

MINUTES

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

PRESENT: COUNCILORS: Mayor Tim Nichols, Robert Stackhouse, Caleb Curtis, Deputy Mayor Gary Jordan, Jr., Donna Chale, Christopher Carr and Louise Baker. **ABSENT:** None. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Donnie Hallenbeck, Janet Sanborn, Jeff Lary, Brandon Lary, Linda Lary, Emily Seekins, Spencer Seekins, Chris Cousins 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 held on August 17, 2010.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that the minutes of the regular meeting held on August 17, 2010 be adopted.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events

Upcoming Meetings & Events:

Healthy Living Annual Meeting scheduled for Tuesday, September 14, 2010 from 9:00 am – 1:00 pm at the Palmyra St. Martin's Episcopal Church. Please advise if you would like to attend.

KVCOG 43rd Annual Meeting scheduled for Wednesday, September 29, 2010 from 5:00 – 8:00 pm at the Waterville Elks Lodge: Please advise if you would like to attend.

Reminder on Egg Festival Committee Meetings: 5:30 pm at the Pittsfield Municipal Building Council Conference Room on the second Tuesday of the following months, unless otherwise announced:

October 12, 2010
November 9, 2010
January 11, 2011
February 8, 2011
March 8, 2011
April 12, 2011
May 10, 2011
June 14, 2011
July 5, 2011
July 12, 2011

If a Special Council Meeting is scheduled for any of these dates, the Egg Festival Committee Meeting will take place in the Municipal Building in another room.

New Businesses:

The Natural Living Center is coming to Pittsfield to the Somerset Plaza. The new store will be affiliated with the Natural Living Center in Bangor and then branch off on its own. Steve Long will be the new Manager and he is working on sitting up the store now after signing the lease last week. More details to follow. This is great news.

Congratulations to Central Maine Golf Carts, which has opened on Waverly Avenue across from the Pinnacle.

We would also like to welcome M & M Farms B & B, which is opening at 188 Canaan Road. The owners have been working on this project for a few months.

As we get ready to embark upon marketing the Industrial Park Expansion, I thought it would be fitting to commend the businesses in the Industrial Park for providing employment for our residents and the citizens of many neighboring towns. Our current Industrial Park was built in 1976. There are 10 lots with 9 buildings. There also is a propane site, which allowed a business to expand. All buildings are in operation. The speculation buildings built by the Town in the late 1980's – early 1990's are either sold or have long-term lease-purchase agreements. The valuation of the Industrial Park exceeds \$7 million dollars and the real estate/personal property taxes generated exceed \$166,000. With the employees of the businesses purchasing gas, buying sandwiches and frequenting local businesses, there is an indirect effect, stimulating the community's local economy.

The Industrial Park Expansion Project consists of 6 new Industrial Park lots on 28 acres of property. The Expansion abuts the current Pittsfield Industrial Park. The expansion is situated easterly of Industrial Park Drive, southerly of Somerset Avenue and northerly of the railroad lines. The project is located .20 miles from the Interstate. The main access road is off Industrial Park Drive. The project should be finished in October 2010. We will stake out the lots with numbers and bring in a proposal regarding pricing.

These 6 lots, ranging from 2.1 to 4 acres in size, have the ability for the company which purchases a lot to receive tax increment sharing in which a % of the taxes are returned to the business to pay their debt service for lot development, use for lot infrastructure and other needs. We already have approval from the Department of Economic and Community Development for use of our standard agreement. Obtaining state approval ahead of the time, which is a multi-month process, is beneficial as we will not have to rush to obtain approval when a business is interested because we already have that designation. It can certainly be used as an asset in marketing. Any tax sharing would be subject to the approval of the Town Council and be dependent upon the extent of the development and number of jobs created.

Certificates of Appreciation:

Debra Billings, President of the Central Maine Egg Festival for all of her dedication and hard work on the 2010 Egg Festival.

Central Maine Egg Festival Committee for all of their dedication and hard work on the 2010 Egg Festival.

