

Winthrop Town Council
Meeting Minutes
Monday, September 9, 2013 at 7 p.m.
Town Office

Call to Order 7 pm

Roll Call - Chairman Cookson, Vice Chair Fuller, Councilor Buck, Councilor Caprara, Councilor Fitzgerald, Councilor Ellis, Town Lawyer Lee Bragg, Town Manager Jeff Woolston. Councilor Jenkins was absent.

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

Reading of Constitution Week Proclamation

Councilor Fuller read the following proclamation

PROCLAMATION

WHEREAS: The Constitution of the United States of America, the guardian of our liberties embodies the principles of limited government in a Republic dedicated to rule by law: and

WHEREAS: September 17, 2013, marks the two hundred twenty-sixth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS: Public Law 915 guarantees issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE, I, Kevin Cookson, by virtue of the authority vested in me as the Chairman of the Town Council, of the State of Maine in the Town of Winthrop, do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals of the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Winthrop the State of Maine to be affixed this ninth day of September in the year of our Lord two thousand thirteen.

Approve minutes from August 5, 2013 meeting.

Motion by Councilor Fuller, Seconded by Councilor Fitzgerald to accept the meeting minutes was unanimously approved (6,0) after making the following changes:

- Item #67 – Changed the third sentence to read, " Councilors, although in favor of adding revenue, requested that a general policy be drafted and submitted to the council at a later date." Changed the last sentence to read, " These two companies would still be required to fill out the required documentation once it is available."

- Item #70 – Changed the motion to read, "... have the town manager process this request to DOT and also request any other safety enhancing studies that might be completed at that location."

Item #77 – Consider Accepting MMA Check for Safety

Motion by Councilor Fuller, Seconded by Councilor Caprara to accept the MMA check for safety in the amount of \$4,100 was unanimously approved. (6,0)

Item #78 – Consider Ambulance Lease

Councilor Fuller made a motion, seconded by Councilor Ellis to approve order #154 which was unanimously approved. (6,0)

ORDER #154

TOWN COUNCIL

AN ORDER PROVIDING FOR: An ambulance lease through Androscoggin Bank.

BE IT ORDERED, by the Town Council of the Town of Winthrop, as follows:

- VOTED: (1) That a Capital Acquisition Project (the "Project") consisting of the lease of an ambulance (2013 Type III Ambulance on a Chevrolet G4500 Chassis), with purchase option, all as more fully set forth in a Municipal Lease Purchase Agreement with Androscoggin Bank, Lease Number: 5300077973, is hereby approved; and
- (2) That the financing for the Project in the amount of \$165,988 is awarded to Androscoggin Bank at an interest rate of 2.53%; and
- (3) That the Town Manager is hereby authorized to execute the Lease Purchase Agreement and all other documents reasonably necessary to accomplish the purpose of this vote in his capacity as Town Manager or in his capacity as Town Treasurer, as the documents may require; and
- (4) That said Lease is hereby designated a qualified tax-exempt obligation of the Town for the 2013 calendar year pursuant to the Internal Revenue Code of 1986.

IN THE TOWN COUNCIL.

WINTHROP TOWN COUNCIL

Read and Adopted: September 9, 2013

Item #79 – Public Hearing on Mass Gathering Ordinance

8:15pm Public Hearing Open

Chief Young briefed the council on the nature of the ordinance.

8:25pm Public Hearing Closed

Item #80 – Consider Mass Gathering Ordinance

Councilor Fuller made a motion, seconded by Councilor Fitzgerald to adopt the Mass Gathering Ordinance with the following clarifications:

- Require a \$1Million liability policy
- The applicant pays for the police officers

The motion passed (5,1)(Buck opposed)

Councilor Fuller made a motion, seconded by Councilor Caprara to waive the second reading which was passed (5, 1)(Buck opposed)

Item #81 – Consider Primary and Alternate Voting Delegates to MMA Annual Business Meeting

Councilor Fitzgerald made a motion, seconded by Councilor Caprara to have Councilor Fuller be the primary delegate passed unanimously (6,0) Councilor Fuller made a motion, seconded by Councilor Fitzgerald to have Councilor Jenkins be the alternate delegate passed unanimously (6,0)

Item #82 – Consider Resurfacing Project – Beaver Dam Road Work

The Town of Readfield asked if Winthrop wanted to pave the last 360ft of Beaver Dam Road in conjunction with the work Readfield was doing on their section of the road or pay Readfield back next year if this year was not good timing wise. The Council took no action on the request.

