



## **TOWN COUNCIL MEETING MINUTES SEPTEMBER 17, 2019**

Christopher Brunelle, At Large 2019  
Mark Lunt, District 1 2019  
Vacant, 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 Chairman, Normand Albert, called the meeting to order and waived the pledge of allegiance to the flag at 6:00 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; Raymond Soucy, Public Works Administrative Assistant; Marc Hagan, Police Chief; Nate LeClair, Fire Chief; Miriam Morgan-Alexander, Appeals Board/Assessment Review Board Member; Donald Fellows, Planning Board Member; William Alexander, Water Department Superintendent; Shelly Reynolds, Water Department Supervisor; Marie Hale, Water Commissioner; Roger Bickford, Water Commissioner; along with approximately 30 other citizens in the audience.

### **WORKSHOP**

#### **SOLID WASTE DISCUSSION**

Mr. Cyr said the Town of Lisbon recently went from charging residents for their Transfer Station Annual Permits from \$10.00 to \$25.00 for their first vehicle and \$5.00 to \$25.00 for each additional vehicle. The primary reason for the increased cost is due to the rising cost of tipping rates and the drop in revenue the town receives for recycled plastics, papers, and other materials. This economic change has not only effected Lisbon, but is stretched throughout the State of Maine, the East Coast, and across the US. Municipalities all over are having to change the way residents are charged for disposal of household trash to bulky waste. Many municipalities have already implemented changes to their rate schedules, which in most cases have greatly increased their serviceability and with a steady stream of income are now able to offer more disposal options to their residents while maintaining a safe and operable facility. After thorough review of the town's Solid Waste expenses and revenues, town management proposes a change to move from a flat rate base permit of \$25.00 to a Pay-As-You-Throw (PAYT) program. The purpose for this proposed change is to:

- Increase the Town's recycling rate.
- Develop more cost-effective waste & recycling strategies.
- Develop waste management and recycling policies to serve the Town now and in the future.

Mr. Cyr said a few benefits of switching to a PAYT program are:

- PAYT incentivize recycling - the more you recycle, the less you pay.
- PAYT generates revenue to offset rising costs of waste disposal and recycling.
- Revenue for Transfer Station improvements which will improve traffic flow, safety and ease of use for residents to make operations more efficient.
- Allow more opportunities for recycling and composting.
- Allows those who already recycle to save more by using less bags while it hopefully forces others who currently don't recycle to start sorting. Meaning, you pay what you use and no longer will you pay for your neighbor's trash due to receiving a flat rate.

Mr. Cyr said the biggest factor noted while reviewing town meeting minutes was the push-back from residents on having to pay more out of pocket. However, with any change this is always a concern and usually a cause for additional meetings and education on why these changes must be implemented before taking action.

Mr. Cyr said the Environmental Protection Agency (EPA) has been working with and reviewing municipal procedures since the 90's and they will continue in the future with the ever changing solid waste disposal fees and costs. One thing to note is that the EPA has informed us that not one way is perfect and each town may and will probably need to adjust any approach they go with before it becomes a set procedure or fee.

Mr. Cyr indicated the town of Lisbon is looking into options including the PAYT program using pre-purchased bags. This seems to be the most effective and used program in the State of Maine with many towns already adopting and or in trial stages now. According to Natural Resources Council of Maine, these towns are as follows:

1 Abbot	48 Gouldsboro	95 Perham
2 Addison	49 Hammond	96 Portland
3 Amity	50 Hancock	97 Pownal
4 Appleton	51 Harmony	98 Prentice*
5 Arundel	52 Hersey	99 Presque Isle
6 Attean*	53 Holden	100 Raymond
7 Bald Mountain*	54 Holeb*	101 Rockport
8 Bath	55 Hope	102 Roque Bluffs
9 Brunswick	56 Howland	103 Sandy Bay*
10 Beals	57 Hudson	104 Sanford
11 Belfast	58 Island Falls	105 Searsmont
12 Biddeford	59 Islesboro	106 Searsport
13 Big Six*	60 Jackman	107 Sidney
14 Black Gore*	61 Jonesboro	108 Sorrento
15 Blanchard TWP*	62 Jonesport	109 South Berwick
16 Bowdoinham	63 Kenduskeag	110 Starks
17 Brewer	64 Kennebunk	111 Stockton Springs
18 Bucksport	65 Knox	112 Sullivan
19 Calais	66 Leeds	113 T5 R6*
20 Camden	67 Liberty	114 T5 R7*
21 Castine	68 Lincolnville	115 T7 R5*
22 Castle Hill	69 Long Pond	116 T7 R18*
23 Chapman	70 Machias	117 T7 R19*
24 Columbia	71 Madison	118 T11 R4*
25 Columbia Falls	72 Mapleton	119 Thorndike
26 Corinth	73 Mars Hill	120 Thorndike TWP
27 Crystal	74 Marshfield	121 Topsham
28 Cumberland	75 Mercer	122 Troy
29 Dennistown	76 Merrill	123 Union
30 Dixmont	77 Misery TWP*	124 Unity
31 Dresden	78 Monson	125 Upper Enchanted*
32 Durham	79 Monticello	126 Vinalhaven
33 Dyer Brook	80 Montville	127 Warren
34 Elliotville TWP*	81 Moose River	128 Washington
35 Ellsworth	82 Moro Pkt.	129 Washburn
36 Eliot	83 Mount Chase	130 Waterville
37 Fairfield	84 New Limerick	131 Wade
38 Falmouth	85 New Vineyard	132 Wellington
39 Farmington	86 North Berwick	133 Wells
40 Forsyth*	87 North Haven	134 West Bath
41 Frankfort	88 North Yarmouth	135 Whitneyville
42 Franklin	89 Northport	136 Willimantic
43 Freedom	90 Ogunquit	137 Windsor
44 Freeport	91 Old Orchard Beach	138 Winter Harbor
45 Fryeburg	92 Old Town	*unorganized
46 Garland	93 Palermo	township
47 Gorham	94 Patten	

Mr. Cyr said Lisbon's proposed changes are neither unique in approach nor a way to save more money as some may seem to believe. Each town appears to vary slightly in its approach. Some towns have all taxpayers fund the transfer station's operation through taxes; others charge for the stickers with disposal fees by weight, some are pay-per-bag or using tags, while other municipalities have incorporated several methods mentioned into one program.

