

Winthrop Town Council Meeting Minutes
Regular Town Meeting
Monday, December 6, 2004
Winthrop Town Office

- **The meeting was called to order at 7:02 PM by Chair Kevin Cookson.**
- **Roll Call**

Council Members Present: Kevin Cookson, Patrice Putman, David Rheaume, Jim Norris, Jayne Despres, Bill MacDonald, Linda Caprara

Others present: Cornell Knight (Town Manager), Council Elect Ken Buck, Attorney Lee Bragg, Jay Lindsay, Ray Giandrea, Roger Guerette, Chief Joe Young, CEO Beth Young, Linda Dyer, David Dyer, Bert Richardson, Gladys Richardson, Lisa Frost (Secretary)

- **Ordered that the Winthrop Town Council meet to consider the following items:**

- **Minutes of November 1, 2004**

MOTION by Patrice Putman, second by David Rheaume, to approve the minutes of November 1, 2004. Discussion: None. VOTE: 6-0-1. Jayne Despres abstained.

- **Item #156 Hold a public hearing on the Pinball license application for China Noodle.**

Chair Kevin Cookson opened the public hearing at 7:03PM. Chief Joe Young stated there have not been a lot of pinball businesses however; there is a statutory limitation on them. Councilor Patrice Putman asked how many pinball tables the license was for. Town Manager Cornell Knight stated they only paid for one. Chief Joe Young asked if the application was under China Noodle because the other part of China Noodle is for lease. Chief Young reviewed the application as presented under China Noodle. Chair Kevin Cookson closed the public hearing at 7:05PM

- **Item #157 Consider the pinball license for China Noodle, 410 Main Street**

MOTION by Jayne Despres, seconded by Patrice Putman, to approve the pinball license for China Noodle, 410 Main Street. Discussion: None. VOTE: 7-0.

- **Item #158 Hold a public hearing on pool hall**

Chair Kevin Cookson opened the public hearing at 7:07PM. Chair Cookson stated the application was for one table. There were no comments from the public. Councilor Jim Norris asked if the applicant understands it is for one table. Town Manager Cornell Knight stated he would let them know tomorrow. Councilor David Rheaume said the license application states "pool hall" but does not specify one or more tables. Chair Kevin Cookson closed the public hearing at 7:10PM

- **Item #159 Consider the Pool Hall License for China Noodle, 410 Main Street.**

MOTION By Patrice Putman, seconded by Jayne Despres, to accept the Pool Hall License for China Noodle, 410 Main Street with the understanding that it is for one table. Discussion: Councilor David Rheaume stated he was not for the condition because the application states Pool Hall, which does not specify the number of tables. VOTE: 5-2 (David Rheaume and Linda Caprara oppose.)

- **Item #160 Hold a public haring on the Liquor License renewal application for Alfred W. Maxwell Jr. American Legion Post #40.**

Chair Kevin Cookson opened the public hearing at 7:11PM. There were no comments. Chair Kevin Cookson closed the public hearing at 7:12PM.

- **Item #161 Consider the liquor license renewal application for the American Legion Post #40, 117 Bowdoin Street.**

MOTION by David Rheaume, seconded by Linda Caprara to approve the liquor license renewal application for the American Legion Post #40, 117 Bowdoin Street. Discussion: None. VOTE: 7-0.

❑ **Item #162 Hold a public hearing on the Victualer's license application for Ned's Restaurant 130 Main Street**

Chair Kevin Cookson opened the public hearing at 7:15PM. Town Manager Cornell Knight stated it was for the new owner. There were no comments from the public. Chair Kevin Cookson closed the public hearing at 7:16PM.

❑ **Item #163 Consider the Victualer's license for Ned's Restaurant.**

MOTION by Patrice Putman, seconded by Bill MacDonald to approve the Victualer's license for Ned's Restaurant. Discussion: None. VOTE: 7-0

❑ **Item #164 Discussion with the Code Enforcement Officer regarding violations of the Winthrop Zoning Ordinance at Donald Beaulieu's property 83 Brigs Shore Lane, Annabessacook Lake, Map 17, Lot3.**

CEO Beth Young stated the above violations have been ongoing for many years. The homeowner "likes to tinker" and brings in miscellaneous materials and likes to add to his home. The property was purchased in February 1986. The additions are in violation of Shoreland Zoning and Town Ordinance. In addition, neighbors are frustrated with the debris in the yard. Mr. Beaulieu has been contacted over time and the Codes Office had never received a response. Another letter was sent to Mr. Beaulieu regarding the Council meeting tonight. Ms. Young received an e-mail from Mr. Beaulieu today who stated he was anxious to resolve the longstanding problems. He stated anything the Town would like removed, he would remove. Ms. Young asked the Town Council to give Mr. Beaulieu the opportunity to voluntarily comply and she would give an update by the next Council Meeting.

