

AGENDA

for a regular meeting of the Pittsfield Town Council, to be held on Tuesday, March 17, 2020 at 6:30 PM in the Council Chambers.

1. Open Meeting/Pledge of Allegiance, followed by Moment of Silence.
2. Adoption of minutes of the Special Meeting held on February 25, 2020 and the Regular Meeting held on March 5, 2020.
3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:**
 - A. Congratulations to the Pinnacle Park Skating Rink Revitalization Committee on a great Community Project.
 - B. Community and Economic Development Activities and Events

Upcoming Events:

Easter Egg Hunt at the Pinnacle: The traditional Kiwanis Easter Egg Hunt will be held on Saturday, April 11th 9:00 am SHARP! Come meet the Easter Bunny!

Prescription Drug Take Back Day: The next Prescription Drug Take Back Day will be held on Saturday, April 26, 2020 with FREE on-site SHREDDING! Shredding will be from 9:00 am – 1:00 pm and the Prescription Drug Take Back Event will be from 10:00 am – 2:00 pm.

Bike Rodeo put on by Kiwanis: The Pittsfield Area Kiwanis Club will hold a bike rodeo on Saturday, May 9, 2020 (more information to follow such as time and location).

48th Annual Central Maine Egg Festival Week: Our **48th Egg Festival will be held** on Monday, July 6 – Saturday, July 11, 2020 including the **Kiwanis Karnival** on Wednesday, July 8 – Saturday, July 11, 2020

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

ORDINANCE 20-01: (Public Hearing) That the Town of Pittsfield hereby ordains the borrowing of up to \$706,000 to finance costs of the paving of public roads and capital improvements in the Town, and in order to raise said amount, general obligations bonds and/or notes shall be issued in a total aggregate principal amount not to exceed \$706,000 and the Treasurer and the Mayor shall determine the date, maturities, denominations, interest rate or rates, place of payment, paying agent and registrar, form and other details of the Bonds, including the signing and delivery of said Bonds on behalf of the Town. The Bonds shall be executed in the name of the Town by its Treasurer, and countersigned by the Mayor, and be in such form and contain such terms and provisions, not inconsistent herewith, as the Treasurer and Mayor may approve, their approval to be conclusively evidenced by their execution thereof. The Treasurer and Mayor are hereby authorized to provide on behalf of the Town that any of the Bonds may be made redeemable or callable, with or without premium, prior to maturity. The Treasurer, Mayor and other proper officials of the Town be, and hereby are authorized in its name and on its behalf to do or cause to be done all such other acts and things as may be necessary or desirable in order to effect the issuance, sale and delivery of the Bonds hereinabove authorized, including any certificates, and other documents as may be necessary or appropriate in connection with the sale of the Bonds.

5. **REPORTS:**

- A. **COUNCIL COMMITTEES: FINANCE, ORDINANCE AND RECYCLING**
- B. **BOARD AND COMMITTEE UPDATES BY TOWN COUNCILORS AND MANAGER**
- C. **TOWN MANAGER'S REPORT**

6. **NEW BUSINESS:**

ORDINANCE 20-02: (Set to Public Hearing on 04/07/2020) That the Town Council hereby Ordains that Chapter 2. Administrative Code, Division 1: Town Council, Article 1. General Rules Governing Council Actions, Section 109. Use of Social Media by Town Councilors be added.

ORDINANCE 20-03: (Set to Public Hearing on 04/07/2020) That the Town Council hereby Ordains that Chapter 2. Administrative Code, Division 2: Administration of Town Business, Article 3. Description of Individual Departments Section 600. Public Works Department through Section 603. Public Works Employees be rescinded and replaced with the new Chapter 2. Administrative Code, Division 2: Administration of Town Business, Article 3. Description of Individual Departments Section 600. Public Works Department through Section 603. Public Works Employees and add Section 604. Transfer Station and 605. Recycling Center.

ORDINANCE 20-04: (Set to Public Hearing on 04/07/2020) That the Town Council hereby Ordains that Chapter 2. Administrative Code, Division 2: Administration of Town Business, Article 3. Description of Individual Departments, Section 800. Parks and Recreation Department through Section 808. Barbara Fendler Memorial Park (Fendler Park) be rescinded and replaced with the new Chapter 2. Administrative Code, Division 2: Administration of Town Business, Article 3. Description of Individual Departments, Section 800. Parks and Recreation Department through Section 808. Barbara Fendler Memorial Park (Fendler Park) and add Section 804. Funds.

ORDINANCE 20-05: (Set to Public Hearing on 04/07/2020) That the Town Council hereby Ordains that Chapter 2. Administrative Code, Division 3. Voluntary Town Service, Article 2. Alphabetical Description of Boards and Committees, Section 900. Parks and Recreation Board be rescinded and replaced with the new Section 900. Parks and Recreation Committee.

ORDINANCE 20-06: (Set to Public Hearing on 04/07/2020) That the Town Council hereby Ordains that Chapter 2. Administrative Code, Division 3. Voluntary Town Service, Article 2. Alphabetical Description of Boards and Committees, Section 1100. Pinnacle Park Board be amended by deleting Section 1100. Pinnacle Park Board in its entirety.

ORDINANCE 20-07: (Set to Public Hearing on 04/07/2020) That the Town Council hereby Ordains that Chapter 2. Administrative Code, Division 3. Voluntary Town Service, Article 2. Alphabetical Description of Boards and Committees, Section 1300. Pool Committee (Pittsfield Municipal Pool) be amended by deleting Section 1300. Pool Committee (Pittsfield Municipal Pool) in its entirety.

