



**TOWN COUNCIL
MEETING MINUTES
NOVEMBER 17, 2009**

Michael Bowie, Chair At Large 2009
Gina Mason, Vice Chair District 1 2010
Fern Larochelle, Jr., At Large 2010
Roger Cote, At Large 2011
Janet Henry, District 1 2009
Dale Crafts, District 2 2010
Norma Wells, District 2 2009

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

ROLL CALL. Members present were Councilors Wells, Bowie, Mason, Crafts, Henry, Larochelle and Cote. Also present were Stephen Eldridge, Town Manager; Prudence Grant, School Committee Chairman; Lori Pomelow, Budget Advisory Board Member; Richard Main, Budget Advisory Board Member; Donald Fellow, Budget Advisory Board Member; and approximately 27 citizens in the audience.

PUBLIC HEARING

**AMENDMENT TO THE ADMINISTRATION ORDINANCE,
BOARDS & COMMISSIONS**

The Chairman opened the public hearing. Michelle Swatsworth-Turmelle said we already have non-residents serving on committees. Councilor Bowie said this is in reference to what I said at the last meeting about what I said about one of the Ad hoc committees in regards to the Revitalization Committee and whatever the board or Town Council see fit to add. According to the Town's website we already have someone who is from out of town who is a local business owner serving on a current committee. Mr. Eldridge said who might that be. Mrs. Swatsworth-Turmelle said it would be the same person you are talking about putting on the Revitalization Committee. Mrs. Swatsworth-Turmelle said she is on the Commercial Revolving Loan Committee so why are we changing it now. Councilor Bowie said we are probably doing it so that we are in compliance with our ordinances. Since we really didn't think we had anybody on a committee currently that was in that situation and it was brought up by Councilor Cote that we should double check to make sure that we were in compliance. This will fall under Chapter 2 in the Administration Ordinance under section 2.563.

Dorothy Fitzgerald said I was looking on the website to find the amendment to read it to see what it was all about and I couldn't find it. Where is it? I wanted to read it to see what amendments you were making to the ordinance. Councilor Bowie said I believe it is there, Twila is it not? Mrs. Lycette said it's under Agendas and Minutes. We added a new category so when you click on that tab it brings down a menu so you can choose Council Public Hearings. You will find notices there on a regular basis. This one is posted there. Mrs. Fitzgerald asked for a copy and the Town Clerk gave Mrs. Fitzgerald a copy.

Councilor Bowie said is there any other audience participation. Seeing none, I will close that public hearing.

CONSENT AGENDA

VOTE (2009-168) Councilor Wells, seconded by Councilor Larochelle moved to approve the minutes of October 20, 2009 and a CMP Pole Permit for Farwell Street. **Order passed - Vote 7-0.**

COUNCIL ORDERS, RESOLUTIONS & ORDINANCES

2008 SEWER FORECLOSURES

Mr. Eldridge said Ora Madden has provided the Council with a list of liens that have matured. They continue to decrease in numbers as the foreclosure notices arrive in the mail. We will have a very favorable response. We just want to make you aware that with this economy you will see an increase in foreclosures as well. This is standard procedure. Councilor Bowie said do you need a motion to send out the foreclosure notices. Mr. Eldridge said no, we are just making you aware that these are being processed. We are willing to work out arrangements with anybody who is struggling. They just need to go see Mrs. Madden. This is a sewer lien so if the property does get sold we get paid.

2008 PROPERTY FORECLOSURES

Mr. Eldridge said you should also have a list from Kathaleen Bailey. This will require a vote for you to waive so liens will stay in place to guarantee we will collect our money if the property is sold. Most of these are trailers. Again, we will work with these owners too, however, if a piece of property is abandoned then we usually work with the trailer park owner to sell it to them because a little bit more is involved since these are sitting on property that doesn't necessarily belong to the owner of the trailer. There are 35 currently on the list.

VOTE (2009-170) Councilor Wells, seconded by Councilor Mason moved to approve the 2008 list of foreclosures as presented (see attached). **Order passed – Vote 7-0.**

Item taken out of order.

A. CAMPUS AVENUE PRESENTATION

John Hodge with the Brunswick Housing Authority and Greater Brunswick Housing Corporation, which is a development of the Brunswick Housing Authority, said we are here this evening to discuss the plans for the old Campus Avenue School. We were working with Rosie Bradley on a neighborhood stabilization program that recently came out. We think that you might want to make senior housing in this facility, which will preserve the old high school as well. We love the project because it's a beautiful old school and its located right next to the community center, which does a lot of senior programs. We hired Doody Architects to do a feasibility study to determine whether the building could be saved, how many units would it hold, and what the cost of renovating would be. Looking at the funds we have available to us, we have determined this is a very feasible project and we hope it will go forward at some point. We can make this happen, but the question right now is, "do you as a community" want to turn this building into affordable housing for seniors? That's the question that will be answered this evening. We certainly hope that the Town Council and the town will reply favorably and allow us to go forward with the project. Mr. Hodge went through the plans and outlined the project in great detail. The chairman opened up the discussion to public comment. Bill Barr, Michelle Swatsworth-Turmelle, Richard Main, and Dorothy Fitzgerald asked questions about how this organization was formed, security for the building, heating and ventilation, asbestos, how its funded, rental price, public access for displaying historical items of interest, transferring ownership at no cost or if necessary \$1 to a reputable organization as long as the building is reused and the integrity of the building is maintained. All questions were answered by the engineers, Mr. Hodge, and Mr. Eldridge.

Mrs. Fitzgerald said this is basically a double lot with frontage on Campus Avenue and South Street. Councilor Bowie said the intent was that we should get input from the public on that, but Council feels we should separate it and keep the lot on South Street. We will have it surveyed. Rick had to adjust his design for some parking spaces. They would like to have a little bit of green space for

residents to do a little bit of gardening or something like that, but the lot will be divided and we will continue to hold onto the North Street side. Mrs. Fitzgerald said I can't believe it, but you finally made a wise decision. Councilor Larochelle said I'll take that as a compliment, actually.

Mr. Hodge said the primary source of funding will come from the State & Federal Historical Tax Credits. And what happens is the government says we have all these historic buildings and we want to preserve them, but the federal government can't pay the tab so what they did was set up an IRS program where you get investments. Let's say you have a million dollars in credits. You would take those credits and go out into the market and sell them to the highest bidder. Let's say someone bids \$910,000 for a 9% return on that investment. They are paying \$910,000 for a million dollars worth of credits and then they give you that \$910,000 dollars and over the next ten years they write off their tax liability by that amount. That's how the investment works. We also have the Neighborhood Stabilization Funds that are awarded through the state's Economic & Community Development Office. DECD has earmarked those funds around various communities and Lisbon did get some of those funds, where Topsham did not, and so those funds are eligible. We have been working very closely with the Federal Home Loan Bank in Boston, which is a private banking system, established for financial institutions that are not for you and me. Banks use this bank to borrow money. They make money every year and the federal government, which authorized their existence, said you will put 10% of your net profits into affordable housing. We have been very successful applying for those grants; seven for seven. They did not have any money last year because they didn't make any money, but they are hopeful that they will have some funds in 2010. The other source of funds available is the low income housing tax credits, which are very similar to the historic tax credits; the historic tax credits try to restore historic buildings while low income tax credits create affordable housing and although that is available to use we are debating on whether we want to use that or not because there are so many different regulations. When you have multiple funding sources you have so many different regulations and it gets very difficult to manage so if we can limit the funding sources it makes it easier for staff to certainly manage the building, plus we will borrow money so we will have debt on this building.

Councilor Larochelle said the building is quickly falling apart and without heat for a few more years this is really going to be an issue. Are we going to take this building, preserve it, and use it for the town, absolutely and it's going to go from an expense column to an income column. This is really a win, win, win situation all the way through. The green space out back is a nice green space and it's nice to see the kids playing football or whatever so we are going to keep the green space we have and I think we have found a good balance.

Councilor Henry said there are some clauses that it will revert back to us if for some unforeseen reason it doesn't happen the way it's supposed to so there is no loss to us. Councilor Bowie said there are a few stipulations that we have placed on the deal with the Brunswick Housing Authority. One is that they are required to do all the structural work first so that should anything happen with the development of the project the building is made structurally sound and if the project does go belly up then everything reverts back to the town should we move forward with this deal so we still have the building although we don't think that's going to happen. They have a great track record and do very good work from all the stuff that we have seen.

Councilor Cote said what happens if we get into the asbestos removal and something goes wrong and it costs a lot more. Are we going to have to come up with more money before we turn this over; what if the grant doesn't take care of this completely. Mr. Eldridge said in the Brownfield program they first have to go in and do an evaluation on what is in the building material to ascertain whether it's dangerous or hazardous and that's already been done and the money is already there to remove all this material, which has been discovered. This has all been done by the DEP. Councilor Cote said so there are no surprises. Mr. Hodges said I would only add that if for any reason there was and it did revert to us that it would go into our construction budget and we would have to deal with it so it would divert the risk from the town and place it on us; this is why we put a quarter of a million dollars in contingency in our budget because you just never know what is going to happen.

After further discussion, the chairman closed the public hearing.

Item taken out of order.

PURCHASE AND SALE AGREEMENT
FOR CAMPUS AVE BUILDING

Councilor Wells said this is a great project and I think that we would be crazy not to move forward with it. They are a very solid corporation. They are going to provide much needed senior housing. I am not sure you can legally give it away, but I would be in favor of selling it for a dollar. Councilor Larochelle said I would make that a motion. Councilor Wells said I am not sure if anyone else has a question. Councilor Mason said it is a building that is going to fall apart. We got it registered as an historic building and they are willing to bring it back to a new quality, which was our goal so I think a dollar is fine. Councilor Larochelle said this was not a quick decision and we asked a lot of questions. I don't think we will ever get a better opportunity to get the building back to what it should be.

VOTE (2009-172) Councilor Mason, seconded by Councilor Crafts moved to sell the Campus Avenue Building for the value of \$1.00 to the Brunswick Housing Authority and to approve the purchase and sale agreement as presented. **Order passed - Vote 7-0.**

SIDEWALK PLOWING AGREEMENT

Mr. Eldridge said the current contract expired. He said we added Ann Street to this and he has increased his cost by 4%. He is asking for a five year contract. Normally this has been a three year contract. The draft contract before you is for a 4% increase each year for five years. We don't have the equipment to do it ourselves. Councilor Crafts said I don't see how you can justify a 4% inflation rate. We have had no inflation and if anything it should be a negative. Councilor Cote said the problem is that the cost of equipment has not gone down at all. The cost of fuel is definitely up. Councilor Henry asked if this had gone out to bid. Mr. Eldridge said no, not since I have been here. It's been a contract and always open for renewal every three years.

Councilor Henry said can we ask this person if he really needs the 4% every year. Councilor Wells said we could always do a one year contract. Councilor Larochelle said I would, also, have a hard time with the five year contract because of ever changing situations; even a three year at this point in time appears to be of no benefit and we are not going to lose anything by going with a one year contract. Councilor Crafts said I would personally like to see a one year contract giving him the 4% increase. Councilor Wells said it should be discussed in September next year.

VOTE (2009-171) Councilor Wells, seconded by Councilor Larochelle moved to approve a one year contract with Granville Morgan for \$27,773, plus sand for \$13,859 for one year. **Order passed - Vote 7-0.**

PURCHASE AND SALE AGREEMENT
FOR CAMPUS AVE BUILDING

(Item taken up earlier after the public hearing)

TAX ACQUIRED PROPERTY SALE - 42 FROST HILL AVENUE

Mr. Eldridge said we have one bid and this has been out twice in the paper. There were no bids received the first time and only one bid the second time. The bid was opened. Councilor Bowie said we have one bid from Larochelle Properties, LLC for \$5,150 (see attached). Mr. Eldridge said there is a dangerous building on this property that has to be removed; it's a trailer. Councilor Wells

said that roof caved in last winter. Mr. Eldridge said it is a small buildable lot and the trailer has to be removed so maybe that's why people have shied away from it. Councilor Crafts said I am ready to accept it. Mr. Eldridge said this amount will take care of all the debt on this property and it will go back onto the tax rolls. We will give him a quitclaim deed and he is responsible from that point on.

VOTE (2009-173) Councilor Crafts, seconded by Councilor Wells moved to award the Tax Acquired property at 42 Frost Hill Avenue to Larochelle Properties, LLC for \$5,150.

Wilfred Barr said is there any relation to Councilor Larochelle. Councilor Larochelle said it is a relation of my and that's why I won't vote on it. I am not the owner of Larochelle Properties, but my last name is Larochelle; it is in my family so I will abstain. Paul Adams said there was about \$2,400 in outstanding water charges on this property, which needs to be paid.

Order passed - Vote 6-0-1. (Abstained: Larochelle)

AMENDMENTS TO THE SHORELAND
ZONING ORDINANCE
(Final Reading)

VOTE (2009-174) Councilor Cote, seconded by Councilor Crafts moved to adopt the amendment to the Shoreland Zoning Ordinance as presented (see attached).

Vote by Roll Call - Yeas: Wells, Cote, Bowie, Mason, Crafts, Larochelle, and Henry. Nays: None. Order passed - Vote 7-0.

AMENDMENT TO ADMINISTRATION ORDINANCE,
BOARDS & COMMISSIONS
(Final Reading)

VOTE (2009-175) Councilor Wells, seconded by Councilor Crafts moved to approve the following amendment to Chapter 2 Administration Ordinance, Division 11 Boards and commissions, Section 2-563:

(Adding to the end of Section 2-563) The Town Council may appoint non-residents to additional committees if they are tax payers and Lisbon business owners.

Councilor Cote said I don't feel we should allow people that are non-residents to be on a committee making financial decisions for our community and the Revolving Loan Review board is a financial committee. Councilor Bowie said all final decisions are made by the Town Council based on what is presented by the Economic Development Director who has utilized these people to do due diligence to research information on what is beneficial for the town with these funds as well as any of these other committees. Committees don't set ordinances or municipal laws. They are simply there to provide guidance and information as it relates to our community. Councilor Wells said it is very important to have someone on our Revolving Loan Committee who is a banker and who is involved in loans; what if every single banker in this town didn't live in this town. Councilor Mason said we are the ones who approve these individuals to be on these boards anyway. Councilor Cote said I know we have excellent people involved right now, but will we always have.

Vote by Roll Call - Yeas: Larochelle, Henry, Wells, Bowie, Mason, and Crafts. Nays: Cote. Order passed - Vote 6-1.

REIMBURSEMENT RESOLUTION

Mr. Eldridge said Ms. Ricker drafted this so we can get started on our portion of the work on the Route 9 project. Ms. Ricker said the purpose of the resolution is to cover the Treasury regulations regarding tax exempt borrowing. The application deadline for the two bonds that passed is February and the committee will not make a decision until March and assuming we pass muster we wouldn't receive the proceeds until May so the problem is how do we fund interim expenses that we might have between now and then. One solution is the reimbursement resolution, which means that we essentially fund it ourselves. Another alternative is to go get a Bond Anticipation Note (BAN), however, we believe we can fund them ourselves and not have to go get a BAN. Councilor Bowie said this is a necessary step in order to use the bond money to pay ourselves back when we get the funds in May.

VOTE (2009-175A) Councilor Cote, seconded by Councilor Larochelle moved to approve the Reimbursement Resolution as presented (see attached). **Order passed - Vote 7-0.**

OTHER BUSINESS

A. CAMPUS AVENUE PRESENTATION

Item taken up after Order 2009-170 2008 Tax Foreclosures

B. FINANCE DIRECTOR'S REPORT

Ms. Ricker said I don't really have a lot to say. We did get our Health Insurance increase for our new year, which is an 8% increase for the year; we budgeted for a 5% increase, but because people change coverage and move during the year I think we will be okay on that one. Revenue sharing is over \$100,000 short from last year. Vehicle excise tax is actually better than last year. Recycling revenue is the other big thing that is down. Expenditures look to be on track.

Mr. Eldridge said we received notice about the State's revenue projections for the next two or three years and we are seeing decreases of 7%. Councilor Bowie said based upon what we budgeted this year we are going to be short 7%. Mr. Eldridge said I would have to look at that because we budgeted less than what we anticipated we would be getting so we undercut all of that.

Councilor Larochelle said we actually anticipated the possibility that the excise tax might pass and we actually budgeted wisely for that and so could we assume that the savings we are going to have from that will balance off what we are going to see in shortfall revenue. Ms. Ricker said I think the short fall in the revenue sharing will be around \$150,000. Pretty good shape means meeting our revenue projections in total. I would say we are closer on target to meeting our revenue projections in total. Councilor Bowie said the one million we budgeted or state revenue sharing is less than what we were told we were going to get. Ms. Ricker said it's more than what we were told we were going to get. The difference from what we had in our budget and the latest projection was about \$150,000. Mr. Eldridge said it's 7% less than what they predicted. Councilor Bowie said so we are going to get about \$850,000 of the one million we originally budgeted for and there is a potential that the \$850,000 could go down another 7% or \$60,000. This is something we are going to have to watch closely as we continue to go forward.

Prudence Grant said based on what we know we are going to be cut right now we can manage that. We had a teacher at the top of the scale recently retire. We have not been calling in subs and we have been transferring people around to cover to save in that line. However, Mr. Green says if the hammer falls and there is a greater loss to us we will be in some difficulty and he believes layoffs are going to be necessary. He would prefer to preserve programs. He has been talking to the LEA who totally understands and supports, but we don't know those figures yet.

Councilor Cote said I just wanted to congratulate the School Board for their decision to put Mr. Green in as Superintendent. I think it was a very wise decision. Ms. Grant said thank you. It was clear to us that he was going to be the best candidate.

C. TOWN MANAGER'S REPORT

Mr. Eldridge said it is pretty quiet on my end. We are just getting ready to do the budget process. This week we will be looking at our capital budget. The MDOT committee that is being formed, Mr. Beal has been appointed to be apart of that committee and they have picked 15 people from throughout the state so it's nice to have representation on that committee. The building at Public Works is being repaired and they have done a real nice job. One of the I-beams in that building didn't extend as far as it should have and we thought we were going to be able to put something up there, but we are going to have to replace that I-beam instead so that's being done and they have made good progress in this warm weather. That will look and function a lot better now. If you haven't been down the King Road you really need to take a ride down there. That bridge is unbelievable. It opened last week.

Councilor Cote said the corner of King Road and Littlefield is quite dark. People have requested a light on it if that's possible. Mr. Eldridge said I will look into it, but we are actually trying to go in the other direction.

Mr. Eldridge said the same group is working on the Thanksgiving Dinner we had at the Holy Trinity church last year. They are taking contributions and volunteers. Judy Hardy Goddard and Kathaleen Bailey are running that program.

D. CHARTER AMENDMENT DISCUSSION

Councilor Bowie said this is to discuss a charter amendment that Councilor Cote brought up back in October in regards to having the town's budget go to the people similar to the school. I would like to get some comment from the public first so if the public wishes to weigh in on this particular amendment I would welcome comments.

Michelle Swatsworth-Turmelle said what I am trying to understand is that we have larger towns than ours who put their budgets out for the people to decide like Topsham right next door, Gray, Newport, so I would want to hear not so much the reasons why but more of why not. For the last four or five years I have heard that the townspeople would like to have a say so in the way the money is being spent. Their tax dollars are going into the budget and I think they want to have a say so in it. The school budget goes out to the town. They gave a clear message last year when they voted down the school budget, then after negotiations and adjustments they made it work. I think the taxpayers would like to have the same ability to speak to that and the only way to do that is through their vote. Last year it got pretty heated in here and it takes the burden off from you guys. You are approving the bottom line number that goes out but ultimately we the public are going to get to come back and say no cut or give the reason just like we did before; is it too high or too low and that's 9,000 people who can tell you yes or no based on our opinion.

Dorothy Fitzgerald said I do agree that the town budget should go to the townspeople for a referendum vote. I would like to see it go one step further. The town budget is a lot more complex than the school budget with so many departments. I would like to see a different question for each department and separate category. I would like to see a yes or no for each different article and then you would have a clear picture of the public's opinion. I have heard a lot of people say that they wished we had never gone to a Council form of government and they would like to see it go back to a town meeting form so this is the next best thing to that.

Councilor Crafts said I have to agree that the more we allow the public to be a part of the process the better. It's their money. I think that the town meeting form of government is the best form of government, except that we are so busy today that nobody attends and so we moved to a Council form of government. I agree Dot that this is a step forward towards involving the public; the bottom line is that it's their money. The more we let them be a part of the process and have a say the better government we have.

Councilor Cote said we have been complaining, each and everyone, that we don't have the people getting involved. I think the reason we are at this situation that people don't want to get involved is because they have the feeling that nobody cares and they are not even going to give us an opportunity to vote, they are going to do it their way, and we are going to live with it and if we don't like it, tough. If you empower the people and give them back their right to vote and make decisions on how their money is spent you will probably see more people get involved in boards and committees in town. If we spend over \$100,000 on anything we have to take it to a referendum for the townspeople to vote, yet we can spend \$13,000,000 and only \$5,000,000 gets voted on by the town and the rest of it they don't have an opportunity to voice their opinion. I feel that is inadequate.

Councilor Larochelle said my biggest concern when the school vote came back was knowing that the School Board had worked real hard on that budget and they looked at all the avenues to try to save money and then the vote came back saying no it's too much. Unfortunately, the Council had no direction on what that meant; was it \$100,000, \$5,000,000, or they don't want a school. There is no direction from that vote so we went back as a Council and said so why don't we just pick a number, \$115,000, and cut it out of a program so it basically gets cut out of a program that the town was asking for in the first place, which was the idea of fixing the schools because the rest of the stuff or where it gets cut out of is the area that affects less people and that doesn't always tend to be the best area and it went back and everybody voted for it. Probably most of the people who went back and voted for it had no idea of where that money was coming out of because there was no way to reflect that at the voting booth. It was basically just a dollar figure. They didn't know if they were losing teachers or if they were getting rid of the Superintendent or if no one was having bus service and everybody was going to have to drive their kids. No one had a clue about what we were voting for besides the idea we wanted less money and now we've got it. I think the same thing would kind of happen with the town. One of the things that I think is really important is the Budget Advisory Board; there are a lot of people that weigh in on our budget. We may vote on it, but it isn't just us coming up with the numbers. The concern I have putting this thing forward is that you put it forward and you vote on the budget and it's too high, then you come back to the Council that is the same Council that actually approved the budget that we are at, and basically they are going to cut the money where they want to because they kind of directed where it was cut in the first place. Monmouth voted four times on that one budget and that would cost Lisbon \$8,000 for just that one segment. Can you imagine cutting this up into 12 areas being able to pick on those individually. We could be going all year voting on it's too high, too low, and we could be spending thousands of dollars. I think it's really important that people have a right to put the information out as far as for the budget, and hopefully that's why they vote for councilors and budget advisory board members who come forward and do it. The biggest question I have with this is what are the guidelines. How many times do you go back and vote. Is there a three vote minimum and then they go back to the original vote. The school goes back to the budget they had the year before after the second time. They knew they needed a mechanism in place to stop the roller coaster ride, too high, too low. The next vote you have a whole different group who say no you should have more money. There are a lot of unanswered questions. What if the budget comes back as too high, then by how much? Where are we supposed to cut it? I'm just pointing out that what's important to us is that we would be making that decision the second time and then it would go back to the people of Lisbon. I just have some concerns about how it would work.

Councilor Henry said like Councilor Crafts said it's letting them be involved with their own money. It's transparency. The bottom line is that it's going to be their choice not ours. What's the procedure

for them to decide whether they want to vote on our budget? Councilor Bowie said there are two approaches. The Council can agree to bring a charter change to the citizens or the citizens can petition to have the charter changed. Both require the citizens to vote by referendum on it.

Councilor Mason said I think there are a lot of things we need to put into place before we go ahead and make any decision. As Councilor Larochelle said how many times do we go and vote. You can't just say oh we will just continue until we get it right. You need to know that it's twice and is it legally possible to do every article individually. We need to understand that yes people do have the right, but as was said before hopefully they are electing people they know have the right mind to make the right decisions. Some of the problems that people feel we have now those decisions were made at town meeting. What happen is that a department or group wanted something and they got an interest group together who came and voted on that floor of town meeting so a lot of what you are seeing now and a reflection of a lot of the departments we have now, and I have heard many in this room comment on different departments that they feel their budget it too high, those decisions were made at town meeting. You could end up more or less in the same situation with interest groups stacking the deck if it is legally possible to have each article listed. There is a lot to think about before you just jump ahead and decide to do this. There is no problem with the people speaking you just need to know how you are going to do that.

Councilor Wells said I have to agree with Councilor Mason. I think you are opening yourselves up for a lot of headaches if you go in that direction right now. I am not saying that the public doesn't have an opinion and the right to voice it, I am seeing that you will never get a budget passed by going in this direction because how many times can they say too low or too high and where it too low or too high. As Councilor Larochelle said it was a very difficult decision last year coming up with a number for the School Department and we don't have a choice on the School Department because if you read our original charter it didn't say the school budget was even going to a referendum vote, the Town Council was going to have the final say on it. Augusta made that decision for us so that decision was not made by this town or this group of people sitting here. Augusta said we have to put a school budget to the voters and we see town after town not pass their budgets. While not every person in this town agrees not an overwhelming number of people who voted to go from Selectmen to Council and to stop a town meeting it was still the voters of this town that made that decision. They chose to put a Council in here and they chose it by electing a Council. They were going to allow those seven who are sitting right here to make the decisions for this town. It does not mean that every single time we've had a budget meeting that they couldn't come out and voice their opinion. Dale and Norma sat up here an argued and argued our two different points, but there was every right for every person in that audience to get up and say their arguments too. That I am sure in some ways led every person sitting up here to make decisions. That's true on every single budget whether it's the Police Budget or the Library Budget. It was a majority of people in this town who voted to move in that direction in this town. We have a mechanism that's already in place in the sense that you have public hearings and open meetings in regards to this. You could choose next year if you wanted to, to do your public hearing in the format of an old town meeting. You could bring it out in your basic structure of every one of the articles and let them go over them. You can do the same thing on the school side. It would allow the public to come out and voice their opinion. I don't think moving in the direction of putting this change back in the charter and trying to put this on a ballot is going to solve any issues at all. I think its going to create a lot more problems and you are going to find yourself sitting here holding an election after election just trying to get a budget passed.

Councilor Cote said when you and Dale were arguing about the Police Department do you remember being threatened Norma by a member of the police force. Councilor Wells said I was never threatened by that person Roger, only you were. Councilor Cote said it was admitted by the officer. Councilor Bowie said we are not talking about threats here we are talking about a charter change. Councilor Cote said if we are going to sit here and negotiate a budget and be threatened then its time to send it to the people and let the people be threatened and let them make their decisions.

Councilor Bowie said I am very concerned. If we were to ever entertain something like this I think we would have to change the voting and financial process in that effort because if you remember correctly when we did take the budget vote out to the public we had 300 people who voted down the school budget, right. The idea behind the change to a charter was because we weren't getting good participation. I would be very concerned if we went to a vote that you would be in an iterative process of trying to get something passed if you didn't change the voting process, which means you have to change the whole financial processes over to align with a regular November election so that at least like every other year you are getting a large turn out for issues like we had the past November. I think the other thing that went wrong this year is I don't believe the School Department listened to what was said at the public hearings. I believe we had public hearings and I believe we heard valued input that was taken into consideration on the municipal side and it wasn't done on the school committee side. I have no qualms with the school committee. They have a job to do and they have to do what they think is right. However, I remember hearing the public saying a number of times to go make certain types of changes and cuts. They didn't do that and they went to a vote and it got turned down and the school committee brought back to the Council the same budget. Council had to take into consideration what they heard from the voters, which I think Council did, right. After listening to the voters, Council said, this is the change that needs to take place. Granted we can't control what programs or lines and stuff like that, but we listened to our voters through public hearings and that process and we made the appropriate changes so I think Council did an excellent job in listening and moving forward with the things that needed to be done. I don't see the need then to take every last thing back to the citizens. I think they put us here to make decisions for them because they have busy lives and because they can't be coming to everything and I honestly don't think that if you give them the power to vote that, that is going to change because we have seen unless you articulate and vote at a very specific time when there is a number of issues out there you're not going to get a large turnout out of six or seven thousand voters to make the valued decisions, right, that need to be made. You are just going to get little buckets of people that are just going to come out because they saw us on TV or they have an issue with something that can be raised at a public hearing and its our responsibility as Councilors to listen to those and make those decisions. If they don't like what we are doing then they have all the right to get rid of us, right, if they don't feel we are doing our job.

Councilor Henry said I know if I had run again the group that was behind me they wanted to go for a vote on our side of the budget. We felt it was only fair so if that's the way they want it I will work towards that. I even hesitate to say anything because I'm on my way out. This is my last meeting as a Councilor and I don't know what the new Council's feelings are on anything, but I do know that the people behind me last time who got me elected into office many times, either on the school committee side or the town, they wanted a chance to speak their opinion in the voting booth and I have to respect that. We can deny it as a Council now, but I'm sure Michelle and the people who are behind us are just going to move forward in a way to bring this to a vote. They can come out and say no and that's their opportunity, but I feel more than anything if we are to live in a democracy they are allowed the right to say yes or no on whether they want the right to vote on our final town budget and say whether its too high or too low and that should be their right.

Councilor Crafts said I am certainly for the idea of it, but not without limits on how many times it goes before the public and I would not be for it if it wasn't a November vote. How many times have I brought that up? If we are going to vote on a town budget other than a November vote, it isn't going to work. You are going to have special interest groups going out in force to vote so to do this type of change you are talking major change; budget time and fiscal year end change. Don't take me wrong. I think going out to the public is a great idea, but not without a good plan. All the points that have been brought out are true and this could create a lot of problems for the town that we would have to go back and fix again.

Councilor Larochelle said why don't we put the state budget to a vote. Councilor Crafts said why not.

Councilor Cote said I spoke to a few people down to Wiscasset and they vote on their budget and they said that was the best thing they did when they did that because it made the Councilors accountable to the people. Rumford went this way and made their political representatives accountable for what they are representing, which is the truth about what people want. I can assure you that this is going to be brought up and forced down our throats and then when it does its going to come back with vengeance. I don't know why at this point we just don't give it to the people and let them vote.

Councilor Bowie said we need to work out all the details on how this is going to work first. Councilor Crafts said we have nothing to look at. Councilor Bowie said if you would like to start a committee to work something up to try and determine how this would go and come back with a structured plan that says this is what we would like to recommend for a charter change, is Council behind this, then that is fine. That's what you are empowered to do as a Council, but we need to think of everything and keep in mind the reason why the taxpayers voted for a Council form of government. The biggest thing we heard going to a Council was to get rid of those special interest groups. Councilor Cote said we have more now than we used to. Councilor Bowie said I don't know that we have that many special interest groups because it takes seven of us to agree on something to get something passed. Councilor Crafts said the only time I think I see that, that takes place is when we have off elections because you don't see that in November. This is the problem I have with special elections other than November and I have brought this up many times.

Councilor Larochelle said I would go along with Councilor Bowie. I wouldn't vote on this either way because tonight it's a discussion and I think it needs to be put on the table and that's the way it is. I don't think anybody is looking for a vote. It would be nice to know if Wiscasset's is working so great, how does their charter read. Do they vote two times and revert back to their prior budget. What are the guidelines? I think that would be something we need to know just so it has those safeguards in there not to get us into a situation where you know we just kind of give up and just go back to what we had the year before and then next year go back to what we had two years before. If we had given up this year and went back it would have been a lot higher budget than what we ended up with because we cut everywhere so we have to be careful, that's all.

Councilor Bowie said we normally have a 9:30 p.m. deadline to finish up by and we can continue to discuss this at another time. I am sure there will be other input and further opportunities to continue this discussion, but we have to get through the rest of this agenda and it's already 9:30 p.m.

Michelle Swatsworth-Turmelle asked if it could be put on the next agenda. Councilor Bowie said the next agenda will be the organizational meeting and there may not be enough time, but if Council wants to discuss this at a later date they can bring it to the chairman and ask him or her to put it onto the agenda. Councilor Larochelle said I think its one of those things where the more information you have the better and maybe the chair would prefer to have a roundtable workshop instead of this type of stuff. It would be nice to know if there are other areas where this is working it would be nice to know how to make it work. There are other areas where it is not working and we need to know why. I guess the parameters would really be important and to me a key factor.

Councilor Cote said can we put this on the second agenda in December. Mr. Eldridge said there is nothing that I know of and I guess we could put it on then. It would be good to put it on when there is a light agenda obviously it is going to generate a lot of conversation. It may work best as a sole subject for a workshop. Councilor said I would like to bring in the people who actually put together the charter so we can remember or discuss why they put it together the way they did. I think that would be good input to have as well. Councilor Mason said when comparing other towns it needs to be apples to apples.

AUDIENCE PARTICIPATION

Dorothy Fitzgerald said you know Councilor Bowie you kind of answered your own question when you were talking about the process of putting this as an amendment on the town charter, putting the municipal budget out to vote, you said it would have to go to a vote of the public so then the public could say yes we want to do it or no we don't want to. There's your answer pure and simple. Councilor Bowie said I would like to hear more of the public tell me I want it. Mrs. Fitzgerald said you know the school referendum vote did work. You said there were 300 people who come to vote on that give or take, but that's probably more people than what would have come to town meeting so you did get the public's opinion.

Mrs. Fitzgerald said the King Road Bridge is wonderful. The improvements to the road, access, and egress are great. I hope you put the Mill Street Bridge and street on the agenda to be improved; it needs to be redone and widened. Councilor Bowie said that's a state bridge so the state would have to determine whether it needs to be redone. We can talk to the state and ask them to take a look at that bridge. The state elected to redo the King Road Bridge. Mrs. Fitzgerald said I would hope that they elect to redo that bridge because of the School busses. Councilor Cote said the state determined the King Road Bridge was unsafe that's why it was redone. The bridge on Mill Street may or may not be the same way.

Mrs. Fitzgerald said what's the status on the Thiboutot property on Village Street. Mr. Eldridge said there is a meeting scheduled for Friday morning with Mr. Thiboutot, his attorney, our attorney, and me. Our attorney has not filed his brief yet, but he still has time.

Donald Fellows said it looks like by default you have decided to wait until the next Council comes in before you vote on this charter change situation was one of my points the second being I don't think if you give the vote to the people, people who care are going to show up unless it means something to them. What's it going to do to my taxes? What does it mean to me? I think whatever you do it has to be relevant somehow to the individual person who would vote and if that's a special interest we ought to try and avoid that somehow. You had mentioned moving it to November because you would get more voters and less special interest, but if you tag the amendment somehow with x percentage of voters that had to show up or it was null and void it wouldn't matter when you had it and if the population didn't care enough to show up then this Council would have made a decision, that's all. Councilor Bowie said that's a good point.

Mrs. Swatsworth-Turmelle said I don't want to see us go through another budget season like the last one, because there was an hour of time where there was no negotiating it was a changing of the minds. There weren't any negotiations other than instead of two positions, the \$80,000; the dollar amounts that went back and forth. There were no votes changed on the two side, there were votes changed on the four that voted against it after about an hour and then it passed so if we are going to recall it in the way it went and we want to talk about compromise and negotiations, let's actually do that rather than sit here and try to change minds. That's not negotiating. Negotiating is meeting in the middle. Let's try to have some compromise and that really didn't happen last time. I don't see why there is such an issue in saying there are special interest groups. I have an issue with you saying that the 300 of us who take the time to come out and vote for that budget might be a special interest group. Our special interest is what's best for the town whether it be the school, municipal, or charter amendments. We took the time out of our busy day to come make that vote. That's our right to cast that vote and I have an issue with being called a special interest group when I took the time out of my ten hour work day to come and cast my ballot. That doesn't make me a special interest group. One way or the other this is coming up for a vote and I would much rather see you guys collaborate and work out the details in the way that it should be worded so that the people have a voice and say in what they are asking for. It doesn't have to be in November it can stay in June so that we do not have to change the fiscal year. I think those 300 people's vote should count.

Kathi Yergin said I usually don't come to your meetings, but it would be nice if your public comments came after your deliberations so that you can hear both sides. I commend the School

Committee for the school budget they brought and if I had my way it wouldn't have gone to a vote at all because there was not going to be any tax increase; no cuts had to be made. It was all a dollar sign. I did go to one meeting and all I heard was that the town's cutting so the school budget had to be affected by that because of that vote. On one hand I hear positive things about being able to vote, that is my right to vote, and on the other hand I saw what it did to the school system and it was totally wrong. If you do this I think you should have a lot of different areas in place and I don't think you should go back and vote four or five different times. I don't think you should come back with a number in a hat and tell the School Committee to drop that much money when it wasn't even going to raise one single tax dollar to the taxpayers. The 300 people who did vote I commend them. I was one of them. 300 people turned that budget down out of 9,000. I think they have a right to vote, but there has to be parameters in place before something worse happens to the schools.

APPOINTMENTS

CONSERVATION COMMISSION

(1 Reappointment)

VOTE (2009-176) Councilor Larochelle, seconded by Councilor Cote moved to appoint Carroll Curtis to the Conservation Commission for a three year term. **Order passed - Vote 7-0.**

RECREATION COMMITTEE

(1 Reappointment)

VOTE (2009-177) Councilor Larochelle, seconded by Councilor Cote moved to appoint Timothy Carville to the Recreation Committee for a three year term. **Order passed - Vote 7-0.**

COUNCILOR COMMUNICATIONS

Councilor Larochelle said I wanted to mention the Thanksgiving dinner since this is the last meeting before it. I had a nice time last year. Some of the stories you hear are amazing. If anybody does have an opportunity to go, visit, make a pie, or whatever, it's a great time. Again, Thanksgiving is coming up so don't forget about that. If you know someone who is not going to be having a Thanksgiving dinner just point them in the right direction. Mr. Eldridge said contact Judy Hardy-Goddard, Rosie Bradley, or Jody Durisko.

Councilor Larochelle said Councilor Wells and I have been meeting with the School Facilities Committee. There is very good information coming forward about the building and what possible scenarios can happen. It's a very diverse group. It's working really well, but the town needs to keep in mind that repairing things isn't free. I want to point out that the school budget vote wasn't 7-0 because I voted against it because, again, sitting through the process of what the school went through to get that number right or wrong, unfortunately, we elect people on the school board to make those decisions and it's really hard for us to and I understand where it all came from and the emotions and everything that played through, but it's hard for any board to actually spend a long period of time and late nights to use all their resources to come up with a scenario and then for someone just to say you are totally wrong you need to throw a wrench into it without any reasoning just make a choice and that's tough to do and that's the only thing I'm scared about with this process.

Councilor Crafts said I'm really excited about the old High School (Campus Ave) and I think that's awesome for this town. The other thing is that I want to thank Norma and Janet. Working with

them over the years on the board has been fun in a lot of ways. It's been a huge learning experience for me. I'm so glad I served on the board before I got elected to the legislature. It was a real spring board understanding how things work; similar but on a smaller scale. I enjoyed working with you, best wishes, and thank you for your service.

Councilor Mason said the Revitalization Committee is still compiling information that will be presented to the Council in the next few months. The PTO Craft Fair is December 5 and we have some other community events happening that day as well. Our goal as a Revitalization Committee is to incorporate other community events and organizations so that we can make it a whole day event. We don't want to infringe on anybody else's events; we want to highlight them. That's the concept we want to move forward with. That day Santa comes to the Gazebo Park in the late afternoon and then he will retire to the Fire Station so the kids can come visit him there. The tree lighting is that night. There will be caroling. There are eight to ten businesses committed to being open that night and they may offer specials or hot chocolate and cookies. The Library will be doing photos for \$2 or \$3. Try to come if you can.

Councilor Cote said Ronald Anctil passed away. That's a business in town that's probably going to roll up the carpet. Also, Bangor Savings is rolling up their carpet and moving to Lewiston. Lisbon is looking pretty bad. We need to help the Village in Lisbon to do something pretty soon because it's looking a pretty sad. I would like to see somebody organize a group; I guess we are going to have to start a Lisbon Revitalization to try and spiff up Lisbon because they definitely need a helping hand. Councilor Mason said that's what our effort is Roger, for the entire town. Councilor Cote said but the trouble is Lisbon is dying. It's really bad.

Councilor Wells said this is my last meeting. I can't say I am sorry it's my last meeting. I will enjoy these nice winter nights at home instead of coming out in the cold. I would like to take a moment though to thank the resident of the Town of Lisbon for the opportunity to have served them. It has been an honor to work with such a talented group of employees who work very hard to make Lisbon a very wonderful place to live and that includes you too, Twila. I hope your future Councilors remember that the residents of this town entrust them with the responsibility to keep Lisbon a safe and affordable place to raise their families, educate their children, find employment in businesses of all kinds and allow them to grow old amongst the friends and family that they have grown to know and love here in this town. In my past four years on the Lisbon Town Council I have never forgotten who voted me in to this position and who I was representing and I remind my fellow Councilors that they were voted in to represent all the taxpayers of this town and wish you all lots of luck. Councilor Bowie said thank you.

Councilor Bowie said the last item I have is that one of our Water Commissioners has resigned, James Gurney. We are accepting applications to replace that position according to our charter. We will appoint someone to fill that term for the remaining portion of that term, which I believe is about a year. Two years, okay, two years so we will be trying to get applicants so that hopefully we can do something fairly quick for the existing two Water Commissioners and get something in place maybe by the next meeting. Councilor Cote said are we getting anything from the Water Commissioners themselves on who they might like to work with? Councilor Bowie said I have talked to Mr. Doughty and Mr. Bauer. I think they have solicited people to apply based upon what they know and who they know. Councilor Henry said didn't someone run on the ballot; they collected 65 signatures. Councilor Laroche said the town has actually stated at some point that they have interest in another person, that's all. That's what you are trying to say, right. Councilor Henry said right, that someone has already established interest in the position. Councilor Bowie said that person or anyone else must fill out an application so that we can go through the appointment process and we will try to address that for the Commissioners at our next meeting if we get enough applicants.

Councilor Henry said I have one more comment. This has been a curse and a blessing, but more of a blessing so I want to thank everyone.

EXECUTIVE SESSION - NONE

ADJOURNMENT

VOTE (2009-178) Councilor Wells, seconded by Councilor Henry moved to adjourn at 10:02 PM.
Order passed - Vote 7-0.

Respectfully Submitted,

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