

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, August 17, 2010 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Robert Stackhouse, Caleb Curtis, Deputy Mayor Gary Jordan, Jr. and Donna Chale. **ABSENT:** Christopher Carr and Louise Baker. Also present: Town Manager Kathryn Ruth. Audience members included: Donnie Hallenbeck, Joe Higgins, Janet Sanborn, Jeff Lary, Carl Lary, Linda Lary, Virgil Rollins, Barbara Rollins, Floyd Humphrey, Annaleis Hafford, Scott Noble, Steve Emery, Chris Cousins, Mike Lange

1. **Mayor Nichols** opened the meeting by leading the Pledge of Allegiance. The Council observed a moment of silence.
2. Adoption of minutes of the regular meeting held on July 13, 2010 and the special meeting held on July 23, 2010.

Moved by **Councilor Chale** and seconded by **Councilor Stackhouse** that the minutes of the regular meeting held on July 13, 2010 and the special meeting held on July 23, 2010 be adopted.

VOTE: UNANIMOUS AYE

3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:**

Community and Economic Development Activities and Events

The Central Maine Egg Festival for 2010 was a huge success! We have received many compliments. The 2011 event planning schedule for meetings will be as follows:

All meetings are at 5:30 pm at the Pittsfield Municipal Building Council Conference Room on the second Tuesday of the following months, unless otherwise announced:

October 12, 2010
November 9, 2010
January 11, 2011
February 8, 2011
March 8, 2011
April 12, 2011
May 10, 2011
June 14, 2011
July 5, 2011
July 12, 2011

If a Special Council Meeting is scheduled for any of these dates, the Egg Festival Committee Meeting will take place in the Municipal Building in another room.

The AARP Driver Safety Program on July 23, 2010 was also a huge success and very well attended. This was a driver safety classroom course especially designed for drivers

age 50 and older. AARP thanks the town for the use of the building and advertising the event. They would like to hold an event next year here at the Municipal Building.

New Businesses:

Endine's Garden at 115 Detroit Street for baked goods/greenhouse items.

Certificates of Appreciation:

Helpers at the Quiche/Cheesecake/Pie Contest for the Central Maine Egg Festival on 07/23/2010:

Holly Mullis
Lora Pressey

Provided a location for the event:
Sebasticook Valley Elks Lodge #2713

Provided beverages and paper goods for the event:
Bud's Shop N Save

Sponsors....
Sawyer's Dairy Bar
C. Jones Floral
Anglers Restaurant
OZ Hair Studio
Pizza Hut Restaurant
Jazz The Salon
Salon Red
Summer Glaze
Pittsfield Redemption Center
Subway
Big Bill's
Pittsfield Community Theatre

And we would like to thank Emmalee Reed of the Town staff who organized the event and did a wonderful job. In addition to all of the community benefits, the contest made \$210 for the Egg Festival.

4. **PUBLIC HEARINGS/OLD BUSINESS: NONE**
5. **REPORTS: TOWN MANAGER, FINANCE, ORDINANCE & RECYCLING COMMITTEES:**

Town Manager's Report: Town Council Meeting of 08/17/2010:

1. The FYI Folder: FYI Folder which contains items that come in between the Town Council Meetings has the following this evening: READ List

2. 2010 Tax Bills Issued: Read Notice. The Town has been taking more funds out of Unappropriated Surplus each year to offset the repercussions of the County Tax since the new Jail Debt service needed to be paid and other increases in assessments. We were unable to do this year as we discussed during the last budget session in Fall 2009. There are not enough funds going into the account as the revenue collections for all levels of government are so low. As the State of Maine lowered the Homestead Exemption for properties, \$53.70 of the increase is due to the loss of the Homestead. Therefore, if the average tax bill is \$1200.00 in 2009, the tax for 2010 would be \$1,317.79. The total tax increase for 2010 over 2009 would be \$117.79 of which \$53.70 is due to the State Legislature's revision to the Homestead law. The remainder or \$64.09 is due to the budgetary changes from county, school and town.

3. Re-financing of Bonded Debt for Water & Sewer Enterprise Accounts: The Auditor recommended that the Town re-finance the Large 1999 water infrastructure loan that the Town carries as we could have a much lower interest rate. After several contacts with the MMBB, I have learned that the low interest rate of 1-1.5% would only be eligible for the last sewer bond that the Town took out. The large Water loan is not eligible. This sewer bond can be re-financed now or any time that we want to go through the process. The cost to re-finance is about \$2000 in legal fees plus my time, which would not be an additional cost. I will calculate the savings to determine if we should proceed. I believe there will be savings from this move. The first MMBB issuance that the large Water loan would be eligible for re-financing would be Spring, 2011. At that time, we could also re-finance the Water-Sewer Loan for the meter upgrade and the Summer Street Separation project. I will calculate out projected savings to make sure that the savings are higher than the costs, which I believe, will be the case.

