

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, June 4, 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: Scott Noble, Donnie Hallenbeck, Chris Anthony, Donnie Chute, Steve Emery and others.

1. **Mayor 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 meeting held on May 21, 2013.

Moved by **Councilor Chale** and seconded by **Councilor Cianchette** that the minutes of the meeting held on May 21, 2013 be adopted.

VOTE: UNANIMOUS AYE

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

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's new store is well underway. AE Robinson plans to have the new store open in time for the 41st Egg Festival Celebration which begins Monday, 07/15/2013.

Rite Aid has completed its new make-over focused on health and it looks very nice. Rite Aid is holding an official Ribbon Cutting Ceremony on Thursday, 06/06/2013 at 10:00 – 10:30 am and would like Mayor and Town Councilors to attend if possible. If anyone can attend, it would be great.

SAS Property placed on the market by MTC Holdings, LTD of San Antonio, Texas and is offered by the LandVest, a Luxury Property Real Estate Company in Camden – The new website promoting the property is linked to the Town's website. The new literature has been distributed. Another review of the property took place. A meeting was held with the realtor and we have come to the conclusion that it would be best to approach the company on the feasibility of lease/purchase and leases for the space in the newer manufacturing location. It is ready to move in with the exception of work that would be needed to divide up the facility.

North Lancey Street Business Building placed on the market by Lancey Associates and is offered by Better Homes and Gardens Real Estate Town & Country.

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.

Dedication of the Glen H. Wheaton Projector Room on Friday, May 24, 2013 at 2:30 pm at the Pittsfield Community Theatre on Main Street

Theatre Committee Regular Meeting on Tuesday, May 28, 2013 at 6:00 pm

Upcoming Meetings:

FirstPark Marketing Committee Regular Meeting on Wednesday, June 05, 2013 at 2:00 pm in Oakland

Sebasticook Valley Chamber of Commerce Strategic Planning Committee Meeting on Thursday, June 06, 2013 at 3:30 pm at the Chamber Building in Palmyra

Sebasticook Valley Chamber of Commerce Board of Directors Meeting on Thursday, June 06, 2013 at 5:00 pm at the Chamber Building in Palmyra

Planning Board Regular Meeting on Monday, June 10, 2013 at 7:00 pm

HealthySV and SVCC Joint Planning Project GPS Training for Mapping on Thursday, June 13, 2013 from 3:30 pm – 5:00 pm at Manson Park

Egg Festival Committee Regular Meeting on Thursday, June 13, 2013 at 6:30 pm

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

ORDINANCE 13-09: (Public Hearing) The Town of Pittsfield hereby ordains to extend the Waverly Dam Lease Agreement originally dated July 7, 1983 and last amended on December 18, 1996 from July 6, 2013 to May 16, 2014 to line up the term of the Waverly Dam Lease Agreement to that of the Pioneer Dam Lease Agreement.

The Public Hearing was opened. Mayor Jordan, Jr. asked if there was anyone who wished to speak for Ordinance 13-09.

Chris Anthony: I have had these leases for 30 years. These leases were written with the assistance of Dwight Dogherty and Ken Cianchette from the Town of Pittsfield. The old leases have very low rates. Mr. Anthony provided the Town Councilors a handout for their review. In 2009, my revenue dropped dramatically, by approximately 80%. I have found a prospective buyer, but they want to know the terms and conditions of the new leases. Years ago, I had to raise a very large bond that favored CMP. The dams were supposed to be my retirement. The prospective buyers are interested in upgrading the sites. I have heard that I have not seemed forthcoming with information. I am willing to talk to anyone about the dams. The only information you do not have access to are my expenses.

The Town Manager noted that in the recent conversations with Mr. Anthony, he has agreed to provide documentation to the Town and we will disperse it to the Town Council for their review. Councilor Cianchette noted the difficulty in navigating the website Mr. Anthony suggested we

gather information from. The Town Manager relayed how FERC assisted in a review of the site and noted they could not locate any information on the dams. This was several years ago. Mr. Anthony promised to provide the information that had been requested over the years. The Town Manager noted there are still terms in the lease that need clarification, such as insurance amounts and extensions, but that the few items Chris had concerns with have been resolved. These are the two items that remained from their discussion prior to the meeting. Councilor Chale indicated that the lease language should be agreed upon as soon as possible. The Town Manager noted that the Town could set this to Public Hearing at their next regular meeting on 06/18/2013 and hold the Public Hearing on 07/09/2013. The Town Manager noted language could be proposed to put this into effect immediately so that this lease goes right into effect for Mr. Anthony as he wants this done as soon as possible.

