

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, January 6, 2015 at 6:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Gary Jordan, Jr., Michael Cianchette, Tim Nichols, Trudy Ferland, Robert Stackhouse and Heather Donahue. **ABSENT:** None. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Jane Woodruff, Donald Woodruff, Vaughan Woodruff, Mark Schumpert, Anna Bockis and Howard Margolskee.

1. **Mayor Jordan, Jr.** 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 December 16, 2014.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that the minutes of the regular meeting held on December 16, 2014 be adopted.

VOTE: UNANIMOUS AYE

3. Council Members elected at the November 2014 Election take the oath of office and are seated:

District 2: Gary R. Jordan, Jr.

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

Presentation by Donald and Vaughan Woodruff for the Heart of Pittsfield re: Mill Pond:

Vaughan Woodruff noted that some of you may have been involved with the Heart of Pittsfield or have seen our facebook page. He then discussed projects. Vaughan advised that the group has looked at the Comprehensive Plan and feels this is a great vision for the Town. There are items in the plan that their group likes and they want to work on them. This winter the group is going to expand the Arts in Town, work on Local & Legendary Civil War History and create a Local Resource Guide for people who are new to Town to help find services and highlight Pittsfield the way the Comprehensive Plan does.

Donald Woodruff discussed the Mill Pond photos taken by Mark Schumpert. These included photographs of the Hartland Avenue causeway during summer, the benches in Stein Park showing obstructed views of the pond and views of the pond from Fendler Park. The Heart of Pittsfield has 4-5 adults who want to volunteer to trim the trees and brush in Stein Park.

Don Woodruff advised that the Heart of Pittsfield would like to use Mill Pond as an attraction by putting fireballs in the water. He showed photographs of fire ball sculptures in the water at a restaurant in Trellis Bay in the British Virgin Islands. The location of the restaurant was off the beaten path and they were trying to figure out how to draw people in. Every year they have a Full Moon Party that draws people to the area. Mr. Woodruff also showed photos of a pond in Providence, RI that used fireballs in the water to draw people in on weekends. They piped in music and people wander around enjoying the area. Don stated

that we need to bring people to Town and the Heart of Pittsfield will do this by focusing on Mill Pond. Mr. Woodruff felt that businesses would then come to service the people who came because of Mill Pond. This project is a low impact approach to making Pittsfield a destination. We are here to let the Council know where we are and we want to find the best way to do these things without getting into trouble. Mr. Woodruff mentioned that as they come up with other projects the Heart of Pittsfield wants to do, they will come back to meet with the Town Council. Mayor Jordan asked how much of the land on Mill Pond is private? Mr. Woodruff did not know exactly but feels it could be about half of the area. Right now the group wants to work on Hartland Avenue and Stein Park.

Mayor Jordan indicated that he believed we have been told by MDOT that we cannot touch the area on Hartland Avenue. The Town Manager advised that in 2006 the Town was told by MDOT to cease cutting brush by the Hartland Avenue culverts. The Town had called MDOT about the need for cutting due to the overgrowth. After several calls, the Town decided it would do the work itself. MDOT happened to come by when the Public Works Crew started to cut the brush at the culverts and were instructed to stop. MDOT advised that they were in charge of the area and needed a permit for cutting by the water. The Town has not gone near that location since.

The Town Manager advised that Fendler Park has an area of approximately 277 feet that can be cut every couple of years, but that the rest of the shoreline can only be accessed in the winter due to extensive poison ivy. Before the dedication of the park in 2007, Jack Wright did a major cut and everything looked very good. The area has been on the Public Works list since 2011 to cut, however, the conditions have not been ideal – we need a lack of snow, cold weather, frozen ground, no wind, and other public safety work not being required. Recently, the Town was able to access the grounds at Fendler Park to trim as we had a break in the constant storms and all conditions were met.

In terms of cutting at Stein Park's edge, the Town Manager noted that there is a dangerous drop off. In the past we had an independent mowing contractor go over the edge and land in Mill Pond. After that it was decided by the Town Council to let the area grow up in order to create a safe barrier. A fence would need to be installed if the brush and trees were cut. . Donnie Chute, Safety Coordinator, noted that erosion control is an issue in addition to the steep dropoff. Due to this issue only 10% of the growth can be cut. Shoreland Zoning rules would need to be followed. In Donnie's opinion, there is no safe way to do this project, but we could have someone from the Town go out to trim from the ice. Donnie noted, in his opinion, this is a dangerous project. Don Woodruff noted that their volunteers would use pruning saws with a 17 foot reach and not climb over the bank and get into the areas of erosion. Donnie Chute also stressed that liability to the Town should be considered.

Councilor Cianchette noted that the grade at Fendler Park is much more user friendly than Stein Park. Fendler Park has a fantastic step off point with access to Mill Pond. He noted that making the pond more visible from Stein Park may draw people closer to the edge. Don Woodruff noted the last time Stein Park was cut the Eagle Scouts did the work and no one was hurt. He stated you have an elderly housing project across from Stein Park where people come to use the benches that are facing the water. I guess you could turn the benches around and let that area grow up to a forest. He feels Mill Pond needs to be visible as you drive in Town. Mayor Jordan stated he did not disagree with that, but we have to figure out how to do this so that no one gets hurt and we do not create liability.