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

Unfinished business from 08/17/2010 Town Council Meeting:

RESOLUTION 10-77: Resolved that the Town Council determines that ATV travel within the public way of Bean's Corner Road may be conducted safely and will not interfere with vehicular traffic on the public way as long as the ATV use is on the side of the roadway; that the Town Council hereby designates an ATV access route on the .70 mile of the Bean's Corner Road between the Hartland Town line being the section of the roadway owned by the Town of Pittsfield that lies between the Notch Road and the Fuller Corner Road; and that the Somerset Ridge Runners ATV Club will be responsible for proper signage for the section of roadway that lies in Pittsfield.

Mayor Nichols noted this resolution did not pass at the last Town Council meeting, as there were not enough votes. A quorum did vote upon the issue, however, 4 votes were not realized.

This item simply did not have enough votes either way to pass or fail, so it is undecided.

Mayor Nichols stated he needed a motion to suspend the rules. This motion requires 5 votes and then the issue can be discussed.

Moved by **Councilor Curtis** and seconded by **Deputy Mayor Jordan** that the rules be suspended.

VOTE: UNANIMOUS AYE

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** to discuss Resolution 10-77.

VOTE: UNANIMOUS AYE

Councilor Chale stated that since the last meeting, in which she abstained, she has spoken to some people regarding this issue. The main concern seems to be that this access route will be used by people that come over from the Ford Hill road as a connection between the two trails. The trail on the Ford Hill Road is a snowmobile trail. Can you assure me this will not happen?

Spencer Seekins, Trailmaster for Somerset Ridge Runners, stated that this access route would only be for local access only, not a connection for two trails. It will be marked as a dead end access route. The signs will state that this access route is for people who live on this road and their guests. It does not connect two trails.

Council Chale asked if snowmobiles would be able to use this access route. Mr. Seekins stated they would not, it is for ATV use only.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** to adopt Resolution 10-77.

Mayor Nichols took a role call for the vote on this issue.

**VOTE: STACKHOUSE/CURTIS/NICHOLS/CHALE/CARR – AYE
JORDAN/BAKER – NAY
RESOLUTION PASSES**

Jeff Lary wanted to thank everyone. I know this was a long drawn out process. I hope we can all be good neighbors in this. I hope there are no problems. But if there are please feel free to contact us. Spencer Seekins stated he can be contacted with any questions. The easiest was to do that is through the Somerset County Ridge Runners website.

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

Town Manager's Report: Town Council Meeting of 09/07/2010:

1. The FYI Folder: FYI Folder which contains items that come in between the Town Council Meetings has the following this evening: None.

2. Home Foreclosure Assistance: Consumers can now get aid to avoid home mortgage foreclosure. Notice Read.

3. Town Workers' Compensation Rate: We are pleased to report that the Town's Workers' Compensation Experience Rating has been decreased to .84, which is a risk that is below normal. This good rate should help with workers' compensation costs for the next year.

4. Airport CIP: The Pittsfield Municipal Airport's Capital Improvement Plan includes the following projects:

2010 Storm Water Pollution Prevention Plan (SWPPP), Fencing Plan, Runway Costs - \$30,738

2011 EA for Apron, Wetland Analysis & Permitting - \$100,000

2012 Design & Construct Apron Expansion – \$675,000

2013 Airport Master Plan Update - \$150,000

2014, 2015 and 2016 are up in the air – may have Wildlife Fencing depending upon the Fencing Review.

Due to the lack of available hanger space at the facility, the Town has submitted a request for a T-hanger roughly 54' X 189' that can house 8 planes in separate bays each with their own door. There is currently a shortage of hanger space in Central Maine.

At this time, all airport grants require a 2.5% match on the Town's part. We have been using funding for our 2.5% match from the Airport Reserve set up years ago.

