

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, April 2, 2013 at 6:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Tim Nichols, Michael Cianchette, Donna Chale, Christopher Carr and Heather Donahue. **ABSENT:** Caleb Curtis and Gary Jordan, Jr. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Ben Herbest, Bud Jones, Barbara Jones, Donna Dunphy, Eric Whitman, Hope Whitman, Gary Whitman and John Whitman.

1. **Tim Nichols** opened the meeting by leading the **Pledge of Allegiance**. The Council observed a moment of silence.
2. Adoption of minutes of the regular meeting held on March 19, 2013.

Moved by **Councilor Chale** and seconded by **Councilor Carr** that the minutes of the meeting held on March 19, 2013 be adopted.

VOTE: UNANIMOUS AYE

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

Presentation of the Pittsfield Spirit of America Award to Sumner (Bud) Jones

Deputy Mayor Nichols presented Sumner (Bud) Jones with the 2013 Pittsfield Spirit of America Foundation Tribute for his lifelong dedication to the community and region through his decades of volunteerism and service to citizens, families and children. The volunteer achievements and efforts of Mr. Jones exemplify the award criteria of “impact, compassion, intensity, longevity and recent actions”. The Town of Pittsfield commends Sumner (Bud) Jones on his lifetime commitment to outstanding volunteerism and service to community and region. The Deputy Mayor discussed Mr. Jones volunteerism in the community.

Community and Economic Development Activities and Events:

Report on New Business Activity & Opportunities in Pittsfield:

Several private sector business activities remain under review.

AE Robinson has received Planning Board approval for their new larger store. AE Robinson plans to have the new store open in time for the 41st Egg Festival Celebration which begins Monday, 07/15/2013.

A project is in mid-stage at the former Pittsfield Village Pizzeria location on Somerset Avenue. The project scope is growing so we will hear more about that shortly.

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 new website promoting the property is linked to the Town’s website. A tour of the facility will be held for federal, state and town officials on Wednesday, 04/17/2013 from 10:00 am – 12:00 noon at the facility.

North Lancey Street Business Building placed on the market by Lancey Associates and is offered by Better Homes and Gardens Real Estate Town & Country.

Kennebec-Somerset and Sebec Valley 6th Annual Regional Job Fair scheduled for Wednesday, May 15, 2013 from 3:30 pm – 6:30 pm at the Warsaw Middle School Gym and Cafeteria. Businesses are hiring. The following employers and resource providers are registered: ADECCO, ARGO Marketing Group, Assistance Plus, Atwork Personnel, BONNEY Staffing Center, Care and Comfort; Cianbro, ESM, Inc., HealthReach Retired & Senior Volunteer Program (RSVP), KVCC, MAS Home Care, Nikken – A Home Based Career, Scentsy Family, SKILLS, Inc, U.S. Border Patrol & Office of Field Operations and Merrymeeting Behavioral Health.

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

Town Manager's Report: Town Council Meeting of 04/02/2013:

1. The FYI Folder: FYI Folder which contains items that come in between the Town Council Meetings has the following this evening: List read.

2. Bin Sale: PITTSFIELD EARTH DAY AND RE-USE CELEBRATION: BACKYARD COMPOST BIN SALE: To celebrate re-use in the community and Earth Day, the Town of Pittsfield is part of a statewide backyard composting bin sale. A home compost bin and how-to-guide with a combined retail value over \$100 can be purchased for only \$45.00 (tax included). The bin is black, has a 10 year warranty, and is made of 100% recycled plastic. It's approximately 35" high and 33" wide, or large enough for a family of five. The Town has 20 composters available for sale, each at \$45.00.

The Town also has 34 Wingdiggers: The wing digger compost turner is available for a discounted price of \$17.00 each; 8 Reotemp Backyard Compost Thermometer: has a 20" stem for \$18.50 each; 8 Rain Barrels: This is the SYSTEMN Rain Barrel with a 55 gallon capacity for the discounted price of \$56.50.

