

TOWN COUNCIL MEETING MINUTES MARCH 1, 2016

Christopher Brunelle, At Large 2016 Eric Metivier, District 1 2016 Roger Bickford, District 2, 2016 Dale Crafts, At Large 2017 Normand Albert, At Large 2018 Kasie Kolbe, District 1 2018 Allen Ward, District 2 2018

CALL TO ORDER. The Chairman, Roger Bickford, called the meeting to order and led the pledge of allegiance to the flag at 7:00 PM.

ROLL CALL. Members present were Councilors Bickford, Brunelle, Metivier, Crafts, Albert, Kolbe, and Ward. Also present were Diane Barnes, Town Manager; Traci Austin, School Committee Chair; Paula Jefferies, School Committee member; Rick Green, School Superintendent; Haley McCrater, Bookkeeper; Ed Karass, Finance Director; David Brooks, Police Chief; Tracey Steuber; Economic Development Director; Amanda Bunker, Contracted Town Planner; Miriam Alexander-Morgan, Assessment Review & Zoning Appeals Boards; Karen Paradis, Planning Board Chairman; Donald Fellows, Planning Board Member; and approximately 25 citizens in the audience.

GOOD NEWS AND RECOGNITION

Councilor Ward invited everyone to the Unified Basketball payoffs on Friday at 3:30 PM.

Traci Austin announced that the food drive's final tally would be announced on Channel 13 News at 6 AM. She indicated they picked up 10 pallets full of food along with collecting 10,005.89 in cash, online, at gates, tagging, and donations from businesses and residents of Lisbon.

PUBLIC HEARINGS

A. ITINERANT VENDOR ORDINANCE & FEE SCHEDULE AMENDMENT

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

B. PARK REGULATIONS ORDINANCE AMENDMENT

The Chairman opened the public hearing. There were no comments. The Chairman closed the public hearing.

C. REPEAL CHAPTER 2 ARTICLE IV DIVISION 10 TRAIL COMMISSION

The Chairman opened the public hearing. Steve Warren asked the Council to retain the Trail Commission. He said that Trail Commissions in surrounding communities are of great value representing the interest of the community. The Lewiston/Auburn Trail Commission developed a street policy. The Trails Commission was instrumental in obtaining the sidewalk on the new Durham/Lisbon Bridge. This Trail Commission would make our community a much more vibrant and prosperous community to live in and urged the Council to keep it.

Donald Fellows asked for the reasoning behind abolishing the Trail Commission. Mrs. Barnes explained that Verla Brooks Ridley was working on consolidating the Trails and Conservation Commission prior to her retiring, that Lisbon is not abolishing it, just changing the title so it will fall under the Conservation Commission, which is where it should be. There were discussions with these members at that time, there were not enough volunteers to fill all these committees, and now that the trail is completed it is a good idea to combine these two groups.

Seeing no further comments, the Chairman closed the public hearing.

CDBG MICRO-ENTERPRISE ASSISTANCE PROGRAM

The Chairman opened the public hearing. Ms. Steuber explained this is a state program for facades. The total amount available will be \$150,000 and does not require a town match. It will require applicants with approved projects to provide a one to one match. Projects must be completed before being reimbursed 50% of the total cost up to a maximum of \$20,000 for a \$40,000 project or a minimum of \$2,500 for a \$5,000 project. The projects will be approved by the Façade Committee and projects cannot be completed by themselves, meaning they will have to use contractors and meet the federal and state requirements for grant funding. She mentioned that she was working with Aubuchon Hardware about giving a 20% discount for materials purchased there for these projects, but has this has not yet been confirmed.

Larry Fillmore said he agreed with doing this. He said that the Town Manager, Mrs. Barnes will be signing for these funds, that to say the town does not have to contribute matching funds is a misnomer because the business and property owners will pay for it, but if someone backs out after we commit the funds who picks up the difference, the taxpayers.

Councilor Bickford pointed out all the money is put into it by the business/property owner up front and when completed it is reimbursed.

Dean Willey asked whether some businesses were targeted in this process. Ms. Steuber said that as part of the grant they needed to complete a survey of businesses interested in improving their facades and, yes, there were several who indicated that they had projects planned.

