

# MINUTES

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

**PRESENT:** COUNCILORS: Tim Nichols, Caleb Curtis, Trudy Ferland, Robert Stackhouse and Heather Donahue. **ABSENT:** Gary Jordan, Jr. and Michael Cianchette. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Donnie Hallenbeck, Louise Baker, Anna DeLong, Rita Farrington and Clifford Harvey.

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 April 15, 2014

Moved by **Councilor Stackhouse** and seconded by **Councilor Ferland** that the minutes of the meeting held on April 15, 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:**

Wednesday, May 14, 2014: 7<sup>th</sup> Annual Regional Job Fair 3:30 – 6:30 pm

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 Town Councilors will sign a certificate of welcome for the Copper Salon and Tanning which has just opened on Main Street.

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

**ORDINANCE 14-06:** (Public Hearing) That the Town of Pittsfield hereby ordains the following proposed amendments to Chapter 16. Shoreland Zoning Ordinance, Section 15 Land Use Standards:

**NOTE:** In the General Development District that is served by municipal water and sewer systems, capable of supplying service, the Planning Board may approve greater residential or use densities than set forth in Section 15 (1) (a) (b) (c) above provided the development is contained in the foot print of the existing structures only.

The Public Hearing was opened. There was no one who wished to speak for or against Ordinance 14-06. The Public Hearing was closed.

Moved by **Councilor Stackhouse** and seconded by **Councilor Donahue** that Resolution 14-06 be adopted.

The Town Manager noted this amendment is proposed in order to allow development in existing structures in the Shoreland Zoning General Development District. Flexibility is needed in re-development of structures that have been in place for decades. That flexibility will be left up to the Planning Board based upon the development proposed. The Town has an excellent Site Plan Review Ordinance and has regulations to protect the health, safety and welfare of the community through the Zoning, Subdivision and Floodplain Ordinances. There are structures in this zone historically built along the river in which re-development needs to be feasible in order to take place. It is perceived that this ordinance amendment will assist with available options.

**VOTE: UNANIMOUS AYE**

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

**Town Manager's Report: Town Council Meeting of 05/06/2014: None**

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

**6. NEW BUSINESS:**

**RESOLUTION 14-33:** Resolved that the Town Council Authorize the Town Manager and Assistant Treasurer to transfer and expend up to \$500 from the Hooked on Fishing Account at Peoples United Bank (G1-104-06) for the 2014 Hooked on Fishing School and Community events in June 2014.

Moved by **Councilor Donahue** and seconded by **Councilor Ferland** that Resolution 14-33 be adopted.

The Town Manager noted it is time for Hooked on Fishing activities again this year. The fishing activities for the 4<sup>th</sup> grade will be held on Friday, June 6, 2014. The fishing activities for the community will be held on Saturday, June 7, 2014 from 8:00 am – 12:00 noon. All activities will be at Manson Park.

It is estimated that the cost will be less, however, I left it at the level of 2013's approval in case there is an unexpected emergency. This will avoid the situation of having to process a second Resolution.

The Hooked on Fishing Account has a balance of \$5,637.21 as of 03/31/2014

**VOTE: UNANIMOUS AYE**

**RESOLUTION 14-34:** Resolved that the Town Council accept the proposal of Callahan Construction LLC of Augusta, ME in an amount to not exceed \$ 208,253.00 for the Somerset Avenue Sidewalk Improvements and authorize the Town Manager and Public Works Foreman to execute a contract.

Moved by **Councilor Stackhouse** and seconded by **Councilor Donahue** that Resolution 14-34 be adopted.

The Town Manager noted the Town Council authorized the issuance of the Request for Proposals for the Somerset Sidewalk Improvements Project at their regularly scheduled meeting on April 1, 2014. Bids were due on April 24, 2014.

Councilors received a copy of the summary of the work to be proposed broken down by sections; the bid opening results; and analysis of the bids.

The low bid is Callahan Construction LLC of Augusta in the amount of \$239,752.50.

