



TOWN COUNCIL MEETING MINUTES NOVEMBER 1, 2011

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

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

ROLL CALL. Members present were Councilors Bowie, Mason, Larochele, Cote, Lunt, Pomelow, and Bickford. Also present were Stephen Eldridge, Town Manager; Budget Advisory Board members Dot Fitzgerald and Don Fellows; David Brooks, Police Chief; Diane Nadeau, Library Directory; Kathi Yergin, School Committee; and approximately 20 citizens in the audience.

PUBLIC HEARING

RENEWAL SPECIAL ENTERTAINMENT PERMIT SLOVAK CATHOLIC ASSOCIATION

The Chairman opened the Public Hearing. There were no comments from the public. The Chairman closed the Public Hearing.

AUDIENCE PARTICIPATION

ANDROSCOGGIN COUNTY COMMUNICATION CENTER

Larry Fillmore said he agreed with consolidating the Androscoggin Sheriff's office (ASO) and the Lisbon communication center forming the Androscoggin County consolidated communication center, which he said is definitely the right thing to do.

Mr. Fillmore said that the presentation Chief Brooks is going to present is a total disaster, for the taxpayers of Lisbon. Chief Brooks wants the taxpayers of Lisbon to assume all the financial responsibilities for the Consolidated Communications Center. Slide 19 sums it up, he said. In this scenario the Lisbon Town Council or the Lisbon taxpayers will be the final budget authority for the Lisbon communications operation. This means the taxpayers of Lisbon will have to fund the communications center for its duration.

Mr. Fillmore said this is a county project and that it should be funded entirely through the Androscoggin County Budget. Lisbon could charge the county for rent on the space utilized in the town office building.

Councilor Lunt said I can assure you, Mr. Fillmore, the Council will not do anything that will be against the financial interests of the people of Lisbon.

SKATING RINK

Mr. Nadeau suggested, for the kids in the wintertime, that a couple of areas be flooded so they can skate. They used to do this, years ago, and I don't know how much it would cost, but I think it would be worthwhile to do.

LISBON CONNECTION BUS

Richard Nadeau said I would like to make some statements about the bus. I think the fees have been the same fees since the bus started. If you raise the fare, it might help out. I use the bus a lot. I also go with the seniors. I would like to keep that part for the seniors as it is, every Tuesday around 8:00 AM

and we should keep two routes. One goes to Lewiston at 11:30 AM and gets there around 12:00 PM. It leaves about 12:15 PM to come back. That route should stay. If you keep one route in the morning, the really early one and then another later one, gets people to work if they want to use the bus. I think the rates ought to be raised. He said I understand they cut \$15,000 out of our funding and next year it will probably be more. He said to go to Jay once a week is \$5 so the rates ought to go up. Lewiston is charging \$1.50 for their bus. I can see that going up to \$2 next year because of Federal cutbacks.

Vernon Dyer said he would like to comment on the bus situation. A number of people rely on this bus to get to work. I've spoken to them personally and they are wondering how they are going to get to work. If we could keep the early morning route and the late evening one, which would satisfy that condition. He said the bus service should be expanding. People are getting older and fewer and fewer drive. Tuesday mornings the driver takes elderly people out grocery shopping; they rely heavily on that. There are fifteen to sixteen people who use that service. The bus service adds value to the community and would be sorely missed.

3 VILLAGE STREET

Dot Fitzgerald said I reviewed the proposals I got from online regarding the demolition of 3 Village Street. The least expensive is Roland's Demolition for \$7,000. The highest is Ray Labbe and Sons for \$18,150. To accomplish this there is an ordinance for a supplemental appropriation for that demolition not to exceed \$15,000 and I am wondering why we need to talk about a supplemental appropriation when you haven't voted on the demolition yet.

Mr. Eldridge said the supplemental ordinance was put together prior to the bids coming in so it was worded not to exceed \$15,000 because this Council has not awarded the bids.

Mrs. Fitzgerald asked if the bidders had taken into consideration the asbestos or linoleum flooring. Mr. Eldridge said, yes, they have and all bids complied with what the bid document requested; demolition and complete removal of all materials and filling in of the cellar foundation.

REFERENDUM BALLOT QUESTIONS

Mrs. Fitzgerald said the articles on the November 8 ballot were difficult to understand. She asked about the first question and why the town would want to regulate the rate at which a business or establishment may charge for its services? Mr. Eldridge pointed out that the underlined text for the first question was what is to be added if it passed and that the rest of the ordinance, including rate regulating, had already been adopted.

Mrs. Fitzgerald said it references regulating the rate at which a business can charge for services, which shouldn't even be on the ballot. Councilor Lunt said I just want to clarify that what you are referring to is not the section being added, that's already on the books.

LISBON CONNECTION BUS

Ruth Ancona said I have a daughter who has ridden the bus for several years. She has disabilities and cannot drive. She's kept a full time position in Lewiston. It will be very difficult for her if we lost this transportation service. We don't need as many routes as there are now, but a route to get her there and home is necessary. She just recently got her own apartment and is now settled and this would be just devastating if we lost the bus. We did transport her for several years but we are getting older and getting tired and she needs to be on her own. Thank you.

CONSENT AGENDA

VOTE (2011-192) Councilor Bowie, seconded by Councilor Mason moved to approve the Renewal Itinerant Vendor Permit for the Lisbon Hockey Team, the Minutes for October 11, and the minutes for October 18, 2011. **Order passed - Vote 7-0.**

Item Taken Out of Order

OTHER BUSINESS

A. LIBRARY PRESENTATION

Councilor Lunt moved the library presentation up because there were children who wanted to address the Council.

Mrs. Nadeau said thank you for this opportunity to come to you at this time of year to share with you the success stories of our 2011 Summer Reading Program. In addition to photos, we thought it important that you hear it from the children as well so we wanted the children to share their personal stories and maybe reach out to other children because they found out tonight that this is going to be televised. We certainly want to let the Council and community know what a difference this wonderful program makes in our community.

Jeffrey Shambarger said I am in Grade 5 at the Lisbon Community School. It's great for kids because some kids don't even like reading, they'd rather stay at home and play video games all day. The summer reading program gets them to want to read and they meet new people and make new friends. I don't need the summer reading program to read because I love to read. Other kids do. I think that without the summer reading program other kids would have a hard time learning in school. Thank you for letting me speak, he said.

