

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, September 21, 2010 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Robert Stackhouse, Caleb Curtis, Deputy Mayor Gary Jordan, Jr., Donna Chale and Louise Baker. **ABSENT:** Christopher Carr. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Donnie Hallenbeck, Christine Cookson, Mike Gray, Tom Bertrand, Jane Woodruff, Kevin Bryant, Anna Peterson, Mike Havey, Donnie Chute, Dean Billings, John Ring, Sr., Bernard Williams, Mike Lange and others.

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 September 7, 2010.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that the minutes of the regular meeting held on September 7, 2010 be adopted.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events

Upcoming Meetings & Events

Proclamation: The First Congregational Church United Church of Christ of Pittsfield is holding its 50th Anniversary Celebration on Sunday, October 3, 2010. There will be a 10:00 am Worship in the Sanctuary; a Coffee Fellowship in Memorial Hall directly afterwards and then a 4:00 pm Dinner and Program at the Elks Lodge. The Town has drafted a Proclamation to congratulate the church on their 50th Anniversary. Proclamation read.

Report on Meetings & Events:

Pittsfield Area Kiwanis Club Meeting scheduled for Monday, September 13, 2010 from 6:00 pm – 8:00 pm at the Pinnacle

Healthy Living Annual Meeting scheduled for Tuesday, September 14, 2010 from 9:00 am – 1:00 pm at the Palmyra St. Martin's Episcopal Church.

Upcoming Meetings & Events

KVCOG 43rd Annual Meeting scheduled for Wednesday, September 29, 2010 from 5:00 – 8:00 pm at the Waterville Elks Lodge: Please advise if you would like to attend.

Reminder on Egg Festival Committee Meetings: 5:30 pm at the Pittsfield Municipal Building Council Conference Room on the second Tuesday of the following months, unless otherwise announced:

2010 - October 12 and November 9
2011 meeting schedule also available

Request from MCI to close Stinson Avenue where it intersects with Library Street

The Town Manager noted that MCI has requested to close off Stinson Avenue where it intersects with Library Street out of concern for its students. The roadway is very close to the dormitory. Stinson Avenue is an active roadway utilized by MCI and some of the surrounding area. A copy of the street map with the area proposed for closure highlighted in yellow along with the name of the road was provided to the Councilors and is also available on the table for the public.

After meeting at the site in April of 2010, the Town researched and provided information to MCI on all of the possible alternatives to this process such as speed bumps, “No Thru” Way, “One Way Street” and so forth. After examination of the many alternatives and suggestions, MCI has formally requested that the Town Council close the roadway. Therefore, we would not proceed forward to implement any of the other alternatives, we would proceed forward to close the road. To close the roadway requires a full discontinuance of a public way.

From examination of an excerpt from the Municipal Roads Manual, it is clear that this is a very lengthy and difficult process. The Town Attorney has indicated that it can take up to 6 months in some cases as to be determined by what we find.

As the Council knows, both the Town Attorney and MMA recommended that the Town try to find another alternative, as they usually do not recommend discontinuance of an active way. We have tried to work out win-win situation. MCI believes that only road closure will take care of the issue. The Town does not have the resources to be able to begin the project, let alone complete the project. Therefore, MCI has graciously offered to pay all of the costs associated with the project.

In summary, in the spirit of cooperation, we have tried to come up with a way to make this work for both the Town and MCI. Therefore, the Town Attorney has drafted an agreement that will start the process to discontinue the roadway with MCI paying for the costs of the request. This fits in with all of the other requests received over the years, in that the Town has advised those parties that if they want a specific road discontinued or a paper street vacated, that they will need to pay the costs for that request.

If the Town Council wishes to proceed, we have received a copy of the signed agreement from MCI this evening.

Tom Bertrand was present on behalf of MCI. Mr. Bertrand stated the letter from Headmaster Hopkins is fairly self-explanatory. The discontinuance of the road is out of a safety concern for students and the community in the area. Any other alternatives would reduce the chance of someone getting hit or hurt, but it simply would not eliminate it. The

only way to eliminate that will be to discontinue the road. Mr. Bertrand offered to answer any questions the Council may have.

