



**TOWN COUNCIL  
MEETING MINUTES  
OCTOBER 19, 2010**

Michael Bowie, Chair District 2 2012  
Gina Mason, Vice Chair District 1 2010  
Fern Larochele, 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 6:45 PM.

**ROLL CALL.** Members present were Councilors Bowie, Mason, Crafts, Larochele, Cote, and Lunt. Councilor Pomelow was excused. Also, present were Stephen Eldridge, Town Manager; Ryan Leighton, Town Engineer; Mark Stevens, Recreation Director; Elwood Beal, Solid Waste Director; Budget Advisory Board members Don Fellows, Rick Graham, Dot Fitzgerald, John Wierzbicki; and approximately 36 citizens in the audience.

**PUBLIC HEARING - NONE**

**CONSENT AGENDA**

**VOTE (2010-176)** Councilor Mason, seconded by Councilor Larochele moved to approve the Minutes of September 17, 2010. **Order passed - Vote 6-0.**

**PUBLIC COMMENTS:**

Dot Fitzgerald said could I say something before you start. At the previous meeting I heard comment after comment that you could not be heard. Would you please speak up and speak into your microphones. Councilor Lunt said I watched this on TV, too, and I think there was a problem with the audio. It was not picking up anyone at all even if you are talking right into your microphone.

**COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES**

**MILLER LAND DONATION**

Ryan Leighton said as many of you may know or not know, tomorrow night MDOT is holding a public hearing here at the town office for consideration of two rail crossings that were being petitioned as part of the Androscoggin River Trail, which is the trail project that was voted on and approved. One of the goals of the trail is to cross the land across the railroad tracks behind the Knights of Columbus area to access the parcel of land that's opposite Capital Avenue on the riverside. That land is owned by Miller Industry and they have agreed to donate that land to the town as part of the project. I'm here to see if the Council will accept that donation. It is crucial to our plans. We had originally hoped to get an easement, but Mr. Miller is interested in just donating the property to us.

Councilor Cote said is there anything built on the property. Mr. Leighton said no, it's just a strip of land from the Coodles up to the River Road. Councilor Cote said we're not going to pick up any

unexpected liabilities. Mr. Leighton said I don't believe so. They haven't declared that that is a hazardous waste site. Councilor Cote said that would be a major concern. Mr. Leighton said yes.

Councilor Larochelle this area that you are looking at has been part of the engineering of what this trail is all about. It isn't an unknown area. It's been looked at and mapped out and surveyed. It's a pretty well known piece. Mr. Leighton said yes, it was surveyed and all the wetlands delineation was done. We haven't done any test pits to make sure there isn't anything, but it is a strip of land that is essentially just along the railroad tracks and the water. I don't know what happened here a hundred years ago, but we're going under the impression that there's nothing out there, that's a good question that we haven't really considered up to this point, considering the majority of the other parcels haven't had issues; although we didn't have any problem with the property that was donated to us for the Papermill Trail section either. I can follow up with Mr. Nadeau to confirm that.

Councilor Cote said years ago there were all kinds of things the rails were used for. If there is something unforeseen that we will be responsible for that brings to light with everything that is going on today we don't need anything new.

Councilor Bowie said we do have to vote on accepting this gift from Miller Industries. Upon doing that the Town Engineer and the Town Manager can go to an MDOT meeting and get approval for crossing the railroad tracks in those two areas. Mr. Leighton said then the big question will be, if for whatever reason MDOT does not give us the crossings that we are looking for, at what point do we still want the property will be the main question. We have had discussions with Miller. It's always been verbal, never anything in writing. They put in writing that they were willing to donate the property to us so that way when we went to the hearings there wouldn't be any questions about asking for a railroad crossing to a piece of land you aren't even going to be able to use. We wanted to make sure that wasn't an issue. We've got enough issues trying to get the crossing as it is. We're just trying to get this part taken care of.

Councilor Larochelle said I believe if we were not to use this piece of property, I imagine the Androscoggin River Trust that actually looks at the other piece of property. Any properties like this are very hard to come by, I would imagine. If we don't use it, I'm sure there are other groups that would preserve it quite well.

Councilor Cote said can we vote to accept this gift as long as we check it prior to for contamination. Councilor Bowie said yes.

**VOTE (2010-177)** Councilor Cote, seconded by Councilor Larochelle moved to accept the land donation from Miller Industries with the understanding that it will be reviewed for possible contamination.

Councilor Bowie said this will be a quit claim deed. Councilor Larochelle said looking at the map, Miller owns a lot of properties along our trail system. Are there any other properties that you are looking at that Miller might be interested in donating to the town that could be used for our trail system? Mr. Leighton said yes. For awhile it was hard to determine who was the right person to talk to at Miller Industries. Larry Nadeau is Miller's agent and he has identified several other parcels that the Trails Commission is interested in that are adjacent, primarily to the Papermill Trail. They were formerly contaminated locations that are supposedly cleaned up to DEP satisfaction. There are some other parcels that we are looking at that would add some possibilities in the future. For now, this one because it was a simple stretch and it was critical to the construction of the project that we have funded right now, the Trails Commission and I will work with Miller to see what else they are willing to donate.

Mr. Eldridge said we made a request several months ago when the whole Worumbo Mill project was being looked at, there's a parcel behind Worumbo Mill quite a distance off from the parking lot.

It used to be a ball field at one time. We have asked Miller if they would consider donating that, but they want to wait until they have a serious buyer.

**PUBLIC COMMENT:**

Larry Fillmore said I called the Public Works Department about the railroad tracks on the Ferry Road where the Ferry Road begins; the road that goes down towards Beaver Park. Those tracks are raised up. I said, why can't we get those tracks taken out because they are a nuisance and tar it over. The man at Public Works told me that those tracks are going to be reused and we cannot touch those tracks. If they are going to reopen those tracks, that would have a bearing on you using that land on the tracks. I don't know, you'd have to ask Public Works.

Mr. Leighton said that is essentially the reason for the hearing tomorrow night. There have been several discussions about whether or not, depends on who you talk to and the day of the week, I guess, the railroad is coming back tomorrow, it's coming back in 20 years, who knows. The railroad, the strip of land where the railroad is, it's the railroad's responsibility. We're not allowed to cross the railroad tracks without this formal public hearing, approval from Commissioner Cole, and a whole litany of legal aspects. Otherwise, it is considered trespassing. Every time someone is on there it's technically considered trespassing. We are doing this in conjunction with the railroad, if we get the crossing which we are hopeful for, they will be designed to encourage safe crossing, no different than any roadway, that if a train ever does become active, that we will be able to provide a safe means for pedestrians to access this piece of property.

Councilor Bowie said is it the same owners of the railroad for both those parts. Mr. Leighton said no. The ownership of the railroad changes from MDOT to PanAm somewhere around the Big Dipper/Knights of Columbus area. We're dealing primarily with MDOT. We made our plans for the trail based around the area that PanAm owns; the valley we would avoid there right away based on their unwillingness to work with people that have tried to do the same thing in other parts of the state. We're working with the MDOT owned portion of the railroad with MDOT funding.

Councilor Larochelle said if you get a chance, and many of you probably have, you should go up to the Augusta system up by the river. There is a very active railroad crossing on their path and they've been able to put that together without causing too much grief. I think it's been done throughout the state, so we can make it happen here.

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

Mr. Leighton said I urge people to come out tomorrow night. It's right here at 6:00 PM.

**REQUEST FOR PERMANENT EASEMENT  
TO LOT R-8, MAP R-7 FOR CHARLES F. SILETTI**

Mr. Eldridge said you have in your packet a letter that was addressed to me. It was a request by Mr. Siletti to get access to a back lot through our landfill area that's been capped and closed. I've asked the Solid Waste Director, Wayne Ricker, to talk to you about this.

Mr. Ricker said apparently Charlie Siletti, who I've known all my life, has property that is landlocked. He's asking us for a permanent right-of-way through the landfill. According to his letter he cut it off years ago or someone in the family cut it off years ago. It came off the Miller Road at that time. Now he's asking for a permanent right of way. He had a temporary one and now he wants a permanent one. The permanent wording scares me a little bit. I'll put my two cents worth in and tell you what I personally feel about it. I'll have to give you the same answer I've given you every time we've had a request to use our land, which is that we've still not had it surveyed or checked out. We do not know the exact pinpoints. I've gone in there and walked. I don't know

where I'm walking because I don't know the land. One of these days we've got to come up with some money to have someone look at it. I'm pretty sure the pins are all in there because of the other boundary owners around there; they've had it surveyed in the last five years, so the pins are in there, but we have to have someone check it out someday before we can give anybody an accurate answer on what we want to do in there. With a permanent right of way going across there; I've got pictures that I've shown you when the other people that came in with requests. It's wetland back there. I just can't see it, personally.

Councilor Cote said do we know what he plans on doing with the property. Mr. Ricker said I have no idea. The letter reads that he wants to possibly cut it off again, but I have no idea. Councilor Bowie said he currently has temporary access. Mr. Ricker said no, he has no access. All I know is, looking on the map and seeing around and talking to a couple of neighbors, because Mr. Siletti lives in Ellsworth, Owl's Head now, I haven't seen him for a few years.

Councilor Larochelle said you are saying that the back portions are fairly damp and wet. Mr. Ricker said you go right off from the landfill, right down into a swamp. I could show you pictures. I tried walking it and I couldn't walk through it. Councilor Larochelle said one thing I did learn from having some other property, is that anytime you give an easement or allow permission, any result from damage or erosion or corrosion is actually your responsibility regardless of who you give permission to. Being a landfill and erosion and corrosion and wet, it doesn't sound like it's a really good mix, but that's why you're here, you know it better than anybody else.

Councilor Lunt said this is the same parcel with the ball field, right. Mr. Ricker said it's down in back of the ball fields. Way down in back of there. Councilor Lunt said would this road going in there limit future use if you wanted to put another ball field in, would it get in the way of that. Mr. Ricker said you can come up with all kinds of reasons. Councilor Lunt said that's a big parcel of land. I don't want to divide a line through it. Mr. Ricker said I question whether DEP would even allow us to think about it. Councilor Bowie said I was going to ask that question, but you don't know the answer to that. Mr. Ricker said I'm not going to speak for them, but.

Councilor Mason said I think the first thing to consider is what DEP will allow us to do. The man has a right to get to his property, but certainly we don't want to be locked into anything. I would say finding out what DEP has to say and what they will allow, where the pins are, all what Fern mentioned, is it accessible without any problems. Mr. Ricker said I'll just remind you once more: the word is permanent. Asking for a right-of-way to go in and cut the woodlot off, well, that's two different things. Councilor Lunt said he has a right to get to his land but not necessarily across our parcel. He could ask anyone of the other neighbors for an easement. Councilor Mason said certainly. I guess he needs to weigh out all those options first. There really aren't any options other than what he is telling us there is for an option. I would say, find out what DEP allows and find out if there are other people he could buy property from to get access. Mr. Ricker said his property is just a short distance from the Miller Road.

Councilor Mason said I think we should research this and tell him what the options are. Councilor Bowie said is the burden on us to do that or is the burden on the landowner. Councilor Mason said it may be on him, but the DEP part, maybe if we found out what our liability would be, that would give us an answer to the question.

Councilor Cote said one thing you have to be careful of when allowing somebody to cross your property and we ran into that in another location in town. The man has landlocked property. He got temporary access to his property to do whatever he had to do and the man ended up in court to stop him from using it as a permanent access. It was the responsibility of the landowner to fight that. If we give temporary access to cut wood or whatever, is this going to turn around and come back to bite us if we give permanent access to a piece of land that is landlocked. The State of Maine does not like landlocked property. They frown on that. Before I would give any right-of-way, I would be very careful because once you start something it's hard to stop it.

