

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, April 21, 2009 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Deputy Mayor Gary Jordan, Jr., Caleb Curtis, Wayne Fotter and Christopher Carr (arrived at 8:20 pm). **ABSENT:** Donna Chale and Louise Baker. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Sharon Mack, Scott Monroe, Donnie Hallenbeck and others.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**. The Council observed a moment of silence.
2. Adoption of Minutes of the regular meeting on April 7, 2009.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Fotter** that the minutes of the regular meeting on April 7, 2009 be adopted.

VOTE: UNANIMOUS AYE

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

Presentation by Tim McDonald, General Manager of Premium Choice Broadband detailing services to the Town. Mainely Wired, the Town's current leasee, was recently acquired by Premium Choice Broadband.

This item was not discussed, as the presenter did not attend the meeting.

Community and Economic Development Activities and Events:

Report on Meetings & Events:

Meeting with the Governor and DECD Commissioner for recognition of the Town's Tax Increment Financing District Designation on Thursday, 04/09/2009 at 2:30 p.m. in Augusta: The Mayor and I attended. We were presented with a certificate by the Governor and DECD Commissioner. Fifteen (15) towns were honored. It was good to hear of the projects planned for the State of Maine in the upcoming years. Remember if there is a business out there which wants to expand and to bring jobs to the region, please talk to the Town regarding the Pittsfield Industrial Park. We have an avenue to apply for funding. Interest rates for loans are at their lowest, there is grant money out there as most businesses are not applying for items so there is less competition, and there is personal property to pick up for many types of businesses from closed facilities which is unfortunate but there is some available.

Somerset County Workforce Development Team (SWDT) meeting on Thursday, 04/09/2009 at 2:00 p.m. in the Town Council Chambers. This meeting went well with Pittsfield representatives in attendance.

Regional Energy Forum sponsored by the Pittsfield Recycling Committee on Tuesday, 04/14/2009 at 6:30 p.m. at Vickery School Gym: Over 60 people were in attendance at the Regional Energy Forum. We had 3 great speakers – Doug Frati; Tom Roberts of the Snakeroot Organic Farm; and Emmie Theberge of the Natural Resources Council of Maine. We have certificates of thank you to be signed this evening by the Town Councilors.

Upcoming Meetings & Events:

The 13th Annual Trade Show and Community Fair for the Seabasticook Valley Chamber of Commerce on Saturday, 05/02/2009: Update Read.

Strategic Planning Committee Meeting on Thursday, 05/07/2009 at 4:00 p.m. at the Seabasticook Valley Chamber Building in Palmyra to set up committees to work on the 4 projects identified at the 3rd Leadership Forum: Projects identified.

Regional Job Fair for Somerset County, sponsored by the Somerset County Transition Team and the Town of Pittsfield on Wednesday, 05/27/2009 from 3:30 p.m. – 7:00 p.m. at Warsaw School Gym and Cafeteria. We have wonderful news – a media sponsorship by the Employment Times to help get the word out worth over \$2,600. Notice read.

The Paul E. Bertrand Community Pool Complex Grand Opening is scheduled for Saturday, June 13, 2009 at 10:00 am at the Complex. We are working on the program for the event – speeches, certificates for the in-kind donations from the contractors, unveiling of the memorial plaques, tour of the facility and the Big Splash.

4. PUBLIC HEARINGS/OLD BUSINESS:

Tabled from the 03/03/2009 Town Council Meeting:

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.

This item was not discussed, as the presenter did not attend the meeting.

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

Town Manager's Report: Town Council Meeting of 04/21/2009:

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

2. Paul E. Bertrand Community Pool Fundraiser: We are on the home stretch. Notice read.

3. Theatre Restoration/Renovations Fundraiser: Notice read.

4. Sweeping Schedule: Schedule read of what is done and the work that remains.

5. Census 2010: There are promotional items that the Town can do to help make sure that everyone is counted. The Census is important to the Town as it is part of the basis for funding formulas, grants, and economic development.

6. Town Revenues and Expenditures: Town Revenues are coming in very slowly and are below expected limits, even though we lowered revenue estimates significantly. Excise Tax is now running \$9,512 behind last year's statistics and State Revenue Sharing is running at \$23,786 behind last year's statistics. We are on an unofficial budget freeze. I spoke with everyone, I did not issue a directive at this point. If the late Spring does not bring any changes, we will have to look at other solutions. We need to lower spending, which frankly, for a town of our size, is not very large for municipal activities. At this point, I have not brought in the paving RFP as this would be a large chunk of the budget which could be utilized to offset the low revenue receipts (\$52,640 from taxes).