Deputy Mayor Jordan asked if the road would be blocked off with something. Mr. Bertrand stated that it would be blocked off with a removable barricade. This barricade will be able to be moved for emergency vehicles and service vehicles. Deputy Mayor Jordan asked if the barricades would be moved for football games or special events. Mr. Bertrand stated he wasn't sure if that has received a lot of consideration, the main concern is keeping that blocked off for all times it is necessary. Deputy Mayor asked the Town Manager – we are discontinuing the road, but no one is buying it and it is not being deeded to anyone, correct? The Town Manager noted it is a unique situation. The Town Manager asked the Town Attorney about this and he stated they are not buying the road, simply the only way to block it off or close it is the discontinuance process. We have tried every other way to do this in an easier manner, but there doesn't seem to be one.

The Town Manager noted a recent law court decision that the attorney sent that he felt was important. He wanted to make sure we understood that all the Town gives up by discontinuance is whatever public easement exists over the land in question. The fee interest remains in whoever owned it and their successors in title before the easement in travel was impressed upon it. Pittsfield, by discontinuing Stinson Avenue, is not automatically giving MCI title for it. Deputy Mayor Jordan asked if that means we can take it back. The Town Manager noted once we discontinue it – it is no longer the Town's. To get it back, we would have to go through the whole road acceptance process. The Town will have an easement to be able to access the Water and Sewer lines.

Deputy Mayor Jordan asked where the barricades will be located exactly. Mr. Bertrand stated if you were to walk out of the new dining hall entrance – you would be looking at Library Street. We are proposing to put the barricade just above that. We are not looking to shut the road down, but re-route traffic. Traffic would be able to come up Stinson Street and continue down Library Street. Also, be able to access the center drive, which will eventually become pedestrian only. Deputy Mayor Jordan asked about coming in from Main Street, will that still be accessible? Mr. Bertrand stated you will still be able to come in that way, but eventually people will stop using it, as you will come to a dead end at the barricade. After some discussion it was found that most Councilors thought that a barricade would be located in front of the girls dorm, as this seemed like the problem area from the letter provided by Headmaster Hopkins. Mr. Bertrand stated MCI is looking to discontinue the road as a public thoroughway as most people that travel there are going quite fast. Deputy Mayor Jordan stated that traffic would still be going past the girl's dorm. Mr. Bertrand stated the dorm isn't the only issue. The concern is also the foot traffic coming from the music building and the math/science building. They are using that road to walk a lot. We are just trying to avoid the road being used as a through way, not isolate any specific area.

Councilor Baker asked how would the Fire Department get to the girls dorm if there is a barricade? Mr. Bertrand stated they are not proposing a barricade by the girl's dorm, that was a misunderstanding. There is only a temporary barricade proposed down by Library Street. Councilor Baker stated that she has seen students come barreling down that road. How does the Fire Department feel about this – seeing they are the ones that have to answer the call.

Fire Chief Bernard Williams asked how many kids have been hit there in the last 100 years? Not many if any, in the last 40 years. We have talked about making that a one way, 15 mile per hour zone and putting the Police there to enforce it. It wouldn't take many tickets before word would get out. Some of the biggest offenders are the teachers and the students. The problem with barricades is snow removal. You can't get past it, pile snow in front of it.

Councilor Curtis stated one of the confusing things for the Council was that the way it was presented was that MCI wanted to eliminate the traffic – so there was no way that a student would get hit. That is why the speed bumps or the one way wouldn't work. So, that's why we thought there would be barricades going from one side of the girl's dorm to the other side.

Councilor Chale wondered if it would be worth having a trial period of a one-way road. I'm not sure that the current proposal solves the pedestrian safety issue.

Councilor Stackhouse stated that the proposal from MCI of a barricade does not eliminate the chance of someone being hit either, it just decreases it. There is still traffic going in front of the dorm.

Councilor Chale stated she felt that this change was going to make this more of a pedestrian walkway and not a street.

Councilor Stackhouse stated that we should look at how many people have been hit there in the last 50-100 years. There has been no one that I know of. Mr. Bertrand stated that is one way to look at this, but using that as a guide is somewhat irresponsible. That is not a reason not to do this. We have just been lucky.

Councilor Chale asked what is the objective to trying the one-way road? This was the Police Chief's suggestion. It may not work, but why not try it first. The Town Manager noted that was recommended to MCI and they decided to go through with the closure, thereby requiring a discontinuance.