Councilor Mason said do you know what happened to the people at Lot 42, why that ended. Mr. Ricker said all I know is what's in the letter that you have in front of you. Councilor Mason said there are a lot of unanswered questions. I would like to find out why Lot 42 decided not to let him cross there anymore.

Councilor Larochelle said at this point in time as a Council, my thinking is that we couldn't vote on this. I agree with Mike, the burden is really on the property owner to come forth with a plan of action for us to vote on. I don't really think with the limited resources of the town right now, that we need to be researching DEP's opinion on backlots. As a landowner, he probably needs to come forth with the best plan and other options he has. I don't think we have enough information to make a decision on it.

Mr. Ricker said is Miller Road town property or is that private now. Dot Fitzgerald said the town maintains it up to a point. Mr. Ricker said I will see if I can find a phone number for Charlie Siletti and have a little talk with him. I can do that for you.

Councilor Bowie said in the meantime we will move it to another agenda at a later date.

WARRANT FOR ANNUAL MUNICIPAL ELECTION  
NOVEMBER 2, 2010

Mrs. Lycette said this is for our annual election. We've included all of the information about the polling hours, absentees, and polling locations. It requires your signatures and then we can post that with a specimen ballot tomorrow.

**VOTE (2010-179)** Councilor Crafts, seconded by Councilor Larochelle moved to accept the warrant for the Annual Municipal Election for November 2, 2010.

**PUBLIC COMMENT:** None.

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

**OTHER BUSINESS**

A. PUBLIC WORKS DEPARTMENT PRESENTATION

Mr. Eldridge said we do this every fall. The departments are going to give us the activities that they will be doing throughout the winter.

Mr. Beal said I was asked to give a presentation on what we have accomplished this summer. We did a lot. We started off early, as you know, we had an early spring. In April we started doing the sidewalks, street sweeping, and painting crosswalks. We completed a complete reconstruction on the King Road that included all the culverts, ditching, landscaping, and erosion control. I'm looking for 12 to 15 years of service out of that without having to touch it again.

Mr. Beal said we helped set up and take down the Moxie Festival as we do every year. On Upland Road, the walking trail, we completed part of that as far as the basins, drainage, and landscaping goes. We are currently trying to finish the last part of it, which goes to Webster Road. If I remember correctly, next week we should be able to finish the pavement on that. So that section will be complete.

Mr. Beal said we changed a culvert that had a huge hole in it on Main Street. We fixed the lake that occurs out front here after every rainstorm. We're also fixing the drainage and adding a parking lot

to the Police Department. We are currently hauling in our winter sand. We had to remove all the stuff in the garage and it's all insulated now. We're starting to put stuff back in there now.

Mr. Beal said we are doing the normal maintenance that takes place every summer, mowing, mulching, the parks, the ball fields, the cold patching, and everything else that goes on. We help with the Library, the AC units, and anything she needs down there; Diane is very nice. We try to help her as much as we can. At the MTM we installed a basketball hoop, moved a swing set, removed a slide, loamed, and seeded where the slide was, and picked up the tents, which are now in storage.

Councilor Cote said I got a call from a citizen on King Road. There is a concern that when that road was completed the mail boxes were put right on the edge of the pavement. Mr. Beal said yes, because the people go off the pavement and ruin the edge to get their mail. They are now right where the tar is. They've all been lifted to the right height. The wing shouldn't hit them; if they do we replace them. Councilor Cote said it's just there is a concern that the plow is going to hit them. Mr. Beal said they are all set to our specs; they're the right height now. Councilor Cote said I just wanted to address it with you so that you are aware of it. Mr. Beal said yes, I was aware of it. I've been getting the calls, too.

Councilor Lunt said on Upland Road there's a big trench there by Mill Street. It's either you or the Water Department. Mr. Beal said the Water Department. Councilor Lunt said okay, we need to get on the Water Department to get that paved pretty soon because it's pretty bad. I've almost wrecked my car there a couple times. There are a couple of big holes in the side of the road. You need to get after them, or we need to get after them to get it done before it snows.

Councilor Larochelle said you did some work for the school this summer, right. Mr. Beal said yes, we did a lot of work, but that's all on their dime on Friday so I don't include it in what I've got done.

#### B. RECREATION DEPARTMENT PRESENTATION

Mark Stevens said I'm going to highlight some of our summer and fall programs. In the summer, always our busiest season, we spend 80% of our budget in the summertime; we bring in about 90% of our revenue in the summer. If you based the economy on how well our programs were going, they wouldn't match up at all. The 5K road race this year packed in 500 runners. Usually we're thrilled with 250 to 300 runners. With construction on Route 9, I couldn't believe people were paying \$12 to run on a dirt road. We collected about \$6,200 that day for that race. Half of that came in that day at registration. People look at the weather, the weather wasn't looking good. We had our race and the parade and if you remember the sky opened up for about two hours. We had 40 volunteers and six businesses that sponsored our race or volunteered to help move things along. We were done before the parade.

Mr. Stevens said for Trekker day camp, I budget \$5,000 in revenue every year for that. It is a program we do every summer for first and third grades. We charge \$250 per child with a discount for any other children in the family. This year we exceeded revenues by almost \$7,000 in that one program. We collected \$12,000 in that one program alone. That equals the amount of revenue we brought in, in 1993. The playground camp collected over \$13,000; \$3,400 above what was budgeted. Between those two programs we were \$10,000 over what we expected to bring in. I know Jessica is thinking great, you can bring \$70,000 in revenue this year. Sometimes it works out that way and right now it's too early to say because there are some collections that haven't been done yet, but right now I expect to bring in about \$5,000 more than expected, that's always good.

Mr. Stevens said in June we did a Boston Harbor cruise with the senior citizens. We did a luncheon. We took 29 participants walking through Boston. We took the T. We put 29 senior citizens on a rain, on a boat, and came back to Maine. Everybody came back safely, it was successful. We had a great time. Some of the things they want to do now are even more extraordinary. They want to go on a

three day trip to New York City. Today they were in New Hampshire at Strawberry Banke. We have two trips a month. We offer meals every other Friday. We had 55 people last Friday for a ham dinner. It's been great. I didn't know anything about the Town of Lisbon until we started having senior citizen meals. The history of our town and the stories they have to tell is the reason, the food is the excuse to be there, but the stories are the reason they are there.

Mr. Stevens said the Concerts in the Park Series; everybody knows that that was a huge success this year. It wasn't run through the Rec Department but Ross and Amy Cunningham with the Promotions Committee coordinated that and did an outstanding job. Ross is quite a ticket. His wife Amy is a very generous volunteer. They do a great job. We need more people like them in our town.

Mr. Stevens said program highlights for the fall. We had a football jamboree this year. It was the first time Lisbon hosted it because we are new to the Central Maine Football League. We had 12 teams come and play in a round robin program, September 11. The core issue with that was pretty intense making sure that there were no soccer games. The football coaches and officials had to be there. The 12 teams had to know where to be and what time to be there. We split the concessions with the High School Boosters and we raised \$3,400 in four hours. I told them we'd host the jamboree every year if they wanted us to. The football fields and the soccer fields, if you've been down there, the work that the School Department, Steve Bard, and Pat Maloy have done down there is unbelievable; before it was just a tucked away field. Now it is all opened up with green grass and hardwood trees. It's a beautiful field. I could brag about some of our leagues. Our 3<sup>rd</sup> and 4<sup>th</sup> grade football program is undefeated. This is only our 3<sup>rd</sup> year in the league and they're 5-0. They're seated number one in the playoffs. Our 5<sup>th</sup> and 6<sup>th</sup> graders are 4-1 and are seated number two in the playoffs. We have a new flag football, if you can imagine 1<sup>st</sup> and 2<sup>nd</sup> graders playing football in an organized fashion. You'd be amazed watching these kids play. They're about a foot and a half tall and holding a football that's half their size, but they get it. Lisbon is a football town if you haven't noticed.

Mr. Stevens said I have a very heavy heart. I just was notified today that Coach Woodhead passed away yesterday. You can't say football in this town without knowing or mentioning Coach Woodhead. He was a great mentor to me. He was the first Rec Director in Lisbon from 1962-1972. He had a great impact on many people in this town, including me. He was just in my office on Thursday visiting. He's going to be very missed. I'm really sad.

Mr. Stevens said our Rec field hockey team is undefeated. They have 38 girls on the team. We don't make any cuts in the Rec Department. If we don't have enough uniforms, we get them uniforms. It's probably been a problem at times, but I feel strongly that we don't cut kids. The School Department often has to cut kids just because of budgeting costs, but we charge so they pay to play, so we find them uniforms. That's a lot of people on a team but our coaches are organized and this field hockey team has not lost a game since 2008. It's not about winning, it's really about how you play the game, but in our culture you are judged based on your perceived success. With these girls coming up to the high school level, that high school field hockey coach is going to have one heck of a team.

Mr. Stevens said the Youth Soccer League, we have 200 participants, which is about average. We have 13 teams and 12 businesses from Lisbon sponsor our soccer teams. It's a nice collaboration. They want to sponsor and get their name on a shirt. It helps us to afford some of our programs and also our revenues. Our Before and After School recreation programs, these are just highlights, this isn't all of the stuff we did, but the Before and After School Program is pretty new. We've been doing it since the new school opened. We have sustainable numbers; we have 43 kids in the program this year. This program more than pays for itself in revenues. It's 7:00 a.m. to 8:30 a.m. every morning at LCS. No overhead for us, we charge very minimal costs. It's good for parents who go to work early. Our after school program is very similar. The School Department transports kids to the MTM Center at 3:30. They stay there until 5:30 everyday. This year we're doing a half day for workshop days. We're also doing a full day for vacation days if parents don't have any daycare during the day. If they're in school they can come to the MTM Center. During Christmas break,

February, and April vacations they can spend the whole day there. So that's going to be a very popular program. We have a brand new preschool playgroup that's been very popular, Monday through Friday, 16 participants. Marcey Crosskill has organized and is running this program, which is going really well.

Mr. Stevens said our Sunshine Hill Senior Citizens Program I talked about a little bit. Our coordinators are Lynn Strout and Sylvia Doughty. We did the Boston Harbor trip. We did the botanical gardens in Bar Harbor last month. We did Fryeburg fair Seniors Day. We brought two vans to Fryeburg. We did Castles in the Clouds and we are doing an overnight shopping trip in New Hampshire on November 16. We will be doing 3 nights in New York City in May, that's some organizing to do. We have the right people doing the right things and it's paying off.

Mr. Stevens said we have 50 to 60 attendees every other Friday at our luncheons. We have 7 to 10 volunteers. Cribbage is very popular; if you go by Monday mornings from 9:00 a.m. to noon the place is packed. Even on a holiday you see cars there from 9:00 a.m. to 10:00 a.m., nobody misses it. We get new participants all the time. They're very serious about their cribbage games.

Mr. Stevens said the MTM facility; we had our entire sprinkler heads replaced, which was one of those things we kept getting written up on over the years. They were over 50 years old and we needed to have a plan. We just bit the bullet and replaced all of them in the building. It took one day and we just got it done. Our fitness room door that had such wide gaps in the door that when it snowed there was snow inside the building, that door was replaced with a keyless entry. It's a lot more secure now and much more weatherproof. Our windows are being replaced. If you get a chance drive by and see what's going on down there. Steve Eldridge wrote a grant for \$85,000 and we are getting a part of that now. We're replacing those block glass windows that were installed in the 1950s. The windows that are going in there are much bigger and much more efficient. It's going to make a big difference overall once we get more of the windows replaced. It will make a big difference in our heating bill. That money is grant money so it is not tax dollars that's being spent here. The boiler was serviced this month bringing it up to top efficiency. The only thing we really need now is to have our interior hot water pipes insulated and replaced in Room 3, but so far things are looking good. We have an excellent cleaning person five days a week. The place always looks clean. It is always busy and I am very proud of what's going on down there. If you were to ask me five years ago if people would want to get married at MTM I would have said, no way, but we've had two weddings down there believe it or not. One was at the pavilion last month. Every night of the week, it's a beautiful park, people bring their families there. So many good things are coming from that right now.