The project was to be funded by Sidewalk Reserve funding, Sidewalk Capital Budget, Economic Development Fund allocation and Tax Increment Financing District funds.

The projected cost for the section of sidewalk between Somerset Plaza and School Street is \$91,620. The section will be paid for from the TIF Account, which has a total of \$114,338.31 available for the area in the immediate vicinity of the NEW LLC District. Subtracting this cost from the total of all projects of \$239,752.50, the other three sections are projected to cost \$148,132.50. Contingencies for any problems that are found are not included in these figures.

Funds available for the other three sections of sidewalk are:

\$ 38,552.44	Sidewalk Reserve Fund
\$ 25,000.00	2014 Capital Budget Sidewalk Allocation
\$ 50,000.00	Ec Dev Fund
\$ 6,720.00	Carry Forward – Grant Match (50% cost of requested additional work for crosswalks)
\$- 9,500.00	Engineering Services
<u>\$- 6,720.00</u>	Requested Additional Work for Crosswalks
\$104,052.44	

Gap: \$148,132.50 - \$104,052.44 = \$44,080.06

Annaleis has noted that MDOT has expressed interest in reimbursing the Town for some of the costs related to the detectable warning strips and curb tip downs required at the crosswalks in the MDOT project area. This information will be forthcoming.

In addition, we will need to locate funding to pay for an inspector for the project. These funds are not available in the Highway Budget due to how conservative the budgets have been in order to not have an impact on the mil rate.

**VOTE: UNANIMOUS AYE**

***RESOLUTION 14-35:*** Resolved that the Town Council authorize the expenditure of \$ 91,620.00 from the New LLC TIF; \$13,650.31 from the 2014 Capital Budget Sidewalk Allocation; \$50,000 from the Economic Development Fund; \$23,919.00 in ADA Compliance Reimbursement from the State of Maine (MDOT) and authorize the expenditure and transfer of \$ 29,063.69 from PITT#08 Sidewalk Reserve G-1-615-00 for a total of \$ 208,253.00.

Moved by **Councilor Ferland** and seconded by **Councilor Stackhouse** that Resolution 14-35 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 14-36:** Resolved that the Town Council accept the Proposal of Engstrom & Tumosa of Dover-Foxcroft, ME in an amount to not exceed \$ 6,605.00 for the Removal of Trees and Stumps and authorize the Town Manager and Public Works Foreman to execute a contract for same.

Moved by **Councilor Donahue** and seconded by **Councilor Stackhouse** that Resolution 14-36 be adopted.

The Town Manager noted this company has completed excellent work in the past. Tree removal has been budgeted at \$6,000.00. Due to the necessity to address these issues, we will reduce the General Supplies purchased as best as possible to compensate for the additional cost. The Buildings and Grounds budget for the Town is very small, set at \$13,540.00. A large percentage of the budget is for electricity and tree removal.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 14-37:** Resolved that the Town Council authorize the Town Manager to execute a Municipal Proceeds Certificate as requested by TD Bank for the Town's Cemetery Funds.

Moved by **Councilor Stackhouse** and seconded by **Councilor Curtis** that Resolution 14-37 be adopted.

The Town Manager noted Councilors received a copy of the proposed Certificate by the Town.

The Town first received this form from TD Bank on April 16, 2014 at which point the Town was instructed to return the document immediately. I have explained to TD Bank that the next Council Meeting is on May 6, 2014, directly after which the Town will return the paperwork.

TD Bank, over the years has requested that the Town sign many documents. This is one of a line of many documents that the Town never received and has to ask for a copy. We have talked to numerous TD Bank Offices, all of which seem to have our correct address, both before and after the E-911 change.

In any case, the Town Attorney has reviewed the document and agreed that it can be authorized.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 14-38:** Resolved that the Town Council authorize the Town Manager and Department Heads to solicit quotations for cell phone services for several Town Departments to consolidate services for efficiency, effectiveness and anticipated cost savings; and to authorize the Town Manager or her designee to execute necessary paperwork.