4. Safety Enhancement Grant Program: The Town received notification of an award of \$2,000.00 for the Safety Enhancement Grant application submitted to the Maine Municipal Association. The funds will be used to purchase 200 traffic cones and 6 signs. Donnie Chute wrote the grant application. The last Highway-type safety grant that we received was back in 2003 and we are in the need of replenishing our outside safety equipment.

5. Water/Sewer Services: With over 60 miles of water and sewer pipes and approximately 700 gate boxes, 1400 service boxes, 500 manholes and 10 sewer cleanouts, the Water and Sewer Department can be kept quite busy. If anyone notices a manhole or box sunken or heaved in the roadway, please call Assistant Water/Sewer Superintendent Scott Noble at the Water/Sewer Garage at 487-5203 listing the road and approximate location. With literally hundreds of these items in the roadway and the difficult winters we are having now, a few of them are going to shift out of place.

6. The Welcome Table: The Welcome Table is open from 10:30 am to 1:30 pm every Friday at the First Universalist Church in the Community Hall at 6 Easy Street. This is a local program staffed and funded by volunteers whose mission is to provide a warm place to gather, socialize and share a hot meal. Games, puzzles and cards are always available. All are invited to attend. For further information, please call Trudy Ferland at 487-6523.

7. KVCOG 43rd Annual Meeting Announcement: Notice was read.

8. North Main Street intersection at the bottom of Grove Hill: We have been getting calls about the accidents taking place at the bottom of North Main Street in which now two homes have been hit by vehicles. People have asked for a road change. North Main Street is a State road and appears to be properly signed. If people have suggestions, we will forward them to the State of Maine. The Police Chief was asked to look at the intersection as well as the PW Foreman and could not find any revisions to make. Both accidents were caused by inattention or sleeping. The traffic count for Main Street is over 10,000 per day so the traffic count for that area is probably a little less.

9. MMA: The Maine Municipal Association is looking for ideas for their Legislative Agenda. If you have ideas for legislation or law changes, let me know on or by this Friday, August 20, 2010.

10. 65th Anniversary of the end of World War II: Notice was read.

Finance Committee: None.

Ordinance Committee: None

Recycling Committee: None

6. **NEW BUSINESS:**

RESOLUTION 10-77: Resolved that the Town Council determines that ATV travel within the public way of Bean's Corner Road may be conducted safely and will not interfere with vehicular traffic on the public way as long as the ATV use is on the side of the roadway; that the Town Council hereby designates an ATV trail on the .70 mile of the Bean's Corner Road between the Hartland Town line being the section of the roadway owned by the Town of Pittsfield that lies between the Notch Road and the Fuller Corner Road; and that the Somerset Ridge Runners ATV Club will be responsible for proper signage for the section of roadway that lies in Pittsfield.

Moved by **Councilor Stackhouse** and seconded by **Deputy Mayor Jordan** that Resolution 10-77 be adopted.

Mayor Nichols noted, although this is not a public hearing, there are a lot of people in our audience from the area. We would like people that are attending the meeting to be able to voice their opinion. Mayor Nichols asked that people wishing to speak identify themselves for the record.

Virgil Rollins, 668 Beans Corner Road, wanted to voice his opposition. The road is in very poor condition. If you don't believe me, walk the road, not ride it. I live right on Burton's Corner and there are numerous accidents every year there. Some are reported, other are not. If I wanted to live on an ATV trail I would do so. I like to live a nice, quiet life. I am almost 73 years old and I don't want to hear ATV's up and down the road. Its bad enough with what we have of people peeling tires and everything else. As far as Burton's Corner, the stop sign on the corner of Powers Road, half of the people that come to that stop don't stop, a lot more only make rolling stops. We walk these roads everyday, weather permitting. Before you ok something like this, go park your car and take a walk, or even just watch Burton's Corner.

Floyd Humphrey, Beans Corner Road, I wonder if the folks that want to ride on that road,

have made any inquiries about going anywhere else. There are property owners the whole length of the road. I have never refused anybody. I think it's a safety issue. My pickup was totaled on that corner that Mr. Rollins was talking about. I was the victim. I think its far too dangerous for ATV's to be riding up and down the road.

