



**TOWN COUNCIL
MEETING MINUTES
APRIL 13, 2010**

Michael Bowie, Chair District 2 2012
Gina Mason, Vice Chair District 1 2010
Fern Laroche, Jr., At Large 2010
Roger Cote, At large 2011
Mark Lunt, District 1 2012
Dale Crafts, District 2 2010
Lori Pomelow, At Large 2012

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

ROLL CALL. Members present were Councilors Bowie, Mason, Crafts, Cote, Pomelow, and Lunt. Councilor Laroche was excused. Also present were Stephen Eldridge, Town Manager; David Brooks, Police Chief; Sean Galipeau, Fire Chief; Roger Therriault, Town Attorney; School Committee Members, Prudence Grant, Traci Austin, and George Caron; Rick Green, School Superintendent; Cathy Messmer, Bookkeeper; Budget Advisory Board Members, Donald Fellows, Richard Graham, Dorothy Fitzgerald, and John Wierzbicki; Michelle Swatsworth-Turmelle, Ethics Committee; and approximately 18 citizens in the audience.

The Chairman asked that the Executive Session be taken up first since the Town's Attorney was present. This would save money.

Item taken out of order.

EXECUTIVE SESSION

VOTE (2010-58) Councilor Mason, seconded by Councilor Crafts moved to go into executive session at 7:02 PM per 1 MRSA Section 405 (6) (d) Labor Negotiations. **Order passed - Vote 6-0.**

PUBLIC HEARING

**A. SPECIAL ENTERTAINMENT PERMIT & LIQUOR LICENSE
FOR CASA MIA, INC D/B/A GRAZIANO'S RESTAURANT**

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

**B. SPECIAL ENTERTAINMENT PERMIT & LIQUOR LICENSE
FOR RAYMOND J. LAVIGNE POST 9459**

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

C. NEW LIQUOR LICENSE FOR ANGELO'S RESTAURANT

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

D. CONSIDERATION OF \$2,040,000 BOND ORDER FOR
TRAIL SYSTEM PROJECT & WATER LINE PROJECT

Councilor Bowie said for clarification, our bond counsel has required us to bring this bond back in front of the public. This is one that we voted on last year and passed. The bond information was not written 100% accurate in the newspaper for the public hearing according to bond counsel so he has asked us to bring that back before the public stating that it includes both the trail system and the water line project. The water project, I believe, was left out of the wording although through all of our meetings and public hearings, both topics and projects were talked about and the full amounts were discussed. This is just a formality that we have to represent that to the public so it is heard, as both projects for that total value, and then Council will reaffirm the bond order that the public passed. So, with that clarification I would open the public hearing for public comment.

Dorothy Fitzgerald said isn't that a different figure that we voted on; didn't we vote on \$2.7 million and this is \$2.04 million. Councilor Cote said you are mixing that up with the Route 9 project.

Councilor Bowie said yes, I think so. The Route 9 project was \$1.7 million seven for the Upland Road and the Route 9 piece. This was for the Trails Commission and the water line project.

Dorothy Fitzgerald said my question is on the trails. Going by looking at where the trail is going to be along the river, there are a lot of trees there that need to be cut. How can you justify that? She pointed out that there were size and distance requirements to meet. How are you getting around that?

Mr. Eldridge said there are not going to be that many trees cut, plus they will all be done through the engineering and design team, plus they are the ones doing all the permitting. It's not an issue. It's a state funded project so it would be done correctly. If the right program is presented to the Maine Department of Environmental Protection, then you are fine. You will be able to see the river, but it's not within 50' of the river. I trust the professionals to do it right. The Chairman closed the public hearing.