Mr. Stevens said some of the other programs we have are a yoga program on Wednesdays, aerobics on Tuesdays and Thursdays, karate for youth and adults, co-ed softball league on Sundays, swimming lessons, track, and a new Zumba dance class on Wednesday nights. At our summer sports camps we have cheering, soccer, football, field hockey, tennis, and basketball. Those are two week camps. We have a beautiful fitness center. It's all come from donations or grants. The equipment is excellent. It's \$10 a month. It's convenient. Now with our new keyless entry, a partner, and a signed waiver you're good to go. We offer Halloween special events. We have a couple of hundred kids on the field under the lights Halloween night, sponsored also by the Police Department. We have ski lessons and ski trips. We have rentals at the MTM Center. We have people in there every weekend for not only weddings but also showers and other things. Our revenues are at \$51,000 to date and we have quite a few months to go. I'm expecting around \$65,000 by the year end.

Mr. Stevens said I always like to mention people who have been doing a lot of work for us. We have several volunteers that have been very committed. It is a cornerstone to everything we do at the Rec Department. Chief Dan Nicholson coordinated the whole gazebo with the Navy. He and his wife live around the corner by the monument. They take care of that Civil War monument. George from Pine Knoll is out there caring for the gardens in the front of the building. He doesn't get paid for

that and the place always looks great. Bill Bauer is always managing our flag out front. People forget about the little things like that, but it is still important to us. Sylvia Doughty, Liz Curtis, and Andrea Metayer are always helping with the senior citizens. Bill Diehl, a longtime Lisbon guy, won't let anybody next to the dishes when we're cooking because he wants to do all of the dishes. Tried to help him once and almost got my hand cut off. Those are committed volunteers. Also the MTM Board of Directors, they are a good group of directors who have been very helpful. The Recreation Committee meets every month and are the pulse of the community. They are the ones who bring us information that we can use to improve our programs. My staff, Jamie Martin, Sherry Garnett, Lynn Strout, Marcey Croskill, and Lori Martin are regular employees or are paid by grants and the programs themselves, with the exception of myself and Sherry and Jamie. Behind the scenes things that we do every day, but people never see is that we pride ourselves in preventing accidents before they happen. A lot can go wrong. There are a lot of kids involved in recreation that we have responsibility over for many hours of the day. Hiring the right staff, making sure we have the right volunteers, security to do background checks on all of our volunteers and our employees. Staff training not just for first aid, but training for coaches. We are very attentive to security, the liability and also the safety of all of our staff and our participants. We can do even more though. We strive to make a positive difference in those who participate. We're very fortunate. The social and physical benefits are very important for us to build a close and healthy community. Our job is to bring people together. We are fortunate that we get to do that, but we build relations and getting our youth and our community to realize their potential. When that happens then we are successful in just that achievement, but that's what we try to do every day and that's our job and we like doing it.

Councilor Cote said I want to commend you for doing an outstanding job. What you do for the youth of the community is pretty great, but what you do for the elderly is outstanding. I hear a lot about it. I hear from a lot of people. I want to thank you. You are doing a wonderful job.

Councilor Crafts said I just want to echo what Roger said. I'm very proud of what you do and it seems like everything you touch is successful, that's the character of you and your commitment to the youth of this town. I want to thank you from my heart. Mr. Stevens said thank you it has a lot to do with the people you surround yourselves with because as I said there are dozens of volunteers who care about our kids and are committed. I couldn't do it without them. I appreciate that.

### C. FINANCE DIRECTOR'S REPORT

Jessica Maloy said my report is not nearly as long or as exciting. We're looking to be right on track for revenue collection. Excise tax is approximately 25% collected. This is right in line with where we were last year at this time. State revenue sharing is about 21% collected, which is a little less than where we should be, but we are only through the first quarter so we will be continuing to watch that as it comes in. Investment income is continuing to be under budget due to the low rates. We will be continuing to track that as it goes on. Recycling revenue is looking promising. We are about 30% collected, which is slightly lower than we were last year. Mark stole my thunder, Recreation revenue is up and looking great. We are 74% collected of what we budgeted versus 60% collected at this time last year. As far as our tax commitment, we are 53% collected on our total tax commitment for the year. Money is coming in and we continue to see that on a daily basis.

Mrs. Maloy said looking at the expense side, there's not much going on right now as far as variances. We are over expended in Maintenance by about \$4,000, I'm sure we'll continue to see that increase. We are also over expended in the Town Engineer's budget by about \$29,000 due to the Route 9 project. Everything else is looking to be right on track.

Councilor Larochelle said earlier this evening we sat through an early audit meeting. Just to let you know, the auditor was very impressed this year and said things were improving every year for the audit process and commends our Finance Director for being right on top of it and moving things forward. She had nothing but good things to say about the finances and how things are being done

and the internal control. The School also had a good report this year. It is good to hear from an outside source that financially we are on top of what we are supposed to do.

#### D. TOWN MANAGER'S REPORT

Mr. Eldridge said last week was the MMA convention. The Policy Committee met. It is representative of all the towns throughout the state. They put together an agenda that they would like everybody to agree to. The lobbyists for MMA try to promote whatever the concerns are. I've listed those for you. This is a preliminary list; we have another meeting scheduled in December before the Legislature meets. They are looking at tax reform, homestead exemption, and revenue sharing, highway simplification, business development, EPS formula and funding model for schools, there's some question about tax exempt property and getting those back on the rolls, fiscal mandates handed down by the State, and also K-12 education funding and trying to get that up to 55%. These are all, from what I can tell. They will be addressing the Legislature about the municipalities' concerns.

Mr. Eldridge said Buttons already talked about the Public Works building. It is completed and looks great. We hope to see some cost savings in the heating of that building. The Knight-Celotex trustee agreed with the \$4,000 settlement so that is a done deal.

Mr. Eldridge said we sat down last week and started looking at the maps and marking the streetlights that we will be requesting CMP to remove. It's a beginning; it's a work in progress. Once we get these done we will go back and look at some other streets and continue to work on it.

Mr. Eldridge said in your packets you will find some information from the Economic Director showing some of the things that were accomplished in that office. I know we had talked about holding on that position right now. We did put out an ad and had 11 very good applicants for this position. I would like to go ahead and start the interview process, but I want to make sure that this group is onboard with that.

Councilor Mason said being part of that process, I agree with you that some of the applicants are very good. I think all of you know my stand on economic development so I suggest that we go into the interview process not promising anything, but being very forward about it. Letting the applicants know we are not sure how we will fill the position or at what capacity we will fill it. I think it is something we discussed at the Candidates Forum that it is very important to most of the candidates that are running to continue to increase economic development in this town. I say move forward.

Councilor Cote said I disagree. I think that under the circumstances, the financial situation that we are in that there is no way we should fill that position right now. There's not a whole lot going on at this particular time. I think we ought to hold off and let a year go by and see where we are at that time. I think bringing people in to interview them for that position at this time, you know things are going to change by the time you fill it if you do delay it. I think we are wasting people's time.

Councilor Larochelle said as Gina mentioned earlier with the Candidate Forum earlier, pretty much everybody that is running for office in one way or another mentioned that economic development is important. The question is how do we get that person. I think one of the things we have to do, and as long as people know up front that we are not guaranteeing anything, I don't think we are wasting anyone's time. I think people are out there looking for opportunities right now and they're willing to do whatever they can. I think moving forward with it is very important, to interview people, and find out what we can buy for the money we have. If not, do something today then tomorrow. At least we are moving forward so we can see what we can afford and what we can't and what we can buy with the money that we have available; not saying that we are buying a person, but what we will be able to fund. I think if we have people that have put in applications we should at least look at them and find out what is out there.

Councilor Crafts said Steve if you could explain to the public the interview process, who is on the committee, and how you are looking at the applications. Mr. Eldridge said we put together a committee that included George Roy from the Credit Union, Gina Mason, myself, Richard Veilleux from Floor Systems, and Jessica Maloy our Finance Director. We took the 11 applications. Each person got a copy of the applications. They were to sit down by themselves to rate these people on education, experience, salary requirements, which some complied with our request and some didn't, and references. We have not sat down together to decide on which candidates we would like to interview. I asked each to pick out 3 or 4. I think we have some really good candidates. They are coming in at a reasonable cost. Once we have done the interview process, we will make a decision and talk more about that. Then we will come back to the Council and discuss with you what their selection is. A lot of progress was made in that office with the Maine Downtown Network; the list of things that have been accomplished, need to be ongoing. You were able to get \$87,000 in Brownfield money that didn't come to the municipality; it goes to the business community. That's really important to clean up on things like that. If you don't get that money it costs either the owner or the person buying the property money to clean up any hazardous waste. You have people coming in here asking about businesses. I'm working with a local business person right now. We are meeting tomorrow with somebody who is very interested in the Worumbo Mill. We've done a lot of different walk-throughs in those buildings. This person is coming from Texas and is partnering with somebody in Brunswick. They are really quite excited about that. They need to be able to sit down with somebody and go through all the State programs and what we have to offer from our revolving loan funds. We have to keep maintaining our real estate database. We need someone who will manage our revolving loan fund, that's a pretty busy job. Right now Jessica's trying to finish up the audit stuff and she's picking up that, but it's a lot for one person to do who is doing other things. The Campus Avenue project never would have happened without an Economic Development person partnering with Bath, Brunswick, and using that NFP money. The Economic Development job includes grant writing, outlining other projects, heading up Moxie and Revitalization, which means organizing 25 to 30 people. If we want to build our tax base and create jobs, we need to fill that position.

Councilor Larochelle said one of the things that we learned tonight that was spelled out by the auditor is that the revolving loan fund is a fund that needs to be active. We need to keep using it because if we don't it shows poorly on how that system works. The auditor mentioned that it is better for a town to have an active person working with the businesses that use that money that is coming in and going out. It is really hard for us to collect interest on money that is sitting in our account. It is important to have somebody there using the program that helps our local businesses, if not new businesses then businesses we already have.

Councilor Mason said in the past couple of weeks I've talked to 3 area businesses that were really excited about the loan program. They were in the process and then Rosie left. They dealt with other towns and cities before. One of them in particular had dealt with other towns and cities before and that type of revolving loan program was not available. I know that Brunswick doesn't have a revolving loan program. I don't believe Bath does, either. We are very fortunate to have it. I had somebody who talked with Rosie who was familiar with the program and they were very impressed with the program we have. As Fern just said, it is important to keep that revolving loan program active and to keep it moving. It is a great advantage to businesses to be able to get some startup funds or help with money. It's a great package.

Councilor Mason said also the grant writing, which is not an easy thing to do. Rosie had really gotten that package together for us. I would really hate to see these things that we've established and the help that we've had for businesses go away. There are people that want to keep their businesses here in town and they want to expand, so if that goes away and we don't have any money to administer it, it's going to be difficult without it.

Mr. Eldridge said some of the people in these programs like the New Development Foundation, the Downtown Maine Street group, are very worried that we are going to lose momentum. A lot of volunteer hours and energy has been put forth. It will improve and help grow Lisbon in that area, especially downtown and hopefully Village Street. I know Don Stand who is a realtor for the Worumbo Mill. He is active in the Topsham local government. One of the comments he made is that one of the things Topsham has not done is remained consistent with their Economic Development. They hire a person and when that person leaves they may not fill that position and they lose momentum. We need to have consistency in that area. I think we need to fill that position.

Councilor Cote said Mr. Crafts has let it be known that next year we are looking at about a \$130,000 deficit coming through the State. A million? We are going to be digging for a month. If we're going to fill a position I think we ought to look at an Assessor. It's quite obvious we need a lot of help there. I think before we even consider putting money into Economic Development, we ought to try to get ourselves in condition to deal with a simple thing like tax bills. We're going to need funding to do that. If we are cut funding from the State, what are we going to do? It's not like we can find that kind of money just anywhere. We know what the whole budget system was this year and we were scratching and scrounging for a few dollars and we've got to come up with another \$130,000 next year. Where are we going to find it? Before we start filling positions that aren't 100% necessary, I think we ought to fill positions that are 100% necessary.

