



TOWN COUNCIL MEETING MINUTES MARCH 3, 2009

Michael Bowie, Chair At Large 2009
Gina Mason, Vice Chair District 1 2010
Fern Laroche, 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 6:00 PM.

ROLL CALL. Members present were Councilors Wells, Bowie, Mason (arriving at 6:50 p.m.), Crafts (arriving at 6:15 p.m.), Henry, Laroche and Cote. Also present were Stephen Eldridge, Town Manager; Sean Galipeau, Fire Chief ; Ryan Leighton, Town Engineer; Rosie Bradley, Economic Development; Cathy Ricker, Finance Director; Elwood Beal, Public Works Department; Prudence Grant, Deborah Danuski, Traci Austin, Faye Ingersoll, and Janice Comber, School Committee members; Dr. Shannon Welsh, Superintendent of Schools; Cathy Messmer, School Department Business Manager; Jeff Ganong, Richard Main, and John Wiersbicki, Budget Advisory Members; and approximately 50 citizens in the audience.

PUBLIC HEARING

\$2,000,000 GENERAL OBLIGATION BOND PUBLIC HEARING AND \$500,000 GENERAL OBLIGATION BOND PUBLIC HEARING

The Chairman opened the public hearings. Councilor Bowie said that the town's bond is for road infrastructure projects, equipment purchases, matching grant funds for the trail, the MDOT Upland Road project, and building improvements for Public Works and Solid Waste. The School is looking for \$500,000 for an analysis on whether to renovate or build a new High School and looking into a number of different items dealing with heating and other High School building efficiency improvements as well.

Ms. Grant said we are here tonight for the students who will be coming to Lisbon High in the future. We are in a predicament, not of our own making, for a quest that had been ongoing for more than thirty years. She recounted that over the past thirty years there were numerous times when the school requested funding, however, none of those previous construction applications to fund a new high school prevailed. Unfortunately, she said, State funding is non-existent for a period of time that we do not know. Finally, the New England Association of Schools and Colleges (NEASC) ordered the School Committee to address the serious issues and deficits in the building. She said there were only four years left to address these issues or the school will lose its accreditation. Loss of accreditation will have serious negative consequences for our students when applying for college.

Ms. Grant said the publication sent out by the Town Manager last week was incorrect as it related to the School Committee's endeavors to solve our building needs. That was most unfortunate because the information incorrectly represented the cost to the public, she said. Because of those misrepresentations, the School Committee members wanted to state the broken down figures for renovation or new construction as well as the payback requirements to the town. It is important to note that if this plan goes forward we would not have to begin the payback for three years. By that time, the economy may be better and Lisbon will be better able to afford what we must do for our students. She related a phone call she received from a former Lisbon student who praised Lisbon's location, which is near the coast, mountains, academia, and all that colleges have to offer. He also

called attention to our coaches, co-curricular activities, citing them as being special attributes that Lisbon has. She said despite what some people say about our tax rate, when one should consider that we are not paying at 100% of our evaluation, we have a pretty good rate. The caller said it is important to protect Lisbon's reputation and that we must not fall back into the dark days of the 1970s when there were fights with competing town forces. He supported the efforts to do the engineering analysis. Dr. Welsh will be presenting those figures, she said. I am proposing that the Council vote affirmatively to allow us to go forward as planned, adding that the School Committee voted 4 to 1 in favor of taking that route. If in the end, the referendum goes against us, we will regroup and come up with an alternative plan, she said. However, first we want the opportunity to do the engineering analysis to see if renovation is possible or if new construction is required. She said that education is for the future of our society. It is our students, children, grandchildren, and even the neighbor's children who will be responsible for carrying this society forward. She said they do not deserve being set back by their own townspeople.

Dr. Welsh presented a clarification of the funding request (see attached). The impact of the \$500,000 bond on the school's 2009-2010 budget will be \$12,000 and just under \$50,000 for the 2010-2011 school budget. There is a 1% increase in the proposed 2009-2010 school budget, which includes this \$12,000, she said. Dr. Welsh is asking for a bond anticipation note, which is similar to a home equity line of credit where you are authorized to expend up to \$500,000, but you only take out what you need as you need it. The \$500,000 would allow Lisbon to begin work at the school with the new versus renovation analysis. Because it is a bond anticipation note, Dr. Welsh said, payments are made only when you actually take out the bond. No bond would be taken out until we go back to the voters with the figures on what it will cost to build new or renovate. You then take out the bond, pay back the bond anticipation note and payments begin, she said. No tax impact occurs until you take out the bond, which would be in 2011 or 2012, depending upon how long the process takes. Therefore, it would be two to three years before any payment is made.

Dr. Welsh pointed out that the cost is unknown because the analysis for new versus renovation has not been done. The figures previously mentioned were from Topsham for the Mt. Ararat School, which is a High School with 850 students with a large auditorium and it would cost them \$40,000,000 to build new. We would anticipate ours to be less since we are only 450 students. Recognizing that you wanted some figures, she said, we did a few estimations. The town has said that a \$20,000,000 bond would be a three plus mil rate increase that would be approximately \$300 per year on a \$100,000 home. If the bond were \$10,000,000, such as for a renovation project, it would be about \$150 per year on a \$100,000 home. A bond of \$30,000,000 would be a four and a half mil rate increase or about \$450 per year on a \$100,000 home.

Dr. Welsh said there was some confusion at the hearing on Saturday. She said people thought they were voting on a \$20,000,000 bond or a \$40,000,000 bond, but what we are asking for is a \$500,000 bond anticipation note that would provide up to \$500,000 to do the work as described in the attachment under new versus renovation. If the building is not worth renovating, then you go down the path for designing a new building and locating that new building. It would only be until after that work is completed and presented to the voters that the bond takes place. If the bond is approved, then that's when the payments begin.

Debbie Berry from Hewey Street asked Mr. Eldridge if there were people on the town's payroll or the State's who could do this analysis. Mr. Eldridge said no one on our payroll can do that study. Ms. Berry asked if the National Guard surveyors could do this work. Ms. Berry asked if the sale of the school could be used towards the cost, or if any town owned assets could be pledged. She also wanted to know the length of the burden on the taxpayers. Dr. Welsh responded that there is a formal bid process that must be followed and that a prequalification requirement is done by the Bureau of General Services to ensure qualified individuals do this analysis work, but if someone wanted to go through that process and they came in as the low bidder, they could do the work. She indicated no one on their payroll could do this work. Dr. Welsh continued that a new high school built on existing school property would not allow the town to sell that property to raise money. The

School is required to offer the old school to the town. If the town chooses not to accept the old school, it can sell the school and the proceeds could be used to offset the cost of the new building. Dr. Welsh said the bond would typically be for twenty-years.

Dean Lily from 30 Oak Street asked about the timeline if everything gets approved. Dr. Welsh said the analysis work, if approved in April 2009, would take until January 2010 to complete, then it would take another two to two and a half years to finalize the drawings to go out to bid and do the actual construction, which is usually sixteen to eighteen months, she said, so you are looking at two to three years from January of next year for completion.

Chris Rugullies from Main Street said he is a commercial loan officer at an area bank. He remarked that the town has not properly planned for these capital expenditures by reserving for such items in its annual budget. He encouraged all town departments to begin capital reserve lines as soon as possible. He said this should include maintenance for schools, even though this is not permissible by the State. These reserves would put our town in a stronger position financially, he said, and the town would not have to borrow for routine capital expenditures. Mr. Rugullies said given the fact that we don't really have any reserve in place to fund the needed maintenance I generally support the \$2,000,000 bond issue, although I would like to see a closer examination of the proposed road improvements. He said I graduated from that High School in 1990 and I recall that even then the school needed improvements. I absolutely agree that it needs to be renovated or replaced, he said and I would like to see this for my children one day. However, given the current recession today and from what I see first hand from interacting with my commercial businesses, this is not the time to be taking on a large debt. My recommendation is to use the \$500,000 instead to fund essential maintenance at the school, such as windows and boiler improvements and such, then in three to five years go back to the State and petition them to pay for a new high school, he said.

