

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, March 15, 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 **ABSENT:** Louise Baker. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Mike Lange, John Titus and Gary Williams.

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 March 1, 2011

Moved by **Councilor Stackhouse** and seconded by **Deputy Mayor Jordan** that the minutes of the regular meeting held on March 1, 2011 be adopted.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events

Report on New Business Activity & Opportunities in Pittsfield:

1. Buy Pittsfield Day scheduled for Saturday, March 26, 2011 – Letters went out to businesses and we are getting a good response. Once the businesses are signed up, we will start advertising. Read Letter. This project is a win-win for everyone in Pittsfield.
2. Regional Job Fair scheduled for the Pittsfield Area on May 19, 2011 from 3:30 pm – 6:30 pm at the Warsaw Middle School, 167 School Street – Businesses and Organizations can now register for the event. See Town Website. The letters to the businesses that have been signed up before have just gone out and we have 10 businesses with over 100 jobs being offered already signed up. The Town and Ken-Som Transition Team are very pleased to announce that we have been given a \$4,660 donation of advertising through the Employment Times, My Job Wave.com and HR Times for advertising which is and absolutely wonderful donation to the this important project.
3. Employment Specialist Available in Pittsfield:
Looking for employment and not sure how to go about it? Interested in job training or improving your work skills? Want to learn to use the internet to apply for jobs?

As of January 2011, an Employment Support Specialist from the Kennebec Valley Community Action Program is available at the Pittsfield Public Library from **11:00 AM – 1:00 PM every 2nd and 4th Wednesday of the month**

The Employment Support Specialist will work with you by providing guidance and support and connecting you with the resources you need to be successful in your employment goals. You can get help with:

- searching on the internet for jobs
- creating a resume
- connecting to training or education opportunities
- how to apply for jobs on-line
- creating an email account

and many other activities that will assist you in meeting your career goals.
Have questions? Feel free to call **1-800-542-8227 ext. 2533** or **859-2533**

Report on Meetings & Events:

Egg Festival Committee Meeting scheduled for Thursday, March 10, 2011 at 5:30 pm in the Pittsfield Municipal Building Council Chambers. Egg Festival Planning is coming along extremely well with a core group of 16 people led by President Debra Billings. Fundraising completed by Debra has been very good with businesses contributing toward the Egg Festival with corporate sponsorships. The Egg Festival is looking at some new activities and bringing back more of the old favorites. All Chairperson positions for activities are filled except the following: Parade, Exhibit Tent and Publicity. The Committee is looking for energetic individuals with a special interest in organizing and setting up the parade; organizing and running the exhibit tent; and making sure that the publicity is addressed through all media outlets. Interested parties should contact Debra Billings at Cell: (207) 680-0646 or attend the next Committee Meeting on Thursday, April 14, 2011 at 5:30 pm at the Pittsfield Municipal Building Meeting Room.

Upcoming Meetings & Events

Joint Meeting of the Theatre Operations and Theatre Fundraising Committees on Thursday, March 17, 2011 at 6:00 pm in the Council Chambers to continue to discuss our fundraising projects tentatively scheduled as: Agenda read

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

ORDINANCE 11-04: (Public Hearing) The Town of Pittsfield hereby Ordains to accept all tax year payments of Richard Dodge, including interest and lien costs, for the property at 105 Bates Street (Map 032, Lot 053), the Town having acquired said property as a result of automatic foreclosure of a 2008 property tax lien, recorded in the Somerset Registry of Deeds on June 22, 2009 at Book 4151, Page 120, which matured on November 25, 2010. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to Richard Dodge.

No one wished to speak in favor or against Ordinance 11-04. Public Hearing closed.

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

The Town Manager noted Mr. Dodge has paid off his taxes through 2010 so that this parcel can be sold.

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

Town Manager's Report: Town Council Meeting of 03/15/2011:

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. Pothole Patrol: The Public Works Department is on a daily pothole patching detail due to the hard winter and spring weather. If anyone does come across a pothole on the town roads, please feel free to report it to the Public Works Department at 487-6942. People have been coming in about the State roads and the Town has been filing all the reports from citizens as well as those areas that we have seen. MDOT has been in Town 3-4 times now patching the potholes uncovering. Basically, a road can be patched and then generally 3 or more days after that, there is a new pothole down from where the road is patched.

