



**TOWN COUNCIL
MEETING MINUTES
OCTOBER 3, 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, Crafts, Brunelle, Lunt, and Crawford. Also present were Diane Barnes, Town Manager; and approximately 25 citizens in the audience.

GOOD NEWS & RECOGNITION

Councilor Ward recognized the Boy Scouts present. He indicated they just interviewed him prior to the meeting as part of their requirements for a citizenship badge. He offered them the microphone, but no one came forward.

Roger Bickford thanked Lisbon Emergency for their valiant effort responding to the Mason call recently. He said they tried and should be recognized for their efforts. They have been busy lately.

PUBLIC HEARING

A. SPECIAL ENTERTAINMENT PERMIT FOR THE LEFT HAND CLUB

The Chair opened the public hearing; there were no comments, so the Chair closed the public hearing.

B. VICTUALER'S LICENSE FOR CHRISTINE AMAYA D/B/A CHRIS'S HOUSE

The Chair opened the public hearing; there were no comments, so the Chair closed the public hearing.

**C. ORDINANCE AMENDMENT TO CHAPTER 70 ZONING ORDINANCE
ARTICLE I-IN GENERAL, SECTION 70-7 AMENDMENT**

The Chair opened the public hearing; there were no comments, so the Chair closed the public hearing.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

Carrol Curtis requested funds from the Recreational Land Use account to purchase a snowmobile groomer for the Riverside Trail Riders ATV/Snowmobile Club. The Chair asked Mr. Curtis to bring in the proper paperwork for the next Council's meeting. He said they maintain 18 trail miles and 9 bridges.

CONSENT AGENDA

VOTE (2017-249) Councilor Brunelle, seconded by Councilor Albert moved to approve the Municipal Accounts Payable & Payroll Warrants #35 for \$10,038.00, #36 for \$119,075.51, #37 for \$12,988.27, #38 for 7,148.01, #39 for \$868,056.18, and #40 for \$16,159.00, School Accounts Payable & Payroll Warrants #1016 for 341,901.20, #1017 for \$12,728.89, #1806 for \$563,740.92, #8 for \$4,147.42 along with the Workshop Minutes of

September 12 & Regular Minutes of September 19, 2017, a renewal Liquor License and Special Entertainment Permit for the Left Hand Club, a new Victualer's License for Christine Amaya d/b a Chris' House, and authorize the Town Manager to sign the annual Seniors Plus Memo of Understanding.

Order passed – Vote 7-0.

COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS

PINEWOODS SEWER PROJECT BID AWARD

INTRODUCTION: Mr. Leighton explained that Public Works advertised for proposals for the Pinewoods Road Sewer repair project on September 21, 2017 and bids were due on October 2, 2017 at 1:00 PM.

Mr. Leighton said Mandy Olvr's letter summarizes the bidding. There were five contractors contacted. Only two of the five contractors bid for fall work. Gendron and Gendron bid \$195,000.00 and Copp Excavation bid \$264,000.00. There were five bids to do the work in the spring and are considerably more attractive:

ETTI	\$ 128,170.00
St. Laurent & Son	\$ 133,627.00
Crooker	\$ 151,114.00
Gendron & Gendron	\$ 165,000.00
Coop Excavation	\$ 243,712.00

Mr. Leighton said the town did have a malfunction earlier, which has prompted the repairs being done this year. There are concerns that we may have further concerns throughout the winter and MDEP is watching closely. He said there were a couple of different alternative discussed. One being to make some cost effective repairs inside the pipe in the areas where the video showed some exposed soil indicating the pipe is actually missing. Those have been done in the past at a number of locations and tend to hold up very well. They are around \$2,100 a repair and even if we did \$4,000 or \$5,000 this fall they are going to be dug up in the spring, but the town would be saving around \$66,829 if the Council went with the work in the spring versus doing it right now. He indicated doing the worst repairs this fall would ensure we get through the winter okay and then attach this in the spring is the approach he recommended.

