

# MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, February 1, 2011 at 7:30 pm in the Council Chambers.

**PRESENT:** COUNCILORS: Mayor Tim Nichols, Bob Stackhouse, Caleb Curtis, Deputy Mayor Gary Jordan, Jr., William Bradshaw, Christopher Carr and Louise Baker **ABSENT:** None Also present: Town Manager Kathryn Ruth Audience members included: Bernard Williams, Dean Billings, Lyn Smith, Jane Woodruff, Donna Chale, Jan Laux and 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 on January 18, 2011.

Moved by **Councilor Stackhouse** and seconded by **Councilor Carr** that the minutes of the regular meeting on January 18, 2011 be adopted.

**VOTE: UNANIMOUS AYE**

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

#### **Presentation of Certificate to Persis C. Smith by the Mayor:**

Proclaiming the annual Pittsfield Community Read to henceforth be known as the Persis C. Smith Community Read to honor an individual who has sparked this community-wide event. With her love of literature, Mrs. Smith serves this area as a model of life-long learning and commitment to others. She has served our community as an Assistant Librarian, literacy volunteer and promoter of literature through her gentle, nurturing persuasions for community reading events.

Mayor Nichols presented the certificate to Jane Woodruff, who is representing Mrs. Smith, who is recuperating.

The Town Manager noted that the Library would be having a small celebration for Persis Smith at the next Community Read.

#### **Presentation of Certificate to Donna Chale by the Mayor:**

Commendation for Councilor Chale for the years 2008 - 2010 thanking her for her dedication, interest and commitment to our community.

Mayor Nichols presented the certificate to Donna Chale, former Town Councilor.

#### **Community and Economic Development Activities and Events:**

##### *Presentation of Business Certificate(s):*

Business Projects are progressing forward. New Businesses are:  
Berkshire Concepts at 188 Livingston Street. This is a software business owned by Dan Merritt.  
Financially Free at 121 Canaan Road. Harold Goodridge is an Independent Representative of ACN.

Report on New Business Activity & Opportunities in Pittsfield:

Buy Pittsfield Day: Plans have started to have a day for Pittsfield Businesses and merchants to be promoted and to encourage people to buy local. We would like to have a certain % of the sales be donated to a local community group with a different group the focus each year.

Bangor Savings Bank Foundation Community Matters Campaign: Pittsfield Historical Society: READ

Report on Meetings & Events:

Central Maine Egg Festival Committee Meeting on Thursday, January 13, 2011 at 5:30 pm in the Council Chambers: Plans are definitely underway. READ Notice. The next meeting will be on Thursday, February 10, 2011 at 5:30 pm.

Theatre Committee and Theatre Fundraising Group Joint Meeting on Thursday, January 20, 2011 at 6:00 pm in the Council Chambers.

**Upcoming Meetings & Events**

Sebasticook Valley Chamber of Commerce Annual Meeting on Thursday, February 10, 2011 from 5:00 pm – 8:30/9:00 pm at the Millennium in Palmyra.

Jane Woodruff was nominated by the Town of Pittsfield through the efforts of the Mayor, Recycling Committee and Town Manager, and was chosen for the Joyce Packard Community Spirit Award. This award, covering the 12 towns in the Sebasticook Valley, recognizes the efforts of an individual or organization that has made a significant difference through volunteer service in the community and/or region. Jane's decades of community service and desire to help people will be recognized that evening.

Anyone who would like to attend please let me know, as it would be great to have a number of people from the Town.

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

**Town Manager's Report: Town Council Meeting of 02/01/2011:**

**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. Town of Pittsfield 2011 Board/Committee Openings:** Positions expire every year on the Town's many boards and committees. The Town has over 20 boards and committees. Positions remaining available are the following: 1 Opening on the Board of Appeals; 2 openings of the Board of Assessment Review; 1 Opening on the Board of Ethics; 1 Opening on the Economic Development Team; 1 Opening on the Housing Rehabilitation Revolving Loan Committee; and 1 Opening for an Alternate member of the Planning Board.

