



**TOWN COUNCIL  
ZOOM WORKSHOP &  
MEETING MINUTES  
MAY 5, 2020**

Fern Larochelle 2020  
Normand Albert, Vice Chair 2021  
Kasie Kolbe 2021  
Allen Ward, Chairman 2021  
Mark Lunt 2022  
Donald Fellows 2022  
Jeffrey Ganong 2022

**CALL TO ORDER.** The Chairman, Allen Ward, called the workshop part of the zoom meeting to order at 6:10 PM. The chair led the pledge of allegiance to the flag at 7:10 PM when the workshop ended.

**ROLL CALL.** Members present were Councilors Ward, Albert, Kolbe, Lunt, Larochelle, Ganong, and Fellows. Also present were Diane Barnes, Town Manager; Steve Aievoli, Sewer Superintendent;

**WORKSHOP – MUNICIPAL BUDGET**

Mrs. Barnes reported on March 19 she presented a flat budget matching potential revenues with a total increase of \$181,897.00. She said now that revenues will potentially not be the same as last year, which will affect how we do the commitment this year, town department heads were asked to eliminate some items in their budgets or defer these items in their budget for at least one year at this point. She said her proposal is that any vacant positions we currently have not be filled for one year. She indicated at this point in time, without the property & casualty insurance information, cuts from multiple departments totaled \$548,653.00. With that figure applied to the original increase of \$181,897.00 would mean the municipal side would have a revised budget reduction of \$366,103.00.

Mrs. Barnes mentioned she had no idea what estimates to use for excise tax revenues now. She reported expiration dates have been extended and the town is not receiving the normal amount of excise tax right now that it would typically get. She indicated she conservatively budgeted a \$200,000 decrease with a 40% reduction in state revenue sharing and a 40% reduction in funding for roads for the FY21 projections. That means \$124,000 decrease in revenue sharing for the FY21 projection and for roads it would mean approximately a \$40,000 decrease. Those reductions total \$364,000.00, which wipes out the \$366,103.00 in cuts and still presents a flat budget for FY21.

Mrs. Barnes said the list of proposed cuts were emailed to Councilors today. She reported on the Waste Water Treatment Plant side there is a reduction of \$22,360.00. Councilor Fellows pointed out this looks like a 5 or 5½ % decrease overall from last year. However, with the school's increase, Lisbon will still be looking at an increase, which could present a considerable problem. Mrs. Barnes pointed out that Lisbon would not be getting the full \$25,000 for homestead this year because we are not at 100% and we will not be doing any increases to land or buildings this year.

Councilor Larochelle reported that the Chair reached out to the Town Manager to ask her to look at maintaining services and keeping everyone employed at this time without reducing services; that is not going to be easy. He said some departments had to sacrifice some items they were really hoping to gain. He said thank you for putting that forward because retaining our current employees is important.

Councilor Ward said one key point is postponing filling positions now vacant to avoid furloughs. Public Works has a vacant mechanic position, a vacant police officer position due to an internal promotion, and a vacant position coming up in the Recreation Department due to a retirement in August, which comes to a total \$266,000 in cuts in personnel costs, which is part of the \$548,653.00. Other cuts include a \$17,000 reduction in CMP costs, and the \$60,000 CMP reimbursement amount is still being reviewed by CMP.

Councilor Larochelle pointed out the savings of approximately \$15,000-\$20,000 that Lisbon will be getting from lower fuel costs that the Town Manager was able to secure earlier this year. Mrs. Barnes mentioned the Town Planner line was \$20,000 and will now become \$10,000 with the idea it would continue on an as needed basis only. She said she decreased legal fees and the software and services line. She recommended abatements be funded through overlay.

Councilor Ward said he could tell this was a group effort. He said he appreciated everyone's help on this number to be able to come in with a flat budget and not sacrifice the replacement plan. He said next year probably will not be any less complicated and Lisbon may need another TAN.

Councilor Ward asked Councilors where they were at on pay increases for the coming year. That figure had been presented to Council. Councilor Larochelle said this will be quite a large challenge with the state of the current economy, but once this situation passes, the economy should be working well again so at the end of the day it should still be relevant so we should still be looking at those same numbers going forward. Councilor Fellows said to curtail those things puts Lisbon behind the 8-ball, not to mention the affect it could have on morale, so we should go forward as planned to help retain employees.

Councilor Ward said he has not heard anything from anybody at present to be able to reduce what we have for the projected increase for the coming year. He said he would like to tackle the next piece, which we know are those key positions that are higher than the established raises. He pointed out there were new positions in our organization that work towards our goal that we want to ensure they feel valued to be able to retain them as key staff. He pointed out a pressure on a department that is clearly demonstrated in this budget that has not kept pace with what is currently going on. He said we know Council relies heavily upon the Town Clerk's office, for instance, which had a full time staff of two at one time, which we have not yet been able to get back to. He said he did not want to out a specific position, should he disagree with it, because this played out very poorly with the commissioners at the county level, but it is a perfect example right now of the pressures here and the reality we must deal with in this budget.

