

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, September 15, 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, Christopher Carr and Louise Baker **ABSENT:** None. Also present: Town Manager Kathryn Ruth and Deputy Town Clerk Vickie Braley. Audience members included: Donnie Hallenbeck, Mike Lange, Chris Cousins

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 September 1, 2009.

Moved by **Councilor Fotter** and seconded by **Councilor Chale** that the minutes of the regular meeting on September 1, 2009 be adopted.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events

Report on Meetings & Events:

Wind Turbine Grand Opening Ceremony was held on Thursday, September 10, 2009 at 12:00 noon. Mayor Tim Nichols and Councilor Louise Baker spoke to the guests as well as the Town Manager and Recycling Coordinator. John Brautigam from Efficiency Maine/PUC Director of Energy Programs Division congratulated the Town on the wind turbine. There was extensive media there and some of the TV stations stayed for well over 1 hour.

Upcoming Meetings & Events:

Kennebec-Somerset Transition Team Meeting on Wednesday, September 16, 2009 at 9:00 am

Business and Energy Forum on Tuesday, September 22, 2009 from 6:00 pm – 8:30 pm at the Warsaw Middle School Gym & Cafeteria.

Tuesday, September 22, 2009

- 5:30 – 6:00 pm Set-up of Booths and Tables for Displays
- 6:00 – 7:30 pm Refreshments & Socializing
- 6:00 – 7:30 pm Browsing displays, picking up information & networking
- 6:30 – 7:30 pm Break-out sessions
- 7:30 – 8:30 pm Program

Program Highlights:

The forum will focus on the following:

1. Small business: Starting up a small business & helpful tips for small businesses in existence now - money tips, budgeting, low-cost ways to publicize your business, organizations to join, etc.
2. Green energy and energy efficiency
3. Your business can put out a display at the event to advertise and reach the public

Break-out Sessions:

Session #1 at 6:30 pm: Cindy Mayo, Worldwide Business Affiliates: Wellness & Supplemental Income

Session #2 at 6:30 pm: Vaughn Woodruff, Yankee Solutions: Design & Installation of Solar Thermal Systems for hot water and space heating covering expected system performance and general cost/payback

Session #3 at 6:30 pm: Richard Fortier, Efficiency Maine: Energy Management for Commercial

Session #4 at 7:00 pm: Janet Roderick, Coastal Enterprises: How to Pay Off Business Debts You Can't Afford

Session #5 at 7:00 pm: John Rush of Evolo Energy Solutions: Solar & Wind Energy Options for your Home or Business

Our main speaker will be Ashley Richards, the owner of WarmTECH Solutions from Yarmouth Maine.

This form is available to businesses, non-profits and organizations to set up information. This is a great chance to get the word out about your program and resources. There is no fee to register for table space. If companies register by Wed., 09/16/2009, we can guarantee a paper nameplate and table space. We use school and civic organizations' tables. Bring a tablecloth if you would like. Your organization may share table space depending upon how many businesses sign up. For more information, please contact Emmalee or Kathryn at tmadmin@pittsfield.org or 487-3136 to let the Town know if you would like to reserve table space.

Household Hazardous Waste Collection Day, Saturday, October 03, 2009

Egg Festival 2010 Organizational Meeting on Tuesday, October 13, 2009 at 5:30 pm in the Pittsfield Municipal Building Small Conference Room.

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

Town Manager's Report:

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

2. Pickin' & Picnic In The Park: Come down to Hathorn Park for some good old fashioned pickin'. Bring your guitar, banjo, fiddle, accordion, wash board, a song and other instruments

to make music. The event will start with a picnic at 5:30 p.m. and end at dark. This will involve a wide variety of musicians and a family atmosphere. Everyone is invited. The third event will be held on Thursday, September 17, 2009 with a rain date of September 24, 2009. For more information contact Hazel Mitchell at 207-257-2312.

