

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, December 17, 2013 at 6:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Gary Jordan, Jr., Caleb Curtis, Tim Nichols and Christopher Carr.

ABSENT: Michael Cianchette and Heather Donahue. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Trudy Ferland, Jane Woodruff, Vaughn Woodruff and others.

1. **Mayor Jordan, Jr.** opened the meeting by leading the **Pledge of Allegiance**. The Council observed a moment of silence.
2. Adoption of minutes of the regular meeting held on December 3, 2013.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that the minutes of the meeting held on December 3, 2013 be adopted.

VOTE: UNANIMOUS AYE

Mayor Jordan, Jr. noted he would be voting tonight to make a quorum.

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

Presentation of ideas for traffic calming on Somerset Avenue by Jane and Vaughan Woodruff:

Jane and Vaughan Woodruff will be presenting ideas for traffic calming/enhancing traffic flow on Somerset Avenue collected from research and talking to residents who live on Somerset Avenue.

MDOT has advised that it has very limited funds for traffic enhancement for the Somerset Avenue mill and fill project. MDOT will be reviewing this list and commenting on it prior to the Town Council Meeting. There will be a discussion on the items allowed by MDOT for traffic calming on a minor arterial road, which is how Somerset Avenue is classified.

The Town Council was provided with ideas from the Woodruffs and citizens in a handout compiled by Vaughan Woodruff. The Town Council was also provided a short recap of the lengthy discussion the Town Manager had with MDOT about the items that will fit in the State's budget for the MDOT mill and fill project. MDOT has also noted their rules and policies for minor arterials.

At this time, we have a meeting scheduled with MDOT at 10:00 am tomorrow (Wednesday) in the Town Office to review the project.

As a side issue to the State's project, the Town's sidewalks are in varying degrees of condition from excellent to poor due to financial constraints of the community. The Town's infrastructure, excepting that paid for by approximately 121 grants now over the last decade, is the original or in some cases, a replacement of the original. An estimate with engineering design and inspection was

approximately \$600,000. We submitted an application for the one grant program the Town qualifies for addressing sidewalks – the Safe Routes to School Program – to reconstruct a section of Somerset Avenue closest to the school and was not approved. The program scores new sidewalks higher and we could not get enough points with the stiff competition. The program started out with 140 applications vs the usual 30-40 applications.

With that said, MDOT did agree to look around to see if there is any left over money for signing, signals and crosswalks.

Vaughn noted that the Heart of Pittsfield has been brainstorming on ideas for the Somerset Corridor. Some of the points of focus are the excessive speed going down the hill towards School Street and the major school crossings at Hartland Avenue and School Street. We would like to see what items are possibilities. Our handout provided shows the 7 locations of improvement. Proposed improvements include more consistent signage and better visibility of crosswalks. The current crosswalks require significant maintenance. We would propose the use of thermoplastics, which do not require as much maintenance. The speed limit on Somerset Avenue was discussed and some Councilors felt that perhaps it could be dropped to 25 all the way to the highway ramps. The Town Manager noted she would look into this and discuss the matter with John Dickson and MDOT, as this is a State Road. Vaughn also discussed bumpouts, which can also be discussed with MDOT. Vaughn noted he would be attending the meeting with MDOT tomorrow. Jane Woodruff stated the initial idea of speedbumps had been discussed with MDOT, the bumpouts were a talk down from the speedbumps. The possibility of a solar powered beacon was discussed to help bring attention to drivers. The Town Manager noted she was reviewing the State policy regarding beacon requirements. One beacon is available, but 2 may be a requirement. Vaughn noted the Heart of Pittsfield has been discussing Town beautification. It may be possible that the group could provide donations or fundraise for these projects.

Councilor Curtis wanted to thank Vaughn and Jane for putting their effort into this and presenting this package. Improving the crosswalks would be a really nice thing. The Somerset Plaza area really is a nice part of Town with many recent improvements to the businesses.

Presentation by Town Manager of Goals for 2014:

A brief presentation of focuses for 2014 was reviewed by the Town Manager. Focuses are crucial so that the most important projects can be accomplished.

I would like to thank the Town Councilors for my evaluation and I greatly appreciated your comments.

The Town Council decided several years ago that at this time of the year, the Town Manager would report on the goals for the next year.

I do not believe there are any surprises on this list of goal projects for 2014 given our concentration on town infrastructure. It is important to have focuses in this busy world and this community, which is surprising much busier than others. Requests can come from many levels of government and layers of the State, region and community, which often can be conflicting in nature. In order to have accomplishments, it is crucial to stay focused on the priorities. The Town has made many commitments and needs to follow through on them:

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

1. Economic & Community Development:

Regional Business Forum

Annual Job Fair

SVCC Annual Meeting is being held in Pittsfield for the first time

Egg Festival activities which generate extensive revenue for local businesses.