Councilor Albert said it is hard to see salary increases built into a budget when we are cutting in other areas. He said he did not know how this would play out. He said he wanted to ensure that our staff feels valued and that we are being competitive. We have to keep the door open. This is something that we are going to try to work with and continue to work on right now. He said we may have to revisit this but this is not hard and fast.

Councilor Fellows said he agreed with Councilor Ward that next year would be different too and that there were possible other choices to make, but if we deviate too from our plan this year, we put ourselves in jeopardy. Councilor Ward pointed out that he was not speaking specifically about any one position and reported there were six positions for the record in that regard.

Councilor Ward asked about roads. Councilor Larochelle said patching only goes so far and if we make cuts here we will have to do twice as much next year. Mr. Cyr reported lower oil and petroleum prices did not mean a reduction in the production of the fresh product, because the cost of production is what drives the price. He indicated it could take a cycle or whole year to see better pricing on production, because in reality the cost of the liquid is a very small part of this process. He said there were no projects left over from last year and by May 18 all of the projects on the table this year will be completed.

Councilor Ward recommended the Council approve Mr. Cyr going out to bid as soon as possible for next year's projects when ready. He said contractors are looking to see how municipalities are handling this, because they are in the same position the town is in. They want to retain their staff and they want to know what contracts they have to work with. He said he hoped Lisbon would be able to get bids in like last year to be able to get what the town needs done.

Councilor Kolbe reported Senator Timberlake told her the State of Maine was looking at a \$1 Billion dollar shortfall and that the legislature set the school's mil rate before they left for the summer; however, he expected they would revisit this issue when they reconvened. Councilor Ward said the list of projects the Public Works Director presented is huge and that he would like to increase that \$475,000 this year to do more if possible.

Councilor Albert said he spoke briefly with School Committee Chairman Austin who reported they were also looking at reductions. She indicated they were down 7% to date. He said she is aware of what her task is. He told her the municipal side was able to cut a half a million so far. Mrs. Austin explained to him that she has been receiving comments like; if the children are not in school then the school should be saving money. She said, however, there are many additional expenses related to this COVID-19 situation that the School Department must pay for without even knowing whether there will be reimbursements.

Councilor Albert requested the School Committee Chair present as close to a flat school budget as possible, looking at only needs. He said there were additional expenses for meals since the COVID-19 situation. He said

this debt they typically carryforward, but the School is getting a little help from one downtown business, Maggie Oliver at EastCraeft, who has been selling products to help offset that debt. He explained why more children are eligible and receiving food, which the state has mandated towns provide. Although reimbursable, it comes out now so we have to take on that expense today. He reported the School Committee is hoping to cover some of the \$80,000 in unexpected boiler repairs this year as well so next year the boiler amount might only be \$50,000 left to pay.

Councilor Larochelle said he would like to see the children stay connected; that is important. Councilor Albert said the School Committee has nicely balanced the staff, budget, and are doing a fantastic job.

Councilor Ward said he would like to open the floor to discuss filling the vacant recreation position that Mr. Stevens would like to advocate for and discuss the rental agreement since the two items are related. Councilor Ward said knowing the overtime is about 5 hours a week and the rental income has always been a push that he would like to float the idea of rather than a salary increase for specific duties, we do a stipend instead in conjunction with his rental agreement. In that regard this will be somewhere in the neighborhood of \$6,000 in overtime and \$4,800 in rental payments, which could be used to offset each other. He said, in his opinion, this might be a factor for inclusion when completing the rental agreement.

Councilor Albert said this is the first time he has heard anything about a stipend. He said he thought Council would be talking about Mr. Stevens taking over that piece. Councilor Ward said the overtime piece had been dealt with separately, because it was contributed to an hourly position, but the park duties behind that position will still be necessary.

Mrs. Barnes said the public hearing would be June 16 and June 23 is when the Council adopts the budget. Mr. Stevens said the Town Manager has been supportive discussing the administrative assistant position, that Cherie has been in this position for 10 years, and that because of Cherie our collections have increased. She was responsible for getting out invoices on time, getting program flyers out, collecting fees, and tracking down payments. He said this position is critical to the success of the program. She will be here until August, which will be through our busy time this summer. However, when things pick back up in the spring it would be extremely important to have that position back to handle calls and the public. He encouraged the Council to consider keeping a 20-hour position for the first year, or at least  $\frac{3}{4}$  or full time before the busy season next spring. He said they could have 250 children participating in programs this summer. He said he arranged with the School Department to use their facility to help break the children into smaller groups to meet the state's guidelines for opening.

Councilor Albert pointed out that the Recreation Department would have Cherie until August, meaning she will be there for this upcoming busy season, acknowledging that there are some fall sports programs. He asked if there was a slower period anytime. Mr. Stevens said yes, during the winter. He said some restructuring has taken place to help with the transition, but it gets busy again in April and May. He said the new Assistant Director would absorb the programming part of the administrative assistant position, along with succession planning for filling Mr. Steven's position after he retires. Mr. Stevens said a maintenance position would be taking over some of the outdoor activities, like Winterfest.

