

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, October 4, 2011 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Bob Stackhouse, Deputy Mayor Gary Jordan, Jr. and Christopher Carr. **ABSENT:** Caleb Curtis and Louise Baker. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Don Hallenbeck.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**. The Council observed a moment of silence.

It was noted that Mayor Nichols would be voting tonight to make a quorum.

2. Adoption of minutes of the regular meeting held on September 20, 2011

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Carr** that the minutes of the regular meeting held on September 20, 2011 be adopted.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events

New Business Certificate(s):

Ribbon Cutting Ceremony at Noon on Thursday, 10/13/2011 for Seabrook Valley Work Health, a new affiliate of SVH at 125 Main Street providing Occupational Health and Wellness Services. Anyone who would like to attend is welcome to greet a new business on Main Street.

Report on New Business Activity & Opportunities in Pittsfield:

1. 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?

An Employment Support Specialist from the Kennebec Valley Community Action Program is available through a grant obtained by KVCAP. 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 to assist you in meeting your career goals -call **1-800-542-8227 ext. 2533 or 859-2533 to schedule an appointment with the Employment Specialist in Pittsfield at the Pittsfield Municipal Building or Pittsfield Public Library.**

2. Marketing for the Industrial Park Expansion:

We have a new marketing pamphlet, spec sheet and map for the Pittsfield Industrial Park Expansion that we will be showing to different businesses to see what they think and for suggestions on changes if any, prior to placing the forms out on the internet and distributing them. We also need to close out the grant, which is moving slowly toward completion.

Upcoming Meetings & Events

Recycling Committee
SVCC Strategic Planning Committee

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

Town Manager's Report: Town Council Meeting of 10/04/2011:

1 Maine Municipal Association Dividend Check: The Town received \$1,801 from the Workers Compensation Fund Insurance pool as a result of a good loss experience and our loss prevention programs.

2 Waverly Public Works and Water/Sewer Yard Major Clean-up Project:

The Departments, with the assistance of our Safety Coordinator, Donnie Chute, are cleaning up the back acreage down off Waverly Avenue. All equipment parts, equipment and other items that are not going to be used by the departments has been hauled off for scrap metal resulting in a payment of \$1,524.60. This week, the departments are hauling off all the wood products out on the back acreage and that material will be disposed of properly. Last month, the Water staff filed disposition paperwork and hauled off all the old water meters with the Town receiving a check for scrap metal for \$2,553.60.

3 Nightmare on North Main Street: The Steeves will host their annual Halloween event at 251 North Main Street from 6:00 pm – 11:00 pm on October 28, 29 and 31. Cash and non-parishable food items are accepted. There will be candy for the children on October 31. Donations will benefit the Pittsfield Community Theatre and the Pittsfield Community Food Bank. The Steeves have about 35 volunteers to help them hold this annual fun event that is also a fundraiser.

4 Greater Pittsfield Area Kiwanis Challenge to the Theatre: We are happy to report that the Pittsfield Community Theatre Fundraising Committee raised \$5,201.05 and the Greater Pittsfield Area Kiwanis Club matched the fundraising effort gifting the Theatre

campaign with \$5,201.05 which was wonderful. The Theatre fundraising group has \$48,205.89 in cash now toward the project.

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: No Report.

6. **NEW BUSINESS:**

ORDINANCE 11-10: (To be set to Public Hearing on 10/18/2011) That the Town Council hereby Ordains that Chapter 2B General Assistance Ordinance, Appendices A, B, and C be rescinded and the new Appendices A, B, and C be adopted to reflect the revised maximums for the period of October 1, 2011 to October 1, 2012.

Moved by **Councilor Stackhouse** and seconded by **Councilor Carr** that Ordinance 11-10 be set to Public Hearing on 10/18/2011.

The Town Manager noted each year the Maine Municipal Association conducts a review to determine if the maximum allocations for basic necessities should be increased due to the federal poverty levels and the state-wide and/or county-wide conditions. The new Appendices for the next year have just one change from 2010-2011, which is a slight increase in the GA Overall Maximums for the month. All basic necessities are the same levels as the prior year.