The Town Manager stated since it has been a few years we can contact MDOT to see if they would do some trimming by the Hartland Avenue guardrail. MDOT states they own 33 feet from the centerline and the guardrail is within that distance. This is where the trees are coming up from the water. Don Woodruff stated that they have the right of way to do what they want to but MDOT doesn't own the area. Mayor Jordan stated MDOT does have control of the area. Don Woodruff stated if there is something we want to get done, we have ways in which we can go down to Augusta and say get this done. This project is something that the Heart of Pittsfield wants to do. We can have adult volunteers sign a hold harmless contract with the Town if necessary. We just need to be told how to get the job done.

The Town Manager noted first that the Town can control the overgrowth at Fendler Park and that this park, which does not have a steep drop off, provides a great view and was planned to be a focal point of Mill Pond. Second, the Town will contact MDOT regarding trimming the Hartland Avenue causeway. Third, Stein Park has a steep drop off and it will need to be resolved if it is to be cut as to how to afford and erect a fence for safety and liability. She will also contact the insurance company about removing the brush which will then allow access to the edge and the Town's liability, however, it comes down to the fact that we do not want anyone to fall over the edge. Deputy Mayor Nichols noted that years ago we could have volunteers do tree trimming, but things have changed. These days it doesn't mean that the Town won't be sued just because residents have signed a waiver not to sue. Donnie Chute stated that you can not sign away liability in the State of Maine.

Donnie Chute noted if the areas could be cut that he would like to see the Town do the work, not volunteers, due to liability issues. When the pond freezes up, Donnie volunteered to go out there to take a look. He mentioned that Heart of Pittsfield volunteers could get permission from homeowners to access their private land. The Town Manager noted that the Code Enforcement Officer is very knowledgeable on the 4 point cutting system and can explain it out easily. Vaughan Woodruff asked if a plan were put into place that the Council approved to open up visibility and it was put out for public contract and someone in Town who owned a company with liability insurance bid on the project and the bid was way below market value and they withheld the liability for doing that work, and the company did the work, would that be a possibility that would take care of the liability insurance, if it was carried by a private company? The Town Manager asked if he was referring to a tree cutting company? Vaughan stated a company that has insurance for doing tree cutting. The Town Manager and the Town Councilors did not think that would be an issue as long as the Town had the funds available to pay for the project. Vaughan asked if somebody came in for a dollar for the contract, and cut the bank would this work? The Town Manager thought so. She advised that we would need to make sure that when we wrote the specs that we covered the legal items needed for cutting in that particular area. The Town Manager suggested that we have Donnie take a look first as he is the Town's Safety Coordinator and is very good coming up with safe solutions. Vaughan noted he thought there were a few companies in Town that could probably get an add on for cutting wood under their liability insurance. Concern was expressed about companies without the expertise doing this. Don Woodruff thanked the Council for the opportunity. Jane Woodruff asked if the Heart of Pittsfield needed to come back for permission to place the fire pits in Mill Pond. Mayor Jordan stated that permission would be needed.

Presentation by Town Manager of Goals for 2015

The Town Manager thanked the Town Councilors for her evaluation and advised that she greatly appreciated their comments.

The Town Council decided several years ago that at this time of the year, the Town Manager would report on the goals for the next year. She noted that she does not believe there are any surprises on this list of goal projects for 2015 given our concentration on town infrastructure. It is important to have focuses in this busy world and this community, which is surprising much busier than other towns. Requests can come from many levels of government and layers of the State, region and community, which often can be conflicting in nature. In order to have accomplishments, it is crucial to stay focused on the priorities. The Town has made many commitments and needs to follow through on them:

Those priorities are: Work with the Department Heads, Committees, Volunteers and Organizations to provide guidance and support in the following areas:

1. Economic & Community Development:

Resource/Job Fair

Annual Job Fair

SVCC Annual Meeting

Trade Show coming back to Pittsfield

Egg Festival activities which generate extensive revenue for local businesses.

Promoting the Certified Business Friendly Designation

We have been discussing all of the important Economic and Community Development Projects at every Town Council Meeting.

2. Work with many parties on the Historical Depot Preservation/Restoration

Fundraising. We need to team up with other groups and organizations to assist with this crucial project and other group's projects, which would be beneficial for all. Fortunately, we have received enough donations, small grants and the Town's commitment to finish the time-sensitive critical items for the roof and foundation. Now, we need to find over \$50,000 for the siding, windows, doors and other preservation/restoration items.

