

*Minutes
Winthrop Town Council
Regular Meeting
Monday, September 5, 2006 at 7 p.m.
Winthrop Town Office*

Attendance: *Chairman Jim Norris; Council Members William MacDonald, Jayne Despres, Kevin Cookson, Patrice Putnam, Ken Buck, and Linda Caprara, Town Manager Cornell Knight and Secretary Julie Winberg.*

Approval of Minutes:

Motion by Cookson and seconded by Caprara to approve the minutes of August 7, 2006. Vote was unanimous with the following corrections to be made and incorporated into the final minutes for this meeting:

- 1. Council Member MacDonald asked the question **"Has the school board adopted the recommendation from the crisis team"**? This should be in the first paragraph under Item #91.*
- 2. The concluding statement for Item #91 was that **"The Council disbanded the committee against the recommendations of Susan O'Halloran"**.*
- 3. On page 5 for Item #89 and for Item #93, the vote should be **6-0; Council Member Putman stepped out for a brief period.***

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

Tabled from the August 7, 2006 was Item # 87 - Consider an Easement from the Winthrop Commerce Center to redirect traffic on Mechanic Street.

Motion of Cookson and seconded by Caprara taking the motion off the table. Vote was 7-0.

The Town Manager explained that the Winthrop Commerce Center wants to change the flow of traffic for safety reasons. The WCC wants to install an island and one of the conditions that the town would expect is that the new configuration be approved by the Department of Transportation.

Lou Carrier was present to further go into detail as to the reasoning behind this request.

Council Member Cookson asked if the town was going to be receiving future changes for that street. Mr. Carrier replied that there well might be. Council Member Cookson noted

that he would have appreciated it if Mr. Carrier came to the Council prior to going ahead and taking action without Council approval.

Council Member MacDonald commented that the last project the Council and Mr. Carrier were working on to resolve was the bid on fixing the upper dam and that the town is still trying to figure out how to get the damn fixed.

Council Member Macdonald stated that he is hesitant on voting positively on Item #87 as it would be a vote taken after the work has been completed. He went on to say that he would like to see a complete project list from Mr. Carrier and have outstanding issues resolved before working on new issues.

In attendance was Mr. David Rheume, former Winthrop Town Council member. Mr. Rheume commented that, as a resident, he was very disappointed that work had taken place on this road without any consideration of the residents or the Council. He felt strongly that the road should go back to the way it was and the process start the way it should with application being made to the Council for consideration.

Council Member Caprara inquired if the town's legal counsel was consulted and what were the results of that meeting.

The Town Manager informed the group that legally the town would be immune and that this has actually improved the flow of traffic.

Mr. Carrier interjected that the new configuration was indeed much safer.

Mr. Rheume responded that this is much more than a safety issue but a matter of principle. There is a process and a correct way of doing things and this certainly was not the way to do it.

Motion by Cookson and seconded by Buck that the town approve Item # 87 - an Easement from the Winthrop Commerce Center to redirect traffic on Mechanic Street - but any future work that involves town owned property, the process must be followed and the town adequately notified prior to any work being done and with the condition that the island would be constructed to the satisfaction of the town the Department of Transportation.

Council Member MacDonald inquired if there is any precedent for penalties for this type of action done by an applicant retroactively. He stated that he would rather table this item until the next meeting and if not tabled, he would be voting against it.

The Town Manager noted that a decision involving Comtel was similar to this. But if tabling this matter was to obtain more information, the work done to date should be considered and viewed as a significant improvement.

Mr. Carrier replied that he was under the impression that he owned Mechanic Street and because of the work he had done by Coffin Engineering, their plans submitted to him and the town had this suggested traffic plan for the specific reason to improve the traffic flow.

Council Member Buck stated that this was indeed an improvement.

Vote was taken on the motion and was 6-1 (MacDonald opposed).

Item #99 - Consider the Conservation Commission's Mt Pisgah Management Plan and schedule a public hearing.

John Williams of the Conservation Commission was present and introduced Jim Connors who addressed the Council and went through the proposed management plan. This being a joint effort, the plan has been developed with everyone contributing to the stewardship of the property. The goal is to maintain property as outdoor space for recreational use while protecting its natural resources. It is already heavily used as a recreational area. The Commission is also looking into the National Registry of Towers as the tower on Mt. Pisgah was erected in 1949. Outdoor classrooms with emphasis on forestry management are also a part of the possible future projects that the Commission is exploring. The property is now being maintained through a lot of volunteering - Winthrop Day of Caring, Students of Kents Hill, and Friends of the Trail to name a few.

