

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, October 04, 2016 at 6:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Robert Stackhouse, Tim Nichols, Heather Donahue, Scott Strom and Marie Manning. **ABSENT:** Michael Cianchette and Trudy Ferland. Also present: Town Manager Kathryn Ruth and Deputy Town Clerk Karen Baker. Audience members: None

1. **Mayor Stackhouse** opened the meeting by leading the Pledge of Allegiance. The Council observed a moment of silence.

2. Adoption of minutes of the Regular Meeting held on September 20, 2016.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Donahue** that the minutes of the Regular Meeting held on September 20, 2016 be adopted.

VOTE: UNANIMOUS AYE

3. PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:

Community and Economic Development Activities and Events: Further updates will be provided regarding projects as information becomes available:

Pittsfield ARTS Club Meet the Candidate Night on Wednesday, October 19, 2016 at 6:00 pm in the Pittsfield Municipal Building Council Chambers

Report on New Business Activity & Opportunities in Pittsfield:

A. General:

A few private sector business activities remain under review and small projects continue to be underway.

To address the few remaining available small locations, additional promotional pieces beyond our regular promotion of available properties had been provided to economic and community development resources and sites. As of the date of writing this agenda item, the Town continues to work on two proposals/ background materials for two business proposals/property inquiries on a regular basis. One additional project is not moving forward as the company cannot logistically move their multiple facilities this year to Pittsfield. The company plans to look at this option again in 2017.

The Town has received a number of new inquiries about available buildings in Town and provided information and assistance to business representatives collecting information on potential sites for their business or client. Some of the inquiries were from our website marketing materials while others were from the economic development information that we sent out on the internet. Still other inquiries were from advertising conducted on behalf of the property owners by their real estate agent or themselves.

The Dunkin Donuts' restaurant received its Planning Board Site Plan Review approval on Monday, 02/08/2016. The Traffic Movement Permit was officially issued by MDOT and received by the Town later in 02/2016. The DEP Permit for the transfer of Somerset Plaza from Apple Mountain LLC to Dana Cassidy, the current owner, was received. The developer and the Plaza owner continue to work on this project. The plans have been received for the building and reviewed by the third party inspector. The contractor has been hired and we have been advised that the company will hire local subcontractors.

The construction company has contacted the Town to start the sewer hookup process. On 09/01/2016, the Town received a copy of the DEP Site Location Permit for the project to proceed forward to construction.

The Town has been advised that bids are being sought on the project.

Cianbro Corporation officially purchased the Tech Center on Thursday, 02/18/2016 from the Pittsfield Economic Expansion Corporation. The building is under renovation inside as the building is to be tailored to Cianbro's needs. Cianbro has advised that now that they have completed their new Southern Maine location where they have a tenant that needed occupancy, that the company will be back working on the Tech Center. There has been some recent activity in the building.

Blue Sky Produce officially purchased Lot #7 in the Pittsfield Industrial Park from the Pittsfield Economic Expansion Corporation on Tuesday, 03/01/2016 for its Produce Shipping Depot. This is the last lot in the original Industrial Park and has a small developable window which works well for this project. The project received Site Plan Review approval on Monday, 03/14/2016 from the Planning Board. The company worked with the Building Inspector to obtain the building permit to begin the project. The driveway, parking area and foundation were underway at the last meeting with more work being conducted since. The building has been erected. Employees have been hired for the summer to move the products. Blueberries are evidently going to be ready sooner than usual. The owner is working away to get everything into order and is very excited to be working in Pittsfield. The blueberry season was officially over with last week. The owner is now down in New York promoting wild blueberries. The Town is looking into how to assist with making connections and networking opportunities for the company.

Cianbro Corporation's Pittsfield Solar, a 9.9 Megawatt Solar Array Farm received Site Plan Review approval at the 03/14/2016 Planning Board Meeting. This is the first approval in a

number of approvals required for the project to be built. This project is currently going through the CMP review process and discussions. The project is under development planning.