CONSENT AGENDA

VOTE (2010-54) Councilor Cote, seconded by Councilor Crafts moved to approve the Mobile Home Park Renewals (Avery Street Park, Beaumont Court, Brookwood Court, Davis Street Park, Gendron's, Grimmels, Ridge Mobile Home Park, St. Ann's, Whispering Pines Trailer Park, Worumbo Estates, and Worumbo Park), Off Premise Catering Permit for Richard's Restaurant in Brunswick, Special Entertainment Permit & Liquor License for Graziano's Restaurant, Renewal Victualer Licenseses (Angelo's Pizzeria, Big Apple, Canton Pearl, Casa Mia, Inc., Coombs-Mountfort Post 158, Dr. Mike's Madness the Café, Food City, Good Time Lanes, Kennebec Fruit Company, Lisbon Falls Mart, Inc. (Getty), Lisbon House of Pizza, Miller's Variety, Raymond J. Lavigne VFW Post 9459, Slovak Catholic Association, Subway, The Mad House, and X-tra Mart, Special Entertainment Permit & Liquor License for the Raymond J. Lavigne Post 9459, Mass Gathering Permits for Riverside Flea Market & the Androscoggin County Chamber d/b/a Moxie Days, Liquor License for Angelo's Restaurant and the minutes of March 2nd and March 16th. **Order passed - Vote 6-0.**

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

ADVISORY QUESTION FOR
BUDGET REFERENDUM PROCESS

Mr. Eldridge said you have the wording in your information packets that Roger Therriault put together. This is something that if you decide to do you must make a decision tonight to be included on the June ballot, which you discussed earlier as a non-binding question so it's open for discussion.

Councilor Bowie said I am personally not in favor of this. I believe the town voted to have a Council form of government and a charter and that they put the onus on the members of the Council to make the decisions from a budgetary perspective. We had a review committee that held a number of meetings and public hearings to determine what form of government we should go to and the information from that said that we should go to a charter form of government. Then we elected a Charter Commission who went through and wrote a proposal that was voted upon by the public and the public voted for a Town Council/Town Manager form of government. I understand we are voting on the school a lot, but the only reason we are voting for the school budget is because the state mandated it as part of the whole RSU thing, but if the state hadn't put their fingers into the pie we wouldn't be voting on the school budget at this point in time. It would be handled as our charter was originally written. I feel the onus is on the Council to make the decisions and we were elected to make hard decisions. We were put into this place to do the job and I am not going to vote for it.

Councilor Pomelow said just to clarify, there is going to be a question on the June ballot too that will ask whether the public wishes to continue voting on the school budget by the referendum process for an additional three years as well.

Councilor Bowie said yes, that was a three-year activity so there will be a question on there for the public to vote on to determine if they want to continue voting on the school budget.

Councilor Cote said if the people don't want it they can turn it down and if they do want it they have the option to accept it. I think it's pretty clearly written: Do you wish to change the Lisbon Town Charter to require a budget referendum process for the annual town budget. It's not confusing. The people will make their decision. Anything you put out to the people to vote on I believe is in the best interest of the people. I would definitely support it.

Councilor Crafts said I put a lot of thought into this and as I have stated many times, I would like to see it go out to the people, but I think that when the charter was written there was a process put into place for the public to put forth to get it on the ballot. That was to go out and collect signatures and to go out and do it. They were wise enough to put a procedure in there to get it on the ballot. I think we are going against that procedure by just the Council deciding to go forward on stuff. I can tell you if there is a group of citizens that want to put this forth and force it to go onto a ballot, I will vote in favor of it, but I can't vote in favor of this procedure or way of doing it. If they want to go out and do the work as the charter allows them to do then I think they should move forward on it, but I am going to have to pass on going at it this way.

Councilor Mason said the problem that I have with it, as I stated earlier, I was for the people being able to vote, and it is true they do have a process and a way to do that. But the problem I have with that is that if it is worded in this manner, yes, but if it's worded can we go ahead and vote on the budget, no, I don't agree with it, because as I stated before there are a lot of things that need to be worked out with this. We can't just go ahead and let the people put it on the ballot, because as I said we could go out to vote on it five times if we don't have any rules in place. Will it be vote on by line item? What will we do exactly? So, I think, that needs to be very clear first before you can vote on it in this manner.