Joe Higgins, Vice President of Somerset Ridge Runners ATV Club, at the Town Manager's request we met with the Police Chief and Public Works Director. We inspected the road, and the sides of the road and there were no serious concerns. The biggest issue was that the road be signed properly and that the brush needed to be trimmed. The ATV Club agreed they would take care of these issues. Mr. Higgins also noted that the Resolution language also reads that this is an ATV trail, which it is not, it is an access route. In the grant process that is done for the club, there is a difference between a trail and an access route. A trail actually goes through to another trail system where the route is a dead end that gives residents and ATV users access to the main trail or the rail bed. Mr. Higgins also wanted to note that they did go out to visit approximately 24 households regarding this matter. Out of the 24, only two were opposed to the access trail, eighteen were for the access trail and four residents were not home.

Vigil Rollins asked, where are the eighteen people that approved of this access route as residents and why aren't they here? We don't know that information to be a fact. Mr. Rollins also asked what the difference was between a trail and an access route. If your on there with an ATV it's a trail. Why should the Town of Pittsfield cater to a Hartland/Pittsfield ATV club? What does Hartland have to do with this? What happens if there is an accident? Does the Town get sued? Like I said, I am not for it. I have nothing against ATV's but there is no reason they can't take their ATV's on their pickups and drive them to a trail. We don't have to grant them access down an asphalt road.

Jeff Lary stated I have lived on the Beans Corner Road my entire life. We are very careful and we are all aware of the corner. Mr. Humphrey did have a bad accident and it was a horrible thing. That being said, there are bad accidents on every road. You can't stop people. What you can do is explain to the people, which we are doing here. If people don't stop at the stop sign its not going to affect us, we are going to stop twice. We are going to stop on the Beans Corner Road and look at the Powers Road. We are going to get to the corner and stop again. We are going to be careful, we don't want to get hurt either. I'm sure Police Chief Steve Emery can answer any questions people may have regarding accidents in that area better then I can. As far as the statements made with concerns about noise, for the first time in my life I happened to drive up on a black bear the other day. It was right in my backyard, maybe 100 feet away. There were also 2 cubs. They didn't know I was there. My personal ATV is not that loud. I can't speak for everyone's ATV, but they really aren't that loud. I believe common sense adults can be safe and prevail. They do it in many, many Towns.

Linda Lary, 384 Beans Corner Road, as far as the comment of catering to the Hartland ATV club, I live at 384, I live closer to Pittsfield then I do Hartland. Floyd Humphrey lives in Pittsfield about a half a mile up the road. Mr. and Mrs. Rollins are about a mile up the road. I live two miles from Route 2. As far as catering to the Hartland ATV Club, we all live in Hartland, its only 3/10 of a mile that we would be on Pittsfield's Road. Floyd Humphrey has been more then willing to help, but that still doesn't get us from your house to Ford Hill Road where the trail starts.

Joe Higgins, I have done a lot of research and ATV access routes in the State of Maine do not have one single documented issue between ATV's and vehicles. Where there has ever been an issue is on non-signed, non-authorized areas. It was brought up at the last meeting that the Police are spending a lot of time dealing with ATV issues. There are available grants through IFW to help offset some of those costs. I don't know if the Town currently uses those grants, but I wanted to let you know about it. The ATV and Snowmobile programs fund these grants.

Carl Lary, Wanted to note that Janet and I are at the end of the line. I have lived there on Beans Corner all my life. Half of the people who will use this access trail are here tonight. I will speak for all of them. We are not hot-rodders. We don't speed or do jumps. All we really want is access to the main drag. It's not going to be a full-time thing. I doubt you would see more then 1-2 people on the access route each week.

Deputy Mayor Jordan asked if this access trail would be an insurance issue if someone was hurt on an ATV. The Town Manager noted that the Police Chief had gone out and measured this area and found it to be .7 or 7/10 of a mile. Regarding the grants Mr. Higgins brought up, I have been told they are for the Police to buy an ATV so they can work with the ATV's. We probably wouldn't do that, but I can check again. Perhaps the grant can be used for something else now. As reported at the last meeting the insurance company is against this. It is adding another risk to the risk pool. The MMA site states that this is one of the discretionary matters of the Municipal Officers. The law does not require them to designate any access routes or trails. If the Municipal Officers do approve an access route, and someone is injured as a result, neither the Municipality nor the Officials or Employees can be held liable. The Maine Tort Claims Act provides complete immunity from liability for discretionary functions. In terms of accidents between Motor Vehicles and ATV's, I don't know if those claims would be similar to someone getting in an accident that doesn't have insurance in a car.

