



**TOWN COUNCIL
MEETING MINUTES
SEPTEMBER 21, 2021**

Norm Albert 2021
Kasie Kolbe 2021
Allen Ward 2021
Mark Lunt 2022
Don Fellows 2022
Gregg Garrison (appt to 12/7/21) 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, and Fellows. Also present were Diane Barnes, Town Manager; Randy Cyr, Public Works Director; Lisa Ward, Lisbon Development Committee Chairman; and approximately 5 citizens in the audience.

GOOD NEWS & RECOGNITION

Councilor Ward announced he was very pleased to hear the Town Clerk in Lisbon had received the Maine Town and City Clerk's Association Lifetime Achievement award. Mrs. Barnes said she supported the nomination of Twila Lycette for the Maine Town and City Clerk's Association Lifetime Achievement award. She said Twila's contributions to her profession and her community are extensive and commendable.

Mrs. Barnes said Twila has lead a long and distinguished career in public service beginning in 1986 when she was hired as the Lisbon Town Clerk. Twila has served on many boards and has received many distinctive awards throughout her career for her commitment and dedication to the profession at the local, state and national levels. She shows exceptional commitment to training and gathering knowledge both for herself and in support of others in the profession. Her experience, advice, and friendship has made her an extremely valued mentor among her peers. She said she has known and worked with Twila for seven years. During this time, she witnessed Twila being very innovative and creative when providing services to her community. Twila has a professional and friendly nature that is very welcoming to those she serves. With her positive attitude, Twila recognizes and capitalizes on opportunities to implement changes that benefit our community in many ways. She is always optimistic, which allows her to see the best in everyone and find solutions even in difficult situations. Her interactions with others are always kind and understanding and she encourages the public to seek information and support through her office.

Mrs. Barnes said Twila's commitment to preserving and archiving the Town's historical records has been an important project that will ensure our history will never be forgotten and will be available for future generations. She holds a wealth of knowledge of the history and progress of our town that could never be replaced. She said she could not think of anyone more deserving of the Town & City Clerk's Association Lifetime Achievement award than someone who has served her community in an exemplary manner for three and a half decades. Twila Lycette personifies devotion to community and profession and she truly deserved this honor.

Councilor Ward mentioned he attended the awards ceremony, which was very impressive considering there were around 150 individuals on that zoom meeting from around the state, when Mrs. Lycette received the top award that day. Councilor Fellows reported he too was in attendance and pleased to see Mrs. Lycette receive this award.

Mrs. Lycette thanked the Council and Town Manager for their kind words and the recognition.

PUBLIC HEARINGS

- A. VICTUALER'S LICENSE, SPECIAL ENTERTAINMENT PERMIT
& LIQUOR LICENSE FOR OLIVE PIT BREWING CO., LLC**

Christy Cain from the Olive Pit Brewing Company reported that the Liquor License she filed with the town was not the correct application and that she has since filed the correct application for a State of Maine Brewer's License that will cover her tasting room. She said she is being held up right now waiting for CMP, but that she hopes to open in November by thanksgiving weekend.

B. VICTUALER'S LICENSE FOR EXTREME ENERGY & NUTRITION

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

C. SPECIAL ENTERTAINMENT PERMIT FOR LISBON LEFT HAND CLUB

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

D. REMOTE PARTICIPATION POLICY

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

E. AMENDMENTS TO GENERAL ASSISTANCE ORDINANCE & APPENDICES

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

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

CONSENT AGENDA

VOTE (2021-198) Councilor Larochelle, seconded by Councilor Fellows moved to approve the following consent agenda items:

- A. Municipal Accounts Payable Warrants - \$ 1,699,191.14
- B. Municipal Payroll Warrants - \$184,263.78
- C. School Accounts Payable Warrants - \$462,156.38
- D. School Payroll Warrants - \$759,364.74
- E. The Minutes for September 7, 2021
- F. Victualer's License for Extreme Energy & Nutrition
- G. Special Entertainment Permit and Liquor License for the Lisbon Left Hand Club
- H. The Tax Collector Certificate of Settlement that includes authorization to approve and sign the certificate of settlement for Diane Barnes, Tax Collector for the FY 21 taxes and a Victualer's license and Special Entertainment Permit for the Olive Pit Brewing Company pending final inspections.

