

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, October 6, 2009 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Deputy Mayor Gary Jordan, Jr., Caleb Curtis, Wayne Fotter, Donna Chale, Christopher Carr and Louise Baker **ABSENT:** Mayor Tim Nichols. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Donnie Hallenbeck, Scott Noble, Don Chute, Crystal Witham, Margit Ettinger, Chris Cousins, Annaleis Hafford of Olver Associates and others.

1. **Deputy Mayor Jordan** 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 15, 2009.

Moved by **Councilor Fotter** and seconded by **Councilor Curtis** that the minutes of the regular meeting on September 15, 2009 be adopted.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events

Report on Meetings & Events:

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

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

Safe Zones: The Drug Free Safe Zones went into effect on October 1, 2009. These are safe zone areas at parks, playgrounds and recreational facilities within the Town of Pittsfield which are frequented by minors for the purpose of protecting them against individuals trafficking, furnishing or cultivating drugs within the designated safe zones. Safe Zone areas encompass a 1,000 buffer around designated parks, playgrounds and recreational facilities as measured from the property line of the safe zone. Areas designated as safe zones with 1,000' buffers are:

1. Fendler
2. Hathorn Park
3. Manson Park
4. Pinnacle Park (also known as The Pinnacle)
5. Remembrance park
6. The Snowmobile/ATV Trail along the former Maine Central Railroad Tracks
7. Stein Park
8. Veterans' Park

This is a proactive tool to help in the fight against drugs. Those convicted of a drug related crime in these zones could face a sentence that is more than double the usual fine as it is

classified as an aggravated crime or offense. The Town's recreational facilities are signed with the proper language from the Commissioner of Public Safety. This seems to be an underutilized law as we did not find a huge number of towns having passed this regulation.

Upcoming Meetings & Events:

Egg Festival 2010 Organizational Meeting on Tuesday, October 13, 2009 at 5:30 pm changed to Thursday, October 8, 2009 at 5:30 pm in the Council Chambers.

Chairs for Chairs Silent Auction to benefit the Pittsfield Community Theatre scheduled for Friday, October 9, 2009 beginning at 3:00 pm at the First Congregational Church. From 6:00 – 7:30 pm there will be coffee and deserts available. Bidding will close at 7:30 pm and at 8:00 pm the winners of each chair will be announced. There are 18 chairs painted by local artists.

Certificates of Congratulations on Milestones:

Thank you for contributions to the Business & Energy Forum on 09/22/2009. We had 75 people attend the event.

1. Speakers:

Cindy Mayo, Worldwide Business Affiliates: Wellness & Supplemental Income
Vaughn Woodruff, Yankee Solutions: Design & Installation of Solar Thermal Systems for hot water and space heating covering expected system performance and general cost/payback
Richard Fortier, Efficiency Maine: Energy Management for Commercial
Janet Roderick, Coastal Enterprises: How to Pay Off Business Debts You Can't Afford
John Rush of Evolo Energy Solutions: Solar & Wind Energy Options for your Home or Business

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

2. Participants:

We had 31 organizations, businesses and non-profits who attended with table displays. There were 3 additional tables that I maintained. The winner of the weatherization kit with donations from area businesses was Becky Thompson from Seams Sew Fun.

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

ORDINANCE 09-16: (Public Hearing)

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.

No one wished to speak in favor or against Ordinance 09-16. Public Hearing closed.

Moved by **Councilor Chale** and seconded by **Councilor Curtis** that Ordinance 09-16 be adopted.

The Town Manager noted 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 financing 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 2 points less than the average rate that we can usually 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 is most likely 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 Ordinance can also be used in the future if we decide to only remove ½ or another % of the sludge. The Ordinance can also be used in the future if we remove all the sludge from the one Lagoon and in a couple of years, want to start removing sludge from the second Lagoon. In other words, the Ordinance has been written to allow a number of scenarios.

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.

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 was imperative that the Town have engineering assistance from a firm with background and expertise in this area. At the last Town Council Meeting, Olver Associates was hired to provide the Town with assistance in implementing this project.

To conclude, 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.

VOTE: UNANIMOUS AYE

ORDINANCE 09-17: (Public Hearing)

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.