Mike Hebert noted this money will go to property owners who live and have a business on Main Street or along the Route 196 corridor, but not others which is good but not fair to everyone. He said he was all for uplifting the town, but this is a socialist handout. He said part of these funds is coming from my and your pockets. He asked why shouldn't property owners be totally responsible, because no one is going to his house to repair it.

Dorothy Fitzgerald asked if there were time limits on using this money. She asked what happens to the unused funds. Ms. Steuber indicated \$150,000 would not go very far, that the Façade Committee has some flexibility on exceeding that maximum amount, and pointed out the state toured the downtown areas and knew what our needs were so in the end Lisbon can apply for more funds. Mr. Fellows pointed out that this money would have to be spent on facades and could not be spent in any other place.

Amanda Bunker explained that these funds will be given to only a certain sector and others will not be eligible. Businesses have a bigger impact on the community as a whole. Without improving the core we cannot improve the tax base. She said this is a positive reinforcement program so businesses and/or property owners have to put their own money into it too. She pointed out that although this appears to say yes it is for a certain group and not everyone, hopefully, it will provide a better economic base, which helps all of the taxpayers in town.

Seeing no further comments, the Chairman closed the public hearing.

AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS - NONE

CONSENT AGENDA

VOTE (2016-52) Councilor Metivier, seconded by Councilor Crafts moved to approve the minutes of February 11 and February 16, 2016. Order passed – Vote 7-0.

COUNCIL ORDERS, RESOLUTIONS, & ORDINANCES

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FY 2017 SCHOOL BUDGET PRESENTATION

<u>INTRODUCTION</u>: Mrs. Austin said Lisbon School Committee's mission is to put forth the best educational opportunities possible for the youth of our town while walking a tight rope on budgetary concerns for our taxpayers while meeting non funded state and federal requirements, unfunded transition amounts, and subscribing to a funding formula that only one person in the state knows how to maneuver.

Lisbon started its preliminary budget season with a budget deficit of \$1,532,611, which is the sheet the School Committee received first. Faced with such a large deficit because of Council directives, unavailable revenues for us to use for this up coming year, additional increases in special educational costs, salary, benefits, and a large loss of state subsidy of \$478,388, plus the state changed the mil rate from 8.23 to 8.44, along with lower enrollment numbers, and the reduction of \$600,000, all played a part in the mathematical formula. Intended consequences and unintended consequences have come to light in this current budget year. She said the School Committee has asked the administrative team to look for further potential reductions, all of which we know are going to hurt.

Mrs. Austin presented the current subsidy comparison report for 2016-2017. She said this reflects the reductions the School Committee asked for in the amount of \$723,000. Although the \$809,612 increase is still a large number, there are still a lot of variables over the next few months that can reduce that number before the final adoption in May. As of today, March 1, there is time for pieces of the puzzle to fall into place. MSE emailed today to say there are currently two bills at the state level that can potentially add back more subsidy money for those districts that lost considerable amounts.

Mrs. Austin said the 10 Year History Chart was meant to be three separate graphs compiled into one. She said, yes, the math does not work if you add the state and local contributions together because the final total budget number includes revenue. If you subtract those out and look at the revenue number it equals. She said adult education is by law supposed to report out separately, which has been done.

Mrs. Austin went through the subsidy report. The difference between 2015-2016 and 2016-2017 is \$97,095. We have an interest credit of \$23,397 which is all part of the revenue along with the proposed \$197,270 from undesignated to help defray taxes. She said for anticipated revenue they have \$20,081 from energy savings, \$80,967 from the gym proceeds as of right now, but this could grow depending upon the final closing numbers. There are still some encumbered items and invoices not yet received for the locker room renovations. From the lunch revenue there should be \$165,000. She said that the total revenue of \$483,715 is down from last year. She said they did have increased subsidy last year that was late (April/May month) that can come from the state. Local debt service is \$469,125; included in that are the local payments for the track, gym, LCS items above and beyond the state funded project, and the font façade at LHS. Councilor Metivier asked how much is just the track and gym. Mrs. Austin said just under \$300,000.

Mrs. Austin pointed out that the EPS amount is down \$448,730. She listed the differences from the bare minimum which has now become the benchmark. She listed what the state's recommendations were and what Lisbon has for teachers, guidance, etc. She said the amount above EPS is \$1,017,577, which is an increase of \$795,845.

