

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, June 2, 2009 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Deputy Mayor Gary Jordan, Jr., Caleb Curtis, Wayne Fotter, Donna Chale and Christopher Carr **ABSENT:** Louise Baker. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Donnie Hallenbeck, Sharon Mack, Mark Cochrane, Lancy Bradshaw, Ann McGowan, Mike Lange, Doug Frati, Lyn Smith, Mary Gaeta 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 May 19, 2009 and reconvened May 20, 2009.

Moved by **Councilor Fotter** and seconded by **Deputy Mayor Jordan** that the minutes of the regular meeting on May 19, 2009 and reconvened May 20, 2009 be adopted.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events

Report on Meetings & Events:

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. The count was 436 via handouts plus those who got by us through other entrances - so more than 436 for attendees. For Employers/Staffing Agencies and Resource Providers: 40. There were actually 28 employers/staffing agencies/work programs. Two showed up around 5:00 p.m. due to other commitments but were very happy with just the 2 hours they were there. The Mayor and I went around to greet the employers & resource providers when it was quiet. They were definitely happy with the results they had.

Upcoming Meetings & Events:

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. The focuses are (1) Buy Local; (2) Media Advertising of Branding – Summer Focus and Branding – Winter Focus; (3) Map Calendar; and (4) Fall Festival with Tasting Contest of local goods, farms, etc. We have 7 new volunteers interested on working on the projects. The next meeting is scheduled for Thursday, 06/04/2009.

The Paul E. Bertrand Community Pool Complex Grand Opening is scheduled for Saturday, June 13, 2009 at 10:00 am at the Complex. The program will be short on speeches and long of celebration and

thank yous - certificates for the contractors, suppliers, the in-kind donations and volunteers, unveiling of the memorial plaques, tour of the facility and the Big Splash.

In progress:

Business Forum on how to start a new business and tips on how to address challenging times, to be scheduled for 09/2009 – to be announced. Also been suggested to team up with an energy focus.

Certificates and Thank Yous:

Certificates to thank the volunteers who assisted at the 2nd Annual Regional Job Fair on 05/27/2009 will be signed by the Town Council for the following:

Michelle Michaud, Senator Collins Office
Celine Richards, KVCAP
Linda Smith, KVCAP
Kay Seefeldt, Retired Teacher from SAD #54
Valerie Theriault, WorkReady Program

Also would like to thank:

Warsaw Middle School for the use of the facility and their assistance
Employment Times for an amazing media sponsorship
KVCAP for advertising costs

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

Town Manager's Report: Town Council Meeting of 06/02/2009:

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. Press Release Read

3. Summer Recreation Program Sign-ups: Press Release Read

4. Census 2010: Notice Read

5. Town Revenues and Expenditures: Town Revenues continue coming in very slowly and are below expected limits, even though we lowered revenue estimates significantly. We are on a budget freeze, however, as we have no extras so this really is not affecting spending. We need to determine other cost savings methods or items beyond everything that we have done the last few years. We already have one of the lowest municipal budgets in the State of Maine for our population size and we are running additional projects such as a theatre, sewer enterprise account, water enterprise account and other programs. As discussed several meetings ago, paving has not been put out to bid as this would be a large chunk of the budget that could be utilized to offset the low revenue receipts (\$52,640 from taxes).

6. Notice of Public Sale: A local contractor, Merlon LaSalle, was the successful bidder for the property at 214 Somerset Avenue. Mr. LaSalle plans to renovate the building into a home.

It is a purchase and sales agreement so he is performing his due diligence now. The closing is coming up. Mr. LaSalle is very interested in starting to work on the property.

7. Pittsfield Water and Sewer Users Very Important Survey: As a utility user in the Town of Pittsfield, everyone on the water and sewer system received a very important survey in the mail. Olver Associates, an engineering firm, has been 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. We are now calling those individuals who did not return their surveys and making headway. 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 your participation.

8. Farmshare Program: Seniors who qualify can receive up to \$50 in free local produce during the summer growing season. This is a partnership between the Maine Department of Agriculture and farmers throughout Maine. The State is now accepting applications.