Jane Woodruff, resident, stated that the road should be posted showing a 15 MPH limit. The Town Manager stated it is posted, it just doesn't seem to be observed. The Police Chief stated the Officers go to this area everyday. Councilors asked how many tickets are given out, and to whom. The Town Manager stated that we would need to check the Police reports for the number of tickets. According to the Police, in the past most of the tickets have been given to the students and teachers, as this is mostly who is in the area. The Police are monitoring it when the traffic is coming in and out of the area. Mr. Bertrand stated he would respectfully disagree with that. The main concern is when school is in session, and children are walking on the campus.

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

Town Manager's Report: Town Council Meeting of 09/21/2010:

1. The FYI Folder: FYI Folder which contains items that come in between the Town Council Meetings has the following this evening: None.

2. Home Foreclosure Assistance: Consumers can now get aid to avoid home mortgage foreclosure.

3. Town Workers' Compensation Rate: At the last Council Meeting, it was announced that the Town's Workers' Compensation Experience Rating has been decreased to .84, which is a risk that is below normal. This good rate should help with workers' compensation costs for the next year. Each year, due to the overall fiscal condition of the MMA Workers Compensation Trust and the Town's experience rating, we generally receive a rebate. We are happy to announce that we received a rebate of \$2,118 in Workers' Compensation.

4. Recent Safety Committee Meeting: The Town Departments had an excellent Safety Committee Meeting last Thursday, 09/16/2010. The topics of discussion were the next round of Safety Grants and what the Town will be applying for; a review of departmental compliance for 2010 training which overall has been excellent; the need for training for the replacement part-time hires; training schedule ideas for 2011; and the future inclusion of a brief safety meeting at the beginning of the day for some of the departments.

5. New Seabasticook Valley Hospital Service: We would like to congratulate SVH on their newest project of offering a convenient healthcare choice for busy working families. The Clinic at Wal-mart operated by Seabasticook Valley Health opened earlier this month. It is located next to the pharmacy in the Palmyra Wal-mart. It will be open seven (7) days a week. The purpose of the clinic is to see patients with minor illnesses and injuries. The clinic will also serve those with one-time medical needs such as flu vaccines and school sports physicals. This is not intended to replace either one's personal healthcare provider or the Emergency Department. Information about this new service is online at www.seabasticookvalleyhealth.org

6. 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.

7. 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.

Finance Committee: None.

Ordinance Committee: None.

Recycling Committee: Met on 09/15/2010. The Committee discussed the possibility of a re-use facility. Discussed the possibility of using senior volunteers and Aspire workers.

Will be looking for an opening date sometime in Spring 2011, with hours of operation of Friday and Saturday, to coordinate with the Transfer Station hours. Will also look into coordinating with the Food Bank, Pennywise, MCI and others. Proposed that the kitchen be used for the office area. Discussed the possibility of using electric heat for the first year. Discussed items that will be accepted and where specific items will be brought. At the next Recycling Meeting the Committee will discuss the educational piece of the re-use center.

6. **NEW BUSINESS:**

RESOLUTION 10-99: Resolved that the Town Council authorize the Town Attorney to begin the process to discontinue Stinson Avenue from Main Street to Library Street as requested by Maine Central Institute upon execution of Agreement between the Town and MCI, and receipt of \$15,000 deposit against costs per the Agreement.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 10-99 be adopted.

Councilor Chale noted that this is where the confusion came from. The Resolution states the discontinuance is from Main Street to Library Street.

Deputy Mayor Jordan stated that if you really wanted to make it as safe as possible, and putting in speed bumps or making it a one way wasn't enough as it is not eliminating the possibility of someone getting hit, the proposal MCI has come up with is not 100% safe either. At least if another barricade was put up, then I would feel better about the students coming out of the dormitory and this would prevent them from getting hit.

The Town Manager states the language of the Resolution is listed as the Town Attorney indicated it had to be from our understanding. This is the area that MCI was interested in, from Main Street to Library Street. I believe this is still correct from the letter we received requesting the closure.