5. Water/Sewer Services: With over 60 miles of water and sewer pipes and

approximately 700 gate boxes, 1400 service boxes, 500 manholes and 10 sewer cleanouts, the Water and Sewer Department can be kept quite busy. If anyone notices a manhole or box sunken or heaved in the roadway, please call Assistant Water/Sewer Superintendent Scott Noble at the Water/Sewer Garage at 487-5203 listing the road and approximate location. With literally hundreds of these items in the roadway and the difficult winters we are having now, a few of them are going to shift out of place.

6. 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.

Finance Committee: None.

Ordinance Committee: None.

Recycling Committee: None.

6. **NEW BUSINESS:**

RESOLUTION 10-92: Resolved that the Town Council approve the RFP for power line tree trimming and authorize the Town Manager and Public Works Foreman to issue an RFP for said work.

Moved by **Councilor Curtis** and seconded by **Deputy Mayor Jordan** that Resolution 10-92 be adopted.

The Town Manager noted last year, the Town staff embarked upon a team project to cut a portion of the growth under the power line that lies between the Transfer Station and the Water Treatment Facility. We had found that the Town owns this power line due to arrangements made back in the late 1990's. The power line needed trimming, therefore, several departments performed the work under the supervision of the Safety Coordinator after CMP inactivated the power line.

Two items need to be addressed:

1. Either the Town staff needs to complete the ground brush cutting again due to the growth or a contractor needs to be hired to complete this work. If the Town staff completes the work, the gradall/bushhog will be of assistance, however, the larger diameter trees need to be cut and dragged out of the way first. This would be done in fall when it is cooler. It is recommended that we put this out to bid to determine what the cost would be for a contractor.
2. The tree trimming of large branches close to or hanging over the power line needs to be completed by a qualified tree trimmer due to their size and location. This work can not be completed by town staff.

VOTE: UNANIMOUS AYE

RESOLUTION 10-93: Resolved that the Town Council waive the Regulation of Bid and Contracts (Section 106 of the Administrative Code) and authorize the Town Manager to sign the Town's Standard Agreement Form with Olver Associates for engineering work to include design and inspections to not exceed \$44,000 for the Waverly Avenue Main

Replacement Project on the Drinking Water Primary List for funding from the State Revolving Loan Fund.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that Resolution 10-93 be adopted.

Deputy Mayor Jordan asked how this \$44,000 would be paid for, it is a lot of money.

The Town Manager noted the Town Council received materials regarding this project approved for submission and funding through the Ordinance approved for Drinking Water Projects on October 06, 2009 and approved to proceed forward for funding under the Drinking Water State Revolving Loan Program. On May 18, 2010, the Town Council approved proceeding forward with the project when requested by the State of Maine to make a decision on whether to proceed or not with the project.

In order to complete the project, the Town needs to submit the application to the State Revolving Loan Fund for approval for funding. To do this, we need the technical or engineering information completed on the application form by Olver Associates. I will complete the financial information sections. This program does not require a standard agreement form from the State and last time with the Back-up Water Pump Project, the State accepted the Town's Standard Agreement Form. I have added to the agreement that if for some reason the Town does not receive final approval from the State for funding from the Loan Fund that the agreement with Olver Associates will be void upon notification to the company and we will be responsible only for the costs incurred through the notification date. The cost of the engineering which is \$20,000 for design and \$24,000 for inspections were costs submitted as part of the Drinking Water State Revolving Loan Fund Application process back on October 13, 2009 and were available as part of the information package for the approval of the Ordinance to authorize the funding approved by the Town Council. I have placed in the contract the wording to not exceed these figures, therefore, in the possibility that less hours are utilized, then we will pay less.

We discussed attempting to complete this project without a water rate increase. If we are able to re-finance the large Water loan that the Town took out for the Treatment Plant/Grove Hill, then we would have a better chance to be able to accomplish this unless current circumstances change such as a major water user discontinuing use or lowering use substantially. The first issuance of the Maine Municipal Bond Bank that the Town would be eligible to submit an application for this project would be the Spring 2011 issuance.

