

Winthrop Town Council
Regular Meeting
Monday, May 7, 2007 at 7:00 p.m.
Winthrop Town Office

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

Approve the minutes of April 2; April 9; April 11, 2007

Motion by Cookson and seconded by Norris minutes for meetings held on April 2, April 9, and April 11, 2007 were approved with a unanimous vote (7-0).

Item #40 Hold a public hearing on the following items:

Public hearing opened at 7:03 p.m.: Sully's Restaurant liquor license renewal, Sully's Special amusement application, Pond Town Tavern liquor license renewal, Special Amusement applications for Joey V's Deli, Special Amusement application for Columbia Classic Cars

The Fire Chief explained to the Board and those present that the permit submitted by Sully's Restaurant did not specify dancing. He would be comfortable if the Board granted the permit as it was submitted and for Sully to reapply for a permit to allow dancing as this would require a full inspection of the facility. Public hearing closed at 7:10 p.m.

Item #41 through Item #47

Consider the liquor license application for Sully's Restaurant

Consider the special amusement application for Sully's Restaurant

Consider the liquor license renewal for Pond Town Tavern

Consider the special amusement application for Columbia Classic Cars

Consider a transient seller's license for Columbia Classic Cars

Consider a transient seller's license for Wicked Weenies

Motion by Cookson and seconded by Buck to approve these licenses for the above facilities. The vote was unanimous (7-0).

Item #48

Consider a letter from the US. Postal Service regarding a request for proposals for new office space.

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Christopher J. Madden, Real Estate Specialist from the U.S. Postal Service, was in attendance. His visit begins the process to seek new office space, go over the timelines and answer questions. He informed the audience that the Postal Service is planning a 3000 square foot facility.

The substance of this letter was to inform the town that the U.S. Postal Service has determined that the present postal facility on Main Street is inadequate for the town's future needs. Since the first consideration would have been to expand the existing postal facility, and since that is no longer feasible, the agency will now turn to considering relocating to another building or constructing a new building on another site. He stressed that he and the agency are both committed to this effort and asked for the town's assistance and cooperation in a joint effort moving ahead with a project schedule.

He asked for some guidance on what the parameters were in reference to the area that this postal facility would be built. So when the government advertises, this description would be put in the ad.

The expected time line, according to the Code of Federal Regulations, which cannot be waived, are:

- * there is a 30 day comment period which would take the process to the middle of June
- * then there is a 45 day advertising period which would take this process to the end of July
- * there would be a review of all proposals that were received
- * a letter will be sent to the town explaining which offers were considered and the reasons why
- * there would be a thirty day response time
- * then a final decision and an award made.

This process should take to September thru mid October. There is a 15 day comment period following this. A decision will then be made that is final *if* no objections are made. From the time that the award is made, it would be a fair estimate to say it would take a contractor to build the building by the spring of 2008.

Councilor Norris asked if there were a set of guidelines that the government has that the council could review in reference to this whole process that requires such a lengthy timeline.

Councilor Buck asked if there were any proposals at this time. The answer was no. In response to several inquiries why the Postal Service could not build

a new facility on properties that they already own in town, the answer was each time that that *may* eliminate prospective bidders and the Code of Federal Regulations clearly states that that would be a violation.

Andy Weiss, Chairman of the Zoning Board of Appeals for the town, was also in attendance and informed the group that he had determined that a handicap ramp could be constructed on the existing post office and for an amount not exceeding \$7,000. Safety became an issue with that proposal.

Margaret Chandler, a town resident, was of the opinion too that a ramp would not be acceptable and cited the Manchester Post Office as a good example of accessibility.

The parameters were discussed and decision was made that the area of consideration would be between Greenwood Avenue and Bowdoin Street.

Councilor MacDonald confirmed that the town's complaint was still active and requested that this complaint remain active until the project is completed.

The council expressed their appreciation both for Mr. Madden's attendance on this night as well as his expressed desire to continue actively on this project and moving forward together with the town.

Councilor Buck excused himself from the meeting at 7:35 p.m.

Item #49 Presentation of the 2007-08 School Budget, Mark LaRoach
Superintendent of Schools.

Mr. LaRoach said this was an extremely challenging year with school consolidation. He informed the group that the state is reluctant to commit to a dollar amount of funds so that state subsidy is still uncertain. He has discussed this with the board members as well as with the finance department. It is still a very fluid situation. It could be conceivable that the state subsidy may drop by \$36 million and with this the smaller districts will be impacted most. This is an over mandated and under funded situation. By July 1, 2008, the new regional board of education will be formed. Winthrop's superintendent will be terminated by this date.

He presented the budget to the councilors. This year projections still look good. He is down four teachers however, and has not advocated for their replacement. And can continue with this mind set only through a lot of

cooperative navigation by all involved. In total, there has been \$16,000 less in requests over the past two years. He went on to say that he should know by July 1st what the state will be funding.

