

# MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, December 1, 2015 at 6:30 pm in the Council Chambers.

**PRESENT:** COUNCILORS: Robert Stackhouse, Michael Cianchette, Scott Strom, Tim Nichols, Trudy Ferland and Heather Donahue. **ABSENT:** None. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Twinkle Marie Manning, Donna Dunphy, Peter Logiodice and others.

1. **Mayor Stackhouse** opened the meeting by leading the **Pledge of Allegiance**. The Council observed a moment of silence.
2. Adoption of minutes of the regular meetings held on October 20, 2015, November 4, 2015 and November 17, 2015

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that the minutes of the regular meetings held on October 20, 2015, November 4, 2015 and November 17, 2015 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:

#### 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.

We continue to promote Economic Development Marketing efforts on the Town's website. By promoting the website extensively and keeping the marketing materials up to date, the Town has received 3,159 hits per month on our marketing materials. These hits are from those searching for a business location, people looking to re-locate, those needing background on the community or looking to learn about the community as well as goggling.

Cianbro Corporation is now leasing to then purchase the former Tech Center owned by the Pittsfield Economic Expansion Corporation. The company started working on the property on Wednesday, 11/11/2015.

We are working with SAS to see if a company can utilize the factory for storage as it is great space that is going to waste. It has been very hard to have a deal at that facility with its current organizational structure.

Two companies toured and reviewed the UTC facility on 11/05/2015 which went quite well. The company/ies are looking into the state permitting process.

Kennebec Behavioral Health is quite pleased with the warm welcome extended to the company with its satellite office here in Pittsfield to service this area of the region.

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

On 11/04/2015: Kennebec Behavioral Health at 442 Main Street

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

The Town Council will sign a Certificate of Thanks to Bangor Savings Bank for sponsoring the cost of the admission and snack at the Pittsfield Community Theatre for an evening's movie on 11/09/2015. BSB offered to pay for all the people who attended the movie Hotel Transylvania. Each attendee received free admission to the movie, a small popcorn and a small drink. There was also a drawing. The cost that BSB covered in its Free Movie Night on Bangor Savings Bank was \$456.50.

The Seabasticook Valley Chamber of Commerce will hold a Business After Hours at Peoples' United Bank on Main Street on Wednesday, 12/16/2015 from 5:30 – 7:30 pm. There will be light refreshments and door prizes. This is a great opportunity to mingle with business owners and community leaders. All are welcome to attend.

C. Business Development Projects Completed:

1. Somerset Plaza:

- a. Thrift Shop operated by Skills, Inc. opening on June 8, 2015
- b. United Insurance Company's new offices opening on June 1, 2015
- c. 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-November 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. On 11/11/2015, the Town Manager spoke with the Legion after the Veterans' Ceremony at Veterans Park. It has been advised that we need to move forward with a project and to work together on it. I have indicated that the Town and its staff will meet the American Legion Post leaders to discuss how to move the demolition project forward in 12/2015 for a Spring Project. I have some ideas and will note that this will need to be a community project. A meeting date and time has been scheduled for this meeting.

#### 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 Public Works Foreman has contacted the paving company numerous times and has been promised that the work will be completed.

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. On 11/20/2015, MDOT's Traffic Engineer for Division 4 agreed to a 30 mph speed limit. The paperwork will be processed, taking approximately 2 months for all signatures to be obtained. Once approved, the Town can then establish the speed limit legally.

G. Report on Meetings & Events:

Theatre Committee Meeting on Wednesday, November 18, 2015 at 6:00 pm

Upcoming Meetings & Events:

Recycling Committee Meeting on Wednesday, December 2, 2015 at 5:00 pm

Sebasticook Valley Chamber of Commerce Strategic Planning Committee Meeting on Thursday, December 3, 2015 at 4:00 pm at the SVCC Office in Palmyra

Sebasticook Valley Chamber of Commerce Board of Directors Meeting on Thursday, December 3, 2015 at 5:00 pm at the SVCC Office in Palmyra

Kennebec Valley Council of Governments Board of Directors Workshop on the Strategic Plan from 9:00 am – 11:30 am followed by a Strategic Planning Committee Meeting on Tuesday, December 8, 2015 at the KVCOG Office in Fairfield

Christmas Tree Lighting at the Hathorn Park Gazebo plus much more on Wednesday, December 9, 2015 at 5:30 pm

Theatre Committee Meeting on Wednesday, December 30, 2015 at 6:00 pm

Other meetings will be scheduled during this month

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

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

## **Town Manager's Report: Town Council Meeting of 12/01/2015:**

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

**2. Marlene's Cuddles for Kids:** As a tribute to the life of Marlene Ziemer who passed away from an aggressive brain tumor on Feb. 23, 2015 at 10 months old, the Ziemer Family is collecting stuffed animals to be given to children at both EMMC and Boston Children's. Please send your love to these children during the holiday season by dropping off new stuffed animals here in Pittsfield at the Town Office 8-5 M-F. Please support this cause to thank the facilities that provided for Marlene's care and as a tribute to her life. New stuffed animals are being accepted through Dec. 13.