7. Notice of Public Sale: We have good news in that the Judgment of Foreclosure and Sale and required statutory 60 day period expired without redemption on 214 Somerset Avenue. This means that the former Tax Acquired Property on Somerset Avenue, 214 Somerset Avenue can now be put out to Public Sale. READ Notice of Public Sale. I would assume that the situation stands as discussed at the last meeting – we should let the private sector bid on this. If the property sells, we will talk with the individual immediately about clean-up. If the property does not sell, it will apparently become the Town of Pittsfield's the next day. The next day, Public Works will go down and clean up the debris and garage outside the property.

8. Pittsfield Water and Sewer Users Very Important Survey: As a utility user in the Town of Pittsfield, you will receive a very important survey in the mail. Olver Associates, an engineering firm, will be tabulating the results. The Town is planning improvements to our older infrastructure. Many grant programs or low interest loan programs require that the Town conduct an income survey of utility users. We ask that anyone who has not yet returned the survey to do so by mail or in person. The survey and its results are very important to the future of the Town and our ability to upgrade the water and/or sewer system. Any questions, please contact the Pittsfield Town Office (487-3136). Thank you so much for completing this survey. We are starting to go out door to door now to collect the surveys so sending the survey back will save the Town money and time and save you time.

9. Pittsfield Community Theatre Opens: The Pittsfield Community Theatre opened on April 17, 2009 with Hotel for Dogs, which is a PG movie. There also was a matinee on Sunday April 19, 2009. The total count of children and adults for the weekend was 441 customers.

Finance Committee: Met tonight with Merrill Bank to separate some of our portfolio.

Ordinance Committee: Had a brief meeting tonight. Looked over the shoreland zoning ordinance. The Committee recommends we follow the basic state shoreland zoning ordinance and keep the 30% non-conforming expansion rule in place with no other zoning and/or additional restrictions added to that.

Recycling Committee: No Report

6. NEW BUSINESS:

- a. **ORDER 09-05:** Ordered that the Town Council approve amendments to the Town of Pittsfield Recreation program fee schedule for organized recreation programming and sports programming for 2009.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Order 09-05 be adopted.

The Town Manager noted the Swimming Pool Committee and Recreation Director met this month to discuss the swimming program. As this program was discussed in detail and other recreation programs are offered, all programming was then discussed.

Copies of all agenda material for this item were on the Council table for the audience. The costs to run the programs in 2008 was provided to Councilors, as well as the proposed recreation programming fees.

A survey of other communities was conducted. It was determined that the Town charges one of the lowest rates in the state for some programming. Part of this has to do with the condition of the facilities that we were using over the decades. We now have a new swimming pool complex.

Currently, the fee is \$15.00 across the board per resident and \$20.00 across the board per non-resident for the Town Recreation Programs. So if you sign up for 1 program, the fee ends up being \$15.00 and if you sign up for 3 programs, the fee ends up being \$5.00 per program. This needs to be changed.

The Committee also proposes an increase of \$10.00 in the Swimming Program and \$5.00 in the other programs.

As people approach the Town to utilize the pool from many other communities, the Committee proposes a daily fee of \$2.00 per adult and \$1.00 per child. This is for non-resident use. Resident use is free.

It is also proposed that the pool facilities can be rented for pool parties and charges are listed on the proposed fee schedule. This would provide a service to people who want to have a party and generate some revenue for the Town to put toward the pool.

The Council spoke in length about different suggestions that have been made to the recreation department. It was decided to cap the maximum for the swimming program at \$75.00 per family for residents and \$90.00 per family for non-residents.

VOTE: UNANIMOUS AYE

- b.* **ORDER 09-06:** Ordered that the Town Council approve an amendment to the Town of Pittsfield Recreation program fee schedule to add a non-resident fee for swimming.

Moved by **Councilor Curtis** and seconded by **Deputy Mayor Jordan** that Order 09-06 be adopted.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 09-56:** Resolved that the Town Council approve the Community Relations Plan for the EPA Brownfield Clean-up Grant Project for the Eelwier Road property (now known as 8 Mount Road).

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Fotter** that Resolution 09-56 be adopted.