Councilor Crafts said Roger, it's true that there will be a billion dollar deficit, that's part of the reason we have to have Economic Development because when you lose revenue you have to make up revenue. I think that we ought to continue to look at these applications. I think we ought to continue to look into our assessing problem. When Bill Van Tuinen comes back to explain what happened, see where the taxes are going to go from there. We could see improvement in lowering taxes. We ought to look at that problem before we just throw in the towel with Economic Development because there is momentum going. There has been a lot of success. Just take the two buildings; the project behind MTM and the investors coming in from Texas to look at the Worumbo Mill, if we only have those two projects in two years time for the Town of Lisbon that is a significant amount of revenue coming in that will continue to come in for years and years and years. That's how you develop and bring in revenue to make up for shortfalls. In business when revenues drop, you have to get creative in ways to bring revenue back up. You have to be better at marketing your product than your competitor. We as Lisbon have to out market our competitor, which are all of the surrounding towns: Brunswick, Topsham, and Lewiston. If we don't out market them and we don't have a plate for businesses in place for these businesses to come to, then they are going to go to those other places. Economic Development has to go forward. We will lose a tremendous amount of momentum if we don't fill this position.

Councilor Lunt said I think Economic Development is very important. I certainly have heard the arguments we've made here tonight, but I do think that the national economy is so bad that no matter what amount of money we spend on it, we could spend three times what we do, and still not get much of a bang for our buck there. We're hunting rabbits that aren't there. We spending \$50,000 that we don't have. Personally, I would like to keep this position empty for this year and fill it again at the start of next year, or in the spring or summer. As far as the revolving loans, I know it is possible to contract with someone like AVCOG to help us with that.

Councilor Bowie said I think we should continue to move forward. I agree that Economic Development is very important for all communities and especially for our community at this point in time. I do agree that we will lose a lot of momentum. We've got a great volunteer base out there right now with the Downtown Revitalization group and that's the key to making this community successful in bringing businesses in, is that volunteer network. To lose that volunteer network would be detrimental to this community at this time. I'm in favor of moving forward to see what comes out of the applicants and to see what the committee brings back. We will have additional time to discuss it again before hiring someone. Councilor Crafts said we're not at the point of hiring anybody. We're just looking.

Mr. Eldridge said we will move forward with the process. Once we have finished up that, again we haven't promised anything, but we will bring to you what we think is a good candidate, a good prospect, and go from there.

E. SECRET BALLOT VOTE  
NAMING THE SENIOR HOUSING PROJECT  
ON CAMPUS AVE

Councilor Bowie said a bunch of names have been submitted. Since there are only seven Councilors and there's more than seven names, what if everybody votes for a different name? Twila, as I understand it, we're voting secret ballots, you're going to collect them, but we're not determining the winner, the results today. When do we determine the results? Mr. Eldridge said at the grand opening when they have the tour of the facility.

Councilor Mason said may I make a suggestion that Twila could look at these after they are cast and just say if there is a winner or not.

Mrs. Lycette said vote for one: Campus Commons, Greyhound Lane, Grammar Lane, Margitan Manor, Nustart for Special Age Persons, Special Home for you "Seniors", The Richard S. Ladner Senior Manor, Named after Richard Ladner, Richard Ladner, Grammarcy Park, or Amel F. Kiszona. Ballots were collected, and Mrs. Lycette said you clearly have a winner. Councilor Bowie said now you can't say a word for a long time. Mrs. Lycette said I won't.

Mr. Eldridge said in conjunction with that there will be an open house at 4 Campus Ave. on Tuesday October 26 from 3:00-7:00 PM. So, if anyone wants to go visit their alma mater or just see what the building looks like prior to being ripped apart, please show up and it will be announced what the name will be.

F. TAX UPDATE

Mr. Eldridge said Mr. Van Tuinen has just gotten back from vacation. His office staff has been here the whole time visiting with people. They have been explaining the tax billing and the 1.32 increase. He is expected to come before you at your next meeting on November 3. He will give you a complete update on where he is, what his findings are, and what his recommendations are. He will be here on November 3. He really didn't have anything to update at this time. He's looking at the Route 9 properties. I know that was a concern at the last meeting. He has all of the cards. He was working on that today.

**AUDIENCE PARTICIPATION**

Larry Fillmore said it is my understanding from talking to the Assessor's office that they have not found the documentation required for the commitment. Is that correct? Mr. Eldridge said yes, that is correct. Mr. Fillmore said and we're not going to meet with him until November 3, correct. Mr. Eldridge said that is correct. Mr. Fillmore said okay. A penalty will be charged if the MRI is filed late. It is supposed to be in November 1. The penalty is \$100 the first day late, \$20 for each day late after on municipalities with a population of over 2,000. What you are telling me is that first, we don't have the documentation to submit by November 1. Second, you are telling me that we are going to have to pay a penalty until we get this done.

Mr. Eldridge said no. The last time Mr. Van Tuinen was here he said that he had spoken to the Revenue Department and that would not happen. They said to send the work in as soon as he could. He may have it in by November 1. He's just not going to address this Council until November 3.

Mr. Fillmore said so we are not going to pay a penalty, but we are still illegally collecting taxes. Mr. Eldridge said that's a question for Mr. Van Tuinen and our Attorney. Mr. Fillmore said according to the State of Maine property tax billing Bulletin #15. It says the most essential requirement is that the record of the assessment certified by the Assessor and permanently bound before the taxes are committed to the collector. You just told me they weren't there and we're collecting taxes so you're in violation of State law. Mr. Eldridge said as long as the Department of Revenue doesn't have an issue with how we're doing this, trying to fix some mistakes, according to our Attorney we are okay at this point. The recommendation that we got was to get this cleaned up and taken care of as soon as possible. Mr. Fillmore said I understand that. We need to get this cleaned up right. I think they are doing a good job. They are on the right track. I agree with that, but the fact is that we are still collecting taxes and we don't have the evaluation book posted down there and that's a violation of State of Maine law. I don't think that anybody can say unless you've got it in writing. Do you have it in writing that we are not in violation? Mr. Eldridge said I do not have it in writing. Mr. Fillmore said then I assume that we have to be in violation because it is a requirement by the State. So we are still collecting taxes illegally.

Richard Main said tax collectors are authorized to collect prepayment of taxes prior to commitment throughout the year. If there is no commitment, the tax collector is still authorized to collect taxes. If the party has overpaid for the entire year, then they can be reimbursed or it can be applied to the following year. However, tax collectors are authorized to accept prepayment of taxes at any time during the year.

Rick Graham said Mr. Chairman, just for the public's information, would you ask anybody on the Council that screwed the taxes up on purpose to raise your hand. Councilor Bowie said did anybody screw the taxes up on purpose. Mr. Graham said now would you ask anybody on the Council trying to straighten the problem out, to raise your hand please. Councilor Larochelle said we all are. Mr. Graham said I thought so, thank you.

Mildred Rider, Route 9, said I would like to know what's going on about the taxes on Route 9. Have they changed anything about it yet? Are they going to drop them because we don't own that land anymore? Mr. Eldridge said Mr. Van Tuinen had all of the cards with him today and they were working on that. I know he's working on it. Mrs. Rider said have the people on Route 9 been notified that they've been overtaxed for land that they do not own anymore? Mr. Eldridge said we don't know that yet. Mrs. Rider said well I do believe everybody should be notified so that they can come in and take care of it themselves. I was also told last night that if we don't like being taxed for the land that we don't own, all we've got to do is walk into the Town Office and tell them we'd like it taken off of our bill. Is that correct? Mr. Eldridge said you would have to submit an abatement. Then the Assessor will review the request for an abatement and make a decision.

Mrs. Rider said if they ever do get this mess from Route 9 straightened out, is the Lisbon Town Office going to notify my mortgage company so that my house payment doesn't go up because they are charging me for something I no longer own. It's included in my house payment and my house payment will go up because the town is screwing me for something I don't own. Mr. Eldridge said if an adjustment is made, all the mortgage lenders are notified. Mrs. Rider said if an adjustment is made. You mean I may still have to pay for land I don't have. Mr. Eldridge said I didn't say that. I would recommend that you be patient and let Mr. Van Tuinen do his job and there will be an answer when he is done. Mrs. Rider said but how long will it take. My mortgage company at the end of the year will up my house payment. I don't appreciate it. It's something I don't own. How many months is this going to take? Mr. Eldridge said he thought he would be done by the end of the year. Mrs. Rider said the end of the year. Up goes my house payment for something I don't own. I don't appreciate it at all. I will be getting in touch with my lawyer. I'm not going to pay for something I no longer own and have my house payment go up. You people knew when the tax bill went out that we no longer owned that land and we still got charged for it. I would think that's quite illegal to charge somebody for something they don't own. Am I right or wrong? Mr. Eldridge said I can't speak to that. I don't know how much work had been done and if he had been notified

of all the land changes. Mrs. Rider said you know that everybody on Route 9 lost land. The town knew that and the town still charged us for the land we lost. The town knows we don't own that land, why were we charged for it?

Councilor Larochelle said I think one of the concerns that I have is that the way the road shifted back and forth so some people lost more than others so it wasn't an equal amount so that was actually surveyed and gone over with our tax person in that abatement process. I don't think there was anybody in the town that could assess, some people might even gain land. Councilor Lunt said my understanding is that the State sent us new deeds for all those houses. We don't need to do an abatement process for every single house on that street. The town should have gotten new deeds for those house because that was a State forced process. I don't know if they are on record here but that is my understanding of how the process works. Mr. Eldridge said that's a question for Mr. Van Tuinen. Councilor Mason said I think also, Mrs. Rider, that whole project isn't done yet. I think that maybe waiting until it is done. I understand, I live on Route 9, too, so I understand your concern. I think that as Fern just said, some gained, some lost, nobody really knew how much things changed along the way. I know with our own property things changed several times. My father-in-law's property things are still changing. I think we it would be very difficult for some to come in and say this is set and this is the way it is. I know the road was changed several times so the engineering that was done was horrible to say the least and had to be redone. In front of us we were told we would get open ditches. We now have closed ditches. There are so many variables in there that it is difficult to say exactly what you've gained and what you've lost. I'm very frustrated with the whole project myself. I'm done with the dirt. I wish it would be over. I think it would be great if we could just wait and find out what we can do about that. Part of the process takes time, unfortunately.

Mrs. Rider said okay. I called the Town Office this week. Somebody that has something to do with the taxes called me back. I goofed and did not write his name down and I wished had. One of the head guys talked to me quite awhile. He said I promise I will call you back today because I said that I think the people on Route 9 should be notified, do you want to put it in the paper or do you want me to. No, no, no, we don't want to do that. We will call you back today. Exactly at 4:40 he called me back; kept me calmed down so I didn't notify everybody on Route 9 that they were paying taxes for land they don't own.

Councilor Mason said I think most people realize they've lost land. I know that all the paperwork that we got told us what we lost. If people don't want to wait, maybe they should come in and find out from the State exactly what they can find out. Mrs. Rider said this guy also told me that he's got copies of what people lost and he will be taking care of that, but give him a month. I wish I'd written his name down. Mr. Eldridge said Allen Gould or Bill Van Tuinen, those are the only two people in the office. Mrs. Rider said well, it was one of the two. He said that he had some paperwork on the land but he was asking for a month to do it in. The end of the year is in a month. I would like mine to be taken care of before the end of the year so my house payment doesn't go up.

