

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, January 19, 2010 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Bob Stackhouse, Caleb Curtis, Deputy Mayor Gary Jordan, Jr., Donna Chale, Christopher Carr. **ABSENT:** Louise Baker. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Mike Lange, Chris Cousins 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 on January 5, 2010.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Chale** that the minutes of the regular meeting on January 5, 2010 be adopted.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events

Report on Meetings & Events:

The next 2010 Trade Show Meeting for the Seabasticook Valley Chamber of Commerce is scheduled for Wednesday, 01/27/2010 at the SVCC Chamber Office. The Trade Show is scheduled for Saturday, May 1, 2010 in Pittsfield. This is the second year that the Town has the pleasure of hosting the business and community trade show for the Seabasticook Valley. Last year, the Trade Show Committee endorsed a plan for the Trade Show to be hosted in Pittsfield for another year, bringing the number of years in a row to 2, and then it will move to another community. We have some nifty ideas for a Spring Focus. We are teaming up with HealthySV to enhance the community fair aspects of the event as well as to provide a new focus for crafters, artisans, and farmers. Both Gyms/Cafeterias have been reserved at Warsaw and Vickery Schools as the events are planned to be much larger this year. Advance registration materials will be going out next month.

Upcoming Meetings & Events

The Ken-Som Transition Team Meeting scheduled for Wednesday, 01/20/2010 from 9:00 am – 11:00 am at the Kennebec Valley Council of Governments was cancelled due to the weather forecast. This is the group that responds to worker dislocations in Kennebec and Somerset Counties by:

A: Immediately convening providers and others in affected communities to support companies and employees; and

B: Mobilizing resources and building collaborations to fill the gaps of unmet needs.

Our next project is to schedule and work on the Regional Job Fair which is scheduled for Pittsfield in late May 2010. I have some tentative dates for the committee and we will be setting up a work group for this project.

Save the Date: Saturday, 05/15/2010 for the Pittsfield Public Library Grand Opening Ceremony. Anyone who has not dropped by the Library should. It is amazing.

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

Town Manager's Report: Town Council Meeting of 01/19/2010:

1. The FYI Folder: As we have one item, there will not be a FYI Book tonight. If anyone would like to review or obtain a copy of "Maine's Economic Outlook: 2010 and Beyond by James Breece, Ph.D. University of Maine System, please let us know.

2. 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.

3. Census Jobs: The U.S. Census Bureau is now recruiting census takers. Testing is being held in the Pittsfield Municipal Council Chambers on Tuesdays and Thursday through March 2010 at specific times. Anyone who wishes to apply and take the test needs to call to register and schedule their appointment. Please call 1-866-861-2010 to apply. Positions pay \$13.25/hour with mileage reimbursement at \$.55 per mile.

- 4. 2010 Winter Season at The Pinnacle:** The Club's Purpose is to:
- a. To Promote skiing for children and adults;
 - b. To Encourage greater interest in skiing in the surrounding communities;
 - c. To Conduct a ski school, equipment sales and social events;
 - d. To promote other snow sports and other outdoor sports and events as the Club may deem advisable; and
 - e. To Support Ski-related activities.

Sign up for your Winter membership at the Pinnacle: Family rates are \$75.00; couples \$50.00 and individuals are \$30.00. Family memberships are for a family of 5 and family membership is for immediate family members only. Student memberships are \$20.00. As part of your membership, you are expected to sign in and work 10 hours of service. Checks should be made payable to the Pinnacle Ski Club. Forms are available at the Town Office.

We would also like to thank Bill Bradshaw, Jim Cianchette, Barney McGowan, and John Watson for cleaning off and/or flooding the new skating rink at the Pinnacle for the Town since the Pinnacle opened in January 2010.

Finance Committee: Met tonight prior to the Council meeting. Reviewed the cemetery investment portfolio, which is showing signs of improvement. The excise tax collections are down, but not as bad as they could have been. The State revenue sharing is down \$167,000, which is very disappointing.

Ordinance Committee: Met tonight prior to the Council meeting. Chapter 6 Offenses – Miscellaneous, Article 7 Dogs, Section 702, as well as Article 7A Stray Cats, Section 7A03 were discussed. The proposed language will be put on the Town Council agenda for consideration.

Recycling Committee: The committee met last Wednesday. Mayor Nichols was unable to attend due to illness. The training seminar in Skowhegan was discussed. Volunteers are currently learning about winterizing homes. There will be more information available at the next meeting.

