

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, February 20, 2007 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Wayne Fotter, Brian Philbrick, Sr., Gary Jordan, Jr., Louise Baker and Michael Gray. **ABSENT:** Christinalyn Hamel. Also present were Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Vickie Braley, Mike Havey, John Dickson, Sharon Thomas, Carroll Weeks and Crystal Neace.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
2. **Adoption of Minutes** of the Regular Meeting on February 6, 2007.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Gray** that the Minutes of the Regular Meeting on February 6, 2007 be adopted.

VOTE: UNANIMOUS AYE

3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS: NONE**

4. **PUBLIC HEARINGS/OLD BUSINESS:**

- a. **ORDINANCE 07-01:** That the Town of Pittsfield hereby ordains the following amendments to Chapter 7. Traffic Ordinance, Article 1.

Amend Section 104. Peltoma Avenue; and Add Section 111. Pooler Road

There was no one who wished to speak in favor or opposition of this ordinance. Public Hearing was closed.

Moved by **Councilor Gray** and seconded by **Councilor Jordan** that Ordinance 07-01 be adopted.

The Town Manager noted MDOT recently approved the Town's 2005 requests for speed limit changes for Peltoma Avenue and Pooler Road. To enact a speed limit change, such as lowering the speed limit, the Town needs to have an engineering review and then amend the Town's traffic ordinance. Peltoma's speed limit would be reduced from 45 mph to 35 mph from Harrison Avenue a distance of .83 miles which is just past the cemetery. There are multiple access points, some of which are located on a curve. Pooler will be set at 35 mph for the entire road. Advisory signing for 25 mph has already been erected on the sharp curve on Pooler Road, the State recommended 30 mph and then in discussion with the PW Department recommended a further reduction to 25 mph.

VOTE: UNANIMOUS AYE

REPORTS: TOWN MANAGER, FINANCE, ORDINANCE & RECYCLING COMMITTEES:

Town Manager's Report: Town Council Meeting of 02/20/2007:

1. The FYI Folder: The FYI Book contains the following items this week: Read List

2. Garden Tour to Benefit the Library: The Pittsfield Community Garden Club will sponsor a Garden Tour on Saturday, July 14, 2007 to help raise funds for the Library Restoration and Expansion Project. The Garden Club has 12 gardens that will be available, including two homes that will be open. More details will be available in the near future.

3. Notice to Dog Owners: The 2007 Dog Licenses are available. If dogs are not licensed additional fees will accrue. A valid Maine Rabies certificate and, if applicable, a certificate of spaying or neutering is required for licensing. Please notify the Town Office at 487-3136 if you no longer have your dog. Under the State Law, the Town is required to issue a warrant for unlicensed dogs. This will require a late fee of \$25.00 per dog. The Warrant will be on the Council Agenda for March 2007.

4. Sale of Used Town Equipment: The Town has sold the surplus utility poles at the Public Works Garage. The surplus meter boxes are still for sale. People can bid by completing a form at the Town Office. In addition, on March 2, 2007, we will have all of the Town's surplus used computer equipment out for best bid. Interested parties can review the equipment at the Town Office.

5. Standard & Poor's Rating: The Town's bond rating of BBB/Stable was affirmed by Standard & Poore recently. The update is available in the Town Office for anyone who is interested in reviewing it.

6. Time Warner Cable Update: Time Warner's customer service numbers and contacts are as follows: Citizens requiring special assistance with a customer service issue, can e-mail either Shelley Winchenbach at shelley.winchenbach@twcable.com or Mike Edgecomb at michael.edgecomb@twcable.com with the appropriate customer contact information. The new statewide toll-free customer service numbers for the public to use are: 877-596-5366 or 800-833-2253. The Town has also posted these numbers on the front page on the Pittsfield website at www.pittsfield.org.

7. Serve New England: Serve New England is a food cooperative for people who volunteer their time. A new chapter has been opened in Waterville. The goal of the organization is to promote volunteerism. To qualify, people need to volunteer at least 2 hours a month. In return for volunteering in the community, people can purchase a good quality food package large enough for 4 or 5 meals for only \$22. The web site is www.servenewengland.org. People can sign up on-line.

Finance Committee: No Report.

Ordinance Committee: The Ordinance Committee met earlier this evening. The Pittsfield Emergency Management Ordinance was reviewed and will be set to public hearing at the next meeting.

Recycling Committee: The Recycling Committee had a short meeting on 02/07/2007. The Town Manager reviewed recycling stats for the month along with some reuse tips. Jane Woodruff updated the committee on freecycle.com and swapthing.com. A possible touring of the Hartland reuse center in the spring was discussed.

6. NEW BUSINESS

- a. **ORDINANCE 07-02:** (To be set to public hearing on 03/06/2007) That the Town of Pittsfield hereby ordains that Tax Anticipation borrowing for fiscal year 2007 be approved in an amount not to exceed Six Hundred Fifty Thousand Dollars (\$650,000), and that the Town Manager/Treasurer be authorized to prepare and seek competitive proposals for the Town's 2007 Tax Anticipation borrowing.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Ordinance 07-02 be set to public hearing on 03/06/2007.

