

Winterport Town Council
MINUTES
Tuesday, September 22nd, 2020.

Call to Order: Chairperson Ann Ronco called meeting to order at 7:00 p.m.

Roll Call: Councilor Cooper-Present; Councilor English-Flanagan-Present; Councilor Ginn-Present; Councilor Higgins-Present; Chairperson Ronco-Present

Consent Agenda (items marked with an asterisk *): Motion was made by Councilor Cooper and seconded by Councilor Ginn to accept consent agenda. **MOTION UNANIMOUS**

Adopt Agenda: Motion was made by Councilor Cooper to adopt the agenda as written. Motion seconded by Councilor Ginn. **MOTION UNANIMOUS.**

Financial Reports:

September 22, 2020	October 6, 2020
Gen Fund Cash Position, Reserves, Trusts, and Investments YTD	Expenditures/revenue & budget bal. Monthly (Regular Format) Quarterly
Gen. Fund. Gen. Ledger Summary (Detail New)	Current Year Property Tax
	Liens & Foreclosures Status

Payroll and Invoice Warrants

A. Payroll through Sunday, September 20, 2020- Motion was made by Councilor Ginn and seconded by Councilor English-Flanagan to pay payroll through Sunday September 20th, 2020. **MOTION UNANIMOUS**

B. Invoices through Monday, September 21st, 2020- Motion was made by Councilor Ginn and seconded by Councilor English-Flanagan to pay invoices through Monday, September 21st, 2020. **MOTION UNANIMOUS**

Guest Speakers & Committee Reports- No speakers or committee reports

Input from Citizens on Unscheduled Items- None

Town Manager Presentation- No presentation scheduled.

Schedule of Meetings

A. Regular meetings September 22nd, & October 6, 2020*

Accept Minutes

A. Town Council Meeting Minutes of September 8th, 2020- Motion was made by Councilor Ginn and seconded by Councilor English-Flanagan to accept the minutes from the meeting on August 25th, 2020. **MOTION UNANIMOUS**

Scheduled Items:

Old Business

A. Ready for Consideration-

1. **Review of Applications to serve on the Options for Ambulance Services Committee:**
One additional application was submitted by Ethan Tremblay making a total of 6 applicants. Councilor English-Flanagan advised she has a list of applicants that she was pursuing as well. Current applicants are; Lee Bowden, William Olver, Phil Higgins, Logan Craig, Ethan Tremblay, and Councilor English-Flanagan. Having multiple members of the Ambulance Association serve on the Ambulance Committee was called in to question by Councilor Higgins (Philip Higgins is Director of the Ambulance Service and President of the Fire & Ambulance Association and Logan Craig is Deputy Director). Councilor English-Flanagan had previously spoken to Phil Pitula for clarification on his amendment to the warrant article and reaffirmed that he intended only 1 person from the Ambulance Association to be appointed. Town Manager Crooker indicated that the Town Council should adhere to what was motioned and approved at the Annual Town Meeting which was to include 5 community members, 1 member from the Ambulance Association, and 1 Town Councilor. Town Manager Crooker advised there is no express stipulation for excluding a resident of the town who also serves on the Ambulance Committee but called into question Mr. Higgins authority to appoint himself as the Ambulance Associations designee. Town Manager Crooker indicated that he does not have the bylaws of the Ambulance Association readily available nor has he checked them but Manager Crooker indicated that it seems like the Ambulance Association would have to meet and figure out (vote on) who they wanted to be their representative to be on the Ambulance Committee. Additional discussion took place on eligibility to serve and how to move forward with the committee. For further details, please refer to recording. Councilor English-Flanagan moved to table decisions on appointments to the committee until next meeting. Councilor Higgins seconded. **MOTION PASSED 3-2**

