



TOWN COUNCIL MEETING MINUTES JUNE 4, 2019

Christopher Brunelle, At Large 2019
Mark Lunt, District 1 2019
Vacant, District 2 2019
Fern Larochelle, At Large 2020
Normand Albert, At Large 2021
Kasie Kolbe, District 1 2021
Allen Ward, District 2 2021

CALL TO ORDER. The Vice-Chairman, Kasie Kolbe, 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 Larochelle. Also present were Diane Barnes, Town Manager; Randy Cyr, Public Works Director; Tracey Steuber, Economic Development; Steve Aievoli, Sewer Operations Superintendent; and Ray Schlotterbeck as a citizen in the audience.

VOTE (2019-119A) Councilor Ward, seconded by Councilor Larochelle moved to excuse Councilor Alberts absence. **Order passed - Vote 5-0.**

GOOD NEWS & RECOGNITION

Councilor Ward congratulated the Class of 2019 that graduated in the Lisbon High School Gymnasium this past Sunday. He congratulated the Lisbon Baseball MVC Champs. Mr. Schlotterbeck mentioned Coach Ridley now has over 200 plus wins under his leadership.

Councilor Kolbe said the Memorial Day Parade was awesome. She thanked those involved and who attended.

PUBLIC HEARINGS

A. CHAPTER 70 ART 1, SEC 70-1 DEFINITIONS, & ART IV, DIV 13, DISTRICT USES SEC 70-530 LAND USES, & SEC 70-531 TABLE OF LAND USES REGARDING DAY CARES

The Vice-Chairman opened the public hearing, there were no comments, and the public hearing closed.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE

CONSENT AGENDA

VOTE (2019-119) Councilor Brunelle, seconded by Councilor Larochelle moved to approve the following:

A. Municipal Accounts Payable & Payroll Warrants -

#5222019	\$14,501.30	#5302019	\$12,069.55
#5312019	\$27,010.70	#642019	\$489,315.74

B. School Accounts Payable & Payroll Warrants -

#1917	\$59,934.05	#1063	\$367,790.91
#1064	\$11,893.36	#29	\$435.36
#1065	\$44,426.26	#30	\$416.97

C. Council Meeting Minutes of May 21, 2019

D. Northstar Planning Contract Renewal

Order passed - Vote 5-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

LAFFELY EASEMENT

INTRODUCTION: Ms. Steuber reports that Matthew Laffely would like the Council to grant him an easement from the Town of Lisbon for him to access the triangle section located behind his property at 12 Village Street, Map U16 Lot 018 so he could use this area to place his snow from his parking lot during the winter months. We are currently waiting for Mr. Laffely's attorney to provide us with the necessary easement for signing.

VOTE (2019-120) Councilor Brunelle, seconded by Councilor Larochelle moved to discuss this further at another meeting. **Order passed - Vote 5-0.**

RURAL COMMUNITIES ASSISTANCE GRANT FOR BEAVER PARK

INTRODUCTION: Ms. Steuber reports on behalf of the Lisbon Recreation & Conservation Committee's that she would like permission from Council to submit an application to the EPA's Recreation Economy for a Rural Communities Assistance Grant to help develop strategies and an action plan for recreational improvements at Beaver Park. There will be eight communities chosen with the majority of the awards going to those states in the Northern Border Region (Maine, Vermont, New Hampshire, and New York).

Staff recommends the following:

1. Approval to submit the 2019 EPA Recreation Economy for Rural Communities Assistance Application. There is no required match from the town.

VOTE (2019-121) Councilor Brunelle, seconded by Councilor Larochelle moved to authorize the Town Manager permission to submit and accept the 2019 EPA Recreation Economy for Rural Communities Assistance Application. **Order passed – Vote 5-0.**

ROAD STRIPING BID AWARD

INTRODUCTION: Randy Cyr reports the Town of Lisbon Public Works Department sent out the 2019-2020 fiscal year Road Striping RFP via email on May 09, 2019, to all contractors wanting to place a bid this year. The cut off time for submission of all sealed bids was May 20, 2019 at 10:00 am.

A total of four contractors were sent the RFP. The contractors were Fine Line Pavement Striping, L & D Safety Marking, Zebra Striping and Lucas Striping. We received a bid from two contractors, Lucas Striping on 5/21/2019 at 9:13 AM and L & D Safety Marking on 5/23/2019 at 10:45 AM as follows:

Lucas Striping	\$19,251.67
L & D Safety Marking	\$33,705.41

Mr. Cyr recommended the winning bid go to Lucas Striping. This total dollar amount is within the road striping budget.

COUNCILOR COMMENTS: Councilor Larochelle asked if Davis Street would be included for striping this year; the line designates the walking/bike area on the road. Mr. Cyr indicated it would be included.

VOTE (2019-122) Councilor Brunelle seconded by Councilor Lunt moved to award the FY 2019-2020 Road Striping Bid to Lucas Striping for \$19,251.67. **Order passed - Vote 5-0.**

PINEWOODS ROAD RECONSTRUCTION

INTRODUCTION: Mr. Cyr reported Olver Associates prepared a preliminary opinion of cost for the reconstruction of Pinewoods Road. The scope of work starts at the end of the recently paved sewer replacement area and extends approximately 5,200 linear feet to the intersection of Pinewoods and Cotton Road. The existing roadway width varies between 20 and 25 feet along this stretch. For budgeting purposes, Olver Associates utilized a proposed road width of 24 feet, which includes two 12 foot wide lanes, plus two foot wide gravel shoulders on each side of the road.

The project scope would consist generally of the following:

- Mill off the existing pavement and have contractor deliver to Public Works for future use.
- Excavate and remove approximately 18" of existing aggregates. Depending on its condition, the Town may elect to stockpile this for future use or have the contractor dispose of it.
- Replace existing cross culverts and driveway culverts. A review of their current sizing and condition would occur during design, however for the purpose of pricing, we have assumed use of 24" cross culverts and 15 inch driveway culverts.
- Place geotextile fabric below roadway.
- Install 12" of subbase gravel aggregate and 6" of base gravel aggregate 28 feet wide.
- Install 4" of bituminous pavement 24 feet wide.

Olver Associates' preliminary estimate is \$1,150,000.00. The breakdown of these costs is provided in the Council packet.

Mr. Cyr mentioned the town could pursue a less expensive option. Olver also indicated the town could retain a geotechnical engineer to conduct some borings to sample the existing gravel so that it can be determined if the gravel base is structurally sufficient or if amending the soil by reclaiming the pavement into it will provide sufficient strength to support a new roadway. This preliminary opinion would cost about \$800,000.

COUNCILOR COMMENTS: After much discussion, Mr. Cyr said we know there is sand and not a lot of gravel out there so what's underneath that road is not good and to do it correctly is \$1.5 million so that it will accommodate the heavy vehicles traveling back and forth to two areas on that road. Mr. Cyr estimated around 10 to 12 commercial trucks, which are bigger; carry around 15 to 20 loads a day.

