



**TOWN COUNCIL  
MEETING MINUTES  
FEBRUARY 15, 2022  
LISBON TOWN HALL**

Mark Lunt 2022  
Donald Fellows 2022  
Jason Smith 2022  
Fern Larochelle 2023  
Harry Moore, Jr. 2024  
Raymond Robishaw 2024  
Clifford Miller 2024

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

**ROLL CALL.** Members present were Councilors Fellows, Lunt, Larochelle, Robishaw, Smith and Miller. Councilor Moore, Jr. was absent. Also present were Ryan McGee, Interim Town Manager/Police Chief; Kayla Tierney, Finance Director; Ray Soucy, Public Works & Solid Waste Assistant; Mark Stambach, Code Enforcement Officer; Brett Richardson, Economic and Community Development Director; Mark Stevens, Parks and Recreation Director and approximately two citizens in the audience.

**VOTE (2022-36A)** Councilor Fellows, seconded by Councilor Miller moved to excuse Councilor Moore's absence. **Order passed – Vote 6-0.**

**GOOD NEWS & RECOGNITION**

Councilor Fellows stated Lisbon resident Richard Main had passed away yesterday. Mr. Main was well known in Lisbon and had been a public servant most of his life as an Assessor for the City of Lewiston, along with serving on Lisbon's Assessment Review Board, School Facilities Committee, Zoning Board of Appeals, and most recently Chairperson for the Conservation Commission. He said he was always looking for ways to improve Lisbon's public spaces and was not shy about sharing his knowledge and expertise with staff members, Town Councilors, or the Town Manager. He said Mr. Main and his wife were deep in their faith and knew Mr. Main would be well received in the new world. The Council called for a moment of silence for Mr. Main.

**PUBLIC HEARINGS - NONE**

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

**CONSENT AGENDA**

**VOTE (2022-36B)** Councilor Fellows, seconded by Councilor Miller moved to approve the following:

- A. Municipal Accounts Payable Warrants - \$465,725.48
- B. Municipal Payroll Warrants - \$159,918.76
- C. School Accounts Payable Warrants - \$71,848.72
- D. School Payroll Warrants - \$729,165.45
- E. Minutes for February 1, 2022
- F. Set a public hearing on March 1 for Liquor License & Special Entertainment Permit for Railroad Restaurant and Pub
- G. Set Public Hearing on March 1 for CDBG Housing Grant Acceptance of Funds for Farwell Mill Apartments

**Order passed - Vote 6-0.**

**MEMORIAL DAY ROAD CLOSURES**

*Item taken out of order with no objections*

**INTRODUCTION:** Chief McGee requested Council approve the Road Closure for the Memorial Day Parade on Monday, May 30, 2022 starting at 9AM. He said the banner is to be displayed over Route 196 two weeks before the

parade. The parade route will start at the Lisbon High School, travel east on Route 196, turn left onto School Street, travel down School Street and turn left onto Addison Street, and end at the MTM Center Monument. The Police and Public Works Departments will provide traffic control and road closure procedures for this event.

**VOTE (2022-40)** Councilor Robishaw, seconded by Councilor Lunt moved to authorize the Road Closures for the Memorial Day Parade on Monday, May 30, 2022 as presented. **Order passed - Vote 6-0.**

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

### **ELECTRIC VEHICLE CHARGING STATION FEES**

**INTRODUCTION:** Mr. Richardson requested Council establish fees for the EV charging station users to recoup the Town's associated costs.

Mr. Richardson reported in January 2021, the Town of Lisbon partnered with Central Maine Power (CMP) and Revision Energy to fund the installation of electric vehicle (EV) chargers in the Municipal Parking Lot in Lisbon Falls. The charging stations are ready for service, including credit card point of sale software that enables the Town to charge users a fee for use. The Town's EV chargers deliver an average of 7 kWh of electricity per 60 minutes of use. The Town has the option to either charge by the kWh's consumed per user when they plug into the EV charging stations or by the duration of time during which a user is plugged into the EV station.

