

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, September 18, 2007 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Wayne Fotter, Gary Jordan, Jr. (7:39 pm), Christinalyn Hamel and Louise Baker **ABSENT:** Michael Gray and Brian Philbrick, Sr. Also present were Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Don Hallenbeck, Sharon Mack, May Gaeta and Norman LaBarge.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.

For a matter of record **Mayor Nichols** will be voting tonight to make a quorum until Councilor Jordan arrives.

2. **Adoption of Minutes** of the Regular Meeting on September 4, 2007.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Baker** that the Minutes of the Regular Meeting on September 4, 2007 be adopted.

VOTE: UNANIMOUS AYE

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

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

Tabled from the 09-04-2007 Town Council Meeting:

- a. **RESOLUTION 07-96:** Resolved that the Town Council Accept the proposal of _____ of _____ in an amount not to exceed \$ _____ for the Pinnacle Building Roof Installation.

Motion by **Deputy Mayor Fotter** and seconded by **Councilor Hamel** to remove Resolution 07-96 from the table.

Motion by **Deputy Mayor Fotter** and seconded by **Councilor Baker** to approve Resolution 07-96 as follows.

Resolved that the Town Council Accept the proposal of Kevin Smith & Sons of Mars Hill, Maine in an amount not to exceed \$ 11,350.00 for the Pinnacle Building Roof Installation.

The low bidder was Kevin Smith & Sons, Inc., which has lowered its low bid from \$12,400 to \$11,350, as some chimney work that was to be conducted by volunteers was in his bid.

The work has a 10-year warranty, which is fine. The alternate warranties were substantially more.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: Town Council Meeting of 09/18/2007:

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

2. 2007 Tax Bills: The 2007 tax bills have been sent out in the mail. Taxes are due on Friday, October 19, 2007 and cover the period of January – December, 2007. The mil rate is \$21.80 which is a decrease of .70 of a mil or 3.1%.

Which considering losing \$8 million in personal property and having a 31.4% increase in the County Tax, this is good.

3. Nomination Papers: Nomination papers are available for 2 positions on the Town Council (District 3 and At Large) and 3 SAD #53 Board members. All terms are three years. Nomination papers must be returned to the Town Clerk by 5:00 pm on Monday, September 24, 2007 for the three-year terms.

4. Board Vacancies: We have three vacancies on town boards as follows: 2 on the Board of Appeals and 1 on the Recycling Committee. Anyone interested should contact the Town Clerk Nicole Nickolan at the Town Office.

5. Sewer Project: We have a major sewer project and stormwater separation project coming up on Summer Street and Summer Court. The Town was fortunate to receive such good bids, considering the fact that we had to extend the length of the sewer system from the original Summer Court (dead-end section of Summer Street), which was 686' to 1100', and adding stormwater separation for the entire 1100' of the project. The budget for the original small project was \$150,000. We had to add \$21,557 to the 2007 Highway Paving that we had for Summer Street of \$4,018. So the entire project will be under \$180,000. We ended up with a 37% increase in sewer length and 100% increase in stormwater separation and a 20% increase in cost over the original budget. These were very good prices. The meeting with the contractor is this week so we will have the schedule to publicize. Notification to Summer Street and Court residents will be a door-to-door notice. We will notify the media, emergency services, website, Public Access bulletin board, and post the notice and so forth to get the word out that the area will be under construction. The Water and Sewer Department thanks everyone for their patience as they embark on this project.

6. Household Hazardous Waste Disposal: Our Annual Household Hazardous Waste Collection Day is Saturday, October 6, 2007. We will be teaming up with KVCOG and the Town of Skowhegan again this year. Pre-registration will be required to participate with calls made to the Transfer Station/Recycling Center to sign up for a specific time.

Brochures are available at the Town Office and have been distributed around Town. (Some are on the table this evening).

7. Maine Senior Farm Share Program: This program still has over 2,000 free produce shares available for income eligible seniors. The free produce shares are worth \$50 each and are a great way to support income eligible seniors with fresh local produce. The shares are available at 80 Maine Farms. We have handouts available at the Town Office and will drop some by the multi-unit housing projects in Town where there are seniors living.

8. Neighborhood Watch Program: The Town is still looking for volunteers for the Neighborhood Watch Program. Sign up today to help protect our community. Volunteers will work with the Police to help keep our community safe. Sign up at the Town Office or Police Station. The Police Chief would like to announce that the introductory Neighborhood Watch Program meeting will be held on Tuesday, 09/25/2007 at 6:00 p.m. in the Town Council Chambers.

The police officers are continuing to have radar details. An emphasis has been placed on enforcing/monitoring school zones. As scheduling permits, the Police Department has scheduled special foot patrol details in the downtown area, including the parks. To date, no violations were observed.