The Town continues to work with an upcoming small company Innovative Specialties, with a great skillset seeking an expansion in our community in the Industrial Park Phase II. This item was on the agenda for the 04/19/2016 meeting with three actions listed and on the agenda for 05/03/2016 with two ordinances set to public hearing and a resolution. The CDBG grant was approved for submittal after a very positive public hearing was held. The grant application was filed by the deadline in May. The project was approved at the 09/12/2016 Planning Board Meeting.

Congratulations to Jillyann Butler on her purchase of the former Chalice on Main Street. She is expanding her business Amici Nail Spa from further up Main Street in Stan's building. As she expands her business, a nice leased space will be available on Main Street for a new, small or start-up company to utilize. This space usually goes quite quickly. The Town will list this space once Amici is close to her re-location which is estimated to be August 2016. This property at the corner of Main Street and Central Street is already starting to look better as it receives much overdue attention. The property is undergoing a large renovation and face lift.

The Town Council has signed the following Business Certificates in 2016:

Puretech Window Cleaning at 115 Main Street

Pittsfield Redemption Center at 418 Main Street (new facility under new management on the other side of town).

Andrea Amara for Andrea's Salon at 11 Huff Road for a hair salon.

The Town Council will sign a Business Certificate for:

Kimberly Wick for The Sitter Center Daycare at 50 Mount Road

Steven Lamarre for Off the Wall Collectibles at 129 Morrill Street

In addition, we will continue to work with several companies that wish to expand and/or locate in Pittsfield. These are on-going in the development and feasibility phases.

B. Properties for Sale:

1. UTC Factory: Please see the lengthy history in prior meeting minutes. On August 6, 2015, the Town was advised that the property will be available for occupancy in three months. Work continues at the facility. The Town has been advised that the property can now be marketed as of mid-November 2015. As of last contact with UTC on 12/31/2015, the Maine Department of Environmental Protection paperwork for closure of the facility had not been received. The Town was notified by UTC on 02/09/2016 that the property likely cannot be sold until later this year. The internal industrial cleaning was completed with very good results. The Town was able to receive a copy of the final paperwork for the inside of the building on 05/23/2016. The outside work was not totally completed prior to winter, therefore, it will resume this summer with MDEP signing off likely by early Fall 2016 or another company may have to address this.

Marketing has started again inside the State of Maine and then will start up outside the State of Maine with the Consulting Contract. The Town has contacted the company regarding a desirable business for the community that has interest in the building. The company has also received a proposal from someone else that is under consideration. The Town has learned that there is a Purchase Sale Agreement for the property. A tour was conducted of the facility at the end of July 2016.

2. SAS Property: Please see the lengthy history in prior meeting minutes. We are working with SAS intermittently to see if a company can utilize the factory for storage as it is great space that is going to waste. It has been very hard to have any type of deal for a business at this facility due to its current organizational structure. The interested company has made contact with the SAS representative and is awaiting approval. The Town then has followed up numerous times to request that there be a decision made. The Town has now learned that proposals will be reviewed on this property so we are working with a company on a proposal for a new manufacturing facility. The company is very interested in this facility.

C. Projects Under Review:

Hancock Lumber:

Hancock Lumber was working on their development project to assist with production and has submitted the map for the agreement. The company is forwarding the Town agreement through the authorization process.

This is being checked upon to see if the Town can assist in any way. As of the writing of this agenda item, information has not been received.

American Legion:

The American Legion's demolition project is well underway with the building coming down the week of September 12, 2016. The demolition was concluded by September 23, 2016. Now the Legion is working on the details for the foundation.

D. Somerset Avenue Projects:

Report on Somerset Avenue Sidewalk Project and Impact of the Somerset Avenue Mill & Fill Project.

The Town inquired into the changes made in the road by MDOT during the paving in the Mill & Fill Project and the resulting water issues by Hartland Avenue. On 12/07/2015, the Public Works Foreman met with the Bangor Division Engineer John Devin about the continuous water problems at the end of Somerset Avenue and its intersection with Hartland Avenue, a very flat area without enough catch basins in the State system after the mill and fill project. To date, the Town has not been contacted with the proposed solution. MDOT has been trying to clean out and explore the catch basin system on Somerset Avenue due to issues.

