

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, February 5, 2013 at 6:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Caleb Curtis, Michael Cianchette, Gary Jordan, Jr., Donna Chale, Christopher Carr and Heather Donahue. **ABSENT:** Tim Nichols. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Louise Baker, Ron Porter, Don Chute, Don Hallenbeck and others.

1. **Gary Jordan, Jr.** opened the meeting by leading the **Pledge of Allegiance**. The Council observed a moment of silence.
2. Adoption of minutes of the regular meetings held on January 15, 2013.

Moved by **Councilor Cianchette** and seconded by **Councilor Carr** that the minutes of the meeting held on January 15, 2013 be adopted.

VOTE: UNANIMOUS AYE

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

Commendation for Town Service: Louise Baker

Mayor Gary Jordan, Jr. presented former Councilor Louise Baker with a plaque commending her for her town service and thanking her for her outstanding devotion to the community.

Community and Economic Development Activities and Events:

Report on New Business Activity & Opportunities in Pittsfield:

Several private sector business activities remain under review. AE Robinson has announced its plans to move forward with a new larger store at its present location on Somerset Avenue off I-95. A project is in initial stages at the former Pittsfield Village Pizzeria location on Somerset Avenue.

SAS Property Available:

The Trust holding the former SAS building for several years decided that it will put the property out for sale. The RE agent handling the property has promised that the Town will receive a copy of the information package. Terry Sortwell of LandVest, a company from Camden that handles Luxury Real Estate was retained by the company. It would be great to have this property on the market so that it could be used, rather than be vacant. The information is on the Town's website as well as distributed to a number of regional and state entities. Our DECD Governor's Account Representative came from Augusta to review the building's potential for future state inquiries and we met with Mr. Mulligan. The State does not receive a lot of inquiries due to the economy, however, we are definitely on the State's radar when requests come in, especially manufacturing, as the building has the potential to put 300-400 people back to work.

Terry Sortwell, RE listing agent has created a website category for the SAS property. It is very attractive, full of pictures and details and is now linked to the Town's website. I spoke with the Luxury Real Estate company several times about the fact that the Town wants to help them sell

this property. I have also found the information on several more internet sites. The Luxury Real Estate company is agreeable to a tour of the property. I suggested that we have one big tour and invite all those who perhaps could help spread the word about the site, local possible investors, group and committee members and the State of Maine. I thought March so that people would have time to commit, weather is better, less chance of it getting cancelled and there would be enough lead-time.

Certified Business Friendly Community Designation:

Pittsfield received word on 08/27/2012 that the Town had been designated one of the Business Friendly Communities by the Governor. The Town of Pittsfield is now 1 of 19 towns that have been recognized by the State of Maine as business friendly at that time. The Certified Business Friendly Community Program recognizes and promotes those communities that show a true commitment to business development.

Argo Marketing Group Open House:

Argo Marketing Group will hold its one (1) year anniversary on Friday, 02/01/2013. The Mayor was able to attend. It was a short and to the point ceremony and was very nice. Jason Levesque announced prior to the celebration that there will be 30 more hires at the Pittsfield call center, which was great news.

Report on Meetings & Events:

Listed below are Community and Economic Development meetings and events. All activities that do not have a location specified are at the Pittsfield Municipal Building.

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| 01/25/2013 | Recreation Trails Mapping – Quiet Recreation with HealthySV and Seabasticook Valley Chamber of Commerce Executive Director |
| 01/28/2013 | Planning Board Meeting Public Hearing on the Comprehensive Plan 2013 on Monday, 01/28/2013 at 7:00 pm |
| 01/29/2013 | Theatre Committee Regular Meeting on Tuesday, 01/29/2013 at 6:00 pm |
| 01/31/2013 | Ken-Som Transition Team Meeting on Thursday, 01/31/2013 at 9:00 am at the Kennebec Valley Council of Governments in Fairfield. at 10:00 am at the Skowhegan Community Center |
| 02/05/2013 | Finance Committee Meeting on Tuesday, 02/05/2013 at 5:45 pm |

Upcoming Meetings & Events:

