

MINUTES

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

PRESENT: COUNCILORS: Mayor Heather Donahue, Deputy Mayor Matt Bolster, Councilor Timothy Nichols, Councilor Amanda Collamore, Councilor Debra Billings, and Councilor Peter Logiodice.

Also present: Town Manager Kathryn Ruth

AUDIENCE: Steve Vance, Bernard Williams and Don Chute

1. Mayor Donahue 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 February 25, 2020

Moved by Councilor Nichols and seconded by Councilor Billings that the Minutes of the Special Meeting held on February 25, 2020 be adopted.

VOTE: UNANIMOUS AYE

ADOPTION OF MINUTES OF THE REGULAR MEETING HELD ON March 5, 2020

Moved by Deputy Mayor Bolster and seconded by Councilor Nichols that the Minutes of the Regular Meeting held on March 5, 2020 be adopted.

VOTE: UNANIMOUS AYE

3. PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:

A. Congratulations to the Pinnacle Park Skating Rink Revitalization Committee on a great Community Project: The Town Manager explained that certificates would be provided to the members of the committee to thank them for their dedication and hard work. Given the health crisis that is unfolding, the presentation was cancelled for this evening.

B. Community and Economic Development Activities and Events

The Town Manager advised that at this time, these are the events that are scheduled, only time will tell if the events will be able to take place given the health situation.

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.

Moved by Deputy Mayor Bolster and seconded by Councilor Nichols that Ordinance 20-01 be adopted.

The Public Hearing was opened by Mayor Donahue.

For: None

Against: None

The Public Hearing was closed by Mayor Donahue.

VOTE: UNANIMOUS AYE

5. REPORTS:

A. COUNCIL COMMITTEES:

It was noted that all committee meetings are cancelled (Finance, Ordinance and Recycling) until further notice.

FINANCE: None

ORDINANCE: None

RECYCLING: None

B. BOARD AND COMMITTEE UPDATES BY TOWN COUNCILORS AND MANAGER

There were no updates this evening.

C. TOWN MANAGER'S REPORT

The regular report was brief this evening so that there could be a discussion about the emergency health crisis that is unfolding.

- 1. Sidewalk Project:** Due to the issues with Connors Avenue and the planned work to the sidewalks in the area, the Town has hired an engineer to assist the Public Works Foreman. This review will address the handicap parking issue as well as to review this project due to the deterioration this winter with Connors Avenue. It is likely that we will phase in the project with the first project being the back parking lot sidewalks by the Municipal Building and the second project being the sidewalks along Connors Avenue and the handicap parking area out front.
- 2. Code Enforcement Legal:** One of the two property owners contacted by the Town Attorney as part of the legal code enforcement project has agreed to correct the violations at 139 Manson Street. There has been no word from the second property owner at 231 Somerset Avenue.
- 3. U.S. Census 2020:** Please make sure to fill out the U.S. Census Survey so that the Town's citizens will be counted as well as the State's population for federal funding and other funding sources.
- 4. Central Maine Egg Festival Theme:** The theme chosen for the 48th Annual Central Maine Egg Festival is "Harry Potter's World of "Egg"-Craft"
- 5. Emergency Health Situation Unfolding:** We decided to have the Council meeting this evening (Tuesday, March 17, 2020) with a limited number of people (1) to conduct important business on the agenda that is scheduled and (2) to discuss the future and how to address this emergency situation that we are in. We have experts on emergencies invited this evening. Bernard Williams, our long-time Fire Chief is the EMA Director and Don Chute, our Safety Coordinator is the Health Officer. This discussion is to get word out to the public.
We checked to make sure that no one is sick this evening by asking people. We have hand sanitizer available and gloves for those who will be touching the warrant. The room has been sanitized this evening.

The Town Manager read a list of the services that are currently taking place, changes that will be implemented and the web-based services that can take place as follows:

Town of Pittsfield Town Services Update as of 03/17/2020:

Greetings. The Town of Pittsfield has been monitoring the COVID-19 virus and its potential impact in our community. After serious consideration, we are making adjustments in the way Town services are provided. These will be evaluated on an ongoing basis and changes will be made as information and circumstances change. Our goal is to ensure the safety of our residents and our employees in the most responsible way possible. We apologize for the inconveniences that these measures will cause. It is important to avoid the need to shut down entirely through unintended exposure to the virus. We strongly encourage residents to practice social distancing to avoid potential contact but we also encourage everyone to call, e-mail and text your neighbors, friends, and family to avoid social isolation in the weeks to come.