Mr. Cyr said going forward with changes to the disposal methods and fees is a must if we want to maintain and operate a Solid Waste Facility the way it should be used. For a better understanding on the facility changes in the costs and revenue, Chart 1A below is a chart showing the difference from 2017 through current on the cost and revenue per ton for Cardboard, Newspaper and Mixed Paper. Keep in mind that these types of changes are happening across the board with all recycling.

***Note:** Any positive number represents revenue per ton and a negative number represents disposal cost per ton. This chart shows only the first and last month of the given year.*

Chart 1A

<b>MONTH / YEAR</b>	<b>CARBOARD (OCC)</b>	<b>NEWSPAPER</b>	<b>MIXED PAPER</b>
JANUARY - 2017	\$125.00	\$80.00	\$57.50
DECEMBER - 2017	\$90.00	\$60.00	\$10.00
JANUARY - 2018	\$90.00	\$60.00	\$10.00
DECEMBER - 2018	\$60.00	\$25.00	-\$25.00
JANUARY - 2019	\$50.00	\$20.00	-\$30.00
AUGUST - 2019	\$20.00	\$30.00	-\$30.00

Chart 2A below shows revenue for the main sources at the facility.

CHART 2A

<b>REVENUES</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
SOLID WASTE PERMITS	\$ 32,843.71	\$ 36,962.60	\$ 32,546.00
METAL	\$ 20,319.51	\$ 31,598.00	\$ 26,768.95
CARDBOARD	\$ 13,513.45	\$ 14,857.95	\$ 5,519.93
MIXED PAPER	\$ 7,308.23	\$ 4,461.83	\$ 10.00
NEWSPAPER	\$ -	\$ -	\$ 543.00
YARD ITEMS	\$ 11,680.00	\$ 15,713.00	\$ 19,573.50
TIRES	\$ 1,091.00	\$ 1,271.00	\$ 2,024.00
UNIVERSAL WASTE	\$ 2,787.00	\$ 4,966.00	\$ 5,436.75
EXCAVATION	\$ 2,755.00	\$ 2,480.00	\$ 2,170.00
<b>TOTAL REVENUE</b>	<b>\$ 104,231.36</b>	<b>\$ 127,889.78</b>	<b>\$ 109,026.24</b>

Mr. Soucy said revenues from these sources above are important and have been steadily decreasing and will continue to decrease for years to come according to the EPA. However, more importantly just as with any program we must start where the weakest area is and that's municipal solid waste (MSW).

Mr. Soucy said by paying for individual bags and forcing residents to recycle, should increase our revenue lines above while decreasing the towns overall cost of disposal for MSW. The town currently uses Maine Waste to Energy for disposal of MSW. The town is charged the municipality rate of \$72.45 per ton as of today. In Fiscal Year 2019, the town sent approximately 2,884 tons to Maine Waste to Energy for disposal. The cost for this disposal was roughly \$207,480.00. The mix of trash was from residents, temporary permits and commercial haulers. Within the town, approximately 3,000 permits were issued at \$10.00 each totaling \$30,000.00. The excess \$2,546.00 (see figure 2A) were for second vehicle and temporary permits. A resident Hauler fee per year to the Town was \$250.00. Each hauler is also responsible for payment of any approved household waste types outlined in Lisbon Ordinance Section 98-38 (Disposal Fees). The town currently has three active haulers, which equated to \$750.00 in revenue per fiscal year prior to 2019, and the current rate is now \$1,000 per year. He said the town has always used a flat rate fee, which allowed anyone with an approved permit and or commercial hauler permit to dispose of all bags brought to the facility. What that comes down to is a resident who disposes of one bag a week is charged the same rate as a resident disposing 5+ bags a week. If the town moves to a PAYT program charging \$1.50 per bag, and if approximately 3,000 permit holders dispose of one bag per week, at the end of the year that would equate to \$234,000 in revenue. Additionally, if all residents who currently use commercial haulers also

purchase the same bags, which would now be needed, this dollar amount will greatly increase. Taking the cost of disposal for the prior year of \$207,480.00, less the revenue of \$109,026.24, leaves the town at a negative \$98,453.76. If the town sold the same approximate 3,000 permits at \$25.00 each, this would generate a total revenue of \$75,000.00. By maintaining the same figures for the rest and adding in the new permit amount the town's revenue would be roughly \$137,046.13. Using the prior year-end disposal cost of \$207,480.00, less our revenue of \$137,046.13, would still leave the town at a negative \$70,433.87.

Mr. Cyr said in conclusion, he proposed the town:

1. Start a Pay-As-You-Throw Program;
2. With permits issued at no cost with all the same policies for approval;
3. The town maintains a stock of bags for purchase at \$1.50 per bag;
4. Commercial Haulers ensure all customers are using approved pre-purchased bags;
5. And that we educate the public on all aspects of the PAYT program.

Mr. Cyr said \$25.00 per permit is not a bad deal, going with the PAYT still leaves the town in the red; either way the town still needs to come up with a solution. The recycling part is free so the more you recycle the better. Councilor Ward mentioned Mr. Plummer suggested the bags be \$.50 cents. Mr. Cyr said most towns around Lisbon are charging \$1.00 to \$3.00 per bag. Mr. Cyr said the \$25.00 permit fee would be eliminated with a PAYT program.

