

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, February 17, 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 Louise Baker. **ABSENT:** Donna Chale. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Kirk Ball, Scott Noble, Don Hallenbeck and others.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
2. Adoption of Minutes of the Regular meeting on February 3, 2009.

Moved by **Councilor Fotter** and seconded by **Deputy Mayor Jordan** that the Minutes of the Regular meeting on February 3, 2009 be adopted.

VOTE: UNANIMOUS AYE

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

Update on the Town's Environmental Protection Agency Grant Kick-Off Meeting held on Monday, February 9, 2009:

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 was a kick-off meeting held 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 attended the meeting to discuss the Town's grant. It was a very positive meeting overall. The action plan was discussed and a to-do list was created.

Upcoming 2009 Community & Economic Development Events:

SWIMMING POOL COMMITTEE MEETINGS resumed for 2009 on Monday, January 26, 2009. The last meeting was held on Monday, February 16, 2009. The group brainstormed on fundraisers and will be announcing two activities shortly.

KENNEBEC - SOMERSET COUNTY TRANSITION TEAM MEETINGS resumed for 2009 on Wednesday, February 04, 2009. The next meeting of the group will be held on Wednesday, April 1, 2009 from 9:30 am – 11:00 am in the Council Chambers.

USDA WORKSHOP on Renewable Energy for America and the Value-Added Producer Grant Program was held on Thursday, February 12, 2009 from 8:00 am – 10:00 am in the Council Chambers. This was presented by John Sheehan and Mike Grondin from the USDA. Western Mountain Alliance and The Town of Pittsfield were partners. This event was well attended and we received some handouts if anyone is interested.

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 next REGIONAL ENERGY FORUM, sponsored by the Pittsfield Recycling Committee, is scheduled for Tuesday, April 14, 2009 at 6:00 p.m. at the Vickery School Gym.

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

The next REGIONAL JOB FAIR FOR SOMERSET COUNTY, sponsored by the Ken - Som County Transition Team and the Town of Pittsfield, is scheduled for May 27, 2009 from 3:30 p.m. – 7:00 p.m. at the Warsaw Middle School Gym and Cafeteria.

The PAUL E. BERTRAND COMMUNITY POOL COMPLEX GRAND OPENING is scheduled for Saturday, June 13, 2009 at 10:00 am at the Complex.

4. PUBLIC HEARINGS/OLD BUSINESS:

- a. **ORDINANCE 09-01:** (Public Hearing) 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.

There was no one who wished to speak for or against Ordinance 09-01. Public Hearing closed.

Moved by **Councilor Fotter** and seconded by **Deputy Mayor Jordan** that Ordinance 09-01 be adopted.

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 June - July.

A copy of the regular RFP for the financial institutions was attached.

VOTE: UNANIMOUS AYE

- b. **ORDINANCE 09-02:** (Public Hearing) 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.

There was no one who wished to speak for or against Ordinance 09-02. Public Hearing closed.

Moved by **Councilor Fotter** and seconded by **Councilor Baker** that Resolution 09-02 be adopted.

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.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: Town Council Meeting of 02/17/2009:

1. The FYI Folder: The FYI Book contains the following items this week: NONE

2. Board/Committee Openings: There are just a few board/committee openings available: Board of Assessment Review, Housing Revolving Loan Committee (RE Background) and Board of Health. 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. Somerset County Bicentennial Planning Committee Report: Notice Read

6. Federal Stimulus Funding Submittal for Sludge Removal Project:

The Town Manager noted she spoke with DEP today regarding the proposed federal stimulus funding that may be coming to the State of Maine from the federal government. Specifically, DEP has listed the Sludge Removal project at the Wastewater Treatment Plant as one of the possible projects that would compete for federal stimulus funding. The State may receive around \$30 million dollars and the amount of projects that have been initially mentioned are many millions more.

Stimulus funds may be in the form of a loan with 0% interest, a small interest rate such as 1% or 2% or some principal forgiveness, or a combination thereof.

We were just notified of this and the paperwork with the options and our answers must be submitted this Thursday in time to be filed before 02/23/2009.

