

TOWN COUNCIL MEETING MINUTES

Tuesday, June 1st, 2021

Call to Order: Chairperson Cooper called the meeting to order at 7:00 PM.

Roll Call: Councilors Cooper, English-Flannagan and Higgins present; Councilors Ronco & Gin absent- excused.

Consent Agenda: (items marked with an asterisk *) Councilor English-Flannagan motioned to approve the consent agenda as presented. Councilor Higgins seconded the motion. Motion passed unanimously.

Adopt Agenda: Councilor Higgins motioned to amend the agenda as presented to add Jeff's Catering Application for a Catered Function to the agenda under new business. Councilor English-Flannagan seconded the motion. Motion passed unanimously.

Financial Reports:

June 1, 2021	June 15, 2021
Expenditures/revenue & budget bal. Monthly (Regular Format) Quarterly	Gen Fund Cash Position, Reserves, Trusts, and Investments YTD
Current Year Property Tax	Gen. Fund. Gen. Ledger Summary (Detail New)
Liens & Foreclosures Status	

Payroll and Invoice Warrants

A. Payroll through Sunday, May 30th, 2021. Councilor English Flannagan motioned to pay payroll through Sunday, May 30th.

B. Invoices through Monday, May 31st, 2021. Councilor Higgins motioned to pay invoices through Monday, May 31st, 2021. Councilor English-Flannagan seconded the motion. Motion passed unanimously.

Guest Speakers & Committee Reports- None

Input from Citizens on Unscheduled Items- No Input.

Town Manager Presentation- No presentation scheduled.

Schedule of Meetings

A. June 15th, 2021 & June 29th, 2021*

Accept Minutes

A. Special Town Council Meeting Minutes of May 11th, 2021 Councilor Higgins motioned to accept minutes of May 11th as presented. Councilor English-Flannagan seconded the motion. Motion passed unanimously.

B. Town Council Meeting Minutes of May 18th, 2021. Councilor English-Flannagan motioned to table the Town Council meeting minutes of May 18th, 2021 to the next Town Council meeting since the minutes are not ready yet. Councilor Higgins seconded the motion. Motion passed unanimously.

Scheduled Items:

A.) Old Business

1. Items Ready for Consideration- No Items
2. Items Pending Further Action- No Items

B. New Business

1. Winterport Dragway Association Lease Agreement, Operations, & Noise

Complaint- Manager Crooker noted that the Town Council had received a copy of the noise complaint at the last meeting, which generated the discussion about the noise complaint at the last meeting. Manager Crooker contacted the President of the drag way association to invite them to the Town Council meeting to discuss the noise concerns as well as to answer questions from the Town Council. Present from the Dragway were President Sean Eori, Vice President Jim Marston and his wife Holly, and another owner. Mr. Eori noted that he had provided Manager Crooker with an updated copy of the insurance. Councilors inquired into the amount. A million dollars per event. Manager Crooker noted that MMA insurance reviewed the agreement and is suggesting that the Town acquire a copy of the actual policy noting that the town is listed on their policy as an additional insured. The council also mentioned that the complaint indicated that the dragstrip was racing more dates than is allowed under the agreement, especially on Friday nights and Saturdays. Mr. Eori indicated that agreement indicates that they have 10 Saturday events but they do have 13 events scheduled this year. The agreement also indicates 4 Fridays but they only have two scheduled. The agreement indicates 28 Sundays but they only have 22 scheduled therefore the overall number is less than the contract indicates. Manager Crooker provided councilors with a copy of the 2021 schedule. Councilor English-Flanagan asked if there is a way to adjust the noise knowing that cars are loud. They indicated that they could adjust the speakers so the speakers are turned down and faced down more so the volume will not project towards neighboring properties. They also reiterated that the cars do not run until after the time indicated in the contract, which is 9 am. In fact, they have moved their time trials back to 9:30-10 am. They try to appease their neighbors. It was mentioned that they did not even run until August of last year due to COVID therefore it had been quiet for a while, which is why individuals may perceive the noise to be greater than usual. Councilors asked if the campers stay all season long. Mr. Eori indicated that the recreational vehicles may stay there all year long but individuals are not allowed to stay until the night before an event. They do not have summer residents camping there. Mr. Ori indicated that the last issue that he wanted to mention was the gate. He noted that his position and the position of Joe Tyler are different in regards to this matter. The association would like to shut and lock the gate after events due to concerns with liability for people being out there and doing damage to the pavement and other recent improvements. Mr. Eori indicated that he is aware that some of the town's people do like to walk there and they also put-up playground equipment to appeal to those that want to come to the drag way. He doesn't mind people walking there but just concerned about vehicles. Joe Tyler noted that there is much angst from residents when the gate is locked since there are many residents that use that area daily. Fire Chief Foley mentioned his concerns about the gate being locked and their ability to access the area without having to rely on contacting someone else or having to break the lock. It was suggested that the association just give the fire department a key. Chief Foley indicated that is a possibility but he is not always the only one that would be taking a trip out there. Joe Tyler indicated that they have had the gate unlocked for years and there hasn't been a problem. After much additional discussion, the consensus was to close the gate and leave it so it looks like it is locked but don't actually lock it. The members of the association indicated that they would look into the matter some more and get back to the town with their findings.