Councilor Curtis asked if anyone has spoke to the Church? Mr. Bertrand states that Headmaster Hopkins has had several conversations with many people in that area prior to moving ahead with this. I am unsure what these conversations were about, but I am confident he would not move forward if there were serious discontent. He has spoken to Bill Johnson from the church.

Councilor Baker asked if there were any abutters in the audience – from Library Street or Stinson Street. There were none in the audience. Mr. Bertrand stated he lived across the street from the campus, on Main Street.

Councilor Chale asked, if we discontinued the street from Main Street to Library Street, but it is not closed off and there was an accident, is the Town responsible? The Town Manager states it would be MCI's responsibility if the road were discontinued. Deputy Mayor Jordan stated we couldn't Police the road either. Town Manager stated we have been on MCI property for a long time so I expect we will still be down there policing the area. Mr. Bertrand stated MCI would certainly want to continue working with local law enforcement to make sure its safe. We are not trying to section ourselves off from the Town.

Councilor Curtis stated that part of the issue is that it seems that MCI is not willing to try any of the cheaper options, like speed bumps or one-way roads. It just seems the road discontinuance is a rather large step without trying the other options.

Deputy Mayor Jordan asked if the Town could just put up barricades, as it is our road, and not go through with the discontinuance. The Town Manager stated that MMA was contacted and that is not legal. The only way to put a barricade up is to go through with road discontinuance. Kevin Bryant, resident, asked if these barricades could perhaps only be put up during school hours and removed when the school day is over. Mr. Bertrand stated we are a residential school. We don't really close.

Mayor Nichols stated if this Resolution is accepted and we go through the discontinuance process, I want it to be understood there is a lot of paperwork, time and money involved in this. I don't want to see the Town Manager and other Town employees working on this. We have our agendas full and we don't have the time. The Town Manager stated there will be some paperwork that has to be done, but it is written up so the Town Attorney would direct the process. We will have some responsibilities.

Councilor Chale stated her suggestion is to have MCI try the less dramatic solution first. Deputy Mayor Jordan stated he suggests a second barricade. Councilor Curtis stated is there any other reasons that the Council is not thinking of on why speed bumps or a one-way road won't work. Mr. Bertrand stated it is simple for us. Through traffic inherently carries with it a risk greater than when you have a road that does not allow through traffic. It's pretty primary – that is all we are looking at. Common sense will tell you that.

Mr. Bertrand stated it is fair that the Council is looking at these potential what-ifs. I want to reiterate that our real intent is nothing more than making a safer alternative. It's not looking at alternative motives and possible putting buildings in. We are just looking a little bit of trust that it is just as simple as a solution that we see could greatly increase the safety of the community up there.

Kevin Bryant, resident, asked how does this benefit Pittsfield, this is all for MCI. Mr. Bertrand stated that 80% of the children that go there are local children.

VOTE: UNANIMOUS NAY

RESOLUTION 10-100: Resolved that the Town Council endorses the Facility Use for Map 12, Lot 25 designating the former VFW Hall as the Community's Re-Use Center and 2.0 acres on the site as the Fire Department's training and storage area.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that Resolution 10-100 be adopted.

The Town Manager noted the Town of Pittsfield owns Map 12, Lot 25, which includes the former VFW Hall.

The Town Council received a copy of the Recycling Committee proposal dated 09/2010 for use of the VFW Hall as a Re-Use Center and copies are available for the public.

Members of the Fire Department, Recycling Committee and town staff met at the site on 09/01/2010 to review the building and vicinity of the building. After considerable discussion, it was agreed by the two groups that they would be willing to share the site as follows:

- 1) The Re-Use Center will be in the VFW Hall;
- 2) An addition will be built onto the back of the VFW Hall for the Seagraves Fire Truck; and
- 3) The Fire Department Training Equipment moved to the site for training exercises.

The Town Council also received a copy of the Fire Department's diagram of the equipment that is currently located at their site further up Peltoma Avenue. Please note that the setup of the equipment may be different when moved down to the VFW Lot. This equipment would be placed between the access road on the site and the VFW Hall (left of the VFW Hall when standing on the roadway looking in). The Fire Department also proposes to build an addition onto the back of the VFW Hall to house the antique fire truck.

Both groups have volunteers as well as interested community members and groups who will assist them with their project.