Mrs. Austin said the transition amount has always been a bone of contention, and although the state is supposed to support public education at 55% they do not currently fund that so the amount Lisbon anticipates paying to fill that gap is \$281,506.

Mrs. Austin reported the total additional local funds amount needed is \$1,299,083, which is an increase of \$783,532. Last year the State Subsidy was \$9,058,073 and this year it is \$8,579,686 so Lisbon has lost \$478,387 in subsidy funds. She reported the required local contribution is up \$41,970 at \$4,454,210. The local debt service, again, is \$469,125 as reported earlier, which brings our total local funding up for this first presentation at

\$817,271 for K-12. The adult education budget anticipates the same revenue as last year. The state's contribution is down \$509 and the local funding is down \$7,659 for a total decrease of \$8,168.

Mrs. Austin said, as of February 29, the total increase to taxes because of the savings, we must subtract the savings from the \$817,271 to get the \$809,612, which is what is being presented tonight.

Mrs. Austin presented the following proposed \$723,000 budget cuts:

- Restructuring Administration
 - o Adult Education Director to take over Volunteer Coordinator tasks/Gartley Street
 - o Facilities/Transportation Director to take over maintenance tasks
- Reductions in Personnel
 - K-8 Positions Proposed Grade Level Teacher position
 - K-12 Positions Art, Gifted/Talented/PE/Health, Technology, plus Proposed Social Worker, Special Education Teacher, and Speech/Language Teacher
 - K-12 Support Positions Administrative Secretary, Bud/Van Driver, Guidance Secretary (Restructuring) and Maintenance
- Reductions in Student Services
 - Athletics Basketball (LHS Girls JV, PWS Girls & Boys Grade 7, Cheering (Competition), Cross Country, Football (Asst. Coach), Ice Hockey, Soccer Girls JV, Track (Asst. Coach), and Wrestling
 - Co-Curricular Programs Technology Club, Student Government, Civil Rights, and Science Olympiad (Asst.)
 - o LEAD
 - o SRO Officer
 - Volunteer Coordinator (Restructuring)
- Reductions in Professional Services
 - Curriculum
 - Grounds/Maintenance
 - o Technology
- Other
 - Calendar (Student Day)

Superintendent Green said for clarification on the capital reserve fund that it is not energy savings, they will be using the capital reserve to pay the same thing as last year, the \$20,000 is the difference in what was budgeted and should have been budgeted. He said although we cut the budget last year, like the town did, they met with Siemens and did a preliminary report and Siemens said not to cut your energy savings but leave it in those lines and use it to pay off the bond. He said that they do not have outstanding invoices for the gym project, but they are waiting until it is finished in case there are other expenses. There is \$145,000 left to be transferred; half will go into another place after they talk to their auditor tomorrow; there is \$75,000 there. He said there is \$80,967 in this budget. The track is different since they can only use the interest and based on their numbers it has about \$8,000 or so left and it's only \$7,000 in interest.

<u>COUNCILOR COMMENTS</u>: Councilor Albert asked for clarification to make sure he had his numbers correct on total budget after revenue and local only debt service, he said which is \$13,985,864 and in the 2015-16 budget is \$14,332,979. He said that wouldn't actually be a \$600,000 add, but \$347,115, correct.

Councilor Bickford requested that all the gym, track, energy saving bonds, and lease payments are broken completely out of the budget as one total and removed from the budget so they do not appear in it at all. Once that takes place he asked that the School Committee and Council Liaisons meet with the School Committee jointly in a workshop setting to look for a little more in reductions. He said once that figures is presented to the Council they will either accept either or hold a joint Council/School Committee meeting to see if they can do even better together.

Mrs. Austin asked about the savings from the unknowns or puzzle pieces that typically develop over the next few months. Councilor Bickford said he understood the puzzle pieces which will be taken into consideration. He asked Councilors Kolbe, Albert, and Ward to work with the School Committee this year to come up with a budget that they all can support at the public hearing.

Councilor Ward said the difference between last time and this time is that the School Committee chair has presented \$723,000 in cuts from restructuring, which means they have already done their homework before coming into this room. Mr. Albert indicated he attend the School Committee meeting last night and said that they had a very clear understanding that this is the leaping off point so that commitment to cooperation is definitely a lot stronger.

