

Winthrop Town Council Meeting Minutes
Regular Town Meeting
Monday, June 6, 2005
Winthrop Town Office

- The meeting was called to order at 7:00PM by Chair Kevin Cookson.

- **Roll Call**

Council Members Present: Kevin Cookson, David Rheaume, Jayne Despres, Bill MacDonald, Linda Caprara, Ken Buck, Patrice Putman

Others present: Cornell Knight (Town Manager), Lee Bragg, Lisa Frost (Secretary), Superintendent Paula Gaudet, Terri Despres, School Board Members, Karen Criss, Ann Dooling, Jeff Ladd, approximately 80 citizens

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

❑ **Approve the Minutes of May 2, May 11, June 1, 2005**

MOTION by Patrice Putman, seconded by David Rheaume to approve the minutes of May 2, May 11 and June 1, 2005. Discussion: None. VOTE: 7-0.

❑ **Item #72 Hold a public hearing on the Budgets for the 2005-2006 Fiscal Year:**
 ○ **Resolution #85 Part I- Municipal Budget**

Councilor Jayne Despres proposed we provide a check off on the tax bill to give people the opportunity to contribute locally to the social service agencies that provide services to Winthrop residents. It will provide a positive and consistent message and a long term structure, it has the potential of being funded at a much higher level than currently funding, it ensures all taxpayers have knowledge and choice (with advertisements, etc); it supports different points of views in a positive way; it provides a true statement of the people of the community and not another mandate.

MOTION by Jayne Despres, seconded by Ken Buck, for the Town of Winthrop to provide the citizens of Winthrop with a check off option on their annual tax bill for donations to social service agencies that provide citizen services and have the current committee selection process be maintained. Discussion:

Councilor Patrice Putman stated she appreciated the innovated approach and agreed that people would support social service agencies on a voluntary basis because people are very appreciated of social services. However, the community has spoken and it wants to support the social service agencies through the budget. Therefore, she supported continuing to fund/support social services this year while incorporating Councilor Despres' idea.

Councilor Ken Buck supported Councilor Despres' motion and said citizens should have a choice to donate to social services and thought the fund will grow beyond \$11,000, if approved.

Councilor Bill MacDonald stated he liked the idea of expanding the level of support, but was in favor of a combination of keeping the funding and starting a program as described by Councilor Despres.

Councilor Linda Caprara favored the opportunity for citizens to contribute and thought the fund would grow beyond \$11,000.

Chair Kevin Cookson stated he supported the idea of donations, but stated it is too late in the year.

The following citizens spoke in support of continuing to fund \$11,000 to social service agencies: Jim Gill, Bob Ashby, Don Fuller, Sandra Ritkes, Bob Chandler, Mike Sirota (Kennebec Valley Mental Health Center), Mike Danforth, Jim Norris, Roger Lajeunesse, and Peg MacDonald.

Burt Richardson, Terri Despres, and Taylor Richards supported Councilor Despres proposal for next year, while funding during the 2005-2006 year.

Robert Fuller and Russ Hazard opposed Councilor Despres' motion, but supported the Town funding \$11,000 to social service agencies.

VOTE: 7-0.

MOTION by Bill MacDonald, seconded by David Rheume, to reinstate \$11,000 for social service agencies and for the committee selection process to take place. The \$11,000 will be taken from the following: reduce the municipal budget, manager's line: Dept 3210, Legal Services from \$21,000 to \$17,000; and reduce manager's request from \$15,000 to \$8,000 which totals \$11,000. Mr. MacDonald noted the level of legal service funding is what was budgeted within the 2003-2004 year and what was expended in the current year. In addition, it is reasonable safe funding for legal services.

Discussing: Councilor Patrice Putman asked if Town Manager Knight was comfortable with the recommendation and if he anticipated problems in the coming year that would demand the value originally budgeted for the above mentioned account lines. Town Manager Cornell Knight stated it shouldn't be a problem "if the judge is cooperative in current legal matters". However, if needed, they could look to surplus. Mr. Knight clarified the committee would meet to allocate the budgeted amount and have a recommendation by the end of summer. Councilor Jayne Despres clarified the donations would go into a pool for the next fiscal year, but not for the 2005-2006 budget.

VOTE: 7-0.

Chair Kevin Cookson called a 10-minute break. Chair Cookson called the meeting back to order at 8:25PM. Chair Cookson opened the public hearing at 8:26PM on the municipal budget.

Citizen Bill Haefele requested the amount of dollars raised this year vs. last year. The figures were reviewed: 2005 (current) fiscal year was \$4,139,029; Proposed for the year 2006: \$4,349,926; which is an increase of \$205,813. Mr. Haefele noted because some expense lines from the last budget were not fully expended, the actual increase of expenses is approximately \$246,000.

