



TOWN COUNCIL MEETING MINUTES SEPTEMBER 20, 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 Laroche, 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, Laroche, Cote, Lunt, Pomelow, and Bickford. Also present were Stephen Eldridge, Town Manager; Roger Therriault, Town Attorney; Budget Advisory Board Members Dorothy Fitzgerald and John Wierzbicki; Scott Benson, Economic & Community Development Director; Sean Galipeau, Fire Chief; Ryan Leighton, Town Engineer/Public Works Director; Jessica Maloy, Finance Director; David Bowie, Ethics Panel; and approximately 20 citizens in the audience.

PUBLIC HEARING

A. CHARTER AMENDMENTS

David Bowie, Ethic Panel Member, said he was concerned about a couple of things. He was an original Charter Commission Member as well. We created the Charter to give a whole lot of legislative power to the Council, because that is what a Council system does. There are balances built in: the budget referendum process, ordinance initiation, and the recall provision. The recall process has built in balances, requiring petition signature from 15% of the voters who voted in the last gubernatorial election with a total of 30% voting who voted in the last gubernatorial election to prevent an inappropriate work by a small minority group.

Mr. Bowie said the proposal in Question Number 8 goes beyond those provisions and I am not sure if that is good or bad. I agree with defining the basis put forward for advocating a recall of an elected official. The two troubling parts are the external review and review by the Ethics Panel. Both of them appear to suggest that the outside review is going to determine the rightness or wrongness of those reasons. The terms being used here are not interchangeable: Sufficiency, which basically means the language that is there is required for the petition and validity is a loaded word, which can mean that the language that is there is appropriate for a petition, but it can also mean rightness and wrongness and that somebody is suppose to determine the correctness of the statements. He said if the outside review says this is a valid document, then a lot of people are going to interpret that as guilty, and they will be going to the polls with a misconception, instead of correct statements forming a correct petition. The final question becomes, is this proposal better than what we already have? Mr. Bowie said, I like the idea about the basis and the public hearing. No other comments noted at this time.

AUDIENCE PARTICIPATION

Larry Fillmore said at the last meeting a Councilor mentioned that he was not happy about the comments written in blogs about the Council and Councilors. The people can not talk about personnel items at public meetings, can not criticize the Council at meetings, are restricted to when they can comment on agenda items, and the Council totally ignores peoples emails. Exactly where else do we the people go to voice our concerns and opinions when this Council has either eliminated or restricted all

other avenues, he said. I have chosen to voice my opinions and concerns on the Lisbon Reporter and the Lisbon News, which is unfortunate because these blog sites are read all over the world. I first tried to confine my opinions to within these Council Chambers. The Council has left us no other recourse, but to use these blogs. This Council created the situation and will have to live with it until freedom of speech is restored at these meetings and Councilors again value our comments. Thank you, he said. Councilor Lunt said I do value your comments.

Gertrude Duval, Ridge Road, said two stray dogs were running in my neighborhood on September 11 and a few minutes later we saw blue lights up the street about two houses away and an outline of a dog lying in the road. We knew at that point, one of them had been hit by a car. The neighbor called the Police Department, an officer responded, and was told that the Animal Control Officer (ACO) was on vacation. She explained that the individual who arrived said, "the dog is dead, I don't want it." The neighbor asked, what are you going to do with it? The individual replied; roll it off into the ditch. Mrs. Duval said she was appalled that that dog laid there in the ditch for 24 hours. When I talked to Wendell Strout, the Lewiston ACO, he said he was covering for Jeff Cooper during that time and indicated no one had called him. Mr. Eldridge said the call is supposed to come into dispatch, and if the ACO is on vacation, they automatically call the next guy in line, which should have been Wendell Strout, if he was on backup for us. He said he would look into this to find out how it was handled.

Deb Wagner said this is her third year serving on the Moxie Festival Committee. She said, I want to thank all of you for your support of this festival. I also want to thank the people who have built it up, namely Sue Conroy, Toby Conroy, and Frank Anicetti, and the Androscoggin Chamber of Commerce; they welcomed me into their circle, valued my input, and I really want to thank them. Frank Anicetti taught me how to drink Moxie and that's a true experience.

Dorothy Fitzgerald inquired about the Pole Permit for Huston Street. Mr. Eldridge indicated CMP would be installing this at no cost to the town.

John Silvestri, a 35 year resident, said he has served on the Moxie planning committee for the past 25 plus years. I just want to thank the Council, Town Manager, and town itself for their support. This festival has been a valuable part of this community for many years. It has many peripheral benefits to the town. The fact that the town picked it up from the Chamber and from Toby and Sue is to be congratulated. This festival will continue to do a lot for the town and your continued support is very much appreciated.

