



**TOWN COUNCIL  
SPECIAL  
MEETING MINUTES  
MARCH 10, 2020**

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

CALL TO ORDER. The Chairman, Allen Ward, called the 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, Ganong, and Fellows. Also present were Diane Barnes, Town Manager; and approximately 10 citizens in the audience.

**GOOD NEWS & RECOGNITION**

**PROCLAMATION FOR LISBON HIGH SCHOOL CHEERING TEAM**

**VOTE (2020-44)** Councilor Albert, seconded by Councilor Larochelle moved to adopt the following Proclamation:

WHEREAS, The Lisbon High School Cheering Team have made the Community proud as they finished first at the Mountain Valley Conference Championship, and

WHEREAS, The Lisbon High School Cheering Team went on to finish Second in the Southern Maine Class C Regional Championship, and

WHEREAS, The Lisbon High School Cheering Team then took second place at the Class C State Championship scoring 77.1 points over the winning team with 80.1 points, and

WHEREAS, The Lisbon High School Cheering Team has made Lisbon very proud of their performances at the competitions, and

NOW, THEREFORE, We, the Town Council of the Town of Lisbon wish to congratulate and thank the Lisbon High School Cheering Team for their fine representation of the Town of Lisbon at the Mountain Valley Conference Championship, the Southern Maine Class C Regional Championship, and Class C State Championship competition on February 8, 2020.

**Order passed – Vote 7-0.**

**PUBLIC HEARINGS**

**MEDICAL MARIJUANA ESTABLISHMENT LICENSE FOR BBB PHARMACEUTICAL  
ALTERNATIVES, LLC**

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

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

**CONSENT AGENDA**

**VOTE (2020-45)** Councilor Larochelle, seconded by Councilor Kolbe moved to approve the following:

## A. Municipal Accounts Payable &amp; Payroll Warrants -

# 2202020	\$ 14,558.44	# 200227	\$ 133,275.65
# 2002W2	\$ 14,747.09	# 2262020	\$ 105,194.34
# 332020	\$ 191,706.81	# 03042020	\$ 53,785.36
#2003W1	\$ 15,309.25	# 200312	\$ 127,171.83

## B. School Accounts Payable &amp; Payroll Warrants -

#1067	\$ 6,752.82	# 1068	\$ 66.24
#1069	\$ 304,704.64	# 1070	\$ 13,487.37
# 1071	\$ 6,925.78	#1072	\$ 66.24
# 2015	\$ 103,947.33	# 39	\$ 1,822.18
# 1073	\$ 330,762.11		

## C. Minutes for February 18, 2020

## D. Medical Marijuana Establishment License for BBB Pharmaceutical Alternatives, LLC

## E. Ratify March 3, 2020 Presidential Preference Primary Election Results

**Order passed - Vote 7-0.****COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES****SCHOOL BUDGET PRESENTATION**

**INTRODUCTION:** Superintendent Green said the preliminary adopted budget figures that the Council will be reviewing this evening still have a few remaining variables that could impact the bottom budget line either positively or negatively, but those unknowns will not be known until the middle of May. He mentioned the subsidy comparison sheet and the cost center reports have been updated as well to March 10, 2020.

Dr. Green said the School Committee's primary goal is to maintain the current student programs and services, which are currently included in this preliminary budget including the funds to decrease and support classroom sizes and increase district and building support for students and staff. This would include additional increases associated with curriculum, nutrition, and special education. Reinstating a curriculum director alleviates this burden on teachers and allows teachers more time for student interactions and classroom instruction. He said as usual, they will continue to look at current programs and services to make sure that they are operating in the most efficient manner and will continue to restructure through attrition as needed.