Megan Strout said I am eight years old. I have been participating in the summer reading program since I was five. I think that you should keep the summer reading program because it gets kids to read and learn. Lots of kids are learning from the reading program. I've read all of the Harry Potter books and the Nancy Drew mysteries. I like to do the art projects and we get a prize every week. At the end of the program we get a book. I also learned how to use the computer to look up whether books are in. If the square is green it means the book is in, if it is red it means it isn't. Thank you for the opportunity to talk with you today.

Mrs. Nadeau said these are only two of our success stories. We had over 150 participants and they read almost 1,900 books. We've applied for a grant to bring in a summer intern so we can expand this program. Because of staffing and hours, we cut it off at fifth grade, but we don't want to; an intern would allow us to expand it to the teens. Mrs. Nadeau showed pictures about the Theme-Reading around the world program, games in the garden, kick off with Randy Junkins the magician, and the special guest doing origami and cooking. The kids read 1,880 books in 6 weeks. They gave out certificates for ice cream and tickets to the baseball games in Portland.

Mrs. Nadeau pointed out that teachers tell her that they can pick out the children who have read over the summer because they are prepared and ready to go.

Mrs. Nadeau said people are encouraged to bring in a nonperishable food to support LACO. For every item donated the Library will forgive \$2 in fines and the basket is almost full.

Mrs. Nadeau said Friends of the Library are doing a book and bake sale sponsored by Benoit's Farm and Bakery. This is to support the purchase of furniture in the adult reading room.

Mrs. Nadeau said she won a \$1,800 Zoom-Ex machine to help people who have trouble reading. This can enlarge the screen on a laptop and it can read it to them. We are so happy to have this for the community.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

3 VILLAGE STREET DEMOLITION BIDS

Mr. Eldridge said there were several bids received for the demolition of 3 Village Street. They range from \$18,000 to as low as \$7,000. Each person followed the specs and said what they could do. Our recommendation is to go with the \$7,000 bid; there was a supplemental amount added for \$1,200 to remove the asbestos that was in the linoleum and part of the siding on the outside so the total is \$8,200 if you were to award it to Roland's Demolition.

Councilor Larochelle asked if there is some type of plan prepared so when this is actually done we can finish it off so it is not just a dirt opening.

Mr. Eldridge offered to put together a recommendation as to what the town could do. It's a little late to seed it.

Councilor Larochelle said he would like to know what our options were after this was done, because with the building gone we may be exposing a lot more than we want to see driving by, he said. I think we need to discuss how we want to finish it off, whether it be with fencing or landscaping to make that corner look better, rather than just a dirt hole filled in.

Councilor Bowie agreed with Councilor Larochelle. Are we talking about awarding this and then coming back with a plan; what options do we have?

Mr. Eldridge said tell us what you would like to do with this site and Public Works can do the remainder of the work. You may have to appropriate some funding depending upon what you want done.

Mr. Eldridge said if you award this bid to this company you still have to complete the first reading on this supplemental fund ordinance, and then hold a public hearing at your next meeting and pass it. He offered to put something together for that meeting so the Council could see what that cost might be.

Councilor Mason said I have a question about the property next door, do we know where the line is? Mr. Eldridge said we haven't done that yet.

Councilor Mason said I'm just curious as to where the line is. My feeling is that this area should be tarred. I think grass is just going to add another layer of work. I prefer to see it tarred and turned into a parking lot, which would be one less thing for Public Works to maintain.

Mr. Eldridge said you could get it paved if it is warm enough. Plants aren't closing until the first or second week of December. If at our next meeting you decide to approve this supplemental cost, we could make arrangements to have it paved, if we can get it done that quickly.

Councilor Mason said I'd just be curious as to where the line is, too.

Councilor Bowie said I think there are too many unanswered questions to actually finish it off. I'm okay with taking the building down, but before we decide what we are going to do next, I would like to find out where all the property lines are and then discuss what is best for us to do. We need to take into consideration what that property can be used for, is it buildable, does it meet specifications to put something else in there, or does it always have to be a parking lot so to speak.

Mr. Eldridge said I think, with the footprint, that somebody could build on it. You could leave the foundation intact. Someone would have 18 months, if you decide to sell it, to build on that site.

Councilor Lunt said I don't see any need to rush into anything. We could pave it next spring.

Councilor Bowie asked if the demolition would take the foundation out. Mr. Eldridge said that was part of the spec, but they could just fill it in; we have done that before.

Councilor Cote said it sounds as if we have an awful lot of unanswered questions about the whole project. Is it in our best interest to even tear it down?

Mr. Eldridge said the only unanswered questions you have are where the lines are, and that's not really a demolition issue. The other question is do you want to fill in the foundation, yes or no. We could leave the foundation intact there at ground level and just fill it in.

Councilor Cote said removing that foundation later comes with a considerable expense. Would that lessen the value of the property? Mr. Eldridge said if they want to build there it enhances the property.

Councilor Larochelle said we are looking at just removing the building for \$8,200. He said we need to tear it down before there is a problem with it, because it's a liability just being there. If the foundation is going to stick up above the ground, that could be a concern. The footprint is maintained on our tax maps so anybody can see what the square footage was and figure it out from there where to go so it's better if be gone. Councilor Cote agreed.

Councilor Larochelle said I think a contract would be very important at this price; it's amazingly low.

VOTE (2011-193) Councilor Bowie, seconded by Councilor Mason moved to award the 3 Village Street demolition bid to Roland's Demolition for \$8,200. **Order passed - Vote 7-0.**

ORDINANCE: SUPPLEMENTAL FUNDS ORDINANCE

(First Reading-Roll Call Vote)

Councilor Bowie asked how the excess was determined in the second clause where it says "whereas surplus funds and the surplus fund account constituting revenue in excess of those estimated in the budget in the current fiscal year are available for this purpose." This says to me that we have excess revenue over what we appropriated in our budget, so I want to understand how we figured out what our excess revenue is based.

Mr. Eldridge said excess revenue, the way that's defined is, it's the money appropriated for in your budget balanced by the expected revenues for that budget so the remainder of the funding you are not utilizing is considered excess revenue. We call it the undesignated fund balance at the end of the year.

Councilor Bowie said if we have excess revenue is that something that's come in above and beyond what we projected for revenue so is that considered in excess of what we used to set our budget. I'm trying to understand where this excess is and what's it's based on. You showed me the list of revenues we set our budget on; where's the number larger than projected? That's what I need to see in order to vote on this.

Mr. Eldridge said excess revenue is defined as revenue that came in over x number of years, which has accumulated in the undesignated fund balance.

