

**Winthrop Town Council
Regular Meeting
Monday, February 5, 2007 at 7 p.m.
Winthrop Town Office**

Attendance: Patrice Putman, Linda Caprara, Patricia Engdahl, Ken Buck, Kevin Cookson, William MacDonald, Jim Norris, Cornell Knight (Town Manager) and Julie Winberg (Secretary).

Chairman Putman called the meeting to order at 7:00 p.m.

Approval of Minutes for January 8th and January 29th, 2007:

Motion by Cookson and seconded by Caprara to approve both sets of minutes. The vote was unanimous (7-0).

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

Item #13 – Council Appointments

Kevin Cookson as Chair, Ken Buck and Linda Caprara were appointed to the Finance Committee.

Jim Norris as Chair, and William MacDonald and Ken Buck were appointed to the Sub Committee on Rules.

Councilors MacDonald, chair and Norris, and Engdahl to the Appointments Committee.

Item #14 – Consider a funding request from the Winthrop Regional Development Corporation for economic development work.

A request from the Winthrop Regional Development Corporation (WRDC) to partner with the Town Council and the Chamber of Commerce for economic development activities was presented by Jayne Despres, President of the WRDC. Also present were Jean Grigsby, Executive Director of the Winthrop Area Chamber of Commerce (WACC) and Jeff Seguin, President of the WACC.

These groups have pledged \$10,000 to fund a position for economic development and were here this evening to demonstrate the need for the town council to participate by pledging their support with an additional \$30,000 line item to the proposed 2008 budget for this as well. This budgetary commitment as well as full involvement and

participation in future discussions on the regions economic development is essential in moving forward in a proactive way to shape Winthrop's future.

Both Grisgby and Despres said a developer could be full or part time and could represent Winthrop as well as neighboring communities. These details are yet to be worked out but will be presented to the town at their April meeting.

Councilor Putman reminded everyone of the council's desire to maintain a flat budget and a discussion needs to be had on how the council can add these costs into the budget without exceeding last years spending. "There is a significant financial aspect to this request".

Despres responded that one of the things that the groups are looking at pursuing are grant funds as that would be a regional component of their joint program. This presentation this evening is a means of getting started to make sure that there was some funding available and to get the Council's commitment to this proposal.

With a question from the group as to how much economic growth would have to be created to offset the \$30,000 allocation that is being requested, Ms. Despres responded that you would need to take the tax rate and multiply it by \$ 30,000 to evaluate. However, this was conceptual at this point in time. The request is for Winthrop and the town council to be proactive and look into the future for its growth and change. "Do we participate in shaping it or just let it happen"?

Councilor Caprara commented that this idea was a good one as it would also assist existing businesses.

When asked how the split 30/10 came about, Despres responded that the groups did a lot of research and found that many other communities have fully funded economic development positions in their town which makes a strong statement. She went on to say that this is a very conservative figure and that the group is not set on this being a position but it is a good starting place to get things off the ground. They would like to come back in April with a thought out plan. An idea on the table was perhaps a part time position in Winthrop with grant writing background. This request was for seed money to get the project going and to come back in April with a more formidable plan. The Chamber did not want to get locked into a figure at this time.

Councilor Cookson commented that the town manager has done a great job in economic development and wanted that recognized. If this proposal becomes a position, he recommends that it be a regional one that is independent. He is in favor of this and feels it very worthwhile.

Motion by Cookson and seconded by Buck that the town manager develop a line item in the budget for \$ 30,000 for economic development. The vote was unanimous (7-0).

Item #15 – Discuss the post office handicapped accessibility issue.

Councilor Putman expressed her outrage as to the twenty year delay in making the post office handicap accessible as well as her disappointed that no one from the post office accepted the council's invitation to discuss this matter this evening.

The town manager spoke with the Winthrop Postmaster Scott Allerie about the accessibility issue and whether a door bell for the handicapped to ring, presumably so that a clerk could come outside to wait on them was a viable option. Mr. Allerie was to talk to his supervisor and report back to the town manager. To date, the town has not heard if that option was accepted. The building is owned by Winthrop Commerce Center and they are presently in discussions with the post office for a lease renewal. The lease is up in June.

Retired postal official Terry Brooks of Winthrop told the Council that he thought the local post office has remained inaccessible to the handicapped because of scarce funds and because a 2001 plan for a new post office, although complete, was put on hold. He had obtained state permission to build an access ramp in front of the Main Street post office but that was never built. He thought that that was "unconscionable".

Andy Wess, Chairman of Winthrop's Zoning Board, was present and commented that he too saw no reason why the postal service could not do something now. "Other businesses had to comply with the ADA ruling. The council should demand it. It is just not acceptable to wait another year".