Dr. Green said additional areas for potential changes include the following:

Anticipated/Actual Resignations	Gartley Street School Revenue
Capital Reserve	Salaries/Benefits/Insurance 9%
Restructuring	Special Education (Enrollment)
Service Center Penalty (Legislation)	Unanticipated Revenue
Unassigned Amount	

Dr. Green said notable increases/decreases and transfers include the following:

Curriculum	Special Education
Nutrition	LCS Regular Instruction (Student Support Services)

Dr. Green said the difference from the proposed budget and the one he was presenting tonight was an additional \$84,000 that the School Committee added. He indicated special educational costs were the biggest piece driving the budget increases this year. He said we still have students with special needs that even the Gartley Street Program cannot provide, and we still have to find these resources and that is costly.

Dr. Green indicated today's issues include students dealing with trauma and today's teachers are faced with many challenges. Teachers are learning how to deal with behaviors, triggers, and different types of students. He said he added an estimated amount for student and teacher support services, although it had not yet been decided what that support looks like.

Dr. Green said the School Department has made a lot of progress and many good things are happening in our school system. With even with the reinstatement of a Curriculum Director, the additional contingency funds for Nutrition built into that budget, and the use of the existing Capital Reserve Funds to pay for the Energy Performance Contract, in the end, after the state form is completed, Lisbon's total should fall under the 100% Essential Programs and Services Amount, not over. Adult education remains the same at \$33,618. Dr. Green said his overall budget is a 7.53% increase.

Dr. Green pointed out that the State's contribution this year is \$9,056,649, which is a \$480,078 increase over last year. He indicated that the total amount for school funding for FY20-21 is \$17,591,038 or \$1,146,747 over last year. He said the State of Maine will fund \$480,078 of that increase and \$666,669 would come from the town. He assured the Council that by May these figures would be lower. He said he was waiting for the auditors to be done with their audit and then those numbers once applied to the budget could be used to lower the total amount raised as well.

Councilor Fellows pointed out that the local share for this budget is a 9% increase.

#### FISCAL YEAR 2020 HOMELAND SECURITY GRANT PROGRAM FOR THE POLICE DEPARTMENT

Chief Hagan said the Police Department has an opportunity to apply for Federal Funds through the 2020 Homeland Security Grant Program. This particular grant does not require any matching funds and has been used in recent years to purchase security cameras for the Police Department/Town Office building, computers, infrared thermal cameras for nighttime searches, and mobile radios for our patrol force. The Police Department received an award of roughly \$6,800 in the 2019 Homeland Security Grant, which was used to purchase mobile and portable radios.

This year's request would be to purchase three mobile radios for our cruisers. Their current radios are at the end of their useful life span and we need to move forward with their replacements in a timely manner. The current anticipated funding request will be approximately \$6,400. We are requesting permission to apply for the grant funds.

**VOTE (2020-47)** Councilor Larochelle, seconded by Councilor Albert moved to authorize the Police Chief and Town Manager to submit a Fiscal Year 2020 Grant through the HSGP and accept the grant funds. **Order passed - Vote 7-0.**

#### FISCAL YEAR 2020 HOMELAND SECURITY GRANT PROGRAM (HSGP) FOR THE FIRE DEPARTMENT

Chief LeClair said the Fire Department has an opportunity to apply for Federal Funds through the 2020 Homeland Security Grant Program. This HSGP is a FEMA program is administered by State and County EMA's. He mentioned the County's EMA Director encouraged communities to apply for other items instead of radio equipment this year. This year's request would be to purchase ballistic vests and helmets for the Firefighters. As the threat of violence in our Nation's communities increase, it changes how the fire service prepares for different tragedies. The Fire Department and Police Department have been in constant communication on the response needed for potential threats or acts of violence in our Town. Any such situation will require a multi-agency response. Having this equipment would protect the fire department responders in these situations. We are requesting permission to apply for these grant funds.

