

MINUTES

For a regular meeting of the Pittsfield Town Council held on Wednesday, November 4, 2015 at 6:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Robert Stackhouse, Scott Strom, Trudy Ferland and Heather Donahue. **ABSENT:** Tim Nichols and Michael Cianchette. Also present: Town Manager Kathryn Ruth. Audience members included: Public Works Foreman, Steve Vance, Twinkle Marie Manning and others.

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

The Mayor advised that he would be voting tonight to make a quorum.

2. Adoption of minutes of the regular meetings held on October 6, 2015 and October 20, 2015

Moved by **Councilor Strom** and seconded by **Councilor Donahue** that the minutes of the regular meetings held on October 6, 2015 and October 20, 2015 be tabled.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events:

Report on New Business Activity & Opportunities in Pittsfield:

A. General:

A few private sector business activities remain under review and small projects continue to be underway. To address the few remaining available small locations, additional promotional pieces beyond our regular promotion of available properties had been provided to economic and community development resources and sites. As of the date of writing this agenda item, the Town continues to work on three proposals/ background materials for three business proposals/property inquiries on an intermittent basis. This summer – fall several new businesses opened up in Town.

The Town has received a number of new inquiries about available buildings in Town and provided information and assistance to business representatives collecting information on potential sites for their business or client. Some of the inquiries were from our website marketing materials while others were from the economic development information that we sent out on the internet. Still other inquiries were from advertising conducted on behalf of the property owners by their real estate agent or themselves.

Small Business Saturday:

Remember that Small Business Saturday is November 28, 2015. This day began in 2010 to assist small businesses in getting more customers through their doors the Saturday after Thanksgiving. Small Business Saturday is dedicated to helping small businesses do more business because when small businesses thrive, communities thrive too. There is not much literature about Small Business Saturday, however, there are a lot of short videos talking about its merits. For more information, got to <http://ShopSmall.com>

New Certificate of Welcome:

The Town Council will sign a Certificate of Welcome for a new business in the community located at 442 Main Street in Dwayne Ames' building. Kennebec Behavioral Health has moved to Town.

B. Certificates for Business Development and Successes:

Since 06/01/2015, Certificate of Welcome for new businesses were signed by the Town Council:

On 07/21/2015: Artful Alterations owned by Becky Thompson located at Copper Salon & Tanning

On 06/16/2015: Skills, Inc. Thrift Shop, now open at the Somerset Plaza

On 06/16/2015: JMR's Roofing & Painting which is located at 37 Canaan Road

On 06/02/2015: S.P.C. Sacks Painting & Contracting which is located at 207 Waverly Street.

On 09/15/2015: Detail & Color Tattoo which is located at 137 Crawford Road

On 10/20/2015: Surplus and Salvage Store at the Somerset Plaza

Since 06/01/2015, Certificate of Congratulations were signed by the Town Council:

On 07/21/2015: Argo for its partnership with iYogi which will create 300 jobs.

On 07/21/2015: Debora Short for her Revitalization Project at the Stein Park flower beds.

On 06/16/2015: United Insurance has a brand new office at 121 Somerset Plaza, Suite 102.

On 06/16/2015: Copper Salon & Tanning has a brand new building at Seabasticook Street

On 10/20/2015: Advance Auto Expansion at the Somerset Plaza

C. Business Development Projects Completed:**1. Somerset Plaza:**

Thrift Shop operated by Skills, Inc. opening on June 8, 2015

United Insurance Company's new offices opening on June 1, 2015

Salvage & Surplus Store opening in October 2015

2. Family Dollar Store on Somerset Avenue**3. Insource Renewables conversion of the former Corner Cupboard into a Storage Facility****4. Copper Salon's renovation of the former Seabasticook Valley Federal Credit Union****D. Properties for Sale:****1. UTC Factory:** Please see the lengthy history in prior meeting minutes.

On 08/06/2015, the Town was advised that the property will be available for occupancy in three months. Work continues at the facility. The Town has been advised that the property can now be marketed as of mid-October, 2015.

2. SAS Property: Please see the lengthy history in prior meeting minutes.

3. Pittsfield Redemption Center: Mrs. Goodridge has taken the facility back and has family members running it. The property and business are now for sale for \$35,000. The property is also being advertised by the Town.

4. Pittsfield Equipment Rental: The sale of the facility did not go through when the prospective buyer did not obtain a contract bid. The building remains for sale and another buyer is being pursued. The property is also being advertised by the Town.

E. Projects Under Review:**Hancock Lumber:**

Hancock Lumber was working 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.

