

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, February 3, 2009 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Deputy Mayor Gary Jordan, Jr., Caleb Curtis, Wayne Fotter, Christopher Carr and Donna Chale. **ABSENT:** Louise Baker. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Sharon Mack, Mike Lange, Scott Monroe, Clem Spencer, Bud Newell, Nick Livesay and others.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
2. Adoption of Minutes of the Regular meeting on January 20, 2009.

Moved by **Councilor Fotter** and seconded by **Deputy Mayor Jordan** that the Minutes of the Regular meeting on January 20, 2009 be adopted.

VOTE: UNANIMOUS AYE

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

Update on the Town's Environmental Protection Agency Grant for Brownfields Clean-up:

The Town of Pittsfield received a \$40,000 grant to clean up the 10 Eelwier Road site, a .87-acre property located in a Corridor Development Overlay District targeted for growth. The existing structure on the Site was constructed in 1950 and a variety of businesses have been in the site over the years. The Site now contains a single vacant wood-framed building, portions of which have collapsed and are unsafe for use. The Town acquired the property by foreclosure of a 1995 tax lien. This property has been identified for cleanup so that it can be sold for economic development purposes.

Prior to redevelopment, the following must be conducted: (1) removal of contaminated soil; (2) removal of asbestos; and (3) demolition of structures. The grant is to address the contamination of site, which is contained.

The overall goal of the project is to clean up the site so that it can be sold for redevelopment. The objectives of the project are to (1) protect the neighborhood and environment from contamination and exposure to hazardous substances by removing and disposing of the materials found on site; and (2) create a marketable property that will leverage private investment and new employment opportunities in the Corridor Development Overlay District. This will in turn remove blight on one of the Town's major traffic routes coming into the community and restore the neighborhood's appearance. This property has been identified for cleanup so that it can be sold for economic development purposes.

The project will be completed within two years of initiation, as the Town will be building upon the planning, assessment and community involvement we have already accomplished for the Eelwier Property Brownfields project. We filed the first quarterly reports last month detailing the steps that we had taken to date.

There will be a kick-off meeting scheduled for Monday, 02/09/2009 at 11:00 am at the Pittsfield Town Office, 112 Somerset Avenue (Council Chambers). The Environmental Protection Agency, the Department of Environmental Protection and the Engineering Consultant Credare Associates are scheduled to attend the meeting to discuss the Town's grant. The purpose of the meeting is to plan out the project.

Update on Central Maine Power Company's Proposed Maine Power Reliability Program through the Town of Pittsfield:

The Town Council first heard about Maine Power Reliability Program back in January of 2008. I had announced CMP Attorney's meeting to be held with town representatives at the Pittsfield Town Office on 01/22/2008. There was a brief update at the Town Council Meeting on 02/05/2008 and information in the FYI Folder. At that time many options were under review. It appeared that Plymouth would be heavily impacted.

We did not hear anything until June 2008 and I received a phone update from CMP's attorney at which time the Town was told that the project appeared to be going through Plymouth/Palmyra/Detroit with a little bit in Pittsfield, although the decision was not made yet. The Town Council received information in the FYI Folder on 07/29/2008. I had asked for some information and they forwarded a power point "Maine's Energy Future Municipal Briefings." A large bunch of filings inches thick were also received and put in the FYI Folder.

Then we received a notice of a public informational meeting in Augusta on 11/17/2008 for December 3, 2008 and that notice was put in the 11/17/2008 FYI Folder.

The Code Officer was then contacted by CMP to ask about the zoning and for the interpretation of poles/lines - were they structures or buildings. MMA Legal determined that the poles for this project would be structures. The question then came up that the poles/lines for this project would be classified as Essential Services and that Essential Services were not listed on the dimensional tables for most of the zones. The Planning Board met on 01/12/2009 and set CMP's request to public hearing on 02/09/2009. The Ordinance Committee needed to meet to consider the request.

I asked the Maine Power Reliability Program Environmental Specialist Bud Newell for maps so we could see the exact route of the line. The chosen route now winds itself through Pittsfield by the Snakeroot Road, Webb Road, by Interstate 95 - Hartland Avenue, through the Dogtown Road, through Route #100/Grove Hill to the Detroit Substation.

Bud Newell, consultant for CMP, gave a brief overview of the proposed project. Mr. Newell reviewed the areas on the map that would be slated for upgrades. The

reason for the requested changes to the Town Code is due to the Maine Power Reliability Program. This is program that will provide a system wide upgrade to the bulk transmission lines. The current lines are 40 – 60 years old and since these lines were installed the electrical consumption in CMP's system has doubled since 1970 and Maine has gone from a peak winter load to a peak summer load. There will be approximately 500 miles of transmission line that will be upgraded or newly installed. CMP is currently trying to negotiate an additional 50 feet of right away in certain areas. In those areas where CMP is proposing to construct a third line, the structures would typically be around 75 feet high, which will be a large H frame structure. If the additional 50 feet of right away cannot be negotiated, these will be a single steel pole structure. These structures would be in the area of 110 to 130 feet high.

