



**TOWN COUNCIL
MEETING MINUTES
JULY 7, 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 Bowie, Mason, Crafts, Larochelle and Cote. Councilors Henry and Wells were excused. Also present were Stephen Eldridge, Town Manager; Ryan Leighton, Town Engineer; Cathy Ricker, Finance Director; Twila Lycette, Town Clerk; Roger Therriault, Town Attorney; Stan Doughty, Jr, William Bauer, Water Commissioners; Paul Adams, General Manager Water Dept; Janice Comber, Robin Tupper, School Committee; and approximately twelve citizens in the audience.

CONSENT AGENDA

VOTE (2009-101) Councilor Larochelle, seconded by Councilor Mason moved to approve the minutes of June 2, 2009 and June 30, 2009. **Order passed - Vote 5-0.**

COUNCIL ORDERS, RESOLUTIONS & ORDINANCES

ORDER 2009-102 AWARD TRUCK BODY BID

VOTE (2009-102) Councilor Larochelle, seconded by Councilor Cote, moved to accept the bid from Howard P. Fairfield for \$47, 370.00. **Order passed - Vote 5-0.**

Mr. Eldridge said Mr. Beal put his truck bodies out to bid. What you have in front of you is his recommendation was to go with the Howard Fairfield bid, 10' stainless body bid \$30, 485.00 and 9' steel body \$16, 885.00. Councilor Cote said is that to replace one or two bodies. Mr. Eldridge said two bodies. They will do all the work themselves. They are local, from the Skowhegan area. Good company.

Councilor Larochelle said we reviewed them earlier with Mr. Beal, beneficial to go with the same company with delivery of parts and service, they were very eager to work with them, so the price was adjusted quite a bit compared to what they originally were quoting.

MUNICIPAL PERMIT MDOT RT 9/DURGIN BRIDGE

VOTE (2009-103) Councilor Cote, seconded by Councilor Crafts moved to allow for the over limit permit for construction on Rt. 9 and the Durgin Bridge with the survey analysis done by the town. **Order passed - Vote 5-0.**

Mr. Eldridge said these are documents and I gave you a set that pretty much say the same language on both. I just need you to give permission for trucks to pass close to roads specific to the contractor that they hire. You will have to come in and see me or Mr. Beal to cross those roads.

Councilor Bowie said the question I have is we have done some of these in the past. I am trying to remember, but is there any way for us to get some language in here that says should they form any damage to the roads on the over limits that they have to at least put them back to their original condition. Mr. Eldridge said yes, in this section here where it says Special Provision-Construction area, you will see under line 2, "the furnishing of a bond by the contractor to guarantee suitable repair or payment of damages". They will have to have a bond.

Councilor Bowie said, okay, my question would be, how do we determine, are we going to go up and take pictures of the condition of the infrastructure prior to so when they are done we can determine if any damages were done. Mr. Eldridge said the damage will be, the Department of Transportation will. Councilor Bowie said I would trust them about as far as I can throw them. Mr. Eldridge said take photographs if that is necessary. I will talk with them. Councilor Bowie said I just think we should know the condition of our roads prior to them starting to travel on them. The overweight limits, if they break sewer lines, water lines or anything because of their over limits that we are doing, something needs to be fixed. Councilor Crafts said send Mr. Beal up there.

Councilor Cote said one thing you need to know, breaking the shoulders down. I know when we had construction up our way they broke the shoulders, ditches, and they left it that way and it is still that way. Those are issues on roads that we are not going to be fixing in the near future, if they start breaking shoulders. Councilor Bowie said that is part of our survey and review of the area they will be traveling on.

