

Winthrop Town Council

Meeting Minutes

March 4, 2013

Attendance: Chairman Kevin Cookson: Priscilla Jenkins, Sarah Fuller, Larry Fitzgerald, Linda Caprara, Ken Buck Sr., Don Ellis (arriving at 7:10 p.m.), Jeffrey Woolston (Town Manager) and Julie Winberg (Secretary)

Guests: Senator Patrick Flood and Representative Craig Hickman

The meeting opened at 7:00 p.m.

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

Approve the February 4, 2013 Meeting Minutes

Motion by Fuller and seconded by Jenkins the meeting minutes for February 4, 2013 were approved with a vote of 6-0 with the following corrections noted:

Item #14 – Amy Lawson of the Western Kennebec Economic Development Alliance (WKEDA) also presented. WKEDA will work with the committee and applicants to manage the Micro-Enterprise Assistance grant program when it is approved. Winthrop is applying for \$150,000 for micro-grants or loans for LMI (low moderate income) run businesses.

Under other business:

– Chairman Cookson formed a committee with Councilor Fitzgerald as Chairman, along with Councilor Fuller, and Councilor Ellis to study what impact the loss of revenue sharing might have had on the FY 11-12 budget. Councilor Caprara was not replaced as a member of the finance committee.

Item #20 – Budget Committee Recommendations

The Chairman of the Budget Subcommittee, Councilor Fitzgerald, presented his draft budget committee results. This was a complete and thorough review of the 2012 budget with the goal of reducing spending, keeping the tax rate steady, efficiently manage resources while continuing to offer a community that is welcoming and supports its residents and still keeping the future in site. Ways to reduce last year's budget by 14% (\$650,000) had to be explored.

The subcommittee met several times and was able to recommend, a reduction of \$450,000. This was a difficult process that was done analytically while still remaining objective and unanimous.

The subcommittee abided by rules to recognize and define long term solutions keeping in mind two processes – the first having the main objective analyzing the critical functions and services while remaining fair to tax payers as well as municipal employees.

Questions arose concerning MMA and what the cost saving would be. It was determined that this same subject was thoroughly explored by the council previously and the decision then, as it remains now, was that MMA has proven to be cost effective and has provided the services the town has needed, at times, cheaper than other agencies.

In addition, a Cobbossee Watershed District representative requested further clarification as to the timeframe should the draft budget reductions be approved. Chairman Cookson requested that CWD meet with the town manager as soon as possible to review what the town expects the reduction will be. A firm reminder was sent that CWD has a tendency to present their budget to the town after the trustees have already passed it. This is something the town has frowned upon for years. The town submits their municipal budget to the Council in May with a public hearing in June. Therefore, the CWD budget needs to go before the council prior to those dates.

The subcommittee was congratulated for not only their hard work, but for the very impressive presentation.

Item #21 – Library Funding After the Addition

In November 1916, Charles M. Bailey entered into an agreement with the Town of Winthrop to give a building to be used for library and reading room purposes. The library was opened to the public on December 2, 1916.

Because an agreement in 1916 between the Library and the Town is still in effect which clearly outlines the responsibilities of the town and the library, and in lieu of the budget reductions that must take place, Chairman Cookson put this on the agenda.

In review: The first selectman in 1916 was a trustee. The Library trustees had the authority to oversee how the library would operate in all aspects including its maintenance as well as to the hiring and compensation benefits for their employees.

This Charles Bailey ‘agreement’ had been approved by the Legislature and made into law. The Council has no authority to override it. The library is not a department of the town as it is considered a corporation unto itself.

The Trustees have certain obligations as does the town. The town supports the property in so far as its maintenance. But the key word is what is financially ‘reasonable’ in such support. The regular budgetary process must be followed. And although department heads do have input, in the end the Council’s decision holds.

This charitable trust was reviewed even further. The original agreement dealt with one building and the town’s obligation to it. The Trustees now plan to put an addition to the town’s building and this now falls outside the town’s original agreement which is to maintain one building on one lot.

