



**TOWN COUNCIL
MEETING MINUTES
DECEMBER 6, 2011**

**Mark Lunt, District 1 2012
Michael Bowie, At Large 2012
Fern Larochelle, Jr., At Large 2013
Gina Mason, District 1 2013
Roger Bickford, District 2 2013
Lisa Ward, At Large 2014**

CALL TO ORDER & PLEDGE TO THE FLAG. The Town Clerk, Twila Lycette, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

INAUGURATION OF ELECTED OFFICIALS

Mrs. Lycette welcomed everyone to the Lisbon Town Council's organizational meeting that's held the first Tuesday after the first Monday in December. The Color Guard and Fire Department presentations were moved to the January meeting. Mrs. Lycette said 2,770 ballots were cast on November 8 and announced the following candidates were elected into office:

Town Council at Large: Lisa Ward with 1,361 votes
Budget Advisory Board at Large: Write in Candidate Norma Wells with 5 votes
Budget Advisory Board District #1: Write in Candidate John Eckhardt with 2 votes
School Committee: Marcey Crosskill with 1,615 votes
Water Commission: Kenneth Wells with 2,024 votes

Mrs. Lycette called the newly elected officials present forward to be sworn into office and administered the oath of office to the following individuals: Lisa Ward, Marcey Crosskill, and Kenneth Wells.

ELECTION OF COUNCIL CHAIRMAN

VOTE (2011-213A) Councilor Bickford nominated Councilor Larochelle. Councilor Larochelle nominated Councilor Bowie. Vote by secret ballot: 5 votes were cast for Councilor Larochelle, 2 votes were cast for Councilor Bowie, **and Councilor Larochelle was duly elected Council Chairman** for the ensuing year.

ELECTION OF COUNCIL VICE-CHAIRMAN

VOTE (2011-213B) Councilor Larochelle nominated Councilor Pomelow. Seeing no other nominations, the Town Clerk called for a show of hands. Order passed - Vote 6-0-1 (Abstained: Pomelow) **Councilor Pomelow was duly elected Council Vice-Chairman** for the ensuing year.

The Town Clerk passed the gavel to Councilor Larochelle and thanked everyone for attending the Inauguration of Elected Officials. Meeting recessed at 7:08 PM.

RECESS

Council Larochelle called the meeting back to order at 7:15 PM.

ROLL CALL. Members present were Councilors Bowie, Mason, Crafts, Larochelle, Pomelow, Lunt, and Ward. Also present were Stephen Eldridge, Town Manager; Michael Cote, Code Enforcement Officer; David Brooks, Police Chief; Jessica Maloy, Finance Director; Don Fellows,

Planning Board/Budget Advisory Board Member; Dorothy Fitzgerald, Budget Advisory Board Member; and approximately 30 citizens in the audience.

PUBLIC HEARING

VICTUALER'S LICENSE FOR NICHOLAS BENOIT D/B/A BENOIT'S ORCHARD

The Chairman called the public hearing to order. Nicholas Benoit handed out donuts to the Councilors and invited everyone to drop by to see the new bakery and wine cellar. He received a very warm welcome when he moved his business to Lisbon, he said, and indicated that he plans to do business here for many years to come. The Chairman thanked Mr. Benoit for attending and closed the public hearing.

AUDIENCE PARTICIPATION

Richard Nadeau of 1 Bickford Drive said he had two things to bring up: 1) Bus Update and 2) Pedestrian/Bicyclists Committee. He recommended before we fix any roads that we plan better for pedestrian and bicycle traffic. He suggested the white lines become yellow lines so traffic can't go over into the reserved space. He pointed out that over 75% of the US population would be unfit for military service and implied our citizens would benefit greatly by creating better pathways/sidewalks for pedestrian and bicycle usage.

Mr. Eldridge mentioned that he has been working with AVCOG, Senator Michaud's Office, and the Governor's Office to find funding. AVCOG indicated there may be some MDOT funds available; however, we need authorization to use that funding for something else, like this, he said.

Ross Cunningham of 126 Main Street thanked everyone for their support at the Very Merry Main Street Celebration this past weekend. He said the tree lighting event went very well. He thanked the Town Council and Town Office Staff for embracing the volunteer effort, for putting in the many hours spent on planning and carryout this event. Councilor Larochelle said the event was well attended and thanked the Town Office Staff as well.

Item was taken out of order by unanimous consent.

A. AUDIT PRESENTATION

Kathy Tyson from Runyon, Kirstein, & Ouellette said the draft report handed out tonight would be available next week, that there were no changes to be made to it, and that the opinion rendered on our report was clean, with one exception noting that the Water Department audit was not included and is done separately. That statement was noted not because you should change, she said, but included so that anyone reading the document would know that it is not included.

Ms. Tyson said the staff was well prepared for us this year, that the financial reports were prepared in-house for the first time, which is the way they should be, and that a management letter was not needed since there was nothing to report. She gave Mrs. Maloy and Cathy Messmer high marks for having so few journal entries this year, indicating that this was phenomenal. She said this is the best audit report Lisbon has ever been issued.

Ms. Tyson said they audited federal programs and found that the School Department had excess cash on hand. She indicated state draw-down procedures had recently changed so there should be no issues going forward.

Ms. Tyson said that the fund balance language changed this year as well. Now it's broken down into the following five categories:

- 1) Non-Expendable Fund Balance (like inventory, loans & receivables)
- 2) Restricted Fund Balance (like outside or third parties, bonds & grants)
- 3) Committed Fund Balance (like items voted on to commit funds or voted on to un-commit funds)
- 4) Assigned Fund Balance (like committed but less stringent giving authorization to management)
- 5) Unassigned Fund Balance (like undesignated and available for future years)

She indicated that as of June 30, 2011 the Unassigned Fund Balance was \$1.2 million and that the town's total indebtedness was approximately \$13.5 million, excluding the Water Department's \$3.4 million. She acknowledged in her report that the Municipal Department and School Department enjoyed a very good working relationship this past year.

