



**TOWN COUNCIL  
MEETING MINUTES  
SEPTEMBER 18, 2007**

Fern Larochelle, Jr., At Large 2007  
Charles Smith, At Large 2008  
Michael Bowie, At Large 2009  
Gina Mason, District 1 2007  
Janet Henry, District 1 2009  
Dale Crafts, District 2 2007  
Norma Wells, District 2 2009

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**CALL TO ORDER & PLEDGE TO THE FLAG.** The Chairman, Norma Wells, called the meeting to order and led the pledge of allegiance to the flag at 7:00 p.m.

**ROLL CALL.** Members present were Councilors Wells, Smith, Bowie, Mason, Henry, Crafts, and Larochelle. Also present were David Brooks, Interim Town Manager; Ryan Leighton, Town Engineer; Mark Stevens, Recreation Director; Elwood Beal, Public Works Director; and approximately 15 citizens in the audience.

**PUBLIC HEARINGS**

PUBLIC WORKS BOND REFERENDUM

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

**CONSENT AGENDA**

**VOTE (2007-153)** Councilor Smith, seconded by Councilor Bowie, moved to adopt the following consent items: A. Minutes of August 28 and September 4, 2007. **Order passed - Vote 7-0.**

**COUNCIL ORDERS, ORDINANCES & RESOLUTIONS**

PUBLIC WORKS BOND REFERENDUM

**VOTE (2007-154)** Councilor Bowie, seconded by Councilor Smith, moved that the following Order authorizing the issuance of general obligation securities for the Town of Lisbon, Maine, in an amount up to but not to exceed \$1,355,000.00, for the purpose of replacement of the Town of Lisbon Public Works Facility, be and hereby is adopted by the Town Council of the Town of Lisbon in accordance with the following:

Section 1. That a sum up to, but not to exceed, \$1,355,000.00 is hereby appropriated for the purpose of constructing and equipping a new Public Works facility, together with office space, and the demolition and removal of the current facility.

Section 2. That, for the purpose of financing the aforesaid appropriation, authorization is hereby given to incur indebtedness by the issuance of general security obligations in an amount up to, but not to exceed, \$1,355,000.00, pursuant to, and under the provisions of the Charter of the Town of Lisbon, Section 6.09.

Section 3. That any and all bonds, notes and other securities issued pursuant to this Ordinance may be payable in serial form in annual installments, which need not be equal, or under such payment terms or conditions as may be in the best interest of the Town, but which shall be calculated to extinguish the entire debt at majority.

Section 4. That the term of any general obligation securities issued under the within Order shall not exceed twenty (20) years.

Section 5. That the proceeds of any general obligation securities issued pursuant to this Order shall be used only for those purposes specified in Section 1 above.

Section 6. That any proceeds of the general obligation securities issued not used for the purposes specified in Section 1 shall be applied to repayment of the principal and/or interest of any such general obligation securities.

Section 7. That the Municipal Officers, being the Town Council of the Town of Lisbon, may borrow money temporarily by the issuance of notes in anticipation of the issuance of general obligation securities, subsequent to the authorization of the general obligation securities by the voters of the Town of Lisbon.

Section 8. That the Municipal Officers of the Town of Lisbon shall determine the date or dates, maturities, denominations, interest rate or rates, place of payment, form, or any other details of each of the securities and, if applicable, notes issued in anticipation of the issuance of the securities.

Section 9. That any and all general securities and/or notes issued by the Town pursuant to Section 6.09 of the Charter of the Town of Lisbon and pursuant to the provisions of 30-A M.R.S.A. § 5772(7), shall be signed by the Treasurer of the municipality and countersigned by a majority of its Municipal Officers.

Section 10. That any such securities and/or notes authorized to be issued hereunder be subject to call for redemption with or without premium at the election of the Town, before the dates fixed for the final payment thereof, in accordance with the provisions of 30-A M.R.S.A. § 5772(6).

Section 11. That any and all general obligation securities and/or notes issued pursuant to this Order and to Section 6.09 of the Charter of the Town of Lisbon shall be general obligation securities of said Town.

Section 12. That the Treasurer of the municipality has prepared, signed and attached hereto, the Financial Statement required under the provisions of 30-A M.R.S.A. § 5772(2-A).