Councilor Bowie said I don't think so. I think this means this should be based on only your current FY budget and what you've got this year for excess revenue. He requested Mr. Eldridge check on this before the second reading. Councilor Bowie said I'm not opposed to doing this, I just want to know where it comes from and I want proof.

Councilor Bowie said this is only the first reading so if we get the answers to these questions and it comes back that it's a different venue then you just don't pass it at the second reading, right. I'm just saying I want to see that information before the Council votes. I'm okay with the first reading and I'm okay with maybe a certain number, I'm not saying \$15,000, but I want to know how that actually works, because this is the first time we've done a supplemental appropriation. I want to make sure it is based on the guidelines of the Charter based on the way we've written it.

Councilor Pomelow recommended changing the supplemental appropriation amount from \$15,000 to \$8,200 to be more in line with what is actually needed.

Councilor Mason said you may have an additional cost to pave it, install a fence, or do whatever. Councilor Pomelow said that amount could end up being something separate from this amount.

Councilor Bowie said you could always do another supplemental appropriation provided you have the excess revenue.

VOTE (2011-194) Councilor Bowie, seconded by Councilor Cote moved to adopt the following supplemental fund ordinance not to exceed \$8,200 with the understanding that the Council will have some more answers before the second reading:

WHEREAS, it has been determined that the dwelling located at 3 Village Street is beyond repair and should be demolished; and

WHEREAS, surplus funds in the Surplus Fund Account, constituting revenue in excess of those estimated in the Budget for the current fiscal year are available for this purpose; and

WHEREAS, the sum necessary for that demolition will not exceed Eight Thousand Two Hundred Dollars (\$8,200)

NOW THEREFORE, be it ordained by the Town Council of the Town of Lisbon that a sum up to Eight Thousand Two Hundred Dollars (\$8,200) be and hereby it supplementally appropriated from the Surplus Fund Balance.

Vote By Roll Call - Yeas: Councilor Bowie, Bickford, Cote, Pomelow, Lunt, Mason, and Larochelle. Nays: None. Order Passed.

ORDINANCE: AMENDMENT TO SECTION 12-7

ETHICS AND CONFLICTS OF INTEREST

(First Reading-Roll Call Vote)

VOTE (2011-195) Councilor Bowie, seconded by Councilor Larochelle moved to adopt the Ethics Amendment as presented.

Chapter 12 ETHICS AND CONFLICTS OF INTEREST

[Sec. 12-1. Statement of policy.](#)

[Sec. 12-2. Definitions.](#)

[Sec. 12-3. Ethics panel.](#)

[Sec. 12-4. Conflicts of interest.](#)

[Sec. 12-5. Additional standards.](#)

[Sec. 12-6. Procedures.](#)

[Sec. 12-7. Effect of advisory opinion.](#)

Sec. 12-1. Statement of policy.

It is the policy of the Town of Lisbon that the proper operation of democratic government requires that public officials be independent, impartial and responsible to the citizens; that public office not be used for personal gain; and that the public have confidence in the integrity of its municipal government. The purpose and intent of this article is to promote the objective of protecting the integrity of the government of the Town of Lisbon against actual or reasonably perceived conflicts of interest without creating unnecessary barriers to public service. This article shall not prevent the town council, the school committee, the town manager, or the superintendent of schools from adopting additional procedures and employment standards intended to prevent the exercise or appearance of improper influence or bias in the conduct of government business. **The purpose of this Code of Ethics is to establish standards of ethical conduct for all Councilors, Planning Board or Committee members, members of appointed Board or Committees, and Town employees by setting forth those acts or actions which are deemed to be in conflict, or which create the appearance of conflict, with the ethical standards of the Town of Lisbon. It is the duty of every Town official and Town employee to support the Constitution of the United States and the Constitution of the State of Maine. There are also certain provisions of the general statutes of the State of Maine, which, while not set forth herein, should be**

considered an integral part of this Code of Ethics. Accordingly, the provisions of the following sections of the general statutes of the State of Maine, as they may be amended, are incorporated into this Code of Ethics by reference to the extent applicable:

(T.M. of 5-15-2007, § 2007-067)

Sec. 12-2. Definitions.

As used in this article, the following terms shall have the following meanings:

Conflict of interest. The term "conflict of interest" means a situation where a public official cannot participate in a matter because of a personal relationship, financial involvement, or other situation that would cause a reasonable person to believe that the public official cannot act in his or her official capacity without self-interest or bias.

Financial involvement. The term "financial involvement" means any existing (or current efforts toward achieving) ownership or investment interest, contract right, significant customer relationship, or employment relationship, of or with a public official or a person with whom the public official has a personal relationship.

Municipal board. The term "municipal board" means the Lisbon Town Council, the Lisbon School Committee, the Lisbon Planning Board, the Lisbon Board of Zoning Appeals, and the Lisbon Board of Assessment Review.

Participation in a matter. The term "participation in a matter" means action by a public official to vote, decide, deliberate, influence or direct others regarding matters currently before, or anticipated as coming before, a municipal board, committee or commission or which involve the operation of municipal government or the school system.

Personal relationship. The term "personal relationship" means any family, affectional, or social relationship that is characterized by one or more of the following:

- a. Persons who are husband and wife, or parent and child;
- b. Persons who share an ongoing physical intimacy with each other;
- c. Persons who acknowledge an ongoing romantic relationship with each other;
- d. Persons who live together in the same residence;
- e. Persons who intermingle their financial assets without an accounting of separate ownership interests.

Public official. The term "public official" means (1) any person holding an elected or appointed position with a municipal board, committee, or commission; (2) the town manager; (3) directors of municipal and school system departments; (4) the town finance director; (5) the superintendent of schools; (6) school principals; (7) any person designated as a town officer or official under state law; (8) employees.

(T.M. of 5-15-2007, § 2007-067)

Sec. 12-3. Ethics panel.

- (a) *Establishment of ethics panel.* There shall be established an ethics panel consisting of three regular voting members and two alternate members. Two regular voting members and one alternate member of the ethics panel shall be appointed by the town council, and one regular voting member and one alternate member of the ethics panel shall be appointed by the school committee. A regular voting member or alternate member of the ethics panel may not hold any other town or school department office or position or be a member of any board or commission to which the town council or school committee have appointing authority.
- (b) *Term.* The regular voting members of the ethics panel shall be appointed to staggered three-year terms. When the first appointments are made, one member shall be appointed by the council to a three-year term, one member shall be appointed by the school committee to a two-year term, and one member shall be appointed by the council to a one-year term. The town council chair annually shall appoint one of the regular voting members to serve as chair of the ethics panel. Alternate members shall be appointed to three-year terms.