3. Paving Listing: Obviously, we would like to pave this year. We know that cuts are likely to be coming to our revenue sources that come from the State in order to get the State budget under control, so we need to make sure that we can freeze enough of the budget to cover this. In the meantime, the roads have deteriorated. If you have any areas of roads that you would like to have paved, let me know by Friday, March 25, 2011.

4. 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.

5. Compliment on Public Works Snow Removal Operations: The Public Works Department was very pleased to receive a compliment the week ending 03/04/2011 from Pete Vigue here in Town. Pete called to compliment the Highway's streamlined process of removing snow effectively. He advised he has been watching other entities' operations and it is clear that the Highway Department works well together as a team and gets the snow removal done effectively and efficiently.

6. Pittsfield Earth Day 2011 Backyard Compost Bin Sale: Read Announcement

7. Trash To Treasure Re-Use Center: The Recycling Committee is pleased to announce the Opening of the new Re-Use Center on Peltoma Avenue in the former Veterans of Foreign Wars Building opposite the Transfer Station and Recycling Center. The facility will be open on Saturdays from 10:00 am – 4:00 pm effective April 16, 2011.

The volunteers have been down sitting up the shelving and using re-use materials to set up the building for operation.

8. Warsaw School Earth Day: We are pleased to announce that students from Warsaw School will be touring the Town's Recycling Center, Transfer Station, Wind Turbine and Re-Use Center on Monday, April 14, 2011 at part of an Earth Day Celebration at Warsaw School.

9. 2010 Maine Individual Income Tax Booklets: Read Announcement

10. 2010 Maine Residents Property Tax and Rent Refund Circuit Breaker Application: Read Announcement

11. 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. The State budget recommendation put out by the Governor will reduce SRS and make it an allocation each year to be voted upon by the Legislature rather than an entitlement program. Reviewing our legislative notices and bulletins will be very important this year. The Town's projected loss of revenue sharing is \$164,858 which we cannot absorb unless we freeze the 2011 Capital Budget minus the Fire Department allotment due to previous commitment and need.

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: The committee met on 03/09/2011. Talked in depth about the school tour set for 04/14/2011. Talked about Earth Day and the Re-Use Center. Talked about different ideas to incorporate the MCI Go Green Group. Talked about groups willing to work at the Re-Use Center, as well as items permitted for donation. I am looking forward to this Center. We have been planning it for years.

6. **NEW BUSINESS:**

RESOLUTION 11-25: Resolved that the Town Council permit Central Maine Power Company's overhead electric transmission line to cross the following Town Streets at points where Central Maine Power Company's transmission corridor intersects these streets: Dogtown Road, Madawaska Avenue, Crawford Road, Webb Road, Berry Road, Snakeroot Road and Johnson Flat Road.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 11-25 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 11-26: Resolved that the Town Council authorize the Town Manager to execute the Industrial Waste Services & Disposal Agreement with Waste Management

Disposal Services of Maine, Inc. for a term of thirty-six (36) months without a minimum or maximum tonnage requirement.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 11-26 be adopted.

The Town Manager noted the Town is currently contracted with PERC with a five (5) year contract. The contract with Waste Management Disposal Services of Maine, Inc., for disposal at Norridgewock, is for material, which the Town cannot take to PERC for any reason, which is acceptable at Norridgewock or in case of an emergency in which the Town was unable to haul to PERC for any reason. The Council was provided a copy of the standard Waste Management Disposal Services contract.

VOTE: UNANIMOUS AYE

RESOLUTION 11-27: Resolved that the Town Council approve Resolution 11-27 as recommended by the Town Attorney for the work required under the Efficiency Maine Trust Agreement.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 11-27 be adopted.

The Town Manager noted the Town issued an RFP for an Energy Retrofit Project & Solar Thermal Installation for the Municipal Building and Fire Station. The materials were in the 02/15/2011 Council Package. A copy of the bids received on the recent RFP issued by the Building Inspector was provided. The Town is unable to afford the bid from Nichols Construction which provides for additional work not foreseen or intended by the grant for items that the Building Inspector thought would be helpful to make the boiler and solar thermal project more energy efficient. The Town received an Alternate proposal, which more closely matches the requirements of the Efficiency Maine Trust Grant project.

Throughout the bid package, the RFP refers to the work contained in the Efficiency Trust Agreement and Grant Application which contains a project budget of \$96,225, therefore bidders were put on notice that this was a grant and that we had limited funds and was provided with the budget.