**3. Employment Support Specialist Available:** Read Announcement

**4. 2010 Maine Individual Income Tax Booklets:** Read Announcement

**5. 2010 Maine Residents Property Tax and Rent Refund Circuitbreaker Application:** Read Announcement

**6. Somerset County Budget Meeting:** Read Notice

**7. State Budget Balancing:** The Town has been cautioned to watch all proceedings as the State Budget comes forward for the next biennial. Specifically indicated has been the excise tax and any potential state law changes in which this revenue source is reduced or eliminated. The Town's excise tax revenue projections are \$545,000 and are now our largest source of revenue outside of the property taxes. Our other largest source outside property taxes used to be SRS, however, that source has decreased substantially during the last two years. Reviewing our legislative notices and bulletins will be very important this year.

**Finance Committee:** The Committee met tonight. The cemetery trust fund looks positive, much better than last year. I think we are in a good position. We will see how January and February are, but certainly the end of December was fine.

**Ordinance Committee:** No Report.

**Recycling Committee:** No Report.

6. **NEW BUSINESS:**

***ORDINANCE 11-01:*** (To be set to Public Hearing 02/15/2011) That the Town of Pittsfield Town Council hereby ordains the purchase and financing of a fire truck on the following terms:

1. The Town waives the requirement of a competitive bid for the fire truck purchase and authorizes the purchase of an aerial device at a purchase price to not exceed \$500,000, which amount is hereby appropriated.
2. The purchase of the fire truck authorized above shall be financed by expending \$100,000 from the Fire Truck Reserve Accounts and by borrowing up to \$400,000 with such dates, maturities, denominations, interest rate(s) and other details as the Town Treasurer and the Mayor of the Town Council shall determine. The Town is further authorized, if deemed appropriate by the Town Treasurer and Mayor of the

Town Council to borrow up to \$400,000 pursuant to a loan, bond or lease purchase agreement, which agreement may be with the vendor of the fire truck or its finance company.

3. This Ordinance shall take effect in 30 days.

Moved by **Councilor Curtis** and seconded by **Deputy Mayor Jordan** that Ordinance 11-01 be set to Public Hearing 02/15/2011.

The Town Manager noted after the Town Council's lengthy discussion with the Fire Chief regarding fire apparatus at the last Council Meeting on 01/18/2011, Councilors recommended proceeding forward with consideration of an agenda item at the next meeting on 02/01/2011.

Purchase of a Fire Truck or any capital apparatus that requires financing would take place by Ordinance. We were planning, once details were settled and people felt comfortable, to get an Ordinance on the books authorizing the purchase and financing of a fire truck. Then the Fire Department could search for a good buy for the Town during the next few months.

Today, I was informed that the Fire Department has found a truck that is considered a good buy and needs an approval at the next meeting so it can be saved for them. The Truck is a 2010 fire apparatus, which is for sale at over \$500,000, however, the Fire Chief advises that he was told the Town can have it for \$475,000. I understand the excitement of the Fire Department, however, we have not had the public hearing yet.

If the Council wishes to proceed forward for the Fire Chief's request to pursue this particular truck, the process will need to happen faster and these are the general steps:

1. Consideration of an Ordinance authorizing the Purchase and Financing of a Fire Truck with appropriate details included on the 02/01/2011 agenda.
2. Public Hearing is scheduled for 02/15/2011. Council holds public hearing and votes upon Ordinance.
3. If issuing debt through local banks, RFP could be authorized the evening of 02/15/2011; if there are a lot of questions and issues, resolve these first and issue RFP the evening of 03/01/2011.
4. Bids are due prior to the next meeting after approval of the RFP and considered either the evening of 03/01/2011 or 03/15/2011.
5. Ordinance authorizing purchase goes into effect on 03/15/2011.
6. At the next meeting, generally Loan paperwork has been completed and can be signed. Based upon the schedule, it would be 03/15/2011 or 04/05/2011.

A lease-purchase option would not require the RFP step, however, requires other steps and will likely take as long.

Issuing debt through the MMBB would require an application filed prior to 02/01/2011 and the funds would be available at the end of 05/2011. The MMBB also has a Fall issuance with funding available at the end of 10/2011.

If the Town Council wishes to look at other options or wishes to spend less (or in case the truck the Fire Department is interested in does not work out), we need to set particulars such as the lifespan estimate, etc. for guidance to the Fire Department.

Information in the Town Council package included the following:

- A. Sample Ordinance;
- B. Spreadsheet of estimates from banks. Please keep in mind that these are estimates only, however, they do show general interest rates and timeframes of banking institutions; and
- C. Answers to questions asked of the Fire Chief on 01/19/2011 on issues that Councilors, citizens and staff posed, with response received on 01/26/2011.