Moved by **Councilor Donahue** and seconded by **Councilor Curtis** that Resolution 14-38 be adopted.

The Town Manager noted having several vendors for cell phone service with various types of phones needs to be consolidated. The Town has been highly successful in consolidating many services for savings. Cell phones, due to all the different plans and preferences, has to date alluded consolidation. The Police Department contracts, signed prior to my arrival, have expired and the Police Chief is very willing to consolidate and update phones. We believe phone costs will actually be less under a new plan.

The other departments to be involved in discussions will be Water/Sewer, Fire and Highway. Other departments are not emergency related and do not require cell phones. The few calls that are made can be completed on a personal phone without affecting plans/costs.

The Town Manager and Transfer/Recycling Coordinator are required to be available for emergencies, however, are not interested in having the Town provide phones. Both employees have their own phones, pay for their own costs, and do not seek reimbursement by the Town.

Our intent is to compile the needs and obtain quotations for several departments to reduce vendors and cost. We have found that phone providers will not respond to a publicized bid, therefore, we need to request written quotations based upon our request.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 14-39:** Resolved that the Town Council excuse the absence of Councilor Cianchette from the Town Council Regular Meetings of March 18, 2014; April 1, 2014 and April 15, 2014.

Moved by **Councilor Donahue** and seconded by **Councilor Curtis** that Resolution 14-39 be adopted.

The Town Manager noted under the Town Charter, if a Councilor misses three consecutive meetings, the Town Council needs to formally excuse the absences. Michael's work has taken him out of the country recently for a period of time.

Michael is on his way back into the country today and plans to be in attendance for the next Town Council Meeting.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 14-40:** Resolved that the Town Council approve the Pittsfield Water Works SCADA System Upgrade Technical Specifications and Authorize the Town Manager and Assistant Water/Sewer Superintendent to seek quotations for the same.

Moved by **Councilor Stackhouse** and seconded by **Councilor Donahue** that Resolution 14-40 be adopted.

The Town Manager noted the proposed project is a complete SCADA upgrade for the wastewater and drinking water systems for Pittsfield Water Works.

As discussed at previous Council Meetings, Olver Associates has been reviewing the telemetry system – a computer programming system that allows for monitoring and reporting on the water and sewer operations. It is an older system that was maintained by a company by its owner. The owner has passed away, we are unable to obtain the passwords from the individual who took over the company and we need a better setup. The Town has saved a lot of money over the years since we had this system set up in the 1990's and we now need to upgrade. We asked Olver Associates to put together recommendations and concluded that it would be very good to bid out this project. We can use the system, however, it is now not maintained and cannot be upgraded and if problems develop, we may not be able to solve them. This is an important area to update.

Recommendations from Olver Associates are attached comprised as a Lump Sum Quotation based upon technical specifications detailed in a SCADA System Upgrade Agreement for services. The Attachments are not included in the package as they are comprised of well over 100 sheets of computer screen prints and reference screens.

In addition, I have been advised that the Water/Sewer Department has requested a copy of alternates, which are a weather station and a lagoon level. Olver Associates has confirmed that these items would be installed when a telemetry update was being done because they would be hooked into one and would make sense.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 14-41:** Resolved that the Town Council Authorize the Town Manager to file the Federal Aviation Administration (FAA) Grant Application for the Pittsfield Municipal Airport for the Master Plan Update with GIS Compliant Layout Plan and Authorize the Town Manager to execute paperwork accepting a grant award with the FAA and the Maine Department of Transportation for AIP No. 3-12-0003-\_\_\_\_-2014.

Moved by **Councilor Donahue** and seconded by **Councilor Curtis** that Resolution 14-41 be adopted.

The Town Manager noted The Town's Airport Capital Improvement Plan provides for the opportunity to compete for Federal Aviation Administration funding for the update of the Town's Master Plan. Each Airport is supposed to have a Master Plan compiled every 10 years. Given the extent of funding available and many airport needs, our Airport Master Plan was last completed in 1997, therefore, it is over 16 years old. In addition, all of the projects listed in the current Airport Master Plan have now been completed with the exception of the helicopter pad, which is not needed. A copy of the grant application is attached.