CONSENT AGENDA

VOTE (2011-173) Councilor , seconded by Councilor moved to approve the minutes of July 19, August 16, 23, 30, and September 6, 2011, set the polling hours from 7:00 AM to 8:00 PM, set the polling locations for Ward/District 1 at the Superintendent's Central Office Building Gymnasium and for Ward/District 2 at MTM Center Gymnasium, set the registrar hours to be during business hours on November 1, 2, 3, 4, 7 and on Election day during the polling hours, set casting of absentee ballot times for 10AM, 2PM, 4PM and 8PM, and approve a liquor license for the Left Hand Club. **Order passed - Vote 7-0.**

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

ROUTE 196 SEWER LINE REPLACEMENT

[Councilor Mason notified the Clerk earlier pursuant to section 74-201 E6(c) that a conflict of interest exists because her husband was contacted and asked to provide pricing for replacement of the existing

6" sewer main with 8" PVC so she will be abstaining from voting and discussion and will in no way attempt to influence the decision of this Council.]

The Council discussed including out of town contractors and the discount applied to local businesses. Mr. Leighton indicated that he could put this back out to bid, include out of town contractors, and have it back on the agenda for October 4, but cautioned the end of the paving season was coming right up, although probably not a problem, since this involves temporary paving anyway.

VOTE (2011-174) Councilor Pomelow, seconded by Councilor Bowie moved to go back out to bid to include Gendron & Gendron and out of town bidders. **Order Passed – Vote 6-0-1. (Abstained: Mason)**

CARRIES & TRANSFER

VOTE (2011-175) Councilor Bowie, seconded by Councilor Bickford moved to approve the following Carries totaling \$776,370.02 and Transfers totaling \$207,783.54:

<u>Account</u>	<u>Transfers</u>	<u>Explanation</u>
<u>Expenditures</u>		
<u>Fund 1</u>		
01-100 Elected Officials		
5200 CONTRACTED SERVICES	(109.45)	
5200 CONTRACTED SERVICES	109.45	
	<u>-</u>	
01-105 Town Manager		
5100 PERSONNEL SERVICES	(901.00)	Salary Overexpenditure due to Payroll Accrual
5100 PERSONNEL SERVICES	901.00	
	<u>-</u>	
01-105 Town Manager		
5100 PERSONNEL SERVICES	(5,031.39)	Professional Development Courses
01-135 Technology		
5100 PERSONNEL SERVICES	1,884.48	Excess due to loss of IT Staff
01-146 Board of Appeals		
5100 PERSONNEL SERVICES	165.00	No use of Training
01-147 Planning Board		
5100 PERSONNEL SERVICES	195.00	No use of Training
02-202 Communications		
5100 PERSONNEL SERVICES	450.00	
02-205 Fire Dept		
5100 PERSONNEL SERVICES	1,018.97	
03-300 Town Engineer		
5100 PERSONNEL SERVICES	297.20	
03-305 Public Works		
5100 PERSONNEL SERVICES	845.00	
04-415 Health Officer		
5100 PERSONNEL SERVICES	65.00	
07-700 Economic Development		
5100 PERSONNEL SERVICES	110.74	
	<u>-</u>	
01-105 Town Manager		

5200	CONTRACTED SERVICES	(300.00)	Auditors bill was \$300 over budget
5200	CONTRACTED SERVICES	<u>300.00</u>	
		<u>-</u>	
01-115	Insurance		
5100	PERSONNEL SERVICES	(1,268.49)	Overage due to increased payouts for unemployment
5100	PERSONNEL SERVICES	<u>1,268.49</u>	
		<u>-</u>	
01-120	Legal		
5200	CONTRACTED SERVICES	(18,798.76)	Due to increased requests for counsel, bond orders, workshops, arbitration & second opinion requests (\$8K for outside counsel)
	01-170 Misc General Government		
5200	OVERLAY	<u>18,798.76</u>	
		<u>-</u>	
01-145	Assessing		
5100	PERSONNEL SERVICES	(17,550.45)	Due to increased work with 2011 Tax Commitment & Move from PT to FT Deputy Assessor
	01-135 Technology		
5100	PERSONNEL SERVICES	7,029.31	Due to loss of IT Staff & reduction from use of Contracted service
5100	PERSONNEL SERVICES	894.08	
	02-200 Police		
5100	PERSONNEL SERVICES	8,521.95	Budget Coding differences from Overtime to more detailed breakout of time used
	02-201 Animal Control		
5100	PERSONNEL SERVICES	<u>1,105.11</u>	
		<u>-</u>	
01-140	Town Buildings		
5300	R & M/OPERATING SUPPLIES	(24,733.10)	Primarily due to MTM Roof Repairs & Boiler Repairs
5100	PERSONNEL SERVICES	3,012.51	
5200	CONTRACTED SERVICES	20,099.13	Cost of Natural Gas & Oil
5400	CAPITAL PURCHASES	<u>1,621.46</u>	
		<u>-</u>	
01-145	Assessing		
5200	CONTRACTED SERVICES	(332.49)	Postage
5200	CONTRACTED SERVICES	<u>332.49</u>	
		<u>-</u>	
01-145	Assessing		
5300	R & M/OPERATING SUPPLIES	(493.92)	Workshop Training & Plumbing Codes Books
5100	PERSONNEL SERVICES	<u>493.92</u>	
		<u>-</u>	
01-147	Planning Board		
5200	CONTRACTED SERVICES	(21.60)	
5200	CONTRACTED SERVICES	<u>21.60</u>	
		<u>-</u>	
01-147	Planning Board		
5200	CONTRACTED SERVICES	(586.33)	AVCOG Services for Ordinances
	01-160 Tax Collector		
5200	CONTRACTED SERVICES	<u>586.33</u>	
		<u>-</u>	
01-160	Tax Collector		
5100	PERSONNEL SERVICES	(4,216.56)	longevity pay increase (2)
	07-700 Economic Development		