There was no one who wished to speak against Ordinance 13-09. The Public Hearing was closed.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Chale** that Ordinance 13-07 be adopted.

The Town Manager noted at this point, we have two leases for two dams, which are managed by Chris Anthony. In order to decide on the future of the lease agreements, it would be prudent to extend the Waverly Dam Lease which expires this year to match up with the Pioneer Dam Lease which expires next year. This should provide sufficient time to decide upon the future of dam management.

Chris Anthony has confirmed that he is agreeable with the extension.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: Town Council Meeting of 06/04/2013:

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 EARTH DAY AND RE-USE CELEBRATION: BACKYARD COMPOST BIN SALE: To celebrate re-use in the community and Earth Day, 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 has 20 composters available for sale, each at \$45.00.

The Town also has 34 Wingdiggers: The wing digger compost turner is available for a discounted price of \$17.00 each; 8 Reotemp Backyard Compost Thermometer: has a 20" stem for \$18.50 each; 8 Rain Barrels: This is the SYSTEMN Rain Barrel with a 55 gallon capacity for the discounted price of \$56.50.

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%. The 2012 rates have not yet been announced by the State. Let's keep working at our recycling rate and boost it even more while helping our gardens grow!

3. Walking Maps & Promotion: HealthySV, the regional HealthyMaine partnership and the Seabasticook Valley Chamber of Commerce joined 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. The meeting was held in the Council Chambers on Tuesday, 04/23/2013 from 5:30 pm – 7:00 pm to discuss the trail map project and the Chamber's RRR promotional project and how all the towns can help. Councilor Chale attended. We had representatives from 5 towns and have picked up 2 more towns from separate individual meetings. There will be a GPS training on 05/23/2013 in the afternoon for those individuals who will be providing the details on the trails here in Town. If you know of a recreational enthusiastic who you believe would like to help the Town map these trails, please contact Kathryn Ruth, Town Manager at 487-3136.

4. Hooked on Fishing: Friday, June 07, 2013 is the Hooked on Fishing day for the 4th graders and Saturday, June 08, 2013 for the public session at Manson Park. READ Notice.

5. Art Show at the Library During Egg Festival: READ Notice

6. Somerset County Public Hearing on the Budget: READ Notice

Finance Committee: None.

Ordinance Committee: None.

Recycling Committee: None.

6. **NEW BUSINESS:**

ORDINANCE 13-10: (To be set to Public Hearing 06/18/2013) The Town of Pittsfield hereby ordains that the voting districts of the Town be adjusted according to the Report of the Pittsfield Districting Commission dated 04/29/2013, in accordance with the population figures as determined by the 2010 decennial Federal Census and as nearly as possible to the voter registration of the November 2012 Election.

Moved by **Councilor Cianchette** and seconded by **Councilor Chale** that Ordinance 13-10 be set to Public Hearing on 06/18/2013.

The Town Manager noted the review of the districts is required every 10 years and 2013 was the year of review. The Town Clerk reviewed the past materials, assembled a group of volunteers to review the materials, simplified the write-up into a common-sense review and has placed the item on the agenda this evening to set to public hearing.

VOTE: UNANIMOUS AYE

RESOLUTION 13-58: Resolved that the Town Council Approve the Request for Quotations for a new 4000 lb or 5000 lb forklift at the Pittsfield Transfer Station/Recycling Center and authorize the Town Manager and Recycling Coordinator to seek bids for the same.

Moved by **Councilor Cianchette** and seconded by **Councilor Chale** that Resolution 13-58 be adopted.

The Town Manager noted the Recycling Center is requesting to put out to bid the replacement of the current 1994 Clark GPI-25I 4000lb. forklift. The current forklift has become very tired and it has become a real problem to find replacement parts. It has been recommended by our forklift service company Hartford's two years ago that it is not cost effective to continue to fix the current machine. The cost of parts when they can be found are three times more expensive than that of current newer forklifts. We should have enough money set aside to replace this forklift with a new one with similar capacity that should serve the town for a minimum of 15-20 years.