Several residents spoke and offered the following suggestions and comments:

- Taxpayers are already paying for this service through taxes. She asked why the change.
  - Councilor Lunt said there is not much of a demand for recycling products so revenues have decreased and the cost through taxes have gone up from \$300,000 to \$400,000 to 500,000 and it continues to increase this year.
  - Councilor Larochelle said if the taxpayers are not able to fund this then the transfer station would have to go away. He said the Council is trying not to have so many increases, but this expense is projected to go up and up.
  - Councilor Ward said the \$25 permit fee was not intended to offset the entire cost of this program, but we do need to do something.
- A resident thanked the Council for taking steps to establish the composting program at the transfer station. The garbage to gardens program is officially operating now and bins are available at the transfer station. The sign is up and bins are over there. It's a real benefit to the community. Flyers with information on this are available. He said he didn't like the idea of paying per bag, but that he would support it. He said he throws two bags every two weeks while others are bringing in five bags a week that does not seem fair.
- A resident said she lived in Old Town where they administered a PAYT program, however the town collected the bags and recycling was free. She asked if there would be any pick up service. She said residents still have to purchase the bags, pay the permit fee, and on top of that haul it themselves to the transfer station. She said it was not convenient to go to the transfer station since their working hours were the same as the transfer station hours and she didn't want to spend a half a day on Saturday going when it's extremely busy.
  - Councilor Albert said Council reviewed that a few years ago and found it cost prohibitive at that time.
  - Councilor Lunt mentioned it was over \$200,000 for curbside service four years ago or so. Councilor Albert said that would be a huge increase and Council didn't support it.
  - Mr. Cyr said the \$25.00 permit fee would not be included in the PAYT program, but stickers would need to be issued.
- One resident asked where the shortfall of \$70,000 would come from.
  - Councilor Ward explained that the figures used were an estimate and most individuals will not be bringing just one bag so there should not be a deficit.
  - Councilor Albert pointed out the Council has talked about the permit fees several times and no one attended those meetings, and that it would have been nice to hear from the public at that time, instead of afterwards. It is better to have input on the front end before Council votes.

- A resident asked if there was a way to monitor the permit program. He said he sees vehicles pass the town line and go to the transfer station and others he witnessed leaving without paying for permits.
  - Mr. Cyr said this will be monitored. There will be a booth outside the gate so those without permits will not even enter.
- A resident said she didn't see anyone checking stickers either. She said she uses someone's truck a couple times a year and wanted to know how she would get in. She recommended if the Council went with the PAYT program that they start with \$.75 cents a bag at first.
  - Mr. Soucy explained to her that she needed to come to his office to obtain a written permission slip to use for that day or so. He indicated her fee in that case would be waived.
  - Mr. Cyr mentioned that bags would be available at grocery stores, town office, transfer station, and other local places in town.
- A resident suggested establishing a target date so this is accomplished before budget season starts. He said perhaps an adhoc committee could be beneficial.
  - Councilor Albert said hearing what other communities have to say, seeing what successful towns are doing, and looking for what matches our community is needed. He said this is the kick off point, let's absorb this information, determine what does this mean, and look for the best strategies.
  - Councilor Larochelle said budget talks will start in a couple of months, there will be an increase, and that must be taken care of somehow.
  - Councilor Brunelle suggested the PAYT system with everyone paying across the board, regardless of who brings it to the transfer station.
- One resident said it would be nice to get a credit for recycling. She pointed out that half of her son's classmates fall into the free and reduced meals at school, and that those families will struggle with any increase or bill you throw their way. This leads to burning trash in your backyard or dumping it along the roadway.
- A resident asked what percentage of the department lands on the tax rolls and what percentage lands on disposal fees.
- One resident asked how big the bags would be because if they are too large she will not be able to carry them.
- One resident suggested a smaller bag and fee be included.
- A resident said he sees a lot of individuals who seem to be non-residents at the transfer station and they are not supposed to be there. He suggested hiring someone to monitor permits. He recommended non-resident haulers pay a higher share, if not triple.
  - Councilor Larochelle pointed out that non-resident haulers are still only bringing Lisbon taxpayers trash. He pointed out that businesses should be monitored as well.
  - Councilor Ward explained the definition of commercial hauler should be defined better in the ordinance.
- A resident said \$25.00 per permit is a good deal and that he was not in favor of going to the PAYT program. He said even if it were a little more, it would still be more convenient for him. One resident said even if it were \$75.00 per year, it would be worth it. He also recommended punch cards or scales.
  - Mr. Cyr said he would be having someone come to talk with the Council about using scales.
- Another resident said \$50.00 per year would be better than buying bags.
- A resident said when he first heard about this he said crap, another bill on a fixed income. Additional expenses hurt. He said looking 5 to 7 years out that he would not be able to pay his property taxes. He said he had no problem with paying \$25-50, but that the second sticker at \$25 was too much. He said a lot of retirees live in town and we get only a 2% a year increase.
- A resident said he has a large family, that a spike in revenue should make a nice profit margin, and that he would rather see Council start out with \$.50 cents to \$.75 cents, which seemed more reasonable to start with. He recommended tags instead of bags since you would not have so much inventory to store and tags are easier to put on any bag.
- A resident said he had been hauling trash for 40 years. He said 1 bag or 12 bags at the same rate is not equitable. He said taxpayers' pay for this transfer station right now. He suggested colored bags instead

of tags so you can see all are in compliance. He encouraged the Council to stay with keeping the expense in the tax bill so everyone is taxed and no one gets a free ride. He said if you charged \$50 a year on all tax bills they would be better off than going with this PAYT system. He said he provides a service to the town and that the town would not want to see his 300 customers come to the station on a Saturday.