9. Pittsfield Farmers' Market: The Farmers Market at Hathorn Park is available Mondays and Thursday from 2:00 pm – 6:00 pm until October 29, 2009.

10. Pittsfield Wind Turbine Logo Contest: MCI had an art contest for the logo for the Pittsfield Wind Turbine to be put up this summer as a demonstration model for the State of Maine, made available to the Town through a Public Utilities Commission Grant. There were 27 entries. Deputy Mayor Jordan, Councilor Baker and the Town Manager ranked the submittals. We have a winner and are awaiting her notification by the Art Teacher Jill Swartz. The PUC is interested in coming down next Tuesday, June 09, 2009 at 1:00 pm to present the award. This date is tentative as we need to make sure that the student will be available. Once the date is confirmed, I understand that the State will contact the media and I will make sure that the Town Councilors are made aware of the date. The PUC is contributing an I-pod and solar powered I-pod charger to the winner plus offering the winner's classroom a kilowatt energy use reader and energy wheels.

Finance Committee: No Report.

Ordinance Committee: Met tonight with representatives from TRC Solutions & CMP concerning the request from CMP to add essential services as a principal use in certain zoning district and as a conditional use to special district use. Exemption from setback standards was also discussed. After lengthy discussions it was decided there were two major questions. Do we need to have setbacks? CMP is requesting to have the setbacks waived. The next question is it is really necessary to waive the setbacks and can the project be done without setbacks being waived. The Ordinance Committee also asked for costs for running lines underground in certain areas. The Committee also discussed the Shoreland Zoning Ordinance. The Committee recommended repealing the old Ordinance and replacing it with the State Shoreland Zoning Ordinance.

Recycling Committee: No Report.

6. **NEW BUSINESS:**

- a. **RESOLUTION 09-78:** Resolved that the Town Council accept the bid of Nichols Construction of Hudson, Maine in the amount of \$ 908,416 and add alternate #2 in the amount of \$ 8,300 for a total price of \$ 916,716 for the Additions and Alterations to the Pittsfield Public Library Project and authorize the Town Manager to execute the Town's standard services contract for the same.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that Resolution 09-78 be adopted.

The Town Manager noted the Town Council received a copy of the three lowest bidders' submittals due to the size of the package. In the 04/07/2009 Council Package, the Town Council received a copy of the Invitation to Bid; Section 2-B Bid Form with Table of Contents, Directions and Bid Forms through the Town's Standard Contract; and the complete set of plans for the Addition to the Pittsfield Library and alterations to the current library required for a larger structure.

After thorough review by the Construction Manager, Engineer, and Chairperson of the Building Committee, the recommendation has been made to hire Nichols Construction of Hudson, Maine. This was the recommendation from Bob Greene of Cianbro.

The low bid of Nichols Construction was \$908,416. It is further recommended to add #2 Alternate Clean existing exterior masonry, stone and metal roof surfaces in the amount of \$8,300. This will total \$916,716. We were able to add the screens back into the project with a donation coming in shortly.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 09-79:** Resolved that the Town Council authorize the following funds to be expended and transferred for the Additions and Alterations of the Pittsfield Public Library Project:

Merrill Library Account, G#1-696-00	\$462,947
Bangor Savings Bank Library Account, G#1-698-00	\$355,916
Library Trust Reserve, G# 1-646-00	\$14,681
Library Reserve Expansion Project, G#1-632-00	\$46,186
Library Century ADA Grant, G#5-671-00	\$3,748
2008 Library New Century Grant, billing for reimbursement	\$33,238

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Chale** that Resolution 09-79 be adopted.

The Town Manager noted the funding is coming from a variety of sources. We have a \$45,000 New Century Grant that we are billing. The Town tax dollars have contributed over \$109,000 toward the project through the purchase of the land for the project and the Library Reserve with the rest of the funds coming from donations and grants, which is quite impressive. The approval is for \$916,716.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 09-80:** Resolved that the Town Council sign the Warrant and Notice of Election to call the Maine School Administrative District No. 53 School Budget Referendum to be voted on June 22, 2009.