- (c) *Role of alternate members.* Alternate members of the ethics panel may participate and vote in ethics panel proceedings if a regular voting member is incapable or unavailable to serve in regard to a particular referral or is disqualified from participation because of a conflict of interest. The alternate member designated shall be selected by the chair of the ethics panel.
- (d) *Powers and duties.* The ethics panel shall have the authority to issue advisory opinions on questions relating to conflicts of interest.

(T.M. of 5-15-2007, § 2007-067

Sec. 12-4. Conflicts of interest.

- (a) *Standard of conduct.* A public official shall refrain from participation in a matter when there exists an actual, potential or reasonably perceived conflict of interest.
- (b) *Statutory and policy standards.* There are applicable provisions of the General Statutes of the State of Maine and town policies which directly address issues considered to be issues of ethics and conflicts. These statutory and policy provisions are hereby integrated into and become a part of this chapter, as promulgated, and as may be from time to time be amended:

17 M.R.S.A. § 3104 Conflicts of Interest; Purchases by the State
 17-A M.R.S.A. § 456 Tampering with Public Records or Information
 17-A M.R.S.A. § 602 Bribery in Official and Political Matters
 17-A M.R.S.A. § 603 Improper Influence
 17-A M.R.S.A. § 604 Improper Compensation for Past Action
 17-A M.R.S.A. § 605 Improper Gifts to Public Servants
 17-A M.R.S.A. § 606 Improper Compensation for Services
 17-A M.R.S.A. § 607 Purchase of Public Office
 17-A M.R.S.A. § 608 Official Oppression
 17-A M.R.S.A. § 609 Misuse of Information
 17-A M.R.S.A. § 903 Misuse of Entrusted Property
 21-A M.R.S.A. § 504 Persons Ineligible to Serve
 30-A M.R.S.A. § 2605 Conflicts of Interest
 30-A M.R.S.A. § 5122 Interest of Public Officials, Trustees or Employees
 Lisbon Code, Chapter 90, Personnel Policy, § 90-30, Political Activity
 Lisbon Code, Chapter 90, Personnel Policy, § 90-31, Gifts and Gratuities
 Lisbon Code, Chapter 90, Personnel Policy, § 90-31.5, Conflict of Interest
 Lisbon Code, Chapter 90, Personnel Policy, § 90-38, Use of Town Equipment
 Lisbon Code, Chapter 86, Financial Matters, § 86-40, Ethics and Public Contracting

- (c) *Standards of representation.* No public official shall appear on behalf of any third party before any town board, committee or commission, including a board, committee or commission of which the official is a current member, or represent any third party interest in any action, proceeding or litigation in which the town or one of its agencies is a party. Nothing herein shall prohibit any public official from appearing as a witness when duly called by a party for the purpose of giving non-privileged testimony before any town board, committee or commission or in any litigation. Nothing herein shall prohibit the official from representing the official's personal interest and appearing before any town board, committee or commission including that of which the official is a current member, but during the representation of such interest, the official shall be considered a member of the general public, or interested party in the matter under deliberation, and shall not sit with the board, committee or commission, deliberate on the matter, or vote on the item concerned. The term "personal interest" includes any interest of the public official as a resident, landowner, or taxpayer who may be affected by the matter under consideration.

No Town official or Town employee shall use confidential or advance information obtained by virtue of Town office, appointment or Town employment for personal or financial advantage. Town officials and Town employees should not disclose to others, or use confidential information acquired by them in the course of their official duties, to further their personal interests. Town Officials or Town Employees shall never maliciously damage or publicly criticize the professional reputation of others engaged in public service.

- (d) *Referral.* When a public official does not voluntarily refrain from participation in a matter and there is a question as to the existence of a conflict of interest, the matter may be referred to the ethics panel for its advisory opinion as follows:
- (1) A public official may refer to the ethics panel the question of whether he or she has an actual, potential or reasonably perceived conflict of interest; or
 - (2) Two or more members of the town council, school committee, or other municipal board may refer to the ethics panel the question of whether another member of that body, or of a public official who serves under the authority of that body, has an actual, potential or reasonably perceived conflict of interest; or
 - (3) A registered voter within the town of Lisbon may request an advisory opinion from the ethics panel regarding whether an elected or appointed public official who serves on a municipal board has an actual, potential or reasonably perceived conflict of interest. Such request shall be made on forms available from the town clerk and shall be endorsed by the signatures of 25 registered voters within the Town of Lisbon.
- (e) *Ethics panel determination.* The ethics panel shall determine whether the public official should refrain from participation in a matter because of the actual, potential or reasonably perceived existence of a conflict of interest.
- (f) *Board, committee or commission determination.* Nothing in this chapter shall affect, limit or preclude a particular board, committee or commission from determining a question of ethics or conflict with respect to one of its members at a particular hearing or meeting, by vote of the board, committee or commission excluding the member alleged to have an ethics or conflict issue that would preclude participation, including voting, on a matter pending before that board, committee or commission.

(T.M. of 5-15-2007, § 2007-067)

Sec. 12-5. Additional standards.

- (a) *Standard of conduct.* A public official, other than the town manager or the superintendent of schools, who is a municipal or school department employee shall not hold a supervisory position, or be senior in the chain-of-command, to an individual with whom he or she has a personal relationship or a financial involvement (other than the municipal or school system employment relationship), unless:
- (1) The relationship is disclosed by the public official to the town manager or superintendent of schools, whoever is the appropriate senior administrative officer; and
 - (2) The town manager or superintendent of schools approves a management plan that is designed to prevent favoritism or any other improper influence in connection with the employment relationship and that provides ongoing oversight by a person or persons not subordinate to either of the individuals who have the personal relationship or financial involvement; and
 - (3) The town manager or superintendent of schools reports to the town council or the school committee, whichever is the appropriate legislative body, the existence of the potential incompatibility of employment positions and the establishment of a management plan to address the same.