VOTE: UNANIMOUS AYE

ORDINANCE 11-11: (To be set to Public Hearing on 10/18/2011) That the Town of Pittsfield Town Council hereby ordains the Hathorn Park Revitalization: Legge's Field & Sports Area, Phase II to include essential components of the sports facilities at the park on the following terms:

1. The Town Council hereby authorizes the expenditure of up to \$50,000 for this project, such amount to be funded from (a) donations and in-kind work; and (b) state and/or federal grant funds, including grants pursuant to the Land and Water Conservation Fund Act, Public Law 88-578, subject to the \$50,000 total expenditure limitation.
2. The Town is hereby authorized and empowered to borrow money, from time to time for a term of up to one year, in an amount not to exceed \$25,000 at any one time outstanding, in anticipation of the collection or receipt from the grant of such federal or state aid, or both, to pay costs of such project, by the issuance of negotiable general obligation grant anticipation notes of the Town, which Notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by at least a majority of the Town Council, with such dates, maturities, denominations, interest rate(s) and other details as the Town Treasurer shall determine.
3. This Ordinance shall take effect 30 days after its adoption.

Moved by **Councilor Stackhouse** and seconded by **Deputy Mayor Jordan** that Ordinance 11-11 be set to Public Hearing on 10/18/2011.

The Town Manager noted the Town has had several Land & Water Conservation Fund Grant Projects. The latest project nearly completed is Phase I of the Hathorn Park Sports Area. This area of the park dated back to the 1950's with renovations in the 1970's. The projects that have been completed are (1) renovation of the basketball court to include new gravel and new pavement; and (2) renovation of Legge's Diamond area.

Obviously, there is a lot to do. The project required phasing due to the cost and the match as the Town will be utilizing mostly donated assistance, in-kind donations, and public works force account for its match.

Phase I was for a total project of \$50,000, which involved \$25,000 grant funding request. As the Town is required to provide a 50% match, this was a manageable grant application. Phase II will also be for \$50,000, which will involve \$25,000 in grant funding if, awarded.

Phase II will be the final phase of the project as it has been going along very well. Phase II will include renovation and/or revitalization of (1) small playground area including pathway and safety fencing; (2) storage building; (3) gazebo structural and electrical upgrades; and (4) log fencing replacement. The project may also include parking area improvements, concession and restroom renovation. The Town will have a federal review in October 2011 prior to the approval of the Ordinance which will define the exact projects that will be eligible.

Other required approval motions will be on the 10/18/2011 agenda such as project certification; committee establishment; and approval to file application.

This is the required language for the Town's approval to proceed forward. The Town is required to be able to show that it can provide for the ability to finance the project as one of the requirements of the grant award.

VOTE: UNANIMOUS AYE

ORDER 11-05: Ordered that the Town Council amend the Town of Pittsfield Fee Schedule to add an annual permit fee of \$15.00 pursuant to Chapter 13 Zoning Ordinance, Section 4. Performance Standards, B. Specific Requirements, Subsection Animals 3. for the raising of female chickens.

Moved by **Councilor Carr** and seconded by **Deputy Mayor Jordan** that Order 11-05 be adopted.

The Town Manager noted the newly enacted Performance Standards for the raising of female chickens requires an annual permit fee be established by Order and revised as needed from time to time.

The Town Council received a copy of the Building Inspector/Code Enforcement Officer's recommendation for the annual permit fee. The fee would be added to the Town's Fee Schedule.

The Code Enforcement Officer recommends \$15.00 as a reasonable fee. The cost to go to the site would be much more but the question is how much could you really charge that would encourage rather than prevent people from filing for this zoning ordinance amendment.

After some discussion, the Councilors all felt that the licensing fee needs to cover the expense of the initial inspection. The first inspection would be most intensive, where renewals would not take as long. The Council amended the Order as follows:

ORDER 11-05: Ordered that the Town Council amend the Town of Pittsfield Fee Schedule to add an annual permit fee of \$37.00 for initial applications and \$15.00 for a renewal application pursuant to Chapter 13 Zoning Ordinance, Section 4. Performance Standards, B. Specific Requirements, Subsection Animals 3. for the raising of female chickens.