VOTE (2017-250) Councilor Brunelle, seconded by Councilor Lunt moved to make spot repairs this fall and to do the work in the spring to save \$60,000. **Order passed - Vote 7-0.**

PICKUP TRUCK BID AWARD FOR PUBLIC WORKS DEPARTMENT

INTRODUCTION: Mr. Leighton continued the department's search for a used pickup for the Public Works Department. He expanded the search to include extended cab 3/4 ton pickups based on their previous searches resulting in that configuration being much more readily available. Public Works mechanics inspected multiple vehicles throughout the region and found one at Primary Auto Sales in Sabattus in excellent condition. It is a 2009 GMC Sierra 2500 HD 4x4 with 96,000 miles. The truck was originally advertised for \$17,995. They have negotiated the price to \$16,000 plus fees for a total of \$16,159.

Mr. Leighton said there is \$15,000 currently budgeted to purchase the truck and requested permission to utilize \$1,159 from the maintenance line in their current budget to purchase this truck.

VOTE (2017-251) Councilor Brunelle, seconded by Councilor Albert moved to authorize purchasing the 2009 GMC Sierra 2500 HD 4x4 pickup truck from Primary Auto Sales in Sabattus for \$16,159.00. **Order passed - Vote 7-0.**

ORDINANCE – AMENDMENT TO CHAPTER 70 ZONING ORDINANCE

ARTICLE I-IN GENERAL, SECTION 70-7 AMENDMENT

Final Reading

VOTE (2017-252) Councilor Albert, seconded by Councilor Brunelle moved to adopt the following amendment to Chapter 70 Zoning Ordinance, Article I – In General, Section 70-7 Amendment:

Sec. 70-7. - Amendment.

(a) *Initiation of amendment.* An amendment to this chapter may be initiated by:

- (1) *Planning board.* The planning board provided a majority of the board has so voted;
- (2) *Town officers.* Request of the town officers to the planning board; or
- (3) *Petition.* Written petition of a number of voters equal to at least ten percent of the number of votes cast in the town at the last gubernatorial election.

(b) *Adoption of amendment.* An amendment to this chapter may be adopted by:

- (1) *Recommended.* A majority vote of the governing body if the proposed amendment is recommended by the planning board; or
- (2) *Not recommended.* Two-thirds majority vote of the governing body if the proposed amendment is not recommended by the planning board.

(c) *Public hearing.*

(1) The planning board shall hold a public hearing on ~~the a~~ proposed amendment to this chapter at least 30 days prior to the meeting of the governing body voting whether to recommend the amendment to the town council. Notice of the hearing shall be posted in the municipal office at least 13 days before the hearing and published in a newspaper of general circulation in the municipality at least two (2) times with the date of the first publication at least twelve (12) days before the hearing and the date of the second publication at least seven (7) days before the hearing.

(2) Additional notice must be sent by regular mail to the public drinking water supplier if the area to be rezoned contains its source water protection.

(3) Additional notices may also be required where the change in a zoning district falls under the provisions of 30-A M.R.S.A. § 4352.10 and/or 38 M.R.S.A. Chapter 3, Article 2-B, Section 438-A.

(d) *Copies to department of environmental protection.* Copies of ordinance amendments or amendments to the official zoning map that are within areas regulated by 38 M.R.S.A. § 435, attested and signed by the town clerk, shall be submitted to the commissioner of the department of environmental protection following adoption by the legislative body and shall not be effective unless approved by the commissioner of the department of environmental protection. If the commissioner fails to act on any amendment within 45 days of the commissioner's receipt of the amendment, the amendment is automatically approved. Any application for a permit submitted to the town within the 45-day period shall be governed by the terms of the amendment if such amendment is approved by the commissioner.

(Code 1983, § 15-107; T.M. of 5-16-1992, art. 86, § 15-107; C.M. of 11-15-2011, V. 2011-208)

State Law reference— Notice requirements, 30-A M.R.S.A. § 4352(9).

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

ATV ORDINANCE

First Reading

INTRODUCTION: Don Fellows presented the ordinance and Roger Bickford answered questions. Councilor Ward asked if the entire committee recommended passage. Mr. Fellows said yes. Mr. Fellows said the trail will be posted with signs on the access routes. One concern was mentioned about the potential problems with both sides of Route 196 by McDonalds. However, the data is entered into the Police Department's system in such a way that statistics can be retrieved and reviewed annually.

VOTE (2017-253) Councilor Brunelle, seconded by Councilor Albert moved to adopt the following ATV Ordinance:

Article IV. - Recreation Activities on Public Ways
Division 1. - Generally

Sec. 50-261. Purpose

The purpose of this Ordinance is to authorize the operation of ATVs on designated roadways in the Town of Lisbon.

