



## **TOWN COUNCIL MEETING MINUTES JULY 5, 2016**

Christopher Brunelle, At Large 2016  
Eric Metivier, District 1 2016  
Roger Bickford, District 2, 2016  
Dale Crafts, At Large 2017  
Normand Albert, At Large 2018  
Kasie Kolbe, District 1 2018  
Allen Ward, District 2 2018

**CALL TO ORDER.** The Chairman, Roger Bickford, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

**ROLL CALL.** Members present were Councilors Bickford, Brunelle, Crafts, Kolbe, and Ward. Excused was Councilors Metivier and Albert. Also present was Diane Barnes, Town Manager; Ryan Leighton, Public Works Director; Mark Stevens, Parks and Recreation Department; Miriam Morgan-Alexander, Assessment Review Board/Zoning Board of Appeals; the following Planning Board Members, Karen Paradis, Donald Fellows, and Scot Hall; and approximately five citizens in the audience.

### **GOOD NEWS AND RECOGNITION**

Councilor Bickford reported on June 30 Chief Brooks and Lieutenant Michel retired, that there was a nice ceremony here at Town Hall that day for them. They surely will be missed. He said Chief Brooks had been Chief forever and ever and right behind him was Lieutenant Michel for almost as many years.

Councilor Bickford announced the Durham Bridge opening ceremony will be held on July 11 at 1:00 PM. He encouraged residents to attend. He reported Walter Parker (92 years old) would take the first walk across this new bridge. He said Walter and his brother took the first walk across the old one when it opened.

Councilor Ward read the following poem written by Faye Brown to Frank Anicetti:

The time has come to hail a friend the man with the Moxie lore;  
After many happy memorable years Frank will close the iconic Kennebec's door.

Generations have walked through that big old door,  
And strolled across the wooden floor to perch on the twirling stools;  
The little kids would bounce and wiggle,  
And Frank could always make them giggle.

Three Anicetti generations remembered, for serving town youth so kindly;  
With candy for the old Met Theater movies,  
Ahh...the case was filled with so many goodies, for a kid it was sublime.

Remembering times at old Kennebec's Fruit,  
How about those "Little Lemons,"  
A baseball team of great young players that Larry Desjardins coached;  
And every time they won a game, they all earned a frosty "root beer float"!

A Moxie book party for Mr. Frank Potter, got "Moxie Days" off and rolling,  
With the famously crafted "Horse Moxie Mobile" and the beverage both Franks were extolling.

The excitement of seeing the fans who attended,  
Sparked the LFFD to bring on the Firemen's Muster.  
It quickly caught on like a wildfire's roar;  
The crowds were all cheering and asking for more.

So a great big parade stepped up the paces,  
With Moxie, great foods, games, and foot and boat races.  
The crowds were all wearing Orange Moxie themed Tees,  
And proclaiming the party was just the bees' knees"!

Frank, you are a luck guy, a man of great renown;  
Even our world famous Stephen King has written of you in his tomes.

A plethora of happy times,  
Is what you'll leave behind?  
So THANKS, Frank, for the memories...  
You and Moxie are "One of a Kind"!

Mrs. Barnes announced Councilor Ward had been recognized this year as the 2016 Silver Beaver by the Pine Tree Council Boy Scout Association. This is the highest distinguished service recognition a Council can bestow upon an adult volunteer. Recipients of this award are registered adult leaders who have made an impact on the lives of youth through service given to the Council. The Silver Beaver is an award given to those who implement the Scouting program and perform community service through hard work, self-sacrifice, dedication, and many years of service. She congratulated Councilor Ward for achieving such an accomplishment.

## **PUBLIC HEARINGS**

### **A. VICTUALER'S LICENSE - ANTONIO BRIGLIO D/B/A ROADSIDE BBQ**

The Chairman opened the public hearing. Councilor Kolbe asked about the parking situation at this location. Councilor Brunelle said there was plenty of parking on this lot since there was previously a business located there. Councilor Ward said he was comfortable knowing that this location had been approved by the local CEO. Councilor Bickford pointed out that a temporary license had been granted on June 14 and that this establishment has been operating with the proper licenses. The Chairman closed the public hearing.

## **AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS**

Richard Nadeau indicated the older Durham/Lisbon Bridge had gone out on April 1, 1936 [it's purported to be still in the water] and that this old Green Bridge took its place in 1938. He said in between that time there used to be an old wooden bridge that you could walk across.

## **CONSENT AGENDA**

**VOTE (2016-152)** Councilor Ward, seconded by Councilor Crafts moved to approve the minutes of May 10, 2016, June 7, 2016, and June 21, 2016, and the Victualer's License for Antonio Briglio d/b/a Roadside BBQ. **Order passed – Vote 5-0.**

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

### **STRIPING BID AWARD**

**INTRODUCTION:** Mr. Leighton presented the request for proposals that were sent to the following vendors: Fine Line Pavement Striping, L & D Safety Marking Corporation, Lucas Striping, and Markings, Inc.

