

**Minutes**  
Winthrop Town Council  
Special Meeting  
**Wednesday, July 5, 2006 at 7:00 p.m.**

Winthrop Town Office

Attending: Councilors Norris, Cookson, MacDonald, Buck, Putman, Caprara. Town Manager Cornell Knight. Town Attorney Lee Bragg, Wendy Dennis from the Cobbossee Watershed District, Glen Bolduc KJ reporter and 25 residents.  
Meeting was called to order at 7:00 pm

Motion by MacDonald Seconded by Putman to remove items #74 & #75 from the table.  
Vote 5-0.

The Town Manager reviewed events since the council meeting two weeks ago. The Winthrop Commerce Center will pay up to \$5000 towards the construction costs to lower the Maranacook Lake Dam; the Winthrop Utilities District estimates their costs to protect their pipes at \$220,000 if the Mill Stream impoundment is not maintained at current levels; the town attorney has responded to the council's questions regarding liability; WCC will grant a hold harmless agreement to the town; the building edge will be the demarcation line of concrete ownership of the Mill Stream Dam; the Fire Department sees a fire protection benefit to maintaining the water levels in the Mill Stream. The town attorney reviewed the Tort Claims Act provisions and the towns' exemptions of liability under the act by owning a dam.

Wendy Dennis reviewed the benefits of the town owning the dams. She said the CWD staff have measured the Mill Stream impoundment area and it is 8 or 9 acre feet, well below the state's 15 feet threshold to meet the abandonment process. She said the middle gate is not needed for flood control and that the grant funding process needs to begin as soon as possible so the funding agency will not direct the funds to another project. Councilor Caprara arrived at 7:35 pm.

Bill Haefele is concerned about the spring flow and the need for an additional gate on the Maranacook Lake Dam during high water in the spring.

Jim Schmidt, President of the Maranacook Lake Association expressed support for the council taking action to accept the dams.

Tom Heiss a landowner next to the Maranacook Lake Dam is concerned about the kids swimming from the dam and getting hurt and hanging out at the dam, the erosion to his property and that there is no easement from Bowdion Street across his property to the gate at the dam. He has had discussions with Carleton, Winthrop Commerce Center about the easement, and will continue discussions with the town, but would like the erosion to his property addressed.

Jennifer Berube recommended Mr. Heiss talk to the police department about using the Explorers to monitor the kids at the dam.

Mike Danforth said the Mill Stream is important to the town and the neighborhood and that it is mentioned in the town's Comp Plan and the town has submitted grants in the

past for a walkway along the stream and urged council support for the acceptance of the dams.

Rick Dorey a western shore resident urged council to support the acceptance of the dams. Councilor MacDonald asked Lou Carrier if the WCC would partner with the town's public works department to repair the Mill Stream Dam walkway to make it safe. Mr. Carrier said it was safe to walk on and he would ask the Lajoie Brothers Construction to give advice on the repairs. He said the problem with the middle gate was that it was raised to high and it is not a serious repair.

Liz Warner said the middle gate needs to work properly to maintain the water levels during the summer.

Item #74 Consider acceptance of the Maranacook Lake Outlet Dam in joint ownership with the Town of Readfield

Motion by Putman Seconded by Cookson, that the Town of Winthrop accept ownership of the Maranacook Lake Outlet Dam from the Winthrop Commerce Center LLC and co-own the dam with the Town of Readfield, provided that the deed of conveyance is acceptable to the Town Manager and the Town Attorney. Vote 6-0.

Item #75 Consider acceptance of the Mill Stream Dam.

Motion by MacDonald Seconded by Putman that the Town of Winthrop accept ownership of the Mill Stream Dam from the Winthrop Commerce Center LLC, consisting of the gates, grates, walkway and that portion of the concrete structure from the building edge line out (up stream), approximately 5 feet in length, provided the town receive a an acceptable deed, a hold harmless agreement , and reciprocal easements and obligations for maintenance and repairs acceptable to the Winthrop Commerce Center, Town Manager and the Town Attorney. Vote 6-0.

Motion by Cookson Seconded by Caprara to adjourn at 8:25 pm. Vote 6-0.