Order passed - Vote 7-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

ADDITIONAL PAVING

INTRODUCTION: The Public Works Director is requesting permission to pave a portion of Route 125 from Summer St to where MDOT stopped paving, for a distance of approximately 600', plus a portion of Ann Street, located behind the Water Department. We currently have around \$50,000.00 left in the FY 22 paving account to spend for these additional paving projects. We received a huge number of complaints from homeowners in this area about this section of Route 125. This part of the roadway does have a lot of deterioration and when tractor-trailers travel through it rattles their homes.

VOTE (2021-199) Councilor Larochelle, seconded by Councilor Lunt moved to approve two additional paving projects this year for an amount not to exceed \$50,000.00 from the FY22 Paving Account to pave 600' of Route 125 and Ann Street. **Order passed - Vote 7-0.**

REMOTE PARTICIPATION POLICY
(Second Reading)

VOTE (2021-200) Councilor Fellows, 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.

AMENDMENTS TO GENERAL ASSISTANCE
ORDINANCE & APPENDICES
(Second Reading)

VOTE (2021-201) Councilor Fellows, seconded by Councilor Larochelle 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
<u>0</u>	<u>140.00</u>	<u>601.00</u>	<u>163.00</u>	<u>701.00</u>
<u>1</u>	\$140.00 <u>143.00</u>	\$603.00 <u>616.00</u>	\$171.00 <u>174.00</u>	\$736.00 <u>749.00</u>
<u>2</u>	\$181.00 <u>185.00</u>	\$779.00 <u>796.00</u>	\$222.00 <u>226.00</u>	\$953.00 <u>970.00</u>
<u>3</u>	\$230.00 <u>241.00</u>	\$990.00 <u>1,038.00</u>	\$280.00 <u>291.00</u>	\$1,203.00 <u>1,251.00</u>
<u>4</u>	\$295.00 <u>299.00</u>	\$1,267.00 <u>1,285.00</u>	\$356.00 <u>360.00</u>	\$1,530.00 <u>1,549.00</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](#))

**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

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
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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.

OTHER BUSINESS

A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert mentioned he is interested in learning whether our testing results will indicate that maintaining our in-person learning in Lisbon shows added value in our record as compared to other communities.
2. Planning: Councilor Fellows said the Planning Board is reviewing the Solar Plan on Frost Hill Avenue. He indicated their meeting this week has been cancelled.
3. LDC: Councilor Albert mentioned Ms. Ward was present to update the Council. Ms. Ward said she planned to do her presentation under Other Business.
4. Conservation Commission: Councilor Ward reported that Richard Main presented park harvest plans at their recent meeting. He said they are working on repairing a part of the River Trail. Mr. Cyr said his crew will move the trail over a few feet by removing the hot top and existing wood fence, then repaving the new section, installing a new chain link fence, and adding rip rap to the embankment to prevent further erosion.
5. Recreation: Councilor Albert reported all the sports programs have started. He encouraged residents to go out and support them all.
6. County Budget: Councilor Ward said their committee is advising the commissioner to take their advice seriously to reduce the budget by \$49,000 and add \$10,000 to the revenue side of it.
7. Library: Councilor Lunt said the Library recently received a grant to buy electronic items, such as chrome books and a printer that can print big posters.
8. Water Commission: Councilor Fellows reported the new General Manager is on the job now and the Superintendent is expected to be done by year end. They are looking over the \$1.6 million water main project for Main Street.
9. Finance Committee: Councilor Albert indicated their next meeting is Tuesday, September 28 when they will continue their solid waste discussions. An update for Council should occur late October.