It is estimated that 25% of the average household's waste consists of kitchen scraps and yard trimmings which can be easily composted. Pittsfield residents can save \$54.12 for every ton of waste they compost rather than placing the material in with their garbage that is shipped out of town for disposal.

Pittsfield's recycling rate for 2011 was 62%. The 2012 rates have not yet been announced by the State. Let's keep working at our recycling rate and boost it even more while helping our gardens grow!

3. Maine Municipal Association Workshop: The Town will be the host of a regional workshop on Thursday, 04/11/2013 in the Town Council Chambers. Set-up is at 3:00 pm with Registration at 4:00 pm and the workshop on roles and responsibilities for elected officials and town managers/administrative assistants will be held from 4:30 pm to 8:30 pm with a break for dinner at 6:00 pm. This is a rare opportunity to have a workshop right in Town for the region with less travel distance for everyone. We recommended that Vittles cater the workshop. I forwarded this

information to the Towns in the Seabasticook Valley Chamber and the Skowhegan area. I will send the information to the Town Councilors.

4. Walking Maps & Promotion: HealthySV, the regional HealthyMaine partnership and the Seabasticook Valley Chamber of Commerce will be joining with the Town to work on walking maps for the area. This project will be utilized for physical exercise, tourism and to promote walks such as the 4/20 walk.

5. High on Life Run: This event is scheduled for Saturday, April 20, 2013 with a 1 K and a 5 K walk. High on Life Run on Saturday, April 20. This is a Free 5 KM Race and 1 KM Walk/Run starting at Parks Gym, Maine Central Institute, 295 Main Street. Registration opens at 3:00 pm, race start time is 4:20 pm. Fun and Prizes for all ages. High on Life (Not on Drugs). To register, go to <http://www.healthysv.org>

6. Activities Maine Guidebook: Town of Pittsfield, Egg Festival and Fly-In will be in the Summer edition. The preview of the Egg Festival events is on the Town's website under Egg Festival, go to www.pittsfield.org

7. Hooked on Fishing: The Police Chief advised this afternoon that the schools have confirmed Friday, June 07, 2013 as Hooked on Fishing day for the 4th graders and Saturday, June 08, 2013 for the public session at Manson Park. More details will be announced in the near future.

Finance Committee: None.

Ordinance Committee: None.

Recycling Committee: None.

6. **NEW BUSINESS:**

ORDINANCE 13-04: (To be set to Public Hearing on 04/16/2013) The Town of Pittsfield hereby Ordains to accept all tax year payments of Mary G. Bowden, including interest and lien costs, for the property at 105 North Main Street (Map 025, Lot 099), the Town having acquired said property as a result of automatic foreclosure of a 2010 property tax lien, recorded in the Somerset Registry of Deeds on June 17, 2011 at Book 4405, Page 207, which matured on December 18, 2012. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to Mary G. Bowden.

Moved by **Councilor Ciachette** and seconded by **Councilor Carr** that Ordinance 13-04 be set to Public Hearing.

The Town Manager noted as the Town received full payment by the required due date under the Code, this property has been removed from the tax acquired property sale. The last step in the process is to issue the quitclaim deed. The issuance of the quitclaim deed under the Town Charter requires an ordinance and public hearing.

VOTE: UNANIMOUS AYE

ORDER 13-04: Ordered that the Town Council revise the Official Town of Pittsfield Fee Schedule by adding the Theatre Committee's amendments to the Pittsfield Community Theatre ticket and concession prices.

Moved by **Councilor Chale** and seconded by **Councilor Cianchette** that Order 13-04 be adopted.

The Town Manager noted nearly all fees and charges are established by the Town Council. In a few cases, the Town charges the fees established by State law for services. In the case of the Pittsfield Community Theatre, the Theatre Committee is responsible for establishing the fees and charges for the use of the theater as it deems necessary and reasonable for the proposed use.