Councilor Ward said it would more than likely costs us \$250,000 to accommodate the heavy traffic. He recommended the \$1.5 million but to proceed with caution. He pointed out that this will have to go to the voters to decide.

Mrs. Barnes said the first bond payment would more than likely be due in 2021. It would be in the spring of 2020 at the earliest that the town could even submit paperwork for financing. She pointed out that the town already received a petition to fix the road from residents in that area. Councilor Larochelle suggested the Council put this out there and then promote it. Mr. Cyr said this project would end at Cotton Road. Councilor Ward said that is an easy sell. Mr. Cyr said this would include culverts, drainage, and ditching as needed.

VOTE (2019-123) Councilor Ward, seconded by Councilor Brunelle moved to authorize the Town Manager to prepare the necessary paperwork to place this item on the November 5, 2019 Annual Municipal ballot. **Order passed - Vote 5-0.**

AMEND APPENDIX C FEE SCHEDULE
SOLID WASTE TRANSFER & RECYCLING FACILITY SECTIONS

First Reading

INTRODUCTION: Mr. Cyr presented amendments to the fee schedule. He mentioned that mattresses, along with other items warranted fee increases. He recommended discontinuing access by commercial haulers pointing out that our neighboring town, Sabattus, does not allow them access.

VOTE (2019-124A) Councilor Brunelle, seconded by Councilor Kolbe moved to amend the Fee Schedule Appendix C Solid Waste Transfer & Recycling Facility fees as presented.

COUNCILOR COMMENTS: Councilor Ward said he heard criticism over the free second sticker given away at the time of purchase, questioning this sticker could be put on any car. Mrs. Barnes explained that the fees being recommended were determined per household, that the second sticker for the second vehicle has to match the address at that same residence, and that the sticker matches license plates. She pointed out that a second vehicle itself would not mean more household trash for that residence, but would allow residents to take their trash to the facility using a second vehicle if needed.

Councilor Larochelle said a lot more information needs to be put out there on this. Councilor Larochelle and Councilor Brunelle agreed that the sticker fee should be \$25.00 for all vehicles, including temporary permits; across the board \$25.00. Councilor Ward agreed and suggested businesses stay with the across the board amount of \$25.00 also.

Ray Schlotterbeck asked for clarification on the sticker fee. Don Fellows said he felt \$25 was reasonable.

Mr. Cyr recommended raising the Commercial Hauler fee to \$5,000 for resident and \$10,000 for non-residents if the town were to continue to give them access. He pointed out that each hauler picks up a household's trash eliminating their need to purchase a sticker for the same trash they are hauling to the transfer station so each hauler should pay a reasonable fee that would compensate the town for that per household's cost to make this fair to all taxpayers.

The Council discussed fees and unanimously decided to charge commercial haulers \$1,000 and non-residents \$1,500 and to add the word "commercial" to the fee schedule.

VOTE (2019-124B) Councilor Ward, seconded by Councilor Brunelle moved Amendment #1 charging an across the board fee of \$25.00 and allowing Commercial Haulers access as follows:

APPENDIX C - FEE SCHEDULE^[1]

SOLID WASTE TRANSFER AND RECYCLING FACILITY		
98-38	There shall be no fee for disposal of waste materials at the site except for the following:	
	Residential Permit	
	a. Residents	10.00 <u>25.00</u>
	b. Commercial	15.00
	c. Business	15.00 <u>25.00</u>

98-39(b)	<u>Temporary Permits issued for no more than 6 months</u>	
	a. <u>Residents</u>	15.00 <u>25.00</u>
	b. <u>Non-Residents</u>	15.00 <u>25.00</u>
98-38	Household refrigerators, freezers/air conditioners; (Freon: R12-R22):	
	a. Residents	10.00
	b. Commercial	15.00
	c. Business	15.00
	Propane Bottles 20#:	
	a. Residents	3.00
	b. Commercial	5.00
	c. Business	5.00
	Will not accept 100# bottles	
	Tires:	
	a. 15"	3.00
	b. 16"—18"	5.00
	c. 18"—22"	10.00
	Off-the-road tires:	
	a. Small	50.00
	b. Medium	75.00
	c. Large	100.00
	Windows and doors:	
	a. Windows	2.00
	b. Doors	2.00
	Shingles:	
	a. Lisbon sticker and demo permit from CEO, per yard	25.00
	b. No demo permit, per yard	50.00
	Furniture and other miscellaneous items:	
	a. TV's and computers, each	5.00
	b. Carpets, 10' x 12'	10.00
	c. All Mattresses , boxspring, each	5.00
	d. <u>Mattress, twin and full</u>	<u>5.00</u>
	e. <u>Mattress, queen and larger</u>	<u>10.00</u>
	D-f. Chairs and sofas , each	10.00
	<u>g. sofas, each</u>	<u>20.00</u>
	E-h. Wood, per yard	5.00

	F i. Brush:	
	1. Under four inches in diameter, per yard	5.00
	2. Over four inches in diameter, per yard	15.00
	g. Mix load—Other bulky waste (shingles, wood, drywall), per yard	60.00
	Note: References to yard(s) shall mean cubic yard(s). (See subsection 98-38(b))	
98-39(b)	Licenses and sticker for access to facility beginning Sept. 1 for one calendar year:	
	First sticker for vehicles one ton and under, annually	10.00 <u>25.00</u>
	Subsequent vehicles	5.00 <u>25.00</u>
	Vehicles over one-ton	50.00 <u>75.00</u>
	<u>Commercial</u> Resident hauler	250.00 <u>1,000</u>
	<u>Commercial</u> Nonresident hauler	750.00 <u>1,500</u>
98-39(c)	Local contractors, license and sticker issued with an agreement for weekly <u>monthly</u> billing	10.00 <u>25.00</u>
	One-day permits for residents with proof of residency	5.00 <u>25.00</u>
	One-day permits for out of town contractors, with a valid demolition permit	10.00 <u>25.00</u>

Amendment #1 Roll Call Vote: Yeas – Larochelle, Ward, Lunt, Brunelle, Kolbe. Nays - None.
Amendment # 1 voted and Order passed - Vote 5-0.

Main Motion as Amended #1 voted by Roll Call Vote: Yeas – Larochelle, Ward, Lunt, Brunelle, Kolbe. Nays - None. Main Motion as Amended voted and Order passed - Vote 5-0.

CHAPTER 2 ARTICLE IV, DIVISION 14, SECTION 2-450 & 451
 SOLID WASTE TRANSFER & RECYCLING ORDINANCE AMENDMENTS
First Reading

INTRODUCTION: Mr. Cyr presented the amendments to Chapter 2 changing the director's name to Public Works.