Police Chief Emery did not know what people carry for insurance on ATV's or if they are required to insure them. As far as ATV accidents, if it were on the roadway, the Police would handle the issue. If it is off the road or in the woods, the Warden Service handles it.

Deputy Mayor Jordan asked Mr. Rollins if the ATV access route would bring ATV's past his home. Mr. Rollins stated yes – it would be directly in front of his home.

The Town Manager asked if there was a way to go across properties to get to where you want to go. Mr. Higgins stated not without permission. The Town Manager asked if there were many land owners involved, or just a couple. Mr. Higgins stated in that area there are quite a few. CMP would also be involved and with the new transmission lines being installed, it would not work.

Janet Sanborn noted that Mr. Humphrey has been very helpful. But, there is a landowner who owns a lot of land and he hunts and there are certain times of the year that he would rather we didn't use his property. We respect that.

Jeff Lary stated I don't really want to encourage people to drive on someone else's land. I just thought there are many Towns that have access. This way you can drive up the side of the road and not bother anyone's property or touching anyone's fields.

Councilor Chale asked if it is difficult to load up the ATV's onto a truck or trailer and take them down to the trail. Jeff Lary stated it is more of a convenience issue. Not all of us have trailers that we can use. We would like to be able just take the ATV's up the access trail to the railroad bed and come down to Town to get a ice cream or maybe come into Town and go to dinner. Councilor Chale ask if the trail connects to the trail here in Town. Mr. Lary stated yes, it goes to a railroad bed that takes us from where we are to almost anywhere. We are kind of stranded where we are. Councilor Chale stated she did not see Mr. Rollins on the list of residents that the ATV Club visited. Did he not respond? The people that did this, Darren Robinson and Wes Hueing, had gone out to try and speak to the residents. Perhaps they were not home when they went around. There was a couple that they did not know their names.

The Town Manager noted that she tried to check the list and most of the people are not residents of the Town of Pittsfield. The members of the ATV club noted there are only a few Pittsfield residents in that area as it's a very small piece that runs through Pittsfield, the rest are all Hartland Residents.

Donna Chale asked Police Chief Steve Emery what his opinion was on the ATV access trail. Chief Emery stated that during the inspection with John Dickson the brush, grass and road was inspected. The road is very rough and is in poor condition. The grass was 3-4 feet high, but since then it has been bush hogged. Its not to bad now that its been bush hogged. We did speak to Mr. Rollins the day we were out there for the inspection and found out he was opposed. His lawn does run right to the pavement. He has a very nice home and it is well groomed. He was also concerned with the noise. Chief Emery also spoke with the Lary's and the ATV Club and told them to go slow, be mindful of the lawns and make sure signage has been put up. I kind of wish I had this opportunity at my house as I can't go anywhere without trailing my ATV either. As far as a big safety issue, I just can't see that there is one. As far as the noise at night, it is probably the same as a snowmobile, perhaps a little quieter. In some places you get 100 snowmobiles per hour, these folks are talking about maybe 1-2 trips a week. If it was a full time trail with ATV's going back and forth all day long it probably wouldn't work. We would be responsible for covering any accidents on the roadway and taking noise complaints.

Deputy Mayor Jordan stated I like ATV's and my family members use them, but I have had very bad experiences with them. I am against this. We drive snowmobiles and live right next to a snowmobile trail. I understand the comments about users of the access trail being responsible adults. I have had just too many bad experiences with ATV's next to my property with posted signs. I am concerned with what Mr. Rollins has said and the danger of what could really happen here.

Councilor Stackhouse asked if there are any other reasons people other than those who live on Beans Corner Road would use this access route? Jeff Lary and Joe Higgins stated no, there would be no reason at all.

Jeff Lary stated we are in Pittsfield and we do have some trails, such as the rail beds. Where there are ATV Clubs in communities it has been a proven fact that it does help eliminate some of the issues of ATV's going where they shouldn't be. This way there is a club to contact and someone who does signage and development of trail.

Joe Higgins stated that at the last meeting it was noted that there would be signs stating this access route was a dead end. This would help deter anyone from going down the access route thinking it was an ATV trail.

Councilor Curtis stated he is for the access trail. An important thing to remember is that if this access trail doesn't work out in the future, it could be shut down. I just think it is worth giving them a chance.

Mayor Nichols took a role call for the vote on this issue.

