



## TOWN COUNCIL MEETING MINUTES MARCH 15, 2011

Mark Lunt, Chair District 1 2012  
Lori Pomelow, Vice Chair At Large 2012  
Roger Cote, At Large 2011  
Michael Bowie, District 2 2012  
Roger Bickford, District 2 2013  
Fern Larochelle, Jr., At Large 2013  
Gina Mason, District 1 2013

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

ROLL CALL. Members present were Councilors Mason, Larochelle, Cote, Lunt, Pomelow, and Bickford. Councilor Bowie was excused. Also present were Stephen Eldridge, Town Manager; Elwood Beal, Public Works Director; Scott Benson, Economic & Community Development Director; Verla Brooks, Park Ranger; Michael Cote, Code Enforcement Officer; P. Sean Galipeau, Fire Chief; Ryan Leighton, Town Engineer; Jessica Maloy, Finance Director; Diane Nadeau, Librarian; Wayne Ricker, Solid Waste Director; Ken Wells, Water Commissioner; Budget Advisory Board Members Debbie Barry, Thomas Barry, Dorothy Fitzgerald, Donald Fellows, John Wierzbicki; School Committee Members Traci Austin, Prudence Grant, H. Pete Reed, Kathy Yergin; Cathy Messmer, School Bookkeeper; and approximately 30 citizens in the audience.

### PUBLIC HEARING - NONE CONSENT AGENDA

**VOTE (2011-31)** Councilor Larochelle, seconded by Councilor Cote moved to approve the Minutes of March 1, 2011.

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

### COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

#### SIGN ORDINANCE AMENDMENT

##### Introduction

Mr. Eldridge said there has been a request that we change the time limit from one-minute to ten-seconds. Some people think one minute is too long. Councilor Larochelle pointed out that until we passed an ordinance the state actually controlled what we could do. Ours is stricter. Councilor Mason pointed out that this had to do with distracting drivers. Councilor Lunt said one-minute is probably too long.

#### PUBLIC COMMENT:

Don Fellows said the state limit is twenty-minutes absent local rules. Councilor Lunt mentioned that you have to have your own ordinance to allow more rapid changes than the twenty-minutes, which is very long for a sign. Councilor Cote said it is a good idea to change it.

Councilor Lunt said that there would be a public hearing on this at their next reading before the Council actually voted on it.

#### LISBON COMPREHENSIVE PLAN UPDATE AMENDMENT

##### Introduction

Mr. Eldridge said we have been going on three-years now making amendments to our local ordinances and Comprehensive Plan, keeping them unified. The Planning Board has discussed this at length, received public input, held several meetings, and under the direction of the Androscoggin Valley Council of Government have developed changes for the Council to adopt.

Mr. Eldridge said these changes include zoning changes in some areas along Route 9. The Comprehensive Plan wanted Route 9 to become a commercial area with the new turnpike exit in Sabattus. Many residents on Route 9 did not want to see that happen so changes were made to accommodate limiting the development and retaining a more residential and rural look, which would protect some of our agricultural land. We have a few development parks along Route 196 and that's where they want to focus our development versus Route 9. Land uses and zoning changes were just about the last pieces to be finished. The Planning Board approved the Wellhead protection ordinance and Roger Therriault needs to finish up with some minor language changes, and then that should be on the agenda soon.

Councilor Cote said we are changing one rather large piece of property on Route 196 from General Residential to Commercial; this property sits directly over our aquifer and I'm strongly against that, he said. It only takes one accident to ruin our water supply. This looks like spot zoning, he pointed out, because it looks like there is intent to do something with that piece of property.

John Potvin said this was an extension; we took the commercial zone and moved it across the street, he explained, we are talking about the Dragon Pit here.

Councilor Larochelle said this used to be considered in an industrial/commercial zone for how many years.

Mr. Eldridge said this was being done to protect the aquifer, adding regulations, and no industrial uses. It could become a business park there, but containment areas are needed for any type of fuel or whatever so its uses should not be detrimental nor endanger the aquifer, he explained.

John Potvin said he emailed John Maloney today to discuss spot zoning. He pointed out that this was discussed at the public hearing Councilor Cote attended, that the Planning Board took this information to heart, and set out to make things right to get the Comprehensive Plan in balance with the zoning ordinance and maps. Part of the discussion, at that time, while discussing the maps, was around its position next to a commercial zone and the potential use of that property since you have an ordinance in place that will protect the wellhead we did not see a problem with extending the commercial zone across the street. This land abuts an existing commercial zone and this would make the land more valuable to somebody, which was the whole thinking behind changing it to commercial, Mr. Potvin explained. John Maloney and Ferg Lea's involvement played a crucial part in this decision as well.

