



TOWN COUNCIL MEETING MINUTES FEBRUARY 3, 2015

Gregg Garrison, At Large 2015
Mark Lunt, District 1 2015
Dillon Pesce, District 2 2015
Christopher Brunelle, At Large 2016
Eric Metivier, District 1 2016
Roger Bickford, District 2, 2016
Dale Crafts, At Large 2017

CALL TO ORDER & PLEDGE TO THE FLAG. The Chairman, Dillon Pesce, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Lunt, Bickford, Crafts, Pesce, Garrison, Brunelle, and Metivier. Also present were Diane Barnes, Town Manager; David Brooks, Police Chief; Verla Ridley, Parks Director; Tracey Steuber, Economic & Community Development Director; Fern Larochelle, Finance Committee Chair; Miriam Morgan-Alexander, Finance Committee/Assessment Review Board/Appeals Board Chair; Karen Paradis, Planning Board Chair; Donald Fellows, Planning Board Member; and approximately 10 citizens in the audience.

GOOD NEWS & RECOGNITION

Ms. Steuber indicated that Lisbon passed the first round for grant approval for the Department of Economic & Community Development Block Grant 2015 Downtown Revitalization Grant, which is due April 17. This is a good start so now we moved forward.

Councilor Pesce thanked Sergeant Scott Stewart for the 23 years of dedicated service to the Town of Lisbon and wished him much success in his new position in another county.

PUBLIC HEARING

A. PAWNBROKER LICENSE FOR DANIEL MILLER D/B/A DOUBLE DIAMOND PAWN

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

B. DIVISION 3 HEALTH & SAFETY SECTION 82-78 FOOD REGULATIONS

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

C. CHAPTER 70 ZONING DIVISION 14 SECTION 70-1 DEFINITIONS, SECTION 70-564 DIMENSIONAL REQUIREMENTS, SECTION 70-536 DIMENSIONAL REQUIREMENTS, SECTION 70-815 OVERLAY ZONE DISTRICT DESCRIPTIONS, AND SECTION 70-155 VARIANCE LIMITATIONS

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

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

Richard Nadeau commented about the tax-acquired land on Summer Street. Councilor Pesce pointed out the agenda item at tonight's meeting deals with foreclosures. Mr. Nadeau said he would wait until later in the meeting to address his new item at that time then.

CONSENT AGENDA

VOTE (2015-29) Councilor Bickford, seconded by Councilor Garrison moved to approve the minutes of January 20, 2015 and the Pawnbroker License for Daniel Miller d/b/a Double Diamond Pawn.

Order passed - Vote 6-0.

COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS

SET PUBLIC HEARING FOR CONDITIONAL TIF

Mrs. Barnes explained that the Lisbon Economic & Community Development Department along with the Route 196 Master Plan Committee is seeking a Conditional Downtown Municipal Tax Increment Financing (TIF) District & Downtown Omnibus Development Program. The purpose of the TIF is to provide funding for the Town to implement the municipal investment priorities identified in its Downtown Development Plan. She indicated the next step in this process is to schedule a public hearing.

VOTE (2015-30) Councilor Lunt, seconded by Councilor Bickford moved to approve the order to set a public hearing on Tuesday, March 3, 2015 as follows:

ORDER FOR PUBLIC NOTICE

WHEREAS, the Town of Lisbon intends to seek conditional approval from the Maine Department of Economic & Community Development for a Downtown Municipal Tax Increment Financing (TIF) District and Downtown Omnibus Development Program, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended;

WHEREAS, the public hearing shall be set to receive public comments on the conditional application and proposed TIF Program;

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Lisbon that a public hearing be held on Tuesday the 3rd day of March, 2015, and be it further ordered by the Town Council of the Town of Lisbon that notice of the hearing be published in one or more newspapers of general circulation within the Town of Lisbon 10 days prior to the public hearing.

Order passed – Vote 6-0.

TAX ACQUIRED PROPERTY

Mrs. Barnes explained that the Town of Lisbon foreclosed on several properties for non-payment of real estate taxes and sewer fees. The Council authorized a 30-day redemption period by which taxpayers are notified by mail that they have 30 days to redeem their property by paying all taxes and fees owed before the town takes steps to dispose of the tax acquired property. She said this 30-day redemption period expires on February 9, 2015 and requested permission to continue to collect payments up until the properties are disposed of. She indicated she plans to bring an updated list to the Council on February 17, 2015.

VOTE (2015-31) Councilor Bickford, seconded by Councilor Lunt moved to accept payments after February 9, 2015 for all real estate, sewer, water taxes, and fees owed on property in full up to the disposal of the property, to accept the funds, and issue a quitclaim deed when payment in full is received.

Order passed – Vote 6-0.