American Legion:

The American Legion has received engineering assistance from Kleinschmidt Associates. An application for site plan review is being prepared for the building. Grant funding reviews have been underway with a couple of distinct possibilities located. The American Legion has launched a fundraising campaign to raise funds for the rehabilitation of their Middle Street property. At the 03/03/2015 Council Meeting, the Town Council approved a lease agreement for spots in the parking lot in order to meet site plan review requirements. The group continues their fundraising efforts. The group continues to work with the Code Enforcement Officer to obtain Site Plan Review. Offers have been made to assist with grant opportunities, which are limited in number. Another offer was made the week of 07/06/2015 to assist with writing grants for the organization. As of 08/19/2015, the American Legion has decided to tear down and remove the existing fire damaged structure and move in a different structure.

F. Somerset Avenue Projects:

Report on Somerset Avenue Sidewalk Project and Impact of the Somerset Avenue Mill & Fill Project:

All items which were designated as the responsibility of the contractor for the sidewalk project were completed. One driveway remains to be paved and tapered to address the water issues. This work was approved by the Town Council as it involves use of reserve funding.

The Town will look toward meeting with the State of Maine to discuss the changes made in the road by MDOT during the paving in the Mill & Fill Project and the resulting water issues by Hartland Avenue.

Report on Somerset Avenue Speed Limit Request:

Preliminary information was submitted to MDOT in late Fall 2014. Additional information was requested. Several extensive details were completed by the Police Chief to provide the additional information on days when the weather was clear, the roads were not snow covered and at a time in which the Police Chief did not have any commitments and the police department was fully staffed here in Town (not at court, out sick, etc.) MDOT has the additional information and will provide their answer on whether the speed zone from I-95 to the Varney Dealership can be lowered to 25 or 30 mph. With the information collected in 2014, it could not be lowered to 25 mph pursuant to their requirements. We will see what the additional information provides for an allowable speed limit under MDOT regulations. The Town has not been advised of a decision as of yet. There has been no response to requests for updates.

On 09/16/2015, the MDOT Division 4 Engineer agreed to meet with the Town Police Chief, Public Works Foreman and Town Manager when he was in the area for other projects to discuss how we would like this area approached with the results received. The 25 mph speed limit does not meet MDOT regulations. Another arrangement may be able to be made.

G. Report on Meetings & Events:

Spirit of America Foundation Tribute for 2015 at the Somerset County Courthouse on Wednesday, October 21, 2015 at 6:00 pm in Skowhegan

Kennebec Regional Development Authority (First Park) General Assembly Meeting on Thursday, October 22, 2015 at 5:00 pm at T-Mobile in Oakland

Theatre Committee Regular Meeting on Wednesday, October 28, 2015 at 6:00 pm

Upcoming Meetings & Events:

Kennebec Regional Development Authority (FirstPark) Marketing Committee Meeting on Wednesday, November 4, 2015 at 2:00 pm at the FirstPark Office in Oakland

Sebasticook Valley Chamber of Commerce Strategic Planning Committee Meeting on Thursday, November 5, 2015 at 4:00 pm at the SVCC Office in Palmyra

Sebasticook Valley Chamber of Commerce Board of Directors Meeting on Thursday, November 5, 2015 at 5:00 pm at the SVCC Office in Palmyra

Kennebec Valley Council of Governments Strategic Planning Committee Meeting on Monday, November 9, 2015 at 2:00 pm at the KVCOG Office in Fairfield

Kennebec Valley Council of Governments Comprehensive Economic Development Strategy (CEDs) Meeting on Tuesday, November 10, 2015 from 11:30 am – 1:30 pm at the KVCOG Office in Fairfield

Recycling Committee Meeting on Tuesday, November 10, 2015 at 5:00 pm (rescheduled due to Election and Council Meeting)

Somerset Workforce Connect Meeting on Thursday, November 12, 2015 from 1:30 pm – 3:30 pm in the Moody Chapel Conference Room at the KVCC Alford Campus

Somerset Economic Development Corporation Legislative Breakfast on Friday, November 13, 2015 at 7:30 am in Madison

Presentation by the Town Manager on Town Goals and Achievements:

As an introduction for the upcoming budget process for 2016, we have prepared accomplishments and determined goals for the future. Councilors were provided a copy of the department's achievements for 2015 and goals for 2016 in the Council Package.

The Town Manager briefly went over the achievements of the departments in 2015 and goals chosen for 2016.

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

Town Manager's Report: Town Council Meeting of 11/04/2015:

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

2. Voting Turnout: The turnout for the November 3, 2015 election was higher than expected. The Election results were reviewed.

