

**Minutes**  
Winthrop Town Council  
Regular Meeting  
**Monday, October 3, 2005 at 7 p.m.**  
Winthrop Town Office

*Attendance: Councilors Patrice Putman, William MacDonald, David Rheaume, Jayne Despres, Ken Buck, Linda Caprara. Town Manager Cornell Knight, Public Works Director David Smith; Ambulance Director John Dovinsky; Police Chief Joe Young, and six residents. Secretary: Julie Winberg. Excused: Chairman Kevin Cookson. Acting Chairman Putman called the meeting to Order at 7:00 p.m.*

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

***Minutes of September 12, 2005***

*Councilman MacDonald added to the minutes of 9/12, Item #129 - Establishing a minimum fee for demolition of debris at the Transfer Station: David Dyer remarked that he hauls glass to the transfer station using the 100 lb. exemption whenever he has glass to haul. Mr. Dyer was in attendance and confirmed the accuracy of this statement.*

*Motion by Rheaume, seconded by Caprara approving the Minutes of September 12, 2005. Vote was (6-0).*

**Item #135** *Consider the donation of the 1995 Ambulance to the Mid-Maine Technical Center.*

*The Council Members reviewed a letter regarding the ambulance donation from Josh Wheeler. The new ambulance should be arriving in the next 45 days. John Dovinsky, Director of the Ambulance Service, recommended that the old ambulance be donated to the Mid-Maine Technical Center.*

*Motion by Rheaume, seconded by MacDonald approving the donation of the 1995 Ambulance to the Mid-Maine Technical Center. . The vote was 5 in favor, and 1 opposed (Council Member Buck).*

*Councilor Buck commented that it would have been good to keep the ambulance and with some repairs, it could have lasted for a few more years. He requested that he be given the amount that it would have cost to make the mechanical repairs to keep it in service.*

**Item # 136** Consider a mutual aid agreement between the City of Augusta Police Department and the Winthrop Police Department.

*The Council reviewed the mutual aid agreement with the City of Augusta. Chief Joe Young was available to answer any questions.*

*Councilor Despres asked the Chief what the agreement between Augusta and Winthrop covered and how it was going to work. The Chief explained that Augusta was always willing to help the town. His Department has used the State Police more often than other agencies because of the type of call. Recently, Augusta purchased special equipment and will be training a specialized team of officers to be prepared for any event such as a civil disturbance or mass casualty. His Department will be able to utilize this special unit for the same types of assistance.*

*There being no further discussion, with a motion by Rheaume, seconded by Caprara approving the mutual aid agreement between the City of Augusta Police Department and the Winthrop Town Police Department. The vote was unanimous (6-0).*

**Item # 137** Consider Resolution #86 to establish a Pine Tree Zone Steering Committee. The Town Manager informed the Council that, by approving the establishment of a steering committee, the administration of the Pine Tree Zone becomes more manageable. The Steering Committee, which will be formed as a by-product of this legislation, can make changes without taking months to accomplish. There are 7 parcels in Winthrop in the Pine Tree Zone.

*Council Member Putman asked who the committee members were. The Town Manager explained that the committee has not been formed. To his knowledge, it will consist of 7 to 9 people that are volunteers, not appointed or elected and that geographical representation would be recommended.*

*Council Member MacDonald inquired if this Committee is something that the Council should become involved in. That may be left for future discussion.*

*There was no further discussion, with a motion by Rheaume, seconded by Caprara to approve the establishment of the Pine Tree Zone Steering Committee. The vote was unanimous (6-0).*

**Item #138** Consider Resolution #87 authorizing the Town of Richmond to join the Kennebec Valley Pine Tree Development Zone.

*Acting Chair Putman asked the Town Manager if there could be a negative aspect to adding one more town to the Pine Tree Zone. The Town Manager answered that he saw no downside as this could only bring more business to Central Maine.*

*There being no further discussion, with a motion by Caprara, seconded by Despres approving Resolution #87 authorizing the Town of Richmond to join the Kennebec Valley Pine Tree Development Zone. The vote was unanimous (6-0).*

**Item #139** Hold a public hearing on the franchise transfer of Adelphia Communications to Time Warner NY Cable LLC. Time Warner Inc. is buying the Adelphia Communications cable franchises in Maine.

Acting Chair Putman opened the public hearing at 7:15 p.m.

Police Chief Young asked if the contract language that the customers had with Adelphia would change. The Town Manager confirmed that Time Warner had to stand by the franchise agreement that was in place. He explained that the franchise agreement had expired this past summer and a new agreement would be negotiated soon. He went on to say that the law firm of Bernstein & Shur represented the coalition of fifty towns that have Adelphia and proposed this resolution. The goal is to have a comparable system to what Time Warner has offered in the Portland area and offer the service to all other franchises in the state. There is no provision in the law whether conditions can or cannot be included in the approval.

David Dyer pointed out that there is a franchise fee that goes to the town of Winthrop. He asked the Town Manager to estimate how much that amounts to over 12 months and where it is allocated. The Town Manager replied that the amount is approximately \$60,000 and that it goes into the general revenue.

There was no further discussion.

Acting Chair Putman closed the public hearing at 7:25 p.m.

**Item #140** Consider resolution #88 regarding the transfer of the Adelphia Communications cable franchise to Time Warner Cable.

Council Member Despres asked if the town could include a stipulation in the contract in reference to items #11 and #12. The Town Manager responded that the town has been upgraded per the agreement so it does not need to be included in the resolution.

There being no further discussion, a motion by Despres, seconded by Buck approving Resolution #88 transferring Adelphia Communications cable franchise to Time Warner. The vote was unanimous (6-0).

**Item #141** Update on the road construction projects.

The Town Manager noted that each member received a copy of several spreadsheets with road and drainage costs to date describing what was spent, what roads were done, as well as what roads remained to be done. Ditching, culvert installation, mulching and seeding cost much more than originally anticipated. Greene Street costs exceeded projection due to drainage problems and increased sidewalk costs. Charles Street exceeded budget because the length was 500 feet longer than budgeted.. Truncated domes have to be installed at all crosswalks for the visually impaired to comply with the Americans with Disabilities Act (ADA) for the recent sidewalk project. The reclaim machine will be back in service and grinding on Maranacook and Buttershill will start on Monday (October

3<sup>rd</sup>). Priority #2 will be completed this fall and the remainder of the roads not done in 2005 will be completed in the spring of 2006.

The Town Manager then informed the Council that FEMA's first supervisory review denied the \$15,250 hazard mitigation work (installing 2 large culverts) on the Narrows Pond Causeway because of they determined that the granite culvert was not damaged. But he plans on appealing in an attempt to obtain funding toward this repair. Acting Chair Putman noted that she was very pleased with the paving on Narrows Pond Road.

### **Old Business:**

**Item #70** Discussion of the frequency of salary/wage adjustments during budget review. Acting Chair Putman explained that this issue was brought up during the last budget cycle. The Town Manager read an excerpt of the personnel policy in reference to wage reviews and compensation to refresh their memories. The town had hired a consultant to do wage reviews 5 years ago. Part of that input was received by calling other municipalities for information on their job descriptions and their wage scales accordingly. Council Member Caprara asked if the town had job descriptions and wage scales for its employees. The Town Manager responded that that was in place for the police department.

Council Member Caprara, echoed by Council Member Rheaume, felt it was their understanding that everyone was brought up to the state average. It was their observation that, without any notice, periodic adjustments of 10% to 15% were being made without any schedule. They thought that, for budget reasons, a policy should be in place so that the Council would know in advance and that a schedule of raises and positions should be made available to them. They were both of the understanding that everyone was brought up to state average yet these periodic adjustments are submitted throughout the fiscal year.

The Town Manager explained that he did not bring everyone up to the state average because it was too much money to do all at once. He felt that the town could not afford to do that at one time so he has proceeded to do it in stages. There are still several employees that are below the average wage.

The general consensus is that the Town Manager will continue periodic salary increases as usual, presenting to the Council his justifications as he has done in the past, taking into consideration at all times, the budget and the needs of the town first.

### **Manager's Report**

The state certified the accuracy of the weight scales at the Transfer Station.

The school's AD Director is establishing a sports field committee to study the best use of all the fields, and would like a representative from the council to be a member. Councilors MacDonald and Caprara asked to be included on the committee.

*Terri Williams, Deputy Clerk is out on maternity leave until January.*

**Other Business:**

*Council Member Despres asked that prioritizing what types of agencies the Council is going to recommend to the Social Services Committee for funding should be placed on the November agenda.*

*Council Member Buck inquired about the oil spill in Annabessacook and why the state is paying for that clean up and not the owner of the Mill. The Town Manager explained that the State has an insurance policy in place and has tied this spill to the previous spill in 1993. By doing so, the owners of the Mill are entitled to that coverage and insurance protection. Council Member MacDonald commented that the Town is very fortunate as if that policy did not exist and the current owners had to be fiscally responsible for the clean up, their financial package would have fallen apart and in turn so would the development of this complex.*

*Councilor Rheaume inquired about the lost property value on Annabessacook for the waterfront owners. He has had several inquiries from those individuals who have told him that their waterfront property, although it looks as if the oil spill had been removed, you can see and feel it when you go closer to the water. They, in turn, are claiming that they have lost the use of their waterfront property as it has become unusable and perhaps unsafe. They have inquired as to what rights they have for a tax reduction and for more assistance in the cleanup of their shoreline. The Town Manager informed the Council that the Assessor is presently going out and taking a look at these claims and her job is to make sure that their assessments reflect what actually is there.*

*Councilor MacDonald mentioned that he was pleased to see the Farmer's Market so vibrant and full of activity on Saturday. He was in hopes that when the new Post Office is built that they could be convinced to keep some of the area green to afford the farmers markets the same kind of visibility.*

*Councilor Rheume mentioned that the money for the new facility was expected to be in the October 1<sup>st</sup> budget but that could change. The design that he has seen does not allow for any green space. The building extends right out to the sidewalk with a plaza area and parking lot. But there may be some room for negotiation in time.*

*David Dyer asked the Council who allows the Public Works Director to take a truck home. The Town Manager responded that he hired Mr. Smith and felt that providing him a take home truck as part of his personnel package was quite appropriate as he is frequently called out.*

*With a motion by Despres and seconded by Caprara, the Town Council adjourned their meeting at 8:27 p.m. Vote 6-0.*