

MINUTES

For a regular meeting of the Pittsfield Town Council held on Wednesday, November 5, 2008 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Gary Jordan, Jr., Louise Baker and Donna Chale. **ABSENT:** Deputy Mayor Wayne Fotter, Michael Gray and Michael Cianchette. Also present: Town Manager Kathryn Ruth and Assistant Treasurer Vickie Braley. Audience members included: Donnie Hallenbeck, Carolyn Dodge and others.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
2. Adoption of Minutes of the Regular meeting on October 7, 2008 and October 21, 2008.

Moved by **Councilor Jordan** and seconded by **Councilor Chale** that the Minutes of the Regular Meeting on October 7, 2008 and October 21, 2008 be adopted. The minutes of October 21, 2008 were corrected. The correction was removing the comments listed by Councilor Gray as he was not in attendance at that meeting.

VOTE: UNANIMOUS AYE

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

Presentation by the Town Manager on Town Goals and Achievements: The Town Manager gave a brief presentation on the Town Goals and Achievements. A few departments' achievements and goals were highlighted. Please see 2008 Department Accomplishments and 2009 Department Goals for the full document.

3. **PUBLIC HEARINGS/OLD BUSINESS: NONE**
4. **REPORTS: TOWN MANAGER, FINANCE, ORDINANCE & RECYCLING COMMITTEES:**

Town Manager's Report: Town Council Meeting of 11/05/2008:

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

2. Somerset County Transition Team: The next meeting of the group which functions as a clearing house of information, sponsors job fairs with other entities and provides a strategy to address layoffs will be meeting on Wednesday, December 03, 2008 from 9:30 am – 11:00 am in the Town Council Chambers.

3. Pittsfield Public Library Story Time: Story Time will be held downstairs in the Council Chambers at the Pittsfield Municipal Building on Tuesdays 10:15 – 11:00. The change of location is due to the renovations of the lower level of library. There will be a limited selection of books that can be checked out with your library card at the remote

location is children and their caregivers are not able to go to the library after story time. The fall theme builds on the summer program “Catch the Reading Bug”.

The renovations at the Pittsfield Public Library are going along well for the lower level of the library. The work on the foundation includes a ditch dug around the library, making the front door inaccessible for several weeks. Please come to the side door. The book drop will be also unavailable during this time. Please call the library at 487-5880 if you need an extended time for your library materials.

4. Safe Routes to School – School Street Sidewalk Extension: The Town’s project has been approved by MDOT to go out to bid and MDOT has requested that we have a contractor on board. Sealed bids will be due at the Pittsfield Town Office on or by December 2, 2008 at 11:00 am. In general, the project involves the construction of a new sidewalk on School Street including gravel shoulder grading/paving, construction of 480 linear feet of 5’ wide paved sidewalk and curb and other related items. The project will be started in Spring of 2009 at a time mutually agreed upon by the Owner and Contractor. The project must be completed with 45 calendar days from the Notice to Proceed.

5. Time Warner Cable Agreements with Programmers: Time Warner advises the Town that many of their agreements with programmers to carry their services will expire at the end of the year. This year there are more agreements expiring than usual due to the end of a three year election cycle for broadcast stations that have elected retransmission consent for carriage on the Time Warner Cable System. The list is long so I will not read it. Generally, most of the stations will be renewed, some will not be renewed. Mojo HD will cease operations on December 1, 2008.

6. Neal Bridge, Route #100: The bridge is projected to open around November 14, 2008. One of the parts had a long delay in coming which put the project back. When we hear a definite opening date, I will contact the Councilors. There may be a ceremony or demonstration when the project is nearly or all completed.

7. Recycling High Performer Sign: We would like to commission a sign for the Recycling/Transfer Station that promotes the facility and recognizes the great work of the community, citizens, businesses and staff for our recycling program. The State of Maine has recommended that we utilize something to the order of “Top Recycling Performer”. We will commission a sign that will promote the facility and put it up at the Recycling/Transfer Station to promote Recycling, Re-Use and Reduce during the month of November.

