



## **TOWN COUNCIL MEETING MINUTES FEBRUARY 17, 2015**

Gregg Garrison, At Large 2015  
Mark Lunt, District 1 2015  
Dillon Pesce, District 2 2015  
Christopher Brunelle, At Large 2016  
Eric Metivier, District 1 2016  
Roger Bickford, District 2, 2016  
Dale Crafts, At Large 2017

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

**ROLL CALL.** Members present were Councilors Lunt, Bickford, Pesce, Garrison, Brunelle, and Metivier. Councilor Crafts was excused. Also present were Diane Barnes, Town Manager; Ryan Leighton, Public Works Director/Town Engineer; and approximately 45 citizens in the audience.

### **GOOD NEWS & RECOGNITION**

#### **LISBON CHEERLEADING TEAM PROCLAMATION**

**VOTE (2015-50)** Councilor Bickford, seconded by Councilor Lunt moved to adopt the following proclamation:

WHEREAS, The Lisbon High School Cheering Team have made the Community proud as they finish fourth with 117.8 points while competing for the Western Maine Class C Championship, and

WHEREAS, The Lisbon High School Cheering Team went to the State Championship with the goals of having fun and beating their previous score in the Western Maine Class C Championship, and

WHEREAS, The Lisbon High School Cheering Team prevailed over their rivals Dirigo, Monmouth, and Madison from the Western Maine Class C Championship scoring 119.3 points at the State Championship.

WHEREAS, The Lisbon High School Cheering Team claimed its first ever state title with their performance at the State Championship becoming the first Western Maine team to hold the state title since 2009, and

NOW, THEREFORE, we, the Town Council of the Town of Lisbon wish to congratulate and thank the Lisbon High School Cheering Team for their fine representation of the Town of Lisbon while winning the Class C State Championship Title on February 7, 2015.

**Order passed - Vote 6-0.**

Councilor Pesce thanked the 15-team members for attending and congratulated each of them. Coach Nicole Adams received the proclamation upon behalf of the team.

### **PUBLIC HEARING**

#### **A. 2015-2016 CAPITAL IMPROVEMENT PLAN**

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

## AUDIENCE PARTICIPATION & RESPONSE FOR AGENDA ITEMS

Dorothy Fitzgerald congratulated the cheering team. She said she has attended a lot of games and that they do a great job of cheering our teams on. Regarding foreclosures and tax-acquired properties, we need to do something to help our taxpayers. She said this cannot go on. The Council is predicting to increase our capital reserves every year, but I don't know how you are going to do that without reducing the budget or closing the Transfer Station another day or the Library a day. She suggested the Police Department use forfeiture money to purchase the \$1,200 imaging document reader or other projects they are asking for this year to save a little bit of money.

Councilor Pesce said the foreclosures we are dealing with are from early 2000. The process was not followed correctly and our new Town Manager discovered this along with a page of other issues we are dealing with. He indicated this issue was not an issue we were dealing with from last year; this issue we are correcting from 2000.

## CONSENT AGENDA

**VOTE (2015-45)** Councilor Bickford, seconded by Councilor Metivier moved to approve the minutes of February 3, 2015. **Order passed - Vote 6-0.**

## COUNCIL ORDERS, ORDINANCES, & RESOLUTIONS

### TAX ACQUIRED PROPERTY

The town foreclosed on several properties for non-payment of real estate taxes and sewer fees. The Council authorized a 30-day redemption timeframe for taxpayers to redeem their property by paying all taxes and fees owed. The 30-day redemption period expired on February 9. Mrs. Barnes indicated that several taxpayers committed to paying their taxes in full within the month. She asked for authorization to advertise and accept bids for these properties as recommended. She indicated that two more paid today and that some were waiting to get their income tax refund to pay it. She mentioned so far that we have collected \$94,350.96.

Mrs. Barnes pointed out that one list includes those who have not responded to the letter we sent out and have not contacted us in any way; some of these properties are vacant. She said Dennis Douglass prepared a packet for the Council to review, which contains information about each property. She recommended the Council act on those properties, which means to dispose of them. She said this means putting them up for sale and at the same time she would be sending them another letter stating that we could collect payment in full and quitclaim it back should they chose to do that prior to selling it, but we need to act on these. She mentioned the process would begin next week. That includes putting together packets for each property and setting a minimum bid; if somebody wants to look at the property they could not since we have not taken control of those properties. She reported the sale would be "as is sight unseen", but they can drive by. She reported we would not probably get any bids for a couple of trailers since they are in no condition to be lived in so the Council will have to determine what to do with them at some point, but they cannot be moved without the taxes being paid.