The Council made it clear that the Trustees must participate in these discussions and come to an agreement as to how the Council will be or should be involved i.e., the

buildings (addition included), and its maintenance in the future. The Council has left it up to the Trustees to incorporate into the 1916 agreement to include this new addition.

It was decided in a council meeting in 2012 that the status quo shall remain and that the current library and town administrative operations continue as is and that the Trustees clarify the 1916 document as to the new responsibilities coming out of the proposed addition to the original building.

Chairman Cookson now informed the Council that, after meeting with the town attorney, if an addition is built, it would be named the Winthrop Public Library. To pursue what the next step should be in lieu of the 1916 agreement between the town and the library, the parties involved would have to present their case to the Probate Court for a final ruling.

Mary Jane Auns, Board President, was in attendance. At the last town council meeting she updated the council on the progress of their fund raising for the proposed expansion, their goals, and their timetable. She stated that the new addition would not increase library services or programs. The building would be used for additional space for the events and programs that they currently have, for an office for the director and for a break room for the staff. The new addition would cost approximately \$20,000 a year for maintenance which would include fuel oil, electric, and janitorial services.

She went on to say that should the town go ahead with their plans to defund the library, it may be more prudent to put the plans for the addition 'on hold'.

Motion by Jenkins and seconded by Fuller passing with a unanimous vote authorizing the town manager to contact the town attorney to pursue this matter with the Probate Court. The Court will be representing the heirs of CMB. The hope is that a clarification will be made in time for this to go on the June ballot since any changes to the 1916 agreement have to be voted on.

Councilor Fuller requested that she be kept up to date as she is a member of the steering committee and an advocate of the library.

Item #22 – Peace Pole Discussion

Planting a Peace Pole is a way of bringing people together to inspire, awaken and uplift the human consciousness the world over. It is a wonderful project for any community group, from children to senior citizens.

Laura Graves presented this request to the Council for their permission to put up a Peace Pole at the "inch by inch" garden for Thomas Charles Sturtevant. He was a long-time resident of Winthrop, successfully touching many lives in multiple roles – educator, peace and community activist, volunteer,

friend and neighbor. He died last year and his presence is sorely missed. This project is completely funded by donations. A drawing of the pole was sent around to the councilors.

A motion by Jenkins and seconded by Fitzgerald passing with a vote of 6-0 (Chairman Cookson had stepped away) this request was approved.

Item #23 – Annual Audit Presentation

Ron Smith presented some of the findings of the audit report for June 30, 2012. This preliminary report was reviewed by the town manager and the finance director. This report documented the highlights and the lowlights which included common ground issues with the school department involving the AOS 97 and summer salaries. He stressed the necessity for the town and the school department to explore in earnest regionalization and noted that it should happen immediately.

The councilors praised this report noting that it was a much more in depth audit than in the past years.

The final report will be done by April.

At this time, Senator Flood and Representative Hickman were asked for their thoughts on the financial crisis that seems to be looming in Winthrop as well as in the state in general.

They both stressed how impressed they were with the subcommittee's work and how hard the town was working to explore all options.

Senator Flood who is on the Finance Budget Committee noted that they are presently working on the Governor's proposals for the State but noted the State budget will not be done by June. Representative Hickman requested more information and suggestions from the residents of Winthrop to help guide him with ideas for additional revenue.

*Town of Winthrop
Resolution*

Be it resolved by the Winthrop Town Council:

Whereas, the Winthrop Town Council is deeply concerned and wishes to express its opposition to multiple proposals to shift the burden of funding state government to municipalities through the property tax and to the property tax payer;

Whereas, the State Administration has submitted a proposed budget for the coming biennium that will dramatically shift the burden of funding state government to the property tax by eliminating or significantly modifying multiple property tax relief programs;

Whereas, the proposal to suspend municipal revenue sharing would result in a loss of over \$1,000,000 in revenues over the next two years;

Whereas, the proposal to redirect the commercial excise tax and in the second year of the biennium, the business equipment tax reimbursement program would be eliminated which would further exacerbate the property tax burden;

Whereas, AOS 97 would be required to pay an additional \$114,000 to fund Teacher Retirement under the Governor's budget proposal which would adversely affect the school budget and ultimately be reflected in the community's assessment;

