



**TOWN COUNCIL
MEETING MINUTES
MARCH 4, 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, Mason, Crafts, Henry, and Larochelle. Councilor Bowie was excused. Also present were Stephen Eldridge, Town Manager; Ryan Leighton, Town Engineer; Gerald Kamke, Treatment Plant Superintendent; Shannon Welsh, Superintendent of Schools; David Brooks, Police Chief; Mark Stevens, Recreation Director; and approximately eight citizens in the audience.

PUBLIC HEARINGS - NONE

CONSENT AGENDA

VOTE (2008-24) Councilor Smith, seconded by Councilor Crafts moved to adopt the Minutes of February 19, 2008. **Order passed - Vote 6-0.**

COUNCIL ORDERS, RESOLUTIONS & ORDINANCES

POLYMER SYSTEM BIDS

VOTE (2008-25) Councilor Smith, seconded by Councilor Mason moved to award the bid to Russell Resources for \$9,430.00.

Mr. Leighton said three bids came in; he recommended Russell Resources. He said this was a simple piece of equipment that was absolutely needed. Mr. Kamke said the polymer electrolyte solution coagulates the sludge so the equipment can remove the water from the sludge. He predicated this new system should last about eight to ten years.

Order passed - Vote 6-0.

TURN OVER FORECLOSED PROPERTY TO BEAVER PARK

VOTE (2008-26) Councilor Smith, seconded by Councilor Crafts moved to turn over 14 acres of foreclosed property to Beaver Park (See attached Map U-20A).

Mr. Eldridge said this property abuts Beaver Park and should make a nice addition to our Park.

Order passed - Vote 6-0.

DESTROY BY FIRE 50 PARK STREET &
FIRE DEPARTMENT TRAINING AUTHORIZATION

Mr. Eldridge said additional time was needed to obtain the necessary releases from heirs. This would clear up any ownership question. Councilor Wells asked that this item be placed on a future agenda.

ADOPT THE SMOKING POLICY

VOTE (2008-28) Councilor Smith, seconded by Councilor Mason moved to adopt the following Smoking Policy as changed: In section B adding a definition for Management as Department Heads, section F (c) deleting the word "be", and section H changing management to Department Heads:

A POLICY PROHIBITING USE OF TOBACCO PRODUCTS

A. Purpose

The Town of Lisbon recognizes the health risks of tobacco use and secondhand smoke for non-smokers, as well as the rights of those who use tobacco. In addition, per 22 M.R.S.A. §1542, State Law prohibits smoking in public places. In addition, parks, ball fields, and other recreational areas are protected by Lisbon Code Chapter 30 Section 88.5 (e). The Town is committed to providing a safe work environment for employees, volunteers, contractual persons, and the public by prohibiting tobacco use in any building or structure owned or leased by the Town. The aim is to minimize the harmful effects of tobacco use among staff and eliminate secondhand smoke exposure for staff and the public in those buildings controlled by the Town. In support of this commitment, tobacco use will be prohibited in all Town-owned or leased buildings and vehicles.

B. Definitions

"Campus" - Any building or land owned or leased by the Town on which regular business is conducted. This includes, but is not limited to, all town offices, public works, recreation, solid waste, treatment plant, water department, police and fire facilities owned by the Town of Lisbon.

"Smoker" - A person who is smoking or using smokeless tobacco products.

"Smoking" - The use or possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product, or who is using smokeless tobacco of any kind.

"Tobacco products" - Any product that contains tobacco and is intended for human consumption.

"Work Site" - any place not listed as "grounds" where one or more employees gather for the purpose of carrying out work-related duties, including construction zones, emergency scenes, town vehicles, or any area outlined in Lisbon Code Chapter 30 as a park or recreational use facility.

"Management" - includes Town Manager and all Department Heads

C. Policy

Tobacco Use is prohibited in all of the following:

- (a) All campuses owned by the Town as defined in Section B.
- (b) Campuses that are leased by the Town as leaser.

- (c) Campuses or areas of buildings that are leased by the Town as lessee and occupied by the Town.
- (d) Public transportation vehicles owned or leased by Town and used by the public.
- (e) Non-public vehicles, including police cruisers, fire engines, snow plows, or any other vehicle owned or leased by the Town.
- (f) All work sites as defined in Section B.

D. Designated Tobacco Use Areas

In areas identified in Section C tobacco use is only permitted in smoking areas designated by the facility manager. When applicable, special "smoking huts" may be made available for use as well at the discretion of the facility manager. Smoking is permitted outside of Town vehicles identified in Section C, provided that the person smoking does not stand adjacent to or within ten (10) feet of an open window or air intake. If the work site is located outdoors, a tobacco use area shall be established by the site supervisor at least twenty (20) feet from the main work site.