Members of the Recycling Committee are here this evening to answer any questions on their proactive and positive Re-Use Facility Concept. This is a goal that the Recycling Committee and staff have worked toward for several years.

The Fire Chief is here this evening to answer any questions about the types of trainings and materials that would be in their portion of the lot for their outside training facility.

Fire Chief Bernard Williams distributed a photo of the area showing the proposed 1-acre training site and a diagram of how the training area would be set up. Chief Williams explained the diagram and the training proposed to be done in the area. Chief Williams also noted that they have located the septic tank on the grounds. The area proposed for the addition to store the Seagrave will have to be rethought, as it cannot be built over the septic tank. The proposed addition is a 20 X 50 storage area.

Councilor Chale asked if the training facility would only be for Pittsfield Fire Department or if other Fire Departments could access this. Chief Williams stated for the last 5-6 years the Seabasticook Valley Fire Attack School has included everyone in our mutual aid group, which is composed of 9 towns. We have had 17 Towns in one of our schools. One of the reasons we need to move it is because DEP has said our current location is in the 100-year flood mark.

Deputy Mayor Jordan stated this is a good use for the area. The Fire Training facility is a great idea. The Reuse center is a good idea too.

Jane Woodruff stated that the Town has been looking at having a reuse center for nearly a decade. If we don't take this opportunity now – we may as well scrap the idea. If you look at the triad logo, reuse is the second part. We are possibly #1 in the State for recycling. In the absence of a reuse center we have done Trash to Treasure days for 4-5 years, but this is limited. We have had conversations with Pennywise and others and have

found that people that want to volunteer. It is also ideal that we would have the Recycling Center resources just across the street. This is an opportunity we need to take.

Kevin Bryant, the best thing I like about this location is that it will be right across from the Transfer Station. If we get too much stuff piling up we can just haul it across the road. It will be accessible to people who are driving to the road as it is right on the way to the Transfer Station.

Anna Peterson, We always have things that we are taking to the dump that don't really belong there and it would be nice to reroute them. We have plenty of yard sales in Pittsfield. Any unwanted items can go to the reuse center after people's sales, instead of in the dump.

Donnie Chute, Recycling Coordinator and member of the Fire Department, we have been talking about reuse and sustainability and our ability to not only recycle – but reduce the amount we are using. It is important that we do something with reuse. It is also important to have a training facility for the Fire Department. The placement of that building is in the best place it could be. Its on the way and if something was brought in that isn't that good, we can send them up the road to the Transfer Station. I think it could be well monitored in this location, and we can prevent garbage from piling up.

Mayor Nichols mentioned the fact that what if someone in our Community gets burned out. We can work with Pennywise to help provide clothing. We can open up the Reuse Center for people to get some items to start again. We can work together as one unit to try to help these people.

Councilor Baker asked if surrounding Towns would be able to use the Reuse Center. Many of the Recycling Committee members felt this was a great idea. Donnie Chute noted, as we are part of Regional Recycling Facility– it has to be. This is the key of the mission statement. We can partner with the Red Cross or Salvation Army.

Councilor Chale noted that she had nothing but admiration for the Recycling Program. It is a highlight of the Town.

VOTE: UNANIMOUS AYE

RESOLUTION 10-101: Resolved that the Town Council approves and authorizes the Town Councilors and Town Manager to sign the project certification; and the Town Manager to sign the grant-in-aid application to the Department of Conservation, Bureau of Parks and Lands Snowmobile Program for an estimated project of \$38,069.00 to improve the snowmobile trails for the Driftbusters Snowmobile Club.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Baker** that Resolution 10-101 be adopted.

The Town Manager noted on a yearly basis, an application for grant funding to assist the Driftbusters Snowmobile Club in maintenance of the trail system is submitted to the Department of Conservation. Attached are the Project Certification and the grant application materials. The Club does an excellent job each year with the Snowmobile Trails dedicating extensive time for this recreational project.

VOTE: UNANIMOUS AYE

RESOLUTION 10-102: Resolved that the Town Council approve the Request for Proposals for the Land & Water Conservation Fund Grant for 2010 Asphalt Paving – Hathorn Park Revitalization: Legge’s Field & Sports Area, Phase I – Project #23-00823, and authorize the Town Manager and the Parks and Recreation Committee to seek proposals for same upon approval of the Department of Conservation.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Baker** that Resolution 10-102 be adopted.