At the 03/26/2013 Theatre Committee Meeting, the Theatre Committee approved the revised pricing depicted on the attached sheet to reflect changes in cost. The Town is investing in a large renovation of the theatre and food costs continue to go up.

To have an adequate record of revisions to the fee schedule, the Town Council should vote to revise the official town fee chart.

Theatre Manager, Donna Dunphy, noted pricing has gone up for Pepsi and popcorn. The ticket prices were raised due to the digital conversion. Deputy Mayor Nichols stated the digital conversion would open up doors to many events in the future. Councilor Cianchette noted that Donna did a good job maintaining prices up until now.

VOTE: UNANIMOUS AYE

RESOLUTION 13-35: Resolved that the Town Council execute the Contract for Curbside Pickup of Recyclables for 04/01/2013 – 12/31/2015 with Bolster's Rubbish Removal for 72 bi-weekly pickups at a cost of \$600 per bi-weekly pickup for a total to not exceed \$43,200.

Moved by **Councilor Cianchette** and seconded by **Councilor Donahue** that Resolution 13-35 be adopted.

The Town Manager noted at the last Council Meeting, the Town Council accepted the low bid of Bolster's at \$600 per bi-weekly pickup. For 2013, the pickup will follow the long-standing published Tuesday/Wednesday schedule, which is greatly appreciated. For 2014 and 2015, if Bolster's wishes to change the long-standing schedule, Mike will propose a schedule for approval by the Town Manager and Transfer Station/Recycling Coordinator, who will take into consideration the Recycling Center and Transfer Station operations. Bolster's will be keeping statistics on the pickups that will be reviewed as part of any proposed schedule change.

VOTE: UNANIMOUS AYE

RESOLUTION 13-36: Resolved that the Town Council Approve the Renewal of the Alcoholic Beverage License for the Broken Putter Restaurant & Lounge at 382 Hartland Avenue, Pittsfield, Maine 04967.

Moved by **Councilor Donahue** and seconded by **Councilor Carr** that Resolution 13-36 be adopted.

The Town Manager noted this a yearly housekeeping item.

VOTE: UNANIMOUS AYE

RESOLUTION 13-37: Resolved that the Town Council Approve the Renewal of the Special Amusement Permit for the Broken Putter Restaurant & Lounge at 382 Hartland Avenue, Pittsfield, Maine 04967.

Moved by **Councilor Cianchette** and seconded by **Councilor Chale** that Resolution 13-37 be adopted.

The Town Manager noted this is a yearly housekeeping item.

VOTE: UNANIMOUS AYE

RESOLUTION 13-38: Resolved that the Town Council authorize the Town Manager to execute the Application for an Outdoor Fireworks Display as property owner for the Greater Pittsfield Area Kiwanis Fireworks for the 2013 Egg Festival to be conducted by Central Maine Pyrotechnics subject to receiving approval of the FAA and the appropriate insurance certificate naming the Town of Pittsfield as additional insured.

Moved by **Councilor Chale** and seconded by **Councilor Carr** that Resolution 13-38 be adopted.

The Town Manager noted this item is on the agenda in order to have approval in hand for when the Pittsfield Greater Area Kiwanis Club finalizes details with Central Maine Pyrotechnics on the fireworks display for the 41st Anniversary of the Egg Festival. In order to file with the FAA, we will need the completed State Fire Marshal Office's Application for Outdoor Fireworks Display including the map and materials from the fireworks company. The Greater Pittsfield Area Kiwanis has hosted the fireworks for decades at the Egg Festival. As the Town is the property owner, we are required to sign the State application. The application materials have been under progress for several months and we are getting very close to the cut off date for approval. The same company will be conducting the fireworks. The company has had ample insurance in the past. The Town Manager will file for the FAA permit when we receive all of the necessary items so that we can file. As we get closer to the federal deadline, it is harder to obtain approval and very time-consuming. If we can apply earlier, it is much better.

