

*Minutes
Winthrop Town Council
Regular Meeting
Monday, April 3, 2006 at 7 p.m.
Winthrop Town Office*

Attendance: Chairman Jim Norris; Councilors Patrice Putman, William MacDonald, Kevin Cookson, Ken Buck, Linda Caprara (arrived at 7:15 p.m.), Town Manager Cornell Knight, and Secretary: Julie Winberg. Excused: Jayne Depres.

Chairman Norris called the meeting to Order at 7:00 p.m.
Ordered that the Winthrop Town Council meet to consider the following items:

Minutes of March 6, and March 27, 2006:

Motion by Buck and seconded by Caprara approving the Minutes of March 6, 2006 with one correction on Page 5, 2nd paragraph, last sentence: "There might indeed be something else that is even better than the porch light program". Vote was (6-0).
Motion by Buck and seconded by Caprara approving the Minutes of March 27, 2006. Vote was (6-0).

Item # 27 – Presentation of the 2004-2005 annual audit, Greg Chabot, CPA from Runyon Kersteen and Ouellette.

Greg Chabot reviewed his findings with the Council after handing out his report which included graphics of his findings. This audit was a complete review of the internal control systems. One negative finding, but an expected one with the size of the staff, was the inability to segregate all the financial duties. Although not practical because of the small staff, it was recommended that oversight be done diligently and ongoing. Also noted was the school lunch deficit along with the school deficit issue surrounding teachers' summer salary. The Town Manager informed the group that the school is taking steps to address their summer teachers salary and over the next few years that will come down significantly.

This report is available for the public to review at the Town Office.
Note: there is a typographical error on page two of this report: replace 'City of Gardiner with Town of Winthrop'.

Item #28 – Hold a public hearing on the following the: Liquor License renewal for Barney's Sports Bar; Special Amusement license renewal for Barney's Sports Bar; Liquor License renewal for Sully's Restaurant; Special Amusement license renewal for Sully's Restaurant; Special Amusement license renewal for Cyber Cow Café. .
Public hearing opened at 7:31 p.m. and discussion followed:

1. Barney's Sports Bar – Chief Young reported that the management is doing a good job policing their own problems.

2. Sully's Restaurant – Chief Young reported that he was concerned the first part of the year, but actions taken by the owner has resulted in some improvement. However, because of several negative incidents, Chief Young stated that he does not know what his position will be next year when renewal of this license is requested as the problems were a result of over serving.

The owner, Jeff Hines, noted that there were two incidents in the past year and he has taken steps to make sure that they do not occur again. Those steps are working with staff, dealing with the repercussions, if any, of over serving an individual, and calling the police to respond to a problem that can't be internally handled.

Chief Young restated that he is concerned and he will not allow his officers to get hurt. He reminded the group that the State had stopped doing spot liquor checks. And he was not going to use his officers in that capacity.

3. Cyber Cow Café – questions surrounded their use of a new liquor license that has been in use for one or two months. The Town Manager informed the Council and audience that the town received a letter from Winthrop Utilities District in regards to this café and their refusal to install a grease trap which is a clear violation of the district's rules. With the Café's request for an amusement license, the Town Manager and Town Attorney explored their options of denying it until a grease trap was installed. Unless the present rules are amended, this kind of enforcement is not available to the town. This café is a restaurant and definitely introduces grease into the system.

The definition of a special amusement license is that it allows the facility to play music, dance and hiring small bands.

Councilor Cookson commented that this problem with grease could have serious adverse effects and after several other comments made by the group, the consensus was that the town manager and the code enforcement officer along with the town's legal counsel take care of this before it becomes serious. The town manager reiterated that this is not something that either party could enforce as it is a district issue that involves rule amendments.

Councilor MacDonald requested that this item should be tabled until a series of questions are answered.

The public hearing closed at 7:47 p.m.

Item #29 – Consider the liquor license renewal applications for Barney's Sports Bar – applicant Laura Barnes: Karaoke, small bands, music. – Motion by Cookson, seconded by Caprara to approve. Vote was 6-0.

Item #30 – Consider Special Amusement license renewal application for Barney's Sports Bar – Motion by Caprara, seconded by Cookson to approve. Vote was 6-0

Item #31 – Consider Liquor License renewal application for Sully’s Restaurant. Jeffrey Hinds, restaurant, tavern – Motion by MacDonald, seconded by Caprara to approve– Vote was 6-0.

Item #32 – Consider Special Amusement license renewal application for Sully’s Restaurant –Motion by Cookson, seconded by Caprara to approve. – Vote was 6-0.

Item #33 – Consider Special Amusement license renewal application for Cyber Cow Cafe

Cynthia Spence – café, music. Motion by Macdonald, seconded by Caprara to table this request until questions presented at this meeting are answered – Vote was 6-0

Item #34 – Consider a dam inspection of the Maranacook Lake Dam and the Millstream Dam.

