



TOWN COUNCIL MEETING MINUTES JANUARY 22, 2008

Fern Larochelle, Jr., At Large 2007
Charles Smith, At Large 2008
Michael Bowie, At Large 2009
Gina Mason, District 1 2007
Janet Henry, District 1 2009
Dale Crafts, District 2 2007
Norma Wells, District 2 2009

CALL TO ORDER & PLEDGE TO THE FLAG. The Chairman, Norma Wells, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Wells, Smith, Bowie, Mason, Crafts, Henry, and Larochelle. Also present were Stephen Eldridge, Town Manager; Diane Nadeau, Librarian; Elwood Beal, Public Works Director; Cathy Ricker, Finance Director; Jon Paul, Technology Consultant; Sally Lunt, Robin Tupper, Richard Golding, James Gurney, and Julie Porter from the Library Governing Board; and approximately 10 citizens in the audience.

PUBLIC HEARINGS

NEW VICTUALERS LICENSE - KITTY KORNER

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

CONSENT AGENDA

VOTE (2008-06) Councilor Smith, seconded by Councilor Bowie moved to adopt the following consent items: (a) Minutes of January 8, 2008 and (b) New Victualers License - Kitty Korner. **Order passed - Vote 7-0.**

COUNCIL ORDERS, ORDINANCES & RESOLUTIONS

LIBRARY CIRCULATION PROGRAM

VOTE (2008-07) Councilor Bowie, seconded by Councilor Smith moved to approve a bid of \$5,517 for installation and \$1,892 annually to MLA Solutions for Mandarin M3 Library circulation software.

Mrs. Nadeau said several systems were researched, that the system recommended works well in Monmouth and other towns, and that Lisbon will not lose any data upon conversion. Customers will be able to see their accounts, research books, and place orders for deliveries. Mr. Paul said the new software was necessary because the old system would not handle the new 13 digit numbering system.

Order passed - Vote 7-0.

TOWN ROADS -YOUNG ROAD ADOPTION

VOTE (2008-08) Councilor Bowie, seconded by Councilor Smith moved to waive the reading. Vote 7-0 carried. Councilor Smith, seconded by Councilor Crafts moved to adopt the following:

WHEREAS, the owner of Young Road located in the Johnson Woods Estates Subdivision, being more specifically described in the proposed Warranty Deed, and also described on Plan of Property made for Johnson Woods Estates by JKL Land Surveying approved by the Town of Lisbon Planning Board on November 17, 2005 and recorded on November 28, 2005 in the Androscoggin County Registry of Deeds in Plan Book 44, Page 198, has offered to voluntarily transfer its interest to the Town of Lisbon, in fee simple; and

WHEREAS, the road has been inspected by staff and it has been determined that it has been built to applicable Town standards and is currently utilized for public way purposes.

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Lisbon that, pursuant to the authority of the Town Council, under the provisions of 23 M.R.S.A. Section 3025, Young Road described in the proposed Warranty Deed and referenced Plan be and hereby is accepted for dedication for highway purposes.

IT IS FURTHER ORDERED that the proposed Warranty Deed be recorded in the Androscoggin County Registry of Deeds as evidence of acceptance of the way for highway purposes and that the Town Manager be authorized to execute any and all documents necessary to carry out this dedication and acceptance.

Order passed - Vote 7-0.

PINEWOODS ROAD - HOUSE FIRE DISPOSAL

VOTE (2008-09) Councilor Bowie (for discussion), seconded by Councilor Smith moved to waive all Transfer Station fees associated with the disposal of the home located at 79 Pinewoods Road.

Councilor Larochelle asked if this building could be used by the Fire Department for training. Mr. Eldridge offered to have it looked at; he said since the building had already been burned it may not be safe to use. Mr. Ricker estimated the disposal fee at \$1,000. Mr. Eldridge preferred the Town not set this precedent. Councilor Larochelle suggested other resources be explored since these owners did not have insurance.

Order failed - Vote 0-7. (Opposed: Wells, Smith, Bowie, Mason, Crafts, Larochelle, Henry)

OTHER BUSINESS

Item Taken Out Of Order:

B. 2007 AUDIT PRESENTATION

Kathy Tyson from Runyon, Kersteen, & Ouellette said her firm had audited the financial statements for the Town of Lisbon for year ending June 30, 2007, that they had issued their opinion as qualified, and pointed out two deficiencies: a) the Town does not include the activity of the Water Department and b) the School Department does not accrue all its payroll liabilities.