No one wished to speak in favor or against Ordinance 09-17. Public Hearing closed.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Ordinance 09-17 be adopted.

The Town Manager noted the Drinking Water State Revolving Fund is for water projects.

Back in January, 2009 - 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 involved 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 available to 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 2 points less than the average rate that we can usually 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. The Ordinance can also be used in the future. Considering the cost involved in this process, it is best to combine approvals. The Town would try for infrastructure replacement on the lines, which are the most troublesome including the addition of 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.

The Projects are:

1. Replacement of 500 linear feet of 8" 0 Water Main on Waverly Avenue at the River Crossing to include relocation of the main away from the Waverly Bridge. The River Crossing is turned off due to existing damage at the bridge abutment and repetitive repairs.
2. Installation of a river crossing from Peltoma Avenue to Hunnewell Avenue comprised of 5500 linear feet of 10" 0 line as a by-pass or secondary route from the Town's Water Treatment Plant.
3. Replacement of 2,60 linear feet of 10" 0 water main on North Main Street between Madawaska Avenue and the Grove Hill Storage Reservoir.
4. Replacement of 1,900 linear feet of 4" 0 water Main on Summer Street and Franklin Street as a by-pass route for downtown.

The deadline for applications is 10/16/2009. This is an extremely competitive process. There are 100's of water projects out there that need funding, not just ours. We are submitting four important projects for the community.

VOTE: UNANIMOUS AYE

ORDINANCE 09-18: (Public Hearing) 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.

No one wished to speak in favor or against Ordinance 09-18. Public Hearing closed.

Moved by **Councilor Curtis** and seconded by **Councilor Fotter** that Ordinance 09-18 be adopted.

VOTE: UNANIMOUS AYE

ORDER 09-15: (Public Hearing) Order that the Town Council Adopt the Quarterly and Monthly Rates for the Pittsfield Water Works for Metered Customers, Municipal Fire Protection, and Private Fire Protection effective 11/16/2009.

The Town Manager noted as background, I would offer the following regarding Pittsfield Water Works:

The Town has identified the need to improve the water infrastructure of the Town. In 2004, the Town compiled a Water Capital Improvement Plan and Program, which included a list of water lines that need to be upgraded, valves that need to be replaced, and hydrants that need to be replaced. First, the Town needed to upgrade the failing metering system of the Town. The meters give readings, which are used to create the bills to the customers that pay for the water service. The meters had been an issue for many years. We were constantly swapping out meters and fixing meters. In 2006, we were able to borrow funds to start upgrading meters with an Automated Reading System. We knew that we would not propose a rate increase until we got the meters into order. We have been installing new meters from 2006 – 2009. We have a few left that we can not change over as the people refuse to respond, they are not at the house when their appointment and re-scheduled appointments come up, there is bad plumbing, can not get under the house, they can not afford to upgrade their plumbing, etc. But in all, we now have a reliable metering program that is fair and equitable.

We were able to incorporate the debt payment in the budget for the water meters in 2006 without a rate increase as several other smaller water loan payment were completed and those loans were paid off. The Town has tried other means to accomplish some of these necessary repairs, however, has been told repeatedly by funding agencies that we are not eligible for grant funding as the water rates are too low. In 2009, we were fortunate that one of our applications for federal stimulus funding was approved – a backup finish pump for the water treatment plant which has been installed. The projects submitted for federal stimulus funding, although very important, did not rank high due to a number of reasons – specifically one is that our water rates are among the lowest in the State of Maine. Just as our sewer rates were the lowest in the State of Maine until we approved a rate increase, the Pittsfield Water Works was the 10th lowest water rate in the State of Maine overall according to a 2008 rate survey conducted by the State of Maine. We may be even lower if any of those other 9 towns or districts had a rate increase since then.

Over the next few years, the Town will be facing rate increases to fix the infrastructure and bring the Water system forward.

The first rate increase being considered this evening is simply to pay for the cost of doing business today. Revenues are down. A few businesses have closed. We have cut expenses. However, we had 12 water breaks over a 3-month period and that has hurt the Town. We then had two major water issues develop that have been expensive. A budget freeze does not work when the water mains keep breaking.