The Town Attorney has reviewed the entire RFP package and the results of the RFP. After reviewing the Efficiency Maine Trust grant and contract requirements, the Town Attorney recommends approval of the below listed Resolution.

The Town has limited funding and must start the project shortly in order to have it completed in time to use the grant funding.

The Town's Request for Proposals provides on page 2 under 6. that "The Pittsfield Town Council reserves the right to reject any or all quotations, to waive any technicality or formality in the quotations, and to accept any quotation which it may deem to be in the best interest of the Town."

Resolution Language Proposed by the Town Attorney:

Whereas, Pursuant to an Agreement to Purchase Services with Efficiency Maine Trust dated July 27, 2010, the Town of Pittsfield issued a Request for proposals for an Energy Retrofit Project and Solar Thermal Installation for the Town offices dated February 15, 2011 and

Whereas, the Town has received two responses to the aforesaid RFP, which were opened on March 9, 2011, but only one is within the Town's available funds.

Now therefore, the Council hereby rejects the quotation of Nichols Construction as in excess of available funding and accepts that of Yankee Solutions on its alternate design and price quote that are within the Town's funding based on said Efficiency Maine Trust Agreement.

I contacted Efficiency Maine Trust, which agreed with this approach to proceeding forward.

The Building Inspector also notified me that Yankee Solutions had determined when studying the RFP that the 5" of insulation could not be put into the Fire Station unless the roof was ripped off and we got a new roof. The Building Inspector was asked to check this out and he verified to me that it was correct. I reviewed the Nichols bid and they did not figure this out. That was why Yankee Solutions provided the alternate bid to fit into the project budget, which is what the RFP required.

VOTE: UNANIMOUS AYE

RESOLUTION 11-28: Resolved that the Town Council approve the bid specifications for the Sewer System Improvements, CWSRF No. C230142-03 and authorize the Town Manager and Assistant Water/Sewer Superintendent to seek bids for the same once approved by the United States Department of Agriculture (USDA) Rural Development (RD) and the State of Maine Department of Environmental Protection (DEP), incorporating all agency amendments.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 11-28 be adopted.

The Town Manager noted this is part of the \$3.4 million dollar loan and grant project that the Town received approval from USDA. (\$1.9 million loan and \$1.5 million grant). Due to the accumulation of over 30 years of sludge in the lagoon system and the cost to remove the sludge coming in at \$1.9 million dollars, the Town was going to have to borrow the funds to remove this material so that the Lagoon System will continue to function. We were fortunate to be approved for \$1.5 million dollars in grant funding for sewer infrastructure work given the condition of the Town's sewer system. Therefore, rather than borrowing the \$1.9 million for critically needed work, we were also able to receive \$1.5 million as grant funding for important rehabilitation work for the sewer system.

It will be 1-2 weeks before Olver Associates receives the review comments from DEP & RD. Once the review comments are received and the bid package approved by the Federal and State governments, the project will be advertised.

Olver Associates reports that the timetable and steps on this project are as follows:

Issue plans for review (done)
Receive and respond to any comments/Get permission to bid (from Town and agencies)
Advertise to contractors
Hold pre-bid meeting 2-3 weeks after advertising
Hold bid opening 3-4 weeks after advertising
Engineer reviews bid and issues letter of recommendation of how to proceed
Town/DEP/RD concur that contract should be awarded
Notify contractor and they get bonds and insurance certificates to the engineers
Hold contract signing and preconstruction meeting
Notify residents of upcoming work
Work begins, optimistically in late May.

The dates in the Bid book are blank now, as we do not know when the approval from USDA RD and DEP will happen and how long it will take to make any required changes. Once the approvals are received, the project will go out to bid. It would be advantageous to pick a bid opening date a week or more before a scheduled Council Meeting so that the contract can be approved.

The bid book is approximately 2” high, therefore, I copied the first pages. The entire bid book and plans are available at the Town Office and will be available at the Town Council Meeting if you would like to review them.

There was a short discussion regarding the different roads and streets involved in the project as well as some construction history.

VOTE: UNANIMOUS AYE

RESOLUTION 11-29: Resolved that the Town Council sign the Arbor Day Proclamation supporting community-wide activities (National Arbor Day is Friday, April 29, 2011) and Maine’s Arbor Day Week is the 3rd full week in May: Sunday, May 15 – Saturday, May 21, 2011)

Moved by **Councilor Stackhouse** and seconded by **Deputy Mayor Jordan** that Resolution 11-29 be adopted.