Promoting the Certified Business Friendly Designation

The Town now has **6 new Industrial Park Lots**, which are a very valuable inventory that we have not had for many years. With the economy coming back a bit now, we should start a new marketing campaign for sale of the lots in 2014. In 2002 – 2005, we sold off the Town's industrial and commercial inventory. Each year, there has been extensive work completed on economic development, with a different focus. Two and one-half years were spent acquiring and implementing the \$1.1 million dollar Industrial Park Expansion Project, a project which the Town first envisioned in 1989 when the industrial land was purchased. The Town was fortunate to receive \$880,000 in federal economic development stimulus funding, which along with the Town's \$220,000 available from prior economic development funding paid back to the Town that allowed this project to go forward. As part of that package, we were allowed to grind, place a base and overlay Industrial Park Street, which had originally been built in 1976. Funding for road projects is nearly non-existent, therefore, this was a wonderful upgrade for the traveling public, businesses, heavy trucks and the Town's entrance. This category includes the many grant projects that we have worked on and would continue to implement to closure. **The SAS Building needs to be pushed.** Although this is not town property and is being marketed by a luxury property real estate company, we were able to get the property on the radar of the State of Maine so we have had some referrals. We need to develop a marketing campaign for this property as it is complex property with great potential. In addition, **Business Visits** and working with local businesses on their expansion plans will continue into 2014 as well as representing the Town on multiple economic and community development regional groups. There are a variety of additional ideas that can be implemented beyond the very successful **Buy Pittsfield Buy Local Day** that raised \$4,190 for the Theatre. We would continue to work with businesses to promote their discount programs and to buy in Town or some other activities of this nature to promote the businesses. Joining the **Mid-Maine Chamber of Commerce** was one of the best decisions that we have made. The professionalism and commitment to businesses was outstanding from our orientation session. There are a lot of resources and assistance available to the Town. The **SVCC** has a new director who has that global view who has from reviewing all the work of the Chamber and the SPC Committee, has developed a relocation and quiet recreation focus. We have talked about historic tours in each of the communities, which is a focus here for the depot and theatre, once restored. **HealthySV** has identified a recreational component for their new work plan. There will be some excellent synergies

INVOLVED with this will be working with volunteers, businesses and organizations on community recognition and pride projects. A lot can be done in this area with some seed monies, hard work and a positive can do attitude. Activities such as expansion of our flag placement project as well as sustain funding for the project; community celebrations, bringing back our Volunteer Appreciation Night, a holiday celebration and some community betterment ideas would be involved. We are very fortunate to have a group of citizens committed to this community coming forward to work on a variety of projects.

2. Work with many parties on the Historical Depot Preservation/Restoration Fundraising. We need to team up with other groups and organizations to assist with this crucial project and other group's projects, which would be beneficial for all. Fortunately, we have received enough donations, small grants and the Town's commitment which provided for the roof restoration project completed in 2013 and the Foundation project which will be completed with the sill work in 2014. To date, we have not located any large grants that would move the project forward as we are looking for funds for a historical depot owned by a town, which is a bit of a novelty.

3. Work with many parties on the Theatre Restoration Project Fundraising. We need to team up with other groups and organizations to assist with this crucial project and other group's projects, which would be beneficial for all. Now that the digital projector is in place, we need an overall action plan, engineering and/or architectural work, and extensive fundraising. To date, we have not located a large grant that would move the project forward as we are looking for funds for a movie theatre owned by a town, which is a bit of a novelty.

4. Work with the Engineering Consultant and the Water/Sewer staff to continue the Sewer System Rehabilitation. The long-awaited sludge removal project was completed in 2011 to remove 30 years of sludge from the lagoon system. In addition, we have identified an extensive list of priority sewer projects. Obviously, we are not going to do all of these projects at once due to the sheer magnitude and cost of these projects. However, as the sludge removal project came in under budget, we have had funding available to perform work on Nichols, Cianchette, Livingston, Somerset, School Street Cross Country and now Main Street, Franklin Street and hopefully another project in 2014. The economic conditions during this period of time have resulted in very competitive and excellent bid pricing for construction projects. The Sewer System Evaluation had started with the jetting of the lines, camera work and smoke testing to locate leaks in the system, which has led to a recommended CIP for the Town for sewer line replacement of \$9,005,000.