3. KVCAP Assisting with Flood Damage: Did you experience property damage or personal injury during the rainstorms of April and May 2008? Federal funding is now available through a statewide outreach program from all community action programs. Assistance is available to complete outstanding home repairs from the storms, new construction required as a result of damage sustained or to provide rebates for previous expenses incurred related to the weather event. The funds may also be used to cover medical expenses for injuries that occurred during or directly after the storms, and to pay for counseling services for storm-related trauma. Contact KVCAP at 859-1578 for more information.

4. Tax Bills for 2009 due on Friday, 10/16/2009: Tax bills were issued last month after Somerset County was able to issue their assessment to the Town. The mil rate is \$16.30 and the Town is at 95% of valuation. The Town was below 70% of market value and was required to increase values, which then lowers the mil rate. The factoring itself does not change taxes, it increases and decreases in budgets and valuation. The Town lost over \$8.4 million dollars in personal property assessment when several of the Town's largest personal property taxpayers reduced the amount of equipment they maintain in Town and the Maine legislature exempted most new business personal property from taxation.

5. Maine Municipal Insurance Rebate: Last month the Town received a rebate from our participation in the Workers Compensation and Unemployment Compensation Fund totaling \$9,996.00 for good performance and low claims.

6. Kennebec Valley Council of Governments Annual Meeting: The 42nd meeting of KVCOG will take place on Wednesday, 09/23/2009 at Grandeur Sun off Jefferson Street in Waterville from 5:00 pm – 8:00 pm

7. Census 2010: Remember that Census workers are out collecting information in the community. The individuals should have signs on their vehicle and proper Census identification.

8. 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.

9. Drug-Free Safe Zones: These new zones, which provide for increased penalties for drug crimes committed within the approved zones will go into effect on 10/01/2009. These areas are all the Town's parks, swimming pool and the ATV/Snowmobile trail. Read sign.

10. Pittsfield Community Theatre Fundraiser (Get Comfortable in Pittsfield Chairs):
READ Ad.

Items for future meetings:

Finance Committee: No Report

Ordinance Committee: No Report

Recycling Committee: Recycling Committee met on September 2, 2009 and discussed the energy forum in depth about table setups and refreshments and socializing program time and who would be speakers. We are excited to have another meeting on the 16th to cover all aspects.

6. NEW BUSINESS:

a. ORDINANCE 09-16: (To be set to public hearing on 10/06/2009)

**TOWN OF PITTSFIELD
ORDINANCE AUTHORIZING ISSUE OF \$1,900,000
PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS**

The Town of Pittsfield Town Council hereby ordains improvements to the Town's sewer system and financing thereof pursuant to the State's Clean 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 One Million Nine Hundred Thousand Dollars (\$1,900,000), the proceeds of the loan or loans to be used to finance the improvements and upgrades to the Town's sewer system which may include, but are limited to the removal, analysis and disposal of all or any part of the sludge built up in the Lagoon System which is the Wastewater Treatment System (the "Projects"), or such amount of the foregoing Project as is 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 Clean 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 the State Clean Water Program approves only some but not all of the foregoing Project, the Town is authorized to proceed with the borrowing of the amount and project approved by the State Clean Water Program, even though the State may have approved only some but not all of the Project 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

Clean 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 **Councilor Chale** that Ordinance 09-16 be set to public hearing.

VOTE: UNANIMOUS AYE

The Town Manager stated that The Clean Water State Revolving Fund is for sewer projects.

Funding is available through the State's Clean Water State Revolving Fund. The State may receive additional funding. There also is a very long line of projects for the stimulus funding. Combined Sewer Overflows were the first priority of the State for the federal stimulus funding Last year. Luckily, we have a licensed facility that is not a combined sewer overflow.

It is unlikely that the arrangement would feature the conditions that we received for the Finish Water Pump through the Drinking Water State Revolving Fund, however, the interest rate is generally 2 points less than the average rate that we can receive through the open market. Interest is often a very large part of the cost of a loan for the Town as loans for infrastructure such as water and sewer are for up to 20-30 year periods.