Robin Tupper from Reid Street pointed out that very few people showed up for the tour at the school. She said if more people had I think they would really stop using the term maintenance; this is not a maintenance issue. She said there were cracks large enough to put your fingers into between the concrete blocks, some settling, plus serious structural issues with the building itself. They have tried to maintain that building with the money they have, but these are not maintenance issues, she said.

Councilor Henry reported that five science teachers use four classrooms and that there was nothing to hold things. She noticed a lot of water damage, settling, and cracks. There were no sprinklers in the 300 wing where they use gas torches. She asked when our accreditation would be up. Ms. Grant said this will happen in four years. There is a meeting here at the Town Hall, Ms. Grant said, on March 9 at 7:00 pm to discuss this issue and it's open to the public.

Mrs. Austin spoke about the State's ability to help. The State said it would help with twenty projects, but will have to defer nine or ten of those. When the State has money to help, those deferred projects will be first on their list. She said the School Committee has agonized over this and has worked diligently with the State to no avail. She asked the Council to allow this issue to go to referendum.

Councilor Larochelle asked what items needed addressing for accreditation and whether there was a list with those costs. Dr. Welsh said accreditation doesn't come in like an engineer firm does and look at the building. The accreditation process involves talking with the teachers and assessing how the condition of the building affects programs. The music class, for example, in the cafeteria serves students breakfast while a music class is going on so when there is not adequate space for a class, there is a facility problem. Dr. Welsh said the accreditation process also asks teachers what supports or limits their ability to work with students. Teachers talk about the erratic heating and cooling system (although there is no air conditioning) and about the inability to control the climate in the building. NEACS, in talking with the maintenance people, sees that the school is an antiquated facility that is limiting students learning and indicates that the town needs to do

something about it. NEASC doesn't come up with a list of what needs to be done. Dr. Welsh said they looked into installing quality windows along the front side of the building several years ago and the cost then was \$250,000 because of the hidden work surrounding the windows. She said we don't have a list from NEASC other than the programming impact on students.

Councilor Larochelle said programming has not changed since I went there twenty-five years ago; music was in the cafeteria then, too. He asked if the accreditation criteria had changed since having music in the lunchroom is more of an issue now. Dr. Welsh said ten or fifteen years ago NEASC did not spend as much time looking at programs. The standards have changed in the last seven to ten years and now they focus more on programs and make recommendations regarding the facility as a result of the impact a program has had. She said, yes - there has been a programmatic change in the way NEASC approaches accreditation.

Councilor Larochelle asked how far the \$500,000 would go to address the heating complaints. I am not saying this would solve all our problems, he said, I know it's a drop in the bucket, but if we were to spend \$500,000 on the school would NEASC see this as a positive step towards accreditation. Dr. Welsh commented that nine years ago when she started a new \$110,000 boiler was installed, but the ventilation and steam pipes were not affordable; today the boiler is trying to work but it can't distribute the heat evenly, which is wearing down the boiler so it needs repairing more often. It's an efficient boiler in an inefficient system, she indicated. Dr. Welsh said as for putting in windows, it might take the whole \$500,000 and it might be the same scenario with the boiler system. The school might have new windows and a new heating system, but a leaky roof that causes all kinds of problems. Do you want to spend \$500,000 on replacing the roof if you are not sure the rest of the building is worth the investment, she asked, which is why we must do a new versus renovation analysis.

Ms. Grant said the gym is in terrible condition and has needed some serious repairs since the 1970s. She asked Mr. Ramich the Athletic Director/Co-curricular coordinator to address this issue. Jeff Ramich from Hudon Road said Ms. Grant is right; parts of that gymnasium are inadequate. He said parts of the floor slant and there are sixteen seams on the floor split open. He continued, the whole ceiling was painted last year, but three quarters of it has peeled off already; I am not sure, he said, if that was due to the lack of heat, condensation, or both. In addition, the dimensions of the gym floor are not up to code to host a playoff tournament. The floor has to be 84' x 50' for a playoff game; our gym floor is 80' x 48' feet. A perimeter of 3' to 10' feet is required all around the gym floor; we have 3' feet or less in some spots. He said these were safety issues not wants.

Councilor Crafts said there isn't anybody that disagrees with the needs at the High School. All of us are convinced of that, he said. If this was approved to move forward there would be a special election in April and most of the public won't come out to vote in an off-election. He said this is a lot of money. He asked the Town Clerk how many voters typically vote in special elections. Mrs. Lycette said she was planning on up to 1,000; if you can get that many, she said. Councilor Crafts pointed out that people expect an election in November and its always a bigger turnout. He said I am for the bond for the people, even if I disagreed with it, he said, and if the people voted for it then I would support it because I believe in the vote and the will of this democracy. I would be a whole lot more comfortable with this question going before the people in November; if people find out afterwards they may be outraged that there was a special election for this kind of money. I want to see everybody vote on this, he said and with this shortened timeframe you will not get a true representation of the "*will of the people.*" Dr. Welsh said the School Department is known for sending out mailings and for making every effort to inform citizens so citizens can make informed decisions. She said if you do move forward we are committed to doing mailings and holding informational meetings. Councilor Wells said if it does move forward I hope a good majority of the people come to vote and I hope that you do the mailings and make every effort you can because this is some serious money.

Councilor Wells said Councilor Crafts did bring about a very good point; at Saturday's meeting we walked away knowing that the response from the public was that everyone agreed we needed to do something, whether renovate or build new, and that our State has an obligation to this town, who has been paying their taxes very diligently year after year, to help us do this because that's what our tax money has been going towards. Currently those taxes are going to help twenty schools in this State. She said another thing she heard was that it would cost approximately \$20,000 to do a new versus renovation analysis and that the School Department is going to have approximately \$450,000 in revenue to turn back over towards next year's budget so I have to ask the question, why is it that out of that \$450,000, you can't use \$20,000 between now and June, to do that analysis; thus making you better prepared to put a bond package together for voters in November that would say what we need to do to move forward. And, I agree that needs to include a new gym, she said, but it sounded to me like you have the \$20,000 needed to do an analysis, plus we would be better prepared to go to the voters with something that has more concrete answers.

Dr. Welsh responded that the \$450,000 is the amount we use to offset taxes every year. That money is left at the end of the budget year and goes into an undesignated fund. We have 19 Durham students who pay \$9,000 a year to attend Lisbon High School; that money is used to offset taxes so that Lisbon is not paying for Durham students. We collect revenue for special education services for students who may have insurance as well. The School Department has to budget in advance, she said so the School Department has to have that money in the budget, but when we bring those revenues in we don't spend those on other things, we give it back to the town; every year we use approximate \$450,000 to offset taxes. If we lower that to \$400,000, the town would have to make up locally \$50,000, which means raise taxes, she said, therefore, if we spend it out of that money it would impact your taxes anyway. Dr. Welsh pointed out that the School Department does not have the authority to spend that \$450,000; only the Town Council can make that decision. She said \$20,000 will not include the cost for everything; it will not include the design and potential budget for the project. Dr. Welsh said that it will take up to \$500,000 to get that answer for the voters. The \$20,000 will only tell you whether to build new or renovate, beyond that more money is needed to get the in depth analysis so that you can create a budget and make a recommendation to take to the voters.

Councilor Henry said I have been in that school many times, and I never realized how bad things were. She said there were extension cords in the kitchen because there were not enough outlets and there were many problems that need addressing. She said there was no sprinkler system in one entire wing where they are using gas and fire objects. That scares me; she said my daughter is in that science class. Dr. Welsh said there was a great plan in place and that the children are safe. Something has to be done to make it safer, she said.

Toni Klein from North Street asked about getting money through the economic stimulus plan. She said I understand that money outside of what's been given to the State is still available for public buildings particularly if you can show enough need and that Lisbon is an economically depressed area in so far as jobs are concerned. She said personally there is no question in my mind, we need a new school and I don't know why we are even talking about renovating; it doesn't make sense to do that. Dr. Welsh said they looked at the stimulus package three or four months ago and there were some construction funds in there when it was up to almost nine hundred billion dollars, but it was scaled back and those construction funds were taken out. Dr. Welsh said there were strings tied to the stimulus funds; however, at this point, most of the money has to go towards reading, mathematics, support for low-income students, or students with special needs and that it's not for construction at the High School.

