

# MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, February 4, 2014 at 6:30 pm in the Council Chambers.

**PRESENT:** COUNCILORS: Michael Cianchette, Caleb Curtis, Tim Nichols, Trudy Ferland, Robert Stackhouse and Heather Donahue. **ABSENT:** Gary Jordan, Jr. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: None.

1. **Deputy 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 January 21, 2014

Moved by **Councilor Stackhouse** and seconded by **Councilor Cianchette** that the minutes of the meeting held on January 21, 2014 be adopted.

**VOTE: UNANIMOUS AYE**

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

#### **Community and Economic Development Activities and Events:**

#### **Report on New Business Activity & Opportunities in Pittsfield:**

Thursday, February 13, 2014: Seabasticook Valley Chamber of Commerce Annual Banquet from 5:00 – 9:00 pm  
Wednesday, April 09, 2014: Regional Business Resources Night 6:30 – 8:30 pm  
Wednesday, May 14, 2014: 7<sup>th</sup> Annual Regional Job Fair 3:30 – 6:30 pm

The Town Council is signing Business Certificates Commending local businesses on their relocation:

INSource Renewables, Vaughan Woodruff, has relocated to the Lancey Street Business Incubator  
Better Homes & Gardens Real Estate The Masiello Group to Main Street in the Downtown

The new proposed Family Dollar Store project has been filed with the Town and on the Planning Board agenda this month. The building is less than 10,000 square feet. So, it is not the really large Family Dollar Stores seen in southern Maine, however, is large enough for the region. It would be comparable to the Argo Marketing Group location at the Somerset Plaza.

Brent Newhouse has notified the Town of his plan to re-introduce his project to erect a garage for his business, BR Newhouse on property that he owns on Route #100 going out of Town in the vicinity of Webb Road.

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. We have a couple of downtown projects in the works.

To address remaining available locations, an additional promotion piece beyond our regular promotion of available properties has been provided to economic and community development resources and sites. This promotion is in addition to the creation and promotion of an Available Properties list, website listing, internet listings on free websites and verbal promotion. There have been several inquiries and one inquiry is promising.

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 has been advised that the appointment will be re-scheduled after Christmas.

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.

**Report on MDOT Somerset Avenue Mill & Fill Project:**

A brief report was provided regarding the cost of various traffic enhancements.

**Report on Meetings & Events:**

FirstPark Executive Committee Meeting on Thursday, January 23, 2014 at 6:00 pm at the First Park Office in Oakland

FAA Airport Scoping Meeting on the Airport Master Plan on Friday, January 24, 2014 from 10:00 am – 1:00 pm in Curtis Air’s meeting room.

Somerset Connect Workforce Committee on Educational Opportunities Meeting (SCCCN) on Monday, January 27, 2014 at 1:00 pm at Kennebec Valley Community College in Fairfield

Theatre Committee Meeting on Tuesday, January 28, 2014 at 6:00 pm.

**Upcoming Meetings & Events:**

Recycling Committee Meeting on Wednesday, February 05, 2014 at 5:00 pm

Sebasticook Valley Strategic Planning Committee on Thursday, February 06, 2014 at 3:30 pm at the Chamber Office in Palmyra

Sebasticook Valley Chamber of Commerce Board of Directors Meeting on Thursday, February 06, 2014 at 5:00 pm at the Chamber Office In Palmyra

Central Maine Egg Festival Regular Meeting on Thursday, February 20, 2014 at 6:00 pm

4. **PUBLIC HEARINGS/OLD BUSINESS: NONE**

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

**Town Manager's Report: Town Council Meeting of 02/04/2014:**

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

2. Sebasticook Regional Land Trust Farm & Habit Ride: The Town has been contacted by representatives of the Land Trust to start the collection of information for the 2<sup>nd</sup> Annual Farm & Habitat Ride. This year, the group is going to check all schedules to try to plan the ride on a day that another significant bike ride is taking place. This will lead to more participants as many of the regular bicyclists were at a large biking event. As soon as the date is chosen, we will start to promote and publicize the bike ride and padding event.

