

**Winthrop Town Council Meeting Minutes  
Regular Town Meeting  
Monday, January 3, 2005  
Winthrop Town Office**

- **The meeting was called to order at 7:02 PM by Chair Kevin Cookson.**

- **Roll Call**

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

Others present: Cornell Knight (Town Manager), Lisa Frost (Secretary), Linda Dyer, David Dyer, Veronica Dyer, Sue Thomas, Ellen O'Brien, Superintendent Paula Gaudet, Chief Joe Young, CEO Beth Young, Donald Beaulieu, EMS Director John Dovinsky, John Haefele, Robin Rae Giampetro, two other citizens.

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

- **Swearing in of elected officials:**

Town Council

Kenneth Buck Sr.

Patrice Putman

School Committee

Robin Rae Giampetro

Missy Webster

Library Trustees

Dayle Ashby, Susan Hanson, Myra Rosenbaum

Councilor Ken Buck & Councilor Patrice Putman had already been sworn in. Town Manager Cornell Knight swore in Robin Rae Giampetro to the School Committee. Other elected officials would be sworn in at another time.

- **Election of Town Council Chair, Vice Chair**

*MOTION by Jayne Despres, seconded by Linda Capra to nominate Kevin Cookson as Council Chair for 2005.*

*MOTION by David Rheame, seconded by Linda Caprara to cease nominations.* Discussion: Councilor Patrice Putman stated she fully endorsed the nomination for Kevin Cookson has done a magnificent job. However, she was concerned about setting a precedent by having someone serve as Chair for three years without regard to history of revolving Chairs. Ms. Putman asked for the Council history. Councilor Linda Caprara stated the Chair should take turns. Councilor David Rheame stated history has been that Vice Chair takes Chair, but within the last several years a person has been Chair for two years and had returned after a one-year reprieve. Mr. Rheame stated Dick Drapeau was Chair for two years in a row and if he ran for Council again, Mr. Rheame suggested he would have been re-elected as Chair. Mr. Rheame said there is no rule and it is probably unusual, but Kevin Cookson does so well. Councilor Jayne Despres suggested the Council should look into a policy or rule change. Councilor Patrice Putman further stated that Kevin Cookson is a good public servant and it would be easy to re-elect him as Chair. However, she has worked on committees where members had become lazy because they had a strong Chair for several years. Councilor David Rheame stated the Council could change the rules, but it's not to say future Councils wouldn't change it back. Mr. Rheame did not agree with changing the rules for he didn't want to set a precedent for other Councils. *VOTE: 7-0.*

Chair Kevin Cookson stated he is honored to be asked by members to be Chair for a third year and thanked Councilors for their votes of confidence. Mr. Cookson said he planned to be around next year, but the Council would need to find someone else to Chair.

*MOTION by David Rheame, seconded by Jayne Despres to nominate Patrice Putman for Vice Chair. Discussion: None. VOTE: 7-0.*

- **Approve the Minutes of December 6, 2004**

*MOTION by Patrice Putman, seconded by Bill MacDonald, to approve the minutes of December 6, 2004. Discussion: None. VOTE: 7-0.*

- **Item #001 Council Appointments**

*MOTION by David Rheame, seconded by Linda Caprara, to table Item #001, Council Appointments to the February Regular Meeting. Discussion: None. VOTE: 7-0.*

❑ **Item #002 Town Manager Appointments**

*MOTION by Patrice Putman, seconded by Jayne Despres to approve the Town Manager Appointments for 2005.* Discussion: Councilor Ken Buck stated he had a problem with David Smith after everything that has happened over the last year "from dishonesty and everything else". Mr. Buck stated he didn't know why the man has a job. Chair Kevin Cookson asked if Mr. Buck was referring to all three positions Mr. Smith holds. Mr. Buck stated yes. Mr. Cookson stated the Council is in charge of the hiring and termination of the Town Manager. The Town Manager has control over the appointments by recommending people he has chosen, though there may be disagreements.

Town Manager Cornell Knight stated Dave Smith is a good employee and has made mistakes like others, but he does a good job running the highway department and transfer station, has saved the Town money and produced a lot of work. Councilor Ken Buck asked if Mr. Smith has cost a lot of money. Mr. Knight stated the Town had an employee who stole from the Town and it did cost money.

Councilor Patrice Putman stated she had been on the Council for four years and has watched David Smith through several budgets and stated he is a terrific town employee and the town is lucky to have him for he is creative and has saved a lot of money. "I, for one, would be terribly distraught if or when he should leave the town's employment."

