reflective in the proper month for comparability. She said Lisbon received \$427,000 this year as compared to \$419,000 last year in State Revenue sharing. She explained that Excise Tax is 74% collected this year with \$1,400,000, as compared to last year at 78% collected with \$1,400,000. She reported that although the dollar amounts collected had not varied, the percentages varied because the amounts budgeted are different. She said all the other general government revenues have remained pretty consistent with prior years.

Mrs. Colston said General Government expenses total approximately \$1,134,785, which is an increase of \$54,000 over the prior year. She explained that most of that is from increased wages and medical insurance due to the large turnover rate. The increase in the Technology budget is due to the transfer over to MUNIS and MUNIS trainings.

Mrs. Colston said Public Safety's total expenses were approximately \$1,621,126, which is an increase of \$126,000 over the prior year. She said Public Works total expenses were approximately \$2,743,699, which is an increase of \$233,000 over the prior year. The salt portion took a huge hit this year over last year. There were unexpected culvert repairs too, which increased this. She said Public Services' total expenses were approximately \$615,983, which is an increase of \$25,712 over the prior year. She pointed out that hydrant rental this year was done by a full payment as compared to last year's month by month payments. The Council discussed debt service. Mrs. Colston said overall Lisbon is on target for this year, although one payment was not made on time last year making this year's expense appear higher. She reported the QECB had \$24,000 left over, which she is applying to get back, but it could take awhile at the federal sequester rate. Otherwise, debt service is in line with the exception of that one payment.

#### D. WRITTEN DEPARTMENT HEAD REPORTS

Councilor Ward reported Erna Smith left the Library a gift of \$1,000 to be used as they wish. Mrs. Barnes said this is tied up in Probate right now, but when the funds come in she would have the Council accept it.

Councilor Ward acknowledged the Fire Chief's Awards, which were presented at the annual banquet held recently as follows:

Josh Dubois for E.T. Smith Hose Company Firefighter Of The Year  
Lieutenant Chad Pelletier for Fire Officer Of The Year  
Lieutenant Tom Wrobel for Lisbon Falls Fire Company Fire Officer Of The Year  
Alex Theberge for Firefighter Of The Year

Top Three Responders were as follows: Captain Jim Beal for logging 150 call hours, Lieutenant Tom Wrobel for logging 150 call hours, and Firefighter Leo Hewes for logging 144 call hours.

Councilor Ward highly praised the Chiefs Excellence Award that was presented to Josh Dubois for his dedication and leadership to the Lisbon Fire Department. He mentioned that around 80 had attended, including him.

#### AUDIENCE PARTICIPATION FOR NEW ITEMS - NONE

Fern Larochelle said Lisbon is experience a problem with graffiti and the Lisbon Development Committee is willing to help resolve this. They are working on a policy for the Council to consider that would determine who should be responsible and how it should be addressed. If left unattended, this situation can turn into a big thing. He indicated some type of policy in place should help.

#### COUNCILOR COMMUNICATIONS

Councilor Lunt reported he also saw the graffiti while on the walking trail. He suggested the town provide the materials and find volunteers to help.

#### APPOINTMENTS

##### ORDER 2017-106 CIVIL CONSTABLE RENEWAL

**VOTE (2017-106)** Councilor Crawford, seconded by Councilor Lunt moved to appoint Randall Burnham a Civil Constable. **Order passed - Vote 5-0.**

#### EXECUTIVE SESSION

**VOTE (2017-107A)** Councilor Brunelle, seconded by Councilor Kolbe moved to go into Executive Session at 7:52 p.m. per 1 MRSA Section 405 (6) (D) Labor Negotiations and (6) (E) Consultations with Legal Counsel. **Order passed - Vote 5-0.**

The Council Secretary was dismissed. The Council came out of executive session at 8:55 p.m.

**VOTE (2017-107B)** Councilor Lunt, seconded by Councilor Crawford moved to approve an agreement for Release and Dismissal of Claims by a former employee with no payment by the Town.

#### ADJOURNMENT

**VOTE (2017-108)** Councilor Kolbe, seconded by Councilor Crawford moved to adjourn at 8:55 p.m. **Order passed - Vote 5-0.**