Dorothy Fitzgerald said, just curious, who is doing all the paving and all the work. Councilor Bowie said that would be MDOT. Mrs. Fitzgerald said is the State paying for all of this or is the town paying a share. Mr. Eldridge said the State is paying for all of the Durgin Bridge and Rt. 9. Mrs. Fitzgerald said so there is no way of having it inspected before it is paid for and make sure that all of the stipulations that you are asking for have been met with. Councilor Bowie said well the stipulations that we were asking for is because this permit is for the contractors to come in and get an over limit permit, which means they can drive on our roads that are over the limit of what they are posted for. So we are going to go out and we have asked the Town Manager and Public Works or whoever to survey those areas prior to the construction process. Mrs. Fitzgerald said video it or something. Councilor Bowie said right, pictures or whatever so we know what the conditions of the roads are before and what they would be afterwards, when we look at them afterwards. We can then say, you need to fix this.

Mrs. Fitzgerald said when the gas pipeline came along when they hot topped the roads they were horrible, such a horrible job they did hot topping. Councilor Bowie said well I am not sure how much we can control the hot top because that is the State piece of the project.

ADOPT OLD MEADOW ROAD

VOTE (2009-104) Councilor Larochelle, seconded by Councilor Crafts moved to adopt the warranty deed for the Old Meadow Road. **Order passed - Vote 5-0.**

Mr. Eldridge said last fall Mr. LeBlanc. You released the funds held in escrow. He had met all the expectations for meeting town specifications for work. It was paved. I neglected to bring before you the warranty deed. You need to adopt that, you have that in front of you. It just needs to be taken over. We actually did plow it last winter, so we will just continue on. This is a formal adoption of this road.

Councilor Cote said is this going to rectify the problem with the hydrant. Mr. Eldridge said yes it will.

Paul Adams, general manager of the Water Department, said I just want to clarify that there is still an outstanding balance for the account on that hydrant. The Town Manager has assured me that the Water Department will get paid. I don't know who is going to pay it but I would like to get some idea of when that will get paid. Mr. Eldridge said did you submit a bill to us yet. Mr. Adams said no I have not. Mr. Eldridge said if you do that we will take care of it. Mr. Adams said okay.

AWARD CENTERLINE PAINTING BID

VOTE (2009-105) Councilor Larochelle, seconded by Councilor Crafts moved to accept the centerline painting bid from Markings, Inc. **Order passed - Vote 5-0.**

Mr. Eldridge said every year we put out the painting bid for painting the center lines. This year we sent it out to three different people. Pine State Safety Lines is no longer in business. A group out of Pembroke, Massachusetts was low bidder by almost \$6,000.00. Normally we like to keep the money in state, but with that kind of savings it was difficult to do, so it is up to you. Mr. Beal recommends we go with Markings, Inc of Pembroke, Massachusetts.

Councilor Cote said is this to paint all of the lines in town. Mr. Eldridge said yes it is. Councilor Bowie said well no, I wouldn't say it is every line in the town, right. It would be 28 miles worth of double yellow lines and about 34 miles of white edge lines.

Councilor Cote said what I wanted to bring up was that we are going to be re-doing Rt 9, but we still have another year to travel that road and when it is foggy, okay, or bad weather, a white line on that road is a very important item. Councilor Bowie and Mr. Eldridge said that is a State road. Councilor Bowie said the State marks that when they want to. Councilor Cote said so we have no call on that. Councilor Bowie said I mean you can use taxpayers dollars if you want to go mark it, but. Councilor Cote said no. Councilor Bowie said it is a State road so it would have to be handled through the State. We are only taking care of our town owned roads. Councilor Cote said the thing of it is, we have to put up with this very treacherous road for another year until they get to rebuilding it. That was a, as Councilor Mason will tell you, a lot of nights when you go home you are relying on the white line to keep you on the road. Councilor Bowie said no I don't disagree but unfortunately it is a State road.

Councilor Larochelle said have we used this company in the past. Do we have any references for this company. Councilor Bowie said we actually have used them for the past three or four years, I think. Mr. Eldridge said last year. Councilor Bowie said I thought we used them last year. Councilor Mason said it was the Pine State one, wasn't it. Mr. Eldridge said we used the one that went out of business. Councilor Bowie said Pine State Safety. I know we have used Pembroke before, Markings, Inc. Councilor Larochelle said, so it is not an unknown, we have used them before, it is not unknown. Councilor Bowie said I know we have used them before because they have come before us. Councilor Larochelle said that would be my concern because if we are just searching for price, not knowing what they have done.