In addition, local banks are often unable to lend this much funding and would generally not lend for longer than 5-10 years. Therefore, the Maine Bond Bank is a good avenue and the Clean Water State Revolving Fund would be the source of funding for our project to remove over 30 years of sludge from the Town's Wastewater Treatment Facility – the Lagoon.

The Ordinance is written so that if only part of the project is approved, then we are authorized to proceed with the borrowing of the amount and project approved by the Clean Water Revolving Loan Fund.

The Town received very competitive bids for sludge removal ranging from \$1,480,850 to \$3,207,500 for the advertised bid. This figure did not include engineering or additional work that may be required. In case for some reason, the Town were unable to accept the apparent low bid for the project, we have added a contingency to cover the additional cost for the next apparent low bid.

The Town does not have to borrow all of the funds listed on the Ordinance as the language states "to not exceed". The higher amount is listed to try to avoid the case in which we need to supplement this Ordinance at a later date.

In order to accept a bid and sign a contract, the Town needs to make sure that we can obtain the funding. This is the first step in the process.

b. ORDINANCE 09-17: (To be set to public hearing on 10/06/2009)

**TOWN OF PITTSFIELD
ORDINANCE AUTHORIZING ISSUE OF \$2,400,000
PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS**

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 Thousand Dollars (\$2,400,000), 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 water lines and related facilities; (2) construction and installation of a river crossing (the proposed Peltoma River Crossing) for the water treatment plant; and (3) replacement of up to 6,800 linear feet of water mains on 6 roads (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 Chale** and seconded by **Councilor Fotter** that ordinance 09-17 be set to public hearing.

VOTE: UNANIMOUS AYE

The Town Manager stated that The Drinking Water State Revolving Fund is for water projects.

Back in January, 2009 and March, 2009, we discussed the projects to be filed for the economic development stimulus funds anticipated by the State's Drinking Water State Revolving Fund. Part of this process involves getting ready for when funding is dispersed. If the Town was fortunate enough to receive funding, this would involve a loan without any interest or a very low interest rate. This type of funding is generally not obtainable by the Town. We were fortunate to receive funding through this program for a back-up finish water pump with 30% of the cost of the project waived and the remainder of the loan at 0% interest.

Funding is again available through the State's Drinking Water State Revolving Fund. The State may get an additional \$15 million dollars through an EPA grant. The general program has an interest rate that is generally 2 points less than the average rate that we can receive through the open market. Interest is often a very large part of the cost of a loan for the Town as loans for infrastructure such as water and sewer are for up to 20-30 year periods. In addition, local banks are often unable to lend this much funding and would generally not lend for longer than 5-10 years. Therefore, the Maine Bond Bank is a good avenue and the Drinking Water State Revolving Fund would be the source of funding for our long-needed water infrastructure projects.

The Ordinance is written so that if only some but not all of the projects are approved, then we are authorized to proceed with the borrowing of the amounts and projects approved by the State Drinking Water Program.

It is proposed that the Town try again for water infrastructure repairs on the lines, which are the most troublesome which includes the River Crossing at Waverly Avenue as well as add a River Crossing at Peltoma Avenue from the Town's facilities as a secondary route for water distribution.

This Ordinance would allow the Town to submit all of these projects or any portion thereof.

We are in the process of determining how to submit these items.
The deadline for applications is 10/16/2009.

ORDINANCE 09-18: (To be set to public hearing on October 6, 2009) That the Town Council accept all tax year payments of Gerald & Sonya Pease, including interest and lien costs, for the property at 188 F Street (Map 034, Lot 047), the Town having acquired said property as a result of automatic foreclosure of a 2006 property tax lien, recorded in the Somerset Registry of Deeds on May 31, 2007 at Book 3854, Page 321, which matured on November 26, 2008. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to Gerald & Sonya Pease.

Moved by Councilor Chale and seconded by Councilor Baker that Ordinance 09-18 be set to public hearing.

VOTE: UNANIMOUS AYE

The Town Manager stated that a public hearing is required under the Town Charter for the Town to deed the property back to the Peases. The Peases have paid off their taxes in full, therefore, a quit claim deed may be issued. It is excellent that they were able to pay their taxes up to date.