Councilor Pesce remarked that since February 9 we have had a lot of owners come forward to pay off their liens.

**VOTE (2015-46)** Councilor Bickford, seconded by Councilor Garrison moved to authorize the Town Manager to proceed to advertise the sale and accept sealed bids on tax acquired properties as recommended by the Town Manager. **Order passed – Vote 6-0.**

### POLICE DEPARTMENT STUDY

Don Gerrish, from Eaton Peabody Consulting Group, provided a list of firms with the expertise to conduct a Police Department personnel study as follows excluding policy and procedures:

Maine Chiefs of Police	\$6,000 plus expenses
Municipal Resources Inc.	\$7,000-\$10,000
The Tide View Group (\$70 hr)	\$5,500-\$6,500

Mrs. Barnes said the Tide View Group's proposal includes the following scope of services at \$70 an hour:

- Review current staffing allocations and deployment practices
- Review current minimum staffing goals and or requirements
- Review current scheduling practices
- Review goals and objectives of LPD Command Staff related to staffing & meeting community expectations for levels of service
- Review current and projected population distribution and demographics
- Review the overall reactive workload handled by the police department personnel
- Review calls for service for past 2 years, including calls for service by hour, day, and month
- Review the nature of the calls for service for past 2 years
- Review overtime hours worked by patrol personnel during past 2 years
- Review employee use of "earned time" to include vacation, holiday, sick time for past 2 years
- Review "other" work time to include court appearances, on-duty injuries, light duty assignments, etc.
- Review other relevant factors identified by consultant and/or the Town Manger and LPD personnel
- Provide an oral and written "Report of Findings" to the Town Manager

Mrs. Barnes indicated that Municipal Resources submitted a proposal for similar services for a flat rate of \$8,500.

Mrs. Barnes reported the Tide View Group did not feel this work would exceed \$6,000. She recommended The Tide View Group for an amount not to exceed \$6,000 to be paid by contingency funds.

Councilor Pesce explained that this project began last year to see if we had departments that were over or under staffed. The proposal went out to Eaton and Peabody who reported the municipal offices were appropriately staffed and that they did not have the expertise to do a study for the Police Department personnel. These bids were obtained as part of a previous personnel study the Council began.

Councilor Lunt said this is something we should proceed with for \$6,000 since we could potentially save more than that going forward and it would be good to know what we actually have, don't have, and where we could save money. He said this is an example of "you have to spend money to save money, unfortunately."

**VOTE (2015-47)** Councilor Metivier, seconded by Councilor Lunt moved to award the Police Department study to The Tide View Group for an amount not to exceed \$6,000 to be paid with contingency funds.

**Order passed – Vote 6-0.**

### SNOW PLOW OPERATIONS AND MAILBOX DAMAGE

Mrs. Barnes reported that some mailboxes have been damaged during this winter season. Typically, in any winter season some mailboxes get damaged. She said Mr. Saucier is here to discuss his complaint.

Dana Saucier explained that he and his wife have lived on Mill Street for the past 40 years. In the past when he lost a mailbox he would go to Public Works and they would put it back up once or twice a season. However, since the School went in right across from his driveway the plow trucks tend to widen the road at that point an additional 4' at least putting them on his front lawn. He said it's been 5-years since he had lost a mailbox. This year he lost two within 2 days. He said he went to Public Works who informed him that they no longer replace them. He spoke with Mr. Leighton who confirmed that they no longer replace them. He said he came to the Town Hall four times to resolve this, spoke eventually with the Town Manager, then he and Mr. Leighton went over this at his house and he was told this was at the owner's risk. He said he spent \$40.44 for two mailboxes not including his 3 hours of labor, it was installed according to the guidelines and

approved by the post office, and although the new school created a problem he should not have to change his property, and requested the Council reimburse him. He said I think something should be done about this. He asked for a little bit of consideration for him and all the other residents in town who have lost mailboxes; this is a lot of money, but someone should be held liable for damages.

Councilor Bickford said for years and year we have replaced mailboxes. Mr. Saucier is not the only one complaining, he has had other complain as well. He said we ought to go back to the way it was, which is the only fair thing to do. He said if we had put a note in the newspaper to inform residents that we are not going to do this anymore, then maybe we wouldn't, but we never did that. Should we decide not to do this next year, we should put it in the newspaper, and tell residents that we are not going to replace them.

Councilor Metivier said he agreed with Councilor Bickford. Councilor Pesce said he was concerned that Mr. Saucier had lost two mailboxes back to back and indicated he completely understood. He said accidents do happen, but he encouraged staff to assess situations like this and take care of them right away. He said we need to take care of our citizens and we should try to avoid these mailboxes in the right away when necessary.