5. Work with the Engineering Consultant and the Assistant Water/Sewer Superintendent to move forward the Water System Enhancements. Over \$2.4 million dollars in priority water projects have been identified. The Town was fortunate to be awarded a low-interest Drinking Water Program loan to rehabilitate the Waverly Avenue River Crossing, which was finished in 2013. The Town received a small grant and a low-interest loan for this project totaling \$508,350. We will need to review the water listing priorities and determine which projects to pursue funding for and how much we can afford for a loan payment. We have added a new loan payment for Waverly and the Town has been committed to not raising the water rates for awhile, especially during these type of economics, so we will need to fully review this area.

A lot was accomplished during the last year in these very important and complex areas with more work to be done in 2014. Thank you.

Community and Economic Development Activities and Events:

Report on New Business Activity & Opportunities in Pittsfield:

Important economic and community development events scheduled:

Wednesday, April 09, 2014: Regional Business Resources Night 6:30 – 8:30 pm
Wednesday, May 14, 2014: 7th 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 Pitt Stop Tavern (Restaurant) on Route #100 at the corner of the Webb Road has received its business license, is looking really good and has announced that it will open soon.

The Architect and Engineer for the new store project have been in contact with the Town regarding the site plan review process and noting that they are working on the application.

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.

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 and is awaiting a decision.

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.

The Economic Development Opportunities for the Town as well as the Economic Development Marketing Plan were updated in October, 2013. We have a number of properties that the Town has received permission to market for the individuals and real estate companies and there are a number of opportunities with very reasonable pricing now. The new listing update was reviewed in depth with the Town Councilors.

Report on Meetings & Events:

Recycling Committee Meeting on Wednesday, 12/04/2013 at 5:00 pm.

Sebasticook Valley Chamber of Commerce Strategic Planning Committee Meeting on Thursday, 12/05/2013 from 3:30 pm – 4:30 pm at the Palmyra Chamber Office.

Sebasticook Valley Chamber of Commerce Board of Directors Meeting on Thursday, 12/05/2013 at 5:00 pm at the Palmyra Chamber Office.

FirstPark Executive Committee Meeting on Thursday, 12/12/2013 at 5:00 pm at the FirstPark Office in Oakland

Upcoming Meetings:

To be compiled

4. PUBLIC HEARINGS/OLD BUSINESS:

ORDINANCE 13-16: (Public Hearing) The Town of Pittsfield hereby ordains the 2014 Capital Budget be approved as follows:

Highway Loader	\$ 35,000
Highway General Equipment	5,000
Highway Paving	100,000
Highway Construction/Reconstruction	100,000
Highway Sidewalks	75,000
Waste Transporter	30,000
Recycling Equipment	20,000
Library Capital	5,000
Airport Hangers	200,000
Theatre Renovations/Revitalization	363,500
Historical Depot	75,000
Downtown Revitalization	250,000
Energy Conservation	<u>100,000</u>
 Total Projects/Reserves:	 \$1,358,500
 Funding by Loan	 -\$ 100,000
Funding by Lease/Purchase	-\$ 30,000
Funding by Reserves	-\$ 5,000
Funding by Grants	-\$ 903,500
<u>Funding by Other Resources</u>	<u>-\$ 130,000</u>
Total to be raised by taxation	\$ 190,000

The Public Hearing was opened. There was no one who wished to speak for or against Ordinance 13-16. The Public Hearing was closed.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Carr** that Ordinance 13-16 be adopted.

The Town Council received an in-depth discussion of the Capital Budget in the Budget Book.

VOTE: UNANIMOUS AYE

ORDINANCE 13-17: (Public Hearing) The Town of Pittsfield hereby ordains that the 2014 Operating Budget in the amount of \$2,663,632 (**\$2,657,230**) be approved, and the total sum of \$4,022,132 (**\$4,015,730**) be appropriated (Operating plus Capital Budgets);

AND FURTHER, that \$1,267,054 (**\$1,260,652**) be raised through taxation; that \$1,062,060 () be raised from estimated revenues; that \$224,518 (**\$125,000**) be appropriated from State Revenue Sharing; that \$30,000 () be appropriated from Lease/Purchase; that \$100,000 () be appropriated from Loans/Bonds; that \$5,000 () be taken from reserve funds; that \$903,500 () be appropriated from grants; that \$130,000 () be appropriated from other Revenue Sources; and that an additional sum of \$300,000 (**\$399,518**) be taken from undesignated fund balance.

The Public Hearing was opened. There was no one who wished to speak for or against Ordinance 13-17. The Public Hearing was closed.

Moved by **Councilor Carr** and seconded by **Deputy Mayor Nichols** that Ordinance 13-17 be adopted with the revised amounts.