Mark Tupper said I was just curious, how come we can't use in-state instead of going out of state. Councilor Bowie said well we can use in-state. The bid for Markings, Inc. out of Pembroke, Massachusetts was \$17,356.00. The bid from Lucas Striping which is an in-state company, came in at \$23,189.00. I don't know how they can do it for cheaper but every time they have come they have done it for cheaper. I think what they do is come in state and they do a bunch of different towns all at once while they are here so that they are trying to cover all of their expenses at one time. It seems kind of odd that you could come down from Massachusetts and do it all for cheaper. Councilor Larochelle said if it were only 2 or 3 percent or even 5 percent it wouldn't be much of a question, but when it is 25 percent it is pretty substantial.

Mrs. Fitzgerald said would it be possible to request the State to line Rt. 9. Councilor Bowie said we can put in a request, absolutely. Councilor Cote said more importantly the side lines. Councilor Bowie said I guess the one thing before we vote is that I would like to make sure we coordinate this with any new road paving we are doing or any road construction. Tough to go paint the lines then go tear it up on our own local roads.

OTHER BUSINESS

A. UTILITY BILL DISCUSSION

Ryan Leighton said I was asked to come discuss the status of utility billing. As you are all aware on April 7 at our Town Council agreed to convert our NDS software to Trio. As of this date all the departments in town have been converted with the exception of the utility billing portion of it. As of June 12 we were informed by the Water Department that they wouldn't be utilizing the Trio software. We have been under the assumption all along, based on discussions with them, that they were working with us to create a utility billing that would be combined, such was the fact that utility billings would be provided by June 22 so that we could do a combined billing in NDS prior to June 30. As of June 12 we were told they were sticking with NDS and not going with Trio. At that same time we were assured that we would still get the readings by June 22 and as of this date we still don't have any readings to process a sewer or a water bill.

Mr. Leighton said I am not sure what the Water Department's plans are at this point, but based on our discussions that we have had recently and talking to Roger Therriault it sounds like the best bet at this point was for the Council and the Water Commissioners to get together in workshop format to work out this situation. As it stands now we won't be processing the sewer bill until we get readings from the Water Department. As I said in my memo it is not the end of the world, as unfortunate as it is, but because of our summer average process where we basically generate a sewer bill based on the average of the two winter quarter readings, which that information is available to us but it doesn't give the customer the benefit of the doubt if they actually use less water. Based on all this rain there is a good possibility that people don't need to water their lawn, don't need to fill their pool and whatnot, the reasons why we have the summer average. We really wanted to have them, the accurate readings so we could process the billing as we have done in the past. That information is not available to us at this time and I wanted to update you that we will not be doing a sewer bill in the foreseeable future, based on lack of response from the Water Department.

Councilor Bowie said I thought I understood you to say you were going to do your summer averaging. Mr. Leighton said we have the possibility of doing that. If that is something the Council would like us to do that is something we can discuss with Trio. I think it will require some additional software work at this point, because after June 12 they rewrote the programs and so it would be a sewer only program and had to write in the functionality of summer average which would first look at the history, compare it to the current reading and generate and determine which was the lowest cost to generate the bill. Programming being what it is I don't see any reason why we can't force it just to take the average and not look at any readings because there is none. Otherwise we would be looking at a zero reading which obviously would be lower than the average.

Councilor Bowie said is there, I guess what I am concerned about is the impact to the citizens by not getting a bill and then all of a sudden getting doubled up or whatever based on however we were going to eventually work this stuff out so we know how to bill correctly. Mr. Leighton said based on the holiday being when it was, our normal billing if none of this was going on probably wouldn't have gone out until this week anyway. We bill quarterly as you know, so we are billing for one zone. The bill would normally go out the beginning of July. We were going to push it up ahead of this conversion because as of July 1 NDS was, everything is transitioned over to Trio.