Mr. Leighton indicated that mailboxes used to cost about \$1,000 a year. Councilor Lunt said that is a reasonable figure to incur to keep our citizens happy so they don't feel stepped on.

**VOTE (2015-48)** Councilor Bickford, seconded by Councilor Metivier moved to reimburse Dana Saucier for his mailboxes.

Councilor Pesce suggested an amendment to direct the staff to address these situations going forward so they do not have to come to the Council. Councilor Bickford said he would offer an amendment for this year and then if the Council decides to do something else next year we will advertise so residents will know. Councilor Lunt suggested Councilor Metivier second that since he seconded the main motion. Councilor Metivier said he would like to go back to the way it was. Councilor Bickford said he was in favor of that.

**VOTE (2015-48 Amendment #1)** Councilor Bickford, seconded by Councilor Metivier moved to direct the staff to address these situations the way they used to going forward and to advertise should the Council decide to do anything different next year. **Amendment passed – Vote 6-0.**

**Order passed as amended – Vote 6-0.**

## CAPITAL IMPROVEMENT PLAN

Mrs. Barnes indicated the Council per charter needs to adopt a Capital Improvement Plan by March 1, which is why this is on the agenda for this meeting. There were no comments from the Planning Board.

**VOTE (2015-49)** Councilor Bickford, seconded by Councilor Garrison moved to adopt the Resolution adopting the Capital Improvement Program for Fiscal Year 2015-2016 as follows:

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LISBON AS FOLLOWS:

That the Capital Improvement Budget for the Town of Lisbon for the fiscal year commencing on July 1, 2015 and ending on June 30, 2016, be and hereby is adopted as presented and attached to this Resolution as Exhibit A.

**Order passed – Vote 6-0.**

## OTHER BUSINESS

### A. DISCUSSION ON BIKE COMMITTEE

Mrs. Barnes reported that this Richard Nadeau had requested the Council form a bike committee so he could make known his ideas regarding the bike paths and bike routes around town. He wanted the Council to look at

establishing a bike committee. She recommended this fall under the umbrella of the Conservation Commission and that a sub-committee be formed to address bike concerns. They need more people to volunteer and she recommended Mr. Nadeau be appointed to that committee. He has filed an application.

## B. FINANCIAL REPORT

Mrs. Barnes said the financials are not complete as of January because the bank statement has not been done for December. There are some journal entries, which need to be made. She indicated that she wanted to give the Council more details than what was presented tonight, but there were some corrections to make to some accounts and some journal entries to be made first. In the future it should be a more comprehensive report that shows all the line items as adopted so you can see each line item and not just a summary for each department. She said there was nothing out of place on the expense report. At this point, we should be at 58% expended. Some may be more because we have to pay certain things at a certain time of year, but those lines should average out at the end of the year.

Mrs. Barnes explained that the expense account shows abatements totaling \$174,877.94, but if you look at the revenue report under supplements you will see a supplemental tax of \$174,877.94, which offsets that abatement. She said what happened was that the taxes were committed to a business that went through a name change that the Assessor was not aware of, but they wanted the town to commit the taxes in their correct name. That meant we had to issue the abatement in order to put it under the right name so it is a wash.

Mrs. Barnes reported the revenue sharing line, that shows 47.4%, is the revenue sharing we get through an electronic deposit that requires a journal entry. She mentioned she would check with Mrs. Maloy to see if that had been done, but she didn't think it had. Even though it shows 47.4% collected, it could be higher than that.

Councilor Pesce said in regards to Winter Public Works, this sheet indicates we are about 57% expended through the month of January. Is that where we are at, he asked. Mrs. Barnes indicated that we are more than that now; where we do bi-weekly payroll now it takes longer for that to show up on the reports. A week ago, not including the last storm, we were at 85% so we should be over now. She said Lisbon did qualify for FEMA assistance for the first snowstorm around January 26 to 28. This could mean that Lisbon could get federal and state dollars to reimburse us, which could be about \$26,000.

## C. TOWN MANAGER'S REPORT

### PUBLIC WORKS ADDITION

Mrs. Barnes indicated that she and Mr. Leighton met with Superintendent Green to talk about the Public Works building addition. They were interested in joining us. She said they made it very clear to them that if they were to go down this road that we would have to go to referendum in order to make that addition larger. Our current staff cannot take on the workload of those busses so they would have to hire their own mechanic. If there were down time, that person could take on some of our work, and we could do some cost sharing. She asked the Council what they would like to do knowing that making this addition larger means going out to a referendum vote since it would then be over the threshold. She said she was not sure they were going to be able to hire a mechanic, although there would be some savings somewhere else in the long run, she didn't know what that savings would be.