Councilor Caprara thanked the superintendent and his team for all their hard work during these trying times.

Full day Kindergarten program was also discussed. A resident/parent of school aged children stressed to the board that before they implement a full day kindergarten, meetings should be held with prospective parents to work out the myriad of details that this would entail, as well as the realistic need - as attendance might be a real issue. It is key for the parents in the community to develop such a program and be an integral part of the decision making prior to implementation.

Item #50 Consider the Credit Enhancement Agreement between the town and the Winthrop Commerce Center

At the time the Town Council established the Tax Increment Financing District at the Winthrop Commerce Center on Main Street, the Credit Enhancement Agreement was agreed to but not drafted. The agreement, prepared by the town's attorneys at Bernstein Shur, had been give to Lou Carrier who has reviewed it and agreed to the language.

The town manager reminded the Board that the terms of this agreement were past last year in an agreement with the Commerce Center and the town. It defines a 100% property tax return on the incremental value for the first 10 yrs, 75% for the next 5 and 50% for the last 5 yrs. This is on Phase I only.

Motion by Cookson and seconded by Caprara to accept this Credit Enhancement Agreement between the town and the Winthrop Commerce Center. The vote was unanimous 6-0.

Item #51 Consider a contract with the Town of Manchester for Ambulance service

Last month the Manchester Board of Selectmen approved a contract for the Town of Winthrop to provide Ambulance Service starting July 1, 2007. The contract was presented to the council for their consideration. The 2007-08 ambulance budget is figured in with Manchester's revenue and expenses. The belief is that this contract with Manchester will not tax our resources nor should it effect the response time to Winthrop residents. The additional

revenue will help the department as well. Should response times be effected negatively, this contract will be revisited.

This will have to be advertised and will not take effect until July 1st, 2007.

Motion by Norris and seconded by MacDonald to approve the contract with the Town of Manchester for Ambulance service. Vote 6-0.

Item #52 Discuss the need for a Board of Assessment Review Ordinance

The Board of Assessment Review is the local board that will review the appeals of property owners in reference to their new valuations. Even though the town has had one for years, the ordinance has not been established. A sample ordinance was distributed for review in addition to an alert from the town's attorney regarding a Supreme Court decision that ruled for boards to have binding decisions and that there can be no vacancies on a board.

8:25 p.m. five minute break took place to check the Charter for information on this.

8:30 p.m. council resumed their meeting

The town manager went on to explain that the reevaluations for property owners in Winthrop will be going out in approximately thirty days. On June 4th there will be a public hearing approving the Ordinance for Assessment Review.

Motion by Caprara and seconded by MacDonald to approve this governing board and approve the hearing proposed to be held on June 4th, 2007 and will be placed on the agenda. Vote 6-0.

The council also requested that names be forwarded to them as recommendations for members to this Board. There has to be three regular members, and two alternate/associate members.

The Board shall hear and decide all appeals properly taken from the refusal of the town council or assessors to make such property tax abatement as are asked for. The Board may take such evidence and testimony as it deems necessary and may grant such abatements as it thinks proper. If the Board fails to give written notice of its decision within 60 days of the date the appeal is filed, unless the appellant agrees in writing to further delay, the appeal shall be deemed denied. This Board's decisions may be appealed.

Item #53 Council Appointments

Motion by MacDonald and seconded by Norris that Dick Drapeau be accepted as a member to the Winthrop Utilities District Board. Vote 6-0.

At this point, Jeff Hines asked to present his case to the Council in reference to Sully's special amusement application. He explained that he has been applying, submitting the same application, for years. He went on to say that the application does not specifically ask about dancing. Dan Brooks checked with the fire marshall and Sully's meets all the requirements and that he could get a license within one week.

Motion by Caprara seconded by Norris that a conditional approval be granted to Sully's to include this type of entertainment pending approval from the Fire Marshall and that that approval be brought to the town manager as soon as it is received. Vote was unanimous (6-0).

Manager's Report

- * there will be a budget meeting at 5:30 on May 21st for a final review.
- * there will be an Economic Development Forum on May 14th at 5:00 p.m. six other towns are also invited and this will be open to the public as well.
- * household hazardous waste collection is slated for May 19th.
- * Pandemic Flu Meeting will be May 16th at the Augusta Civic Center.
- * the condition assessment report on the public safety buildings is proceeding. the electrical and mechanical parts have been completed. the next phase is on the construction of the buildings as well as the air quality.
- * Motion by MacDonald and seconded by Cookson to accept a donation of \$167.08 to the Ambulance department. Vote was 6-0.

Council member Norris inquired on the status of the public education presentation that was being prepared by the assessing department in regards to the reevaluation. The town manager explained that staff is presently working on this and plans to have one or two sessions by the end of May. The slide presentation will be presented to the council on May 21st and then to the public the following week.

Motion by Cookson and seconded by Caprara, the meeting adjourned at 8:50 p.m. Vote was unanimous (6-0).