The Council unanimously agreed to schedule a public hearing, post the information on the website, and schedule a reading. Dorothy Fitzgerald said it would be very helpful to have a copy. The Chairman asked that the amendment information be posted on the website.

## BOARD OF ASSESSMENT REVIEW ORDINANCE AMENDMENT

### Introduction

The attachment presented for adoption to clarify the provisions relating to the Board of Assessment Review Ordinance said the following: The version of the Ordinance relating to the Board of Assessment Review designated, as Division 3 of Chapter 2 needs to be repealed. The version of the Ordinance relating to Board of Assessment Review adopted by the Council on March 16, 2010 as Division 12 of Chapter 2 Section 2-571 through 2-585 needs to be repealed. Both ordinances address the same thing, it's duplicative so the Assessment Review Ordinance adopted March 16, 2010, under Division 12 of Chapter 2 needs to be readopted as Division 3 of Chapter 2, and stands as is without changes in the originally adopted text. Mr. Eldridge said this would help identify terms not in the original language.

The Council unanimously agreed to schedule a public hearing, post the information on the website, and schedule a reading.

## OTHER BUSINESS

### A. FINANCE DIRECTOR'S REPORT

Mrs. Maloy said we have collected 57% of the excise tax. Last February we took in \$68,000 as compared to \$65,000 this year. Excise tax might end up under collected by upwards of \$80,000 this year. In order to meet our current budget we need to collect \$131,000 per month. Even though collection increases in March, historically we have not collected over \$130,000 in each of the months remaining. State Revenue Sharing is at 71% collected with \$77,000 coming in for February. Last year we were only 48% collected. Things look to be on track with collection, she said, and that she would continue to monitor this account for the remainder of the year. As of February 28, we are 61% collected on our total tax commitment for the year, which is better than we were last year at 58% at this time. All in all, she said, things are looking up with tax collection.

Mrs. Maloy said we are over expended on legal charges. We spent \$27,000 on diesel gas charges for the month. We spent another \$38,000 on winter sand and salt, although still favorable year to date, she said, there are outstanding encumbrances of \$22,000, which will bring us to an over expenditure of \$18,000. We paid MMA's dues and it over expended that account by \$55. Other than that, everything else is right on track where it should be.

### B. 2011-2012 MUNICIPAL & SCHOOL BUDGET PRESENTATIONS

School Budget Presentation: Richard Green handed out updated copies (on 3/10/2011) of the subsidy sheets and warrant articles. (See attached Budget Overview) School Budget is expected to come in with a zero percent increase on the tax rate from the school side. The numbers tonight do not reflect that right now, he said, because there are still a lot of numbers that need to fall into place to make that happen. He said they have spent a significant amount of time looking at the EPS formula and the EPS numbers look good this year. The problem is that the state subsidy has been reduced by so much. This year we are looking at coming in at \$536,526, which is \$211,886 less than last year. The state contribution has declined while the local contribution has increased. We will feel the effects of this, he said, when our economy starts coming around and our state subsidy starts to increase again, because our enrollment is up in Lisbon. Last year we projected 1,250 and it's over 1,300 right now.

Mr. Green said there were over \$467,000 in reductions in this budget. \$283,000 of those were as a result of budget cuts on their end. There was a \$184,000 change in the state subsidy reduction. We received \$157,503 in job stimulus funds, which helped a lot this year. This has to be used to save jobs and positions, he said, but that money needs to be added back in next year or those positions would need to be cut next year. The budget right now, he said, is less than flat; it's \$122,000 less than last year or a 1% reduction to the overall budget from last year. He explained that because of the decrease in state subsidy we are still \$168,298 away from being at a zero percent increase on the tax rate. He said they have discussed various ways to get there, sharing resources (proposal to assist with services) between the town and school, received multiple retirement requests and the majority will not be filled, and there is potential for some loss of staff but that's mostly related to certification requirements and staff assignments.

Mr. Green said this year's goals include maintaining existing programs and services, consolidating resources with the town, reducing the EPS numbers, managing the decrease in state subsidy, and incorporating the federal stimulus money to save jobs. There were some increases in the budget, he said, to the maintenance budget for equipment, replace furniture, additional work on the facilities at all three

schools and the adult education budget; over \$7,000 of the increase in the adult education budget was due to the reduction in state subsidy.

The bottom line for the School Budget as of 3/4/2011 is \$13,774,300, with a \$168,298 increase in local funding. However, Mr. Green said he feels very confident that once they get their numbers done that they will present a budget with a zero percent increase to the tax rate from the school side.