The Town Manager noted two (2) bid specifications are attached to this agenda sheet as it will save paper and all the items are related.

The attached bid specification for paving had originally been reviewed by Engineering Consultant Michael Millett of Millett Associates in 2008. The bid specifications have been updated to reflect the project and the area involved in the latest Land & Water Conservation Grant Fund award. Each RFP notice will have the small information block at the top of it to announce the Land & Water Conservation funding and background on the Hathorn Park Revitalization Project #23-00823.

Although the Council has already reviewed and approved the format of the Standard Services Contract for use with projects, they are attached to these RFPs as Attachment #2 in case anyone would like to review them.

The due date for the bids will be revised if necessary based upon when state approval of the bid specifications are received.

This approval will be subject to any changes that the State recommends in the bid specifications.

VOTE: UNANIMOUS AYE

RESOLUTION 10-103: Resolved that the Town Council approve the Request for Proposals for the Land & Water Conservation Fund Grant for 2010 Security Fencing – Hathorn Park Revitalization: Legge’s Field & Sports Area, Phase I – Project #23-00823, and authorize the Town Manager and the Parks and Recreation Committee to seek proposals for same upon approval of the Department of Conservation.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Resolution 10-103 be adopted.

Councilor Stackhouse asked if we will be replacing all of the fencing or just parts. The Town Manager noted that we are only replacing pieces – it is too expensive to replace all of the fencing, and some of the fencing is still in useable condition.

VOTE: UNANIMOUS AYE

RESOLUTION 10-104: Resolved that the Town Council authorize the Town Manager to expend and transfer up to \$3,330 from G/L #646 Library Trust for a custom library service desk for the children's room.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Resolution 10-104 be adopted.

The Town Manager noted the lower level of the library needs a new library service desk. A staff or volunteer would use the desk to circulate library materials, help library users, process books, phone patrons, etc. The desk needs to be custom built because of the unique shape of the room. The round room and the pillars will not allow for a typical "L" shaped desk. Doug has designed a piece of furniture that will allow for maximum staff workspace as well as room for patrons, wheelchairs and strollers. The granite top is a large expense, but will last "forever".

VOTE: UNANIMOUS AYE

RESOLUTION 10-105: Resolved that the Town Council authorize the Librarian to put out to bid and/or sale Library equipment, furniture and odds/ends designated by the Friends of the Library and authorize the income from these bids/sales to be retained by the Friends of the Library, a separate non-profit entity.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 10-105 be adopted.

The Town Manager noted this is surplus, unused and out-of-date Items sold might bring in \$100 – 200. The Friends of the Library would use the proceeds to support library activities and programs. It is essential that we clear items out of the off-site storage soon, as well as not accumulate unused items at the library.

VOTE: UNANIMOUS AYE

RESOLUTION 10-106: Resolved that the Town Council appoint _____ as an interim director for the SAD #53 School Board to complete the remaining term for Britta Baldwin, with an expiration of November 2011.

Moved by **Councilor Curtis** and seconded by **Deputy Mayor Jordan** that Resolution 10-106 be adopted with the name Christine Cookson.

The Town Manager noted the Town has two candidates proposed for the seat, which just became open. This is to fill a term until next year. The Council received the background materials submitted on both proposed candidates.

Christine Cookson stated that she is excited for this challenge. I have 3 children in the school system. I look forward to being part of the Board to offer what I can to the system and learn how our School District is run.

VOTE: UNANIMOUS AYE

RESOLUTION 10-107: Resolved that the Town Council approve a lunch wagon license renewal application for The Phoenix Café, 187 Waverly Street, Pittsfield, ME 04967.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Chale** that Resolution 10-107 be adopted.

The Town Manager noted this is a renewal application. The Phoenix Café and Mark Yarborough have certainly been a welcome addition to downtown Pittsfield.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial Reports as of 08/31/2010:

Budget Expenditure Report: Thru 66.7% of the period, 57.2% expenditures for Municipal and 52.8% for Municipal, Water and Sewer.

Revenue Collections Report: Thru 66.7% of the period, 60.2% collections for Municipal and 60.6% collections when Water and Sewer Enterprise accounts are added.