As I have now received the information on vehicle life spans, I have reviewed the loan cost vs. the lifespan estimates and provided the Town Council with a spreadsheet.

Deputy Mayor Jordan stated that the response back to this Council from the Fire Chief, I think, was completely unprofessional. We asked questions and we get that we are ignoring the Fire Department. We asked for ISO information, which came from the Fire Department, and we get answers of I don't know. If that's the only reason we are considering it, then forget it. I don't think the Council ever was considering buying an aerial truck because our insurance rates will go down. I think that what we got back from the Chief, I just do not like those responses. We do have something from a Town Citizen that says the ISO rate would go down because we don't have a vehicle that can carry enough water or something to that effect. The Chief mentioned in his comments that Engine 1 and Engine 3, pretty much need to be replaced. Engine 1 needs to be replaced right now, and Engine 3 within 5-8 years due to maintenance problems. The Fire Chief stated that the issue is with Engine 1. Deputy Mayor Jordan asked if is it more valuable to replace Engine 1 and Engine 3 then buying an aerial truck? The Fire Chief stated that the ISO piece of this is up to the individual insurance company. I read an article recently that stated if you had an ISO rated aerial device that the average citizen can expect a 5-8 % difference. That was the first time I have ever seen that in print. Insurance companies look at a 5-mile road for insurance purposes. Normally, if Pittsfield Fire Department is more then 5 miles from a residence, closer Towns are called out to a fire. An example is people on the Beans Corner Road and West, into Sibley Pond area, Canaan is automatically called out. The aerial device won't help them much other then if there is a chimney fire we don't need to make a hole in the roof. Deputy Mayor Jordan asked if it would not be more valuable to replace the two engines rather then get an aerial device? The Fire Chief stated if we get a vehicle with 500 gallons of water on it, we still get ISO credit for an attack engine. This is for anything with 400 gallons and a pump on it. We lose 500 gallons carrying capability at that point. Engine 3 is 25 years old this year. An additional 5-8 years takes this truck out to 30 plus years. Companies don't want to keep parts on hand for older vehicles. This happened with engine one when we needed a new muffler. It took 5 weeks to get a muffler and that was a simple item. Imagine if you start running into other less common parts. The safety factor of an aerial device is a real important consideration too. I was talking to a Fire Department that purchased an aerial device about a year and a half ago. They said one of the main reasons they bought it was for all the metal roof they are dealing with. You can't get up on them when its raining, and this time of the year they are dangerous. The Fire Chief stated the last report he had seen regarding ISO was delivered to the Town Office, delivered to the Town Manager.

This was years ago, prior to Kathryn's arrival. If the route we take is replacing Engine 1, we need to look at something along the line of what we have in Engine 4. Deputy Mayor Jordan asked what did Engine 4 cost when we purchased it? The Fire Chief believes it was around \$278,000. It was originally a \$412,000 truck. This year alone the price of engines have gone up, depending on what you buy, it can be anywhere between \$8,000 - \$15,000 due to EPA requirements. If you go the route of replacing Engine 1 you are looking at close to \$400,000. The one thing that may kill all these vehicles is NFPA is pushing to get anything that is 20 years older off the road. If you have it you can't use it for a frontline vehicle, it can only be a reserve pumper. Maine is not an NFPA state, but they wrote the law to state everything has to be NFPA compliant at the time of purchase. The other thing that some of the larger cities are doing rather than buying real expensive trucks, is to buy a cheaper truck and replacing it more often. The idea behind that is that you have less expenditure right now and running it 15 years instead of 20 you stay up with technology. I expect that the new truck will become a bear with electrical problem now that everything runs off a computer. Deputy Mayor Jordan asked how many gallons can the E-One HP75 Quint haul? The Fire Chief stated 500 gallons. It was also noted the truck has a pump and will fit in the garage. Since I had last spoke to Kathryn, I have had two other companies come forward with demos that are in the same price range. The company stated that they could hold the truck for ten days at \$470,000. This truck comes without ground ladders. They would need to be purchases. You have to have 115 feet of ground ladders on them to met ISO requirements. Deputy Mayor Jordan asked how much something like that would cost. The Fire Chief stated with the purchase price of the truck at \$470,000, if you had \$500,000 you could outfit it with everything you need and have a little left over. Deputy Mayor Jordan asked what Engine 1 was? Fire Chief Williams stated it's a tanker/pumper. It has 1,000 gallons of water and a 1,000-gallon pump. Engine 3 is the same thing. Most trucks today come with a 1,250-gallon pump on them. The same size engine will run both. When you go to 1,500 gallons you have to have a different pump and a different engine. Deputy Mayor Jordan asked if Engine one is \$400,000 too and we are talking about replacing that now too, what are you talking here? Fire Chief Williams stated its like a used car – you don't know how long it will last. Deputy Mayor Jordan stated if we buy the aerial it has only 500 gallons of water on it, so we are losing 500 gallons of water? Fire Chief Williams stated yes, but we would be getting an aerial device and a pumper. If you use it as an attack pumper, being first in, then you make it in most cases an aerial device and a pumper. Now there are situations that you put it in as an aerial device and you would not be able to use it as the attack pumper because its not in the right place. We need a second pumper coming in anyway because the rules are that you have a back up pump with back up lines when you put someone in the building. I know that doesn't always happen, as you would need almost 13 people on scene before you start fighting the fire. I think the really big tanks are not a good idea. It makes for a very wide and heavy truck. You get a lot of weight on the secondary roads in the spring and it is a lot of weight to try and put in people's driveways. Most are on a duel axel so they get hard to turn around.

