



**TOWN COUNCIL
MEETING MINUTES
NOVEMBER 15, 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 Larochelle, Jr., At Large 2013
Gina Mason, District 1 2013

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

ROLL CALL. Members present were Councilors Crafts, Larochelle, Cote, Pomelow and Lunt. Councilors Bowie and Mason were excused. Also present were Stephen Eldridge, Town Manager; Jessica Maloy, Finance Director; Roger Therriault, Town Attorney; Katy Brunelle, Sewer Department Clerk; Mike Cote, Code Enforcement Officer; Budget Advisory Board Members Don Fellows and John Wierzbicki; and approximately 12 citizens in the audience.

PUBLIC HEARING

**RENEWAL SPECIAL ENTERTAINMENT PERMIT FOR THE
COOMBS MOUNTFORT POST 158**

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

**VICTUALER'S LICENSE FOR
SONG LIN D/B/A THE CANTON PEARL**

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

AUDIENCE PARTICIPATION

The Town Clerk said at this time, those in the audience who wish to address the Council may come forward. Please use the microphone at the podium and state your name and address for the record. Please limit comments to five minutes or less. Individual are permitted to address the council no more than twice on any subject or agenda item.

WORKSHOP NOTICES

Dorothy Fitzgerald of Lisbon Falls said I am upset because there was an unadvertised workshop last Tuesday. I thought all workshops and meetings were publicized. There was no workshop advertised.

Mr. Eldridge said it was advertised. It has been on the calendar for quite a few months. We've been meeting almost every off Tuesday. It was on our sign out front and we've talked about it here at several meetings.

Mrs. Fitzgerald said a Councilor was blindsided by questions from the audience so the meeting rules were changed. Now there is only audience participation at the very beginning of the meeting. When different items come up, the public is blindsided because items come up that we have no prior knowledge of. Even though we can get a copy of the agenda we are still being blindsided. We the public, the taxpayers, do not have an opportunity to comment or question. I do not think that is right.

RECENT CHARTER CHANGES

Mrs. Fitzgerald said last Tuesday we voted on a referendum question that referred to regulating the rate at which a business or establishment may charge for its services. How can the town or Council regulate what a business can charge for its services?

Mr. Eldridge said that part of the Charter does not pertain to what you are discussing. It pertains to what the Council can set for fees and charge for fines or violations for building permits and things like that. Mrs. Fitzgerald said that is not how the ordinance reads. Mr. Eldridge said that is what it means.

Councilor Lunt asked Mr. Therriault if he would like to comment. Attorney Therriault said we know as a matter of fact that this Council or anybody in town government sets rates for private businesses. This refers to various types of charges the town has in connection with its business and other private enterprises. This is not the language that was changed. This was the language that was in the original Charter as it was adopted. I think we've been able to work through it since then without too much problem. It just makes no sense that we would be authorized as a government to dictate what a private business can charge for its services or products; that makes no sense.

Mrs. Fitzgerald said where does it say anything about fines. Councilor Lunt said we will look into it, but that was not what was changed in the recent election.

SUPPLEMENTAL ORDINANCE

Mrs. Fitzgerald said at the previous meeting the Town Council voted to adopt a supplemental appropriation of \$8,200 to demolish the property at 3 Village Street; \$7,000 plus \$1,200 to remove the asbestos, but at the previous meeting the Town Manager was asking for \$15,000, which is it going to be? Since I can't comment on it later, she said, which is it? Councilor Pomelow pointed out that the supplemental appropriation contained a statement that the sum necessary for that demolition will not exceed \$8,200. It is not \$15,000, she said. It is maximum \$8,200.

Councilor Lunt said the reason it said \$15,000 initially was in case the Council had wanted to take one of the higher bids rather than the lowest bid. Mrs. Fitzgerald said thank you very much. I am sure the towns' people appreciate hearing that.