ORDINANCE 20-08: (Set to Public Hearing on 04/07/2020) That the Town Council hereby Ordains that Chapter 11. Pittsfield Public Library Policies, Article 5. Circulation Services Policy, Section 504. Overdue Materials be rescinded and replaced with the new Section 504. Overdue Materials.

ORDER 20-05: Ordered by the Town Council Authorizing Equipment Lease-Purchase Financing and Appropriation of the Proceeds Thereof.

**TOWN OF PITTSFIELD, MAINE
ORDERS OF TOWN COUNCIL**

Authorizing Equipment Lease Purchase Financing and Appropriation of the Proceeds Thereof

WHEREAS, the Town desires to authorize the acquisition of a 2014 Volvo Excavator (Model ECR145) (the “Equipment”); and

WHEREAS, the Town desires to authorize a municipal lease purchase financing arrangement to finance the costs of the Equipment; and

WHEREAS, the Town desires to appropriate funds from the FY 2020 budget to pay the amounts of said lease purchase financing from the following line items: Debt Service budget Lease-Purchase line item for Highway; Lease Purchase line item within the Water Enterprise Fund, and Lease Purchase line item within the Sewer Enterprise Fund.

NOW, THEREFORE, be it voted, resolved, and ordered by the Town Council of Pittsfield, Maine:

Section 1. The sum of up to \$90,000 is hereby appropriated to finance the costs of acquisition of the Equipment.

Section 2. For the purposes of financing the aforesaid appropriation, pursuant to the Town Charter and all amendments thereof and acts additional thereto, and all other authority thereto enabling, there is hereby authorized and approved one or more equipment lease purchase agreements, each such lease to be in such form and contain such terms and provisions as the Finance Committee may hereafter determine or authorize, with such terms and conditions, including the interest rate(s), term or maturity and other terms and conditions as the Town Treasurer and the Mayor deem appropriate and to award the equipment lease purchase agreement(s) to such financial institution or institutions as it deems to be in the best interests of the Town, and the Treasurer, Mayor, Clerk and other appropriate officers of the Town are hereby authorized and empowered to do all such acts and things, and to execute, deliver, file, approve, and record all such lease purchase financing documents, leases, contracts, assignments, certificates, memoranda, abstracts, such other documents as required by the lessor of such equipment, and other documents as may be necessary or advisable, with the advice of counsel for the Town, as may be necessary or appropriate in connection with such lease purchase financing.

Section 3. The Town, pursuant to Internal Revenue Service Treas. Reg. 1.150-2, hereby declares its official intent to pay, on an interim basis, costs of the Equipment, which costs the Town reasonably expects to reimburse with proceeds of such tax exempt equipment lease purchase agreement(s) to be issued by the Town in the maximum principal amount of \$85,000.

Section 4. The acquisition of the Equipment under such equipment lease purchase agreement(s) is necessary, convenient, in the furtherance of and will at all times be used in connection with the Town’s governmental and proprietary purposes and functions and are in the best interests of the Town, and no portion of the Equipment will be used, directly or indirectly, in any trade or business carried on by any person other than the Town on a basis different from the general public. The Town covenants that it will perform all acts within its power which are or may be necessary to ensure that the interest portion of the rental payments under the equipment lease purchase agreement(s) shall at all times be and remain exempt from federal income taxation.

Section 5. The Town further covenants that the Municipal Lease Purchase Agreement is hereby designated a Qualified Tax Exempt Obligation pursuant to Section 265(b) of the Internal Revenue Code.

Fiscal Note: The total estimated lease principal is \$85,000 and the total estimated lease interest is \$_____ based on an estimated interest at a rate of 3.22% over 3 years.

RESOLUTION 20-38: Resolved that the Town Council authorize the Town Manager to execute all necessary paperwork upon approval of the Town Attorney for the lease-purchase of the 2014 Volvo ECR145 Excavator.

RESOLUTION 20-39: Resolved that the Town Council waive the bid policy, Chapter 2, Administrative Code, Section 106, to accept the proposal from Chadwick-BaRoss for a 2004 Volvo BL60 Backhoe and to authorize the Town Manager and Deputy Treasurer to expend and transfer \$28,500 from the Highway Equipment Reserve PITT #05 (G1-601-00) for said purchase.

RESOLUTION 20-40: Resolved that the Town Council Approve the issuance of a parade permit to the American Legion, Post 32 for a Memorial Day Parade on May 25, 2020 and waive the permit fees.

7. **DISCUSSION ITEMS:**

- A. Department Reports for 02/29/2020
Accomplishments/Achievements

- B. Financial Reports as of 02/29/2020
 - Budget Expenditure Report
 - Revenue Collections Report
 - Excise Tax Collections Comparison Report
 - State Revenue Sharing Comparison Report
 - Economic Development Accounts Update
 - Housing Revolving Loan Update
 - Tax Increment Financing Update
 - Pittsfield Future Account Update
 - Transfer Station/Recycling Monthly Report
 - Theatre Monthly Report
 - Building and Plumbing Permit Reports

8. **REPORTS:** Audience, Council

9. **EXECUTIVE SESSION:**

To discuss the duties of the Town Manager pursuant to 1 M.R.S.A. Sec. 405(6)(A).

10. **ADJOURNMENT**