VOTE (2019-125) Councilor _Ward, seconded by Councilor Larochelle moved to amend Chapter 2 Article IV, Division 14, Section 2-450 & 451 Solid Waste Transfer & Recycling Ordinance as presented as follows:

Chapter 2 – ADMINISTRATION ...

ARTICLE IV. - ADMINISTRATIVE ORGANIZATION AND DEPARTMENTS ...

DIVISION 14. - SOLID WASTE TRANSFER AND RECYCLING DEPARTMENT

Sec. 2-450. - Established; appointment.

There shall be established a solid waste, transfer and recycling department, the head of which shall be the ~~solid-waste~~ Public Works director who shall be appointed by the town manager.

(~~T.M. C. M.~~ of 4-3-2007, § 2007-39)

Sec. 2-451. - Duties of the director of ~~solid-waste~~ Public Works.

- (a) Administer all activities necessary and appropriate to the operation of the town's solid waste transfer facility and recycling facility in accordance with all town ordinance, applicable state laws, rules, regulations and standards.
- (b) Administer all solid waste and recycling matters within the Town of Lisbon in accordance with town ordinances and the provisions of state law and applicable rules, regulations, and standards.
- (c) Investigate and recommend fees for recycling items.
- (d) Prepare and submit annual to the town manager a budget relating to all solid waste operations.
- (e) Perform all other duties required by Town Charter, town ordinances, state law or as may from time to time be requested by the town manager and/or town council.

(~~T.M. C. M.~~ of 4-3-2007, § 2007-39)

Sec. 2-452. - Reserved.

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

AMENDMENTS TO CHAPTER 38
SOLID WASTE TRANSFER & RECYCLING ORDINANCE
First Reading

INTRODUCTION: Mr. Cyr presented the amendments to Chapter 38 addressing changes in the sticker program and moving items to the fee schedule.

COUNCILOR COMMENTS: After a lot of discussion, the Council agreed to allow Commercial Haulers access to the Transfer Facility leaving “Hours; commercial users” in the document. Councilor Ward requested a workshop in September or October to discuss the definitions for Commercial Haulers and Contractors.

VOTE (2019-126) Councilor Larochelle, seconded by Councilor Kolbe moved to amend Chapter 38 Solid Waste Transfer & Recycling Ordinance as presented, including changes above in the Fee Schedule to match as follows:

Chapter 38 - SOLID WASTE TRANSFER AND RECYCLING ...

ARTICLE I. - IN GENERAL ...

DIVISION 2. - SOLID WASTE DEPARTMENT ...

Sec. 38-51. - Established.

A department of solid waste management is established for the town.

(T.M. of 5-18-1996, art. 45, § 12.501)

Sec. 38-52. - General duties.

The department of solid waste management shall be responsible for conducting all matters relating to the handling, transportation and disposition of all solid waste and recyclable materials handled by the town.

(T.M. of 5-18-1996, art. 45, § 12.502)

Sec. 38-53. - Director of ~~solid waste management~~ Public Works.

- (a) The director of ~~solid waste management~~ Public Works shall be the head of the department of solid waste management. It shall be the director's responsibility to attend to all solid waste and recycling aspects of town government and to supervise all solid waste and recycling activities within the town, subject to the direction of the town manager and the town council. The director of solid waste management shall specifically be responsible for the solid waste site and the handling of all solid waste and recyclable materials to their final destination.
- (b) The director shall operate under guidelines established by the town council and make periodic reports to the town council as to department activities and efficiencies. The director shall be responsible for preparing, under the direction of the town manager, an annual budget and for budget administration of the budget approved at the town meeting. The director shall perform all duties required of him under town ordinances and state law as may be requested of him by the town manager and/or the town council. In the exercise of these duties, he shall have all powers customarily exercised by department heads, including but not limited to the requisitioning of supplies and the ability to interact with and cooperate with other town departments.

(T.M. of 5-18-1996, art. 45, § 12.503)

Sec. 38-54. - Department activities.

It shall be the function of the department of solid waste management, under the direction of the director of ~~solid waste management~~ Public Works, subject to the supervision of the town manager, to:

- (1) *Solid waste site.* Administer all activities necessary and appropriate to the operation of the town's solid waste site/transfer station in accordance with applicable state law, town ordinances, rules, regulations, and standards. This shall specifically include maintenance and improvement of the site and its equipment.
- (2) *Solid waste.* Be responsible for the handling of all solid waste materials brought to the site in accordance with this chapter and all other applicable provisions of state law, town ordinances, rules, regulations or standards. This activity shall include not only the on-site handling of material but transportation of material and its final disposition. The department director, in exercising authority over these activities, shall have the right to determine the acceptability of any materials for handling and disposal and shall have the right to reject any materials found to be hazardous or not in accordance with operational procedures.
- (3) *Recyclables.* Administer activities for the collection, handling, sale, and disposition of all items deemed to be recyclable in accordance with applicable state law, town ordinances in consultation with the town manager, rules, regulations and standards. This shall specifically include the duty to promote recycling activities so as to minimize the amount of solid waste necessary for disposal and to maximize returns to the town.

(T.M. of 5-18-1996, art. 45, § 12.504)

Secs. 38-55—38-90. - Reserved.

ARTICLE III. - MUNICIPAL SOLID WASTE TRANSFER AND RECYCLING FACILITY

DIVISION 1. - GENERALLY

Sec. 38-91. - Purpose.

The purpose of this division is to regulate the use of the municipal solid waste transfer and recycling facility of the town.

(Code 1983, § 12-101)

Sec. 38-92. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bulk waste means large items of refuse such as appliances, furniture, auto parts, stumps, branches and brush.

Business means a local company within town limits which provides goods or services to the local population.

Commercial Hauler means any person or business engaged in the collection, transportation and disposal of solid waste materials for residents for a fee or other compensation.

Contractor means a person or business who contracts to furnish supplies or perform work at a certain price or rate.

Cover means material placed over refuse for vector and fire control, aesthetics, prevention of odors, percolation of water, grading, support of vegetation, and other purposes.

Demolition wastes means lumber, pipes, bricks, masonry and other materials from razed structures.

Garbage means wastes from preparation, cooking and serving of food; market wastes; and wastes from handling, storage and sale of produce.

Local means residing or located within the Town of Lisbon limits

Non-Local means residing or located outside of the town of Lisbon limits

Non-local Contractor means any contractor not residing or located within the town of Lisbon limits, that is performing a service or work in which solid waste is produced from property located within Lisbon, and is being disposed of at the town of Lisbon solid waste facility.

Nonresident mean residents of any town other than Lisbon.

Persons means any individual, association, partnership, firm, corporation or other entity, or the agents or employees of any of them.

Proof of residency is any document that shows a valid town of Lisbon address to prove that a person or business reside in the town.

Refuse means putrescible or nonputrescible solid waste materials, consisting of all combustible and noncombustible solid wastes, including garbage and rubbish, but not including sewage.

