

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

Call to Order at 7:00 P.M.

Pledge of Allegiance

Roll Call: Chairman Kevin Cookson (Absent), Councilors, Sarah Fuller, Linda Caprara (Arrived 7:15), Ken Buck Sr., Larry Fitzgerald, Don Ellis Jr., Richard Henry, Town Manager Jeff Woolston, Lee Bragg, Carl Swanson, Joyce Tillson, Darlene Beaulieu  
Pledge of Allegiance

That the Winthrop Town Council meet to consider the following items:

**Approval of October 6, 2014 Council meeting minutes**

Motion: Fitzgerald

Second:

Discussion: item 78, bottom of should read commercially. #79 is Sue Neal. 78 – insert can not from can. Note: about Larry if produce

Vote: 5-0 (Caprara absent at time of vote)

**Item #84 – Receive Affordable Care Act Briefing Regarding Part-time personnel eligibility.**

Darlene Beaulieu invited Steve Gerlach to speak concerning parttime employees and affordable care act; may have some part – time employees that qualify. Steve explained worse case scenario could add \$150,000 to budget next year. Overview – employer mandate is what we are dealing with. There is a whole set of regulations to deal with. Large employer – has two pieces to it. The payer pay rules; get penalties if we do not comply. The first penalties; \$2,000 is triggered if employer fails to offer health benefits to at least 95% of the full time (30 hours or more). Would be assessed a penalty of \$2,000 per fulltime employee per year. Is this all employees or total employees \$3,000 applies to only the affected employees. The \$3,000 if town offers coverage and is not adequate; meaning not affordable or doesn't hit minimum value, or if offer coverage to 96%, then the \$3,000 would be penalty. How to tell if someone is full time; IRS says; month to month or look back period. Month to month is the way. Darlene has set up a look back period; over prior 12 months and identified 8 employees who are probably covered by the affordable care act; they are considered part – time by the town. This does affect dependant coverage. If town offers coverage they have to offer it to the dependents and must be offered at the union employees coverage. What is the best case scenario? They probably won't all take the coverage. Can look at a lower cost plan offered by MMA, has to be a clause in order to offer. There was question as to the Senate changing full time from 30 to 40, as today has not been voted in. Council asked if the count of 8 is clearly over or can we get them out of this category, due to the look back can not do so now. Going forward it is do able and worth a look. The affordability question says only applies to self only coverage that is affordable. The employees portion can not exceed 9.5% of the household income which is not

something the town has knowledge of. The IRS issued safe harbors and the best for the town would be the rate of pay safe harbor; The lowest hourly employee; the employee would be responsible for 106 and the town 796. 8000????? this years rates next year is PPO plan and going up 9%. PPO 500 cost for employee is 665.01 and in January will be 724.06. Only one of towns employees are at this lower rate. Different employees have different rates. Open enrollement is November 15 to December 15 and must go forward. The affordable care act looks at change through mid year and should be calculated as such. An employee one year is eligibile and the following year may not be. The majority of the Ambulance staff are part time that have a full time job elsewhere. There are a handful of employees that are truly part time. Would be hard to start limiting hours at the Ambulance due to 12 hour shifts. The turn over level is astounding, especially at the entry level. Questions wether employees with start looking at their exisiting plan vs the towns and swap who they go with. Council wants to know how soon do we have to look at this. Darlene explained again the open enrollement is November to December and how should she offer plan to employees as she needs signature if they decline. Also how does she calculate hourly? The \$8 or the \$11 – using the lowest would be \$146 employee contribution. Steve suggest we take a good look at list and who does have insurance elsewhere and who the town must offer to. The IRS has a ruling on volunteer firefighters; bonefide aid firefighters are not part of this equation. A volunteer can be paid a stipend; they would become an employee for this purpose if paid hourly wage. Question- wether on call employees are part of this calculation. The IRS has a ruling on this cagegory that these hours do not count. Afforadable heath care will more than likely be coming out of the undesignated fund. Would it be more benifical to pay the penalty? It would be very costly. The town and school are being treated as two seperate entities? Jeff explained if we are seperate then this isn't an issue as the town would be under 50 employees. For certain ACA rules, permitted to act separely. To determine which plans the town and school counted as a whole when offering coverage would be seperate. Act separtely as in the town is on a calender year and the school on a fiscal, can keep it that way as that is what works best for the school. Example of another act separtly is the school has 10 months for their payroll vs. the town has 12 months. John asked if we are going to set policy for employee hours going forward? This will need to be taken up at the next meeting. Council asked Jeff if there is any insite for the budget? This could get booted tomorrow for example, if so; no need to deal with it. Iif not then will have to take this up.