Municipal Budget Presentation: Mr. Eldridge explained this year would probably be the most difficult one so far, for the same reasons Mr. Green mentioned previously, revenue shortfalls from the state. The management goals this year were to hold the tax rate, balance the level of service with what we can afford and with what residents are requesting with a focus on trying to maintain or improve the level of service. Again, we are trying to collaborate with the School Department to find savings, he said, and we have done that and we have things that we are proposing through the process. Another goal is to continue to improve our infrastructure and provide a work force and environment that is healthy and productive.

With just under 300 responses, residents rated their number one town service as Fire, then Police and School. The total budgeted revenues, which would be needed to operate this budget, is \$7,132,358. Out of that, 63.32% would come from the tax bill, and 36.68% would come from non-tax revenue like fees, revenue sharing, excise tax, etc. He said changes that we are seeing in this year's budget include:

- State Revenue Sharing increasing \$30,000 (that's the number currently subject to change)
- Revenue increasing in the Recreation Department Programming of \$20,000
- Reducing the use of surplus by \$150,000
- Dropping investment interest by \$10,000
- Dropping Durham Animal Control Officer revenue by \$7,000 (chose to find their own person)
- URIP (Rural Road funds from MDOT) decreasing \$6,000
- Miscellaneous Revenues dropping by \$4,000

The trend we are seeing, he said, is decreasing revenue over all, as has State Revenue Sharing. Excise tax stayed fairly flat and we did better than what we had budgeted, he said, but we expect that it will stay flat and not grow much more. This year's initial request from the departments includes the following:

- No Wage Increase
- Insurance Increases
- Paving (Shim & Overlay) taken out in previous years
- Route 196 Matching Funds
- Full Time Communications Position reinstated through a reduction in Temporary Wages & Overtime
- Part Time Tax Department Position
- Reduction of Fire Department Capital Reserve Request
- Capital Improvement Program/Revaluation Bond - Interest Only First Year
- Loss of 2 Full Time and 1 Part Time Position in Staffing Changes

Mr. Eldridge said my recommendation this year, which does not include the county budget, so if you take out \$574,098, you get \$6,338,696, he said. I am recommending the following:

- 1.75% Wage Increase to the employees
- Insurance Increases
- Route 196 Matching Funds
- Full Time Communications Position reinstated through a reduction in Temporary Wages & Overtime
- Part Time Tax Department Position
- Remove Paving (Shim & Overlay)
- Do some department consolidation resulting in a loss of 6 Full Time and 2 Part Time Positions
- Reduction of Fire Department Capital Reserve Request
- Capital Improvement Program/Revaluation Bond - Interest Only First Year

Mr. Eldridge pointed out that the bond initiative includes the following:

MTM Building		
Roof.....	\$115,000	Cost Per Year for 10-Year Bond
Window .....	\$135,000	2011-2012 .....
Assessing		2012-2013, etc.....
Complete Revaluation 2-yr....	\$320,000	\$114,000
ET Smith Building		
Siding/Electric.....	\$ 35,000	
Public Works		
Fisher Bridge.....	\$100,000	
Public Works Garage.....	\$105,000	
Police Department		
Carpet/Tile .....	\$ 15,000	
Total	\$825,000	

Mr. Eldridge explained that the interest rates were reasonable right now, the bond payment is affordable, and the work is necessary. The MTM roof is leaking considerably and the windows need replacing to make it more energy efficient. The evaluation needs to be completed within 2-years to be more beneficial and useful for a longer period. The siding and electrical work at ET Smith has been put off since I've been here, he added. MDOT is suggesting the Fisher Road Bridge be replaced, he said, and the PW Garage addition is necessary to become ADA compliant, which could be done for less maybe. Then \$15,000 is to replace carpet with tile for more durable surface.

Mrs. Maloy broke down the expenditures by Municipal, County, and School.

	FY 2011		FY 2012 Projected		+/-	%
Expenditures:						
\$6,347,985	Municipal		\$ 6,338,696	Municipal	\$ (9,289)	-0.15%
\$ 579,878	County		\$ 574,198	County	\$ (5,680)	-0.98%
<u>\$14,055,629</u>	School		<u>\$13,937,754</u>	School	<u>\$ (117,875)</u>	-0.84%
\$20,983,492	Total		\$20,850,648	Total	\$ (132,844)	-0.63%
Less Revenues:						
\$ 2,800,000	Municipal		\$ 2,616,300	Municipal	\$ (183,700)	-6.56%
\$ 8,779,848	School		\$ 8,482,285	School	\$ (297,563)	-3.39%
<u>\$ (250,000)</u>	Use of Surplus		<u>\$ (100,000)</u>	Use of Surplus	\$ (150,000)	-60.00%
\$11,329,848	Total		\$10,998,585	Total	\$ (331,263)	-2.92%
Tax Levy:						
\$ 9,653,644	Tax Levy		\$ 9,852,063	Tax Levy	\$ 198,419	2.06%
\$467,878,919	Value		\$465,878,919	Current Value	\$2,000,000	-0.43%
\$ 21.00	Tax Rate		\$ 21.75	Tax Rate	\$ 0.75	3.57%

