

AGENDA

for a regular meeting of the Pittsfield Town Council, to be held on Tuesday, April 6, 2010 at 7:30 PM in the Council Chambers.

1. Open Meeting/Pledge of Allegiance, followed by Moment of Silence.

2. Adoption of minutes of the regular meeting held on March 16, 2010.

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

Presentation by Olver Associates: Recommendations on Sludge Removal Process; Sewer Replacement Projects; and Loan/Grant Opportunities

2010 Highway Paving

Summer Highway Work Plan

Projects submitted for the MDOT Transportation Requests for the 2012-2013 Biennium and the six-Year Transportation Plan for fiscal years 2012-2017

Maine Partners for Cool Communities

Town Achievements for March 2010

Community and Economic Development Activities and Events

4. **PUBLIC HEARINGS/OLD BUSINESS:**

5. **REPORTS: TOWN MANAGER, FINANCE, ORDINANCE & RECYCLING COMMITTEES**

6. **NEW BUSINESS:**

ORDINANCE 10-06: (Set to Public Hearing 04/20/2010) The Town of Pittsfield hereby Ordains to Accept all tax year payments of Claude Thornton Sr., including interest and lien costs, for the property at 115 F Street (Map 034, Lot 065), the Town having acquired said property as a result of automatic foreclosure of a 2003 property tax lien, recorded in the Somerset Registry of Deeds on June 09, 2004 at Book 3322, Page 294, which matured on December 9, 2005. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to Claude Thornton Sr.

ORDINANCE 10-07: (Set to Public Hearing 04/20/2010) The Town of Pittsfield hereby Ordains to Accept all tax year payments of Lester O. & Tina M. Watrous, including interest and lien costs, for the property on Beans Corner Road (Map 017, Lot 048-001), the Town having acquired said property as a result of automatic foreclosure of a 2007 property tax lien, recorded in the Somerset Registry of Deeds on June 03, 2008 at Book 4004, Page 163, which matured on December 1, 2009. The Town Council

further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to Lester O. & Tina M. Watrous.

ORDER 10-05: Ordered that the Town Council Adopt Order 10-05 Authorizing Issue of \$1,800,000 Principal Amount of Bonds

**TOWN OF PITTSFIELD
ORDERS OF TOWN COUNCIL
AUTHORIZING ISSUE OF \$1,800,000 PRINCIPAL AMOUNT OF BONDS**

WHEREAS, the Town Council desires that General Obligation Bonds of the Town be issued to finance the costs of improvements to the Town's sewer system including, but are limited to, the removal, analysis and disposal of all or any part of the sludge built up in the Lagoon System which is the Wastewater Treatment System and other sewer system improvement projects approved by the Town Council (the "Project"); and

WHEREAS, the Town Council of the Town desires to authorize the issuance of up to \$1,800,000 principal amount of Town's 2010 General Obligation Bonds (the "Bonds") and the sale of such Bonds to the Maine Municipal Bond Bank for inclusion in its Spring 2010 issue, pursuant to the Ordinance adopted by the Town Council on February 2, 2010;

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 all other authority thereto enabling, and to provide funds to finance up to \$1,800,000 of the cost of the Project, and to refund any temporary notes issued pursuant thereto, the Town Treasurer is hereby authorized and empowered in the name and on behalf of the Town to expend and borrow up to \$1,800,000 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 \$1,800,000, 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 of up to \$1,800,000 and against payment therefor, the Bonds of the Town in a principal amount not to exceed \$1,800,000, 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 2010 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 \$1,800,000 maturing and payable in installments as approved by the Town Treasurer; to be signed by the Town Treasurer and countersigned by the Chair of the Town Council 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 \$1,800,000 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"); and further

ORDERED: That the Town, pursuant to Internal Revenue Service Treas. Reg. 1.150-2, hereby declares its official intent to pay, on an interim basis, costs of the Project, which costs the Town reasonably expects to reimburse with proceeds of bonds to be issued by the Town in the maximum principal amount of \$1,800,000; and further

