



**TOWN COUNCIL
MEETING MINUTES
NOVEMBER 19, 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 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, Kolbe, Lunt, and Larochelle. Also present were Diane Barnes, Town Manager, Dennis Douglass, Code Enforcement Officer, Brett Richardson, Economic & Community Development Director, Kayla Tierney, Finance Director, Allen Ouellette, Director of Operations & Transportation, Chief Donald McDonnell, Lisbon Emergency, John Cordts, 2nd Captain, Lisbon Emergency, Marc Hagan, Police Chief, Bill Alexander, Water Superintendent, Miriam Morgan-Alexander, Assessment Review & Board of Appeals Board Member, Don Fellows and approximately 3 citizens in the audience.

VOTE (2019-210A) Councilor Ward, seconded by Councilor Larochelle, moved to excuse Councilor Brunelle and Councilor Albert's absence. **Order passed – Vote 4-0.**

GOOD NEWS & RECOGNITION

Councilor Kolbe stated that the Class D Lisbon Football team won the Southern Championship game and are going to States on Saturday. They will be playing at Fitzpatrick Stadium in Portland at 2:30 pm.

Councilor Ward congratulated the LHS Drama Club for putting on a successful play called "Annie." He congratulated the recently elected officials and thanked all the election workers.

Mrs. Barnes introduced Brett Richardson the new Economic Development Director. Mr. Richardson thanked everybody for the opportunity to join the staff in Lisbon and community. He said he was looking forward to working with everyone in the future to make Lisbon a vibrant community.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE

CONSENT AGENDA

VOTE (2019-210B) Councilor Larochelle, seconded by Councilor Lunt, moved to sign the Certificate of Settlement for Diane Barnes, Tax Collector, for the tax year 2019 and approve the following:

A. Municipal Accounts Payable & Payroll Warrants -

#191024	\$ 194,640.53	#1910W2	\$ 18,240.40	#11132019	\$ 9,352.56
#1910ER	\$ 132.39	#10162019	\$ 6,349.06	#11152019	\$ 392.40
#10292019	\$ 11,352.40	#10302019	\$ 5,777.25	#11192019	\$ 193,167.60
#1152019	\$ 700,286.35	#191107	\$ 218,252.60		
#1911W1	\$ 17,782.56	# 1162019	\$ 13,125.39		

B. School Accounts Payable & Payroll Warrants -

#1018	\$ 319,273.68	#1019	\$ 358,933.94	#1020	\$ 12,987.39
#1021	\$ 356,678.09	#1022	\$ 13,247.54	#1023	\$ 6,451.16

#1024	\$ 66.24	#1025	\$ 1,125.58	#1026	\$ 327,898.61
#1027	\$ 346,055.29	#1028	\$ 13,099.09	#1029	\$ 7,543.12
#1030	\$ 66.24	#2007	\$ 263,027.68	#2008	\$ 59,779.87
#11	\$ 40.63	#12	\$ 2,759.08	# 15	\$581.44

- C. Minutes of October 15, 2019
- D. Tax Collector Certificate of Settlement (2019 Taxes)
- E. Ratify November 5, 2019 Election Results
- F. Set Public Hearings for the Coombs-Mountfort Post #158's Special Entertainment Permit & the Slovak Catholic Association's Special Entertainment Permit for December 3
- G. A Mobile Home Park license for Guardian Communities, LLC the new owner of Davis Street Park
- H. Set Public Hearings to hear comments on amendments to Chapter 2, Article V, Division 2 Finance Committee Sections 5-505 to 5-509 and Chapter 46, Article V, Sections 46-133& 134 Access Management for December 17

Order passed - Vote 4-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

CAPITAL RESERVE REQUEST PIPE & DRAPE MATERIALS FOR PERFORMING ARTS CENTER

INTRODUCTION: Mrs. Barnes stated that the School Department is requesting \$3,835.71 out of the Capital Reserve Fund. The funds are to cover the pipe and drape materials for the Performing Arts Center. The current balance of the Capital Reserve Fund is \$13,823.00. On Wednesday, October 16, 2019, the Lisbon School Committee voted (4-0) to request authorization from the Town Council to utilize an amount not to exceed \$3,835.71 to cover the cost associated with the purchase of the pipe and drape materials for the Performing Arts Center.