3. Work with many parties on the Theatre Restoration Project Fundraising. We need to team up with other groups and organizations to assist with this crucial project and other group's projects, which would be beneficial for all. Once the digital projector moves forward, we need an overall action plan, engineering and/or architectural work, and extensive fundraising. To date, we have not located the big grant that would move the project forward as we are looking for funds for a movie theatre owned by a town, which is a bit of a novelty. We have been fortunate to find a Historic Preservation Architect who will reduce her rates to assist us because she likes the project.

4. Work with the Engineering Consultant and the Water/Sewer staff to continue the Sewer System Rehabilitation. The long-awaited sludge removal project was completed in 2011 to remove 30 years of sludge from the lagoon system. In addition, we have identified over \$2.4 million dollars in priority sewer projects. Obviously, we are not going to do all of these projects at once due to the sheer magnitude and cost of these projects. However, as the sludge removal project came in under budget, we have had funding available to perform work on numerous projects. The Town then needs to seek other funding sources to address

its Sewer Infrastructure. The Sewer System Evaluation had started with the jetting of the lines, camera work and smoke testing to locate leaks in the system which has led to a recommended CIP for the Town for sewer line replacement of \$9,005,000. We have been fortunate to have qualified for \$455,000 for Peltoma Avenue to be discussed later tonight. .

5. Work with the Engineering Consultant and the Assistant Water/Sewer Superintendent to move forward the Water System Enhancements. Over \$2.4 million dollars in priority water projects have been identified. The Town was fortunate to be awarded a low-interest Drinking Water Program loan to rehabilitate the Waverly Avenue River Crossing and we have been able to maintain the new loan payment. Hopefully this year, the low-interest State Revolving Loan Program project applications will be issued so that we can consider applying for another critical project.

Community and Economic Development Activities and Events:

Wednesday, February 18, 2015: Large Resource Fair for Unemployed and Underemployed

Saturday, May 2, 2015: 19th Annual SVCC Trade Show and Community Fair

Wednesday, May 13, 2015: 8th Annual Regional Job Fair

Several private sector business activities remain under review and small projects continue to be underway. Several commercial properties have recently been sold, are under option or will be leased. The Family Dollar Store is closed in, grounds work is completed and all interior work is on-going. We were originally advised that the new store would open by Christmas. There is a lot of work going on to finish the interior. I will advise when we hear of the grand opening date. Hancock Lumber continues to work on their development project to assist with production and has submitted the map for the agreement. The company is forwarding the Town agreement through the authorization process. We were advised that their project is scheduled for Spring 2015.

Planning continues for the announced factory closure of the local UTC facility by Global UTC Headquarters beginning in the 3rd quarter of 2014 through full closure in March 2015. Planning consists of two phases, which includes recovery for the employees and for the site/community. The first Kennebec-Somerset Transition Team Meeting took place on May 01, 2014. The Pittsfield Economic Expansion Corporation has met with UTC at the plant and reviewed the factory on a detailed tour on May 23, 2014. Several tours have taken place. UTC hired CBRE The Boulos Company, which deals extensively with commercial real estate across the United States and beyond. Multiple tours of the property have taken place, however, the Town was not involved. Multiple opportunities are being made available to UTC employees to meet with resource providers during their lunch one-half hour in the lunchroom. A schedule of dates/subjects was being scheduled and several events took place. In addition to the two resource days, a third resource fair for financial guidance was under consideration for January – February 2015. Discussions were also underway regarding small job fairs in addition to the yearly Regional May Job Fair that Pittsfield and the Ken-Som Transition Team holds for several counties. Several events were being planned for UTC lunch breaks at the facility specialized in areas such as banking/financial planning; education opportunities; etc.

At the last Ken-Som Transition Team Meeting, it was agreed to combine a number of events into one large resource fair to take place during February vacation when the schools are available for use. This event will be scheduled for Wednesday, February 18, 2015 at Warsaw Middle School Gym from 1:30 – 4:30 pm.

To address remaining available locations, an additional promotion piece beyond our regular promotion of available properties had been provided to economic and community development resources and sites. This has affected one available property positively and resulted in some phone calls. Other locations have filled in or have commitments due to the strategic locations. We had planned to design spec sheets for the remaining available properties in Town - the Corner Cupboard, the Friends' property and the Quint's property off Central Street when time permits. One is a vacant building and two are undeveloped lots. These sheets are used to help promote properties to prospective businesses or developers. We have utilized spec sheets for other large projects in town such as the Plaza. I have been advised to just concentrate on the lots that have buildings so we will concentrate on the Corner Cupboard. The former Pizzeria building has undergone major renovations inside, however, has been taken off the market. The Town is not promoting this property at this time. Five specialized promotional pieces had been issued with the last one in August 2014. The focus is now on the former Corner Cupboard property. A company has been reviewing the building as its potential new location.

The new Plaza owner has been providing details on site vacancies to the Town and these have been advertised for the Plaza. Several referrals have been made to the Plaza. Some of the referrals have met with the Plaza owner to review possible leases. There are several potential business projects, therefore, reviewing the applicability of a Tax Increment Financing District (TIF) has begun. Further information required to evaluate this opportunity has not been received from the developer.