Mrs. Maloy explained that if the budget was passed the way it was, Lisbon would be looking at a tax rate of \$21.75. The means the town and county expenditures decreased \$15,000 or .22%. The non-tax revenue decreased \$184,000 or 6.6% leaving us with the town and county tax rate portion of the tax rate at \$.19. The School Department's expenditures decreased \$118,000 or .84%. The school's non-tax revenue decreased \$298,000 or 3.4% leaving their portion of the tax rate increase at \$.57. She pointed out that the school is working on their numbers, just like the town is working on theirs.

Mrs. Maloy explained the following expenditure proportions for the municipal budget as follows:

- 17.1% Public Works & Hydrant Rental (4.2%)
- 16.6% Police Department
- 10.1% Insurance

8.3%	County Tax
7.3%	Debt Service
6.7%	Solid Waste
6.2%	Public Services
4.9%	Fire Department

The top three expenditures being the Public Works Department, which includes hydrant rental, then the Police Department, followed by Insurance. The total municipal budget, including the county tax is \$6,912,894 and of that amount, she pointed out that 19.8% (or 1.4 million) pays for assessments, and debt service, which unlike operations of the town, cannot be amended, or cut. Public Works, Public Safety, and General Government make up 77.7% of the budget, making them the three biggest areas of your municipal budget.

General Government makes up 30.5% of the budget as follows:

46.44%	Insurance
27.64%	Wages
18.39%	Contracted Services
7.53%	Rest of the budget, professional development, equipment, supplies, maintenance

Mrs. Maloy explained the \$66,165 or 3.3% increase in this budget was from the wage decrease of \$54,500, an increase in contracted services of \$115,000 (re-appropriated building costs from all departments, technology services, and assessing services), insurance decrease of \$28,000, plus a reduction of 3 full time positions in staffing changes.

Public Works makes up 25.7% of the budget as follows:

32.84%	Wages
18.36%	Contracted Services
16.62%	Hydrant Rental
14.93%	Supplies
8.60%	Equipment
8.65%	Rest of the budget, streetlights, insurance, maintenance, professional development

Mrs. Maloy explained the \$84,064 or 4.5% decrease was from the wage decrease of \$69,000, a decrease in contracted services of \$26,000 due to transferring building costs to the Town Buildings Budget, supplies decrease of \$12,000, and equipment increase of \$42,000 (Rte 196 matching funds offset by other decreases). It encompasses the reduction of 2 full time positions and 1 part time position.

Public Safety makes up 21.4% of the budget as follows:

77.51%	Wages
7.52%	Equipment
5.69%	Supplies
9.28%	Rest of the budget, supplies, maintenance, insurance, contracted services

Mrs. Maloy explained the \$44,570 or 2.9% decrease was from the decrease in wages of \$33,000, a decrease in contracted services of \$7,000, and a professional development decrease of \$6,000. It encompasses the reduction of 1 full time position and the shift of 1 dispatcher from part time to full time.

Mrs. Maloy said in summary the total municipal budget breaks down as follows:

52.5%	Wages & Benefits (40% Public Safety/28% PW/16% Town Office/10% Library, Parks, Rec.)
11.7%	Contracted Services
Under 10%	

- 8.3% County Tax
- 7.44% Debt Services
- 6.38% Supplies
- 4.92% Equipment
- 4.22% Hydrant Rental
- 2.05% Repairs And Maintenance
- .44% All Other
- .53% Professional Development

Mrs. Maloy said in summary wages & benefits decrease by \$174,231 or 4.5%, equipment/capital purchases increase by \$65,000 or 23.7%, contracted services increase by \$82,000 or 11.3%, and debt services increase by \$20,000 or 4.1%.