E. Report on Meetings & Events:

Report on Meetings:

Recycling Committee Meeting on Wednesday, September 21, 2016 at 5:00 pm

Theatre Committee Meeting on Wednesday, September 28, 2016 at 6:00 pm

FirstPark Executive Committee Meeting on Thursday, September 29, 2016 at 5:00 pm

Upcoming Meetings:

Sebasticook Valley Chamber of Commerce Board of Directors Meeting on Thursday, October 6, 2016 at 5:00 pm at the Chamber Office in Palmyra

Kennebec Valley Council of Governments Board of Directors Meeting on Tuesday, October 11, 2016 at 9:30 am at the KVCOG Office in Fairfield

Kennebec Valley Council of Governments Comprehensive Economic Development Strategy Committee Meeting on Tuesday, October 11, 2016 at 11:30 am at the KVCOG Office in Fairfield

4. PUBLIC HEARINGS: None

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

Town Manager's Report: Town Council Meeting of 10/04/2016:

1. The FYI Folder: FYI Folder which contains items that come in between the Town Council Meetings has the following this evening: See List

2. Upcoming Events:

Pittsfield ARTS Meet the Candidates Night on Wednesday, October 19, 2016 at 6:00 pm at the Pittsfield Municipal Building Council Chambers.

National Drug Take Back Day will be held on Saturday, October 22, 2016 from 10:00 am – 2:00 pm in the back Municipal Parking Lot at the Police Station

The 2nd Annual Winter Holiday Celebration at the Hathorn Park Gazebo will be held on Wednesday, December 7, 2016 with the Warsaw School students.

3. Election on November 8, 2016

Candidates running for local elections:

- 1- District 3 Council Member (3-year term)
- 1 – At Large Councilor Member (3-year term)
- 3 - SAD #53 Board Members (3-year term)
- 1 - State Representative
- 1 - State Senator

State of Maine Referendum Questions:

Question 1: Citizen's Initiative: Do you want to allow the possession and use of marijuana under state law by persons who are at least 21 years of age, and allow the cultivation, manufacture, distribution, testing, and sale of marijuana and marijuana products subject to state regulation, taxation and local ordinance?

Question 2: Citizen's Initiative: Do you want to add a 3% tax on individual Maine taxable income above \$200,000 to create a state fund that would provide direct support for student learning in kindergarten through 12th grade public education?

Question 3: Citizen's Initiative: Do you want to require background checks prior to the sale or transfer of firearms between individuals not licensed as firearms dealers, with failure to do so punishable by law, and with some exceptions for family members, hunting, self-defense, lawful competitions, and shooting range activity?

Question 4: Citizen's Initiative: Do you want to raise the minimum hourly wage of \$7.50 to \$9 in 2017, with annual \$1 increases up to \$12 in 2020, and annual cost-of-living increases thereafter; and do you want to raise the direct wage for service workers who receive tips from half the minimum wage to \$5 in 2017, with annual \$1 increases until it reaches the adjusted minimum wage?

Question 5: Citizen's Initiative: Do you want to allow voters to rank their choices of candidates in elections for U.S. Senate, Congress, Governor, State Senate, and State Representative, and to have ballots counted at the state level in multiple rounds in which last-place candidates are eliminated until a candidate wins by majority?

Question 6: Bond Issue: Do you favor a \$100,000,000 bond issue for construction, reconstruction and rehabilitation of highways and bridges and for facilities, equipment and property acquisition related to ports, harbors, marine transportation, freight and passenger railroads, aviation, transit and bicycle and pedestrian trails, to be used to match an estimated \$137,000,000 in federal and other funds?

4. Library News:

The Friends of the Pittsfield Public Library are holding Used Book Sale on Thursday and Friday, October 6 - 7 from 10:00 - 6:00 and Saturday, October 8 from 10:00 - 1:00. There are many great adult and children's books from personal collections, as well as discards from the library shelves. Used audio books, videos, and music will also be available. Come early for the

best selection. Proceeds from the sale will benefit the Friends of the Pittsfield Public Library and their support of library programs and services. This event is a great way for book lovers to satisfy cravings for new reads. Customers can feel good about how the sale will benefit the library, and they can get some terrific bargains at the same time. For more information, please call the library 487-5880.