North Lancey Street Business Building placed on the market by Lancey Associates and is offered by Better Homes and Gardens Real Estate The Masiello Group. Gary has compiled a spec sheet for this property and it is on the web site as well as having been distributed. There has been some renewed interest in the location.

SAS Property placed on the market by MTC Holdings, LTD of San Antonio, Texas and is offered by the LandVest, a Luxury Property Real Estate Company in Camden – The website promoting the property is linked to the Town's website. The Town has recommended that the building be available for lease of needed space, however, the company would like to sell the entire building/s. The December appointment with the out of state developer/investor was cancelled due to the winter storm. The Town met with commercial interests about the property in January, 2014. Several projects are underway to enhance the ability to develop this unique and interesting property. The pre-application required for the Historic Status of the SAS property (former Waverly Mill) to proceed forward to the National Register was completed in April and submitted. The Town has been advised that the Mill has received approval of its pre-application and has been placed on the State of Maine Historic Sites database. The Town now has a State of Maine Historic Commission letter stating the Mill's suitability for the National Register which can be presented to a developer who wishes to pursue the National Register application process or the Town can utilize the letter to hire an architectural historian or other expert to complete the process (upon receipt of appropriate funding source, i.e, grant or donation). The Town worked with the potential developer to line up interested agencies to tour the mill this summer. The first tour has taken place. Background research continues to take place to locate funding resources. Recently there have been multiple contacts regarding the future of this site and the property is now in the process of being auctioned off. The Town Manager attended the Preview of the property on Monday, 11/24/2014. The Auction was set for 12/09/2014. As many people have been contacted that we can think of who could be interested in the facility. After the auction took

place, we learned that negotiations were underway to purchase the building. As they were underway, it was confidential at the time of writing of this agenda item.

Report on MDOT Somerset Avenue Mill & Fill Project:

The MDOT Mill and Fill project is now completed with the exception of several safety enhancements. The School Blinking Solar Lights need to be installed and locations are being staked out by Public Works to show MDOT on 11/14/2014. The Town and Pittsfield Water Works will be meeting with MDOT on 11/14/2014 regarding the manhole cover issue. The ADA detection basins have been installed along the section of Somerset Avenue added to the project. The Town has been advised of the locations for the special School Blinking Lights and is installing the poles after Dig Safe notification during the week of 11/24/2014. The poles are up, however, the electrical company has not yet been available to come review the project. This is the only part of the project that remains. As there would be a delay with the installation, we left up the other signing.

Report on Somerset Avenue Sidewalk Project:

The Preliminary Punch List was issued to the contractor along with a list of paperwork which is required. The Town worked on the detectable basins for handicap accessibility which are needed on the additional section of Somerset Avenue that was added to the project. It is anticipated that a meeting will be set to address the need for the lienholder waivers and to address the punch list items. The Contractor called back on 11/12/2014 to our written request from early 10/2014. So far, the Town has not received the required documentation nor has the Contractor met with the Public Works Foreman on the punch list. Therefore, the final payment has not been issued. On 12/08/2014 the Contractor called back, a meeting took place and the Town received all of the necessary information in order to release the final payment (with 2% retainage held).

5. PUBLIC HEARINGS/OLD BUSINESS:

ORDINANCE 14-23: (Public Hearing):

TOWN OF PITTSFIELD
ORDINANCE AUTHORIZING ISSUE OF \$445,000
PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS

The Town of Pittsfield hereby ordains improvements to the Town's sewer system and financing thereof pursuant to the State's Clean Water State Revolving Fund on the following terms:

1. Pursuant to the Constitution of the State of Maine, Maine law, including Title 35-A and Title 30-A, Section 5772 of the Maine Revised Statutes, as amended, and the Town Charter, and all other authority thereto enabling, the Town of Pittsfield is authorized to sell its general obligation bonds and notes in anticipation thereof and to borrow from the Maine Municipal Bond Bank State Revolving Fund (SRF) and to expend, a principal amount not to exceed Four Hundred Forty Five Thousand Dollars (\$445,000), the proceeds of the loan or loans to be used to finance the improvements and upgrades to the Town's sewer system which may include, but are limited to the rehabilitation of the Peltoma Avenue Sewer Main ("The Project"), or such amount of the foregoing Project as is approved by the State for participation in the SRF, said loan or loans to be evidenced by a General Obligation Bond or Bonds of the Town, for a term not to exceed 20 years, and any Notes in anticipation of such Bonds, such Bonds and Notes to

be executed on behalf of the Town by the Town Treasurer and counter-signed by the Mayor of the Town and to be at such interest rates, if any, as may be established by the Maine Municipal Bond Bank and approved by the Treasurer and the Mayor, with such maturities, and to be on such further terms and conditions as may be prescribed by the Maine Municipal Bond Bank and the State of Maine Clean Water Program, and approved by the Treasurer and the Mayor (the "Bonds" and the "Notes"), such approval to be conclusively evidenced by their execution of the Bonds or Notes. If the State Clean Water Program approves only some but not all of the foregoing Project, the Town is authorized to proceed with the borrowing of the amount and project approved by the State Clean Water Program, even though the State may have approved only some but not all of the Project described above.