Michelle Turmelle said I do believe there is misinformation out there because the Town Attorney confirmed at the end of the workshop at the last meeting. There is a Councilor sitting there who spoke to the Town Attorney. We are illegally collecting taxes and because we are, any citizen that has paid theirs has the right to request it back plus 8% interest as a State law. There is a Councilor sitting there who actually spoke to the Town Attorney to confirm the amount. The Attorney confirmed that it is 8%. So if we are not illegally collecting, why would people be able to request a refund of their money plus 8%. That's a concern because you're going to be paying out, you could potentially be paying out, more than you collected because of that 8%. Were you aware of that?

Councilor Bowie said I am not aware of that. I was not aware of that. I will certainly look into that. I trust Mr. Main's opinion. He is an Assessor and he works for Lewiston. Mrs. Turmelle said our own Attorney confirmed that that is the amount. Councilor Bowie said I will ask the Town Manager if he can confirm that with the Town Attorney tomorrow. Mrs. Turmelle said I guess it is a little concerning because here we are two weeks later since that workshop occurred and there still are

these things going on. There are a lot of things that are unanswered that I think should have been looked into because that question was actually asked. I believe Councilor Cote asked what the penalty was, at that time Mr. Van Tuinen said he was not aware of any. There was further conversation that actually occurred with the Attorney and he confirmed that yes, a citizen can request a full refund plus 8%. Councilor Bowie said I didn't hear it, I wasn't part of the conversation. All I can do is ask to have it looked into.

Councilor Cote said how it all occurred, somebody made a comment that they heard that they could get more than 8% interest on their money. The Town Attorney told me in front of a couple of other people that the law is 8%. You can ask for your tax money back because it was collected illegally, is what the Town Attorney said.

Councilor Crafts said I think Mr. Roy has some information. Ron Roy said I've got all kinds but I've got the wrong information. The number is wrong, it is 25%. The Town Attorney said no. I talked to people from the State, they said generally cases like this are settled for 8%. The law was changed because as I was reading it, and I don't have it right here, it definitely said 25%. You have to file in Superior Court to get it. I questioned about a class action suit that could break this town.

Councilor Larochelle said I just hope that people are patient and understand that if you take money back it comes out of the same pocket. It's taking money out of one pocket and putting it in the other. We are the town. I hope people are more patient and work with us to try to fix the problem and not create a bigger one for all of us, because it is our town.

Mrs. Turmelle said part of problem solving is forecasting what might be a problem. Being that this is out there and the Town Attorney spoke about this with a few of us at the end of that workshop, I think it is something we need to look into. Yes, we don't want a class action law suit. I've spoken many times about everybody dotting their "I"s and crossing their "T"s. I think this is something that because of the financial impact for our town and it is out there, whether it is 25% or 8%, a penny over what anybody has paid is a penny going out that you're not entitled to collect back and that is my concern. If we have collected whatever amount, and it is asked back and they are entitled to a percentage over, you're not going to get that back. You are already losing out. I appreciate the fact that you guys were proactive in waiving fees and interest, but that's also money that you are missing that you haven't collected either, so there is a cumulative affect that's my point. I think we should be proactive and research this. It's trickling around through the town, which is why I asked at the end of the last meeting and I'm asking again because it's going to keep coming up. You need to be proactive is my point because I don't want it to cost us more in the end.

Councilor Larochelle said that is a really valid point, but one of the things that we were going through in the last meeting is that the Assessor that we hired knows the laws better than all of us. I don't believe at this time he will lead us down a path that will cause us more grief. I assume he has spoken with the State and has everything covered. I don't think he would have put this on the back burner if he felt there was some legal downfall we could have by not moving forward.

Mrs. Turmelle said I hope we aren't talking about two different things having last minute filed versus your paperwork in the State I believe are two totally different things.

Councilor Larochelle said I'm talking about the whole process. Hopefully he's looking at the whole picture. Mrs. Turmelle said you remember we did ask them and his response was he wasn't aware then because the issue had not come up before. If you don't know or understand something I respect somebody who can say they don't know, but I think it is up to us whether it be townspeople or Council, we need to look into it because of the ramifications. Councilor Larochelle said I know speaking to Steve that he has not just called the State once, but is in regular contact with them trying to figure out where we are.

Richard Main said tax collectors are authorized to collect prepayment of taxes prior to any written commitment that is done. The remedy if there is a defective commitment is to correct the error and recommit. At that time the period of interest, because there is no, if you want to call it not taxes, no tax commitment at this point that is valid, rather than talk about illegal and violations of the law, those are things that I get concerned about because the work is done by people who are people and they try to be professionals and sometimes they don't always get every "I" dotted and every "T" crossed. Sometimes they fail to do the required paperwork. The law requires that once the paperwork is signed and the taxes are officially committed that the municipal valuation returned is sent into the State either November 1 or 30 days after the paperwork is signed. For example, suppose the paperwork is signed in December, then the municipality has 30 days from that date the paperwork is signed in order to get that into the State. I know I had to work in that kind of a situation and we committed taxes about December 17 and then we had 30 days to get the paperwork into the State, which is simply a report. I think it is helpful for us to remember that tax payers in Lisbon, whether they like taxes or not, try to be upfront and support the municipality. I don't know if any of you noticed, but the Finance Director said that 53% of the total year's taxes have already been collected, have already been paid so some have paid the entire year. Suppose the mil rate changes. That's okay, just put it on next year and take it off my bill next year. They're concerned that the tax situation is resolved, but they also are concerned that the town functions as a municipality.

Mr. Main said one thing I am concerned about and I am really offended by it and I think a lot of other people might be offended by it as well, is that the Council voted to do away with the interest until June 30 on all people who hadn't paid their taxes. We've already gotten 53%. We had 85% at that time. I think that it needs to be looked at again and interest of 7%, which is the State required interest rate, be reinstated on March 16 for those people who do not pay their assessment, their taxes by that time. I think it is offensive to those people who pay their taxes on time and work hard to do so and they take money from other funds to do that, to go ahead without any study at all, without saying well, are these same people that don't regularly pay their taxes until the last gun is fired. Is this a business? Suppose one business didn't pay their tax. We need to remember that you are representing the entire municipality and not just 5 or 10% of the people that you think need a helping hand. Those people can be dealt with through programs and assistance and all kinds of ways. I think you need to think long and hard about representing all of the people. We need to have the tax situation resolved. We need to have it resolved as quickly as possible.

Mr. Main said people are talking about I've lost all of this land. Let's just say they have an acre and a half up on Route 9. They've lost a quarter acre. They only own now an acre and a quarter. The first acre is always the baseline acre. It's always that. That's not going to change. All their adjustment is going to be on the excess land which may be \$2 or \$3,000 for the entire acre. If they lose a quarter of an acre, they may be losing \$1,000 in value. We're talking \$20, that's what we're really talking about. I think it is helpful for people to take a step back, take a deep breath, and wait until the report is in, not make any accusations, not make any more wild rumors, but just wait until the report is in and have it looked at. Mr. Van Tuinen is doing that along with staff here from the municipality. At that point I think you will be please with what is done. Nobody is pleased to have to pay a whole lot of taxes; I'm certainly not pleased, but I think we need to wait and take a deep breath and not just get angry with everybody because we don't know what's going to happen in 2 or 3 weeks.

Councilor Cote said there are people that lost property on Route 9 that lost \$40,000 pieces of property. Not \$2,000. Just in front of my house I lost \$6,600 worth of property. It's not a small little toss it away that you're trying to make it out to be. We own from the center of Route 9 with our property, that road had never been purchased. For you to come to the microphone and make such an idiotic statement that you just made, I wish you would not bother. You are wrong in what you just said and the information you brought forward is completely and totally, the truth is not there. Mr. Main said were you paid \$6,600 for that property. Councilor Cote said yes, I was. Mr. Main said that is not a tax value. That is a sale value of a right-of-way. It's a different value that you are talking about. Councilor Cote said the property was to the center of the road and it was not just to the side

of the road. Everybody on Route 9 owned to the center of that road. There were some people up there that have very large parcels of land that go on for a long stretch. Mr. Main said for assessment purposes that may only be a quarter of an acre or a half an acre. For the sale price to you it was \$6,600, for somebody else it might be \$40,000, but it still does not do away with that first acre and the excess land that is also involved.

Dot Fitzgerald said it's my understanding that assessed value is determined by sales. Is that correct? Is that not correct? Councilor Bowie said I don't know I'm not the Assessor. Mrs. Fitzgerald said someone must know. To the best of my knowledge is that assessed value, when Assessors try to determine value for assessment purposes in a town, they look at sales. Do they not? Mr. Eldridge said I think it is correct if you had somebody do an appraisal on a piece of property. I don't know if the State went by and did an appraisal on all the property they were taking. I don't know their process. It's hard to say what they used for a determining factor. Mrs. Fitzgerald said maybe you could get an answer so we can have an answer by the next Town Council meeting. We have the former Assessor here right now, I don't know if he could answer that question. Jerry Samson said the way it's assessed is it is assessed as a house lot. Everything else is excess land. You could lose a lot of land and not lose much in assessment.

Mrs. Fitzgerald said we had a land valuation that was not used for tax purposes on this tax year. Are you or some Assessor going to go forward and review all of the buildings and properties in town to properly assess their value? Councilor Bowie said that is part of our plan provided we can fund it. As we've explained at prior meetings, the Council had elected to take a paced approach because we couldn't get the town to appropriate the full amount of money to do a complete valuation in a short period of time, so we've gone off and done the land piece. Now we have to do the building measure, check inside of the house, list and measure. We are going to try to do that if we can fit that into next year's budget. You've heard about budget situations and where we're at. I can't sit here and promise you next year that we're going to be able to do that. We might be able to do it piecemeal within our existing budget without doing that, but it won't be done as quickly.

Mrs. Fitzgerald said I attended the meeting in April of this year when Mr. Van Tuinen gave his report at the high school when the Town Council was considering hiring him. It was my understanding that you were going to do the revaluation in three phases, a land revaluation, the Assessor who was then Mr. Dow was going to go around and visit all of the properties and not measure but evaluate them for improvements or whether they have deteriorated. That would be used as a middle job. Then next year or the year after, hire someone, perhaps college students, to measure all the buildings to complete the valuation, so it will be done in three phases. Am I correct? Councilor Bowie said that's our plan depending on what's in our budget.

Councilor Crafts said we were going to hire four people, but we pulled that out of the budget. That ended, we didn't have the money to go through to that second phase. That's why it hasn't gone to the second phase because as a Council we were looking for places to cut and that's what we cut. The plan that we had in place didn't go forward due to the budget.

Councilor Larochelle said at the last presentation we had that was one of the questions I had. Moving forward what would be the best way to get fair and equitable for everybody which would be a complete valuation. He did mention once he had sorted through what he has to do now he would put together a proposal for us to do that. I'm interested to see what his proposal is and whether it is a one year or two year thing. I think what we need to do is make a plan and stick by it and fund it. It's something that needs to be done. I don't think anybody is going to argue with that. Jerry was arguing for that for years. It's a process that needs to be done. It's having the funds and the support of the town to do it. The town's supported a lot of projects since then; it's just that a revaluation doesn't sound like a good ticket to say yes to.

Mrs. Fitzgerald said on personal property taxes. When I was preparing for tonight I did call Mr. Samson and I asked him, does the State have a set way of assessing personal property? I didn't think

so, but I wanted to ask and he said no, this is up to the discretion of each municipality how they assess personal property. We have some wonderful roofers and siders in this town, most of them own their own homes, their vehicles they pay excise tax on, and to assess them huge amounts of personal property is triple taxation. She said that Mr. Samson said a fair way to do it, is to give the first \$5,000 of personal property valuation to do the paperwork on it costs more than you would get. His suggestion was to do this across the board. I'm not an Assessor and I don't know if you're planning on hiring a full time certified Assessor, but I would hope something like that would be put into practice. Triple taxation is not right. I hate to see small businesses, they are our life blood. Across the board Dingley Press, First Choice Printing, everyone, the first \$5,000. I don't think we would lose a lot of money by doing that and maybe we would gain goodwill.