Residency means that a person or business claims the town of Lisbon as the primary place that they live or operate a business and register their vehicle(s) in town.

Resident means any individual, association, partnership, firm or corporation who is a legal resident of the town.

Rubbish means combustible or noncombustible solid waste material except garbage and sewage, including but not limited to such materials as paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, grass clippings, tin cans, metals, mineral matter, glass, crockery, dust, ashes, construction wastes, street sweepings, bulky wastes, the residue from the burning of wood, coal, coke or other combustible materials, and other unwanted or discarded material.

Sewage means human or animal excrement and liquid waste containing animal, vegetable or mineral matter in suspension or solution, and shall include septage, sludge or agricultural wastes.

Solid waste means any unwanted or discarded rubbish or other solid material with insufficient liquid content to be free flowing, but shall not include septage, sludge or agricultural wastes.

Special wastes means special wastes and hazardous wastes as defined in chapter 400, section 6 (RP and GG) of the Solid Waste Management Regulations promulgated by the Department of Environmental Protection pursuant to 38 M.R.S.A. § 1304, effective November 2, 1998. Special wastes shall include agricultural wastes.

Sticker means a numbered permit issued by the Town of Lisbon to residents for access to the solid waste facility.

Temporary Permit means a permit issued to person(s) who own real estate but do not claim residency, tenants of rental properties that do not claim residency or non-residents who fall within a category outlined in section 38-93. This permit is valid for no more than six months at a time.

(Code 1983, § 12-102; T.M. of 8-22-1988, art. 3, § 12-102)

Cross reference— Definitions generally, § 1-2.

Sec. 38-93. - Categories of users.

- (a) Residents. Any person(s) who either has real estate and/or rents a dwelling in Lisbon and whom also has a vehicle(s) registered with the town of Lisbon. The municipal solid waste transfer and recycling facility hours shall be posted on the main gate at the facility, open at least six days per week only to the residents of the town. ~~Such disposal shall be in a manner consistent with the provisions of this division~~
- (b) Nonresidents. Residents of any other town with which the Town of Lisbon has ~~made an agreement~~ approved a temporary permit for the use of the Lisbon solid waste transfer and recycling facility site may use the landfill for the disposal of wastes generated ~~within that town~~ within the Town of Lisbon in the manner provided in this division.
 - 1) Taxpayers who own real estate property but do not claim residency in the town of Lisbon including but not limited to landlords who need to cleanout properties.
 - 2) Tenants of rental properties are encouraged to obtain a sticker permit for the year if they are residents of the town of Lisbon. If tenants of rental properties do not claim residency in the town of Lisbon they will need to show a valid vehicle registration as well as a lease agreement for the property they are renting to obtain a temporary permit.
 - 3) Nonresidents who need access to the solid waste facility to dispose of solid waste for a Lisbon resident, such as a family member or estate clean up. All waste disposal brought to the solid waste facility must be generated within the Town of Lisbon. The solid waste facility cannot accept any waste that is brought in from another town. A valid vehicle registration of the vehicle being used to haul the trash and proof of residency for the location of where the trash was generated is required to obtain the temporary permit.
- (c) The town of Lisbon reserves the right to obtain including but not limited to a valid vehicle registration and/or proof of residency before approving or denying issuance of any temporary permit.
- (ed) *Hours; commercial users.* The hours during which the solid waste transfer and recycling facility will be open shall be established by the town council. The town council may issue permits to commercial users wishing to use the municipal solid waste transfer and recycling facility outside of regular hours, provided the users each post annually a \$500.00 bond to ensure their compliance with this division, or agree to engage the services of either an employee of the town's highway department or the contracted caretaker, as designated by the town manager, during the extraordinary dumping hours at the same or greater hourly rate of pay the employees or contractor normally receives from the town.

(Code 1983, § 12-103)

Sec. 38-94. - Disposal activities.

- (a) *Refuse separation.* No person shall place or cause to be placed at the municipal solid waste transfer and recycling facility any bulky or recyclable items such as automobile bodies, tires, kitchen appliances and other white goods, lawn and garden wastes, and construction debris, except in designated areas. All doors shall be removed from all appliances before depositing them at the solid waste transfer and recycling facility. Fuel tanks of all vehicles shall be removed or filled with water or sand before depositing them at the solid waste transfer and recycling facility. Toxic, flammable or explosive materials shall not be mixed in any way and only be disposed of ~~only~~ by the transfer station attendant.
- (b) *Sewage and special wastes.* Sewage and special wastes shall not be disposed of at the solid waste transfer and recycling facility, except as may be otherwise permitted by the state department of environmental protection.

- (c) *Demolition wastes.* Demolition wastes shall not be disposed of at the solid waste transfer and recycling facility without first obtaining a building demolition permit from the code enforcement officer. Before the permit may be issued, the town manager shall be notified so that appropriate dumping provisions may be arranged. On receipt of the permit and notification of the town manager, the holder may transport the debris to the solid waste transfer and recycling facility. He shall dump it according to direction from the attendant. The permit holder shall furnish all the necessary equipment to unload and pile the debris.
- (d) *Litter control.* No person shall place or cause to be placed at the solid waste transfer and recycling facility any refuse which, as a result of normal seasonal winds, might be blown away from the disposal area. All paper, cardboard, plastic and other loose lightweight materials shall be bound, boxed or bagged securely prior to being deposited at the site. Items such as leaves, sawdust, plaster and other potentially dusty debris shall be delivered to the site in covered containers or vehicles but are not required to be deposited in containers.

(Code 1983, § 12-104)

Sec. 38-95. - Prohibited activities.

- (a) *Salvage.* All materials deposited at the solid waste transfer and recycling facility shall become the property of the town. Any removal or salvage of materials is prohibited except with the express permission of the town council.
- (b) *Burning.* Burning at the solid waste transfer and recycling facility shall be strictly prohibited.
- (c) *Firearms.* No firearms shall be discharged within the limits of the solid waste transfer and recycling facility.

(Code 1983, § 12-105)

Sec. 38-96. - Penalty.

Any person violating the provisions of any section of this division shall be subject to a fine of not less than \$10.00 nor more than \$100.00 for each offense. Any fine recovered shall be for the use of the town.

(Code 1983, § 12-107)

Secs. 38-97—38-119. - Reserved.

DIVISION 2. - ~~LICENSE~~ PERMIT

Sec. 38-120. - Purpose.

The purpose of this article is to provide a licensing permit structure and fee schedule for access and use of the town municipal landfill facility.

(T.M. of 8-22-88, art. 3, § 12-301) Sec. 38-121. - Required.

No person shall deposit, ~~or~~ dump or have access to the municipal solid waste transfer and recycling facility site without first obtaining a license permit. Such license permit shall be obtained from the town. It is understood that this license permit is for access to the site Lisbon Transfer Station only, and any license permit fee is in addition to any charges which may be imposed for the actual disposal of materials at the site.