Further, we understood that adding on a loan would result in the need to pay for the loan payments – the finish water pump. Due to a required federal change in auditing – town programs are now treated as businesses, so depreciation is now charged to the Town's water system and we can not absorb an extra \$60,000 – \$90,000 cost to the budget. All around us, expenses went up from 1999 to date and our charges did not. This is why a rate increase has been proposed.

Future rate increases after this first one would be infrastructure improvement driven and could include funding to pay for one of the Drinking Water application submittals you heard about this evening.

Olver Associates was hired to review our multi-tier rate system and to recommend an approach to address the needs of the water system – to pay for the current system right now and for future improvements. After a presentation on 08/11/2009 from Olver Associates, the Town Council scheduled the required public hearing for this evening. Olver Associates is a firm whose expertise is water and sewer systems and the company has been assisting the Town to begin to upgrade our systems. Anna Leis, the engineer working with the Town, is here this evening to present the water rate increase.

Annaleis Hafford of Olver Associates gave a brief background on the project. Basically, the revenue does not cover the operational costs that are here in Pittsfield today. There hasn't been an increase in 10 years, so the longer you wait, the higher the percentage of the increase. The revenue brought in is currently around \$350,000, which does not meet the operating budget of \$400,000. There has also been a decline in revenue over the last 3 years due to businesses that have closed and properties that have been foreclosed on. This is a \$38,000 decrease in revenue for the water department. This increase will bring rates up from \$30.00 per quarter to \$40.20 per quarter. All other governmental, commercial, private and fire protection entities will also see an increase in the same manner. Annaleis noted that currently the only change would be in the base rate.

Crystal Witham questioned if Annaleis had the income of other communities available to her when making decisions about Pittsfield, as each community is different. Annaleis stated that she works very closely with communities that have higher and lower incomes than Pittsfield, but comparisons like Ms. Witham is speaking about can't really be made.

There was no one else who wished to speak in favor of Order 09-15.

Crystal Witham was in attendance to speak against Order 09-15. Mrs. Witham stated she has been a resident in Pittsfield since she was 13 years old with the exception of a few years. She asked the Councilors to reconsider the increase. At a time where unemployment in Somerset County is up from 6.9% in August of 2008 to 10.4%, residents are taking an increase in property tax by way of adjustment due to businesses being closed and reduction in taxable equipment and heating season is once again here – rates are being increased. Mrs. Witham has tenants with fixed incomes living in her 3 family home. Her husband has recently had a decrease in overtime hours at his job, but they still feel lucky to have jobs. We need to think about what these increases mean to the quality of life for our residents. Even moving out of Pittsfield into surrounding towns we can still live cheaper by having well water and sewer of our own. Surrounding towns also still have the benefit of our school district. The problem is we cannot sell our home with the rising cost of living in this Town. Ms. Witham feels we need to look internally for cuts. Please look within to make cuts. We cannot afford to continue to create hardship so we can have mowed parks, extra lights in the parks and no residents to enjoy them. Thank you.

Public Hearing closed.

Moved by **Councilor Chale** and seconded by **Councilor Fotter** that Order 09-15 be adopted.

The Town Manager noted that all Town departments are currently on a budget freeze, and have been for quite some time. We have worked very hard to meet the budget although revenues are down. The Water and Sewer funds are not combined with all the other department budgets of the town. The Water and Sewer funds are paid for through user fees. Unless we want the property tax to pay for these departments, the Water and Sewer fees need to support their budgets, which currently are also on a freeze.

All the Councilors voiced that they identified with Mrs. Witham and all the residents situations with the hard times that are upon us, but due to the need for the water expenses to be paid for through user fees, this has to be done.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: No Report due to time constraints

Finance Committee: No Report. **Ordinance Committee:** No Report.

Recycling Committee: No Report.

6. **NEW BUSINESS:**

- a. **ORDINANCE 09-19:** (To be set to Public Hearing on October 20, 2009) That the Town Council hereby Ordains that Chapter 2B General Assistance Ordinance, Appendices A, B, and C be rescinded and the new Appendices A, B, and C be adopted to reflect the revised maximums for the period of October 1, 2009 to October 1, 2010

Moved by **Councilor Curtis** and seconded by **Councilor Chale** that Ordinance 09-19 be set to Public Hearing on 10/20/2009.