Chair Kevin Cookson closed Part I Municipal Budget hearing at 8:35PM

MOTION by David Rheume, seconded by Bill MacDonald, to approve the proposed budget as presented with amendments made previously from Councilor MacDonald. Discussion: Councilor Patrice Putman asked if the Fun After School Program should be a separate line account (similar to the Performing Arts) instead of with the Recreation Program. Town Manager, Cornell Knight explained the Performing Arts is set up as an enterprise and should have revenue coming in. The Fun After School program is an expense. Cornell suggested earmarking it within the Recreation Program. Town Manager Knight asked if the Council wanted to add the \$952 back to Codes Enforcement. Council declined. VOTE: 7-0.

• **Part II -School Budget**

Chair Kevin Cookson announced Councilor Jayne Despres would not be participating in the voting of the school budget.

Chair Cookson opened the public hearing on Part II – School Budget at 8:43PM. Councilor David Rheume asked for the reason for the increase in the maintenance line. Terry Despres stated the major factors were fuel price increases and electrical work to include streetlights on Rambler Road.

Citizen Bill Haefele requested the amount of dollars raised this year vs. last year. The figures were reviewed: 2005 (current) fiscal year was \$9,641,085; Proposed for the year 2006: \$9,968,069 to include extras such as overages, contract negotiations and Fund 100. Mr. Despres stated the actual school operation for K-12 is \$9,318,953 for 2005 and \$9,477,268 for 2006, which is a net increase of \$158,315. Councilor David Rheume asked how much additional revenue was received from the state. Mr. Despres stated the total state revenue was \$236,137 in all categories. \$209,000 is going to return money back to the surplus. \$170,000 for food service and contract negotiation payable after July 1st and a retirement account for those retiring and buying back unused vacation time.

There is a decrease of \$85,000 at the high school due to a combination Athletic Director/Assistant Principal and one shared teaching position with the Middle School, in addition to other small adjustments as well. Transportation Service increased \$68,000 due to fuel prices.

Mr. Despres reviewed by state valuation, the town has .008 mil rate reduction for education and he is "looking forward to seeing the state keep their part of the bargain."

Citizen Dick Guerette stated the community should be very thankful for having Mr. Despres for he is a master of what he does.

Chair Kevin Cookson closed the public hearing at 8:53PM.

MOTION by David Rheaume, seconded by Linda Caprara to approve Resolution 85, Part II, Article 1-15 in total as presented. Discussion: None. VOTE: 6-0-1 (Jayne Despres abstained.)

Councilor Linda Caprara departed at 8:54PM.

- ☐ **Item # 73 Determine the dates when property taxes committed during the 2005-06 fiscal year shall become due and payable.**

MOTION by David Rheaume, seconded by Ken Buck to keep property tax commitments during the 2005-2006 fiscal year due and payable on October 1st and April 1st. Discussion: None. VOTE: 6-0.

- ☐ **Item # 74 Determine the rate of interest that shall apply to delinquent taxes committed during the 2006-07 fiscal year until those taxes are paid in full.**

MOTION by Ken Buck, seconded by Jayne Despres, to keep the rate of interest the same. Discussion: Councilor Bill MacDonald asked what the level is on the next payment. Town Manager Cornell Knight stated it follows the State Treasurer and is usually a 4% spread. Councilor Patrice Putman asked for the current rate of interest. Jan Tewksbury stated it is currently 6.5%. Councilor Putman questioned the loss of revenue from not increasing to the 7.75% maximum rate of interest set by the Treasurer of State. VOTE: 3-3.

MOTION by Jayne Despres, seconded by Patrice Putman to set the rate of interest for delinquent taxes at the maximum rate of 7.75% as allowed by the State Treasurer. VOTE: 4-2 (David Rheaume and Ken Buck oppose.)

- ☐ **Item # 75 Consider the rate of interest that shall be applied for overpayment of taxes.**

MOTION by Jayne Despres, seconded by Bill MacDonald to establish a 3.75% rate for overpayment of taxes. Discussion: None. VOTE: 6-0.

- ☐ **Item # 76 Consider approval of the Capital Improvements Budget.**

MOTION by Patrice Putman, seconded by Bill MacDonald, that Capital Improvements be approved at \$120,000 with Item 1003 Public Works reduced from \$60,000 to \$45,000. Discussion: None. VOTE: 6-0.

- ☐ **Item # 77 Consider a contract with the Department of Conservation for the \$15,000 grant to construct trails at the Apple Farm Crossing II site.**

A copy of the contract was reviewed.

MOTION by Bill MacDonald, seconded by Patrice Putman, to authorize the Town Manager to sign the contract with the Department of Conservation for the \$15,000 grant to construct trails at the Apple Farm Crossing II site – as Town of Winthrop as the recipient, subject to review of ADA requirements in regards to paving. Town Manager Cornell Knight confirmed the contract would allow for the local match to include in-kind contributions. VOTE: 6-0.