2. The Mayor and the Treasurer are hereby authorized to execute and deliver on behalf of the Town a loan agreement, relating to the issuance of the Bonds and any Notes in anticipation thereof, in such form and on such terms as the Maine Municipal Bond Bank shall require.
3. The Mayor and the Treasurer are hereby authorized to execute and deliver on behalf of the Town loan application and other applications with the State of Maine Clean Water Program and the Maine Municipal Bond Bank and an application to the Maine Public Utilities Commission for approval to issue the Bonds or Notes.
4. The municipal officers and officials of the Town are hereby authorized to execute all documents and certificates, and to take all action, including affixing the seal of the Town, as may be necessary or convenient to carry out the full intent of the foregoing votes or any one of them.
5. This Ordinance shall take effect 30 days after its adoption.

Mayor Jordan, Jr. opened the Public Hearing. No one wished to speak for or against Ordinance 14-23. The Public Hearing was closed.

The Town Manager noted at prior meetings this year, the Town was fortunate to receive approval for a Clean Water State Revolving Loan in the amount of \$445,000 to address the condition of the sewer main which has significant cracks and holes. This has resulted in considerable infiltration in this area. The project is in the process of being designed and will go out to bid during the winter.

A priority after the budget process is completed is to process all of the legal paperwork, Maine Municipal Bond Bank application and obtain the loan. The standard CWSRF program provides loans made by the Maine Municipal Bond Bank for a term of up to 20 years and with a 2% subsidy on the interest rate.

After waiting for two years to see determine how the new USDA loan payment fits within the budget and revenues and to feel comfortable that the loan can be paid for from revenues, it is now time to move forward with another loan to resolve problems with the sewer main that is deemed of high priority due to extensive cracks and holes which results in infiltration.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Ordinance 14-23 be adopted.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: Town Council Meeting of 01/06/2015:

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

2. Langlais Art Trail includes Pittsfield: The Town of Pittsfield is part of the Colby College Langlais Art Trail. Colby College has produced a state-of-the-art interactive map, which will serve as an extensive guide to Langlais works across the state of Maine. The launching of the Trail recognizes a state-wide art community that was created through the Kohler Foundation and celebrates the collaborative efforts to recognize this influential artist. The scheduled launch date of the Langlais Art Trail was July.

3. Dog Licenses for 2015 due by January 31, 2015: The 2015 Dog Licenses are now available. All dogs are to be licensed prior to January 31, 2015. **Starting on February 1, 2015 owners who have not licensed their dogs will be charged a \$25.00 late fee per dog.** The registration fees are as follows: \$6.00 for altered dogs and \$11.00 for unaltered dogs. **Please bring in your current rabies certificate and proof of spay or neuter, if applicable.** If you no longer have your dog, please call the Town Office to let us know so we can remove them from our list. We are available Monday - Friday from 8:00 am - 5:00 pm.

4. Free Western Classic Matinees: The Pittsfield Community Theatre is pleased to announce free western movies each month during the winter at Saturday matinees. All Western Movies Will Show At 2 PM Doors Open At 1:30 PM

January 17

(1939) Zorro's Fighting Legion: Chapter 1 "The Golden God"
Feature (1948) Loaded Pistols Starring Gene Autrey

February 14

(Cartoon 1937) Popeye The Sailor Meets Ali Baba's Forty Thieves
(1939) Zorro's Fighting Legion: Chapter 2 "The Flaming Z"
Feature (1931) The Hard Hombre Starring Hoot Gibson

March 14

(Cartoon 1939) Gold Rush Daze
(Cartoon 1929) Finding His Voice
(1939) Zorro's Fighting Legion: Chapter 3 "Descending Doom"
Feature (1931) Range Feud Starring Buck Jones With John Wayne

5. Exciting News for the Theatre: The Pittsfield Community Theatre was chosen to be on the ballot for the upcoming 2015 Community Matters More campaign put on by Bangor Savings Bank. By being accepted for the ballot, the Theatre is guaranteed \$1,000.00. Balloting begins in February 2015. We will need to organize a massive campaign through e-mail, facebook and other publicity to obtain votes for the Theatre. We submitted the next project of a new roof for the facility. This was great news as it hard to get on the ballot because there are so many good causes. It is also hard to win when it is a town or regional facility as we will be competing with non-profits and organizations which have a state-wide reach so we need a really organized campaign.

Finance Committee: None. **Ordinance Committee:** None. **Recycling Committee:** None.

7. **NEW BUSINESS:**

ORDER 15-01: Ordered that the Town Council elect from among its members a Mayor to serve for the 2015 year.

Councilor Nichols nominated Gary Jordan Jr. **Councilor Stackhouse** seconded the nomination. No other nominations.