The Town Manager noted each year the Maine Municipal Association reviews the General Assistance charts which provide maximums for support of qualifying applicants who require assistance. If costs for services have gone up around the State or in particular areas of the State, increases will be required for assistance maximums.

For the period of October 1, 2009 – October 1, 2010:

There are increases proposed for the Maximum GA limits allowed

Food

Monthly Rent

There were no increases proposed for:

Electricity

Electric Heat

Heating Fuel

Personal Care & Household Supplies

VOTE: UNANIMOUS AYE

- b. RESOLUTION 09-140:* Resolved that the Town Council Authorize the Town Manager and Assistant Water/Sewer Superintendent to submit the rate increase recommended by the Town Council effective 11/16/2009 to the Public Utilities Commission for approval.

Moved by **Councilor Curtis** and seconded by **Councilor Fotter** that Ordinance 09-140 be adopted.

VOTE: UNANIMOUS AYE

- c. RESOLUTION 09-141:* Resolved that the Town Council authorize the Town Manager to sign an agreement with InforME (Maine Information Network) for Motor Vehicle Information that the Town can obtain through the internet.

Moved by **Councilor Fotter** and seconded by **Councilor Chale** that Ordinance 09-141 be adopted.

The Town Manager noted this is an agreement required by the State of Maine for any users of the vehicle information system. We used to contact the Motor Vehicle Office by a toll free line for help. That toll free line has been discontinued for cost savings by the State of Maine.

Sometimes, the registrations not in the Town's system that are being transferred from another town or are special plates or big trucks do not have all the information that is needed on the registration so we have to call to register the vehicle in the system. This computer access will be helpful.

Councilor Chale questioned if there was any charge for this service. The Town Manager noted there is no charge to us.

VOTE: UNANIMOUS AYE

- d. RESOLUTION 09-142:* Resolved that the Town Council authorizes the transfer of funds from Floral Trust (G/L #7-118-00) and expenditure of \$1300.00 for Jason Bartlett for cleaning of markers and monuments.

Moved by **Councilor Curtis** and seconded by **Councilor Chale** that Resolution 09-142 be adopted.

The Town Manager noted each year we have some of the stones and/or markers which are older that are covered by the trust cleaned up and/or straightened if necessary.

VOTE: UNANIMOUS AYE

- e. **RESOLUTION 09-143:** Resolved that the Town Council Approve the opening of the absentee ballots for the November 3, 2009 General Election and Municipal election at 10:00 am and 3 pm.

Moved by **Councilor Curtis** and seconded by **Councilor Baker** that Resolution 09-143 be adopted.

VOTE: UNANIMOUS AYE

- f. **RESOLUTION 09-144:** Resolved that the Town Council appoint Nicole Nickolan as Warden and Vickie Braley, Emmalee Reed, and Cammie Jemery as Deputy Wardens for the November 3, 2009 election.

Moved by **Councilor Fotter** and seconded by **Councilor Chale** that Resolution 09-144 be adopted.

VOTE: UNANIMOUS AYE

- g. **RESOLUTION 09-145:** Resolved that the Town Council Authorize the Treasurer to Establish an Account for donations for Library Materials and Authorize the expenditure of funds from this account for library materials.

Motion by **Councilor Curtis** and seconded by **Councilor Carr** that Resolution 09-145 be adopted.

Councilor Chale noted that she is very surprised that the Library has to solicit donations of books, videos and magazines. We are building a beautiful new facility to meet the needs of the community and then we solicit the resources that are to be in it. This is something that she does not feel comfortable with.

The Town Manager noted the Pittsfield Public Library has solicited donations of books, videos and magazine subscriptions of money for the same.

The Town Council will accept money on the library's behalf and allow the library to purchase library materials. The Town has a number of donation accounts established which work quite well. This would be an additional one.

VOTE: UNANIMOUS AYE

- h. **RESOLUTION 09-146:** Resolved that the Town Council approve the Request for Quotations for Solid Waste Compactor Dumpster and Authorize the Town Manager and the Recycling/Transfer Station/Safety Coordinator to seek proposals for same.