Ms. Grant pointed out that we would not have to pay this money back for three years; however, the need is immediate. Councilor Crafts said \$500,000 is a lot of money and I agree the needs of the school are real as are the matching funds we receive for the town. Upland Road, for example, how do you turn that one down when the three quarters of the money or more is coming from the state or federal government, he said. We are not in the same situation with the school; the state and or

federal government is pitching in zero. Jill Dennison of North Street said if we wait, what's it going to cost down the road; if its \$500,000 now what's it going to be three years from now.

Councilor Cote said after Saturday's public hearing, he and Councilor Crafts asked the Town Manager to separate the bond questions out more. He said Public Works is the first line of safety in our community. He said without plowing the streets effectively that the police cruisers and fire trucks could not travel. This is one place where we need to put funds, he said, and if these questions were lumped together the public might shoot the whole thing down and we can't go that route. Councilor Cote said we feel the \$2,000,000 bond will be shot down, also, because people just can't afford it.

Councilor Larochelle said he agreed with a lot of the comments on the idea of new versus old, and that a new school would be the ideal thing to do, he said. I think we need to get the whole community involved, he said. He said I as a Council member would be in favor of using \$20,000 in funds that we already have rather than borrowing it. It's still the same \$20,000 whether we borrow it, bond it, or steal it from somebody; its still \$20,000 any way you look at it, he added. Once it has been determined that we need a new school, then it is going to take the whole community, not just the School Committee or the Town Council, to make it happen. I would rather know within the first six months whether we are looking at rebuilding or building new, he added. He pointed out that sometimes it's a lot cheaper to build new.

Bill Bauer from High Street said everything gets funding from tax collections. He asked if the town had a feel for how tax collections would come in this year. Mr. Eldridge said he anticipated for our upcoming budget on the municipal side, even with a \$2,000,000 bond, that we would not have a tax increase and expected over the next ten years on that bond that even with revenues down that we could manage the budget within what we have for funding. Cathy Ricker said tax collection has been slow, and that traditionally the first two weeks in March is when we get the lion's share. Mr. Eldridge said we have seen a slow steady pace, a lot of our taxes come through banks and equity collections so I don't think we have seen a real significant change in the collections aspect of it so far, but the key for us on the municipal side is to manage our budget within the guidelines we have so the tax rate stays flat; he said that the \$2,000,000 bond does that.

Dean Willey from Oak Street said if people do not come out for the April election then that is their own fault. He said you have special elections like April's all the time for other things and it does not make any sense to push this referendum out to November.

Council Bowie asked Dr. Welsh if the School Department doesn't have to drawn down the \$500,000 right away, if they had to account for it all in their budget in any way in order to expend it and if so, what's the impact to us on the tax base. Dr. Welsh said when a bond is authorized in the amount of \$500,000 you set that into a separate construction account to draw out as needed, then you pay interest on that because you received it as a bond; it's paid out on a warrant, but it is separate from our regular budget. She said the piece that has to go into the regular school budget is the interest and interest and principal payments, which are required. The 2009-2010 budget would be \$12,263.00, which is in the proposed budget with the less than 1% increase. The principal and interest payment for 2010-2011 are just under \$50,000.00. She said the School Department would be authorized to spend the \$500,000 because the voters said we could so then the warrant gets signed by the School Committee and the Town Council and we pay as we go out of that account.

Councilor Larochelle said say we are able to spend the \$500,000 and you spend the first \$20,000 regardless of whether it's new or renovate, at that point in time, do you have to go back to the voters before you can spend any more of the \$500,000; you had mentioned that you were going back to the voters before you would draw down any more. Dr. Welsh said, no, the process we typically use is that you spend \$15,000 to \$20,000 on the new versus renovation analysis and then you hold a series of informational meetings, which explains what you have learned so far so you get community input at that point; if the analysis says it's close you could save the building or don't waste your

time on renovating, the \$500,000 would have already been authorized to be expended so you would do the rest of the work outlined. It's a service bond. Dr. Welsh said we will go to the community and say, for example, we need a new building and here's why and here's what we are doing next. We have to do a site review, design documents and drawings are created including the detail work that has to be done, and that's when we would have to go back to the voters and say here's what your new school would look like and what it would cost, what the heating system would entail, here's what the roof structure is like, here's the floor layout, and what we are proposing for the gymnasium and track, etc. and here's the budget. At this point, the voters decide whether to build new or renovate.

Councilor Larochelle said if this gets voted down, do we have a "Plan B?" He asked if there was anything in place, in case the voters decided against renovating or building new, to keep our accreditation. Dr. Welsh said we are caught in a bind not knowing whether we should put money into the existing building or if we are throwing money away by spending money on repairs. Any step we take requires spending money on that analysis. Dr. Welsh said my greatest concern is that the School Department has exhausted every opportunity for State funding. To say let's wait three more years, is where we were twenty year's ago, she pointed out. Searsport lost their accreditation because of their facility and they had to put local money in to fix it; they fixed it and they got their accreditation back she added. Losing accreditation has a serious impact. If this doesn't come forward we will have to come up with a "Plan B," she said, but before we do anything we have to analyze whether it's worth putting money into it because a lot of community members are saying we need a new High School.

Councilor Mason asked what other reasons schools lose their accreditation for, other than bad facilities. Dr. Welsh said I don't have that information, but I asked the director of NEASC to talk about that information at the School Committee meeting on Monday night. Councilor Mason said it would be interesting to know.

Chris Rugullies said we have to do what we can afford.

Jill Dennison said say we put this off and three years down the road the State says hey, here's all this money, we still have to go through all of this analysis so we might as well have it ready.

Councilor Crafts said today I learned in Augusta when they were talking about the highway funds that we hire engineers to find out what's wrong with the roads and then if it doesn't get fixed within three years they have to re-do the engineering work so my question is, once we spend the \$500,000 and if the project gets put off, how long will that information be good for. Dr. Welsh said it depends on the condition of the school and what information is found. She referred to Durham's project and said that in their analysis they discovered the school had wood, not steel beams. She said that information will not change over time and is still accurate. However, if there is steel, then they would need to check later on for corrosion. For example, our High School windows, she said, have cracks now so all they would do is look to see how much worse it is. If the analysis shows light construction and then you wait four years, she added then they are going to believe you have got to build new even more desperately than you did back then.

Scott Harrington from Goddard Street asked what happens after we spend the \$20,000 and we need a new school. Can we use the remaining \$480,000 towards building a new school he asked? Dr. Welsh said yes, and referred to the green sheet (see attached) that talks about the new versus renovation analysis. She said the rest of the funds will be used to complete the list for either new or renovation, plus they still have to do a program evaluation, which is what the extra money is for. Mr. Harrington referred to Chief Brooks' remarks on the crime rate in Lisbon and said if we do not give our kids places to go and things to do that crime rate will go up. He said we should not be building a new gazebo at the MTM Center when we need to put in a new basketball court to give these kids something to do.

Donna Stevens from Bartholomew Street said I want to comment on something that recently happened to me at the High School. Whether people want to pay the \$500,000 or not, we are going to need to do something. I fell there recently, she said, from a frost heave or something, and sprained my ankle, no biggie. What Lisbon can't afford in a litigious society is for someone to sue if they get hurt so I am asking people to spend it, whether now or later, but we have to do something, she said.

West Enman from Summer Street said the work that we have to do here is all absolutely needed, but I am concerned that it's too much debt with the economy the way it is. Towns are getting less money from the state, federal, and local government. He said this November's ballot will have a question on it about excise tax and if that passes it will reduce our excise revenue. Mr. Eldridge said we anticipated that in our proposed budget. Mr. Enman said the economy is still going to get worse.