Council Stackhouse asked if we had an aerial truck would you use that every time you went out? Fire Chief Williams stated it would depend on the response calls. If we had a structure fire that truck would go first. If you put a pumper in first in that situation you couldn't get the aerial in later to spot it. If it were a chimney fire the aerial would go to be able to get in there. If we were going calls for a flooded oil burner or car fire, the aerial would not be the first engine out. It wouldn't go to accidents, as Engine 4 is better

equipped for this. It will depend on the call you get and the situation. It wouldn't go to dumpster fires or grass fires or run it on every medical call. Councilor Stackhouse asked what the maintenance fees would be yearly on an aerial device. Fire Chief Williams stated the yearly cost would be about \$1,200 for the annual ladder testing. The annual pump test needs to be done no matter what you have. You are going to have some additional maintenance as you will have another hydraulic system, so about another \$3,000. The maintenance will also depend on how often the truck is used. Deputy Mayor Jordan asked how many calls the Fire Department went on last year. Fire Chief Williams stated 193. Deputy Mayor Jordan asked how many calls this truck would have gone on out of the 193. Fire Chief Williams stated 44. When I say 193 calls that includes all these cell phone calls from the interstate, when you get there no ones there or someone is just sitting on the side of the road talking on their cell phone with steam coming out the tailpipe and we get called to a car fire. Deputy Mayor Jordan asked how many legitimate calls then? Dean Billings stated structure fires, anything to do with buildings, we went out on 44 calls.

Councilor Bradshaw questioned when they monies would be available from Maine Municipal Bond Bank? The Town Manager stated there are only 2 issuances during the year, a spring issuance, which applications are due now. There is also a fall issuance, with applications due in October. The applications are usually 200-300 hours for preparation from beginning to end.

The Town Manager briefly reviewed the bank cost estimates spreadsheet that was provided in the Council package.

Deputy Mayor Jordan asked if we purchase the aerial fire truck then one of the other engines that we currently have will not need to be replaced. Fire Chief Williams stated Engine 1 is gone, it will be replaced with the aerial. In the future the next thing we will have to deal with is Engine 3. Fire Chief Williams stated he looked at a few lease purchase places and once you go beyond 10 years the payment doesn't go down that much and you are paying a lot for the last few years. The interest rate was quite high and you could only go 8 years for the loan.

Deputy Mayor Jordan asked about replacing Utility 5, which the Fire Chief mentions in his package. Fire Chief Williams stated the problem with Utility 5 is that we are required to carry more and more stuff and it has become overloaded at this point. It is over its maximum G.V.W. now, which is wearing it down faster. The Utility truck carries our airbag, our on scene air fill, our HAZMAT, it carries all of our supplies. It goes to almost every accident.

Councilor Curtis stated this is a tough situation. This is a time we are facing a lot of uncertainty. We are trying to learn what the process of buying a fire truck really entails as a Council. It is a tough situation because we are basically saying that we are going to increase the tax rate by choice for this item when in the past we have had a lot of things that we had to increase the tax rate for that were necessities.