Mr. Eldridge pointed out some scenarios and alternatives for costs savings that include consolidation with the Water Department, consolidation of Public Works and Parks, and putting out to bid gas prices with the potential rising cost of fuel. He added that if Governor LePage's budget proposal gets turned down the estimated increase in revenue sharing is \$1.6 million versus the \$780,000 that we get now so that could change things for us. He said if LD 79 would change the base cost on excise tax, which would result in a \$100,000 reduction in revenue if that was to happen. There are a lot of unknowns this year, he said, but these are some of the options you can look at as you review the budget.

Mr. Eldridge said Thursday night the Council can begin with some of the easier budgets. March 24 was left open in case the Council wanted to move things up. Mr. Eldridge suggested scheduling at the beginning of Thursday's workshop a short discussion on the Council Working Rules. Councilor Lunt announced that that was good.

### C. TOWN MANAGER'S REPORT

Mr. Eldridge said on Thursday's workshop he would like to start with discussing the Working Rules document the Council wanted to discuss and then cover the budgets as outlined.

Mr. Eldridge said on April 19 Central Maine Power would like to publicly discuss the smart meters scheduled to be installed in Lisbon soon.

Mr. Eldridge said the Unitil Gas Company would like to run gas lines up Main Street in Lisbon Falls, but that this would be cost prohibitive if they did not see an immediate return, unless the town was willing to help them.

### **AUDIENCE PARTICIPATION**

Larry Fillmore asked Mr. Eldridge if the response to the Route 196 study had been sent to the state yet regarding the Council's recommendations on Route 196. Mr. Eldridge said it had not been completed yet, that the Council needed time to review the response first.

Mr. Fillmore said that every year we spend more money than we have taken in. Every year we put onto the taxpayer another increase in taxes, and every year you increase our taxes that are outrageous anyway.

### **APPOINTMENTS**

#### **TERM LIMITS FOR ASSESSMENT REVIEW BOARD**

Councilor Lunt said Councilor Cote asked that this be removed from the consent agenda so that it could be discussed here. Mr. Eldridge explained that when the ordinance was put together it left out

expirations for term. At this time, the Council should designate when these terms will expire. Mr. Eldridge recommended they be staggered so they rotate, which helps retain knowledgeable residents on the board.

**VOTE (2011-35A)** Councilor Pomelow, seconded by Councilor Larochelle moved to set the following terms for the Board of Assessment Review members:

Michael Huston to June 30, 2013  
Clyde Cavender to June 30, 2013  
Dorothy Fitzgerald to June 30, 2012  
Robert Begin to June 30, 2012  
Richard Long to June 30, 2010

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

BOARD OF ASSESSMENT REVIEW  
*Reappointment (1) Term Expiring June 30, 2011*

**VOTE (2011-35B)** Councilor Larochelle, seconded by Councilor Mason moved to reappoint Richard Long for a term expiring June 30, 2011.

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

## COUNCILOR COMMUNICATIONS

Councilor Mason commended the Lisbon community for what they did for the Hogan Family. That was pretty amazing, she said, pointing out that the surrounding communities also helped. She thanked all of the emergency personnel for their service; you make us proud, she said.

Councilor Larochelle thanked the Superintendent/School Committee and Town Manager/Department Heads for their presentations. Those presentations showed that a lot of groundwork has already been covered, he said. It showed sacrifices on both sides, the school and municipal side while still maintaining services where people feel they should be at, he said. That was a lot to look at and we will do the best we can for our citizens, he pointed out, but it's a question of how much do we lose this year, unfortunately.

Mr. Eldridge said he received a letter from the Attorney General's office indicating the Atlantic Commercial Cleaner's case of 2007 is closed with insufficient evidence to show wrong doing. Councilor Lunt said that was in regards to the Feeney issue, he said.

Council Lunt said we should all be sending our thoughts and prayers over to the people in Japan who lost families and friends. He added that we should all think about our differences, because we have had so many things going on in this town we think are like the end of the world stuff or the worst thing that's ever happened, but it's nothing compared to what's happened over there. He said entire towns were lost in five minutes so we should think on that before we get too angry at each other.

## EXECUTIVE SESSION

**VOTE (2011-36A)** Councilor Larochelle, seconded by Councilor Mason moved to go into Executive Session at 8:50 PM per 1 MRSA Section 405 (6) (A) Personnel Matters.

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

The Council Secretary was dismissed. The Council came out of executive session at 9:30 PM.

**VOTE (2011-36B)** Councilor Pomelow, seconded by Councilor Larochelle moved to approve the MAP Union Contract as proposed.

**Order passed - Vote 5-0-1. (Abstained: Cote)**

### ADJOURNMENT

**VOTE (2011-37)** Councilor Pomelow, seconded by Councilor Larochelle moved to adjourn at 9:40 PM.

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

Respectfully Submitted,

---

Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC