



## TOWN COUNCIL MEETING MINUTES MARCH 1, 2011

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

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

ROLL CALL. Members present were Councilors Bowie, Mason, Larochele, Cote, Lunt, Pomelow, and Bickford. Also present were Stephen Eldridge, Town Manager; Elwood Beal, Public Works Director; and approximately 15 citizens in the audience.

### PUBLIC HEARING

#### 2011-2012 CAPITAL IMPROVEMENT BUDGET

The Chairman opened the public hearings. Mr. Eldridge said this is the Capital Plan that was presented in detail in December. It is a guideline as opposed to funding. Funding is looked at, at budget time; that's when the Council decides what Lisbon can and cannot afford. The Planning Board passed it indicating that it complies with the comprehensive plan. The Chairman asked for public comments. None noted.

#### SPECIAL ENTERTAINMENT PERMIT SANDRA HARKINS D/B/A THE RAILROAD RESTAURANT & PUB

The Chairman asked for public comments. None noted.

#### SPECIAL ENTERTAINMENT PERMIT RAYMOND J. LAVIGNE VFW POST 9459

The Chairman asked for public comments. None noted. The Chairman closed the public hearings.

### CONSENT AGENDA

The Chairman announced that Item B) Road Postings would be removed from the consent agenda.

**VOTE (2011-28B)** Councilor Bowie, seconded by Councilor Cote moved to approve the Minutes of February 1, February 15, Special Entertainment Permit and Liquor License for Sandra Harkins d/b/a The Railroad Restaurant, and the Special Entertainment Permit & Liquor License for Raymond J. Lavigne VFW Post 9459.

**Order passed - Vote 7-0.**

### COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

**VOTE (2011-29A)** Councilor Bowie, seconded by Councilor Pomelow moved to adopt the following road postings:

From March 7 through May 1, 2011:

Bowdoinham Road  
Edgecomb Road  
Ferry Road  
Fisher Road  
Gould Road  
Hudon Road  
Keay Road  
King Road  
Littlefield Road  
Mill Street  
Moody Road  
Pinewoods Road  
River Road  
Store Road  
Summer Street  
Burrough Road

And Year Around:

Wing Street, no through trucks over 5 tons  
Webster Road, with restricted weight limit over 23,000 lbs

**PUBLIC COMMENT:** None.

**Order passed - Vote 7-0.**

CAPITAL IMPROVEMENT BUDGET

**VOTE (2011-29B)** Councilor Bowie, seconded by Councilor Cote moved to accept the 2011-2012 Capital Improvement Budget as presented (see attached).

**PUBLIC COMMENT:** None.

**Order passed - Vote 7-0.**

**OTHER BUSINESS**

A. SELF FUNDED HEALTH INSURANCE DISCUSSION  
MICHELLE TURMELLE

Mr. Eldridge said the Council asked that Michelle Swatsworth-Turmelle take a look at these self funded rates and programs being presented to the Council. She works in that field.

Mrs. Swatsworth-Turmelle said if your co-insurance company comes back and tells you, you have a 9% increase this year, no matter what you do this year you already know you are going to have a 9% increase this year or you can shop around with a self-insured plan and you yourself as insured have the ability to control your rate increase, such as on the weekend you wake up with a sore throat and fever, do you a) go to the emergency room or b) wait and go to the PCP on Monday because your occurrence level will be less and by having fewer occurrences at the end of the year you have the potential to drive your rates down. She pointed out that you do not have that kind of control with the other companies. She said as an employee of a self-insured company she has the ability to drive her rates down and as a benefit, she is rewarded with a \$500 allowance that goes into a health savings account to be used towards her deductibles and out of pocket expenses, as listed in the wellness plan options. This may be something you grow into as you reduce your costs, she explained.

Councilor Larochelle asked if the employees would pay less that first year. She pointed out that the co-pay for the ER visit versus seeing the PCP on Monday is a lot less. She said being a military spouse and having access to free health care that she did not even think about it and yes, she used it a lot. It's about using it wisely, not prohibiting ER visits, but doing the right thing if that means waiting until Monday when the PCP is available. The plan you are looking at is different from the current plan, but different in a better way. Additional testing required at present is out of pocket, but under the new plan, it is covered. Mr. Eldridge pointed out that they were waiting for updated prices, at this point.

### B. ROUTE 196 DISCUSSION

Mr. Eldridge said the engineer, who presented the Route 196 study left Lisbon the final version, which did not change that much. At this point, he is looking for comments and a recommendation from Lisbon.

Councilor Bowie said he didn't want five lanes nor a by-pass. He would entertain a third lane for turning purposes to help keep traffic flowing better, but that may be tight through Lisbon Center, and it could impact a bike lane if they were going to include that. He pointed out that Lisbon wanted a wider bridge, but MDOT would not entertain that when they redid the bridge.

Councilor Lunt said the third lane would be difficult, even through Lisbon Center, which could affect many people's homes. He felt this would be more beneficial through the outskirts of town and not right in the downtown areas.

Councilor Cote said he would like to have a by-pass because of the terrible congestion here especially. He argued that if you are going to go through Lisbon regardless of the by-pass, you are going to go through Lisbon to stop and do business there, but the by-pass would be for those commuting to work.

Councilor Larochelle said he agreed that there were bottlenecks on Route 196 at Capital Avenue. There is no delayed light there to turn left. We benefited from the third lane in front of the high school when turning onto Route 9. He felt that maybe the third lane would be nice in certain areas. He pointed out that although it is nice right there by the midtown mall, he would like to see it more controlled with traffic lights.

Councilor Bickford said he liked the by-pass in Topsham. He liked the idea of a by-pass for Lisbon and that he did not mind lights along it for places like Dingley Press or Capital Avenue. He said, at times, he has waited up to 15 minutes to get out onto Route 196 at Miller's Variety. That's costing me money, he said.

Councilor Mason said from what she's heard from Bruce Poliquin, the State Treasurer, she didn't know where the money would come from to fund this. She would hate to see five lanes go through Lisbon, which would be virtually impossible. Three lanes would be pushing it, she said. Perhaps a turning lane would work. However, there are times when it's difficult to get in and about so we do need to do something about traffic management. She indicated there were no easy solutions to this.

### PUBLIC COMMENT:

Larry Fillmore said he had no problem with widening Route 196 everywhere, except in Lisbon Center. It would create an unsafe environment for the children in that area and could make those houses unmarketable or lower their value.

Dorothy Fitzgerald said she attended all these meetings. We have 6 miles with only four traffic lights going through Lisbon, she pointed out. She asked how the by-pass would impact the walking

path. A lot of money is going into that walking path, she added. Route 196 does back up for a short period of time when school is going into session, but this does not make financial fiscal sense for the State to spend millions of dollars correcting something that is a problem for a short period.

Mr. Eldridge said he would draft a letter outlining the Council's comments and send it off.

### C. AUDIENCE PARTICIPATION DISCUSSION

Councilor Larochelle said he called and spoke to Councilor Lunt about this. Other boards and committees keep audience participation strictly to agenda items. He suggested participants give the Council a written description of what their concerns are ahead of time so when approached at the meeting the Council would have a prepared response that has been looked at ahead of time and that the audience participate strictly on agenda items for the rest of the meeting. He recommended the Council move forward with this procedure so that the Council and Manager would have time to put together a proper response.

Councilor Cote said he totally disagreed with limiting it in anyway. He said limiting audience participation would be sending the wrong message to the people. If Councilors do not want to deal with citizen complaints then they should not be here, he said. He indicated that the public should have the right to come here and speak about anything they choose to speak about and as elected officials, we should be willing to accept their criticism or answer their questions; to stop that would be detrimental to this Council and town, he added.

Councilor Pomelow pointed out, again, that she did not want to send a message that she did not want to hear what the public had to say, but would rather not be blindsided by a topic someone might be expecting to get a response to when the Council may not be aware of or adequately able to address that evening. The worst thing the Council can do is to try to answer a question, she said, when we may not have all the information. She indicated that it would be nice if we did have an opportunity to know in advance what the question or concern was so we have an opportunity to look into it. She agreed that the Council should be accountable to get back to the townspeople when a question is asked. She explained that it is counter-productive to keep bringing up old issues even when sometimes the Council has addressed them; some issues have to be put to rest. The venue for people to keep bringing these issues back up is audience participation. She would be in favor of continuing audience participation if it's related to an agenda item or with the understanding people address their concerns and not necessarily expect an answer that night. She said, that means that the Council would have an obligation to get back to that person with an answer in a reasonable fashion. She said she did not think that the Council has responded in a timely way, which may also have contributed to the fires continuing to burn.

Councilor Cote said he would like the Council to follow up and answer questions as pointed out by Councilor Pomelow, instead of limiting audience participation. He mentioned that if the public had issues, they should communicate to the Council through emails and phone calls, too. He said if the Council were more receptive, maybe ultimately that would be the way to go.

Councilor Mason said I agree it's important for the townspeople to speak their opinion, but it cannot be a Town Meeting every time we have an issue. Civility has fallen away, resulting in finger pointing. She encouraged everyone to be very factual. When you don't know what the issues are, but are expected to have an answer on the spot, I think, that's exactly what Councilor Pomelow is getting at, she said. It's important for the public and Council to be factual and to do research. She agreed that citizens need to speak, but hoped that the public would be respectful of the job that they are trying to do.

Councilor Lunt suggested tweaking the current working rules instead of taking off audience participation all together and recommended holding a Council Workshop so that we don't send the wrong message.

Councilor Cote said while we are talking about people coming to the podium with something that takes us a little bit off guard. Department Heads could also give a heads up when they are going to humiliate you in public, he said, so I could prepare myself. I welcome the challenges, he added, but I would like a little heads up on what is coming also, instead of just trying to blindside me as well.