Gordon Curtis from Bowdoinham Road said this idea that MTM is going to build a gazebo is bologna. There is no money in this bond for that, he said. I am the MTM Board of Director's Chairman and that's just an idea on the table. He asked about the roads. Some of these roads, he said, like the Bowdoinham Road were done a short while ago and were not done right so how's it going to be done this time. Mr. Beal said this time it's going to be done right, that they were going to be reclaimed, and if there were problems he would use fabric. I want these roads to last this time for 12 to 15 years, he pointed out, and with correct ditching, drainage, reclaim, gravel edging so the ditches drain right, the job should last twelve to fifteen years. I don't want any more band-aids, he added.

Seeing no additional comments, Councilor Bowie closed the public hearing at 7:20 PM.

CONSENT AGENDA

VOTE (2009-45) Councilor Wells, seconded by Councilor Mason moved to approve the minutes of February 3, 2009 and February 19, 2009. **Order passed – Vote 7-0.**

COUNCIL ORDERS, RESOLUTIONS & ORDINANCES

\$2,000,000 GENERAL OBLIGATION BOND

VOTE (2009-46) Councilor Larochelle, seconded by Councilor Wells moved the Council accepts the \$2,000,000 General Obligation Bond for Public Works and other improvements and road repair issues.

Councilor Crafts asked if it had been broken down into four pieces. Mr. Eldridge pointed out that the Council needed to decide how they wanted to break it up. Councilor Bowie said I believe from what we heard that we want to break it up into four separate questions. The four questions for the municipal side would be: 1) equipment and miscellaneous improvements, 2) road construction, 3) matching funds to support the Upland Road MDOT project, and 4) for the matching funds for the Androscoggin River Trail project.

Councilor Crafts asked if it was critical that we do this in April or could we wait until November for the matching funds. Mr. Eldridge said on the Upland Road project that you could wait until November because that project does not start until 2010. Mr. Leighton said we could wait until November on the matching funds for the trail too. Councilor Bowie said just so we understand that because we have to have the matching funds before we can actually accept or before they can start

the project right, he asked, so that won't be in our next budget until May or June of 2010. Councilor Bowie said if we vote on this referendum question in November and say the monies get passed those funds are not available to be expended until we approve a budget in May or June of 2010. Mr. Eldridge said no, once the bond passes it is my understanding that those funds will be available once the bond bank tells us they are available.

Cathy Ricker said if you don't pass it until November you are going to miss the deadline for the fall offering and you are going to have to go to next spring's offering. Councilor Bowie said typically the fall bond schedule takes place in October. Mr. Eldridge said I think you have to have your application in by September. He said you still have to do like we are doing right now and actually vote. We have been given an extension by the bond bank to wait for that vote, but you need their approval because they don't actually go out and sell the bonds until after that date.

Councilor Wells said does that mean we are putting everything off until November. Councilor Bowie said I am still a little leery on the dates and the sequence of things here because if you don't make the fall bond process, then you can't go back until the spring timeframe, which we are trying to fit into right now, which means you may not get the matching funds to support the projects. Councilor Wells said if you wait to vote in November and you made the following April's bond process, then Councilor Bowie interjected *depends upon when those projects start*. Councilor Bowie pointed out that it starts in March of 2010 so you don't have the funds because you haven't gone to the bond bank yet.

Mr. Eldridge said Don Craig from AVCOG might be able to help us out here with some advice. Don Craig said Upland Road would be the only one. Mr. Leighton said that we haven't even received the notice of award yet at this point for the trail segment funds. He said at this point every discussion with MDOT indicates that Lisbon will be funded a trail segment; the extent of which is unknown. Mr. Leighton said the idea was that we would go out with the \$2,000,000 bond so we could lump the matching funds for the entire segment together so the funds would be available when MDOT needed them, but as far as the trails is concerned I don't see why there would be a problem delaying that one until November. It is a two year budget cycle so MDOT would fund us when we have our matching funds in that two year cycle. However, the Upland Road project maybe a little bit trickier because they originally wanted to go out to bid this fall for construction in the spring. He said to be honest with you I don't know if we delay it whether it would be a big deal. Mr. Craig said hopefully we will get out to bid this fall and award a contract, but it wouldn't start until spring.

Councilor Crafts said I guess we are suggesting that we take these matching funds and do them in November if it's not going to matter. This will buy us some time so when we look at it in November and see whether the economy is getting better. He said why don't we vote on them in November and just vote on the other two now in April since it doesn't mean losing the funds.

Mr. Eldridge asked what do we gain. Councilor Cote said I agree with you Steve, what do we gain. Mr. Eldridge said you have to reapply, and you have to go back to work with the bond attorney, which is different from our regular attorney, which costs money. We are going to spend more money on our bond attorney to go back and do a second one. Right now, we have a bond attorney helping us put this together, plus they have been working with the school's bond attorney to get their question ready as well. Councilor Crafts asked what the attorney cost. Mr. Eldridge replied \$8,000 to \$10,000. Cathy Ricker said we would have to start our legal fees all over again, they won't carry them over. Councilor Crafts said I just hope and pray that the taxpayers will come out in droves.

Seeing no further comments, the chairman called for a roll call vote.

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

Mr. Eldridge said the Budget Advisory needs to weigh into this as well, but they are waiting for a few more members to arrive.

\$500,000 GENERAL OBLIGATION BOND

VOTE (2009-47) Councilor Wells, seconded by Councilor Cote moved to approve the School's \$500,000 General Obligation Bond.

Councilor Wells said I think we are still running into a problem here where the taxpayers really said that it is difficult for them to be paying for a school where we are not getting State funds and it's a huge price tag. She said I wish there was an answer that told us whether we need to renovate or build new. I wish we had an idea about what NEASC wants us to do or how we need to move forward, she added. What we have heard from the public is that this is not the time for us to be moving forward and spending these funds for the school, she said, and I am not sure it was the right time to move forward and spend funds for the roads either right now. I had several phone calls this past weekend that said we need to do our roads that those were valuable items that needed to be done, she said, and we don't get State funds for those, but when it comes to our schools we pay our taxes and the State should be helping us pay for that school so it's very difficult to move forward.

Councilor Mason said it would be very interesting to me to see what NEASC has to say Monday evening about what types of recommendations they make or things you lose your accreditation over. I think it would be easier to make a comparison knowing a little bit more factual information about what they will or will not allow.

Councilor Larochelle said we have received a lot of information. Unfortunately, we only really heard from twenty or thirty people even though there were a lot of people out there ready to speak. One thing I really feel strongly about is not having twenty or thirty people vote on something that actually makes us go backwards. I just hope if we do go out to vote and something doesn't come out that we somehow in between now and then start working on Plan B just in case, he said. He said whatever message you get from the voters is going to have to be something we are going to have to work with and try to make happen.

Councilor Cote said I have heard a lot of people through out the community speak about the school; we need a new gymnasium, we need a track, the building is disgusting at best, and our locker rooms are deplorable. I don't think it's a question, he said, of whether or not we need to build a new school or refurbish the old one - I think we need a new school. Is it a good idea to spend \$500,000 to go out and find out that we need a new school, he asked. I think we know we need a new school. I think we ought to look in that direction, he said. My opinion would be to stop messing around and stop talking about refurbishing; even if we refurbish the High School and gymnasium, we still need a track; we still need locker rooms, and larger classrooms. I think that the direction we should be going in as a community is a new High School and we need to stop spending money on something that ultimately we know needs replacing.

Councilor Henry said we need to move forward with this tonight for it to go out to a vote, right? Councilor Bowie replied yes, if we want it to go on the referendum ballot for April 21. Councilor Henry said Dr. Welsh did say that some of this money could go towards a new school if that is what's chosen.