Council Members agreed that the site must be cleaned up/additions removed and other requirements of the homeowner by the next Council Meeting or the Town Council will take the next step. Councilor Patrice Putman requested to see pictures of the property once it is cleaned up.

❑ **Item #165 Consider the Department of Transportation's proposals for safety improvements on Route 202 at the intersection of Highland Avenue and at the intersection of the Old Lewiston Road.**

Chief Joe Young had spoken with Gerry Audibert, Safety Management Coordinator with DOT regarding the proposals.

Chief Young reviewed the first proposal, which addresses a crosswalk at Highland Avenue and Route 202. Though the intersection has been of great controversy for Winthrop, Chief Young believes the proposal is the best possible solution other than a tunnel or overpass. Chief Young is willing to do a campaign about crosswalks. The anticipated project completion date is 2007.

Chief Young reviewed the second proposal, which addresses the intersection at Route 202/Annabessacook Road/Old Lewiston Road. Chief Young did not think the proposal addressed the accident problems at that intersection. The proposal separates traffic turning onto Old Lewiston Road only, but does not address the rear end accidents on Route 202 with vehicles turning onto Annabessacook Road. Chief Young stated a design similar to Highland Avenue and Route 202 is preferred as it has helped reduce traffic accidents at that location. Mr. Audibert felt Chief Young's argument had merit and they would go back to the drawing board.

Citizen Roger Guerette stated the intersection of Western Avenue/Main Street/High Street should be looked at because sidewalks will be installed in that area and children will be crossing the street.

❑ **Item #166 Consider Resolution #82 to promote health and wellness by establishing tobacco free zones.**

Town Manager Cornell Knight drafted Resolution #82 per the Town Council's request. Councilor David Rheaume asked if "all fields and parks" included Norcross Point. Town Manager Cornell Knight stated yes.

MOTION by Patrice Putman, seconded by Jim Norris, to accept Resolution #82 to promote health and wellness by establishing tobacco free zones. Discussion: Councilor Jim Norris stated he was glad the Council was taking a strong interest in this matter for it is clearly the interest of the vast majority of town. Councilor David Rheaume stated it was his impression it would not include Norcross Point. Councilor Jim Norris asked why Norcross Point should be exempt. Councilor Rheaume stated there is a lot of people who walk around Norcross point and want to have a cigarette and

most people don't smoke at the beach. He stated, "Smokers are discriminated enough as it is." VOTE: 5-2 (David Rheaume and Linda Caprara oppose.)

□ **Item #167 Update from Roger Guerette on the Trail Committee's work at Apple Farm Crossing II property.**

Roger Guerette stated trails have been cut, brush has been chipped, and fill has been brought in. There have been 197 man-hours so far. Jay Lindsay submitted an application for a grant from the Maine Department of Conservation Bureau of Parks and Lands. Mr. Lindsay thanked the Town Council and Town Manager Cornell Knight for their support of the trail and grant. Mr. Lindsay stated the Town should find out in February 2005 if it is being considered for final approval - final approval being in March/April 2005. Councilor Jim Norris thanked the committee for their tremendous amount of work and promised to volunteer.

□ **Item #168 Update on the \$190,000 Revolving Loan funds for school renovations.**

Town Manager Cornell Knight listed the changes the school has proposed (from the original list given in June). The changes are due to an increased cost in roof repairs to the grade school. The upgrade to the grade school parking lot, electrical upgrades, and storm drains were eliminated.

□ **Item #169 Consider the bids for the town's banking services.**

Town Manager Cornell Knight stated the Town received five bids. Mr. Knight thanked Scott Crockett and Ralph St. Pierre who helped review the bids. Key Bank had the lowest fees and has a branch in town. Therefore, Mr. Knight recommended switching from Fleet (Bank of America) to Key Bank.

MOTION by Jayne Despres, seconded by Jim Norris, to go with Key Bank as our banking provider. Discussion: None. VOTE: 7-0.

□ **Item #170 Consider authorizing the Town Manager to sign the Declaration of Covenant on the town's former landfill on the Annabessacook Road.**

Attorney Lee Bragg reviewed the past history of the former landfill on Annabessacook Road and the Declaration of Covenant.