Neither the town manager nor superintendent of schools shall hold a supervisory position, or be senior in the chain-of-command, to an individual with whom he or she has a personal relationship or financial involvement (other than the municipal or school system employment relationship), unless:

- (1) The relationship is disclosed to the town council or school committee, whichever is the appropriate legislative body, by the town manager or superintendent of schools; and
 - (2) The legislative body establishes a management plan that is designed to prevent favoritism or any other improper influence in connection with the employment relationship and that provides ongoing oversight by a person or persons not subordinate to the town manager or superintendent of schools.
- (b) *Referral for assistance of ethics panel.* The town manager, the superintendent of schools, or a majority of the members of the town council or the school committee may request an advisory opinion from the ethics panel relating to conflicts of interest, situations contemplated under this section, and the formulation of a management plan.

(T.M. of 5-15-2007, § 2007-067)

Sec. 12-6. Procedures.

- (a) *Referral of cases.* A referral to the ethics panel shall be in writing and shall describe with particularity the factual basis of the referral. The ethics panel promptly shall give notice of the referral to the chair of the municipal board concerned and the public official whose personal relationship or financial involvement is the subject of the referral.
- (b) *Fact-finding.* Upon receipt of a referral, the ethics panel shall determine the facts necessary to render an advisory opinion. The facts may be agreed upon and set forth in the referral. If additional fact-gathering is necessary, the ethics panel, or a person designated by it, may conduct informal interviews and solicit additional information. The ethics panel shall determine the facts through a formal hearing process only if so requested either by the public official who is the subject of a referral or by the public officials who submitted a referral.

In regard to its gathering of facts relating to the existence and nature of a personal relationship, the ethics panel shall be limited to the voluntary statements and other information provided by the public official whose relationship is at issue.

- (c) *Deliberation.* Upon conclusion of its fact-finding, the ethics panel shall deliberate over the question referred to the panel. Any person may submit written comments to the ethics panel setting forth his or her position regarding the question under consideration.
- (d) *Decision.* Upon conclusion of fact-finding and deliberation, the ethics panel shall issue a written advisory opinion that includes findings of fact, application of the standards set forth in this article and recommendations. The ethics panel shall furnish a copy of its advisory opinion to the chair of the municipal board concerned and the public official whose personal relationship or financial involvement is the subject of the opinion.
- (e) *Time limits.* The ethics panel shall attempt to issue its advisory opinion within two weeks of its receipt of a referral. The ethics panel may decline to consider referrals regarding conflict of interest questions relating to the final vote of a municipal board that occurred prior to the referral.

(T.M. of 5-15-2007, § 2007-067)

Sec. 12-7. Effect of advisory opinion.

The opinion and recommendations of the ethics panel shall be advisory only. The members of a municipal board may vote to adopt the recommendations of the ethics panel as it relates to the participation in a matter by a public official.

(T.M. of 5-15-2007, § 2007-067)

The penalties for violation of this Code of Ethics shall vary according to the type of position held.

1. Elected Officials. For elected officials, when a violation is found by the elected Council, Board or Committee of which the official is a member, the actions taken may range from a letter of reprimand by the Chair of the Board or Committee, to a censure by a majority of the elected Council, Board or Committee, to a request for resignation from the elected position by a majority of the elected Board or Committee.

2. Appointed Officials. For appointed Council, Board or Committees, the same penalties shall apply as apply to elected officials, and, in addition, if the Board or Committee is appointed by the municipal officers of the Town, the municipal officers may remove an appointee for cause, after notice and public hearing, pursuant to 30-A M.R.S.A. §260I.

3. Town Employees. For employees of the Town, the penalties for violation of this Code of Ethics shall be governed by the Town's personnel policies, and collective bargaining agreements as applicable, which include but are not limited to appropriate progressive discipline up to and including suspension and termination.

Vote By Roll Call - Yeas: Councilors Bowie, Bickford, Pomelow, Mason, and Larochele. Nays: Councilors Cote and Lunt. Order Passed.

RESOLUTION: ANDROSCOGGIN COUNTY
HAZARD MITIGATION PLAN

Mr. Eldridge said the Council received a final copy of the Androscoggin County Hazard Mitigation Plan from the county. It has been circulated to all of the communities to be adopted. He said, I sent it out to all of you to review and ask questions.

Mr. Eldridge recommended the plan so that during emergencies you have a current plan to follow. If you don't have one, he said, you may not be eligible for any reimbursement from the federal government if there is a disaster.

VOTE (2011-196) Councilor Bowie, seconded by Councilor Larochele moved to adopt the following resolution:

RESOLUTION OF ADOPTION

WHEREAS, natural and man-made disasters may occur at any time, we recognize that to lessen the impacts of these disasters we will save resources, property, and lives in Androscoggin County; and

WHEREAS the creation of a Hazard Mitigation Plan is necessary for the development of a risk assessment and effective mitigation strategy; and

WHEREAS, the 2 cities, and 12 town, and Androscoggin County are committed to the mitigation goals and measures as presented in this plan;

THEREFORE, the Androscoggin County Commissioners hereby adopt the 2011 Androscoggin County Hazard Mitigation Plan, as does also each community through its Town Managers and Boards of Selectmen or City/Town Councilors.

Councilor Lunt indicated that most of this document refers to floodplains. Mr. Eldridge said Councilor Mason attended their first meetings.

Councilor Mason said that was my question; have we gotten beyond that yet, because we never saw the final maps. Mr. Eldridge said, yes, but the first copy they sent did not include maps.

Councilor Mason said Lisbon just happened to be selected for the example they used. It changed a bunch of areas. She said, we have a 250' foot floodplain by the brook by our house, but if it ever flooded that whole 250' foot area, my house would be flooded. I don't see how that would happen, since on the other side there is a 40' foot embankment.

Order passed - Vote 7-0.

OTHER BUSINESS

B. DISPATCH PRESENTATION

Chief Brooks presented the dispatch presentation he gave to the county commissioners. He mentioned a few things had changed.

He said this particular topic has been studied three times. The first two studies were funded through grants. The first study cost \$10,000 and the second was in the vicinity of \$60,000. The third study was completed by the Androscoggin Regional Communications Committee group. He chaired that group and that study resulted in a split opinion. The majority agreed with bringing the Androscoggin communication center to Lisbon. The minority agreed to bring the Androscoggin County communication center to Lewiston/Auburn. Smaller towns had a problem with absorbing the communication center's \$1,900,000 operating budget. The plan suggested they phase in the expense within a 5-year timeframe so everybody in the county would not have to pay for it all at once so around the fifth year everybody in Androscoggin County would be paying for the whole show. He said the smaller towns have fought that.

Chief Brooks said recently the Androscoggin County Commissioners asked LA911 to make another presentation and invited Lisbon to follow that presentation with another one at a workshop. The Androscoggin County Commissioners appear to be close to eliminating the communication center in the county building. They are leaning towards either contracting with LA911 or Lisbon to provide dispatching services for Androscoggin County communities.