Councilor Bowie asked if we do this and in the end it gets voted down based on everything, whether we had to pay the entire remaining portion of the bond anticipation note off more or less immediately. Cathy Messmer said the bond anticipate note is for about 18 months or so depending upon how long it takes to get the list of information completed on the green sheet (see attached). Councilor Bowie asked if its for 18 months and we don't go forward on the information we have on

that green sheet and we have paid \$12,000 this coming year, \$50,000 the next year, and \$45,000 the following year, then we have to pay off the rest if it doesn't go forward, right? Ms. Messmer said the way a bond anticipation note works is that you get a short term note until you vote on the project and during that time period you don't pay anything. When you vote on the full project for ten or twenty million dollars or whatever, at that point we know whether we are going to be able to do a larger bond for the project so we pay off the note all at once with the bond proceeds, she said. However, if we get turned down, she said and we decide not to do the major project we will have to go out and do a note for five or ten years to pay off the \$500,000 or however much we used. Councilor Bowie asked if those values would be much higher than what you told us for a regular bond because it's a shorter period since the bond is based on twenty years. Ms. Messmer said we could go out for twenty years to pay off the amount we did use so it could be similar.

Councilor Crafts asked if we would still be paying interest on that money during the 18 months. Ms. Messmer said you only pay interest on the amount that you actually use so our initial amount is for the \$20,000 for the new versus renovation analysis; the interest doesn't start ticking until you actually say I want to use this money so that will vary depending on how much we use. Councilor Crafts asked what the interest rate was on a bond at this time. Ms. Messmer replied around 4%. Ms. Messmer said since we go out to bid for bond anticipation notes and since there is a lot of competition out there right now we may get a lower interest rate.

Councilor Bowie said I know the \$20,000 doesn't get you a full blown estimate, but is there a way to work with the company and maybe spend a little more to get some type of a ROM (Rough Order of Magnitude) number or produce something that we can get a closer handle on. We have had a lot of numbers thrown out, he said, but I am just trying to get the public a ballpark number sooner rather than later to help us make a decision sooner rather than later. Dr. Welsh said I'll use Mt. Ararat as an example. They spent \$15,000 on the new versus renovation analysis and when the architectural and engineer firm reported out to their board they said here is what's wrong with your building and it will cost you about \$20,000,000 to renovate the existing building for 850 students with an auditorium, gym, etc. and it will cost you \$40,000,000 to build a new building; here is what we are recommending. She said that's what you get at the end of that \$20,000. However, you don't have the drawings. Councilor Bowie said so you do have a value at the end of the analysis. Dr. Welsh said not only an amount, but based on our analysis, for example, we are recommending new because here is what's wrong with your building and then you go ahead and spend the rest of the money on the rest of it.

Councilor Larochelle said say this goes to bond and it's approved. After the first \$30,000 you have a pretty good idea how its going to measures up when you look through the cracks - at that point in time is there a mechanism in place, he asked, where you would actually take some type of vote to determine whether the citizens of Lisbon support moving forward with the engineering part. Dr. Welsh said you can hold a straw poll vote and hold informational meetings to get input from the community informally or the town may chose to have an advisory non-binding referendum vote should you have a referendum already scheduled. If you have the information ready before November maybe an option might be to place it on the November ballot, but the most typical way to hold a straw poll vote. You don't want to continue to move forward, she said, if the community is not going to be supportive of the project. Councilor Larochelle said could we get a commitment from you that you would do that after you get the new versus renovation analysis done. He said I would rather hear everybody else voted on it, and know at the same time if there wasn't enough support here we wouldn't move forward. Dr. Welsh said personally my commitment has always been to hold public informational meetings, send out flyers, get community input, and hold a straw poll vote. We did this for the Lisbon Community School process as well. The School Committee is the authority on it though. Ms. Grant said I think we certainly would continue that practice. She said it makes no sense to be out there spending money if there is no support for it, but we would like the opportunity to check the support.

Councilor Wells said tonight the meeting started out with Ms. Grant stating Mr. Eldridge and this Council sent out a flyer that misrepresented the figures. I believe that those were estimates sent out to give the public some idea about what effect it would have on the mil rate so that they could see what those increases cost. We have heard repeatedly that there is no idea at this point whether a renovation would cost \$20,000,000 or a new school building would cost \$40,000,000 - nobody knows what those costs are yet, she said. The numbers in that brochure were supposed to give the taxpayers a sampling of what some costs would be and how that would effect our mil rate if the taxpayers were to take on that obligation one hundred percent.

Councilor Wells said Councilor Larochelle just came up with a valid request, that if we were to approve a \$500,000 bond that we wanted some sort of guarantee from the School Committee that they would spend \$20,000 to \$40,000 up front on the analysis and that they would do a straw poll vote that would go out to the voters before any more monies were spent to continued on. She said before we go forward and vote on this I would like that commitment from every School Committee member. Ms. Grant replied, absolutely. Mrs. Austin replied, yes. Mrs. Ingersoll replied, yes. Ms. Grant said I think we are all in agreement, yes. Mrs. Chizmar nodded, yes. Mrs. Danuski returned to the room and replied yes. Seeing no further comments, the chairman called for a roll call vote.

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

WARRANT FOR SPECIAL MUNICIPAL REFERENDUM ELECTION

VOTE (2009-48) Councilor Bowie, seconded by Councilor Larochelle moved to approve the Warrant for a Special Municipal Referendum Vote on April 21, to set the polling locations for Ward 2 residents at MTM and Ward 1 residents at the Lisbon Town Hall, to make absentees available as soon as possible, to set the polling hours from 11AM to 7PM, and to set the Voter Registrar Hours during regular business hours on the last three business days prior to Election Day and on Election Day from 11AM to 7PM. **Order passed – Vote 7-0.**

OTHER BUSINESS

A. UVM TRANSPORTATION STUDY PRESENTATION

Mr. Eldridge introduced two members from the University of Vermont Transportation Center, Richard Watts, and Andrew Weeks. This is part of a study that has been funded by MDOT. Lisbon was one of four communities chosen in the State to look at transit-oriented development in rural communities as well as growth patterns. This is their first presentation and they will come back in June with their final report.

Richard Watts, a researcher from the University of Vermont, introduced his colleague, Andrew Weeks. He spoke about the study that they are doing in conjunction with MDOT that is looking into “smart growth” in Lisbon and what effects it might have on reducing vehicle trips, saving energy, and reducing the environmental impacts of vehicles. He said smart growth is a concept that concentrates growth in the downtown areas that are pedestrian friendly and vibrant. He said the idea is that you take the future growth of the town and concentrate it in these downtown areas along with looking at revitalization of existing facilities, such as the mill complex in Lisbon Falls. He suggested the mill complex be revitalized into mixed uses such as residential, business, and retail; again, it’s placing what is anticipated for future employment, jobs, businesses, and household growth into these existing downtown areas. One advantage to this approach is that you are investing in the existing infrastructure in the community, rather than building new roads or adding more sewer lines; instead you would be using the existing centers you already have, he said.

This study is funded by the Maine Department of Transportation and the University of Vermont. He said their research center conducts research into what we call "sustainable transportation," which involves smart growth, concentrated growth, and pedestrian friendly vibrant downtowns and into how this might transpire here in Lisbon.

Mr. Weeks showed slides that compared Lisbon and Sanford. He explained there were three growth scenarios to consider: 1) status quo growth, 2) targeted smart growth, and 3) widespread smart growth. The analysis tool is the MPO's travel demand model, which shows growth for the year 2030, which is the MPO's model horizon year. Later this year, he said, we will come back and report results on what we call "activity of transportation," which computes all the vehicles on the road times the number of miles traveled. A product of that activity tells us about vehicle emissions, tail pipe emissions, and whether its greenhouse gases, or carbon monoxide or particulates like that.

Mr. Weeks said the status quo growth looks at what Lisbon would be like if it grew according to existing land use patterns. Target smart growth focuses on Lisbon Falls only and on reorganizing that growth into a more concentrated center in a mixed use manner near Main Street, Canal Street, and Route 196 near the Worumbo Mill area. Widespread smart growth looks at what it would be like if we were to add a second development area in Lisbon Village on Route 196 near Village and Grandview Streets, he said.