**VOTE: STACKHOUSE/CURTIS/NICHOLS – AYE
JORDAN – NAY
CHALE – ABSTAIN
RESOLUTION PASSES**

RESOLUTION 10-78: Resolved that the Town Council waive the Regulation of Bid and Contracts (Section 106 of the Administrative Code) and authorize the Town Manager to sign a three year contract for snowplowing with S & G Construction at \$1,676.03 per mile for a total of \$89,500 with 53.4 miles for 2010-2011; at the rate of \$1,717.93 per mile for a total of \$91,737.50 with 53.4 miles for 2011-2012; and at the rate of \$1,760.88 per mile for a total of \$94,030.94 with 53.4 miles for 2012-2013; with such mileage to be adjusted if the Town adds road mileage during the term of the contract.

Moved by **Councilor Stackhouse** and seconded by **Councilor Curtis** that Resolution 10-78 be adopted.

The Town Manager noted S&G Construction has been the Town's snowplow contractor for many years. Prior to that, S&G was the only contractor that bid on snowplowing services. In 2006, the Town negotiated a snowplow contract for 2 years at a cost of \$69,400 each year. Therefore, the cost for 2006-2007 was \$69,400 and there was no increase for the 2007-2008 Snowplowing year. Due to the huge increase in diesel and other expenses such as Workers Compensation insurance, the contract for 2008-2009 was \$88,000. The 2009-2010 Snowplowing Contract was \$89,500.

Discussions with S&G have resulted in the following proposal for the next several years:

1. Three year contract
2. Same price for 2010-2011 as for 2009-2010 with additional cost calculated if mileage is added;
3. 2.5% increase for 2011-2012; and
4. 2.5% increase for 2012-2013.
5. All regular terms of the contract remain the same.

Therefore, as it is likely that we will add mileage at some time during the contract, I have listed the price per mile with the 53.40 miles for a total cost for each year. The provision to pay the contractor if mileage is added has been a part of the contract for many years and is a standard provision of a contract of this nature.

VOTE: UNANIMOUS AYE

RESOLUTION 10-79: Resolved that the Town Council authorize the Town Manager to execute Change Order #1 to the sludge removal contract with Mobile Dredging to amend the dates for the project to begin on or by April 15, 2011 and to be completed no later than October 15, 2011.

Moved by **Councilor Stackhouse** and seconded by **Deputy Mayor Jordan** that Resolution 10-79 be adopted.

The Town Manager noted it will be good to have a commitment.

VOTE: UNANIMOUS AYE

RESOLUTION 10-80: Resolved that the Town Council waive the Regulation of Bid and Contracts (Section 106 of the Administrative Code) and authorize the Town Manager to sign the Standard Form of Agreement as required by the United States Department of America (USDA) Rural Development Agency with Olver Associates for engineering work on the sludge removal, SSES study and sewer remedial work approved for funding by the USDA.

Moved by **Councilor Curtis** and seconded by **Deputy Mayor Jordan** that Resolution 10-80 be adopted.

The Town Manager noted this Contract is for the projects approved for funding by the USDA and by the Town Council. These are the projects that Olver Associates has been assisting the Town with for the last two years, providing background materials, so that the Town could apply for funding through a variety of programs. With the exception of the sludge removal funding acquisition assistance cost, these are the figures that were submitted as part of many funding applications. Sludge Removal has been challenging and resulted in additional costs beyond the original budget. All costs are to be reimbursed by the funding acquired for the project.

VOTE: UNANIMOUS AYE

RESOLUTION 10-81: Resolved that the Town Council authorize the Town Manager to sign the Letter of Intent to participate in the one-day Household Hazardous Waste Collection Event on Saturday, 10/02/2010.

Moved by **Councilor Stackhouse** and seconded by **Councilor Curtis** that Resolution 10-81 be adopted.

The Town Manager noted for several years, the Town has participated in this one day event which has provided residents the opportunity to dispose of household hazardous materials rather than leaving the materials at their homes or throwing them away with trash.

Last year the Town spent \$978.96 for the materials that were collected plus staff time to organize the event. The amount that we spend will be dependent upon the amount of material that is collected. In the past we have capped the cost that can be expended and will do so this year also. Donnie Chute recommends \$1000.00.

VOTE: UNANIMOUS AYE

RESOLUTION 10-82: Resolved that the Town Council approve the renewal of the Special Amusement permit for the Sebasticook Valley Lodge of Elks.

Moved by **Councilor Chale** and seconded by **Councilor Stackhouse** that Resolution 10-82 be adopted.

The Town Manager noted this is a yearly renewal application.

VOTE: UNANIMOUS AYE

RESOLUTION 10-83: Resolved that the Town Council approve a renewal application for a liquor license for the Sebasticook Valley Lodge of Elks at 140 Middle Street, Pittsfield, Maine 04967.