Bill Ball contacted the Town and advised with the Federal Government and State DEP requirements for a shovel ready project, that there are 2 options from the study that could meet those requirements;

- a. Solar Drying (without time for any type of small scale project)
- b. Mechanical solids removal and mechanical dewatering.

Kirk Ball is here this evening to discuss this with the Council further. I advised Acheron that we would need to discuss this at the meeting before the Town applies for any funding. This would be a filing to compete for the funds, it is not the approval to apply for a loan as we do not know what we would be eligible for until all the projects are ranked.

Kirk Ball stated applicants would need to show that their projects would be ready to be bid in June of 2009. The process that comes to the forefront with the time constraints is the mechanical dewatering process. The application is due on February 23, 2009. It will be sent requesting the full monetary amount needed, and if the full funds are not obtained, we could still remove a portion of sludge. The Town Manager noted a long-term plan would need to be put in place to avoid this problem in the future. Councilor Fotter noted that sewer rates would have to go up again to fund these projects. Mr. Ball stated that Acheron would be responsible to file all paperwork to DEP as the engineer must file these applications. The consensus of the Council was to put our best plan forward as this project must be done and is at least 15 years overdue.

Finance Committee: Met briefly tonight before the meeting. Talked about finding a new financial institution for the Town funds. This topic will be discussed later on the agenda.

Ordinance Committee: No Report

Recycling Committee: At the last meeting the Committee discussed the upcoming energy forum. The key speakers were discussed. There will be a speaker to talk about common sense tips for homeowners, a speaker to talk about recycling and organic farming and a speaker from the natural resources council. The booths that will be available at the forum were also discussed.

6. **NEW BUSINESS:**

- a. **ORDINANCE 09-03:** (To be set to Public Hearing on 03/03/2009) That the Town of Pittsfield Town Council hereby ordains the tax anticipation note borrowing for the fiscal year ending December 31, 2009 on the following terms:

Ordered that, pursuant to Section 5771 of Title 30-A of the Maine Revised Statutes, as amended and the Ordinance adopted on the date hereof, the Town Treasurer is hereby authorized and empowered to borrow money from time to time during the fiscal year ending December 31, 2009 in the principal amount or amounts not exceeding \$550,000 at any one time outstanding, in anticipation of the collections or receipts from taxes, by the issuance of tax anticipation notes of the Town, each of which notes shall be designated "Town of Pittsfield 2009 Tax Anticipation Notes." All of such tax anticipation notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by at least a majority of the members of the Town Council, shall be payable on or before November 3, 2009, out of money raised by taxation during the fiscal year ending December 31, 2009 shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer, and shall contain such other terms and provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof, and

Be It Further Ordered that the Treasurer is hereby authorized to award the notes to such person or entity as approved by the Town Council, such approval to be conclusively evidenced by the execution of the 2009 Tax Anticipation Notes; and

Be It Further Ordered that the notes authorized by the foregoing are hereby designated as qualified tax exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended, and

Be It Further Ordered that the Treasurer of the Town be authorized to covenant with the purchasers of the notes on behalf of the Town and for the benefit of the holders of the notes, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes will remain free from federal income taxes, including without limitation, the filing of information returns and reports with the Internal Revenue Service and the payment of any rebate due to the United States of America.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Fotter** that Ordinance 09-03 be set to public hearing on 03/03/2009.

The Town Manager noted this is a second Ordinance involved with the Tax Anticipation Note. This used to be an Order and the Town Attorney has proposed that it should now be listed as an Ordinance, thereby it will require a public hearing.

