



**TOWN COUNCIL
MEETING MINUTES
SEPTEMBER 7, 2021**

Normand Albert 2021
Kasie Kolbe 2021
Allen Ward 2021
Mark Lunt 2022
Donald Fellows 2022
Gregory Garrison 2022
Fern Larochelle 2023

CALL TO ORDER. The Chairman, Allen Ward, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Ward, Albert, Kolbe, Lunt, Larochelle, Garrison (arriving at 7:03 PM), and Fellows. Also present were Diane Barnes, Town Manager; Randy Cyr, Public Works Director; Brett Richardson, Economic and Community Development Director; Richard Main, Conservation Commission Chairman; Ross Cunningham, PCL Member; and approximately 5 citizens in the audience.

GOOD NEWS & RECOGNITION

VOTE (2021-188) Councilor Larochelle, seconded by Councilor Fellows moved to adopt the following Proclamation:

Proclamation

Recognizing Constitution Week 2021 as follows:

Whereas, September 17, 2021 marks the two hundred and thirty-fourth anniversary of the drafting and signing of the Constitution of the United States of America by the delegates at the Constitutional Convention in 1787; and

Whereas, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

Now, Therefore, We the Lisbon Town Council encourage all Americans to observe this important day in our nation's history and ask our citizens to reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

In Witness Whereof, We the Lisbon Town Council have set our hand and caused the great Seal of the Town of Lisbon to be affixed this 7th day of September, 2021.

Order passed – Vote 7-0.

PUBLIC HEARINGS

A. BOND ORDINANCE FOR FERRY ROAD

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

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

Lorelei Hilliker, from 207 Edibles said she is the loudest member of the Save the View. She said she would like to see the language for the non-binding referendum question amended to give voters three options as follows:

- A. Exclusive reuse as a public park only, with parking.
- B. Single-story retail development with enhanced Public Park and parking.
- C. Multi-story commercial and residential development with Public Park and parking.

Jason Smith introduced himself and said he was running for the one year term as Councilor for this coming year. He said he wanted to have a voice and be the voice for those in the community, that he just purchased property in Lisbon, and that he looked forward to working with those Councilors who would be staying on the Council.

Kevin Kimball asked where the \$100,000 figure came from that was in the suggested non-binding referendum question. Councilor Lunt reported the number came from an estimate Curtis Lunt, the former Lisbon Town Manager had thought it would cost to develop a park, including a bandstand and so forth, and not a true cost estimate for any particular design. He explained that the figure was meant to see if residents would be interested in investing money into a park development. Mr. Kimball said that is all the more reason that this question should not be on the ballot then.

Richard Main said there are two issues the Town Council needs to understand; 1) there are no provisions in the charter for a non-binding referendum question to be placed on the ballot for taxpayers to decide, and 2) there is language in the charter involving recalls and bonding. He said this action sort of crosses the line between Council micromanaging the staff and the appropriate use of the town's resources. He recommended Council check with the Town's attorney prior to going down this road. He said this is the responsibility of the Council and staff to make that decision.

Councilor Lunt said he was okay with the question not being on the ballot but supported a hand out to gather information from the public at the polling place. Councilor Albert indicated there has been plenty of input on this question and said he was not sure there was a need for this anymore.

CONSENT AGENDA

VOTE (2021-189) Councilor Larochelle, seconded by Councilor Albert moved to approve the following consent agenda items:

- A. Municipal Accounts Payable Warrants totaling \$ 1,023,937.58
- B. Municipal Payroll Warrants totaling \$ 194,649.46
- C. School Accounts Payable Warrants totaling \$ 539,820.60
- D. School Payroll Warrants totaling \$ 373,979.46 along with the
- E. Minutes for August 17, 2021
- F. Set Public Hearings on September 21 for a Victualer's License, Liquor License, & Special Entertainment Permit for the Olive Pit Brewing Co., LLC, Victualer's License for Extreme Energy & Nutrition, and a Liquor License and Special Entertainment Permit for the Lisbon Left Hand Club.