Councilor Lunt said this is just an advisory vote here anyway. It would actually mandate a change. It would just give us some idea of whether people are in favor of this or not. I think that would be helpful to know, should we pursue this, or we shouldn't.

Councilor Bowie said while I understand that I think Council has stated numerous times in all of our decisions that we are more than willing to hear from the public. I have heard a couple of comments for, I have heard nothing that says that they want us to change what we are doing from the way we are doing, we have had comments from the public against doing this, and we have had a couple of comments from the public about going forward. I have not seen a huge outcry of citizens saying that Council is doing things inappropriately, they are not making the right decisions, and we are not trying to move this town forward and be fiscally responsible.

Councilor Pomelow said I'm still going back to the question that we have coming up in June. I thought we had agreed a couple of weeks ago when we talked about this that we would get a sense from the way that folks vote in June about the School Department budget as to how we proceed with this, because even if we got this information now, it's not going to effect anything until next year. We still have time after the June vote to determine if there are people in favor of continuing to vote on the school budget that way, which gives us an idea if they may want to do that for the municipal side of it as well.

PUBLIC COMMENT:

Ken Wells said I was part of the Charter Commission and we thought long and hard about doing other options, but, basically, that got weeded all out, because we figured that this would be the best form of government that we could come up with. You guys ran knowing the fact that you would have to make the tough decisions on these budgets. If you are not willing to do that, then please step down and let somebody else who is do it. The reason that we went to this form of government was so we would not have the politics at town meeting to have special interest groups come in and make changes down people's throats that, basically, we didn't want but majority ruled and we had to live with it. I think that was the driving force behind the change to the Council form of government. That's why I recommend that you guys continue with the way you are doing it. If people want to come, we did make provisions in the charter so people could even go back and bring up certain articles or budgets on a town floor. They can do that if they don't like what you guys are doing.

George Caron said I agree with Ken Wells. There are procedures in the charter if they want to challenge things.

Michelle Swatsworth-Turmelle said I can respect everyone's opinion. My understanding though from two meetings ago was, and granted you were not present here for that meeting, unfortunately, but there was a group discussion and an agreement that it would be put on the ballot to poll the citizens to see what their feelings were. I think you would be amazed right now, if you polled those citizens based on the vote in the special election that was held October 2008, based on one of those signatures and the people that voiced their opinion and came out to vote, this is what they were asking for. They, actually a lot of them, asked to remove the whole Council. This was something that was in lieu of that. I think there is a lot of people right now if you would talk to the citizens you would find that they are a little upset with the way their money is being spent and would like to have a say so. You are asking a polling question, you are not asking to change it, you are just asking for what their opinion or thought is by putting that question out there on the ballot. You are asking the town what do you want and then you guys can figure out from there how it's going to change or if its going to change, but you are asking for their opinion. It costs you nothing. If you don't put it out there, yes, I think there is going to be a citizens group that is going to push forward and then you have no say in what the writing of the charter is going to be. At this point the agreement was you were just going to poll the citizens. That takes away no power. You are just asking people what their opinion is and what their thought is. I think the citizens should be allowed to post their opinion based on that question just like they are going to be asked the same thing on the school budget. Yes, they asked that you go to a Town Council form of government and that's because you did have some small groups that were coming to the town meetings and they were giving the direction on a lot of the things. You have the Town Council form of government and I think you

will find that there are a lot of people who feel there are a lot of tweaks and things that they would like to see changed. This is one of them. You are only asking an opinion, that's it. It absolutely costs you nothing.