5100	PERSONNEL SERVICES	4,216.56	
		<u>-</u>	
01-165	Town Clerk/Elections		
5100	PERSONNEL SERVICES	(332.39)	
5100	PERSONNEL SERVICES	332.39	
		<u>-</u>	
01-165	Town Clerk/Elections		
5200	CONTRACTED SERVICES	(858.40)	
5200	CONTRACTED SERVICES	858.40	
		<u>-</u>	
01-165	Town Clerk/Elections		
5300	R & M/OPERATING SUPPLIES	(1.12)	
5300	R & M/OPERATING SUPPLIES	1.12	
		<u>-</u>	
02-200	Police		
5100	PERSONNEL SERVICES	(3,318.66)	Budgetary split differences between overtime
5100	PERSONNEL SERVICES	3,318.66	and greater detail
		<u>-</u>	
02-200	Police		
5200	CONTRACTED SERVICES	(1,566.93)	Software contract agreement increase
5200	CONTRACTED SERVICES	1,566.93	
		<u>-</u>	
02-200	Police		
5300	R & M/OPERATING SUPPLIES	(296.67)	
5300	R & M/OPERATING SUPPLIES	296.67	
		<u>-</u>	
02-201	Animal Control		
5100	PERSONNEL SERVICES	(517.60)	
5100	PERSONNEL SERVICES	517.60	
		<u>-</u>	
02-201	Animal Control		
5300	R & M/OPERATING SUPPLIES	(1,076.25)	Gas Prices/Addt'l Town
5200	CONTRACTED SERVICES	830.27	
5300	R & M/OPERATING SUPPLIES	245.98	
		<u>-</u>	
02-205	Fire Dept		
5100	PERSONNEL SERVICES	(4,259.85)	Turn Out Gear Cleaning
5100	PERSONNEL SERVICES	4,259.85	
		<u>-</u>	
02-205	Fire Dept		
5200	CONTRACTED SERVICES	(1,197.05)	Equipment Rental
5200	CONTRACTED SERVICES	1,141.49	

02-200 Police

5200	CONTRACTED SERVICES	<u>55.56</u>	
		-	
02-205	Fire Dept		
5300	R & M/OPERATING SUPPLIES	(8,734.39)	Equipment Repairs/Foam Pump
5300	R & M/OPERATING SUPPLIES	3,113.76	
	03-305 Public Works		
5300	R & M/OPERATING SUPPLIES	<u>5,620.63</u>	
		-	
02-205	Fire Dept		
5400	CAPITAL PURCHASES	(2,241.92)	Hose, Gear & SCBA Replacement
	01-170 Misc General Government		
5200	OVERLAY	<u>2,241.92</u>	
		-	
03-300	Town Engineer		
5100	PERSONNEL SERVICES	(312.69)	
5100	PERSONNEL SERVICES	<u>312.69</u>	
		-	
03-300	Town Engineer		
5200	MISC EXPENSES	(11,110.00)	Emergency Funding/Well Contamination
5600	BONDS/GRANTS	(6,902.43)	RT 9 Bond Project Overrun - timing with Water Dept Invoices
	01-170 Misc General Government		
5200	OVERLAY	<u>18,012.43</u>	
		-	
03-306	Winter Public Works		
5300	R & M/OPERATING SUPPLIES	(40,614.73)	Sand/Salt Purchases & Parts
	01-170 Misc General Government		
5200	OVERLAY	<u>40,614.73</u>	
		-	
03-310	Solid Waste		
5100	PERSONNEL SERVICES	(12,650.15)	Retirement Payout
5200	CONTRACTED SERVICES	<u>12,650.15</u>	
		-	
03-310	Solid Waste		
5200	CONTRACTED SERVICES	(222.63)	
5200	CONTRACTED SERVICES	<u>222.63</u>	
		-	
03-310	Solid Waste		
5300	R & M/OPERATING SUPPLIES	(23,739.98)	Transmission Repair & Dump Trailer
5200	CONTRACTED SERVICES	22,621.42	
5400	CAPITAL PURCHASES	<u>1,118.56</u>	
		-	
03-320	Street & Traffic Lights		
5200	CONTRACTED SERVICES	(6,735.50)	Timing of light removals
5300	R & M/OPERATING SUPPLIES	(550.35)	