- | | |
|------------|---|
| 02/06/2013 | Recycling Committee Regular Meeting on Wednesday, 02/06/2013 at 6:00 pm |
| 02/07/2013 | Seabasticook Valley Chamber of Commerce Strategic Planning Committee Meeting on Thursday, 02/07/2013 at 5:00 pm |
| 02/07/2013 | Seabasticook Valley Chamber of Commerce Board of Directors Meeting on Thursday, 02/07/2013 at 6:00 pm |
| 02/14/2013 | Seabasticook Valley Chamber of Commerce Annual Meeting on Thursday, 02/14/2013 from 5:00 pm – 8:30 pm in Dexter |

Many meetings are in the process of being scheduled for 2013. In addition, a number of subcommittee and group meetings are in progress.

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

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

Town Manager's Report: Town Council Meeting of 02/05/2013:

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

2. Bin Sale: PITTSFIELD RE-USE CELEBRATION: BACKYARD COMPOST BIN SALE: The sale is over with, however, people can still order a bin as we were under the maximums required for an order so we have a few more that will be available for each of the Earth Day products. To celebrate re-use in the community, the Town of Pittsfield is part of a statewide backyard composting bin sale. A home compost bin and how-to-guide with a combined retail value over \$100 can be purchased for only \$45.00 (tax included). The bin is black, has a 10 year warranty, and is made of 100% recycled plastic. It's approximately 35" high and 33" wide, or large enough for a family of five. The Town will also have the wing digger compost turner for a discounted price of \$17.00 and the Reotemp Backyard Compost Thermometer with a 20" stem for \$18.50.

It is estimated that 25% of the average household's waste consists of kitchen scraps and yard trimmings which can be easily composted. Pittsfield residents can save \$54.12 for every ton of waste they compost rather than placing the material in with their garbage that is shipped out of town for disposal.

Pittsfield's recycling rate for 2011 was 62%. Let's keep working at our recycling rate and boost it even more while helping our gardens grow!

3. Egg Festival Volunteers: Request for a Theme – The Central Maine Egg Festival is looking for good ideas – ideas for the theme for the 41st year. The deadline for the theme submittal is Friday, 02/08/2013. The next meeting of the Egg Festival Committee is Thursday, 02/14/2013. SVFCU – Pittsfield and Newport locations; Buds Shop N Save – Pittsfield and Newport locations; A.E. Robinsons; The Dog House; Bangor Savings Bank; and Pittsfield Town Office.

4. Maine Municipal Association Workshop: The Town will be the host of a regional workshop on Thursday, 04/11/2013 in the Town Council Chambers. Set-up is at 3:00 pm with Registration at 4:00 pm and the workshop on roles and responsibilities for elected officials and town managers/administrative assistants will be held from 4:30 pm to 8:30 pm with a break for dinner at 6:00 pm. This is a rare opportunity to have a workshop right in Town for the region with less travel distance for everyone. We recommended that Vittles cater the workshop.

5. Walking Maps & Promotion: HealthySV, the regional HealthyMaine partnership and the Seabasticook Valley Chamber of Commerce will be joining with the Town to work on walking maps for the area. This project will be utilized for physical exercise, tourism and to promote walks such as the 4/20 walk that we will hear about shortly focused on not using drugs.

6. Projected Impact from the Governor's Budget Proposal to balance the State Budget: Review details as known today.

7. Mid-Maine Chamber Monthly Newsletters – directly to Town Councilors in their e-mail in-box.

8. MMA Bulletin – directly to Town Councilors in their e-mail in-box

9. Activities Maine Guidebook – Town of Pittsfield, Egg Festival and Fly-In will be in the Summer edition.

Finance Committee: The Finance Committee met tonight, 02/05/2013, before the meeting with a member of TD Wealth. They advised the cemetery account is balanced and doing well for a conservatively invested fund.

Ordinance Committee: None.

Recycling Committee: None.