8. Energy Display: The Town has a new Energy Display with the amazing array of handouts that were available at the September 2008 Energy Forum available inside the back entrance of the Municipal Building. The display is so good that we can not keep all the handouts filled!

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: No Report.

6. NEW BUSINESS:

ORDINANCE 08 - 16, 08 – 17 & RESOLUTION 08 – 138 THROUGH 08 – 140 CARRIED OVER FROM 10/21/2008 TOWN COUNCIL MEETING:

- a. **ORDINANCE 08-16: (Public Hearing held on 10/21/2008)** That the Town Council hereby Ordains to hold a Public Hearing on October 21, 2008 at 7:30 p.m. at the Council Chambers of the Pittsfield Municipal Building to discuss an application being submitted to the State for the Riverfront Community Development Bond Program. The purpose of the grant application is to implement the Pinnacle Park Recreation Plan, Phase I which includes a skating rink; skateboard park; boat launch; parking area; multi-use recreational trails; habitat restoration; bird watching lean-tos; fishing; and interpretative nature signs. Public comments will be solicited at the Public Hearing and will be submitted as part of the application. All persons wishing to make comments or ask questions about the grant application are invited to attend this Public Hearing. Comments may be submitted in writing to: Kathryn Ruth, Town Manager, 112 Somerset Avenue, Pittsfield, Maine 04967 at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the Town's programs or services, please call Vickie Braley at 1-207-487-3136 so that accommodations can be made.

Moved by **Councilor Jordan** and seconded by **Councilor Chale** that Ordinance 08-16 be adopted.

The Town Manager noted the Town Council held this hearing at their 10/21/2008 meeting. It was one of the few items that we could address at the meeting. This action is simply the acknowledgement that we did hold the hearing. The Town Manager had the authority to file the grant from a prior meeting and we were holding the public hearing to receive comment for the grant application. Comments made at the 10/21/2008 Council meeting were included in the grant application.

VOTE: UNANIMOUS AYE

- b. **ORDINANCE 08-17: (Public Hearing held on 10/21/2008)** That the Town Council hereby Ordains to accept all tax year payments of Neville, Donald E Jr. & Raven, Sandra J., including interest and lien costs, for the property at 1023 Main Street (Map 004, Lot 039), the Town having acquired said property as a result of automatic foreclosure of a 2005 property tax lien, recorded in the Somerset Registry of Deeds on May 26, 2006 at Book 3682, Page 161, which matured on November 30, 2007. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to Neville, Donald E Jr. & Raven, Sandra J.

Moved by **Councilor Chale** and seconded by **Councilor Jordan** that Ordinance 08-17 be adopted.

The Town Manager noted all taxes are paid in full.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 08-138:** Resolved that the Town Council Authorize the following expenditures for use at the Pinnacle as a Match towards the Riverfront Community Development Bond Program Grant Application:

Budget	35-05-50-65	Match for Grants	\$3,750
G/L	01-635-00	Skateboard Park Donations	\$1,548

Moved by **Councilor Jordan** and seconded by **Councilor Chale** that Resolution 08-138 be adopted.

The Town Manager noted the Riverfront Bond requires a cash match so it was proposed that we utilize the funds in these specific accounts as they certainly relate to the project.

First, we did discuss and approve putting money in the 2008 Budget as a cash match for grants. We had applied for all the grants that we could that allow in-kind match and now we are finding ourselves applying for grants that require a cash match in order to further enhance our town. So the funds are available for this purpose.

VOTE: UNANIMOUS AYE

- d. **RESOLUTION 08-139:** Resolved that the Town Council Authorize the Town Manager and the Theatre Manager to issue the Request for Proposals for the Structural Analysis for the Pittsfield Community Theatre Roof & Sign Canopy Structures.

Moved by **Councilor Chale** and seconded by **Councilor Jordan** that Resolution 08-139 be adopted.

The Town Manager noted this is the first step of an Action Plan that is being put together for the Restoration/Renovation of the Pittsfield Community Theatre. It is a good study to have so that the structure can be thoroughly evaluated before the Town completes major renovations to the inside of the building. It does not appear that there have been any repairs for a long period of time to the roof and the roof structure. A site visit has shown deterioration so the building should be reviewed.