Moved by **Councilor Stackhouse** and seconded by **Councilor Chale** that Resolution 10-83 be adopted.

The Town Manager noted this is a yearly renewal application.

VOTE: UNANIMOUS AYE

RESOLUTION 10-84: Resolved that the Town Council Approve the issuance of a parade permit to the Hope Revived Ministries for a fundraising walk on September 18, 2010 and waive the permit fees.

Moved by **Councilor Stackhouse** and seconded by **Councilor Curtis** that Resolution 10-84 be adopted.

The Town Manager noted this is a small fundraising walk. When the walks are for fundraising by non-profits, we have waived the fee.

VOTE: UNANIMOUS AYE

RESOLUTION 10-85: Resolved that the Town Council authorize a transfer of funds for expenditures from the Floral Trust Accounts to N. Blake Bartlett for required work in the cemeteries to not exceed \$1,700.00.

Moved by **Councilor Chale** and seconded by **Councilor Stackhouse** that Resolution 10-85 be adopted.

The Town Manager noted each year the Town administers work to the cemeteries pursuant to the trust agreements for certain lots. The funds to pay for this work are available in the Floral Trust Accounts. The work includes necessary items that differ from year to year.

In 2010, the work includes re-caulking of a monument; restoration of cement borders on markers; re-setting of corner posts on front slope and cleaning of joints in curbing and steps; cleaning and repairs to cement borders on all markers; and cleaning, re-jointing and straightening all markers.

VOTE: UNANIMOUS AYE

RESOLUTION 10-86: Resolved that the Town Council authorize the transfer of a \$500 Library Trustees Certificate of Deposit plus interest which is being closed out to the Library Capital Fund.

Moved by **Councilor Stackhouse** and seconded by **Councilor Curtis** that Resolution 10-86 be adopted.

The Town Manager noted this is the last of the library accounts that had been set up over the last few decades to be transferred to the Town. As this was a Certificate of Deposit, the Town had to wait until it could be closed out.

VOTE: UNANIMOUS AYE

RESOLUTION 10-87: Resolved that the Town Council authorize the Town Manager and Public Works Foreman to issue an RFP for small paving projects and to accept the best pricing available; and authorize the expenditure and transfer of up to \$27,000 from G/L #1-607-00 Road Construction/Paving Reserve.

Moved by **Councilor Stackhouse** and seconded by **Councilor Chale** that Resolution 10-87 be adopted.

The Town Manager noted earlier this summer, the Town Council discussed paving of town roads with a prioritized listing of regular paving work. We were also interested in grinding Snakeroot Hill and adding this to the regular paving work. Based upon the costs for all of this work and the fact that the Town would have to issue a loan for the work to be accomplished, we will not be completing regular paving this summer. It was discussed that during the 2011 budget process that the Town should review the paving work needed and whether a bond should be issued for this work so that enough paving can be accomplished.

In the meantime, there are a few areas that could use some basic paving to improve rideability and to keep the road together. The Town does have some reserve funding that could be utilized to accomplish this goal. The Town has \$32,207.95 as of June 30, 2010 (last bank statement received). It is proposed to leave \$5,000 in the reserve in case a small project is necessary.

An abbreviated paving RFP and the list of small areas that could use paving was included in the Council package.

VOTE: UNANIMOUS AYE

RESOLUTION 10-88: Resolved that the Town Council authorize the Town Manager to execute change orders for the Economic Development Grant for the Pittsfield Industrial Park Expansion which are recommended by the Engineering Consultant and approved by the EDA necessary for the project to be a sound, effective and efficient infrastructure project.

Moved by **Councilor Chale** and seconded by **Councilor Stackhouse** that Resolution 10-88 be adopted.

The Town Manager noted The Industrial Park Expansion project, which has many requirements including massive paperwork and recordkeeping, has been steadily evolving during the last month.

Directions have been provided on this project, as well as all projects, that the number and amount of change orders need to be kept to a minimum and avoided if possible. This is a large project. There are differing soil types and some infrastructure challenges. Change orders which fall under the Town's regulations have been approved for this project.

To Date:

Change Order #1: Tapping Sleeve/Valve needed for the project to install a tee and valve for water as the water main in the Industrial Park can not be turned off + \$2,185.89

Change Order #2: Properly address an underground telephone cable that crosses the new Parillo Drive entrance at Industrial Park. This is necessary as the work required to properly encase this line exceeds the work originally anticipated during the project development phase, primarily since it is located adjacent to an underground power line requiring careful and tedious excavation combined with the necessary length of line that requires replacement and repairs to pavement/lawns outside of the originally estimated scope. The increased scope is necessary to meet the construction requirements of the utility owner. + \$7,500.00

Both Change Orders were recommended by the Town's Engineering Consultant and are approved by the EDA Project Engineer for this grant.