**3. Holiday Activities at the Pittsfield Public Library on Saturday, Dec. 5 at 10:00 am:** The Pittsfield Public Library Holiday Open House will be held Saturday, December 5 from 10:00 to 1:00. There will be many different kinds of fanciful trees, including an upside down tree. The whole library will be decorated for the season with Santas, candles, special displays and greenery. A story and craft time will be offered at 10:30 am. The Seabasticook Ukelele Group will provide sing-a-long holiday music and Christmas carols at 11:00 am. Refreshments served by the Friends of the Pittsfield Library. The trees and the library are decorated by the Friends of the Library, young library patrons, the Pittsfield Garden Club, the ARTS Club, and the library Knitting Group.

**4. Pittsfield Holiday Lights Ceremony in Hathorn Park on Wednesday, Dec 9 at 5:30 pm:** It is time to get into the holiday spirit! Let's sing some Christmas carols! Come join your neighbors and friends for the lighting of the Christmas Tree in Hathorn Park at the newly renovated Gazebo on Wednesday, Dec 9, 2015 at 5:30 pm. There will be lots of holiday spirit with Warsaw Middle School Students and several local churches on hand to lead the holiday caroling. Our Master of Ceremonies will be Barney McGowan, long-time volunteer and former business owner in the community. The actual lighting of the tree will be performed by Beverly Rollins, Pittsfield's 2015 Spirit of America recipient. There will be hot chocolate available for both the youth and the older folks to have a treat and to keep warm. The hot chocolate is graciously donated by Bud's Shop and Save of Pittsfield. This event is being organized through the efforts of Pittsfield's many volunteers which the Town greatly appreciates! The event will take place unless there is a large snowstorm. No snow date. Questions, contact the Pittsfield Town Office at 487-3136.

**5. Pittsfield Community Theatre Free Christmas Movie on Saturday, Dec 12 at 2:00 pm:** Read Poster about the movie offering.

**6. Town Board/Committee Positions:** Each year the Town has vacancies on boards and committees when terms expire at the end of the year. Since the Board/Committee positions are staggered, some run out each year. Please contact the Town Clerk at 487-3136 if you are interested in one of the positions that are expiring.

**7. Thank you to Bangor Savings Bank for Sponsoring a Movie Night:** Bangor Savings Bank offered to pay the cost for all of the people who attended the movie Hotel Transylvania on November 9, 2015 plus a free small popcorn and a free small drink. This was a wonderful donation to the Theatre and was valued at \$456.50 for the evening's free movie. The Town Council will process a Thank You Certificate for the business' donation to the community this evening.

**8. DEP Review of the Pittsfield Wastewater Treatment Facility:** Congratulations to the Town and to Scott Noble, Assistant Water/Sewer Superintendent on the Annual Inspection of the Wastewater Treatment Facility which was very good noting all of the Town's achievements with sewer main repairs, removing infiltration from the lines, clearing cross country lines of vegetation/debris, all the GPS work, fencing at the facility plus other items. Our next new project is to the update the Operations and Maintenance Plan/Wet Weather Plan for the facility which is due by December 15, 2015

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

6. **NEW BUSINESS:**

**ORDINANCE 15-16:** (To be set to Public Hearing 12/15/2015) The Town of Pittsfield hereby ordains to authorize the transfer of unencumbered appropriation balances to various departments.

FROM:	15-05	Transfer Station	\$25,800
TO:	01-30	Legal	\$2,800
	05-20	Streetlights	\$4,000
	10-05	Public Works	\$19,000

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Ordinance 15-16 be set to Public Hearing on 12/15/2015.

The Town Manager noted for 2015, it is proposed that \$25,800 be transferred. This is estimated high at this point and can be refined at the 12/15/2015 public hearing as we will have nearly all expenses for the year charged to the budget and/or will have the purchase order amounts for bills that have yet been received. At this time, as it is not the end of the month, the financial reconciliation process cannot be completed for balances to be available on 11/30/2015. Postings have not been completed.

**REASON:**

01-30 Legal: The Town Council authorized the filing of a court case on the code violations at the Leonard Street property after extensive efforts at cleanup and negotiation. The court case requires legal assistance, attendance at court and filings. Filing court cases is not in the regular legal budget.