Mr. Richardson recommended the Council charge the clock hour to create an incentive for users to vacate the EV parking spots when they have finished charging their vehicle. The cost of electricity at the EV stations is established by CMP. The following formula is recommended to enable Town staff to account for CMP's periodic adjustments to their fee per kWh as follows:

$$\text{kWh used} \times \text{CMP rate/kWh} \times \text{Markup for Delivery Fee \& Management} = \text{Fee per Hour}$$

Mr. Richardson said at current CMP rates, the formula will result in an hourly fee for use of \$1.77:  $7\text{kWh/Hr} \times \$0.169/\text{kWh} \times 33\% \text{ markup} = \$1.77 \text{ per hour fee}$ .

**COUNCILOR COMMENTS:** Councilor Fellows recommended the town charge by the KW hour system, which would charge customers as follows:

Adding the current CMP delivery charges (for small, non-residential services) (D), together with current standard offer supply charges (for residential and small commercial customers) (V), then applying a 25% mark up, then the total is added to 1/25<sup>th</sup> of municipal incurred fees (S).

**VOTE (2022-37)** Councilor Fellows, seconded by Councilor Lunt moved to set up an EV Charger Fee System using the following Kilowatt-Hour Formula:

$$(D+V) * 1.25 + S \text{ (but not less than \$1.00)} = \text{EV Rate per kWh with session charge}$$

*Note: This is the formula that the Finance Department would use to determine rates whenever there is a change.*

D = CMP Delivery Charges

V = CMP variable supply charges

25% Markup = Amount to cover potential maintenance costs.

S = Session Fee. Is the greater of \$1.00 or the combination of the Merchant Services Charge per month + Transaction Fee factor (25\*.09) + CMP flat delivery charge per month divided by the monthly average number of customers (25 is currently used and can be adjusted by Finance and the Transaction Fee Factor also considers the number of customers).

**Order passed - Vote 6-0.**

## FERRY ROAD RECONSTRUCTION REQUESTS FOR PROPOSALS

**INTRODUCTION:** Mr. Soucy requested permission for the Public Works Director and Interim Town Manager to send out an RFP for the Ferry Road Reconstruction project. The town had Olver Associates conduct a preliminary opinion for the work needed to reconstruct Ferry road. A detailed explanation and costs analysis from Olver Associate is as follows:

The work area would start at the end of the recently paved area near the intersection of Ferry and Marshall Road, and extend approximately 13,700 linear feet (LF) to the river bend area. The existing roadway width is about 24 feet, with gravel shoulders of various widths and conditions. Near the river there are two 36 inch corrugated metal pipe culverts with guard rail. In the same area, the culverts are visibly rusted, and the shoulder is eroded and encroaching on the paved surface. In specific areas like this, the guard rail would be replaced and the shoulder stabilized to reduce the potential for future erosion. Along the length of the work area, there are a variety of issues this project would address including reestablishment of ditches, improvement to drainage, and resurfacing of the roadway.

Mr. Soucy indicated Olver's preliminary opinion of cost suggests that the project budget should be \$2,765,000. See attached (Exhibit A) Preliminary Opinion for additional details. The Finance Director issued the request for funds in the amount of \$2,800,000 through the Maine Municipal Bond Bank in the form of a fifteen (15) year bond. He indicated Lisbon may not receive confirmation of approval or denial from the bond bank until March 16, 2022. He said while awaiting on confirmation for the bond, the Public Works Director recommended Council approve sending out an RFP and obtaining the bids back on or around mid-March. It will be noted that the town shall have the right to select the most qualified bidder based on the evaluation of criteria within the Request for Bid.

**COUNCILOR COMMENTS:** Councilor Larochelle said this item has already been approved by the Lisbon voters and the next step is to obtain funding and going out for bid. Mr. Soucy said the project would start in the Spring this year and should be finished in October of this year.

**VOTE (2022-38)** Councilor Fellows, seconded by Councilor Lunt moved to authorize the Public Works Director and Interim Town Manager permission to send out Requests for Proposals for the Ferry Road Reconstruction Project as soon as possible. **Order passed - Vote 6-0.**

## PAVING PROJECTS

**INTRODUCTION:** Mr. Soucy reported the Public Works Director would like authorization to send out an RFP for paving at the earliest possible date. The following streets and roads requested for paving are as follows:

STREET NAME	LINEAR FEET	WIDTH	MILES
Scottsdale Avenue	806	26	.152
Wing Street	2007	30	.380
Dumas Street	631	26	.119
Angel Street	452	24	.085
River Road	3129	20	.592
Serena Street	1030	26	.195
Bartholomew (From Irene to Serena)	357	26	.067
Farnsworth Street	273	19	.051
Caron Street	875	28	.165
Grandview Street	877	24	.166
Fortin Avenue	630	19	.119
St. Ann Street	1050	28	.198

Mr. Soucy indicated the successful bidders will meet all specified criteria for the Street Resurfacing Project based on the Town's budgetary principles and operational needs per the Paving RFP. He indicated the criteria to be used in reviewing bids for the awarding of the contract will include total price, ability to meet or exceed requirements as well as the completion date. It will be noted that the town shall have the right to select the most qualified bidder based on the evaluation of criteria within the Request for Bid.

**COUNCILOR COMMENTS:** Councilor Miller asked if the funds are already in the budget or coming out of another account. Councilor Larochelle said this will be in the upcoming budget, but bids get sent out early to get the best price and to lock in a contractor. He mentioned that if the bids come in higher than the funds available then the Public Works Director will determine what roads can be done within the budgeted amount.

**VOTE (2022-39)** Councilor Fellows, seconded by Councilor Smith moved to authorize the Public Works Director and Interim Town Manager permission to send out Requests for Proposals for the paving projects as presented. **Order passed - Vote 6-0.**

### FEE SCHEDULE AMENDMENTS

**INTRODUCTION:** Chief McGee recommended the research per hour fee under the Public Safety Administration section in the Fee Schedule be amended to reflect the current fee in the state statutes, which is now \$25 per hour starting after the second hour.

Mr. Stambach recommended Council adopt the fees presented in his modified fee schedule attached for new construction and additions, remodeling and alterations, foundations only, demolition, swimming pools, and change of use. In addition, he recommended adding penalties for starting work without permits, for additional inspections because scheduled work was not ready, not being able to access the building and not being notified, or having to return for additional inspections on items that were identified but not corrected. He said these changes will add clarity to the fee schedule for building projects and the department. These fees have been generally based on the amount of time it takes to review and approve plans, the number of inspections that are required by the codes officer, and the administrative work required for proper recording.

**COUNCILOR COMMENTS:** Councilor Larochelle asked if these fees included Electrical Inspections. Mr. Stambach said no, the electrical fees will be proposed at a later date.

**VOTE (2022-41)** Councilor Lunt, seconded by Councilor Miller moved to adopt the fee schedule amendments as follows:

### APPENDIX C – FEE SCHEDULE

PUBLIC SAFETY ADMINISTRATION	
Research	<del>\$15.00 per hour after 1<sup>st</sup> free hour</del> <b><u>\$25.00 per hour after 1st 2 hours free</u></b>

BUILDINGS AND CONSTRUCTION		
	<u>Building permit fees:</u>	
	<u>Minimum permit fee</u>	<u>25.00</u>
	<u>One and Two Family Residential:</u>	
	<u>New and Additions</u>	<u>.30/ sf</u>
	<u>Renovation/Remodel</u>	<u>6.00/ 1000.00</u>
	<u>Mobile Home</u>	<u>.25 /sf</u>
	<u>Foundation Only</u>	<u>5.00/ 1000.00</u>
	<u>Accessory Structures</u>	<u>.15/sf</u>
	<u>Commercial and Multi-family:</u>	
	<u>New and Additions</u>	<u>.40/sf</u>
	<u>Renovation/Remodel</u>	<u>8.00/1000.00</u>
	<u>Foundation Only</u>	<u>5.00/1000.00</u>
	<u>Swimming Pool: In ground and above ground</u>	<u>.15/sf</u>
	<u>Demolition fee (If DEP permit is required)</u>	<u>25.00</u>
	<u>Change of use (no other work involved)</u>	<u>40.00</u>

	<u>Starting work without permit</u>	<u>2 times permit fee or 150.00</u> <u>Whichever is greater</u>
	<u>Re-inspection fee</u>	<u>50.00</u>
	Conditional use fees	150.00
	Appeals Board application	150.00

**Order passed - Vote 6-0.**

## SUPPLEMENTAL APPROPRIATIONS ORDINANCE

### *First Reading*

**INTRODUCTION:** Chief McGee said a supplemental appropriation ordinance is necessary to fund new and vacant Town positions, including an Assistant Town Manager position, and search for a new Town Manager.