Cash and investments decreased from 2006 by approximately \$770,000 due to planned budget and operating expenses, which called for a substantial use of these funds. She indicated that Lisbon's accounts payable fluctuates primarily due to the timing of payments at year end. The portion of Teacher's pay not accrued at June 30th came to \$146,075. \$256,000 in deferred revenue was highlighted as unpaid taxes 60 days after year end. At year end there was \$2,457,085 left in undesignated funds. Expenditures were under budget in all major categories except for Public Works, which spent \$52,000 over its budget for snow removal. She said Lisbon's tax collection rate fell somewhere in the middle when compared to six similar sized communities. Undesignated fund balances vary widely across the State. Lisbon's undesignated fund balance is at 12.57% due to planned uses. She said 10% would represent approximately two months worth of expenditures and would be considered within the normal range. 42% of Lisbon's revenues came from education

subsidies and property taxes while the rest came from excise and other income; 59% of the revenue went towards education, while the rest went towards municipal government, county tax, capital outlay, and debt service.

Ms. Tyson said she had worked with Rodney Moody since early 1980, that he was a delight to work with, and that she would miss him. She said Lisbon's audit had been successful; receiving an overall good audit result.

A. CAPITAL IMPROVEMENT PLAN

Councilor Wells said the capital improvement plan needed to be submitted to the Council by the end of January, but that the Council didn't need to act on it at this time. Councilor Bowie suggested the Technology Committee get involved this year. Mr. Eldridge said he had already planned to address this issue at the next Department Head meeting. Councilor Bowie said he was disappointed with the Water Department's lack of involvement.

C. FINANCIAL REPORT

Ms. Ricker pointed out possible deficiencies in the following areas: 1) Town Manager's budget, Public Work's winter account, contingency line, social security line, and MMA dues. She indicated possible surpluses in the General Assistance and Economic Development budgets. Councilor Bowie asked Ms. Ricker to review the Tax Collector's budget, as well, for possible surpluses.

D. TOWN MANAGER'S REPORT

Mr. Eldridge said he met the municipal staff, gave the Department Heads their budget sheets to work on, and that Ms. Ricker was settling in at her new job. Public Works has been working hard at removing the snow and ice. He addressed a few sewer line problems; the Sewer Department has been right on top of it. He reviewed Longchamps Business Park plans and goals and reassured them he would be pro-active at marketing this park with them. He said the Siegler building is down and should be removed soon. Advanced Microsystems Solutions will be on site Thursday to assess our technology setup and Technology Committee goals.

AUDIENCE PARTICIPATION

Robin Catalano said she, her husband, and three children rented a home in Lisbon at 3 Scottsdale Avenue. The owner, Royce Jellison, has owned the home since September 15, 2003. On January 7, 2008, while they were away, approximately 4" of sewage backed up into the basement, or lower level of this home. The Catalanos requested the Town reimburse them for clean up, restoration, displacement, personal property loss, plus correct the problem so that the sewer no longer backs up into homes or poses a risk for future back ups. The lower level consisted of a nursery, master bedroom, storage area, office, laundry area, 1/2 bath, family room and play area; total damages came to approximately \$30,000. Councilor Wells said she would pass this information on to the Town Attorney and indicated that she would get back to her.

APPOINTMENTS

TREASURER APPOINTMENT

VOTE (2008-10) Councilor Bowie, seconded by Councilor Smith moved to appoint Stephen Eldridge to the office of Treasurer. **Order passed - Vote 7-0.**

RESOLUTION - FINANCIAL AUTHORIZATION

LISBON COMMUNITY CREDIT UNION

VOTE (2008-11) Councilor Smith, seconded by Councilor Bowie waived the reading. Vote 7-0 carried. Councilor Bowie, seconded by Councilor Crafts moved to adopt the following Resolution:

1. That the Town of Lisbon shall become and is hereby authorized to establish a membership at the Credit Union. All accounts shall be maintained in the name of the Town of Lisbon.
2. That the Credit Union be and hereby is designated as a depository of the Town of Lisbon and that funds of the Town of Lisbon deposited in said Credit Union in the name of the Town of Lisbon shall be subject to withdrawal by share draft or, in the case of savings accounts, by withdrawal instruments, in the name of the Town of Lisbon and bearing in addition the name and official capacity of the following, to wit:
 - a. Stephen G. Eldridge, Town Manager/Treasurer
 - b. Cathy A. Ricker, Finance Director
3. That the Credit Union be furnished with specimens of the signatures of said officers and the Credit Union hereby is authorized to pay any such instruments so signed, even if drawn to the individual order of the person signing the same on behalf of the Town of Lisbon.
4. That checks, notes, drafts, bills of exchange, withdrawal instruments, and orders payable to the Town of Lisbon may be endorsed for collection or deposit for the Town of Lisbon by or under the direction of any foregoing officers and that a rubber stamp may be used for such purposes.
5. That all of the foregoing authorities shall be and continue in full force until revoked or modified by written notice actually received by the Credit Union setting forth a resolution to that effect and signed in the same manner as this authority is signed.

Resolution passed - Vote 7-0.

RESOLUTION - FINANCIAL AUTHORIZATION
ANDROSCOGGIN SAVINGS BANK

VOTE (2008-12) Councilor Bowie, seconded by Councilor Smith waived the reading. Vote 7-0 carried. Councilor Bowie, seconded by Councilor Smith moved to adopt the following Resolution:

1. The Financial Institution is designated as a depository for the funds of the Corporation and to provide other financial accommodations indicated in this resolution.
2. This resolution shall continue to have effect until express written notice of its recession or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Town Council of the Town of Lisbon and certified to the Financial Institution as governing the operation of the Town's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.
3. The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Town of Lisbon. Any Agent, so long as they act in a representative capacity as an Agent of the Town of Lisbon, is authorized to make any and all other contracts, agreements, stipulations, and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.

4. All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Corporation with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

5. The Town of Lisbon agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Town of Lisbon. The Town of Lisbon authorizes the Financial Institution, at any time, to charge the Town of Lisbon for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

6. The Town of Lisbon acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Town of Lisbon to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.

7. The Town of Lisbon acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Town of Lisbon with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Town of Lisbon authorizes each Agent to have custody of the Town of Lisbon's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Resolution passed - Vote 7-0.

AVCOG & ATRC COMMITTEES

VOTE (2008-13) Councilor Bowie, seconded by Councilor Mason moved to appoint the following individuals to the following boards and committees:

- **Stephen Eldridge** to the AVCOG (Androscoggin Valley Council Of Government) Executive Committee
- **Stephen Eldridge** to the AVCOG General Assembly, and
- **Ryan Leighton** to the ATRC (Androscoggin Transportation Resource Center) Technical Committee.

Order passed - Vote 7-0.

COUNCILOR COMMUNICATIONS

Councilor Mason said the School Consolidation Committee was going well. She asked that the public call her with questions and for information; she plans to address these questions to the group. She said an informational flyer would be forthcoming. The next meeting will be on January 30th at the Topsham Middle School at 6:30 PM.

Councilor Bowie reminded the Councilors that they needed to establish the Town Manager's goals and objectives sometime in February, pointing out that his first evaluation will take place in six months. A workshop was tentatively scheduled for February 19th on his birthday.

EXECUTIVE SESSION - NONE

WORKSHOP

BUDGET DISCUSSION

The budget is due March 1st to the Council. The Council discussed the following budget goals: a) to offer the same level of services, b) not add new part-time or full-time personnel, c) obtain State reimbursement for plowing Route 196, d) address educational incentives, and e) identify budget items that benefit Lisbon.

Councilor Crafts asked that the Town Manager compare our Police Department budget to other similar sized communities around the State. Councilor Bowie suggested reviewing vehicle usage in order to save on maintenance, gas, etc. Councilor Crafts recommended implementing a heating policy regulating temperature thresholds. Councilor Larochelle suggested sending out reminders that employees turn lights off when leaving a room, turn down thermostats, and conserve energy whenever possible. Mr. Eldridge encouraged the Council to move forward with the Town's re-evaluation plan, pointing out that this would be a very good time to embrace this task now that the real estate market is down. Councilor Mason recommended sending out quarterly or biannual newsletters to residents keeping them informed.

The School's Department Heads will be submitting their budgets to the School Board January 28th and 29th. Councilors were encouraged to attend.

ADJOURNMENT

VOTE (2007-14) Councilor Bowie, seconded by Councilor Mason moved to adjourn at 9:30 PM.
Order passed - Vote 7-0.

Respectfully Submitted,

Twila Lycette, Council Secretary
Town Clerk, Lifetime CCM

These minutes are not verbatim. Cassette tapes are filed in the Town Clerk's Office.