The Town Council received a copy of the Town's standard agreement form for this project.

Deputy Mayor Jordan asked if Olver Associates had been paid for any of this work as there were illustrations in the package. The Town Manager noted that they have done some work, but were not paid for it. It is part of the process. Some of the work has to be done to apply to determine eligibility. It is a risk they take.

Deputy Mayor Jordan stated that he felt \$44,000 is too much money for drawings and inspections of this project.

Councilor Carr asked if this was not approved would it go to bid? The Town Manager stated that at this late date, seeing that they are the engineers on record, this would not be able to be bid out.

Councilor Chale noted that in numerous places in the proposal it states that the water rates would increase. Seeing that we were refinancing the loan, it was anticipated that rates would not increase further. We have already increased rates quite a bit. The water rates were low, but we have brought them up to an average. It is not anticipated that by the work that is being done that rates will increase? The Town Manager stated that is not anticipated if we can refinance the loan. The Town Manager noted that when we discussed this, it was clear we do not want an increase.

VOTE: UNANIMOUS AYE

RESOLUTION 10-94: Resolved that the Town Council approve the payment of the monthly disbursements in the amount of \$180,841.52 (July 2010) and \$180,841.54 (August 2010 – June 2011) to SAD #53 for its fiscal year beginning July 1, 2010 and ending June 30, 2011 for a fiscal year total of \$2,170,098.46, which represents the Town of Pittsfield's share of SAD #53's local appropriation funds.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Baker** that Resolution 10-94 be adopted.

The Town Manager noted each year the Town has approved the payment of the SAD #53 assessment and the weekly payrolls in accordance with the warrant system. The Council had processed the warrant approvals back in January of 2010. These are the other two motions that are approved after the SAD #53 assessment is set by the school.

VOTE: UNANIMOUS AYE

RESOLUTION 10-95: Resolved that the Town Council approve the payment of weekly payroll checks in accordance with the following accounts: Personnel Services (01-05 Regular; 01-10 Overtime; 01-15 Part-time; 01-20 Supply Operation; 01-25 Supply Maintenance; 01-30 Distribution Maintenance; 01-35 Customer Accounts; and 01-40 FICA).

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Chale** that Resolution 10-80 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 10-96: Resolved that the Town Council adopt the Budget Calendar for the 2011 Budget Process.

Moved by **Councilor Curtis** and seconded by **Councilor Chale** that Resolution 10-96 be adopted.

The Town Manager noted the Town Councilors received a copy of the Town's regular budget calendar that has worked well in the past. If we are able to process the reviews

listed at the Regular meetings and have time available, we would continue with budget items, thereby deleting Special meetings.

Our regular budget goals are budgeting for the exact items, increases due to fixed costs, CMP, etc. have worked well in the past.

Regarding pay, are we interested in putting in any raises this year or leaving the pay as is due to the economics?

See chart for amounts:

1% pay increase for regular positions, including W&S = \$10,275 + WC

2% pay increase for regular positions including W&S = \$20,550 + WC

3% pay increase for regular positions including W&S = \$30,826 + WC

In addition, if Councilors have specific projects or items that they would like to see reviewed for the budget process such as (1) road projects or bonds and (2) recreation fees - this would be the meeting to list them out so that the staff can review and provide information for an alternate to the general budget.

In addition to the effects of the nation's economy, the Town will need to prepare for the effects of future state cuts to revenue sources as the State needs funds to help address its situation.

The Councilors will think about these issues and let the Town Manager know if they have specific opinions.

VOTE: UNANIMOUS AYE

RESOLUTION 10-97: Resolved that the Town Council proclaim November 8 – 15 as Maine Recycles Week for the Town of Pittsfield.

Moved by **Councilor Chale** and seconded by **Councilor Stackhouse** that Resolution 10-82 be adopted.

The Town Manager noted this is a yearly proclamation.