VOTE: UNANIMOUS AYE

Motion by **Councilor Cianchette** and seconded by **Councilor Chale** to waive the Town Council rules to add Resolution 13-39 to the agenda.

VOTE: UNANIMOUS AYE

RESOLUTION 13-39: Resolved that the Town Council allow a redemption period for the new Personal Representative/Executor of the Will to redeem the tax acquired property Map 23, Lot 25 by paying the taxes, interest and costs in full on or by 12:00 noon on Friday, April 5, 2013 and subsequently, remove Map 23, Lot 25 from the 04/10/2013 Tax Acquired Property Sale bid opening.

Moved by **Councilor Carr** and seconded by **Councilor Cianchette** that Resolution 13-39 be adopted.

The Town Manager briefly reviewed the property's history and noted that the Town has an opportunity to return this property to the family.

Eric Whitman: I was informed by my Uncle of the letters that were sent to the Whitman sons. I was advised by my attorney to bid ahead of the other bidders, but that isn't possible. So, my attorney advised me that I could have the date to redeem the property extended.

This week, John and Gary have signed off on the property. I am now the executor of the will. I will be the sole contact for the property. My wife, Hope, will be the property manager with Heather Marsh as a local point of contact.

I am disgusted with the property. We will tear down the existing garage and plan to clean up the debris and clutter. There is a possibility in the future that we may build a small garage in the existing garage's footprint. I will work with the Code Enforcement Officer on that item. Our plan is to fix the property up for use as a rental property. We hope to one day be able to move back to Pittsfield and raise our children here, and attend MCI, like we did.

Councilor Cianchette: I am sorry for your loss. I am glad we were able to keep the property with the Whitman family.

Deputy Mayor Nichols: I know the whole Whitman family. I have known Eric since he was a kid. The last thing we ever want to do is take someone's home. This is an opportunity to be able to keep the home in the family.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Updates:

Water Projects Update: There was a minor water break on Monday morning, 03/25/2013, which affected a small part of the downtown for a few hours. It was repaired quickly that morning with minor disruption to service.

Sewer Projects Update: The letters for the continuation of the Somerset Sewer Main Replacement project will go out to the property owners along Somerset Avenue shortly. The project would start up again likely in May 2013.

The School Street, Elm Street and a Cross Country project will not start until after school is out so it will be a summer project. We will have another project out to bid shortly which is Franklin Street. The approval of the RFP will be on a future Council agenda.

Pittsfield Town Council Resolution on proposed Revenue Cuts through the State: A copy of the response that came from the Legislature that we discussed at the last meeting is in your FYI Book.

Biennial Budget Proposal & Status on proposed cuts; The Taxation Committee's work session schedule for State Budget proposals was announced this week and begins Tuesday, April 2nd with discussion of the BETR and BETE proposals. On Friday April 5th the Committee will consider the Income Tax changes, the Circuitbreaker Program and limiting the Homestead Program. On Tuesday April 9th discussion of the elimination of the Municipal Revenue Sharing Program for the biennium will be discussed. The Tax Committee has scheduled Friday April 12th for final discussions and voting and are due to present their recommendations to the Appropriations Committee on Monday April 22nd.

Code Enforcement Update: The CEO has not yet contacted acquaintances or individuals who may be able to assist with the Leonard Street Code Enforcement Issue. The Town Manager is encouraging the CEO to do this.

Property Maintenance Ordinance / Regulations to prevent Junky Yards: The Town has solicited copies of regulations to address junky yards. Through the CEO, Town Clerk and the Town Manager, we have obtained over ten communities regulations. The CEO and I discussed this issue with the Planning Board at their 03/25/2013 meeting. After a lengthy discussion, it was agreed that the Planning Board would work on regulations to prevent Junky Yards. This would be an amendment to the current Zoning Ordinance and not a new stand-alone ordinance. The Town has enough ordinances, we just need to update the Zoning Ordinance. Utilizing the State Junkyard regulations does not assist the Town. The CEO agreed to weed through the regulations picking out what he thought would work. Once the Planning Board starts working on this at their regular meetings, the Ordinance Committee and Town Council will be updated.