Councilor Crafts said I still struggle with, I think there was some wisdom in the Charter Commission in putting that process in the charter, and to me an indication that the town wants to make a change, would be, getting enough signatures to do it. That is enough indication for me, and I agree, they can write it the way that they want to write it, but that process does the same thing that you are saying that this process would let people sign their name saying that I want the change. There is a process in there to remove the power. I got a few emails after we publicly said we hadn't heard from people. I've been in favor of the taxpayer having more say so in everything. I believe in that. I would vote for it if it were on the ballot, but I still think that the process is there in place by the charter through the wisdom of the Charter Commission Committee and I think that's the way we should go instead of finding another avenue to use. If the public wants it, gather the signatures, and we will find out. I think the argument is legit and there's a process there to accomplish what you are looking for.

Don Fellows said just a quick comment again. You have heard it all before from me, but I think that the question you are really asking is does the general public want to have the responsibility for deciding the municipal budget. If the general public does want that responsibility, I think, it is the general public's responsibility to bring it forward, because, in the meantime, all of you were elected to do that process. I think the proper way to do it is to ask the public to come forward and create their own move to vote on the budget.

Ken Wells said I want to make one more comment, which is that the public does have a chance to make comments on the budget at the town's municipal budget public hearing. They express their opinions, you guys listen, and I know you have made changes in the past after them. I could tell you that the first budget meeting after you guys became a Council there were only two people in the audience that were not school or town employees so when things started getting hot the public came and started inputting their comments on it. That is the best time to express their opinion, not a "yes" or "no" vote on however it's going to be with them approving an article or whatnot. I don't agree with the way the state mandates the School Department to do it. I never have agreed with that and I think it should be left up to the School Department and the Council to make those decisions. Unless somebody goes to every meeting and has all the facts and details, they can not honestly make a true and accurate interpretation of that budget. I've seen people voting at town meeting when they didn't know what they are voting for. Town meeting usually fell on my birthday. Every year instead of celebrating my birthday, I went to the town meeting. I've missed only one town meeting since I've moved to this town. I have attended all the town budget public hearings after we became a Council. At the first one, myself, and only one other woman made comments. They do have an opportunity to express their opinions on the budget.

Richard Graham said I believe the Council received my email I sent so you all know where I stand. This gentleman makes a lot of good points. I think another good point that's being lost is the vote where the public can cast, if they are unsatisfied with the performance of the Council, they can vote you guys right out of here. That's the way this government is set up to be right now. It's not what it should be, can be, ought to be; this is what it is. You guys need to do what you were elected to do the way the town charter is written right now, regardless of what happens with this process going forward; this is where we are right now. If the public is seriously that dissatisfied with it, cast a vote against whoever they think is not representing the best interest of the town and put somebody else on the Council.

Councilor Cote said the only one final thing I will say is when the school had meetings on the budget everybody came out and said they didn't want this cut, they didn't want that cut, and they wanted everything the way that it was. Then the town turned around and voted it all down so

that's a very clear picture that the people will vote their mind and they won't come out and speak. That's why this is important.

Ken Wells said I would like to make a comment if it's the same period that I think it is, that the Council actually added money back into their budget. They did not make the full cuts that they originally did. They added money back into the school budget to keep programs.

Councilor Bowie said, right, we reduced it based on what the public requested. Mr. Wells said, no, that's when the public said it was too high, but the year before that after the public hearing the consensus was not to make the cuts from the School Department from the taxpayers and the Council made some conciliations and didn't cut the budget as much as they really wanted to so the process works.

Councilor Mason said I think the biggest problem I have had with this all along is that it's what the public wants and yet I have seen a very small outpouring of people that are supporting this and this is what they want. My own personal email was published online, and I haven't received any emails about it and the people I received the personal contacts about it are here in this room tonight. So, I have a problem with something that the town wants and people don't contact me. It's what we have dealt with all along. It's always a certain group that thinks the public wants it, well, let's let the public come forward and put it before us.