5. Pittsfield's Birthday on June 19, 2019:

The Town was incorporated on June 19, 1819 so our 200th birthday is coming up. We should start making plans in January 2017 and would plan on announcing our formation of a committee at the widely popular Annual Winter Holiday Celebration on December 7, 2016.

6. Spirit of America Award Ceremony:

The Somerset County Ceremony to honor the volunteers and volunteer towns will be held on Wednesday, October 19, 2016 at 6:00 pm at the Superior Court Room of the Somerset County Building at 41 Court Street, Skowhegan. Elaine Havey is planning to attend to receive Spencer's award in his memory.

7. 2016 Property Tax Bills:

This tax bill is for the Somerset County Assessment; SAD#53 Assessment; and the Municipal Budget. The mil rate for 2016 is \$20.20/1,000 valuation or an increase of 4.7%. The increase in the rate is partially due to the increase in the Homestead Exemption on owner occupied residences from \$10,000 to \$15,000 which affects the Town's valuation. With the change in the Homestead exemption, many people with a residence will not see much difference and some will see a decrease in their tax bill unless work has been completed on the home as of 04/01/2016. Those residences with a higher valuation will see an increase. The Town has been extremely conservative with expenditures. All town officials and employees have been doing the best job possible to maintain service levels while being conservative in spending.

The 2016 budgetary changes which also affected property taxes were:

- Somerset County assessment to the Town increased \$29,431.15
- SAD #53 Assessment to the Town increased \$124,725.38 over last year's assessment.
- The Municipal Operating and Capital Budget increased \$5,233.00 from last year's.

Assessment or Budget Increases/Decreases	County Budget:	+	5.2%
from property taxes from last year's:	SAD #53 Assessment:	+	4.3%
	Municipal Budget:	+	.4%

Finance Committee: The Mayor reported on the Finance Committee Meeting earlier this evening. There was a discussion regarding the two prominent legal views on investments. The Finance Committee will be looking to issue an RFP to determine if it would be beneficial to invest some of the MainePERS funds in a long-term CD or other similar investments for 3-5 years. Another community up north was able to invest their funds in this manner and received a good rate. The Town Manager advised that if we could obtain a reasonable rate and

the funds were collateralized, that this would fully protect the funds while we would earn more interest. The Councilors liked this idea.

Ordinance Committee: No Report

Recycling Committee: The Deputy Mayor reported on the last Recycling Committee Meeting with Donnie Chute and Kathryn. The Re-Use Building did well this year. The building will close on November 5, 2016. The Committee is talking about going into schools for Maine Recycles Week. They will be asking Anna Petersen to get into the school. They also discussed the Community Garden, Plastic Bags in the stores; Paper vs. Styrofoam; and more user friendly forms. Don is researching recycling food waste in order to make methane gas with a local company. He also discussed the recycling of glass for use in roads. There is a movement to locate a recycling bin in West Pittsfield in order to assist that area of town with recycling although it is understood that this will be a challenge. The setup at the Recycling Center for the Multi-bins would assist with traffic flow if the bins could be located as one comes into the facility along the roadway. Lots to do! The next meeting is October 19, 2016 at 5:00 pm.

6. NEW BUSINESS:

ORDINANCE 16-16: (Set to Public Hearing (10/18/2016) That the Town Council hereby ordains to transfer property located at Detroit Street, Map 026, Lot 027 to David T. Odell for the sum of \$2,211.00 as the result of a Tax Acquired Property bid. The Town acquired said property as a result of automatic foreclosure of a 2013 property tax lien, recorded in the Somerset County Registry of Deeds on June 10, 2014, at Book 4793, Page 272, which matured on December 10, 2015. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to David T. O'Dell.

Moved by **Councilor Donahue** and seconded by **Deputy Mayor Nichols** that Ordinance 16-16 be adopted.

The Town Manager noted that the transfer of tax acquired property is considered a sale of property. Under the Town Charter, a sale of property requires that a public hearing be set and then after public hearing, the Town Council would vote upon the transfer of property. All property sold as part of a Tax Acquired Property Sale is transferred by a quit claim deed.