Mrs. Fitzgerald said on another vein, some good news. I had a call Monday morning from George Upham. He said finally I'm getting some water. They were supposed to start digging the ditch today from the new well, which my understanding is that it only produces a half gallon a minute, which is not a lot. The new well will produce water for the whole family for the house he is going to be renting out again. He said he thinks the problem with contamination of the existing well on his present home will be corrected because they are putting a sleeve down into the well. They think the contamination is coming in through seams. He is hoping that corrects that problem.

Mrs. Fitzgerald said I have something else here, too. I've been attending the Maine Department of Transportation meetings. They had one August 17 in Topsham. I attended. Ryan Leighton attended. That study was mostly on traffic studies, problem areas, accidents, things like that. I think it was October 7 that they had a meeting in Lewiston. The Town Manager Steve Eldridge was there and Chief Brooks was there. The Maine Department of Transportation has three proposals. Proposal #1 is three lanes beginning at Route 295 in Topsham to the Little River Bridge in Lisbon Falls continuing again at the Lisbon/Lewiston town line to the Turnpike bridge that they are redoing in Lewiston. Three lanes, two lanes each way and a center turning lane. Proposal #2 is five lanes. Two lanes each direction and a center turning lane. I asked do you realize what a bottleneck that will create when you are coming into Lisbon or Lisbon Falls? They thought that would cost too much money and so it would not happen, but it is still disturbing. We are a small town with a lot of businesses here, large and small, trying to develop the Worumbo Mill, that would be just horrible. Their third proposal is a bypass. A bypass of the Town of Lisbon. We in Lisbon are a hindrance for people to get to the coast to Lewiston/Auburn at 70 miles an hour. Five miles end to end, a total of four traffic lights, but we are a hindrance. I thought everyone should be aware of what is happening, what the Maine Department of Transportation is doing. There will be another meeting probably the first week in November. Mr. Eldridge said no, that didn't work. I think they are looking at either November 15 or 18 to try to get everybody in the room. It will be announced. Mrs. Fitzgerald said they put a fairly good sized legal announcement in both the Lewiston and Brunswick papers. I would love to see every business owner from town at the meeting. I would love to see a huge attendance. Whatever they decide is going to impact the Town of Lisbon and their businesses for the good or not so good. We need to be proactive. We need to give our input.

## **APPOINTMENTS - NONE**

## **COUNCILOR COMMUNICATIONS**

Councilor Cote said at the last meeting that we had Mr. Van Tuinen stood up and addressed the Council and a group of people here. He was asked at the beginning of the meeting if there was a tax commitment. This is a man that worked with Mr. Dow. He said it might be somewhere lost in the paperwork. Then about half way through the meeting he was asked a question, and he said he had talked to Mr. Dow and he didn't think that he did. Then at the end of the meeting he said oh, yeah, there never was a tax commitment. I mean there was no communication with anybody but the story changed. It was pretty obvious to me that he wasn't telling the truth, he was covering someone's butt. I didn't leave here with a warm fuzzy feeling from Mr. Van Tuinen. I think that if he was

working in the best interest of the people of this community he would have been upfront at the beginning of the meeting and said no, there was no tax commitment done. Why hide it, why lie about it, why not come out with the truth and tell people what is really going on. That bothered me. We just came off a very unfit human being on that job with Mr. Dow and then we come into another one who's going to start off his tenure with lying. I didn't like it at all. I think that ought to be addressed.

Councilor Cote said I called Mr. Theriault. I had a little chat with Mr. Theriault. I talked to Dale and he told me I needed to call him so I did. He told me I had an issue I wanted to ask about, a personnel issue and he said I'm not your attorney, I work for Mr. Eldridge. I said come again? The Town Attorney works for the Council. The Town Manager is an employee. When the Town Attorney tells me that no, he's not going to represent me, he's going to represent the Town Manager, I think it is time to say au revoir monsieur. This is wrong, wrong, wrong. A man that is going to do that doesn't belong representing our community. I think the Council had better step up and look at this issue. He's representing the Council in the Thiboutot case in Lisbon but he's not representing the Council in any personnel issue. All of a sudden it's now I don't work for you, I work for the Town Manager. If he works for the Town Manager, let's send the Town Manager the bill not the Town of Lisbon. We're paying for that to represent the people of this town, to represent the businesses of this community, and to represent the Council, elected officials, by the people in this community and not the Town Manager. I think that has to be addressed by this Council in the next meeting. I think we should act upon it.

Lisa Ward said Councilor Cote do you have proof of that conversation. Councilor Cote said yes, I do. I have it taped at home. Ms. Ward said I would like to see a transcript of it word for word. Councilor Cote said yes, I will. Ms. Ward said I'm sorry I've heard things you've said and then seen what it really is and I would like to see it. Councilor Cote said I've got that tape at home and I would be glad to because when he told me to call Mr. Theriault I figured that was the number one thing I had to do it, tape it, and I did. Ms. Ward said I would like to see a transcript of that. I think the town and the Council have a right to that as well because that is an accusation that really needs to be addressed. Councilor Cote said absolutely. I will do it. Next week it should be addressed because I didn't appreciate that comment. Ms. Ward said I understand if that is exactly what happened I don't blame you at all for feeling the way you do, but I would like to see it. Councilor Cote said okay, I'll bring it in.

Councilor Crafts said I had the conversation, the same questions that he was calling about, because I didn't want it second hand from me. That's not the same response I got from Mr. Theriault. I'm just saying because I told you what he told me. I don't know why Mr. Theriault would tell me one thing and tell you another. I think it ought to be addressed. I think he ought to have a chance to defend himself. I think he ought to be here when you have accusations against him so he can defend himself. Councilor Cote said am I wrong in my thinking process here. Councilor Bowie said I agree with the lady in the audience. I think you should produce the tape so that we can all hear it. Councilor Cote said but am I wrong in thinking that the Town Attorney should represent the Council. Councilor Bowie said the Town Attorney will represent the Council as a whole, not as an individual, as a whole. He will probably, if we were to take some action on a personnel matter, directly to the Town Manager, I wouldn't be surprised if he would recommend for us to get another counsel, unbiased, and step away from the situation because he deals so closely with the Council and the Town Manager. It wouldn't surprise me if the Town Attorney would say I recommend for the benefit of both of you and the individual you are dealing with to engage a different attorney in that matter. Councilor Crafts said that is exactly what he told me. Councilor Cote said isn't that exactly what I just said. Councilor Bowie said no, that's not exactly what you just said. He is telling you that in his best interest and ours, because of the relationship he has with both parties in representing the town, right, because we work for the town, right, he's representing the town, both for the Town Manager and the Council, that if there is an issue between the two of us, he would recommend that you get an unbiased attorney to represent the situation that you are trying to address because it would look poorly both in the public's eye and everybody else's eye that he

might be showing favoritism towards the Council or favoritism towards the Town Manager. He would recommend that you get an unbiased separate attorney to take whatever action you were thinking about taking, that would not surprise me, but that is not what you just said, not even close to what you just said. You simply said the Town Attorney said he would not represent you the Council. Councilor Cote said he said I cannot respond. I cannot represent the Council. I represent the Town Manager. Councilor Bowie said I don't believe he said that he cannot represent that. Councilor Mason said I also called Roger Theriault and I got the same response that Dale got that he works for the Town of Lisbon and when things get hairy or sticky it is better to have an unbiased legal representation. I was told that by Mr. Theriault.

Councilor Larochelle said I spoke to Lori today, an email of her concern because she was not going to be here today. I was called by multiple business people in town because I have a business they often call just to see what is going on. People are asking us as a Council to take immediate action. I said explain the problem and I will try to explain what I can. They said the Chairperson is doing all kinds of illegal stuff and when a recall went out for him signing papers and mismanagement of funds and I said whoa, wait a minute, where are you getting your information. They said that's what's happening in this town and if you Councilors don't say anything about it, odds are it's true. Unfortunately, I guess the evil thing that we've done as a Council is not actually speak and communicate. I have a new idea where Councilor Communications ought to be us communicating, because away from this we can't communicate. We can't get together and talk. When we get together and start talking about calling lawyers, I can give my opinion and hope everybody can give theirs about what's happening. Mike's been serving the town for over eight years. He does a great job when it comes to financial issues and everything else he does for the town. He's very knowledgeable because he's been there and done that. I can honestly say that in the last three years I haven't gained a tenth of the knowledge that Mike brings to this Council. As a Councilor, and Lori agreed today, the only thing that I can take on Mike for as being a Councilor and a Chair is the question about communication may be better, because that's the key to this whole world, is communication as Councilor's, meeting with the town, picking up packets, communicating with the Town Manager. Unfortunately our Town Manager and our Chair are only as good as what we give them. As Councilor's if we have a question we need to tell the Chair or the Town Manager to get the information. I would like it to be heard. I don't think we need an executive session. I would rather be able to put it on the table, is anybody on this Council aware of legal issues or terrible things Mike has done as a Councilor or as a Chair. I would like to hear it because I'm hearing it from everybody else in town. As Councilors I think it is our duty to the citizens of Lisbon to hear. Bring up something that is factual or let the people know that unfortunately we're beating on someone that, Roger actually said, we need people to volunteer to step forward. We have people to do it, but it gets to the point that we start throwing rocks at them. Either we have factual stuff that Mike is a terrible person we should remove or we need as Councilors to do our duty to promote why it is.

Councilor Cote said I don't think anybody said Mike is a terrible person. I think what the issues were was information was not distributed amongst the Councilors. Councilor Larochelle said communication. Councilor Cote said big time. That was, Gina even mentioned it herself that she was held out of the loop on this whole tax thing. We were all held out of the loop on this whole tax thing. These are issues that people expect us to make decisions on and if we are not given the information that we ought to be given, how can we make an opinion and take actions.

Councilor Larochelle said the facts I know about Mike and the information is Mike actually showed us the email that he got the day the tax bills are going out. Wherever that communication may fall, I'm just, the stuff that is making us look bad as Councilors is allowing someone to chair a committee that just actually misrepresents the town, is to me, if it is communication issues, then absolutely that's what need to do; we need to communicate more. As a Councilor we can use Councilor Communications to communicate and talk about our concerns. Unfortunately, our concerns leave here and then you see them at the Transfer Station. Unfortunately, it's either right or wrong and if it's wrong then we need to do something about it. We're the Councilors, if we see this problem we

need to express it and if it's not a problem then we need to actually say what's good is good and what's bad is bad.

Councilor Cote said I would like to see the Charter changed to allow the Council, just the Council, to sit down and discuss a lot of issues amongst themselves. I don't even know where you feel on a lot of issues. Councilor Larochelle said I think that needs to be public.

Councilor Cote said then we have to have meetings and do it. A lot of times we come into these meetings, we haven't seen each other for two weeks. We sit down, we get a documentation of things that we don't have any idea of what they are about. We haven't been given any instruction. We have to come in and make a decision. That's not fair to the taxpayers.

Councilor Larochelle said it's not. I try to get my packet as early as possible. At least three days out of the week I spend my lunch break here in the town office. I sit with Steve, I ask him what's coming up this week to see what's going on. If I have questions he will give me recommendations, tell me to go to the department. Unfortunately, the duty of the Chair and the Town Manager is to give us as much information as they can, but they can't actually deliver it to our house. We need, as Councilors, to be proactive to get that information. If we're looking at that information for the first time when we sit down, you're right that is absolutely wrong. There should be nothing given to us the night we sit here to make a decision on. Most of the stuff that is on the agenda is in our boxes on Friday night. It's one of those things, that communication thing. When we first came on the Council we got banged really bad for going into Executive Session even for stuff that needed to be. People wanted it public. That's why I'm saying now, talk, if we have concerns let's talk about it.