Sec. 50-262. Definitions

Accompanied by adult - "Accompanied by an adult" means, with respect to operation of an ATV, within visual and voice contact and under the effective control of a child's parent or guardian or another person 21 years of age or older.

All-terrain vehicle or ATV. "All-terrain vehicle" or "ATV" means a motor-driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. "All-terrain vehicle" or "ATV" includes, but is not limited to, a multitrack, multi-wheel or low-pressure tire vehicle; a motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means of transportation deriving motive power from a source other than muscle or wind. For purposes of this subpart, "all-terrain vehicle" or "ATV" does not include an automobile as defined in 29-A M.R.S. § 101(7); an electric personal assistive mobility device as defined in 29-A M.R.S. § 101(22-A); a truck as defined in 29-A M.R.S. § 101(88); a snowmobile; an airmobile; a construction or logging vehicle used in performance of its common functions; a farm vehicle used for farming purposes; or a vehicle used exclusively for emergency, military, law enforcement or fire control purposes.

ATV access route - For the purpose of this Ordinance, an ATV access route shall be defined as a public way maintained by the Town of Lisbon and designated by the Town Council as an ATV access route. ATV's are only to be used by the public on such designated public ways to gain access to the Lisbon ATV Trail System.

Lisbon ATV Trail System - A designated path commonly used and maintained for ATVs which is administered, in part, by the Town of Lisbon in association with a designated ATV Trail Organization.

Public way - "Public way" means a way, owned and maintained by the State, a county or a municipality, over which the general public has a right to pass.

Sec. 50-263. Use and Operation of Lisbon ATV Access Routes

- (1) Operation of an ATV within the Town of Lisbon shall comply with 12 M.R.S. §13157-A, Operation of ATVs
- (2) Use and operation of an ATV on a public way shall not obstruct or interfere with the use of the way by traffic or pedestrians.
- (3) The Lisbon ATV access routes will be posted as OPEN from June 1st thru October 31st from sunrise to sunset. All other times/dates the ATV access routes will be posted as CLOSED.
- (4) Each year, in the month of December, prior to the opening of the ATV access routes and Lisbon ATV Trail System, the designated ATV Committee shall be designated or re-designated by the Lisbon Town Council and an annual review of the ATV access routes and Lisbon ATV Trail system shall be conducted. The review will be performed by the Town Manager, Chief of Police or designated officer, Public Works Director, and a designated representative of the ATV Trail Committee.
- (5) Operators under the age of 18 must have a valid driver's license and/or be accompanied by an adult age 21 or older.

Sec. 50-264. ATV Access Routes.

The town council does hereby designate the following portions of public ways as ATV access routes, with travel limited to the extreme right of the public way in the same direction as motor vehicle traffic. The posted speed limit for ATV's on ATV access routes shall be ten miles per hour and signs designating the ATV access route and the speed limit shall be conspicuously posted. ATV access routes have been established using guidelines under 12 M.R.S. §13157-A §6(H).

- (1) Miller Road
- (2) Ferry Road (between Miller Rd. and Bretton Rd.)

- (3) River Road
- (4) Wagg Road
- (5) County Road
- (6) Burrough Road (from Rte 125 to Bowdoin Town Line)
- (7) Gould Road (from Rte 125 intersection westerly to #75 Gould Road)
- (8) Scottsdale Street
- (9) Huston Street (from intersection of Scottsdale Street westerly on Huston Street to end)
- (10) Rte 196 (between 580 Lisbon Street and 610 Lisbon Street)
- (11) Capital Avenue
- (12) Summer Street (from Main Street, Rte 125, to intersection of Edgecomb Road)
- (13) Edgecomb Road (from intersection of Summer Street westerly to start of Transmission Line trail)
- (14) Cotton Road
- (15) Pinewoods Road (from intersection of Cotton Road Southwesterly to the Pinewoods Road Recreational fields)

Sec. 50-265. Signs

Designated ATV access routes shall be posted along the public ways to clearly define the approved access route. Posted signs shall include the 10 MPH speed limit and the designated ATV access route. The designated ATV Trail Organization shall be responsible for production, placement and overall maintenance of the signage. This shall be done in coordination with and approval of the Lisbon Public Works Department.