Deputy Mayor Jordan asked how much Utility 5 would be. Fire Chief Williams stated approximately \$125,000. The Town Manager stated if we used the \$100,000 for Utility 5, we would have \$35,000 to finance if we combine the reserve accounts. Other than that,

we need a loan for the other equipment. Deputy Mayor Jordan stated with the new Engine costs the total is close to \$500,000 on the two vehicles. Councilor Bradshaw noted that if a new tanker/pumper was purchased to go with Engine 1 and Engine 4, Engine 3 won't have to go on as many calls.

Fire Chief Williams stated that right after Engine 4 was purchased, he was blistered by members of the Council on why Engine 4 was being taken to so many fire calls. It is like a double edge sword. Deputy Mayor Jordan noted that the Fire Department has to be able to use their equipment the way they need to use it. Fire Chief Williams wanted to restate: What kind of call comes in determines what Engine goes first. Councilor Bradshaw stated that he feels the Fire Department has an excellent understanding of their equipment and takes great care of the fleet.

There was some discussion regarding the different financing options and some specifics on the current loan we have out on Engine 4. Fire Chief Williams stated that he feels when are ready to look for a new Engine, he feels demo trucks are the way to go. The same for Utility 5, the Town should take a look at available demos, but may end up buying a new box truck just based on price.

The Councilors discussed with the Fire Chief the ability of the Town to purchase Utility 5 now with reserve funds and to purchase a new engine when the loan for Engine 4 is paid off next year.

Due to all the changes made, the Council felt it would be too difficult to try to reword the Ordinance to purchase a replacement for Utility 5. The Council decided to start over with a new Ordinance at the next Council meeting.

**VOTE: UNANIMOUS NAY**

***ORDER 11-04:***

WHEREAS, the Town Council desires to authorize the issuance of the Town's 2011 General Obligation Bonds (the "Bonds") and the sale of such Bonds to the Maine Municipal Bond Bank, pursuant to Ordinance 92-24, as adopted by the Pittsfield Town Council on November 24, 1992, to refund the Town's \$900,000 1999 Water System Improvement General Obligation Bond, dated April 13, 1999, previously issued by the Town to the United States of America, Rural Development, to finance costs of improvements to the Town's water system;

NOW, THEREFORE, be it voted and resolved by the Town Council of the Town as follows:

ORDERED: That pursuant to Maine law and the Town Charter and Ordinance 92-24, as adopted by the Pittsfield Town Council on November 24, 1992, and all other authority thereto enabling, and to provide funds to refund the \$900,000 1999 Water System Improvement General Obligation Bond, dated April 13, 1999 previously issued by the Town to the United States of America, Rural Development, to finance costs of improvements to the Town's water system, the Town Treasurer is hereby authorized and empowered in the name and on behalf of the Town to expend and borrow up to \$ 666,147

from the Maine Municipal Bond Bank (the "Bank") pursuant to a Loan Agreement between the Town and the Bank providing for a loan from the Bank in the principal amount not in excess of \$ 666,147, and the Treasurer of the Town be and hereby is authorized and empowered, in the name and on behalf of the Town, to execute and deliver, under the seal of the Town, attested by its Clerk, a Loan Agreement to be in the usual and ordinary form utilized by the Bank, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the Treasurer may approve, with his approval to be conclusively evidenced by his execution thereof;

ORDERED: That pursuant to the provisions of Maine law and the Town Charter, and all other authority thereto enabling, and in order to provide funds for the purposes described in the foregoing Order, the Town Council of the Town hereby approves and authorizes the issue, sale and delivery to the Bank as evidence of the aforesaid loan and against payment therefor, the Bonds of the Town in a principal amount not to exceed \$ 666,147, such Bonds to mature and be payable on such dates and in such amounts as approved by the Town Treasurer; to bear interest at the rates specified by the Bank for its Spring 2011 issue, which rates shall be subject to approval by the Town Treasurer of the Town, such approval to be conclusively evidenced by his execution and delivery of such Bonds, payable semi-annually; to be issued as a single, fully registered Bond in the an amount not to exceed \$ 666,147 maturing and payable in installments as approved by the Town Treasurer; to be signed by the Town Treasurer and countersigned by the Mayor of the Town and to be sealed with the seal of the Town and attested by its Clerk; and to be in such form and contain such terms and provisions as the officers executing the same may approve, their approval to be conclusively evidenced by their execution thereof; and further

ORDERED: That the Treasurer of the Town and other proper officials of the Town be, and hereby are, authorized and empowered in its name and on its behalf, to do or cause to be done all such acts and things as may be deemed necessary or desirable in order to effect the borrowing from said Bank of up to \$ 666,147 and the issue and delivery to said Bank as evidence thereof of a corresponding principal amount of the Bonds of the Town as hereinabove authorized in the foregoing Orders; and further

ORDERED: That the Town covenants and certifies that no part of the proceeds of the issue and sale of such Bonds authorized to be issued by the foregoing Orders (including any notes and bonds in renewal thereof) shall be used, directly or indirectly, in such manner which would cause such Bonds of the Town to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148, respectively, of the Internal Revenue Code of 1986, as amended (the "Code").