- ☐ **Item # 78 Consider bids on the tax acquired properties.**

George Ferguson spoke regarding his property at 46 Pineland Drive Map 9/Lot 57/Site 40 and requested to pay \$300 today and \$100 monthly until debt is paid. Mr. Ferguson stated he had not received tax bills. Town Manager Knight stated it was tax-acquired property since 1998; therefore, he would not have received a bill.

MOTION by Patrice Putman, seconded by Bill MacDonald to accept George Ferguson's bid of \$300 today and \$100 a month until the debt of \$1,470.16 is paid and is due on the first of every month starting July 1st and with the understanding the Town will issue a quitclaim deed after the \$300 is paid. Discussion: Councilor Bill MacDonald requested Mr. Ferguson's address, which is PO Box 493, Winthrop, ME. VOTE: 6-0.

Lorin Zimmerman was present on behalf of her sister, Sheri Zimmerman. Due to a severe car accident and medical issues that day, Sheri Zimmerman has been unable to pay the taxes and attend the meeting tonight. Therefore, Ms. Lorin Zimmerman asked to pay \$1030 today with a monthly payment plan of approximately \$150 a month until paid in full.

MOTION by David Rheaume, seconded by Ken Buck, to accept \$1,030 and to do a quitclaim deed to Sheri Zimmerman and have Lorin Zimmerman stay at the end of the meeting to set up a payment plan with the Town Manager with promissory note and understanding that \$150 will be paid every month. Discussion: None. VOTE: 6-0.

MOTION by David Rheaume, seconded by Patrice Putman, on 390 Turkey Lane that we accept the highest bid of \$3,250 from Andy McGrath and on 93 Pineland Drive that we accept the highest bid of \$600 from Mike Adams. Discussion: None. VOTE: 6-0.

MOTION by David Rheaume, seconded by Jayne Despres that the delinquent taxes for 69 Pineland Drive and 41 Pineland Drive be written off according to property accounting practices. Discussion: None. VOTE: 6-0.

❑ Item # 79 Hold a public hearing on all victualer's license renewals.

There were no comments from the public.

❑ Item # 80 Consider Victualer's license renewals for 2005-06.

MOTION by Bill MacDonald, seconded by Patrice Putman to reissue victualer's licenses for all the listed food establishments. Discussion: None. VOTE: 6-0.

❑ Item # 81 Consider a Memorandum of Understanding with the Winthrop YMCA.

MOTION by David Rheaume, seconded by Bill MacDonald to enter into agreement with the YMCA for the insurance company asked to have one to set out basic guidelines. Discussion: None. VOTE: 6-0.

❑ Item # 82 Consider waiving the disposal fee for recycled metal.

MOTION by David Rheaume, seconded by Jayne Despres to waive the disposal fee for recycled metal. Discussion: None. VOTE: 6-0.

❑ Item # 83 Consider the bids for the sale of the Chevy Blazer.

MOTION by David Rheaume, seconded by Jayne Despres to accept \$1,500 from Frank Prescott. Discussion: None. VOTE: 6-0.

❑ Item # 84 Appointments Committee report.

MOTION by David Rheaume, seconded by Ken Buck to appoint John Williams to the Conservation Commission. Discussion: None. VOTE: 6-0.

❑ Item # 85 Consider donations for historical photo restoration and Ambulance Service.

MOTION by David Rheaume, seconded by Jayne Despres to accept a \$60 donation for historical photos and a \$250 donation to the Ambulance Service. Discussion: None. VOTE: 6-0.

❑ Manager's Report

- There will be a special Town Council meeting Monday, June 13th at 7PM to discuss the road/pavement study; hear a request from the Friends of Cobbossee Watershed to build a boat wash station at Norcross Point and to consider the town wide property revaluation bids.

❑ Other business

- Councilor David Rheaume asked if the scales at the Transfer Station have been certified and if so, where the certificate is located. Town Manager Cornell Knight stated the scale had been recently serviced and certified by the State. Mr. Knight stated he would find out where the certificate is located. Citizen David Dyer stated if the scales have been certified, they are incorrect.

- Attorney Brian Condon asked the Council under what circumstance and who would have authority to issue a criminal trespass notice to a town citizen for a town owned facility. Chair Kevin Cookson stated the department head discusses the situation with the Town Manager, but disciplinary problems are a duty that is delegated to the Town Manager through the Department Manager, for the Council is the legislative body that may deal with situations as a judge/jury. Town Attorney Lee Bragg stated the Town Manager and Staff has the authority to make these decisions; however, it doesn't say the council couldn't make another decision or overturn it.

□ **Adjourn**

MOTION by David Rheume, seconded by Jayne Despres to adjourn at 10:15PM. Discussion: None. VOTE: 6-0.

Submitted by Lisa Frost, Secretary to the Town Council.