

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, February 15, 2011 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Bob Stackhouse, Caleb Curtis, Deputy Mayor Gary Jordan, Jr., William Bradshaw and Christopher Carr **ABSENT:** Louise Baker Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan Audience members included: Dean Billings

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**. The Council observed a moment of silence.
2. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:**

Community and Economic Development Activities and Events:

Report on New Business Activity & Opportunities in Pittsfield:

Regional Job Fair for the Pittsfield Area has been set for Thursday, May 19, 2011 from 3:30 pm – 7:00 pm

Buy Pittsfield Day

2011-2015 Airport Capital Improvement Plan (ACIP) for the Pittsfield Municipal Airport

Bangor Savings Bank Foundation Community Matters Campaign: Pittsfield Historical Society

Report on Meetings & Events:

Sebasticook Valley Chamber of Commerce Annual Meeting on Thursday, February 10, 2011 from 5:00 pm – 8:30/9:00 pm at the Millennium in Palmyra. Jane Woodruff was the winner of the Joyce Packard Community Spirit Award.

Central Maine Egg Festival Committee Meeting on Thursday, February 10, 2011 at 5:30 pm in the Council Chambers

Upcoming Meetings & Events

Joint Meeting of the Theatre Operations and Theatre Fundraising Committees on Thursday, 02/17/2011 at 6:00 pm in the Council Chambers

4th Annual Winter Carnival by the Deeper Life Assembly on Saturday, February 26, 2011 from 10:00 am – 6:00 pm at 97 Higgins Road

3. **PUBLIC HEARINGS/OLD BUSINESS: NONE**

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

Town Manager's Report: Town Council Meeting of 02/15/2011:

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

2. Town of Pittsfield 2011 Board/Committee Openings: Positions expire every year on the Town's many boards and committees. The Town has over 20 boards and committees. Positions remaining available are the following: 1 Opening on the Board of Appeals; 2 openings of the Board of Assessment Review; 1 Opening on the Board of Ethics; 1 Opening on the Economic Development Team; 1 Opening on the Housing Rehabilitation Revolving Loan Committee; and 1 Opening for an Alternate member of the Planning Board.

3. Citizen's Energy Oil Heat Program: Read Announcement

4. Pittsfield Library News: Read Announcement

5. State Budget Balancing: The Town has been cautioned to watch all proceedings as the State Budget comes forward for the next biennial. Specifically indicated has been the excise tax and any potential state law changes in which this revenue source is reduced or eliminated. The Town's excise tax revenue projections are \$545,000 and are now our largest source of revenue outside of the property taxes. Our other largest source outside property taxes used to be SRS, however, that source has decreased substantially during the last two years. The State budget recommendation put out by the Governor will reduce SRS and make it an allocation each year to be voted upon by the Legislature rather than an entitlement program. Reviewing our legislative notices and bulletins will be very important this year.

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: The Committee met last week but Mayor Nichols was unable to attend. We will have an update at the next Council meeting.

5. **NEW BUSINESS:**

ORDINANCE 11-02: (To be set to Public Hearing 03/01/2011) The Town of Pittsfield hereby Ordains to accept all tax year payments of James Leahy, including interest and lien costs, for the property at 141 Sunset Street (Map 023, Lot 035-017), the Town having acquired said property as a result of automatic foreclosure of a 2008 property tax lien, recorded in the Somerset Registry of Deeds on June 19, 2009 at Book 4151, Page 155, which matured on November 25, 2010. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to James Leahy.

Moved by **Councilor Stackhouse** and seconded by **Councilor Carr** that Ordinance 11-02 be set to Public Hearing.

The Town Manager noted all taxes through 2010 have been paid in full after the tax lien matured on November 25, 2010. Therefore, a quitclaim deed can be issued after public hearing.