Councilor Bickford said we know what typically happens when the town votes on a referendum for Public Works. He said his own personal opinion is that we might as well finish the garage. He would like to see a bigger garage, but if voters have to vote on it they will say no.

Councilor Lunt said he agreed with Councilor Bickford and recommended that we proceed with our original plan. Joining in with the School Department seems to complicate the process too much. If this delays the project another year the cost of construction could go up and if this gets shot down then the money we had will not be enough to accomplish what we originally planned because of inflation.

Councilor Pesce asked if Superintendent Green indicated when he would have a definite plan or proposal. Mrs. Barnes said he did not. At this point, Mr. Leighton was going to get Superintendent Green the figures on what it would cost to add the extra space onto the addition. She said even if that referendum passed in June this would still take a few months to complete so there would not be any savings up front.

Councilor Pesce said this would be a difficult time for the School Department to add something like this to their plate when they are fighting with their budgets right now. He indicated that he would like to see what the Superintendent is thinking first before moving forward. He said he didn't think this would work, but that he wanted to make sure he had all the information first before making that decision.

Councilor Lunt said we could wait until the next meeting to see if they can come up with more specifics. Mrs. Barnes said the School Committee has a budget workshop scheduled for Monday and that Mr. Green planned to bring it up then. Councilor Pesce asked Mrs. Barnes to let Superintendent Green know that the Council would like to act on this soon.

### **DIRECTOR OF PARKS - RETIRES**

Mrs. Barnes reported that Verla Brooks Ridley, the Director of Parks submitted her resignation today effective April 1. She said she was looking forward to it with a grandchild on the way. She has been with us 31 ½ years and will be hard to replace; we wish her well. She has offered to help us through the transition. She indicated that Mrs. Ridley would like to stay in the cabin for a couple of months in exchange for helping us with transitional work. She would be able to watch over the place, collect gate fees, in exchange for staying rent free for a couple of months if that's acceptable since she would not be on the payroll beyond the April 1 deadline.

### **UPCOMING BUDGET CHANGES**

Mrs. Barnes said she would be making a lot of changes to the upcoming budget. We are budgeting things that we did not budget before that have been running through expense lines, along with the revenues. She reported that this is not how it should be done; we need to budget the expense and put the offsetting revenue on the revenue page so you can see the true cost of running these departments. This is a challenge and will include all the benefits for each department. All the lease purchases for each department will go into one section called long-term debt. She reported moving a lot of these things around and not having the Finance Director to help means that most of the work will be done by her and Mrs. Durisko. She mentioned that she didn't think this would get done in time to present the budget to the Council on March 3. She requested extra time to make sure this is done right. She recommended it be presented on March 17. She suggested the first budget workshop begin March 24, with other workshops through April.

Councilor Pesce said the School Department could still present theirs on March 3. Mrs. Barnes said they need to because Mr. Green will be away later on. She mentioned that Mrs. Durisko is learning how to do payroll as well, which has taken time away from this project so the extra time is needed to do this and the other stuff as well. She pointed out that budgeting these expenses will make a couple of departments look as if they are doing more, but they really are not because you will see the offsetting revenues on the other side; the net will be zero. She explained that she was charged with reducing the budget by \$300,000; however those areas will be identified because they affect that total.

### **AUDIENCE PARTICIPATION & RESPONSE NEW ITEMS**

Dennis Campana from Grandview Street said he did not hear the Council include a not to exceed clause in the contract approved with the Tide View Group mentioned earlier. He said this should be written into contract, because what he heard was if it's \$6,500 we have to pay it. He asked when this would take place.

Dennis Campana asked about budget reductions. He pointed out that one budget is \$1.4 million. For a town this size that's a lot of money. The Lisbon Ledger reported in 60 days 48 summons and 15 had nothing to do with Lisbon. He asked what that cost in payroll for those 11 officers who wrote those summonses. He said he thought we were paying way too much and that we need to get in line with what need or do not need to have. It appears over the years little by little this budget had gotten bigger. He said this budget went up \$78,000 last year and the Council is talking about a \$20 mailbox. He said he did not understand the Council's priorities; first you should attack your biggest expense. He concluded that Lisbon did not need a professional outfit to come in for \$6,000 to tell us that we are spending too much. He said he hears all over the place that our taxes are just too high for this area; taxes here are higher than the City of Auburn's.