Mr. Leighton indicated he advertised on the town's website as well. He received the following bids:

\$22,302.72	Fine Line Pavement Striping
\$17,640.48	Lucas Striping, LLC
\$17,460.00	Hi Way Safety Systems, Inc

Based on the minima difference between the two bids, he recommended awarding the bid to Lucas Striping, LLC based on their location in Maine and adjusting the actual quantities to remain within the budgeted amount of \$16,000. It worked out well last year with him. We put in this contract that they would have to come back and do Webster Road because the project was not completed at the time so they would have to come back and do that anyway. Lucas has already asked about coming in to do the roads we have to do now. Typically, they come back on several occasions as the weather cooperates.

**COUNCILOR COMMENTS:** Councilor Bickford indicated they had worked out well. Mr. Leighton mentioned the previous contractor from out of state hasn't bid this project in several years. He said Lucas is a Maine bidder. Councilor Brunelle said this would be keeping money in our state. Mrs. Barnes pointed out that it would be hard for an out of state contractor to come back as many times as we need them.

**VOTE (2016-153)** Councilor Brunelle, seconded by Councilor Kolbe moved to award the striping bid to Lucas Striping in an amount not to exceed \$16,000.00. **Order passed - Vote 5-0.**

Mr. Leighton said Crooker was in town doing shim work today and the rest of this week. He said the asphalt/rubber treatment will be done; it doesn't require a 30-day cure period, but the chip seal done on Webster Road does, as does Moody Road so 30-days after they can shim Webster and then come back to do Moody Road. In between now and then he would like to put together a flyer to get the word out to residents of Moody Road so they know what to expect.

Councilor Ward asked which section of Huston was going to be done. Mr. Leighton said from Maine to East Avenue. Councilor Ward asked if the storm drain was causing the sinkhole. Mr. Leighton reported last year it was patched and scheduled to be cleaned this spring. The patch held, but when they cleaned it this spring it was worse and full of dirt from the original break so recently they used the camera and now know what has to be fixed. He mentioned they had one estimate so far. This repair will require someone else to do the installation. Councilor Ward said he had a conversation with this individual and knows the individual knows you are working on this. Mr. Leighton said 100 feet of new pipe should be needed there.

### DEAF CHILD SIGN REQUEST

**INTRODUCTION:** The Town of Lisbon received a request for placement of a deaf child sign on Grove Street. Where this will be located in the Town's right of way, Mr. Leighton reported Public Works would need permission to place the sign. Historically these types of signs were purchased by the requester and then installed by Public Works.

**COUNCILOR COMMENTS:** Councilor Kolbe said she knew the child. Councilor Ward indicated he was familiar with this dead end street and when those cars come around that corner they are moving.

**VOTE (2016-154)** Councilor Kolbe, seconded by Councilor Brunelle moved to authorize the installation of a deaf child sign purchased by the requester in the right of way on Grove Street in Lisbon Falls. **Order passed - Vote 5-0.**

### MMA'S LEGISLATIVE POLICY COMMITTEE - OFFICIAL BALLOT

**VOTE (2016-155)** Councilor Crafts, seconded by Councilor Brunelle moved to cast a ballot for Aaron Chrostowsky, Manager from the Town of Wayne. **Order passed - Vote 5-0.**

## BROWNFIELD'S GRANT AWARD ACCEPTANCE

**INTRODUCTION:** Ms. Steuber reported in December of 2015 the Town of Lisbon applied for \$200,000 Environmental Protection Agency (EPA) Assessment Grant. She indicated Lisbon was successful. The grants provide communities with the funding they need to assess and redevelop contaminated properties, boost local economies and leverage jobs while protecting the public's health and environment. She acknowledged Kelley Race, the Program Manager with TRC Solutions, who had assisted her with this grant application and thanked her. She recommended the Council accept and appropriate the \$200,000 U.S. EPA Brownfield's Assessment Grant. Funds will be available October 1, 2016.

**COUNCILOR COMMENTS:** Councilor Kolbe asked Ms. Steuber to explain what will be accomplished with these funds. Ms. Steuber indicated these funds are mainly for Phase I and Phase II assessments (site tests, examinations, and identifying hazardous components) on properties in town with potential materials. She said this money will not cover the cleanup, but once these properties are cleaned up they can be utilized again, which creates jobs, and improves Lisbon's economy.