Lou Carrier, President of Winthrop Commerce Center, said his partnership bought the post office building several months ago and he is presently negotiating a lease with postal officials, hoping to move the operation into the former Carleton Woolen Mill next door. That property is also owned by the partnership. The projected time frame for this however, is at least one year away.

Councilor Norris inquired if there was any chance, given the strong feelings shared this evening that, through the negotiating process, the proposed move to the Commerce Center could be expedited.

Carrier explained that he is moving as fast as his partnership can. He explained that when the postal officials agree to this move, then a commitment in earnest would be established to spend the required funds to renovate the section that the post office will be housed in with all the necessary ADA requirements.

Councilor Cookson reminded everyone that the post office can go forward without a lease, claiming eminent domain.

The council expressed its agreement by voting unanimously to send a letter of protest to the U.S. Postal Service and to file a complaint with the U.S. Access Board. That agency enforces the 1968 Architectural Barriers Act, which requires post offices to be accessible.

Motion by Cookson and seconded by Norris that the town manager write a letter to Mr. Seak, who is in charge of real estate for the postal division, making him aware that the building has changed ownership and that the lease runs out in June. And in the strongest possible language, that the town is asking the post office for a handicap ramp. The second part of the motion is for the council to file a formal complaint with the ADA.

Councilor Engdahl suggested the letter to postal officials could just threaten a complaint.

Councilor Cookson responded that after 20 years it was time for action not threats.

Motion by MacDonald and seconded by Putman to add an amendment to the initial two part motion to copy the state representatives. The vote was unanimous for the two part motion as well as the amendment (7-0).

Item #16 – Consider the Town Clerk’s petition certification to amend the Town Charter.

The certification for two petition questions to amend the Town Charter was presented. A public hearing and a date for the vote would be the next step. The proposed date for the referendum would be June 12th and a public hearing on this would have to follow allowing 45 days prior to the vote.

The first measure would reduce the number of signatures required to place a referendum vote before town voters. Presently, it takes 25 percent of voters. The change would require only 5 percent of voters. The second measure would prevent the town council from overturning any citizen referendum for five years after its enactment. John Carpenter, a local resident circulated the petition promoting these measures. In the past, the changes would make it easier to petition the town and more difficult for the town to override winning petitions.

The council voted to table these two proposed changes to the town charter to see if the group of petitioners would be willing to wait until the November election for a referendum on the proposals as a referendum vote is quite expensive.

Mr. Carpenter was asked to poll the initiators of this proposal and contact the town manager on the results by next month's meeting.

Motion by Cookson and seconded by MacDonald to table this matter. The vote was unanimous (7-0).

Item #17 –Consider recommendation of the Winthrop Unites Advisory Committee.

Councilor Putman reported to the town council the recommendations on the new structure for the Winthrop Unites Advisory Committee. She reviewed the guidelines for the porchlight program and in terms of administration; the groups recommended suspending Winthrop Advisory Committee indefinitely trying another approach with one of the town council members appointed to Winthrop Unites Committee establishing its formal representation. The groups felt that the Advisory Committee was indeed ready to try a more streamlined approach. She went on to say that a person would be appointed from the town council within the month.

Motion by Norris and seconded by MacDonald to accept the recommendations. The vote was unanimous (7-0).

Councilor Norris noted that he made this motion remembering that this is the direction that the people wanted to go. People recognize that change occurs and he is very pleased to see that the groups are moving ahead.

Item #18- Consider Resolution #90, a resolution to urge voters to approve the Public Safety Building Complex.

A resolution for consideration on the public safety referendum was presented.

Councilor Cookson, as a member of the Public Safety Building Committee, commented that it would be his hope that the council could move forward and give a unanimous approval of this resolution and let the citizens decide with a vote. He went on to say that the Committee did a good job with their report.

Councilor Buck commented that the committee did a good job with their report. But he, as well as others in the community, is opposed to where this complex is going to be built as well as other concerns from many citizens. These concerns he has shared with the council.

Councilor Norris commented that the council's actions up to now have been a strong indication of support. When the council first started discussing this, he too had concerns.

But those concerns have waned as he strongly feels that the committee did this the right way, logically coming to the conclusion that it is in the town's best interest to proceed.

Councilor Engdahl commented that it seemed to her, as a new comer to the council, that it was a thorough thoughtful process. However, she was concerned that at the public hearing, some very good questions were asked and not answered. Because she was not sure if the meeting was being recorded, she, as a follow-up, passed those questions on to the committee. She recommended that thoughtful consideration be given to the comments and questions that were raised.