Mrs. Barnes said the recommendation was to not fill vacant positions to avoid layoffs down the road. Councilor Albert asked if a part-timer could work with some additional budget cuts. Mrs. Barnes mentioned that for one year a part-time person can work; its \$25,000 to \$30,000 for full time benefits. Councilor Ward asked if the Town Manager's intentions would be to defer this for one year. Mrs. Barnes replied, yes. Councilor Ward pointed out that with the savings from the vacant full time position from August to April perhaps a full time person could start next spring.

Council Albert requested the Council do the pledge as we transition into the regular agenda items. The Chair led the pledge to the flag at 7:11 PM.

## **GOOD NEWS & RECOGNITION**

### **PROCLAMATION FOR KIDS TO PARKS DAY**

**VOTE (2020-71)** Councilor Kolbe, seconded by Councilor Larochelle moved to adopt the following Proclamation:

WHEREAS, May 16, 2020, is the tenth Kids to Parks Day organized and launched by the National Park Trust held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks, public lands and waters; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat issues of childhood obesity, diabetes, hypertension and hypercholesterolemia; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

NOW THEREFORE, We, the Town Council of Lisbon do hereby proclaim May 16, 2020, as Kids to Parks Day.

ACKNOWLEDGING, This year this group has embraced a new idea to "Bring Parks to Kids Day" due to the COVID-19 situation where children were asked to stay home.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

### **PUBLIC HEARINGS - NONE**

### **AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS**

*After waiting the required time to check emails, seeing none, the Council continued.*

### **CONSENT AGENDA**

**VOTE (2020-72)** Councilor Larochelle, seconded by Councilor Kolbe moved to approve the following:

- A. Municipal Accounts Payables totaling \$ 685,985.43
- B. Municipal Payroll Warrants totaling \$133,457.76
- C. School Accounts Payable totaling \$122,807.94
- D. School Payroll Warrants totaling \$701,699.39
- E. Minutes of March 17, 2020
- F. Appoint Election Clerks Per 21-A Section 503-A (3) as presented
- G. Set the Public Hearing on June 2 for Peter Pesce d/b/a Pesce Maine Lobster
- H. Rescheduled the May 19 Public Hearing to June 2 for Ordinance Changes regarding Accessory Dwelling Units
- I. Authorization for the Town Manager to sign the RHR Smith Audit Engagement Letter for the Fiscal Year 2020 Annual Audit
- J. Approved the Addendum School Budget Validation Referendum Warrant and Timeline as presented and
- K. To change the Council Meeting date from July 14 to July 21 due to the July 14 Primary Election

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong, and Fellows. Nays - None. Order passed - Vote 7-0.**

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

#### **WASTE WATER TREATMENT PLANT GENERATOR BID AWARD**

**INTRODUCTION:** Steve Aievoli said in November of 2019, they were given permission to go out to bid for a generator. There were some unexpected delays. Bids were due March 26. He reported only one contractor attended the pre-bid meeting and we received only one bid from Electrical Systems of Maine to provide and install the generator at the Lisbon Wastewater Treatment Plant. This is about \$30,000 less than anticipated. Once the Council awards this bid the project will be put on hold until given the green light by the Town Manager. The timing is not known at this time due to the COVID-19 situation; however, we plan to notify Electrical Systems of Maine when things change.

**COUNCILOR COMMENTS:** Mrs. Barnes indicated there is a spending freeze going on right now. She said if Council awards this bid and they agree to put it off, then okay, but if they do not agree to put this off Lisbon should move forward with this project right now because this is a good price. Councilor Larochelle said we only have a limited opportunity to get projects like this done during the summer months in Maine. He said it appears Lisbon has had more power outages this past year than usual so he recommended we move forward with this project if possible. He explained this was an item that should be done sooner rather than later.

Mrs. Barnes said the only other project put on hold was Graziano Square, which Council will discuss later tonight, and the Worumbo Mill project, but there is a proposal to move forward with that also. Councilor Ward said he did not see an issue with moving this forward.

**VOTE (2020-73)** Councilor Kolbe, seconded by Councilor Fellows moved to award the Waste Water Treatment Plant Generator Bid to Electrical Systems of Maine in an amount not to exceed \$105,000.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

#### AMEND VOTE 2019-140 USE OF UNASSIGNED FUND BALANCE

**INTRODUCTION:** There was an addition error to the Agenda Item 2019-140 Use of Unassigned Fund Balance. Below is a list of items that the Council assigned from the unassigned fund balance. Any unused balances would be returned to the unassigned fund balance for future use. To correct the grand total the Council needs to approve an additional \$10,000. Excerpt from the minutes:

13% of GF Operating Budget	\$272,000.00
FY 19 Overlay	<u>\$122,675.00</u>
	\$394,675.00
Town Clerk Records Restoration	\$10,000.00
Town Buildings: Pole Roof Over Entrance	\$31,700.00
Police Department Cruiser Reserve	\$22,000.00
Public Works: Skid Steer	\$50,000.00
Public Works: Wheeler Truck/Dump Body/Snow Attachments	\$220,358.00
Recreation Dept. Truck	\$20,000.00
Trash Trailer 50% of Cost	<u>\$50,000.00</u>
	\$394,058.00

**VOTE (2020-74)** Councilor Larochelle, seconded by Councilor Fellows moved to amend Vote 2019-140 ... the use of unassigned fund balance “*in the amount of \$394,058.00*” to “*\$404,058.00*,” adding an additional \$10,000.00 to cover all the items listed.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed – Vote 7-0.**

#### SOLICIT BIDS FOR FISCAL YEAR 20-21 PUBLIC WORKS PROJECTS

**INTRODUCTION:** Due to unforeseen circumstances regarding COVID-19, the Public Works Director said he thought there might be a delay so he is requesting Lisbon send RFP’s for paving, road striping, and the salt purchase at the earliest date possible.