Councilor Ganong asked what other items were considered. Chief LeClair mentioned ropes, harnesses, and embankment tools would be nice. He said the town could benefit from that type of rescue equipment and its potential use along the river; however, Lisbon currently is able and ready for that type of rescue. He indicated the potential need to protect employees from threats or acts of violence considering today's environment in general seemed substantially more important. He indicated at least three firefighters statewide had been shot at over the last year. He said armor on firefighters would be necessary at times to deliver a service in this day and age. Councilor Ganong pointed out that Lisbon does has a river. He mentioned the potential of needing the tools for a river rescue might be greater. Chief LeClair indicated in the past 20-25 years in Lisbon he had only seen one issue to worry about over an embankment issue.

**VOTE (2020-48)** Councilor Albert, seconded by Councilor Larochelle moved to authorize the Fire Chief and Town Manager to submit a FY 2020 Grant through HSGP and to accept the grant funds. **Order passed - Vote 6-1. (Opposed: Ganong)**

### PUBLIC WORKS TRUCK PURCHASE

**INTRODUCTION:** Mr. Cyr requested approval to purchase a new Chevy K1500 4x4 in the amount of \$27,992. He explained that while purchasing a part at a dealership, he discovered potential savings on a vehicle slotted to be purchased in the CIP in 2021. He said he thought he should bring this to the Council's attention at this time. Truck #202, which is a 2007 Ford F150 is due to be replaced in the 2021 CIP but perhaps it should be replaced sooner given the current incentives being offered from the factory in the amount of \$9,700. He said now is the right time to purchase the new truck. The trade in allowance for this truck will be less if we wait another year. The new truck will be equipped with blue tooth, which the other truck does not have, and will allow hands free operation for cell phone use. Estimated trade in value is \$4,000, which is already figured into the total amount needed; using the \$24,122 or the remainder of the money left from the compacting trash trailer would leave a balance of \$3,870, which could come from the Public Works equipment line in this budget. He mentioned the truck being ordered saves the town an additional \$1,200, however, the order deadline is March 25th to cash in on these savings.

**VOTE (2020-49A)** Councilor Larochelle, seconded by Councilor Albert moved to authorize the purchase of a new PW Truck from Emerson Chevrolet in the amount of \$27,992.00 and re-designate the trash trailer balance of \$24,122.00 to this purchase.

Councilor Ward pointed out he did not find the formal bid specs or that the bidding process was followed. He said he could not support purchasing this vehicle when it is already in the CIP for next year. Mr. Cyr said if the Council wanted formal stuff that he could get it. He explained he went to several dealers with a specific request and that he received several quotes, which were in the Council's packet. He said if asked, each dealer had specified their quote given would be their exact bid. Councilor Larochelle pointed out the existing trucks conditions, indicated Mr. Cyr should not be using his own vehicle for town business, and indicated that the town does have the funds we just need to come up with the proper paperwork. Councilor Ward suggested using a standardized form that also includes gathering warranty information for comparison.

**VOTE (2020-49B)** Councilor Larochelle, seconded by Councilor Albert moved Amendment #1 based on the fact that the formal RFP process is followed and that the purchase not exceed funds available. **Amendment #1 Voted – Vote 6-1 passed. (Opposed: Ward)**

Mr. Cyr explained he used the same bid process for quotes, but did not advertise or set a deadline for accepting bids. He said in that situation there may not be enough time to take advantage of all the savings.

Councilor Ward indicated he would like to see a two week bid process followed. Councilor Lunt suggested the Council call a special meeting on March 24 to allow for a formal 13-day bid process. Councilor Fellows said he supported waiving the formal bid process in this case to obtain all of the \$14,000 in potential savings; however, he indicated he would not support this process again and would like the formal bid process used in the future. Councilor Albert said he had no objection to purchasing the truck after going through the RFP process if funding is available.

**VOTE (2020-49C)** Councilor Larochelle, seconded by Councilor Albert moved Amendment #2 to allow the truck purchase if funding is available and it does not exceed the total amount.