Councilor Bowie liked the workshop suggestion and added that at the end of the day, we all want to be making positive forward strides for the town and we want to show that we are making progress and doing what the town needs to have done.

Mr. Eldridge said he would schedule a workshop.

**PUBLIC COMMENT:**

Larry Fillmore said he started coming to meetings when the tax problem came up. He agreed with Councilor Pomelow. He said he did not mean to put anyone on the spot. He said he does his research. He agreed there should be a better procedure in place for people to voice their opinions and get items onto the agenda. He pointed out that if an item he requests is not allowed to go onto the agenda and you take away audience participation, then it's never going to be there so if we write it to you and you don't respond then there should be a way to take it up publicly like under audience participation.

Michelle Swatsworth-Turmelle pointed out she expects the Councilors to reciprocate respect for individual opinions from each other and the public. She discouraged taking away audience participation. Through public comments, many good things, and suggestions have been generated, she added.

Dot Fitzgerald said we lost a lot of the democratic process when we went to the Town Council form of government. Audience participation is really needed, she said. She pointed out there is a bigger audience than what is at the meeting that includes the audience at home who may be interested in the subjects brought up under audience participation and who may have an opinion so audience participation is the most democratic way she could think of to keep the Council informed.

John Wierzbicki said some very good points were brought up. He liked that the Council Chair is exercising a little more authority. He said a lot of this could be resolved by exercising this authority. The Council Chair could say, you have a valid point, and this should be placed on the next agenda. He said if you made a decision, then the audience would know that you were taking them seriously. He pointed out that if the Council Chair thought the topic to be bogus, then the Council Chair could say, this discussion has ended, we are done, and move on.

**D. TOWN MANAGER'S REPORT**

Mr. Eldridge said he had a request that the Ricker Trail be plowed. The Trail Committee said they do not want to do that at this time with the drifting problems up there and that it would be in conflict with the snowmobiles as well. Councilor Cote pointed out that plowing could create a ridge of snow and an opportunity for people to get hurt. Councilor Larochelle said where it is an open field there it is hard to keep clear.

Mr. Eldridge said Lisbon Emergency is planning to move to a new location on the corner of Gartley and Village Street. He said the town has a deed with stipulations that say, if they move before it is paid for, it reverts to the town; I'm not sure when they are moving, but I'm confident they will be moving forward, he said. The Council needs to decide what to do with that building. Councilor Bowie said he would have liked it better if Lisbon Emergency had told the Council this. He pointed out that the Council bent over backwards for them when they came begging having no money.

## AUDIENCE PARTICIPATION

Michelle Swatsworth-Turmelle said I probably could have emailed this, but do we have a policy in effect on cell phone use when running heavy equipment. Mr. Beal said not as such, but they are told they are not supposed to be. Mrs. Swatsworth-Turmelle said this year Public Works has been doing an awesome job, but has noticed cell phone usage while operating heavy equipment. Mr. Eldridge said we can address that, Mr. Beal is here.

Don Fellows said the Planning Board did approve the conditional use permit for Lisbon Emergency over by the Fire Station. They made some on the spot modifications to keep it in line with the neighborhood so that it becomes an addition, rather than an eyesore. Mr. Fellows said the best part of the trail is actually the Papermill Trail and the best part of that is the part where the snowmobiles travel because you cannot walk on the plowed portion because it is too icy. Mr. Fellows recommended that Lisbon not try to make Route 196 something that it is not. He said you could limit turns or use traffic circles. He agreed that there are huge traffic jams if you are out when school is about to go into session that appears to be dangerous. Mr. Fellows said we went from a Town Meeting form of government to a representative form of government and the Council needs to do the representing. He said we need public input and hopefully, the Council wants to hear from the public, but the Council needs time to be able to make decisions, adding that if the whole meeting is taken up by public comment or diverted from what you should be doing, then you can't do the job you were elected to do.

Mr. Fellows suggested when the Council holds its workshop on audience participation that they consider addressing the issues on time, timing, and the number of times one can speak at any one session. He recommended they talk about some system where the Council could appoint someone or a number of citizens from the community to sit in on workshops with them. He felt this might provide good conclusions that might apply to the meeting.

Dot Fitzgerald complained that the sidewalk by her driveway dips low and becomes a 6" to 8" wading pool. People walking on the sidewalk have nowhere to go but into that water. She said removing the snow there helped in the past. Mr. Beal said all that needs to be done is to have the snow removed every time; he said he would take care of it.

## APPOINTMENTS - NONE COUNCILOR COMMUNICATIONS

Councilor Cote thanked everyone for the outpouring of cards, flowers, and comments in regards to his dad's passing. Losing your dad is a very rough time, he added. They were very much appreciated.

## EXECUTIVE SESSION - NONE ADJOURNMENT

**VOTE (2011-30)** Councilor Bowie, seconded by Councilor Pomelow moved to adjourn at 8:25 PM  
**Order passed - Vote 7-0.**

Respectfully Submitted,

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

*Workshop for Budget Referendum Discussion ended at 9:30 PM*