3. Central Maine Egg Festival: The Central Maine Egg Festival is seeking members for their Board of Directors. The Officers were chosen in 2013 and now the group needs to vote in members for several director positions as well as fill vacancies for committee chairs. The next meeting will be held on Thursday, February 20, 2014 at 6:30 pm in the Council Chambers. All of the volunteer organizations will be invited to the meeting in order to participate and share ideas.

The Central Maine Egg Festival will be held Monday, July 14, 2014 – Saturday, July 19, 2014.

4. American Red Cross Real Hero Awards: The Real Heroes Nominating Committee of the Pine Tree Chapter of The American Red Cross has selected town employees for their awards. Police Chief Steve Emery, Officer Jeff Vanadestine and Firefighter Ryan Michael Havey were selected for this honor for their life saving efforts on October 7, 2013 when a car accident victim was pulled from the Sebasticook River. Their efforts definitely saved a life that day. The Annual American Red Cross Real Heroes Breakfast will take place on March 20, 2014 at 7:30 am at Jeff's Catering & Event Center in Brewer. Prior to that event, a TV crew will tape interviews with the winners.

5. Free Business Startup Support Series: Read Notice

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

6. **NEW BUSINESS:**

**ORDINANCE 14-01:** (To be set to Public Hearing on 02/18/2014):

**TOWN OF PITTSFIELD  
ORDER AND ORDINANCE AUTHORIZING TAX ANTICIPATION BORROWING**

**ORDINANCE 14-01:** (To be set to Public Hearing on February 18, 2014) That the Town of Pittsfield Town Council hereby ordains the tax anticipation note borrowing for the fiscal year ending December 31, 2014 on the following terms:

Ordered that, pursuant to Section 5771 of Title 30-A of the Maine Revised Statutes, as amended and the Ordinance adopted on the date hereof, the Town Treasurer is hereby authorized and

empowered to borrow money from time to time during the fiscal year ending December 31, 2014 in the principal amount or amounts not exceeding \$500,000 at any one time outstanding, in anticipation of the collections or receipts from taxes, by the issuance of tax anticipation notes of the Town, each of which notes shall be designated "Town of Pittsfield 2014 Tax Anticipation Notes." All of such tax anticipation notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by at least a majority of the members of the Town Council, shall be payable on or before November 1, 2014, out of money raised by taxation during the fiscal year ending December 31, 2014 shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer, and shall contain such other terms and provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof, and

Be It Further Ordered that the Treasurer is hereby authorized to award the notes to such person or entity as approved by the Town Council, such approval to be conclusively evidenced by the execution of the 2014 Tax Anticipation Notes; and

Be It Further Ordered that the notes authorized by the foregoing are hereby designated as qualified tax exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended, and

Be It Further Ordered that the Treasurer of the Town be authorized to covenant with the purchasers of the notes on behalf of the Town and for the benefit of the holders of the notes, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes will remain free from federal income taxes, including without limitation, the filing of information returns and reports with the Internal Revenue Service and the payment of any rebate due to the United States of America.

Moved by **Councilor Cianchette** and seconded by **Councilor Curtis** that Ordinance 14-01 be set to Public Hearing on 02/18/2014.

The Town Manager noted this is the first step in the authorization process in order to issue a Tax Anticipation Note until the Town's major revenue source in the form of property taxes are received later this year. As the property tax bill is due in October of each year for the calendar year, the Town is spending funds for 8-9 months with smaller revenue sources coming in until October.

For Councilors who have been involved with this process in the past, we used to have an Ordinance, issue the RFP, award a bid to a bank and then issue an Order with all of the TAN paperwork to obtain the funds. This process is now simplified with three steps.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 14-14:** Resolved that the Town Council authorize the Town Manager to execute Change Order #1 to the contract with JM Brown Construction General Contractor, Inc. on the Abbreviated List of Work for the Pittsfield Historic Railroad Depot Foundation Project as recommended by Ames & Associates LLC which fits within the Town's funding for the project to address the sill work.