Order passed - Vote 7-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

20-TON TILT TRAILER BID AWARD

INTRODUCTION: Mr. Cyr said Bid 2021-007 is for a 20-Ton Tilt Trailer for Public Works. Bids were solicited from four (4) different companies, and publicly opened on Wednesday, September 01, 2021. The following bids were opened and reviewed:

Maine Trailer Inc.	20 Ton Tilt Trailer	\$31,171.00
Rampant Trailers, LLC	20 Ton Tilt Trailer	\$24,082.00

Mr. Cyr encouraged Council to award the trailer bid to Rampant Trailers LLC for \$24,082.00. He said the budget to purchase the trailer was \$24,000 and the difference between our budget and this bid is \$82.00.

COUNCILOR COMMENTS: Councilor Fellows pointed out that the equipment line should have around \$6,000 left once all the items to be acquired have been purchased.

VOTE (2021-190) Councilor Albert, seconded by Councilor Fellows moved to award the bid for a 20-Ton Tilt Trailer for Public Works to Rampant Trailers, LLC for an amount not to exceed \$24,082.00. **Order passed - Vote 7-0.**

MARKET STUDY BID AWARD

INTRODUCTION: Mr. Richardson reported on June 22nd, the Lisbon Town Council approved a Lisbon Market Analysis to identify feasible residential, retail, and service opportunities for private development throughout the Town of Lisbon, with a special focus on mixed-use development at the former Worumbo Mill Site.

Mr. Richardson said the Council also allocated an additional \$5,500 in Downtown TIF funds via the Worumbo community visioning process to retain a qualified consultant to execute the Market Analysis. ECD's request to complete the Market Analysis was based on input gathered during a community visioning process coordinated by the Lisbon Development Committee (LDC) to guide future redevelopment of the Town-owned Worumbo parcel. Findings from the Market Analysis will add important, objective data to inform the Lisbon community's ongoing visioning process for the Worumbo site. As an additional benefit, the Market Analysis will provide a valuable tool for property owners throughout town who are exploring development options. Findings from the Market Analysis will enhance the community's knowledge in four important areas:

1. Emerging Business Opportunities ~ Identify high-potential retail and service sector opportunities throughout Lisbon to advance new business development and support entrepreneurship.
2. Population Trends ~ Update local understanding of demographic and economic trends within Lisbon, including population trends by age, income, education, and employment by industry.
3. Regional Housing Needs ~ Understand current housing stock, price points and vacancy rates, and the role that a diversity of housing options plays in talent retention and attraction.
4. Financial Feasibility for two Worumbo Redevelopment Options ~ Present for community review financial analyses of two redevelopment options, including required capital investment, operating expenses, price points for commercial and residential uses, and revenues and cash flow, and potential lease or ownership structures most advantageous to the Town.

Mr. Richardson indicated he received four proposals from four different states in response to the request for proposals for the Lisbon Market Analysis, which was open from mid-July through August 20, 2021. During the week of August 23, he indicated he interviewed all four bidders. Based on credentials, successful project examples, strong references, the lowest cost, and an interview on July 26 with Principal Howard Kohn, he encouraged the Council to accept the proposal submitted by The Chesapeake Group, Inc. (TCG) of Baltimore, Maryland that represented the best value and involvement for the Town of Lisbon.

Mr. Richardson said he is interested in seeing what kind of public investment is needed and how much different scenarios would cost. Councilor Fellows asked if the analysis would include a green space only scenario. Mr. Richardson replied, yes. Councilor Ward said he was interested in seeing what the impact would be and the revenues generated. Councilor Albert said it would be important to include the maintenance costs for after a five year period. Councilor Lunt said he would be interested in seeing how much landscaping will cost. Mr. Richardson said TCG will be able to give us an idea on what's a viable use or can be a viable use for that space. He said there is no rush. He mentioned there would be two additional meetings once this report comes out to get the public's input or a sense for what would be the best fit here for Lisbon.

