

Minutes

Winthrop Town Council

Regular Meeting

Monday, December 1, 2008 at 7:00 pm

Town Office

Attendance: Councilors William MacDonald, Kevin Cookson, Ken Buck, Patricia Engdahl, James Norris, Priscilla Jenkins, Linda Caprara. Town Manager – Cornell Knight, Police Chief Joe Young, Architect Phil Locashio, 40 public members.

Meeting is called to order at 7:15 pm.

A Spirit of America Awards recognition reception was held prior to the meeting. Norm and Carole Ricker, Phil and Margaret Marston, and the Payson Tucker Hose Company No. 1 were honored.

Motion by Engdahl Seconded by Norris to approve the minutes of November 3, November 24, 2008.

Councilor MacDonald noted the last paragraph in the November 3rd minutes should be corrected to reflect a meeting with DOT officials had already taken place.

Correction noted, vote 7-0.

Item #123 Consider the purchase of a fire truck chassis.

Chief Brooks said the truck committee has been working 8 months on this project. He reviewed the purchase costs- Chassis \$53,053.37 from O'Connor GMC, Darley Fire Truck Body \$214,600, total price \$267,653.37. There will be a price increase in January. There is a savings of \$18,000 by participating in their demo program. After the truck is complete it may be shown to other departments on its delivery trip. It will take approximately 300 days to build the truck. At the time of delivery there will be \$165,000 in the reserve, \$102,653.37 will be financed.

Motion Cookson Seconded by Buck to authorize the purchase of the chassis from O'Connor GMC and the body from Darley Equipment for \$267,653.37. Vote 7-0.

Item #120 Hold a public hearing on Order #131, financing the Police Station renovation and the purchase of a fire truck, total costs not to exceed \$950,000.

The hearing was opened at 7:31 pm The Town Manager said this is for interim financing for the police renovation and the fire truck purchase. But if the fire truck will not be delivered for 300 days, it will likely be included in the permanent financing. The town will accept bids from banking institutions for the interim financing and will be reviewed at the January council meeting. Permanent financing will be done sometime next year. Hearing closed at 7:37 pm

Item #121 Consider Order #131, 2008 Capital Improvement and Capital Acquisition Projects including the Police station renovation and a fire truck purchase. Motion by Jenkins Seconded by Cookson to approve Order #131. Vote 7-0.

Item #122 Consider the bid award for the Police Station renovation project. Motion by Norris Seconded by Jenkins to award the police station renovation to the low bidder, Great Falls Construction.

Base bid with two alternates- Great Falls- \$812,228. SJ Wood \$829,798.

Councilor Norris said the decision should be based on facts and not an emotional decision.

Councilor Cookson said the council was on record for giving local contractor preference, and supported awarding the contract to SJ Wood.

Councilor Jenkins said there was no commitment made by the council for going local.

Councilor Buck said there was discussion that if the bid was within 5 to 10% that local would be awarded.

Councilor MacDonald said decisions by the council are made by motions and a vote.

Scott Foster asked that the council support SJ Wood.

Diane Maxwell said the local preference should have been included in the documents and she will be very disappointed if the council does not award the contract to SJ Wood.

Michael Brennan said SJ Wood and subs supports his local insurance business and the 8 employees.

Ken Johnson asked if there was a difference in the deliverables between the two contractors. Architect Phil Locashio said there wasn't.

Dick Dyer said the multiplier effect of each dollar invested locally generates \$1 to \$2 in return.

Councilor Engdahl said she favors a local contractor.

Roger Guerette said there should have been wording in the contract, so all contractors would know. The town is open to a lawsuit.

Councilor Jenkins asked if litigation was possible.

The Town Manager said the Town Attorney's opinion is that the contract documents state the town has the right to accept or reject any or all bids. The council can award the contract to whomever it chose. There is potential for litigation but he was confident the language in the contract supported the town.

Councilor Buck said the next section of the contract says the award can be made in the owner's best interest.

Blane Casey, the second lowest bidder, said it is a competitive process for contractors and unless there is a reason the award should go to the low bid.

5 minute break.

Return at 8:52 pm

Steve Wood said the issue is not about other contractors. He said an October KJ article said there would be a local contractor preference. He put together his bid with as many locals as he could, had he not, he expects he would have had the lowest bid.

He said value engineering from any of the contractors could bring the price of the project down.

John Smith, owner of Great Falls Construction, said the bid documents are what control the project and bid process and there was no mention of local preference. Only written

addendums are used to change the bid documents. He said it is in his best interest to use local subs so he can deliver the project at the contract price.

Vote on the original motion to award the contract to Great Falls. Vote 3-4. Yea: MacDonald, Norris, Jenkins. Nay- Engdahl, Cookson, Caprara, Buck.

Motion by Cookson Seconded by Buck to award the bid to SJ Wood Construction, because it is in the best interests of the town to keep the locals employed in this bad economy. Vote 4-3. Yea- Engdahl, Cookson, Caprara, Buck. Nay- MacDonald, Norris, Jenkins.

Motion by Cookson Seconded by Engdahl to exclude Alternate #1, the sprinkler system from the contract. Vote 7-0.

Item # 124 Consider the approval of transfer to the Winthrop Police Department for aiding in an investigation, as ordered by the Superior Court.
This is a drug forfeiture case in the amount of \$500.

Motion by Engdahl Seconded by Cookson to approve the forfeiture. Vote 7-0.

Item #125 Discussion on the use of the 3 buildings at the former landfill site.
The town manager said the buildings are being used for storage by town departments.
Motion by Cookson Seconded by Buck to table this item until spring.

Item #126 Consider a contract with Kennebec Valley Council of Governments to update the Comprehensive Plan.

Motion by Engdahl Seconded by Jenkins to approve the contract. Vote 7-0.

Item #127 Consider a Consent Agreement with Connie Hartley, 189 Metcalf Road.
Motion by Cookson Seconded by Buck to approve the consent agreement. Vote 7-0.

Item #128 Consider an abatement of taxes on an abandoned trailer in Kelley Lakeside Park.

Motion by Cookson Seconded by Buck to abate the \$135.79 taxes on a trailer owned by Holly Burgess. Vote 7-0.

Item # 129 Update on the Keep Winthrop Warm Committee
Councilor Engdahl provided an update on the committee's work. They have been meeting every Wednesday to discuss fuel assistance, emergency help and various funding programs.

Item #130 Update on the School Consolidation plan.
Councilor Cookson provided an update on the draft plan and district wide vote in January.

Manager's Report

The 2003 ambulance was in an accident on Friday, no estimates yet on repair costs.

The Ambulance renovation change orders were \$6,415 which will exceed the \$10,000 reserve by \$1,700 because the phone system was purchased from that account as well. Motion by Jenkins Seconded by Cookson to use \$1700 from the public safety bond payment line in the debt budget. Vote 7-0.

The Dept of Educations cuts to school aid were distributed to the council, inthrop will see \$126,000 in cuts by June 30th.

Motion by Engdahl Seconded by Norris to accept \$180 donations to the Ambulance and \$50 for election results. Vote 7-0.

The Town office will be closed December 26, but employees will use vacation time, so it is not a paid holiday.

Motion by Caprara Seconded by Norris to reconsider item #122.

Councilor Caprara said she wanted to consult with the town attorney.

After considerable discussion, the motion and second were withdrawn.

Motion by Cookson Seconded by Caprara to adjourn at 10 pm . Vote 7-0.