Moved by **Councilor Nichols** and seconded by **Councilor Stackhouse** that Order 15-01 be adopted inserting Gary Jordan Jr.

VOTE: UNANIMOUS AYE

ORDER 15-02: Ordered that the Town Council elect from among its members a Deputy Mayor to serve for the 2015 year.

Councilor Stackhouse nominated Timothy P. Nichols. **Councilor Cianchette** seconded the nomination. No other nominations.

Moved by **Councilor Stackhouse** and seconded by **Councilor Cianchette** that Order 15-02 be adopted inserting Timothy P. Nichols.

VOTE: UNANIMOUS AYE

ORDER 15-03: Ordered that the Mayor appoint from among the Councilors a Finance Committee, an Ordinance Committee and a Fair Hearing Authority consisting of three (3) members each and a Police Labor Negotiating Committee consisting of two (2) Councilors and the Town Manager.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Donahue** that Order 15-03 be adopted inserting the following names:

Finance – Gary R. Jordan, Jr., Trudy Ferland and Robert Stackhouse
Ordinance – Michael Cianchette, Robert Stackhouse and Heather Donahue
Fair Hearing – Tim Nichols, Michael Cianchette and Heather Donahue
Police Labor Negotiating – Gary R. Jordan Jr., Tim Nichols and Kathryn Ruth

VOTE: UNANIMOUS AYE

ORDINANCE 15-01: (EMERGENCY) That the Town of Pittsfield hereby ordains by Emergency Ordinance The Town of Pittsfield Moratorium Ordinance on Methadone Clinics, with said reenactment to become effective immediately, pursuant to the provisions of Section 2.14 of the Town Charter.

Moved by **Councilor Stackhouse** and seconded by **Councilor Cianchette** that Ordinance 15-01 be adopted.

The Town Manager noted this Ordinance was adopted at the 11/18/2014 meeting as an Emergency Ordinance. As the Emergency Ordinance will expire on 01/18/2015, which is prior to the next regularly scheduled Town Council Meeting, it has been placed on this agenda for consideration for re-enactment.

With larger buildings on the market for some time and the fact that that pricing will likely be reduced so that entities or uses that normally could not afford the facilities may be able to bid on them, a review of our regulations has taken place. Different uses could be introduced into the Town's critical industrial zones reserved for development and job growth. It is quite apparent that the Town could have property critically needed for our health, safety and welfare be utilized for other functions and the Town would not have sufficient input to protect the health, safety and welfare. Understanding that uses can not be prohibited throughout the entire community, the Town needs time to review such uses and determine the needed regulations as well as the zoning district/s for such uses.

The Planning Board continues to work on the proposed regulations. The regulations will be discussed at their next meeting on Monday, 01/12/2015. Once the regulations are set to public hearing, the materials will go to the Ordinance Committee and Town Council.

Moratoriums remain in place a maximum of 6 months and this re-enactment begins the 2nd 60-day period.

VOTE: UNANIMOUS AYE

RESOLUTION 15-01: Resolved that the Town Council appoint Kathryn Ruth as Official Representative, Councilor Stackhouse as Official Representative and Mayor Jordan as Alternate to the General Assembly for the Kennebec Valley Council of Governments (KVCOG).

Moved by **Councilor Cianchette** and seconded by **Deputy Mayor Nichols** that Resolution 15-01 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 15-02: Resolved that the Town Council appoint Mayor Jordan as the Alternate Representative to the General Assembly for the Kennebec Regional Development Authority (KRDA) also know as FirstPark.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Resolution 15-02 be adopted

VOTE: UNANIMOUS AYE

RESOLUTION 15-03: Resolved that the Town Council appoint Deputy Mayor Nichols as an Alternate to the Maine Services Center Coalition in addition to the Town Manager.

Moved by **Councilor Donahue** and seconded by **Councilor Stackhouse** that Resolution 15-03 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 15-04: Resolved that the Town Council appoint Councilor Ferland as Council Representative to the Housing Revolving Loan Committee.

Moved by **Councilor Cianchette** and seconded by **Councilor Donahue** that Resolution 15-04 be adopted.

The Town Manager noted this position has been vacant since Donna Chale retired.

VOTE: UNANIMOUS AYE

RESOLUTION 15-05: Resolved that the Town Council sign the Expense Warrants upon recommendation of the Finance Committee for the year 2015.

Moved by **Councilor Cianchette** and seconded by **Councilor Stackhouse** that Resolution 15-05 be adopted.

The Town Manager noted this is a housekeeping item.

VOTE: UNANIMOUS AYE

RESOLUTION 15-06: Resolved that the Town Council sign the Certificate of Commitment for Sewer User Rates and Water User Rates during the Year 2015.

Moved by **Councilor Cianchette** and seconded by **Councilor Stackhouse** that Resolution 15-06 be adopted.

The Town Manager noted this is a housekeeping item.