MEETING RULES DOCUMENT

Don Fellows of Lisbon said the Lisbon Council Meeting Rules document is available for everyone to read on the back of the agenda. Unfortunately, I don't see that in here, what Twila just said about audience participation being limited to 5 minutes. We're not doing a very good job at that. I know we've sat here a long time. Different people have had major comments. I appreciate the idea of wanting to get comments out, but 7 to 8 minutes for Dot just now and that doesn't include any comments from anyone else. We're not sticking by the rules. I think we ought to at least print them so people know what they are.

CONSENT AGENDA

VOTE (2011-203) Councilor Pomelow, seconded by Councilor Cote moved to approve a renewal Special Entertainment Permit & Liquor License for the Slovak Catholic Association, a renewal Special Entertainment Permit & Liquor License for the Coombs Mountfort American Legion Post 158, and a new Victualer's License for Song Lin d/b/a the Canton Pearl. **Order passed - Vote 5-0.**

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

2010 SEWER FORCLOSURES

Katy Brunelle said I've prepared a list of Sewer Liens, which will mature on December 16, 2011. These liens were filed with the Androscoggin Registry of Deeds on June 16, 2010. Prior to filing the liens we sent out courtesy letters on March 22, 2010 to notify the sewer users that their account was past due and that this amount was subject to the lien process. On May 14, 2010 we mailed 240 thirty-day notices, notifying them that the lien would be placed against their property if the outstanding amounts were not paid. On June 16, of those 240 notices, 147 liens were filed. We then had an 18-month process to wait before those liens matured. Forty-four courtesy letters were mailed on October 17 to remind those customers of the upcoming foreclosure date, which is December 16, 2011, then on November 4 the notice of impending automatic foreclosure letters were mailed to the customers and their mortgage companies.

Mrs. Brunelle said as of today I am down to 36 accounts and seven of those accounts have made payment arrangements and should have those accounts paid in full by the foreclosure date. I am also working with a few of the foreclosure companies. I will continue my collection efforts.

Councilor Cote asked if this was higher than normal. Mrs. Brunelle said it is not. Last year we may have had more. We may have mailed out more thirty-day notices last year. Off the top of my head, I think we filed 140 or 149 last year, so it's about the same.

Councilor Larochelle asked what the asterisk beside some of the names were for. Mrs. Brunelle explained that those are the ones she is working with and a couple of those properties are in the process of selling.

Mr. Eldridge said we don't want to go into foreclosure on the people who we are working with, which is what we did last year.

VOTE (2011-204) Councilor Larochelle, seconded by Councilor Bickford moved to waive the automatic foreclosures (see attached) and to continue to collect our money in a reasonable amount of time. **Order passed -Vote 5-0.**

Item taken out of order.

EXECUTIVE SESSION

VOTE (2011-211) Councilor Larochelle, seconded by Councilor Bickford moved to go into executive session at 7:16 PM per 1 MRSA Section 405 (6) (D) Labor Negotiations. **Order passed - Vote 5-0**

The Council returned to regular session at 7:25 PM.

POLICE SERGEANTS UNION CONTRACT

VOTE (2011-205) Councilor Larochelle, seconded by Councilor Pomelow moved to approve the Police Sergeants' Union Contract as presented. **Order passed - Vote 5-0**

SUPPLEMENTAL FUNDS ORDINANCE

(Second Reading - Roll Call Vote)

VOTE (2011-206) Councilor Pomelow, seconded by Councilor Larochelle moved to approve the following Supplemental Funds Ordinance:

**ORDINANCE
SUPPLEMENTAL APPROPRIATION**

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 (\$8,200.00)

NOW THEREFORE, be it ordained by the Town Council of the Town of Lisbon that a sum up to Eight Thousand Two Hundred Dollars (\$8,200.00) be and hereby it supplementally appropriated from the Surplus Fund Balance.

Vote By Roll Call - Yeas: Councilor Larochelle, Bickford, Cote, Pomelow, and Lunt. Nays: None. Order Passed - Vote 5-0.