- Paving RFP – As a result of discussions at the Town Council CIP meeting we request permission to develop an RFP for paving projects based on an anticipated budgeted amount of \$475,000.00. The RFP will clearly state bids will be awarded contingent on final budget adoption.

The following streets and roads are to be included as follows:

- Huston St from East Ave to the end
- Cross Street
- Pike Street
- Lawrence Street
- Bates Street
- Free St from Earle to High St

- Pine St from Maple to Oak St
- Autumn Street

- Frost Hill from Sunset to 196

In addition to paving, these projects need to go out to bid:

- Road Striping – We are requesting permission to advertise the annual Centerline and edge line road striping.
- Road Salt- Each year AVCOG advertises a joint purchase of road salt and Liquid Calcium/Magnesium Chloride RFP. The Public Works Director is requesting permission to have our estimated 3500 tons of salt included as part of this process.

**COUNCILOR COMMENTS:** Councilor Larochelle asked about striping sidewalks and if it would include striping down Davis Street to the trail. He suggested the sidewalk striping include, in addition to the two lines across the street, wide stripes between the two lines within the walkway to better define the space. Mr. Cyr said he had several miles less to stripe since MDOT will do Route 196 when they are done their project so he recommended doing Davis Street with much larger lines to designate the walking path down the side of Davis Street.

Councilor Fellows said for many years our crosswalks have been marked using two lines and that's going across. He said we could use a lot more definition on our crosswalks to make them more identifiable all over town and on the trail. He asked if it were possible to fill in between those lines with additional wider stripes. Mr. Cyr said he wanted to start filling in the lines this year, too.

**VOTE (2020-75)** Councilor Larochelle, seconded by Councilor Ganong moved to authorize the preparation of requests for proposals for paving, road striping, and road salt.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

### AUTHORIZATION TO REFINANCE THE QUALIFIED ENERGY CONSERVATION BOND (QECB) MUNICIPAL LEASE

**INTRODUCTION:** Mrs. Barnes reported Mrs. Tierney received a proposal dated April 7, 2020 for Council's consideration to refinance the current Qualified Energy Conservation Bond (QECB) lease purchase agreement with Androscoggin Bank. The original lease purchase agreement was financed by Androscoggin Bank on December 15, 2014 for equipment, related items and improvements associated with energy conservation. The original lease purchase agreement was for a term of 17 years with an interest rate of 5.63%. The QECB is split between the Town and the Sewer budgets as follows: 72% Town and 28% Sewer. The split between the Town and the Sewer budgets would remain the same with the refinance options.

All the terms of the original lease purchase agreement would remain the same regarding prepayment, collateral, type, legal opinion and intent.

Androscoggin Bank presented two Refinance Proposal options, Option A and Option B, which are valid through the close of business on May 8, 2020.

Mrs. Barnes explained there are 11 years remaining on this lease purchase agreement with Androscoggin Bank. If we do not move forward with the refinance, we should anticipate \$651,069 (rounded) in principal payments and \$262,012 (rounded) in interest payments for a total of \$913,080 (rounded) over the next 11 years; currently, the annual total payment is \$76,090.03.

Option A as proposed is a 10-year agreement with a 3.45% interest rate (tax exempt) for an annual payment amount of \$79,747.14. With this option, total principal payments would be \$664,927 and total interest payments would be \$132,644 (rounded); a total of \$797,571 (rounded) would be paid with Option A. Regular payments on this option would begin on May 15, 2021 and continue annually on this date through the maturity of the agreement (May 15, 2030).

Option B as proposed is an 11-year agreement with a 3.59% interest rate (tax exempt) for an annual payment amount of \$74,239.96. With this option, total principal payments would be \$664,927 and total interest payments would be \$151,701.50; a total of \$816,628.50 would be paid with Option B. Regular payments on this option would begin on May 15, 2021 and continue annually on this date through the maturity of the agreement (May 15, 2031).

Mrs. Barnes said she would be happy with either option, that both options are favorable in saving the Town a substantial amount in interest over the next 10-11 years. As shown in the spreadsheets, if we were to go with Option A, it would save the Town a total of \$115,509 (rounded) when comparing it to our current obligation. If we were to go with Option B, it would save the Town a total of \$96,452 (rounded) when comparing it to our current obligation.