Councilor Bowie said so it is not like somebody would get two bills all of a sudden the next time around because we weren't able to bill. Mr. Leighton said not from the Sewer Department. Councilor Bowie said okay. So, do you feel comfortable that we have time to work this out. Mr. Leighton said a small window of time, yes.

Councilor Larochelle said now if are you going to go with an average on the next billing cycle, would that possibly drastically change some of the income at that point. I was looking back at my CMP where one month I get a bill that seems like it is twice as much as it usually is and then the next month it is really small because they have averaged it and hopefully they will correct it on the next time through. Mr. Leighton said the person won't be hit until. Let me think about my months here. This billing we were supposed to do now was the first bill summer average billing. We do two months of summer average billing for each zone. So, for the next six months we can average the bills. But then when they get their winter quarter billing, if the readings are in place at that time, then more than likely that will be the time they will see an increase. I'm just not sure. Councilor Bowie said or a decrease depending on how the average worked out. If we are averaging based on last winter, because that is what we had, then we could be charging more for water during the summer than what we necessarily should have. Mr. Leighton said possibly. Councilor Bowie said based on the total readings end up at, at the end of the time. Mr. Leighton said I think that is unlikely because, I mean, the flip side is there is going to be six months of water readings that will have then been taken place. Now you are going to have to go from whatever that last reading was that we had. It depends on how we get the readings, I know the reading file is just an electronic file that we could input at any point. They are not going to stop doing the readings, I'm sure of that. As long as at some point we could get all those old readings, then we could fill it back in backwards.

Councilor Larochelle said is this essentially how it was done in the past. Mr. Eldridge said we have done averages in the past. Mr. Leighton said not that I am aware, I would have to ask Mrs. Madden.

Councilor Bowie said we will have to work through it and set up some meetings. Thank you, Mr. Leighton.

Mr. Bauer said Mr. Chair. Councilor Bowie said yes. Mr. Bauer said is there some time we could try to work on a date to set a mutual time when we could. Councilor Bowie said I was going to ask that under Councilor Communications because it was not on my agenda. Mr. Bauer said I will sit down. Thank you

B. TOWN MANAGER'S REPORT

Mr. Eldridge said Lisbon Emergency has requested to have a meeting with the Council. They said if we set the date they would attend. I am looking at a date of an off-Tuesday so it would not crimp anybody's time, which would be July 28. Is that a date that would work for everyone? Do you have some dates in mind that everybody could meet? Councilor Bowie said can we talk about setting meeting dates all at one time?

Mr. Eldridge said we had some mold issues which Mr. Leighton has been dealing with which should be in your report. Our new assessor Pat Dow is right out straight with a lot of work, as is Mr. Cote.

Mr. Eldridge said Knight Celotex after closing were in here with their staff with the Dept. of Labor looking out for jobs and things. We are working with the Dept. of Economic Development, AVCOG, and just about everybody out there trying to find somebody to utilize that spot. Bank of America has taken over, according to AVCOG. It is difficult with a bank that size, but we will keep at it.

Mr. Eldridge said one of the things Mr. Dow picked up is that we need to have a Board of Assessment review. If it is okay with Council I will put that out and request that five full time people and two alternates, so we should with our charter and make this happen. What this group will do once we get it established, it will go over the tax assessment prior to commitment and give their input. Mr. Dow is going to put together some criteria for qualifications he would like to see that would be helpful on that. Okay to pursue that? Councilor Bowie said yes.

Mr. Eldridge said roadwork is supposed to start tomorrow but with the pouring rain I am questioning if Crooker will come out. They are going to start grinding or reclaiming some of the pavement. They have been doing quite a bit of ditching in all the roads that we are working on-Ferry Road, Hudon Road, so expect delays if you travel those roads. Looking forward to all the work that is being done over there.