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Carr** that Order 11-04 be adopted.

The Town Manager noted last summer the Town Auditor had recommended that the Town work toward re-financing some of its water and sewer debt through the low-interest programs. We found, after submitting applications for review, that only one of the town's multiple water and sewer loans was eligible for the low-interest financing programs. All of the steps and paperwork to complete the refinancing of the 2008 Sewer

Bond through the Clean Water State Revolving Loan Program, which began in Fall 2010, are nearing completion.

I have also been working on the refinancing of the 1999 Water Bond through the Maine Municipal Bond Bank Spring 2011 Issuance. This project also began in Fall 2010, however, has been more complicated. We have now located all of the relevant 1999 paperwork and are able to proceed forward. The Town originally borrowed \$900,000 through the USDA at a 4.5% interest rate. The interest rate estimated by the MMBB has been around 3.3581%, therefore, the savings through re-financing was estimated at just over \$60,000. The current loan expires in 2028.

The payoff principal that the Town received from the USDA is \$666,146.24 for the closing at the beginning of June 2011. The Town has a payment due prior to that closing date. Once the Town makes the payment, the USDA will provide an updated payoff principal. I believe that the final payoff principal will be approximately \$650,000. However, the Order is being submitted today so I have listed it for the exact amount of principal due today. I have been advised to include the higher amount to ensure that there are no future issues and the Town is protected as the Order states to not exceed, which means that it can be less. The USDA and MMBB will coordinate in May 2011 so that the MMBB pays the exact amount that is due to the USDA.

The Town is required to have a payment in November of 2011 to MMBB. We would be unable to make two principal and interest payments in one year (a regular payment to USDA and then turn around to make a regular payment to MMBB a few months later). The MMBB has agreed to an Interest only payment in 2011. They are reviewing now to determine if ½ year needs to be added to the loan, which I believe will be the case.

Regardless of whether the loan is for ½ year more, the interest savings on such a large loan will be beneficial to the Town and the citizens over the long-run. The interest savings will be based upon the interest rate that the MMBB Spring 2011 issuance is sold for, which we will know when the bonds are sold near the end of April 2011. Until then, the MMBB is working on estimates only.

Therefore, this lengthy and complicated project should come to a conclusion in June 2011.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 11-15:** 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 the 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 Stackhouse** that Resolution 11-15 be adopted.

Councilor Carr stated that the Town's cost for the project is going to be approximately \$33,000. Seeing that the school is asking for this discontinuance, not the Town. Councilor Carr stated he would not vote for this item unless the school pays the

associated fees or the fees are drastically reduced. Councilor Bradshaw stated that he was also in agreement with this statement.

The Town Manager noted that the cost of the discontinuance process was not estimated to exceed \$15,000. It could be higher or lower, but if higher, MCI has agreed to fund the cost.

If traffic is going to take another route due to this discontinuance, such as Library Street, the Town needs to take care of the problems that are on that road. There are issues on Library Street that have only gone downhill over the last 3 years. If we are going to change the traffic pattern by agreeing to go forward with this, then we need to take care of the problems on the road. The Public Works Department can do most of the work. The only item we can't take care of ourselves is the paving, which raises the cost significantly. The Town Manager noted that the Town should fix its roads.

Councilor Baker stated she was in total disagreement in discontinuing Stinson Street in the beginning and still is. Things should be left the way they are as there are no problems with it.

Councilor Bradshaw stated he is in agreement with Councilor Carr's statement regarding the cost to the Town. In the beginning I was against the project too, but with what Gary, Bernard and Steve came up with, it's a fantastic resolution. In the beginning this was being presented as a safety issue. I think that's a partial truth. I think this has a large aesthetic component too. I am for it, and I like the way it is proposed to look.