Councilor Larochelle thanked Ms. Tyson for attending the Audit Committee meeting earlier and for taking the time to explain her report at tonight's Council meeting.

CONSENT AGENDA

VOTE (2011-213C) Councilor Lunt, seconded by Councilor Bickford moved to approve a Victualer's License for Nicholas Benoit d/b/a Benoit's Orchard, the minutes of November 1, November 15, and November 22. **Order passed - Vote 6-0-1. (Abstained: Bowie)**

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

ZONING MAPS

(First Reading - Roll Call Vote)

VOTE (2011-214) Councilor Bowie, seconded by Councilor Lunt moved to adopt the zoning map as presented (see attached).

Donald Fellows indicated that AVCOG plans to attend the second reading so changes will be discussed in more depth at that meeting. These maps go along with the proposed zoning ordinance changes.

Roll Call Vote: Yeas - Bowie, Bickford, Larochelle, Lunt, Mason, Pomelow, and Ward. Nays - None. Vote carried.

2010 MOBILE HOME FORECLOSURE WAIVER

VOTE (2011-215) Councilor Bowie, seconded by Councilor Bickford moved to waive foreclosures for a tax assessed against the following Mobile Homes (see list attached) allowing the Tax Collector the ability to continue to work with these accounts to collect. **Order passed - Vote 7-0.**

OTHER BUSINESS

A. AUDIT PRESENTATION

(Item taken up earlier after Audience Participation)

B. ETHICS PANEL SUMMARY OF FINDINGS & RECOMMENDATION

David Bowie, Ethics Panel Chairman, said the Ethics Panel (David Bowie, Ross Cunningham, Michelle Swatsworth-Turmelle) met on November 28, 2011 to consider a Citizen Petition circulated by Larry Fillmore "Requesting the Ethic Panel investigate the possibility Councilor Bowie has been participating in discussions pertaining to the consolidation of the three communications center in Androscoggin without revealing his wife's involvement in the Lisbon Communication Center. This, I believe, is a conflict of interest and malfeasance of office."

David Bowie presented the Summary of Findings and Recommendations (see attached). The Ethic Panel's conclusion was that "Councilor Bowie's participation in discussions about the possible consolidation of communication centers within Androscoggin does not constitute a conflict of interest. If a plan for consolidation is accepted at some future date, and if there are subsequent discussions that impact Mrs. Bowie's compensation or benefits, then a conflict of interest would exist and Councilor Bowie would be required to abstain from discussion and voting.

David Bowie indicated that because there was no conflict of interest found, no formal action was required by the Town Council. He offered a couple of suggestions though, which were that Councilor Bowie make a general statement of this relationship prior to future public discussions involving the communications center to add a layer of transparency to the process and that when any Councilor has a conflict of interest, that Councilor should not participate in the discussion or vote on the matter in question suggesting that they sit in the audience where they may speak as a member of the audience, thus making a visual statement they plan to abstain from voting.

C. TOWN MANAGER'S REPORT

Mr. Eldridge stated that dispatch discussions were still ongoing. Several managers and he will be meeting on Monday at 2PM. Their goals are to complete a definitive budget for the dispatch operations center located in Lisbon, plus define a cost distribution plan agreeable to all the managers, selectmen, councils, and commissioners. He talked about submitting a grant application for upgrading dispatch equipment, including antenna equipment as well.

Mr. Eldridge pointed out that the property at 3 Village Street had been demolished and that everything went well. He thanked Public Works for getting Main Street ready for the Very Merry Main Street Celebration. He recognized Town Office Staff, including Scott Benson, and volunteers who helped make this event so successful. He discussed the following upcoming meetings and workshops: December 13 workshop, December 20 Council Orientation & updates, December 27 off, January 3 regular meeting, and January 7 Council Tours.

APPOINTMENTS

911 ADDRESSING OFFICER

VOTE (2011-216) Councilor Bowie, seconded by Councilor Mason moved to appoint Kathy Malloy Lisbon's 911 Addressing Officer. **Order passed - Vote 7-0.**

COUNCILOR COMMUNICATIONS

Councilor Pomelow thanked the Town Office Staff and the Lisbon Falls Baptist Church for putting together such a nice community Thanksgiving dinner. She indicated that the Very Merry Main Street Celebration was well attended and that the carolers singing at the tree lighting were awesome. She commented that the horse drawn buggy was a wonderful touch. She received a lot of great comments; all the time and energy spent was very worthwhile, she said.

Councilor Pomelow gave special recognition to Jessica Maloy and Cathy Messmer for getting such outstanding results; a lot of work went into this audit and everyone appreciated it.

Councilor Larochelle thanked the members of the Council for the privilege of serving as Chair. He welcomed Councilor Ward onboard. He pointed out all of the wonderful things that have been happening here in Lisbon lately; the Concerts in the Park, Very Merry Main Street, and the list continues to grow, he said.

EXECUTIVE SESSION

VOTE (2011-217) Councilor Bowie, seconded by Councilor Lunt moved to go into executive session at 8:05 PM per 1 MRSA Section 405 (6) (d) Labor Negotiations. **Order passed - Vote 7-0.**

The Council came out of executive session at 8:20 PM.

ADJOURNMENT

VOTE (2011-218) Councilor Mason, seconded by Councilor Bowie moved to adjourn at 8:21PM. **Order passed - Vote 7-0.**

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

Date Approved: _____