Mr. Weeks said the linear projection for households and employment growth for Lisbon Falls is an additional forty-four households in twenty-five years. These households can be apartments, condominiums, and not just single-family houses. In the targeted smart growth model, there is a plan to concentrate growth around what is already developed in Lisbon Falls, which is growth that will use existing roads, sewer lines, and other utilities. The idea here is that these households are more readily served by transit, whether that's a bus line or rail service. Widespread smart growth looks at the downtown areas in both Lisbon Falls and Lisbon Village; if we put all the potential household growth into these two areas we would add 144 and 158 at essentially more developed village centers.

One part deals with households and the other deals with employment whether it's non-retail or local businesses. Mr. Weeks showed slides projecting the linear growth based on trends. He said for the most part employment is located along the Route 196 corridor. Again, relocating businesses to the new household growth area gives you a mixed use; housing, work opportunities, and retail all within walking distance in a quarter mile range with a second growth boundary in the Lisbon Village area.

Mr. Weeks said this model looks at trips based upon how many households there are so because we held households and employment growth to Lisbon Village and Lisbon Falls, this shows us within that zone the number of anticipated concentrated trips and vehicle usage. They also look at how trips can be combined so cars can be used less and walking from place to place is easier. He said looking at emissions, changing households and employment around doesn't change the entire model very much. One key factor here so far is that they are moving more than one hundred new jobs or households into these concentrated development zones. Intra-zonal trips are trips that are within that geographic area, which don't require an automobile because it is in an area small enough to walk or bike around; with that shift we have 110 trips instead of 160 trips. Another key factor is that by concentrating areas of growth, people are better served by transit.

Mr. Weeks said we are going to tinker with the growth scenarios and the model to make sure all the results make sense. He said it's very difficult over large geographic areas to get people at a point where they can be served by transit. We don't assume there is any change in transit automatically, but later on we look at smart growth scenarios and additional research is done. Now that we have this growth at concentrated centers along Route 196, would it make sense that transit is now a more reasonable option for people traveling through Lisbon Falls or to Lisbon Falls and its neighbors?

Next we need to make any edits to targeted smart growth or widespread smart growth based on any comments we have heard today and at previous meetings and then we will finalize those with the MOP's assistance and summarize those results and report back to the Town Council.

Councilor Henry asked if they were recommending bringing back the passenger train. Mr. Weeks replied that it depends on whether you can get enough rider-ship, or whether there is enough growth concentrated within a reasonable distance of the rail; park and rides encourage transit, but having more people live near a hub, which is walk-able or bike-able helps.

Councilor Bowie confirmed that they would tweak their model and come back with some recommendations. Mr. Watts said they would continue working with the Town Manager. One major assumption could be that additional growth might focus in these areas. He said we could show you what that would mean in terms of reduction in energy use, environmental impacts, miles traveled. He said this is your town and your vision of where you want to go.

Councilor Mason asked Ms. Bradley if it is possible to give Mr. Weeks and Mr. Watts some of our survey information. Ms. Bradley said we have talked about some of that stuff.

Mr. Watts replied that at one time over 300 people used to work in these mills so at one time more people used to live in the Lisbon Falls area. He said the density they were looking for was five people per square acre, which assumes a certain amount of distance that people would walk to get to transit.

Richard Main from Libby Street said density was a direct result of zoning with zoning here being a half an acre that enables the community to concentrate the population, but if you have five acres then you are spreading everyone out. By doing this in the outer areas of the community you are forcing people to purchase smaller lots, especially since they have infrastructure, such as water and sewer. Mr. Watts said that's exactly right, but if you set a vision for your town that is different it would involve thinking about how your zoning laws and regulations go. Councilor Bowie thanked Mr. Watts and Mr. Weeks.

B. TOWN MANAGER'S REPORT

Mr. Eldridge reported that he and Cathy Ricker met with employees on health care insurance options. Because of the language in the union contracts, the town must offer something comparable. Mr. Eldridge and Ms. Ricker will meet again and make a recommendation.

Mr. Eldridge said they were finalizing the budget. Budget books will be available by March 13. A draft budget and recommendations will be presented at the next meeting on March 17. If the bond issue does not pass, then an alternative "Plan B" will have to be made, which we have already been working on. We will be bringing in our budget flat, he said.

AUDIENCE PARTICIPATION

Conrad Davis, owner and President of Davis Landscaping for over 32 years here in Lisbon, said I have employed several hundred people over this period including some who have been with the company since its conception and many who have resided and still reside in this town. Over the course of this time, I have served on many committees and boards, he said, and I consider myself very community oriented and have always have been a staunch supporter of the town.

Mr. Davis said I started this company and maintained this company because I believe in this community. Not only did I invest my life and my resources within this town, but chose to start and raise my family here, of which some are here in the audience this evening. It was a huge

investment on my part. Further, he said, I bought a large parcel of land on Route 196 with an initial investment of hundreds of thousands of dollars. My money, he said. The primary reason I bought this property, he said, was that I could ensure that it would ultimately provide the opportunity to introduce new substantial businesses into the town as well as provide me with solid neighbors and local prosperity. Ultimately, the profit was small in comparison with the large investment that I paid out, but profit was not my driving force, he said. The betterment of this town and the ability to provide my family with solid taxpaying neighbors was the key. This ultimately led to the fruition of the Furniture Superstore as well as Floor Systems on Route 196, he added.

Then in 2005, Mr. Davis continued, I was approached by the Economic Development Office to purchase another piece of property almost adjacent to my existing property. Initially I did not want to invest any more money. However, because of the solid history I had with the town with the recent other developments aforementioned, the town suggested they could provide me with a loan and move forward with the property. Needing more space with my own business, which is experiencing perpetual growth, I agreed to it, he said. Hence, I purchased the former A & B Florist and greenhouse and flower shop on Lisbon Street. I put the property on the market refusing several interested parties along the way as I felt the proposed usage was NOT of the best interest to the town. Thus, I continued to pay the interest as well as the principal of the loan acquired.

Mr. Davis passed out exhibits to all the members of the Council. He said I ask that you follow along as I present them to you. Exhibit A contains copies of the assignment of the real estate contract signed by the Town Attorney. It also contains a warranty deed, he said, which is signed by the former owner, A & B Florist, Inc. to Davis Landscape, Co., Inc. Please note that it is not deeded from the Town of Lisbon as has been falsely stated on February 18, 2009. He passed out a copy of that article, and said that it was erroneously published in the local *Lisbon Reporter*. It states in print: *I am not a town employee. I am a private citizen. Why did M. Bowie have the town buy property and sell it cheaper to a local business owner who happens to have his girlfriend, sister Bowie's wife, run a business? The Police Chief is creating this to ensure his budget is not cut during this year's budget season. He is a dictator who does whatever he wants and to whomever he wants.* Mr. Davis continued, first of all, *"What the hell does a Police Chief have to do with my personal business?"* This is in writing, he said. I've got an issue here, he added. Please refer to the dates in your exhibit on the warranty deed and a mortgage deed as well as the assignment of contract. This occurred in January of 2005, of which, by the way, I've been paying interest on this since that time, he said. Here is where a very troubling situation I believe, he said, involves you as Councilors and the town occurs. Recently on February 25, a few days ago, I received an email from Councilor Crafts stating that he wanted to verify information that he had received that I and my company had received an illegal loan from the Town of Lisbon.

Mr. Davis said I promptly returned his call and he said that the subject had been broached by Roger Cote. Mr. Davis said Councilor Cote, why would you do that? You could have easily called me just like Dale did, he said, or anyone else would have. After I expressed my concern, he did say that he did not think that it was necessarily a direct attack on Davis. What have I done, he asked. I am not an employee here, I am a taxpayer, he said. What have I done, he asked. But perhaps, more of an agenda with Brooks and Bowie wherein Brooks was the interim Town Manager and I had bought the land from the town that Bowie quote *"had the town buy."* I read verbatim to Mr. Crafts several components of the transaction of which you have in front of you and you will be presented with more information in a minute, he added.