Wendy Dennis, of the Cobbossee Watershed District, Stefan Pakulski the Town Manager of Readfield, Members of the Maranacook Lake Association, the Winthrop Commerce Center manager and Winthrop’s Town Manager have been meeting to discuss the two dams that the WCC wants to transfer or abandon. Looking into costs, liability, maintenance, long term capital needs, ownership issues and the process to transfer. The CWD has accessed a grant to lower the height of the Maranacook Lake Dam provided there is a 25% match. This money must be spent by October 2006. Before the two towns are to consider whether to own the dam, it was recommended that a dam inspection be done. The plan is for Readfield, Winthrop, MLA and WCC to share in the cost of the dam inspection, estimated to be about \$1500. However, Readfield will have to raise the money at town meeting in June and the MLA knees to ask their membership. If approved by the Council, Winthrop and WCC will front the cost of the inspection and be reimbursed later. The town manager included \$2500 in the Norcross Point budget for 2006-2007 for the dam match and first year maintenance, in the event the town accepts ownership.

The public comments centered on the responsibility that the WCC has in sharing, if not completely paying, the cost of this inspection.

Councilor Putman commented that the WCC has been very anxious to unload the dam and they should cover the cost of the inspection.

The town manager commented that he understood these feelings however the bottom line was that the WCC could just petition the state to abandon the dam and the town would be offered the dam at that point. By conducting this inspection, it would put the town at ease as to the future capital that would have to be expended for its upkeep.

The public yet reiterated that the WCC should ‘step up to the plate’ and go forward with the inspection and any cost involved. There were additional comments that the oil spill is still not taken care of and it has not, to date, cost the WCC anything. They went on further to state that the WCC knew exactly what they purchased from the onset.

Motion made by Cookson and seconded by Caprara to direct the town manager to make another attempt to ‘move’ the WCC to cover this expenditure while demonstrating to the WCC that this is the town’s sincere preference. Vote was 6-0.

Item #35 – Consider a request from the Winthrop Chamber of Commerce and the Winthrop Regional Development Corporation for the town to fund an economic development position. that would be a job description of an individual that would do the leg work, research and planning that the Chamber is in need of at this time...in essence, a revitalization of the town.

The WACC and the Winthrop Regional Development Corporation have recently conducted joint meetings regarding economic development. Page 9 and 10 of the town's Comprehensive Plan has a recommendation to "assign an official, as a public/private partnership, to be the responsible party for all economic development". The chamber is asking for the inclusion of a line item in the new budget for the economic development official, and will work with the Town Council to determine the scope of the budget and sources of funding. Jean Grigsby, Ex Director of the Chamber submitted a letter requesting the budget item. Brian Ketchen, President, WRDC, and Rob Pelletier, from the WACC were present to discuss this in detail.

Councilor Cookson commented that the chamber is doing good things but in reviewing the handout, the Council did fulfill their mandate of assigning Cornell Knight as economic development official.

In reference to the Main Street program that will be held on April 12th, Councilor MacDonald noted that there is nothing wrong with informational gathering and encouraged the Council to attend.

Councilor Putman commented that she was in support of the concept of an economic development expert but that caution must be taken as to the planning and the growth that may come with that and what kind of community in the end is important.

Councilor Cookson did not have a problem with dialogue but this request is more than informational as it is asking for an inclusion line item in the budget. At this time, the group should remember that the Town Manager has been very successful and our downtown reflects that, as does the housing market, as do the schools. In summation, Councilor Cookson stated that he would vote no to authorize and economic development official as the town has one now.

Item #36 – Consider the purchase of a utility trailer for the cemetery department from the cemetery reserve account. The cemetery crew needs a utility trailer to move mowers and equipment. Currently the Director of Public Works is using his own trailer. One quote was for \$1805. This expenditure will come from the cemetery reserve account.

Motion by Caprara and seconded by Cookson to seek other bids up to \$1800. Vote 6-0.

Item #37 Hold a public hearing on the proposed Driveway Ordinance. This will establish some entrance standards for driveways built onto a town road.

Public hearing opened at 8:56 p.m. The attendees commented that they did not see the need for this ordinance, that it did not take into account the driveways already in existence that do not comply, and a question was raised as to 'why' and 'where did this wording come from'. Consensus was that this ordinance, in its present form, is very restrictive and anti-development.

The TM informed the group that this ordinance, as presented, comes from a compilation of other towns ordinances and information from the Dept of Transportation. The need for it involves the safety and setting standards.

Councilor MacDonald welcomed the group's participation and the suggestions made and commented that this type of dialogue helps the council in their work for the town – a total group effort.

Councilor Caprara noted that this draft was not meant to be restrictive and it did not apply to existing driveways.

Councilor Putman reiterated that the primary purpose was safety concerns.

Councilor Cookson commented that this public hearing brought out several concerns and that the Council needed to look at this draft again, and submit suggestions to the Town Manager.

The public hearing was closed at 9:35 p.m.

Item #38 - Consider the first reading of the Driveway Ordinance.

Motion made by Caprara and seconded by Cookson to table this matter at this time for further review. Vote was 6-0.

Item #39 – Presentation of the 2006-2007 Municipal Budget. The town manager reported that if there is an \$8.5 million valuation increase as projected, due to the school's flat funding the property tax mil rate could drop 20 cents. The Town Council budget review begins April 10th at 5:30 pm..

Adjourn

Motion by Cookson and seconded by Caprara, the Town Council adjourned their meeting at 9:45 p.m. Vote 6-0.