6. **NEW BUSINESS:**

ORDINANCE 13-01: (To be set to Public Hearing on 02/19/2013):

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

That the Town of Pittsfield Town Council hereby ordains the tax anticipation note borrowing for the fiscal year ending December 31, 2013 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, 2013 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 2013 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, 2013, out of money raised by taxation during the fiscal year ending December 31, 2013 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 2013 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 **Councilor Carr** and seconded by **Councilor Chale** that Ordinance 13-01 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 13-19: Resolved that the Town Council Authorize the Mayor to sign the Comprehensive Plan Submittal Form for the State of Maine.

Moved by **Councilor Chale** and seconded by **Councilor Cianchette** that Resolution 13-19 be adopted.

The Town Manager noted the Planning Board has been working on the Comprehensive Plan Update titled "Town of Pittsfield 2013 Comprehensive Plan" since early last year. After putting the technical consulting work out to bid, the low bidder was KVCOG. The Town worked with KVCOG to lower the cost of the proposal so that it would fit within the Town's means and the project began. Bi-monthly meetings were held (excepting July-August) and extensive efforts have been made for public input. The Town Council has received updates of the process as well as access to the Comprehensive Plan 2013 Draft on the Town's website and/or copies of the document.

After the Planning Board's public hearing Monday evening, 01/28/2013, the Planning Board voted to refer the plan to the Town Council for submittal to the State of Maine and to authorize the Planning Board Chair to sign the submittal form.

The Town consulted with the State of Maine Land Use Division of the Department of Conservation (former State Planning Office staff). It is recommended by the State and also by KVCOG that the Town submit the plan to the State of Maine after the Planning Board holds its public hearing. Under the Town's regulations, the planning board is required to prepare and update a comprehensive plan for the community. After the State of Maine reviews the plan and offers its revisions and/or suggestions, then it is recommended that the Town Council as legislative body, hold its public hearing.

Basically if the State requires changes, which nearly always happens, and the Town Council had already held its public hearing, the Council would have to go back and hold another public hearing on the Comprehensive Plan to formally make those changes.

The Councilors have a copy of the Town of Pittsfield 2013 Comprehensive Plan proposal.

Councilor Chale commended the Planning Board for their efforts and opening up discussion to the public.

VOTE: UNANIMOUS AYE

RESOLUTION 13-20: Resolved that the Town Council Approve the Request for Proposals for the Curbside Pickup of Recyclables and Authorize the Town Manager and Recycling/Transfer Station Coordinator to seek bids for same.

Moved by **Councilor Cianchette** and seconded by **Councilor Chale** that Resolution 13-20 be adopted.

The Town Manager noted Donnie Chute, Recycling/Transfer Station Coordinator was notified by the Town of Palmyra that their community will no longer pick up curbside recycling after 03/31/2013. The Town of Palmyra has been studying a single stream recycling program for over one year and will be discontinuing curbside pickup.

It is recommended that this service be put out to bid to determine if the Town can afford to provide curbside pickup in the future Donnie Chute is here tonight to answer any questions.

Mayor Jordan questioned single stream recycling. Donnie Chute explained single stream recycling. Donnie advised he personally viewed the process and realistically, much of the recycling gets sent to the dump with this process. Some places are doing this based on price but they don't see what happens to the materials after the pickup.

VOTE: UNANIMOUS AYE

RESOLUTION 13-21: Resolved that the Town Council sign the Arbor Day Proclamation supporting community-wide activities. National Arbor Day is the last Friday in April: Friday, April 26, 2013 and Maine's Arbor Day Week is the 3rd full week in May: Sunday, May 19 – Saturday, May 25, 2013.

Moved by **Councilor Cianchette** and seconded by **Councilor Curtis** that Resolution 13-21 be adopted.

The Town Manager noted this is Pittsfield's eighth Arbor Day Proclamation recommended by the Recycling Committee to the Town Council. A number of activities are being planned for this Spring. Attached is our proposed proclamation.

VOTE: UNANIMOUS AYE

RESOLUTION 13-22: Resolved that the Town Council Authorize the Town Manager to sign the following documents: (1) the Agency Agreement between the Pittsfield Historical Society and the Town of Pittsfield and (2) the Belvedere Fund Historic Preservation Grants Program Preservation Agreement for the Town-owned 1880's Historical Depot – the Pittsfield Railroad Station.

