



**TOWN COUNCIL
MEETING MINUTES
MAY 17, 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, 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, Larochelle, Cote, Lunt, Pomelow, and Bickford. Also present were Stephen Eldridge, Town Manager; David Brooks, Police Chief; Sean Galipeau, Fire Chief; Ryan Leighton, Town Engineer; Jessica Maloy, Finance Director; School Committee Members Traci Austin, Prudence Grant, Kathi Yergin; Budget Advisory Board Members Debbie Barry, Thomas Barry, Donald Fellows, Dorothy Fitzgerald; and approximately 25 citizens in the audience.

PUBLIC HEARING - NONE

CONSENT AGENDA

VOTE (2011-68) Councilor Bowie, seconded by Councilor Pomelow moved to approve the Renewal Victualer's Licenses for the following:

Bootleggers
Canton Pearl
Casa Mia, Inc.
China Inn
Chummy's Mid Town Diner, Inc.
Dairy Maid
Dr. Mike's Madness Café
Firehouse Diner & Variety
Kitty Korner
Lisbon Dunkin Donuts
Lisbon Getty a/k/a Nino Corporation
Lisbon Left Hand Club
Lisbon United Methodist Church
McDonalds
Polly's Dogs
Railroad Restaurant & Pub,

And a Renewal Itinerant Vendor & Victualer's License for Hogie's Hot Dogs, Renewal 12 Month Mass Gathering Permit for the Riverside Flea Market, and the Minutes of May 3, 2011.

Order passed - Vote 7-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

D & B PUMP STATION PUMP REPLACEMENT

Mr. Leighton said the Sewer Department is looking to replace the second pump at the D & B Pump Station. During the 2009-2010 Fiscal year, one pump was replaced on an emergency basis and the

operation of the pump station was greatly improved. The pump we intend to replace is a Davis EMU, which is 23 years old and was originally rated at 750 gallons per minute. The new Flygt pump is rated at 925 gallons per minute and the station currently runs primarily on the Flygt pump previously installed with the Davis EMU only used during high flow periods. With the addition of the Winter Park pump station and recent upgrades to the other stations, it is important we maintain sufficient redundancy and capacity while pumping to the D & B Pump station to handle high flow periods.

Mr. Leighton presented his recommendation to purchase a Flygt pump from Steven's Electric and Pump Service for \$28,566 for the pump and installation at the D & B Pump Station. The Sewer Department Capital Project line currently has a balance of \$39,838 leaving \$10,000 left for other projects.

The Council requested this item go out to bid and that the bids be for compatible equipment.

DISPOSITION OF 46 FROST HILL AVENUE

Mr. Eldridge said there were two individuals [one being a Councilor] interested in obtaining this piece of property.

Councilor Cote recommended this property be put out to bid to make it fair for the community.

Councilor Larochelle announced his conflict of interest citing he was one of the abutters interested in obtaining this piece of property. He said he was not opposed to this property being put out to bid and pointed out this house had fallen into disrepair. He said this house should be torn down as soon as possible.

VOTE (2011-70) Councilor Cote, seconded by Councilor Bickford moved to put this item out to bid with stipulations that the structure be removed within a certain period.

PUBLIC COMMENT: None.

Order passed - Vote 6-0-1. (Abstained: Larochelle)

DISPOSITION OF 385 LISBON STREET

Mr. Eldridge said when Lisbon Emergency leaves this property, ownership reverts back to the town of Lisbon. He asked what the Council would like to do with this property.

Councilor Cote said to be consistent, he recommended this piece of property go out to bid. Councilor Lunt requested these items be advertised as available on the website as well.

MILEAGE REIMBURSEMENT RATE

Mr. Eldridge said we visit this item from time to time when gas prices go up and down. He said that if the Council decides to change this, he recommends it become effective on July 1, 2011. Councilor Bowie questioned whether we were effectively utilizing town vehicles for town business. Councilor Pomelow recommended moving this item to the last meeting in June so that the Council would know whether there was enough money in the budget to make a change.

PERSONNEL POLICY AMENDMENT SECTION 90-15.5 PAY PERIODS

Mr. Eldridge pointed out that the Council would have to change the Personnel Policy before setting up a biweekly payroll system.

Councilor Bowie recommended adding a sentence to account for payroll department errors, which shall be corrected within 24 hours. Councilor Cote suggested this should include anything related to overtime as well.

RESOLUTION TO ADOPT THE 2011-2012 MUNICIPAL BUDGET

Councilor Lunt announced that the Council was not ready to vote on the municipal budget tonight. He said the Council plans to review the municipal budget next Tuesday and suggested it be placed on the June 7 agenda.