VOTE (2021-191) Councilor Albert, seconded by Councilor Fellows moved to award the Lisbon Market Analysis bid to The Chesapeake Group, Inc. a/k/a TCG for \$10,000 using Downtown TIF funds, authorize the Town Manager to execute the contract as enclosed in the RFP packet, and endorse TCG to execute the scope of work with Town staff support. **Order passed – Vote 7-0.**

BOND ORDINANCE FOR FERRY ROAD
(Second Reading)

VOTE (2021-192) Councilor Albert, seconded by Councilor Kolbe moved to approve the following Bond Order as presented:

FINANCE THE RECONSTRUCTION OF A PORTION OF THE FERRY ROAD AND RELATED IMPROVEMENTS.

BE IT ORDERED, 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 \$2,800,000 and notes in anticipation thereof (collectively, the "Bonds"), to fund the reconstruction of approximately 2.5 miles of the Ferry Road from the intersection of Ferry and Marshall Roads extending to the river bend area, and related improvements (the "Project");
- (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 Town's best interest, 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 Order 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 any short-term notes issued in anticipation of the completion of the Project shall be and hereby are designated "Qualified Tax-Exempt Obligations" within the meaning of Section 265(b)(c)(3) of the Internal Revenue Code.

- (9) That it shall be a condition to the foregoing authority conferred by this Order that the voters of the Town, pursuant to Article 8.11(b)(2) of the Town Charter, ratify the adoption of this Order;
- (10) That the Town Clerk file an attested copy of this Order with the minutes of this meeting and in accordance with section 8.25(b) of the Town Charter make attested copies of this Order available to the public;
- (10) That a referendum election question regarding the ratification of this Order be placed on the ballot for the November 2, 2021 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:

ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SECURITIES OF THE TOWN OF LISBON IN AN AMOUNT NOT TO EXCEED \$2,800,000 FOR THE PURPOSE OF FINANCING RECONSTRUCTION OF A PORTION OF THE FERRY ROAD AND RELATED IMPROVEMENTS, FOR A TERM NOT TO EXCEED 20 YEARS.

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

CHAPTER 14. GENERAL ASSISTANCE ORDINANCE & APPENDICES AMENDMENTS (*First Reading*)

VOTE (2021-193) Councilor Fellows, seconded by Councilor Kolbe moved to adopt the Chapter 14 General Assistance & Appendices Amendments as follows:

Chapter 14 – GENERAL ASSISTANCE

ARTICLE I – IN GENERAL

Secs. 14-1 – 14-35. – Reserved.

ARTICLE II. GENERAL ASSISTANCE ORDINANCE

Sec. 14-36. – Adoption.

The General Assistance Ordinance, prepared by the Maine Municipal Association, is hereby adopted and incorporated herein by reference, except for such portions as are deleted, modified, or amended in this article. Please refer to the ordinance on the town's website: <https://www.lisbonme.org/general-assistance-0>

Sec. 14-37. – Additions, deletions, insertions, and changes.

The General Assistance Ordinance is revised as follows:

Amend Article VI, Section 6.8 (B), effective on and after July 1, 2012:

- B) **Housing.** The administrator will provide assistance with rent or mortgage payments that are reasonable within the allowed maximum levels and in accordance with the housing assistance limits and exceptions provided in Title 22, section 4308, subsections 1-A and 1-B. See Appendix C of this ordinance for the current year's housing maximums. It is the applicant's responsibility to find suitable housing, although the administrator may help the applicant find housing when appropriate. The administrator will inform the applicant of the allowed housing maximums to assist the applicant in his or her search for housing. The allowed maximum for any applicant will be the categorical housing maximum representing the minimum dwelling unit space necessary to adequately shelter the applicant household. Applicants requesting assistance for housing that contains more bedrooms than are necessary for the number of household members will be provided assistance according to the maximum level of the number of rooms actually needed.

(C.M. of 7-17-2012, V. 2012-92)

APPENDICES

Appendix A

Appendix A is a listing of the overall maximum levels of assistance pertaining to all municipalities in Maine. These new overall maximum levels of assistance have been calculated on the basis of the 2009-2010 HUD Fair Market Rent (FMR) values that will become effective on October 1, 2009. These maximum levels of assistance are established by Maine General Assistance law (22 MRSA (4305(3-B)) and cannot be altered by action of the municipal officers.