The tax collector resigned her position this past Monday. She gave her notice two weeks ago, so we have temporarily moved some people around to take care of the needs that we have. In the Charter there were some questions raised about ability to have other department heads take over these departments. I think it needs your approval in order to do that, but we are not really changing how the department operates, we are just changing who oversees. The Charter allows for us to do that. Our Assessor is not a full-time person, he is only working 30 hours a week. He does get benefits because that is part of our policy. I would like to be the person overseeing Assessing and Code Enforcement. I've been doing that since the new people have switched positions. I'm listed as the tax collector on the website, but I wasn't sure if that role was going to fall to Ms. Ricker or myself. Ms. Ricker is the person who is going to be overseeing the Tax Collection Department, so far that has worked out real well. So, I need your blessing. Councilor Bowie said is Council okay with that. Councilor Crafts said yes. Councilor Mason said yes.

Mr. Eldridge said I want to give you a brief update. Our Librarian Diane Nadeau has a great, she has 160 kids participating in the summer reading program. They have already read 270 books in the first week of the program. All programs are on Tuesday 1-2 pm for kids Grades K-2, and 3-4 for kids Grade 3-6. Garden story time is every Tuesday evening 6-6:45. Numbers are quite large and the program is very successful and she is very proud of that.

Also, I would just like to make a comment. If you go down Main Street in the Falls you will see the Cooperative Extension has painted their building. They have done quite a bit of work, just what is going along with the revitalization in the village; it is working out quite well.

AUDIENCE PARTICIPATION

Stan Doughty, 126 Summer St, said my daughter works for summer recreation and she came home tonight and informed me that they were due for raises but they were refused the raises. I haven't had a chance to talk to Mr. Stevens about it, but is there any reason you know why these kids didn't get their raises. Mr. Eldridge said there were no raises throughout the whole municipality. Nobody got raises this year. Mr. Doughty said these kids are just college kids and I don't think them getting a raise is going to break the bank, but it is your choice.

Dorothy Fitzgerald, School Street, said just wondering, with Bank of America foreclosing or whatever you want to call it on Knight Celotex. Bank of America took a big bailout money from the government. And then they foreclose on a business. I can't help but feel that if this business was in Bangor Gov. Baldacci might have done something more to keep it open. I did put in a call to Senator Olympia Snowe's office. I am supposed to follow up with a letter but I have been busy. Have you contacted Olympia Snowe's office. She has worked hard for the town of Lisbon before, she has relatives in the Lewiston area and she is very pro-active. This is a real black eye for Bank of America to do something like this especially after taking bailout money from the government. Is there any way, I have talked to Dale Crafts about this and he gave me a lot of reasons why they are closed. A

lot of it is political, some of it has to do with unions, and things like that. I just wondered. People are out of work and in this economy we don't need that. Everyone out of work is somebody on unemployment, on food stamps, on all kinds of assistance. Have you considered going to the top?

Mr. Eldridge said we had dealt with the department of Economic and Community Development. We start there. It is on the State level. I know Rep. Michaud has weighed in; I don't know exactly what has transpired from that, but I am pretty confident most of our representatives have weighed in especially Sen. Snowe. What has transpired I am not sure, but it is not just Lisbon that has been affected. The whole company throughout the country that Knight Celotex had has been affected. It has all been shut down.

Councilor Laroche said I actually spoke to a person in the management department at one time and they had mentioned that Lisbon was just one of five different mills that they hired. Whatever happened to the other mills was the fate of Lisbon also, because it went down as a package. So, to do something locally is tough because it was all up and down the East coast. I think they have five different locations so when they closed they closed as a group. I believe most people saw it from the way the business was it actually happened at some of the other locations they knew that the fate of Lisbon wasn't going to be any better than the rest of them because they were going to go down all at the same time.