	01-170 Misc General Government		
5200	OVERLAY	<u>7,285.85</u>	
		<u>-</u>	
04-405	Recreation Department		
5300	R & M/OPERATING SUPPLIES	(2,137.14)	Football Equip???
5100	PERSONNEL SERVICES	199.09	
5200	CONTRACTED SERVICES	1,862.87	
	01-170 Misc General Government		
5251	OVERLAY	<u>75.18</u>	
		<u>-</u>	
04-410	Library		
5100	PERSONNEL SERVICES	(1,004.25)	
5200	CONTRACTED SERVICES	<u>1,004.25</u>	
		<u>-</u>	
04-415	Health Officer		
5300	R & M/OPERATING SUPPLIES	(307.56)	
	04-410 Library		
5300	R & M/OPERATING SUPPLIES	<u>307.56</u>	
		<u>-</u>	
07-700	Economic Development		
5100	PERSONNEL SERVICES	(107.95)	
5100	PERSONNEL SERVICES	<u>107.95</u>	
		<u>-</u>	
07-700	Economic Development		
5600	GRANTS/BONDS	(414.04)	
	01-170 Misc General Government		
5200	OVERLAY	<u>414.04</u>	
		<u>-</u>	
08-800	Abatements		
5200	ABATEMENTS	(2,229.37)	
	01-170 Misc General Government		
5200	OVERLAY	2,229.37	

Order Passed - Vote 7-0.231 LISBON STREET

Mr. Eldridge said at the workshop you asked that Attorney Therriault draft an order with stipulations, which is being presented; to move forward we need your approval so that we can draft a Quit-Claim Deed and collect our money.

Councilor Bowie said I don't think there should be any penalty for being late on that September 15 payment.

Councilor Pomelow asked whether Mr. Morreale had seen this document and if he was willing to comply with it. Mr. Eldridge said no, he has not. Once this Council approves it, he can give it to his attorney.

Councilor Lunt said if we approve it and he feels for some reason that he can't do it then he can come back to us at our next meeting to work something else out; we want to work with you, Mr. Morreale, he said.

VOTE (2011-176) Councilor Bowie, seconded by Councilor Pomelow moved to adopt the following Order Regarding 231 Lisbon Street, *adding that no penalty be applied if the September payment is late:*

BE IT ORDERED by the Town Council of the Town of Lisbon that the property designated as 231 Lisbon Street (Road), more particularly described in deed from Casa Mia, Inc. to James A. Morreale, dated June 23, 2005 and recorded in the Androscoggin County Registry of Deeds in Book 6385, Page 113, also more particularly described as lot 135 on Town of Lisbon Tax Map U19, acquired by the Town of Lisbon by various matured real estate tax and sewer user fee liens, be returned to the prio owner, James A. Morreale, by Municipal Quit-Claim Deed in accordance with the following terms and conditions:

All taxes due through and including the September 25, 2011 tax due date, shall be paid in full prior to transfer.

The March, 2012 taxes due shall be paid on or before March 15, 2012

The debris, junk and other unsightly material located on the property shall be cleaned and properly disposed of before June 1, 2012 and the site to remain clean and visually attractive.

The appearance of the outside of the building will be improved either by painting or residing, to be accomplished before June 1, 2012.

The homemade sandwich signs previously used on the property shall be prohibited.

The terms and conditions of the transfer, with the exception of the tax and sewer payment requirements, shall be enforced by the town's Codes Enforcement Officer as a code violation, if not complied with. It is further ordered that the Town Manager shall be and hereby is authorized to sign the Municipal Quit-Claim Deed transferring the property, and any other documents that may be required to consummate this transaction, and to authorize any code enforcement necessary to maintain compliance with the conditions of the transfer.

Order passed - Vote 7-0.

CHARTER AMENDMENTS QUESTIONS 1-8

David Bowie said the only two concerns I have are with the outside review and Ethics Panel, and only because if I am interpreting the term validity there, you are asking someone or some panel to make a determination on whether or not the accusations are true or false as opposed to whether or not the petition has wording that is correct for a petition for recall. It certainly implies that you are looking for almost a court like investigation in conclusion.

Councilor Laroche said the intent was to have an outside person review it to not actually determine right or wrong, but to determine that the town was moving forward in the right direction to warrant the idea of actually spending the money to put this out to a referendum vote.

Mr. Bowie said if validity simply means, is it a correct petition, okay, because validity can be false statements that are logically correct. However, that's not the impression I got from reading it. It sounded more like a determination of true or false as opposed to proper form of a petition for a recall.

Councilor Lunt said the complaints about the previous recalls were that there was no substance to the claims, not that the claims weren't serious.

Councilor Bowie said all we were trying to do was to make sure that we weren't spending taxpayer dollars frivolously, because the way it is written today you could recall anybody for the color of shirt they were wearing. We were trying to put some structure around it so that there will be substance behind why a person was being recalled; we want it to be for appropriate reasons, he said, so we don't end up wasting \$4,000 to \$5,000 on an election.

