

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, May 4, 2010 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Bob Stackhouse, Caleb Curtis, Deputy Mayor Gary Jordan, Jr., Donna Chale, Christopher Carr. **ABSENT:** Louise Baker. Also present: Town Manager Kathryn Ruth and Assistant Treasurer Vickie Braley. Audience members included: Ricky Savageau, WMCITV and others.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**. The Council observed a moment of silence.
2. Adoption of minutes of the special meeting held on April 15, 2010 and the regular meeting held on April 20, 2010.

Moved by **Councilor Curtis** and seconded by **Councilor Stackhouse** that the minutes of the special meeting held on April 15, 2010 and the regular meeting held on April 20, 2010 be adopted.

VOTE: UNANIMOUS AYE

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

Community and Economic Development Activities and Events:

Report on Meetings & Events:

Somerset Economic Development Corporation Breakfast Meeting scheduled for Friday, 04/30/2010 from 7:30 am – 9:30 am at the Masonic Lodge. This was the Spring Legislative Breakfast sponsored by Cianbro Corporation and Kleinschmidt Associates. It involved Guest presentations by Greg Dugal, Executive Director of the Maine Innkeepers Association and Russell Walters, President of Northern Outdoors in The Forks. Topic of presentation is the Tourism infrastructure in Maine and the impact of tourism on our economy. Then we had updates from legislators at the federal and state level.

14th Annual Trade Show scheduled for Saturday, May 1, 2010 from 9:00 am – 1:00 pm at Warsaw & Vickery Schools Complex. There were over 50 exhibitors expected inside and outside the school complex, featuring business displays at the Warsaw School and an "Arts Center" with a variety of talented craftsmen and artists at the Vickery School. We will put together certificates of thanks to many people including:

Farmers Market

Fingerprinting children by the Pittsfield Police Department

HealthySV Display and several classes

How to Divide Perennials by the Pittsfield Garden Club

How to Make Magazine Bowls and Beads for Necklaces by MCI Art Teacher & Class

How to Make May Day Baskets by Skowhegan Bank

How to Prune Fruit Trees by Master Garden Mark Sheriff

Maine Blood Center
May Day Activities by The Chalice
MCI Diversity Club with many students, authentic recipes and activities
MCI Sustainability Coordinator with many students and displays
Pittsfield Fire Truck Tour
Sebasticook Valley Hospital Ambulance
Tomato Fright Blight by Master Garden Betsy Doane
Greater Pittsfield Area Kiwanis Bike Rodeo

Upcoming Meetings & Events:

Pittsfield Public Library Grand Opening Celebration scheduled for Saturday, 05/15/2010 from 11:00 am – 1:00 pm. The ceremony will take place at 11:00 am and there will be tours until 1:00 pm.

Kennebec-Somerset Regional Job Fair in Pittsfield scheduled for Wednesday, 05/26/2010 from 3:30 pm – 7:00 pm. Read list of businesses.

New Businesses:

Certificates being signed this evening as follows:

Welcoming Dave Snyder to Pittsfield. Dave Synder and his wife Alicia Nichols are here in the audience this evening. Alicia is a fundraising counsel. Dave has moved his studio to 113 North Lancey Street. He will be offering guitar lessons and in the future, studio-quality recording, mixing and mastering. The Mayor presented a certificate to Mr. Snyder welcoming him to Town. Mr. Snyder thanked the Council for the warm welcome to Town. Mr. Snyder stated he had been working out of the community center in Newport for the last four years and decided he really wanted to do something that would give him a little more opportunity to do recordings. Don and Jane showed him the space, and he fell in love. Guitar lessons are for ages 10 and up, beginners – advanced. Mr. Snyder teaches guitar and bass and music theory.

To thank CM Almy employees who picked up 234 pounds of trash on lower Peltoma Avenue toward the Transfer Station. This effort was part of the Arbor Day Activities and we appreciate everyone's efforts and hard work for a better environment.

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

**TOWN OF PITTSFIELD
ORDINANCE AUTHORIZING TAX ANTICIPATION BORROWING**

ORDINANCE 10-08: (Public Hearing)

The Town of Pittsfield hereby Ordains the tax anticipation note borrowing for the fiscal year ending December 31, 2010 on the following terms:

Pursuant to Section 5771 of Title 30-A of the Maine Revised Statutes, as amended, the Town Treasurer is hereby authorized and empowered to borrow money from time to time

during the fiscal year ending December 31, 2010 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 2010 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 the Mayor, shall be payable on or before October 29, 2010, out of money raised by taxation during the fiscal year ending December 31, 2010, shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer and the Mayor, 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 the Treasurer and the Mayor are hereby authorized to award the notes to Skowhegan Savings Bank or such other person or entity as they deem appropriate; and

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 the Treasurer of the Town is 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.