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.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 07-23:** Resolved that the Town Council Waive any formality in the proposal received from WRR Homes, LLC and accept the proposal to pay all taxes, costs and interest in the amount of \$3,062.85 for the property at 68 Carriage Estates (Map 34, Lot 68).

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-23 be adopted.

The Town Manager noted as detailed on the agenda sheet for the meeting, the Town received payment in full from WRR Homes, LLC which produced paperwork showing that it brought out McNally's mortgage from the company that had foreclosed on the property. We received payment in full of all taxes, interest and costs that the Town incurred on the property, including legal costs.

VOTE: UNANIMOUS AYE

- c. **ORDINANCE 07-03:** (To be set to public hearing on 03/06/2007) That the Town of Pittsfield hereby ordains that the Town Council Accept the payment of WRR Homes, LLC, respectively, including interest and lien

costs, for the property at 68 Carriage Estates (Map 34, Lot 68), the Town having acquired said property as a result of automatic foreclosure of a 1999 property tax lien, recorded in the Somerset County Registry of Deeds on July 7, 2000, at Book 2691, Page 053, which matured on December 3, 2001. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to WRR Homes, LLC.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Gray** to set Ordinance 07-03 to public hearing on 03/06/2007.

The Town Manager noted this is the first step in issuing a quitclaim deed under the charter.

Councilor Jordan questioned if the property is defined as the building itself. The Town Manager stated that the property in this case was the home only, which is noted on the quitclaim deed.

VOTE: UNANIMOUS AYE

- d.* **RESOLUTION 07-24:** Resolved that the Town Council Approve the additional cost for the in-town 4-inch reflective stickers to provide to residents for the E-911 completion not to exceed the amount of \$1300.00.

Moved by **Councilor Gray** and seconded by **Deputy Mayor Wayne Fotter** that Resolution 07-24 be adopted.

VOTE: UNANIMOUS AYE

- e.* **RESOLUTION 07-25:** Resolved that the Town Council Authorize the Town Manager to sign the Discharge of Mortgage as listed below:

For Sebasticook Community Home Inc. for payment in full of an Economic Development Revolving Loan granted in 1993 for \$40,000 recorded in Book 1895, Pages 142-144 at the Registry of Deeds.

For Sebasticook Community Home Inc. for payment in full of an Economic Development Revolving Loan granted in 2001 for \$35,000 recorded in Book 3328, Pages 227-230 at the Registry of Deeds.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-25 be adopted.

VOTE: UNANIMOUS AYE

- f.* **RESOLUTION 07-26:** Resolved that the Town Council Waive the Bid Policy to purchase a 2007 replacement pickup truck for the Public Works Department to not exceed \$24,742 from Varney Chevrolet and to

authorize the transfer and expenditure of \$20,454 from the Public Works Equipment Reserve.

Moved by **Councilor Jordan** and seconded by **Councilor Philbrick** that Resolution 07-26 be adopted.

Councilor Gray questioned if the remainder of the money was coming from what the insurance company paid for the loss. The Town Manager advised yes, this was proposed on the agenda sheet.

Deputy Mayor Fotter questioned if this was a 4-wheel drive vehicle. John Dickson, Public Works Foreman, advised this is a 2007 ¾ ton 4-wheel drive truck with a plow.

The Town Manager noted Councilor Philbrick assisted the Public Works Foreman with the review of vehicles and pricing.

Sharon Thomas, from the audience, questioned if we were borrowing the \$24,000. The Town Manager advised no, this is money we already have in the reserve for equipment purchases along with the insurance check.

VOTE: UNANIMOUS AYE

- g. **RESOLUTION 07-27:** 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 Gray** and seconded by **Councilor Jordan** that Resolution 07-27 be adopted.

Please see attached chart for appointments.

VOTE: UNANIMOUS AYE

7. DISCUSSION ITEMS:

Brief Updates On:

- A. Grant: Regional Brownsfield Update on TAP: Eelwier Road, Map 7, Lot 47A
We reviewed the site in-depth with KVCOG and engineering officials on February 13, 2007. The site is a good candidate for a Phase II Assessment to determine exactly the type of environmental concerns revolving around containers, soil, septic system, etc. The process involves drafting the Action Plan for the proposed work, reviewing and having this approved by MDEP and approval by the Regional Brownsfield Committee. It is estimated that this will be 2-3 months. Then the soil borrowings can take place and a formal assessment will

be made. If applicable, grant funding from EPA and/or DEP can be applied for in Fall of 2007 if approved by the Brownsfield Committee. This is one of two sites for the region that is under consideration for a Phase II assessment. The other site is in Kennebec County.

