

**Winterport Town Council**  
**Tuesday, November 30, 2021**  
**MINUTES**

**Call to Order-** Councilor Cooper called the meeting to order at 7:00 P.M.

**Roll Call-** Councilors Cooper, English-Flanagan, Ronco, Kelley, and Higgins present.

**Consent Agenda-** (items marked with an asterisk \*) Councilor Ronco motioned to amend and approve the Consent Agenda to include the cancellation of the scheduled Town Council meeting on Tuesday, December 28<sup>th</sup>, 2021 due to the upcoming holidays. Councilor English-Flanagan seconded the motion. Motion passed unanimously.

**Adopt Agenda-** Councilor Ronco motioned to adopt the agenda as presented. Councilor Kelley seconded the motion. Motion passed unanimously.

**Financial Reports:**

<b>November 30, 2021</b>	<b>December 14, 2021</b>
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, November 28, 2021. Councilor Ronco motioned to approve the payroll warrants through Sunday, November 28<sup>th</sup>, 2021. Councilor Kelley seconded the motion. Motion passed unanimously.
- B. Invoices through Monday, November 29, 2021. Councilor Higgins motioned to pay invoices through Monday, November 29, 2021. Councilor English-Flanagan seconded the motion. Motion passed unanimously.

**Guest Speakers & Committee Reports- None**

**Input from Citizens on Unscheduled Items-** Fire Chief Foley asked the Town Council for permission to give a volunteer firefighter who has volunteered for the town as a firefighter for 51 years and is now retiring his helmet as well as the front plate on his helmet in recognition and appreciation for his 51 years of service to the Town of Winterport. Councilor Kelley motioned to approve with appreciation. Councilor Ronco seconded the motion. Motion passed unanimously.

Ryan Brinz addressed the Town Council regarding an excise tax reimbursement check that he had requested due to excise tax that he had paid to the town even though he is veteran that is considered permanently disabled and should have been exempt from paying the town excise tax. Mr. Brinz wanted to make sure that the Town was aware of the law that recently passed in October that allows for the exemption. Mr. Brinz suggested that the Town post this information in the lobby.

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

**Schedule of Meetings**

- A. December 14<sup>th</sup>, 2021 & December 28<sup>th</sup>, 2021\*

**Accept Minutes**

- A. Town Council Meeting Minutes of November 16<sup>th</sup>, 2021 Councilor Ronco motioned to table the minutes of the November 16<sup>th</sup>, 2021 Town Council meeting until the next meeting. Councilor Kelley seconded the motion. Motion passed unanimously.

## Scheduled Items:

### A.) Old Business

#### 1. Items Ready for Consideration-

1. Notice of Uncollectable Taxes Account #2291- Manager Crooker reported that he had discussed the property with the assessor who went out to the property and verified with the owner the status of the property. The assessor reported that the mobile home had been burned in a fire and removed. The owner of the property indicated that the trailer that currently sits on the property is a new mobile home since the other one was destroyed. Councilor English-Flannagan motioned to approve the Notice of Uncollectable taxes for account #2291 as presented. Councilor Kelley seconded the motion. Motion passed unanimously.

#### 2. Items Pending Further Action-

1. Rob Clark Cul-De-Sac Easement Request- Manager Crooker informed the Town Council that the Town's attorney indicated that he is willing and able to come to the Town Council meeting scheduled for Tuesday, December 14<sup>th</sup> to meet with the Town Council. Manager Crooker reported that the Town's attorney had asked if the Town Council wanted to meet with him first in executive session before the issue was discussed. Manager Crooker then asked for confirmation that the Town Council would also want to meet with the Town's attorney in open session with the understanding that the Town Council would arguably be agreeing to waive any rights to confidentiality for items discussed during the open session. Councilor Cooper asked Councilors if they had any other questions that they wanted to have forwarded to the Town's attorney other than the questions submitted to the Town Council by Addie Peet and the Road Association. Discussion ensued regarding the need for the attorney to come to the meeting even if he answers the questions posed. Manager Crooker indicated that there could be follow up questions to his responses and his response to questions may not directly answer the questions to the Town Council's satisfaction. Councilor Cooper acknowledge Darrell Ginn. Mr. Ginn indicated that he did not understand all the secrecy regarding this issue and the response regarding confidentiality that he received in regards to his request for information. Mr. Ginn indicated that all the association wants to know is if the town wants to accept the cul-de-sac as is. Addie Peet indicated that this whole thing stemmed from almost a year ago when the whole neighborhood signed a petition based upon the cul-de-sac being in horrible condition and how they would go about doing something about it. Mrs. Peet elaborated that if it is private property and is a private road then the road association would do something about it; if it is part of a subdivision, which everyone assumed that it was because it was a cul-de-sac located at the end of a subdivision and the town requires a cul-de-sac at the end of a subdivision then that's why the association wanted to work with the town to have this conversation with the town to figure out what can be done to make this situation better. It was assumed until the deed was found that the cul-de-sac was actually part of the town's road until it was found that the town accepted the road without a cul-de-sac. Mrs. Peet indicated that for the past 30 years after the town accepted the subdivision without a cul-de-sac the town has continued to use it as if it was a public roadway by plowing it so school buses, emergency vehicles etc. can use it. Mrs. Peet emphasized that what the association wants to do is if the town wants to continue to use the cul-de-sac as it has done for the past 30 years then the association wants to work with the town by offering an easement so that there is an understanding of what needs to happen and the town can continue to plow it so the big trucks can use it. Mrs. Peet also indicated that if the town does not need it then that is fine too. The association is reportedly just trying to get to a resolution on the issue so they will know what needs to be done to the cul-de-sac since it is in horrible condition. Councilors asked questions of Mrs. Peet and Mr. Ginn to further clarify the