Councilor Fotter noted his concern for the safety, welfare and health of our residents in the work area. Councilor Fotter is worried about the electro magnetic fields and the changes in the body of water this high voltage may cause. There were also citizens that were concerned with the lack of communication from CMP to their concerns. Would like to have additional information regarding these concerns for the Planning Board meeting. Mr. Newell stated he would forward this information to the Town Manager. Mr. Newell stated that most studies show no effects due to electro magnetic fields or inconclusive results. There have been some studies that show potentially connection to some health issues.

Upcoming 2009 Community & Economic Development Events:

SWIMMING POOL COMMITTEE MEETINGS resumed on Monday, January 26, 2009. The next meeting is scheduled for 6:30 p.m. in the Council Conference Room on Monday, February 16, 2009 with the topic of planning out some fundraisers.

The PAUL E. BERTRAND COMMUNITY POOL COMPLEX GRAND OPENING is scheduled for June 13, 2009 at 9:00 am.

SOMERSET COUNTY TRANSITION TEAM MEETINGS will resume on Wednesday, February 4, 2009 from 9:30 am – 11:00 am, which is tomorrow. Our agenda is on a number of topics such as the Resource Guide, the next Regional Job Fair, the Work Ready program, etc.

USDA WORKSHOP on Renewable Energy for America and the Value-Added Producer Grant Program will be held on Thursday, February 12, 2009 from 8:00 am – 10:00 am in the Council Chambers. This will be presented by John Sheehan and Mike Grondin from the USDA. Western Mountain Alliance, The Town of Pittsfield and Healthy Living will be partners. This discussion will talk about funding sources for renewable energy.

THIRD LEADERSHIP FORUM FOR THE SEBASTICOOK VALLEY CHAMBER OF COMMERCE will be held in Pittsfield on Thursday, March 12, 2009 from 6:00 p.m. – 8:00 p.m. at the Pittsfield Masonic Lodge, catered by Eastern Star.

THE 13TH ANNUAL TRADE SHOW AND COMMUNITY FAIR FOR THE SEBASTICOOK VALLEY CHAMBER OF COMMERCE will be held at the Warsaw Gym and Cafeteria on Saturday, May 2, 2009 from 9:00 am to 1:00 pm.

Events to be scheduled:

The next REGIONAL ENERGY FORUM, sponsored by the Pittsfield Recycling Committee, to be scheduled in March - April 2009.

The next REGIONAL JOB FAIR FOR SOMERSET COUNTY, sponsored by the Somerset County Transition Team and the Town of Pittsfield, to be scheduled in May 2009 (likely the last week). We will also have some trainings/speakers on starting your own business, etc.

4. **PUBLIC HEARINGS/OLD BUSINESS:**
5. **REPORTS: TOWN MANAGER, FINANCE, ORDINANCE & RECYCLING COMMITTEES:**

Town Manager's Report: Town Council Meeting of 2/3/2009:

1. The FYI Folder: The FYI Book contains the following items this week: LIST READ

2. Board/Committee Openings: There are several board/committee openings available. Anyone who is interested in serving on one or more of these boards/committees, please contact the Town Clerk at 487-3136 or clerk@pittsfield.org

3. The Welcome Table Opening: The Welcome Tables will be open on Fridays from 10:30 am – 2:30 pm at the First Universalist Church at 6 Easy Street. The volunteers are serving a free lunch every Friday for all looking for a warm place, warm food and warm friends.

4. Dog Licenses for 2009: Licensing is now overdue for your dogs. All dogs over 6 months old need to be licensed. This is so that we can have a record of your dog in case it gets loose and we can get animal back to you or contact you to come get your dog. Rabies certificates need to be up to date or still effective. Late fees are now being added per State law requirement.

5. Community Theatre Fundraising Starts: The Capital Campaign Kick-Off for the Pittsfield Community Theatre has started with the first fundraiser being a performance by Comedian Bob Marley on Friday, January 30, 2009. The Fundraising Committee will be meeting Wednesday night and then be issuing a report of the net proceeds of the event. This is for the renovation of the Theatre and the Theatre Fundraising Committee will be working away on many fundraisers to benefit the Community Theatre, which is part of our community.

This work is separate from the Roof Stabilization Project, which is being funded by the Town and was awarded to Bowman Brothers, Inc. This project should start by next week.