Council Member Cookson confirmed that the Commission is looking into connecting the trails from the high school

One question the Commission would like to explore is what obligation does the town have in reference to supporting this project with assistance from the Public Works Department and the Emergency Fire and Rescue Department.

Thanks were expressed by the members of the Town Council for their hard work and how impressed they were to see almost all the members of this Committee present at tonight's meeting which shows an overwhelming statement of support and commitment to this project.

Motion by Putman and seconded by MacDonald to *schedule a public hearing on the Conservation Commission's Mt Pisgah Management.* Vote 7-0.

Item # 100 - Update from the Public Safety Building Committee's publicity efforts.

John Dean, Chairman of the Public Safety Facilities Committee, reviewed the publicity efforts made to date. Articles have been in several newspapers about the proposed 28,000 square foot structure on Route 202 to house the emergency medical service and the fire and police departments. The cost of the construction of the facility is estimated to be \$4million. The feedback has been very favorable. Copies of the report have been distributed and more groups will be targeted for input after Labor Day. He informed the Council that the Chamber would be hosting a breakfast at 7:15 a.m. Thursday, September

7th, in the all-purpose room at the Winthrop Town Office. The meeting will feature a presentation on the proposed Public Safety Building. He will report back to the Council on the outcome. Hosting this presentation does not imply endorsement.

Council Member Despres inquired as to what the timeline may be when the informational part ends and action takes over. Mr. Rheume, a committee member, answered that there is a timeframe and that corresponds with the federal fiscal year budget which begins on October 1, 2006. He felt that they need to move forward as soon as possible because there is a small window of time between gathering additional public input and the public hearing that needs to be held. The application has been sent and if approved, should the Council reject the proposal; a year would be lost which in turn means higher construction costs for the projects bottom line.

The Town Manager responded to this by informing the group that after public hearing, and should the council decide to put it out for public referendum, at least 45 days are needed.

Mr. Rheume offered to work with Mr. Dean and the Police Chief to pole the major organizations that remain.

Council Member Cookson responded that the Council seemed to be open to that suggestion and that this group should get back to the Town Manager as soon as possible allowing sufficient time for the Council to then hold a public hearing. All were in favor.

Item #101 - Consider Town Council/School Board leadership recommendations regarding the Winthrop Unites Advisory Committee

Chairman Norris addressed the public in attendance as well as the Council Members and explained that this recommendation was being made this evening in order to be able to come together and to move forward in a positive way, looking ahead and not back.

Motion made by Despres and seconded by Cookson the following motion was read into the record as follows:

I move the following recommendations developed by the Council Chair and Vice-Chair along with the School Board Chair and Vice-Chair:

Statement: We fully support and deeply appreciate the work of our jointly appointed advisory committee. We want committee members and the community to know that we are all committed to supporting and guiding our younger citizens through life transitions. We strongly agree that the most important thing is supporting those programs that help our teenagers and young adults' transition into healthy, responsible and vital adults.

The Council and Board fully respect and honor the time and effort that WUAC and Winthrop Unites members are investing in finding solutions. We agree on continuing to

support the work that is evolving in this community, but we believe that after a year, the committee structure and action steps should be reviewed.

The Council asks the School Board to request (The School Board requests) from Meghan a written report to include a brief summary of work to date and also on what she needs for continued support from the Town Council, School Board, and community. This report is requested for our meeting on Oct 2 (Oct 4).

We request that WUAC bring a report to our Oct 2 (Oct 4) meeting on the outcome of the youth focus groups.

We request that WUAC provide written feedback at our Oct 2 (Oct 4) meetings (to be discussed at WUAC meetings) information and feedback on the following:

- a. What items/programs would WUAC continue to need school support on including but not limited to the Student Wellness Center and Student Wellness Education?
- b. What items/programs would WUAC continue to need Town Government support including but not limited to the Porchlight program. How would the Council be involved?
- c. Does WUAC foresee a need for joint action on any upcoming programs?

The Town Council and School Board agree that the WUAC will remain in effect as is until December 1, at which time the WUAC committee structure will be reviewed.

- a. The Council and Board will then split our responsibilities based on program needs and recommendations of WUAC and WU.
- b. The Council and Board understand that items or programs will need our support as governing bodies, perhaps jointly, but it is important that those specific needs be identified to avoid future conflicts.
- c. After December 1, the committee will include one representative from each of our boards whose function is a communications link, and 3 additional members dependent on the above discussions. This committee structure review and input is meant to help streamline process and allow focus on and direction of energy towards work that directly affects our young citizens.

Chairman Norris asked for public input.