MOTION by David Rheaume, seconded by Linda Caprara to authorize the Town Manager to sign the Declaration of Covenant on the town's former landfill on Annabessacook Road. Discussion: Councilor Patrice Putman asked if the Covenant had something to do with the 20th anniversary. Mr. Bragg stated it was only a coincidence. EPA has been pushing for some time. VOTE: 7-0.

□ **Item #171 Hold a public hearing on the maximum levels of assistance amendment to the Town's General Assistance Ordinance.**

Chair Kevin Cookson opened the public hearing at 8:07PM. The biggest change is in the 3 bedroom housing area. Councilor Jayne Despres asked where the numbers come from. Town Manager Cornell Knight stated MMA sends the numbers and they use HUD cost analysis to arrive at levels of assistance throughout the state. The numbers are for Kennebec County. Chair Kevin Cookson closed the public hearing at 8:09PM.

□ **Item #172 Consider the first reading on amendments to the maximum levels of assistance in the General assistance Ordinance.**

MOTION by David Rheaume, seconded by Linda Caprara to approve the first reading on amendments to the maximum levels of assistance in the General Assistance Ordinance. Discussion: None. VOTE: 7-0.

MOTION by David Rheaume, seconded by Linda Caprara, to waive the second reading. Discussion: None. VOTE: 7-0.

□ **Item #173 Consider establishing a Conservation Commission to oversee the Mr. Pisgah Conservation area.**

MOTION by Linda Caprara, seconded by David Rheaume to establish a Conservation Commission to oversee the Mt. Pisgah Conservation area. VOTE: 7-0.

□ **Item #174 Consider the appointment of George Barr as an alternate plumbing inspector.**

Town Manager Cornell Knight stated Cliff Buuck couldn't assist the town as an alternate plumbing inspector. George Barr would be used when CEO Beth Young or Bill Monagle of Cobbossee Watershed are unavailable.

MOTION by Jayne Despres, seconded by Linda Caprara to appoint George Barr as an alternate plumbing inspector. Discussion: None. VOTE: 7-0

□ **Item #175 Consider the KV Humane Society contract renewal.**

MOTION by David Rheume, seconded by Linda Caprara to renew the KV Humane Society contract. Discussion: None. VOTE: 7-0.

□ **Item #176 Consider bids on pressure treated poles.**

MOTION by David Rheume, seconded by Bill MacDonald, to accept the bid of \$82 from Ed Munson for pressure treated poles. VOTE: 7-0.

□ **Manager's Report**

- Winthrop's welcome sign is completed and will be installed this week. It is a digital photograph costing \$675 vs. \$2800 replacement cost for the original sign.
- Mr. Knight is going to a workshop on Wednesday at KVCOG on Funds for Efficient Delivery of Local & Regional Services. Ideas or comments on regional services are welcome.
- Chair Kevin Cookson has a new microphone (costing \$275) that is able to pick up better sound than the other microphones at the Council table. Mr. Knight requested the Council purchase two additional microphones. The Council agreed.
- *MOTION by Patrice Putman, seconded by Jayne Despres, to accept the donation to the ambulance service in the amount of \$347.81. Discussion: None. VOTE: 7-0.*
- The Transfer Station will be closed on Thursday (regular schedule), open until 12PM on Friday (Christmas Eve), and closed on Saturday for Christmas. It will be open until 12PM on Friday (New Year's Eve) and closed on Saturday for New Year's Day.
- The Town Office will be closed Christmas Eve day.
- Assessor, Jan Healy's last day is December 17, 2004. Mr. Knight received five applications from the advertisement for the Assessors position but was looking for experience in revaluations. Therefore, Mr. Knight will bring in another proposal to cover the vacancy in the meantime. Jan is willing to work part time in the spring and summer. In addition, Maura is a CMA.
- There will be a meeting January 10, 2005, to review school finances – the audit, school lunch program, transportation and the merger of the two offices.

□ **Other Business**

- Chair Kevin Cookson stated he appreciated Jim Norris' six years of dedication to the Town Council. Mr. Cookson thanked the Town Council, Town Manager Cornell Knight and Attorney Lee Bragg for another successful year. Mr. Cookson welcomed Ken Buck to the Council next month.
- Councilor Jim Norris stated this has been experience that he will never forget. He stated a lot of great things happen in town and he is real proud to be a part of that. Mr. Norris stated Town Manager Cornell Knight has done a great job, as well as, all town employees.

□ **Adjourn**

MOTION by Jim Norris, seconded by Bill MacDonald, to adjourn at 8:25PM. Discussion: None. VOTE: 7-0.

Submitted by Lisa Frost, Secretary to the Town Council.