Amend Appendix A of the General Assistance Ordinance to incorporate the following maximum levels of assistance to be effective on and after October 16, 2018 for Androscoggin County, as follows:

GA Overall Maximums	
1 person household	741.00 <u>754.00</u>
2 person household	798.00 <u>811.00</u>
3 person household	1,025.00 <u>1,042.00</u>
4 person household	1,287.00 <u>1,335.00</u>
5 person household	1,633.00 <u>1,652.00</u>

(C.M. of 11-4-2009, V. 2009-158; C.M. of 7-17-2012, V. 2012-92; [C.M. of 12-20-2016, V. 2016-269](#); C.M. of 11-14-2017, [V. 2017-282](#); [C.M. of 10-16-2018, V. 2018-229](#); C.M. 10-15-2019, V. [2019-203](#))

Appendix B

Appendix B is a listing of the maximum levels of assistance for food. These maximum levels are the same as the USDA 2009-2010 Thrifty Food Plan, which are presumed to be reasonable by regulation of the Department of Health and Human Services (DHHS). Note that the Appendix B maximums in this packet remain unchanged from the mid-year increase that was made in March 2009, due to the federal economic stimulus package. If the municipal officers wish to amend these maximum levels of food assistance, a local survey must be developed and provided to DHHS to justify the proposed alterations.

Amend Appendix B of the General Assistance Ordinance to incorporate the following maximum levels of assistance to be effective on and after October 16, 2018 for Androscoggin County, as follows:

Number in Household	Weekly	Monthly
1 person household	\$47.44 <u>58.14</u>	\$204.00 <u>250.00</u>
2 person household	\$86.98 <u>106.74</u>	\$374.00 <u>459.00</u>
3 person household	\$124.42 <u>153.02</u>	\$535.00 <u>658.00</u>
4 person household	\$158.14 <u>194.19</u>	\$680.00 <u>835.00</u>
5 person household	\$187.67 <u>230.70</u>	\$807.00 <u>992.00</u>
<u>6 person household</u>	<u>\$276.74</u>	<u>\$1,190.00</u>
<u>7 person household</u>	<u>\$306.05</u>	<u>\$1,316.00</u>
<u>8 person household</u>	<u>\$349.77</u>	<u>\$1,504.00</u>

(C.M. of 11-4-2009, V. 2009-158; [C.M. of 12-20-2016, V. 2016-269](#); C.M. of 11-14-2017, [V. 2017-282](#); [C.M. of 10-16-2018, V. 2018-229](#); C.M. 10-15-2019, V. [2019-203](#))

Appendix C

Appendix C is a listing of the maximum levels of assistance for housing (both heated and unheated). These maximum levels were developed by MMA using 2009-2010 HUD Fair Market Rent values that include utility costs. Because the FMR numbers include utility and heating costs, the applicable average utility and heating allowances, as developed by the Maine State Housing Authority (MSHA), are subtracted from the FMR to obtain a pure "housing" cost.

Amend Appendix C of the General Assistance Ordinance to incorporate the following maximum levels of assistance to be effective on and after October 16, 2018 for Androscoggin County, as follows:

Bedrooms	Unheated		Heated	
	Weekly	Monthly	Weekly	Monthly
0	140.00 140.00	601.00 601.00	163.00 163.00	701.00 701.00
1	\$140.00 143.00	\$603.00 616.00	\$171.00 174.00	\$736.00 749.00
2	\$181.00 185.00	\$779.00 796.00	\$222.00 226.00	\$953.00 970.00
3	\$230.00 241.00	\$990.00 1,038.00	\$280.00 291.00	\$1,203.00 1,251.00
4	\$295.00 299.00	\$1,267.00 1,285.00	\$356.00 360.00	\$1530.00 1,549.00

(C.M. of 11-4-2009, V. 2009-158; [C.M. of 12-20-2016, V. 2016-269](#); C.M. of 11-14-2017, [V. 2017-282](#); [C.M. of 10-16-2018, V. 2018-229](#); C.M. 10-15-2019, V. [2019-203](#))

GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (*See Instruction Memo for further guidance.*)

Appendix D

Electric Utility Maximums

Without electric hot water

The maximum amounts allowed for utilities for lights, cooking, and other electric uses, excluding electric hot water are:

Number in Household	Weekly	Monthly
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

*Add \$7.50 a month for each additional family member.