VOTE: UNANIMOUS AYE

ORDINANCE 11-03: (To be set to Public Hearing 03/01/2011) That the Town of Pittsfield Town Council hereby ordains the tax anticipation note borrowing for the fiscal year ending December 31, 2011 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, 2011 in the principal amount or amounts not exceeding \$500,000 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 2011 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 1, 2011, out of money raised by taxation during the fiscal year ending December 31, 2011 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 2011 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.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Ordinance 11-03 be set to Public Hearing.

The Town Manager noted this is the first step in the authorization process in order to issue a Tax Anticipation Note until the Town's major revenue source in the form of property taxes are received later this year. As the property tax bill is due in October of each year for the calendar year, the Town is spending funds for 8-9 months with smaller revenue sources coming in until October.

For Councilors who have been involved with this process in the past, we used to have an Ordinance, issue the RFP, award a bid to a bank and then issue an Order with all of the TAN paperwork to obtain the funds. Our Town Attorney has simplified this process.

VOTE: UNANIMOUS AYE

RESOLUTION 11-16: That the Town of Pittsfield Town Council hereby resolves the purchase of a Fire Utility Vehicle and financing of said vehicle by Reserve Funding on the following terms:

1. The Town waives the requirement of a competitive bid for the fire utility vehicle purchase and authorizes the purchase of said fire utility vehicle at a purchase price to not exceed \$147,000, which amount is hereby appropriated.
2. The purchase of the fire vehicle authorized above shall be financed by expending \$36,850 from G/L #1-633-00 PITT38 Fire Department Utility and \$110,150 from G/L #1-610-00 PITT03 Fire Department Reserve, both reserves for capital vehicle and equipment purchases.

Moved by **Councilor Stackhouse** and seconded by **Deputy Mayor Jordan** that Resolution 11-16 be adopted.

The Town Manager noted this is the resolution required to authorize the purchase and use of reserve funding for the Fire Utility Vehicle as mapped out at the Town Council Meeting on 02/01/2011 from the Town Council's discussion with the Fire Chief. As the funds are in a reserve account, an ordinance, public hearing and 30-day enactment period are not required. This motion will utilize all funds in the reserve accounts.

The purchase of the exact vehicle chosen by the Fire Chief will still come to the Town Council for approval. This resolution sets the stage for the purchase, thereby authorizing the staff to actively work with vendors on a purchase. However, due to the purchase cost, the Town Council must authorize the final purchase.

Councilor Bradshaw asked Dean Billings how many miles a year they use the truck. Dean felt that we could use an average of 10 miles a call, with 192 calls in 2010. The real issue isn't really the mileage as much as the idle time.

VOTE: UNANIMOUS AYE

RESOLUTION 11-17: That the Town of Pittsfield Town Council hereby resolves to waive the bid process and authorize the payment for the Information Management Corporation (IMC) software use for the consolidated database at the Somerset County Sheriff's Department for 2011 and subsequent years.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 11-17 be adopted.

The Town Manager noted the Town has been participating in the consolidated software program for shared resources at the Somerset County Sheriff's Office with the Towns of Madison, Skowhegan and the Sheriff's Office. This was a large project involving a grant submitted by the county for all of the participants as well as hardware upgrade. It took several years to get the program up and running due to the complexities of establishing and seeking funds for a large data base.

This item is a housekeeping item. As the payment has now exceeded \$3,500.00, it requires Council approval for payment under the Town's regulations. Normally, all agreements for services are approved through the Council when the item takes place, however, this was all done under a grant applied for by another party and the payment was under \$3,500.00 when the project began.

The current cost is now \$3,500.00. The motion addresses this item for future years.

VOTE: UNANIMOUS AYE

RESOLUTION 11-18: That the Town of Pittsfield Town Council hereby resolves to approve the Request for Proposals for the Energy Retrofit Project and Solar Thermal Installation for the Town of Pittsfield Municipal Building and authorize the Town Manager and Building Inspector to seek bids for the same.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Stackhouse** that Resolution 11-18 be adopted.