2. **Proposed Amendment to the 2020-2021 Road Paving Contract-** Town Manager Crooker reviewed Wellman Paving's submission of a quote for "Option 3" for a hybrid of the contract as the Council had discussed in the meeting on September 8th, 2020. The manager noted that Scott Preston indicated that paving is expected to commence the following week and to go road by road as to not over spend what was budgeted. Motion to pass made by Councilor Ginn. Motion seconded by Councilor English-Flanagan. **MOTION UNANIMOUS.**

B. Pending further action-

1. No items at this time.

C. New Business

1. Quitclaim Deeds (3) Miller3 Quitclaim Deeds for Mr. Miller. Town Manager reports Mr. Miller had brought all 3 accounts current to the year 2020. Asking Council to approve and sign Quitclaim Deeds. Motion to accept Quitclaim Deeds for accounts #454, #457, and #458 made by Councilor Ronco. Motion seconded by Councilor Cooper. **MOTION UNANIMOUS**

2. 2020-2021 Sand Contract Extension- Town Manager Crooker mentioned that at the last meeting that he had reported to the Town Council that he was approached by Scott Preston of Wellman's Paving to see if the Town had any interest in extending the sand contract for another year at the same price as the 2019-2020 season. He noted that the Town Council had advised him at the last meeting to advise Scott Preston to submit his request in writing for Council consideration, which he has now provided to the Town Council. Proposal is to continue to contract with same pricing as previous year, \$8.77/cubic yard. Councilor Ginn made a motion to accept Wellman Paving's Sand Renewal Contract Extension for 2020-2021. Seconded by Councilor English-Flanagan. **MOTION PASSED UNANIMOUS**

3. Proposed Renewal Agreements for the transportation, disposal and/or recycling of the MSW, single sort recycling, construction debris, metal, and wood ash; and Container Storage Agreement with DM&J- Proposal dated September 15th, 2020 was submitted to the Town. Councilor Ronco questioned the notes from a meeting June 18th, 2019 where she noted that the increase agreed upon was 2% after the first year of satisfactory service to continue for 2 years. Josh advised that they had been trying to get the contracts to cycle together. Town Manager advised there was a one-year agreement with a 2-year renewal option to begin September 1st, 2019. Town Manager Crooker offered to further review dates and agreements for clarification and meet with Josh within the next 2 weeks. Town Manager Crooker questioned the fees for transportation of construction debris. Conversation regarding the fees and cost increase ensued. Josh advised that the increase in Construction Demo is because it does not contain materials that they can recycle to recoup costs to cover the trucking and that cost is subsequently passed on to us. They do not charge additional transportation costs on recycling to continue to encourage recycling. Refer to tape for additional specific rates and discussion. Consensus was to table until the next meeting to allow Manager Crooker and Josh Wellman to review documents and report back to the Town Council at the next meeting.

4. Purchase & Sale Agreement(s) #660 & 2077 In regards to account #660, Town Manager Crooker explained that there was a second agreement approved by the Council to allow the Owner an opportunity to get their property back. The terms of the agreement were reviewed and approved by the Town Council in a previous meeting. Motion made by Councilor Higgins to accept and sign the Second Agreement for Account #660. Motion seconded by Councilor Ronco. **MOTION PASSED 3-2.**

Account #2077- Details regarding the location the mobile home was moved to, the condition of the mobile home as it sits, and the legality of the situation as a whole outside of the agreement were discussed. Town Manager Crooker will be contacting MMA Legal for additional details and procedures. Town Manager Crooker also involved the Town's Code Enforcement Officer for potential answers and procedures related to the plumbing. Additional complications include the land that the mobile home was moved to is apparently currently in a dispute related to ownership and control of the property. The mobile home was foreclosed on by the Town. Councilors discussed giving the mobile home back to the prior owner without the previously agreed upon \$200.00 payment. Town Manager Crooker advised that even if the

Town Council agreed upon releasing the mobile home back to the previous owners, there is still questions about the location and condition of the mobile home as well as the legality of the move to begin with that need to be considered. Town Manager Crooker will consult with the Town's Attorney on how to proceed and report back at the next Town Council meeting. This agenda item will be added to the next meeting agenda pending Town Manager's findings from legal counsel