**VOTE (2022-42)** Councilor Fellows, seconded by Councilor Robishaw moved to adopt the Supplemental Appropriations Ordinance as follows:

ORDERED: Be it hereby enacted and approved by the Lisbon Town Council that the following amounts be appropriated from the Town's undesignated fund balance to be expended for their intended purpose:

Administrative Assistant	
Assistant Town Manager Position	
<u>Town Manager Search</u>	
Total	\$100,000

**Roll Call Vote: Yeas – Fellows, Larochelle, Lunt, Miller, Robishaw, and Smith. Nays - None. Order passed - Vote 6-0.**

## OTHER BUSINESS

### A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Larochelle reported the School Committee held their first budget meeting last night.
2. Planning: Councilor Fellows reported the Planning Board accepted an application for a Site Plan Review at the Kitty Corner, discussed future Planning Services and the upcoming requirement for an MS4 Ordinance required for property over an acre in size, and passed an Ordinance Amendment to the Village Zone.
3. LDC: Councilor Smith said he had nothing to report.
4. Recreation: Councilor Miller said he had nothing to report.
5. County Budget: Councilor Lunt said he had nothing to report.
6. Library: Councilor Lunt said he had nothing to report.
7. Water Commission: Councilor Fellows reported the Commission met last week. He said the corrosion control has not started because the tanks have not come in yet, the PFAS testing continues to be done every three months and they are still negotiating for a T-Mobile generator. Councilor Larochelle mentioned having the Water Department come in quarterly or include a monthly report with the other Department Head Reports to give the Council updates. Councilor Fellows said he would bring it up at the next meeting in March.
8. Finance Committee: Councilor Robishaw said he had nothing to report.

### B. TOWN MANAGER'S REPORT

Chief McGee said he met with the Finance Director and all the Departments to go over their FY23 budgets with the focus of incorporating the wage study that's being completed. He said the town is waiting also for the Employee Pay Study from CMA (Career Management Associates), which has increased moral. He said Department Heads reported employees extend their gratitude to the Town Council for having the study done.

Chief McGee said Realty Resources Management will be meeting with the Council to talk about the upcoming \$1,000,000.00 dollar CDBG Grant, Farwell Mill projects, and Farwell Mill loan repayment to the Town of Lisbon. He said the past due loan consists of \$200,799.00.

Chief McGee stated things at the Town Office have been going very well and the employees have been doing a really good job handling different tax issues that come up this time of year. He also thanked several Councilors for their guidance assisting him with the duties of Interim Town Manager.

#### C. DEPARTMENT HEAD WRITTEN REPORTS – NO COMMENTS

#### D. ANDROSCOGGIN COUNTY BUDGET 2022

Councilor Lunt stated these meetings were and are open to the public. They are usually held in the fall around September or October on a weekly basis and are held at the Androscoggin County Building in Auburn.

### APPOINTMENTS

#### CONSERVATION COMMISSION APPOINTMENTS

**VOTE (2022-43)** Councilor Fellows, seconded by Councilor Robishaw moved to appoint Veronica Moffitt to a two year term ending June 30, 2024 and Gordon Curtis to a two year term ending June 30, 2024 on the Conservation Commission. **Order passed - Vote 6-0.**

### COUNCILOR COMMUNICATIONS

Councilor Miller stated that Lisbon Emergency will be holding a budget meeting through Zoom on Thursday at 6:00 p.m., which is open to the public. He said he would share the link.

#### AUDIENCE PARTICIPATION & RESPONSE FOR NEW ITEMS – NO COMMENTS

### EXECUTIVE SESSION

**VOTE (2022-44)** Councilor Fellows, seconded by Councilor Miller moved to go into Executive Session at 7:45 PM per 1 M.R.S.A. Section 405 (6) (A) Personnel Matters. **Order passed – Vote 6-0.**

The Council came out of executive session at 8:50 PM.

### ADJOURNMENT

**VOTE (2022-45)** Councilor Fellows, seconded by Councilor Miller moved to adjourn at 8:50 PM. **Order passed - Vote 6-0.**

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Lisa B. Smith, Deputy Clerk  
Date Approved: March 1, 2022