Councilor Larochelle said this was very vaguely written initially and lacked a lot of description and guidance. I think that's what we are trying to do, which is to make it a little more defined. I value David Bowie's opinion highly, he said, because he was part of the original commission and even agreed that it was not a bad idea to add the basis for the petition so we are trying to improve it.

Councilor Pomelow said in paragraph 2, how would you change the wording to remove the word validity. Attorney Therriault said let's use the word sufficiency, which is the word we used before; I agree that is a bad word.

Attorney Therriault said I guess maybe an analogy, by way of explanation can be made, when you draw a complaint and bring a matter to court the complaint has to be sufficient, it has to state a cause of action and all we are asking here is that the petition state a adequate reason that falls under one of these categories, the examiners job is simply to look at that and see if in fact it does, if the person against whom the petition has been filed, or the initial paperwork has been filed, has some problem with that and wants it reviewed by an outside agency.

Councilor Lunt said the only concern he had was that the people filing the recall petition here have no ability to appeal in the way that the person being filed against does. Attorney Therriault said oh yes they have; if the examiner says you have not stated sufficient grounds here, and the petition committee says we think we have, then it goes to the Ethics Panel. The Ethics Panel's job is very clear, which is to determine whether or not the decision of the examiner is correct and nothing more. None of this is about proving right or wrong. Again, the language in your complaint is the vehicle by which you get into court. At some point in time, you are going to have a hearing in front of the fact finder to determine the truth and whether the allegations are true or false. In this particular case, the person against whom this is filed is asking that somebody take a look to see whether in fact the petition states a situation that falls under these categories with regard to improper or unlawful execution and so forth.

VOTE (2011-177) Councilor Bowie, seconded by Councilor Larochelle moved to change the word "validity" to "sufficiency" on Question 8 Paragraph (2)...conduct such investigation as is deemed appropriate to determine the ~~validity~~ sufficiency of... and to place Question 1 through Question 8 on the November ballot as amended (see attached). **Order passed - Vote 5-2. (Opposed: Lunt and Cote)**

BUDGET REFERENDUM ADVISORY QUESTION

VOTE (2011-178) Councilor Bowie, seconded by Councilor Bickford moved to adopt the following Order Advisory Referendum:

WHEREAS, the Town Council of the Town of Lisbon, pursuant to Section 8.21 (b) of the Charter of the Town of Lisbon, has the general authority to submit proposals to the voters of the Town to be acted upon on a referendum basis; and

WHEREAS, THERE IS A DESIRE ON THE PART OF Council to determine whether or not the voters of the Town of Lisbon wish to consider, at a subsequent referendum vote, a Charter change which would require referendum vote approval by the voters of the Town's Municipal Budget.

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Lisbon that an advisory referendum be submitted to the voters of the Town of Lisbon at the municipal election scheduled for Tuesday, November 8, 2011, the advisory referendum to read as follows:

"Do the voters of the Town of Lisbon wish to vote on an amendment to the Town Charter that, if enacted, would require voter approval at a referendum election for each annual Municipal Budget?"

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

FIRE DEPARTMENT STREET CLOSURE REQUEST FOR WORLD TRADE CENTER
MONUMENT CEREMONY

Chief Galipeau requested Village Street be closed for the World Trade Center Memorial Monument ceremony and invited the Council, audience members, and the public to attend. He indicated that Lisbon Emergency will, also, be holding an open house. Traffic would be diverted around the area using Gartley Street. The street will be reopened as soon as possible, he said.

VOTE (2011-179) Councilor Pomelow, seconded by Councilor Mason moved to approve the Fire Department's Village Street Closing order on October 19 from 12:00 PM to 3:00 PM for the dedication ceremony at 1:00 PM. **Order passed - Vote 7-0.**

CMP POLE PERMIT - HUSTON & MAIN STREET

Councilor Larochelle notified the Clerk earlier pursuant to Section 74-201 E6(c) that a conflict of interest exists because this new pole is being installed to change the type of power to Fern's Auto-body Shop from single to 3-phase power, which is needed to run certain equipment so he will be abstaining from voting and discussion and will in no way attempt to influence the decision of this Council.

VOTE (2011-141) Councilor Bowie, seconded by Councilor Bickford moved to approve the CMP Pole Permit for Huston Street. **Order passed - Vote 6-0-1. (Abstained: Larochelle)**

OTHER BUSINESS

A. MOXIE FESTIVAL COMMITEE PRESTATION

(Taken up out of order - after Consent Agenda above)

Mr. Benson said on behalf of the Moxie Festival planning committee I am really happy tonight to present our final report. We had a pretty good Moxie Festival this year and we want to wrap that up by reporting to you about what we did, what we spent, and what we raised. This will help everyone understand fully what goes into this great community institution. Mr. Benson said as you can tell from the 21 page report that we've got a long story to tell.