E. Applicability

This policy applies to all employees, volunteers, and contractual persons. Employees are encouraged to ask the public not to use tobacco in any area described in Section C.

F. Signage

(a) Persons in charge of campuses identified in Section C shall post signs at all building entrances and exits explaining the prohibition on tobacco use. Signs may be posted in other areas of the buildings as well. For example, signs may be posted in other areas in the building where tobacco use is likely, such as bathrooms and dining areas.

(b) Persons in charge of vehicles identified in Section C shall post signs in the vehicles explaining the prohibition. The signs must be displayed in areas where passengers will be able to see the signs but the placement of the signs must not interfere with the safe operation of the vehicle.

(c) The signs required by subsections (a) and (b) of this Section must be use clear and unambiguous language to convey the prohibition, and have letters at least one inch in height per 22 M.R.S.A. §1543. The signs may include language such as "TOBACCO FREE BUILDINGS," "TOBACCO USE PROHIBITED IN THIS BUILDING," "TOBACCO USE NOT PERMITTED IN THIS BUILDING," or "TOBACCO USE NOT PERMITTED IN THIS VEHICLE." If a sign includes the international "No Tobacco Use" symbol (which consists of a pictorial representation of a burning cigarette and smokeless tobacco enclosed in a red circle with a red bar across it), it must also include written text explaining the prohibition.

(d) All publicly available ashtrays shall be removed from any area where smoking is prohibited by this policy by the operator, manager, or other person having control of the area.

G. Tobacco Cessation Programs

The Town of Lisbon provides support to employees who want to quit the use of tobacco products. These employees are encouraged to talk to their health care provider about quitting; ask about appropriate pharmacotherapy available through the town health insurance plan or employee's insurer and use the quitting support services of Healthy Androscoggin.

H. Compliance and Penalties

(a) The Town Manager and all supervisors and department heads shall ensure the tobacco use policy is enforced. This does not preclude employees from bringing violations to the attention of their ~~management~~ Department Heads and/or the Town Manager.

(b) Employees are responsible for complying with the tobacco use policy. Employees who violate this policy may be subject to sanctions consistent with the Personnel Policy.

(c) A person in charge of the building or vehicle identified in Section C or his or her designee, management and supervisors who see an individual (other than an employee) who is using tobacco in violation of this policy must ask the individual to stop using the tobacco product. If, after having been asked to stop using tobacco, the individual continues to use a tobacco product, the person in charge shall issue a warning and must ask the individual to leave the building.

I. Effective Date

This policy shall be effective March 4, 2008.

Order passed - Vote 6-0.

ADOPT THE CORPORATE RESOLUTION FOR NORTHERN CAPITAL

VOTE (2008-29) Councilor Smith, seconded by Councilor Wells moved to adopt the Corporate Resolution for Northern Capital as presented (see attached). **Order passed - Vote 6-0.**

OTHER BUSINESS

A. TOWN MANAGER'S REPORT

Mr. Eldridge said Rosie Bradley our new Economic Development Director began Monday. He said he received 23 resumes for the Administrative Assistant position and that he and his interview team had narrowed the applicants down to four, which they plan to interview this week. He said staff has been excellent in assisting while this position has been empty; he thanked Mrs. Lycette and her Department who have been very supportive and great.

He said Public Works continues to work on snow removal and keeping our roads clean. He and Mr. Beal reviewed a few roads and items they plan to address this summer.

He attended an AVCOG Executive Committee meeting on ATRC February 28th. He said it was nice to see Durgin Bridge on the King Road on the list to address. They discussed Route 196 and the Transportation Enhancement Program which Lisbon submitted to MDOT that identified Lisbon's future needs. He said although funding will be limited, Mr. Thompson has been working with Congressman Michaud to do as much as possible for our region.

Mr. Eldridge said he and Mrs. Bradley have been working with a local businessman who wants to move into the Teen Center on Main Street, which he would be discussing in executive session tonight. Mr. Eldridge told the Council he put copies of the "Impact of LD1" survey from MMA in everyone's mailbox.

B. REVIEW BUDGET ADVISORY BOARD APPLICATIONS

The Councilors agreed to invite all the candidates to the next Council Meeting to interview.

C. REVIEW SCHOOL BUDGET

Ms. Welsh presented the School's budget totaling \$15,269,824. She estimated their total revenue would be \$808,594.00. This budget comes in at \$1,572,280 above the EPS model. She said the State would cover 97% of the 2008-2009 EPS amounts over during this transition year. She said the majority of the increases occurred in salaries and benefits (48%), Fuel (13%), and maintenance for boilers (11%). Only one position was added to the proposed budget and that was for an Ed Tech III position. Two positions were removed; a Behavioral Specialist and a Nurse. Ms. Welsh said the School Committee decided to go with a boiler maintenance plan to help keep funding flat from year to year. She said the School Committee anticipated using \$346,535 from undesignated to off set taxes.