Mrs. Barnes mentioned the Finance Director recommended Option B. Option B will have a maturity date of 5/15/2031 (FY31) rather than the current obligation of 12/15/2031 (FY32). Currently, we are expecting to make 11 more annual payments, which would remain the same with this option; this option would save the Town \$96,452 (rounded) in total. When looking at the budget, it would also decrease the budget: current annual payments are \$76,090 (rounded) and Option B would be \$74,239 (rounded) annually – this is a \$1,851 decrease in each fiscal year's budget.

**COUNCILOR COMMENTS:** Councilor Albert said he was in favor of saving \$115,509, which is the larger savings. Councilor Ward agreed.

**VOTE (2020-76)** Councilor Albert, seconded by Councilor Kolbe moved to authorize the Town Manager to refinance the QECB as recommended under Option A.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

#### AUTHORIZATION TO TAKE OUT TAX ANTICIPATION NOTE

**INTRODUCTION:** Mrs. Barnes explained the two proposals for Council's consideration in regards to a Tax Anticipation Note (TAN) for the Town of Lisbon. The first proposal is dated April 2, 2020 and is provided by Androscoggin Bank. The second proposal is dated April 15, 2020 and is provided by First National Bank. Both proposals are for an amount up to \$2,000,000 in an 'as needed' format. She said due to the nature of the TAN being considered short-term borrowing, these proposals are being presented for a desired closing date on or around July 1, 2020.

Mrs. Barnes said Androscoggin Bank offered a fixed interest rate of 1.57% per annum on the TAN based on actual/365 day basis on the note. The option is to be repaid on or before the closure of the fiscal year, June 30, 2021, for the amount that is drawn upon under the 'as-needed' format. Assuming that the full \$2,000,000 is used, the total amount of interest which could accrue would be \$31,313.97 if paid upon the June 30, 2021 date. The Androscoggin proposal is valid through the close of business on May 8, 2020.

Mrs. Barnes said First National Bank offered a fixed interest rate of 1.08% based upon a 360 day year with funds to be made available on an as needed basis. This option is to be repaid on or before the closure of the fiscal year, June 30, 2021, for the amount that is drawn upon under the 'as-needed' format. Assuming that the full \$2,000,000 is used, the total amount of interest which could accrue would be \$21,874 if paid upon the June 30, 2021 date. The First National Bank proposal is valid through the close of business on May 8, 2020.

If the Town of Lisbon were to draw upon the full amount of the proposed TAN, the calculated amount of interest that would be incurred with the Androscoggin Bank proposal would be approximately \$7,828.50 and with the First National Bank proposal, it would be approximately \$5,468.50.

Mrs. Barnes said the Finance Director recommends, after evaluating both proposals for a TAN, the Town of Lisbon accept the First National Bank proposal. This proposal has the same criteria as the Androscoggin Bank proposal, but at a much more favorable interest rate.

**VOTE (2020-77)** Councilor Fellows, seconded by Councilor Ward moved to approve the execution of a Tax Anticipation Note with the First National Bank for the terms specified in their proposal and to authorize the Finance Director and Town Manager to sign the same.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

AMEND CHAPTER 46 STREETS, ARTICLE III,  
SEC. 46-67 DOCUMENTATION REQUIRED PRIOR TO COUNCIL ACCEPTANCE  
*First Reading*

**INTRODUCTION:** The CEO, and Planning Board concurs, that since the Register of Deeds no longer requires Mylars of plans, the Council should consider amending that to eliminate the required Mylar plans.

**VOTE (2020-78)** Councilor Fellows, seconded by Councilor Larochelle moved to adopt the following amendments to Chapter 46-Streets, Sidewalks & Other Public Places, Article III-Street Acceptance Standards, Section 46-67 Documents required prior to Council acceptance as follows:

Chapter 46-Streets, Sidewalks & Other Public Places...

Article III-Street Acceptance Standards...

Section 46-67. - Documentation required prior to Council acceptance

Prior to the Council scheduling an order to accept ~~the~~ a private road, the applicant shall produce the following documents as required:

- (1) A petition, agreement, warrant deed, affidavit or other writing specifically describing the property or interest and its location, and stating that the owner voluntarily offers to transfer such interests to the municipality without claim for damages;
- (2) Recordable ~~Mylars and one~~ paper ~~copy~~ copies of the plans of the street for recording at the Androscoggin County Registry of Deeds;
- (3) ...

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

STATUS OF MOXIE FESTIVAL

**INTRODUCTION:** Due to COVID-19 and the Governor's mandate of Social Distancing, staff would like to know if Council would like to move forward with planning for the 2020 Moxie Festival or cancel the festival. Due to Governor Mills Gradual Plan to Restart Maine's Economy in four stages, we do not feel we could comply with her order by holding the festival in a manner that is safe for the First Responders, Volunteers, Business Owners, Participants, and Attendees. For this reason, we are recommending that the Moxie Festival be cancelled in 2020. Governor Mills also stated in her address, that she did not know how any festival could take place this year.