VOTE TO AMEND: UNANIMOUS AYE
VOTE AS AMENDED: UNANIMOUS AYE

RESOLUTION 11-112: Resolved that the Town Council authorize the Town Manager to execute the contract with the Maine Department of Transportation (MDOT) for the project of Environmental Assessment and Permitting for Apron Expansion at the Pittsfield Municipal Airport under Airport Improvement Program (AIP) Project No. 3-23-0036-12-2011 for grant funding to not exceed \$2,925.00 as the State of Maine's 2.5% share of the project.

Moved by **Councilor Carr** and seconded by **Councilor Stackhouse** that Resolution 11-112 be adopted.

The Town Manager noted this approval is for the execution of the contract with the Maine Department of Transportation for the Town to receive grant funding for 2.5% of the cost of the project.

The Project includes the following components:

1. Preparation of Environmental Assessment;
2. Permitting (Maine Department of Environmental Protection Natural Resources Protection Act permits, associated Army Corps of Engineers programmatic general permit and Stormwater Management Law Permit Application. This will include a Natural Resource Delineation; Vernal Pool Survey; Summary Resource Report; Mitigation plan; and Rare, Threatened or Endangered Wildlife Species/Rare, Threatened or Endangered Botanical Species Survey); and
3. Preliminary Grading and Drainage Design

The Town has received a federal grant for 95% of the grant project cost in the amount of \$111,150.00, which requires a 2.5% match from the MDOT of \$2,925.00 and a 2.5% match from the Town of Pittsfield of \$2,925.00. The Town has its 2.5% match in the

Airport Reserve Account. The Town had saved funds for many years in the Airport Reserve Account in order to pay for the enhancements at the Airport over the last several years.

VOTE: UNANIMOUS AYE

RESOLUTION 11-113: Resolved that the Town Council authorize the Town Manager to execute the contract for professional engineering services for the project of Environmental Assessment and Permitting for Apron Expansion at the Pittsfield Municipal Airport under Airport Improvement Programs (AIP) Project No. 3-23-0036-12-2011 between the Town of Pittsfield and Hoyle, Tanner & Associates (HTA) after FAA and MDOT approval in an amount to not exceed \$107,900.

Moved by **Councilor Stackhouse** and seconded by **Councilor Carr** that Resolution 11-113 be adopted.

The Town Manager noted the consultant would be paid up to \$107,900 for the work needed to prepare for an apron expansion at the Pittsfield Municipal Airport.

VOTE: UNANIMOUS AYE

RESOLUTION 11-114: Resolved that the Town Council Sign the Warrant to Call the MSAD #53 School Budget Meeting.

The Town Manager noted this item could be passed over.

RESOLUTION 11-115: Resolved that the Town Council Appoint Nicole Nickolan as Warden and Cammie Jemery, Tonja Lary and Emmalee Reed as Deputy Wardens for the November 8, 2011 Referendum Election and the Municipal Election.

Moved by **Councilor Carr** and seconded by **Councilor Stackhouse** that Resolution 11-115 be adopted.

The Town Manager noted this is a yearly motion. This year, we do not have to change the date of the Council Meeting as the Election is not the same night.

VOTE: UNANIMOUS AYE

RESOLUTION 11-116: Resolved that the Town Council Approve the opening of absentee ballots on November 8, 2011 at 10:00 am and 3:00 pm for the November 8, 2011 Referendum Election and Municipal Election.

Moved by **Councilor Stackhouse** and seconded by **Councilor Carr** that Resolution 11-116 be adopted.

The Town Manager noted this is a yearly motion.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Updates:

Highway Projects: A section of Main Street by the Friends property has been reconstructed. The paving company is scheduled to pave this week so Public Works has put in the ADA ramps to the corner, which is why we had not connected the sidewalks previously. The Friends requested that their driveway remain so we are matching the pavement at that corner.

In addition to regular daily duties, Winter Sand needs to be hauled which is a two week process, as well as more ditching, extensive brush cutting, airport clearing once the ground freezes and work on the Town's grants. Everything is done at Hathorn except installation of the small bleacher by the Basketball Court. The Parks & Recreation (Manson Park Committee) has the stenciling on order for the basketball court.