The Police Department also has free bookmarks for driving safety called "Think About It Crashes are no accident: Fatigued Drivers; Share the Road with a Truck; Share the Road with Trains; Wildlife/Vehicle Crashes; Share the Road with Bicycles; and Aggressive Drivers On the back is a second bookmark with other categories. These can be picked up at the Town Office/Police Station.

9. Community Forum: In conjunction with Maine Recycles Week and our Project Canopy Grant, the Town will hold a community forum on Tuesday, 11/13/2007 from 6:30 p.m. – 8:30 p.m. at the Vickery School Gym. Community groups, board/committee members, and the public are invited to learn about recycling, composting, re-use, planting trees, and gardening. This environmental forum will host speakers, a door prize, information/handouts, and lots of conversation and seeing your neighbors. The event is in the process of being planned. Invitations and notices will be going out shortly.

10. Recycling & Environmental Dates:

Saturday, 10/27/2007* **Trash to Treasure Day** **Established locally to Match Make A Difference Day Activities, dawn to dusk**

Saturday, 10/27/2007 **Set Nationally each year, 4th Saturday at 9:30 am at Hathorn Park for beautification and clean-up activities**

Wednesday, 11/08/2007 - Maine Recycles Week **Set each year**
11/15/2007

*Trash to Treasure Days: In case of inclement weather on the scheduled date, the day long event will be held the following Saturday (11/03/2007 for the Fall date).

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: Met September 5, 2007. The Town Manager gave the committee an update on Project Canopy. The committee will have a community forum. The event will be held at Vickery School. The committee discussed this possibly happening during Maine Recyclables week, which is November 8th – November 15th. The Committee will follow up on this next meeting. The Committee discussed what the primary focus should be for the upcoming year. The Committee decided that re-use for 2007-2008 should be the primary focus. The Committee discussed further re-use projects, and how the committee could help put out more educational information, household materials and actually help increase re-use. Don Chute updated the Committee about current recycling statistics and informed the Committee that he had spoken to KVKOG about re-use batteries and cell phones and a possible rebate and collection. The Committee also discussed Household Hazardous Waste. The Committee discussed 2007-2008 events. The Committee discussed Make a Difference Day on the 4th Saturday in October. The Committee decided to work on Hathorn Park. The Committee discussed having a contest in the schools for Maine Recycling Week November 8 – November 15 2007. Don will call Sam Morris for more details concerning this. The Committee will follow up on this at their next meeting.

6. **NEW BUSINESS:**

- a. **RESOLUTION 07-106:** Resolved that the Town Council Authorize the expenditure from the Pinnacle Special Account for use at the Pinnacle for the following work: \$11,350 for the Pinnacle Roof Installation Contract and up to \$2,000 for materials for the accessory work to be completed by volunteers.

Moved by **Councilor Jordan** and seconded by **Deputy Mayor Fotter** that Resolution 07-106 be adopted.

The Town Manager noted this work would be paid for by the special account set up for work on The Pinnacle site. The Special Account represents monies received from the sale of gravel years ago from the development and maintenance of Pinnacle Park. The Account has \$19,508.57. After the new roof and materials are purchased, the account will have \$6,158.57 in it toward other work. The volunteers at the Pinnacle will most likely have to fundraise for additional maintenance. The Town will need to look into grants. The Town and volunteers will look into foundation monies for larger capital projects at The Pinnacle.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 07-107:** Resolved that the Town Council Authorize the Town Manager to execute a lease with Maine Central Institute for The Pinnacle for the period of 09/12/2010 through 09/21/2020 or a ten-year period.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Jordan** that Resolution 07-107 be adopted.

The Town Manager noted this is an extension of the lease that expires in 2010. The extension is for 10 years. The extension contains the language of the first lease with a few exceptions. The language is old fashioned but depicts the situation.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 07-108:** Resolved that the Town Council Accept the proposal of _____ of _____ in an amount not to exceed \$ _____ for the 2007 Removal of Trees and Stumps.

Moved by **Councilor Jordan** and seconded by **Councilor Hamel** that Resolution 07-108 be adopted as follows.

Resolved that the Town Council Accept the proposal of Maine Tree and Landscape of Bangor, Maine in an amount not to exceed \$ 4,070.00 for the 2007 Removal of Trees and Stumps.

The Town Manager noted 2 bids were received by the due date of Friday, 09/17/2007 at 10:00 am. The low bid was \$7,310 and the high bid was \$11,000. The high bid did not meet the bid specifications. The Town put out a large list of trees that we would like to have cut knowing we would most likely have to cut the list. With the budget that we have, we need to stay at \$4,000. PW Foreman John Dickson has reviewed the trees for those which he would view as the priorities. Maine Tree & Landscape has agreed to cut the trees for our budget. Therefore, we would recommend to accept the proposal of Maine Tree & Landscape of Bangor in an amount not to exceed \$4,070 for the following trees/stumps: #1, 2, 3, 4, 6, 7, 10, 11, 12, 14 and 15 for the 2007 Removal of Trees and Stumps. The work must be completed 45 days from award.