B. TOWN MANAGER'S REPORT

Mrs. Barnes said taxes were due last week. It was very busy here in the building with residents coming in to do business. The employees worked very hard out front, even in some instances without lunch. A lot of residents paid both tax installments. Most said that was because they saved their stimulus money to pay their taxes ahead.

Mrs. Barnes indicated Lisbon received one half of the funds from ARPA (American Rescue Plan Act of 2021) totaling \$457,000. She said Lisbon could use these funds to install a new HVAC system at the Town Hall, but the second payment is needed to cover the whole project. These funds have to be dedicated by 2024 and expended by 2026. She said it is very important that we be sure the chosen project qualifies as being eligible for spending these funds on and indicated the HVAC system should qualify.

C. DEPARTMENT HEAD WRITTEN REPORTS

Mrs. Barnes reported the auditors will be on site this week. She mentioned the audit should be completed on time and before the end of the year.

D. ANNOUNCE CANDIDATES NIGHT FOR OCTOBER 12th AT 6PM

The Town Clerk announced Candidates Night would be held in the Council room at Town Hall on October 12, 2021 at 6:00 PM. Candidates will be providing a small written biography along with answers to our six questions typically asked of candidates that night. We asked for written answers due to the number of candidates on the ballot this election to save time that night for taking questions from the audience. The written biography and answers will be posted online on the town's website prior to the meeting. This meeting will be live streamed on our Town Hall website and available anytime for watching later, similar to Council or School Committee and other meetings.

D. LISBON DEVELOPMENT COMMITTEE (LDC) UPDATE

Ms. Ward, as Chair of the LDC, said façade grants are going well. Digital Advertising should be in full swing by the end of this month. The market analysis approved by the Council should give the committee more insight on what projects would be beneficial for Lisbon Village and Lisbon Falls.

Ms. Ward reported that they are holding an LDC meeting tomorrow night at 6:00 PM here in the Council Room to discuss the process moving forward for the Worumbo site. It will be aired live on Town Hall Streams and recorded for reviewing later. She said they invited a wide range of individuals, including those who were worried about the view, to attend. This will be a good opportunity to define the process the committee will be using to move forward. The market analysis and traffic study went out to be completed. She indicated there were a broad range of opinions from members on the LDC Committee on what they would like to see happen at the Worumbo site. Agenda information and attachments can be found on the town's website. She encouraged those interested to attend as well.

Councilor Fellows said tomorrow night's LDC meeting will be about the process and not about choices. Ms. Ward said it's not the goal to decide what's going to happen; we are not making the decision for the town. She said we want to hear what everybody wants to offer so we move forward in the correct way so we include all who wish to participate.

F. WINE TIME CIRCLE ROAD ACCEPTANCE DISCUSSION

Scott Kelly, representing Premier Development in Kelly Park, asked if he could turn Wine Time Circle road over to the town. He explained the freeze-thaw frost cycle requirement in the Street Acceptance Ordinance and requested clarification on when a road actually becomes ready for Council adoption. He said Wine Time Circle was fully constructed in 2018, and has been through three freeze-thaw frost cycles. He said the last house on the street has been sold and the build out is complete. He reported the last and final layer of pavement has been applied. He said the ordinance is vague and does not define what "after construction" means in Section 46-65(c). He said binder pavement is considered a first step to completing a new road, that there can be some significant settlement issues so going through two freeze-thaw cycles should reveal any problem areas that may need correction before the last and final pavement is applied. Wine Time Circle did not need any corrections so the final surface pavement was applied in August this year. Since construction is over and the heavy trucks no longer travel over it, this road should now be considered complete. He explained that a bond can no longer be obtained when a road is complete. He said the ordinance should be more specific; it should be about settlement issues, not paving issues.