Whereas, eliminating the homestead exemption in FY15 for those under 65 will increase taxes for those individuals if the town's tax rate remains the same;

Whereas, low and moderate income residents under the age of 65 who now qualify for the state property tax circuit breaker program will no longer qualify for it in the coming budget year. The lack of this particular program could lead directly to them losing their property to foreclosure;

Whereas, to replace these revenues through property taxation, the Town's tax rate would need to be increased by approximately \$1.00 on the property tax rate including the impact of AOS 97 assessment and before considering any needs of the community in its budget;

Whereas, these proposals would dramatically increase property taxes in Winthrop and all communities and also require large spending reductions that will challenge the Town's ability to protect the health, safety and welfare of the community through providing basic services;

Now, therefore, be it resolved by the Winthrop Town Council to express its opposition to the proposed state budget which significantly shifts the burden of funding state government to the property tax and property tax payer. Further, the Winthrop Town Council calls upon the members of the Legislature to fully fund municipal revenue sharing for the coming biennium, fulfill the State's K-12 Education Funding Mandate under the School Finance Act of 2003, allow the towns to keep the commercial excise tax it collects, continue the BETE reimbursement to the communities for the property taxes no longer paid to the Towns for business equipment, and maintain the Circuit Breaker and Homestead Exemption property tax relief programs for our citizens.

Signed March 4, 2013 by the Winthrop Town Council.

Item #24 – Request for Town Water Trough – Mr. Jim Bryant

This item was tabled and will be heard at the April town council meeting. This was approved with a unanimous vote with a motion by Fuller and seconded by Jenkins.

Item #25 – Consider Special Entertainment Permit Application

Cobb Vineyard's application was absent of detail as well as a date for the event. The council decided that a decision would not be made until the application was complete.

Manager's Report

Motion by Fuller and seconded by Cookson passing with a unanimous vote to purchase a 2013 ambulance from Professional Vehicle of Rumford for \$175,988. The funds were approved in the 2012 budget.

The Town of Readfield has requested that Winthrop participate in a boundary survey. The town's share would be \$500.00. The councilors decided that this request did not have enough information as to the reason why this survey was needed. It was requested by Readfield and not by the State. The councilors decided that at this time the town was not in a financial position to fund.

Transfer Station items will be put on the April agenda.

Property taxes, due April 1, 2013, can now be paid electronically as a fund transfer function successfully implemented through the town website which takes you directly to AndroPay – Winthrop's Online Payment Center. You can choose two transactions – Personal Property and/or Real Estate. There are two available payment methods:

(1) ACH / Checking Account - You will need to provide your account number and the bank's routing number to pay by this method. A helpful check image is available during the payment process to assist in locating this information. Please note that there is a \$1.00 processing fee assessed for each transaction.

(2) Credit / Debit Cards - We currently accept MasterCard and Discover cards. Visa is accepted for Real Estate and Personal Property tax payments. There will be a 2.95% processing fee assessed per transaction with a minimum charge of \$1.95, all Visa debit card transactions are \$3.95. A helpful card image is available during the payment process to assist in locating card information.

Other Business

Councilor Fuller reminded the group that the Chamber of Commerce will be meeting on Thursday, March 7th, at the Winthrop Credit Union.

Councilor Jenkins noted that Earth Week, which focuses on environmental awareness, will be held this year, date to be determined.

The town council will review a 2003 policy that gives Winthrop police officers statewide arrest powers. A Maine law passed in 2003 allowed municipalities to authorize their police officers to make arrests outside their jurisdiction, as long as the officers work full-time and meet other qualifications (MRSA Title 30A, Sec 404 and Title 17-A Sec 15). The Winthrop Town Council voted 6-0 in July 2003 to grant that power to Winthrop's officers. Chairman Cookson was the only current councilor on the council at that time. At the request of some councilors, the policy will be reviewed at the April town council meeting.

Motion by Fuller and seconded by Fitzgerald passing with a unanimous vote, the meeting adjourned at 9:15 p.m.