MEMBERS & MEETINGS

Mr. Benson said we listed the current members of the Moxie planning committee, some of whom are here this evening. John Silvestri, Deb Wagner, Councilor Mason, all invaluable members, and Chief

Galipeau, and also Maine's Town Clerk of the Year Twila Lycette. We included a list of the planning committee meetings this past year, however there are literally dozens of other smaller groups meeting throughout the year as they work on the parade, fundraising, vendors, music, etc. Full committee meetings are open to the public and are held monthly on the first Tuesday at 2:00 PM at the Town Hall.

PARADE

Mr. Benson said areas the committee focuses on throughout the year, include the parade and that involves determining the appropriate parade rules, registration process, and procedures including the lineup, logistics, and planning. We market the parade and try to encourage people to come, particularly the paid parade attractions which make it such a special event. Again, Councilor Mason, I'm glad it's her and not me, because I was down there and it was nuts. She did a great job with it.

EVENTS

Mr. Benson said other lynchpins of the festival include the Spirit of the Wolf Pow Wow, the Friday night public safety demonstration and fireworks display, the 5K race, the Moxie recipe and chugging contest, and of course the river race on Sunday. This group lines up all of these folks and ensure that everything is working accordingly collaborating amongst those events whenever it makes sense.

ENTERTAINMENT

Mr. Benson said these are the stage acts, like the bands, magicians, and the folks that appear at midtown, MTM, and Main Street. We reach out to engage those, sign contracts, pay them, and handle the logistics that go with that.

VENDORS & SUPPLIERS

Mr. Benson said these are the folks that line Main Street. Some are local and some are from a broader territory. We determine the appropriate rules, logistics, procedures, and process applications; work with the health officer if it is food vendor, for over 70 vendors. You can imagine there is some work associated with that.

MEDIA & PUBLIC RELATIONS

Mr. Benson said this includes the theme and logo contests. Every year we ask for entries to name the festival. We work with local students on an art contest to design a logo. Deb Wagner does a great job. It's the promotion of the festival itself and individual events and attractions; press releases, advertising, and ongoing print and broadcast media management of our website at www.moxiefestival.com.

PRODUCT DEVELOPMENT & SALES

Mr. Benson said product development and sales is really very important because we need to sell product in order to fund this festival. We take that obligation very seriously and we make, to the best of our ability, decisions early on, even in January, about t-shirt sales, soda donations, fundraising. That's a tough task and we all work on that together.

FINNACE

Mr. Benson said we develop an annual budget, which we'll be doing very soon for 2012. Then "organization and logistics", as you can imagine, everything right down to the port-a-potties and tent; we've got to make the appropriate arrangements to make sure that everybody involved in the festival has the accommodations they need and we need to make the festival successful.

TURNOUT

Mr. Benson said I heard through public safety estimates that this three day festival may attract as many as 40,000 people to the streets of Lisbon and Lisbon Falls. This year, in consulting particularly with Chief

Brooks, we feel like we could be approaching or exceeding the 50,000 mark. The Yarmouth Clam Festival sees 100,000, so we are halfway there. I'm not suggesting we're going to bring 100,000 people to your front yard, but it gives you a sense what opportunity exists for us.

Mr. Benson said the parade with more than eighty entries, including Governor LePage, Senators Snow and Collins, Congressman Mike Michaud, the Kora Temple folks who bring so much to the parade, and all of our local community groups attracted thousands of people who lined up along the parade route from midtown to downtown which was one of the indicators Chief Brooks used when he said he had never seen that route filled in quite like that before.

Mr. Benson said events, again, we had a great Pow Wow and our friend Rick Belhumeur, who manages that and brings it all together, was so thrilled with the reception he receives from this community and this year in particular, the involvement with the Androscoggin River Race, and the opportunity to educate and entertain folks. The Moxie 5K road race had 480 entries this year; an increase of nearly 300 runners from just two years ago. The river race had 175 canoes and kayaks participate on Sunday. On Main Street, just an anecdotal piece, somebody told me they had never seen the crowds linger as long in the day on that Saturday as they did this year, again, another economic opportunity for those folks downtown.

FESTIVAL HIGHLIGHTS

Mr. Benson said we feel community group fundraising is the real highlight in that several community based organizations like church groups, fraternal orders, and service providers hold fundraising activities and with all of those people in front of them they have an opportunity to raise funds that support their programs all year long. I think that alone could be enough to justify this festival in the town. Our goal is to stretch this festival from Main Street all the way up to MTM with an initial focus placed on free activities for kids and families; that's really important to us.

Mr. Benson said "expanded Friday night activities". We had a great Public Safety demonstration with our Police and Fire Departments down there. It brought more people to the area, combined with the activities at Midtown Plaza, than ever before. Many local business owners reported increases in revenue as a result, plus starting the parade later gave Rite Aid a boost as well.

Mr. Benson said we were in the newspapers, even in the India Times, not just the Times Record, not just the Lewiston Sun Journal, but the Chicago Tribune; one of the biggest newspapers in the country did a spread on us. The India Times actually carried a story, a positive one, on Lisbon. If we had to pay for that, if we had to go out and craft an image campaign to put goodwill out there in the world for us, we'd never be able to pay for it in a hundred years and it's all free. Again, Deb Wagner, so much a part of that.