A few updates on precautions and arrangements being made for the protection of all and to continue town services:

Pittsfield Community Theatre: The Theatre is closed until the end of the month and at that time, the situation will be re-evaluated. The Theatre Manager will work with the Town Manager on a quest to find operational funding and shore up the operations, revamp the building and help out where needed.

Pittsfield Public Library: The Library is closed and will remain closed until March 31, 2020. At that time, the situation will be re-evaluated. Staff will continue to work at the library and will be able to check materials out and leave them in the elevator lobby which is the handicapped entrance. This will begin on Wednesday, March 18, 2020. Library staff will call or email patrons when their materials are ready. They may also be able to deliver to those that are not able to leave their home. The staff is not certain if interlibrary loans will be available, but people can definitely be able to check out our materials. All materials entering and leaving the premises will be disinfected. Patrons can search for library materials at Minerva.maine.edu, and change the "All Minerva Locations" to "Pittsfield Public Library". Facebook Live story times will continue.

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Municipal Offices: The Town Offices are closed; however, staff are working to assist customers over the phone. We are making some structural changes as the building permits for when we re-open. This is in addition to our other precautions to be proactive to protect the public and our staff. Please use our available on-line services with a credit card or debit card. For many years we have assisted those who cannot get into the Town Office or should not be out in the population through the mail and e-mail for re-registrations. We have asked Public Works to build a drop box for the outside of the building that will be secure for payments that people can easily drop off when they would like. We will advise when it is ready. Please call 487-3136 to discuss your needs during the office hours of 8:00 am – 5:00 pm.

Recycling/Transfer Station: These services will continue as usual with protective gear warranted for dealing with garbage and limiting public contact.

Public Works, Water and Sewer. These services will continue as usual, limiting public contact. Questions can be answered by phone easily.

Public Safety: Police will be limiting public contact on items that can be answered on the phone, however, will be responding as usual to law enforcement calls requiring an officer. **Fire** will be responding to fire calls as usual. Additional protective gear may be warranted.

Day by day as the situation unfolds, revisions to services will be needed which may include the closure of more buildings. Our Town Emergency Management Director Bernard Williams and our Health Officer Don Chute are monitoring the situation closely.

MSAD #53 plan to implement a FREE Breakfast and Lunch program for all district students aged 18 and under who need it will begin on Thursday, March 19th. Details are available at their website at <http://www.msad.org>

If the Town Office staff go home, we have purchased laptops for the employees to put TRIO, files and our emails for work. Staff are compiling lists of work to do and planning how to do the work at home. There will be a log to account for our work completed during this period of time. We are putting a plan together, however, in case the Town Manager becomes ill, the basics would be completed as follows:

Warrants processed with bills and checks:	AP Financial Clerk; Deputy Treasurer as backup and Assistant as backup
Sign Checks	Deputy Treasurer has authority to do this
Payroll	Deputy Treasurer; AP Financial Clerk as backup
Purchase Orders	AP Financial Clerk; multiple staff can be backup
Vitals	Town Clerk; Assistant as backup
Updating computers	Assistant
Putting meetings together on-line	Assistant; Town Clerk as backup
Authorizing Large Expenditures	Fire Chief as EMA Director
Oversight of the Office & Town	Fire Chief as EMA Director; Safety Coordinator/ Health Officer as backup

There was a lengthy discussion with EMA Director Bernard Williams (Fire Chief) and Health Officer Don Chute (Safety Coordinator). EMA Director Williams spoke about the CDC guidelines; the Town's emergency regulations; how the State Legislature and many other entities were shutting down; and what can happen if this continues for awhile as people are buying up a number of commodities so we may run out of certain types of food and supplies. The EMA Director discussed the distribution of supplies as the hospital is first and police and fire second for items such as masks, gloves and sanitizer. They will be going out to check on the elderly and to see if anyone needs help. Health Officer Don Chute spoke of a two-prong approach in which people should stay at home if sick and then if they have been exposed to the virus, will be quarantined for 14 days. Supplies such as plates, napkins and tissues are already running out. He recommended that the staff not handle money any more. The Health Officer spoke about his telephone call

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with the CDC in which it is hoped that the curve will level out. The regular flu is serious and this is much more dangerous. Don noted that under an emergency situation and/or civil emergency that he had the right to send employees home if they were sick and wanted to verify with the Town Council if they would support this. All Councilors unanimously agreed that the Health Officer was authorized to do so. It was pointed out that Bernard as EMA Director was in charge of the Town under the Town's regulations and had the authority to authorize the necessary expenditures in case of an emergency as did the Town Manager under the bid policy.

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.

Moved by Deputy Mayor Bolster and seconded by Councilor Billings that Ordinance 20-02 be set to Public hearing on 04/07/2020.