The Town Manager noted the Councilors received a copy of the community relations or communication plan for the Brownfield Clean-up Grant: I basically detailed everything that has taken place for the grant over the last 2+ years, listing the contaminants found at the site, which given the size of the site, it was excellent that everything was contained right at the site.

VOTE: UNANIMOUS AYE

- d. **RESOLUTION 09-57:** Resolved that the Town Council authorize the Town Manager to sign an amendment to the Standard Services Contract, pending MDOT approval, for an increase of \$500.00 for engineering services for the Federal/State Safe Routes to School Project, MAINE DOT PIN #16359.00.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Fotter** that Resolution 09-57 be adopted.

The Town Manager noted MDOT had previously indicated to the Engineer and the Town that due to so many changes being made to the project by MDOT that we should compensate the engineer for this additional work. The engineer agreed to \$500.00, which was low compared to how much additional work was required. The project is on-going at the School during school vacation for obvious reasons.

VOTE: UNANIMOUS AYE

- e. **RESOLUTION 09-58:** Resolved that the Town Council authorize a transfer of expenditures from the Floral Trust Accounts to C. Jones Floral in the amount of \$1,800.00.

Moved by **Councilor Fotter** and seconded by **Deputy Mayor Jordan** that Resolution 09-58 be adopted.

The Town Manager noted the Cemetery Sexton obtained quotations for this work which is authorized under the Floral Trust. This is a regular housekeeping item. As the funds are in a trust, the Town Council does need to authorize the transfer and expenditure of funds.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial As Listed Below:

- A. Financial Reports as of 03/31/2009:
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
State Revenue Sharing Comparison Report
Personal Property Tax Collection Report
Real Estate Property Tax Collection
Reviewed briefly by Town Manager

- B. Other Reports as of 03/31/2009:
Building and Plumbing Permit Reports
Library Report – Librarian’s and Library Trustees Minutes
Police Report
Self-explanatory – not reviewed

1. **Update on Water Projects**

Federal Stimulus Funding: The Town was selected for a federal stimulus funding project for the back-up water pump. We filed the loan application for the MMBB. We filed the PUC Securities Issuance request. Our request to issue the loan was approved by the PUC. The engineering has been completed. A copy of the documents are here this evening in case anyone would like to review them. They have been sent to the State for their review.

Water Meter Replacement and Automated Meter Reading (AMR System): We have enough calibrated and tested manual meters to re-meter the remaining mobile home parks so this project will start shortly. Letters were sent to Carriage Estates. This project is on hold until we get the survey done as we only have 2 water/sewer employees and a very limited budget.

2. **Update on Sewer Projects**

Federal Stimulus Funding: The State will receive about \$30 million dollars in federal stimulus funding. Over \$300 million dollars in project requests were received by the State. The projects that ranked high were ones such as Combined Sewer Overflows in which sewage dumps into the river and is not supposed to and sewer projects that would reduce or eliminate sewage.

We simply have an older sewer system in which the lines break often and an accumulation of sludge that needs to be pumped out so we did not get a lot of points similar to all of the other towns with sewer replacement lines. If there was no pollution, you did not get a lot of point. This also showed the condition of the sewer system across the State of Maine.

Work Plan/Study for Removal of Sludge from Lagoon System: The Sludge Removal Project is back on to determine a Plan of Action. Acheron wants the sludge drying project and the State of Maine does not like it. So we are back to

trying to work out a compromise so we can move forward. A meeting has been set with DEP for Monday, 04/27/2009. First we will tour the Pittsfield sewer improvement sites that were completed last year (Hamilton Cross Country; West Street; and Main Street) as well as the Wastewater Treatment Plant), then we are going over to Acheron to discuss sludge.

Water/Sewer Project Possibilities: Income Survey for State and Federal Funding Opportunities: By the deadline of 03/31/2009, the Town had received approximately 50% of the surveys back through the mail which is exceptional. Mail surveys are usually 20%. Approximately 91 of those surveys had a piece of missing information so we have 1 person calling to verify the survey details.

The training session was held for the Town employees who will start going door to door to the homes of those who did not respond to the survey. In addition, the consultant did not send the surveys out to the housing projects because these facilities should really be surveyed in person. Five (5) employees have been out surveying people.

