

Winthrop Regular Town Council Meeting Minutes
Monday, April 2, 2018 - Town Office
17 Highland Avenue
7:00 PM

7:00 PM Business Meeting: Call To Order – Pledge of Allegiance – Roll Call

All present, Chairperson Sarah Fuller, Vice-Chairperson Linda Caprara, Councilor Priscilla Jenkins,
Councilor Barbara Buck, Councilor Rita Moran, Councilor Andy Wess,
Councilor Scott Eldridge

Finance Committee to sign Disbursement Warrants

Item 34 To consider approving council meeting minutes for March 5, 2018;

Motion: Move to approve the council meeting minutes for March 5, 2018

Motion by: Jenkins **Second:** Moran **Vote:** 7-0 passes

Item 35 To consider the appointments committee nomination for the Winthrop Utilities District Board of Trustees

Motion: Move to confirm the appointments committee nominee, Donald Holley, as a member of the Winthrop Utilities District Board of Trustees

Motion by: Jenkins **Second:** Moran **Vote:** 7-0 passes

Item 36 To hear an update on County Law Enforcement from Kennebec County Sheriff, Ken Mason

Kennebec County Sheriff Ken Mason gave an overview of county law enforcement and corrections functions. The Sheriff reports that staffing levels at the jail are looking good and the staff does a great job. The sheriff would like to expand the school resource officer program to other schools.

Item 37 To conduct a public hearing on a liquor license renewal from the Maranacook Grill D/B/A Sully's Restaurant & Tavern

OPEN: 7:23 PM
CLOSED: 7:24 PM

Chief Cook stated there were approximately twelve incidents in the area of the bar, but there was nothing alarming or out of the ordinary.

Motion: Move to approve the renewal liquor license for the Maranacook Grill D/B/A Sully's Restaurant & Tavern

Motion: Caprara **Second:** Jenkins **Vote:** 7-0 passes

Item 38 To conduct a public hearing on a liquor license renewal from the Winthrop House of Pizza

OPEN: 7:24 PM
CLOSED: 7:25 PM

Councilor Jenkins inquired if this was the second year of the license. Steve Mihalakis said it was the second year. Chief Cook advised that the police department had no knowledge any liquor violations.

Motion: Move to approve the renewal liquor license for the Winthrop House of Pizza

Motion by: Caprara **Second:** Jenkins **Vote:** 7-0 passes

Item 39 To consider a Special Amusement Permit for The Barn at Silver Oaks Estate, Gene & Veronica Carbona;

OPEN: 7:25 PM
CLOSED: 7:54 PM

Sally Roberts stated that the busing causes noise as well as patrons trespassing on her property. She said the noise is very loud and did say the owners have been very good about keeping the noise down at 10 PM. An unknown person spoke about the loud noise coming from the business, the heavy traffic on the roadway and having a business such as this in the residential area. Adam Derosier spoke about security around his home and the continued loud noise. Adam states that his family is consistently troubled by the noise and the fact that photos being taken could capture his children in them. Kala Robert's spoke to say that she has talked with residents on the Memorial Drive side of the lake who also feel the noise is too loud coming from the venue. Owner, Gene Carbona, states that they follow all local, state and federal laws. Gene confirms that the music gets turned off one minute prior to 10 PM. He states that he hires security for the events and goes to great lengths to follow all rules. There were several people, some vendors for the venue, spoke in favor of the business and how it helps our local economy. There were complaints about legal firework displays and the noise they cause people in the area. There were concerns that the planning board should not have approved the location due to the zoning in that area because this was a high impact. Also there was talk to add decibel level to the ordinance and to add a some type of sound barrier.

Motion: Move to approve the Special Amusement Permit for The Barn at Silver Oaks Estate for owners Gene & Veronica Carbona

Motion by: Caprara **Second:** Eldridge **Vote:** 7-0 passes

Item 40 To hear a program update from Cobbossee Watershed District Executive Director William Monagle, and receive their 2018-2019 budget request

Bill Monagle gave information on the proposed budget for the Cobbossee Watershed and program update.

Item 41 To authorize and sign a quitclaim deed for satisfied tax obligations

Motion: Move to authorize the following quitclaim deed for the satisfied tax obligations listed below

2015 Tax Year

Brian B. & Lee Ann Baggott for property show on Map 3, Lot 10

Motion: Caprara **Second:** Eldridge **Vote:** 7-0 passes

Item 33 (continuation) To hold a public hearing on a proposed Moratorium Ordinance Regarding Retail Recreational Marijuana

OPEN: 8:19 PM
CLOSED: 8:24 PM

Motion: Move to approve the first reading of the Moratorium Ordinance Regarding Retail Recreational Marijuana

Motion by: Caprara **Second:** Wess **Vote:** 7-0 passes

OPTIONAL: Waive Second Reading

Suggested Motion: Move to waive the second reading on the proposed Moratorium Ordinance Regarding Retail Recreational Marijuana

Councilor Jenkins and Moran felt time should be allowed for others to weigh in.

Motion: Caprara **Second:** Wess **Vote:** 5-2 passes Moran/Jenkins

Other Business:

Council Chair Fuller read the following statement:

“It is incumbent for the Council to make a public acknowledgement of the position the town has been placed in following the decisions of the Board of Education regarding the tenure and employment of the Superintendent.

There are a multitude of accusations that have been levied against Superintendent Rosenthal that reveal what employees hold to be a hostile work environment and the possibility of numerous violations of Maine Labor and Human Rights Laws. Any one of which, much less, the many of which, leave the town in a liable position as long as the Superintendent remains active in that role until June 30.

And while the investigation into these claims is confidential as a personnel matter, the claims by the union members, their overwhelming vote of no confidence, and related actions that our school staff and administrators have taken to protect themselves, beg for immediate action – action the Board of Education has not taken, despite multiple options that would fulfill their duty both to the Superintendent, to our teachers and other school department employees, and their fiduciary duty to the people of Winthrop.

The argument that School employees' claims were not made through proper procedure or in a timely manner may be factually true, however, by witnessing the abundance of current news and events regarding workplace harassment and abuse, it is almost only when one or two people begin to speak out, that many other voices are then heard with similar complaints of abuse. It is then imperative to act, and act swiftly to protect those that have been victims of abuse of power.

While legally the Council cannot force the Board of Education to take a different course of action, we do need to acknowledge the liability the town is now in and we have filed an FYI claim with our insurers in the event we do have one or more lawsuits to address that develop from this situation."

Councilor Caprara made the following motion:

Motion: For the Winthrop Town Council to vote a vote of no confidence in the Winthrop School Board

Motion: Caprara **Second:** Wess Vote: 5-2 passes Eldridge/Jenkins

Manager's Report:

1. Maranacook Dam Update – Spring/Summer 2019 for project start with completion in the fall of 2019 with mitigation of trees after DEP permit is obtained.
2. Memorial Drive Study Update - ES Coffin is working on a plan that will have cost savings on the engineering study. He will be working up a drainage plan for the roadway.
3. RFP Audit Services are being reviewed.
4. Distribute the 2018-2019 Municipal Budget Proposal, and presentation schedule beginning April 9, 2018 at 6:00 PM
5. School Budget Expenditure and Revenue Reports for current budget year. Councilor Jenkins asked who questions about the school reports be directed to. Ginny Geyer asked that they be directed to the superintendent.

Adjourn.