This Ordinance ratifies and confirms Ordinance 10-05, which was acted on without knowledge that the notices of the public hearing on that Ordinance had inadvertently not been published.

There was no one who wished to speak for or against Ordinance 10-08. Public Hearing Closed.

Moved by **Councilor Chale** and seconded by **Councilor Carr** that Ordinance 10-08 be adopted.

The Town Manager noted this is a regular process each year.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: Town Council Meeting of 05/04/2010:

1. Earth Day 2010 Backyard Compost Bin Sale: The Town has a few compost bins, compost wing diggers and rain barrels left from our order from the Maine Resource Recovery Association. We had to order in lots and there are still a few spots available for

each item, first come, first served. Please come to the Town Office to order, we will provide your receipt and you can go up to the Recycling Center to pick up your unit.

2. Pittsfield Public Library Announcement: Read Announcement.

3. Foreclosures in Maine have risen: The State's Bureau of Financial Institutions has just released information that the number of foreclosures in Maine is up. According to data from 32 state-chartered banks and credit unions, the number of houses in the process of foreclosure in the last quarter of 2009 was 305, compared with 271 in the third quarter. Foreclosures had continued to increase from year to year as well with 175 completed foreclosures in 2009 compared with 159 completed foreclosures in 2008. This does not include federally chartered banks, credit unions or mortgage companies. The Bureau noted that the increase was probably due to the economic times and not the result of predatory lending by Maine banks.

The reason this is mentioned is that often people get behind on their taxes, the bank then comes in and pays off the taxes and then adds the amount to the monthly payment. Then the payments are higher and people have trouble making them. For those people who do not have their taxes escrowed, we would encourage you to join the Pittsfield Tax Club. READ Tax Club Requirements. If you do not want to join the tax club, have back taxes due, do not have the same amount of money coming in each week, get paid by jobs or some other reason, that is fine. The Town encourages people to just put down \$10, \$25, \$50 or whatever amount you can when you can. This will reduce the amount of taxes that you have left. We have town employees who have payroll deductions of their own request, to pay down on their taxes. It does not have to be the tax club payment. This way, people can work on paying their taxes when they can.

4. Senator Snowe's Office Hours in Pittsfield Senator Snowe's office will have a representative available at the Pittsfield Municipal Building in the Small Conference Room on Wednesday, May 12, 2010 from 1:30 pm – 3:30 pm to hear citizen's concerns on federal programs and matters.

5. 2010 Egg Festival: The next meeting of the Egg Festival Committee will be Monday, May 10, 2010 at 5:30 pm in the Council Conference Room. Parade Registration forms, Crafts Tent Registration Forms, and Scholarship Pageant Registration forms are available at the Town Office to pick up or on the Egg Festival website. Please go to www.pittsfield.org scroll down on the left side to Egg Festival, then once in that tab, click on the Egg Festival website. Deb Billings, Vice-President of the Egg Festival Committee is the contact person at 207-680-0646 for general information. The Egg Festival is July 20 – July 24, 2010.

The Town Office is organizing the Annual Quiche, Cheesecake & Pie Contest for this year's Egg Festival. Wouldn't it be nice if the Town Councilors were the judges? The event is Friday, July 23, 2010 at the Elks Lodge at 140 Middle Street.

Entries are due by 10:30 am and judging is 11:00 am – 12:00 noon.

Immediately following the judging, the public is invited to sample this year's entries for a price per plate for a slice of quiche, cheesecake, pie & beverage or buy individual

samples/plates to be available at the Elks Lodge until 1:00 pm. The entries will then be available at the Town Office for purchase Friday afternoon 1:00 pm – 5:00 pm.

6. The Welcome Table: The Welcome Table is open from 10:30 am to 1:30 pm every Friday at the First Universalist Church in the Community Hall at 6 Easy Street. This is a local program staffed and funded by volunteers whose mission is to provide a warm place to gather, socialize and share a hot meal. Games, puzzles and cards are always available. All are invited to attend. For further information, please call Trudy Ferland at 487-6523

Finance Committee: Met earlier tonight before the Council meeting. Discussed the cemetery trust funds, which are looking positive. Excise tax and State revenue sharing are still both down. We don't really think we will see that improve, but it is hard to say.

Ordinance Committee: Met briefly before the Council meeting tonight. We discussed a request to amend the Zoning Ordinance regarding lots with two different zones, such as C2 and R1. This would add language to the conditional use section. The individuals requesting the Ordinance amendment would like to build a house and a garage. The Ordinance Committee approved forwarding the proposed amendment to the Planning Board and Town Council for further review.