**VOTE (2020-79A)** Councilor Albert, seconded by Councilor Larochelle moved to cancel the 2020 Moxie Festival.

**COUNCILOR COMMENTS:** Councilor Fellows said he wanted to see this on the agenda because he thought it was time to discuss what the future holds for Moxie Days. Legally, right now, we cannot have over 50 people at any gathering in July. Positive Change Lisbon just submitted a letter today informing us that they were cancelling those portions of the festival they organize. Moxie Congress sent word that they did not want to support the festival this year and asked that the town postpone it. However, he said, unless something is costing us more money, perhaps the Council could hold off until June 2 without any problem, if there were no issues with that. He said Representative Mason requested the town delay the vote, as well.

Councilor Ward said for the past six weeks, he has been expecting the other shoe to drop and that someone else would make this decision for us. It cannot be done the way it has been done in the past. We already purchased fireworks. That is easy to accomplish with everyone staying in their cars. It may be possible to do a virtual 5K event. It may be easy to hold a car show, too. These are key events to this festival and they take little to no funds to accomplish, which might be better to hold than to straight out cancel everything.

Councilor Albert said he heard from quite a few folks who want the Council to delay this vote. He said Public safety is #1 and if it is not safe then we are not going to do it. He said we can talk about getting creative and how



we can save some of these events or we could reconvene June 2 and if we need to, we could push this event into August. If we are trying to scale the festival down, then what better way to do so then to take it out of its traditional spot? He said he would like to get to June 2, survey the land to see where we are at, and then make a decision. This would give the Council the option to have it at a later date in August or something.

Councilor Kolbe said that too much has changed since this pandemic started. She said to cancel two months in advance without really knowing what could happen between now and then may be premature. She recommended waiting until June 2 to find out where we stand on the timeline. If Governor Mills has not relaxed those orders to open the state back up then she recommended going with Councilor Albert's suggestion to move it to August or something like that.

Councilor Fellows suggested staff investigate other possibilities more thoroughly between now and June 2. Councilor Ward said that is where he would like to land as well. He said to hold the festival goes against the Police Chief and Fire Chief's recommendations at this time; we have some homework to do.

Councilor Albert said even September is a great time of year to have Moxie, so just keep that in mind. It could be an end of summer event for Lisbon.

Mr. Stevens said this will look different in October or November and maybe it becomes a 1-day festival at that time. He said that Police, Fire, and Lisbon Emergency comments were spot on. On April 25, he said, he would have also said no at that time. He urged the Council to ask those folks again June 1 and if the state is open, then Lisbon should be open.

Councilor Larochelle said no one is talking about holding this in July and we are all talking about moving it or postponing the festival to a later date. That said, the Council is not saying we are doing a Moxie Festival this year and urged Councilors to get the right message out there. Some people might understand the message tonight to mean since we are waiting to vote on June 2 that we might do a big event in July this year, which is just wrong. No one is saying the Moxie Festival is going as planned because it is not. He indicated none of the businesses he spoke to today were interested in contributing financially for this to happen in July. He said he was all for doing smaller things, rethinking Moxie, and coming up with ideas like a Moxiefest at Beaver Park, but moving forward tonight thinking that we are going to take this vote in June to see if this event is going to happen, is wrong. He asked, are we sending the right message? Are we looking to hold our event in July? He said we are not. He said are we looking at holding another smaller event for local folks only, maybe.

Councilor Albert said he wanted to defer the message until June 2 to give this department time to come up with something. He said it is reasonable to think we could carry that "Moxie Spirit" into a different month like August or September. He explained that we do not know what it will be like in September, or whether this virus will come back, so absolutely we need more time to look into this. He said the message we want to get out to the public is that we have no intention of running business as usual for Moxie Days, but at the same time we are not ready to cancel it entirely. He recommended a scaled back event or something at a different time. He said what we are saying right now is that we are investigating whether we can do this when the state is much safer. He said there is no harm in waiting another 30 days to see if that is an option.

**VOTE (2020-79B)** Councilor Ward, seconded by Councilor Ganong moved to **TABLE MOTION** to June 2.

Councilor Ward said he would tell the media if asked that Lisbon is trying to consider more of a local event on a much smaller scale that will work with the current restrictions for our community. Councilor Fellows said he would be more comfortable with a motion in June as long as it was stated more specifically.

**MOTION TO TABLE: Roll Call Vote: Yeas – Lunt, Ward, Kolbe, Ganong, and Fellows. Nays – Larochelle and Albert. Order passed - Vote 5-2.**

#### STATUS OF WORUMBO MILL AND GRAZIANO SQUARE PROJECTS

INTRODUCTION: Mr. Cyr reported the Town Manager's directive to curtail spending due to the COVID-19 situation so the Worumbo Mill and Graziano Square Projects have been put on hold. We recently learned that MDOT would like to use the Worumbo Mill site at 1 Canal Street during their Rt. 196 paving project that will

begin on May 5th and end sometime in August. As part of the agreement to use the site, All State Asphalt, the contractor for the job, has agreed to provide Lisbon with millings from the project to be used on the proposed parking lot at 1 Canal Street. They plan to give the town approximately 300 yards of reclaim at the end of their project for using that area. They will also assist in laying it down and rolling it provided the site is prepped. For this reason, we would like to solicit bids for the crushing of material at the old mill site. We intended to rent the equipment and have PW do the work, but since then, we have requested quotes from other companies to do the work, which would cost less than if we rented the equipment to do it ourselves. If we spend a little money now (approximately \$20,000) we would not have to spend it later and this area would be already done for us. It is a better idea to do this now if the Council wants to do it.