VOTE: UNANIMOUS AYE

- b. **ORDINANCE 09-04:*** (To be set to Public Hearing on 03/03/2009) That the Town of Pittsfield Town Council hereby ordains improvements to the Town's water system and financing thereof pursuant to the State's Drinking Water State Revolving Fund on the following terms:
1. Pursuant to the Constitution of the State of Maine, Maine law, including Title 35-A and Title 30-A, Section 5772 of the Maine Revised Statutes, as amended, and the Town Charter, and all other authority thereto enabling, the Town of Pittsfield is authorized to sell its general obligation bonds and notes in anticipation thereof and to borrow from the Maine Municipal Bond Bank State Revolving Fund (SRF) and to expend, a principal amount not to exceed Two Million Four Hundred Fifty Thousand and Forty Dollars (\$2,450,040), the proceeds of the loan or loans to be used to finance the design and construction of improvements and upgrades to the Town's water system which may include, but are limited to: (1) replacement of 26 valves in the system to be able to turn the water off at locations rather than having to turn the entire water system off to fix a water break; (2) installation of a back-up finish pump as currently there is no backup pump in the water treatment plant; (3) replacement of 6,800 linear feet of water mains on 6 roads; and (4) replacement of 50 water hydrants needed to flush the system after water breaks (the "Projects"), or such of the foregoing Projects as are approved by the State for participation in the SRF, said loan

or loans to be evidenced by a General Obligation Bond or Bonds of the Town, for a term not to exceed 30 years, and any Notes in anticipation of such Bonds, such Bonds and Notes to be executed on behalf of the Town by the Town Treasurer and counter-signed by the Mayor of the Town and to be at such interest rates, if any, as may be established by the Maine Municipal Bond Bank and approved by the Treasurer and the Mayor, with such maturities, and to be on such further terms and conditions as may be prescribed by the Maine Municipal Bond Bank and the State of Maine Drinking Water Program, and approved by the Treasurer and the Mayor (the "Bonds" and the "Notes"), such approval to be conclusively evidenced by their execution of the Bonds or Notes. If State Drinking Water Program approves only some but not all of the foregoing Projects, the Town is authorized to proceed with the borrowing of the amounts and projects approved by the State Drinking Water Program, even though the State may have approved only some but not all of the Projects described above.

2. The Mayor and the Treasurer are hereby authorized to execute and deliver on behalf of the Town a loan agreement, relating to the issuance of the Bonds and any Notes in anticipation thereof, in such form and on such terms as the Maine Municipal Bond Bank shall require.

3. The Mayor and the Treasurer are hereby authorized to execute and deliver on behalf of the Town loan application and other applications with the State of Maine Drinking Water Program and the Maine Municipal Bond Bank and an application to the Maine Public Utilities Commission for approval to issue the Bonds or Notes.

4. The municipal officers and officials of the Town are hereby authorized to execute all documents and certificates, and to take all action, including affixing the seal of the Town, as may be necessary or convenient to carry out the full intent of the foregoing votes or any one of them.

5. This Ordinance shall take effect 30 days after its adoption.

Moved by **Councilor Fotter** and seconded by **Deputy Mayor Jordan** that Ordinance 09-04 be set to public hearing on 03/03/2009.

The Town Manager noted we would be scheduling to public hearing the Ordinance that establishes the terms for the borrowing for the Federal Stimulus Program for the Drinking Water Program. The Ordinance was specifically designed so that it can be utilized if the Town receives funding approval for all 4 projects or for 1 project. It is important that the Town is ready to go forward in case some funding is allocated for the Town for water improvement projects. One of the criteria for approval of the stimulus requests is that the Town be ready to go and have shovel ready projects. This also includes having the proper approvals on the books to submit the loan application to the Maine Municipal Bond Bank under the State Revolving Loan Fund. If federal stimulus funding is not approved, then we can decide if we want to move forward with 1 or more of the projects through the Maine Municipal Bond Bank.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 09-20:** (To be set to Public Hearing on 03/03/2009)
Resolved that the Town Council hold a public hearing for the purpose of receiving public comments on the designation of its proposed Pittsfield Industrial Park Phase II Municipal Development District and Tax Increment Financing District and the adoption of a Development Program for the said District (and an amendment to the Industrial Park Tax Increment Financing District approved by the Town on 08/04/88).

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Baker** that Resolution 09-20 be set to public hearing on 03/03/2009.