RESOLUTION 09-134: Resolved that the Town Council Approve Change Order #1 to the contract of T Buck Construction, Inc. of \$55,975.00 for the Finish Water Pump Installation in the amount of \$12,956.25 to Add a replacement or second VFD for the original water pump resulting in a total contract price of \$68,931.25.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Chale** that resolution 09-134 be adopted.

VOTE: UNANIMOUS AYE

Deputy Mayor Jordan asked if the town knew ahead of time about this. The Town Manager stated that they did not know that another VFD could be replaced when the project was bid. The bids came in so much lower than projected by the engineers that it became clear this was a good time to bid at this type of work. As the Town would have funds left over from the loan received, it was decided to replace the original VFD for the main pump as the pricing was so low. Councilor Fotter asked that would it be better to use the new pump and just use the old pump as a backup. The Town Manager stated that the engineers say this is the better route to go.

The Town Manager stated that this is the water federal stimulus project that the Town was approved to proceed forward with earlier this year. The Town was approved for a \$72,100 loan for 20 years and \$30,900 of principal forgiveness from the Drinking Water State Revolving Loan Fund Program. The contract was awarded to T Buck Construction, Inc. in June of 2009 to install a back-up finish water pump and all control mechanisms. The project came in under the amount of the loan. As the pricing was so competitive, the Town requested pricing for the replacement of the VFD, which controls the original pump. Since the company is putting in another pump and controls, it would be economical to replace the original pump's control panel with a newer model.

RESOLUTION 09-135: Resolved that the Town Council Waive the bid policy (Section 106 of the Administrative Code: Regulations of Bid and Contract) and Authorize the Town Manager and Assistant Water/Sewer Superintendent to Accept the proposal of **Acheron** for engineering services to assist the Town with the Sludge Removal Project at the Wastewater Treatment Facility-Lagoon to not exceed \$_____for Assistance with Funding Acquisition/Applications; to not exceed \$_____for Contract Administration; and at a rate of \$_____per hour for part-time inspection services.

Moved by Councilor Baker and seconded by Deputy Mayor Jordan that resolution 09-135 be adopted.

Motion by Deputy Mayor Jordan and seconded by Councilor Chale that Resolution 09-135 be amended as follows:

RESOLUTION 09-135: Resolved that the Town Council Waive the bid policy (Section 106 of the Administrative Code: Regulations of Bid and Contract) and Authorize the Town Manager and Assistant Water/Sewer Superintendent to Accept the proposal of **Olver Associates** for engineering services to assist the Town with the Sludge Removal Project at the Wastewater Treatment Facility-Lagoon to not exceed \$2,000.00 for Assistance with Funding Acquisition/Applications; to not exceed \$5,000.00 for Contract Administration; and at a rate of \$50.00 per hour for part-time inspection services.

VOTE TO AMEND: UNANIMOUS AYE
VOTE AS AMENDED: UNANIMOUS AYE

Councilor Baker would like to go with Acheron Deputy Mayor Jordan seconded the motion so they could talk about the engineering companies. Councilor Chale stated there had been confusion about Acheron where there has been a lot of conflicting information. The Town Manager stated there has been a lot of confusion about the project and Deputy Mayor Jordan also stated he did not like the confusion. Councilor Chale questioned Olver Associates' bid due to the way they priced their bid. The Town Manager stated that the Town had requested part-time inspections by an hourly rate as we need to determine what the State will require for inspections. That will be decided after we meet with the State as we go forward. Councilor Chale stated the Olver has done some good work for the town and Deputy Mayor Jordan agreed. The Town Manager stated that all the engineers would work very hard and that Olver Associates is very comprehensive. Councilor Curtis asked if the Town had ever used AE Hodson for any services and the Town Manager and Deputy Mayor Jordan stated the town used them many years ago. The Town Manager stated that we could either not sign the contract until we met with DEP or we would somehow cap the inspection time. In any case, there would be a cap on the inspection cost to not exceed. The Town Manager and Deputy Mayor Jordan both agree that Olver Associates prices were lower than the other quotes. The Mayor indicated that they are leaning towards Olver Associates and asks Councilor Baker if she was comfortable with the decision. Councilor Baker stated that Deputy Mayor Jordan knows more about this kind of information than she does. Deputy Mayor Jordan stated that the Town has been very comfortable with Olver Associates and have not had any conflicts.. The Mayor is also very comfortable. The Town Manager stated they have to do this right without any changes. Councilor Curtis states that Olver Associates has quite a bit of experience with this type of work. They all discussed to amend the vendor that was previously moved by Councilor Baker.