6. **NEW BUSINESS:**

a. **ORDINANCE 10-01:** (Set to Public Hearing 02/02/2010)

ORDINANCE TO APPROPRIATE FUNDS AND AUTHORIZE UP TO \$1,900,000 IN BONDS TO FINANCE IMPROVEMENTS TO THE TOWN'S SEWER SYSTEM

The Town of Pittsfield hereby ordains 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 "Projects"), and the Town hereby appropriates the sum of \$1,900,000 to pay costs of the Projects and in order to finance costs of the Projects, the issuance of general obligation bonds and/or notes of the Town in a total aggregate principal amount not to exceed \$1,900,000 is hereby authorized. The Town Council, by Bond Order or Resolution, is authorized to determine, or to delegate to the Mayor and Town Treasurer the authority to determine, the date(s), maturities, denominations, interest rate(s), place(s) of payment, purchaser(s), form(s) and other details of such bonds and/or notes, including any provisions making the same redeemable or callable, with or without premium, prior to maturity, and is further authorized to determine or authorize all other acts and things as may be necessary or desirable in order to effect the issuance, sale and delivery of such bonds and notes.

Moved by **Councilor Stackhouse** and seconded by **Deputy Mayor Jordan** that Ordinance 10-01 be adopted.

The Town Manager noted on 10/06/2009, the Town Council authorized the issuance of \$1.9 million dollars pursuant to the Clean Water State Revolving Loan Fund. To date, federal stimulus funding has not been available, although a few days ago we were advised that additional funding could become available in this fund through a possible additional allocation of American Recovery Funds (ARRA).

The United States Department of Agriculture has been reviewing our project and will conclude its review in the near future to determine eligibility.

The date for filing for the regular Maine Municipal Bond Bank (MMBB) Spring Issuance is 02/03/2010. The applications are reviewed in 03/2010. Preliminary legal opinions and loan agreements are due from bond counsel of each borrower on 04/06/2010.

At this point, the only actual bond issuance that is scheduled with funding to be available in the approximate timeframe of our project is the regular MMBB issuance. Funding is to be available to be drawn down on 05/27/2010 if the Town is eligible. Therefore, the application is underway.

It would be prudent to apply for as many items as possible and obtain the best arrangement available within the given timeframe.

Therefore, the Town Attorney has drafted a general ordinance to authorize any type of borrowing for the improvements authorized in the October 6, 2009 ordinance. If this particular ordinance is adopted and the Town does not get the Clean Water funding, then as provided in the attached Ordinance, the Town Council could then adopt the usual form of the Bond Resolution to authorize participation in the MMBB ordinary spring issue.

The Town received very competitive bids for sludge removal ranging from \$1,480,850 to \$3,207,500 for the advertised bid. This figure did not include engineering or additional work that may be required. In case for some reason, the Town were unable to accept the apparent low bid for the project, we have added a contingency to cover the additional cost for the next apparent low bid.

The Town does not have to borrow all of the funds listed on the Ordinance as the language states "to not exceed". The higher amount is listed to try to avoid the case in which we need to supplement this Ordinance at a later date.

Therefore, the Town will be issuing up to \$1.9 million once (likely to be less than \$1.9 million), however, we will have more than one ordinance on the books due to timing issues.

In order to accept a bid and sign a contract, the Town needs to make sure that we can obtain the funding. This is the first step in the process.

Also included in your package is the engineering review of the three lowest bids received for the project by Olver Associates.

We are also working with Olver Associates on putting together an application for the possibility of Clean Water ARRA funding to be available at a later period this year.

Councilor Curtis questioned if the Town had received enough surveys to be eligible for funding. The Town Manager noted we had not at this time, but the Assistant Treasurer and Olver Associates would be meeting to discuss this in the near future.

Councilor Curtis also questioned the ratio of residential water users to business water users. The Town Manger advised that residential users surpass business users. We have these exact statistics available if needed.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 10-09:** Resolved that the Town Council Approve the firm of RHR Smith & Company as the external auditor for the Town's 2009 audit at the same price as the prior year's audit to not exceed \$11,100 (\$7,000 for the Municipal Audit; \$1,200 for the Single Audit; \$1,450 for the Pittsfield Water Enterprise Fund; and \$1,450 for the Pittsfield Sewer Enterprise Fund).

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 10-09 be adopted.

The Town Manager noted Smith & Company has been the Town's auditor since 2007, having completed the 12/31/2006; 12/31/2007; and 12/31/2008 audits. The price has remained the same.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 10-10:** Resolved that the Town Council Authorize the expenditure and transfer of \$1,525, to be prorated between G/L #01-605-00 Municipal Building Capital Reserve and G/L #01-650-00 Fire Station Reserve, for repairs to the fire sprinkler system.

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

The Town Manager noted the sprinkler system was installed in the 1970's when the Municipal Building was built and the Fire Station upgraded. The company that currently maintains the sprinkler system in the municipal offices and fire station detected repairs that were needed during the last inspection.

Deputy Mayor Jordan questioned what items exactly needed repair. The Town Manager read the complete list of items to be repaired.