Several speakers took to the podium and voiced their negative reaction to last month's vote to disband the group. Micro managing a group of professionals was among the comments made.

Council Member Despres commented that she was one of the members who voted to disband and did so, as did the other three Council members, to clearly delineate everyone's roles. This, she went on to say, is a more streamlined way to tackle a statewide, worldwide issue that is multi-faceted.

Council Member Putman commented that she could not be more against this motion and last months vote to disband.

Council Member Cookson commented that the overall charge that the Committee has been functioning under has been accomplished and that is why the vote last month went the way it did.

Several more speakers in attendance spoke against the decision to disband and felt the only way to undo the damage that was done by this vote was to have the Council members that voted to disband take back their vote in a sign of support.

Megan Kargas was also in attendance and relayed her concern as well to the decision to disband. She felt that with only two months on the job working with the committee, she was really just getting started. She encouraged everyone to come to the next meeting to see how it functions and just where they are in the process.

All who spoke from the public stated that the message they were receiving was that the perception of the vote to disband seemed to be entirely different from the intent that was being voiced this evening. In addition, the word 'specific' in the motion that was just made was an unreasonable expectation of the committee members.

Chairman Norris commented that the Committee was not expected to have every point covered and that there was no ultimatum at all - quite the contrary. The Council wanted a brief summary that would serve as a guide by the October 2nd meeting.

Council Member Putman commented that those Council Members that drew up that motion needed to be clear as to what they wanted and the word **specific** implies just that – **specifics**. The Committee members need to know what the Council wants of them by the October 2nd meeting.

Jennifer McConnell, health care professional, commented that she was very disheartened by the decision to disband. She went on to say that communication between the Council and Committee is not very good and to heal the damage that has been done by this vote to disband is to withdraw it. She asked the four Council Members that voted to disband what **their** vision was and what was **their** plan was on how to proceed after disbanding. She asked the Council to vote against this motion.

Council Member Cookson stated that his vision in August was for the Committee to continue working but in a different format.

Council Member Caprara agreed and felt that the ad hoc committee message was quite clear. She asked the Committee how many recommendations have been made to date.

Council Member Putman asked that same question of the Council Members. She stated that if she was asked at the meeting in August to give recommendations, she and the Committee would have. But, the Committee was disbanded in order to continue.

Chairman Norris reiterated that the vote last month was a legitimate vote. This motion made this evening was an attempt to help the Council and the Committee to move forward.

Council Member Despres stated that the School Board had not taken any action. The motion made this evening was indeed an attempt to move forward. If the word **specific** needs to be struck from this motion, then that will be part of the amended motion.

Chairman Norris asked if the four members who voted to disband plan on reconsidering their vote this evening as the intention was not to disband but the unintended result was that the Council was no longer interested in supporting the Committee work

Council Member Caprara stated that it was a moot point. The Committee was not disbanded.

Chairman Norris replied that he was simply asking this question because the feedback from the public this evening was clearly asking the same thing.

Council Member Caprara answered that they should not have to reconsider their vote and that this was a perception problem.

Council Member Cookson apologized if that was the message received because if it was communications must have broken down along the way. He went on to say that he fully supported the Committee and the members and all their hard work. But that this is a moot point. Winthrop Unites Advisory Committee is a fully functioning group and reminded the group that it was the School Board that chose not to vote.

Toni Marston made the last comment before the Council took a ten minute break. She said that the vote last month was devastating to the 'kids'. Their feeling was that it was a clear indication that the town will not support them and they feel totally abandoned by their town. She ended by stating the Council...at least the four who voted to disband....owed the children an apology.

The Council took a 10 minute recess and reconvened at 9:10.

The final speaker was Ian Engdahl, President of the Student Council who is also a member of this Committee. He eloquently read a statement into the record on how detrimental this decision to disband was and the lack of support it reflected. He stated

that the Council must show its unflinching support on such an important issue as youth suicide.

Council Member Despres proceeded to make an amendment to the motion, which was then seconded by Council Member Cookson, to strike the word **‘specific’** from the original motion. She then went on to say that the statement fully recognizes the advisory council and that it is not disbanded.

Council Member Putman stated that she was stunned at an amendment being made right after the heartfelt comments that the Council just heard and that if there was ever a message to be sent, everyone just got it.

Council Member Buck stated that he did not understand where the Committee got the impression that they were disbanded. He went on to say that it was clear that the Council was in full support of the Committee and their work.

Council Member Despres again stated that they are in full support of the work the Committee has done and continues to do. The only thing that was asked of them was to have a different structure in the future.

Council Member Caprara stated that she had no further comment on the issue as she has stated her opinion and it is on the record.

