

**TOWN COUNCIL MEETING MINUTES  
MAY 18, 2021**

**Call to Order:** Councilor Cooper called the meeting to order at 7:29 P.M.

**Roll Call:** Councilor Cooper, Ginn, English-Flannagan, Higgins, and Ronco Present

**Consent Agenda:** (items marked with an asterisk \*) Councilor Ronco motioned to accept the consent agenda. Councilor English-Flannagan seconded the motion. Motion passed unanimously.

**Adopt Agenda:** Councilor Ronco motioned to adopt the agenda. Councilor English-Flannagan seconded. Motion passed unanimously.

**Financial Reports:**

May 18, 2021	June 1, 2021
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, May 2<sup>nd</sup>, 2021 & Sunday May 16, 2021. Councilor English-Flannagan motioned to pay payroll through Sunday May 2<sup>nd</sup> 2021 & Sunday, May 16<sup>th</sup>, 2021. Councilor Ronco seconded motion. Motion passed unanimously.
- B. Invoices through Monday, May 3<sup>rd</sup>, 2021 & Monday, May 17<sup>th</sup>, 2021. Councilor Ginn motioned to pay invoices through Monday, May 3<sup>rd</sup> & Monday May 17<sup>th</sup>, 2021. Councilor English-Flannagan seconded the motion. Motion passed unanimously.

**Guest Speakers & Committee Reports-** None

**Input from Citizens on Unscheduled Items-** Mary Ann Royal notified the Town Council that the Conservation Committee was working on an adopt a road program for the clean up of litter along roadways in Winterport.

**Town Manager Presentation-** No presentation scheduled.

**Schedule of Meetings**

- A. June 1<sup>st</sup>, 2021 & June 15<sup>th</sup>, 2021\*

**Accept Minutes**

- A. **Town Council Meeting Minutes of May 4<sup>th</sup>, 2021** Councilor Ronco motioned to accept the Town Council meeting minutes of May 4<sup>th</sup>, 2021. Councilor Higgins seconded the motion. Motion passed unanimously.

**Scheduled Items:**

**A.) Old Business**

**1. Items Ready for Consideration-**

A.) Review and Approval of Proposed Budget for Fiscal Year 2021-2022: Manager Crooker noted that line items A & B go hand in hand. Manager Crooker noted that at last special town council meeting that there were four (4) articles that were tabled. Articles 28;38;44; & 45. Manager Crooker reported his understanding that Council had voted 3-2 on Article 28 and the Town Council asked Manager Crooker to check with the attorney to see if the Town Council can put results of the recommendation vote on the warrant, which he confirmed that he was told that the results of the vote could be included.

Manager reported the last meeting that it was a 3 to 3 tie of the Budget Committee to recommend \$200,000 therefore the motion failed at the last meeting. Manager reported that currently there is no recommendation of the Budget Committee on article 28, which he confirmed with legal is ok and can appear on the warrant as Budget Committee makes no recommendation. Budget Committee members present decided to vote again. Vote to recommend at \$200,000 was 3 for (Rioux, Gran, & White) and two against (Tyler and Royal). Budget Committee also decided that they wanted the results of vote to appear on warrant. Article 38 LD 1 number \$890,391. Council voted 5-0 to recommend \$0. Budget Committee voted 4-1 to recommend \$0. Article 44 water district article currently says Town Council recommends approval Budget Committee is not required to take a position on it since not tied to appropriations this year. Donna Gilbert commented that the Board of the Water District really want the recommendation of the Town Council and understands concerns about the impact on taxes but that it really is a community issue and a benefit to all of community. A question was also asked if the Town Council had to approve the article to be included on the warrant. Manager Crooker reiterated that the Town Council does need to vote to put it on the warrant. Councilor Higgins motioned to put the article on the warrant as presented. Councilor English-Flannagan seconded. Motion passed unanimously. Manager Crooker asked the Town Council for clarification if the article is to include the Town Council's recommendation of approval since that is how it currently appears. Councilors clarified that they thought they were just voting on putting the article on the warrant not necessarily recommending it. Councilor Higgins was asked if she wanted to change her motion. Manager Crooker noted that the Town Council had already voted on the motion so now have to motion to reconsider. After much discussion about Councilor's understanding on what the original motion entailed, Councilor English -Flannagan motioned to reconsider vote on Article 44. Councilor Cooper seconded motion. Motion passed unanimously. Councilor Ronco motioned to put forth Article 44 as presented with the elimination of the wording that the Town Council recommends. Councilor English-Flannagan seconded the motion. Motion passed unanimously. [Refer to tape for entire discussion] Article 45 Manager Crooker read the proposed language of the article as recommended by an attorney at MMA and then he read what the current guidelines for the use of these funds are at this time. He noted this is to just accept the funds and that a decision on how to spend the money would have to be made at a future town meeting. Councilor Ronco motioned to put article 45 on the warrant as presented. Council Higgins seconded motion. Motion passed unanimously. Council Ronco motioned that Town Council recommend Article 45. Councilor Ginn seconded motion. Motion passed unanimously. Budget Committee unanimously approved putting Article 45 on the warrant with recommendation.