The Town Manager notes that due to the importance of this project and the high price tag for the Town to remove 30 years of accumulated sludge from the Lagoon, it is imperative that the Town have engineering assistance from a firm with background and expertise in this area.

Due to the quick turnaround time needed to process the application materials for funding sources, the Town put out a request for pricing and contacted 5 engineering firms that have worked with the Town in the past.

We could obligate parts of this project without a formal Council vote, however, it is our opinion that the firm chosen to assist the Town with the applications being filed for financial assistance needs to be the same firm that follows through on the project to the end for accountability on this very important project for the Town.

RESOLUTION 09-136: That the Town Council Adopt the Budget Calendar for the 2010 Budget process.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Resolution 09-136 be adopted.

VOTE: UNANIMOUS AYE

This is the Town's regular budget calendar that has worked really well in the past. If we finish all the reviews listed at the Regular meetings and have time available, we would continue with budget items, which allow us to delete Special meetings.

We should also discuss budget goals:

- A. Review your department's entire operations to create a prioritization list of the basic services that you provide and the optional services that are helpful or extra for customers. This list or description must be submitted with your budget request;
- B. The cost of all services is to be fully examined for cost savings; alternative revenue services; cost-sharing; joining with another department or entity to provide a service; and other creative ideas. Submit these ideas with your budget request;
- C. Wages for regular full and part-time employees will be budgeted at a 0% Increase.
- D. Mileage will be reimbursed at 50 cents/mile. Reduce mileage usage.
- E. Strive for a 0% increase in your department's operating budget with the exception of the following two categories:
 1. Fuel oil; diesel; gas; electricity and other utilities which need to be budgeted at current costs.
 2. New mandatory requirements, state laws, etc. that will go into effect for the 2010 budget year.
- F. Capital Requests not financed by grants, in-kind volunteers, or other alternative revenue services will need to be limited to what the budget can absorb.
- G. If cost savings ideas result in a lower budget recommendation, that figure should be submitted.
- H. Submit budget reduction proposals for the back-up budget in case the Excise Tax Reduction Referendum is voted in for 2010. Preliminary figures for the results of the Excise Tax Reduction Referendum is a loss of \$246,370 for the Town of Pittsfield. In addition, excise tax is estimated to be down \$40,000 from last year's collections at the end of this year. Therefore, we need to determine a list of items to delete from the Municipal Budget as a back-up of \$290,000.

The results of Tabor II are unknown as it does not seem to work procedurally. It appears on the surface to make the Town responsible for any increases in assessments such as the SAD #53 assessment and the Somerset County assessment – not just the Municipal Budget which we will not know until the middle of the next year (1/2 way through the budget that is being spent). We should leave Tabor II alone and concentrate on how to address the major excise tax – revenue loss. In addition, if Councilors have specific projects or items that they would like to see reviewed for the budget process such as road projects or bonds, this would be the meeting to list them out so that the staff can review and provide information for an alternate to the general budget.

The Town Manager stated that we have lowered the Town's share of the taxes since 2002 without TABOR on our own.. Mayor Nichols indicated that the first workshop will be on November 4, 2009. Councilor Curtis had some concerns about the budget process where this will be his first budget process. The Town Manager explained the process to him and Mayor Nichols told him that the process goes on very quickly.

RESOLUTION 09-137: Resolved that the Town Council Cancel the Tuesday, November 03, 2009 meeting and schedule for Wednesday, November 4, 2009.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that resolution 09-137 be adopted.