VOTE: UNANIMOUS AYE

RESOLUTION 10-98: Resolved that the Town Council sign the Application for Special Permit for Catering Privileges Off Premises for a wedding reception to be held 09/18/2010 at Along the Lake Resort, Inc by Millennium Weddings, Inc.

Moved by **Councilor Stackhouse** and seconded by **Councilor Chale** that Resolution 10-83 be adopted.

The Town Manager noted this is a State application which the Town Council needs to approve.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Updates:

Sibley Pond bridge project and boat launch:

The Department of Conservation met with a representative of the Sibley Pond Resort, the business property abutting the Sibley Pond, the Building Inspector and Town Manager to discuss funding alternatives/ideas for use of the property and so forth after MDOT's public hearing on the Replacement of the Sibley Pond Bridge on Monday, 08/23/2010 at 6:00 pm at the Pittsfield Municipal Building. Both meetings were very informative.

At the public hearing, we learned a bit about the Design-Build Plans and some basic sketches were available. Regarding the boat launch, the State has indicated that they will leave something equal to what we have now, which is public access to Sibley Pond when the Bridge is completed. The State has also noted that there will be public access during the Construction process.

There are a number of places around the bridge to explore to see where a limited public access/boat launch would be placed. The Department of Conservation is going to review the plans to see if their funding can be utilized.

We are also going to work with the property owners to see how the Sibley Pond Resort property can be utilized so that it can be sold. The Building Inspector is looking at the different type of uses and will help the owners figure out which permits are needed. This is property that is located by the water with grandfathered buildings. It is a beautiful property, which has a little beach.

Highway projects:

Small Paving Projects:

The bids ranged from \$84.00/ton to \$92.50/ton. The low bidder was TR Ginise Paving from Monroe.

With the estimated tonnages that we provided, the cost is over the funding approved of \$27,000 so we will reduce the scope to meet the budget. We are paving a small area on Webb Road just past its intersection with Crawford where it is very bumpy and a small area on Bean's Corner Road, which is full of patch due to potholing.

Grader Patching Projects:

In reviewing the Bean's Corner Road and Snakeroot Road by the Interstate with the Public Works Foreman, we are going to complete a couple of paving jobs with the grader.

This September, we plan to spread either hot top or cold patch with the grader out along a small area on the Bean's Corner Road with the grader. If we use hot top, we will need to rent a small roller too.

We are going to try to spread some reconstituted pavement with the grader in a test area on the Snakeroot Road between Taylor and Route #100. We will try this in a couple of places where the road has sunk in. Then we will see how it holds up. We have done this in my prior community, it kept for several years until we could pave, however, the quality of the mix was better then.

These are the two roads that the engineer has recommended rebuilding due to their condition.

Bushhogging:

Public Works continues to work at bushhogging along the rural roads. If you have any areas who would like cut, let me know after the meeting.

Water and Sewer projects:

Radio Meter Installation Update: Currently there are 33 large meters that still need to be replaced and 30 5/8 meters which need to be replaced that either have plumbing issues or no curbstop.

Clean Water State Revolving Loan Re-Financing of Past Sewer Debt: We are now approved to go forward with a re-financing of this loan to lower the interest rate from 3.9020% to 1.0 – 1.5%. However, using the on-line amortization charts and calculating the cost for legal fees and advertising (without labor/my time) does not show much savings. I asked the MMBB to run the numbers just to check because perhaps the on-line chart does not work with re-financing. It does work well in calculating future loans.

Grants Update:

New Grants:

Airport – Stormwater Drainage Study, Security Study and Reimbursement for FAA bill: This grant was approved, the paperwork was received and forwarded back to the FAA. We have received the MDOT agreement, signed it and it has been encumbered already.

Economic Development Administration Grant: Pittsfield Industrial Park Expansion – The project is well underway. We received our second Pay Requisition from the Contractor. Both requisitions have been processed and forwarded to EDA by KVCOG. We still have not received any funding for the contractors to be paid. Hopefully, funding will arrive shortly. Multiple phone calls following up on the funding have been made.