Pioneer and Waverly Dam Lease Renewal Update: The Town has recently received permission from Chris Anthony to negotiate a new lease satisfactory to the proposed assignee and of course, the Town.

Digital Theatre Conversion Update: This is on-going with the Sonic Equipment staff here. Over 40 submittals to free media, on-line sites, TV and radio stations were made. We were interviewed by Channel 2, which jumped right on the project. The Theatre Committee would like to name the projector room the “Glen Wheaton Projector Room” after Glen’s contributions. We made copies of the flyer and press release so that Glen could have an original. The Theatre Manager was going to meet with him to work on the details.

Grants Update:

New Grants:

Airport Grants: Environmental Assessment (Engineering to prepare for Apron Expansion): this grant will be closed out shortly.

Airport Grants: Engineering to Design the Apron Expansion: We need to file the next grant application. The independent review is on-going for the next grant. The next grant filing deadline, due to the federal budget issues, has been moved back from 05/01/2013 to 05/23/2013. The proposed design cost was over budget so we have reduced the project scope for the apron decreasing 20’, which did not seem necessary and reducing the area for full pavement work between the hangers. The current airport engineer is working on the revisions now. The Town is required to obtain proposals and consider the hire of an Airport engineering firm. The proposals were due on Friday, 03/29/2013. The Town Manager provided a brief update of the process.

Belvedere Fund for Historic Preservation: Paperwork has been forwarded to the fund with all of the required submittals to receive the \$11,000 grant award, which must be spent by year-end. The fund requested multiple copies of the paperwork and we have sent that information in to the foundation.

The Town Manager noted all other grants are currently underway.

Davis Family Foundation

HealthySV: Healthy Communities – Exercise is Fun Program for Children
HealthySV: Healthy Communities – Proactive Student Presentations
HealthySV: Tobacco Free Signage
Jobs for Maine’s Graduates (JMG) School Grant through Town/Region (pass-through)
Jump Start Our Youth (JOY through JMG) Recreation Department
Kiwanis Mini-Grants for Programming & Sponsorship for children
L&W Conservation Fund: Hathorn Park Legge’s Field & Sports Complex, Phase II
Library Mini-Grants (Cornerstone of Science and Gates for computers)
National Heritage Railroad Grant
Rural Engineering & community Assistance Grant Opportunities

Grants waiting to be closed:

Economic Development Administration Grant: Pittsfield Industrial Park Expansion
PUC Energy Efficiency: Block Grant to Towns
Renewable Resources Grant from PUC: Wind Turbine

Closed Grants:

Airport Grants: Apron Reconstruction Grant
Airport Grants: Design Engineering for Apron Reconstruction
Airport Grants: Runway Obstruction Clearing
Airport Grants: Stormwater, Security and FAA Review
Airport Grants: Vegetation Plan/Permitting Grant
Brownfields Grant: Cleanup Grant for Eelwier (now known as 8 Mount Road)
CDBG/Economic Development Grant: Argo Marketing Group, Inc.
CDBG Grant/Business Assistance: Moosehead Cedar Log Homes
CDBG Grant/Business Assistance: Walpole Woodworkers, Inc.
CDBG Grant/Public Facilities/Historic Preservation/Library
CDBG Grant/Special Projects Matching Funds/GCS
Conservation Grant for Driftbusters Snowmobile Trail Fund (pass-through)
Efficiency Maine Business Program
FEMA Reimbursements
Jump Start Our Youth (JOY through JMG) Save Our Historic Depot Campaign
Jump Start Our Youth (JOY through JMG) Library
Ken-Som Transition Team/KVCAP Grant for Regional Job Fair
Law Enforcement Bryne Federal Grant: Radio Equipment
Law Enforcement Bryne State Grant: Tasers
L&W Conservation Fund: Hathorn Park Legge’s Field & Sports Complex, Phase II
L&W Conservation Fund: Stein Park Renovation Project
L&W Conservation Fund: Swimming Pool Essential Components
Maine Emergency Management Agency Homeland Security Grant
MMA Safety Grants – Multiple
Project Canopy: Mill Pond Loop
Project Canopy: Town Farm Forest Management Plan
Project Canopy: Urban Forest
Safe Routes to School, Phase I
Safe Routes to School, Phase II
Sewer Replacement including Sewer Evaluation Study with Camera Work, Dye Test/
Smoke Test and Report
State Library Grants dedicated to the Library Building Project
State Planning Office Recycling Education Grant
Summer Nutrition Grant (Yearly)