Richard Main said five years ago when the townspeople voted to adopt the charter and to institute a Town Council/Town Manager form of government and at that initial time many of the members of the Town Selectmen at that time became members of the Town Council. Members of the Advisory Board, several of them became members of the Budget Advisory Board and both groups were trying to feel their way forward, how to relate to each other. Being involved in it, I may have been at fault in not pushing for a different process. As you remember it was generally, where the Council would come to a meeting, they would be under the gun and ask for a report, and so immediately, we would have to have a report for them not even having all the information. It's progressed so that I understand that now the Budget Advisory Board and the Council are going to meet together and discuss these things around the table as opposed to having the Council sitting up there and the Budget Advisory Board sitting down here and giving a report to the Council. I think that it is good and that it is progress. Putting an advisory opinion out there for the public and bypassing the charter in my mind is really a violation of the charter. Now there has been quite a bit of criticism of the Council in the past of violating the charter by doing things or not doing things that are stated in the charter and I for one really think that to put this out there is a violation of charter that the Council members have taken an oath to uphold. It is an abdication of your responsibility if you just do something that you think the public might like, but is not within the process to complete. I would encourage you all to uphold your oath of office, not try to get around it, not try to give somebody else the responsibility, or point to somebody whom they said we should do this or not do this, is just an advisory question, well, I think that the charter provides a process and it should be upheld. It should be strictly upheld as we have been told in the past and the Council has been criticized for not upholding in the past. I think the process is going to be good this year. It is going to be much better, where the Council and Budget Advisory Board are going to meet together and discuss this around the table, I think its going to be helpful to the public when they come to the public hearing as well, so I encourage you to not support this order presented before you tonight.

Dot Fitzgerald said I was one that voted for the Town Council form of government. I attended all the town meetings. I would be there night after night from beginning to end. I could see that the process wasn't really working because of special interest groups. I am sorry that I did vote for the Town Council form of government. At town meeting there would be 250 more or less voting on a budget. I just feel that that was a more fair way of doing it. The funny thing about polls, and Gina says she doesn't get any calls, well, I've looked up your number in the telephone directory, published it on the Lisbon Reporter, and somebody called me up and all they got was a sound for the fax machine so they couldn't call you. Councilor Mason said we have had the same phone

number for 31 years, and it's possible my fax machine was on one day so they didn't try very hard because it is not on all the time. Mrs. Fitzgerald said I know, because I have the same problem too. And the funny thing about a poll is that each and every one of you can go out and do a poll, and each one of us would probably come up with a different answer by the people we ask. You ask the people that are going to give you the answer you want so that's your result of a poll. I mentioned this at a fairly significant meeting, about the bypass to Route 196, and this was quite a few years ago and I mentioned that and I asked the gentleman who did you ask on this poll about being in favor and the result was in favor of the bypass. There was not one business that would have been affected by a bypass so they got the result they wanted by asking the people that they wanted, not by asking the people that would have been affected. So, I just think that it would be fair to put it on the ballot and let the people say, yes I want to have a vote on the town budget or no I don't care I don't want to vote on it. What are you afraid of; why not at least put it on the ballot and let the people tell you. Thank you.

Councilor Mason said I would like to clarify something else. It, also, was stated on-line that my phone number was not listed in the phone book. It is listed in the phone book and there are maybe five Masons in the book so by a process of elimination they could have found me. Councilor Crafts said in defense of Gina, I have called her hundreds, if not a thousand times, and I have not gotten a fax squeal yet, and her number is in the phone book, and again, this is misinformation that gets put out there to discredit people and it needs to stop.

Councilor Bowie said any other public comments.

Michelle Swatsworth-Turmelle said just one follow up comment just to clarify whether or not you guys are following the charter. In the charter where it talks about where citizens can bring forth a petition, it also indicates that the Council can bring forth items and solicit charter changes. I believe Mr. Cote has done that. You are supposed to have two Councilors that are supposed to bring forth an item to request a charter change. I believe it is written in there. See, you are not in non-compliance of your own charter if it is the citizens versus the Council that does that.