The Town Manager noted this resolution schedules a public hearing on the proposed Industrial Park Phase II Tax Increment Financing District (also called a TIF). The addition to the Industrial Park has been approved since 1989, however, has required funding. We are in the process of filing for a federal economic development grant. The TIF would assist the Town in promoting the proposed addition by providing an incentive to the developers and businesses that would locate on the lots. In a TIF, the Town takes the taxes that are collected on the increment or the new value (building, lot improvements) and can share those taxes with the developer or business. Each incentive package comes to the Council for approval. The other share of the taxes can go toward the Town's Public Improvement Program for enhancements in the District. The Town can utilize its share of the taxes to pay back the Town for its match on the grant. We are currently in the process of reallocating funds toward this grant as our match.

Councilor Fotter questioned if the Industrial Park is beneficial to the Town. He stated he felt unsure that it benefits the Town as he feels that we are creating companies and jobs in our Town – but doesn't feel it directly helps the residents. The Town Manager stated it absolutely is helping the Town and the region as it provides jobs for our citizens as well as those of surrounding towns. Councilor Fotter feels that the taxpayers are providing work for other personnel and does not feel it is beneficial. Councilor Fotter would like to know what the numbers are for the existing companies in the Industrial Park as far as how many employees are in each company and how many of those are Pittsfield residents. This information would let us see exactly how creating more lots at the Industrial Park would benefit Pittsfield residents. There was a discussion regarding the Pittsfield labor market, which serves 10-11 towns. The Councilors noted that the employees at the businesses at the Industrial Park, even though may not be Pittsfield residents, will purchase items in the community at our local stores or purchase gas, and therefore benefit the community in that manner. The Town Manager noted she would bring the statistics available currently to the public hearing.

VOTE: UNANIMOUS AYE

- d. **RESOLUTION 09-21:** Resolved that the Town Council Authorize the Finance Committee and the Town Manager to Issue a Request for Proposals for the Investment of the Town's Reserves/Trusts, conduct interviews of financial institutions and make a recommendation to the Town Council for the investment of the Town's Reserves/Trusts.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Baker** that Resolution 09-21 be adopted.

The Town Manager noted the Town has had its capital reserves/trusts invested in the trust department of a financial bank since the 1989's. That bank has changed hands several times, however, the custodial agreement provides for the management of the account through the financial institution that acquires the bank by merger or acquisition.

We would like to receive proposals from financial institutions, most likely to hold the funds in their trust department and invest the funds.

The Finance Committee met before the meeting and reviewed the proposed RFP.

Deputy Mayor Jordan noted it was important to look at different options for the Town's fund as we are currently receiving a very low interest rate. There has also been a lack of communication from the current institution.

VOTE: UNANIMOUS AYE

- e.* **RESOLUTION 09-22:** Resolved that the Town Council Authorize the Town Manager to transfer and expend up to \$2,100 from the #30 Police Cruiser Reserve for Equipment, the Installation of Equipment in the new Police Cruiser and switching of equipment between vehicles.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Fotter** that Resolution 09-22 be adopted.

The Town Manager noted the Police Chief advised on 02/16/2009 that the bill that he had projected would be \$600 at Yankee Communications will now be \$1,934.00. He noted that he is not aware of any other firms that he can call for a quotation and that most of the departments that he works with utilize Yankee. The bill for removal of the equipment between the other vehicles was also \$75 higher.

The Police Chief requests an additional \$1,409 from the Reserve to cover the additional charges required to switch the equipment to the new cruiser. The original amount was \$2,100. The Police Cruiser Reserve has \$8,483.22.

Motion by **Councilor Fotter** and seconded by **Deputy Mayor Jordan** to amend the resolution as follows:

Resolved that the Town Council Authorize the Town Manager to transfer and expend up to \$3,509 from the #30 Police Cruiser Reserve for Equipment, the Installation of Equipment in the new Police Cruiser and switching of equipment between vehicles.

VOTE AS AMENDED: UNANIMOUS AYE

- f. **RESOLUTION 09-23:** Resolved that the Town Council Authorize the Transfer of \$1,117.40 from the Kleinschmidt Trust account to the Library Capital Fund.

Moved by **Councilor Fotter** and seconded by **Councilor Baker** that Resolution 09-23 be adopted.

The Town Manager noted these were funds that the Library Trustees had held on behalf of the Town, the funds were transferred over to the Town and now the Trustees would like to dedicate the funds to the Library Expansion Project.