Councilor Cote said I agree 100%. Councilor Larochelle said going back to what I said, is there anyone on this Council that thinks Mike has mismanaged funds or done bad things that he really deserves to be kicked off the Council?

Councilor Cote said the night we came in here after everybody got a 13% increase in their taxes, people wanted answers and each and every one of us Councilors were sitting here with absolutely no knowledge of it. I was not impressed with the Chair.

Councilor Larochelle said but do you think as Rick stated, I don't think Mike sat weeks at home trying to figure out how to piss people off by raising taxes. I think he's being the Chairperson. Councilor Cote said the difference is that competent people do not do that. Councilor Larochelle said do you think Mike could have done anything differently to avoid that being the Chairperson. Mike is the Chairperson that runs the meeting, but he isn't God over there running the town. Councilor Cote said we're getting more information through email right now than I've gotten in two years. I've got more in the last two weeks. Councilor Larochelle said communication is the key, but I don't think communication is the thing that you start banging on the Chairperson that's been serving this town for eight years. Councilor Cote said since we've started banging on the Chairperson and the Town Manager we're starting to get information. Councilor Larochelle said I think we ought to start communicating like this instead of what's going on in town. There's so many wild ideas going on in this town that really makes us Councilors look really bad. Councilor Cote said when you're not 100% transparent that's what happens. Councilor Larochelle said we're trying to be and that's what we need to do is communicate more. Things that are being portrayed out in the street have nothing to do with transparency. It adds to what people are making something of what we're not discussing. If we can discuss an issue, like we are right now, hopefully to the point, whether it's Mike's ability or Steve's ability, we don't need to be going into Executive Session. Let's talk about it so the people out there can understand what we are talking about. I hate people leaving a meeting and then hearing some really interesting stuff. I would like for the goodness of Mike, and Mike probably feels like Norma does when you are trying to serve a town and you have people trying to beat you up in the same town for serving them, it's goes against everything we're asking people to do. Is there anybody on the Council that has anything beyond better communication, that has something that is factual.

Councilor Cote said I'll communicate with you. Councilor Larochelle said that's what the person was asking, you're sitting on the Council and you don't tell the people about all this stuff. I was like, tell the people about what? If the Council doesn't believe that, I don't know how the information gets out in the town so people can use information against them and use their energies to try to kick them out when they should be using their energies to try to help.

Councilor Cote said there's quite a few things personally that I can go back on and I have issues with. What happened to me from day one on this Council could have been alleviated by the Chair. That should have never taken place and you know what I'm talking about. The Chair should have controlled that and he didn't.

Councilor Larochelle said I have to tell you Roger the same circumstance many people including many people that you were part of kind of stand up and I sat here for twenty minutes at a time being bashed the same way. Maybe not in the same situation, but even at the time the Chairman didn't turn them off and they were beating on me with accusations of untruths. Whether it is the truth or not, it didn't make a difference. One of the things Lori mentioned today while I was on the phone, she said when I went on the Council I didn't want to be part of a Council that was negative and not productive. She said on day one when I got on I wanted to ask the Council if they had anything from the past that they have an issue with to bring forward, and if you don't, let's move forward in a positive way. And we all agreed that day that we needed to move forward in a positive way. Hopefully we didn't have a list of things, get rid of Mike, no, we put all of those things behind us. Those things shouldn't be resurfacing today. Was it right or wrong, I don't know. When people get up and say things about me, that's their right, it's a public meeting, they can do what they want. Norma got thrown rocks at for trying to tell someone to stop during a presentation because it was going on too long. It is a fine balance because the emotion runs the meeting a lot of times, not right or wrong but it does. I feel that as Council we either need to say that we support Mike, besides the communication part of it, or we don't. To me that's fair.

Councilor Cote said there are other issues, too. We could go on all night about this. If a person wants to speak at that podium and are not allowed or are not given the respect to speak at that podium that is a very wrong thing to do. I'll give you an example. Mr. Samson was given the privilege to speak at the microphone at one meeting and at the following meeting Mike said no and we had to override his opinion with a vote. To me that completely and totally goes against what this is all about. Audience participation. That doesn't mean if someone is from a different town or doesn't have the same opinion about something that you can say no, you can't speak. That means that anyone who wants to speak you've got the right to and you sit here and you listen, just like the night that Mr. Brooks did what he did, I sat there and I listened. Did I agree with him, no, but I had to listen to him for two hours. This is the kind of thing over the last two years that's accumulated. This is why we are where we are right now. People don't like that. We went through it with Norma. Norma got rocks thrown at her because of the way she was dealing with people at the podium. She was sitting there rolling her eyes and doing things people didn't like. That's why they came at her the way they did. When people come to a town meeting or a Council meeting this is the only place they have to vent their concerns to the Council. If you have any idea of stopping them, that is the wrong message that we should be sending. Gina has said how come nobody comes to our meetings. Would you want to come to a meeting if you got up to the podium and you were insulted or told you couldn't speak? I wouldn't come to the meeting. Then we wonder why we have no participation in our whole town, it's because this is the kind of government we've been running for the last 20 years.

Councilor Larochelle said I don't think every meeting reflects back to a very heated meeting like that one or the one before. I think in general, looking back over the course, we elected him the Chair and I assume he's doing the best he can as the Chair. I wouldn't want to be sitting in his chair at times, no question about it, there are circumstances where it is very hard to make the meeting productive. We as Councilors would hope to take the respect that he has as the Chair, to understand

his decisions, or overriding like we did. It's all fair. It's the government way. It's the way things work. Mike was doing what he thought his best interest was to keep the meeting in order, right or wrong, that's his Chair decision. We had an opportunity for us to do something different, then it would have been on us if something went awry. That is the democratic way, but that is not a reason to get a petition to have him step down. It's a communication issue, but it's one of those things where everybody has a right to get up and speak. If they are a taxpayer in town they absolutely have a right. If they are not a taxpayer we either grant them permission or not. It's not a right of a non-taxpaying person to get up and speak. It is our opportunity to say whether they can or not.

Councilor Cote said if that was the case, then you should take Audience Participation off the top of the thing. Councilor Larochelle said why, I just said anybody who is a taxpayer can speak anytime they want. Councilor Cote said anybody who is in the audience can speak. Councilor Crafts said that's a resident's audience participation. Councilor Larochelle said I respect everything Jerry has to say and I have no problem with him and that's why I voted to hear him talk. But again, that is part of what a Chair does, a Chair conducts the meeting. If we don't like it we have opportunities and through the Charter we can override or go with, but that is not a reason to say the Chair is doing a bad job. How many times have we overridden Mike since you've been on the Council? That's the first time I've ever seen it happen. It's because we took it upon ourselves to make a decision.

Councilor Larochelle said for the people that called me and asked me, I just want to say it's not coming from the Council. There's no shadow government that Mike's running the town that I know of or misusing funds or starting businesses or whatever the rumors are, as a Chair he is doing what he feels is best and if we don't feel that way we have the right as a Council to work with that. Whether he gets voted into Chair or not, he's all done chairing come this next election.

Councilor Cote said that brings up another issue that I think we ought to clarify right now, too. Ms. Bradley sent out a thing for Economic Development. We have an ongoing investigation into funds that were taken out of that office a few years ago. Am I correct? Is that still ongoing? Mr. Eldridge said I'm pretty sure that I mentioned to the Council that the District Attorney's office said there is not enough evidence to prosecute. Councilor Larochelle said it was in one of our last packets. Councilor Cote said so they are going to drop that \$32,500 that the town lost? Mr. Eldridge said yes. Councilor Cote said what I was going to bring up was that we had an ongoing investigation and then the Economic Developer puts in here that she purged all of the files from the early 1980s. To me all of those files would have had good input for the people investigating. Councilor Crafts said there is a point, and I'm not saying whether she purged them or not, but there is a point with any business records that's why you do them. Businesses are required for tax returns to hang on to them for seven years. There is a point when you destroy them. I don't know what was destroyed or what the years were. Councilor Bowie said I don't think anything was destroyed.

Mr. Roy said an employee of her grade to take it upon herself to do that. Or did she check with the Town Manager first. Councilor Crafts said I don't know, I don't know anything about it. Mr. Eldridge said she never came to me, but staff talks to the Town Clerk to get the guidelines that the State sets up as to how long to keep documentation. There is a guideline that the State has that we follow. We destroy records on a regular basis that we don't need to keep. Councilor Larochelle said I don't think they are destroying active records. Mr. Eldridge said there is a lot of stuff in our files. In my office, there are files we keep on TIFFs. 1980, believe me, the computer systems that we have today were not the same as what we were using in the 1980s. The information could not have been on the computer. I know from what we have on records here in that office there was very little for documentation and some of it was lost in the move from what I was told, when we moved from the old building to here. When you moved in 2000, records from the 1980s, I'm not sure what they are referencing.

Councilor Cote said I know when Mr. Feeney was here he had his office right down the hall. I've been in that office and he had his computer there and he showed me in his computer, I sat there, and we went over file after file and all the stuff that he had going on and all the projects were all

listed and all in there. Councilor Crafts said I worked with Jennifer Morris and she was in Mr. Feeney's files and reorganized all of that stuff. She reorganized it so that she could find it. She put it in order and filed it. That was the first thing she did here for the first three months.

Councilor Larochelle said with the Audit Committee one of the things I brought up was is audit current on all of the TIFFs, revolving funds, and Economic Development. The auditor assured us that everything is in the proper place. There is no question of missing funds or any financials that the auditor has been doing for years, up to this date everything is exactly what it should be. There is no question of any missing funds. Councilor Cote said there's \$32,500 missing. Councilor Larochelle said that was known to be missing. Unfortunately other people think differently of that than we do. Luckily, we've changed all of the controls since that happened. All of the control that was in place has changed so that that would not happen again.

Councilor Mason said Roger, are you saying what Mike has done, and I'm not saying he's done anything, but do you think it's grounds for dismissal. Is that what you're telling us? Councilor Cote said I think we need change. Councilor Mason said that's not the question. The question is do you think it's grounds for dismissal? Councilor Cote said take him off the Council? Councilor Mason said whatever capacity you think. Councilor Cote said are you saying take him off the Chair or take him off the Council. Councilor Mason said either one, whichever one you think should happen. Councilor Cote said I think that the lack of communication, absolutely deserves to lose his Chair position. Does he deserve to be thrown off the Council? Probably not. But when you refuse to give information out, that is serious, because these people voted every one of us on this Council. To withhold information from one or two or three or all is very serious to these people and these are the people we represent. I don't sit here for Mike's benefit, I sit here for these people. These are the people who put me here, want me to ask these questions, and want me to know this information so that I can make a decision on it.

Councilor Mason said the other part of that is, what would be grounds for dismissal. Talking about something that was said in Executive Session? Councilor Cote said it depends on what the topic is because I've been in a lot of Executive Sessions that I think didn't belong in Executive Session that should have been dealt with in front of the public. Councilor Mason said that's your opinion. Are you a lawyer? Councilor Cote said I'm not a lawyer, but I do know when we are talking about things like that old school, I think that should have been discussed with the people entirely so they would know what they were going to do with it. That was all done in Executive Session and I don't think that was the correct thing to do. If I leaked it out or if anyone leaked it out, do I feel they should be dismissed for it, no because I think it should have been out in the public anyway. If it was something about an employee or a contract, absolutely. Councilor Mason said so you think that if something was discussed in Executive Session about a contract, what somebody agreed upon, that would be grounds for dismissal? Councilor Cote said yes, it could be. Councilor Mason said we'll try to get some information out next meeting concerning something that you've done.

Councilor Mason said at one time you and several folks in the audience had a problem. We were trying to get a couple of people that grew up in this town, who did not live in this town, but have a businesses in this town, to serve on an ad-hoc committee and you had a problem with that because you felt that they were going to, I don't know what, but you don't have a problem with a non-resident stating an opinion or giving information.