Councilor Ken Buck stated Mr. Smith broke personnel policy and removed town property without permission. Town Manager Cornell Knight stated Mr. Smith brought it back and the other person did not until he was forced to.

Chair Kevin Cookson stated everyone here is aware of opinions and feelings and what Dave Smith did and did not do. Mr. Cookson said he agrees with Patrice Putman in regards to the budget, etc. though some people may not agree. Mr. Cookson stated as Chair of the meeting, Councilors and the Town Manager should refrain from what Dave Smith did and did not do because Dave Smith is not here and the Council nor his supervisor have not charged Dave Smith. However, Councilors could generalize that they do not agree with a nomination because of problems in the past.

*VOTE: 6-1 (Ken Buck opposes.)*

Citizen David Dyer asked when the appropriate time would be to express a view. Chair Kevin Cookson stated a formal complaint might be filed to his/her immediate supervisor for there are procedures to follow that are required by contracts and the labor board. If you don't agree with something, it could be taken to the next level. However, all levels should be exhausted first before coming to the Council.

❑ **Item #003 Update from the Code Enforcement Officer regarding violations of the Winthrop Zoning Ordinance at Donald Beaulieu's property 83 Briggs Shore Lane, Annabessacook Lake, Map 17, Lot 3.**

CEO Beth Young stated Mr. Beaulieu has started to improve his property over the last month. However, due to the weather and the amount of work, she asked the Council to allow him to work through spring time to get things done. Donald Beaulieu stated he has worked every day the last month and needs more time because he would like to do it in an orderly fashion. Chair Kevin Cookson stated he understood but wanted to know when it would be complete. Mr. Beaulieu stated by Memorial Day. Councilor David Rheame asked CEO Beth Young if she agreed with the timeframe. Ms. Young stated yes. She stated there is a lot of work to be done and Mr. Beaulieu is willing to work with her and she with him.

❑ **Item #004 Consider accepting \$980 from the Attorney General's Office from a forfeiture of assets in a criminal case.**

*MOTION by David Rheame, seconded by Linda Caprara, to accept \$980 from the Attorney General's Office from a forfeiture of assets in a criminal case.* Discussion: Councilor Ken Buck asked what it involves. Chief Joe Young stated in 1986, the Council instituted a policy to allow forfeitures in a separate account to allocate to drug enforcement and education. There is currently \$700 in the account. The \$980 is from a drug bust downtown where a lady was in possession of cocaine and \$980 is the amount that MAY be forfeited to the town. The Attorney General's office would like it to be voted upon beforehand, though it may not be given to the town. *VOTE: 7-0.*

❑ **Item #005 Discuss the hours of operation at the Town Office.**

Councilors had received phone calls from citizens regarding the lack of town office evening hours. Citizen John Haefele stated he took a survey and all surrounding towns are open one night a week. In addition, there are many people commuting long distances and are finding it difficult to get into the town office between 8AM and 5PM. Mr.

Haefele stated it was difficult to register his vehicle due to his work schedule and the town office hours. In addition, people need hunting and fishing licenses as well. Mr. Haefele suggested the Town Office have evening hours at least once a month, but preferably twice a month. Councilor Linda Caprara suggested the Town Office could be open one evening a month for people who can't get to the Town Office otherwise. Town Manager Cornell Knight stated hunting and fishing licenses may be obtained at Rite Aid and cars may be re-registered on line. Mr. Knight stated that other towns open at night, however they have varying daytime hours. Councilor Ken Buck stated ATV's couldn't be registered on the Internet and asked what harm would it do to change one day's hours to 10AM-7PM. Councilor David Rheame suggested opening the Town Office at 8AM and alternating employees' hours to accommodate a 7PM closing. Mr. Rheame stated his nephew bought a new car and had to wait until 8AM until the Town Office opened and therefore, he lost time from work. Councilor Jayne Despres asked if one person working alone is a security issue. Councilor Linda Caprara asked Chief Joe Young if the police would be available to check on the Town Office in the evening. Chief Young stated yes, if they are not busy at accidents, etc. Mr. Knight stated the employees like to work 8AM-5PM and don't want to work at night. Mr. Knight suggested forming a subcommittee to explore options and returning next month with recommendations. Councilor Jayne Despres and Councilor Linda Caprara volunteered to be on the subcommittee.