VOTE: UNANIMOUS AYE

- g. **RESOLUTION 09-24:** Resolved that the Town Council Accept the Bid of Coombs Property Management LLC of West Paris, Maine in an amount not to exceed \$ 1,111.03 per acre for Alternate #3 for the Request for Quotations for the Pittsfield Municipal Airport Obstructions Removal and authorize the Town Manager to execute a contract for same.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 09-24 be adopted.

The Town Manager noted the Town received 8 bids for this work. The Town listed four methods to address the vegetation with the option for the companies to bid on all or just some of the options.

Consultation with Hoyle, Tanner & Associates, the Airport Engineers has resulted in the recommendation that we proceed with cutting and leaving the material to decompose given the Town's budget. We do not have enough funds to remove all the materials. If PW assists by removing the materials that the company cuts, the department will need to rent equipment, which makes Alternate #2 more expensive.

The lowest cost option is Alternate #3: Cut all downed trees, stumps, brush, logs & slash and all new growth as close to the ground as possible. No removal from the Airport Property.

Coombs Property Management LLC from West Paris, Maine is the low bidder at \$1,111.03 per acre. There are approximately 10.7 acres. The cost would be \$11,888.02

VOTE: UNANIMOUS AYE

- h. **RESOLUTION 09-25:** Resolved that the Town Council Authorize the Town Manager to transfer and expend \$ 11,888.02 from the #21 Airport Improvement Reserve for the Pittsfield Municipal Airport Obstructions Removal Project.

Moved by **Councilor Curtis** and seconded by **Councilor Carr** that Resolution 09-25 be adopted with the amount \$ 11,888.02 inserted.

The Town Manager noted this resolution allows the use of the reserve funds for the project. The low bidder was Coombs Property Management LLC at a total of \$11,888.02.

VOTE: UNANIMOUS AYE

- i. **RESOLUTION 09-26:** Resolved that the Town Council Authorize the Town Manager to Execute the Assignment and Assumption of Lease and Landlord Consent for high-speed internet services subject to approval of the Town Attorney.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Baker** that Resolution 09-26 be adopted.

The Town Manager noted Mainely Wired, which purchased the original agreement and system from Cianbro Corporation would like to merge with V V D Funding, LLC d/b/a Premium Choice Broadband.

The Town Attorney modified their original proposed agreement to strengthen it and add our current agreement as an attachment.

Basically this started out as a long-term agreement between the Town and Cianbro, which provided the company with use of the Town's water tower to put antennas on so that there could be reliable high-speed internet in the area and the Town would receive free internet service for a number of facilities.

The information from Mainely Wired on the financial and technical capability of the new or merged firm is part of the agenda material.

Deputy Mayor Jordan questioned if there is anything in the contract stating that this agreement can be transferred. The Town Manager noted that the Town Attorney stated the contract could be transferred. Deputy Mayor Jordan stated he feels this is a bad deal. The Town needs to explore what kind of leasing cost we should be receiving for the use of our water tower for the antenna. The Councilors understood that this long-term lease originated in 1990 – 1991 as an agreement between Cianbro and the Town, but felt circumstances changed, so the long-term lease conditions should change too. After much discussion the Council decided to table the resolution until further information was received on this matter.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Baker** that Resolution 09-26 be tabled until further information is received.

VOTE: UNANIMOUS AYE

- j. **RESOLUTION 09-27:** Resolved that the Town Council Authorize the Town Manager to Execute the Contract with Constellation NewEnergy, Inc. for the Electricity Supply Agreement for the Town's medium accounts for the two-year period of 12/01/2009 through 12/01/2011.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Carr** that Resolution 09-27 be adopted.

The Town Manager noted the Town has been joining the cooperative for the Electricity Supply Agreement for the last several years. Our current electricity charge is .0885 per kWh through 11/2009. The cooperative price starting in 12/2009 for 24 months is .0879.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Grants Update:

Other Grant Opportunities:

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 \$1,060,430. The Town would be eligible for 75% of the project or \$795,323. We would need to obtain a match of 25% or \$265,108. We can apply for a CDBG grant for a project. We have also talked about using some of the Ec Dev 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 Ec Dev 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. The reallocation of the use of the Ec Dev Loan Funds and the establishment of the TIF will be discussed at the next meeting. Several Councilors thought this project should be pursued. It had been a Council request from several years ago and now there is a better possibility of funding.