The Town Manager noted the tally and motions addressing the reduction in health insurance premium from the original MMA estimate:

CHANGES TO THE EXPENSE BUDGET:

1. Town Councilors added \$150.00 for Town Manager's memberships, which were being paid by employee.
2. Health Insurance premium for 2014 was estimated at 10% per MMA. The resulting increase was 4%. All insurance changes resulted in a decrease of \$11,902.00
3. Workers Compensation premium was estimated at cost as the costs had been the same for several years. MMA notes that there will be an increase of 17% - 20%. Budgeted for a 20% increase. This is an increase of \$5,500.00.

CHANGES TO THE REVENUE BUDGET:

1. The State of Maine estimated the Town's State Revenue share to be \$224,518 which is a major decrease from last year. With all the very recent commentary about how the Tax Exemption Committee has been unable to complete its assignment and that the program is again in jeopardy, lowered the estimate to \$125,000. Raised the allocation from Fund Balance by the difference to balance the Revenue Budget. At this time, this seems achievable and that \$99,518 will be available for this use. This change will better protect the Town. We will not know for months as to what will take place for 07/01/2014 for funding. The State of Maine's SRS estimates are based on the fiscal state year and the Town's estimates are based on the calendar year.

VOTE: UNANIMOUS AYE

ORDINANCE 13-18: (Public Hearing) The Town of Pittsfield hereby ordains that the 2014 Water and Sewer Enterprise Fund budgets in the respective amounts of \$430,732 () and \$501,350 () be appropriated from the respective estimated departmental revenues.

The Public Hearing was opened. There was no one who wished to speak for or against Ordinance 13-18. The Public Hearing was closed.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that Ordinance 13-18 be adopted.

VOTE: UNANIMOUS AYE

ORDINANCE 13-19: (Public Hearing) The Town of Pittsfield hereby ordains to authorize the transfer of unencumbered appropriation balances to various departments:

FROM:	01-45 Community Development	\$6,000
TO:	05-10 Police Department	\$6,000

The Public Hearing was opened. There was no one who wished to speak for or against Ordinance 13-19. The Public Hearing was closed.

Moved by **Councilor Carr** and seconded by **Councilor Curtis** that Ordinance 13-19 be adopted.

The Town Manager noted the Charter provides for the Town Council by ordinance to transfer part or all of any unencumbered appropriation balance from one department to another. This is a housekeeping process required under the Town Charter. Until 2002, the Town had not processed transfers for several years and the Auditor had identified this as needing to take place in the 2001 audit.

VOTE: UNANIMOUS AYE

ORDINANCE 13-20: (Public Hearing) The Town of Pittsfield hereby ordains that a lease be executed with Curtis Air, Inc. to provide airport maintenance and airport services as depicted in the lease and to lease parcels A, B, C, D and H at the Pittsfield Municipal Airport. The lease shall be for a 20-year period beginning January 01, 2014 with two (2) 10-year renewal options. This is a new lease to replace the current lease expiring December 31, 2013, which was assigned to Curtis Air on October 20, 1998 and renewed on December 30, 2003.

The Public Hearing was opened. There was no one who wished to speak for or against Ordinance 13-20. The Public Hearing was closed.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Carr** that Ordinance 13-20 be tabled to the next Council Meeting.

The Town Manager noted the original lease, which Curtis Air, Inc. has been operating under dates back to November 1, 1988. The lease was assigned to Curtis Air on October 20, 1998. The original lease was for 15 years with one (1) 10-year renewal expiring on December 31, 2013.

The Town Manager took the original lease, updated it with current insurance requirements, the indemnification agreement language and several sections from the new lease agreement utilized for parcels at the airport. She left the current lease fee paid to the Town as remuneration as the initial amount for the beginning of the 25 year lease, which has a Consumer Price index increase if there is one for each year.

As this is a new lease agreement, it does require a public hearing and ordinance passed under the Town Charter. Renewals will not require that step.

As only four Councilors were present and Councilor Caleb Curtis would not vote on this item, it was recommended it be tabled.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: Town Council Meeting of 12/17/2013:

1. The FYI Folder: FYI Folder which contains items that come in between the Town Council

Meetings has the following this evening: READ List.

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 2nd 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. Pan Am Railroad Crossings: Through the efforts of Maine DOT with the Town's encouragement and requests, the Main Street Crossing was completed and has been a great enhancement. Pan Am laid new rail, which has been a great improvement. After a number of discussions, Pan Am has agreed to properly fix the Webb Road Crossing which was damaged during a derailment this Fall and the Industrial Park Street crossing which has been deficient for over two years. This work will take place next Spring, 2014 pursuant to discussions.