Moved by **Councilor Donahue** and seconded by **Councilor Stackhouse** that Resolution 14-14 be adopted.

The Town Manager noted to summarize the foundation project, the original contract was \$23,848 plus allowances and unit prices. Our estimate from the field was that the entire project would not exceed \$28,000. Due to the beams being different than originally specified, the contractor and architect recommended a change in the pricing from using per joist and per linear foot plus an allowance to a straight \$40.00 per hour for the labor plus materials. I advised all that we needed to cap this. The contractor estimates \$3,200.00 will take care of the work. So it is \$40.00 an hour for the labor (which is all manpower at the site) plus materials up to \$3,200.00. The total price to not exceed on the project is \$27,048. The company has been excellent to work with, very accommodating and the fact is that it is the rare contractor that would split the work up with a Public Works Crew and spend extra time at the site making recommendations. The work is to be substantially completed by May 26, 2014.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 14-15:** Resolved that the Town Council appoint members to fill the vacancies on the various Town Boards and Committees from the attached list.

Moved by **Councilor Ferland** and seconded by **Councilor Cianchette** that Resolution 14-15 be adopted.

**VOTE: UNANIMOUS AYE**

## 7. **DISCUSSION ITEMS:**

### **Updates:**

**Water & Sewer Projects Update:** Both Water and Sewer have been very busy with regular work created by the interesting and challenging weather conditions. Donnie Chute has been assisting with Water/Sewer while Scott has been out of work on medical leave. Scott will be back to light duty on February 10. There are plenty of light duty projects such as bid documents to update the telemetry system; maintenance work at the facilities to be reviewed and written up; plan updates; safety plan update, etc. Scott has also been driving around town looking at water/sewer issues as he has had free time on his hands and is developing a list of items to fix or enhance that normally would not have been noticed in a busy period of time.

**Highway Projects Update:** Highway has been extremely busy getting back to a normal winter with regular functions. This is when we complete building repair projects, which have not been started yet.

**Program Staffing Levels:** As we know, recreation has been a challenging area due to having a part-time director and full-time expectations. We have an amazing recreation program with literally hundreds of volunteers during the year. Our current Recreation Director Jared Foster has done a great job, however, his time is limited and he cannot keep on. His position at MCI is much more than 40 hours a week and spring sports is coming up which is very intensive. Last year, Jared advised that he would continue until spring sports or through basketball. This position has been advertised in the Rolling Thunder. I had forwarded two application packages and the staff has given one package out at the counter. Interviews will be shortly.

**Personal Property Tax:** One of the companies with a high amount of personal property tax due has agreed to make payments. I thought we would make one last verbal attempt with the

companies before contacting the Town Attorney. So far no payments have been made. We have put packages together for the Town Attorney including bankruptcy paperwork filed by one of the individuals/companies to determine if we can proceed forward or not.

**Tax Acquired Property:** The bids for the three TAP are due 02/05/2014 at 11:00 am. The redemption process allows an opportunity to the former owners to buy back the property for the accumulated back bills and costs through tomorrow. So far, we have advertised twice in both the BDN and the Rolling Thunder. We have forwarded bid notices to those who have expressed interest in TAP properties and notices to abutters. The last time that we advertised in the Rolling Thunder, I opened up the newspaper to see three TAP bid notices for two other communities and Pittsfield so people have some options available to them if they like to buy TAP. We have only had a few inquiries.

**State Revenue Sharing & Budget Cuts:** If the SRS program \$40 million dollar in cuts are not restored, the following will be the effect on the Town of Pittsfield:

MMA estimates this as a decrease of \$138,165 for Pittsfield from the \$60 million to the \$20 million, ie., the shift of \$40 million. The estimates are usually low. Utilize the Town's budget of \$150,000 SRS as the cut.

**Budgetary Impacts of the Loss of \$150,000.00:**

Automatic budget freeze for the third year in a row was already in effect.

No spending unless essential, mandatory, contractual or an emergency repair/purchase.