Chief Brooks said our commissioners need to define the level of service they wish to provide. In 2006, the Maine Supreme Court ruled that the Penobscot County Commissioners had the authority to define what level of service to provide. Our service level was defined as to improve all PSAP service and law enforcement dispatching for Mechanic Falls and Sabattus, and anything beyond that was to be paid for by user fees. Since then, this group of county commissioners currently in office redefined that level of service in 2009, which appears problematic because they allowed Livermore Falls to close their 24 hour communication center and then the county taxpayers absorbed it.

Chief Brooks said Lisbon operates a communication center 365 days a year 24/7. The communication center is a two console configuration manned by one dispatcher on each of the three shifts per day. When emergencies occur the second console is available and manned. Our communication center dispatches for the Police Department, Animal Control, four other municipalities, our Fire Department, and Lisbon Emergency. The Lisbon communication center also monitors and dispatch for Public Works, our Waste Water Treatment Plant, School Department, Water Department, and Parks Departments.

Chief Brooks said that the county does not provide that, which was always our concern during merger discussions; where would that capability go? For example, when Androscoggin County took over Livermore Falls they made it very clear to them that they would not dispatch their ambulance service. So Franklin County is now dispatching the ambulance service that serves Livermore Falls.

Chief Brooks said beyond town lines our communication center dispatches ambulance services for EMS calls in Bowdoin and ACO services for Sabattus, Durham, and Bowdoin. Our communication center also monitors communication capabilities for the Androscoggin Sheriff's Office, AEMA, State Fire, SWCC, Sagadahoc Sheriff's Office and surrounding community's police and fire. The Lisbon communication center was also the PSAP for Lisbon, parts of Topsham and Durham until FY 2005/6.

Chief Brooks said until this year, the communication center personnel, telephone, software, repair, maintenance, and supplies were included within the Police Department budget. This year all of these personnel expenses were placed into the Public Safety Communication budget, software was placed into the Technology budget, and the telephone expenses were placed into the Telephone budget. The Police budget still includes repairs, maintenance, and supplies for the communication center.

Chief Brooks said Lisbon maintains separate budgets for social security, retirement, and insurances costs however, for this presentation these expenses were included to represent the true cost for personnel expenses.

Chief Brooks said \$229,354 was budgeted for our communication center. It includes four full-time dispatchers, reserve dispatch wages, overtime, vacation replacement, sick leave replacement, personal

day replacement, training overtime and replacement, holidays, health insurance, retirement, FICA, workers comp, unemployment, liability insurance, professional development, uniforms, advertising and testing.

Chief Brooks said the Androscoggin Sheriff's Office Communication center Budget for calendar year 2011 totals \$525,515. That figure includes the Sheriff's operations budget and all of those benefits. Merging the ASO Communication center with Lisbon on paper would appear to need a total budget of \$754,869. Lisbon is not in a position to make a statement or promise that this is what it will cost to operate a countywide communication center, less the cities of Lewiston, Auburn, and Poland.

Chief Brooks said what Lisbon can state regarding personnel is that merging operations will not require additional dispatchers to be hired. He said, I point this out because LA911 made it very clear two weeks ago that they would need to add three more dispatch positions immediately upon merging. Over a three year period LA911 indicated that they would be adding six more positions over a three year period after merging with Androscoggin.

Chief Brooks said Lisbon has four full-time people and ASO has nine. The current staffing level will allow for three dispatchers to be on duty 365 days a year 24/7. If emergencies arise needing a fourth dispatcher to be on duty at a given time, this staffing level is still sufficient.

Chief Brooks said as time progresses it may be determined that having three on duty 365 days a year 24/7 can be reduced somewhat depending upon service level needs. However, that will not be considered until there has been appropriate operational history of no less than one year. If this becomes the case, then the reduction can be through attrition.

Chief Brooks said ASO staff has a contract in place through 2012. Lisbon dispatchers have a contract with a wage opener to be negotiated for fiscal year 2013. Remember, their years overlap. The county is on a calendar year budget, we're on a fiscal year budget. With that overlap and with our wage opener there was not much question that the wage scales would be comparable through negotiations.

Chief Brooks said currently both the ASO and Lisbon ComCenter use the same Zetron communication equipment, which is old and outdated technology. The Androscoggin Sheriff's Office communication center has a proposed 2012 capital budget of \$375,825.40 to upgrade its consoles, plus expanding to the three positions along with other needs. The county budget came out this week and that \$375,000 has been increased. Lisbon's communication center will need to be expanded to a four position center however; ours was originally designed to expand from its current two position console to a four position console.

Chief Brooks said all of the upgrading costs may not be held entirely by the county; Lisbon will likely share in the capital outlay. It is believed that the \$375,000 being requested would be more than sufficient to complete the project in Lisbon.

Chief Brooks said both use the same radio service vendor and that company is extremely knowledgeable of each agency's requirements and needs. However, it must be understood that this capital budget amount is based purely on estimates provided for planning and budget projections. They are not firm proposals based upon design and engineering.

Chief Brooks said the ASO ComCenter console proposal was for sixteen channels and ours is 24 channels. The 24 channel design leaves channel space for additional frequencies if and when needed. The key for Lisbon is that we will still have the capability of dispatching our own Public Works, Waste Water, Water, and Sewer Departments; everything we are doing now will continue.

Chief Brooks said the Lisbon Town Office and Police Department building that houses the Lisbon communication center was opened in 2000. As previously mentioned, it was designed for expansion,

which can be accomplished at little cost. We would have to take a wall out and a closet or move the bathroom, but it will not cost the \$36,000,000 estimated to renovate the county building.

Chief Brooks said both Androscoggin and Lisbon use the same RMS software from Information Management Corporation, IMC. Lisbon is a sole/independent user and has its own server. The Androscoggin Sheriff's Office is married to LA911 and has little, if any, control over its system. Lisbon has an in-house IMC trained IT person and also contracts IT services with a private contractor. ASO has no IT IMC specialist and has to depend on LA911 for technical support.

Chief Brooks said the proposed Sheriff's budget for 2012 has funds in its capital budget to divorce itself from LA911 and become an independent user with its own server. If the Androscoggin Sheriff's Office communication center does merge with the Lisbon communication center, he said, our objective would be to create the independent records system for the Androscoggin Sheriff's Office to reduce records management costs in the future. We've tried to get statistics from them from a previous study and they simply couldn't get the information for us.