6. MDOT Six Year Plan Proposed Project Listing: List READ.

7. Pittsfield Municipal Airport Obstructions Removal: The Town has put this project out to bid and given several options. The Town is seeking proposals for (1) the removal of previously cut and dropped stress, stumps, brush, logs and slash from several years ago including the disposal of materials from the designated areas; and (2) the cutting and removal of new growth (to include all trees, stumps, brush and slash). The grubbing of stumps and roots will not be required in the wetlands. All work is located at the end of Runway 1. The Town also seeks pricing for three alternate proposals as detailed on the quotation sheet.

8. Somerset County Bicentennial Planning Committee Report: Notice READ.

9. Residential Recycling Pick Up 2009 Schedules: The purple 2009 Schedules were sent out through the Rolling Thunder in January. We also have copies at the Town Office and will place this document on the website to download. We did not fold the copy this year and it showed up so much better in the newspaper.

10. Fire Safety Reminder: Maine Central Institute, SAD 53, the Pittsfield Fire Department and local businesses joined together to issue a letter with Fire Safety tips. These have gone out through the school system, to the employees, are being distributed with building and plumbing permits and copies are available at the Town Office. Thank you for the Headmaster and MCI for working on this project.

Finance Committee: No Report.

Ordinance Committee: Met tonight before the meeting with the CMP representatives. There were numerous questions asked by the Council and the public. There will be no action taken at this time. It is felt that additional information is needed before a decision can be made.

Recycling Committee: No Report, will be meeting tomorrow night.

6. **NEW BUSINESS:**

- a. ***ORDINANCE 09-01:*** (To be set to Public Hearing on 02/17/2009) That the Town Council hereby Ordains that Tax Anticipation borrowing for fiscal year 2009 be approved in an amount not to exceed Five Hundred Fifty Thousand Dollars (\$550,000), and that the Town Manager/Treasurer be authorized to prepare and seek competitive proposals for the Town's 2009 Tax Anticipation borrowing.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Fotter** that Ordinance 09-01 be set to public hearing on 02/17/2009.

The Town Manager noted this is a yearly housekeeping process that the Town goes through, as the property taxes, the major source of revenue for the Town, are due once per year.

We have established the TAN as a line of credit for the last several years, therefore, we are borrowing as we need the funds through the months that the revenue collections are lower. The revenue collections increase when the tax bills are released and tax payments start coming in.

The Town can require the funds as early as the end of April – July and then pays the TAN back after taxes are due in October of each year. This year it is estimated that the funds will be needed around July

VOTE: UNANIMOUS AYE

- a. **ORDINANCE 09-02:** (To be set to public hearing on 02/17/2009) That the Town Council hereby ordains to accept all tax year payments of Patricia M. Woodard, including interest and lien costs, for the property at 624 Canaan Road (Map 013, Lot 009), the Town having acquired said property as a result of automatic foreclosure of a 2001 property tax lien, recorded in the Somerset Registry of Deeds on July 12, 2002 at Book 2976, Page 319, which matured on January 12, 2004. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to Patricia M. Woodard.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that Resolution 09-02 be set to public hearing 02/17/2009.

The Town Manager noted the actual tax liens have been paid off for a couple of years, however, the Woodards needed to pay off the current year's taxes and that was just completed in January of 2009 so congratulations.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 09-17:** Resolved that the Town Council Accept all cash donations for the Theatre Fundraising Campaign to Restore/Renovate the Pittsfield Community Theatre (G/L #1-648-00) for the Year 2009 and Authorize the expenditure of funds in accordance with Town Rules and Regulations.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that Resolution 09-17 be adopted.

The Town Manager noted this a housekeeping procedure to permit all of the donations to be received by the Town and then for the funds to be expended accordingly. If all of the fundraisers are as large as the first one and as successful, and I expect they will be, this will be a very active committee so we should set this up for the year. The Fundraising Committee is calculating all of their costs and receipts Wednesday night so we will know the final results then for the first fundraiser.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 09-18:** Resolved that the Town Council Authorize the Town Manager to issue checks for the Theatre Fundraisers in between Council Meetings if absolutely necessary to meet a deadline if sufficient funds are available in the Theatre Donations Account subject to receiving the signatures of the Finance Committee and a majority of the Town Councilors.

Moved by **Councilor Fotter** and seconded by **Councilor Chale** that Resolution 09-18 be adopted.

The Town Manager noted this is not something that would regularly do, however, these fundraisers are anticipated to be larger and to have a larger cost attached. Vendors often need payment or the project will not go forward. This would be in addition to the last resolution and address those cases in which the checks are needed prior to the next Council Meeting

VOTE: UNANIMOUS AYE

RESOLUTION 09-19: Resolved that the Town Council Appoint members to fill the vacancies on the various Town Boards and Committees from the attached list.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that Resolution 09-19 be adopted.