The Riverfront Grant has more to install as well as brush cutting and trail clearing. Public Works has installed several new features at the Pinnacle, paid for by the CDBG Riverfront Grant – 3 picnic tables, bike rack and a display case for maps and Pinnacle information. They now have some trail and brush work and work to the skating rink. We also need to install a couple of pieces of skateboard park equipment.

Water & Sewer Project: Sewer Rehabilitation goes slowly on the cross country route from Manson Park up Nichols Street. The project is going well, just slowly.

Waverly Street Project has hit fractured ledge. ETTI is having trouble drilling in the location that was planned due to loss of air in the fractured ledge. There is no resolution as of yet as they went to the opposite side of the river to drill and the same thing happened. Deep test pits were authorized to determine the terrain. There is no agreement at this point.

It is planned to move to the other side of the river to drill. This is included in the original price to Haley Construction. They indicated that they may want to drill on the other side of the roadway but still within the Town's ROW and can still make it into the pit on the other side of the bridge at the Pinnacle. MDOT has been requested to approve this.

The issue with the fracture is beyond the bentonite in the river, it is causing their drill to get stuck in the borehole and this would be a big problem. The material needs the air to blow it out of the hole, but instead the air is blowing into the river due to the fracture.

Grants Update:

Airport Grants: Stormwater, Security and FAA Review: The Stormwater Pollution Prevention Plan was finalized with all of the suggested language changes that Caleb and I submitted. The document was forwarded to the FAA & MDOT. Public Works has located a few of the culverts that need fixing, however, there are a lot of culverts out on the airport property. We have one more reimbursement request for the old PAPPI charges that came in after the runway grant was closed down for the FAA costs. Then that grant will be closed down.

Airport Grants: Environmental Assessment for the Apron Expansion: The grant award was executed and after several discussions with the FAA and MDOT, a contract with the Airport Consultant HTA can proceed forward. The Federal funding issue, which resulted in a partial closure of the FAA, resolved and business is now proceeding forward. New grants could not be authorized during this period of time, so the Town's filing in May 2011 was just approved last month and now can proceed forward. If the environmental assessment results in the Town being able to expand the Apron, that grant project would be submitted next year after the permitting was completed. The MDOT contract and the HTA contract are on the agenda this evening. The project will begin shortly.

Economic Development Administration Grant: Pittsfield Industrial Park Expansion: The punch list inspection took place of the Industrial Park Expansion project and although short, the list is very important. The grinding and paving of Industrial Park Street was completed and makes a great difference in terms of the entrance to the Industrial Park and the Industrial Park Expansion. CMP has completed their work. We have received three pay requisitions, which are being compiled into one pay request. The contractor is flow testing the sewer line. Millett Associates was not available as well as the Assistant Water/Sewer Superintendent is out due to scheduled surgery, so we hired Olver Associates to oversee that work. The Town has many reports to file through KVCOG, the engineer, the contractor and the Town Office. I have told everyone involved that they need to proceed forward so we can meet our deadline next month to close out the grant and then we can market the lots.

L&W Conservation – Hathorn Park Sports Complex: The Town received our first reimbursement from the Town. We have \$3278.60 left in our grant and have been approved to fix the gravel parking area by Legge's Diamond by the restrooms and garage as well as spectator benches for the basketball court. Once the benches arrive and are assembled, the second and final reimbursement request will be submitted. Our inspection is this month. This grant will then be closed out.

New Opportunity: L&W Conservation – Hathorn Park Sports Complex, II: We filed the required pre-application or intent for Phase II of the Hathorn Park Sports Complex. We were looking a proper and safe playground equipment; fencing between the playground and basketball; reconstructing two paths at Hathorn, fixing the log fence up by the area where the Farmers Market is and re-doing the parking lot as well as structural and electrical upgrades for the Gabezo (if possible). This is on the agenda this evening to be set to public hearing. I submitted all of the Intergovernmental requests for review. Our inspection is coming up in October also.