Moved by **Councilor Chale** and seconded by **Councilor Carr** that Resolution 13-22 be adopted.

The Town Manager noted the Town Council received a copy of the paperwork recently received by the Pittsfield Historical Society (PHS) for the Maine Community Foundation Belvedere Fund Historic Preservation Grant of \$11,000 which we received notification of in December 2012.

When I had contacted the Maine Community Foundation to ask about how the grant application should be filed as the building was town-owned, I was advised to have it filed under the Pittsfield Historical Society.

The Town Attorney has reviewed the paperwork received from the Maine Community Foundation and drafted the Agency Agreement to address this project. Further, the Town would also need to sign the Belvedere Fund Historic Preservation Grants Program Preservation Agreement as the Town is the actual owner of the property.

The Pittsfield Historical Society authorized its President to execute the Maine Community Foundation and Town documents at their meeting on January 17, 2013.

As with the other projects at the facility, the Town and PHS will continue to work together on this very important historic building.

VOTE: UNANIMOUS AYE

RESOLUTION 13-23: Resolved that the Town Council Appoint members to fill vacancies on the various Town Boards and Committees from the attached list.

Moved by **Councilor Carr** and seconded by **Councilor Curtis** that Resolution 13-23 be adopted.

The Town Manager noted Cathy Philbrick is interested in renewing her membership on the Economic Development Committee/Team and the Housing Rehabilitation Committee.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial Reports as of 12/31/2012:

Budget Expenditure Report
Revenue Collections Report
Tax Acquired Property Report
Economic Development Revolving Loan Update
Housing Revolving Loan Update
Transfer Station/Recycling Monthly Report
Theatre Monthly Report
Excise Tax Collections Comparison Report
State Revenue Sharing Comparison Report
Personal Property Tax Collection Report
Real Estate Property Tax Collection
Briefly Reviewed by Town Manager

Other Reports as of 12/31/2012:

Building and Plumbing Permit Reports
Library Report-Librarian's and Library Trustees Minutes
Police Report
Self Explanatory – Not Reviewed

Updates:

Water Projects Update: The State has not issued any SRP proposals yet as bonds have not been issued by the State due to the Governor's stance, however, at some point, funding will be opened up again. We should be thinking of the project/s we will want to apply for in the future to continue upgrading our old infrastructure. Grove Hill has many bands on it and there recently was another water break. Detroit Avenue has very small lines so that it does not have the capacity on it that industry on that line needs. It is also beneficial to have a second line coming in from the water wells as a backup or secondary route prior to getting into Town. These are 3 important projects. There may be other priorities to think about for the next set of applications.

Sewer Projects Update:

a. USDA Sewer Loan - Completed with Significant Savings Over Term. The Town is very fortunate as when we started this project in 2009, the interest rate was 4% and when the loan funding was expended for projects, the interest rate is now 2.5%. Due to having much less sludge to remove than the original engineers thought, the Town was able to bid out more Sewer projects. As the economy was distressed, bids were much lower than normal so that more projects could be undertaken. During the longer period of time due to having so many projects addressed, the interest rate decreased. With the decrease in interest rate, the final closing will have an interest rate of 2.5% for the USDA long-term loan. The Town will save \$443,555 in interest costs over the term of the loan than the original loan proposed. This is great news and has worked out exceptionally well for the Town.

The Town's annual loan payment is also much lower than originally projected by the agency in the beginning as the interest rate has decreased. The yearly payment will be \$97,622 down from \$112,917 which provides \$15,295 for another need. We are required to have the budget approved by the USDA so we can not reduce an upcoming budget.

b. Letter from Olver Associates – add project/area per USDA.

Tax Acquired Properties Update: The prior owners of the residential properties were contacted additional times. There are 5 TAPs with residential dwellings. 2 of the 5 have agreed to make payments or pay off the TAP entirely. 1 that had been making payments does not return calls, 1 promised to write down their proposal and has not and the remaining 1 has not contacted the Town.