4. Ordinance Amendments: The Town will be starting the new year with some ordinance amendments. The CEO had been working on a Property maintenance ordinance. After numerous discussions with the Town Attorney and review by the Planning Board, the Town Attorney has recommended that the State Law be utilized for some of the property maintenance issues the CEO has been dealing with and that the Town zoning ordinance be utilized as well as several amendments to the Zoning Ordinance. Basically if we beef up the Zoning Ordinance a bit, we do not need another ordinance that will conflict with the State law and town code and it will be easier to address some of the property issues going on. 90% have been addressed by commonsense and talking with people. The rest of the issues require more.

5. Egg Festival Dinner for Volunteer Organizations: The Central Maine Egg Festival will be hosting a dinner for volunteer organizations on Thursday, January 09, 2013 at 6:30 pm in the Council Chambers. This will be an informal dinner meeting to discuss the 2014 Egg Festival and how Volunteer Organizations can become involved.

6. The Best Towns in Maine for Young Families: The Mayor found a listing on the Internet of the "Best Towns in Maine for Young Families". Of the 15 towns identified in the State of Maine, Pittsfield was ranked 13th. The list is based upon: Does the Town have good public schools? Can you afford to live there? Is the Town growing and prospering?

7. Grant Funding Programs and Projects: The Grant Summary Report for 2003-2013 has been updated as of 10/31/2013. To date, the Town has received \$10,631,054 in grant funding through 113 grants. We have some pending activity and other projects on-going so the Town has a total of nearly \$12 million in grant activity since 2003.

Finance Committee: None.

Ordinance Committee: None.

Recycling Committee: The Recycling Committee met on 12/04/2013. The Committee is tying up loose ends for the end of the year. We discussed plans for the upcoming Earth Day and Arbor Day.

6. **NEW BUSINESS:**

RESOLUTION 13-138: Resolved that the Town Council Authorize the Town Manager and Deputy Tax Collector to issue the notice of Tax Acquired Property Sale and place the Tax Acquired Parcels out to bid.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that Resolution 13-138 be adopted.

The Town Manager noted 2011 Tax Liens foreclosed on 12/02/2013. Due to the condition of the properties and circumstances that have been beyond our control, these properties have been placed on the agenda for sale at tax acquired property bid. Taxes are owed for 2011, 2012, 2013 and will be owed for 2014 in the future.

Under the Town regulations, former owners have a redemption period of 21 days in which he/she/they can pay up all taxes and costs. If this is done, the sale of that particular property that was redeemed, is dropped from the TAP sale. The other TAP proceed forward.

Parcel #1, Map 23, Lot 56 is a buildable lot on Estelle Street. The building burned in a fire several years ago. The property has a concrete pad remaining plus a can full of demolition debris.

Parcel #2, Map 25, Lot 68 is a buildable lot as long as the new building is within the footprint of the current building. The building has not been demolished or rebuilt as directed by the Town. It is an isore and problematic to the neighborhood, downtown and community.

Parcel #3, Map 29, Lot 25 the Town has been in contact with the occupant regarding options.

Issuing the TAP sale notice is the first step in the process. The bids will be opened at the bid opening and discussed at the next Town Council Meeting. Bids require a 20% deposit and written narrative regarding the intent for the property and timeframe. If a bid is accepted by the Town Council, then the successful bidder has 21 days to pay for the remainder of the bid. The Town would sell the property after the public hearing required under the Charter. Basically, there will be three additional Council Meetings on the subject.

We kept the pricing reasonable to solicit interest so that the Town would receive bids.

VOTE: UNANIMOUS AYE

RESOLUTION 13-139: 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 each of the Audit Years of 2013 and 2014 and Approve the firm as the external auditor for the Town's 2013 and 2014 Audits.

Moved by **Councilor Carr** and seconded by **Councilor Curtis** that Resolution 13-139 be 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 good price and the firm has agreed to keep the same price for 2008 – 2012.

RHR Smith & Company has agreed to keep the same audit costs for 2013 and 2014. Considering the size and extensive complexity of the many federal grants that the Town has received for 2013 as well as 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 and 2012 while Charemon Davis, Senior Auditor, met with the Town Council in 2013. It is clear that both auditors were well versed in auditing principals and quite knowledgeable about the Town's bookkeeping system.

VOTE: UNANIMOUS AYE

RESOLUTION 13-140: Resolved that the Town Council Authorize the Town Manager to Execute a contract for the Police Department with the Humane Society – Waterville Area for the period of January 1, 2014 – December 31, 2014 at the sum of \$1,501.65 per quarter to not exceed \$6,007.00 for the year.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Carr** that Resolution 13-140 be adopted.