In December, 2008, the Action Plan for Restoration/Renovation of the Theatre will be presented to the Town Council.

VOTE: UNANIMOUS AYE

- e. **RESOLUTION 08-140:** Resolved that the Town Council Approve the use and expenditure of G/L #1-641-00 PEEC Escrow for economic development purposes as needed.

Moved by **Councilor Jordan** and seconded by **Councilor Chale** that Resolution 08-140 be adopted.

The Town Manager noted the Town does not have actual dedicated funds available to promote the Pittsfield Industrial Park or to address economic development opportunities that may come the Town's way in the Industrial Park or the Industrial Park Expansion. In a few years, the Town will have funds available from the New, LLC Tax Increment Financing District to place against some of the capital needs in the Park – such as roadwork, sewer, water, sidewalks, sign, etc. These funds can not be utilized for marketing, permitting, etc.

The Town does, however, have \$1,100.00 available in the PEEC Escrow from an option that has lapsed and was not renewed in the past. These funds belong to the town and can be spent if needed. It would be a good idea to have the funds available in case of future economic development opportunities.

VOTE: UNANIMOUS AYE

- f. **RESOLUTION 08-141:** NO LONGER NECESSARY (Town clerk approved election workers).
- g. **RESOLUTION 08-142:** Resolved that the Town Council Accept the bid of James W. Sewall Company of Old Town, Maine in an amount not to exceed \$3,900.00 for the Structural Analysis for the Pittsfield Community Theatre Roof & Sign Canopy Structures and Authorize the Transfer and Expenditure of the balance in the Theatre Capital Reserve to be applied toward the cost.

Moved by **Councilor Jordan** and seconded by **Councilor Chale** that Resolution 08-142 be adopted.

The Town Manager noted the bids were due on 10/31/2008 and the Town Council received a copy of the bid results, the Building Inspector's recommendation, and the low bidder this evening.

The bids ranged from the low bid of \$3,900 to the high bid of \$18,000. The Building Inspector reviewed the bids, had met with the bidders at the pre-bid meeting, and recommends the acceptance of the low bidder.

In addition, for the Structural Analysis to take place, they need to cut into the roof, so repairs and patching will be necessary. The Building Inspector went out and spoke to a number of companies. Advanced Roof Systems, Inc. would go along behind the structural review to repair the roof after the engineers complete their exploration. The cost for this service is \$1,850.

We have \$4,000 in the Theatre Reserve Capital Funding for 2008 and \$1,506.53 in the Theatre Reserve so we can almost cover the expenses. The remainder would come from the Theatre budget, which if all goes well will be about \$243.47.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS: NONE**

8. **REPORTS:** Audience, Council

Audience: Donnie Hallenbeck suggested that all changes to the Theater are documented. This is needed if the Town plans to put the Theater on the national register. Also wanted to thank the Town for allowing him to work the polls yesterday. It was a very busy day.

Council:

Councilor Baker: Want to thank Carolyn and Kathryn for all their hard work on the windmill project grant. Very grateful that the bush hogging is done. The Town crew did a good job.

Councilor Cianchette: Absent

Councilor Chale: Wanted to commend Nicole, the Town Clerk, and all the election workers for all their hard work. Everything was very well organized and things went very smoothly. I have a friend who participated in the counting process and she mentioned that everything went well. The Election is a huge job and wanted to congratulate everyone involved.

Councilor Jordan: Also wanted to mention that everyone did a great job at the election yesterday. For the amount of people who came through, it was really nice to come in to vote and be able to go right through without the long wait that was expected.

Councilor Gray: Absent.

Deputy Mayor Fotter: Absent.

Mayor Nichols: Wanted to echo the same comments. Wanted to thank all the Town Clerk and all the Town employees that worked the polls as well as the volunteers. It was very busy and the lines went right through. It went off without a hitch and it could have easily gone just the opposite way. It was a huge Election and I am glad its all over.

9. **ADJOURNMENT:**

Moved by **Councilor Jordan** and seconded by **Councilor Baker** that the meeting be adjourned at 8:00 p.m. All in agreement.

Nicole Nickolan, Town Clerk