Please turn to Exhibit B, Mr. Davis said. Please note this exhibit contains copies of the actual settlement disclosure statement between A & B Florist and Davis Landscape, Co., Inc, signed by the owner of A & B and me, he said. You will also find a copy of a commercial note as well as a certificate of title, signed by the Town Attorney. I strongly remind you that some of this information, along with some additional forthcoming information, is private and I am short of irate to have to bring this to this type of forum, he said, but I feel that at this point it is necessary. Please note the dates on these legal documents. It is obvious that the Town of Lisbon never owned this property. This was a private transaction and certainly did not involve the quoted *"Police Chief or M.*

Bowie" so again, I question why did it seem that it was the business of Councilor Cote, the *Lisbon Reporter*, or anyone else for that matter, he said, to drag my name or the name of my family. There are very few things in my life that are sacred, two of them are sitting right there, he said. My long-standing business is pretty close to me and now to have this dragged into this malarkey, which appears to be a witch-hunt, he added. The most troubling aspect of this is the false accusations, he pointed out. Are my family and I just collateral damage, he asked?

Mr. Davis said turn to Exhibit C, please. Here are the copies of every single check paid to the Town of Lisbon for this loan. Would anyone care to state what the apparent common factor is for all of these? Mr. Davis answered; they are all paid on time or early.

Mr. Davis said go on to Exhibit D, please. Here are copies of all the insurance certificates for all the concurrent years, naming the Town of Lisbon as additionally insured. Also you will find copies of letters of the annual audits performed by Runyon, Kirsten, and Ouellette. Thus far, he said, I believe all of these are legal documents. They are registered with the Register of Deeds and audited annually by the town. Any question about this being illegal anymore, he asked; I really don't think so.

Mr. Davis said we are going to continue on with Exhibit E. I would like to ask Roger Cote, or anyone what's an amortization schedule? He answered; the definition of an amortization schedule is a complete schedule of periodic loan payments showing the amount of principal and the amount of interest that comprises each payment so that the loan is paid off at the end of its term. Early in the schedule, the majority of each periodic payment is interest. Later in the schedule, the majority of each periodic payment is put towards the principal. He said please find copies of one that pertains to this loan, which is right in front of you. What you see shows that this is posted to our internal general ledger account, which happens to be 2839, is it not, he asked. Does anyone happen to know what a federal form 1098 is, he asked. Mr. Davis answered; a 1098 is a form filed with the Internal Revenue Service that details the amount of interest and mortgage related expenses paid on a mortgage during the tax year. Davis receives one of these from the town, he added. Please find at the bottom of that list a detailed list of all interest paid to the town to date. Pretty private, but I'm going to tell you that it is \$23,172 that I have paid. My funds, he said. May I remind you that this is actual money; my money, he said my funds that I have paid to the Town of Lisbon as income. If this were an underhanded transaction, why would all these legal documents be in place? I'm appalled, and frankly, I am irate, he said.

Mr. Davis said I would like to remind you that Davis has paid \$11,069.61 in taxes on that one particular piece, which has been paid on time since I have owned it. I contemplated providing you all with how much money, because obviously I am pretty upset, I and my family and Davis Landscaping has paid in other property taxes, excise taxes, fees, sewer assessments on Route 196, and other payments, he said, but frankly at this point I am fed up and frankly it's none of your business. I'm done, he said. Let this be on record, "*I am done*," he added.

Mr. Davis said I am done being an ambassador to this town. I worked for 32 years establishing a sound business, which is being handed down to a second generation, namely two of my children. What they do with it relative to this town frankly is up to them. I find it a travesty that they have to endure this kind of experience right out of the gate. He said actually, I find it insulting to me personally and professionally. Rest well assured when I say, "*I am done, I am done*," he said.

Mr. Davis said Roger or anyone of you up on that board; if you want me to pay the balance of that loan, I am going to ask that you have the request presented to me in the form of the Town Council and or the Town Manager along with all the legal documents in the exact payoff and I'll have the payment issued to you. Bear in mind, he said, that this will represent a termination of a minimum of actually 3.09 employees, but I will pay you off. At this point, he said, "*yes, I am livid*." I feel like my family, my company, and its staff, have been innocently slandered. I would like to remind you at the last meeting I made a comment, he said, and yes that was the first meeting that I have been to

in a long time; I made a comment speculating how unfounded claims could harm town business if a potential developer saw this type of behavior. He said I simply said what wrong has been done, let's right it and move ahead for the town. That is what I said and now my very own business has been attacked, he pointed out. Let it be known that I was in negotiations for a potential new buyer for that particular property and they backed out of the deal. Mr. Davis said they were going to raise the building and build a brand new building. He added, I said at the last meeting stuff like this was going to happen. I received an email from someone, and I'm going to quote it he said: "*What a crock. I think what impresses me most is the author's mastery in basic spelling and grammar rules. Seriously? Is this the unofficial voice of the townspeople? No wonder outsiders think Lisbon is such a joke. How sad.*"

Mr. Davis said I have one closing comment. I want to point out a very important issue. In my life, I have never done this because I have never had to, he said, I, nor the members of my family or the staff at Davis Landscape are employees of this town. I certainly do not feel we need to be subjected to this type of liable and slander, he said. It is with great trepidation that I provide you with this letter of intent to have a notice of claim served on you Roger personally and if found appropriate the Town Council as an entity, he added. As for the published written contents, if deemed necessary, the IP addresses and the MAC addresses of the originating computers will be determined and appropriate actions will be taken in that direction, as well. He said, I will not and can not allow this slanderous and humiliating behavior to continue and be directed at me and my family. Trust me emphatically when I tell you one thing, he said, this isn't about money, in fact, it has nothing to do with money; I do not need money. An immediate apology from you Roger to me and my family, who is present, as well as a written apology published in that *Lisbon Reporter*, could make this all go away, he said. I am going to tell you this is a very, very sad day in the history of the Town of Lisbon. I am done in this town, he added.

Donna Stevens from Bartholomew Street said I want to clarify whether that letter given to you from Conrad Davis was an intent to file a lawsuit for liable and slander against Councilor Cote and potentially the whole board, and therefore potentially the whole Town of Lisbon. Councilor Bowie said that was correct.

APPOINTMENTS

BUDGET ADVISORY BOARD (ONE DISTRICT 1 TERM EXPIRING 2009)

VOTE (2009-49) Councilor Mason, seconded by Councilor Laroche moved to appoint Don Fellows to the Budget Advisory Board, District 1, term expiring in 2009.

Order passed - Vote 7-0.

Councilor Wells asked for a five-minute recess to look something up, which was granted by Councilor Bowie.

COUNCILOR COMMUNICATIONS

Councilor Crafts said I experienced today the *Lisbon Reporter* attack, he said, whoever wrote it; I am 99% sure who wrote it, the same one that created most of the problems in this town for the last fourteen months. The two accusations against me were that I did not come to the meeting when Chief Brooks gave his presentation because I was too much of a coward; yet I was in bed for ten days on my back with my family and my friends giving me medications and nursing me, he said. I could not have come, because I would have coughed and hacked the whole night. I still have the medication the doctor put me on. But I'm a "*coward*" and I'm a "*liar*" according to the *Lisbon*

Reporter, he added, and, that I also knew about Chief Brooks' presentation that night, he continued, but I was too scared and too much of a coward to show up so I faked being sick. You know what, he said, "this crap has to stop!"

Councilor Cote said I would like to know why I am being blamed for all this stuff. He said I have not the ability nor have I ever had the ability to put anything on the *Lisbon Reporter*. Anything that I relayed to anybody was in the privacy of a conversation between me and somebody else. Councilor Crafts went to Portland with Mr. Comber to the FBI building and they inquired about the liability of a blog site. He said they were told anything that is put on a blog site is the opinions of whoever wants to write it. When the articles broke out in the paper they had numerous blogs under the article in the Lewiston paper that I was a knucklehead and I was this and I was that and also about some other people on the Council. They are blogs, full of people's opinions. You are going to get that everywhere you go. Everything today is a blog, whether you are in sports, politics, or whatever. He said Councilor Crafts was told specifically in blog sites they are opinions and that there is no judge who will even touch that because they are everywhere in this country. If people want to read blogs, that is their privilege, and if they don't want to read them, then shut them off; he said, don't visit them, they are blogs. He said they are people's opinions and everybody has them.