(T.M. of 8-22-1988, art. 3, § 12-302) Sec. 38-122. - License Permit fee schedule.

Licenses Permits for access to the municipal solid waste transfer and recycling facility shall be issued upon payment of the fees for the appropriate category as follows in the fee schedule, such fees to be established or adjusted by the town council after public hearing; at any time.

See Appendix C, Sec 98-38 – Fee Schedule

~~Category~~

~~(1)—Residential means:~~

~~a.—Residents of the town.~~

- ~~b. Residents of other municipalities with which the town has made an agreement for use of the solid waste transfer and recycling facility site.~~

~~(2) Commercial means:~~

- ~~a. Any person who collects for compensation within the town.~~
- ~~b. Any person who collects for compensation in any town with which the Town of Lisbon has made an agreement for use of the solid waste transfer and recycling facility site.~~

~~(3) Businesses means:~~

- ~~a. Businesses within the town who haul their own waste.~~
- ~~b. Businesses in any other town with which the Town of Lisbon has an agreement for use of the solid waste transfer and recycling facility site who do not haul their own waste.~~

(T.M. of 8-22-1988, art. 3, § 12-303)

Sec. 38-123. - Issuance.

- (a) The ~~license~~ permit required in this division shall be issued by the town office, in the form of a sticker, which shall be prominently displayed on the vehicle windshield. Failure to display the license permit shall result in denial of access to the facility and denial of the opportunity to deposit or dump materials.
- (b) Residential and Temporary Permits will only be issued to residents, persons and businesses that meet the approval criteria outlined in section 38-93.
- (c) Commercial Haulers are authorized to collect and transport all MSW from Town of Lisbon residents under their own individual contract(s) with the resident.

(Sel. Ord. of 11-1-1988, § 12-303; Sel. Ord. of 1-18-1994, § 12-303)

Editor's note— Pursuant to section 38-122, a license shall be required for access to the facility. There shall be no fee assessed for the categories of licenses delineated in section 38-122.

Sec. 38-124. - Expiration date.

Licenses Permits issued under this division shall expire on the same date as the person's motor vehicle registration.

(T.M. of 8-22-1988, art. 3, § 12-304)

Sec. 38-125. - Suspension/revocation.

- (a) *Suspension.* The town manager may suspend the license of any person for failure to comply with the provisions of this article. This suspension shall continue until that person has remedied the faults and evidences ability to comply with the provisions of this article, to the satisfaction of the town manager.
- (b) *Revocation.* The town council, upon hearing after 24 hours' written notice to the licensee, may revoke the license of any person for failure to comply with the provisions of this article.

(T.M. of 8-22-1988, art. 3, § 12-305)

Secs. 38-126—38-150. - Reserved.

DIVISION 3. - DISPOSAL FEES^[4]

Footnotes:

--- (4) ---

Cross reference— Municipal finance, § 2-261 et seq.; town council rules, regulations and policies for financial matters, ch. 86.

Sec. 38-151. - Schedule.

Charges for the disposal of waste material at the municipal solid waste transfer and recycling facility shall be in accordance with a fee schedule for the appropriate category listed as follows, as adopted or adjusted by the town council after public hearing:

See Appendix C, Sec 98-38 – Fee Schedule

~~Category~~~~(1) — Residential means:~~

- ~~a. — Residents of the town.~~
- ~~b. — Residents of other municipalities with which the town has made an agreement for use of the solid waste transfer and recycling facility site.~~

~~(2) — Commercial means:~~

- ~~a. — Any person who collects for compensation within the town.~~
- ~~b. — Any person who collects for compensation in any town with which the Town of Lisbon has made an agreement for use of the solid waste transfer and recycling facility site.~~

~~(3) — Businesses means:~~

- ~~a. — Businesses within the town who haul their own waste.~~
- ~~b. — Businesses in any other town with which the Town of Lisbon has an agreement for use of the solid waste transfer and recycling facility site who do not haul their own waste.~~

(T.M. of 8-22-1988, art. 3, § 12-306)

Sec. 38-152. - Nonpayment.

Failure to pay any fee assessed under this division shall constitute a violation of this division. Such failure shall result in refusal of access to the solid waste transfer and recycling facility and prohibition of any disposal of any material or any other use of the facility.

(T.M. of 8-22-1988, art. 3, § 12-307)

Sec. 38-153. - Penalties.

Any person violating any provision of this division shall be subject to a fine of up to \$100.00 for the first offense and up to \$500.00 for a second or any subsequent offense. All fines shall be for the sole and exclusive benefit of the town. In addition to any fine, the access license shall be suspended for a period of up to 30 days for a first offense and for a period of up to six months for a second or any subsequent offense.

(T.M. of 8-22-1988, art. 3, § 12-308)

Secs. 38-154—38-180. - Reserved.

ARTICLE IV. - RECYCLING

Sec. 38-181. - Purpose.

In order to preserve natural resources, conserve energy, reduce the cost of waste disposal, and provide for a more efficient and effective means of disposing of waste materials, it is appropriate to exercise the police power in order to initiate a mandatory recycling program. Therefore, in order to reduce the volume of solid wastes and to encourage the effort to recover and reuse valuable resources, this mandatory recycling program is established.

(T.M. of 8-22-1988, art. 3, § 12-401) Sec. 38-182. - Rules and regulations.

The town council, by promulgation of rules and regulations, shall establish by category items which it deems to be recyclable and which shall be separated and separately deposited from the normal waste stream. These

categories of items may be amended, deleted or added to, as the program for recycling for the town is developed. In addition, these rules and regulations shall determine the proper preparation of recyclable commodities, method of disposal of these items, and their ultimate disposition. The rules and regulations are printed in part II, section 98-32 of this volume.

(T.M. of 8-22-1988, art. 3, § 12-402)

Sec. 38-183. - Separation of recyclable material.

Each person using the town municipal solid waste transfer and recycling facility, including all commercial haulers and businesses, shall be required to separate from the normal waste stream all items determined to be recyclable, by category, as determined by the rules and regulations of the town council in part II, section 98-35 of this volume. Each separate category of recyclable material shall be properly prepared and disposed of in accordance with the rules and regulations in that section.

(T.M. of 8-22-1988, art. 3, § 12-403) Sec. 38-184. - Ownership of recyclable materials.

From the time of disposal of recyclable materials at the municipal solid waste transfer and recycling facility, such material shall become the sole and exclusive property of the town. It shall be a violation of this section for any person, without authority of the town, to collect, pick up, remove or cause to be collected, picked up or removed any recyclable material; and each such collection, pickup or removal shall constitute a separate and distinct offense.

(T.M. of 8-22-1988, art. 3, § 12-404) Sec. 38-185. - Disposal fee waived.

