

Winthrop Town Council  
Regular Meeting  
Monday, February 3, 2014 at 7 p.m.  
Town Office

Regular Meeting Called to Order at 7:00 p.m.

Roll Call - Chairman Kevin Cookson, Councilors, Sara Fuller, Linda Caprara, Ken Buck Sr., Larry Fitzgerald, Don Ellis Jr., Richard Henry. Town Attorney Lee Bragg, (arrived late), Town Manager Jeff Woolston, Recording Secretary Joyce Tillson were in attendance.

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

**Approve the January 13 and 20, 2013 Meeting Minutes**

**Motion Made:** Fuller

**Seconded:** Caprara

With a correction to December minutes changing Fitzgerald from Absent to not in attendance at time of vote. Remove from item 8 that Marjorie Knight has taken the position; deleting and started today.

**Vote: All in Favor (7-0)**

**Item #10 – Municipal Audit Presentation**

*PRESENTATION*

Bill from RHR Smith and Company; presented FY13 Town Audit.

Pages 1 & 2 are where the opinion is given: RHR's opinion for FY13 all is good overall.

Pages 3 & 4 MDMA – Management discussion analysis.

Page 15 Statement C, balance sheet for all governmental funds.

Fund balance \$997,000, (negative \$500,000 loaned to the school) should be 2.6 million fund balance.

The school is draining the town's coffers.

Page 47 is a budget actual to comparison; revenues \$265,000 above budget, Winthrop doing a wise job using revenues to offset property tax. \$189,000 expenditures in budgeting, doing well with that.

General government over spent by \$58,000, public safety by \$41,000, education saved \$185,000 on budget however must remember that line is skewed, doesn't take into account the loss they had in prior years. Ambulance fees under budgeted by \$107,000 also PERC and others by \$79,000.

Councilors would like to see some of the over expenses, Bill will be sending via email more detailed numbers. Food Service is a concern. Would like to see food service employees and Town Councilors deal with these concerns. Linda Caprara mentioned the meeting with school concerning budget helped to understand better. Single audit done on some programs. Still have changes to do; restricted fund balance and the two expenditures in the back to insure they are classified okay. Will send Jeff an email on them and Jeff will send to the Councilors.

**Item #11 – Consider Inter-Local Agreement for Management of the Maranacook Lake Outlet Dam**

**Motion Made:** Fuller

**Seconded:** Fitzgerald

Discussion: Minor changes from last agreement. Sign original copies.

**Vote: All in Favor (7-0)**

**Item #12 Tax Acquired Property Discussion – 2011 Liens**

## DISCUSSION

Jeff Woolston's remarks on Tax Acquired Property follow. Tax acquired property is based on the 2011 property tax liens not discharged prior to 2/2/14. The list has 61 accounts going through the automatic foreclosure process. He is working with the property owners on getting their accounts up-to-date. There is another year before the councilors will have to make a discussion whether to seize a particular property and sell it for the back taxes. Jeff be sending out informal letter to folks on how the process works as Jeff has heard they do not understand the process. It will put it in English terms rather than legal. Chairman Cookson asked if banks were paying; Jeff doesn't have a final total. Banks have settled the accounts with the town on the ones that were not being escrow. A citizen asked if \$60,000 was higher or normal. Councilor Caprara stated she has never seen it this high before. Jeff stated foreclosure notices were sent out according to state law.

### **Item #13 – ASCAP License Discussion**

Councilor Fuller explained that Jeff received letter from ASCAP asking the town to acquire a license to have music live or taped. Sara asked that he inquire other towns- some towns ignored and others have paid for and acquired license. It is blanket coverage and will cover all events on city property. Fitzgerald not opposed – should be performer's issue. ASCAP says who provides venue is required to obtain such license. Elizabeth McKinney spoke about the concerts and also a tee shirt fundraiser to raise funds for this coverage. Sara commended Elizabeth on an amazing job she does. Elizabeth asked permission to have concert series this summer concert series. Chairman Cookson asked for a motion for both the ASCAP license and summer concert series.

**Motion Made:** Fuller; to acquire ASCAP license for \$327 to \$337

**Seconded:** Fitzgerald

**Vote: All in Favor (7-0)**

**Motion Made:** Fuller; to approve request for Summer Concert Series at Norcross point

**Seconded:** Ellis

**Vote: All in Favor (7-0)**

### **Item #14 – Library Personnel Pay and Benefits management discussion**

Chairman Cookson gave background; back in 1916 the building was given to the town. In 2013 trustees and councilors met to re write the agreement. MMA determined that they thought the Library was part of the town. The library however is run by its trustees therefore MMA will no longer cover library on workers compensation insurance or cover the contents of the library because it does not belong to the town. The revised agreement states that the town takes care of building and grounds. The employees of the library are not employees of the town. The issue was brought before Lee Bragg and there are two options.

Option A – if the library continues to present to the council a line item budget and it is appropriated and paid out by the town Lee sees not issue. The trustees are aware they need to pay workers comp and must get insurance for contents.