VOTE: UNANIMOUS AYE

November 03, 2009 is an Election Day, therefore, the Town Council meeting needs to be re-scheduled. When the meeting falls on a Tuesday election, it is re-scheduled to the next day so that we can keep the same sequence of meetings for the Town Council and this also assists with the budget process.

RESOLUTION 09-138: Resolved that the Town Council Approve a lunch wagon license application for the Phoenix Café, 187 Waverly Street, Pittsfield, Me 04967:

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 09-138 be adopted.

VOTE: UNANIMOUS AYE

This is a new business in the community owned by residents Mark & Jennifer Yarbrough. It is a mobile kitchen or lunch wagon. The Town Manager stated that Mark is in the audience for any questions. The Building Inspector stated that he was all set at the location to be used.

Mark stated he would be here on Tuesday and Wednesday each week from 10am to 4 pm an also located in Palmyra on the other days. We offer the southwestern fair with fresh spices and tacos etc. Primarily lunch but does serve breakfast. His intent is to go all winter.

RESOLUTION 09-139: Resolution that the Town Council proclaim November 8-15 as Maine Recycles Week for the Town of Pittsfield:

Moved by **Councilor Fotter** and seconded by **Councilor Chale** that Resolution 09-139 be adopted.

VOTE: UNANIMOUS AYE

The Town Manager notes that the Recycling Committee is hosting an Energy Forum (combined with a Business Forum) this year leading up to Maine Recycles Week due to the need to provide information to people prior to cold weather. The Recycling Committee plans to celebrate National Recycling Week with activities in the school system as scheduling allows. This Proclamation is the first step in that process. We have celebrated Maine Recycles Week for many years.

7. DISCUSSION ITEMS:

Financial Reports as of 08/31/2009:

A. Financial Reports as of 08/31/2009:

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

Building and Plumbing Permit Reports

Library Report-Librarian's and Library Trustees Minutes

Police Report

Budget: Thru 66.7% of the period, 55.5% expenditures for Municipal and 55.8% for Municipal, Water and Sewer.

Revenues: Thru 66.7% of the period, 47.7% collections for Municipal and 48.5% collections when Water and Sewer Enterprise accounts are added.

TAP Report: Down to 6 TAPs with 1 being the Brownsfield property so that has been cleaned up and we are waiting for confirmation to market it. With 5 remaining properties, 1 individual is making their payments for their payment arrangements. 1 other individual have been making payments off and on with all taxes paid up except their 2008 and 2009 taxes. 1 is paid up except 2008 and 2009 and not making payments. 1 is the property that we discussed last month that is going up for sale as the heirs of the former owner did not redeem it during the additional redemption period allowed under the TAP Ordinance. It is land with a garage. No one lives there. The remaining property is the one that we set to public hearing this evening as it is paid up in full.

Mayor Nichols stated that there use to be a mobile home on the lot and the Town Manager stated that the home has been removed. It is a 15 acre lot with a garage on it. Mayor Nichols stated that a few people have asked him about the property.

Excise Tax Collections: Collections through 08/31/2009 were \$394,558.74, which is \$16,581.63 less than this time last year or 4.0%.

The Excise tax was budgeted for \$540,000, which was \$40,000 or 6.9% less than last year.

State Revenue Sharing: Collections through 08/31/2009 were \$273,478.92, which is \$154,306.64 less than this time last year or 36.1%.

The State Revenue Sharing was budgeted for \$410,000 which was \$100,000 or 19.6% less than last year.

B. Other Reports:

1. Update on Water Projects: Federal Stimulus Funding for Back-up Water Pump; Water Meter Replacement and Automated Meter Reading (AMR System)
2. Update on Sewer Projects: Sludge Removal Project; Sewer System Projects
3. Water/Sewer Project Possibilities: Income Survey for State and Federal Funding Opportunities

Federal Stimulus Funding: The pre-construction meeting took place. Requisition #1 for Bond Counsel costs, Legal Advertising costs and Engineering costs was submitted. The finish water pump costs came in under loan and the Town is looking at the VFD Change order. This is a drive for the pump controls. The new finish pump has its own, however, the original pump has the original drive and it would be good to replace both at the same time. If we can get costs that fit within the loan and the State signs off, I would execute that change order and get approval on the next available Council agenda if the Council concurs. The work would be done at the same time.