Change Order #3 was in the works for review and consideration. The Engineer advises that we just received approval from the EDA today and I do not have a write-up. The Engineer advises that this change involves bringing the sewer line up in the ROW to Scrub-A-Dub, which has an old pump station. At the time that the grant was originally written up and submitted several years ago the owner of the property was not interested in hooking into the IP Addition infrastructure. The new owner has asked if this can be done. Any business hooking in would need to pay their own costs and hook in under the supervision of the Town. +22,520.00

VOTE: UNANIMOUS AYE

RESOLUTION 10-89: Resolved that the Town Council authorize the Town Manager to sign the grant agreement for the Pittsfield Public Library Oak Grove School Foundation Grant in the amount of \$800.00.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that Resolution 10-89 be adopted.

The Town Manager noted the Librarian applied for this grant earlier this year. The funds are for the Summer Reading Program. The Oak Grove School Foundation has forwarded the funds to the Town for the Summer Program. Authorization is needed to sign the

Grant Agreement.

VOTE: UNANIMOUS AYE

RESOLUTION 10-90: Resolved that the Town Council authorize the Town Manager to sign a grant agreement with the Department of Public Utilities Commission/Efficiency Maine Trust for the Energy Efficiency Block Grant in an amount to not exceed \$84,425.00 and to execute all paperwork required during the grant term.

Moved by **Councilor Stackhouse** and seconded by **Councilor Chale** that Resolution 10-90 be adopted.

The Town Manager noted The Town applied for this grant in 2009 and was notified of the award earlier this year. The Town was awarded \$84,025 for the following projects: (1) Municipal Building Energy Retrofit; (2) Installation of a Solar Thermal System for the Municipal Building facility hot water and space heating; and (3) Review of Town Codes to promote Energy Efficiencies, Development and Alternative Energy Sources.

Many towns have received their paperwork. No funds have been available as of yet. We received a phone call on 07/28/2010 requesting information to process an agreement for the Town. The project needs to be closed out by Fall 2012. The Town's match was funding from our Municipal Building Reserve fund being saved toward a new furnace and the publication costs for public hearing notices. The total cash match is \$11,756. Staff time of the Town Manager and Building Inspector is committed as part of the town's match. The Recycling Committee members and interested members of the community will be involved.

VOTE: UNANIMOUS AYE

RESOLUTION 10-91: Resolved that the Town Council approve the Maine Justice Assistance Council FY 2010 Byrne/JAG Grant for the Pittsfield Police Department for (3) tasers and (2) power mags in the amount of \$2,613.00.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 10-91 be adopted.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial Reports as of 07/31/2010:

Budget Expenditure Report: We are through 58.3% of the period, 51.3% expenditures for Municipal and 47.1% for Municipal, Water and Sewer.

Revenue Collections Report: We are through 58.3% of the period, 53.1% collections for Municipal and 52.6% collections when Water and Sewer Enterprise accounts are added.

Tax Acquired Property Report

Economic Development Revolving Loan Update

Housing Revolving Loan Update

Transfer Station/Recycling Monthly Report

Theatre Monthly Report
Excise Tax Collections Comparison Report
State Revenue Sharing Comparison Report
Personal Property Tax Collection Report
Real Estate Property Tax Collection

Other Reports as of 07/31/2010:

Building and Plumbing Permit Reports
Library Report-Librarian's and Library Trustees Minutes
Police Report

All other reports are self-explanatory/Not reviewed

Updates:

Sibley Pond bridge project and boat launch: MDOT has set a public hearing for the Replacement of the Sibley Pond Bridge on Monday, 08/23/2010 at 6:00 pm at the Pittsfield Municipal Building. The purpose of the meeting is to update the public on the status of the project, present the details of the winning proposal as this is a Design-Build and answer any questions about the project. The MDOT has noted that they will also address boat access to Sibley Pond during and after construction. For the hearing, MDOT agreed to contact people beyond the scope of who they are technically required by law to contact – the abutters and basically are notifying everyone who owns property around Sibley Pond. They want input on the project.

In addition, the Smiths who used to run the store and cottages at Sibley Pond Resort, have now become involved with the project. They are working with the personal representative of the property and are interested in dividing it up so that there could be a boat access/ramp.