Recycling Committee: None.

6. **NEW BUSINESS:**

ORDER 10-06: Ordered that the Town Council Adopt the Order for Delinquent Personal Property Tax Collection.

Moved by **Councilor Stackhouse** and seconded by **Deputy Mayor Jordan** that Order 10-06 be adopted.

The Town Manager noted this Order has come back before the Town Council as the amount of funds that can be filed at Small Claims Court has increased from \$4500 to \$6000.

When the Town started an extensive detailed collection process nearly two years ago, the amount of personal property taxes from 1993 to 2007 that was overdue was \$94,937.83. Over 1.5 years later, the amount of personal property taxes outstanding for the same period of time is \$54,829.65, resulting in \$40,108.18 collected. A portion of this amount is uncollectible for a variety of reasons including the fact that owners had shut down the business and left town, bankruptcy, business can not be located in the U.S., etc., therefore, the final step will be for the accounts to be written off. As we only want to do this once, this step will happen at the end of the process.

The Town has contacted the personal property owners whom we can locate multiple times by phone call, letter, certified letter, e-mail and/or discussions in the Town Office. Nearly two years has been spent on this project to work out payment plans, payments when properties or items are sold and other collections/opportunities. The Town has a small list, a copy of which was provided at the last Council Meeting, of individuals/companies that will not make and/or stick with a payment plan. Small Claims Court would only be utilized as a last possible resort.

As the amount for Small Claims Court has increased, the Order would read as follows:

Numerous attempts have been made by the Town to assist delinquent personal property tax owners with payment plans and/or payment in full of delinquent personal property tax accounts.

Those delinquent accounts which do not have a payment plan in effect in which payments are being made by the owner in accordance with that plan, will be referred to Small Claims Court or the Town Attorney, depending upon filing limits and outstanding tax.

As an amount is not listed, this item will not have to come back to the Town Council for approval each time the limit is increased for Small Claims Court. In addition, the Town would file for those accounts that would make sense financially. For example, if it costs \$150 to file all the paperwork and serve the papers by sheriff, a Small Claims would not be filed on a \$74 personal property tax bill that was outstanding.

VOTE: UNANIMOUS AYE

RESOLUTION 10-51: Resolved that the Town Council Accept the proposal of Nitram Excavation & General Contractor of Benton, ME dated 04/14/2010 in an amount not to exceed \$728,642.00 for the Industrial Park Expansion Project EDA #01-79-73007 for the Town of Pittsfield, Maine waiving any informality in the bid and pending approval of the Economic Development Administration.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Chale** that Resolution 10-51 be adopted.

The Town Manager noted the Industrial Park Expansion project was bid out in March 2010 after approval by the Economic Development Administration. A full set of plans as well as the Technical Specifications book are available at the Town Office.

The Town received 11 bids ranging from a low of \$728,642 to a high of \$1,022,000.

The project includes the construction of 2100' new roadway, water lines, sewer lines, submersible pump station, utilities and other appurtenances. The project opens up 28 acres of industrial park land owned by the Town since 1989 consisting of 6 new industrial park lots.

The Town Councilors received a package of information regarding the low bidder. The EDA has now confirmed the award. After this meeting, the Town then needs to submit an executed contract package and if that package of materials is approved by EDA, the project proceeds forward.

VOTE: UNANIMOUS AYE

RESOLUTION 10-52: Resolved that the Town Council Confirm the Town Manager's Appointment of an Assistant Treasurer.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Chale** that Resolution 10-52 be adopted.

The Town Manager noted the Town Council received background material regarding the applicant chosen to be brought forward for confirmation.

Town regulations require that the Town Council confirm the Town Manager's appointment for department head positions. It has been several years since the Town has needed to search to fill a department head position. As previously announced, Vickie Braley is re-locating to Jay at the end of May 2010 to provide elder care for her parents.

The Town advertised to fill the vacancy through several media resulting in 23 complete applications. The Assistant Treasurer and Town Manager ranked the applications, choosing the top ranked applicants for interviews. The top ranked candidate was Rick Savageau who has 15 years supervisory experience and 12 years accounting/bookkeeping experience. The continual comments that we received from all the reference and employer checks conducted were that he kept very accurate books, was very dependable, and was honest. These are all traits needed for a bookkeeper keeping track of millions of dollars. Obviously, he will need to learn about town government.

We would propose that Rick Savageau be confirmed as the Assistant Treasurer. The Town Manager's appointment is for a 6-month probationary period.

VOTE: UNANIMOUS AYE

RESOLUTION 10-53: Resolved that the Town Council Set the Town Council Meeting Schedule for Summer 2010.

