

MINUTES

for a regular meeting of the Pittsfield Town Council held on Tuesday, May 19, 2020 at 6:30 PM by teleconferencing technology due to the Governor's Proclamation of State of Civil Emergency for the ongoing COVID-19 pandemic.

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 on Zoom: Chris Pelletier.

1. Mayor Donahue opened the meeting by leading the Pledge of Allegiance.
2. The Council observed a Moment of Silence.

3. **ADOPTION OF MINUTES OF THE REGULAR MEETING HELD ON May 5, 2020.**

Moved by Deputy Mayor Bolster and seconded by Councilor Collamore that the Minutes of the regular meeting held on May 5, 2020 be adopted.

VOTE: UNANIMOUS AYE

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

A. Community and Economic Development Activities and Events

Outland Farm Brewery has opened at 113 N. Lancey St, Suites 6&7. We congratulate the Hollands as they have accomplished an amazing amount of work and also had to develop a curbside pickup business to sell their beverages.

Puritan Medical Products will be expanding to Pittsfield from Guilford to open in July 2020 in the former UTC/Edwards building. Congratulations to Cianbro for all of their hard work in outfitting the building and to Puritan Medical Products for all of their hard work with the expansion. We also thank the federal government for the funding provided to Puritan Medical Products to expand their capacity to manufacture swabs in the fight against COVID-19.

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

ORDINANCE 20-09: (Public Hearing) That the Town of Pittsfield Town Council hereby ordains the tax anticipation note borrowing for the fiscal year ending December 31, 2020 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, 2020 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 2020 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, 2020, out of money raised by taxation during the fiscal year ending December 31, 2020 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 2020 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.

Public Hearing opened by Mayor Donahue

For: None

Against: None

Public Hearing closed by Mayor Donahue

Moved by Councilor Nichols and seconded by Councilor Bolster to adopt Ordinance 20-09.

VOTE: UNANIMOUS AYE

5. REPORTS:

A. COUNCIL COMMITTEES:

FINANCE: No report. It was determined that the Finance Committee will be meeting with the two banks regarding the Town's investments for reserves and trusts on 6/11/2020.

ORDINANCE: Still waiting for the Planning Board to meet which is scheduled for 6/8/2020 at 7:00 pm.

RECYCLING: Would like to meet on 3rd Wednesday of June, depending on the pandemic.

B. BOARD AND COMMITTEE UPDATES BY TOWN COUNCILORS AND MANAGER: N/A due to the pandemic.

C. TOWN MANAGER'S REPORT

- 1-Thanks to all of the employees for their efforts during the current pandemic.
- 2- The Town Office had some of the glass installed and we are waiting for some of the partitions to come in before it can be completed for the June 1 opening.
- 3- The online service are up and running.
- 4- The Transfer Station will have the new fee system starting later this summer.
- 5- We have instituted social distancing procedures in the Committee meetings.
- 6- We continue to have businesses apply for alcohol and beverage licenses.
- 7- The capital Improvement Plan for the airport will be discussed in June.
- 8- The red house that burned in town on West Street will have the debris cleaned up and a foundation poured by the end of the month according to the owner who had to wait for the contactors to be able to work.

9- One of the two houses that had code violations is complying and the other is not, so we will be moving forward to put together the complaint for court. Courts are not open now due to the pandemic, however, we can get ready for when 80K violations are addressed.

10- It was determined that the Town needed to move forward with the GARD ID system at the airport in order to ensure future funding opportunities.

11- I contacted PCS – Specialty Contracting to set up the work for washing, sealing, repointing and repairing the Municipal Building and Fire Station. The contractor is looking at the projects in approximately 3 weeks to fit them into the schedule.

6. **NEW BUSINESS:**

ORDER 20-06: Ordered that the Town Council amend the Transfer Station/Recycling Center User Fee System effective 06/01/2020 revising the implementation date to 08/01/2020.

Moved by Councilor Collamore to amend the Order to add “and prorate the user fee for stickers to 50% for the year 2020”, seconded by Councilor Nichols.

VOTE: UNANIMOUS AYE

Moved by Councilor Collamore and seconded by Councilor Nichols to adopt Order 20-06 as amended.

VOTE: UNANIMOUS AYE

Moved by Councilor Billings to waive the rules and address Resolution 20-49 and then address Order 20-07, seconded by Councilor Nichols.

VOTE: UNANIMOUS AYE

RESOLUTION 20-49: Resolved that the Town Council reject all bids received for the Request for Proposals for the purchase of Two Trucks as the delay of at least two months or much more from the shutdown caused by the COVID-19 pandemic would be detrimental to the work program required in the Water/Sewer Departments and the Cemeteries.

Moved by Councilor Billings and seconded by Councilor Bolster to adopt Resolution 20-49.

VOTE: UNANIMOUS AYE

ORDER 20-07: 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 2020 Silverado 2500 (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 line item under the Water Enterprise Fund, and Debt Service 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 \$46,403.90 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 \$41,070.00.

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 \$41,070.00 and the total estimated lease interest is \$5,333.90 based on an estimated interest at a rate of 5.461% over 5 years.

Moved by Councilor Collamore and seconded by Councilor Bolster to adopt Order 20-07.

VOTE: UNANIMOUS AYE

RESOLUTION 20-50: Resolved that the Town Council accept the proposal of Varney Chevrolet of Pittsfield, Maine in an amount to not exceed \$41,070.00 for a 2020 Silverado 2500 Truck and authorize the Town Manager and Deputy Treasurer to Transfer and Expend \$4,640.39 from the Water Enterprise Fund Debt Service line and \$4,640.39 from the Sewer Enterprise Fund Debt Service line for such purchase.