Councilor Cianchette questioned if this purchase is in the budget. The Town Manager advised we have been setting money aside in the capital budget in anticipation of this replacement. Councilor Donahue questioned what happens with the old forklift. Donnie Chute said it would be bid out as used town equipment.

VOTE: UNANIMOUS AYE

RESOLUTION 13-59: Resolved that the Town Council accept the Proposal of Liquivision Technology of Klamath Falls, Oregon in an amount to not exceed \$ 4,561.00 for the In-Service Cleaning and Inspection of Potable Water Storage Reservoirs and Authorize the Town Manager to execute a contract for same.

Moved by **Councilor Cianchette** and seconded by **Councilor Chale** that Resolution 13-59 be adopted.

The Town Manager noted due to the size and statement contained in the proposals received, the actual bids were delivered to the Town Councilors. Three bids were received. The Request for Proposal form was included with each bid. Town Councilors also received a copy of the Bid Tally Sheet.

The Town needs to make sure that the water storage units remain in good working order with proper security and disinfection procedures utilized. Therefore, Olver Associates, an experienced water and sewer infrastructure firm, was hired to review the bids received. Enclosed in the package to be delivered to you is a copy of Olver Associates' recommendation and background reference check.

Annaleis has reviewed the pricing and confirmed that her review of the pricing is correct with the company, therefore, when the pricing is corrected, the low bidder is still the low bidder.

VOTE: UNANIMOUS AYE

RESOLUTION 13-60: Resolved that the Town Council approve the Request for Proposals for 2013 Asphalt Concrete Paving Parking Lot, L&W Conservation Fund Hathorn Park, Phase II, Project #23-00836 and Authorize the Town Manager and Public Works Foreman to seek bids for same.

Moved by **Councilor Cianchette** and seconded by **Councilor Curtis** that Resolution 13-60 be adopted.

The Town Manager noted the Town Councilors received a copy of the proposed bid package for paving part of the Hathorn Park Parking Lot. I reviewed the details the Public Works Foreman provided and determined that the words “4’ cut need to be removed from the bid specs. All other wording and formatting is correct. This is the Town’s standard contract.

This project is part of the Land & Water Conservation Fund Project at Hathorn Park for the revitalization of the facility.

The bid specifications have been forwarded to the State of Maine for approval prior to issuance. The bids would be due on Monday, 06/24/2013. If it takes awhile for the State to review such that we need to move the date back, I will do so.

VOTE: UNANIMOUS AYE

RESOLUTION 13-61: Resolved that the Town Council Set the Town Council Meeting Schedule for Summer 2013.

Moved by **Councilor Chale** and seconded by **Councilor Carr** that Resolution 13-61 be adopted.

The Town Manager noted traditionally during the Summer, the Town Council has scheduled one meeting per month.

It is recommended that the meetings be on the following dates:

Tuesday, July 09, 2013 (week before Egg Festival is concluded)

Tuesday, August 06, 2013 (approximately 1 month after the July meeting and 1 month before the September meeting)

Meetings would continue to be held at 6:30 pm as discussed at the last Council Meeting. With a meeting at 6:30 pm, the Finance Committee will need to be able to meet earlier, such as at 5:45 pm and the Ordinance Committee at 5:45 pm or 6:00 pm depending upon the complexity of items under consideration.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Updates:

Water Projects Update:

A lot of the problematic curb stops have been worked on by Water/Sewer. Water/Sewer are also replacing hydrants and some of those hydrants as they cannot be turned off, required a valve. With putting a valve in, the hydrant system will work better in the future and huge areas are not without water when there are issues.

Hydrants were scheduled for replacement beginning Monday, May 20, 2013, however, the weather this week has not been appropriate so we will work on them as the weather permits. Customers in the areas of Leonard Street, Detroit Street, Lincoln Street, West Street, Central Street, Hathorn Street, Dorothy Street and Waverly Street may experience a brief interruption in

water service. If there is discoloration upon return of service, please run your water for 10 minutes to allow time for any discoloration to clear up.