Moved by **Councilor Stackhouse** and seconded by **Councilor Chale** that Resolution 10-53 be adopted.

The Town Manager noted it has become practice to have 1 meeting per month in July and then last year, we added August to the Summer Schedule. This worked well.

The Egg Festival is moving the Street Dance to Tuesday night July 20th. It was on Wednesdays for a number of years. The Town Council may want to have their July meeting on July 13th due to the noise factor, as the Street Dance will be in the Municipal Parking Lot.

I would note that the Town will have the most complex grant project I have ever been involved with this summer so special meetings may need to be called. We have the potential to have another very complicated project start up this summer also – we shall see.

The Town Council decided the meeting schedule for summer 2010 is as follows: July 13, 2010 and August 17, 2010.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Updates:

Surplus Property Bid Results: The bid for the 1986 Ford Ambulance was \$287.66, which was accepted. If the Town drained the fluids and hauled the ambulance to a junk dealer, our net cost would not be as high, so this worked out well. The matrix dos printers remain downstairs and we are going to offer them free of charge if someone can use them.

Town's #2 Fuel, Kerosene and Propane Bid: The prices for fuel oil and kerosene were all high so we did not lock in. The propane was locked in at 12 cents over Mt. Belview price with AE Robinson. The range for propane was 12 cents over Mt. Belview to 45 cents over Mt. Belview price.

Plan for former TAP Property at 214 Somerset Avenue, Map 28, Lot 41: This property was brought up to the attention of some of the Town Councilors by citizens. Melon Lasselle, the new owner of 214 Somerset Avenue, is working on the structure and has it gutted out in the interior. The building was aired out over the winter. The exterior is being worked on this summer. Mr. Lasselle met with the Building Inspector last week to show him the plans for restoration. Over the long-term, Mr. Lasselle plans to restore the residence and live there with his family.

Grants Update:

New Grants:

Ken-Som Transition Team/KVCAP Grant for Regional Job Fair: The project is under way as reported earlier.

L&W Conservation – Hathorn Park Legge's Field: U.S. Senators Collins and Snowe announced the Town's award of \$25,000 from the Land & Water Conservation Fund for the renovation of Hathorn Park. The paperwork was received. Paul Bertrand wants to get everyone together after Little League, which will be sometime after July 4.

Law Enforcement Bryne Federal Grant: Radio Equipment: The radio equipment arrived, the Town is awaiting payment from the federal government and we have some reports to file by the end of the month.

PUC Energy Efficiency: Block Grant to Towns: The PUC has issued its list of projects and the Town of Pittsfield's Energy Efficiencies for the Municipal Building including an energy efficient boiler for part of the Town Office; solar thermal panels for the roof; show volunteers how to weatherize the Town Office better & review the Town Ordinances to encourage alternative energy sources. The PUC received a lot of the Custom Applications. Our project was approved for the requested amount of \$84,025. We filed our first report on this project and are awaiting a contract, requirements and timeline for the grant.

Riverfront Community Development Grant: Need to develop bid specs for the paving of the parking lot and skate rink area. I started this, however, the book is over 1 inch thick of requirements for this project.

Grants waiting to be closed:

Airport Grants: Apron Reconstruction Grant: Payment was received from the federal government.

Brownfields Grant: Clean-up Grant for Eelwier (now know as 8 Mount Road): This grant can now be closed.

Law Enforcement Bryne State Grant: Tasers: This grant can now be closed.
Renewable Resources Grant from PUC: Wind Turbine: This grant can now be closed.

8. **REPORTS:** Audience, Council

Council:

Councilor Baker: Absent.

Councilor Carr: No Report.

The Town Manager thanked Councilor Carr for requesting that a Police Dog presentation take place at the Trade Show. It is through his efforts that the Police Dog was present.

Councilor Chale: Wanted to welcome Rick and congratulate him on the Assistant Treasurer position. Glad to have you on board.

Deputy Mayor Jordan: Also wanted to congratulate Rick for coming on board. I wish you success. Wanted to wish Vickie well in her future. She has been very solid and has taken a no nonsense approach upstairs. She has been outstanding.

Councilor Curtis: No Report.

Councilor Stackhouse: Welcomed Rick. I'm sure you will do a good job as your resume was impressive. Thanked Vickie for her service. You have done a great job.

Mayor Nichols: Congratulations Rick. Wanted to thank Dave Snyder on his new business. Wanted to thank Vickie for all the hard work upstairs. Sometimes you don't hear thank you enough. It is not an easy job but you did a great job. We appreciate everything and wish you the best.

9. **ADJOURNMENT:**

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

Nicole Nickolan, Town Clerk