In order to compete for additional projects such as airport economic development opportunities comprised of pre-permitting development areas and capital improvement program planning, hangers, and/or other expansions, the Airport Master Plan needs to be updated. In addition, our Layout Plan listing all the parcels, which make up the airport is on paper and not GIS compliant at this point.

As discussed at numerous Council Meetings, the Town has been working toward this project for years as the next project after the Airport Apron expansion. With all the capital infrastructure improvements at the Pittsfield Municipal Airport, we have indeed been fortunate. This is our first planning project in years and will allow for brainstorming

sessions/meetings with interested parties to plan the future capital improvements at the Pittsfield Municipal Airport.

The project is estimated at a cost of \$127,000 with \$114,300 proposed as the FAA grant. The MDOT grant match would be 5% of the cost of the project or \$6,350. The Town would be required to pay 5% of the cost of the project, which would be \$6,350. If the cost is higher or lower, we would multiple the cost by 5% to determine our match.

It is likely that when the other airport projects are completed, that some of the Town's match will need to come from the Airport budget. The Airport reserve funds will be fully utilized shortly.

Councilor Curtis noted that there are many planes at the airport. The best bet for the Town is to build hangers – as they are an income for the Town.

**VOTE: UNANIMOUS AYE**

## **7. DISCUSSION ITEMS:**

### **Updates:**

Water & Sewer Projects Update: Multiple small and medium water and sewer projects will be worked on during the next month. I have seen a long list of repairs to be completed when an excavator is rented for the month, which will also be shared with Highway and Transfer Station with projects. Telemetry system is on the agenda this evening for review.

USDA Grant Project: Main Street Sewer Project: Haley Construction mobilized equipment and materials to the work area on Main Street; pre-drilled ledge to proposed manhole 4+75; began ledge removal and sewer installation; installed main line sewer with ledge removal on main Street to manhole 6+17 at McCarthy Road. Work this week includes complete sewer installation on McCarthy Street; performing pressure testing of the sewer lines; abandoning the existing sewer; and restoring the work area.

Clean Water State Revolving Fund Application: Peltoma Avenue Sewer Improvements Project: The DEP is accepting applications for the Clean Water State Revolving Loan Fund in which Towns that qualify and are ranked high enough for limited funding would be offered a loan with or without forgiveness with a low interest rate. Since our USDA Sewer Grant and Loan Program seems to be working really well and the first year's payment has been made, we are reviewing an application for this program. The Town has a long list of sewer infrastructure improvements listed in the Sewer Study. Olver Associates worked with the Town on an application for the Peltoma Avenue sewer problems. This area, although some work was completed in the 1990's, has very high infiltration and sections of old piping. The application was submitted and we will see how we rank. This is a \$445,000 project and if approved, would require an additional debt service payment to be determined based upon the forgiveness issued and the interest rate projected. There may be so many applications from communities with high sewer rates, that our application will not rank as high. As you will remember, we were unable to obtain any funding from this program in the past until we raised the sewer rate. Our sewer rate, although we think it is high, was the lowest in the State of Maine before it was increased several years ago. Our rate is still lower than most of the

Towns in the State of Maine and below the average rate. Because of this, we do not rank high even though the infrastructure needs to be replaced. There is no intention to raise the sewer rate. We will need to watch any changes in collections due to business activity or closure and how much an offer would be if we were chosen to see if we can afford this payment or not. However, we must try to continue to improve.

Highway Projects Update: Highway has a lot of sweeping, cleaning, landscaping, building maintenance, patching, road repairs, brush cutting and the list goes on and on. The frost is finally out of all of the roads so grading will take place this week.

We have noticed issues developing with the Highway Building Roof. We should plan on having it professionally painted. The PW Foreman is obtaining pricing for this work.