United Way/Keeping Mid-Maine Warm Grant

Other Grant Opportunities:

CDBG/Economic Development – Business Assistance

CDBG/Public Facilities – Historic Preservation

CDBG/Water and Sewer Projects for Specific areas once SSES is completed

Community Gardening Start-up Grant

FEMA Fire Grant – Pumper

Jump Start Our Youth (JOY through JMG) Theatre Renovations

MDOT Quality Community Program: Transportation Enhancement Grant and/or Safe Routes to School Grant

Wellhead Protection Grant

8. **REPORTS:** Audience, Council

Audience:

Bud Jones: I have lived at my property a bit longer than the Whitman's. We are their neighbors. I compliment you on helping the family out with this situation.

Council:

Councilor Donahue: I echo the comments from Councilor Chale and Councilor Cianchette.

Councilor Carr: I echo everyone else's comments.

Councilor Chale: Congratulations to Bud on the award. I can't think of a more deserving person. It is nice to see a new business owner in Town. Thanks for coming into tonight Ben. Please attend the Mid Maine Community Forum on 04/04/2013 at 6:30 pm at the First Universalist Church. We will be featuring Jill and Jolene McGowan.

Deputy Mayor Nichols: I want to thank everyone for coming in. Congratulations to Bud on the Spirit of America Award. Bud has been involved with many different projects from Coats for Kids to the Food Bank. We thank you for all your service. I am looking forward to seeing the new restaurant from Mr. Herbest. I keep hearing that people want some restaurants in this Town. Thank you for coming in. I want to offer my condolences to the Whitman family. I am glad we could resolve this. Eric – I hope you can move back this way. We would love to have you back. The Egg Hunt went very well. Thank you Kathryn for all the publicity. The Recycling Committee will be meeting tomorrow. We will discuss the Bike Rodeo/Bike Swap. The Hooked on Fishing event will be a lot of fun.

Councilor Curtis: Absent.

Councilor Cianchette: I want to offer my condolences to the Whitman family. I am happy we were able to work with you. Thank you for attending the meeting tonight Mr. Herbest. I am anxious to sample the fare. Congrats to Bud. It was nearly a unanimous decision and couldn't have gone to a more deserving person. I saw in the newspaper that Belfast recently sold a damn. I thought we might want to look into that and give them a call. I had a question brought to me regarding the Route 100 bridge repair and when that project is due to be completed. The Town Manager noted that it seems to be that the State is starting all small bridge projects and moving the workers around to the different job sites. The only timeframe for completion that we have

been given so far on this project is summer. Councilor Cianchette also requested that a sign or signs be posted at Hathorn Park regarding hours of use at the park. He also requested that this information be reviewed with the Pittsfield Police. As the weather gets warmer it seems that old habits at the basketball court are returning. The Town Manager noted she would remind the Police Department of the need to patrol the area before dark and to remind basketball court users.

Mayor Jordan: Absent.

9. **ADJOURNMENT**

Motion by **Councilor Cianchette** and seconded by **Councilor Carr** that the meeting be adjourned at 7:30 p.m. All in agreement.

Nicole Nickolan, Town Clerk