**VOTE (2016-156)** Councilor Kolbe, seconded by Councilor Ward moved to authorize the Town Manager to sign the application for acceptance and appropriation of the \$200,000 U.S. Environmental Protection Agency's Brownfields Assessment Grant. **Order passed - Vote 5-0.**

## YARD SALE ORDINANCE

*(First Reading - Roll Call Vote Required)*

**INTRODUCTION:** Donald Fellows explained this was initially part of the property maintenance ordinance, but this section was removed at that time to be dealt with separately. This ordinance addresses yard sales and used merchandise sales. Mainly the difference is the time frame each of these operates. He said this was created, mostly, to address safety issues.

**COUNCILOR COMMENTS:** Councilor Bickford said his younger brother is a yard sale guru, that his brother felt something needed to be done, and that this seemed reasonable to him. He said, personally, he was not against it either.

**VOTE (2016-157)** Councilor Ward, seconded by Councilor Crafts moved to adopt the following Yard Sale Ordinance:

### Chapter 70-1 Definitions

**Yard Sale** – includes a garage, barn, deck, lawn, or porch sale, or similar sale of personal property lasting no longer than four (4) days or any fraction thereof during any consecutive 7-day period and occurring three (3) or fewer times in any calendar year.

**Used Merchandise Sale (Extended Yard Sale)** – includes a garage, barn, deck, lawn or porch sale, or similar sale of personal property, that does not meet the definitions of a Yard Sale. A Used Merchandise Sale shall not include flea markets or licensed businesses operating for sale of used or repurposed items.

### Section 70-615 Special Sale Activities

- (a) **Yard Sales** – Yard Sales do not require a permit. Yard Sales may not be operated in the industrial district.
- (b) **Used Merchandise Sales** – Used Merchandise Sales shall meet the following requirements:
  - 1. Shall be operated only during the period of April 1 through November 30
  - 2. Before commencing a Used Merchandise Sale, the operator must obtain a permit from the Code Enforcement Officer and pay a fee equal to ¼ of the permit fee required of outdoor flea markets. No fees shall be required of organizations

- documented as tax-exempt under section 501(c) (3) of the US Internal Revenue Code and shall be so indicated on the issued permit.
3. May only be held once per calendar year
  4. May last no longer than 40 individual full or partial days running consecutively. If the Used Merchandise Sale has been previously operated as a Yard Sale during the same calendar year, this time shall be reduced by any full or partial days the Yard Sale operated in violation of this ordinance. The reduced amount of time shall be delineated on the issued permit.
  5. Must have off street parking as defined in section 70-661 (a) – (d) and (g) and meet safety requirements consistent with established public safety standards as determined by the Code Enforcement Officer
  6. The Town Council, upon the recommendation of the Town Manager, may grant an exemption to an operator that will conduct a Used Merchandise Sale on a limited basis from any or all of the requirements of this section, except Section 70-615 (b) (2) and (5).
  7. Violations of the provisions of any permit will be cause for immediate revocation of said permit
- (c) **Signage** – All signage for “Yard Sales” and “used Merchandise Sales” must be in accordance with the requirements of Section 70-715(k), 716(5), and 720 of this chapter, however, in addition, all signage must be removed at the termination of the event.

**Roll Call Vote: Yeas - Crafts, Bickford, Brunelle, Kolbe, and Ward. Nays - None. Order Passed - Vote 5-0.**

#### BANNER APPLICATION FOR POSITIVE CHANGE Lisbon (PCL)

**INTRODUCTION:** Fern Larochelle mentioned he filed an application to hang PCL’s concert in the park banner. He requested an extension to keep the banner up for the length of the concerts. He said he understood that if someone else wanted to hang a banner that it would cost them the fee to take it down and put it back up again, but that they were okay with it if that happened.

**VOTE (2016-158)** Councilor Brunelle, seconded by Councilor Kolbe moved to approve PCL’s banner application. **Order passed - Vote 5-0.**

### OTHER BUSINESS

#### A. TOWN MANAGER’S REPORT

Mrs. Barnes reported the Androscoggin County Commissioners are holding a meeting in the county building at 6:30 PM on July 20 to appoint the Androscoggin County Budget Committee. Lisbon can nominate two individuals to that budget committee. Councilor Bickford indicated he would be attending. Councilors Kolbe and Ward also wrote down the date and time.

Mrs. Barnes reported if the Council was to put the questions about bonding the paving and/or purchasing the loader, on the November ballot, the Council would need to hold the public hearing in August and develop the questions for the Warrant for the Town Clerk to use for programming the machines and printing the ballots. The question needs to be to the Town Clerk at least 45 days prior to the Election, but probably a little sooner for ballot printing.

Mrs. Barnes suggested a workshop to discuss these three issues. Councilor Bickford indicated Council would pick a date and then let the public know.