For the Water Meter Replacement Process:

We had enough calibrated and tested manual meters to re-meter the remaining mobile home parks. Installations will be weather dependent. The project took place off and on during July and August. Now we are down to a list of under 100 residential units.

For the Repair of Cuts in the Roadways:

The Water/Sewer Department and Public Works Departments will be repairing cuts across the roadways from emergency water work and other emergency work along with repair work originally scheduled for July 27, 2009. The work was re-scheduled to September – early October. It is expected that this work will take several days. We will rent the equipment and do the work ourselves.

C. Grant Update As Listed Below:

New Grants:

Airport Grants: Apron Reconstruction Grant Application
Brownfields Grant: Cleanup for Eelwier (now known as 8 Mount Road)
Law Enforcement Bryne State Grant: Tasers
Law Enforcement Bryne Federal Grant: Radio Equipment
Law Enforcement JPEG School Grant through Town
Renewable Resources Grant from PUC: Wind Turbine
Riverfront Community Development Grant
State Planning Office Recycling Education Grant

Pending Grants:

CDBG Grant/Business Assistance: Moosehead Cedar Log Homes
State Library Grants dedicated to the Library Building Project

Grants waiting to be closed:

CDBG Grant/Public Facilities/Historic Preservation/Library
FEMA Reimbursements: 04/28/-05/14/2008
L & W Conservation Fund: Stein Park Renovation Project
L & W Conservation Fund: Swimming Pool Essential Components

Safe Routes to School, Phase II

Closed Grants:

Airport Grants: Design Engineering for Apron Reconstruction
Airport Grants: Runway Obstruction Clearing
Airport Grants: B\Vegetation Plan/Permitting Grant
CDBG Grant/Special Projects Matching Funds/GCS
Efficiency Maine Business Program
Nutrition Grant for Summer Program (Yearly)
Project Canopy: Mill Pond Loop

Other Grant Opportunities:

Economic Development Administration Grant Application
Fire Grant-Aerial/Pumper
Fire Grant-Fire Station Renovations
L & W Conservation-Hathorn Park
Mobile Electric Power Grant
Municipal Investment Trust Fund
PUC Energy Efficiency

Discussion Items on Grants Update:

Airport Apron Reconstruction Grant: Project is on-going and zipping right ahead. Requisition #1 for payment was sent to the FAA & MDOT three weeks ago. Reimbursement #1 should be showing up shortly from the FAA and then in a few weeks from MDOT. The project is moving quickly.

Brownfields Grant: There was a comprehensive report filed at the last Council Meeting. Project completed and now awaiting confirmation on testing.

Law Enforcement Bryne State Grant: Tasers: Have approval to purchase. Waiting for the check from the State and then we order directly from Taser International per the State of Maine. This is federal stimulus funding from the federal government to the State.

Law Enforcement Bryne Federal Grant: Radio Equipment: The staff listened to the webcast last Friday which provided the Town with the background on how to purchase and then be reimbursed on this federal stimulus project. We have to bid out the project so the Chief is working on the submittal for the Town Council Meeting.

Law Enforcement JPEG School Grant through the Town: The Town signed off on this program and it will be run by MCI. JMG is a private nonprofit organization that partners with Maine high schools and middle schools. It helps to identify students who face barriers to education and to guide each one to a successful path toward continued education, a career and adulthood. This is a national program. The Specialist for the New Jobs for Maine's Graduates program is Gregory Fortier who was recently hired by MCI.

Renewable Resources Grant through PUC: The wind turbine was erected on 08/28/2009 and the grand opening ceremony was 09/10/2009.