Highway will be completing some work at the Depot to have the temporary boards at the bottom of the broken clapboards painted while we search for funds for Phase III of the project – lead based paint removal; clapboard purchase; all preservation and restoration of the windows, doors, trim and under the roof area. This is a large project and the Town currently has \$11,000 from a grant saved toward this work.

TAP Sale Underway: The Town did not receive bids on the former Banks property on Middle Street or the former Sanborn property on Livingston Street. The Town received one bid, which was not in compliance with the bid requirements and was automatically rejected.

This is a \$20,000 house lot. The minimum bid was \$6,000 to be reviewed; Mr. Harvey of Troy bid \$3,000.

The Town Attorney will be back shortly and a request for review of alternatives on the Middle Street property and Livingston Street property will take place. We would propose to place these 2 properties in Uncle Henry's and other similar advertising.

Town Dam Leases Update: The insurance on the dams required by the lessee Chris Anthony expired on 04/29/2014 and evidence of insurance coverage has not been received, although I have had numerous discussions on this topic with Mr. Anthony who assures me it will be received shortly. Unfortunately, this would be a legal letter from the Town Attorney if not resolved shortly.

### **Grants Update:**

The Town Manager noted we did get the State payments from MDOT. There was a brief review of two new grant opportunities. TIGER Transportation Grant and the Northern Border Regional Commission Grant.

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

### **Audience:**

**Rita Farrington, Anna Delong and Louise Baker of the Senior Club:** We want to thank you for donating to the Senior Club. There are 30-45 people that attend and enjoy. We appreciate what you guys do. It really helps the group a lot. The Town Manager noted it is quite a club. Councilor Ferland noted this group helps the quality of life in Pittsfield.

**Clifford Harvey:** I own 175 Estelle Street, which is adjacent to the TAP. There are broken windows and a foundation full of ash at this site. There are a few broken windows and a dumpster also on site. I feel this is a safety hazard and would like to get it cleaned up. If he was the winning bid at the TAP sale this was his plan. The Town Manager advised that the TAP law requires the Town to recoup costs of taxes, water and sewer and advertising. The bid Mr. Harvey proposed was under the minimum bid and there for was disqualified.

**Donnie Hallenbeck:** The association of MCI and the airport goes back to WWII. In the mid 70's they tried a aviation club at MCI.

**Council:**

**Councilor Donahue:** No Comment.

**Councilor Stackhouse:** I want to thank the Senior Club for coming in. You provide a great service. It must be spring as Don Hallenbeck is back. I want to thank the Town Manager and the staff for all their hard work.

**Councilor Ferland:** The Community Forum last Sunday was great. Vaughn Woodruff was the speaker and he made such a compelling argument to move to renewable energy.

**Councilor Nichols:** I also want to thank the Senior Club for coming in. Thank you to Mr. Harvey for showing interest in the property. Thanks for coming out Donnie. The redemption center is for sale and at a reasonable price.

**Councilor Curtis:** My family went down to the new playground at Hathorn Park. My son really loved it. It is a very nice playground. We really enjoyed it.

**Councilor Cianchette:** Absent.

**Councilor Jordan:** Absent.

9. **EXECUTIVE SESSION:**

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

Motion by **Councilor Stackhouse** to enter into executive session to discuss Economic Development, Disposition of Property and Acquisition of Property under Title 1, Section 405, 6.C. at 7:56 pm. The motion was seconded by **Councilor Donahue**.

**VOTE: UNANIMOUS AYE**

Motion by **Councilor Stackhouse** to exit the executive session having discussed Economic Development, Disposition of Property and Acquisition of Property at 8:30 pm. The motion was seconded by **Councilor Donahue**.

**VOTE: UNANIMOUS AYE**

10. **ADJOURNMENT**

Motion by **Councilor Stackhouse** and seconded by **Councilor Donahue** that the meeting be adjourned at 8:31 p.m. All in agreement.

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Nicole Nickolan, Town Clerk