VOTE: UNANIMOUS AYE

- d. **RESOLUTION 07-109:** Resolved that the Town Council Accept the proposal of _____ of _____ in an amount not to exceed \$ _____ for the Outdoor Municipal Public Swimming Pool and to Authorize the Town Manager to execute the contract.

Moved by **Councilor Jordan** and seconded by **Councilor Baker** that Resolution 07-109 be adopted as follows.

Resolved that the Town Council Accept the proposal of Custom Pools, Inc. of Newington, NH in an amount not to exceed \$187,000 for the base bid plus options equaling \$203,850.00 for the Outdoor Municipal Public Swimming Pool and to Authorize the Town Manager to execute the contract.

The Town Manager noted the proposal from Custom Pools, Inc. was the most complete bid proposal received of the 5 proposals. As we know, the bid specifications were general in nature so that the bidders could make proposals for the community pool as a design/build project. Of the five (5) proposals, two (2) proposals appeared to follow the bid requirements and provided very detailed submittals. Three (3) proposals did not provide required information, provide enough information or meet basic bid requirements. In addition, one of the bidders that followed the bid requirements, also added their own scope of work and requirements which we do not know if the Town could meet. The Bid Specifications indicate that the Town Council reserves the right to reject any or all quotations, to waive any technicality or formality in the quotations and to accept any quotation which it may deem to be in the best interest of the community. The Town put out a very general bid specification for a design-build project specifically because we are not pool builders, we wanted the companies to use their expertise to tell us how to design the best pool for the price they offered. In addition, this protects the Town in case we left out something or a design requirement is not right.

During the process, the bidders brought to our attention that there was a conflict between 2 items listed in the bid specifications (3 ½' at the shallow end and 0" entry). These were items that were part of the list that a representative of a pool business provided to our volunteer committee during discussions. The bidders figured it out and fixed it. Some called while others just submitted an alternate design because they realized that there was a conflict. The bid specifications indicate that bidders can propose different concepts or changes to the work or construction activities, however, they must be listed in the bid. Therefore, no one provided the 0" entry as listed in the bid. That was their right under the bid specs.

Custom Pools met the bid specifications. The proposal from Custom Pools, Inc. was the most complete bid proposal received of the 5 proposals. It included all of the background information required of the bid specifications. The references were excellent and the details on the products and the diagrams included in the bid were very easy to follow. It was also the lowest price. Custom Pools was invited to a meeting last week along with the Engineering Consultants from Kleinschmidt Associates, our Recreation Director, other town staff, and representatives from the Swimming Pool Committee so that we could review the bid in detail and make sure that everything was included that should be. We all were very pleased with the professionalism and approach shown toward this project. It was very clear that this was a good proposal for the community. Our Recreation Director is here this evening to present his recommendation regarding this item.

Regarding Custom Pools, Inc. Specifics:

Different concept or change to work:

1'-6" water depth instead of 3'-6" at shallow water depth
0" entry at wheel-chair lift instead of entire width of shallow end
4 drains instead of 6

Additions by the company to the bid:

2 automatic chemical feeder (chlorine) added to ionization
additional items in the Commercial package
all start-up chemicals

deck: cantilever broom finish 2900 sq. ft. (10) stone package

Base Bid of \$187,000 plus two options (Family Pool \$10,850 and Dancing Jets \$3,000)
Base Bid plus Options: \$200,850

Norm Labarge attended the meeting to give his recommendation and to answer any questions. First, Norm wanted to thank the Pool Committee members, Kleinschmidt and the Town Manager. It is amazing that this project is finally coming to fruition. Last Thursday there was a meeting with Chris Knight of Custom Pools. He was the low bidder and we wanted to investigate further what was offered. It was very prevalent that Mr. Knight knew exactly what he was doing. There were two (2) pool options given. The plan that Custom Pools is offering will really offer a lot to our community. There were a few small technically adjustments made. Norm recommended the 2nd plan, which includes the family pool and swimming lanes.

Councilor Jordan stated he looked at the design and it looks great. It has many features. It will be much more enjoyable for kids and adults for a long time to come.

Councilor Hamel stated she was glad Norm stuck with this. There was a need for a push and drive to get this started. Too many things get put aside. We have a skate park that sits in a warehouse that has never been addressed. Hopefully this is just the start of many recreation projects.

Deputy Mayor stated he wanted to thank Norm for all he and the Pool Committee has done. The community will be very proud of this pool.