5. MDOT Local Road Assistance Program (LRAP) Certification 2020-2021 (FY21)- Town Manager Crooker advised that approval for this program is contingent upon a submitted request for certification. He asked if the Council wanted to be held responsible for submitting the request or if they wished to appoint a designee to sign and submit it to the MDOT. He advised that the funding is not released to the Town of Winterport until this form is completed, submitted to the state and processed by the MDOT. Manager Crooker noted the projects that had been performed by the Town of Winterport last year. Councilor Ginn motioned to appoint Town Manager Crooker as the designee and to authorize his signature on the certification form. Councilor English-Flanagan seconded. **MOTION PASSED UNANIMOUS.**

6. 2020 Emergency Operations Plan Winterport, Maine The Fire Chief noted that the Town of Winterport's existing plan has not been updated since 2014 and there are now buildings with generators that may serve the Town better in an emergency situation. The Town Manager indicated that the updated draft plan is being presented for discussion and ultimately approval. There was some question as to whether the plan needs to be treated as an ordinance or as a policy and how to proceed with the public regarding a public Hearing and a vote. Fire Chief Phil Foley answered various questions for the Town Council regarding the available resources used to create the plan. Fire Chief Foley will provide additional information about a P.I.O. (Public Information Officer) and how and who may be designated to that role after he checks into it some more.

7. Nonbinding Advisory Question for November Election- Town Manager Crooker advised that the attorney informed him that the Nonbinding Advisory question may not be included in absentee ballots but may be made available at the polls. Additional options for obtaining the same information was discussed. An option may be to send out a separate mailer with the non-binding advisory question to each resident. Town Manager Crooker offered to look in to mailing costs as a distribution option and will explore additional options.

Legal: None

Appointments/Resignations:

A. Resignations- N/A

B. Appointments-

1. Recreation Board- Al Barton Term Expires 2023 Al Barton's term on the Recreation Board expired June 30, 2020. Councilor English-Flanagan motioned to extend appointment for a full term to expire June 30, 2023. Councilor Cooper seconded motion to appoint Al Barton to the Recreation Board. **MOTION UNANIMOUS**
2. Conservation Committee Jake Metzler Term Expires 2023 Motion was made by Councilor English Flanagan and seconded by Councilor Cooper to reappoint Jake Metzler to the Conservation Committee until June 30, 2023. **MOTION UNANIMOUS**

Correspondence/Significant Items

Outgoing

1. None

Incoming

1. DM&J Check Number 3688*

Minutes/Agendas:

1. N/A

Communications:

- A. Town Manager's Report- Manager Crooker noted for the Town Council that the Victoria Grant Civic Center has had a large increase in usage requests. Town Manager Crooker voiced his concerns with maintaining COVID policies and procedures with the increase in usage. Policies and procedures to include distance guidelines, cleaning procedures, use procedures, as well as a COVID release forms are currently being distributed to each group and required to be signed for each attendee prior to scheduled use. Councilor Cooper requested to keep the schedule to only the groups who have previously booked it such as the Boy Scouts, Quilters, Scrapbookers, etc. Counselor English-Flanagan agreed. Conversation about a recent request for the Girl Scouts to be allowed to use the facility came up and the Councilors seemed to agree that they should be allowed to use the VGCC as well but parties or gathering at will should be restricted until further notice.
- B. Response to Council Questions- No questions
- C. Council Comments- No comments

Signatures:

Executive Sessions: No Executive Sessions Scheduled

Adjourn: Motion made by Ann Ronco seconded by Stephen Cooper to adjourn at 8:37 PM
MOTION UNANIMOUS

NOTE:

Meetings:

Dates & Time of other meetings between September 22nd, 2020 and October 6, 2020

Training & Days Off:

Minutes prepared and respectfully submitted by Shannon Benney.

Stephen Cooper



Maggie English-Flanagan


Corey Ginn

Tammy Higgins



Ann Ronco