- Mr. Cyr said this is why we wanted to hold this workshop so residents realize it's a good deal at \$25.00.
- One resident said she was upset and complained to the staff at the front counter because it seemed like sticker shock because it had been only \$10 for so long. She explained that once it was explained she was okay with it and others will be too.
- One resident said he preferred a \$50 or \$75 flat fee instead of the hassle of buying certain bags.
- One resident said it is not easy to figure out the cost accounting, but determining how much the three hauler's trash is in association with activity is important; without that information it will be hard to apply equally to everyone. Residents could be subsidizing commercial haulers so we need to analyze this activity.
- A resident encouraged the Council to try the \$25 for a year or two and see how it goes before the town starts something else.
- A resident said he has to buy five stickers for his family's vehicles, which totals \$125 and that seems excessive. He said he preferred to see this in the tax bill, which seems fairer.
- One individual said he pays plenty for them not to use the facility.
- The last resident said he witnessed five vehicles this date at 1:18 PM at the transfer station coming in without permits. He said he overheard one truck driver say to the attendant that he didn't want to pay the \$25 fee so he had not gotten one. He said residents may not buy new permits until someone is at the gate enforcing it.

Councilor Kolbe said this was the largest attended workshop she had attended so far and that she would like to see more like this. Councilor Lunt said he loved seeing the public participation. Councilor Albert said everything is on the table for discussion and appreciated the comments. He encouraged residents to go to the website, their phone numbers and email addresses are there, so send emails or leave voice mail messages anytime.

Seeing no further comments, the Chairman called for a five-minute recess at 8:05 PM. The Chairman, Normand Albert, called the meeting back to order at 8:15 PM and the audience in the pledge of allegiance to the flag. Seeing no objections, the Chairman called for Agenda Item 9. D Worumbo Mill Site Inspection Update to be taken out of order.

#### *Item Taken Out Of Order*

### **D. WORUMBO MILL SITE INSPECTION UPDATE – TRC**

Charles Springer, Brownfields' Project Manager explained they completed the Environmental Site Assessment on a portion of the former Worumbo Mill property located at 1 Canal Street funded by the Brownfields Assessment Grant Program funded by the United States Environmental Protection Agency to support a potential real estate transaction. The vacant site where the white mill building existed from 1920 to 2016 on the eastern-most portion of the site was determined to be a clean site, reusable, and eligible for a Maine VRAP or State of Maine Certificate of Completion should the town want to apply for one. The certificate would contain a covenant that it not be used for residential but could be used for other things, but most importantly it offers liability protection from federal and state laws. He said this protection is offered because everything has been disclosed so no one can come after the town for anything. He indicated that the area with the rubble in the woods (some asbestos, co-mingled with solid waste, white block, wire, and other materials) should be fenced off and protected from public access until the area can be cleaned up by a licensed company, and indicated an abatement contractor could estimate that cost when ready. He also recommended decommissioning the monitoring wells.

Councilor Larochelle said the town would be crazy not to pursue a VRAP since the cost would be covered by this grant. Mr. Springer said DEP received a copy of the findings and summary and approved it and a copy went to

EAP today to be reviewed. Councilor Ward wanted to know what the assessed valuation of the property is now that it has been subdivided and whether it is a realistic amount. Councilor Albert thanked Mr. Springer and TRC for their work on this project and said he was looking forward to hearing what the state has to say.

## **GOOD NEWS & RECOGNITION**

Councilors Ward and Kolbe cheered for the Greyhounds and mentioned they have a game Friday at Mountain Valley at 7PM.

## **PUBLIC HEARINGS**

### **A. SPECIAL ENTERTAINMENT PERMIT FOR THE LISBON LEFT HAND CLUB**

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

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

## **CONSENT AGENDA**

**VOTE (2019-179)** Councilor Larochelle, seconded by Councilor Kolbe moved to approve the following:

### **A. Municipal Accounts Payable & Payroll Warrants -**

#942019	\$ 8,979.93	#9042019	\$ 4,290.50
#190912	\$ 188,951.33	#1909W1	\$18,289.73
# 9112019	\$ 11,137.91	#9172019	\$ 628,107.96

### **B. School Accounts Payable & Payroll Warrants -**

#1011	\$ 304,059.04	#1012	\$ 12,413.57
#8	\$ 14,959.88	#1013	\$ 319,231.96
#2004	\$ 126,918.23		

### **C. Council Meeting Minutes of September 3, 2019**

### **D. Liquor License and Special Entertainment Permit for the Lisbon Left Hand Club**

**Order passed – Vote 6-0.**

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

### **PHOTO COPIER MAINTENANCE CONTRACTS**

**INTRODUCTION:** The Town of Lisbon owns Five (5) photocopiers: four Kyocera copier machines and one Konica copier. We currently have a service contract with SymQuest to provide service for all five copiers, which includes the toner and needed parts to maintain operation of the copiers.

The service contracts on three (3) copiers is expiring on September 25, 2019. We met with a representative from Symquest to discuss the service and future service needs and they were working on a new proposal for service on the three copiers with expiring service contracts. In our meeting we were told to expect increases in the cost because after being bought out by Konica they are no longer able to be an authorized service company for Kyocera.

Based on this information the town sought a proposal from an authorized Kyocera company and have since received their copier service proposal. These plan details are as follows:

- Current SymQuest costs:
  - The average cost for black and white copies with SymQuest is from \$0.0109 to \$0.0131 per copy on these copiers and the color copies averages \$0.0659. Our current contracts also have annual allowances and we have gone well under in black & white copies and well over in color copies skewing the cost up from original estimates.
- Kyocera of New England offers:

- Two years on service to all Kyocera copiers \$0.0065 for black and white copies. This 40% below our current cost. The proposal for color copies is \$0.045 per page, which is 32% lower.
- Symquest proposes the following:
  - Keeping the same equipment, the new pricing would be: \$0.0121 per black & white page for the large copiers and \$0.0732 per color page. (These costs are nearly double the Kyocera costs)
  - They also proposed exchanging equipment to Konica copiers and by purchasing new machines we would have an on-going cost of \$0.0078 per black & white page for the large copiers and \$0.0491 per color page. (These costs are close to the Kyocera costs but still higher)

The Finance Assistant recommends the Council accept the new offer from Kyocera of New England. The existing copiers are running well and doing the job. Everyone seems quite pleased with the copiers. In accepting the Kyocera proposal we will have a much lower costs for the next two years and can then look at whether it is time to replace existing copiers.