Council Member Cookson stated that he had heard the all the comments from the public as well as the Council Members. The idea that the Committee has broken down was very unfortunate. He went on to say again that he is in full support of the work that was and is being done. The motion that was read into the record states for Winthrop Unites to bring back a report and the Council would look at that report and no one was saying that the Committee was disbanded. This motion clearly allows us all to move forward.

Chairman Norris stated that he will be voting in favor of this motion with its amendment as it was an attempt to move forward. He also stated, however, that he felt a horrible mistake was made last month in the vote to disband and he implored the four council members to give what was clearly being asked of them and that was to rescind their vote to disband. But if that was not possible, the Council needed to have something on the table to put this to rest.

Council Member Putman stated that if the Council wanted a report she would give them one: “we met frequently, we researched, we evaluated, we addressed concerns, we agreed on a process to bring recommendations, and then we were disbanded...and then thanked”.

Council Member MacDonald stated that the four council members that voted to disband made it quite clear what their intention was. No one asked for a report or recommendations at the August meeting and the minutes reflected that. He went on to say that he listened to all the comments and the rhetoric of more action and less access.

The Committee has had extra meetings over this and it's been all on process. He addressed several of the Council Members and noted that Council Members Caprara and Despres never attended one of those meetings and that Council Member Buck attended the last one and was sporadic in attendance throughout. He stated that he felt it was clear that the four members voting to disband did not care what the other members on the Council felt and that was very disappointing. He stated that he would be voting against this motion with its amendment and he hoped the Council Members would reconsider their vote to disband.

The amended motion stood. Vote was taken: 5-2 with MacDonald and Putman opposed.

Item #102 Consider bids for tax acquired properties.

Map 35/Lot 4/Ext 21 Trenton Drive Taxes Due \$337.50

*John Englehardt Amount of Bid \$2,369.00

Map 16/Lot 1/Ext A Wood's Grove Lane Taxes Due \$1,887.56

*Richard J. Whatley Amount of Bid \$2,001.00

John Englehardt Amount of Bid \$2,000.00

Map 35/Lot 7/Ext 14 Old Turkey Lane Taxes Due \$272.45

*John Englehardt Amount of Bid \$742.00

Map 35A/Lot 9/Site 13 Fellows Lane Taxes Due \$744.61

*John Englehardt Amount of Bid \$2,781.00

Map 4/Lot 45/Ext B/Site 1 390 Turkey Lane Taxes Due \$1,443.30

No Bids Were Received For This Property

Motion by Cookson and seconded by Despres to approve the bids for tax acquired properties. Vote was 7-0.

Item #103 - Consider the funding recommendations from the Social Services Committee.

The list was reviewed. Council Member Cookson expressed the issues he had with Healthy Futures which he addressed directly to this agency. The Town Manager responded that the Social Services Committee felt that Healthy Futures provided specific services to Winthrop and that they were an appropriate candidate.

Chairman Norris stated that that is the reasoning behind having a committee and supporting their recommendations.

Motion by Buck and seconded by Despres to approve the funding recommendations from the Social Services Committee. Vote was 6-1 with Cookson opposed.

Item #104 - Consider the bid for the trucking at the Transfer Station.

The Town Manager informed the Council that only one bid came in from Randy Tibbetts for \$81,000 and that was much more than was presently being spent by doing this in-house. Motion by Cookson and seconded by Caprara to reject the bid and continue to operate in the same fashion. Vote 7-0.

Item #105 Update on the Maranacook Lake Outlet Dam project.

The Town Manager informed the Council that Readfield had requested bids and there was no bids but that a company had been contacted to give a quote and then had family issues that took him out of town for several weeks. When contacted again, his bid was much higher than originally submitted a year ago, because the specifications added costs.

The Town Manager stated that he felt with grant money and the combination of monies from the towns of Winthrop and Readfield as well as money received from the Cobbossee Watershed District, the town will meet the amount needed to fund this project at \$23,500.

Item # 106 - Hold a public hearing on a liquor license application for Destination Catering and Item # 107 - Consider a one-day liquor license application for Destination Catering.

The public hearing opened at 9:55 p.m. and closed at 9:57 p.m.

Motion by Cookson and seconded by Caprara approving the liquor license application for Destination Catering. Vote was unanimous.

Item #108 set a date for the Town Council goals session

This item was canceled by Chairman Norris for future consideration.

Manager's Report

Town Manager informed the Council that he would be attending the ICMA Convention from 9/9/06 to 9/13/06.

Meeting adjourned by a motion from Cookson and seconded by Caprara at 10:30 p.m.