B.) Town Meeting Warrant- Discussion, Reading, and approval of 2021 Town Meeting Warrant Articles & Warrant. Manager Crooker indicated that the substance of the articles has been voted on and approved. Now the Town Council and Budget Committee need to vote on the overall budget. Councilor Higgins motioned to adopt the overall budget as presented and reflected in the warrant articles. Councilor English-Flannagan seconded. Motion passed unanimously. Budget Committee voted 3-2 to approve the overall budget as prepared and presented and reflected in the warrant articles. Councilor Ronco motioned to approve the warrant with the amended changes. Councilor Cooper seconded the motion. Motion passed unanimously.

C.) Town Manager's Contract- Town Manager reported that he had provided the Town Council with a draft of the contract based upon discussions and what was talked about at the last meeting. Manager Crooker reported that sections 2, 3, and 5 is where the bulk of the changes were made based upon prior discussion. Manager Crooker also noted that minor language changes were made from the language in the original contract since the original contract included 6-month probationary period, which this contract does not

include. Motion was made by Councilor Ronco to accept the Town Manager's contract as presented. Councilor Higgins seconded the motion. Motion passed unanimously.

2. **Items Pending Further Action-**

A.) Local Option Vote Determination as required by PL 2019, c. 672 Manager Crooker explained that at this time that he does not have any additional information regarding legislative changes to the existing legal requirement that the town has to take a vote on the Town of Winterport's position related to alcohol by July 1, 2022. Discussed ensued regarding the likelihood that the law will change so that the town does not have to vote on it.

**B. New Business**

1. **Purchase & Sale Agreement-Account 2077.** Manager Crooker reminded the Town Council that the Town Council had an agreement that was not upheld and that the mobile home had been moved to another lot in town even though the town did not approve it to be moved. The individual was injured last fall and then negotiations ceased. He came in last week and reported that he would not mind paying a little bit towards the taxes to buy the mobile home back from the town but he is now trying to obtain his mother's property where the mobile home originally was located therefore, he is willing to walk away from the mobile home and leave it where it is. Manager Crooker noted that he understood that the owners of the land where the mobile home currently sits would like the mobile home moved. After much additional discussion, consensus of the Town Council was to have Manager Crooker contact him again and see what he might be willing to pay as part of a buy back agreement.
2. **Road Salt Agreement for 2021-2022 Winter Season** Manager Crooker noted that the Town Council took action on the state bid at the last meeting of the Town Council and they had asked the manager to go back to New England Salt Company to get a letter in writing regarding an offer related to price of salt. Motion was made by Councilor Ronco to accept the salt contract price of \$51.55 per ton by New England Salt. Councilor English-Flannagan seconded the motion. Motion passed unanimously.
3. **Noise Complaints-** Manager Crooker noted that he had been asked by a Councilor to put the item on the agenda. Council discussed what is in the actual agreement with the Dragway Association and what options for action exist. Manager Crooker also noted noise complaint on Water Street as well. Manager Crooker suggested that the Town Council invite representatives of the association to the next Town Council meeting to discuss the noise complaints as well as other questions related to the number of events, overnight camping, and septage disposal. The Town Council instructed Manager Crooker to invite them to the next meeting of the Town Council to discuss the concerns. [Refer to tape for more in-depth discussion of issue]

**Legal:** None

**Appointments/Resignations:**

- A. **Resignations-** No Resignations
- B. **Appointments-** Jonathan Catell, Recreation Board Councilor Ronco motioned to appoint Jonathan Catell to the Recreation Board. Councilor English-Flannagan seconded the motion. All in favor 5-0.

**Correspondence/Significant Items**

Outgoing

1. No Outgoing

**Incoming**

1. DM&J Check #4060\*

**Minutes/Agendas:**

1. Waldo County Commissioners Court Session Minutes April 7, 2021

**Communications:**

- A. Town Manager's Report- Manager Crooker noted that he had spoken with the MDOT to get an update of the analysis they performed of the Monroe Road intersection. The manager reported that the representatives of the MDOT would like to meet with the Town Council to discuss the results of their analysis and recommendation for changes at the intersection.
- B. Response to Council Questions- Councilor Flannagan asked if the Town had received any applications for the part-time clerk position. Manager Crooker indicated that he had received some and intends on scheduling interviews over the next couple of weeks.
- C. Council Comments- Councilor Ronco inquired into whether the Planning Board is definitely meeting on May 20<sup>th</sup>? Manager Crooker indicated that as far as he knows that the planning board is still planning on meeting on May 20<sup>th</sup> but he noted that he had received a resignation from a planning board member today therefore they only have four members, who all must attend in order for a meeting to have a quorum. Councilor Ronco also asked if the Planning Board was going to be discussing the application for a development off the Lebanon Road and Whig Street. Manager Crooker indicated that it was his understanding that the proposed development was going to be included on the agenda for the planning board meeting on May 20<sup>th</sup>.

**Signatures:**

**Executive Sessions:**

**Adjourn:** Councilor Ronco motioned to adjourn. Councilor Ginn seconded the motion. Motion passed unanimously.

**NOTE:**

**Meetings:**

Dates & Time of other meetings between May 19<sup>th</sup>, - May 31<sup>st</sup>, 2021  
Planning Board Thursday, May 20<sup>th</sup>

**Training & Days Off:**

Minutes prepared and respectfully submitted by Michael Crooker.



Stephen Cooper



Corey Ginn



Ann Ronco



Maggie English-Flanagan



Tammy Higgins