Mr. Benson said we had a failing electrical system that was in place for many years and it was all worn out so the committee was faced with a failing electrical system and no electrician to service it. We overcame that with fundraising efforts and bought new cables and equipment to bring power to all of those vendors. We worked with a local electrician who put it all together for us at a very affordable price.

LISBON'S HIDDEN COSTS

Mr. Benson said everyone says to me well, the town appropriates \$2,500 every year to support the festival or at least they have in recent years. I say, it is a much larger role than that; from this general government staff to the Public Works staff, to the all hands on deck response from the Public Safety [Police & Fire] officials and their departments on that weekend. Community commitment can be seen through the dedication of these folks and the business community that fosters a partnership, which is how public and private things should work; right down to the folks who show up unsolicited on the day of the event saying, what can I do to help? It brings out the best in all of us in this town.

Mr. Benson went through the financial report in detail. He said, one of the reasons I wanted to come talk to you tonight was that I hear people say, the town supports it to the extent of \$2,500. I say that's true, but it is much, much more. As you know, all of these elements of this festival come with a price tag. But something is getting missed here and I think it has been missed historically over the years. There is a substantial cost to the town that has heretofore been unrecognized as far as I can tell. Those costs associated directly with overtime pay to town employees, such as the town's Police Officers and Public Works crew who provide indispensable support to us through public safety and logistical services every year. The costs of those services have been borne by the taxpayers of Lisbon, which we would like to change.

Mr. Benson said further, I am going to pause and say that this, also, includes the services provided to us every year by the volunteer members of our Fire Department. It's a little different animal than our Police Department, but still without their indispensable public safety services piece we could not put this Festival on in the way that we do. I want to thank the volunteer Firemen for everything they've done and do every year. Today, at our first 2012 Moxie Festival planning committee meeting we voted as a gesture of thanks to donate \$500 of our surplus funds to the Fire Department's ongoing 9/11 memorial work. We're awful proud to do that.

Mr. Benson said what we are saying to you tonight is that we want to formally recognize and be responsible for the cost of those direct overtime hours from our Public Works and Police Department and we want to include those in our fundraising efforts going forward.

Our Public Works crew worked on Friday, Saturday, and Sunday, and their costs were about \$1,870. The Police Department, just like the Fire Department [except not volunteer], are all hands on deck all weekend to make sure people and cars move around safely, and their costs were \$3,900, making that total now \$5,800.

Mr. Benson said as this demonstrates, the true cost of the festival is considerably higher than previously summarized over the years. It's time to change that as a matter of policy, therefore, the Moxie Festival planning committee proposes to reimburse 100% of these costs for the 2011 festival and is committed to taking to the best of our ability the actions necessary to achieve full reimbursement in future years. Now, small asterisk there, we'll do our absolute best and it's going to depend, again, upon the weather and other factors, but to whatever extent we can we're going to reimburse these costs. I look forward to your response to accept that offer, he said.

FESTIVAL ACCOUNT BALANCE

Mr. Benson said the 2011 festival budget with expense lines revised totals \$25,753.92, which includes reimbursing the town for Police and Public Works personnel and purchasing the new electrical system. We had a tough nut to crack this year and we did it. We're proud of it and I hope you are, too, he said.

Mr. Benson said lastly, I would be remiss in not mentioning the support by municipal staff members: me, Twila, Jody, Chief Galipeau and others associated with this festival. The 230 combined hours are well worth it given the impact on the community. The folks that come to the meeting every month, also, work with me constantly on the phone and through emails, which is added hidden value, too. They bring professional expertise, which makes this a great festival. The business representatives and volunteers of this community, I estimate, spent a total of 375 hours this year on the festival and that's conservative. Can you imagine if you had to pay for that, he said, even at minimum wage that would cost another \$2,800. I think that you will agree with me that these folks are worth a lot more than minimum wage, and I think the donated time is a whole lot higher than that.

Mr. Benson said last December the Moxie account had about \$6,350 in it; we raised \$24,157, and spent \$25,753, which means, if you accept our offer to reimburse the town, we will have available carry over revenues of \$4,700 to begin next year with.

The Council thanked Mr. Benson for a job well done. Councilor Lunt thanked all the volunteers who put a lot of hard work into it as well and Councilor Laroche said, "it's a good story."

B. FINANCE DIRECTOR'S REPORT

(Taken up out of order – after Carries & Transfers above)

Mrs. Maloy said, at this point, there is not a lot of information to give you because it's early on. The budget numbers have been updated into Trio. She indicated that the carry-forwards and transfers would go into Trio as well and that she would give the Council a complete report next month. 237 30-day lien notices were mailed on September 19 and the foreclosures on the prior year taxes will begin on October 19. We have collected 90% or \$4.2 million of the September portion of the tax commitment as compared to last year's 68% collected at this time. We paid our county tax which was \$574,000. This year's audit has gone extremely well and the auditors are pleased with what they are seeing.

