

AGENDA

for a regular meeting of the Pittsfield Town Council, to be held on Tuesday, March 3, 2009 at 7:30 PM in the Council Chambers.

1. Open Meeting/Pledge of Allegiance.
2. Adoption of minutes of the regular meeting on February 17, 2009
3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:**

Community and Economic Development Activities and Events

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

- a. **ORDINANCE 09-03:** (Public Hearing) That the Town of Pittsfield Town Council hereby ordains the tax anticipation note borrowing for the fiscal year ending December 31, 2009 on the following terms:

Ordered that, pursuant to Section 5771 of Title 30-A of the Maine Revised Statutes, as amended and the Ordinance adopted on the date hereof, the Town Treasurer is hereby authorized and empowered to borrow money from time to time during the fiscal year ending December 31, 2009 in the principal amount or amounts not exceeding \$550,000 at any one time outstanding, in anticipation of the collections or receipts from taxes, by the issuance of tax anticipation notes of the Town, each of which notes shall be designated "Town of Pittsfield 2009 Tax Anticipation Notes." All of such tax anticipation notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by at least a majority of the members of the Town Council, shall be payable on or before November 3, 2009, out of money raised by taxation during the fiscal year ending December 31, 2009 shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer, and shall contain such other terms and provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof, and

Be It Further Ordered that the Treasurer is hereby authorized to award the notes to such person or entity as approved by the Town Council, such approval to be conclusively evidenced by the execution of the 2009 Tax Anticipation Notes; and

Be It Further Ordered that the notes authorized by the foregoing are hereby designated as qualified tax exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended, and

Be It Further Ordered that the Treasurer of the Town be authorized to covenant with the purchasers of the notes on behalf of the Town and for the benefit of the holders of the notes, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes will remain free from federal income taxes, including without limitation, the filing of information returns and reports with the Internal

Revenue Service and the payment of any rebate due to the United States of America.

- b. **ORDINANCE 09-04:** (Public Hearing) That 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 Fifty Thousand and Forty Dollars (\$2,450,040), 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 26 valves in the system to be able to turn the water off at locations rather than having to turn the entire water system off to fix a water break; (2) installation of a back-up finish pump as currently there is no backup pump in the water treatment plant; (3) replacement of 6,800 linear feet of water mains on 6 roads; and (4) replacement of 50 water hydrants needed to flush the system after water breaks (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.

- c. **RESOLUTION 09-20:** (Public Hearing) Resolved that the Town Council hold a public hearing for the purpose of receiving public comments on the designation of its proposed Pittsfield Industrial Park Phase II Municipal Development District and Tax Increment Financing District and the adoption of a Development Program for the said District (and an amendment to the Industrial Park Tax Increment Financing District approved by the Town on 08/04/88).

Tabled from the 02/17/2009 Town Council Meeting:

- d. **RESOLUTION 09-26:** Resolved that the Town Council Authorize the Town Manager to Execute the Assignment and Assumption of Lease and Landlord Consent for high-speed internet services subject to approval of the Town Attorney.

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

6. **NEW BUSINESS:**

- a. **RESOLUTION 09-28:** Resolved that the Town Council Accept a donation up to \$4,000.00 for the Pinnacle Ski Slope (G/L #1-131-00) for a gas fireplace inset; waive the bid policy for the purchase of said gas fireplace inset; and authorize the Pinnacle Ski Club Board of Directors to accept a quotation to not exceed \$4,000.00.
- b. **RESOLUTION 09-29:** Resolved that the Town Council Sign the Earth Day Proclamation supporting community-wide activities (Earth Day is April 22, 2009).
- c. **RESOLUTION 09-30:** Resolved that the Town Council Sign the Arbor Day Proclamation supporting community-wide activities (National Arbor Day is April 24, 2009) and Maine's Arbor Day Week is the 3rd full week in May: Sunday, May 17 – Saturday, May 23, 2009).
- d. **RESOLUTION 09-31:** Resolved that the Town Council Approve the issuance of a parade permit to the Make-A-Wish Foundation for a fundraising walk on May 28, 2009 from 5 – 7 pm and waive the permit fees.

7. **DISCUSSION ITEMS:**

Grants Update:

New Grants:

Airport Grants: Design Engineering for Apron Reconstruction

Brownfields Grant: Clean-up Grant for Eelwier (now know as 8 Mount Road)

CDBG Grant/Public Facilities/Historic Preservation/Library

FEMA Reimbursements: 04/28 – 05/14/2008

L&W Conservation Fund: Swimming Pool Essential Components

Riverfront Community Development Grant
Safe Routes to School, Phase II

Pending Grants:

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

Grants waiting to be closed:

L&W Conservation Fund: Stein Park Renovation Project

Closed Grants:

Airport Grants: Runway Obstruction Clearing
Airport Grants: Vegetation Plan/Permitting Grant
CDBG Grant/Special Projects Matching Funds/GCS
Efficiency Maine Business Program
Nutrition Grant for Summer Program
Project Canopy: Mill Pond Loop

Other Grant Opportunities:

Airport Apron Reconstruction Grant Application
Economic Development Administration Grant Application
Municipal Investment Trust Fund
Renewable Energy Grant Application

8. **REPORTS:** Audience, Council

9. **ADJOURNMENT**