ORDERED: That, notwithstanding and in lieu of any contrary provisions contained in the prior two paragraphs of this Order, the Town is authorized to issue all or any portion of any of the Bonds as taxable governmental bonds, in accordance with the applicable requirements for Build America Bonds or for Recovery Zone Economic Development Bonds, if applicable and if the Mayor and Treasurer determine, in consultation with the Maine Municipal Bond Bank, that issuing such Bonds as taxable Build America Bonds or as taxable Recovery Zone Economic Development Bonds will result in a lower cost of funds to the Town, such determination to be conclusively evidenced by the execution of Bonds by the Mayor and Treasurer, designating the same as "Build America Bonds" or as "Recovery Zone Economic Development Bonds", as applicable. "Build America Bonds" mean Bonds issued as taxable governmental bonds or notes with Federal subsidies in the form of either tax credits to holders or refundable tax credits paid to the Town as issuer, authorized under the American Recovery and Reinvestment Act of 2009, and Section 54AA of the Code, and any amendments of or successor provision to the foregoing. "Recovery Zone Economic Development Bonds" mean Bonds issued as taxable governmental bonds or notes with Federal subsidies in the form of either tax credits to holders or refundable tax credits paid to the Town as issuer, authorized under the American Recovery and Reinvestment Act of 2009, and Sections 54AA and 1400U-2 of the Code, and any amendments of or successor provision to the foregoing. The terms for any redemption of such Build America Bonds or Recovery Zone Economic Development Bond prior to maturity shall be determined by the Mayor and Treasurer. The Treasurer and Mayor are authorized to take such actions as may be required under applicable Federal law to cause such Bonds to qualify for treatment as Build America Bonds or Recovery Zone Economic Development Bonds, as applicable, and to obtain refundable tax credit payments and to assign the same to the Maine Municipal Bond Bank, including designation of all or a portion of the Bonds as Build America Bonds or Recovery Zone Economic Development Bonds, as applicable.

RESOLUTION 10-31: Resolved that the Town Council Accept the Bid of _____ dated _____ with interest payable at maturity at the rate of _____% per annum.

RESOLUTION 10-32: Resolved that the Town Council Approve the Renewal of the Special Amusement Permit for the Broken Putter Restaurant & Lounge at 382 Hartland Avenue, Pittsfield, Maine 04967.

RESOLUTION 10-33: Resolved that the Town Council Approve the Renewal of the Alcoholic Beverage License for the Broken Putter Restaurant & Lounge at 382 Hartland Avenue, Pittsfield, Maine 04967.

RESOLUTION 10-34: Resolved that the Town Council Waive Section 106. Regulations of Bids and Contracts of the Administrative Code and Authorize the Town Manager and Highway Foreman to purchase _____ from _____ in the amount of \$ _____ and to authorize the expenditure and transfer of \$ _____ from G/L #1-601-00, Public Works Equipment Reserve

RESOLUTION 10-35: Resolved that the Town Council Waive Section 106. Regulations of Bids and Contracts of the Administrative Code to encourage regionalism and Execute the Contract for Curbside Pickup of Recyclables with the Town of Palmyra through 03/31/2011, same conditions.

RESOLUTION 10-36: Resolved that the Town Council Waive the Recycling User Fee Assessment for communities and regional organizations sending recyclables to Pittsfield for processing due to the economic conditions facing Towns and implement a flat fee per Town for 2010.

RESOLUTION 10-37: Resolved that the Town Council Sign the Warrant and Notice of Election to Call the Maine School Administrative District No. 53 Burnham Village School Closure Referendum to be voted on April 29, 2010.

RESOLUTION 10-38: Resolved that the Town Council Appoint Nicole Nickolan as Warden and Vickie Braley, Emmalee Reed and Cammie Jemery as Deputy Wardens for the April 29, 2010 referendum.

RESOLUTION 10-39: Resolved that the Town Council Approve the following list of Election Workers effective until April 6, 2012 pursuant to Title 21-A, Section 503.