Councilor Bowie asked Mrs. Maloy to report back to the Council on why several contractual and repair and maintenance/operations lines are over the normal 16% expended to date. Is there anything specific that is going on that is driving us to be so high on these lines. Mr. Eldridge said under Technology we purchase blocks of time ahead of time. Councilor Bowie suggested that Mrs. Maloy just send the Council a little note on this later in the week.

C. TOWN MANAGER'S REPORT

STREET LIGHTS

Mr. Eldridge said I had a request to list all the streets where we have removed lights (see attached list). Those concerned about losing a light should wait until it is done and once it is done we will sit down with those folks who want them put back up to see if it is warranted, he said. There is another whole list to be done still; the first one is to remove 36 lights from Route 196 so we will see how that works. This should put us more on track with the budget.

UPCOMING AGENDA TOPICS

Mr. Eldridge said Project Canopy will provide trees that are scheduled to be planted along the trail. The roads topic is being prepared for the October 11 workshop. Thursday the Planning Board will hold a workshop to finish up their land use ordinance that deals with zoning if the Council wants to attend. We talked about property ordinances and sign ordinances so if anyone has something they would like to bring forward, this is a good time of year to do that before we get back into the budget process, he said.

Patrick Christiansen from Western Maine Transportation stopped by. We were told that they had a shortfall in funding, which leaves Lisbon short \$15,000 for bus service. They dropped off a new schedule with changes for the Council to review. This will impact the number of times the bus goes back and forth and everything.

TOWN CLERK OF THE YEAR

Mr. Eldridge said Councilor Mason will tell you where we were last Wednesday. Councilor Mason said I had the honor of attending a ceremony where our Town Clerk Twila was presented with the Maine Town & City Clerks Association "Town Clerk of the Year" plaque for 2011. We were very proud of Twila. There was a small group of about 10 or 11 of us who were able to attend, along with a rather large group of her peers. The recommendation letter included achievements like archival grant writing, election management, certified Maine Town Clerk, certified International Municipal Clerk, lifetime certified Clerk of Maine, and she is one of only two International Master Municipal Clerks in the State of Maine. There was a list a mile long of things that Twila has accomplished and those of us who have worked with Twila and have been in town for many years knows that Twila does a lot of good things. She is very helpful at the Town Office, she is one of the veterans, and she knows the ropes. She has been

very involved with the Moxie Festival and is a mom and wife and we are just "very proud of her." The Council congratulated Mrs. Lycette. Mrs. Lycette said, "thank you all very much."

Councilor Lunt said "thank you Twila and congratulations" on that, I know you have helped out a lot here at our meetings and I really appreciate the help you give us; it's not just out front here at the Town Office, but every Tuesday night so thank you.

APPOINTMENTS

BOARD OF ASSESSMENT REVIEW (1) MEMBER (Reappointment 3-Year Term)

VOTE (2011-181) Councilor Bowie, seconded by Councilor Pomelow moved to re-appoint Richard Long to the Board of Assessment Review for a three year term. **Order passed - Vote 7-0.**

COUNCILOR COMMUNICATIONS

Councilor Bowie said I missed the workshop on the wage salary. He asked if a review had been done and presented on the wage survey and the justification for those increases. I would like to see that comparison to see that we are giving out the right money, to the right people, for the right reasons. He asked if the Water Department needed to send things out to bid. Mr. Eldridge replied that he was not aware of any policies or bylaws requiring them to do that.

Councilor Bowie said I heard dump stickers were no longer available at the dump. Mr. Eldridge said we did change that. Councilor Bowie said I think we should change that back. Mr. Eldridge said we can certainly take a look at it and review that. Councilor Bowie said they are going to handle money anyway so maybe we should look at tying them into our software system at the Town Office somehow or even supply them with an extra person to handle the cash or something.

Councilor Mason said signage is very important, to signify where parking is, directional type things, where historical sites are, although some businesses pay for their own, but other uniform signs for parking and clarification are needed in both downtown areas. She thanked Ross Cunningham and his promotional group. Ross is working on the third Harvest Festival at MTM, which includes kids games and face painting, music on the stage at the pavilion, and fundraising efforts will be going on down there. It's this weekend from noon to 4:30PM.

Councilor Larochelle said there is a lot of stuff that goes on behind the scenes to make the Moxie Festival successful, it's not a small project, and I am glad to see Mr. Benson is so excited about it and moving forward with it. The whole group has done a great job! It's nice to see the Harvest Festival sign out as well. Councilor Larochelle said the pole that is going up, CMP is charging me \$10,000 to put that up and about 100' of wire; nothing is free anymore. We pay for the street light out front as well, he said.

EXECUTIVE SESSION - NONE ADJOURNMENT

VOTE (2011-182) Councilor Bowie, seconded by Councilor Bickford moved to adjourn at 8:56 PM. **Order passed - Vote 7-0.**

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

Date Approved: _____