ADOPTION OF 2011-2012 SCHOOL BUDGET WARRANT ARTICLES 1-17

ARTICLE 1 - STUDENT & STAFF SUPPORT

To see what sum the Council will authorize the Lisbon School Department to expend for Student and Staff Support (Guidance, Health, Library, Improvement of Instruction, Curriculum Coordinator, Technology System Administrator, Technology Funds, and Curriculum Funds).

VOTE (2011-75) Councilor Bowie, seconded by Councilor Larochelle moved to adopt Article 1 for \$969,594.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 2 - SYSTEM ADMINISTRATION

To see what sum the Council will authorize the Lisbon School Department to expend for System Administration (School Committee and Superintendent).

VOTE (2011-76) Councilor Bowie, seconded by Councilor Larochelle moved to adopt Article 2 for \$405,831.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 3 - SCHOOL ADMINISTRATION

To see what sum the Council will authorize the Lisbon School Department to expend for School Administration (Principals).

VOTE (2011-77) Councilor Larochelle, seconded by Councilor Bowie moved to adopt Article 3 for \$720,739.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 4 – FACILITIES MAINTENANCE

To see what sum the Council will authorize the Lisbon School Department to expend for Facilities Maintenance (Operation & Maintenance).

VOTE (2011-78) Councilor Bowie, seconded by Councilor Pomelow moved to adopt Article 4 for \$1,490,497.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 5- TRANSPORTATION & BUSES

To see what sum the Council will authorize the Lisbon School Department to expend for Transportation and Buses.

VOTE (2011-79) Councilor Pomelow, seconded by Councilor Bowie moved to adopt Article 5 for \$552,341.

PUBLIC COMMENT: None

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 6 – ALL OTHER EXPENDITURES

To see what sum the Council will authorize the Lisbon School Department to expend for All Other Expenditures (School Nutrition).

VOTE (2011-80) Councilor Bowie, seconded by Councilor Cote moved to adopt Article 6 for \$327,744.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 7 – DEBT SERVICE & OTHER COMMITMENTS

To see what sum the Council will authorize the Lisbon School Department to expend for Debt Service.

VOTE (2011-81) Councilor Cote, seconded by Councilor Bowie moved to adopt Article 7 for \$1,079,769.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 8 – REGULAR INSTRUCTION

To see what sum the Council will authorize the Lisbon School Department to expend for Regular Instruction (Elementary, Secondary, Gifted & Talented, English as a Second Language, Alternative Education).

VOTE (2011-82) Councilor Bowie, seconded by Councilor Larochelle moved to adopt Article 8 for \$5,694,588.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 9 - SPECIAL EDUCATION

To see what sum the Council will authorize the Lisbon School Department to expend for Special Education (Special Education).

VOTE (2011-83) Councilor Bowie, seconded by Councilor Pomelow moved to adopt Article 9 for \$2,005,410.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 10 - OTHER INSTRUCTION

To see what sum the Council will authorize the Lisbon School Department to expend for Other Instruction (Co-Curricular).

VOTE (2011-84) Councilor Larochelle, seconded by Councilor Bowie moved to adopt Article 10 for \$359,489.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

PLEASE NOTE:

Actions taken in accordance with the following 4 articles must be taken by a recorded vote.

ARTICLE 11 - PUBLIC FUNDING OF K-12 AS DESCRIBED IN THE ESSENTIAL PROGRAMS & SERVICES FUNDING ACT

To see what sum the Council will authorize the Lisbon School Department to appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act (Recommend \$12,721,715) and to see what sum the Council will raise as the town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

"Explanation: The Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state

law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars."

VOTE (2011-85) Councilor Bowie, seconded by Councilor Cote moved to adopt Article 11 for \$4,702,739.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 12 - DEBT SERVICES

To see what sum the Council will authorize the Lisbon School Department to raise and appropriate for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the Council will authorize the Lisbon School Department unit's contribution to the total cost of funding public education from kindergarten to grade 12.

"Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the municipality/district long-term debt for major capital school construction projects and minor capital renovation projects that is not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or other legislative body."

VOTE (2011-86) Councilor Pomelow, seconded by Councilor Bowie moved to adopt Article 12 for \$106,204.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 13 - FUNDS EXCEEDING THE STATE'S ESSENTIAL PROGRAMS & SERVICES ALLOCATION MODEL

To see what sum the Council will authorize the Lisbon School Department to raise and appropriate for in additional local funds (recommend \$368,228), which exceeds the State's Essential Programs and Services allocation model by \$80,548 as required to fund the budget recommended by the School Committee.