New Opportunity: Fire Department Tanker/Tender: The Fire Department is applying for a 1500 gallon Tanker/Tender with a minimum 1250 pump to replace its 1975 Ford F750 Tanker/Tender. Deputy Chief Dean Billings has taken this project to heart and is applying for the replacement vehicle. The narrative looks very good and I gave him as much updated financial materials as possible. We should score much higher for this vehicle request as it is a replacement rather than a new piece of equipment such as a ladder truck. Originally, the grants were due in just 3 weeks, however, the deadline was extended due to all of the trying times with storms and hurricanes.

New Opportunity: Wellhead Protection Grant: Olver Associates, free of charge, assisted the Town with a grant application for fencing to be erected around the Town's two production wells that are in close proximity to the snowmobile trail. We have snow fencing up, however, it was recommended by the State that we have fencing.

PUC Energy Efficiency: Block Grant to Towns: The furnace and hot water heater are fully installed. The solar thermal unit is scheduled to be installed this week into next week. We are looking at the rest of the work shortly after that into October. Part of the shipment for the solar unit did not arrive so that is pushing this back a bit due to supply and demand. We also have some insulating to do and a video to make.

Riverfront Community Development Grant: The State is very pleased with this project and as we are under budget, we have been approved to continue to supplement the park. Therefore, we were allowed to purchase picnic tables; liner for the skating rink; benches for the skating rink; informational display sign; and bike rack. These costs will be submitted as Reimbursement #2. The picnic tables are installed; the bike rack is installed; the informational display is installed and the Pinnacle Ski Club has met to discuss how the liner should be installed. We had a meeting with representatives of the Ski Club and came up with a list of items to do at the facility that looked really good.

Sludge Removal: The sludge removal is complete and I do not have the final pay requisition from Olver Associates as of yet.

Sewer Replacement including Sewer Evaluation Study with Camera Work, Dye Test/Smoke Test and Report: Work is completed, Olver Associates is working on the report. The Sewer Replacement project has begun down on the Cross Country Route from Manson Park up to Nichols Street and is moving slowly.

United Way/Keeping Mid-Maine Warm Grant: Small balance left to expend, we did help three senior households, which was rewarding.

New Opportunity: MDOT Transportation Enhancement Grant: We are waiting for information on whether other project areas would be eligible for funding. If so, the Town would be responsible for a 20% cash match to obtain the 80% federal funding in the MDOT program. We would need to engineer the project in advance of applying for the grant next year.

New Opportunity: Project Canopy: Funding is available and might be helpful for the Town to figure out what to do with the Town's wooded properties. Grant workshops are being scheduled in September 2011 and the grant application is due on Monday, October 17, 2011. The maximum grant is \$10,000 and requires a 50% cash or in-kind services match. Forest Management Plans are an approved use of grant funding for publicly owned forestlands, which we definitely have off Peltoma, Powers, Sibley Pond, etc. We are in the process of getting quotations for a Forest Management Plan for the Town Farm Lot which is approximately 100 acres keeping away from the old two wells and leaving about 5 acres around the Re-Use Building and the Fire Department Training Facility.

8. **REPORTS:** Audience, Council

Audience:

Donnie Hallenbeck: Wanted to let everyone know the Historical Society website is up and running again. The site had been down for about a month. Also, I wanted to let everyone know the Historical Society is holding a raffle for 100 gallons of home heating oil. I have some raffle tickets if anyone is interested.

Council:

Councilor Baker: Absent.

Councilor Carr: No Comment.

Deputy Mayor Jordan: I noticed the house between Libby Street and the intersection is gone. It is looking really nice now.

Councilor Curtis: Absent.

Councilor Stackhouse: No Comment

Mayor Nichols: I wanted to thank Kathryn and her crew for all their hard work. I will try to attend the ribbon cutting. I wanted to note my father-in-law passed away last week. My thoughts and prayers go out to his family.

9. **ADJOURNMENT:**

Motion by **Councilor Stackhouse** and seconded by **Councilor Carr** that the meeting be adjourned at 8:25 p.m. All in agreement.

Nicole Nickolan, Town Clerk