3. 2015 Persis Smith Community Read: The Pittsfield Public Library is holding its 2015 Persis Smith Community Read in November featuring three programs based on the book “Superstorm: Nine Days Inside Hurricane Sandy” by Kathryn Miles. The book provides the first complete moment-by-moment account of the largest Atlantic storm system ever recorded—a hurricane like no other. In “Superstorm”, journalist Kathryn Miles takes readers inside the maelstrom, detailing the stories of dedicated professionals at the National Hurricane Center and National Weather Service.

Miles, a Portland resident, dedicates her writerly life to uncovering previously ignored narratives and characters. In addition to “Superstorm: Nine Days Inside Hurricane Sandy”, she is the author of “All Standing: The True Story of Hunger, Rebellion, and Survival Aboard the Jeanie Johnston” and “Adventures With Ari” as well as numerous articles of magazines and newspapers.

Copies of the book can be obtained from the public library. Readers are welcome to attend any or all programs of interest. It is not necessary to have read the book to participate in the programs. All are welcome.

- a. This evening, Wednesday, November 4 at 6:30 Kathryn Miles will discuss writing and researching her book and what she’s learned about our nation’s failing meteorological infrastructure.
- b. Thursday, November 5 at 4:00 there will be an emergency preparedness presentation by Michael Smith from the Somerset County Emergency Management Association.
- c. Monday, November 9, 4:00 WABI-TV meteorologist Arielle Whooley will discuss severe storms and weather forecasting.
- d. Thursday, November 12 at 4:00 librarian Holly Williams will facilitate a book discussion.

4. Meeting with FirstPark Executive Director: FirstPark representatives will be attending the Tuesday, January 19, 2016 Council Meeting to discuss the current activities, changes at FirstPark and the future. The Executive Director meets with each one of the 24 communities in FirstPark to update the municipal officials on activities and projects on a yearly basis.

5. Codes Violation Update on Court Case: This item is mentioned under this report as we do not have discussion updates during the budget period and this is an item of extreme interest to the Town Council. This is an update on the Town’s first code violation court case since the 1990’s. It took quite a bit to get to this point, however, the neighborhood should not have to put up with this problematic property on Leonard Street. The Town’s Attorney reported that the initial appearance in this matter took place on October 30, 2015 at Skowhegan District Court. The property owner appeared and represented himself. He denied all charges in the citation. The judge asked whether the parties may be able to reach an agreement. It was explained that the agreement in place was not followed by the property owner. Mr. Sprague which is why the Town went to court to request a hearing and action. The judge stated that he wanted the parties to try to resolve the matter without a trial, and that the court will provide 30 days' notice of the trial date. It is likely the trial will be scheduled for early next year. The property owner stated that he was going to continue to work to bring the property into compliance and would like to avoid a trial.

6. Bangor Metro Article on Pittsfield: After being featured as the community with the most unique properties in the State in the Maine Townsman late last month which was an excellent promotional article, the Town was then featured in the Bangor Metro. This is a magazine for the Midcoast, Northern & Eastern Maine which is on-line. Ellen Angel, the Preservation Architect that we worked with on the Depot and are hoping to work with on the Theatre Assessment alerted the Town to the article. It is an interesting article talking about all of our unique assets and depicts that we are not another sleepy town.

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

6. NEW BUSINESS:

RESOLUTION 15-128: Resolved that the Town Council authorize the Town Manager to execute the Maine Department of Transportation Property Data Gathering Permission Form for preliminary engineering data collection on the Pittsfield Recreational Trail (Rail Trail) property for the proposed bridge project.

Moved by **Councilor Donahue** and seconded by **Councilor Ferland** that Resolution 15-128 is adopted.

The Town Manager noted the Maine Department of Transportation continues to review and study the bridge project that is above the Town's Recreational Trail (Rail Trail). On Thursday, 10/22/2015, a MDOT Official came by the Town Office to request permission to conduct proposed geotechnical boring locations. The Town Council received a copy of the Department's standard permission form. MDOT wanted to start immediately so this item was discussed with the Town Attorney as I thought that the Town Council will need to authorize this permission. The Town Attorney advised that this item would need to be approved by the Town Council. MDOT was advised that the Town Council would need to authorize the Town Manager to execute the form.

This is information on the work to be completed from Roger Sproul, Right of Way Appraiser for the Bureau of Project Development Bridge Program: "No testing will be conducted in the gravel base of the trail. The four (4) shallow borings will be 3 inch diameter holes and will be located outside of the recreational trail, in the ditches on either side. We anticipate the deepest boring will be approximately 27 feet and the shallowest approximately 14 feet, based on the historical borings drilled in 1963 for the existing I-95 bridge overhead. The borings will be backfilled and tamped. Given that the borings will be located outside the limits of the recreational trail and will be only 3 inches in diameter, even if the backfilling were done imperfectly, it is very unlikely they would compromise the integrity of the trail's gravel base or pose any risk of injury to hikers. The drillers really seem to have their hearts set on drilling next week. If permission is approved during the Wednesday (November 4) meeting, they would like to begin Thursday and may or may not need to finish on Friday. They are hopeful it is only a one day job, but could possibly extend into the second. Obviously, if permission is refused, they will have to go somewhere else to work those 2 days. We are perfectly willing to provide you copies of the boring logs and the results of any lab tests conducted on the soil samples."