With electric hot water

The maximum amount allowed for electric utilities for dwelling units that have electrically heated hot water shall be \$70 per month for the first member of the household, with an additional \$10 per month for each additional household member.

Number in Household	Weekly	Monthly
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

*Add \$10.00 a month for each additional family member.

Note: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum amount for fuel as provided In Appendix E.

In accordance with the following conditions, the administrator may allow as a budgetable expense the amount of an applicant's summer-loaded special payment arrangement (SPA) or budget payment arrangement (BPA), as calculated by the electric utility and entered into by the applicant, even when the arranged payment amount exceeds the above maximums or actual usage.

- 1) The SPA or BPA, when annualized, does not exceed the above monthly maximums, when annualized, for non-electrically heated dwelling units.
- 2) The SPA or BPA, when annualized, does not exceed the above monthly maximums and the fuel assistance maximums, when annualized, for electrically heated dwelling units.
- 3) The administrator determines, in consultation with the utility, that the payment arrangement does not include in any part the installment payment of past debt unless the municipality guaranteed to the utility the allowance of such an arrangement as a condition of averting a disconnection.

Pursuant to the use-of-income requirements in section 6.6 of this ordinance, whenever the administrator budgets for SPA's or BPA's under this section, the recipient will be required to pay the SPA or BPA him or herself to the extent of the income capacity of the household.

([C.M. of 12-20-2016, V. 2016-269](#))

Appendix E

Heating Fuel

When considering requests for heating fuel, eligible applicants will be granted assistance with the actual amount necessary up to the following maximums:

Month	Gallons
September	50
October	100
November	200
December	200
January	225
February	225
March	125
April	125

May	50
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When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon.

When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. However, no eligible applicant shall be considered to need more than:

7 tons of coal per year
 8 cords of wood per year
 126,000 cubic feet of natural gas per year, or
 1,000 gallons of propane.

(C.M. of 11-4-2009, V. 2009-158; [C.M. of 12-20-2016, V. 2016-269](#).)

Appendix F

PERSONAL CARE & HOUSEHOLD SUPPLIES (Appendix F, as Revised 09/2007)

Number in Household	Weekly Amount	Monthly Amount
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

Number of Children	Weekly Amount	Monthly Amount
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

(C.M. of 11-4-2009, V. 2009-158; [C.M. of 12-20-2016, V. 2016-269](#).)

Appendix G

2005-2006 Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate (until June 30, 2008) for approved employment and necessary medical travel etc. is 40 cents (40¢) per mile.

Please refer to the Office of State Controller for changes to this rate: Telephone: 626-8420 or visit:
<http://www.state.me.us/osc/>

Appendix H

Funeral Maximums

Burial Maximums

The maximum amount of general assistance granted for the purpose of a burial increased to \$1,475. ~~The previous amount was \$1,125.~~ Additional costs may be allowed by the GA administrator, where there is an actual cost, for:

- The wholesale cost of a cement liner if the cemetery by-laws require one;
- The opening and closing of the grave site; and
- A lot in the least expensive section of the cemetery. If the municipality is able to provide a cemetery lot in a municipally owned cemetery or in a cemetery under municipal control, the cost of the cemetery lot in any other cemetery will not be paid by the municipality.

The municipality's obligation to provide funds for burial purposes is limited to a reasonable calculation of the funeral director's direct costs, not to exceed the maximum amounts of assistance described in this section. Allowable burial expenses are limited to:

- Removal of the body from a local residence or institution;
- A secured death certificate or obituary;
- Embalming;
- A minimum casket;
- A reasonable cost for necessary transportation; and
- Other reasonable and necessary specified direct costs, as itemized by the funeral director and approved by the municipal administrator.