Councilor Ward asked about the timeframe for this joint workshop. Councilor Bickford suggested this happen next week and that the Council Liaisons report to the Council at their next Council meeting in two weeks.

RE-CONSIDER POLICE OFFICER POSITION

<u>INTRODUCTION:</u> Mrs. Barnes asked the Council if the Council wanted to put the Police Officer Position cut last year back into the budget this year.

<u>COUNCILOR COMMENTS</u>: Councilor Bickford said he would like to see that reinstated. Councilor Metivier asked if the Council should wait until the new Police Chief is hired. Mrs. Barnes indicated the Council could decide to put it in for now and then decide whether to keep it or take it out later. Councilors Metivier, Bickford, and Crafts said they supported adding it in for now. No objections were noted.

ITINERANT VENDOR ORDINANCE & FEE SCHEDULE AMENDMENT (Second Reading - Roll Call Vote Required)

<u>INTRODUCTION:</u> Mrs. Barnes indicated the changes as discussed at the previous meeting for the Itinerant Vendor Ordinance and clarification for flea markets had been incorporated from the first reading and were ready for final adoption.

VOTE (2016-55) Councilor Ward, seconded by Councilor Albert moved to adopt the following amendments to Amend Chapter 10 Businesses Article IV Itinerant Vendors and Appendix C Fee Schedule as follows:

Chapter 10. Businesses. Article IV. Itinerant Vendors. Sec. 10-251- License required.

Add the following...Promoters of carnivals, festivals or mass gatherings flea markets shall obtain a license for the event which will cover all vendors. For the purposes of this section, Flea Market shall mean an occasional or periodic market held in an open area or within a structure where property owners offer space for charge to individuals/groups to sell goods for sale to the public and the event is held more than (7) days in any (12) month period.

Section 10-253 Term of license; fee...application fees shall be:

6 months Itinerant Vendor	\$150.00
12 months Itinerant Vendor	200.00
1 week mass gathering permit Carnivals & Festivals	200.00

12-month mass gathering permit Outdoor Flea Market	400.00 <u>100.00</u>
12-Month Indoor Flea Market	200.00
Public records checks	50.00
Junkyard license	100.00

Roll Call Vote: Yeas - Albert, Kolbe, Metivier, Crafts, Ward, Bickford, and Brunelle. Nays - None. Order passed - Vote 7-0.

PARK REGULATIONS ORDINANCE AMENDMENT (Second Reading - Roll Call Vote Required)

<u>INTRODUCTION</u>: Mrs. Barnes indicated the amendments discussed at the previous meeting regarding the Park Regulations Ordinance and the possibility of allowing charitable non-profit (501 C-3) corporations permission to serve alcohol by a licensed establishment at the Moxie Festival Concert this summer were ready for final adoption.

<u>COUNCILOR COMMENTS</u>: Councilor Ward asked when the Council would be revisiting the Mass Gathering definitions. Mrs. Barnes indicated this will require a whole new section and would not fit under the Itinerant Vendor Ordinance; she offered to start that in a couple of months after the budget was completed.

VOTE (2016-56) Councilor Ward, seconded by Councilor Metivier moved to Amend Article III. Park Regulation Ordinance as follows:

Sec. 30-88.5. - Special regulations.

...(c) Alcohol possession or use is not allowed in any park. <u>Any exception to this rule must be approved</u> in advance by the Town Council and shall be limited to special public events or public gatherings sponsored by a charitable, nonprofit organization or civic group in which alcohol is served by a licensed establishment with an off-premise catering license under Title 28-A M.R.S.A §1052.

Roll Call Vote: Yeas - Albert, Kolbe, Metivier, Crafts, Ward, Bickford, and Brunelle. Nays - None. Order passed - Vote 7-0.

REPEAL CHAPTER 2 ARTICLE IV DIVISION 10 TRAIL COMMISSION (Second Reading - Roll Call Vote Required)

<u>INTRODUCTION:</u> Mrs. Barnes said at the last Council meeting the Council decided to consolidation the Trails and Conservation Commissions and to keep the tasks under the Conservation Commission title since the Conservation Commission is required by Charter.

VOTE (2016-57) Councilor Ward, seconded by Councilor Metivier moved to repeal Division 10 Trail Commission and all references to the Trail Commission.