Councilor Cote said taxpaying is one thing. Like Mr. Janosco came to the microphone. He is a taxpayer in this community. He's been in this community all of his life. I don't put him in the same position as someone who lives in another town and comes and gives us an opinion. When the people in the audience are asking for that person's opinion, then you are calling in a whole different set of rules. I think a person who comes from a different community like Mr. Samson and the audience wanted to hear what he had to say, he should be given the opportunity to speak in a general public setting. When a person comes to town like Mr. Janosco who had been here and he wants to speak at the podium I feel he has earned the right to speak.

Councilor Mason said he happened to be one of those people we wanted to sit on one of the committees, so do you feel the same way about him sitting on a committee. Councilor Cote said I don't think they should be on committees. No, because that committee is going to make decisions that people of the community should be making. Councilor Mason said I would beg to differ with you. The people that were going to sit on the committee in my opinion have been involved in this community probably more than any of us that are sitting on this Council, upwards to more than 30 years. Their families have had businesses in this town for more than that probably. To say that they don't have a voting right or they don't have a right to be on a committee is one thing, but then somebody else could speak and say whatever they wanted is another thing. Forming your own opinion is fine, Roger, but I have mine also. I feel you are talking about several different things at the same time.

Councilor Cote said there's been a lot of stuff that has gone on in the last two years, Gina. You know as well as I do, and prior to that, that have not been above board on either side. This is the kind of thing that could have been cleared up if we had had the public being able to hear. Councilor Mason said the public cannot hear everything, Roger, and you know as well as I do, contracts and even things that could effect a real estate deal. Often it is important that the Council view it first and get to the point with that deal that we can share it with the public. It's just what it is, Roger. It's safe governing and it protects the people that are involved in the process. I know if I were involved in that I would hope that the people that sat in the Executive Session would consider my privacy also. Councilor Cote said I personally feel that if a person wants to have a business or do something for the community I would want the public to know. I would encourage the public to know that I'm going to spend money in your community, I'm going to do this for your community to help you out, we're going to take a building and fix it up that would normally be torn down. This is the kind thing that I think the community would want to know. Councilor Larochelle said in time I think they do if it actually gets to that step. Councilor Cote said I don't see why you can't do it from the get go. Councilor Larochelle said because they may not do it.

Councilor Crafts said the reason they can't is because we have an attorney that looks at the case studies and lawsuits and says don't do it. You might want to do it, but we want to protect the taxpayers from getting sued. If you want to do it and you want to talk about Executive Session after we leave, go ahead. The other thing is two weeks ago when I was gone, you had a discussion afterwards and you did want to take a vote. Councilor Cote said yes, I did. Councilor Crafts said you just said you didn't think you should be voting. You wanted the Council to vote to remove him. You just said a minute ago we shouldn't have. I don't understand. Two weeks ago you wanted us to vote and tonight you don't think we should have. Which is it? Councilor Cote said two weeks ago when we came in here to this meeting we were getting phone calls and you know you got a pile of them yourself. Councilor Crafts said I know, but what changed your mind? Councilor Cote said there was a very powerful group that wanted us to do something and do something now. Councilor Crafts said I know all that I'm just confused because you told me one thing. Councilor Cote said I talked to Lori Pomerleau and I talked to Gina at that time and we were all very concerned looking at to remove people. Councilor Crafts said what the conversation was you told me that you talked to all the Councilors and the majority of the Councilors wanted to remove him from Chair. Then it went from removing from Chair to removing from the Council. Councilor Cote said what I felt he had done at the time because we were all very upset.

Councilor Crafts said you changed your mind. I'm still trying to figure it out, which is it? Councilor Cote said this whole thing was when it first hit the airwaves that we had another year of messed up taxes. Councilor Crafts said that's not what I'm asking, I'm just asking if you changed your mind or which was it. Councilor Cote said I personally don't think Mike should have been allowed to continue on the Council for what he'd done. Councilor Crafts said that's all I'm asking. Councilor Cote said you were pretty upset yourself, we were all pretty upset. Councilor Crafts said who wasn't, the whole town was in an uproar. Councilor Cote said we all thought at that time that there

should be some heads disappearing. At the time if we had voted on it, I believe Mike would not be here. Because of one thing or another, we are where we are at today.

Councilor Crafts said I made it very clear to you that it is up to the voters to vote him in or vote him out. I would have nothing to do with anyone of you voting you off this Council because you were voted in by the people. Six people should not decide the destiny of somebody that has been voted in by the public.

Councilor Cote said but you did agree that he should be removed. Councilor Crafts said we all agreed that he ought to step down until the election. Councilor Cote said and then you said if the people do not want him in there, they should remove him. Councilor Crafts said I said there is a process by the Charter to remove any one of us. Councilor Cote said they're the ones that have to initiate it. Councilor Crafts said exactly. Councilor Cote said and Fern is coming at me tonight.

Councilor Larochelle said I'm not coming at you, I'm just trying to find out if people have the proper information. My concern is not that it is actually happening, but that the people are getting the proper information. What I was told, people out there are hearing stuff, even though the Council is not talking, everybody talks a little bit and nobody talks in public, why that should be done. I've heard some crazy wild rumors of why people think Mike needs to leave and probably none of them have to do with what we are talking about right here. Factual or not, a lot of what I heard second hand doesn't mean anything to me, but I feel that if I'm getting calls everyone else is being called. If someone is serving the town and is having false statements being put out against him why he needs to be removed. If a taxpayer is saying do you want to remove Mike Bowie because he didn't communicate with the people the way he should have, that's fine if they understand that scenario. But the only way they can understand that is us talking. Besides that they are only getting one or two opinions. If persons out there are collecting signatures because of a list of things that Mike has done wrong that aren't factual or backed up that to me is a concern. None of us should be put in that position.

Councilor Cote said let me ask this one question. The evening we were here at a Friday meeting. If you took a show of hands when Mike wouldn't let Mr. Sampson speak, do you think he would still be here? Councilor Larochelle said it wasn't the first meeting that he did. Councilor Cote said right, do you think he would still be here. Councilor Larochelle said people were voting by what-emotions not facts. If we voted by emotions we'd still be hanging people out by the tree. We probably all would have been hung that night. We can't rule on emotions. We have to go on facts.

Councilor Cote said let me just say this, when Dale and I had these conversations were the emotions a little high Dale? Councilor Crafts said we were all upset, yes. Councilor Cote said there were a lot of things that were said at that time. We were all upset. Gina was upset. Lori was upset. She said she was embarrassed to sit up here. At that time there was a lot of animosity about this because we had not been given the information.

Councilor Larochelle said if Mike at that time had the opportunity to he probably would have. Going back, I mean it would be nice to base any principal that we have against Mike on factual information. Emotions and feelings after a meeting don't really mean a lot. There's meetings that I leave that I'm really discouraged and it has nothing to do with the Chair, its just about the direction we're heading in sometimes or financially how we're going to make out. You can't be a Councilor on emotions, you have to be a Councilor on facts. That was my main concern. The message I got from the people that called me, as a Council not talking, we talk about nice football, but that's not Councilor Communication. Councilor Communication is when we actually talk. If we have a disagreement, weigh it out, and let the people get the information from us not from people outside of here guessing what we're assuming that could have happened.

Councilor Cote said we haven't done this once in the last two years. Councilor Larochelle said I think we need to do it a lot. I think that's what Councilor Communication is supposed to be about.

Councilor Bowie said I had the great privilege today of speaking with the Lisbon School Student Council. Great energetic group. We talked about leadership and volunteering. They are going to be running different things for the school and they're looking to help the town out. Some of their ideas are to help wrap presents for the Giving Tree and help give them out. They want to help out with Project Thanksgiving. They are looking to collect some food and maybe some donations for LACO. The Assistant Principal Ryan Petrie has a great group of kids. It was a pleasure to speak with them. I thought they were a great group of kids coming up doing a lot of good things.

Councilor Crafts said Saturday Lisbon is playing Winthrop. They're both 6 and 1. It's the last game of the season. I hope you can make it, it's going to be awesome. Home game.

Larry Fillmore said I want to say something about the Chair. I want to clarify something for Fern. I'm one of the people that don't like Mike sitting as the Chair. You want facts, I'll give them to you. The first meeting we were here, we had people in there, down that hall as far as you could see. I made a recommendation that when we have these items that are questionable that are going to generate a lot of discussion that we might want to put this in a facility that held everybody. At the next meeting we had them out there, we had them out here. Now you look, we don't have crap here. Gina says we need more people participating in what goes on. Well, you can't do that very well when they have to stand up for three hours. They can't hear what you guys are saying so why would anybody want to come out here and stand for three and a half hours and not hear what's going on. That's the first thing.

Councilor Larochelle said in all fairness though, do you think Mike knew how many people were going to attend that first meeting. Mr. Fillmore said no, but the second meeting. I know he didn't know how many people were going to attend the first meeting and I wasn't saying the first meeting. I said the second meeting. We had them piled up and we still couldn't hear you. I'm saying if you want participation from the people of this town, especially on issues that are going to be questionable, and I don't think anybody on that Council can tell me they didn't realize you were going to run into a buzz saw that night. We need to be more minded towards the public and get a place for them to air out their opinions.

Mr. Fillmore said the next thing was you guys had a meeting here and this was a total lack of communication because you people went into Executive Session or went in the back rooms. Mike said we will discuss the tax issue after we have the workshop. There were 20 or 30 of us who waited for them to come out of Executive Session which was an hour or an hour and a half. When they finished the workshop, you guys grabbed your coats and went home. We didn't have an opportunity to say anything. We sat here because we were told after the workshop we would discuss this. We didn't know it was going to be six weeks later or we wouldn't have sat here for an hour and a half. These are facts. We asked questions for three weeks. Nobody, not one question was answered the entire time. Now, he's responsible for the Chair. I'm not saying Mike needs to be thrown off the Council, but I would rather have had someone in there who would at least for one, listen to us when we speak, two, answer our questions if not at the meeting because they don't have the answers right on the top of your head, at the next meeting so we can keep abreast of what's going on and know that you guys are working for us. I think that's the Chair's responsibility. That's why, me for one, and I'm not on the petition, Mike, because I'm in Lisbon, I think you ought to go. That's my opinion. Those are the facts.

Councilor Larochelle said one of the things is really tough, last year we talked about me being Chair and I really had no interest in it because of a lot of scenarios that you can't control. Unfortunately, our average meeting participation throughout the year is what, maybe five or six. It's very hard to know what format we can have for people. The idea of Mike answering, I'm not protecting Mike, but if any of us were sitting as Chair, there's none of us that would have been able to answer any more questions than Mike had. As of today, I still can't answer questions because I don't think they've been answered for us. I respect your opinion. I've sat hearing multiple school hearings

where I sat out in the hall. I probably lost a pound of sweat trying to listen to what was said. I didn't yell at the School Board for that, I was just really excited that there were a lot of people here that were voicing their opinions. Was it the School Board's fault? The School Board probably has a bigger facility to do a meeting than we do. This is kind of the norm.

Councilor Cote said one of the things you are missing, too, Fern. At one of our last meetings Mike asked that we allow to have the Executive Session first so we would not have to pay for Roger Theriault to sit here. We went into Executive Session and came out and Roger Theriault sat there until 11:00 p.m. at night. Councilor Larochelle said I think there was more than one attorney participating in that. Councilor Cote said people have called me and asked why are we having Executive Session first if the attorney is going to stay until 11:00 p.m. anyway. We could have gone home and you guys could have had your Executive Session. Councilor Larochelle said I don't know if that was Roger staying because he wanted to, but I don't know the facts.

### EXECUTIVE SESSION - NONE

### ADJOURNMENT

**VOTE (2010-180)** Councilor Larochelle, seconded by Councilor Crafts moved to adjourn at 9:40 PM. **Order passed - Vote 6-0.**

Respectfully Submitted,

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

*These Council meeting minutes were transcribed by Beth French and proofread by Twila Lycette.*