05-20 Streetlights: As discussed at the last meeting, the bills are running high and the Town is in the process of reviewing these accounts to determine if it is only because of the rate increase. A study of street lights should take in 2016 to determine if any cost savings can be realized.

05-10 Public Works: As discussed several times this year, this budget has taken a hit in 2015. The sandpile was completely used up earlier this year with all of the back to back snow storms. When employees retire or leave, their accrued time comes from their department's budget and not a separate general ledger account. If a long-time employee leaves the accrued time is much more which the case was when John Dickson retired in August 2015. The Town Council has discussed establishing a separate account for accrued compensation,

however, due to budget constraints, the process has not changed. This situation does not happen this often. In addition, there have been continuous truck and equipment breakdowns, which are now far too frequent. We are working at updating the truck inventory with the purchase of newer vehicles and equipment. Last but not least, the cost of salt has increased drastically which is a problem across the state for winter maintenance.

The Town also has 3 departments that will have expenditures which are very close for the end of the year and these are being watched carefully. It is believed that they will finish within budget, however, if by 12/15/2015, unanticipated issues develop which are beyond the control of the departments, then the Ordinance will be recommended for amendment.

By tightening the budgets and utilizing budgets which do not cover any emergency and additional expenses, the transfer system is very important. The transfer system **assists in raising less taxpayer dollars** as we know at the end of the year that we can transfer funds between budgets. This system does create extra work, however, it also does save taxpayer dollars.

Total Transfers for the Year 2015 are preliminarily projected at \$25,800 between accounts. No transfer of funds is required from unappropriated surplus. These accounts will be reviewed in detail prior to the Council Meeting as we will have more than ½ of the last month in the fiscal year available for analysis.

**VOTE: UNANIMOUS AYE**

**ORDER 15-06:** Ordered that the Town Council Authorize Equipment Lease Purchase Financing and Appropriation of the Proceeds thereof.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Order 15-06 is adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 15-133:** Resolved that the Town Council authorize the Town Manager to execute all necessary paperwork for the lease-purchase of a Xerox 5775PT Digital Network Copier at a cost to not exceed lease and service contract totaling \$292.50/month for a 5 year period, an increase of \$7.50 per month or \$450.00 for the term.

Moved by **Councilor Donahue** and seconded by **Councilor Cianchette** that Resolution 15-133 is adopted.

The Town Manager noted in 2011, the Town realized a large savings of 16.5% with its lease purchase arrangement. At that time, the Town has been out to bid twice in the past 10 years for a copier and each time, after testing the photocopiers of the bidders, found that Transco's copiers were far superior. The Town has received very good service over the term. Transco located a machine which was superior to the former copier and proposed a lease-purchase agreement and service contract for a 5 year period which was \$56.22/month less or \$3,373.20 less over the 5 year term, a savings of 16.5%. In 2011, the Town accepted this proposal.

This machine worked well for several years, however, failed this summer and was replaced with a similar model that was newer. That machine is also failing. Transco no longer offers

these machines. Due to the issues with the photocopier, Transco has proposed the following arrangement to begin in December 2015:

Replacement machine – Xerox 5775PT Digital Network Copier

This is a used machine, has 125,000 copies on it to date.

The machine looks sturdier than the current copier.

The machine is much faster which increases productivity.

Added features are full color scan which will greatly help with the distribution of materials that will look more professional both in packages and as downloads from the website. This will be especially valuable for economic development packages that we provide to prospective businesses, however, will look more professional for everything that we distribute.

It has scanning capabilities to the computers and the ability to add forms to the web site that people can fill out on-line. These are great enhancements for customer service. The cost from month will increase to \$292.50/month for the 5 year term which is an increase of \$7.50 per month or \$450.00 for the five-year term or a 2.6% increase. The Councilors were provided copies of the package from Transco. I have drafted an Order for this lease purchase option and forwarded it to the Town Attorney for review.

We would plan to demo the model by using it a few days in the office before signing any paperwork. In several days, we can utilize the machine quite a bit to determine if it will meet or exceed the office workload.

Transco has been good to work with and did spend a lot of time trying to fix the current copier to conclude that it needs to be retired after 3-4 years and cannot make the 5 year mark.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 15-134:** Resolved that the Town Council authorize the Town Manager and Deputy Treasurer to transfer the reimbursement of \$4,508.11 from the FAA for PAPI costs which were incurred in the Airport Fence, Stormwater and PAPI grant project, such reimbursement received after the grant was closed out and which will reimburse PITT#21 Airport Improvement (G-1-611-00).