Councilor Cote said this is the second meeting in a row that I have been pinpointed and accused. It amazes me that we can pay a Chief of Police \$72,000 a year to read blogs; it just amazes me, he added. I would think there must be something else these people can be doing besides reading blogs. Every time I come into a Council meeting, for the last two or three meetings, that is what I am accused of, of writing this and that and I don't write anything on the blogs, he said. So I don't know how many more meetings I am going to come to and have my name trashed. I have never seen so much publicity; It's unbelievable, over blogs. This blogging is all over the place. Haggerty just down the street here, he said, has just opened up two more blogs. So what are you going to do, blame them on me, he asked. I don't write the blogs. I came to this meeting on the 17th and every one of the Councilors sitting in this room, including the Town Manager, knew that Chief Brooks was going to put on a grand performance. Councilor Mason said that's not true. Councilor Crafts said Councilor Cote that is a lie; see that's what I have been telling you for how long, you repeat words. Councilor Cote said, "you told me that Dale." Councilor Crafts said, "Oh boy, that's a lie." Let's back up Roger, he said, because when you were doing the *Lisbon Reporter*, out of your own mouth you said that you did not write on this blog, but you told me and Councilor Mason that you "had your sister write on it because she was a better writer." Councilor Cote said, "she did write some stuff." Councilor Crafts said okay, so she was doing the writing so you did not technically write it. Councilor Cote said, "I didn't put it on either."

Councilor Crafts said let's back up about the FBI thing and end it. Mr. Comber and Mr. Cote came to my house one night and accused me of being "Pacheebo." Now some of these people, he said, will know what I am talking about. There were communications going back and forth with Jennifer Norris-Stowell in Rumford from somebody called "Pacheebo," which I didn't understand because I didn't even know the issues in Rumford. They said they had tracked it back to my computer, he said. I was being accused of being "Pacheebo" and that is why Mr. Comber insisted that we go to the FBI to see if we could find out who this "Pacheebo" was. The FBI told us a blog site can say whatever they want, unless there is an accusation that somebody is threatening to kill somebody or something, then the FBI would step in; so that's what's behind that. He said I was accused of being "Pacheebo" until they investigated it and I was told that they found out who this "Pacheebo" is.

Councilor Crafts said that one thing I pride myself on is truthfulness, I have many failures, but don't ever call me a liar. One thing I was taught by my father John Crafts, who has the most amazing testimony of honesty, is to be responsible for what you say; if you are wrong own up to it and apologize, and don't lie. What Councilor Cote said is the very opposite of what I told him, he said. He believes in his head that everybody knew about it and it was a complete set-up job. The only one I could say that probably knew about it was the Town Manager, because he read the report

from the Attorney General. He added the rest of them I don't know, because I can't speak for them. I did not know anything about it.

Councilor Crafts said the accusations that were said about Mr. Davis, I have had enough. I have been hearing accusations for about a year now that everybody is going down, he said. I did get a message from Jennifer Norris-Stowell on Saturday that I am going down with the rest of them. For some reason now, I am tagged with the rest of them, so we are all going down together, he said. To me, it exposed exactly what is going wrong with this town; It's nothing but a bunch of false accusations with no proof, and no evidence. I have had enough of this and so that's why I called Mr. Davis and said give me the truth, this is what I have been told. I am going to do that with every single rumor I hear. I am going to go to the source, he said. I am not just going to sit back and wait and see. He said I am all done with that, I am not going to be sucked in. Present me the facts, and the truth, and the evidence, and then I will believe it; other then that shut up, he said.

Councilor Larochelle said having Mr. Davis in here tonight was unfortunate. He said unfortunately sometimes you feel embarrassed about certain kinds of things and hopefully as a Town we can move forward. He said going back to some of the stuff said earlier, and about how Councilor Crafts feels and everybody else; when the head of the blog is actually listed as *Lisbon Citizens*, and then you get named directly, or any of us gets named directly, that blog stops and when that communication goes down the street and starts spreading through the town, and someone comes up to you and says, "I heard you were a coward," the blogs doesn't really make a difference any more, it actually comes from the source so we really have to start looking at what the sources are and like Councilor Crafts said, don't take rumors for rumors and if there is a question, ask.

Councilor Larochelle said I got a call this weekend about our Economic Director, they were asking me questions, and I knew the answers, but I said I am no longer answering questions that I do not have in writing. It was a very innocent question, it was a phone call, I called him back and I said you need to put your question in writing, it's a legitimate question, and you need to put this question in writing to the Town Manager, he said, and you will get a written response. No more, I said, you said. What I feel strongly about tonight is, he said, if anyone listening has a question about anything happening, instead of actually reading about it on a blog or going down the street asking, "Did you hear about what happened to Councilor Crafts today," ask the Town Manager or the Chair in writing and you will get the answer. As Councilor Crafts said, the proof is in writing. No more I said, you said. Let us just move beyond, he added. We have to get to a positive atmosphere and put away all this stuff. I really feel bad if people get insulted in this town. The last thing you want to hear is people or a business slandered. I hope that we can move forward, and if you have a concern, there are many people to ask. It is not very hard to ask questions and we will get you the answers.

Councilor Henry said I worked with Conrad Davis on boards and volunteering. I feel very badly that this has happened to him. We will miss you and hope you will come back, but it is your decision to make.

Councilor Henry said that the girl's basketball team is sponsoring a spaghetti dinner on Friday, March 6 from 5:30PM to 7:30PM at the Lisbon High School cafeteria. It will be \$7 for adults and \$4 for kids. This dinner supports the girls' summer camp. Also on March 21, Bob Marley will be coming to Lisbon High School. The event is \$15 per ticket at 8:30 PM. The wrestlers just had a great weekend. All the proceeds will go to the boosters. Tickets are for sale at the High School and at MTM.

Councilor Mason spoke in support of our Economic Development Director and the great job she is doing. I can speak first hand about that, she said, because I serve on a committee with her and I know what a good job she is doing. We have a major revitalization effort going forth in this town, she said. As the group from the University of Vermont mentioned, many of the things they mentioned were just what we are trying to do in this town. Revitalization is very important, even as

we recognize that economic times are rough, this is not a six month project, it is a many years project and something we are working on now in hopes that things will get better later. Many of the programs we are trying to get are grant type monies. Nothing positive yet, but we are working on them. At these community visioning sessions we break out into different groups such as, parks and recreation, public services, education and cultural, economic community development, housing, agriculture, land use, municipal services, and infrastructure. You get a chance to go to a couple of those groups and voice your opinion about what you think we need to improve upon in our town in future years. The next visioning session is March 14 at Lisbon Community School from 9AM to 1PM. Another is set for April 2, from 9AM to 1PM at the Town Hall and a final session is again at LCS, May 12 from 6PM to 9:30PM. Informational fliers are available so pick up one, she said.

Councilor Bowie said I honestly do not think it is the blogging that's the issue at hand here; it's the verbal comments that are made in the public sector. I think these verbal allegations and comments that are made, he said, that we as public officials have to understand that we are liable for those comments. Whether we mean them or if they have substance behind them or not, we are liable for those comments we make in public, he added. If you are writing something on a blog, I don't care about a blog; you can say anything in a blog you want about me, that does not bother me. But, when people make statements in public to other people and that gets passed around and it gets to the individuals and we have to do investigations or it hurts businesses, I'm very concerned, he said. We all have to understand we are liable for those comments as public officials. Unfortunately, you took this position for that and when we make those comments we are accountable for what we say. We are accountable to the citizens, to the businesses, and to the rest of the public officials.

EXECUTIVE SESSION - NONE.

(Interviews were not needed)

ADJOURNMENT

VOTE (2009-51) Councilor Wells, seconded by Councilor Crafts moved to adjourn at 9:55 PM.
Order passed - Vote 7-0.

Respectfully Submitted,

Twila D. Lycette, Town Clerk

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