Mr. Sproul attended the Council Meeting and answered the Councilors' questions about the drilling and the process.

VOTE: UNANIMOUS AYE

RESOLUTION 15-129: Resolved that the Town Council approve the Request for Proposals for the Curbside Pickup of Recyclables and authorize the Town Manager and Recycling/Transfer Station Coordinator to seek bids for same.

Moved by **Councilor Donahue** and seconded by **Councilor Ferland** that Resolution 15-129 is adopted.

The Town Manager noted after the Recycling/Transfer Station Coordinator was notified by the Town of Palmyra that their community would no longer pick up curbside recycling after 03/31/2013 due to initiation of single stream recycling, the Town then placed the service out to bid. The Town received great pricing from Bolsters through 12/31/2015.

The Recycling/Transfer Station Coordinator has been studying the various options available and has advised that the RFP for the same service should be put out to bid rather than changing to single stream or some other alternative. The RFP was enclosed in the Town Council's package for their review. Hopefully pricing will be reasonable so that curbside pickup of recyclables for residences will continue in the future.

VOTE: UNANIMOUS AYE

RESOLUTION 15-130: Resolved that the Town Council waive the Bid Policy and accept the proposal of RHR Smith & Company, CPA of Buxton in the amount of \$9,900 for the Municipal, Water Enterprise and Sewer Enterprise Audits and \$1,200 for Single Audit for Grants when required for the Audit Year of 2015 and approve the firm as the external auditor for the Town's 2015 Audit.

Moved by **Councilor Donahue** and seconded by **Councilor Ferland** that Resolution 15-130 is adopted.

The Town Manager noted the Town Council had authorized an RFP for Auditing Services for the 2006 and 2007 audits. The cost of RHR Smith & Company was \$9,900 for each year for the Municipal Services, Water and Sewer Enterprises. For many, many years prior to this the Town had another auditor that did a great job, however, was quite expensive with the audits costing around \$20,000. This was a very good price and the firm has agreed to keep the same price for 2008 – 2014.

RHR Smith & Company has agreed to keep the same audit costs for 2015. Considering the size and extensive complexity of the many state and federal grants that the Town has received for these years as well as for 2015 and the Town's many additional services, funds and small grants, this is an excellent price.

\$7,000 for the Municipal Services
\$1,450 for Water Enterprise
\$1,450 for Sewer Enterprise
\$1,200 for Single Audit for Federal Grants

Mr. Ron Smith, Managing Partner, met with the Town Council in 2011, 2012 and 2014 while Charemon Davis, Senior Auditor, met with the Town Council in 2013 and 2015. It is clear that both auditors were well versed in auditing principles and quite knowledgeable about the Town's bookkeeping system.

VOTE: UNANIMOUS AYE

7. **REPORTS:** Audience, Council

Council:

Councilor Donahue: I want to congratulate everyone on the Councilor Elections.

Councilor Ferland: Congratulations to Twinkle.

Councilor Nichols: Absent.

Councilor Strom: Congratulations on the Election.

Councilor Cianchette: Absent.

Councilor Stackhouse: The Town Manager and I attended the Somerset County Spirit of America presentation in Skowhegan on October 21 to support Bev Rollins. I was a very nice event. I want to congratulate the Field Hockey team on their victory. I want to note that we all need to work together. There is a small group of people in the community who are very negative about the Town. We need to be positive and productive.

8. **EXECUTIVE SESSION**

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

Motion by **Councilor Donahue** to enter into executive session to discuss Economic Development, Disposition of Property and Acquisition of Property under Title 1, Section 405, 6.C. at 7:06 p.m. The motion was seconded by **Councilor Strom**.

Motion by **Councilor Donahue** to return to regular session. The motion was seconded by **Deputy Mayor Nichols**. The Town Council exited executive session at 7:55 p.m.

Mayor Stackhouse noted that no decisions were made in executive session.

Motion by **Councilor Donahue** to sign the Resolve supporting the business project. The motion was seconded by **Councilor Strom**.

VOTE: UNANIMOUS AYE

9. **ADJOURNMENT**

Motion by **Councilor Donahue** and seconded by **Councilor Strom** that the meeting be adjourned at 8:08 p.m. All in agreement.

Nicole Nickolan, Town Clerk