The Town Manager noted this is Pittsfield’s sixth Arbor Day Proclamation recommended by the Recycling Committee to the Town Council. A number of activities are being planned for this Spring culminating with our Traditional Spring Trash to Treasure (Re-Use) Day. Attached is our proposed proclamation.

VOTE: UNANIMOUS AYE

RESOLUTION 11-30: Resolved that the Town Council sign the Earth Day Proclamation supporting community-wide activities (Earth Day is Friday, April 22, 2011)

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 11-30 be adopted.

The Town Manager noted Earth Day celebration activities have been taking place for years in the Town of Pittsfield with a Council proclamation endorsed since 2003. Earth Day activities in Pittsfield generally take place during several days as the Recycling Committee and staff will go into the schools to talk to the students. Over the last few years, events have been combined with Arbor Day and/or Recycling-Reduce-Reuse events. The Town now promotes Earth Day activities throughout the month and all year long. Earth Day Activities this year will be focused on hosting the Warsaw Middle School classes at the Transfer Station/Recycling Center/Trash to Treasure Re-Use Center and Wind Turbine on Monday, April 11, 2011. The Recycling Committee and staff are quite excited about this wonderful opportunity.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial Reports as of 02/28/2011:

Budget Expenditure Report
Revenue Collections Report
Transfer Station/Recycling Monthly Report
Theatre Monthly Report
State Revenue Sharing Comparison Report
Excise Tax Collections Comparison Report
Personal Property Tax Collection Report
Real Estate Property Tax Collection
Tax Acquired Property Report

Other Reports as of 02/28/2011:

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

Self Explanatory – Not Reviewed

Updates:

1. Update on Water Projects:

Federal Stimulus Funding for Back-Up Water Pump: This project has been closed out by the Town with the purchase of the Chlorine Analyzer. Pay Req #5 was submitted and with the payment, the \$103,000 loan that ended up having forgiveness and 0% interest rate

From the federal government was totally spent and the Town has an original loan of \$72,100 with 1 year's payments being made.

Water Meter Replacement Automated Meter Reading (AMR System): All finished with the exception of 1 page of problems that we will need to decide how to address.

Drinking Water SRF for Waverly Avenue: This project is currently having the design finished, the environmental review has been completed and the road entrance permits have been applied for

Refinancing of Water Loan with Maine Municipal Bond Bank Issuance: The Re-financing

Package was completed and forwarded to the MMBB after the Town Council approved the order to re-finance. Pricing will take place on 04/26/2011, as this is an actual bond sale differing from all the SRF and CWSRF projects we have recently had which were from separate funds that were already funded at the State level and transferred to the MMBB. This is an actual bond sale.

2. Update on Sewer Projects:

Sludge Removal Project and Financing: The pre-construction/project meeting is scheduled for the second week in April. The contractor really wants to get going.

Sewer System Projects and Financing: I believe we have enough sewer and water projects in progress now.

Refinancing of Sewer Loan with Clean Water SRF Fund: This project was completed with the Merrill/Peoples' Loan paid off with the low-interest Clean Water SRF project funding.

It is projected that 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.

3. Water/Sewer Project Possibilities:

Income Survey for State and Federal Funding Opportunities: We may be able to utilize this data to apply for a CDBG Sewer project in an area with lower income that needs revitalization. It will be extremely competitive as the Block Grant funding is being reduced to all of the states.

8. **REPORTS:** Audience, Council

Audience: None

Council:

Councilor Baker: Absent

Councilor Carr: None.

Councilor Bradshaw: Suggested talking to Gene Taylor about issues we are seeing on Cianchette Street.

Deputy Mayor Jordan: None.

Councilor Curtis: None.

Councilor Stackhouse: Asked about drop off times for items at the Re-Use Center. Mayor Nichols stated right now it would be during business hours. Some people will be bringing things to the Transfer Station, like electronics and such to be looked over before offering them at the Re-Use Center. It is still a work in progress right now.

Mayor Nichols: None.

9. **ADJOURNMENT:**

Motion by **Councilor Stackhouse** and seconded by **Councilor Curtis** that the meeting be adjourned at 8:40 p.m. All in agreement.

Nicole Nickolan, Town Clerk