Dean Willey from Oak Street asked about the revenue summary report. He wanted to know if the line with \$19,500 (Recreation) left to collect would go over in the Public Services budget. Mrs. Barnes said we are still collecting revenue on some of those programs like the fitness center; we have collected 86% of what we estimated to date. She explained this is an area we will be making adjustments as we move forward. She indicated that this line is expected to go over as well. Councilor Pesce said these programs increased this year. He said Mr. Stevens reports he is seeing numbers he has never seen before for enrollment.

Louise Pomelow from the Bowdoinham Road said she had a few questions. She said back in 2012 she made a payment arrangement with the tax office that she followed. She also said they agreed she could pay \$600 towards that payment arrangement because she was not able to pay her taxes in full. She said she ended up paying \$2,000 in total, which made her 2012 taxes four months late. She said she was told they released the lien but someone here didn't file it. She said she then received a letter indicating that she didn't stick to her payment arrangement, which she felt she had since she was told she could pay that all at once when her income tax came in, but in December 2014 she received another letter that said if she didn't come in with \$1,700, because she had defaulted on her payment arrangement, the town was going to proceed with foreclosing on her property. At that point, she borrowed the \$1,700 she was told she needed to keep her property. She explained that a month later she received another letter that said if she didn't pay the 2014-2015 taxes by February 9 the town would continue with the foreclosure proceedings on her property. She said she didn't default on her payment arrangement, that she is single, raising a child without child support, and that she had planned to pay the bill with her income tax refund. She was told that the new people in office are not accepting payment arrangements anymore and that her arrangement with the prior staff could not be honored. She said she spoke with the Town Manager who told her the town owns her property and the full amount is due. She asked why some people can make payment arrangements and others cannot. She asked why the written payment arrangements are not being honored. We have a list of people who have not paid yet, but tonight I heard the Town Manager say that when their income tax comes in they will pay then. She explained that she thought she had an arrangement to do that when her income taxes came in and she was told she could not.

Councilor Pesce explained the practice at the Police Department. He indicated that officers on the street running radar will find someone who is wanted on a warrant out of another jurisdiction, but that doesn't mean that our officers are not going to act on them. He said we are lucky to have the active Police Department that we do have; they bring in more people than some of our surrounding communities. He said this does come with a cost. He said this study is one the Council wanted done because we do not have the expertise in house. The Council's previous survey from the public indicated that our citizen's priorities were Fire and Police protection. He asked Mr. Campana to email him his written information to review.

Councilor Pesce indicated that he didn't know exactly what had transpired between Ms. Pomelow and the Town Manager. He said our Town Manager is a very professional person and is following the correct procedures. We have spent a lot of time and money to correct what has been done in the past. He explained that the Council set the February 9 deadline and authorized the Town Manager to continue to take full payments after that date as long as they are full payments. He said those who have not contacted her and do not have bank checks are the ones the Council acted on tonight. He said the Council will continue proceedings if someone on that list has not come in with a full payment, but the Council will not dispose of anyone's property as long as it's paid in full before the town disposes of the property. He said this is not an easy situation to deal with, but the problem is that the town has the property right now, we are liable for it, and so we have to act.

## APPOINTMENTS

FINANCE COMMITTEE RESIGNATIONS (3) MEMBERS  
Fern Larochelle, Chris Rugullies, & Miriam Morgan-Alexander

**VOTE (2013-51)** Councilor Bickford, seconded by Councilor Metivier moved to accept the resignations from Fern Larochelle, Chris Rugullies, and Miriam Morgan-Alexander.

**Order passed - Vote 6-0.**

**CONSERVATION COMMISSION**

**VOTE (2015-51A)** Councilor Bickford, seconded by Councilor Metivier moved to appoint Richard Nadeau to the Conservation Commission. **Order passed - Vote 6-0.**

**COUNCIL COMMUNICATIONS**

Councilor Bickford said at the last meeting he mentioned the School's mattress sale at the gym. He said they actually made \$3,000 for the Music Department and if they had sold one more mattress they would have received a \$1,500 bonus.

Councilor Lunt thanked the personnel at Public Works for working so hard during the past few storms. He said the snow just won't let up, but thank you and keep up the good work.

**EXECUTIVE SESSION - NONE****ADJOURNMENT**

**VOTE (2015-52)** Councilor Bickford, seconded by Councilor Metivier moved to adjourn at 8:15 PM.  
**Order passed – Vote 6-0.**

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Twila D. Lycette, Council Secretary  
Town Clerk, Lifetime CCM/MMC  
Date Approved 03-03-2015