#### B. DEPARTMENT HEAD ORAL REPORTS

RECREATION DEPARTMENT – MARK STEVENS

Mr. Stevens reported the Parks and Recreation Department had completed its first full year as one Department. He said their staff had adapted well to the change and had taken a more pro-active approach to accomplishing tasks. Now that they have all gone through each of the seasons they are better prepared for the work ahead. He said he was happy to report our Parks & Recreation Department, including our local gardens, trails, ball fields, and community center, are all in excellent working condition, thanks to our staff, and many volunteers who make it happen.

Mr. Stevens mentioned the bigger picture or goal every day is to make a positive difference in all our participant's lives. He said we bring people together; they create the friendships, which make our community strong.

He reported the following Program highlights:

- Our Senior Coordinator, Aline Strout, took 50 people by motor coach to a baseball game in Boston at Fenway Park on June 22, which ended with a walk off home run in extra innings. Our Senior group has traveled to Georgia and Pennsylvania in the past couple of months. The next trips include adventures to Pigeon Forge, Tennessee, Alaska and another trip to Fenway Park in August.
- In May the Recreation Department Staff was invited as guests to the Poland Town Office to be a part of their ribbon cutting ceremony for their new senior program. Poland had visited our program a number of times and benchmarked Lisbon's as the one to follow. This was an honor for our staff.
- The Lisbon Community Gardens located behind the old Lisbon High School is growing and spreading like a wildfire. Our volunteer, Judy Arledge, heads up this group and recently earned her Master Gardeners title through the University of Maine's Cooperative Extension. Judy has an amazing work ethic and desire to see this community's gardens take hold and be a benefit for those who are in need, and also, to those who have an interest in developing their gardening skills.
- The Green Thumb Gang takes care of the local flower gardens; there are many new faces this year. This group takes care of dozens of mini parks around town, which plays an important role in making Lisbon a beautiful town.
- The After School Recreation Program has been one of their most popular programs. This past school year they collected \$22,000 over their target last year.
- The Summer Day Camps have been growing as well. These three (3) day camps together will bring in over \$60,000 in revenue this year. He said what a great responsibility it is to take care of and watch over our kids for nine (9) hours a day, five (5) days a week, for a total of seven (7) weeks and an even greater honor to know that people trust us to do this year after year for them.
- Staff training consists of at least 4 days of training for every one of the summer day camp employees.
  1. One the first day of team building, they do the white water rafting trip and train at one of the best ropes adventure courses in NH.
  2. On the second day they get certified in both first aid and CPR.
  3. On the third day they are trained on how to identify and respond to bullying, how to respond to children with special needs, and even how to respond to a possible angry parent.
  4. On the fourth day the staff must sit through another hour and a half of staff manual training. This manual is 23 pages long and covers all the important expectations we have

for all of the staff so they are fully prepared to create and maintain a successful environment for all of our 268 children.

Mr. Stevens reported the staff to participant goals is as follows:

- Playground Camp 1-15 ratio for children in grades 5-8.
- Trekker Camp 1-10 ratio for children in grades 2-4 and
- Cricket Camp 1- 8 ratio for children who are k-1 grades.

Mr. Stevens thanked Jody Durisko, HR Assistant, and the Town Manager for their help with hiring seasonal employees; it has been a tremendous help. Each spring they hire a large number of seasonal employees to operate the day and sports camps.

Mr. Stevens mentioned that Seth Tapley, Eagle Scout selectee, is preparing to build a large bog bridge for Jessep Trail at Beaver Park. He anticipated this would be completed by the end of summer.

## **AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS**

Richard Nadeau asked the Council if they would be willing to let him be the last person to walk across the old Green Bridge when the time comes since his mother was the last person to walk across the previous bridge back in 1936; she is gone now.

Richard Nadeau suggested the town take possession of the old metal Worumbo sign; it would be a wonderful historical artifact for the town to keep.

Richard Nadeau recommended the charter be changed to allow voters the right to vote on the municipal budget, like we do the school budget today.

## **APPOINTMENTS**

### **ETHICS PANEL CHAIR**

*(Per Section 12-3 of the Lisbon Code, this Appointment is made by Council Chair annually)*

**VOTE (2016-159)** Councilor Bickford appointed David Bowie the Ethics Panel Chair for the ensuing year.

## **COUNCIL COMMUNICATIONS**

Councilor Bickford mentioned he was in favor of discussing speed bumps for the Davis Street area now that the trail sidewalk will be completed. He suggested removable speed bumps be installed to see if that helps. He reported that first the ordinance would need to be revised to include these though. He recommended a workshop be scheduled to discuss this.

## **ADJOURNMENT**

**VOTE (2016-160)** Councilor Brunelle, seconded by Councilor Ward moved to adjourn at 8:10 PM. **Order passed - Vote 4-0.**

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Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC  
Date Approved July 19, 2016