Mr. Cyr said a delay in ordering the truck would result in potentially losing \$1,200, but that he would be fine with doing the formal process if the Council wanted. Mrs. Barnes reported Council would still have to have a final vote if the formal bid process is used. Councilor Larochelle pointed out the bid process was used technically and that several quotes had already been obtained.

**Councilor Albert withdrew his second to Amendment #2. Councilor Larochelle withdrew his Amendment. Amendment #2 Withdrawn. Main Motion as Amended # 1 Voted – Vote 0-7 defeated.**

**VOTE (2020-49D)** Councilor Fellows, seconded by Councilor Ganong moved to authorize the purchase of a new PW Truck from Emerson Chevrolet in the amount of \$27,992.00 and to re-designate the trash trailer balance

of \$24,122.00 to this purchase, along with \$3,870 coming from the PW equipment line. **Order passed - Vote 4-3 passed. (Opposed: Albert, Kolbe, Ward)**

### MDOT MODIFICATION #1 TO THE THREE-PARTY AGREEMENT

**INTRODUCTION:** Mrs. Barnes reported this modification amends a Three-Party Partnership Agreement that was executed by MDOT on 1/5/2017, with Androscoggin Transportation Resource Center (ATRC) and the Town of Lisbon for Route 125 Highway Improvements (Huston Street to the Urban Compact Line) W.I.N. #20290 and Route 125 Highway Improvements (State Route 196 to Huston Street) W.I.N. #14862 by extending the expiration date for W.I.N. #20290 from 12/30/2019 to 12/31/2027 and W.I.N. #14862 from 12/30/2019 to 12/31/2026. The current project estimate for W.I.N. #20290 is \$300,000 and \$5,630,000 for W.I.N. #14862.

**VOTE (2020-50)** Councilor Larochelle, seconded by Councilor Albert moved to authorize the Town Manager to sign the Three-Party Agreements with MDOT & ATRC. **Order passed - Vote 7-0.**

### MDOT CONSTRUCTION OVERLIMIT PERMIT

**INTRODUCTION:** Mrs. Barnes reported the Maine Department of Transportation requires a municipality agreement to issue a permit, if necessary, for overweight equipment on Town streets pursuant to 29-A MRSA § 2382 for Ultra-Thin Bonded Wearing Course on Route 196: Project 2447700 begins 0.18 miles east of Birch Ridge Avenue in Topsham and extending northwesterly 5.48 miles to the intersection with Routh 125 (Main Street) in Lisbon. Project 2447900 beginning 9.7 miles west of Ridge Road in Lisbon and extending northwesterly 7.09 miles to 0.1 miles east of Drew Street in Lewiston. This is mandatory, but we do not expect town streets to be used. If they do need to use them, we can require a bond from the contractor with the permit to insure any damage is repaired.

**VOTE (2020-51)** Councilor Larochelle, seconded by Councilor Albert moved to agree that a construction overlimit permit will be issued to the contractor for the MDOT projects listed above allowing the contractor to haul non-divisible overlimit loads on municipal ways and authorize the Town Manager to establish permit conditions to protect the Town's interest. **Order passed - Vote 7-0.**

### DISPATCH SERVICE AGREEMENT WITH LISBON EMERGENCY

**INTRODUCTION:** Mrs. Barnes said the current contract with Lisbon Emergency expires June 30, 2020. Minor amendments had been made to the contract, which have been approved by the Lisbon Emergency Board of Directors. Chief of Services, James MacDonnell reported this is the last year of the 3-year contract.

**VOTE (2020-52)** Councilor Albert, seconded by Councilor Lunt moved to authorize the Town Manager to sign and enter a 3-year renewal for dispatch services with Lisbon Emergency as presented. **Order passed - Vote 7-0.**

### TAX ACQUIRED PROPERTY DISPOSAL

**INTRODUCTION:** The Town of Lisbon foreclosed on the following property on December 20, 2019 for non-payment of Real Estate Taxes. The 30-day redemption period has now expired after the taxpayers were notified by mail that they have 30 days to redeem their property by paying all outstanding taxes and fees owed before the Town takes steps to dispose of the tax acquired property. The properties below remain unpaid.