VOTE (2019-211) Councilor Larochele, seconded by Councilor Kolbe moved to Authorize the Town Council to utilize an amount not to exceed \$3,835.71 to cover the cost associated with the purchase of the pipe and drape materials for the Performing Arts Center. **Order passed - Vote 4-0.**

DECEMBER 24TH NOON CLOSURE

VOTE (2019-212) Councilor Ward, seconded by Councilor Larochele moved to approve closing the Town Offices and Departments at noon on December 24, 2019. **Order passed - Vote 4-0.**

ROAD NAME REQUEST – GINA’S WAY

VOTE (2019-213) Councilor Larochele, seconded by Councilor Lunt moved to approve the road name request for Gina’s Way off Ridge Road between 330 and 340. **Order passed - Vote 4-0.**

AWARD FOR GRAZIANO SQUARE EXCAVATION BID PROJECT

INTRODUCTION: On July 16, 2019, Council awarded the bid for the Graziano Square Excavation Project to L.P. Poirier & Son, Inc. in the amount of \$40,661.00 based on the estimates provided and the time frame for the project. Mr. Poirier was to start this project at the completion of the Village Street Streetscapes Project.

The proposal offered to Poirier, which has not been signed by Poirier, set a project completion date of November 1, 2019. Because Poirier never accepted the Town’s proposal by signing and returning it to the Town, we do not believe that a binding contract has been executed. Even if a contract was entered into, it is our opinion that Poirier’s failure to perform the work by the project completion date described in the proposal would be a material breach of the contract that justifies rescinding the award. Because Poirier has not initiated or completed the work by the project completion date set by the Town in the proposal, Mrs. Barnes recommend Council vote to rescind

the award to Poirier. Subsequently, Dennis Douglass has received a quote from St Laurent and Son, Inc. to complete the work in the amount of \$24,800.

COUNCILOR COMMENTS: Councilor Ward stated they asked about this at the last meeting. He said if they did not have any resolution on this from L.P. Poirier & Sons, Inc., that this is the directive they gave to the Town Manager.

VOTE (2019-214) Councilor Kolbe, seconded by Councilor Ward moved to rescind the proposal to enter into a contract with L.P. Poirier & Son, Inc. Excavation for excavation, drainage, walkway and retaining wall at Graziano Park. **Order passed - Vote 4-0.**

VOTE (2019-214) Councilor Larochelle, seconded by Councilor Ward moved to accept the Town Manager's recommendation to waive competitive bidding for the work on Graziano Park due to time factors and the quality, expertise, and value of a proposal from St. Laurent and Sons, and to award the contract for excavation, drainage, walkway and retaining wall at Graziano Park to St. Laurent & Sons in the amount of \$24,800. **Order passed - Vote 4-0.**

WORUMBO MILL SITE ASBESTOS REMOVAL

INTRODUCTION: Safe Environment Solutions provided a quote of \$2,250 for three tasks to include an asbestos demolition survey, additional sampling, and a final report including approximate quantities, descriptions, abatement cost estimate, and basic locations of identified materials.

Lisbon also obtained a quote from Atlantic Environmental Contractors, Inc. for asbestos oversight at the Worumbo Mill site as per sampling data at the site done by TRC for the Town of Lisbon. Atlantic would put an asbestos supervisor on site to oversee the clearing of the land and to pick up any asbestos found, the concrete would be leveled and covered over with fill, and the wood would be burned in place. The idea is not to excavate for any asbestos but to only remove what is found during leveling of the site. John Bucci, Director of the Asbestos and Lead division and the Brownfield division have been notified of this approach and have given the Town the go-ahead. Mr. Bucci will need a written asbestos plan from the Town.

The construction crew (Public Works) will need to have asbestos awareness training, the equipment used would need an enclosed cab. The Fire Department would need to be onsite for precautionary measures when the wood is being burned. Atlantic would provide the awareness training, write the design for the project, and put in a courtesy asbestos notification to the State and oversee the project. Costs are:

Design and notification to the State	\$800
Supervisor on site day rate	\$496 per day
Disposal of any asbestos found	\$135 per yard (9 asbestos disposal bags)

COUNCILOR COMMENTS: Mr. Douglass spoke about the project. He stated that Public Works has the permit by rule from DEP for cleaning the tree line. They can also chip along the waterfront. He said that they would need to bring in equipment for this job.

Mr. Larochelle asked Mrs. Barnes if there was enough in the Downtown TIF account to earmark for this project. Mrs. Barnes stated that they have \$214,000 in this account. She stated DEP is working on the VRAP and ready to send the town its letter as soon as we find out how the town wants to proceed with cleanup.

Councilor Ward asked if this was an allowable use of the Brownfield funds, and if not, why do they need permission. He asked if we have a time-frame for this work. Mrs. Barnes said not for cleanup and they do not have a time frame yet.

Mr. Larochelle stated that it is more of an overview from Brownfield as the Town works on the site, especially if they are going to put their name on the VRAP. He also recommended that Mr. Douglass receive the training, as well, on asbestos awareness so he could oversee the project and be available should a situation come up. Mr. Douglass agreed. He indicated he would include that information in a letter to the state, specifying that he would not be on-site all the time, but would be on-call.

VOTE (2019-215A) Councilor Larochelle, seconded by Councilor Ward moved to accept the proposal and plan set forth by Atlantic Environmental Contractors, Inc. using Downtown TIF funds to pay for the project, and to have Dennis Douglass attend the Asbestos Awareness Training so he can oversee the project and be on-call if they need him and for Public Works to rent equipment for excavation and removal. **Order passed - Vote 4-0.**

VOTE: (2019-215B) Mr. Larochelle, seconded by Mr. Lunt moved to approve the use of the Downtown TIF funds for the excavation, removal, and preparation for the Worumbo Mill Site. **Order passed – 4-0.**

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. Planning Board: Councilor Ward reported Curtis Lunt was voted in as Chairman of the Planning Board and William Kuhl as Vice-Chairman. He indicated they discussed additional dwelling units and accepted Don Fellows' resignation from the Board.
2. LDC: Councilor Larochelle said they did not have a meeting this month.
3. Conservation Commission: Councilor Ward said that Richard Main was voted in as Chairman and Alan Seamans as Vice-Chair. They met last night and are working on goals for the coming year.
4. Recreation: Councilor Kolbe said she would be in contact with Mark Stevens.
5. County Budget: Councilor Ward said the Commissioners passed the County Budget with a 5.27% increase over the prior year.
6. Library: Councilor Lunt said the new fence is a great improvement.

B. TOWN MANAGER'S REPORT

Mrs. Barnes stated Mrs. Nadeau has received many comments on how well the new fence looks. She said Booker Street's tree removal should be done in the next couple of weeks, which will allow her to close out the 2016 CDBG Grant and then the town will be able to apply for funds again. She said the Farwell Mill bus shelters came in and will be assembled right away.

C. DEPARTMENT HEAD WRITTEN REPORTS

Mr. Ward asked if they could get a 6-month financial update, and audit outlook, and the FY 2020's actual expenses at the next meeting, since we're entering into the budget season. He asked for an update from the Fire Department on Business Inspections. He recommended the Town Planner work together with the new Economic Development Director, now that the Comp plan is done.

D. POLICE DEPARTMENT UPDATE

With the retirement this year of Sergeants' Tapley and Moore, Chief Hagan advised the Town Council of his intent to reorganize the Lisbon Police Department back into its former organizational hierarchy. This would return the supervisory positions for this agency back to a Chief, Lieutenant, and two Patrol Sergeant system.

Chief Hagan said the Lisbon Police Department had maintained the "traditional" police organizational make-up until Lieutenant Michel's retirement in 2016. At that time, the Lieutenant's position was left unfilled, and a Detective Sergeant's position was introduced. The failure to have a Lieutenant's position has led to some organizational difficulties however, and the retirements of Sergeant's Tapley and Moore make this the perfect opportunity to return to the traditional law enforcement hierarchy.