The Town Manager noted this list included Melissa Hackett for the Recycling Committee. Since then – Michael Gray has offered to fill the positions on the Personnel Appeals Board and the Ethics Committee.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Grants Update:

New Grants:

Airport Grants: Design Engineering for Apron Reconstruction: Design work is completed, will be most likely, filing just 1-2 reimbursements. This project was rushed in order to apply for the early grant round due next week.

Brownfield's Grant: Clean-up Grant for Eelwier (now know as 8 Mount Road): Reported on Earlier.

CDBG Grant/Public Facilities/Historic Preservation/Library: Waiting for verification from engineer that the punch list of the Building Inspector is completed, need final paperwork from Nickerson & O'Day to close out the grant. I completed all paperwork and requirements except for the closeout.

FEMA Reimbursements: 04/28 – 05/14/2008: Still waiting for paperwork and final State match.

L&W Conservation Fund: Swimming Pool Essential Components: Need to issue an RFP for the recycled plastic picnic tables; expend the funds and close out the grant. Would plan to submit 1 reimbursement. Needs to be done and closed by March – April in order to apply for another grant, this time to focus on Hathorn Park Basketball/Baseball Field.

Riverfront Community Development Grant: Need to start this project.

Safe Routes to School, Phase II: This project is approved to move forward.

Pending Grants:

CDBG Grant/Business Assistance: Moosehead Cedar Log Homes: Grant opened back up, Town has acquired all signatures on the paperwork for the Accts. Rec. and will be able to pay the 3 subs of the sub of the general contractor who were not paid.

State Library Grants dedicated to the Library Building Project: Waiting for project. Kleinschmidt is working on the plans. Plans need to be turned over to the Architect for finishing touches and then turned over to Cianbro to create bidding documents.

Other Grant Opportunities:

Airport Apron Reconstruction Grant Application: The bid opening was today with the apparent low bidder of Sitewerx, Inc of Hermon in the amount of \$1,049,730. With the engineering costs, administration fees for independent review, etc., we will be filing a grant application for \$1.2 million dollars and that is in the works now.

Economic Development Administration Grant Application: I had been updating the Council on how I had a meeting with the EDA, reapplied for the pre-application and was still working on this project. Right now, there are no Industrial park lots for projects except for the tiny footprint on the corner lot across from Land Air Express. The Town sold all the other lots and buildings or businesses have been placed on the lots owned by the Town with TIFS/Long-term Lease-Purchase Options. The Pittsfield Industrial Park Addition, which is 6 lots, to be accessed off Industrial Park Drive or by Scrub A Dub where we have a ROW, is estimated at \$1,035,430. The Town would be eligible for 50% of the project or \$517,715. We would need to obtain a match of 50% or \$517,715. We can apply for a CDBG grant for a project. We have also talked about using some of the Economic Development Revolving Loan Funds which were a grant given to the Town many years ago. We would set up a TIF for the properties and all taxes/partial taxes for the property would come back to the Town to pay off the Town's use of the Economic Development Revolving Loan Funds. We were not going to go to the bank to finance the project to get a loan due to the cost to the taxpayers. There may be a possibility of economic stimulus funding or other types of funding being available. We received a call yesterday from the Federal Government and were invited to file the application. So the application needs to be filed next week, the TIF needs to be set to public hearing at the 02/17/2009 meeting and we need to act on the Economic Development Revolving Loan fund at the next meeting, if possible. Deputy Mayor Jordan noted that this was an important project for the Town and should be undertaken.

8. **REPORTS:** Audience, Council

Audience:

Council:

Councilor Baker: Absent.

Councilor Carr: No Comment.

Councilor Chale: Appreciate the citizens coming to the Ordinance Committee meeting. It is good to hear that the work will be starting on the Community Theater.

Deputy Mayor Jordan: Wanted to remind everyone that the Pinnacle is hosting the Special Olympics. The events will be starting at 9 AM on February 6, 2009. Councilor Fotter questioned if insurance was in place for this event. Deputy Mayor Fotter stated all is in order.

Councilor Curtis: No Report.

Councilor Fotter: Wanted to note that the CMP project needs to be monitored closely by many people. The tough questions need to be asked and answered on this project. Feels it is important we know all the health and environmental concerns on this project before making any decisions.

Mayor Nichols: There are a lot of questions that need to be answered before a decision can be made on this CMP project. Mayor Nichols wanted to make it clear to everyone that Kathryn and all the Town Employees give out all information they are aware of to the public as soon as it comes available. Congrats to Deputy Mayor Jordan on the Pinnacle hosting the Special Olympics. That is a great honor.

9. **ADJOURNMENT:**

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Fotter** that the meeting be adjourned at 8:50 p.m. All in agreement.

Nicole Nickolan, Town Clerk