Option B – if we treat library like we do the watershed (they pay a yearly fee) then the library would be responsible for their own book keeping and other cost. Is there any legal issues if we the town continue to handle the books and the short answer is no. Recommended that the library continue as they have in the past; submitting a budget to the council in the format as other departments do. Once the council can then pass the money to the library in lump sum or quarterly payments or as it has in the past by doling it out; maybe more judicially. It has been in the past to have the town control the library personnel accounting books, that way the town knows that area and the library does not have to hire a

book keeper...

Councilor Buck asked if more expensive for the town, it will be slightly and there is no option as MMA is no longer going to cover. Councilor Henry questioned; What is it the trustees would like to see; Option A is the preference.

**Motion Made:** Fitzgerald; Option A

**Seconded:** Henry

**Vote: Motion Carries (6-0)** (Chairman Cookson abstained as he is a trustee of the Library)

## **Other Business**

Councilor Fuller received a note from the recreation committee. They will present rink proposal next year as the season is getting close to an end for this year.

Fuller and Fitzgerald met with attended the municipal consolidation collaboration meeting a few weeks ago in Gardiner. Good discussions and presentations.

## **Managers Report**

Jeff asked the council to approve a request for several sets of ice creepers for the police and ambulance departments (fire department already has); total cost \$434. Fund this purchase out of the office safety reserve, currently the balance is \$5,768.

**Motion Made:** Fuller; to purchase and fund ice creepers as Town Manager requested

**Seconded:** Henry

**Vote: All in Favor (7-0)**

**Municipal Quit Claim Deed;** Debbie Burgess Property account. Money applied must go to oldest years first. The overlapping years of back taxes on this account was found that there was a mistake made when moving between NDS and TRIO financial management systems. This made the Burgess account look like it was more overdue than it really was. Need to do Quit Claim for 2009 to discharge.

**Motion Made:** Fuller; Ma p 1 Lot 012 000-001 as recorded in the Kennebec County Registry of Deeds; Book 10814 Page 0212 dated April 1, 1968; revised April 1, 2013

**Seconded:** Henry

**Vote: All in Favor (7-0)**

Call from the Commerce Center to see if town would acquire bond for senior housing. Lee Bragg spoke about towns borrow money on tax exempt basis. It would borrow money and pass it through to the requestors. At this time, it is unknown whether this type of project qualifies for the bonds. Doesn't mean the town couldn't borrow money and make it available for the project. The hurdle there would be the money would be used for a public purpose. The issues come down to whether the town could borrow money at taxable rates than the commerce center could on its own. Then there would be the issue of risk; council would most likely require collateral.

The 2009 police cruiser has 119,000 miles on it and needs to be replaced. Would like to buy an out of cycle 2013 left over to save money. Jeff proposing the Office Safety money that is left using \$4,000 as half the down payment and trade in of old cruiser to equip to pay for lighting/sirens, etc. There was about \$3000 left from roof job and Chief says he can find \$1000 in his budget. Finance starting with the 2014/15 budget as a lease over three years. Stand to save \$1,200 if buy now. This would have been part of the 2014/15 budget.

**Motion Made:** Fuller to purchase replacement cruiser with trade in funds to be used to install equipment.

**Seconded:** Ellis **Vote: All in Favor (7-0)**

Council has been signing special warrants; wasn't sure where the money was going to go and what the procedures were. Jeff recommends the council stop doing warrants because there has been enough time for the school to establish the accounts. The Treasurer, Jeff wanted the activity accounts in Kennebec Savings bank, in order to get statements and copies of all the checks with each statement.

**Motion Made: Henry**

**Seconded: Fitzgerald**

Discussion: Chairman Cookson added that this requires the principal and secretary to go to Kennebec Savings to sign up to be able to access account information rather than the credit union. Ellis asked about the cost after so many transactions with Kennebec Savings. Jeff explained that over \$3000 has been spent already and the auditors require a number of different types of copies. Citizen spoke that in the past a Credit Union was always better because they don't have to follow same laws as banks and that Jeff has the right to make that decision. The belief is it will cheaper to do business with Credit Union if you take into account what the Credit Union has done for the school and town. Jeff assured he talked to many people and places prior to making his decision to move to Kennebec Savings. It was said the treasurer needs to make the decision that makes the most sense to get the job done.

**Vote: Motion Carries (6-1) Ellis**

**Item #15 Consider going into executive session in accordance with 1 MRSA, Section 405.6.E – Consult with legal counsel regarding union negotiations.**

**Motion Made: Caprara; to enter executive session at 8:40**

**Seconded: Fuller**

**Vote: All in Favor (7-0)**

**Motion Made: Fuller; to exit executive session at 9:17**

**Seconded: Fitzgerald**

**Vote: All in Favor (7-0)**

**Motion Made: Fuller; to immediately adjourn at 9:17**

**Seconded: Fitzgerald**

**Vote: All in Favor (7-0)**