Sec. 50-266. Penalty for violation of division

Penalties for violation of this division shall be as follows:

- (1) On the occasion of the first violation, the individual violator will be issued a warning which shall contain the name and address of the violator, the nature of the violation and the location of the violation.
- (2) On the second and subsequent violations:
 - a. Second violation - \$50.00 fine.
 - b. Third violation - \$100.00 fine.
 - c. Fourth and subsequent violations - \$200.00 fine.
- (3) This Ordinance shall be enforced by the Lisbon Police Department

Sec. 50-267. ATV Trail Map

(The Lisbon ATV Trail Map to be attached as part of this ordinance)

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

GA ORDINANCE AMENEDMENTS First Reading - Roll Call Vote Required

VOTE (2017-254) Councilor Kolbe, seconded by Councilor Crawford moved to adopt the following GA Ordinance Amendments:

Appendix A- Overall Maximums

Persons in Household

	1	2	3	4	5
2016/2017					
Androscoggin County	575	678	855	1086	1241

New Maximums

Persons in Household

	1	2	3	4	5
2017/2018					
Androscoggin County	641	726	915	1169	1397

Appendix B-Food Maximums

Persons in Household

	1	2	3	4	5
Androscoggin County					
2016/2017	194	357	511	649	771
2017/2018	192	352	504	640	760

Appendix C - Housing

Appendix C is a listing of the maximum levels of assistance for housing (both heated and unheated). These maximum levels were developed by MMA using 2009-2010 HUD Fair Market Rent values that include utility costs. Because the FMR numbers include utility and heating costs, the applicable average utility and heating allowances, as developed by the Maine State Housing Authority (MSHA), are subtracted from the FMR to obtain a pure "housing" cost.

2016/2017			2017/2018		
# Bedrooms	UnHeated	Heated	# Bedrooms	Unheated	Heated
1	484	608	1	538	659
2	618	772	2	711	838
3	803	991	3	896	1079
4	901	1130	4	1071	1294

Appendix D – Utilities

There was **no change** in the Utilities

- 1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses ***excluding*** electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.70	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00
NOTE: For each additional person add \$7.50 per month.		

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses *excluding* heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.08	\$86.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$37.30	\$160.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

Appendix E

There was **no change** in fuel. We use what the applicate uses per month or the cap of what is allowed for that month at the current price for fuel.

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

Appendix F

There was **no change** in Personal and Household Supplies

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

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

VAULT SHELVING REMOVAL & TRANSFER BOXES TO AND FROM OFFSITE STORAGE FACILITY

INTRODUCTION: Mrs. Lycette explained that before installing the new roller shelving unit, the existing shelving unit and the boxes need to be removed. Donnegan Systems has provided the town with an estimate for this work. The existing shelving will be saved to be utilized in other departments. This work involves removing approximately 500 boxes and dismantling shelving units. There is not enough storage space in the town hall so boxes will be moved to an offsite storage facility in Topsham for a couple of weeks, which is secure and climate controlled. Donnegan Systems will provide the vehicle to move the boxes to and from the Topsham facility. See attached quote for \$3,100. We budgeted \$30,000 and the bid came in at \$22,720 so there is enough money in this budget to have this part of the project professionally done.

VOTE (2017-255) Councilor Brunelle, seconded by Councilor Kolbe moved to authorize the Town Manager to accept and sign Donnegan Systems quotation to remove the exiting vault shelving and transfer storage boxes to and from offsite storage facility in Topsham. **Order passed - Vote 7-0.**

SET WORKSHOP DATE TO DISCUSS DISASTER RECOVERY

The Council unanimously agreed to move the November 7 meeting to November 14 and to set the date to discuss disaster recovery for November 14, 2017 at 6PM prior to the Council's regular meeting.

BUSINESS DIRECTORY SIGN

INTRODUCTION: Cheryl Haggerty asked the Council for permission to remove the old dilapidated business sign downtown. She said she paid \$200 to put her sign up, but nothing since. She said it's a bad representation of her business at this point and she would like the whole sign to come down.

COUNCILOR COMMENTS: Councilor Albert said the sign is beyond rehab now. Mrs. Haggerty said she would be willing to do a fundraiser to put up a new one. Mr. Leighton offered to get rid of it. Councilor Ward said the town installed it so the town should take it down.