Moved by **Councilor Cianchette** and seconded by **Councilor Ferland** that Resolution 15-134 is adopted.

The Town Manager noted after the FAA grant was closed out, the Town received a bill from the FAA for their costs incurred in coming to Pittsfield to work on the PAPI Safety Enhancements several years ago. The Town ultimately paid the bill from the Airport Reserve Account. Years later the Town was fortunate enough to be reimbursed for this work by the FAA. These funds should be forwarded to the Airport Reserve in order to return the funds.

The Airport Improvement Reserve currently has \$1,212.98 plus the \$5,000 Capital Budget Allocation. With this addition, the reserve will increase to \$10,721.09.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 15-135:** Resolved that the Town Council authorize the Town Manager and Deputy Treasurer to transfer any funds that remain in the 2015 Enterprise Fund Budgets after all charges are made for the end of the year to the Sewer Restoration Reserve and the Water Restoration Reserve for 12/31/2015.

Moved by **Councilor Cianchette** and seconded by **Councilor Strom** that Resolution 15-135 is adopted.

The Town Manager noted this was a recommendation from the Town Auditor when the firm attended the Town Council meeting in June, 2008. As the infrastructure is old, it was recommended that any funds left over in the enterprise fund budget at the end of the year be transferred to a reserve. These two reserves were created in 2008, however, after depreciation was charged to the budget, there were no remaining funds that were appropriate to transfer. In 2011, 2012, 2013 and 2014 funding was available to be transferred to both the sewer and water restoration accounts. Funds will be available for transfer to this account in 2014 from the sewer enterprise fund budget. For several years, due to the extent and period of time that work was being completed, the sewer enterprise fund budget contained the required debt service payment for the \$1.9 million dollar loan. These loan and grant funds were able to be spent as sludge tonnage was less than projected in our prior engineer's three reports and sewer main projects are being completed. A small amount of funds may be available to be transferred to the water enterprise account. This will depend upon the amount of depreciation that is charged to the account. We will not know the amounts to be transferred until after the audit is conducted as the level of depreciation will need to be charged.

Currently, the restoration accounts have the following balances:

Water	\$170,380.28
Sewer	\$727,764.38

**VOTE: UNANIMOUS AYE**

7. **REPORTS:** Audience, Council

**Council:**

**Councilor Donahue:** None.

**Councilor Ferland:** None.

**Councilor Nichols:** Hope everyone had a nice Thanksgiving. The food bank helped 29 people today. The numbers are increasing all the time. Someone recently knocked on my door and made a large donation of food that they were getting rid of. This was great to help stock up the food pantry. Please, keep your neighbors in mind this winter. Check in on your elderly neighbors. We are seeing more homeless people coming into the food bank. What they do at the Welcome Table is such a big help to the community. I want to thank Kathryn and all her employees for such a great job on the budget.

**Councilor Strom:** Just a little over a week ago the streets were lined with people for an exciting send off for the MCI football team. It was a great send off with the Fire Trucks and Police Cruisers with lights and sirens. I went to the game myself and it was incredible how

many people were there from Pittsfield. Maybe the Theatre attendance will pick up on Friday nights now that football season is over.

**Councilor Cianchette:** I want to thank the Council by being patient in my absence. I have been approached by a citizen regarding an employee smoking in the new work vehicle. Mike stated that this was not permitted from what he knows. The Town Manager noted that she thought this had been resolved. She will look into the matter.

**Councilor Stackhouse:** I would just like to echo the comments made by Deputy Mayor Nichols and Councilor Cianchette. It is important to check in with your neighbors and make sure they are ok in the winter. I just want to tell Kathryn and all the girls upstairs to keep up the good work!

## 8. EXECUTIVE SESSION

Executive Session for Title 1, Section 405, 6.A., Personnel: Yearly Evaluation of Town Manager

Motion by **Deputy Mayor Nichols** to enter into executive session for Title 1, Section 405, 6.A., Personnel: Yearly Evaluation of Town Manager at 7:36 p.m. The motion was seconded by **Councilor Cianchette**.

**VOTE: UNANIMOUS AYE**

Motion by **Deputy Mayor Nichols** seconded by **Councilor Cianchette** to return to regular session. The Town Council exited executive session at 8:06 p.m.

**VOTE: UNANIMOUS AYE**

Motion by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that the Town Council had completed and approved the Town Manager's evaluation.

**VOTE: UNANIMOUS AYE**

## 9. ADJOURNMENT

Motion by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that the meeting be adjourned at 8:09 p.m. All in agreement.

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Nicole Nickolan, Town Clerk