Ken-Som Transition Team/KVCAP Grant for Regional Job Fair – this project was completed on 05/26/2010 and we are awaiting funding.

L&W Conservation – Hathorn Park: The Town has received the encumbered contract for funding so the project has started. This involves replacement dugouts, repairs to the fencing and work at Legge's Field as well as renovation of the Basketball Court. This grant is Phase I of the Legge's Field Sports Complex Grant. The project is underway through donations. At the next Town Council Meeting, we will have a request for approval of bid specs for the fencing and the pavement by the dugouts/buildings.

PUC Energy Efficiency: Block Grant to Towns: The PUC has issued its list of projects and the Town of Pittsfield's Energy Efficiencies for the Municipal Building including an energy efficient boiler for part of the Town Office; solar thermal panels for

the roof; show volunteers how to weatherize the Town Office better & review the Town Ordinances to encourage alternative energy sources. The PUC received a lot of the Custom Applications. Our project was approved for the requested amount of \$84,025. We filed our first report on this project. Have requested a contract several times and have not heard back yet. This will be a project for next year.

Riverfront Community Development Grant: Need to develop bid specs for the paving of the parking lot and skate rink area. I started this, however, the book is over 1 inch thick of requirements for this project. The Public Works Department has finished the bird watching blinds and now will start the fishing platforms which are part of the Riverfront Grant project. We already completed a lot of the renovation work including the parking lot, some trails, boat launch and the skating rink last year. It is anticipated that we will put the paving out to bid during the winter (along with the Hathorn Park Basketball Paving) to try to get better pricing.

Sewer Replacement including Sewer evaluation study with Camera Work, Dye Test/Smoke Test and Report: Approved by the USDA for \$1.5 million dollars. The grant funding will be used for the bills that are submitted after we spend down the \$1.9 million dollar loan. So it will cover parts of both sludge removal and sewer work.

Grants waiting to be closed:

Law Enforcement Bryne Federal Grant: Radio Equipment: Received federal government funding and we filed the final financial report. Waiting for the grant to be closed out.

8. **REPORTS:** Audience, Council

Council:

Councilor Baker: None

Councilor Carr: None

Councilor Chale: None

Deputy Mayor Jordan: Looking into getting the lights fixed up on the hill at the Pinnacle. We are looking to get 8 lights working. S unit had been ordered to see whats working. Are hoping to offer night skiing for adults. Will be doing some bush hogging on the hill this fall. Work needs to be done on the skating rink. Glad to see the MCI film crew back. Councilor Jordan asked about the curfew in Town, and that we make sure it is being enforced. Main Street was pretty wild this weekend as well as the area at the head of Manson Park, by the Friend's building and Lancey Street. There was a lot of hooting and hollering and kids getting drunk and buying drugs. It could have gotten pretty messy. Also, still having issues with 4-wheelers going up the street around 10 PM. Don't recognize the people on them, may just be someone who is driving through Town. Councilor Curtis stated he had a gentleman come in to the airport recently asking how to get through Town with an ATV. So there are people in the area going through Town that don't know how to find all the trails. Councilor Curtis stated he referred the to the Ridge Runners for assistance. Don Hallenbeck stated there used to be a trail created by Cianbro behind the cemetery.

Councilor Curtis: None

Councilor Stackhouse: Our neighbor passed away in June. The family asked us to clean out the home. We found Town reports dating from the 1930 – 1980's. We will bring them to the Town Office. There were also some Trumpets and MCI materials found. Councilor Stackhouse wondered if this was something the Historical Society may want.

Mayor Nichols: Was sad to hear that the Fairfield Town Manager passed away suddenly. Dwight Dogherty will be covering the position in the interim. If the economy ever turns around – even if it's a one shot deal like a bonus – I would like to do something for the employees. They should be rewarded for hanging in there. If it is possible I would like to see them get a raise this year. Wanted to thank Deb Billings for all her hard work at the Egg Festival. Also, welcomed new businesses Town.

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