Councilor Chale stated she received a call from a Cannan resident who asked if they could attend this meeting. They were told they would not be welcome at the meeting as it was a Town meeting. The Town Manager noted it is a State meeting and everyone is invited.

Highway projects: The PW crew has been bushhogging roads. As we know, the roads have ample tree and limb growth along all of them for many decades and the clearing continues this summer also. Once they get regular work done, they take out the chipper/bushhogger and continue the work. Johnson Flats Road, Snakeroot Road and Higgins Road have been priorities due to the growth and vehicular traffic.

MDOT plans to close down Route #100 for approximately 3 days to repair a culvert. MDOT is checking with the Town to see if diverting the traffic onto the Johnson Flats Road is acceptable. They have acquired permission from Clinton, which owns most of the roadway. Estimated traffic flow is 10,000 miles. The alternative is to have the traffic come up I-95 and then go down through the Industrial Park or some other route. Interestingly enough, we did not know about this when we started bushhogging the Johnson Flats Road.

Are there any objections, do we want them to travel up I-95 and go through the Industrial Park? The Council did not have any objections.

There will be a possible cracksealing project on I-95 in our vicinity. We have called for details and do not have any at this time.

Water and Sewer projects: The Well Rehabilitation Project - to clear out the debris went very well. The Town Councilors received updates on the project. The well pump was in good shape, although apparently installed without some small pieces. The rocks and debris were removed. The well driller's cost was quoted as \$8,150 if all went well up to \$10,000 if some extra work needed to be done. If we needed a pump, the cost would be much higher. The well driller's final cost was lower – it was \$7,695.00.

In order to do the work, the well pump needs to be removed. In order to video the well, the well pump needs to be removed. Therefore, the cost each time that we do this will be around this cost if all goes well.

Drinking Water – Water Pump Project came in under budget and can incorporate other necessary work to the Water Treatment Facility. The Assistant Water/Sewer Superintendent is currently looking at updated equipment for Water Treatment. The amount of funds left in the project fund are \$13,671.46. Normally I would say pay it off sooner by returning the funds, however, this was a \$72,100 loan with \$30,900 forgiveness and 0% interest rate, so if there are needed updates at the Water Treatment Plant, we should do them.

Drinking Water – Waverly Avenue River Crossing This is the project authorized and accepted by the Town to move forward as a Drinking Water Program State Revolving Loan Fund application. Waverly Avenue's bridge crossing is broken and shut off, leading to a dead-end system that was ranked highly by the State for funds and on the original primary list. Olver Associates has provided the Town with a brief update on the project status. Update read.

8. **REPORTS:** Audience, Council

Council:

Councilor Baker: Absent

Councilor Carr: Absent

Councilor Chale: Was really surprised to see the volume of delinquent taxes in the Town Report. It is appalling. I can't believe the amount of people that don't pay their taxes.

Deputy Mayor Jordan: No Report.

Councilor Curtis: Wanted to thank Kathryn for double-checking the list provided by the ATV club. It showed you really look into these items. I was surprised that most people on the list were from Hartland. It was good to have an audience.

Councilor Stackhouse: Wanted to echo the comments of Councilor Curtis. Kathryn has a lot to do here and you do a great job. Keep up the good work.

Mayor Nichols: I just wanted to let the Council know that issues that aren't open to Public Hearing aren't usually handled that way but there was a large audience and I don't want the Council to have a reputation of not listening to citizens. It behooves us when issues like this come up to listen to them. It was a tough decision but I based that decision basically on the fact that the Police Chief didn't see any safety issues and the fact that they had the bush hogging done so you can see. I respect the rights of the land owners to have peace and quiet and not have the lawns torn up but at the same time I don't want to discourage the users of ATV's from using ATV's. You have to use common sense and decent judging when you're riding ATV's. I agree with the other Councilors comments about Kathryn and all of the other Town employees. The Town employees do a lot of work. Kathryn does an astronomical amount of work. The girls do a lot of work upstairs. I have seen it myself. All the Town employees go over and above. Every single one of them are unpaid. When the time comes that we can do more, we will do more. If and when the economy rebounds we will be in a very good spot, where a lot of Towns will be behind us, with what we are doing now. I know we get tired of hearing cut, cut, cut, but eventually when it turns around we will be a lot further ahead. This will all be worthwhile down the road.

9. **ADJOURNMENT:**

Motion by **Councilor Stackhouse** and seconded by **Councilor Curtis** that the meeting be adjourned at 9:15 p.m. All in agreement.

Nicole Nickolan, Town Clerk