Councilor Baker noted that she has been told for 4 years on this Council that the hill on Snakeroot Road couldn't be fixed because the Town doesn't have the money. Now your talking about fixing the corner of Library Street so we can block off Stinson Street. Councilor Bradshaw stated that is why he feels that if the school really wants this that badly, they can fund the paving. It would be a win-win for everyone. The Town Manager noted that the cost of the hill on Snakeroot is so exorbitant, as it has to be outsourced, it was not able to be done at the time. The Town Manager noted she believed the cost for the Snakeroot Road hill to be done was near \$100,000. Councilor Baker noted she thought the price to be closer to \$30,000. The Town Manager stated she would bring the letter with the pricing in for review. Councilor Jordan thought perhaps we should do the Town work, such as the catch basin and such, and then the school pays for the paving.

Councilor Carr notes that MCI is basically acquiring the land for the cost of legal fees. I don't feel it would be unreasonable for them to pick up the paving costs.

Councilor Stackhouse states that he feels the school should be made to pay part of the project. There should be something paid by the school.

Mayor Nichols stated that he agrees with Councilor Bradshaw and Deputy Mayor Jordan. Catch basins are the Town's issue, but as far as the paving goes, they should pick that cost up. MCI is getting a piece of land donated, the paving isn't an unreasonable cost.

Councilor Curtis asked Councilor Baker if MCI would be willing to pick up the cost of the paving would she still be against the project. Councilor Baker stated she would.

Councilor Curtis just wanted to understand where she was coming from. Councilor Baker states that she does not feel that MCI has been completely truthful with the Council and that this is not a safety issue. My children and my grandchildren went to school at MCI. No one ever got hit by a car crossing by the dorms. The people that race down there are the students. So I feel that it should be left the way it is. Councilor Baker asked what would they do next? Build another new dorm there?

Councilor Bradshaw stated that he did not feel that would be the plan, I think its just aesthetics. I asked a lot of people about this. I have had quite a bit of positive feedback, but I really think there is negative feedback on this. Are we going to have a Public Hearing?

Councilor Baker stated there are people living at the end of the football field on Stinson Street. MCI did put a fence up as people were parking on the lawns. Are they going to try and push all of Raymond Avenue off too and take over all those houses too? That is the way people are feeling up there. They feel they are going to push one side of Raymond Street out and take over all of that area too.

Deputy Mayor stated that if people are selling real estate MCI has a right to buy it, just like anyone else does, as they have on Main Street.

Councilor Baker stated she agrees with the people on Raymond Avenue. She feels they are trying to push people out and take over that area.

The Town Manager explained the timeline for the approval of the agreement, including the steps and the process for notifying residents of the Public Hearing.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 11-15 be tabled.

**VOTE: UNANIMOUS AYE**

7. **DISCUSSION ITEMS:**

The Town has been working with the MMBB on the Clean Water State Revolving Loan since fall to refinance the Sewer loan. The bank received the payment today to pay off the loan and the Town will save almost \$12,000 over an 8-year period. We were fortunate to have been accepted into the low interest program at the MMBB.

8. **REPORTS:** Audience, Council

**Audience:**

**Bernard Williams:** If you are going to have the Town crew work on the building up there, they need to rent a compactor. Not just throw it down and roll over it. The Town Manager noted that is part of the requirement now. They will get a compactor.

**Council:**

**Councilor Baker:** Just want to welcome Bill to the Council. I also wanted to thank Bernard for coming in. I like the way things were discussed civilly tonight.

**Councilor Carr:** No Report.

**Councilor Bradshaw:** It was a great meeting. The MCI issue regarding jersey barriers being temporary; I can have a thousand concrete barriers on the ground tomorrow from American Concrete.

**Deputy Mayor Jordan:** No Report.

**Councilor Curtis:** No Report.

**Councilor Stackhouse:** No Report.

**Mayor Nichols:** I agree with Bill and Chris on the MCI situation. This is far from being over. Bernard, if we can get the utility vehicle and then get a commitment from the Council to move forwards on a new truck, maybe we can baby the other along. I know that 10 years is probably not do-able for the loan. We will most likely be looking at 12 years. Everything these days seems to cost so much more.

9. **ADJOURNMENT:**

Motion by **Councilor Stackhouse** and seconded by **Councilor Carr** that the meeting be adjourned at 9:26 p.m. All in agreement.

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Nicole Nickolan, Town Clerk