Name	Address	Total Owed as of 3/10/2020
Marcus Kuhn	24 Bowdoin Street	\$17,070.70
Stephen Mitchell	5 High Street	\$14,457.59

**COUNCILOR COMMENTS:** Councilor Albert asked if both properties were unoccupied. Mrs. Barnes indicated 5 High Street was currently occupied. Councilor Albert said he would like clarification on liability from the town's attorney. Mrs. Barnes mentioned the town's general liability covers it after 60 days. Councilor Ward asked that notification of the sale also include abutters within 300 feet. Mrs. Barnes said she could do that.

**VOTE (2020-53)** Councilor Larochelle, seconded by Councilor Fellows moved to authorize the Town Manager to advertise the Tax Acquired property for sale by sealed bid with the amount due as a minimum bid. **Order passed - Vote 7-0.**

### COUNCIL SUMMER/HOLIDAY MEETING SCHEDULE

**INTRODUCTION:** The Council's summer and holiday schedule should be decided at this time for planning purposes. Our recommendation is to meet July 14 and August 11 and to resume the regular schedule in September. Since December 25 is on a Friday, Council could close December 24 allowing employees to use vacation or compensation time to cover those hours.

**COUNCILOR COMMENTS:** Mrs. Barnes pointed out that the Presidential Election would be held on a Council night, November 3 and recommended the Council choose another night.

**VOTE (2020-54)** Councilor Ganong, seconded by Councilor Fellows moved to meet once in July on July 14, once in August on August 11, once in November on November 10, and to close the Town Office on December 24 allowing employees to use vacation or compensation time to cover those hours. **Order passed - Vote 7-0.**

### FEE SCHEDULE AMENDMENTS

**INTRODUCTION:** Our recommendation is to add the agent fees for registering Vehicles, Boats, ATVs, Snowmobiles, along with Inland Fisheries agent fees for licenses to the fee schedule. In addition, we recommend the Notary Fee increase from \$5 to \$8 for all documents as follows:

	Notary fee for <del>non-municipal</del> all documents <del>(excludes weddings by town clerk)</del>	<del>5.00- 8.00</del>
	<u>Motor Vehicles / IFW Agent Fees</u>	
	<u>Snowmobile &amp; ATVs - New</u>	<u>\$ 2.00</u>
	<u>Snowmobile &amp; ATVs - Re-Registration</u>	<u>\$1.00</u>
	<u>Boats - New</u>	<u>\$2.00</u>
	<u>Boats - Re-Registration</u>	<u>\$1.00</u>
	<u>Cars - New</u>	<u>\$6.00</u>
	<u>Cars - Re-Registration</u>	<u>\$5.00</u>
	<u>Duplicate Registrations - Cars</u>	<u>\$1.00</u>
	<u>Duplicate Registrations - Snowmobiles/Boats/ATV/Hunt &amp; Fish Licenses</u>	<u>\$2.00</u>

**VOTE (2020-55)** Councilor Larochelle, seconded by Councilor Ganong moved to adopt amendments to the fee schedule as presented. **Order passed - Vote 7-0.**

Councilor Ganong asked for a 5-minute recess. Council unanimously agreed to recess at 9:15 PM. The Council came back into regular session at 9:20 PM.

*Items taken out of order.*

### OTHER BUSINESS

#### A. COUNCIL COMMITTEE REPORTS

1. School: Councilor Albert said he had nothing new to report.
2. Planning: Councilor Fellows said he had nothing new to report.
3. LDC: Councilor Larochelle said there is a meeting tomorrow night.
4. Conservation Commission: Councilor Ward said this group is continuing their work on evasive species and Beaver Park.