B. Grant Opportunity: Efficiency Maine

The electrical infrastructure in the Municipal Building is older and the type of bulbs will eventually be phased out in the upcoming years. One of the projects the Council wanted to work on was an overhaul or update of the Municipal Building. It is 30 years old now and in very good condition, but has had some wear and tear over the years. The electrical has not been overhauled due to the cost to do so. There are actually 146 lights in the building. The Library by comparison has 44 lights. There is a new grant program that we are exploring called Efficiency Maine that can provide assistance to towns, schools, businesses and other organizations to update electrical in order to save energy and be more efficient. We will be determining if we can apply for this program, the maximum grant we are eligible for and the Town's match. It may be worthwhile to pursue.

C. Highway: MDOT Review of Truck Route for Pittsfield

MDOT has made some recommendations regarding the proposed truck route which you received attached to the Agenda Sheet for Discussion Items. We asked for this designation on State Roads to limit the amount of truck traffic in the downtown area at the Main/Park intersection because of the new traffic lights and the tie-ups that can take place when a big truck is trying to maneuver through the tight turn. A truck route is not mandatory, it is the preferred route, most trucks will follow it, some will not. The State will provide signs for the State roads on the designated route and the Town will provide signs for the town roads. We are all set with the truck traffic coming off I-95 going through the Industrial Park then left or right depending upon designation. The question comes up with the Route #152 Hartland Avenue truck traffic. The State recommends the truck traffic cut through Forest and Central Streets to save mileage – approximately 2.25 miles. The Police Chief and I feel this would be a problem, we do not want to post Truck Route on these streets – with the Farmers Market and 100's of children at games at Hathorn Park, it would be a high safety concern. In addition, the trucks would back up traffic on Central Street more than it already is waiting to turn. Some trucks will travel this route and do now, but we don't feel comfortable encouraging this. The Police Chief also recommends truck route signs from Route #69 to Main and down to Merrimac Street through the IP. This is not an ordinance item. In the interim, as a grassroots effort, the Police Chief is talking to the businesses in Town that have a lot of oversized and large truck traffic through the intersection. Our approach is to channel traffic around as much as possible. These efforts will continue. Some traffic is already going through the Industrial Park.

There are less big trucks going through the traffic signal light. The Council discussed what they felt was the best option as far as determining where signs would be placed for truck routes which included a truck route for:

- A. From I-95 on Somerset Avenue through the Industrial Park to Route #100
 - B. From Route #152 Hartland Avenue down Somerset Avenue to the Industrial Park
 - C. From Route #69, down Hunnewell Avenue to Main Street to the Industrial Park.
- D. Highway: Gravel Road Engineering Review
We have received a draft of the review by the Town's engineering consultant who looked at all the gravel roads which the Town is required to maintain. The purpose was two fold (1) to determine methods to improve them as gravel roads given the difficult winter seasons we are having with all the weather changes and (2) costs to pave given that we have received requests for each road in town to be paved. The town's policy when the paving plan was put together in 2004 was to not include any gravel roads for paving due to the costs to bring them up to town specs for paving and then paving. The Town is now falling behind on the 20 year paving plan due to the huge cost escalation for paving. After the staff reviews the document, we can discuss it at an upcoming Council Meeting and notify everyone who has requested their road to be paved.
- E. Sewer Mains/Manholes Repair Project
We have received a draft of the review by the Town's engineering consultant who looked at all the sewer projects on the capital list. After the staff reviews the document, we can discuss it at an upcoming Council Meeting and notify everyone who has requested a sewer project.
- F. Codes Enforcement Update from Building Inspector: Junk Dealer and/or Second-Hand Dealer Licensing.
The timeline discussed at the Council Meeting was not provided by the BI prior to leaving. The BI will be off until the first week in March.

REPORTS: Audience, Council

Audience: A lengthy discussion ensued between resident Sharon Thomas, resident Carroll Weeks and the Council. Mr. Weeks and Ms. Thomas are unhappy with the new name of their road after E-911 changes. The new street name will be Daisy Court. The residents feel this is not an appropriate name for where they live. After much discussion between the Council, the residents, Mike Havey and Vickie Braley, the residents were advised that the names of the roads were decided years ago, the names were recently approved by the State and the names

will stay as they are. The residents stated they will call the State or their Senator if they need to get the road name changed. The residents were offered our contact names at the State for further inquiries.

Vickie Braley wanted to thank all the citizens who helped us with E-911. There were a lot of calls made to the citizens, and everyone was very helpful.

Council:

Councilor Baker: No Report.

Councilor Hamel: Absent.

Councilor Philbrick: Congrats to John on the new truck for the Public Works Department. It was a lot of fun working with John on the bids. Also wanted to mention we had our first Celebrations Committee meeting. Everything went well and we came up with a lot of good ideas.

Councilor Jordan: No Report.

Councilor Gray: No Report.

Deputy Mayor Fotter: No Report.

Mayor Nichols: Wanted to thank Mike and Vickie for all their hard work on E-911. Also wanted to thank everyone at the Town office for all their hard work. Thank you to the volunteers who offered their time on the new committees.

8. ADJOURNMENT:

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Philbrick** that the meeting be adjourned at 8:15 p.m. All in agreement.

Nicole Nickolan, Town Clerk