Cremation Maximums

The maximum amount of assistance granted for a cremation ~~increased to is~~ \$1,025 ~~from the prior maximum of \$785.~~ Additional costs may be allowed by the GA administrator where there is an actual cost, for:

- A cremation lot in the least expensive section of the cemetery;
- A reasonable cost for a burial urn not to exceed \$55; and
- Transportation costs borne by the funeral director at a reasonable rate per mile for transporting the remains to and from the cremation facility.

(C.M. 10-15-2019, V. [2019-203](#))

Appendix I

26 MRSA § 1043 (23)

Misconduct. "Misconduct" means a culpable breach of the employee's duties or obligations to the employer or a pattern of irresponsible behavior, which in either case manifests a disregard for a material interest of the employer. This definition relates only to an employee's entitlement to benefits and does not preclude an employer from discharging an employee for actions that are not included in this definition of misconduct. A finding that an employee has not engaged in misconduct for purposes of this chapter may not be used as evidence that the employer lacked justification for discharge. [1999, c. 464, §2 (rpr).]

A. The following acts or omissions are presumed to manifest a disregard for a material interest of the employer. If a culpable breach or a pattern of irresponsible behavior is shown, these actions or omissions constitute "misconduct" as defined in this subsection. This does not preclude other acts or omissions from being considered to manifest a disregard for a material interest of the employer. The acts or omissions included in the presumption are the following:

- (1) Refusal, knowing failure or recurring neglect to perform reasonable and proper duties assigned by the employer;
- (2) Unreasonable violation of rules that are reasonably imposed and communicated and equitably enforced;
- (3) Unreasonable violation of rules that should be inferred to exist from common knowledge or from the nature of the employment;
- (4) Failure to exercise due care for punctuality or attendance after warnings;
- (5) Providing false information on material issues relating to the employee's eligibility to do the work or false information or dishonesty that may substantially jeopardize a material interest of the employer;

- (6) Intoxication while on duty or when reporting to work or unauthorized use of alcohol while on duty;
- (7) Using illegal drugs or being under the influence of such drugs while on duty or when reporting to work;
- (8) Unauthorized sleeping while on duty;
- (9) Insubordination or refusal without good cause to follow reasonable and proper instructions from the employer;
- (10) Abusive or assaultive behavior while on duty, except as necessary for self-defense;
- (11) Destruction or theft of things valuable to the employer or another employee;
- (12) Substantially endangering the safety of the employee, coworkers, customers or members of the public while on duty;
- (13) Conviction of a crime in connection with the employment or a crime that reflects adversely on the employee's qualifications to perform the work; or
- (14) Absence for more than 2 work days due to incarceration for conviction of a crime.

[1999, c. 464, §2 (new).]

B. "Misconduct" may not be found solely on:

- (1) An isolated error in judgment or a failure to perform satisfactorily when the employee has made a good faith effort to perform the duties assigned;
- (2) Absenteeism caused by illness of the employee or an immediate family member if the employee made reasonable efforts to give notice of the absence and to comply with the employer's notification rules and policies; or
- (3) Actions taken by the employee that were necessary to protect the employee or an immediate family member from domestic violence if the employee made all reasonable efforts to preserve the employment.

[1999, c. 464, §2 (new).]

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

REMOTE PARTICIPATION ORDINANCE (*First Reading*)

INTRODUCTION: The previous agenda item to adopt a new Remote Participation Ordinance on August 17, 2021 was postponed to this meeting for a first reading. Councilor Fellows said he redrafted that ordinance into a new policy. He suggested the Council move to adopt the new policy as presented for “Emergency or Urgent Issue Conditions Only.” Mrs. Barnes explained that to adopt this policy means the Council needs to adopt it tonight, schedule a public hearing, and then adopt the policy again, similar to how the Council adopts an ordinance. After clarification by the Council Secretary, Councilor Larochelle and Councilor Albert informally agreed that the motion on the floor was to adopt the new policy not the previous ordinance.