Tax Acquired Property Report: Down to 3 TAPs with 1 being the Brownsfield property that has been cleaned up. 1 has not made any payments and has received another notice that it will be addressed at a future Town Council Meeting. 1 has paid all taxes except 2010.

Transfer Station/Recycling Monthly Report: Recycling Revenues vs. Expenditures, 8 months program costs were \$13,342.94. Transfer Station Revenues vs. Expenditures, 8 months program costs were \$191,998.76. The cost of the two programs of Revenues vs. Expenditures is \$205,341.70. The Avoided Cost is \$45,411.36 for those items that were recycled or re-used. Net cost of the 2 programs is \$159,930.34.

Theatre Monthly Report: Expenses for August were \$9,110.83, Revenues were \$9,906.50, the net gain for the month is \$795.67. For the year, the costs have been \$78,115.60 and revenues have been \$61,854.40, therefore, the net cost to the Town has been \$16,261.20.

Excise Tax Collections Comparison Report: Excise Tax is now \$15,775.84 less than projections and we are now through 8 months of the year. Excise Tax projections were lowered from last year. The Excise tax was budgeted for \$530,000 which was \$10,000 or 1.9% less than last year.

State Revenue Sharing Comparison Report: Collections through 08/31/2010 are now \$36,857.90 less than this time last year and we are now through 8 months of the budget period. SRS estimates were lowered significantly. The State Revenue Sharing was budgeted for \$374,189 which was \$35,811 or 8.7% less than last year.

Other Reports as of 08/31/2010:

Building and Plumbing Permit Reports

Library Report-Librarian's and Library Trustees Minutes

Police Report

Self Explanatory – Not Reviewed

Updates:

Sibley Pond bridge project and boat launch: We have the guarantee from the State meeting that they will provide some kind of site for boat access. There have been a few bumps in that. They are looking at sites. We are trying to help the property owner down there work with the State. Everyone seems to have good intentions, but what may be viewed as a useable site – may not be a useable site.

Highway projects:

Small Paving Projects: Two areas were paved, one on Webb Road just past its intersection with Crawford where it was very bumpy. The second area was on Bean's Corner Road, which is full of patch due to potholing. Both areas were in bad shape and we knew would be hard to pave. It certainly rides a bit differently now.

New Grants:

Brief reports regarding the grants were provided by the Town Manager on the Economic Development Administration Grant: Pittsfield Industrial Park Expansion, L&W Conservation – Hathorn Park Legge's Field and the Riverfront Community Development Grant.

8. **REPORTS:** Audience, Council

Don Hallenbeck: Noticed the park across the street from him is getting a lot of use, especially as a dog-walking park. On Tuesday there were 3 canoes in Mill Pond, with another 4 later in the week. On Sunday people were fishing and there was even a bass boat in the pond. Wanted to give some history on Stinson Avenue, for the sake of history. Stinson Avenue was named after Father Stinson, one of the founders of MCI. He was a Baptist Minister. He was associated with the Church adjacent to campus. Father Stinson went practically broke, propping up MCI in a time of need.

Council:

Councilor Baker: Glad to see we are going to use the VFW, and for a good use. Thank you for paving the Webb Road. Glad we are all in agreement regarding the MCI situation. I don't like to be pushed into something that I am not comfortable with. We should leave well enough alone. A lot of the racing is the students.

Councilor Carr: Absent.

Councilor Chale: I think the re-use building is very exciting. Congratulations to the First Congressional Church. That is a nice milestone they are celebrating. Congratulations to Christine Cookson on her appointment to the School Board. Thank you to MCI for filming. I am not pleased to hear there are concerns about the ATV's. I am worried about that. We need to not let that go. The Town Manager noted that she did contact the ATV Club and they did apologize for the situation. They have offered to buy bigger signs. They will also take the suggestion of literature with the safety rules and will deliver them door to door in the affected area. Councilor Chale stated she would also be contact the ATV Club.