VOTE: UNANIMOUS AYE

RESOLUTION 16-127: Resolved that the Town Council accept the bid of David Odell in the amount of \$2,211.00 for Map 026, Lot 27, property on Detroit Street from the 09/07/2016 Tax Acquired Property Bid.

Moved by **Councilor Strom** and seconded by **Deputy Mayor Nichols** that Resolution 16-127 be adopted.

The Town Manager advised that at the Town Council Meeting on September 20, 2016, the Town Council intended to accept Mr. Odell's bid. Deputy Mayor Nichols made the motion to accept the bid. An animated discussion then embarked on the plans for the property and the neighborhood. The Council then voted to accept the bid without a second. This is a minor technicality which is being resolved by re-voting on the acceptance of the bid. As Mr. Odell was the only bidder, we are able to continue with the process to schedule the public hearing at this meeting, however, should re-vote upon the acceptance of the bid.

VOTE: UNANIMOUS AYE

RESOLUTION 16-128: Resolved that the Town Council accept the offer of James Kirk for a Tax Acquired Property Sale in the amount of \$1,800.00 on parcel as follows: Property Map 018, Lot 052 located on the Phillips Corner Road, Pittsfield, Maine.

Moved by **Councilor Donahue** and seconded by **Deputy Mayor Nichols** that Resolution 16-128 be adopted.

The Town Manager noted a town citizen came forward to request to purchase the remaining Tax Acquired Property from the most recent sale and agreed to cover all of the Town's taxes, costs, and interest. An offer of \$1,800.00 was received from Mr. Kirk. Mr. Kirk has purchased the property with a home in Palmyra which abuts this property and previously was under the same ownership before both the Town of Palmyra and Pittsfield both received ownership of the property by automatic tax foreclosure. Since he bid on the Palmyra parcel, he would also like to acquire the property that goes along with it in Pittsfield. As the property has been put out to TAP Sale several times, it is permissible under the Town's regulations to accept an offer made by an interested citizen.

VOTE: UNANIMOUS AYE

RESOLUTION 16-129: Resolved that the Town Council authorize the Public Works Foreman to expend \$2,770.00 for a Rhino PD-55 Post Driver with the required accessories and the Town Manager and/or Deputy Treasurer to transfer \$2,770.00 from PITT#5 Highway Equipment Reserve G-1-601-00 for same.

Moved by **Councilor Donahue** and seconded by **Councilor Manning** that Resolution 16-129 be adopted.

The Town Manager advised that the Public Works Department has a large number of sign posts to install and some of them need to be installed through pavement. This item was not budgeted in the 2016 budget. As of August 31, 2016, the Highway Equipment Reserve had a balance of \$130,184.97. We talked about this purchase earlier this year to put up the signs that Town received through a grant early last year.

VOTE: UNANIMOUS AYE

RESOLUTION 16-130: Resolved that the Town Council accept the proposal of Huff's Construction of Burnham, Maine in an amount to not exceed \$10,500.00 at a unit price of \$7.00/yard for winter sand needed to rebuild the stockpile for the sanding of roads.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Strom** that Resolution 16-130 be adopted.

The Public Works Foreman is requesting to purchase sand from his calls to local suppliers. Only one answered with a cost of \$7.00/yard. This will result in 1,500 yards being purchased. This is a significant increase in cost per yard. It was discussed that it would be best if there was a formal bid requested next year for a supplier within a certain travel distance.

VOTE: UNANIMOUS AYE

RESOLUTION 16-131: Resolved that the Town Council authorize the Town Manager to file the Drinking Water State Revolving Loan Fund Application for the Hunnewell Avenue project in an amount to not exceed \$1,177,660.

Moved by **Councilor Donahue** and seconded by **Deputy Mayor Nichols** that Resolution 16-131 be adopted.