REPUBLICANS	DEMOCRATS	GREEN	UNENROLLED
Melissa Flewelling Ronda Belgard Marilyn Humphrey Eloise Bane Arey Bryant Peter Snow Walter Reuter Connie Lasselle Wendi Knowles Faith Humphrey Tristan Goewey Charles Moon Linda Moon Charity Bean Constance Thies	Donnie Hallenbeck Rhonda Woodman Rebecca Geagan Frank Geagan Suzanne Mercier Donald Belgard Cynthia Lewis Rebecca Johnson Dawn Witham Belinda Stackhouse Linda J. Snow Trudy Ferland Joyce Ackroyd Donna Reilly Julianne Bousquet Nancy Shorey Francis Pratt Bev Newton Eileen Wright Casey Marquis Nancie Mcleod Donna Dunphy Marie Rollins Mary Parsons Connie LaGross Tom Brown	James Cianchette	Joseph Veilleux

RESOLUTION 10-40: Resolved that the Town Council Authorize the Town Manager and Assistant Treasurer to put out to bid surplus town property and to accept reasonable bids.

RESOLUTION 10-41: Resolved that the Town Council Authorize the Mayor to sign the Proclamation to Designate May 1st as the Silver Star Banner Day to honor the wounded and ill Soldiers of the Town of Pittsfield.

RESOLUTION 10-42: Resolved that the Town Council Authorize the Town Manager to sign agreements/letters for the Pittsfield Community Theatre for motion pictures for theatrical exhibition.

RESOLUTION 10-43: Resolved that the Town Council Appoint members to fill the vacancies on the various Town Boards and Committees from the attached list.

7. **DISCUSSION ITEMS:**

Updates:

Water Projects:

Federal Stimulus Funding for Back-up Water Pump
Water Meter Replacement Automated Meter Reading (AMR System)
Drinking Water Program/State Revolving Loan Fund/Priority List Candidate:
Replacement of Waverly Avenue River Crossing – broken water main

Sewer Projects:

Sludge Removal Project and Financing
Sewer System Projects and Financing

Water/Sewer Project Possibilities:

Water System Projects and Financing
Income Survey for State and Federal Funding Opportunities

Somerset County Charter

Somerset County Budget Process & Town Involvement
MDOT Sibley Pond Bridge Project
Uniform Building and Energy Code goes into effect
Long Term Recreation Plan
Cable Television Franchise Agreement
Request by CEI Housing, Inc.

Grants Update:

New Grants:

Conservation Grant for Driftbusters Snowmobile Trail Fund (pass-through)
Economic Development Administration Grant: Pittsfield Industrial Park Expansion
Ken-Som Transition Team/KVCAP Grant for Regional Job Fair
Jobs for Maine's Graduates (JMG) School Grant through Town/Region (pass-through)
L&W Conservation – Hathorn Park Legge's Field
Law Enforcement Bryne Federal Grant: Radio Equipment

PUC Energy Efficiency: Block Grant to Towns
Riverfront Community Development Grant
United Way/Keeping Mid-Maine Warm Grant

Grants waiting to be closed:

Airport Grants: Apron Reconstruction Grant
Brownfields Grant: Clean-up Grant for Eelwier (now know as 8 Mount Road)
CDBG Grant/Business Assistance: Moosehead Cedar Log Homes
Law Enforcement Bryne State Grant: Tasers
Renewable Resources Grant from PUC: Wind Turbine
State Library Grants dedicated to the Library Building Project

Closed Grants:

Airport Grants: Design Engineering for Apron Reconstruction
Airport Grants: Runway Obstruction Clearing
Airport Grants: Vegetation Plan/Permitting Grant
CDBG Grant/Public Facilities/Historic Preservation/Library
CDBG Grant/Special Projects Matching Funds/GCS
Efficiency Maine Business Program
FEMA Reimbursements: 04/28 – 05/14/2008
L & W Conservation Fund: Stein Park Renovation Project
L & W Conservation Fund: Swimming Pool Essential Components
Project Canopy: Mill Pond Loop
Safe Routes to School, Phase II
State Planning Office Recycling Education Grant
Summer Nutrition Grant (Yearly)

Other Grant Opportunities:

Airport Grants: Stormwater, Security and FAA Review
Fire Grant – Aerial/Pumper
Fire Grant – Fire Station Renovations
Jump Start our Youth (Joy through JMG)
L&W Conservation – Hathorn Park
Mobile Electric Power Grant
Municipal Investment Trust Fund
Railroad Depot Grant
Sewer Replacement including Sewer Evaluation Study
with Camera Work, Dye Test/Smoke Test and Report

8. **REPORTS:** Audience, Council

9. **ADJOURNMENT**