Michelle Swatsworth-Turmelle said, again, tonight "special interest groups" keeps coming up and need I say that there is more than one Councilor sitting there that has been a part of this special interest group. They have attended meetings and have been a part of that group. A special interest group is not a group that is going out there to make malicious changes or do things, they are people who have talked to people who do not want to come here publicly because they are in part afraid of backlash, intimidation, and things like that. It has been brought forth many times where it has happened. So, there are reasons why people don't want to come and speak publicly. People, also, have issues with coming and speaking publicly and they don't want to identify themselves. Not everybody has access to the internet. So, the assumption that everybody will be able to look on the internet and look up your information and know how to reach you is an assumption; people had to make cutbacks and the internet is one of them. But this word special interest group keeps coming up and it's continually coming up today versus leaving it in the past when you were a town meeting form of government. The special interest group you keep referencing today has two or more Councilors sitting right now on your Council who have attended meetings for such a group. So, I would just caution that you guys stop using that word because it's kind of offensive. That special interest group is made up of people who have come to every single meeting for the last, I don't know how many years, and the fact that we're special in the fact that we come to the meetings because we care is about all that is special that should be given as a title. To identify people as special interest groups, I think, is really not fair, because when you have, two years ago, what Mr. Wells was talking about where the money was put back in the budget when we all met at LCS and the citizens came out and you want to call them special interest groups because they came out and spoke. They didn't want art, music, and they didn't want things cut from the school budget. Does that make them a special interest group, because they came out because of something special in the budget that was about to be cut. I don't think so. It makes them citizens that want something better for their kids. That does not make them a special interest group and more so than it does for

anybody else that has a passion about something in this town and wants to come and advocate and push for something. Again, the question that's going on the ballot, you are not asking an advisory question here, you are polling the citizens, is this something that they want. Just like, you are doing for the school. You are not looking to change it, you are asking for their opinion. That's it. So, two Councilors have the ability to bring forth changes for the charter so I don't think you are going against that.

After a long pause, Councilor Bowie said any additional comments from Council. I have an order, but I don't have a motion, I don't have a second, I can move it to another agenda. I can entertain a motion for or against it.

VOTE (2010-55) Councilor Cote, seconded by Councilor Lunt moved to put this to a vote on the ballot for June 8 and give the good people of Lisbon an opportunity to voice their true opinion on this issue and take it from there.

PUBLIC COMMENT: None further.

Order failed - Vote 2-4. (For: Cote, Lunt) (Opposed: Bowie, Mason, Crafts, Pomelow)

\$2,040,000 BOND ORDER

Councilor Bowie said we just have to reaffirm the Bond Order based on having gone through an appropriate Public Hearing according to our bond counsel.

VOTE (2010-56) Councilor Mason, seconded by Councilor Crafts moved to reaffirm the \$2,040,000 Bond Order.

PUBLIC COMMENT: No other comments noted.

Order passed - Vote 6-0.

OTHER BUSINESS

A. STREET LIGHTING POLICY

Mr. Eldridge said you have had a couple of weeks to look at this to see if there were anything you would like to add. If it is okay the way it is, we will send it on to the Planning Board and on to legal counsel to do whatever they have to do and we will move forward. We are a little bit more than half way through our inventory I heard last week. I hope that by the first meeting in May we will have something.

Councilor Mason said I did see two streetlights the other day that were on during the day.

Councilor Bowie said everybody has had a chance to look at this. Does Council have any changes they would like to recommend before it goes to the Planning Board? It will come back to us after it goes to the Planning Board and legal for final approval.

PUBLIC COMMENT:

Ken Wells said I would just like to know if there is any provision, in there, that if a streetlight is being replaced or installed new that the most energy efficient brand on the market be installed, like LED street lights now.

Mr. Eldridge pointed out that Section 8.4 says the town shall seek minimum energy usage by streetlights by choosing optimal lighting configuration, which could be innovative technology, cost effective so there is a provision in there.

Councilor Bowie said any other comments from the public. So this will go to the Planning Board and legal counsel.