Roll Call Vote: Yeas - Albert, Kolbe, Metivier, Crafts, Ward, Bickford, and Brunelle. Nays - None. Order passed - Vote 7-0.

CDBG MICRO-ENTERPRISE ASSISTANCE PROGRAM

<u>INTRODUCTION:</u> Ms. Steuber reported on January 1, 2016 the Town of Lisbon submitted a Letter of Intent for a CDBG (Community Development Block Grant) Micro-Enterprise Assistance Program (Façade Grant) in the

amount of \$150,000 which was approved for moving forward to submit a full application. The Rt. 196 Master Plan Committee along with staff wishes to make the following recommendation to Council:

- 1. Give authorization for the Town Manager to submit a CDBG Micro-Enterprise Assistance Program application in the amount of \$150,000.
- 2. If successful in the grant application, give authorization for the Town Manager to accept said funds to carry out the duties and responsibilities for implementing said grant program.

Please note the deadline of this grant is Friday, March 25, 2016 at 4:00 p.m. and does not require matching funds from the municipality.

VOTE (2016-58) Councilor Kolbe, seconded by Councilor Metivier moved to authorize the Town Manager to submit a CDBG Micro-Enterprise Assistance Program application and to accept the grant funds of \$150,000 if awarded. Order passed - Vote 7-0.

ACO FINES AND FEES

<u>INTRODUCTION</u>: Mrs. Barnes mentioned that based upon concerns regarding fee and fines related to dogs, the Finance Director reviewed the revenue generated from ACO fines and fees from 2010 through 2015. The Finance Director also read through Title 7, Part 9, Chapter 725, Subsection 3945, MRSA 1964, as Amended pertaining to the lawful disposition of license fee and court fines retained by municipalities. Chapter 725, Subsection 3945 must be in conjunction with Chapter 721 regarding the licensure of dogs and associated fees. It is the opinion of the Finance Director that the Town of Lisbon has not complied with Subsection 3945 since 2010. Since our records do not go back beyond 2010, no hypothesis about prior years is possible.

Mrs. Barnes reported the Finance Director found, between 2010 and the current fiscal year, that \$10,293.47 has been erroneously diverted from the Reserve Account G01-2029-00 to fund balance. She recommended this amount in error be returned to the reserve account.

VOTE (2016-59) Councilor Metivier, seconded by Councilor Albert moved to authorize the transfer of \$10,293.47 from unassigned fund balance to the ACO reserve account. Order passed - Vote 7-0.

ACO TRUCK PURCHASE

<u>INTRODUCTION</u>: Chief Brooks reported the Animal Control pick-up truck needs to be replaced. The truck was out of service for nearly three (3) weeks last month for repairs. The ACO used his personal pick-up truck during that time. Following that repair, the town mechanic advised us that he had other concerns regarding that truck and recommended trading it now. The town's revenue accounts were researched, present and past, and dog/fees and fines were reviewed to determine what amount was available in that account for animal control needs.

Chief Brooks indicated Sabattus is willing to contribute 28%, which figure is Sabattus' average of animal calls for service (CFS) for their town through the Lisbon ComCenter over the past five (5) years.

Chief Brooks said he met with the Finance Director and Mrs. Barnes to review the initial budget submissions for Police, Communications, and Animal Control. The discussion on the ACO budget led to the conversation about the need to replace the ACO truck. During this discussion, and with the understanding that Sabattus was on board with paying their fair share, the Police Chief was directed to contact various truck dealerships to inquire if they had any new or left over pick-up trucks on their lots that could fulfill our ACO needs. It was understood that this approach was not our formal bid process; however our need was immediate and Council would be advised.

The Police Chief communicated with seven (7) dealerships covering Ford, GM and Dodge and requested a quote(s) for a new, 2015 or 2016, basic work truck, ½ ton, 4X4, either V6 or V8 with Double door (GM), Supercab (Ford) and Quadcab (Dodge). All but one dealership responded almost immediately, with two sending representative(s) here to view the 2007 GMC Extended Cab truck with 140,000 miles that we are trading. He

remarked the lowest bids were the four Fords and with the municipal discount the lowest was \$21,500 for the F150 Supercab work truck with no bells or whistles.