The disposal fee designated in section 38-151 shall be waived with respect to all recyclable materials disposed of in a manner consistent with the rules and regulations regulating such disposal.

(T.M. of 8-22-1988, art. 3, § 12-405)

Sec. 38-186. - Failure to properly recycle.

Failure by any person to properly segregate, prepare or dispose of recyclable materials, so designated by the rules and regulations of the town council, shall cause the refusal of all material brought to the site by that person.

(T.M. of 8-22-1988, art. 3, § 12-406)

Sec. 38-187. - Penalties.

Penalties for violation of any of the terms of this article shall be the same as those imposed in section 38-153.

(T.M. of 8-22-1988, art. 3, § 12-407) Secs. 38-188—38-220. - Reserved. ARTICLE V. - PRIVATE SOLID WASTE FACILITY

Sec. 38-221. - Dumping without permission.

No person shall deposit refuse of any kind on land not his own, other than the municipal solid waste transfer and recycling facility without the consent of the owner or the public authority having custody or maintenance responsibility of such land.

(Code 1983, § 12-201) Sec. 38-222. - Establishment of private solid waste facility.

No person shall establish or maintain a private solid waste facility for the deposit of refuse or rubbish within 100 feet of any public way, brook, stream or property line without the written permission of the abutters and the town council. Such private solid waste facility must meet the standards under the statutes of the state and shall be subject to the provisions of state law. The town council shall not approve or permit a private solid waste facility until the requirements of the state statutes have been met.

(Code 1983, § 12-202)

Sec. 38-223. - Exemption.

So-called compost piles of vegetable matter shall be exempt from the provisions of this article.

(Code 1983, § 12-203)

Sec. 38-224. - Penalty.

Any person violating the provisions of any section of this article shall be subject to a fine of not less than \$10.00 nor more than \$100.00, by imprisonment for not more than ten days, or by both, for each violation.

(Code 1983, § 12-204)

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

AMEND CHAPTER 98 SOLID WASTE TRANSFER & RECYCLING
Under RULES, REGULATIONS & POLICIES
First Reading

INTRODUCTION: Mr. Cyr presented amendments to Chapter 98, which moves fees to the Fee Schedule.

VOTE (2019-127) Councilor Larochelle, seconded by Councilor Lunt moved to amend Chapter 98 Solid Waste Transfer & Recycling under Rules, Regulations, & Policies as presented as follows:

Chapter 98 - SOLID WASTE TRANSFER AND RECYCLING ...

ARTICLE I. - IN GENERAL

Secs. 98-1—98-30. - Reserved.

ARTICLE II. - SOLID WASTE TRANSFER AND RECYCLING FACILITY

Sec. 98-31. - Authority.

The procedures, rules and regulations in this article are promulgated by the town council, subsequent to public hearing, and under the authority of section 98-32.

(Sel. Ord. of 11-1-1988(1), § 12-402)

Sec. 98-32. - Categories of recyclable material.

(a) Each person utilizing the town solid waste transfer and recycling facilities shall be required to separate from the normal waste stream, for recycling purposes, the following items:

- (1) Newspaper, printed or newspaper stock, clean, dry, and bagged or tied; magazines; and catalogs. No junk mail or cereal boxes may be recycled.
- (2) Corrugated cardboard, completely flattened. No wax containers or gray paperboard may be recycled.
- (3) Computer paper, including all computer-generated paper.
- (4) Glass containers, rinsed with caps and rings removed. Paper labels are acceptable. No window glass, mirrors, lightbulbs, dishes or ceramics may be recycled.
- (5) Tin cans, cleaned of foodstuffs. No paint cans, pressured cans, or cans with residual materials remaining may be recycled. Paper labels are accepted.
- (6) HDPE #2 plastic containers completely emptied of contents, rinsed and caps removed.
- (7) Wood, including all wood demolition materials and brush. Material must be free of metal, sheetrock, and insulation.
- (8) Scrap metal.
- (9) White goods, including all appliances.
- (10) Motor oil, not mixed with any other substance.
- (11) Tires, no rims accepted.

(b) The items described in subsection (a) of this section shall be separated from the normal waste stream and disposed of at the municipal solid waste transfer and recycling facilities as indicated in section 38-183.

(Sel. Ord. of 11-1-1988(1), § 12-402; Sel. Ord. of 2-23-1993, § 12-402; Sel. Ord. of 9-7-1993, § 12-402; Sel. Ord. of 1-18-1994, § 12-402)

Sec. 98-33. - Effective date.

Mandatory recycling of the classifications of materials in section 98-32 shall become effective on January 1, 1989.

(Mo. of 11-1-1988(1), § 12-402)

Sec. 98-34. - Preparation of recyclable materials.

Prior to disposal at the solid waste transfer and recycling facility, all recyclable materials shall be collected into bundles or packages which shall not exceed 60 pounds in gross weight or four feet in any dimension. All such bundles or packages shall be securely tied so as to prevent their breaking apart. All other items which may be added to the list of recyclable materials, which do not lend themselves to bundling or packaging, shall be separated and containerized and in a clean and sanitary condition.

(Mo. of 11-1-1988(1), § 12-402)

Sec. 98-35. - Disposal.

Disposal of recyclable materials at the solid waste transfer and recycling facility shall be in areas designated for the receipt of such materials. Those utilizing the facility shall cause recyclable materials to be deposited only in approved and designated locations as indicated by signage or by the facility's personnel. Recyclable materials may not be included for disposal with other waste items.

User fees shall be set by the Town Council and may be updated at any time. See fees listed in the Fee Schedule under Solid Waste Transfer & Recycling Facility.

(Mo. of 11-1-1988(1), § 12-402)

Sec. 98-36. - Amendments.

This article may be amended in accordance with the following procedures:

- (1) The town council shall cause to be drafted a proposed amendment to this article.
- (2) There will be a public hearing at least 30 days prior to the proposed effective date of any amendment.
- (3) The amendment shall then receive final approval by order of the town council, either as originally presented or with changes deemed appropriate by the town council after public hearing.
- (4) Emergency amendments to this article may be promulgated by order of the town council only in instances where the operation or licensing of the facilities are in jeopardy and immediate action is required. In such instances, the emergency rules and regulations shall be in effect for a period of 120 days, during which the normal amendment procedures shall be followed for permanent enactment of any amendment.

(Mo. of 11-1-1988)

Sec. 98-37. - Unacceptable waste.

(a) The following waste shall not be accepted at the solid waste transfer and recycling facility:

- (1) Junk vehicles.
- (2) Dead animals.
- (3) Sewage/septage/sludge.
- (4) Waste classified as hazardous.
- (5) Waste classified as radioactive.

- (6) Containers of liquid or solid waste that are sealed and/or closed.
- (7) Any waste prohibited by state department of environmental protection regulations.
- (b) Attempted disposal or disposal of any of these types of waste may subject the person to refusal of access pursuant to section 38-152 and/or the penalties provided in section 38-153.

(Mo. of 11-1-1988(1), § 12-104(4); Mo. of 1-18-1994, § 12-104(4)) Sec. 98-38. - Disposal fees.

See Appendix C, Sec 98-38 – Fee Schedule

~~(a) — There shall be no fee for disposal of waste materials at the site except for the following:~~

~~(1) — Household refrigerators/
freezers/air conditioners:
(Freon: R12 R22)~~

~~a. — Residents \$ 10.00~~

~~b. — Commercials 15.00~~

~~c. — Business 15.00~~

~~(2) — Propane Bottles 20#:~~

~~a. — Residents 3.00~~

~~b. — Commercials 5.00~~

~~c. — Business 5.00~~

~~Will not accept 100# bottles.~~

~~(3) — Tires:~~

~~a. — 15" 3.00~~

~~b. — 16" — 18" 5.00~~

~~c. — 18" — 22" 10.00~~

~~(4) — Off the road tires:~~

~~a. — Small 50.00~~

~~b. — Medium 75.00~~

~~c. — Large 100.00~~

~~(5) — Windows and doors:~~

~~a. — Windows 2.00~~

~~b. — Doors 2.00~~

~~(6) — Shingles:~~

~~a. — Lisbon sticker and CEO slip, per yard 25.00~~

~~b. — No slip, per yard 50.00~~

~~{(7) — Furniture and other miscellaneous items:}~~

~~a. — TV's and computers, each 5.00~~

~~b. — Carpets, per room 10.00~~

~~c. — Mattresses, each 5.00~~

~~d. — Chairs and sofas, each 10.00~~

~~e. — Wood, per yard 10.00~~

~~f. — Brush:~~

- 1. ~~Four feet in length, per yard 10.00~~
- 2. ~~Under four feet in length, per yard 5.00~~
- 3. ~~Over four feet in length, per yard 15.00~~
- g. ~~Mix load—Other bulky waste (shingles, wood, drywall), per yard 60.00~~

~~Note: References to yard(s) shall mean cubic yard(s).~~

~~(b) Fees collected from homeowners permit holders for item disposal (televisions, mattresses, brush, etc.) will be collected at the solid waste facility at the time of disposal by a Transfer Station Attendant, through a punch card system. The card will be available for purchase at the town office, transfer station, and public works. No cash will be transferred in the yard for items, only punch cards. The card will be designed to show a receipt for each sale.~~

~~(Sel. Ord. of 11-1-1988; Sel. Ord. of 9-7-1993; Sel. Ord. of 8-19-1999; Sel Ord. of 11-21-2000, § 5.107; Sel. Ord. of 7-22-03, § 4.002; Sel. Ord. of 8-5-03, § 5.044)~~

Sec. 98-39. - Licenses Permit and sticker administration.

(a) The licenses residential permits shall be issued by the front counter and/or Public Works Administrative Assistant at the town office, ~~solid waste transfer station, or the public works department,~~ in the form of a sticker, which shall be prominently displayed on the vehicle windshield. Failure to display the license sticker shall result in denial of access to the facility and denial of the opportunity to deposit or dump materials.

(1) Pursuant to this section, the permit period shall be for one calendar year, beginning September 1ST and expire on the August 31st each year, regardless of the date it was purchased.

(b) Temporary permits shall be issued by the Public Works Administrative Assistant at the town office. The permit must be located on person and readily available for inspection. Failure to display the permit when requested shall result in denial of access to the facility and denial of the opportunity to deposit or dump materials.

~~(b) Pursuant to this section, the license period shall be for one calendar year, beginning October 1 and there shall be a \$10.00 annual fee for the sticker for vehicles one ton and under, and \$50.00 for vehicles over one ton.~~

(c) Local contractors ~~will~~ shall be issued a license permit and sticker ~~for \$10.00~~ with an agreement for billing. They will be billed ~~weekly~~ monthly through the ~~secretary at the public works office~~ Public Works and Solid Waste Administrative Assistant. All bills will be on a 30-day account or denied use of the facility.

~~(d) The following list describes additional fees and regulations:~~

~~(1) Ten dollars for first sticker for one ton and under, \$5.00 for subsequent vehicles.~~

~~(2) To receive a rebate for the sticker when vehicles are traded during the year the old sticker must be returned.~~

~~(3) A \$5.00 fee will be charged for a one day permit for Lisbon residents with proof of residency. This will be issued at the transfer station or public works office.~~

~~(4) Out of town contractors doing work in Lisbon will be charged a one day entrance fee of \$10.00 with a valid demolition permit.~~

~~(5) The starting date will be October 1 for stickers and September 15 for fees.~~

~~(6) Resident hauler fee is \$250.00; nonresident hauler fee is \$750.00.~~

~~(Sel. Ord. of 7-22-03, § 4.002; Sel. Ord. of 8-5-03, § 5.044; C.M. of 7-1-2014, V. 2014-118)~~

~~Sec. 98-40.—Solid waste disposal fee committee established.~~

~~There is hereby established a solid waste disposal fee committee, which will analyze and make recommendations to the town council regarding the disposal fees for the town.~~

~~(Sel. Ord. of 4-22-03, § 5.191)~~

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

AMEND CHAPTER 70 ARTICLE 1, SECTION 70-1 DEFINITIONS, & ARTICLE IV, DIVISION 13,
DISTRICT USES SECTION 70-530 LAND USES, & SECTION 70-531 TABLE OF LAND USES
REGARDING DAY CARES

Second Reading

VOTE (2019-128) Councilor Larochelle, seconded by Councilor Ward moved to amend Chapter 70 Article 1, Section 70-1 Definitions, & Article IV, Division 13, District Uses Section 70-530 Land Uses, & Section 70-531 Table Of Land Uses Regarding Day Cares as presented as follows:

Chapter 70 - ZONING ORDINANCE

ARTICLE I. - IN GENERAL

Sec. 70-1. - Definitions.

Childcare, Center. A house or other place in which a person or combination of persons, maintains or carries out a regular program, for consideration, for any part of a day providing care and protection for thirteen (13) or more children under thirteen (13) years of age, or any location or locations operated as a single childcare program or by a single person or persons when there are more than twelve (12) children being cared for.

Childcare, Small Facility. A house or other place in which a person or combination of persons, maintains or carries out a regular program, for consideration, for any part of a day providing care and protection for 3-12 children under 13 years of age.

~~*Childrens' day care facility.* A house or other place in which a person maintains or otherwise carries out a regular program, for consideration for any part of a day providing care and protection for three or more children under 13 years of age. "Day care center" does not include any facility operated as a nursery school, a home day care provider or summer camp established solely for recreational and educational purposes or formal public or private school in the nature of a kindergarten or elementary or secondary school approved by the Commissioner of Education in accordance with Title 20-A.~~

ARTICLE IV. – DISTRICT REGULATIONS

DIVISION 13. - DISTRICT USES

Sec. 70-530. - Land uses.

All land use activities, as indicated Sec. 70-531 Table of Land Uses, shall conform to all of the applicable performance standards. The district designation for a particular site shall be determined from the Zoning Map of Lisbon, Maine.

(1) Key to Table of Land Uses:

P	Permitted by right if they comply with all applicable federal, state and town laws and regulations and the performance standards in article VI of this chapter. Uses may also require Subdivision and/or Site Plan Review approvals pursuant to other provisions of this Code.
C	Permitted upon authorization of a conditional use permit by the planning board in accordance with Article III of this Chapter. {May also required Site Plan Review and/or Subdivision approval}

No	Prohibited
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(2) Abbreviations:

RP	Resource Protection
LR	Limited Residential
GR	General Residential
RO-I	Rural Open Space I
RO-II	Rural Open Space II
RR	Rural Residential
LRR	Limited Rural Residential
V	Village
C	Commercial
I	Industrial
DD	Diversified Development

Sec. 70-531. - Table of land uses.

<i>Commercial/Business Uses</i>	RP	LR	GR ¹²	RO-I	RO-II	RR	LRR	V	C	I	DD ⁸
Child day care in home/eight or fewer children <u>Childcare, Small Facility</u>	NO	C	C	C	C	C	NO	C	NO	NO	<u>PC</u>
Children's Day Care Facility <u>Childcare, Center</u>	NO	NO	C	C	NO	C	C	C	C	C	C

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

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. Planning Board: Councilor Ward said the June 6 meeting has been postponed and the next meeting will be on June 27.
2. LDC: Councilor Larochelle said they plan to meet at the Town Hall at 6PM tomorrow night.
3. Conservation Commission: Councilor Ward said they plan to meet later this month.
4. Recreation: Councilor Kolbe said they met last night and lots of planning is going on.
5. County Budget: Councilor Ward said they plan to caucus on June 19 at 6PM at the County Building. Nomination for Budget Committee Members will be received from the floor and will require a majority vote of those municipal offers present to be approved.
6. Library: Councilor Lunt said their Summer Reading Program has started.

B. TOWN MANAGER'S REPORT

Mrs. Barnes said she is putting her final touches on the town's budget and is working on financials.

C. MS4 ANNUAL TRAINING

Mr. Aievoli reported not much has changed. The town is still waiting for its new permit, which we already applied for a long time ago. He was told it is coming and may be here July 1. He mentioned the town is wrapping up year 6 in this program and going into year 7. He indicated there has been no word yet on the town's getting out of this program. He asked Councilors to fill out the survey for him. Otherwise, it's business as usual.

Councilor Ward requested the MS4 Survey be emailed to Councilors.

APPOINTMENTS

PLANNING BOARD REGULAR MEMBER RESIGNATION AND NEW APPOINTMENT TO 2020

Dan Leeman submitted his resignation as a Regular Member on the Planning Board to 2020.

William Kuhl indicated he would like to move from his Alternate seat on the Planning Board to 6/30/2019 into the Regular Member seat, leaving an automatic resignation from his current seat as Alternate to 6/30/2019.

Chris Huston recently applied for a seat on the Planning Board. We have a pending application on file and he is interested in accepting the Alternate seat, leaving an automatic resignation from his current seat on the Appeals Board expiring 6/30/2019. Renewal appointments take place at the next meeting so Chris's name will appear on the list of renewals we do annually.

(VOTE 2019-129) Councilor Ward, seconded by Councilor Brunelle moved to accept Dan Leeman's resignation on the Planning Board, to appoint William Kuhl as a regular member to 2020, automatically accepting William Kuhl's resignation as an Alternate that expires 6/30/2019.

Order passed - Vote 5-0.

PLANNING BOARD ALTERNATE MEMBER RESIGNATION AND NEW APPOINTMENT TO 6/30/2019

(VOTE 2019-130) Councilor Ward, seconded by Councilor Brunelle moved to appoint Chris Huston as an Alternate Member on the Planning Board to 6/30/2019, automatically accepting his resignation on the Appeals Board that expires 6/30/2019. **Order passed - Vote 5-0.**

COUNCILOR COMMUNICATIONS

Councilor Ward requested a Solid Waste Workshop be set up for September or October to discuss definitions for Commercial Haulers. Councilor Larochelle agreed this could be a valid discussion going into the next budget year.

AUDIENCE PARTICIPATION FOR NEW ITEMS

Mr. Cyr reported Public Works would need to put in two (2) culverts as soon as possible on Andrea and Bartholomew Streets. The flooding situation this spring caused issues. He estimated a four sided precast box culvert 2 feet high, 6 feet wide, with a 1 foot lip will cost an estimated \$25,000. He explained Andrea Street is getting new pavement soon and that this culvert should be installed prior to putting down the new pavement on Andrea Street at the very least. This project will need some gravel and a rental excavator. He said with Council approval tonight this project would still be three to four weeks out waiting for culverts to be delivered.

Mr. Cyr estimated the culverts at \$50,000, gravel at \$5,000, a rental excavator at \$4,500 per month.

Councilor Larochelle suggested they use the funds left over and then pull the rest from the general fund. Mrs. Barnes indicated they could use the left over funds and the rest could come from the designated MDOT match on Route 125 that has not be used.

VOTE (2019-131A) Councilor Brunelle, seconded by Councilor Larochelle moved to authorize the Town Manager to use the left over funds and the rest from the designated MDOT match in an amount not to exceed \$75,000 for the Culverts Project on Andrea and Bartholomew Streets. **Order passed – Vote 5-0.**

EXECUTIVE SESSION

VOTE (2019-131B) Councilor Brunelle, seconded by Councilor Larochelle moved to go into Executive Session at 8:35 pm Per 1 MRSA Section 405(6) (c) Acquisition or Disposition of Real Property or Economic Development. **Order passed – Vote 5-0.**

The council came out of executive session at 8:40 pm and resumed the meeting.

VOTE (2019-131C) Councilor Lunt, seconded by Councilor Larochelle moved that the Town of Lisbon discharge its mortgage on real estate in Lewiston at 298 Park Street, based on a determination that sufficient security for the outstanding balance of the loan exists under the town's mortgage on property in Lisbon owned by Maurice Bonneau's Sausage Kitchen, Inc. provided that as a condition of such discharge the business shall first provide financial statements satisfactory to the Town Manager and Economic Community Development Director that the business has the cash flow and financial capacity to fulfill its obligations under the loan. **Order passed – Vote 5-0**

ADJOURNMENT

VOTE (2019-132) Councilor Lunt, seconded by Councilor Kolbe moved to adjourn at 8:43 pm. **Order passed - Vote 5-0.**