B. TOWN MANAGER'S REPORT

Mr. Eldridge said there was a Planning Board meeting held on March 25 to look at the recommended changes in zoning that the Comprehensive Plan had recommended plus a few other small changes. It was a pretty difficult meeting. There was a quorum for the Planning Board meeting, but a lot of questions got asked and answers weren't given because we didn't have them. The Planning Board went back to the drawing board. I have asked Mike Cote and John Maloney for specific things to present to the public so the public has a better understanding before and after so they can really see what's happening. John Maloney is going to make up maps for that along with charts to show the differences within those zones.

Mr. Eldridge said we also took the Wellhead Protection ordinance and sent it off to legal counsel. There were some requests from Maine Electronics. They had an attorney there, Ken Gray, and he had some recommendations for some changes. Our attorney has looked at that and is not comfortable with carte blanche, which was what they were looking for so he is going to make some changes and hopefully have something that will work for the Wellhead Protection as well.

Councilor Bowie said and that will be communicated with the Water Commissioners. Mr. Eldridge said yes, Paul Adams has been a part of that process. They will be copied on that as soon as Roger makes some changes on that and make sure it works. They had some concerns as well, the same concerns that Roger had.

Councilor Cote said one thing they have to be awful careful of, Steve, and I have noticed that what they are trying to do is block zoning, it's illegal. Any block zoning that goes on is definitely going to be looked at. Mr. Eldridge said yes, I hope they are aware of that; that is their job. Councilor Cote said you can't go in to a zone for any particular business that wants a zone change, that's illegal.

Mr. Eldridge said the next meeting, because the Planning Board has a very full agenda in April, this Public Hearing will not come up until the meeting in May. So, anybody who is interested can attend that meeting and get their questions answered. That public hearing will be held here.

Mr. Eldridge said regarding the LES property, they have contacted Rick Green the superintendent and so they are in conversation about that.

AUDIENCE PARTICIPATION

Richard Graham said I was going to mention this a little earlier when you guys looked at a couple of entertainment permits tonight, but it all seemed to go pretty good, so I just figured that I would throw it out at this portion of the night. I have been in the entertainment business my entire adult life, and truth be known, several years prior to that. I have watched a trend in the State of Maine where municipalities seem to go out of their way to try to put places out of business, because they either get deemed to be trouble spots or whatever. Lisbon doesn't seem to be one of those towns. You guys do a lot of good stuff. You have the Moxie Festival, you've got the concert in the park series, and all kinds of good stuff, but I just wanted to give you an example. I was in a place Saturday night in Brewer that just reopened. It used to be open for years and years as another establishment. It closed, now it is reopened. Council up there is already trying to put this place out

of business. If they do, they will be putting 28 employees out of work. I would just urge the Council to not necessarily fall into the trap that other municipalities seem to do, you know, bunching all these people into the same category. Everybody has a concern about going out for the weekend, remain orderly, and so on, but entertainment is entertainment and it is an industry. Unfortunately, most municipal towns in the State of Maine, for that fact, have completely lost them. You go to other places in the country and find nightlife is nurtured as an industry. It's a massive revenue stream for almost everybody connected to it. I think Lisbon does great. There is a lot of extracurricular type things that go on in Lisbon. I would urge the Council to keep a really open mind when you are dealing with entertainment permits and things like that. Remember that it really is a business.

Leon Bard said I was wondering if you guys could give us an update on the Freedom of Information request for Reggie Thiboutot. Mr. Eldridge said he has had the opportunity to receive all the information he requested. He did have a representative in here working with Twila getting information. As far as I know, everything has been followed through on that he needed that I know of. I know that they have gone to court. The judge has not made a decision on that yet. Mr. Bard said so you did get back to him on that. Mr. Eldridge said yes, he has always had the opportunity, or a representative, which is what he has had here most of the time, his mother, to come in and get whatever they need. Mr. Bard said okay, thank you.