- 2. Waldo County 2021 Fire Protection Mutual Aid Agreement.** Manager Crooker noted that the Waldo County Emergency Management Director forwarded to the Town a copy of the updated 2021 plan that he would like the Town Council to approve and sign. Chief Foley explained county mutual aid versus mutual aid agreements with various individual

towns and the reasons for the agreements. Councilor Higgins asked if the town had the resources to implement the plan, if needed. Fire Chief Foley noted that some of the rationale behind the agreements is so the town can gain resources from other entities starting with the State of Maine, Waldo County and then other municipalities, if needed. Councilor Higgins motioned to approve the Waldo County 2021 Fire Protection Mutual Aid Agreement as presented. Councilor English-Flannagan seconded the motion. Motion passed unanimously.

3. 2020 Emergency Operations Plan Winterport, Maine: Fire Chief Foley explained the purpose and function of the Emergency Operations Plan for the Town of Winterport. Fire Chief Foley also reviewed the changes to the plan that the councilors recommended at the last meeting where this plan was discussed. Councilor English-Flannagan motioned to approve the Emergency Operations Plan as presented with the change of the removal of the Town Constable position since this position no longer exists in the Town of Winterport. Councilor Higgins seconded the motion. Motion passed unanimously.
4. Vacation Time Payout Request- Manager Crooker noted for the Town Council that this issue was meant to be a discussion regarding policy not personnel and comments should be directed towards the policy and process not personnel. Manager Crooker reviewed employee's request including past practice involving vacation time as well as the impact COVID 19 has had on staffing over the previous year. Council asked if employee wanted all time paid out or part of time paid out with the remaining time carried over into the next year. The Town Council wanted to make sure that it was clear on what the Town Council is being asked to approve. Councilor Cooper indicated that his inclination is to table the matter until the next meeting in order to gain additional insight into what is being requested and when hopefully additional councilors will be present as well. Councilor English-Flannagan motioned to table the issue of the pay out request until the next Town Council meeting. Councilor Higgins seconded the motion. Motion passed unanimously.
5. Catering Permit- Councilor English Flannagan motioned to approve the application for a catering permit for an event scheduled on June 12, 2021. Motion seconded by Councilor Higgins. Motion passed unanimously.