Mrs. Barnes confirmed that with the \$10,293.47 transfer there would be sufficient funds available to purchase this new vehicle. She said Sabattus is willing to contribute a portion as well so when that money comes in it should go back into the ACO account.

VOTE (2016-60) Councilor Ward, seconded by Councilor Brunelle moved to proceed with purchasing the Ford F150 pickup truck for the lowest price available. Order passed - Vote 7-0.

OTHER BUSINESS

A. TOWN MANAGER'S REPORT

Mrs. Barnes announced Community Concepts letter detailing their new Shop Funds to assist low-income families with becoming homeowners. Community Concepts wanted to know if Lisbon would be supportive of the new program. Seeing no objections, Mrs. Barnes offered to send a letter back to Community Concepts letting them know that Lisbon supports the new Shop Funds program for potential or current homeowners.

[The following is a description of the program from their website: http://www.community-concepts.org/for-homebuyers/buy-a-home/: "For many people the thought of buying a home can become frustrating and overwhelming. In an effort to make the process a little less daunting as well as provide improved lending services to Androscoggin, Oxford and Franklin County residents, Community Concepts created the <u>HomeQuest Neighborworks Home Ownership Center</u>. Comprised of a team of lending professionals, credit counselors, and homebuyer educators, HomeQuest is dedicated to assisting potential and current homeowners. This endeavor enables Community Concepts to expand our offerings in the tri-county area and provide a one-stop shop for those seeking to become a successful homeowner. In the current national housing environment, we see the need to provide this unique one-stop shopping approach to local residents about the homeownership process. For those who are experiencing poor credit, counselors are available to help establish a budget, restructure debt and address credit issues."]

Mrs. Barnes told the Council the roofers were here working on the Town Office roof yesterday and today.

AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS

Larry Fillmore articulated his concerns about Mr. Van Tuinen missing another deadline date for getting out the revaluation letters yesterday. He urged the Council to stay attentive to this and pointed out Mr. Van Tuinen's contract was for four (4) years and we are going on 5 years. He said the Council needs to put a stop to this.

Mr. Fillmore asked if a retirement date for the two police officers retiring has been determined. Councilor Bickford said the paperwork has not been completed.

Steve Warren said the new walking trail has not been plowed, although it is clear right now. He reported the snowmobile club's grooming doesn't do much for walkers and bikers. An open trail during the winter increases the town's vitality and health of the community. Councilor Metivier pointed out plowing the trail would damage the trial. Councilor Bickford indicated the town is not supposed to put a truck on it. Councilor Albert said he agreed with Mr. Warren about the vitality of the community and pointed out the town is struggling to find funds for various priorities, and mentioned in the long run it would be better to keep this trail at its best as long as possible.

Dorothy Fitzgerald mentioned we are having a unusual winter with the snow melting and cold weather freezing the melted snow creating black ice. She explained while taking the dog for a walk she stepped onto the outside of the sidewalk onto the black ice and fell. Plowing the trail would cause these conditions.

Robert Kahler cautioned the Council against hypothetical budget conversations. He said the depths of these proposed cuts were not just paper and pencils, and that saying let's cut another 2% does not cover in depth what is being cut.

On a positive note, he said, he was glad to see the working rules about residents speaking before the conversation happens is not being enforced and that Councilor Bickford was willing to let people ask questions. He said he hopes that continues.

APPOINTMENTS - NONE

COUNCIL COMMUNICATIONS

Councilor Kolbe said the Moxie Committee needs volunteers quickly. She reported there were only eight (8) people running it and they would gladly take more volunteers.

EXECUTIVE SESSION

VOTE (2016-61 & 62) Councilor Metivier, seconded by Councilor Albert moved to go into Executive Session per 1 MRSA Section 405 (6) (E) Consultations with legal counsel and 405 (6) (D) Union Negotiations. Order passed - Vote 7-0.

The Council Secretary was dismissed. The Council returned to regular session at 8:50 PM.

ADJOURNMENT

VOTE (2016-63) Councilor Kolbe, seconded by Councilor Bickford moved to adjourn at 9:50 p.m. Order passed - Vote 7-0.

Twila D. Lycette, Council Secretary Town Clerk, Lifetime CCM/MMC Date Approved 03-15-2016