VOTE (2021-194) Councilor Larochelle, seconded by Councilor Albert moved to adopt the “Remote Participation Policy for emergency or urgent issue conditions only” as follows:

REMOTE MEETING PARTICIPATION POLICY (Emergency or Urgent Issue Conditions Only) Lisbon Town Council

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing and in accordance with Article II, Section 2.06 of the town charter and in accordance with council working rules, the Lisbon Town Council adopts the following policy to govern the participation, via remote methods, of members of the Lisbon Town Council and the public in the public proceedings or meetings of that body.

Members of the body are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the body to meet via remote methods. The chair or presiding officer of the body, in consultation with other members if appropriate and possible, will decide in as timely a manner as possible under the circumstances whether remote methods of participation are necessary. If remote participation is deemed necessary, the chair, or vice chair in the absence of the chair or, in the absence both, a designated chair pro-tem (as elected by the body quorum) shall conduct the meeting.

Remote methods of participation may include video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Telephonic participation may be used only if video technology is not possible but must meet the same conditions as is required for video participation. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public will be provided a meaningful opportunity to attend via remote methods when the body participates via remote methods. If public input is allowed or required at the meeting, an effective means of communication between the body and the public will also be provided. Remote input from the public when allowed. The public will also be provided an opportunity to participate remotely by electronic means.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and the town charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. The Lisbon Town Council will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the entire body to meet using remote methods of attendance.

During periods of remote member participation, a method for remote commenting electronically for the public shall be provided. Remote input from the public shall be by e-mail to a designated address which will be provided in the meeting notification itself and on the agenda. All conditions shall be noted in all meeting documents and materials in advance of the meeting.

The Lisbon Town Council will make all documents and materials to be considered by the body available electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using any remote methods shall be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public.

This policy will remain in force indefinitely unless amended or rescinded.

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

Councilor Ward thanked Councilor Fellows for his effort and pointed out this new policy is not for convenience, but for emergencies; nicely done.

NON-BINDING REFERENDUM QUESTION FOR NOVEMBER 2, 2021 BALLOT

INTRODUCTION: Councilor Lunt presented his recommendation for a Non-Binding Survey Question for the November 2, 2021 ballot.

COUNCILOR COMMENTS: Councilor Larochelle said he appreciated Councilor Lunt bringing this forward. He said this is a good avenue to see what the public's opinion is on this issue.

VOTE (2021-195A) Councilor Larochelle, seconded by Councilor Lunt moved to place the following Non-Binding Referendum Question on the November 2, 2021 ballot:

Non-Binding Survey – Question 2
Re-Use of the Former Worumbo Mill Site

The town has acquired the four-acre riverfront lot which formerly housed the Worumbo Mill. The Town Council is considering redevelopment and would like voters' opinion on alternative uses.

Please choose one.

- ☐ Exclusive re-use as a park, with parking. A park may cost up to \$100,000 to develop.
- ☐ Some combination of a park, commercial and residential development, along with parking.

Councilor Larochelle encouraged the Council to consider amending the question to use Ms. Hilliker's three choices. Councilor Garrison said he preferred the three options as well. Councilor Lunt said he supported the redraft as presented.

VOTE (2021-195B) Councilor Larochelle, seconded by Councilor Lunt moved an amendment to place the following Non-Binding Referendum Question on the November 2, 2021 ballot:

Non-Binding Survey – Question 2
Re-Use of the Former Worumbo Mill Site

The town has acquired the four-acre riverfront lot which formerly housed the Worumbo Mill. The Town Council is considering redevelopment and would like voters' opinion on alternative uses.

Please choose one.

- A. Exclusive reuse as a public park only, with parking.
- B. Single-story retail development with enhanced Public Park and parking.
- C. Multi-story commercial and residential development with Public Park and parking.