The Town Manager noted the Town's first year with the Humane Society in Waterville has worked well. A renewal of the yearly contract will be at the same price as in 2013.

The Town was provided with pricing of \$1,501.65 per quarter which rounds up to \$6,007.00 per year. The Town was asked to pay quarterly by the Humane Society.

VOTE: UNANIMOUS AYE

RESOLUTION 13-141: Resolved that the Town Council Appoint Karen L. Baker as Animal Control Officer through 12/31/2014 and Authorize the Town Manager to sign the Animal Control Officer Contract for services for calendar year 2014 with Karen L. Baker.

Moved by **Councilor Carr** and seconded by **Councilor Curtis** that Resolution 13-141 be adopted.

The Town Manager noted this is a regular yearly appointment and contract with the Animal Control Officer for services. For 2012, there were no revisions in cost or fees for services. For 2013, Karen has asked for an increase of \$25 per month or \$300 for the year or 10% due to gas and vehicle maintenance costs increasing over the last couple of years. Mileage reimbursement that is received under the contract is for just the trips to the shelter. For 2014,

there are no revisions in cost or fees for services. The Town Manager will provide supervision and guidance to this contractual position this year.

VOTE: UNANIMOUS AYE

RESOLUTION 13-142: Resolved that the Town Council accept a grant from the U.S. Department of Justice (DOJ) FY2013 Bulletproof Vest Partnership Program in the amount of \$345.00 and authorize the expenditure of those funds for same.

Moved by **Councilor Curtis** and seconded by **Councilor Carr** that Resolution 13-142 be adopted.

The Town Manager noted the Town has been awarded funds toward a bulletproof vest purchase for one of the officers and is awaiting the federal payment maximum allotment for the Town of one-half of the cost or \$345.00. The other 50% of the cost or \$345.00 will come from the Police Budget. The Police Department may be able to order another bulletproof vest for another officer and will pursue this in early 2014.

VOTE: UNANIMOUS AYE

RESOLUTION 13-143: Resolved that the Town Council Authorize the Treasurer and Deputy Treasurer to write off uncollectible personal property taxes for the years 1998 – 2010.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that Resolution 13-143 be adopted.

The Town Manager noted the Town staff has spent many years pursuing personal property tax collections to collect extensive taxes that were due. In August 2012, the Town wrote off the first batch of personal property taxes that were determined to be uncollectible after numerous attempts to locate a business. This would be the second batch of personal property taxes to be considered for write-off as the accounts are uncollectible.

In 2007, the Council approved a procedure to allow property owners with taxes due that year and prior years to pay up without interest by a certain date in order to collect a large portion of the taxes due. This process worked well as those individuals with personal property tax bills were able to pay off the principal without interest.

Tax Commitments for Personal Property during the affected years totals \$8,147,790.28. Generally 1% of the year's commitment has been uncollectible.

1998	\$551,818.95
1999	\$609,290.91
2000	\$662,984.60
2001	\$758,115.54
2002	\$744,944.76
2003	\$736,042.14
2004	\$688,847.28
2005	\$717,133.08
2006	\$768,710.25

2007	\$570,230.68
2008	\$511,392.96
2009	\$413,001.25
2010	\$435,277.88
TOTALS	\$8,147,790.28

Councilors were provided a list of uncollectible personal property taxes are recommended for write off by the Town Council. A few bills were issued after a company closed down, however, did not file its canvassing form with the Tax Assessor so the bills should not have been issued. A majority of the taxes due are for companies that are long gone as they left the State without a forwarding address and can not be located through the internet or other means; went through bankruptcy; were foreclosed upon by the bank they owed a mortgage to; or were dissolved. Those companies that went through bankruptcy, were foreclosed upon or were administratively dissolved under law have no liability for the taxes assessed which remain unpaid.

By leaving the personal property tax accounts on the books, we have collected funds that might not have otherwise been collected by being persistent. These accounts, however, have been uncollectible. If you do know where a company or individual named is located and the party has not gone through bankruptcy or foreclosure, please let me know and we can delete that individual or company from this resolution.

The personal property tax accounts were also left on the books so it would be clear that we would only write off truly uncollectible accounts.

The Town has made over 10 attempts to collect the tax amounts due on this list. In some cases, it is more. After researching these companies on the Secretary of State's website or by phone call in the State of Maine and/or the respective State of origin, sending requests and/or calling the companies, we have been unable to collect payments on these accounts. Many of the companies no longer exist and for those that do exist, we have legal letters in the files explaining how the bill does not belong to the company or instructing the Town to stop contacting the client.