Moved by Councilor Billings and seconded by Councilor Bolster to adopt Resolution 20-50.

VOTE: UNANIMOUS AYE

RESOLUTION 20-51: Resolved that the Town Council accept the proposal of Varney Chevrolet of Pittsfield, Maine in an amount to not exceed \$25,910.00 for a 2020 Silverado Regular Pickup Truck and authorize the Town Manager and Deputy Treasurer to Transfer and Expend from the Cemetery General Fund (G#7-121-00) at TD Wealth for such purchase, which shall only be used for the purpose of work for the cemeteries.

Moved by Councilor Billings and seconded by Councilor Bolster to adopt Resolution 20-51.

VOTE: UNANIMOUS AYE

RESOLUTION 20-52: Resolved that the Town Council waive the bid policy, Chapter 2, Administrative Code, Section 106, to accept the proposal from _____ of _____ for Roadside Mowing, Departments Mowing and Pittsfield Municipal Airport Mowing in an amount to not exceed \$_____ for Roadside Mowing; \$_____/hour for In-Town Mowing; \$_____ for Departments Mowing; and \$_____ for Pittsfield Municipal Airport Mowing; and authorize the Town Manager to execute the contracts for same.

Moved by Councilor Collamore to Table Resolution 20-52, seconded by Councilor Billings.

VOTE: UNANIMOUS AYE

RESOLUTION 20-53: Resolved that the Town Council authorize the Town Manager and Deputy Treasurer to issue a Request for Proposals for a Tax Anticipation Note to not exceed \$500,000.

Moved by Councilor Billings and seconded by Councilor Logiodice to adopt Resolution 20-53.

VOTE: UNANIMOUS AYE

RESOLUTION 20-54: Resolved that the Town Council accept the bid of First National Bank dated 4/29/2020 with an interest rate of 2.51% per annum for the financing of 2020 Paving of Public Roads and Capital Improvements in an amount to not exceed \$706,000.

Moved by Councilor Billings and seconded by Councilor Collamore to adopt Resolution 20-54.

VOTE: UNANIMOUS AYE

RESOLUTION 20-55: Resolved that the Town Council ratify the Agreement between the Town of Pittsfield and the Pittsfield Police Association Affiliated with the Maine Association of Police covering the period of 01/01/2020 through 12/31/2022.

Moved by Councilor Collamore and seconded by Councilor Billings to adopt Resolution 20-55.

VOTE: UNANIMOUS AYE

RESOLUTION 20-56: Resolved that the Town Council approve the liquor license for JW Parks Golf Course located at 382 Hartland Avenue, Pittsfield, ME 04967.

Moved by Councilor Collamore and seconded by Councilor Billings to adopt Resolution 20-56.

VOTE: UNANIMOUS AYE

RESOLUTION 20-57: Resolved that the Town Council authorize the Town Manager to file a 2020 Community Development Block Grant (CDBG) Economic Development Program Application for The Nancy House in the amount of \$50,000; to make such assurances on behalf of the Town as required as part of the application; upon acceptance of said funds to carry out the duties and responsibilities for implementing said program; and to sign all documents necessary for the grant as depicted in the Council Resolution.

The grant was withdrawn, therefore, a vote did not take place. With COVID-19, POPonOVERS was very busy addressing and revamping their Food and Beverage section and will not start the Lodging part of the business until next year. The business has successfully implemented on-line ordering which was very difficult and is doing well.

RESOLUTION 20-58: Resolved that the Town Council appoint members to the new Parks and Recreation Committee which combined the former Parks and Recreation Committee, Pinnacle Park Board and Swimming Pool Committee.

Moved by Councilor Collamore to Table Resolution 20-58, seconded by Councilor Nichols.

VOTE: UNANIMOUS AYE

7. DISCUSSION ITEMS:

- A. Department Reports for 04/30/2020
Accomplishments/Achievements

The reports are self-explanatory.

8. Audience:

None

Council:

Deputy Mayor Bolster: He said it is nice to see departments getting equipment from a local business.

Mayor Donahue: She said that she is glad to see Outland Farm Brewery has opened, online registrations are now available and masonry work will be taking place at the Municipal Building and Fire Station.

Councilor Collamore: She said that she is glad to have the Zoom information on Facebook and advised that a streetlight on Library St. by the Library stays on and does not shut off.

Councilor Nichols: He said that he is glad to see the vehicles coming from Varney Chevrolet, the old Edwards building is being used, that the Airport is getting more grant funding. He thanked the Town employees for all of their hard work during the pandemic. He is also glad to have the Police Department contract completed and wants to have the next Recycling meeting on the third Wednesday of June. He sends condolences to the Rollins family.

Councilor Logiodice: He asked about the Paving completion plan and update on the town video. The Town Manager plans to discuss the left over paving with the Public Works Employee as paving can take place shortly. The Town Manager advised that the Pittsfield Economic Expansion Corporation needs to have a meeting in June. She noted that the video should be able to be completed shortly with some of the restrictions being lifted.

Councilor Billings: I would like to respond to comments made by the Mayor at the last meeting on May 5th regarding Chief Bickmore. The majority of this council feels the remarks were inappropriate in this venue. The residents of Pittsfield must understand the council is legally bound by the Town Charter with regards to personnel. In the future, public statements in the council need to be appropriate to our work and leave the personnel issues where they belong, with the Town Manager.

10. **ADJOURNMENT**

Moved by Councilor Bolster and seconded by Councilor Billings to adjourn at 8:32 PM.

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.