The School Committee recommends \$368,228 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$80,548.

The Lisbon School Department is above EPS by \$80,548 because the EPS formula does not provide enough subsidy to cover Co-Curricular activities fully and does not provide any subsidy for Nutrition.

"Explanation: The additional local funds are those locally raised funds over and above the school administrative unit's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the Lisbon School Department's budget for educational programs."

VOTE (2011-87a) Councilor Bowie, seconded by Councilor Pomelow moved to waive the reading. **Motion to waive the reading passed - Vote 7-0.**

VOTE (2011-87b) Councilor Larochelle, seconded by Councilor Lunt moved to adopt Article 13 for \$368,228.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 14 - AUTHORIZE SUM TO EXPEND FOR FY 2011-2011
FROM THE TOWN'S CONTRIBUTION TO THE TOTAL COST OF
FUNDING PUBLIC EDUCATION FROM K-12

To see what sum the Council will authorize the Lisbon School Committee to expend for the fiscal year beginning July 1, 2011 and ending June 30, 2012 from the Town's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

VOTE (2011-88a) Councilor Bowie, seconded by Councilor Cote moved to waive the reading. **Motion to waive the reading passed - Vote 7-0.**

VOTE (2011-88b) Councilor Lunt, seconded by Councilor Cote moved to set the budget as submitted for \$13,606,002.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 15 - AUTHORIZE APPROPRIATION OF FUNDS FOR
ADULT EDUCATION & RAISE FUNDS
AS THE LOCAL SHARE

To see if the Council will authorize the Lisbon School Department to appropriate \$137,329 for Adult Education and raise \$98,610 as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

VOTE (2011-89) Councilor Larochelle, seconded by Councilor Bowie moved to adopt Article 15 for \$137,329.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 16 - AUTHORIZATION TO EXPEND FUNDS FOR
ADULT EDUCATION

To see what sum the Council will authorize the Lisbon School Department to expend for Adult Education.

VOTE (2011-90) Councilor Pomelow, seconded by Councilor Bowie moved to adopt Article 16 for \$152,064.

PUBLIC COMMENT: None.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

ARTICLE 17 - AUTHORIZATION TO EXPEND FEDERAL STABILIZATION FUNDS

In addition to amounts approved in the preceding articles, shall the Council authorize the School Committee to expend federal stabilization funds and such other sums as may be received from federal or state grants or programs or other sources during the fiscal year for school purposes, provided that such grants, programs or other sources do not require the expenditure of other funds not previously appropriated?

Note: It is currently estimated that the School Committee will receive \$_____ in federal stabilization funds, which are included in the expenditures authorized by this article.

VOTE (2011-91) Councilor Cote, seconded by Councilor Larochelle moved to adopt Article 17.

PUBLIC COMMENT:

Councilor Bowie said since no amount is included, the School Committee is authorized to expend all federal stabilization funds received.

Roll Call Vote - Yeas: Bickford, Bowie, Cote, Larochelle, Lunt, Mason, and Pomelow. Nays: None. Order passed - Vote 7-0.

OTHER BUSINESS

A. LISBON EMERGENCY AWARD PRESENTATION

Mr. Eldridge introduced Sean Metayer from Lisbon Emergency. Sean Metayer thanked the Town Council for the opportunity to publicly recognize an individual here tonight.

Mr. Metayer said some members of the family of the person being honored are in the audience tonight, along with Police Chief Brooks, Fire Chief Galipeau, and Lisbon Emergency Chief Gamache. He said Representative Joann Lebrun, the Tri County Coordinator, and State Senator, Garrett Mason, were present as well.

Mr. Metayer said I want to start out by saying, you have all seen that hair commercial on TV, well, it's the same way in communities. I'm not just a member, I'm also a client. I was saved by the "Link of Survival", when I had my accident in Boothbay Harbor. It's really no coincidence that the young man we are honoring here tonight has done something extra ordinary, he has quite a family history. His uncle is a firefighter, his father is a firefighter, his brother is a firefighter; the family name pretty much speaks for itself. That said, what really makes a community strong, and that's really why we are recognizing the young man tonight, is the links that we have in place from the time something happens, especially for something like cardiac arrest, until the time you get to the hospital. As you know, many links have to be in place for that person to survive. One of them, obviously, is maintaining oxygen levels. When a person goes down, it's been shown that if you can get to them, and it used to be mouth to mouth was the big thing to start, but now they are saying that really compressions are the most important to do. While you are doing compressions, the heart is

fibrillating and not really pumping. By doing compressions you actually get oxygen up to the brain and of course, brain survival is the key to all of this. That said, what they've also discovered is that electricity, while that heart is fibrillating and not really pumping, helps get the heart back into its normal rhythm, which gets the heart pumping blood and the brain circulating with oxygen.