Michelle Swatsworth-Turmelle said Chief Brooks had presented his budget at a prior workshop and there were some percentages given to help understand the statistics. So going into the next workshop and whatnot it would be helpful for me if you guys asked for some clarification on the percentages he gave you. You wanted some raw data; actual hard numbers. If that was presented at a current meeting and I somehow missed that, then I apologize, but because he is here, I was hoping I could get that information. It would be helpful to know this prior to the Public Hearing on April 27.

John Wierzbicki said here it is you can have my copy.

Councilor Bowie said it was provided to the Budget Advisory Board and Council at the very meeting.

Mrs. Swatsworth-Turmelle said, right, so I wouldn't have had that so I was hoping that he could speak to that. I just wanted to understand the numbers. I just wanted to know if that was information that was now available that he could provide. Mr. Eldridge said it is available. Mrs. Swatsworth-Turmelle said because it wasn't put out for the public. Councilor Bowie said, no, it was passed out at our last workshop. Mr. Eldridge said certainly; if you would like a copy just ask. Councilor Bowie said we can make a copy. Police Chief said they are all over the place. Mrs. Turmelle said, well, I just think it's something the public would want to know just to follow up, because it was aired. Councilor Bowie said if it gets asked during our budget workshop we will discuss it then.

APPOINTMENTS

CIVIL CONSTABLE APPOINTMENT

Councilor Bowie said we have a civil constable appointment for Kevin Surette. This is to deliver civil process papers throughout the community. Mr. Eldridge questioned whether this was an annual appointment that we do every year.

Councilor Bowie said, no, I haven't seen this person before. Well, Steve does it through the County Sheriff's office. They employ part-time people to serve civil process from time to time. This is a

new person I haven't seen before. It seems to all be in order. It looks like they have been in business for ten years and they have their certificate of insurance liability. The company is Surette Consulting and Investigations. This gives him the authority if a lawyer or someone gives him papers or a subpoena to be delivered then he is allowed to deliver them himself. Councilor Cote said does that come through the Sheriff's Office. Councilor Bowie said no, the Sheriff also delivers if the attorneys go to them. The attorney can pick whomever they want to deliver the papers. Chief Brooks said this is in competition with the Sheriff's office. Councilor Bowie said, Chief, have you heard of this company before? Chief Brook said I am not familiar with them. Councilor Bowie said I don't think it is a big deal, he is only delivering papers.

VOTE (2010-57) Councilor Cote, seconded by Councilor Crafts moved to appoint Kevin Surette of Surette Consulting & Investigations a civil constable in the Town of Lisbon.

PUBLIC COMMENT: No further comments noted.

Order passed - Vote 6-0.

COUNCILOR COMMUNICATIONS

Councilor Mason said I would just like to comment on last Thursday night's Lisbon Night of Appreciation we had at the Holy Trinity Church. Everything went very well. There was a good outpouring of people. I think there were about 150 there. We recognized people in a lot of different aspects in business, volunteerism, and people that worked here at the Town Office. It was a really good time. It was good to see the citizens and the employees out. People really appreciated it. Some were very moved to watch them. Fern and I passed out the certificates. Some people that you see around town were very humbled and very proud to have received the honor, so we should be proud of our employees and our town.

Councilor Cote said one little tidbit that I would like to bring up. I am very appreciative of the fact that we are getting a new highway on Route 9. I am really liking the mountain in front of my house, it is kind of cool, but at 6:00 AM on a Saturday morning when my wife and kids are trying to sleep and they are crashing their tailgates, I think, we have an ordinance in town that nothing before 7:00 AM is allowed. I don't want to be a pain in anybody's butt, but boy that is annoying. It is kind of loud when it is right across from your doorstep. The rest of the week isn't so bad, because we are both at work then. Mr. Eldridge said I will check that for you.

EXECUTIVE SESSION

Item taken up after Roll Call above.

ADJOURNMENT

VOTE (2010-59) Councilor Cote, seconded by Councilor Crafts moved to adjourn at 8:24 PM to a budget workshop. **Order passed - Vote 6-0.**

Respectfully Submitted,

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