Chief Hagan said the return of the Lieutenant's position, and removal of the vacant Detective Sergeant position, will allow the following to occur:

- ✓ Greater supervisory coverage as the Lieutenant will work a 5 day, 8 hour, workweek to include a weekend shift.
- ✓ Greater patrol coverage as the Lieutenant will spend equal amounts of time on patrol as they do conducting administrative duties.
- ✓ Greater contact and communication between the administration, supervisory, and patrol personnel as the Lieutenant will work an offset schedule covering day and evening hours.
- ✓ Patrol Sergeants will be freed from previous administrative duties (evidence management, court, vehicle maintenance, grant work, payroll. etc.) to allow more direct supervision of their personnel.
- ✓ Greater coordination of day-to-day operations of the agency.
- ✓ Less liability to the Town of Lisbon due to increased supervision.
- ✓ Meeting a stated Council goal of “succession planning” by placing the Lt. in a managerial position to learn larger administrative level issues.

Chief Hagan said the Lieutenant’s position would be an hourly, non-union position, as it was with Lieutenant Michel. Mr. Larochelle asked if they would hire from within. Chief Hagan said yes, that they do have candidates for all positions internally.

E. PLANNING BOARD REPORT

Nothing was Reported

F. LISBON EMERGENCY REPORT

Mr. Cordts spoke, thanking Lisbon and Bowdoin for their financial support. Mrs. Tierney was appointed to their Board of Directors and is now their Treasurer, which automatically places her on the Budget Committee. The Budget Committee consists of Kayla Tierney, George Roy, John Cordts and Chief McDonnell. They have been working on policy and procedures to safeguard their non-profit assets. He said they implemented a debt reduction plan in July by taking \$50,000 in liquid assets to pay off ambulance 401 and applied the remainder on Ambulance 44’s loan. Their business plan allows them to be debt free as of 2024 so they can begin ambulance replacement at that time. He said they have been able to attain their goal to keep three months’ worth of expenses available in liquid assets by including their credit line. They increased their payroll, according to their business plan, and have increased their paramedic level pay. He said they have been able to hire two additional paramedics and have increased the amount of paramedic coverage on their schedule. Their first quarter profit/loss was showing a net income of \$26,262. He said they would have shown a net loss of \$21,528.90 without the Town of Lisbon and Bowdoin’s contributions.

APPOINTMENTS

ZONING APPEALS BOARD RESIGNATION

Lisa ward

INTRODUCTION: The Council requested to add the Planning Board and Assessment Review Board resignations for Don Fellows. Mr. Larochelle stated that there is an opening for an Associate Member on the Planning Board.

VOTE (2019-216) Councilor Larochelle, seconded by Councilor Ward moved to accept Lisa Ward’s resignation on the Zoning Appeals Board and Don Fellows’ resignation on the Assessment Review Board and Planning Board. **Order passed - Vote 4-0.**

APPOINTMENTS

MARC HAGAN AS INTERIM TOWN MANAGER FROM NOV 21–DEC 6

VOTE (2019-217) Councilor Larochelle, seconded by Councilor Ward moved to appoint Marc Hagan as Interim Town Manager from November 21, 2019 to December 6, 2019. **Order passed - Vote 4-0.**

COUNCILOR COMMUNICATIONS

Councilor Ward stated Councilors Kolbe and Larochelle and he have been working with the American Legion and Positive Change Lisbon on the Banners and Flag Promotion Project for the Veterans, which the Council previously discussed.

AUDIENCE PARTICIPATION FOR NEW ITEMS

Janet Tuttle spoke about her concerns about the taxes going up since she and other community members are on a fixed income.

EXECUTIVE SESSION

VOTE (2019-218) Councilor Larochelle, seconded by Councilor Ward moved to go into Executive Session at 8:00 PM per 1 MRSA Section 405 (6) (H) Consultation with Code Enforcement Officer on Pending Matter in District Court. **Order passed – Vote 4-0.**

The Council came out of executive session at 8:25 PM and resumed the meeting.

ADJOURNMENT

VOTE (2019-219) Councilor Ward, seconded by Councilor Larochelle moved to adjourn at 8:25 PM. **Order passed - Vote 4-0.**

Lisa Smith, Deputy Town Clerk
Date Approved: December 10, 2019