SO ORDERED AND ADOPTED by the Town Council of the Town of Lisbon this 18th day of September, 2007, and be it FURTHER ORDERED by the Town Council of the Town of Lisbon that this Order be submitted to the voters in accordance with the requirements of Section 8.11(b)(2) and under the provisions of Section 8.25(b) of said Charter, the submission to the voters to occur at the general election scheduled for November 6, 2007.

Councilor Smith, seconded by Councilor Bowie moved to waive reading the whole order. Vote passed 7-0.  
**Order passed – Vote 5-2 (Against: Crafts, Henry)**

#### NOVEMBER 6<sup>TH</sup> MUNICIPAL ELECTION WARRANT

**VOTE (2007-155)** Councilor Bowie, seconded by Councilor Smith moved to approve the warrant for the municipal election and special municipal election as presented for the November 6, 2007 Election (see attached). **Order passed - Vote 7-0.**

#### LIBRARY GARDEN ACCEPTANCE

**VOTE (2007-156)** Councilor Bowie, seconded by Councilor Smith moved to accept the Bookworm Bend Garden as a Town Park and amend Lisbon Code Chapter 30 Recreation and Parks, Section 30-81, to include the following: (9) Bookworm Bend Garden: Map U-5 Lots 141-142. **Order passed - Vote 7-0.** (*First Reading.*)

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PUBLIC WORKS CURB MACHINE BIDS

**VOTE (2007-157)** Councilor Bowie, seconded by Councilor Smith moved to accept a bid of \$6,675 from N. A. Burkitt for a new curb machine, which includes a \$500 trade in. **Order passed - Vote 7-0.**

NOTARY PUBLIC SERVICE FEES

**VOTE (2007-158)** Councilor Bowie, seconded by Councilor Smith moved to adopt a fee of \$5.00 to be applied to miscellaneous revenue for each non-municipal document notarized at the Town Office. **Order passed - Vote 6-1 (Against: Wells).**

**OTHER BUSINESS**A. BMX RACE TRACK PRESENTATION

Kim Mitchell from Durham said she was a coordinator for the non-profit organization called Maine BMX (Bicycle Motor Cross). She said they were currently working with the National Bicycle League in Ohio and the Lisbon Recreation Department to construct a BMX track in Lisbon. She showed a video demonstrating what BMX is all about. Mrs. Mitchell said insurance questions will come up, and pointed out her group would be protected by a policy under the sanction of the National Bicycle League. She said her group would be responsible for building materials and construction costs. Mrs. Mitchell said the Recreation Committee took a vote to support the idea and to proceed by looking into the feasibility of developing a track. Mrs. Mitchell said some groups work side by side with Recreation Departments and some are totally separate.

**Councilor Wells directed Mrs. Mitchell to go back to the Recreation Committee and Mr. Stevens to develop a plan of action detailing their proposal to construct a BMX track and to come back to the Council for approval to use the Town owned property on Pinewoods Road for this use; once approval is granted, they need to go before the Planning Board for a conditional use permit.**

B. GENERAL ASSISTANCE CONTRACT

Mr. Brooks said the current 90 day contract is due to expire in October, that he has had a number of conversations with Mrs. Goddard, that he has personally observed her coming into the Town Office after her other full time job is over for the day, and that he has seen her in the Town Office in the morning meeting with clients prior to her going to her other full time job; she agrees this is working out well, and he suggested renewing the contract for another 90 day period. **Councilor Wells confirmed the Councilors were all set with renewing this contract for another 90 days.**

C. TOWN MANAGER'S REPORT

Mr. Brooks said he hoped the Council digested the Water Department portion of his report. He said he understood why digging up Oak Street three weeks after Public Works spent \$20,000 to pave it was necessary due to a shut off notice; shutting off the water caused the valve to break and everything had to be replaced, which is why the road had to be dug up. Mr. Brooks said he called a meeting with the Water Department Manager and Public Works Director to discuss this issue. The Water Department Manager agreed to better assess their customer needs on the streets listed on the paving schedule prior to the street being paved. The Water Department agreed to pay the \$200 annual fee for excavation cuts, which should have been paid all along. The Water Department agreed to work hand and hand with Public Works. Mr. Brooks explained the Water Department could choose to pay the annual \$200 fee or pay a \$20 per cut fee. Mr. Beal said the Water Department will still have to get individual permits, but they won't be charged a per cut fee.