Moved by **Councilor Chale** and seconded by **Councilor Curtis** that Resolution 09-146 be adopted.

The Town Manager noted this is a regular capital cost that takes place after several years of use. The Coordinator had indicated that the (2) 40 yd. trash dumpsters currently in use that were

purchased 5 years ago are in rough shape. In addition to wear and tear, the current salt brine that is used on the winter roads in the State of Maine has caused severe rust and weak spots in the structural integrity. Both of these containers need welding repairs on the rear doors plus other re-enforcing. After the purchase of the new dumpster these other containers will go to the Cianbro Fabrication facility for these repairs. This new container will allow us to take the time to get them fixed without affecting the operational removal of trash from the facility. It is required by the MeDEP that these containers meet certain standards as well as that the trash is removed in a systematic fashion as it has been accumulated according to our licensing agreement. At some point if they are not repaired, there is the possibility that leachate will leak from these holes leading to licensing violations and fines. If they are not fixed at some point in the future, the containers could fail, creating a liability to the town in the future by causing an accident or huge clean-up. The Town is required to keep the containers in standard working order. Therefore, it is important to put out to bid and obtain new containers. As of 08/31/2009, the Recycling Equipment Reserve that is utilized for this type of equipment had a balance of \$56,067.48.

Donnie Chute noted that the current dumpsters can't be repaired as there is no extra dumpster to interchange them with. The dumpsters are compromised due to road salt and have the potential to cause a problem if we don't get some repairs done. Donnie will be working with Cianbro to make repairs to our current dumpster.

VOTE: UNANIMOUS AYE

- i.* **RESOLUTION 09-147:** Resolved that the Town Council approves and authorizes the Town Councilors and Town Manager to Sign the Project Certification; and the Town Manager to sign the grant-in-aid application to the Department of Conservation, Bureau of Parks and Land Snowmobile Program for an essential project of \$35,627.00 to improve the snowmobile trails for the Driftbusters Snowmobile Club.

Moved by **Councilor Curtis** and seconded by **Councilor Chale** that Resolution 09-147 be adopted.

The Town Manager noted on a yearly basis, an application for grant funding to assist the Driftbusters Snowmobile Club in maintenance of the trail system is submitted to the Department of Conservation. Attached are the Project Certification and the grant application materials.

The application in 2006 was for \$19,040.00; in 2007 was for \$21,041.00; and in 2008 was for \$38,039.00. The Club does an excellent job each year with the Snowmobile Trails dedicating extensive time for this recreational project.

VOTE: UNANIMOUS AYE

- j.* **RESOLUTION 09-148:** Resolved that the Town Council Accept the Bid of Millett Associates of Hermon, Maine for Engineering for the Pittsfield Industrial Park Expansion in an amount to not exceed \$ 20,625.00 and Authorize the Town Manager to Execute a contract pending the receipt and approval of the Economic Administration Grant paperwork.

Moved by **Councilor Chale** and seconded by **Councilor Curtis** that Resolution 09-148 be adopted.

The Town Manager noted the Town had submitted the grant application for federal funding for the expansion of the Pittsfield Industrial Park. The estimated budget for the project is \$1,110,000. Funding was placed in the project budget for engineering to update the old plans on file, bidding and inspections. We have located many of the original plans involved with this project from the early 1990's. A few more plans are needed which have not been located.

For the Town's match, the Town Council approved the re-allocation of funding from the economic development loan fund into a general economic development account earlier this year. In addition, it was thought to be sensible to have an engineer ready to proceed forward if the project was selected for funding.

The EDA has called to encourage the Town to proceed forward and we have been authorized to engage an engineer for the remainder of the design work. We were advised that the paperwork is being processed.

The Town received 10 bids which range in price. On the bid sheet tally you will see that some of the engineers did not include the required inspection cost information in their tally. I have marked on the side those proposals, which significantly changes the bottom line to not exceed.

The low bidder is Millett Associates of Hermon at a price to not exceed \$20,650. Millett Associates has worked on a number of projects for the Town.

Additional inspection required by EDA: \$45.00/hour for full-time inspection or \$75.00/hour for periodic inspections.