circumstances associated with the cul-de-sac, including who currently owns the cul-de-sac, as well as to clarify what they feel should be done with the cul-de-sac. Mrs. Peet reported to the Town Council what the Code Enforcement Officer, Jackie Robbins, had found in prior versions of the ordinance, which included the report that two pages of the ordinance had been torn out. Discussion of the prior request for information as well as Mrs. Peet's and Mr. Ginn's expression of displeasure of how they were treated and required to sit in front of the lobby window when they requested to review public documents was mentioned as well. Fire Chief Foley was asked what the fire department would need to do if the cul-de-sac no longer existed. Fire Chief Foley explained how the fire trucks would back into the subdivision. Mr. Ginn also noted that the association does not have to maintain the cul-de-sac to the town's standards and if the association does do work there then it is likely going to be just improvement to a straight section of roadway up to the remaining lots, which may make it difficult for the town to plow and school buses to turn around. Mrs. Peet indicated that they are not trying to be difficult rather they are just trying to figure something out. That is why if the cul-de-sac is beneficial to the whole neighborhood, then it makes sense to maintain it, especially to repair all the damage from the use and abuse of the cul-de-sac and ultimately make it safer for all that use it. Councilors inquired into whether estimates to fix up the cul-de-sac had been obtained or could be obtained. The manager asked for clarification from the Town Council on how they wanted the agenda set for the next meeting. The Town Council indicated to put the issue on the regular agenda in open session and that there was no need for an executive session at this time.

2. Account #645 Property Disposition Process- Manager Crooker reported to the Town Council that he had developed a bid packet for the property based upon the discussion that occurred at the previous Town Council meeting. The manager noted that he did need to add in language about a pre-bid meeting. After much discussion the Town Council indicated that they did want the buyer to agree to clean up the property to the town's satisfaction within exactly six months otherwise the sale of the property would be null and void. It was noted that the manager would have to look into how such an arrangement could be set up and included in the deed or transfer. Manager Crooker indicated that he would make revisions to the packet and bring it back to the Town Council to review again.

#### **B.) New Business**

1. Waiver of Foreclosures 2020 Taxes- The Town Council reviewed with the Town Manager the list of possible foreclosures for the 2020 tax year. After much discussion, it was decided that the Town Council did not want to waive any foreclosures for the 2020 taxes at this time.

2. Personnel Policy- Section 9 Holidays Proposed Amendment- Manager Crooker reported to Councilors that he had made a proposed amendment to Section 9. of the Personnel Policy that he shared with the Town Council. Manager Crooker indicated that in response to a question posed by an employee that he was asking the Town Council to table this item until the next Town Council meeting to allow the Town Manager to obtain additional information prior to the Council's review of the proposed amendment.

**Legal:** None

#### **Appointments/Resignations:**

A. Resignations- No Resignations

B. Appointments- No Appointments

**Correspondence/Significant Items**

Outgoing- No outgoing

Incoming-

- 1. DM&J Check #4317\*

**Minutes/Agendas:**

- 1. Waldo County Commissioners Court Session Agenda December 02, 2021

**Communications:**

- A. Town Manager’s Report- The Town Manager indicated that he did not have much to add to his written report unless Town Councilors had any questions for him.
- B. Response to Council Questions-
- C. Council Comments- It was noted that the Town Council had decided earlier in the meeting to cancel the December 28<sup>th</sup>, 2021 Town Council meeting. Councilor Ronco indicated that she knew that a lot had been going but she wanted to inquire about getting the road ordinance on the Council’s agenda for a future meeting so that the Town Council could discuss the ordinance in relation to the issues that came up with posting roads last year. Manager Crooker indicated that he could put the item on the next agenda of the Town Council. Councilor Ronco also suggested that the Town Council should send Richard Libby a letter of appreciation from the Town in acknowledgement of his over 50 years of volunteer service on the Fire Department for the Town of Winterport.

**Signatures:**

**Executive Sessions:**

**Adjourn:** Councilor Ronco made a motion to adjourn the meeting. Councilor Kelley seconded the motion. The motion passed unanimously. Meeting adjourned at 8:22 P.M.

**NOTE:**

**Meetings:**

Dates & Time of other meetings between December 1<sup>st</sup>, 2021 – December 13<sup>th</sup>, 2021  
 Thursday, December 2<sup>nd</sup>, 2021 Conservation Committee 7 PM. Victoria Grant Civic Center.  
 Monday, December 6<sup>th</sup>, Broadband Committee 6:30 PM Town Office  
 Wednesday, December 8<sup>th</sup>, 2021 Board of Assessors’ Meeting 4:00 P.M. Town Office

**Training & Days Off:**

Minutes prepared and respectfully submitted by Michael Crooker.

  
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 Stephen Cooper

  
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 Maggie English-Flanagan

  
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 Tammy Higgins

  
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 Kevin Kelley

  
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 Ann Ronco