One business on the list closed and unfortunately did not contact the Assessor to advise of this. However, it is clear that the business did not exist for the years taxed. This is account #435.

The first resolution will be just for those accounts specifically listed on the excel spreadsheet.

There are a few more outstanding personal property tax accounts that we are still working on as the people are either here in Town and/or making some payment or we have a lead on where the company re-located and/or the name of the company that purchased the assets. There are several people that refuse to talk to the Town about the personal property taxes and owe larger amounts. It is recommended that the Town Attorney write to these specific delinquent taxpayers who obviously are operating businesses.

The second resolution addresses those few accounts in which the taxes were paid off except for a few cents under or over the bill and the company is no longer in Town. Right now, there are several of these ranging from 10 cents owed to 6 cents overpaid. There are no further bills to apply these amounts, therefore, it would be sensible to clear out the books by applying the small balances, both positive and negative to the Interest on Taxes account. This resolution would continue into the future.

The Town Manager noted that there are unpaid taxes owed by current residents and businesses in Town. The Mayor asked how we would address this. The Town Manager noted numerous attempts have been made to establish a payment plan. The Town has an Order on file permitting the Town Attorney to start collection.

VOTE: UNANIMOUS AYE

RESOLUTION 13-144: Resolved that the Town Council Authorize the Treasurer and Deputy Treasurer to write off small balances and/or credits of under \$1.00 to the Taxes Interest Account for personal property tax bills of companies no longer in Town.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that Resolution 13-144 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 13-145: Resolved that the Town Council Authorize the Town Manager to close the cash escrow for the Central Maine Power Company Maine Power Reliability Program as the project is now completed and all road work has been fully signed off on by town staff and to return the cash escrow to Central Maine Power Company.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that Resolution 13-145 be adopted.

The Town Manager noted on 06/15/2010, the Town Council voted to accept the recommendation of Plymouth Engineering for a performance guarantee and a cash escrow pursuant to the Site Plan Review Ordinance on the Maine Power Reliability Program.

Ultimately, CMP required each of its contractors to put up a performance guarantee. The Cash Escrow was established in 2010 in the amount of \$73,000 and remains in a bank account acquiring a small amount of interest each month. The Town did not have to expend any of the funds to fix the road damages as Central Maine Power Company required its contractors to do this work.

The project is now completed with the paving placed at the sites that were damaged during the project. Several roads have new pavement placed prior to the closure of the paving plants

VOTE: UNANIMOUS AYE

RESOLUTION 13-146: Resolved that the Town Council Authorize a total of \$17,499 for carry forwards from the 2013 Budget and Encumber the funds for 2014.

Moved by **Councilor Curtis** and seconded by **Councilor Carr** that Resolution 13-146 be adopted.

The Town Manager noted the Town Charter allows for funds to be carried forward into the next year if the purpose for the funds has not yet been addressed and/or to encumber the funds for that future use. Generally, Carry Forwards take place due to circumstances beyond a department's control in which staff were unable to complete a large budgeted project. Due to the State

Revenue Sharing situation, the departments have been extremely conservative with spending in order to make sure that revenue collections support the budget that is spent. For 2013, it is proposed that we encumber funds for one Carry Forward account. This will be for Grant Match which will support on-going grant projects not yet completed and grant projects under consideration.

35-05-50-65 Match for Grants \$17,499 For Grant Applications

Total Carry Forwards: \$17,499

VOTE: UNANIMOUS AYE

RESOLUTION 13-147: Resolved that the Town Council accept all cash donations for the Library Donations (G#1-634-00) for 2013 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

Moved by **Councilor Curtis** and seconded by **Councilor Carr** that Resolution 13-147 be adopted.

The Town Manager noted under the State Law, the Town needs to authorize the acceptance of all cash donations.

VOTE: UNANIMOUS AYE

RESOLUTION 13-148: Resolved that the Town Council accept all cash donations for the Community Swimming Pool Donations (G#1-643-00) for 2013 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 13-149: Resolved that the Town Council accept all cash donations for the Underage Drinking Program (R-85-65-10) for 2013 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 13-150: Resolved that the Town Council accept all cash donations for the Theatre Fundraising Campaign (R-86-09-01) for 2013 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 13-151: Resolved that the Town Council accept all cash donations for the Pittsfield Keep Neighbors Warm Program (referred to by staff and citizens as Pittsfield Keep Me Warm) (R-86-10-01) for 2013 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 13-152: Resolved that the Town Council accept all cash donations for the Re-Use Building (R-86-11-01) for 2013 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 13-153: Resolved that the Town Council accept all cash donations for the Historical Depot (R-86-20-01) for 2013 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Carr** that Resolution 13-148 through Resolution 13-153 be voted upon as a group and adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 13-154: Resolved that the Town Council authorize and endorse the Town Manager's application for the Maine Town, City and County Management Association (MTCMA) Ambassador Program, a state-wide mentoring program.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that Resolution 13-154 be adopted.