Moved by **Councilor Fotter** and seconded by **Deputy Mayor Jordan** that Resolution 09-80 be adopted.

The Town Manager noted we are back again with a revised schedule to accommodate the school which had to wait for the State to set the funding mechanisms so the School could know where it is.

The Superintendent wanted to make his regular yearly presentation, however, was unable to as he was required to be in Madison for one of the required votes for their school system. A schedule is attached for the remainder of the budget approval process

VOTE: UNANIMOUS AYE

- d. **RESOLUTION 09-81:** Resolved that the Town Council appoint Nicole Nickolan as Warden and Emmalee Reed, Cammie Jemery and Vickie Braley as Deputy Wardens for the June 22, 2009 election.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that Resolution 09-81 be adopted.

VOTE: UNANIMOUS AYE

- e. **RESOLUTION 09-82:** Resolved that the Town Council approve the after 4:00 PM opening of the absentee ballots for the June 22, 2009 Maine School Administrative District No. 53 School Budget Referendum.

Moved by **Councilor Fotter** and seconded by **Councilor Carr** that Resolution 09-82 be adopted.

VOTE: UNANIMOUS AYE

- f. **RESOLUTION 09-83:** Resolved that the Town Council appoint Michael Havey as Health Officer for a 3-year term pursuant to State Law.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Carr** that Resolution 09-83 be adopted.

The Town Manager noted this is housekeeping action. We need a Health Officer, Mike Havey has agreed to fill the position which we appreciate. Most of the position under the State Law already is fulfilled by the Building Inspector (CEO) as part of his job description and will continue to be covered such as Dangerous Buildings, Malfunctioning Septic Systems, Nuisances, etc. We thank Dr. Baldwin for covering for us until we were able to find another individual to serve as Health Officer.

VOTE: UNANIMOUS AYE

- g. **RESOLUTION 09-84:** Resolved that the Town Council authorize the Town Manager to execute modification #3 to the Safe Routes to School Project Agreement between the Town of Pittsfield and the State of Maine, Department of Transportation, Federal Project Number SR-1635(900)X, State PIN (16359.00).

Moved by **Councilor Curtis** and seconded by **Councilor Fotter** that Resolution 09-84 be adopted.

The Town Manager noted During the State inspection, it became obvious that there was severe cracking in the road which revealed a soft area. This area needed work.

In addition, the School had installed another entrance, which required modifications to the sidewalk.

Remember when we apply for a grant, it is sometimes 3-4 years before the project goes forward (if not more), therefore, in this case, the road conditions/situation changes. The State authorized an additional \$4,070 for the grant bringing the award to \$41,819.

VOTE: UNANIMOUS AYE

- h. **RESOLUTION 09-85:** Resolved that the Town Council authorize the Town Manager to execute a change order in the amount of \$3,043 to the contract agreement with Manter Construction of Maine, Inc. from \$35,499 to \$38,542 to address soft areas on the roadway and changes in driveways along the project.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 09-85 be adopted.

The Town Manager noted with the revisions in the roadway conditions, the Contract with Manter Construction of Maine, Inc. would be revised. With some ingenuity, Manter was able to come in under the amount of the additional grant award, thereby requiring a change order to the contract for \$3,043.

VOTE: UNANIMOUS AYE

- i. **RESOLUTION 09-86:** Resolved that the Town Council waive the bid policy (Chapter 2, Administrative Code, Section 106) to accept the proposal of Credere Associates to add the hazardous materials components of the project totaling \$ 65,905.50 to the 01/30/2009 Standard Services Contract between the Town of Pittsfield and Credere Associates, thereby increasing the Standard Services Contract from \$21, 400.00 to \$ 87,305.50 for the removal of Drum & Universal Waste Disposal; Asbestos Abatement; AST Soil Removal and Disposal; Demolition; Site Restoration; and additional engineering costs for overseeing demolition.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Chale** that Resolution 09-86 be adopted.