ORDINANCE AMENDMENT TO SECTION 12-7

ETHICS AND CONFLICTS OF INTEREST

(Second Reading - Roll Call Vote)

VOTE (2011-207) Councilor Larochelle, seconded by Councilor Bickford moved to adopt the Ethics Amendment as follows:

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. §2601.

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: Councilor Larochelle, Bickford, Cote, Pomelow, and Lunt. Nays: None. Order Passed.

ORDINANCE AMENDMENT TO
CHAPTER 70 ZONING
(First Reading - Roll Call Vote)

Mr. Eldridge explained that the Planning Board had been working on this for quite some time. Part of the hold-up was making sure that the wellhead protection ordinance passed first.

Don Fellows, Planning Board member, said the Zoning Ordinance has been in place for some time. The Planning Board has been working on these amendments for a really long time. Councilor Cote said this was originally slated to be changed in 2007 with the Comprehensive Plan. Mr. Fellows indicated this had been under discussion since before his time on the Planning Board and so he did not know everything there was to know about it. He said the major change he noted was that everything has gone to chart form, which makes it much easier to read and compare zones.

Mr. Fellows said another major zoning change that happened as a result of this is Rural Open Space II, which was part of the Comprehensive Plan development. It had some minor tweaks, for example on page 16 and 17 Rural Open Space II is explained. He indicated that the purpose of the Rural Open Space zone was to keep that area in town agricultural and not have it divided and subdivided. He said the Planning Board spoke with current owners and that they listened to owners' concerns about selling or giving property to their own family members or others. He said there isn't a frontage requirement for that space, but a minimum of 60,000 square feet or a maximum of 100,000 square feet is set. Even though it is not stated, that frontage is essentially 200 feet and the depth 300 feet. Any subdivision after the passing of this ordinance has to happen on an existing public road. He said you can't put a road in and start dividing in the background.

Councilor Larochelle said for this to move forward from the Planning Board, it has to have a majority vote of the Planning Board. Mr. Fellows said, yes, that was done in October.

Councilor Cote said he reviewed this document and talked to Michael Cote about it. He said, I sat on the Comprehensive Plan Steering Committee back in 2007 and this reflects what came out of the Comprehensive Plan. I want to thank the Planning Board for all they have done. I am definitely in favor of it.

Councilor Lunt said I worked on this a bit while I was on the Planning Board three years ago. I think you have done a great job.

VOTE (2011-208) Councilor Cote, seconded by Councilor Pomelow moved to adopt the Ordinance Amendment to Chapter 70 Zoning as presented (see attached).

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

Councilor Lunt said we will have a public hearing and the second reading at the next meeting.

OTHER BUSINESS

A. FINANCE DIRECTOR'S REPORT

Jessica Maloy said looking at Revenues, under the tax commitment account, the journal entry to assign the portion of the commitment that relates to the School Department has not been done as of yet. She said I hope to have that done for your next report. That amount is the \$5,275,788 listed under the uncollected balance. Excise tax is just over 32% collected and just under where we were last year at this time with 33%. State Revenue Sharing is just over 35% collected with \$93K recorded for the month of October. There was a journal entry done to the Homestead (\$83K) and Sabattus ACO (\$10K) accounts to properly reflect those revenues in the prior year. This entry was agreed to by the auditors during their year-end review. The Police Department received the first half of the Bowdoin ACO payment in the amount of \$3,573. The Transfer station has taken in another \$9K from permits for a year to date collection of \$31K. This is slightly over the budgeted \$28K, by \$3K. In total the Transfer Station is 56% collected on their total revenues, which is 12% better than this time last year. The Recreation Department Revenues currently reflects a 27% collection; however, a year-end audit entry, that will be done for your next report, will properly reflect that at 74%, which is slightly under where we were last year at this time with 82%. The Library is right on track at 52%, as is Beaver Park at 59%.