Chief Brooks said if Androscoggin County contracts with Lisbon to provide dispatching services for the Sheriff's Department, all of the communities in the county that currently use that system and want to continue to use the ASO service may need to contract with Lisbon. A users committee would be created. The Public Safety Communications Committee will consist of a representative from the Sheriff's Department, AEMA, and each municipality for those who would be contracting with Lisbon for dispatching services. The Public Safety Committee will have input on procedure and operational needs/requirements of the communication center and will take part in the planning and budget development.

Chief Brooks said the Public Safety Answering Point (PSAP) will soon be history. The Maine Public Utilities Commission plans to reduce the current number of PSAPs in Maine from its current number of 26 to between 15 and 17. The Maine Public Safety Commissioner recently stated that Maine should reduce the number of PSAPs to two, however, he knows that is unlikely, but four is doable. The infamous Kimball Report of 2010 did discuss a four PSAP option under the management and control of the Maine Department of Public Safety.

Chief Brooks said if and when the time comes that PSAPs charge a fee, Lisbon will shop for the best rate. He said LA said it's much safer to have dispatch with your PSA, and although that is true it's not the way it can happen in Androscoggin County because several towns, including Lisbon, are all shared between the Maine State Police and the Androscoggin Sheriff's office.

Chief Brooks said the question is how we will pay for this. The cost sharing breakdown report shows the percentage of tax each town pays for this service. Lisbon pays \$38,613. He said every community needs to work together to develop a cost for service payment plan that is acceptable to all users and taxpayers.

Option 1: ASO ComCenter remains at ASO. ASO will not remain a PSAP. \$375,825 in capital improvement is necessary for a building that already needs up to \$36,000,000 for renovations. All costs would be incurred by county tax.

Option 2: ASO ComCenter combines with LA911's ComCenter. The total budget for this would be \$2,400,000 plus. This would require at least six additional full time personnel. Another consideration and potential cost is the need for a new facility. This option would cost Lisbon taxpayers \$268,451.

Option 3: ASO ComCenter merges with Lisbon's ComCenter. He said using capital improvement dollars, the \$375,825 Androscoggin estimated for equipment upgrades and other needs could go towards a building that is designed for growth and has little cost to prepare for same. He said the capital improvement costs would be shared between Androscoggin County and Lisbon and the combined operational costs would total \$754,869; using current individual

agency funds, ASO and Lisbon budgets. There will be no need for an increase in dispatchers or for a new facility.

Chief Brooks said in summary the consolidation effort with the Lisbon communication center can be achieved with relative ease and with no reduction in dispatch service. There will be no increase in the number of dispatchers needed either. Fire Department frequencies will not be blocked; all will remain as the currently are. IMC IT trained staff and IMC updates are updated regularly. The Public Safety Communications Committee will consist of representatives from each community it serves. He said the cost sharing formula is up to you. Lisbon will recommend a "gradual phase in" concept. He said as Councilor Mason pointed out at a recent Council workshop while discussing this topic, it is time for Lisbon to reach out to our neighbors and offer our help and services to them.

Councilor Larochelle said this issue has been discussed for the past four years and has to come to a head at some point.

Larry Fillmore said point of order, Councilor Bowie should not be allowed to participate in any discussion on a consolidating communication center. Councilor Bowie's wife Denise Bowie is the administrative assistant to the Chief of Police and dispatching is on her job description. It states she performs dispatching service for police department, police, fire and EMS when needed and participates in the hiring and training of dispatch personnel and Councilor Bowie is in direct violation of Chapter 12-2 and Article 9 Section 9-3 of our Charter, Conflict of Interest. Councilor Bowie also holds a position in the Androscoggin County Budget Committee. I believe this is a conflict of interest and he should immediately resign from this position. Councilor Lunt said thank you Mr. Fillmore.

Councilor Bowie said I think this erupted when the Commissioners allowed Livermore Falls to participate at no cost. That really upset Lewiston and Auburn, which has further fueled the fire in all of these discussions. Once they did that they opened the door for Lewiston and Auburn to say do my dispatching at no cost.

Councilor Lunt said it is my understanding that if the county took over the LA911, there would be a significant increase in county tax to cover that.

Mr. Eldridge said the alternative that Chief Brooks presented at the meeting was taking L/A's cost of the county dispatch out of their county budget. They were very receptive to that concept because it would lower their cost. That was the first time that had been presented to them. I have had nothing but high marks from all of the managers and others who were at that presentation. They felt this was one of the most thorough presentations on this topic they had seen. It was well received by all the communities, including L/A, which was encouraging.

Councilor Larochelle asked if there was any date to look for a vote on this decision. Chief Brooks said one commissioner was pushing for a vote the next day, but there are three commissioners. One represents Lewiston, one represents Auburn and Mechanic Falls, and the third represents everyone else. Councilor Larochelle said Lisbon has been well informed on this discussion, but are the other communities just beginning to evaluate this issue. Chief Brooks said this Council has had a number of workshops on this topic. Going to L/A is not an option we are considering.

C.WESTERN MAINE TRANSPORTATION SERVICES (WMTS)

Mr. Eldridge said this was put under "Other Business" and under a workshop so you as a Council could decide how you want to discuss this. Do you want to do it under this public forum or go into a workshop?

Councilor Pomelow said the public may have things they would like to offer us. Councilor Lunt and Councilor Mason agreed.

Mr. Eldridge said Pat Christian is Executive Director for Western Maine Transportation.

Mr. Christian said he is the General Manager of Western Transportation which is a non-profit public transportation provider working in Androscoggin, Oxford, and Franklin Counties. They have been in business since 1976. He said federal funding has been flat and reduced for several years. There is less federal funding and less Maine Care funding. The annual cost for the Lisbon Connection is \$100,000. Lisbon has committed to provide \$25,700 this year and fares bring in \$6,000 to \$7,000 a year. The federal government has given \$60,000 a year, but that's now gone.

Mr. Christian said many other transit buses in this area have been cut, too. Fares have been raised, but it is not enough to sustain the service. If the service was cut to two trips a day, the service is still not sustainable. We have lost 60% of our funding. If transportation funding were to be restored, we could talk about resuming the service.

Councilor Larochelle said what action have these other communities taken? Mr. Christian said the results have not been seen yet. We've asked for contributions for their service, but it's dire for everybody.