Ms. Welsh pointed out that the \$15.5 million dollar school budget becomes \$14.4 million budget once the \$808,594 in revenue is subtracted; this exceeds the Essential Programs and Services model by \$1,572,278. The State will cover only 97% of that amount, 3% or \$277,000 will need to be raised locally, however the total local additional funds comes to \$1.8 million dollars which Lisbon will be responsible for. She said the State contribution this year will be \$8,788,530, and in order to get that \$8.7 million, locally Lisbon must raise \$3.7 million or the State will reduce Lisbon's subsidy further. Lisbon has to raise its local debt service of \$89,994 and the local additional funds of \$1.8 million, which brings the total up to the \$14.4 million dollars that represents the total budget after applying the revenue. She said the decrease in State funding of \$603,547 from 2007-08 to projected 2008-09 leads to an increase in local funds (with higher valuation) of \$877,950. Out of the \$603,547 reduction from State funding, approximately \$400,000 of it is linked to Special Education; \$203,000 is in other areas. The State reduced the reimbursement rate for substitute teachers, professional development, system administration, operations, and transportation.

Councilor Smith said he understood by rumor that Lisbon might receive flat funding from last year and not get our final increase to meet LD1. This was supposed to be our last year to hit 100%. Ms. Welsh said they call it a flat increase, but it's really a decrease because they have changed the amount. System administration, for example, Lisbon earned \$365 dollars per pupil for system administration; system administration includes the Superintendent's office, business office, school committee. Lisbon only spent \$268 per pupil on system administration so that extra subsidy amount was used to off set additional nursing staff and additional co-curricular opportunities because Lisbon had extra money coming in from the State since we were more efficient than what the State was subsidizing at \$350. What the State said was that Lisbon needed to be even more efficient and instead of the \$350 the State would only give Lisbon \$204 per pupil. However, Lisbon spends \$268 now so Lisbon has to take money away from other areas to help off set that decrease or ask residents to pay for the difference, which is in part an explanation for the local funding impact. The same thing happened in facilities and transportation.

Ms. Welsh said the warrant articles are written the way they have to be presented to the voters. At the time of the referendum the voters simply vote yes or no on the total to support the Council's decision. She said this is why you can do absentee ballots in advance. May 20th will be the date for the School Referendum Budget Validation vote. She said they built their calendar around the fact

that should a "no" vote prevail, a second School Referendum Budget Validation vote could take place on June 10th.

Councilor Wells took a minute to say that the School Committee and Superintendent had done a great job bringing forth a budget at only a 1.91% increase. Councilor Smith commended the Superintendent, School Committee, and all for doing a good job with the challenges presented.

Councilor Wells announced the next meeting would be on March 10th to discuss the budget further and on March 11th with the Advisory Board to present the Municipal and School Budgets.

AUDIENCE PARTICIPATION - NONE

EXECUTIVE SESSION

VOTE (2008-30) Councilor Smith, seconded by Councilor Larochelle moved at 8:25 PM to enter into executive session per 1 MRSA Section 405 (6) (C) to discuss Economic Development. **Order passed - Vote 6-0.** The Council Secretary was temporarily dismissed. The Council returned to regular session at 8:35 PM.

BUDGET WORKSHOP

Mr. Eldridge went over the municipal budget with the Council highlighting areas that changed. The Council briefly discussed the use of surplus to reduce taxes; Mr. Eldridge strongly encouraged the Council to discontinue that practice and suggested the Council find ways of rebuilding the Town's surplus. He pointed out that the Town's operating funds should, also, be greater.

He said \$7,200 was added to the Planning Board budget for AVCOG to address the zoning changes required to be in compliance with the comprehensive plan. He discussed the technology upgrades throughout the whole organization. He addressed the revaluation issue, roof repairs, and a truck purchase suggesting that bonding might be a solution to keeping taxes in check this year. Chief Brooks said the 2006 bond's surplus fund may address some issues at MTM, especially now that the Teen Center will be going there. Councilor Wells said the Council will meet next week with the Budget Advisory Board; the Council Chairman and Town Manager will present budgets. Mr. Eldridge said he hoped to have the budget ready for the public on March 17th. Councilor Larochelle asked Mr. Eldridge to have the bonding option developed by then. Mr. Eldridge commented that Lisbon should get a fairly good price for the old Campus Avenue School building.

Councilor Wells announced the next municipal budget meeting will be on Monday, March 10th at 6:30 PM at the Town Office.

ADJOURNMENT

VOTE (2007-31) Councilor Smith, seconded by Councilor Wells moved to adjourn at 9:40 PM. **Order passed - Vote 6-0.**

Respectfully Submitted,

Twila Lycette, Council Secretary
Town Clerk, Lifetime CCM