State Revenue Sharing	- \$150,000
Delete 1/2 paving	+50,000
Delete Loader Reserve	+35,000 (will need lease-purchase adding yearly lease pay)
Delete most ec dev	+53,000
Delete building maint.	+5,000 (this is the remainder left after last year's cuts)
Delete office supplies	+2,000 (we barely spend enough to address needs)
Delete book purchase	+4,000
Delete community recog. and ads not legally req.	+1,000

Plans already implemented in 2013 and some in the 2014 budget:

Ceased implementation of the paving plan resulting in road needing work not being paved or reconstructed

Reduced capital expenditures for infrastructure

Suspended energy retrofits

Deleted tree plantings

Deleted many landscaping projects

Delayed downtown improvements

Deleted planned purchased

Reduced funding appropriations throughout the budget

**Building Repairs:** Today the Town received an insurance payment for the water damage to the building. It was difficult to obtain funds and took awhile. The Town has a program at this building to check the roof several times a year for issues and had the building completely gone over by roofing firms back in 2007. It was repaired at that time and did not have any issues until

the January 2014 ice storm. Therefore, it was clear in the record that our problems were due to the ice.

#### Proposed Ordinance Amendments:

##### Administrative Code – Council Meeting time

The Code lists the regular meetings at 7:30 pm and we have been operating under yearly resolutions to change the time for the last year. If everyone is happy with 6:30 pm, we can change the Code. This is not something I would address by itself due to the cost and time involved.

##### Administrative Code – Increase spending limits from 1980's policy; add Emergency Provisions

##### Zoning: Accessory or In-Law Apartment

Shoreland Zoning: Utilize option to allow greater residential densities

##### Regulations to prevent Junky Yards/Property Maintenance

The Building Inspector has made revisions to the proposed amendments to the Zoning Ordinance to address property maintenance issues. All of the language involving the State Statutes, conflicting sections and definitions were extracted leaving a much shorter document. This is being reviewed by the Town Manager and Town Clerk and will be placed in the Planning Board's February 10, 2014 package for review. The information will also go to the Ordinance Committee in February, which will likely be the February 18, 2014 meeting. We have other Ordinance amendments so I would like to have this all done at once for efficiency, save time and savings on public hearing notices.

The Town Attorney has approved the last draft, which was provided to Councilors. It has been an arduous process. The State law seemed to be inbedded throughout the document and that was removed and all the conflicts we could find with other ordinances and sections.

The Town Manager discussed the appeals process and the use of shall or may in the Ordinance.

The process from this point forward on the Land Use Items:

Planning Board will review at their meeting next week

Ordinance Committee will review prior to the 02/18/2014 meeting if that fits into members schedule with a meeting at 5:45 pm.

Planning Board schedules to public hearing

Town Council schedules to public hearing once we know how the PB votes or if there are revisions.

On the Admin Code, the Ordinance Committee will make a formal recommendation and the Town Council will schedule to public hearing for consideration.

The Town Council was in favor of all of these proposed amendments proceeding forward for review and decision.

#### **Grants Update:**

##### **New Grants:**

Airport Grants: Airport Taxiway Reconstruction – Pay Req #1 was processed and paid.

Airport Grants: Airport Apron Expansion – Pay Req #1 and #2 were processed and paid.

Airport Grants: Environmental Assessment (Engineering to prepare for Apron Expansion) – this grant has been forwarded for closure and once acknowledged, will be moved to the closure list. Airport Grants: Engineering to Design the Apron Expansion – still processing paperwork for this grant, however, it will be closed out later this year when the Taxiway and Apron projects are closed out. As the Taxiway grant did not provide for any engineering/inspection work, these three grants will be closed out with amendments to reconcile this project. We discussed this last year. The Engineering Consultants recommended this in order to complete most of the project in 2013.

Belvedere Fund for Historic Preservation – Have the \$11,000 saved toward the project.