2015 MAINE BUREAU OF HIGHWAY SAFETY GRANT

Chief Brooks said the Maine Bureau of Highway Safety (MeBHS) is offering the 2015 Impaired Driving High Visibility Enforcement Program Grant to reduce impaired driving related crashes, fatalities, and injuries.

He indicated that the Lisbon Police Department has applied for and received many grants from the Bureau of Highway Safety over the years. He said he was only asking for this amount because they were not able to use all of the funds last year so they returned some. Chief Brooks asked for permission to submit an application for \$3,750.

VOTE (2015-32) Councilor Bickford, seconded by Councilor Metivier moved to authorize the Police Department permission to apply for the BeBHS's 2015 Impaired Driving High Visibility Enforcement Program Grant in the amount of \$3,750 with an in-kind grant match of the project director's time to manage and provide copies of the OUI citations.

Order passed – Vote 6-0.

BUDGET SCHEDULE

Councilor Pesce said he would be absent March 10 and March 17 and that he did not mind if the Council wanted to meet without him. He requested the Finance Committee give the Council their recommendations on the School Budget the same night they do the municipal budget, April 7.

VOTE (2015-33) Councilor Pesce, seconded by Councilor Bickford moved to adopt the budget schedule as changed, moving the Finance Committee's recommendation on the School Budget to April 7.

Order passed – Vote 6-0.

POLICE SERGEANTS POSITION

Mrs. Barnes informed the Council that this position would be vacant for a few weeks to cover the cost of the employee's leave package per union contract. She indicated that it would be filled by year-end so figures moving forward for budgeting would be known.

MDOT CONSTRUCTION OVERLIMIT PERMIT

The Maine Department of Transportation requires that a municipality agree to issue a permit, if necessary, for overweight equipment on town streets pursuant to 29-A MRSA Section 2382 for the pavement milling and hot mix overlay located on Route 196 from the intersection of Capital Avenue to the intersection of Frost Hill Avenue Project #NHP-2030(800). This is mandatory, but we do not expect town streets to be used. If they do need to use them, we can require a bond from the contractor with the permit to insure any damage gets repaired.

VOTE (2015-35) Councilor Bickford, seconded by Councilor Metivier moved to approve the construction overlimit permit to the contractor for the MDOT projects listed above allowing the contractor to haul non-divisible overlimit loads on municipal ways and to authorize the Town Manager to establish permit conditions to protect the town's interest.

Order passed – Vote 6-0.

SCHEDULE INFORMATIONAL WORKSHOP ON REVALUATION

VOTE (2015-36) Councilor Metivier, seconded by Councilor Bickford moved to set a workshop date for February 24 to listen to a presentation by the Maine Revenue Department about the revaluation process.

Order passed – Vote 6-0.

FEE SCHEDULE
(Policies, Rules, & Regulations-Only 1 Reading)

VOTE (2015-37) Councilor Bickford, seconded by Councilor Metivier moved to adopt the following amendments the Fee Schedule:

STREET EXCAVATIONS			
47-4	Excavation Permit	\$150.00	
	<u>Full Year Permits for Town Departments only</u>	<u>\$200.00</u>	
PARKS			
30-90	Residents of Lisbon	\$1.00	\$2.00
	Non-residents	\$3.00	\$4.00
	Children five <u>three</u> and under	Free	
	Family Pass, per family per year:		
	Residents of Lisbon	\$15.00	\$20.00
	Non-residents	\$30.00	\$35.00

Order passed – Vote 6-0.

AMEND DIVISION 3 HEALTH & SAFETY
SECTION 82-78 FOOD REGULATIONS
(Second Reading)

VOTE (2015-38) Councilor Bickford, seconded by Councilor Garrison moved to adopt the amendments to Division 3 Health & Safety Section 82-78 Food Regulations adopting the 2013 Maine Food Code and subsequent amendments (see attached 2013 Maine Food Code & amendments online).

Roll Call Vote: Yeas - Garrison, Lunt, Metivier, Bickford, Crafts, and Pesce. Nays - None. Order passed - Vote 6-0.

AMEND CHAPTER 70 ZONING DIVISION 14 SECTION 70-1 DEFINITIONS,
SECTION 70-564 DIMENSIONAL REQUIREMENTS,
SECTION 70-536 DIMENSIONAL REQUIREMENTS (Footnotes & Table),
SECTION 70-815 OVERLAY ZONE DISTRICT DESCRIPTIONS, AND
SECTION 70-155 VARIANCE LIMITATIONS
(Second Reading)

VOTE (2015-39) Councilor Bickford, seconded by Councilor Metivier moved to adopt the amendments to Chapter 70 Zoning Division 14 Section 70-1 Definitions, Section 70-564 Dimensional Requirements, Section 70-536 Dimensional Requirements, Section 70-815 Overlay zone District Descriptions, and Section 70-155 Variance Limitations (*see attached*).