Mayor Nichols would like to echo the same statements. This is going to be very good and will inspire the Pool Committee to do other things that they have had to put on the back burner.

VOTE: UNANIMOUS AYE

- e. **RESOLUTION 07-110:** Resolved that the Town Council Name the Pittsfield Community Pool and Make the Announcement at a future pool event.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Hamel** that Resolution 07-110 be adopted.

The Town Manager noted there has been discussion about naming the new pool and suggestions of names. The Town Manager asked if the Council was all set with the proposal received. All agreed. The Town Manager asked if the Council would like to fill out ballots. The Council declined. Materials will be ordered on September 19, 2007. The name will be released at a future event. The Demolition Party/groundbreaking will be either September 29-30 or October 06-07, 2007. Depending upon scheduling, equipment and personnel, this will be decided on September 19, 2007 and then publicized as fast as possible.

VOTE: UNANIMOUS AYE

- f. **RESOLUTION 07-111:** Resolved that the Town Council Approve the issuance of a parade permit to the Make-A Wish Foundation for a fundraising walk on September 20, 2007 at 6:00 pm and waive the permit fees.

Moved by **Councilor Jordan** and seconded by **Councilor Baker** that Resolution 07-111 be adopted.

The Town Manager noted this yearly fundraising event is for a worthy cause so we usually waive the fee.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial As Listed Below:

- A. Financial Reports as of 08/31/2007:
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
Reviewed Briefly by Town Manager
- B. Other Reports as of 08/31/2007:
Building and Plumbing Permit Reports
Library Report – Librarian’s and Library Trustees Minutes
Police Report
Self-Explanatory – Not Reviewed

8. **REPORTS:** Audience, Council

Audience:

Don Hallenbeck stated he was glad to see the pool project finally getting off the ground. This project would really make Bob Matthews and Gladys Shorey happy. There was some confusion in the name of the pool. It was known as Kiwanias Pool because that was the major donor. Don suggested that the pool be named after Gladys Shorey.

Mary Gaeta stated she was very happy the pool was finally going to happen. There has been a lot of work put into this.

Council:

Councilor Baker: No Comment

Councilor Hamel: Noted that in Industrial Park, by the railroad ties, there is a railroad sign that is completely covered. The Town Manager noted this and will speak to John Dickson about clearing this sign.

Councilor Hamel brought up that she feels that many parents are being discriminated against with the cheerleading program because the recreation department does not oversee it. Councilor Hamel feels the recreation department should be able to oversee the program. There have been numerous complaints. Councilor Hamel stated she feels the recreation department is geared more towards boys than girls. Norm LaBarge states this is not the case. The activities are all co-ed now. Boys little league has 5 teams and girls softball has 4. Councilor Hamel questioned where is most of the money put into. Norm stated that since all the teams have sponsorship, the programs are self-sustaining. Three years ago, when Mr. LaBarge started the available programs were the swimming pool, a small arts and crafts program, soccer and tennis program. All the recreation director did was line the fields. We now have over 14 programs with the same part time recreation director. There is a want in this community for more. Councilor Hamel stated that she has asked in the past for more support. Mr. LaBarge stated in order to add on additional programs, without overwhelming the recreation director, you would have to have enough people in place to handle those extra programs. Councilor Hamel stated that for many years we have not equally supported our young ladies in the community as much as the males. Norm LaBarge stated for all the things that were done for the male gender, it was reciprocated for the female gender. Norm added that Councilor Hamel is looking at the football program which is predominantly men, however if you look at the K – 6 soccer program, there are 150 kids signed up and a little over 100 were female. The Councilors and the Town Manager noted this was a budgetary item. There is only so much money allocated and this is not a recreation issue. This is something that needs to be discussed at budget time, rather than in this platform. The Town Manager and Recreation Director will review budgets in other Towns and present that information to Councilors during the budget.

Councilor Philbrick: Absent

Councilor Jordan: Wanted to advise the Council he attended a School Consolidation Meeting on September 5, 2007. Gary gave some general information about the meeting but there is much more work that needs to be done.

Councilor Jordan also stated that he knows Kathryn has spent a great deal of time assisting the Pool Committee and Recreation Director on the swimming pool project and wanted to acknowledge this. She has put together a great team so this project is going forward.

Councilor Gray: Absent

Deputy Mayor Fotter: No Comment.

Mayor Nichols: Wanted to thank Norm and the Pool Committee for all the hard work. Also wanted to thank Kathryn and all the girls in the Town Office. Mayor Nichols also noted that he has heard that the State isn't in very good shape right

now. He has heard some talk that they will be cutting back on the fuel assistance program. Just wanted to bring this to light so we can have the knowledge.

9. **ADJOURNMENT:**

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Hamel** that the meeting be adjourned at 8:29 p.m. All in agreement.

Nicole Nickolan, Town Clerk