**VOTE (2019-180)** Councilor Ward, seconded by Councilor Kolbe moved to authorize the Town Manager to sign a two-year contract with Kyocera of New England. **Order passed - Vote 6-0.**

### POLICE DEPARTMENT SERVER BID AWARD

**INTRODUCTION:** Chief Hagan reported Lisbon solicited bids for a new server for the Police Department on August 23, 2019. Bids were sent to: Bizcompass, CMC Technology Group, Dell Inc., Roundtable Technology, BEK, Burgess Technology, Symquest, Systems Engineering, CDWG, PCCI, Working Group Technology Partners, Logically, and Connection. The public bid opening was held on September 10, 2019 at 10 AM at the Lisbon Town Office. The Town received the following bids:

Name	Street Address	Town	Bid
BEK, Inc	9 Industrial Parkway, Suite 1	Brunswick, ME 04011	\$17,601.00
PCCI (Kyocera Intelligence)	1 Jewell Drive	Wilmington, MA 01887	\$18,660.00
WGTech	207 Larrabee Road	Westbrook, ME 04092	\$15,356.95
Roundtable Technology	P.O. Box 2313	Lewiston, ME 04241	\$14,961.96

Chief Hagan reported a bid from CDW-G was received after the deadline. Based on the estimates provided, he recommended Roundtable Technology to complete this project. \$15,000 was carried forward from the prior year budget to fund this project.

**VOTE (2019-181)** Councilor Ward, seconded by Councilor Lunt moved to award the Police Department Server bid to Round Table Technology in the amount of \$14,961.96. **Order passed - Vote 6-0.**

### 2018 BYRNE JAG GRANT

**INTRODUCTION:** The Lisbon Police Department has the opportunity to apply for Federal Funds through the FY 18 Byrne JAG Grant. The police department has been pre-allocated a total of \$3,023 in grant funding. This particular grant does not require any matching funds. If Council approves, the police department will use the funding to purchase a new mobile radio for one of our marked cruisers, and two portable radios for our officers. Our current radios are at the end of their useful life span and we need to move forward with their replacements in a timely manner. The police departments stated goal for this year was to update their communications equipment, which this grant would assist in accomplishing. The police department is requesting permission to apply for, accept, and spend any funding amount allotted through this grant process towards the above purchases.

**VOTE (2019-182)** Councilor Albert, seconded by Councilor Larochelle moved to authorize the Police Chief permission to apply for, accept, and spend any funding amount allotted through this grant process towards the above purchases. **Order passed - Vote 6-0.**

### HEALTHY ANDROSCOGGIN GRANT ACCEPTANCE

**INTRODUCTION:** The Lisbon Police Department has been given the opportunity to receive up to \$1,500 in funds, to complete underage drinking enforcement details and compliance checks, from the Central Maine



Community Health Corporation (CMCHC), who is actually the fiscal agent and sponsor for “Healthy Androscoggin.” Healthy Androscoggin is a local organization that promotes and encourages positive choices including but not limited to the prevention of youth tobacco and other substance use. The funding, which must be used by September 25th, will pay for officers’ overtime details. These details would be a combination of high visibility patrols as well as plain clothes details in unmarked vehicles enforcing underage drinking violations. All costs incurred would be submitted by invoice to the Central Maine Community Health Corporation for reimbursement. There are no matching fund requirements required.

**VOTE (2019-183)** Councilor Larochelle, seconded by Councilor Kolbe moved to accept and spend the grant funds in the amount of \$1,500 from (CMCHC) Healthy Androscoggin. **Order passed - Vote 6-0.**

### PUBLIC WORKS USED PLOW TRUCK

**INTRODUCTION:** The Public Works Director is requesting approval to attend an auction on October 10, 2019, with a credit line of \$20,000 to purchase a plow truck with a dump body for the Public Works Department.

The primary purchase is a plow truck however, if the cost of the truck is lower than \$20,000 and the auction company has other equipment he would also like to place bids for attachment(s) for our newly purchased skid-steer not to exceed a total of \$20,000. There is a line item in the Public Works FY 20 budget to cover this purchase.

**VOTE (2019-184)** Councilor Larochelle, seconded by Councilor Ward moved to authorize the Public Works Director to purchase a used truck with attachments not to exceed \$20,000 through an auction. **Order passed - Vote 6-0.**

### WAIVER OF BID PROCESS TO PURCHASE FIREFIGHTER TURNOUT GEAR

**INTRODUCTION:** The Fire Chief is requesting a waiver to take advantage of the pricing that was quoted earlier this calendar year for firefighting turnout gear. During the last budget season the town went out to bid for turnout gear. We received the following bids last year:

- Fire-Dex: \$12,310.00
- Morning Pride: \$12,140.00
- Globe: \$11,380.85 (plus \$2.77 per letter for last names)

That bid was awarded to Bergeron Protective Clothing with Globe brand gear on March 19th not to exceed \$11,600. Globe’s was not only the lowest bidder, but pricing was also guaranteed through the end of the calendar year 2019.

The Town’s purchasing policy allows the Town to waive the bid process by Council vote as follows:

86-34 Formal bidding, the Council may waive a formal bid process...

- (g) Purchases by competitive bidding—Waiver. The requirement of competitive bidding may be waived by a vote of the council upon recommendation by the town manager when he/she determines that quality, expertise, time factors, or other important considerations outweigh the possible benefits of bidding or requesting proposals.

Chief Leclair is asking Council to waive the bid process so the Town can take advantage of the pricing that was quoted earlier this calendar year.

**VOTE (2019-185)** Councilor Larochelle, seconded by Councilor Ward moved to waive the formal bid process to purchase the FY 2019-20 firefighting turnout gear from Bergeron Protective Clothing for Globe brand gear using last fiscal year’s pricing. **Order passed - Vote 6-0.**

### PROPERTY TAX ABATEMENT

**INTRODUCTION:** A 2019 property tax was assessed to Roger Bowie’s Account #758 in error. Since the error was just noticed and is more than one year from commitment, the Tax Assessor is not authorized to grant this

abatement. The abatement will need to be granted by the Town Council. The property owner moved the trailer prior to April 1, 2018 and should never have been assessed a tax for FY 19.

**VOTE (2019-186)** Councilor Larochelle, seconded by Councilor Kolbe moved to authorize the tax abatement of \$454.57 and write off interest of \$27.12 and costs of \$60.80 on Account #758 assessed to Roger Bowie. **Order passed - Vote 6-0.**

## DRAFT LEGISLATION FOR FINANCE COMMITTEE

**INTRODUCTION:** Mrs. Barnes presented the following draft legislation for the new Finance Committee as follows:

CHAPTER 2 – ADMINISTRATION ...

ARTICLE V. – BOARDS AND COMMISSIONS ...

Division 2. – Finance Committee

Section 2-505 Purpose. The purpose of this policy is to establish the composition and responsibilities of the Town's Finance Committee.

Section 2-506 Members. The Finance Committee shall be an adhoc committee of the Town Council. The Committee shall be comprised of five residents. There shall be one School Committee Liaison, and one Town Council Liaison with no voting privileges. The Lisbon Finance Director and School Business Manager shall attend all meetings. The Town Manager and School Superintendent shall attend when necessary. Members shall be appointed annually in June prior to July 1st. Members shall serve one year terms, concurrent with the July 1st to June 30th fiscal year. At its first meeting, the Committee shall select its chair and vice chair.

Section 2-507 Meetings. The Committee shall meet at least once per month. The meeting dates shall be established at the Committee's first meeting. The Committee chair shall call additional meetings as the chair deems necessary. The Committee shall give public notice of its meetings in accordance with Maine's Freedom of Access Act (FOAA) and rules established by the Town Council. A majority of the members appointed to the Committee shall constitute a quorum. A majority of concurring votes shall be necessary to constitute an action on any matter. The Finance Committee may adopt rules of procedure, consistent with this policy, to enable it to perform its functions.

The Committee shall have the following duties:

- A. Review and make recommendations to the Town Council on the annual operating budget as proposed by the Town Manager;
- B. Review and make recommendations on annual capital expenditure as proposed by the Town Manager;
- C. Review and make recommendations on supplemental appropriations and expenditures and other budgetary action whenever proposed by the Town Manager;
- D. Encourage and participate in long-range financial planning;
- E. Review as requested by the Town Manager, bid specifications and requests for proposals for the purchase of goods or services;
- F. In consultation with the Town's administration, review and make recommendations on policies and/or procedures relating to the financial affairs of the Town;
- G. Review and make recommendations on the Town's investments;
- H. Review the annual audit;
- I. Review monthly budget to actual statements as prepared by the Finance Department;
- J. Participate and make recommendations on the Capital Improvement Plan;
- K. Make recommendations on Referendum Question for a ballot and
- L. Make such other recommendations on fiscal matters as it may from time to time be deem advisable.

Section 2-508 Conflict of Interest. Members of the Finance Committee shall adhere to the conflict of interest policy established by the Town Council.

Section 2-509 Administration. The Finance Director shall be responsible to provide for the administration of the affairs of the Finance Committee, including preparing agendas and minutes, handling correspondence, and maintaining all official records. The Finance Director shall file adopted minutes in the Town Clerk's office.

**COUNCILOR COMMENTS:** The Council discussed creating a new Finance Committee and reviewed the proposed ordinance above. Councilor Ward offered the following changes and additions:

- Change... to appointed 3 year staggered terms
- Add ... meetings shall be held on the second Monday of the Month
- Add ...shall attend ½ of the meetings per year to be in good standing
- Add ...appointed by Council
- Change A ...to municipal and school budgets and delete as proposed by the Town Manager
- Change B ...delete “proposed” and insert “presented” by the Town Manager and add “Finance Director”
- Change E ... delete “bid specifications and” then add “municipal and school” goods or services
- Change H ...to “Review annual audit findings as proposed by Auditor”
- Change L ...to include fiscal matters “and/or projects” as it may from time to time be deemed advisable

Councilor Ward asked that the revised draft Finance Committee Ordinance be sent to the School Department for their input. Councilor Ward indicated once it has been revised it can go on the October 1 agenda for a first reading.

#### ROAD NAME REQUESTS FOR HAYFIELD LANE AND SHADY LANE

**INTRODUCTION:** Mrs. Barnes said there is a new subdivision on Mill Street and the owner of record, Wayne and Verne Ricker would like two roads named, one Hayfield Lane and the other Shady Lane. The 911 Addressing Officer/Assessor reports these names meet E-911 standards.