Mrs. Fitzgerald said that is too bad. The Town Manager mentioned mold-what building and where. Mr. Eldridge said we had some mold issues at the MTM Center, which are being addressed. Also at the Public Works Garage. They are all being addressed.

APPOINTMENTS

AVCOG EXECUTIVE COMMITTEE/GENERAL ASSEMBLY MEMBERS

Mr. Eldridge said the town of Lisbon has two appointments that they have, one is the Executive Committee member, which has been me. The other is the General Assembly Member. Janet Henry had been that person. Is there any recommendation or changes in that or if anybody else would like to serve, it is up to the Council. They are just asking if there are any changes and that is up to you.

Councilor Bowie said what would Council like to do. Councilor Laroche said Councilor Henry is not here to ask her, but it could remain the same. **Council informally agreed** to keep Mr. Eldridge as the AVCOG Executive Committee member and Councilor Henry as the General Assembly member. Councilor Bowie said could you remind Councilor Henry that she is there and if she has an issue with that to bring it back before us and we could see if one of the other Councilors would like to participate.

COUNCILOR COMMUNICATIONS

Councilor Cote said one thing occurred that was brought to my attention I want to bring up. Two or three weeks ago I attended a Water Department meeting. After I did I was informed that Chief Brooks was inquiring why I was at that meeting. I've been in this town for 53 years and I have paid tax for over 30 years and when someone questions why I am at a public meeting I have concern about it. I feel I can go to any meeting I want to go to in this town. As far as public meetings are concerned there should be no question and if there is a question I wish it would be addressed to me and not to the Water Commissioners. I'd like Mr. Eldridge to follow up on that and find out what is going on with that. I found that very offensive. There is no reason why anybody in this town

should be questioned why they attend a public meeting. Councilor Bowie said did you ask the Chief. Councilor Cote said no I did not. It wasn't probably in the best interest of either one of us.

Councilor Mason said I hope you have noticed the flags are up. We started on both ends of town. We are trying to fill in as we go. Hopefully we can do 50 more next year. Those of you that don't know, this was an effort of the Lisbon Revitalization Committee. It was an annual project we hope to do every year. This is the first year we have done it. Several families bought flags in memory of folks, my dad happens to be one of them, my uncle, several others I'm sure everybody would know them. Also in honor of. It is a project that we hope to do every year. You can do it in honor of somebody who is still alive or if you would just like to buy a flag. I think they look great. I think they look very nice. I have been to a few other communities throughout the State that have them also. We are hoping to add some new banners where the Moxie banners are now, kind of getting a little bit faded. We are hoping to add some new banners there and try to make things look a little more lively. Those are up; if you haven't taken the time to look at them. You can also get one of these. Mrs. French said she has some at the counter if you would like to pick one up.

Councilor Mason said also on Friday and Saturday we will be having a booth at Moxie Days. Friday evening we will be downtown for about an hour and a half. Then we will be up at mid-town until the fireworks begin. We will have an informational booth just to let you know what we have been doing as a Revitalization Committee, what some of our plans are. We will have some posters and pictures and things to show you. You can get your "I love Lisbon" button which I have on. We will have some buttons and then eventually we hope to do some other things to boost revitalization. Also Saturday they will be down by the MTM Center, down by the book sale. If you haven't had a chance to see what we are doing this table will give you a chance to see what the Revitalization Committee is doing.

Councilor Bowie said are there any other communications. He said we need to set some dates. The Council agreed to meet with the Water Department on Tuesday July 14 at 6:00PM in the Economic Development office. The Council agreed to meet with Lisbon Emergency on Tuesday July 21 at 6:00PM before the regularly scheduled Town Council meeting at 7:00PM.

EXECUTIVE SESSION-NONE

ADJOURNMENT

VOTE (2009-107) Councilor Larochelle seconded by Councilor Cote moved to adjourn at 7:45 pm. **Order passed - Vote 5-0.**

Respectfully Submitted,

Elizabeth French, Asst. Town Clerk