Deputy Mayor Jordan: Also concerned about the ATV's. I am shocked that they are surprised and that they don't know where this is coming from considering they are the

ones using it. I guess I don't believe them. When I heard that I thought about what Donna said about the snowmobile trail. I guess I don't know where the trail is in regards to where the other access is. I am hoping this is not a throughway to get to the other trail. I don't know why people are going up this if it is just an access route. We need to take this seriously. They came in and sat here and swore this isn't a problem and now we are getting all these complaints. On the other hand, where are all these other people? We need to watch it and if it continues with ATV's going up the road – done. That is just my 2 cents. Good luck to Chris Cookson. She will do a fine job. As far as MCI situation, it seems we were always talking about the girl's dorm area. I am not opposed to discontinuing that road but it certainly doesn't seem like we are discontinuing it because there is still going to be traffic going through the majority of it. I am still going to be traveling at the same rate of speed in front of that dorm even if the road is discontinued 800 feet down. I agree with some of the things in Chris's letter. I don't know if I agree with the statement that it is only a matter of time until a student or adult gets hit. I don't think that MCI's proposal eliminates the possibility of this situation either. I don't mind working out something in the future. They need to come back and show where the barriers will be. It seemed like the whole Council here was confused about where the barrier will be. We could do better with safety there.

Councilor Curtis: I want to apologize to Kathryn. I hope we didn't make things more difficult for you with the MCI situation. It would have been good to have more information from MCI. It would be good to hear from more people. I'm not against the road discontinuance, but we need more information from MCI. I think some of the other plans, like speed bumps or the one-way road would do the same exact thing. They are just so pushing about closing the road, it just kind of makes you wonder if there is something else there. Deputy Mayor Jordan noted that when he asked the question about the barricade being removed at football games or special events, you didn't hear them saying no that is staying there. If the road is discontinued, its discontinued. Its not about traffic flowing up it for their own use. I wish he had stayed so we could have asked what the next step was. I wish the Headmaster had come to the meeting to speak with us.

Councilor Stackhouse: I echo everyone else's comments. I think Christine will make a good SAD Director. The reuse building is a great idea. I have thought about that since the building was empty. Having the Fire Department use it too is even better. The ATV issue; I am disappointed to see we have already had incidences out there also. They sat right here and said only 6 people would use this thing, now we have had an accident out there. We need to monitor that a bit closer. I am concerned because someone that I work with lives on that road and has an ATV. I asked her if there were any issues after I read about the accident. She said no, we are all set. I told her that was not what I hear and she said well, too bad, it's a done deal. I didn't say anything, but it is not a done deal. It can be revoked. About the MCI issue; like Gary said its not a discontinuance, it's a re-routing of traffic. If they want to bring this back to us and propose something a little different, I am not against discontinuing the road. I think it needs to be illustrated. The other concern is the safety issue with the ambulances and fire trucks.

Mayor Nichols: I think with the MCI situation the Council was under one impression from the letter and they gave us another. I think if they did a bit more, I would like to see more information. A discontinuance means a discontinuance. I have no problem with MCI wanting to close the road, but they need to answer these questions. Cody, a former MCI student, asked if he could add something. He noted a student did get hit there two

years ago. It wasn't serious and was never reported. You can't close the whole road because there is student parking back there and students are required to park there. If the road was closed it would be too congested at lunch time. Closing off that road would make it impossible for kids to get to lunch on time as it would take so long to get everyone out. Most of the student traffic is not in front of the dorm. The walking traffic is from the dining hall down the service road to the student parking lot during lunchtime and the morning hours. It is not in front of the dorm. Councilor Chale stated that the one-way street was worth trying in her opinion because with this discontinuance Library Street is going to become extremely busy. I just don't want to make a big decision like this too quickly because it is hard to go backwards. Mayor Nichols also wanted to thank MCI for covering the meetings. Glad to see the Reuse building was approved as well as the Fire Training Facility. This has been a goal for many years and it will benefit people greatly. I also wanted to congratulate the First Congressional Church. My Grandmother was a Sunday School Teacher at that Church as well as a Deaconess. My Aunt was a Deaconess at that Church. I grew up going to this Church. I also wanted to note that two of our citizens passed away last week. Brian Ferland and Millie Wyman. My thoughts and prayers are with their families. As far as the MCI issue, it will get resolved sooner or later. It just wasn't enough information for people to be comfortable with it.

9. **ADJOURNMENT:**

Motion by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that the meeting be adjourned at 9:35 p.m. All in agreement.

Nicole Nickolan, Town Clerk