Mrs. Maloy said the total expenditures for the month of October were \$911,693. Of this 30%, or \$276K was related to Personnel Services, including wages & benefits. 48%, or \$442K was related to lease purchase payments, primarily due to the principal payments coming due in October. Contractual Services made up approx. 9% at \$84K, primarily due to IT support, where we prepay for coverage, electricity, telephone & waste disposal fees. Capital Purchases made up just under 9% at \$79K, primarily due to bond payments @ \$66K, as well as new computer upgrades, carpet replacement, camera installation @ MTM, Backflow Preventor maintenance and a blitzfire kit for the Fire Department. Finally, repair and maintenance/supplies made up 4% of October's total expenditures at \$36K, primarily due to gas/fuel purchases, pump testing and a rebuilt generator as well as band and pipe from EJP for road work.

Mrs. Maloy said on a side note, as of October 31st we have collected 95% or \$4.5M of the September portion of the tax commitment. I have finalized the draft financial statements, including the footnotes and Management Discussion & Analysis sections, and have sent those to the auditors for their final review. Currently, they are scheduled to come before you on December 6th to give you their report.

B. TOWN MANAGER'S REPORT

Mr. Eldridge said department heads are preparing to present their capital improvement plan. We are consolidating some of the smaller items. That will come before you at the December 20 meeting for approval.

Mr. Eldridge said Scott Benson and I met with the Mid-Coast business leaders. Scott meets with them once a month. At this particular meeting he presented all the activity that is going on in Lisbon. It is a strong group that is looking at development projects throughout the area. We got very high marks. We are only one, other than Brunswick and Topsham, to have a business park that will be up and ready for development in the spring.

Mr. Eldridge said next Tuesday we are trying to set up a meeting so you can meet with all the boards and committees as a follow-up to your last meeting. I do not have confirmation from all of them, but I hope to. Rick Greene and I are setting up a meeting with the School Committee so you can talk about the budget. It looks like that will be November 29.

APPOINTMENTS

BOARD OF ASSESSMENT REVIEW

VOTE (2011-208) Councilor Larochelle, seconded by Councilor Bickford moved to appoint Miriam Morgan-Alexander to the Board of Assessment Review. **Order passed - Vote 5-0.**

ETHICS PANEL CHAIRMAIN

Councilor Lunt said I re-appoint David Bowie to the position of Ethics Panel Chair. He said I think Mr. Bowie is intelligent and well-spoken. He is level headed and does a good job leading that committee.

COUNCILOR COMMUNICATIONS

Councilor Cote congratulated Lisa Ward for winning his seat on the Council. He said I thank all the people who voted for me. 1,103 votes was a real good showing and I appreciate it. I thank each and every one of you for allowing me to represent you over the last three years. It has definitely been interesting. Very dear to my heart for the last three years was the ability for the townspeople to vote on their budget. I hope with a 2,025 yes vote to 514 that this Council will move forward and present the budget so that the townspeople can vote on it department by department. I know that starting next week or the week after I'm going to be sitting out there looking back this way and that's one thing that I'm not going to let go of. I'm going to fight for that right to the bitter end. I think this is something the people want, they've demonstrated that quite clearly, and one way or another we're going to get it to them.

Councilor Cote said it's been a good learning experience. Again, my thanks to the people of Lisbon, I appreciate the three years you gave me. Thank you.

Councilor Lunt said thank you Councilor Cote for your service. I'd like to extend that on behalf of the Council. Thank you for your three years of service. I hope you continue to prosper in the future. I'm sure we will see you around.

EXECUTIVE SESSION

(Taken up after Sewer Foreclosures under Council Orders, Resolutions, and Ordinances)

ADJOURNMENT

VOTE (2011-212) Councilor Cote, seconded by Councilor Bickford moved to adjourn at 7:48 PM. **Order passed - Vote 5-0.**

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

Date Approved: _____