Councilor Fellows indicated the bond requirement can be waived by Council. He recommended Council make the following changes to Section 46-63(c), and 46-65(c) as follows:

Section 46-63. Minimum Construction Standards.

...

- (c) Form of bond. With the application for a building permit, the applicant shall tender either a certified check payable to the town or a faithful performance bond running to the town in an amount of money to be determined by the town manager to be equal to the costs of furnishing, installing, connecting and completing all aspects of the street grading, construction, all layers of paving, storm drainage and

utilities required within one year from the date of the check or bond. This bond may be renewed for one additional year at the discretion of the town manager.

(C.M. of 3-20-2018, V. 2018-57)

...

Sec. 46-65. Application process and review procedure for the dedication and acceptance of municipal roads.

...

- c. Proof that the private way has endured without damage at least one consecutive freeze/thaw cycle after construction;

Construction will be defined as the completion of all work on the project with the exception of a final surface layer of pavement;

Explanation: the purpose of the freeze-thaw waiting period is to allow for settlement and/or frost action to show itself in the soils under the pavement. Waiting to add surface pavement until after the freeze-thaw is generally considered an improvement to the final construction method as it allows corrections to any defects to be addressed in the final pavement by shimming, and should be encouraged as this provides a better final roadway structure; and

- d. An application ...

PART 1 – CODE OF ORDINANCES
CHAPTER 46 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES
ARTICLE III. STREET ACCEPTANCE STANDARDS
(First Reading)

VOTE (2021-202) Councilor Fellows, seconded by Councilor Lunt moved to amend Part 1 – Code of Ordinances, Chapter 46 Streets, Sidewalks and Other Public Places, Article III. Street Acceptance Standards as follows:

PART 1 – CODE OF ORDINANCES
CHAPTER 46 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES
ARTICLE III. STREET ACCEPTANCE STANDARDS

Section 46-63. Minimum Construction Standards.

...

- (c) Form of bond. With the application for a building permit, the applicant shall tender either a certified check payable to the town or a faithful performance bond running to the town in an amount of money to be determined by the town manager to be equal to the costs of furnishing, installing, connecting and completing all aspects of the street grading, construction, all layers of paving, storm drainage and utilities required within one year from the date of the check or bond. This bond may be renewed for one additional year at the discretion of the town manager.

(C.M. of 3-20-2018, V. 2018-57)

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d. An application . . .

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

Councilor Ward encouraged Mr. Kelly to prepare the deed and file the appropriate application for the Council to adopt Wine Time Circle. He said this proposed amendment to be adopted at the second reading on October 5 and effective in 21 days only clarifies the Council and Code Enforcement's interpretation of the definition of "after construction," which should not hold up the process of adoption at this point.

APPOINTMENTS

ETHICS PANEL

VOTE (2021-202) Councilor Fellows, seconded by Councilor Lunt moved to appoint Christopher Rugullies to the Ethics Panel. **Order passed – Vote 7-0.**

LISBON DEVELOPMENT COMMITTEE - PRIMARY LIAISON & REAPPOINTMENT & WARDEN FOR NOVEMBER 2, 2021 ANNUAL ELECTION

VOTE (2021-203, 204, 205) Councilor Larochelle, seconded by Councilor Lunt moved to appoint Councilor Fellows the primary Liaison to the Lisbon Development Committee, re-appoint Angie D'Amours to the Lisbon Development Committee, and appoint Debora Hill as the Warden for the November 2, 2021 Election. **Order passed – Vote 7-0.**

ORDER 2021-206 MMA ANNUAL BUSINESS MEETING - VOTING DELEGATES (No Councilors Attending Meeting)

COUNCILOR COMMUNICATIONS – NONE

AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS - NONE

EXECUTIVE SESSION - NONE

ADJOURNMENT

VOTE (2021-206) Councilor Garrison, seconded by Councilor Fellows moved to adjourn at 8:05 PM. **Order passed - Vote 7-0.**