**VOTE (2019-188)** Councilor Ward, seconded by Councilor Kolbe moved to approve the Road Name Request for Hayfield Lane and Shady Lane. **Order passed - Vote 6-0.**

#### FOR BOND QUESTION FOR MUNICIPAL ROAD CONSTRUCTION AND IMPROVEMENTS FOR \$1.5 MILLION *Second Reading*

**VOTE (2019-189)** Councilor Larochelle, seconded by Councilor Lunt moved to adopt the Ordinance Authorizing the Town of Lisbon to Issue Up to \$ 1.5 Million In Bonds to Finance Road Construction and Improvements on Pinewoods Road as follows:

BE IT ORDAINED, pursuant to Articles 6.09 and 8.11(b)(2) of the Charter of the Town of Lisbon and section 5772 of Title 30-A of the Maine Revised Statutes,

- (1) That the Town of Lisbon (the “Town”) be authorized to issue general obligation bonds in an amount not to exceed \$1,500,000 and notes in anticipation thereof (collectively, the “Bonds”), to fund road reconstruction and improvements to Pinewoods Road from the intersection of Cottonwood Road and Pinewoods Road to the end of the recently paved sewer replacement area;
- (2) That the proceeds of the Bonds, including any investment earnings on the Bonds, be appropriated for the costs of the Project;
- (3) That the Finance Director be authorized to arrange for the sale of the Bonds at public or private sale to such parties as the Finance Director determines to be in the best interest of the Town, to execute and deliver loan agreements and other contracts, certificates and instruments as the Finance Director shall determine prudent in connection with the issuance and sale of the Bonds, to approve the date(s), maturity or maturities, denomination(s), interest rate(s), place(s) of payment, form(s) and other terms, provisions, and details of such

Bonds, and to provide for the sale and delivery against payment thereof, to provide that the Bonds may be redeemable or callable, with or without premium, prior to their maturity, and to hire such financial advisors and other consultants, if any, as the Finance Director deems necessary to assist with the sale of the Bonds, all on such terms (not inconsistent with this Order) as the Finance Director shall approve;

(4) That the Bonds be issued in registered form in the name of the Town, executed and delivered by the Finance Director and countersigned by the Chairman of the Town Council and the Town Manager under the official seal of the Town attested by the Town Clerk;

(5) That the Municipal Officers, being the Town Council, Town Manager, Finance Director and Clerk of the Town of Lisbon are each authorized to do or cause to be done all such acts, including but not limited to the execution and delivery of any and all contracts, agreements, certificates and other documents as may be necessary or advisable in order to carry out the provisions of this Ordinance in connection with the issuance and delivery by the Town of the Bonds;

(6) That if any Municipal Officer whose signature may be required in connection with the issuance and sale of the Bonds is for any reason unavailable to approve and execute the required documents, the persons then acting in such capacity on behalf of such Municipal Officer, whether an assistant, a deputy or in some other capacity, is authorized to act on behalf of such Municipal Officer and to perform such acts themselves;

(7) That if any of the Municipal Officers who have signed, attested, or sealed the Bonds shall cease to be such officers before the Bonds so signed, attested and sealed shall have been actually authenticated and delivered by the Town, such Bonds nevertheless may be authenticated, delivered and issued with the same force and effect as though the person or persons who signed, attested or sealed the Bonds had not ceased to be such Municipal Officer;

(8) That it shall be a condition to the foregoing authority conferred by this Ordinance that the voters of the Town, pursuant to Article 8.11(b)(2) of the Town Charter, ratify the adoption of this Ordinance;

(9) That the Town Clerk file an attested copy of this Ordinance with the minutes of this meeting and make attested copies of this Ordinance available to the public;

(10) That a referendum election question regarding the ratification of this Ordinance be placed on the ballot for the November 5, 2019 municipal election, and that the Town Clerk is hereby authorized to take all actions required of the Town Clerk for that referendum question to be considered by the voters, and that a ballot title and referendum question in the following form appear in the warrant for and on the ballot at said election, accompanied by a statement of the Town's Finance Director with respect to said indebtedness in accordance with section 5772 of Maine Revised Statutes Title 30-A:

ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SECURITIES OF THE TOWN OF LISBON IN AN AMOUNT NOT TO EXCEED \$1,500,000 FOR THE PURPOSE OF FINANCING ROAD RECONSTRUCTION AND IMPROVEMENTS ON PINWOODS ROAD BE APPROVED AND RATIFIED.

So ordered this 17th day of September 2019.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, and Brunelle. Nays - None. Order passed - Vote 6-0.**

FOR BOND QUESTION FOR LISBON WATER DEPARTMENT'S  
INFRASTRUCTURE FOR \$6 MILLION

*Second Reading*

**VOTE (2019-190)** Councilor Larochelle, seconded by Councilor Albert moved to adopt the Ordinance Authorizing the Town of Lisbon To Issue Up To \$6,000,000 In Bonds for the Lisbon Water Department as follows:

The following Ordinance authorizing the issuance of general obligation securities for the Town of Lisbon, in an amount up to but not to exceed \$6,000,000.00, for the Lisbon Water Department to replace all water department infrastructure to include mains, taps, services, curbs, valves and hydrants located on and around Route 125, and for infrastructure improvements, including but not limited to main, valve and hydrant repairs and replacements throughout the town be and hereby is adopted by the Town Council of the Town of Lisbon in accordance with the following:

Section 1. That a sum of up to, but not to exceed, \$6,000,000.00, plus the sale premium of the bond/notes authorized in Section 2 below, is hereby appropriated for the Lisbon Water Department to replace all water department infrastructure to include mains, taps, services, curbs, valves and hydrants located on and around Route 125, and for infrastructure improvements, including but not limited to main, valve and hydrant repairs and replacements throughout the town.

Section 2. That, for the purpose of financing the aforesaid appropriation, authorization is hereby given to incur indebtedness by the issuance of general obligation securities in an amount up to, but not to exceed, \$6,000,000.00, pursuant to, and under the provisions of the Charter of the Town of Lisbon, Sections 6.09 and 8.11(b)(2).