Financial As Listed Below:

- A. Financial Reports for the period of 10/31/2008 – 12/31/2008:
 - Budget Expenditure Report
 - Revenue Collections Report
 - Tax Acquired Property Report
 - Economic Development Revolving Loan Update
 - Housing Revolving Loan Update
 - Transfer Station/Recycling Monthly Report
 - Theatre Monthly Report

Excise Tax Collections Comparison Report
Personal Property Tax Report
Real Estate Property Tax Collection

- B. Other Reports for the period of 10/31/2008 – 12/31/2008:
Building and Plumbing Permit Reports
Library Report – Librarian’s and Library Trustees Minutes
Police Report
Reports for Council review handed out at meeting

Financial As Listed Below:

- A. Financial Reports as of 01/31/2009:
Budget Expenditure Report
Revenue Collections Report
Tax Acquired Property Report
Economic Development Revolving Loan Update
Housing Revolving Loan Update
Transfer Station/Recycling Monthly Report
Theatre Monthly Report
Excise Tax Collections Comparison Report
Personal Property Tax Report
Real Estate Property Tax Collection
Reviewed briefly by Town Manager
- B. Other Reports as of 01/31/2009:
Building and Plumbing Permit Reports
Library Report – Librarian’s and Library Trustees Minutes
Police Report
Self-Explanatory – Not Reviewed

8. **REPORTS:** Audience, Council

Audience:

Don Hallenbeck noted that he attended the last meeting for the Theater Committee. It was noted that there would be a column needed in the middle of the Theater, which will result in the loss of 18 seats. Don noted the Fundraising Committee has many projects they are working on. Don gave a rough timeline of the Theater’s history. The Town Manager noted that the Councilors discussed the project and Sewall Company was clear on the seat loss.

Council:

Councilor Baker: Has received many calls recently on why the Theater seats need to be replaced. Some people were under the impression that they were replaced 5 or 6 years ago. It was explained that the seats are actually from the 50’s and have been reupholstered or patched – but never replaced. Also wanted to note that one of her family members was contacted almost 2 years ago by CMP to buy a portion of their

land for the line upgrade project. Noted the Town crew has been doing a good job on the roads this winter season.

Councilor Carr: Questioned how the renovations are going on the Theatre. The Town Manager noted that the project has just been started. The Building Inspector noted that a timber that was not connected to anything was uncovered. It may be an issue at a later time. It will be done by April 10, 2009. The Councilors discussed change orders and at this time are not interested in exceeding the project price.

Councilor Chale: Absent.

Deputy Mayor Jordan: Wanted to note that the Pinnacle has a donor that will pay the expenses to have a gas fireplace inset installed in the Pinnacle. Hoping it will be on the next Council agenda. Very thankful this person was willing to donate to the Pinnacle. There are many new members this year and are hopeful that more donations will come in. The Special Olympics went well. It was well attended with 70 athletes. The Snowmobile Club gave free rides at the event. The Pinnacle received a plaque for their service.

Councilor Curtis: No Report.

Councilor Fotter: Glad Councilor Carr mentioned the Theatre. Wanted to note that he feels the movie volume is extremely loud. Councilor Fotter suggested a decibel check be done at the Theatre as the volume could be damaging. Also wanted to note CMP did not provide the answers that were needed and the Planning Board tabled the matter for two months. We need to take this time to really study this matter and learn all we can so we are ready for the next meeting.

Mayor Nichols: We do need to ask a lot of questions on this CMP issue. Glad to see the Theatre moving along. It is too bad we are going to lose the seats, but if it's a matter of safety – it is necessary. I am glad to hear about the options the State is offering for our Sludge Management. Mayor Nichols noted that Kathryn and the Town Employees are working extremely hard and everyone need to remember that.

9. **ADJOURNMENT:**

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Baker** that the meeting be adjourned at 9:40 p.m. All in agreement.

Nicole Nickolan, Town Clerk