The Town Manager noted the Town Council received a copy of the Kick-Off Meeting Notes in their package. At their meeting on 01/06/2009, the Town Council accepted the bid of Credere Associates, LLC of Portland in an amount not to exceed \$21,400.00 for the engineering assistance for the Brownfield Clean-up Grant for the Eelwier Property. By this Council Meeting, the Town will have completed the necessary steps and paperwork to begin the project. During the Kick-Off Meeting in February 2009, it was recommended by the EPA that due to the low cost of the various components of the hazardous materials removal, that we utilize the quotations that Credere Associates had compiled. This work would be completed under Credere Associates contract through an amendment.

The components of the hazardous materials removal include the following steps, costs and contractors:

(Progress Report with quotations to be available from Credere prior to Council Meeting or item to be tabled)

This action, as recommended by the EPA and concurred to by DEP and the Consultant would include waiving the bid policy and amending the contract with Credere Associates.

VOTE: UNANIMOUS AYE

- j.* **RESOLUTION 09-87:** Resolved that the Town Council authorizes the Town Manager to execute a grant award from Maine Department of Transportation for the reconstruction of the general aviation apron at the Pittsfield Municipal Airport under Airport Improvement Program (AIP) Project No. 3-23-0036-10-2009 with MDOT State P.I.N. #016054.00 under new State requirements.

Moved by **Councilor Curtis** and seconded by **Deputy Mayor Jordan** that Resolution 09-87 be adopted.

The Town Manager noted last week, the Town received approval from MDOT to proceed forward with the General Aviation Apron at the Airport. The estimated cost of the project is \$1,195,830. The Maximum Federal grant is 90% and the maximum state grant is \$29,896. The Town's contribution is 2.5% or \$29,896.

Now, MDOT and FAA will review the contracts to be issued for the project. In reviewing the new MDOT agreement language, I note that there are many approvals required and many reports to be issued.

VOTE: UNANIMOUS AYE

- k.* **RESOLUTION 09-88:** Resolved that the Town Council approve the issuance of a parade permit to the Hope Revived Ministries for a fundraising walk on July 18, 2009 and waive the permit fees.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 09-88 be adopted.

The Town Manager noted Hope Revived Ministries have scheduled their first walk in Town to benefit the Ministries which is a home for girls with life issues. The walk will start at the Deeper Life Assembly go through town on various roads and then head back to the Deeper Life Assembly.

VOTE: UNANIMOUS AYE

1. **RESOLUTION 09-89:** Resolved that the Town Council approve a pole permit application to set two (2) poles on Waverly Street, westerly direction for a distance of 410 feet from the starting point of pole 20 to Northern New England Tel Co. LLC and Central Maine Power Company.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 09-89 be adopted.

The Town Manager noted State Law requires the Municipal Officers of a Town to issue permits for new poles if within the Town's ROW. Waverly Street is a town way. The PW Foreman sees no issues with the pole placement.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

1. **Update on Water Projects: Federal Stimulus Funding for Back-up Water Pump** Back-up Water Pump Pre-Bid Meeting is set for June 05, 2009 at the Water Pump House and bids are due on June 12, 2009 at the Town Office. To date, the Town Attorney is still waiting for the proper format for the authorization documents he must complete for the Town's loan to be final.

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 and all of the water and sewer issues taking place as we only have 2 water/sewer employees and a very limited budget

Update on Sewer Projects: Sludge Removal Project; Sewer System

Projects A question has come up on whether we want to continue to take septage at the Sewer Treatment Plant. At this time, we have about 1 load coming in a month (most months). We do not test so we have no idea what is in the material. There are some new permits that are required by DEP in order to have our new Wastewater Treatment Plant and they will require the assistance of Acheron. Are we interested in taking septage or do we want to send the pumper to the Plymouth facility. The Assistant Water/Sewer Superintendent has recommended that we stop taking septage.

Sludge Removal Project A report of the research being conducted by the Sewer Department is attached. In addition, we have obtained the bid specifications utilized by Norway for a general bid to see what was out there for removal of sludge. They did not know what to do and thought they would explore. We are meeting with representatives of DEP to determine the steps to proceed forward. It might very well be worth it to put out an exploratory bid to see what is available.

2. **Water/Sewer Project Possibilities: Income Survey for State and Federal Funding Opportunities** Still working on the surveys. We are now in the process of calling people by phone to gather information for the survey.