Attached are the following documents: (1) Tally of the bids; (2) Review of the bids vs. the requirements of the bid specifications; (3) ranking of the bids in response to the bid specifications; and (4) a copy of the Request for Proposals.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

1. **Update on Water Projects:**

Federal Stimulus Funding for Back-up Water Pump: The pump has been installed and we are awaiting the delivery & installation of the control box.

Water Meter Replacement and Automated Meter Reading (AMR System): 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 in the process of repairing cuts across the

roadways from emergency water work and other emergency work. Day 1 was today. The Departments plan to work on Thursday, 10/08/2009 as Day 2. We are doing the work ourselves to save money. We can not afford paving for all of these cuts.

2. **Update on Sewer Projects:**

Water/Sewer Project Possibilities: Income Survey for State and Federal Funding Opportunities: We need to continue to talk to the public about the necessity of completing this survey. We have many results with people refusing to provide income.

Sludge Removal Project:

On the agenda this evening for the Financial Ordinance. We chose Olver Associates for technical assistance and oversight of the project. We have been waiting to get through this evening's projects so that we can then focus on the Sludge Removal Process that is proposed for prior to Fall 2010.

Grants Update:

New Grants:

*Airport Apron Reconstruction Grant: Project is on-going and zipping right ahead. Reimbursement #1 has been received. Requisition #2 for payment was sent to the FAA & MDOT last week. The project is completed except stripping and other small work items.

*Riverfront Community Development Bond: The boat launch was completed and erosion control materials placed on it as recommended by DEP. It withstood the several rainstorms and is very nice. The skate park, which is for both a skating rink and skateboard park, is nearly completed. The old lights were removed. We received permission from the State to utilize our purchasing procedures for small purchases. Now that cooler weather is here, the work days for trail clearing and cleanup have been scheduled.

Other Grant Opportunities:

*PUC Energy Efficiency Grant Applications: The RFP has just been issued. We have met with a number of companies to obtain quotations and information. The deadline for the grant application is 11/04/2009. A project will be reported on at the 10/20/2009 meeting. 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 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

Audience:

Council:

Councilor Baker: Wanted to thank Crystal for coming in tonight. Speaking from a senior's point of view, it is nice to know there are great apartments like yours for seniors to live in. There is a long waiting list at the senior housing facilities here in Town. This is a great town to live in not only for seniors, but everyone. Parks are close, we are safe walking around town, and we are comfortable. Pittsfield is a great town.

Councilor Carr: Wanted to thank Crystal for coming in tonight to speak. I hear where you are coming from.

Councilor Chale: Wanted to encourage everyone to support the Chairs for Chairs auction for the Theatre. Also noted that Mr. Cousins had a very nice article in the paper today regarding it and wanted to thank him. Wanted to thank the people audience for coming in to speak tonight. Thank all the Councilors for agreeing to provide a meal for the Welcome Table.

Deputy Mayor Jordan: Noted that it is important for the public to come in and voice their concerns. Also noted that there is a new road in the back of the Pinnacle, due to the gravel removal. There will be a gate or chains put up as it is too inviting to children to use it as it stands now. Also noted that on October 18th will be a clean up day at the Pinnacle from 10 – 2 if anyone wishes to volunteer. MCI students will be there on October 28th helping out. There will be a lot of activity going on getting the area ready for skiing. There will be an upcoming Ski and Helmet sale. This year at the Pinnacle, student memberships will be half price. This is \$10. This includes ski or snowboard lessons.

Councilor Curtis: Wanted to thank Crystal for coming. It would be good to see more people come. It's a good reminder for everyone of what we should be doing here. Councilor Curtis would like to encourage people in town to make sure these surveys get in.

Councilor Fotter: Wanted to thank Crystal for coming in. Noted that the people of Pittsfield are foremost in our hearts. I couldn't more proud of this Council. We have turned down costly items for the Town – thinking of the residents. We do a lot of fundraising and the Town Manager is always applying for grants.

Mayor Nichols: Absent.

9. **ADJOURNMENT:**

Moved by **Councilor Curtis** and seconded by **Councilor Fotter** that the meeting be adjourned at 9:06 p.m. All in agreement.

Nicole Nickolan, Town Clerk