5. Recreation: Councilor Albert said the Fishing Derby is set for May 16.
6. County Budget: Councilor Ward said he had nothing to report.
7. Library: Councilor Lunt said the Library is at full staff now.
8. Water Commission: Councilor Fellows reported on water main breaks and alarms. He indicated there was one at the corner of Main and Summer Street that is now all fixed.

## B. TOWN MANAGER'S REPORT

Mrs. Barnes reported she would be able to get fuel bids now. Maine Power options will be releasing updated figures for fuel bids. She said now is a good time to do this. Lisbon's contract expires September 30<sup>th</sup> so the town can lock into cheaper pricing while we are at historic low prices that will go into effect on October 1.

Mrs. Barnes said the MDOT meeting went very well. She indicated the Main Street project is on target to go to bid in 2021 and the work to start in 2023. Lisbon may be all set depending upon what the bid prices come in for. She said she asked MDOT to put into their project replacement lights and to include the sidewalk by Franks and perhaps they will.

### MAINE POWER OPTIONS (MEDIUM ELECTRICITY ACCOUNTS)

**INTRODUCTION:** Mrs. Barnes reported the Town Lisbon currently has a contract with Constellation New Energy, Inc. for our electric supply on our medium electrical accounts. Maine Power Options is offering terms for the Town to lock in rates at close of the current contract. The rates are as follow:

<b><u>Lisbon (ME), Town of</u></b>
OF-0000313878
8 Accounts
Annual Usage: 1,494,850
Fixed Pricing, Utility billed
Sept21 – Nov22: \$0.0562
Sept21 – Nov23: \$0.0572
Sept21 – Nov24: \$0.0586
Sept21 – Nov25: \$0.0603

Mrs. Barnes said the contract rate for these accounts is currently \$0.0602/kwh. We can lock in at \$0.0586 for a three-year period and reduce our expense by about \$2,391.00 less than the current rate. The current market conditions are a good reasons to look at pricing now. Please note that pricing is as of 3/5/2020 and could change by 3/10/2020.

**COUNCILOR COMMENTS:** Councilor Larochelle said now is also a good time to lock in the fuel prices and recommended adding this.

**VOTE (2020-56)** Councilor Larochelle, seconded by Councilor Lunt moved to authorize the Town Manager to enter into a 3-year contract beginning in September 2021 for electricity to Lisbon's medium usage accounts and to lock in fuel costs for this fall at her discretion through Maine Power Options. **Order passed - Vote 7-0.**

## APPOINTMENTS - NONE

## COUNCILOR COMMUNICATIONS

Councilor Ganong said the Lisbon Falls Christian Academy would be holding a Social Studies Fair based upon Maine's Bicentennial at 5:30 PM on Friday; that is at the Baptist Church on Lisbon Street.

Councilor Ward asked about the Spirit of America award. Mrs. Barnes said she had Mark Stevens working on that. Councilor Ward invited anyone with a nomination to come forward.

Councilor Ward mentioned the Moxie Committee met last night. The Theme for this year's festival on July 10-12 will be "Find Your Fire." He indicated 100 emails have already been sent out to parade participants and other parade committees.

Councilor Ward reported the Maine Bicentennial Parade is May 16. Mrs. Barnes said Lisbon submitted applications to enter the Moxie Fire Truck and new Public Works Truck. This parade route goes through Lewiston and Auburn.

### **AUDIENCE PARTICIPATION FOR NEW ITEMS - NONE**

### **EXECUTIVE SESSION**

**VOTE (2020-57)** Councilor Albert, seconded by Councilor Fellows moved to go into Executive Session per 1 MRSA Section 405 (6) (A) Personnel Matters. **Order passed – Vote 7-0.**

The Council came out of executive session at 10:30 PM and resumed the meeting.

### **ADJOURNMENT**

**VOTE (2020-58)** Councilor Fellows, seconded by Councilor Albert moved to adjourn at 10:30 PM. **Order passed - Vote 7-0.**

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Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC  
Date Approved: March 17, 2020