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. The bills just arrived from the Airport Engineer.

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

L&W Conservation Fund: Swimming Pool Essential Components: The one reimbursement has been forwarded to the Dept. of Conservation for the L&W Fund grant for the Swimming Pool for the full \$25,000.

The next grant would be to focus on Hathorn Park Basketball/Baseball Field/Playground/Gabezo – all original construction which requires work as has all of the projects that we have received millions for to re-construct or rehabilitate. Have contacted the Recreation Director and the Bureau of Conservation to discuss this opportunity. The next L&W Conservation Fund Grant application is due at the end of August 2009.

Renewable Energy Grant: The contract with Evolo was prepared. The wind turbine logo contest was held at MCI with 27 entries. Deputy Mayor Jordan, Councilor Baker and I ranked the submittals. We are working with MCI, the PUC and others for an award ceremony.

Riverfront Community Development Grant: All paperwork was forwarded to the State of Maine for review. We should hear back at the end of June 2009. We were asked by the State to start the contract for the work on July 1, 2009.

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. In the original project, the Town would be eligible for 75% of the project or \$795,323. We would need to obtain a match of 25% or \$265,107 which we did through reallocation of former grant funds that were loaned to a business and paid back to the Town. Our application is being reviewed by the federal government. We were advised to file the completed application, with assistance for grant administration, so the entire project cost is now estimated at \$1,115,000 with 80% federal funding and a 20% match from the Town

The Fire Department is applying for a Quint Aerial-pumper to replace its 1981 Pierce pumper. The grant is for a \$700,000 project with 5% as the Town's match. We have a 28-year-old piece of equipment that it would be helpful to replace. The Quint Aerial component is for a 75' ladder to service some of the larger buildings in Town. I have been advised that the vehicle will fit into the current Fire Station.

Fire Department interested in applying for a FIRE grant for a new fire station. I have asked that the Department review the current fire station to address the needs to make it more responsive and efficient for fire protection for the citizens. Enhancements to current fire stations are included under the grant.

The Police Department is eligible for Federal Stimulus Funds. We are eligible for just under \$11,000 and the funds need to create jobs. The PD desires to improve the mobile radio equipment to a P25 platform, which would create or retain jobs in the private sector so it is eligible. There is no match. Would the Police Department be in agreement to filing this grant application? If so, we will have a Resolution on the next Council Meeting.

The Water/Sewer Department is working with other departments on an outside generator that could be transportable to where it is needed. At this time, there does not appear to be a match according to the Assistant Water/Sewer Superintendent, however, I have asked him to verify this in writing.

The Town Manager also wanted to note Blake Bartlett came in today and presented the Town with a card detailing the donation of a monument marker from Blake and Sonia Bartlett for a corner stone of the Library to memorialize the year of the addition.

8. **REPORTS:** Audience, Council

Audience:

Donnie Hallenbeck gave some detail on the proposed communications upgrade for the Police Department. This grant would allow the Police Department to upgrade the communications equipment to the new platform required by the federal government. This would allow the Police Department to communicate freely with the Department of

Homeland Security or FBI if need be. The scanners the public are currently using would not be able to receive the new signal.

Council:

Councilor Baker: Absent.

Councilor Carr: No Report.

Councilor Chale: Pleased the Library is on track. Would like to acknowledge all the hard work done by the Library Board. They have donated tons of time to this cause.

Deputy Mayor Jordan: Also want to acknowledge the Library Board and all the work that went into getting this job accomplished. Everyone has done a tremendous job. Councilor Jordan noted that the Library Board had learned about processes and writing grants.

Councilor Curtis: No Report.

Councilor Fotter: No Report.

Mayor Nichols: Congratulations to the Library. A lot of work and hours went into this project. The Mayor noted that Kathryn was a big help on this Library project and all the grant paperwork. Wanted to thank Blake Bartlett for his generous gift of the monument marker.

9. **ADJOURNMENT:**

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Carr** that the meeting be adjourned at 8:25 p.m. All in agreement.

Nicole Nickolan, Town Clerk