The Town Manager noted the Town Council received a copy of the draft bid specifications for the Energy Efficiency Grant which the Town was approved for in early 2010 and received the paperwork to proceed in November 2010. The Building Inspector has spent a week studying and preparing the bid specifications. Copies of the RFP, Contract, Grant package and requirements are attached. This package is still in progress.

Councilor Curtis stated he felt this would be good for the Town. He would like to learn more about the maintenance costs, just so we don't run into the same problems that the Library has with the maintenance costs. The Town Manager noted we would watch out for that.

Councilor Bradshaw hoped that local businesses would be bidding on this. The Town Manager noted that we would be putting advertisements in the local newspaper on the project and providing information.

VOTE: UNANIMOUS AYE

6. **DISCUSSION ITEMS: NONE**

7. **REPORTS:** Audience, Council

Audience: None

Council:

Councilor Baker: Absent

Councilor Carr: No Report

Councilor Bradshaw: Noted that if the Fire Department gets a vehicle with low miles/low idling time it should last 25-30 years. The Fire Department takes care of their equipment really well.

Deputy Mayor Jordan: Wanted to let the Town Manager know the electric at the top of the hill at the Pinnacle was checked this Saturday. There is a 480 line going in and it is live. We are actively looking for snow fans to make snow for next year. Deputy Mayor Jordan noted the Pinnacle has a contact at DEP that will be looking at drawing water out of the river and any permits we may need to do so. Deputy Mayor Jordan also has a source that will go into the electrical room and tear all the old equipment out and will put new equipment in.

Councilor Curtis: Was out walking the ramp today and the airport has no available tie down spots and no available hanger space. Not that I am trying to get that from here, but the Council should be happy that things are going well. We have had a lot of people come in from other airports and a lot of good comments. Now that we have the new runway and new ramp, it is really quite something. That was good grant money. Deputy Mayor Jordan asked if we had another hanger for 10 planes could we fill it up? Councilor Curtis stated with time we definitely could. Everyone that has planes wants to put them inside. That seems to be the going trend. The Town Manager noted that we did put together a quotation for the T hanger, but we need to do the other projects before we can apply. Deputy Mayor Jordan asked if we had another hanger built where would it go? Councilor Curtis noted the next slated development would be next to Bob Hart. We are drawing people from other communities when they see our facility. Pittsfield has an FBO at the airport 7 days a week, where many other airports do not. Councilor Bradshaw asked if any other airports in the area that compare to us. Councilor Curtis stated no other airport has the setup that we do where there is a private company on the field. Councilor Curtis also asked when we would know more about the State Budget. The Town Manager noted that the budget has now been issued and she will be reviewing it further. The Town Manager noted she would pass a link along to Council Curtis so he can review the budget as well.

Councilor Stackhouse: No Report

Mayor Nichols: The Fire Department vehicle will work itself out just fine. Wanted to say congrats to Jane Woodruff on winning her award. I have been watching the news and there are going to be some major cuts in the liheap funds. They will be going from 40% to 21%. That will effect people in our community as well as the Town's General Assistance. I would just like to see us as Councilors let people know what is coming. Perhaps, we can keep an eye out for any trees that might be taken down to do a

community wood giveaway like MCI has done in the past. I think the oil prices will be significantly higher next year. If people are already on a fixed income and then eligibility requirements are cut in half you are going to have some people in here that can't heat their house. It is going to come down on the Towns to help these people. The Town Manager noted that the Town is already seeing a massive increase in people needing General Assistance. We have a small amount of money in the Keep ME Warm Fund if we find seniors that need help. Mayor Nichols stated that we just need to keep this in the forefront. Councilor Curtis also recommended people try to join oil co-ops if possible.

8. **ADJOURNMENT:**

Motion by **Councilor Stackhouse** and seconded by **Deputy Mayor Jordan** that the meeting be adjourned at 8:36 p.m. All in agreement.

Nicole Nickolan, Town Clerk