Section 3. That any and all bonds, notes and other securities issued pursuant to this Ordinance may be payable in serial form in annual installments, which need not be equal, or under such payment terms or conditions as may be in the best interest of the Town, but which shall be calculated to extinguish the entire debt at maturity.

Section 4. That the term of any general obligation securities issued under the within Ordinance shall not exceed thirty (30) years.

Section 5. That the proceeds of any general obligation securities issued pursuant to this Ordinance shall be used only for those purposes specified in Section 1 above.

Section 6. That any proceeds of the general obligation securities issued and not used for the purposes specified in Section 1 shall be applied to repayment of the principal and/or interest of any such general obligation securities.

Section 7. That the Municipal Officers, being the Town Council of the Town of Lisbon, may borrow money temporarily by the issuance of notes in anticipation of the issuance of general obligation securities, subsequent to the authorization of the general obligation securities by the voters of the Town of Lisbon.

Section 8. That the Municipal Officers of the Town of Lisbon shall determine the date or dates, maturities, denominations, interest rate or rates, place of payment, form, or any other details of each of the securities and, if applicable, notes issued in anticipation of the issuance of the securities.

Section 9. That any and all general securities and/or notes issued by the Town pursuant to Section 6.09 of the Charter of the Town of Lisbon, shall be signed by the Town Finance Director and countersigned by the Chairman of the Town Council and the Town Manager.

Section 10. That pursuant to Section 10 of Chapter 34 of the Private & Special Law of 1955 relating to the Lisbon Water Department, said bonds shall be signed by the board of selectmen [Town Council] and by the Board of Water Commissioners of the Town and by the Treasurer of said Town, but the coupons, if any, need be signed by the Treasurer only, and shall be designated "The Lisbon Water Department Loan."

Section 11. That any and all general obligation securities and/or notes issued pursuant to this Ordinance and to Section 8.11(b)(2) of the Charter of the Town of Lisbon, shall be general obligation securities of said Town, backed by the full faith and credit and taxing power of the Town of Lisbon.

Section 12. That the Treasurer of the Town has prepared, signed and attached hereto, the Financial Statement required under the provisions of 30-A M.R.S.A. § 5772(2-A).

Section 13. That prior to the adoption of this Ordinance, and pursuant to the requirements of Section 6.09 of the Charter of the Town of Lisbon, the Town Council held a public hearing on this Bond Ordinance.

Section 14. That the Treasurer is authorized to do or to cause to be done any and all such acts, including but not limited to the execution and delivery of any and all contracts, agreements, certificates, and other documents as may be necessary or advisable including by way of example, an arbitrage and use of proceeds certificate and a continuing disclosure certificate, in order to carry out the provisions of this Ordinance in connection with the issuance and delivery by the Town of the bonds or notes in anticipation thereof.

Section 15. If the Treasurer or any other Town Official whose signature may be required for the issuance of the bonds or notes in anticipation thereof, authorized under this Ordinance, for any reason be unavailable to approve and execute the required documents, then the person or person then acting in such capacity either as an assistant, a deputy, or otherwise, is authorized to act for such official and perform such act themselves.

SO ORDERED AND ADOPTED by the Town Council of the Town of Lisbon this 17<sup>th</sup> day of September, 2019, and be it FURTHER ORDERED by the Town Council of the Town of Lisbon that this Ordinance be submitted to the voters under the authority of the Town Council pursuant to the provisions of Section 8.21(b), and pursuant to the requirements of Section 8.11(b)(2) and Section 8.25(b), of said Charter, the submission to the voters to occur at the special election scheduled for November 5, 2019.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, and Brunelle. Nays - None. Order passed - Vote 6-0.**

#### WARRANT FOR NOVEMBER 5, 2019 ELECTION AND COUNCIL RECOMMENDATIONS ON BALLOT QUESTION 1 & 2

**VOTE (2019-191)** Councilor Lunt, seconded by Councilor Kolbe moved to approve the Warrant and Recommend “Yes” on Question 1 & 2. **Order passed - Vote 6-0.**

### OTHER BUSINESS

#### E. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said its business as usual and everyone is adjusting nicely.
2. Planning: Councilor Ward said he had nothing to report.
3. LDC: Councilor Larochelle said their next meeting is tomorrow night at 6PM.
4. Conservation Commission: Councilor Ward said their meeting had been postponed.
5. Recreation: Councilor Kolbe said had nothing to report.
6. County Budget: Councilor Ward said they met last week and received their budget packet with a 5.41% increase.
7. Library: Councilor Lunt said the new library program allows residents to use their Lisbon Library card to check books out in other libraries across Maine that participate in the program and then return them here in Lisbon.

#### F. TOWN MANAGER’S REPORT

*Nothing to Report*

#### G. DEPARTMENT HEAD WRITTEN REPORTS

The Council commended Jeff Picard, a 20-year veteran of the Lisbon Police Department was transferred to the Detective position. Detective Picard served as our School Resource Officer and will continue to teach the D.A.R.E. program in our local schools.

**H. WORUMBO MILL SITE INSPECTION UPDATE – TRC**

Item Taken Up After The Workshop At The Beginning Of The “Regular Portion” Of This Meeting

**APPOINTMENTS - NONE**

**COUNCILOR COMMUNICATIONS**

Councilor Albert thanked everyone for coming out to the workshop to discuss Solid Waste with the Council. He said he was very proud of Lisbon’s residents who when we have differences we can work together to look for solutions.

Councilor Albert requested the new fire truck diagram be posted on our website.

**AUDIENCE PARTICIPATION FOR NEW ITEMS - NONE**

**EXECUTIVE SESSION – NONE**

**ADJOURNMENT**

**VOTE (2019-192)** Councilor Kolbe, seconded by Councilor Larochelle moved to adjourn at 9:23 PM. **Order passed - Vote 6-0.**

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Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC  
Date Approved: October 1, 2019