Councilor Cookson commented that those questions raised at the public hearing were addressed and those concerned citizens were gotten back to and the process was again explained. Brochures were handed out that too addressed those same questions.

Sandy Moody from Winthrop voiced her concerns as to the proposed \$4 million and if it gets approved, what will happen if the cost, as many construction projects seem to do, ends up costing more. She also went on to say that the voters should know exactly what they will be voting on, both sample ballot, and all the information they need prior to and at time of voting on February 27th.

Councilor Cookson stated that Ms. Moody's concerns were discussed at great length. This project can be done for \$4 million. However, if the project comes back more, the committee would have two choices: cut the project back to \$4 million or go and raise what ever additional money that was needed. There are no other choices. That is why it is stipulated as no more than \$4 million will be spent on this complex.

Chief Joseph Young commented that there is always a possibility that this type of project may cost more. He has pursued and obtained grants from homeland security. And he will be looking into other grants on a continual basis as a way to assist in funding. There will be a thorough accountability of all the money spent. And the costs to renovate the present buildings were explored and that information too was available to everyone through the informational packages distributed. The cost was phenomenal and did not even include moving all the communications from the present police headquarters as the police would need temporary housing during renovations.

Motion by Cookson and seconded by Putman to approve Resolution #90, a resolution to urge voters to support and approve the referendum set on a \$4 million proposed public safety building.

The vote was 6-1 with Buck in opposition.

Councilor Buck commented that the voters need to know what they are voting for and with the element of new voting machines, the ballot will be different as well.

Councilor MacDonald thanked the committee for the fine work that they did. He recommended putting an ad in the Advertiser showing the actual ballot.

Motion by Cookson and seconded by Engdahl to put the ballot in the advertiser for two weeks prior to the vote. Vote was unanimous (7-0).

Item #19- Consider approval of Transfer of Forfeiture Assets, Winthrop Police Department.

The police department participated in an arrest and is eligible to receive the guns retrieved as part of the Kennebec County Superior Court Criminal Forfeiture decision.

Councilor Buck inquired as to the amount received by the Police Department from last year's gun sale. Chief Young responded that he would have to report back to the Council on that figure.

Motion by Cookson and seconded by Caprara to approve the transfer of forfeiture assets for the Winthrop Police Department. The vote was unanimous (6-0) (Norris not present).

Item #20 - Consider bids on surplus property.

The town received a surplus van from the school lunch program that has been used by the mechanic. In addition, a bucket attachment that the transfer station does not use was determined as excess. The town manager requested approval to sell these items to the highest bidder.

Councilor Buck inquired as to the reason why these items were not advertised together. The town manager informed the council that these items were not received at the same time.

Motion by Cookson and seconded by Caprara for the town manager to accept the bids on this surplus property. The vote was unanimous 6-0. (Norris not present).

Item #21 - Consider a Bloodborne pathogen policy.

An updated version of a policy that has already been approved by the council is available in the town office. This was one of the items cited by the Bureau of Labor inspection. Training for all employees was done last month. This brings the town up to date with OSHA laws.

Motion by Cookson and seconded by Caprara to approve the Bloodborne pathogen policy. The vote was 6-0. (Norris not present)

Item #22 - Consider the Town Council goals for 2007-08.

A list of the goals that were discussed at the council's last meeting was presented.

Councilor Engdahl commented that a clear definition of affordable housing needs to be unanimous among the council members. She went on to say that there were many definitions of affordable and that if the council were setting this as one of their goals they need to have a clear definition.

The town manager commented that people who have jobs but can't afford housing in this community is a good place to start in defining the need – work force housing.

Councilor Caprara inquired as to the need for Ethics Rules as that is part of Maine's municipal orientation as well as a part of the oath of office councilors take.

Councilor MacDonald responded that there were many municipalities as well as the state legislature that have a code of ethics and more to the point, "what would be a reason for not having this code".

Motion by Cookson and seconded by MacDonald, the list of goals for 2008 were approved. The vote was unanimous (7-0).

Manager's Report

Through the towns participation in the compost bin sales through Maine Resource Recovery. The compost bins with pails are selling for \$50.00.

On February 12th there will be an educational forum discussing consolidation at Maranacook High School.

The tax bills will be mailed out on February 16th. The reevaluations will be mailed out in May.

He informed the council that he will be on vacation from 2/8 to 2/23.

Other Business

Councilor MacDonald suggested that the superintendent and the school board be invited to the next town council meeting in March to discuss their shared positions and joint funded activities prior to the budget meeting in April.

A motion was made by MacDonald and seconded by Cookson to adjourn at 9:40 p.m. by a unanimous vote.