Legal: None

Appointments/Resignations:

- A. Resignations- 1. Don Dickel; Planning Board: Councilor English Flannagan motioned to accept Don Dickel's resignation from the Planning Board. Councilor Higgins seconded the motion. Motion passed unanimously.
- B. Appointments-
 1. Lewis Aurelio; Planning Board Councilor Higgins motioned to appoint Lewis Aurelio to the Planning Board. Councilor English-Flannagan seconded the motion. Motion passed unanimously.
 2. Michael Palmer; Planning Board: Councilor Higgins motioned to appoint Michael Palmer to the Planning Board. Councilor English-Flannagan seconded the motion. Motion passed unanimously.
 3. Mary Ann Royal; Conservation Committee: Councilor English-Flannagan motioned to reappoint Mary Ann Royal to the Conservation Committee. Councilor Higgins seconded the motion. Motion passed unanimously.

4. Phillip Higgins; Internet Accessibility Committee: Councilor Higgins motioned to appoint Phillip Higgins to the Internet Accessibility Committee. Councilor English-Flannagan seconded the motion. Motion passed unanimously.

Correspondence/Significant Items

Outgoing

1. No Outgoing

Incoming

1. DM&J Check #4090*

Minutes/Agendas:

1. Waldo County Commissioners Court Session Agenda May 19, 2021.
2. RSU #22 Board of Directors Meeting Agenda May 19, 2021.
3. RSU #22 Policy Committee Minutes May 13, 2021.

Communications:

- A. Town Manager's Report- Manager Crooker asked the Town Council their thoughts on allowing individuals to rent the Victoria Grant Civic Center (VGCC) since the CDC has changed their guidelines related to COVID 19 when and if the Town Council wants to start opening the Victoria Grant Civic Center back up to rentals from the general public. General consensus of the Town Council was to allow nonprofit groups to continue to use the VGCC as long as adhering to all CDC guidelines and then likely will open the VGCC back up to rentals from individuals after June 30th.

The manager wanted to make sure that the Town Council was aware that the town had received written email inquiries into the proposed article for the water district that is on the warrant for the annual town meeting. The emails were asking for confirmation on the legality of the article. Manager Crooker noted that he sent the emails to the town's attorney and asked him to do an even more extensive inquiry into the matter. Staff also looked up additional information and forwarded it to the town's attorney for his review and opinion. The attorney reviewed several documents. Manager Crooker noted that unfortunately the Town would have to pay for the attorney's fees for this additional inquiry but that it is important for the town to have an even greater piece of mind when it comes to this matter. Manager Crooker read the Town's Attorney final position on this matter. He also reiterated that the attorneys see this as a two-step process. The first step is to see if the town will vote to extend the credit, then the Town Council will need to work with the District's Attorney to draft a written agreement that explains the terms and outlines elements of the agreement. Manager Crooker also noted the Town's Attorney's position on the Town's obligation to assume the debt in case of a default versus the Voters of the Town voluntarily choosing to vote to take on that obligation. Manager Crooker read the attorney's position to the Town Council again for clarification.

- B. Response to Council Questions- No questions.

- C. Council Comments- Councilor Cooper asked if the Town knew is there is still a blind person living at the intersection of Holmes and Marine Street since the blind person sign is laying down. If the person is no longer living there then the sign should be removed. If the person is still there then the sign should be put back up again. Manager Crooker indicated he would relay that information to the Public Works Supervisor.

Signatures:

Executive Sessions:

Adjourn: Councilor English-Flannagan motioned to adjourn the meeting. Councilor Higgins seconded the motion. Motion passed unanimously. Meeting adjourned at 8:22 PM.

NOTE:


Meetings:

Dates & Time of other meetings between June 2nd- June 14th, 2021


Recreation Board Monday, June 7th 6:30 PM; Town Meeting Election 8 am to 8 pm on Tuesday, June 8th at the Town Office; Board of Assessors' 4:00 P.M. on Wednesday, June 9th; Annual Town Meeting Open Town Meeting 7:30 PM at the Smith School on Thursday, June 10th.

Training & Days Off:

Minutes prepared and respectfully submitted by Michael Crooker.



Stephen Cooper




Corey Ginn



Ann Ronco



Maggie English-Flanagan



Tammy Higgins