Other Business –

Councilor Buck was concerned that people reaching into the glass bin to retrieve bottles, for any reason might become a liability for the town. As a result of the discussion, Councilor Fuller made a motion, seconded by Councilor Fitzgerald, approved unanimously (6.0), to prohibit reaching into any bin.

Councilor Fuller mentioned several activities planned by the recreation committee to get people outside including: August: Bike Rodeo Sep: Paddle Boarding on Maranacook Oct: Spooky Fun Family Run Oct 27th

No timeline at this time for the council passing an FY 13-14 School budget to the town for a referendum vote. Tentatively schedule budget workshop with school board for Sep 30th.

Councilor Fitzgerald made a motion, seconded by Councilor Fuller to set up a meeting between the finance committees of the school board and town council.

Carl Swanson gave some feedback on the solar panel project. He said that the school has saved almost enough money to pay for the panels. In less than one year, the town will not owe anything.

Manager's report

The manager requested \$ 780 to pay for the additional certified mail envelopes. The additional envelopes were needed because there were two lien notice mailings versus one. He asked to take the money from the workplace safety reserve account. Councilor Fuller made a motion, seconded by Councilor Buck to approve the request which passed unanimously (6, 0)

Item #83 -- Consider going into executive session in accordance with 36 MRSA, Section 841.2.E -- Tax Abatement Request

8:55 pm Councilor Fuller made a motion, Councilor Caprara seconded to go into executive session in accordance with 36 MRSA, Section 841.2.E -- Tax Abatement Request

9:05 pm the council disapproved the abatement request because the individual agreed to pay per month until the taxes are current.

Item #84 -- Consider going into executive session in accordance with 1 MRSA, Section 401.6.A -- Personnel Action (Approving the 'new' union)

9:06 pm Councilor Fuller made a motion, Seconded by Councilor Fitzgerald to go into executive session in accordance with 1 MRSA, Section 401.6.A -- Personnel Action (Approving the 'new' union)

9:17 pm Councilor Fuller made a motion, seconded by Councilor Fitzgerald that it was approved to form a second union provided Ms Clark was not a member due to her present position within the police department.

Item #85 -- Consider going into executive session in accordance with 1 MRSA, Section 401.6.E – Consult with legal counsel regarding the Council's rights and duties regarding the audit.

7:06 pm. Councilor Fuller made a motion, seconded by Councilor Caprara to move into executive session in accordance with 1 MRSA, Section 401.6.E – Consult with legal counsel regarding the Council's rights and duties regarding the audit..

7: 42 pm. After the executive session, Mr Ron Smith recapped the genesis of the special audit during the June budget vote where he recommended the council not pass the school budget because there was more work to be done. He recounted some of the other types of discussions he had with municipal and school departments regarding the accounts in question. It was his conclusion, based on a variety of conversations and discussions that any pay-to-play funds should be in the hands of the town treasurer because the school is a department of the town. He also touched on the special warrant process to make sure the school had funds when needed. He said he would furnish two more requests, one to the municipality and one to the school system. When those requests are filled Mr Smith would generate his final report back to the council and the town.

Chairman Cookson reiterated that the accounts would be frozen until the audit ends. He also mentioned the special warrant process for teachers to use money that is in the accounts. He also said

that the school operating budget is not frozen. The school is operating on last year's budget which is more than the proposed budget. The council could approve transfers of funds between cost centers if needed for the school budget we are operating under.

School Superintendent Rosenthal disagreed and said the current budget could not be used like a real budget because he doesn't feel he could spend until he has an approved budget for the current school year. He also mentioned that he was responsible if there were any overruns in the budget.

Adjourn