Amended by Deputy Mayor Bolster, seconded by Councilor Billings to move the Public Hearing to 05/05/2020.

VOTE: UNANIMOUS AYE

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.

Moved by Deputy Mayor Bolster and seconded by Councilor Billings that Ordinance 20-03 be set to Public hearing on 04/07/2020.

Amended by Deputy Mayor Bolster, seconded by Councilor Billings to move the Public Hearing to 05/05/2020.

VOTE: UNANIMOUS AYE

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.

Moved by Councilor Nichols and seconded by Councilor Collamore to waive the rules and take Ordinances 20-04, 20-05, 20-06 and 20-07 in one vote.

VOTE: UNANIMOUS AYE

Moved by Councilor Nichols and seconded by Councilor Collamore that Ordinance 20-04 be set to Public hearing on 05/05/2020.

VOTE: UNANIMOUS AYE

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.

Moved by Deputy Mayor Bolster and seconded by Councilor Billings that Ordinance 20-08 be set to Public hearing on 05/05/2020.

VOTE: UNANIMOUS AYE

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 \$2720.22 based on an estimated interest at a rate of 3.22% over 3 years.

Moved by Councilor Collamore and seconded by Councilor Billings that Order 20-05 be adopted.

VOTE: UNANIMOUS AYE

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.

Moved by Councilor Collamore and seconded by Deputy Mayor Bolster that Resolution 20-38 be adopted.

VOTE: UNANIMOUS AYE

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.

Moved by Councilor Billings and seconded by Councilor Collamore that Resolution 20-39 be adopted.

VOTE: UNANIMOUS AYE

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.

Moved by Councilor Collamore and seconded by Deputy Mayor Bolster that Resolution 20-40 be adopted.

It was noted that the parade would take place if it could and if it is unsafe, it would not take place due to the health crisis that is unfolding.

VOTE: UNANIMOUS AYE

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

The Town Manager advised of the following:

Budget Expenditure Report: 16.7% of period; 13.1% of municipal; 11.8% municipal, water & sewer (depreciation and transfers done by Auditor so percentage will increase)
Revenue Collections Report: 16.7% of period; 12.1% municipal; 11.4% municipal, water & sewer
Excise Tax Collections Comparison Report: For this period, we are +\$39,986.12 ahead of 2019 collections at this period of time. For January, we were +\$36,841.94 ahead of 2019 collections at this time of the year. As you know, last year we -\$36,814.31 behind in excise tax in December 2019
State Revenue Sharing Comparison Report: For this period, +\$51,971.23 ahead of 2019 collections. This account needs to be watched closely in case it falls behind. It worked out well this year.
The remainder of the Reports are self-explanatory.

8. REPORTS:

Audience: None

Council:

Councilor Logiodice: No Report

Councilor Billings: Confirmed that May 05, 2020 is the next meeting.

Deputy Mayor Bolster: Thanked everyone for coming in to inform the Council about the coronavirus. Thanked Steve for getting the equipment added to the fleet so that the Summer of 2020 will be a productive one. Everyone needs to stay calm, wash hands and have level heads. Hopes that the summer is fun for everyone.

Mayor Donahue: The Tax Assessor needs to get the personal property tax forms out as they are due April 1. Thanked the staff for coming in. Reviewed advice that she had received from a medical professional regarding proper sanitation with hands. Indicated that she was sure that Kathryn and the staff are under considerable pressure upstairs to organize all of this and have been holding up well. She believes that we will come out the better on the other end of this.

Councilor Collamore: Street light is out on Library Street on the left by the corner. Thanked the Department Heads for the report at the meeting. All town staff and residents need to keep safe.

Councilor Nichols: Thanked the Department heads for the updates on the virus, it helps to take the fear away. Thanked the Town Manager and the staff for all the shuffling around to perform work, it is greatly appreciated. Noted these items are good equipment for the Town as there certainly is no lack of work. Indicated that he had Influenza B and was far past the contagious stage.

9. EXECUTIVE SESSION:

To discuss the duties of the Town Manager pursuant to 1 M.R.S.A. Sec. 405(6)(A) was not needed due to the earlier Emergency Management Discussion regarding backups for work.

10. ADJOURNMENT

Moved by Councilor Nichols and seconded by Councilor Billings to adjourn at 8:12 PM.

VOTE: UNANIMOUS AYE

Kathryn Ruth, Deputy Town Clerk

Michael Feole, Deputy Town Clerk

Minutes are a synopsis of a meeting. For more detail, please go to www.pittsfield.org and click on Town Meeting Videos to listen to videos of Town Council and other Board/Committee Meetings.