Riverfront Community Development Bond: The boat launch was completed and erosion control materials placed on it as recommended by DEP. It withstood the rainstorm over the last weekend. The skate park, which is for both a skating rink and skateboard park, is nearly

completed. The old lights will be removed from the location. We just received permission from the State to utilize our purchasing procedures for small purchases. Now that cooler weather is coming, some of the work- days can be scheduled for the trails and other work items.

State Planning Office Recycling Education Grant: This was a \$500.00 grant for recycling educational materials that is underway.

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

State Library Grants dedicated to the Library Building Project: waiting for project. Kleinschmidt and Reed finished the documents for the Addition. The bid document for the Addition is being worked on by Cianbro and will be coming to a future Council Meeting (hopefully March 17) to put the project out to bid.

Other Grant Opportunities:

Economic Development Administration Grant Application: Project is still in the running for Phase II of the Pittsfield Industrial Park to add 6 industrial park lots to the Park. The project cost is \$1.1 million with the Town's share at \$220,000 and the EDA Federal share at \$880,000. A 20% match is the lowest match we have ever been eligible for during the last few decades. Usually it is a 50-50% match. No update from last meeting.

FIRE: Aerial/Pumper Equipment: The Fire Department applied 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. No update from last meeting.

FIRE: Fire Station Renovations Grant: Part of this funding allows for work to be done to fire station to enhance service. It is clear that our older fire station, which has had very little work done to it since the 1970's, requires upgrades. Items which will assist in making the service for responsive and efficient for the citizens are included. The Fire Department decided not to apply for this one as it is really geared on the scoring for new fire stations.

L&W Conservation Fund: Hathorn Park Revitalization: Legge's Field & Sports Area, Phase I: The box of grant applications was taken down to the Dept. of Conservation last week and filed on time. We asked for \$25,000 or 50% toward a \$50,000 project. The State had advised that there were over \$1.2 million dollars of projects vying for the small grant pool. The State has now reviewed the projects and this is over \$500,000 worth of projects vying for the small grant pool.

PUC Energy Efficiency Grant Applications: RFPs have not been issued as of yet. We are looking at several town buildings that are not undergoing renovations in which case energy efficiency would be included. The candidates are the Municipal Building, PW Garage, and the Recycling Center/Transfer Station buildings. Everything else is either being renovated or planned to be renovated; is not heated; or is a newer building.

NEW: The Pittsfield Community Theatre Fundraising Committee filed a grant application with the Maine Community Foundation today for the Maine Theatre Fund in the amount of \$5,000. This grant will be used to help pay for the new audio /visual equipment so that the theatre will be able to continue to offer films. As we know, we have a \$700,000 capital campaign over the next three years to refurbish and remodel the community theatre, which is the only municipally owned and operate theatre in Maine and we believe New England.

8. **REPORTS:** Audience, Council

Donnie Hallenbeck wanted to mention that Hathorn Park was the first park in town followed later on with Manson Park, Stein Park, Remembrance Park and not sure where the Pinnacle park comes into the picture. Peltoma Avenue water crossing that was discussed when Dwight was here that getting permission from the railroad to go underneath their track. Would like to welcome the new guy from Bangor Daily News.

Councilor Chale took 2 classes to the Pinnacle Park and it was a fabulous experience for them, so the Park has already benefited from some of the renovations.

Deputy Mayor Jordan has gone to the skating area and saw John and he is doing a great job on the skating rink and will be very nice for the kids. He stated he was sorry for being late.

Councilor Curtis says that everything at the Airport is going great and the paving should be finished next week. A lot of good improvements. The town put a new water line for hangers and will be interesting to see how many people will connect to it. There is a fire hydrant there also.

Mayor Nichols congratulated the Lunch Wagon and wished him luck. Also did go to the Wind Turbine ceremony and was very well attended and everyone did a great job.

9. **ADJOURNMENT**

Moved by **Deputy Major Jordan** and seconded by **Councilor Chale** that the meeting be adjourned at 8:48 p.m. All in agreement.

Respectfully submitted by

Vickie Braley, Deputy Town Clerk