It is important that people complete the survey. Right now, the Town of Pittsfield based on the last Census is not eligible for water and sewer improvement funding. We need to prove that we do not have the capacity to pay for these improvements and to do this, we need to determine the exact income level of the entire community and then road by road. We do not have a choice. If we do not get enough surveys back we either will not fix the system or the user fees will increase a lot (and perhaps property taxes will need to go to the system too).

If people still have their surveys, please complete it and send it in. It will save a trip to your house and save the town money and time and save you time.

Grants Update:

New Grants:

Airport Grants: Design Engineering for Apron Reconstruction: The Design work was completed earlier this year. After I get all the bills, we will file for reimbursement. This project was rushed in order to apply for the early grant round in February.

Airport Grants: Apron Reconstruction Grant Application: The grant application was filed for \$1.2 million dollars by the deadline and we received the grant. Special Council Meeting was held on March 02, 2009 to accept the funds. The grant paperwork was filed on time. Waiting for the signed agreement so we can decide on a contractor and move forward. I have filed for approval to hire the engineer and am waiting for a response from MDOT and the FAA. So we are on hold until we receive the signed grant application and approval to hire the engineer to proceed forward. MDOT has requested that the Engineer be paid differently. The project is on hold.

CDBG Grant/Public Facilities/Historic Preservation/Library: We are still in the process of completing the close-out documents. We received the last change order from Nickerson & O'Day for the project completed in November last week and

submitted it for payment. The grant was amended in order to be paid. We are awaiting the drawdown.

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

L&W Conservation Fund: Swimming Pool Essential Components: The low bidder for the 2 recycled plastic picnic tables was Bard. The tables are expected in a month. We will then expend the funds and close out the grant. I would plan to submit 1 reimbursement. Needs to be done and closed by April-June in order to apply for another grant. The next grant would be to focus on Hathorn Park Basketball/Baseball Field. Have contacted the Recreation Director and the Bureau of Conservation to discuss this opportunity. A citizen asked for night lighting at the Hathorn Basketball court. We received estimates for that and found the cost to be prohibitive. This is one of the items for the grant opportunity. The next L&W Conservation Fund Grant application is due at the end of August, 2009.

Renewable Energy Grant: The Town just received the signed and encumbered grant application back. The State has noted that it does not have a bid procedure for the Town to follow and that we would follow our own procedures.

Riverfront Community Development Grant: The Building Inspector worked on this continuously for a long time. I am now working on it. I have received back 12 of the 22 responses from the state and federal agencies. The Federal Floodplain Approval process began with the first notice in the paper that we will be working with .03 of 1 acre (at the most of the 1.3 acres of the entire Pinnacle Site that fall in the floodplain). No comments were received by the deadline. The second notice of “No Practicable Alternative” was forwarded to the newspaper. People will have 7 days from the date of its publication to respond to the Town or provide comments in writing. Site Plan Review was received at the April 13, 2009 Planning Board Meeting. Local shoreland zoning permits and floodplain permits were drafted. We are waiting for several state and federal comments.

8. **REPORTS:** Audience, Council

Audience:

Donnie Hallenbeck: Wanted to mention that when he worked for the pool the lifeguards that would be on duty during the Girl Scouts free swim event used to be paid by the Girl Scouts. Also mentioned that the upcoming lighting project will need to have steps taken to avoid vandalism. This was an issue in the past.

Council:

Councilor Baker: Absent.

Councilor Carr: Went to the movies this weekend with his daughters and everything looked very nice. Wanted to thank Donna Dunphy for all her work getting the Theatre ready. Apologized for coming in late. People are not always cooperative in his line of work on letting him get to the meetings on time.

Councilor Chale: Absent.

Deputy Mayor Jordan: No Report.

Councilor Curtis: No Report.

Councilor Fotter: Wanted to send his condolences to Blake Bartlett on the passing of his wife. Mrs. Bartlett was a great lady and she will be sorely missed.

Mayor Nichols: Wanted to echo Councilor Fotter's comments on Mrs. Bartlett. Also wanted to note the passing of Mrs. Kane and send condolences to her family. Glad to see that the pool is starting to take shape. The Energy Forum went well. There was a lot of positive feedback on the event. Wanted to thank Kathryn and the Town Office girls for all their hard work.

9. **ADJOURNMENT:**

Moved by **Councilor Fotter** and seconded by **Deputy Mayor Jordan** that the meeting be adjourned at 8:44 p.m. All in agreement.

Nicole Nickolan, Town Clerk