Roll Call Vote: Yeas - Garrison, Lunt, Metivier, Bickford, Crafts, and Pesce. Nays - None. Order passed - Vote 6-0.

OTHER BUSINESS

A. TOWN MANAGER'S REPORT

Mrs. Barnes commended the Public Work's crew for keeping up with the roads. She said we have received an incredible amount of snow; the crew is busy, and very tired. She indicated they got home around 4:00 AM this morning to sleep and then tonight they will be removing snow on Main Street.

Mrs. Barnes indicated that it is not clear yet whether these four back-to-back storms will qualify for disaster relief funds, but so far we have spent in excess of \$25,000. It would be nice to be reimbursed for that at this point.

AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS

Richard Nadeau requested the town consider keeping all or most of the Summer Street Park land. He pointed out that the pole across the front was put there to prevent cars from sliding down the hill off the road into the trees there. He suggested trading that Summer Street land for land next to the cemetery across the street that fronts Route 196. He asked that a Standing Bicycle Committee be appointed for one year.

Dennis Campana requested an independent personnel study be done on the Police Department to find out whether this department is too big or too small; we know we have a great one. He said many towns our size use only Sheriff Departments. An independent study would review what the department does or does not need to do. He said this information would be helpful if we find we can reduce these costs for the taxpayers of the Town of Lisbon. He said it's about time we get an answer to that question.

Councilor Pesce thanked Mr. Nadeau for the information. He encouraged Mr. Nadeau to continue to stay up to date on what's going on, that more information about the Summer Street Park and town owned properties will be forthcoming in the near future. He reported that there has been no recommendation from the Town Manager's office to date to appoint a Standing Bicycle Committee; he suggested Mr. Nadeau join the Trails Commission perhaps.

Councilor Pesce said Eaton and Peabody Consulting Group did suggest an independent study because they did not feel they were qualified to perform the task. Mrs. Barnes said she had two quotes so far, one for \$5,000 and one for \$10,000. She indicated one more quote may be on the way, but has not arrived yet.

APPOINTMENTS

BOARD OF ASSESSMENT REVIEW (2) REGULAR MEMBERS

Term Expiring June 30, 2015 and June 30, 2016

VOTE (2013-40) Councilor Bickford, seconded by Councilor Lunt moved to appoint Marie Hale to a term expiring June 30, 2016 and Donald Fellows to a term expiring June 30, 2015.

Order passed - Vote 6-0.

PLANNING BOARD (1) ASSOCIATE MEMBER

Term Expiring June 30, 2016

Item taken up after Executive Session at the end of the meeting – see motion there.

FINANCE COMMITTEE (1) MEMBER

Term Expiring June 30, 2017

VOTE (2013-42) Councilor Metivier, seconded by Councilor Bickford moved to appoint Larry Fillmore to the Finance Committee with a term expiring June 30, 2017.

Order passed - Vote 6-0.

Councilor Pesce said he hoped Dean Willey keeps his name out there; he would be good on a committee too.

COUNCIL COMMUNICATIONS

Councilor Bickford mentioned the Lisbon High School's fundraiser this past weekend. He said they sold almost \$1,500 in mattress sales, which was very good.

Councilor Lunt thanked the Public Work's crew for all their hard work keeping the roads open for residents. He said there were so many storms in a row and they did a fantastic job, and thank you.

Councilor Pesce said that was a tough job and that he appreciated all their hard work as well. He said he noticed Mr. Leighton was out there as well; we had a full team working.

Councilor Pesce announced the School Department would be presenting their budget tomorrow night at 5:30 PM. He indicated their Solid Waste Sub-committee didn't meet but that a meeting has been scheduled. He pointed out that they have talked with Casella about some other options other towns have considered. He said they will be getting back to the Council with more information.

EXECUTIVE SESSION

VOTE (2015-43a) Councilor Bickford, seconded by Councilor Metivier moved to go into Executive Session at 7:56 PM per MRSA 1 Section 405 (6) (A) Personnel Matters – Interview Planning Board Candidate.

Order passed - Vote 6-0.

Councilor Pesce dismissed the Council Secretary and mentioned that this would not take very long. Councilor Lunt, seconded by Councilor Bickford moved to come out of executive session at 8:06 PM and the meeting resumed at 8:09 PM.

PLANNING BOARD (1) ASSOCIATE MEMBER *Term Expiring June 30, 2016*

VOTE (2015-43b) Councilor Bickford, seconded by Councilor Metivier moved to appoint Scott T. Hall to the Planning Board as an Associate Member with a term expiring June 30, 2016.

Order passed - Vote 6-0.

ADJOURNMENT

VOTE (2015-44) Councilor Bickford, seconded by Councilor Metivier moved to adjourn at 8:10 PM.

Order passed – Vote 6-0.

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved 02/17/2015