For the commercial TAP, to make sure that everything was done properly over the years as there are many transfers, attachments and a difficult history, the history and applicable documents was sent to MMA for review. MMA took awhile to respond as they were backed up and the response was not really that helpful and recommended that we forward the material to the Town Attorney. The materials were all forwarded to the Town Attorney, who reviewed everything and indicated the process was correct. The bank never filed a deed to take over the property when the bank foreclosed so the Town was continuing to tax the former owners. Yesterday, the Town Attorney has advised to not make any changes and to not take possession, which we would not. The Town Attorney verified today that we can put conditions in the TAP Bid Process and we can put those covenants into the Quit Claim Deed.

If you would like to proceed forward, we will have 2 parcels of land, both off Route #2; a commercial property and perhaps a couple of residential properties.

Code Enforcement Update: The Town has some code safety and aesthetic property issues before it. I requested the Building Inspector to contact MMA to ask for advice on how to address the code safety issues as we have condemned properties or properties that should be condemned

that people state they are not there, but actually they are. 1 of the property situations has resolved itself as the individual resides elsewhere with family members and the dogs have been surrendered. The Sprague property in its condition is a large problem as the garage that is being lived in does not meet any codes and the outside is a disgrace. MMA recommended that the Town take 80K action, this is a process that the CEO can complete on his own by becoming certified. After some discussions, the CEO has agreed to become 80K certified and there is a training course coming up in June for this. In the meantime, the CEO is searching for another CEO in the vicinity who would agree to doing this for the Town. We would need to appoint that individual as an alternate and pay for their time. It would be less expensive than hiring the Town Attorney, who also suggested that it would be a better use of our funds to have the CEO apply 80K action. However, if this does not work, the Town Attorney would need to prosecute it for us and the Town would need to establish a budget.

Bid Policy Discussion: I would propose raising the cap on some of the processes, but not a lot. Based upon years of processing purchase orders and approving items, most items are not an emergency and can fit well under the bid policy. I would add an Emergency approval process as these items are happening more and more.

Digital Theatre Cinema Projection System Bid Results: Reviewed details.

School Budget Presentation Update: SAD#53 would like to meet with the Town Council much earlier in the budget process this year. Rather than presenting the budget that has already been approved by the Directors, the budget would be presented as it is being compiled and at a point where it can be revised. The School officials wanted to meet in March and that meeting has been tentatively set for 03/19/2013, the second Town Council Meeting of that month.

8. **REPORTS:** Audience, Council

Audience:

Ron Porter: I was not aware that the taxes weren't being paid all these years. This is my only livelihood. I would like to keep the property, or purchase it. The Town Manager explained the bid process for TAP established under the Town's regulations. The property must be put out to bid. The prior owner does have the right to come forward to reclaim the property. Several Town Councilors expressed support for Ron to be able to purchase the property and recommended that he work with the prior owners on this. The condition of the property was discussed and how neighbors have expressed concerns regarding the condition. Ron said he would like to purchase the garage and fix it up.

Council:

Councilor Donahue: No Report

Councilor Carr: Congrats to Louise. Thank you for stepping up to the plate for the committees. We need to work with Ron as much as we can so he can continue at the garage.

Councilor Chale: It is nice to see Louise. Congrats on the commendation. The event last night was wonderful.

Deputy Mayor Nichols: Absent

Councilor Curtis: I was bringing a new customer through town and he was really impressed with all the things we have in Town. He was impressed and interested in the Depot. It was a positive experience with a person new to the area. It is really nice we have these things in town.

Councilor Cianchette: Ron, we understand where you are coming from. We will do what we can to work with you. Thank you to the audience for showing up.

Mayor Jordan: The Planning Board did an excellent job on the Comprehensive Plan. Just to update everyone, interviews are being conducted the next few nights for the Superintendent of Schools. I will keep everyone updated on that. Louise, thank you for coming in. That was a well-deserved recognition. I hope you enjoy the Theater Committee. I echo Councilor Chale's comments on the meeting last night.

9. **ADJOURNMENT**

Motion by **Councilor Cianchette** and seconded by **Councilor Curtis** that the meeting be adjourned at 7:56 p.m. All in agreement.

Nicole Nickolan, Town Clerk