Mr. Christian said we have on average 30 or 40 people a day and when I started there were only 15. The increase is there for the people who utilize the bus. There is a woman in town that has four children and is on state aid. She is going to have to take a taxi to see the doctor. That cost for someone on a tight budget is ridiculous. It is hard for some of these people to get around.

Mr. Eldridge said if you have only two bus routes, what would they be. Mr. Christian said when I first sent out the cost sheets, we thought there was enough business to be able to piggyback that driver in with a couple of other trips in town. The real time would be about four hours a day at \$45,000. Because of the other cutbacks, we really don't have the service. Now the real cost is closer to \$60,000 for the two trips a day, because it is going to cost us six hours a day.

Councilor Lunt said how much would you need from us and when would you need it in order to keep the service, or some of it, running. Mr. Christian said \$25,700 plus the fares. If we continue the service five trips a day like it is now, the money all runs out at the end of December. If we cut it to two trips a day, well, we call this the death spiral. It becomes less of a convenience, so people don't use it. With two trips we could run until February, maybe, but to get it to run for the whole year you would need almost \$60,000. He indicated that even if the town wanted to pay that, he did not think enough people would continue to use the bus service at two trips a day. When you lose \$60,000 from the federal government, the reduced service starts the death spiral.

Councilor Pomelow asked if the federal money and the Maine Care funding subsidized what Lisbon paid. Mr. Christian said no, that was referring to the impact on Western Maine Transportation. Right now every operator in the state is facing these cutbacks. Councilor Pomelow said if the fare increases were higher, would that help. Mr. Christian said in order to meet federal guidelines; we had to know there is a possible elimination of service. He said you might want to consider higher fares. By law we can only charge half the full rate for seniors and those on disability. There's nothing to preclude you from setting any fare you want, as long as you go through the public notice process.

Councilor Larochelle said it would have to be quite a substantial increase. In order to keep it going, there is really not enough to make it practical. It would be cheaper for someone to take a taxi. Mr. Christian said that is why public transportation is so heavily subsidized. If you are charging 50 cents for every \$100 of cost, you could double the fare and still not make a difference. The more you charge the less people tend to use the service.

Councilor Larochelle said is there a solution? Is there an alternative? Mr. Christian said the Go Maine program which sets up van services is probably the only public option available. That is problematic because you have to have enough people signed up to make it worthwhile. It is a relatively inexpensive

option compared to a fixed route bus option, but it still has its costs. Mr. Eldridge has been in touch with Congressman Michaud's office, but I don't have any magic elixir that would make this work.

Councilor Bowie said is there a way to identify types of bus riders, is there a way to know what people are using the bus for so we can meet their needs. If you had ten workers, we might be able to run a van five days a week. Or do people need to shop and need transportation twice a week. If we could categorize the service they need, then maybe we could plan for them.

Mr. Christian said five trips a day is about as lean as we can make it. We could probably segment the market better; this would help you look at carpool or van options.

David Carr said you have to remember you have people in wheelchairs and motorized scooters. These people need a lift to get into the vehicle. If you use a van it has to have a lift.

Richard Nadeau said the one-way fare for a taxi to Lewiston is over \$20.

Councilor Lunt said we are trying to find a solution. We don't want to leave people in the lurch.

Mr. Dyer said is there a van in Public Works that could be used. Mr. Eldridge said, no, the School Department has vans, but they are used pretty regularly. We've talked about that, but we wanted to wait until we had this conversation first. He said I'm also waiting from Congressman Michaud's office. His office is hoping to have some information for us soon. We are looking for additional money, not necessarily a grant. Congressman Michaud is on the Transportation Committee in Washington. We're trying to encourage people to use public transportation and at the same time we're cutting funding. It doesn't make a lot of sense. We're working on it and Council has given me some other options to explore.

Miriam Morgan-Alexander said you never make money from passengers. Amtrak, bus companies, taxi cabs, all lose money. You have to figure out a way to make up the difference.

Mr. Eldridge said Councilor Bowie made some recommendations on a service to Brunswick. I will contact them. There is a taxi service that does a broad range of services besides the taxi service. Mr. Christian said Coastal Trans is a small service that is subsidized.

Mr. Eldridge said we will try to extend the service to February with two trips a day to give us more time to figure out what to do.

Mr. Carr said a trip at 6:30 AM would connect to Citylink. The next one would be at 5:15 PM, but that will cut the ridership down. It's a long day for someone to hang around town. The third option would be to have a middle run which would give people on the morning run a chance to come back. Also, people on a second shift could use that middle run.

APPOINTMENTS

RESIGNATION

BOARD OF ASSESSMENT REVIEW

VOTE (2011-197) Councilor Bowie, seconded by Councilor Laroche moved to accept the resignation of Robert Begin from the Board of Assessment Review. **Order passed – Vote 7-0.**

Mr. Eldridge said Robert Begin had family obligations and resigned from the Board of Assessment Review. Councilor Laroche said do we need to get someone on board. Mr. Eldridge said we need to get someone as soon as possible.

COUNCILOR COMMUNICATIONS

Councilor Lunt said after our rough weekend with our October snow storm, I would like to thank the Public Works crew and policemen. It's been thirty years since we've had that much snow in October.

Councilor Mason said I learned at the Moxie meeting today that Steven King's new book comes out a week from today. It talks about Craft's Auto, Lisbon High School, and Moxie Days in quite detail. Frank Anicetti is very proud that he is mentioned in the book, she said. It is kind of fun. We'll get some press out of it for Moxie and the Town of Lisbon.

Councilor Pomelow said I was going to let it go, but we're all being held to standards of following Town Council working rules for months and months and months. While I have no issue with a member of the community calling a point of order and being allowed to speak, I do have an issue with the people of the community being disrespectful to either the Council or to the employees of the town. I think that Twila was ordered to hand out copies of the applications today and she was spoken to disrespectfully. The point of order is well taken, but we also have a job to protect ourselves and the employees of the town. Disrespect is not okay.

Councilor Lunt said I agree. We can disagree and we shall be respectful to each other.

EXECUTIVE SESSION

VOTE (2011-198) Councilor Bowie, seconded by Councilor Laroche moved to go into Executive Session at 9:30 PM per 1 MRSA Section 405 (6) (A) Personnel Matters. **Order passed - Vote 7-0.**

The Council returned to regular session at 10:05 PM.

ADJOURNMENT

VOTE (2011-199) Councilor Bowie, seconded by Councilor Laroche moved to adjourn at 10:05 PM. **Order passed - Vote 7-0.**

Respectfully Submitted,

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