Mr. Metayer said this young man actually had a dream way before any of this ever occurred that maybe we should have AED's (Automated External Defibrillators) in the school system. With the help of his grandfather, who has currently passed on, he has raised enough money to put AED's into all three of our schools in Lisbon.

Mr. Metayer said we have a plaque we would like to present to Peter "Ryan" Robitaille and his family if they would like to come forward. The plaque reads as follows: In special recognition of Ryan Robitaille, Junior Firefighter, for your efforts to improve survival and recovery associated with cardiac arrest, by establishing the AED project in memory of Robert Robitaille, your collaboration with Lisbon Fire, Lisbon Emergency, Lisbon Police, and the Lisbon School Department to install automated external defibrillators in all district schools is an important step towards saving lives in your community and is to be highly commended. Your dedication to improving the cardiovascular chain of survival in your community is deeply appreciated [by all of us for sure, and certainly] by Maine EMS, the Maine Center for Disease Control for Cardiovascular Health, and your fellow emergency response providers.

Mr. Metayer said we would like to thank Ryan, from the community and recognize Ryan as a vital contributor to the Maine HeartSafe Community by awarding him this plaque. Councilor Lunt congratulated the Junior Firefighter, Ryan Robitaille, on behalf of the Town Council for this accomplishment.

B. FINANCE DIRECTOR'S REPORT

Mrs. Maloy said the town had collected 77% of its excise tax and projected that we would be \$7,000 short from meeting last year's amount. She said State Revenue Sharing was at 80% and projected that we should collect the remaining amount. She indicated that the town had collected 94% on its total tax collection as of April 30, which was right where we were last year at this time.

Councilor Bowie said he would like to know how much money we had submitted for our General Assistance reimbursement.

Mrs. Maloy said she would notify the Council where we expect to be overdrafted, and pointed out that Town Clerk's election budget would be overdrafted due to the unbudgeted municipal referendum.

C. TOWN MANAGER'S REPORT

Mr. Eldridge said that he has completed the union contracts, that the General Unit will be done and on the June 7 agenda, that the first reading for the Wellhead Protection should be on the June 7 agenda, and that the student representative policy has been sent off for review. He asked that questions about the natural gas line should be addressed to Scott Benson in Economic Development. The Brunswick Housing Authority left pamphlets in the town office for residents to become familiar with what's happening there or visit www.brunswickhousing.org for more information.

Mr. Eldridge said that the Route 196 paving project slotted for this summer would be moved ahead to next summer with the assistance of additional federal funds this project is expected to start at the Lewiston town line and go to the Topsham town line; however, the details of this project are still under consideration.

AUDIENCE PARTICIPATION

Don Fellows, a member of the Planning Board, said the Planning Board passed the Wellhead Protection Ordinance along to the Council with the stipulation that the Town Attorney review and change one particular section. Larry Fillmore said regarding the Wellhead Protection Ordinance, that any procedure that takes two or three years to finalize needs to be looked at.

Larry Fillmore said regarding executive sessions, that when the Council comes out of executive session and takes a vote it's not recorded and the audience at home doesn't fully know what has happened. He said he does not know how long the Council will be so he leaves as well, thinking that he can watch it later, but it's not recorded so he asked that the Council consider recording it so that everyone could be informed.

Larry Fillmore complained that the information he received from the Assessing Department was not accurate. He said he asked for a list of properties that had been turned over to the town and that neither of the properties discussed tonight were on his list. Councilor Bowie said one of the properties discussed tonight is not currently owned by the town because it has not been turned over to the town and that the other property went through the foreclosure process, which takes research in order to discover whether the town owns it.

Tracy Austin said that the School Committee, when they know they plan to take action, asks their camera operator to stay to record any vote taken after executive session.

Dorothy Fitzgerald asked when the on-line assessing information would be back on-line. Mr. Eldridge said he did not know at this time and said that they were working on updating the current information.

APPOINTMENTS - NONE

COUNCILOR COMMUNICATIONS

Councilor Cote said he wanted to know how to keep the public informed about the proposed water reservoir project on Upland Road. Mr. Eldridge said the Water Department meetings were open to the public. He mentioned they are held at the Water Department and that anyone can attend.

EXECUTIVE SESSION - NONE

ADJOURNMENT

VOTE (2011-92) Councilor Bowie, seconded by Councilor Bickford moved to adjourn at 8:27 P.M.
Order passed - Vote 7-0.

Respectfully Submitted,

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