VOTE (2017-257) Councilor Ward, seconded by Councilor Kolbe moved to have the Downtown Directory Sign pulled out. **Order passed – Vote 7-0.**

CHANGE TOWN OFFICE HOURS

INTRODUCTION: Mrs. Colston said the proposed change in office hours meets the needs of everybody and seemed to be the most feasible compromise. She indicated there was no opposition at the Department Head meeting.

COUNCILOR COMMENTS: Councilor Ward indicated he would like to stick with it for a longer term.

Councilor Albert asked why not 8:30 am to 5:00 pm daily. Councilor Kolbe asked what the busiest day of the week was. Mrs. Colston said she could do some more research and get back to the Council with answers.

Councilor Ward said these answers need to be presented before he could make a decision. He indicated he would like to see the daily trend, too. He indicated most people get paid on Fridays so they appreciate being able to come into the office on Fridays. He said he didn't think late Tuesdays would accomplish that.

Councilor Lunt said changing to the 4-day work week didn't save the town any money as expected.

Councilor Albert said it was commendable to listen to staff to keep them happy. He indicated he would, also, like to hear the answers to their questions before making this decision. Mrs. Colston said she would report back to the Council at the next meeting.

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said there was nothing to report.
2. Planning: Councilor Ward mentioned the Planning Board took up applications for the Craft subdivision, the addition at Springworks, and set a public hearing for October 12 to discuss the marijuana survey.
3. Water Commission: Councilor Crawford said there was nothing to report.
4. LDC: Councilor Albert said there was nothing to report, but that he thought the group might need to get together to talk about the downtown business sign.
5. Conservation Commission: Councilor Lunt said there was nothing to report.
6. Recreation: Councilor Kolbe said there was nothing to report.
7. County Budget: Councilor Ward reported that it takes 11 votes from the County Budget Committee to pass a budget now. He indicated there is some talk about cuts in the Registrar of Probate Budget.
8. Library: Councilor Lunt said there was strong growth with the Inter-Library loan program; there appears to be three times the volume now as compared to what it used to be.

B. TOWN MANAGER'S REPORT

Mrs. Barnes said the sewer improvement brochure is close to being ready to be mailed to voters. She announced the Harvest Festival will be held on October 28 at MTM. She reported the fuel bids and indicated they were not as attractive as in the past, but hurricane season affected it. Councilor Ward said the Council empowered the Town Manager to lock in fuel prices for 1 year and requested the Town Manager to do it earlier next year.

C. ANNOUNCE CANDIDATES NIGHT OCTOBER 17 AT 6PM

Mrs. Lycette announced Candidates night that will be held on October 17 at the Town Office in the Council's meeting room at 6 pm for those races that are contested. It is typically aired on Great Falls TV and posted to the town's Facebook site.

AUDIENCE PARTICIPATION FOR NEW ITEMS

Don Fellows reported the Planning Board received 429 responses to the Marijuana survey. They have compiled these results and are now working on making sense of them. He said site plan review changes will be coming to the Council soon. He invited everyone to their Comprehensive Plan public forum on Thursday, October 12 at 7:00 pm.

APPOINTMENTS - NONE

COUNCILOR COMMUNICATIONS

Councilor Albert said the EMS Subcommittee was discussing the request of the town to help with operating expenses. He suggested perhaps Lisbon Emergency's EMS Board of Directors include staff and Councilor(s). They discussed their cash flow challenges and the purchase of a new ambulance along with replacement ambulance (one has about seven service years of life left) and/or the town purchasing one and leasing it to Lisbon Emergency. He explained this would free up some of their cash flow to be used in other budgeted areas. They discussed the cost associated with combining services with the Fire Department and listened to experts in the field on the subject of combining and training needs. They discussed farming the service out and replacement and how best to offer the same service. He said their next meeting is planned for October 25, 2017.

Councilor Ward asked residents, if they have an opinion, to get back to the Council please with them.

EXECUTIVE SESSION – NONE

ADJOURNMENT

VOTE (2017-258) Councilor Brunelle, seconded by Councilor Kolbe moved to adjourn at 8:13 pm. **Order passed - Vote 7-0.**

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved November 14, 2017