Mr. Cyr said the town needs to install a fence there and Brian over at the mill suggested we go with a 6' high chain link fence. He recommended black vinyl to blend into the river. The town has to place some of that crushed material there to bring that wall back up to level so it will all be the same height before installing the fence. He estimated the fence would cost around \$16,000 to \$18,000.

**COUNCILOR COMMENTS:** Councilor Ward said the Worumbo site does require a formal bid. This does not qualify for emergency status. It will be paid for by Downtown TIF funds.

Councilor Albert asked when the Graziano Square project would be done. Mr. Cyr indicated the State's start date on the sidewalk is May 4 and its end date is August 26. The State should be on site June 21.

Councilor Larochelle said he would like to see the Graziano work schedule, even with the spending freeze so we can tell this project is moving forward. He said grass on that site would be huge. Getting optics there would be nice. Councilor Ward said he would like to start with loam and seed. Councilor Fellows mentioned the underground sprinkler system that has to be installed. Councilor Larochelle asked that the Graziano work schedule and price for groundwork including loam and seed be brought to the Council at the next meeting or to the Chair to be moved forward.

**VOTE (2020-85)** Councilor Ward, seconded by Councilor Larochelle moved to authorize the Town Manager and Public Works Director to solicit bids for crushing rock and fencing at 1 Canal Street.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0,**

### TAX ACQUIRED BID AWARD

**INTRODUCTION:** The following bids were received and opened at 12:00 noon on Wednesday, April 15, 2020:

Jeff & Bridget Burkhardt 26 Free Street Lisbon Falls, ME 04250	Map U07 Lot 081 24 Bowdoin Street Minimum Bid: \$17,070.70	Bid Amt.: \$61,500.00
Christopher Poirier P.O. Box 2564 Waterville, ME 04903	Map U05 Lot 126 5 High Street Minimum Bid: \$14,457.59	Bid Amt.: \$19,300.00
Christopher Poirier P.O. Box 2564 Waterville, ME 04903	Map U07 Lot 081 24 Bowdoin Street Minimum Bid: \$17,070.70	Bid Amt.: \$21,500.00

**VOTE (2020-81)** Councilor Larochelle, seconded by Councilor Albert moved to award the bid for the sale of property located at 24 Bowdoin Street in the amount of \$61,500 to Jeff & Bridget Burkhardt and authorize the Town Manager to issue a quitclaim deed without covenants. Reject the bid for 5 High Street, reason being bid is too low.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

## BEAVER PARK CABIN RENTAL

**INTRODUCTION:** Mrs. Barnes reported the Beaver Park cabin would be vacant at the end of May due to the upcoming retirement of the Secretary/Programmer. She said it is important to have a physical presence at the Park throughout the year. Mark Stevens has expressed an interest in renting the cabin after the current occupant moves out.

**COUNCILOR COMMENTS:** Councilor Ward indicated some discussion already happened earlier in the meeting, except his suggestion that the overtime be tied to the agreement by stipend instead in case he decides to move out so then those duties tied to the stipend and stipend can easily be removed and would not affect his salary. Councilor Larochelle said he was not sure if this had already been worked out between the manager and department head, but there are a lot of dynamics to think about here as far as payroll, stipend, rental payments, retirement, insurance, and taxes. Councilor Ward said he was thinking the stipend should be tied to the \$6,100 in the overtime line for Beaver Park that covered a piece of those park duties so if Mr. Stevens actually moves out of the cabin that as a stipend it could be removed at a later date for something he would no longer be obligated to do. Mrs. Barnes said yes, she could figure out what part of that increase was for Moxie and what part was for Cabin duties. Councilor Ward said he was suggesting the stipend, but that the Council wanted to leave the details of the agreement open for the manager to negotiate in that regard. He said we just happen to pick the wrong time to be talking about a Moxie stipend, but we did because it was associated with this topic. Mrs. Barnes suggested the Council vote on the agreement first and that she would work out the stipend separately.

**VOTE (2020-82)** Councilor Larochelle, seconded by Councilor Fellows moved to authorize Mark Stevens and his family permission to move into the Beaver Park Cabin with employee's lodging being regarded as part of the employee's compensation and allow the Town Manager to negotiate the terms and conditions of the agreement.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

## RE-APPLY FOR SOLID WASTE GRANT TO EXPAND PROGRAM AT THE TRANSFER STATION

**INTRODUCTION:** In 2019, the Town of Lisbon received a Solid Waste Diversion grant from the Maine Department of Environmental Protection (DEP) to launch a residential food scrap drop-off program at the Town transfer station. Demand for the program exceeds the Town's existing service capacity. To meet additional demand for the program, departments are requesting Council authorize the Town Manager to submit an application to DEP to grow the residential composting program by expanding appropriate infrastructure at the transfer station, increase collection service levels from the current organics collection contractor, conduct educational outreach to the public on the benefits of organics diversion, and provide buckets to additional households in Lisbon to enable greater participation.