At the Town Council's Meeting on September 20, 2016, the Council approved an Ordinance to authorize the issuance of up to \$85,000 in General Obligation Bonds for the State of Maine's offer of \$85,000 for engineering for the Hunnewell Avenue Water Main Replacement and Secondary Route from the Treatment Plant. The offer received was for a 1.0% loan over 20 years for the design work for the Hunnewell Avenue Water Main Replacement and Secondary Route from the Treatment Plant DWSRF project. This project will allow the Town to design the work and make sure that this project will work well. It will also result in additional points in the State of Maine's ranking of future DWSRF funding rounds as the project will be ready to move forward.

VOTE: UNANIMOUS AYE

RESOLUTION 16-132: Resolved that the Town Council Approve and Authorize the Town Manager to Sign the Application /Agreement for the Grant-in-Aid Program for the Department of Conservation, Bureau of Parks and Lands Snowmobile Program for an estimated project of \$47,060 to improve the snowmobile trails for the Driftbusters Snowmobile Club.

Moved by **Councilor Donahue** and seconded by **Councilor Manning** that Resolution 16-132 be adopted.

Mayor Stackhouse indicated that this is a yearly application for grant funding to assist the Driftbusters Snowmobile Club in maintenance of the trail system.

VOTE: UNANIMOUS AYE

RESOLUTION 16-133: Resolved that the Town Council approve the opening of absentee ballots on November 8, 2016 at 10:00 am and 3:00 pm for the November 8, 2016 State General and Referendum Election, Municipal Election and the MSAD #53 Election.

Moved by **Councilor Donahue** and seconded by **Councilor Manning** that Resolution 16-133 be adopted.

The Town Manager advised this was a housekeeping motion required each year for the Election.

VOTE: UNANIMOUS AYE

RESOLUTION 16-134: Resolved that the Town Council appoint Nicole Nickolan as Warden and Cammie Jemery, Karen Baker and Emmalee Reed as Deputy Wardens for the November 8, 2016 State General and Referendum Election, Municipal Election and the MSAD #53 Election.

Moved by **Councilor Donahue** and seconded by **Councilor Manning** that Resolution 16-134 be adopted.

The Town Manager advised that this was a yearly required motion.

VOTE: UNANIMOUS AYE

7. REPORTS: Audience, Council

Audience: None

Council:

Councilor Ferland: Absent

Councilor Manning: The Maine Peace Walkers will come to town next week. They will be here on 10/13 and leaving 10/14. The Vigil will be held on 10/14. She has more information in case people would like it. Two Pittsfield Authors will be having book launches. Wesley Burton will be having his book launch on 10/20 and David Austin will have his on 10/27. Soccer is amazing!

Councilor Donahue: Open Creamery Date is Sunday, 10/09 from 11:00 am – 3:00 pm. Balfour Farm will have cheese samples and other products available.

Deputy Mayor Nichols: He would like to thank Kathryn for all of her hard work. He would also like to thank the ladies upstairs. Everyone is doing a lot more with less. He would also like to give a shout out to the Fire Department. They have been very busy lately. He would like to

send his condolences as Danny Mercier passed away recently. On a positive note, it is looking really good around town. He is pleased that Dunkin' Donuts will be coming to Town. It will be nice to get back to recycling. We will be energy solvent the next 10 years.

Councilor Strom: MCI's Homecoming was an incredible event. There were probably over 1,000 people at all the events.

Councilor Cianchette: Absent

Mayor Stackhouse: He would like to echo the Deputy Mayor's comments regarding the Town Manager's hard work and dedication as well as the ladies upstairs. There is a lot of work taking place!

8. EXECUTIVE SESSION:

Deputy Mayor Nichols made a motion to enter Executive Session at 7:28 pm under Title 1, Section 405, 6.C., Economic Development, Disposition of Property and Acquisition of Property, motion seconded by **Councilor Donahue**.

VOTE: UNANIMOUS AYE

Motion by **Deputy Mayor Nichols** and seconded by **Councilor Manning** to exit Executive Session at 8:09 pm. No decisions were made in Executive Session.

VOTE: UNANIMOUS AYE

9. ADJOURNMENT

Motion by **Deputy Mayor Nichols** and seconded by **Councilor Manning** that the meeting be adjourned at 8:10 p.m. All in agreement.

VOTE: UNANIMOUS AYE

Kathryn Ruth, Deputy Town Clerk