VOTE: UNANIMOUS AYE

RESOLUTION 15-07: Resolved that the Town Council authorize the Town Manager/Treasurer and Deputy Treasurer to establish a checking account for Recreation with the sole purpose of payment of referees/umpires for sports programming until another method is found to pay for the officials.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Ferland** that Resolution 15-07 be adopted.

The Town Manager noted the Town has taken over the Recreation Concessions and functions of the Pittsfield Youth Athletics, a volunteer program supplementing youth activities. Paul Bertrand is very happy!

At this time, all expenses and revenues can adequately be handled by the Town's official bookkeeping system with the Town accounting for the concessions, which Pittsfield Youth Athletics used to run with the exception of addressing the referees/umpires.

The Town staff scheduled the officials and the Town issued checks only to find that different people showed up and the hours were different than provided. Therefore, due to the constant changes, the checks can not be issued ahead of time. The officials want to be paid that night, therefore, the Town's expense warrant system does not work. There needs to be a written record so petty cash can not be utilized to pay the officials. We need to properly track the costs in order to issue appropriate forms. The checking account will be issued a small amount

of funds to cover the costs of the referees/umpires and then upon reconciliation, will then be replenished for the next set of expenses.

At this time, a small checking account to cover the costs of the referees/umpires is the only solution available until we can find another way to address this. The checking account is only to be utilized for this one function.

The Town's Auditor does not like this setup and neither does the Town Manager/Treasurer. The Recreation Director had been tasked to find out how other towns handle this as all communities have the same type of expense warrant system. To date he still has not provided this information.

The Recreation Director and/or Recreation Assistant would be authorized as signer as he/they would be at the games. This is still under discussion. If this takes place, our insurance will need to be updated.

The Town Councilors and Town Manager discussed the need to find another solution for these payments with this as the backup or last resort.

VOTE: UNANIMOUS AYE

RESOLUTION 15-08: Resolved that the Town Council authorize the Town Manager to execute the amendment to the Police Contract reflecting the wage re-opener increase of 2% for 2015 for the full-time police officers in accordance with the approved 2015 budget.

Moved by **Councilor Cianchette** and seconded by **Councilor Donahue** that Resolution 15-08 be adopted.

The Town Manager noted the Police Association currently has a three year contract for the period of 2014 – 2016. This covers the full-time police officers excluding the Police Chief. The Police Association had proposed the same exact police contract as the 2012 - 2013 contract with the same pay rate increase as the other part-time and full-time permanent employees for 2014 with a wage re-opener for 2015 and 2016.

The amendment to the Police Contract reflects that a 2% wage increase is approved for the full-time police officers, which is the same increase provided to all full-time and part-time permanent employees of the Town.

VOTE: UNANIMOUS AYE

RESOLUTION 15-09: Resolved that the Town Council sign the Earth Day Proclamation supporting community-wide activities (Earth Day is Wednesday, April 22, 2015).

Moved by **Councilor Donahue** and seconded by **Councilor Cianchette** that Resolution 15-09 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 used to take place during several days as the Recycling Committee and staff would 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

in 2011 were focused on hosting the Warsaw Middle School classes at the Transfer Station/Recycling Center/Trash to Treasure Re-Use Center and Wind Turbine when we received a grant for an extra large Earth Day educational celebration. Earth Day Activities in 2012 and 2013 involved activities in the school system and with the Trash to Treasure Building. Earth Day Activities in 2014 included the re-opening of the Trash to Treasure Re-Use Center when it resumed its weekly Saturday schedule and activities being planned with other town organizations/groups. The Recycling Committee will be planning its Earth Day Celebration activities at its January and February 2015 meetings.

VOTE: UNANIMOUS AYE

RESOLUTION 15-10: Resolved that the Town Council sign the Arbor Day Proclamation supporting community-wide activities (National Arbor Day is the last Friday in April: Friday, April 24, 2015) and Maine's Arbor Day Week is the 3rd full week in May: Sunday, May 17 – Saturday, May 23, 2015.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Resolution 15-10 be adopted.

The Town Manager noted this is Pittsfield's eleventh Arbor Day Proclamation recommended by the Recycling Committee to the Town Council. At the January and February 2015 meetings, the Recycling Committee will plan a number of activities to celebrate Arbor Day.

VOTE: UNANIMOUS AYE

RESOLUTION 15-11: Resolved that the Town Council authorize the Town Manager to hire Independent Review(s) and execute all paperwork for Airport Grants for the Year 2015 as necessary in accordance with the Town's Bid Policy, the Federal Aviation Administration (FAA) regulations and the Maine Department of Transportation (MDOT) regulations.

Moved by **Councilor Donahue** and seconded by **Councilor Cianchette** that Resolution 15-11 be adopted.

The Town Manager noted some of the projects we are awarded require an Independent Review and advice to the Town on the engineering and specialty consulting work estimates provided to the Town by the Airport consultants. All independent reviews are paid for by the grants. Once the work on the grants start, it moves very quickly and this authorization will assist the process. The Town's bid policy will be utilized unless the FAA regulations for funding require a different set of steps.