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Councilor Bowie asked if the plantings at Town Hall will fall within the \$1,500 budgeted. Mr. Brooks said two plantings will take place tomorrow; one is for the replacement of two trees at the boat launch that should be covered under the warranty, and the second one will occur at the Town Office under a signed contract by previous management. \$1,000 has been allocated to the Town Office plantings, but the contract was for \$2,300.

#### D. TOWN MANAGER SEARCH - RESIDENCY REQUIREMENTS & CONTRACT

Councilor Wells said our Town Manager ads are running everywhere out there now and that David Barrett will be collecting resumes until October 1<sup>st</sup>. Councilor Wells stated the Council needed to decide whether residency will be required prior to their first meeting on October 9<sup>th</sup>, and if the new Town Manager will be under contract. Councilor Bowie offered to draft a potential contract for the Council to review.

**Residency:** Councilor Bowie recommended residency be required for more than a 30 mile radius, but candidates within a 30 mile radius shouldn't necessarily have to move and disrupt everything, however, they should be encouraged to move to Lisbon. Councilor Bowie suggested this language be added by ordinance to the Code. Councilor Smith suggested including incentives for a Manager to become a resident; budget wise it can't hurt. Councilor Larochelle pointed out this could make a big difference should Lisbon offer the Manager a car and/or pay transportation costs within a 30 mile radius, and recommended this be addressed in the contract. **Councilor Wells summarized the Council's choice to exclude residency within a 30 mile radius, although the Council strongly encouraged it.**

**Contract:** Councilor Larochelle said without a contract it could be difficult to identify guidelines. Councilor Bowie agreed with offering a contract. **Councilor Wells reaffirmed the Council's decision to go with contracting a Manager and directed Councilor Bowie to prepare a draft for Council review.**

### AUDIENCE PARTICIPATION - NONE

### APPOINTMENTS

**VOTE (2007-159)** Councilor Bowie, seconded by Councilor Smith moved to appoint the following to the Voter Registration Appeals Board per MRSA Title 21-A Section 103: Kevin Kimball, Garrett Mason, Katherine Dunn, Layne Curtis (alternate), and Julia Wilson (Alternate).  
**Order passed - Vote 6-0-1 (Abstained: Mason).**

**VOTE (2007-160)** Councilor Bowie, seconded by Councilor Smith moved to appoint Councilor Henry a voting representative at the Maine Municipal Business Meeting on October 4, 2007. **Order passed - Vote 6-0-1 (Abstained: Henry).**

**VOTE (2007-161)** Councilor Smith, seconded by Councilor Bowie moved to appoint the following Alternates as regular members on the Conservation Commission: Jessica Ireton-Hewitt to the term expiring in 2010, and Ross Cunningham to the term expiring in 2010. **Order passed - Vote 7-0.**

### COUNCILOR COMMUNICATIONS

Councilor Mason said she and Councilor Smith will be attending the school consolidation training meeting next Monday.

Councilor Bowie said he, Councilor Crafts, Councilor Larochelle, and Mr. Brooks (acting as Police Chief) attended a polling consolidation meeting with the school's committee, that they had a very

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good discussion, things went very well, and that was why the Council approved placing the non-binding advisory question on the November ballot to find out if the Town wants to consolidate polling locations and designate only one at the Lisbon Community School. In the meantime this group is working together between now and before Election Day to produce literature to help the public make an informed decision.

Councilor Henry said the Booster Club voted in their new officers. She announced Friday night is homecoming weekend; a KFC dinner is planned and tickets are \$5, which must be purchased ahead of time. She said the Booster Club was looking for more donations for the event.

Councilor Wells commended Mr. Brooks for everything he has been doing this past couple of weeks. She said she noticed the light on in his office occasionally at 8:00 p.m., and thanked him for putting in so many hours and doing such a good job.

### EXECUTIVE SESSION

**VOTE (2007-162)** Councilor Bowie, seconded by Councilor Smith moved to enter executive session at 8:08 p.m. after a brief recess pursuant to Title 1 MRSA Section 405(6) (D) & (E). **Order passed - Vote 7-0.**

The legislative recorder was dismissed. The Council returned from executive session at 8:40 p.m.

### ADJOURNMENT

**VOTE (2007-163)** Councilor Smith, seconded by Councilor Bowie moved to adjourn at 8:41 p.m. **Order passed - Vote 7-0.**

Respectfully Submitted,

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Twila Lycette, Town Clerk  
Lifetime Certified Clerk of Maine

*These minutes are not verbatim. Cassette tapes are filed in the Town Clerk's Office.*

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