The Town Manager noted the MTCMA Ambassador Program is beginning and applications are being sought. This program will provide assistance to new town managers and those town managers who would benefit from mentoring. Somerset County as well as lower Penobscot County and Waldo County are areas without a recognized town managers' group for fellowship, therefore, this would be a strategic area for an Ambassador's appointment. She would anticipate that this would also be a public relations program to promote professional town management.

As the Town Manager is already fielding questions and assisting town managers, select people and board/ committee members in other towns, there will not be a large increase in time utilized. An appointment to the Ambassador Program will provide recognition for the Town and better structure all of the activities now taking place with advice, grant assistance and mentoring to Town Managers. I anticipate 1-2 state-wide professional meetings per year. It is likely that at least 1 if not both of those meetings will be coordinated with the MTCMA Board of Director Meetings she currently attends.

This program will provide positive promotion for the Town of Pittsfield.

VOTE: UNANIMOUS AYE

RESOLUTION 13-155: Resolved that the Town Council Appoint Stephen Seekins as Code Enforcement Officer for the Period of January 1, 2014 - December 31, 2014.

Moved by **Councilor Curtis** and seconded by **Councilor Carr** that Resolution 13-155 be adopted.

The Town Manager noted this is a regular housekeeping appointment.

VOTE: UNANIMOUS AYE

RESOLUTION 13-156: Resolved that the Town Council Appoint Stephen Seekins as Licensed Plumbing Inspector with a term expiring 12/31/2014.

Moved by **Councilor Curtis** and seconded by **Councilor Carr** that Resolution 13-156 be adopted.

The Town Manager noted this is a regular housekeeping appointment.

VOTE: UNANIMOUS AYE

RESOLUTION 13-157: Resolved that the Town Council Appoint Albert Tempesta as Code Enforcement Officer Alternate with a term expiring 12/31/2014 for the following areas: Zoning & Land Use Ordinances, Shoreland Zoning Ordinances and Third Party Licensed Inspector (if needed).

Moved by **Councilor Curtis** and seconded by **Deputy Mayor Nichols** that Resolution 13-157 be adopted.

The Town Manager noted this is a regular housekeeping appointment.

VOTE: UNANIMOUS AYE

RESOLUTION 13-158: Resolved that the Town Council Appoint Albert Tempesta as Licensed Plumbing Inspector Alternate with a term expiring 12/31/2014.

Moved by **Councilor Curtis** and seconded by **Councilor Carr** that Resolution 13-158 be adopted.

The Town Manager noted this is a regular housekeeping appointment.

VOTE: UNANIMOUS AYE

RESOLUTION 13-159: Resolved that the Town Council Appoint Luke Goodblood as Sealer of Weights and Measures with a term expiring 12/31/2014.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Carr** that Resolution 13-159 be adopted.

The Town Manager noted this is a regular housekeeping appointment.

VOTE: UNANIMOUS AYE

RESOLUTION 13-160: Resolved that the Town Council Appoint members to fill the vacancies on the various Town Boards and Committees from the attached list.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Carr** that Resolution 13-160 be adopted.

VOTE: UNANIMOUS AYE

7. **REPORTS:** Audience, Council

Audience:

Trudy Ferland: I am looking forward to joining the Council.

Council:

Councilor Donahue: Absent.

Councilor Carr: I want to thank Jane and Vaughn for coming in. I am hoping to still get down here for meetings once in a while. I don't know what I will do Tuesday nights.

Deputy Mayor Nichols: I want to wish Councilor Carr good luck. It has been fun working together. I am looking forward to working with Trudy. Thank you to the Woodruff's for coming in tonight to make a presentation.

Councilor Curtis: No Report, in remembrance of Council Carr.

Councilor Cianchette: Absent.

Mayor Jordan: Questioned if there was an issue with the sidewalk plow during the last storm. Kids were walking in the road to school. The Town Manager noted she would look into the situation with Public Works. It was good having Councilor Carr on the Council. Happy Holidays.

8. **ADJOURNMENT**

Motion by **Deputy Mayor Nichols** and seconded by **Councilor Carr** that the meeting be adjourned at 7:50 p.m. All in agreement.

Nicole Nickolan, Town Clerk