Amendment #1 Voted: Order failed – Vote 2-5. (Opposed: Albert, Kolbe, Fellows, Garrison, Ward)

Councilor Fellows said he would not be supporting this because the study is going out, although a great deal of credit goes towards this effort, he said he did not agree with what is being put out there. This election would not have a great deal of attendance since it will not be a gubernatorial or presidential election year. He indicated this is not what the Council was elected to do. He said we are not ready to make this decision. Councilor Albert said once the study has been received, the Council could see new possible scenarios to look at. He said the Council needs to see the real market value associated with potential scenarios which may be in this study to make sure we are getting all the information. Councilor Lunt said if the Council misses this opportunity, it would be a whole year before another opportunity comes up next November. Councilor Ward explained that he was not committed beyond the two studies authorized and that there is no timeframe associated with those. He said this is nothing but a staging piece for the coming years. He said he was not opposed to a Council survey. Councilor Fellows said it's too early for a survey. Councilor Garrison and Councilor Kolbe agreed. Council Albert indicated he would like the market study information first.

Main Motion Voted: Order failed – Vote 2-5. (Opposed: Albert, Kolbe, Fellows, Garrison, Ward)

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said good things are happening in Lisbon Schools.

2. Planning: Councilor Fellows said this board is reviewing the plans for building out the Gross Development, amending the site plan for the Solar project on Frost Hill, and discussing ROSII with the Androscoggin Valley Council Of Governments.
3. LDC: Councilor Albert said they will be meeting soon.
4. Conservation Commission: Councilor Ward said they meet later on this month.
5. Recreation: Councilor Albert said he had nothing new to report.
6. County Budget: Councilor Ward reported their meetings begin tomorrow night. He indicated the county budget is up 3.4% at this point. They will be discussing the consolidation of 911 centers. The model presented by the Sheriff closes ours saving Lisbon money, but even under the best scenario appears flawed and will probably die quickly.
7. Library: Councilor Lunt reported the summer reading program is done and it went very well. He gave all who participated a thumbs up.
8. Water Commission: Councilor Fellows reported Moxie Commerce is holding a meeting and that he encouraged the Water Commissioners to attend that meeting.
9. Finance Committee: Councilor Albert said this committee continues to work on the transfer station and solid waste issue. He said they were supposed to report to the Council by October; however, they might not be ready to do that. It could take longer if they dive deeper to be more thorough. Councilor Fellows suggested they get users and the finance committee together. Councilor Albert mentioned they have invited these users into their meetings; it's just taking longer. Councilor Larochelle said the main question is whether this service should be paid for by all the taxpayers or by just the users.

B. TOWN MANAGER'S REPORT

Mrs. Barnes reported Chief LeClair and Chief McGee will be holding a 911 Ceremony at Ricker Park this Saturday at 9:00 am to mark the 20th anniversary of 9/11 honoring the nearly 3500 people that lost their lives that day.

Mrs. Barnes recommended holding Candidate's Night on October 12 from 6-8PM at the Town Hall in the Public Meeting Room. Notice will be displayed on the Town's Website, posted at the Post Offices, and on Facebook. The meeting will be aired on Town Hall Streams and available to watch at any time later.

APPOINTMENTS - NONE

COUNCILOR COMMUNICATIONS

Councilor Larochelle commended Pam and Frank Hogan for their sidewalk clean-up efforts this past week. He said it was nice to see them trying to get the community involved in making our town look better.

Councilor Ward announced PCL will be holding a law and crafter sale. Registrations are online at their website. They have 35 tables booked so far. He invited all to attend or register.

Councilor Fellows announced that Mark Stambach, Lisbon's new Codes Officer will begin on Monday, September 13, 2021.

Council mentioned Employee Appreciation Day will be October 3 at the Lisbon Left Hand Club from 1-4PM and invited all the employees and their families to attend the BBQ; food provided.

Richard Main welcomed Councilor Garrison back to the Council.

AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS - NONE

EXECUTIVE SESSION - NONE

ADJOURNMENT

VOTE (2021-196) Councilor Garrison, seconded by Councilor Albert moved to adjourn at 8:45 PM. **Order passed - Vote 7-0.**

Twila D. Lycette, Council Secretary
Town Clerk, Lifetime CCM/MMC
Date Approved: September 21, 2021