Motion: None required.

Second:

Discussion:

Vote:

### **Item #85 – Consider IT Maintenance Bid**

Included in packet. Council asked if schools IT people could do some of this work. Jeff explained that the town had been saving money for what Joe Young had been doing; but with the complexity of technology at a point the town needs professionally trained IT folks in the background. Council suggested if school has part time maybe we could share and add hours or perhaps another town that can share with. In the future we should work with other towns to share services; current issue is need someone now. Council asked if proposal is someone we work with currently, it is and this contract is for 25 hour block of time - to do work as needed. Council asked if we could look at how many hours we use and if there would or could be a

discount if we use more hours. This company can remote in and fix from their office by logging into town computer. A review of the towns technology needs is long over due. This 25 hour block should last maybe 6 months; long enough to consider for next year. This contract is 25 hours prepaid. Suggest overall townwide hardware plan.

Motion: Fitzgerald to accept proposal as proposed.

Second: Henry

Discussion:

Vote: 6-0

#### **Item #86 - Consider MRC Candidates**

Jeff has nothing to add on the candidates as presented and the Council has to pick one. Will expire December 2017. Council asked Jeff for recommendations? Caprara nominated Ken Fletcher. Very active and knowledgeable. Currently take solid waste to Orrington as needed. We have contracted with PERC contract goes until 2017. Right now the MRC is not negotiating effectively if at all with that facility. Need to find a landfill somewhere by 2018 to meet the needs of the Town of Winthrop for disposal of municipal solid waste. MRC permit request for an MRC owned landfill has been denied by DEP. Rates are due to go up as PERC rates are being under written by Bangor Hydro this will cause our price to be forced upward.

Motion: Caprara to nominate Ken Fletcher

Second: Buck

Discussion:

Vote: 6-0

#### **Item #87 – Consider Quite Claim Deeds**

Motion: Caprara to except Map 6 Lot 51

Second: Buck

Discussion: None

Vote: 6-0

#### **Other business:**

Photo's for Winthrop Historical Society, emails have been sent there are no legal issues. Remaining question is protecting the copywriting. Council is comfortable with this, there is a \$10,000 threshold need to be aware of. While on web site a note be on them and the back stamped with a clause owned by town and used for non commercial purposes. Council asked Society to come back with a copy write statement. Something in reference to: Property of Town of Winthrop, not to be used for commercial purposes. Council supports this project. Announced the calendars are out; can be purchased around town, dedicated to Marion Healey.

#### **Item #88 – Consider equipment request from EMS**

John explained to cope with the newest bio hazard/threat ebola the guidance is to use hazard suits. The expense is for the tiechem suits. Will be over the course of next few months due to shortage in supply of suits at the current time. Will be 2 or 3,000 dollars. Fitzgerald will drop some suits off tomorrow as he has a number of them at home. Council suggest to start ordering and get on list, come back with total when known.

#### **Managers Report**

The Winthrop Mills is now on the National Historical Register

**Item #89 – Executive session in accordance with 1 MRSA, Section 405.6.E -Consult with legal Counsel regarding union negotiations**

Motion: Henry at 8:37

Second: Caprara

Discussion:

Vote:6-0

**The council came out of exec. session and adjourned at 9:14pm.**