*MOTION by Jayne Despres, seconded by Patrice Putman, to form a subcommittee to investigate the best option for the town office hours. Discussion: Councilor Ken Buck asked if there would be an answer next month. Chair Kevin Cookson stated it would be on the agenda next month. Citizen Sue Thomas asked if the sub-committee would have a representative from the Town Office who would be effected by the change. Councilors agreed that all employees would be interviewed and computer programs would be reviewed for trends. Ms. Thomas was concerned about the employees' feelings. VOTE: 7-0.*

❑ **Item #006 Consider staffing changes to the Assessor and Clerk offices.**

Town Manager Cornell Knight updated the Council on staffing changes to the Assessor and Clerk offices. Jan Healy has retired, but will be returning March 28, 2005 part-time to do pick up work. Maura is moving to the Assessors Office as an Assistant Assessor for she is a Certified Maine Assessor. She will work full-time when the new Clerk is hired, but is currently splitting her time between the two offices.

❑ **Item #007 Consider submitting a grant proposal for a regional assessing program to the Fund for the Efficient Delivery of Local & Regional Services.**

*MOTION by David Rheame, seconded by Linda Caprara to submit a grant proposal for a regional assessing program to the Fund for the Efficient Delivery of Local and Regional Services. Discussion: Town Manager Cornell Knight stated state government has put out the program and are offering grants for implementation and planning. Mr. Knight stated they are looking to regionalize the Assessors department. VOTE: 7-0.*

❑ **Item #008 Consider a contract with Central Maine Power Company for Pole Decorations.**

Town Manager Cornell Knight asked to table Item #008 until legal counsel has reviewed the contract.

*MOTION by Bill MacDonald, seconded by Linda Caprara, to table Item #008. Discussion: Councilor Patrice Putman commented on the extent of the contract for just pole decorating and stated she was disturbed that there might be counsel fees to review it. Town Manager Cornell Knight stated CMP wants a uniform approach statewide, but Mr. Knight wants legal counsel to review the liability and insurance provisions section. Mr. Knight clarified that the Town does not put anything on the poles; however, the Legion does put up flags. Therefore, the Legion would have to get permission from the Town. In addition, Mr. Knight wants to clarify if the town is assuming liability of the Legion person while putting up the flags. Chief Joe Young reiterated. Councilor Ken Buck asked if a release form could be signed by the Legion. Mr. Knight stated attorneys do not favor it. Mr. Knight will ask a CMP representative to attend the next council meeting to discuss the contract. Citizen Sue Thomas stated permission may have already be given and would find the paperwork in Ms. Lovejoy's files or with the Legion. VOTE: 7-0.*

❑ **Item #009 Hold a public hearing on the ordinance to establish a Conservation Commission.**

Chair Kevin Cookson opened the public hearing at 7:58PM. Town Manager Cornell Knight stated the Council voted to adopt a Conservation Commission Ordinance at its last meeting. The public hearing was advertised last week. There were no comments from the public nor Council. Chair Kevin Cookson closed the public hearing at 8:00PM.

❑ **Item #010 Consider the first reading of the ordinance to establish a Conservation Commission.**

*MOTION by Bill MacDonald, seconded by Patrice Putman, to accept the ordinance as written. Discussion: Councilor David Rheame asked why it specifically targets Mt. Pisgah. Town Manager, Cornell Knight stated it is underlined because most of the wording is a boilerplate ordinance and Mt. Pisgah was added. The underlining would be removed. VOTE: 7-0.*

❑ **Manager's Report**

- *MOTION by David Rheame, seconded by Linda Caprara, to accept a \$200 donation to the "Fun After School Program". Discussion: None. VOTE: 7-0.*
- There is a Special Meeting on Monday, January 10, 2005 at 7PM with the School Board. Councilor Patrice Putman is excused.

❑ **Other Business**

- Councilor David Rheame stated the street light out in front of the bookstore is still out. Town Manager Cornell Knight stated Kaplan Electric had been notified, but he would follow up again for the streetlights are also not suppose to be "cycling".
- Chair Kevin Cookson stated China Noodle has two pool tables, though they have a license for one (in addition to a checker table and foosball table). Town Manager Cornell Knight stated he would follow up. Councilor David Rheame stated the license did not specify how many pool tables.

❑ **Adjourn**

*MOTION by Linda Caprara, seconded by David Rheame, to adjourn at 8:07PM. Discussion: None. VOTE: 7-0.*

*Submitted by Lisa Frost, Secretary to the Town Council.*