Davis Family Foundation – The sill work is pending for later this year when the project can be completed. The foundation work was excellent. Earlier this month, we received Pay Req #3 which is to be paid by the Grant Match Account. This was for work in 2013 so it is an Accounts Payable and is on the warrant for payment this evening.

Library Mini-Grants (Cornerstone of Science and Gates for computers) All of the other small grants have been closed out and these two grants basically remain from the grant acquired during the last several years.

Police Grants: Bulletproof Vest – the Vest was purchased, however, funds which were approved just prior to the federal shutdown, has still not been processed. This is a 2013 Accounts Receivable.

Police Grants: Long Gun – Skowhegan PD had agreed to be the agent for several police departments on a cooperative purchasing project for the guns. There have been staff changes and the grant paperwork and payment has not yet been processed.

USDA Sewer Rehabilitation Grant – on-going with the receipt of Pay Req #33, which is being processed and will be paid.

HealthySV Tobacco, Alcohol and Drug Prevention – The Town has a unique opportunity to be a pilot project in providing for more Community Policing without having to hire an additional officer. The Chief is talking to the officers now about this. Basically, a certain amount of time will be dedicated per week with 1-2 individuals who have the proper background and certifications and are currently officers to focus on community work – prevention of tobacco, alcohol and drug use of the students, meeting with community groups, etc. The grant will pay for the example of 10 hours a week for that officer/officers to not be on patrol and dedicate time to community policing. That shift or period of time would be covered by another police officer. The details will be worked out this Spring/Summer. The program would likely start in October 2014.

### **New Grant Opportunities:**

Airport General Aviation Apron Expansion Grant – The FAA held a scoping meeting on Friday, January 24, 2014 from 10:00 am – 1:00 pm or so at Curtis Air to discuss the specifics to be incorporated in the next Airport Master Plan. The Master Plan allows for the development and growth of the airport. In order to obtain grant funding, the items requested must be part of the airport master plan. Anyone who would like to attend can do so. This is not the Airport Master Planning Process in which airport users, town officials and citizens will be invited to sessions to discuss the airport. This is designing the grant project.

## **8. REPORTS:** Audience, Council

**Audience:** None

**Council:**

**Councilor Donahue:** Excited to hear about possible developments of the SAS building. Anything we could do to get that building back up and running would be great.

**Councilor Stackhouse:** None.

**Councilor Ferland:** We have been working with the Mandarin teacher to learn more about the exchange students and their lives. There will be a forum on 02/09/2014 at 3 pm at the First Universalist Church of Pittsfield if anyone is interested in attending. I am excited to see that MCI is working with the community. I had a conversation with the School Superintendent. The Finance Committee has the budget currently. It looks like rates will be going up 3.7%. Negotiations are still on-going with teachers. We will hopefully be meeting with the Council soon.

**Councilor Nichols:** I want to thank the Council for being patient with me. It has been awhile since I ran a meeting. I want to congratulate Trudy for getting her name on her first bill. My wife volunteers at the food bank and she sees many people with no heat and no food. I think things will turn around in the next year or two. Everything runs in cycles. The Town Employees have worked extremely hard. They put up with a lot. Down the road, we have our building blocks in place. All we are waiting for is the economy to turn around. As much depression and doom and gloom there is, it will turn around. I see the Skowhegan Drive-In is struggling with the digital conversion. I am glad we did that. I am excited for the regional job fair. Mayor Nichols noted the Chamber of Commerce is holding a program with Winslow high school students. They need volunteers for mock interviews if anyone is interested. It is hard to see no audience at the meetings time after time, but that normally means people are happy. I hope to see the possible SAS plans materialize.

**Councilor Curtis:** None.

**Councilor Cianchette:** The last few weeks have been really tough with the winter storms. I appreciate all the work the Public Works department has been doing. Please pass this on to the Public Works Department. They are all hard workers.

**Councilor Jordan:** Absent.

## 9. **ADJOURNMENT**

Motion by **Councilor Stackhouse** and seconded by **Councilor Donahue** that the meeting be adjourned at 8:16 p.m. All in agreement.

---

Nicole Nickolan, Town Clerk