This is a housekeeping item that we have started approving on a yearly basis to assist in facilitating airport grants. Although this particular housekeeping approval may not be required this year, no one really knows if one of the projects that we have applied for may be moved up or moved back due to federal and state funding issues.

As of this agenda item, we have not yet received our final Capital Improvement Plan (CIP) from the State for the next five years of airport projects. I have attached the draft 2015 plan prior to our yearly meeting held with the State this summer.

We have been fortunate that for the last few years, the State MDOT has performed the Independent Review for the towns. If this continues, this agenda item is not needed.

However, we will not know if we can receive this assistance until the item develops so it is best to be covered by having the approval.

VOTE: UNANIMOUS AYE

RESOLUTION 15-12: Resolved that the Town Council Appoint members to fill the vacancies on the various Town Boards and Committees from the attached list.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Donahue** that Resolution 15-12 be adopted.

VOTE: UNANIMOUS AYE

8. **DISCUSSION ITEMS:**

Updates:

Water & Sewer Projects Update – Winter cleanup, addressing issues that develop, cleaning up the facilities, improving the facilities and working on inventory.

Highway Projects Update – continuous equipment issues and sanding, except for last week.

Program Staffing Levels – if we have the unemployed/underemployed resource fair on 02/18/2015, I will advertise the PW position. John has set his new retirement date for 05/2015. Also, once I have year end processes done, I will advertise the P/T secretarial position.

Code Enforcement Update – the CEO is reviewing all the properties for code violations on the junky yard listing and working with individuals. There are some that he can not solve, so those will be coming in for review to the Town Council with recommendations from the CEO. At this point, I have one file to submit to the Town Attorney for review for recommendation as the Town had cleaned it up in the past and has now been refused access to assist with cleaning and it is getting worse.

Personal Property Tax – excellent collection

Tax Acquired Property – update on process

9. **REPORTS:** Audience, Council

Audience: None

Council:

Councilor Donahue: No Comment.

Councilor Stackhouse: Congrats to Gary and Tim on their re-appointments. Councilor Cianchette, it is nice to see you back. It would be good to have Mill Pond more visible and going in from the ice is the best idea. When it comes down to it, 10% really isn't a large amount. It is a good idea to touch base with DEP/MDOT again in the causeway trimming. Kathryn, you and the girls, keep up the good work. I look forward to working together with everyone for another year.

Councilor Ferland: I hope that we can find a way to encourage community involvement in Town. It is really important to not throw cold water on people that are excited to do things for the Town.

Councilor Nichols: I hope everyone had a good Christmas and New Year. I look forward to working together with everyone. It is nice to see Councilor Cianchette back. I don't want people to think we disagree with their ideas, its just sometimes as more people get involved it starts to be a liability and we have to protect the Town. Kathryn, I hope the position for the assistance is able to be filled soon. I hope you start feeling better soon. Kathryn, you and the staff are all doing a great job upstairs.

Councilor Cianchette: Congratulations to Tim and Gary on their re-appointments. I want to say thank you to everyone for their patience while I was out of State for my job. Oregon is a very beautiful State. I am looking forward to the New Year and another year on the Council. Kathryn, Nicole and the girls upstairs, you all do a great job. This Town is well run. We will have some challenges this year with the UTC Closing, but I believe we can get through this with your leadership, Kathryn, and the Council.

Councilor Jordan: Happy New Year! I hope it's a great year. Thank you for re-appointing me to continue as Mayor. It was a good presentation by the Heart of Pittsfield. As everyone knows, I like cutting and have done a lot at the Pinnacle. I am all for cutting, especially at Stein Park, but we need to follow Shoreland Zoning. Kathryn and Nicole, you both do a great job. I know it's hard work coming in and doing this job everyday. The Town is very healthy. Hopefully we can get the solar crosswalk signs installed soon. We have a really nice looking gateway coming into Town. The Town Manager noted that the warning signs from the old crosswalks have been left in until the updated signs can be installed by the State's recommended contractor. The Town Manager noted the crosswalks that were painted by both the State and the Town are already faded, but the new raised sidewalks are holding up well. Mayor Jordan thanked everyone for coming in.

10. EXECUTIVE SESSION:

Executive Session for Title 1, Section 405, 6.C., Economic Development, Disposition of Property and Acquisition of Property

Motion by **Deputy Mayor Nichols** to enter into executive session to discuss Economic Development, Disposition of Property and Acquisition of Property under Title 1, Section 405, 6.C. at 8:39 p.m. The motion was seconded by **Councilor Cianchette**.

Motion by **Deputy Mayor Nichols** to return to regular session. The motion was seconded by **Councilor Cianchette**. The Town Council exited executive session at 9:50 p.m.

VOTE: UNANIMOUS AYE

11. ADJOURNMENT

Motion by **Councilor Stackhouse** and seconded by **Councilor Cianchette** that the meeting be adjourned at 9:51 p.m. All in agreement.

Nicole Nickolan, Town Clerk