The Town's 25 percent matching funds requirement will be provided in-kind through Public Works Department staff wages to manage the program at transfer station. The deadline to submit the proposal is May 19, 2020. The ECD Director reports the grant application is essentially the same as last year's, but with expansion to infrastructure and services to increase organic waste conversion.

**VOTE (2020-83)** Councilor Ganong, seconded by Councilor Fellows moved to authorize the Town Manager to submit an application to DEP and receive the funds if awarded the grant to grow the residential composting program by expanding appropriate infrastructure at the transfer station, increase collection service levels from the current organics collection contractor, conduct educational outreach to the public on the benefits of organics diversion, and provide buckets to additional households in Lisbon to enable greater participation.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

## OTHER BUSINESS

### A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert had nothing new to report.
2. Planning: Councilor Fellows had nothing to report.
3. LDC: Councilor Larochelle asked Mr. Richardson to update the Council on this committee's progress. Mr. Richardson said things were on hold for meetings, but we were still working on some CDBG grant applications, and visioning for the Worumbo site, and supporting façade improvements. He said the committee will be reconvening on the second Wednesday of May, the 13<sup>th</sup>, using zoom at 6PM. If interested, let Mr. Richardson know so he can include you on the distribution list and agenda. Mr. Cyr has agreed to join this meeting to report out on the redevelopment at the Worumbo and Graziano sites. He said they will be discussing a substantial grant to the Northern Border Regional Commission to improve public access to the river and to facilitate some commercial development there at the Worumbo parcel and to review the CDBG Façade grant and the community vision process for the Worumbo.
4. Conservation Commission: Councilor Ward had nothing to report.
5. Recreation: Councilor Albert had nothing to report.
6. County Budget: Councilor Ward had nothing to report.
7. Library: Councilor Lunt had nothing to report.
8. Water Commission: Councilor Fellows said there have not been any meetings so far to report on.

## B. TOWN MANAGER'S REPORT

Mrs. Barnes reported she met on a zoom meeting with MDOT regarding the Route 125 project that they indicated would be advertised on September 21, 2020. She mentioned MDOT is planning a public hearing that will be a taped presentation with the public submitting their comments on a certain website.

## APPOINTMENTS

### PLANNING BOARD, LISBON DEVELOPMENT COMMITTEE, AND CDBG/FAÇADE GRANT ADVISORY COMMITTEE RESIGNATIONS

**VOTE (2020-84)** Councilor Fellows, seconded by Councilor Kolbe moved to accept the resignation of Scott Hall on the Planning Board, LDC, CDBG and Façade Grant Advisory Committee.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

### REGULAR MEMBER PLANNING BOARD

**VOTE (2020-85A)** Councilor Kolbe, seconded by Councilor Fellows moved to appoint Lisa Ward a Regular Member on the Planning Board to 6/30/2021.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

### ASSOCIATE MEMBER PLANNING BOARD

**VOTE (2020-85B)** Councilor Ward, seconded by Councilor Fellows moved to appoint Dan Leeman an Associate Member on the Planning Board to 6/30/2022.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

**LISBON DEVELOPMENT COMMITTEE RE-APPOINTMENTS**

**VOTE (2020-86)** Councilor Larochelle, seconded by Councilor Kolbe moved to re-appoint Meredith Lord, Chris Huston, and Dean Willey to the Lisbon Development Committee.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

**MMA EXECUTIVE COMMITTEE/LETTER OF INTEREST – NONE****RESCIND APPEALS BOARD APPOINTMENT**

**COUNCILOR COMMENTS:** Councilor Ward mentioned Brittany Couillard had not responded to any of our attempts to reach her.

**VOTE (2020-88A)** Councilor Larochelle, seconded by Councilor Albert moved to rescind the appointment of Brittany Couillard to the Appeals Board.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

**COUNCILOR COMMUNICATIONS**

Councilor Larochelle said residents have been asking him why the Solid Waste facility is running the way it is right now. Mr. Cyr explained the safety precautions employees must make due to the COVID-19 situation and asked Council to consider waiving fees on brush and leaves for a couple of Mondays so residents could drop off their brush and leaves at the Transfer Station.

**VOTE (2020-88B)** Councilor Larochelle, seconded by Councilor Fellows moved to waive the fees for dropping off brush and leaves at the Transfer Station on Monday, May 11 and Monday, May 18.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

**AUDIENCE PARTICIPATION FOR NEW ITEMS**

*After waiting the required time to check emails, seeing none, the Council continued.*

**EXECUTIVE SESSION - NONE****ADJOURNMENT**

**VOTE (2020-89)** Councilor Kolbe, seconded by Councilor Albert moved to adjourn at 9:27 PM.

**Roll Call Vote: Yeas – Albert, Lunt, Larochelle, Ward, Kolbe, Ganong and Fellows. Nays - None. Order passed - Vote 7-0.**

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Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC  
Date Approved: May 19, 2020