

AGENDA

for a regular meeting of the Pittsfield Town Council, to be held on Tuesday, May 18, 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 May 4, 2010.
3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:**
Community and Economic Development Activities and Events
4. **PUBLIC HEARINGS/OLD BUSINESS:**
5. **REPORTS: TOWN MANAGER, FINANCE, ORDINANCE & RECYCLING COMMITTEES**
6. **NEW BUSINESS:**

ORDINANCE 10-09: (To be set to Public Hearing on 07/13/2010) The Town of Pittsfield hereby Ordains the amendment to Chapter 13, Section 4 Performance Standards, A. General Requirements, Subsection #3.

ORDER 10-07: Ordered that the Town Council hereby approves the sewer rate increase from \$4.75 per 1000 gallons to \$7.25 per 1000 gallons effective January 1, 2011 for the USDA \$3.4 million dollar loan and grant package (\$1.9 million dollar loan and \$1.5 million dollar grant for sludge removal and sewer projects) in order to meet USDA requirements and finance the required loan payment.

RESOLUTION 10-54:

WHEREAS, the United States of America acting through the Rural Utilities Service is awarding a \$1,500,000 grant to the Town and is making a \$1,900,000 loan to the Town 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:

RESOLVED: That pursuant to Maine law and the Town Charter, and all other authority thereto enabling, the Town of Pittsfield hereby resolves and does authorize its Treasurer and Town Clerk to execute and deliver RUS Bulletin 1780-12, "Water and Waste System Grant Agreement" on behalf of the Town substantially in the form presented to this meeting with such changes and additions as they in their discretion may deem necessary or appropriate and the Town Council, acting through its appropriate officers as designated in its Charter and organizational documents, take all necessary and appropriate steps to carry out these transactions contemplated by the Grant Agreement approved at this meeting and the Town is authorized to accept a grant from the United States of America acting through the Rural Utilities Service in the amount of \$1,500,000, and the Town Treasurer or Mayor, acting singly, are authorized to execute and deliver the RUS Bulletin 1780-12 Water and Waste System Grant Agreement in such form and containing such insertions, terms and provisions as the officer executing the same may approve, his or her approval to be conclusively evidenced by the execution thereof; and further

RESOLVED: That the Loan Resolution, RUS Bulletin 1780-27, Position 5, OMB No. 0575-0015 Loan Resolution for Public Bodies is hereby adopted in the form attached hereto, which is hereby incorporated herein, and the Town Council of the town approves and accepts in all respects, a proposed loan of \$1,900,000 at an interest rate not to exceed 3.25% for a period of twenty nine (29) years, from USDA Rural Development, for the purpose of lagoon sludge removal and sewer main replacement project in accordance with Loan Resolution (Public Bodies) RUS Bulletin 1780-27 and a proposed grant in the amount of \$1,500,000 in accordance with Grant Agreement RUS Bulletin 1780-12 and the Resolution of the Town Council to authorize the Town Treasurer and the Town Clerk to execute and deliver all documents and to take any and all actions necessary to carry into effect such financing, including, but not limited to, Form RD 400-1, Equal Opportunity Agreement, and Form RD 400-4, Assurance Agreement; and further

RESOLVED: 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 Ordinance adopted by the Town Council on February 2, 2010, 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 \$1,900,000 and against payment therefor, the Bonds of the Town in a principal amount not to exceed \$1,900,000, 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 United States of America acting through the Rural Utilities Service, which rates shall be subject to approval by the Town Treasurer of the Town, such approval to be conclusively evidenced by her execution and delivery of such Bonds, to be issued as a single, fully registered Bond in the an amount not to exceed \$1,900,000 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

RESOLVED: 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 the United States of America acting through the Rural Utilities Service of up to \$1,900,000 and the issue and delivery to said United States of America acting through the Rural Utilities Service as evidence thereof of a corresponding principal amount of the Bonds of the Town as hereinabove authorized in the foregoing Orders; and further

RESOLVED: 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

RESOLVED: 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 \$1,900,000; and further

RESOLVED: That the Treasurer of the Town or Mayor, acting singly, are each authorized to take such other actions and execute and deliver such other agreements, documents and certificates as either deems appropriate in order to accept such grant, borrow such amount, construct the project, and implement such new rates.

RESOLUTION 10-55: Resolved that the Town Council authorize the Town Manager to inform the Department of Health and Human Services Drinking Water Program that the Town of Pittsfield is still interested in using the Drinking Water State Revolving Loan Funds this year for the Waverly Avenue

Water Main Replacement Project at the river crossing, contingent upon loan funding from the Drinking Water Program.

RESOLUTION 10-56: Resolved that the Town Council authorize the Town Manager to execute the Town's standard services contract with Plymouth Engineering for a technical review, to include performance guarantee recommendation for the Maine Power Reliability Program to not exceed \$14,190.

RESOLUTION 10-57: Resolved that the Town Council approve the opening of absentee ballots on June 8, 2010 after 4:00 pm for the June 8, 2010 State Primary/Referendum Election and the Maine School Administrative District No. 53 Budget Referendum Election.

RESOLUTION 10-58: Resolved that the Town Council appoint Nicole Nickolan as Warden and Emmalee Reed, Cammie Jemery and Ricky Savageau as Deputy Wardens for the June 8, 2010 State Primary/Referendum Election and the Maine School Administrative District No. 53 Budget Referendum Election.

RESOLUTION 10-59: Resolved that the Town Council approve the issuance of a parade permit to Burns W. Knowlton - Post 32 for a Memorial Day Parade on May 31, 2010, start time 9:00 am, and waive the permit fees.

RESOLUTION 10-60: Resolved that the Town Council authorize a transfer of expenditures from the Floral Trust Accounts to C. Jones Floral in the amount of \$1,800.00

7. **DISCUSSION ITEMS:**

Updates:

1. Determine interest in SAD #53 central office building, if available
2. Town Arboretum pedestrian walkway
3. Highway/MDOT Sibley Pond bridge project
4. Highway/Snakeroot Road hill review
5. Highway/Road sweeper performance

Financial Reports as of 04/30/2010:

Budget Expenditure Report
Revenue Collections Report
Tax Acquired Property Report
Economic Development Revolving Loan Update
Housing Revolving Loan Update
Transfer Station/Recycling Monthly Report
Theatre Monthly Report
Excise Tax Collections Comparison Report
State Revenue Sharing Comparison Report
Personal Property Tax Collection Report
Real Estate Property Tax Collection

Other Reports as of 04/30/2010:

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

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:

CDBG Grant/Business Assistance: Moosehead Cedar Log Homes
Renewable Resources Grant from PUC: Wind Turbine
State Library Grants dedicated to the Library Building Project

Closed Grants:

Airport Grants: Apron Reconstruction Grant
Airport Grants: Design Engineering for Apron Reconstruction
Airport Grants: Runway Obstruction Clearing
Airport Grants: Vegetation Plan/Permitting Grant
Brownfields Grant: Clean-up Grant for Eelwier (now know as 8 Mount Road)
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
Law Enforcement Bryne State Grant: Tasers
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**