VOTE: UNANIMOUS AYE

- d. **RESOLUTION 10-11:** Resolved that the Town Council Authorize the Town Manager renew the Airport Lease to Cianbro Corporation for a five year period through 12/31/2014.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 10-11 be adopted.

The Town Manager noted this is a renewal of Cianbro's lease at the Pittsfield Municipal Airport. There are no changes in the proposal except dates. The airport leases were updated several years ago and as each lease came up, the new airport lease agreement form has been utilized. Cianbro already had the updated lease agreement.

VOTE: UNANIMOUS AYE

- e. **RESOLUTION 10-12:** Resolved that the Town Council Appoint members to fill the vacancies on the various Town Boards and Committees.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 10-12 be adopted.

The Town Manager noted the following positions are available:

Board of Ethics	1 opening
Housing Rehab Revolving Loan Committee	1 opening (RE position)
Planning Board	1 full member
Walter Reuter	His appointment resulted in an associate member vacancy
Theatre Committee	3 positions
Brenda Cote, Ann Duncombe and Bunny Pounds	

Considering that we have over 100 board/committee positions, having so few vacancies is excellent. All boards are important, however, it is especially important to fill the vacancies on the Theatre Committee as that is a high percentage of the board composition to have vacant and they have a lot of work ahead of them on the rehabilitation/restoration project.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

- A. Financial Reports as of 12/31/2009:
 - 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
 - Reports not available**
- B. Other Reports as of 12/31/2009:
 - Building and Plumbing Permit Reports
 - Library Report-Librarian's and Library Trustees Minutes
 - Police Report
 - Self-explanatory – Not reviewed**
- 1. **Update on Water Projects:**

Federal Stimulus Funding for Back-up Water Pump:

The Back up pump was installed last year. We have been using both pumps, rotating between them. We are waiting for the last engineering costs to pay. This project will then need to be closed out.

Water Meter Replacement and Automated Meter Reading (AMR System):

We have the list of locations where new meters need to be installed down to those properties where there are plumbing problems; locations where we need to locate or dig a curb stop as the people can not turn their water off inside; people are never home and do not respond; vacancies (which we can pick up when a new owner or tenant sets up water service); and water shut offs (which we can pick up when the overdue bills are paid and we go to the site to turn the water on).

2. **Update on Sewer Projects:**

Sludge Removal Project: This item was on the agenda tonight.

Sewer System Projects: An opportunity has come up in that there may be additional ARRA funding for clean water projects. Obviously, we want to focus upon the sludge removal process. We are looking into whether there would be an opportunity to file another project.

3. **Water/Sewer Project Possibilities:**

Income Survey for State and Federal Funding Opportunities: Olver Associates and the Assistant Treasurer will be jumpstarting this process in the near future

Grants Update:

New Grants:

Airport Grants: Apron Reconstruction Grant Application:

This project needs to be closed out; funding reimbursements have been late; and the last reimbursement will be written shortly. We need to have the FAA & MDOT inspect the project.

Brownfields Grant: Clean-up Grant for Eelwier (now know as 8 Mount Road):

The quarterly report and the final report need to be written.

Economic Development Administration Grant: Pittsfield Industrial Park Expansion

I contacted the EDA and have been working through the process to be allowed assistance with the grant. A number of other towns over the years have hired the local EDD which is KVCOG in our area. This grant involves ARRA monies, so there are many additional requirements. Our federal government project manager has told me that I certainly can manage this grant. I have explained the extensive workload here with all of the deleted positions over the year and it is agreeable that the Town locate assistance with the grant.

Other Grant Opportunities:

PUC Energy Efficiency:

The PUC should be making decisions on the ARRA Energy Efficiency projects this month. They have so much extra work and requirements now so it is going to take them a bit of time to decide. This is the project to have an energy efficient boiler for part of the Town Office; solar panels for the roof; show volunteers how to weatherize the Town

Office better & review the Town Ordinances to encourage alternative energy sources.
The PUC did receive a lot of applications.

8. **REPORTS:** Audience, Council

Audience:

Council:

Councilor Baker: Absent.

Councilor Carr: Questioned progress on two Law Enforcement Bryne Grants. The Town Manager advised the grant for the tasers is being held up at the State/Federal level and the radio equipment grant required clarification, and is now ready to go.

Councilor Chale: No comment.

Deputy Mayor Jordan: No comment.

Councilor Curtis: No comment.

Councilor Stackhouse: No comment.

Mayor Nichols: No comment.

9. **ADJOURNMENT:**

Motion by **Councilor Curtis** and seconded by **Deputy Mayor Jordan** that the meeting be adjourned at 8:03 p.m. All in agreement.

Nicole Nickolan, Town Clerk