Sewer Projects Update:

Somerset Avenue: To advise commuters and remind people of the sewer project to commence on Somerset Avenue, an ad was placed in the Rolling Thunder. Letters were sent to the property owners by Olver Associates. The project began Monday, May 13, 2013. The work is underway now that the week of rain is over and Sargent Corporation is digging in two separate areas with two crews. Traffic seems to flow well when I go through the area.

School Street, Elm Street, Across Country: The first meeting was held with the low bidder T Buck Construction. A test pit has been dug in the Rail Trail area as required. This project will start up after the school year is over. An ad will be placed in the Rolling Thunder at the appropriate time to advise the public that the Rail Trail will be worked on and closed at times during the summer. This is a small project so it should not be too much of an inconvenience. We can also contact the ATV Club for the area, MCI, several companies that have employees walking and biking during their lunch hour and any others that we can think of to advise them that this area will be under construction this summer. T Buck then contacted the engineers requesting to start work on the School Street project in July after the Egg Festival rather than in June directly after school gets out. This is being requested for their own scheduling reasons, however, Olver noted an advantage if we have a regular July, it will be dryer in the wetlands area that is permitted. If it is wet, then we could get stuck at the end of the project, however, could require the School Street work to be completed first to get them off that street prior to school beginning. If they started the week after Egg Festival, they would be done unless there are weeks of rain. If there are no concerns, I will advise the Engineers that this is acceptable, however, they have to start July 22, 2013 and no later. The Town Council concurred.

Franklin Street and Alternates is being designed now. We have been advised by Olver Associates that the design was about two weeks out and then the USDA must review the design. Therefore, this project will be coming up in the future for approval by the Town Council. It will be the last project of the many sewer projects. Letters were sent to the individuals along Franklin Street before Olver Associates went into the field to design the project so that they would know what was taking place. The project is still in the design phase.

Main Street has had three separate sewer issues on three lines. There is no actual update on 2 of the 3 areas. The resident that had sewer back up into their cellar had the line dug by the Town and the work that was completed in 2008 looked fine and no issues. So we have given the video to Olver Associates to look at because we do not know why it backed up, but apparently was not because of any problem with the work that was completed by a private contractor as part of the 2008 Sewer Main Revitalization project. On the Main Street sewer line problem reported on at the last meeting, we sent the MDOT the permit application and fee to dig Main Street, to keep on the shoulder as best as we can. So this project awaits MDOT approval.

Highway:

Sweeping, clearing sand, filling potholes, cleaning culverts, and all summer work has started. The PW crew has been working on the Gazebo to stabilize it and dug a trench for the electrician as a new conduit was being placed for the new electrical hookup.

Cianbro staff has approached the Town to install a new drainage system on Dobson Street this summer so that it will address the storm water backup in a fast moving storm that happens between Dobson Street and the Cianbro Equipment Building. The water usually drains down, however, when this does happen it is a lot of water that cannot drain in the one storm drain. Cianbro has also engineered their yard so that all the water will then come out onto the Town's property and go through multiple storm drains into the river through the pipe that is there. Cianbro staff has asked that the Town purchase all the stormwater catchbasins and pipes, etc. which we have tallied to over \$18,000. While this is a very good project, it is one that we would need to budget for and place a line in the 2014 budget. Cianbro staff then noted that we should purchase the basins and pipe that would be in the Town ROW and this turned out to be around \$6,329.80. Cianbro Engineer Tom R. requested an answer now, as they need to keep momentum on the project going. I had recommended that we not spend or commit to funds until we know how much revenue will be lost by the Town and asked to wait until 06/19/2013. I have been requested to provide an answer tomorrow. Cianbro staff has noted that they can order the materials and then bill us when we get our finances in order from the State budget requirements. This item is not budgeted and if we knew about it, we could have budgeted for it, as it is a good project. The Town Councilors did not feel comfortable with the current state of affairs in Augusta and large proposed Municipal Revenue cuts to commit to this new project. The Councilors agreed it was a good project.

Biennial Budget Proposal & Status on proposed cuts:

At the last Council Meeting, we were advised by the Maine Service Center Coalition that the State budget discussions on the items proposed to be cut from the Town's revenue sources will start moving through the committees this week. The latest information was reviewed with the Town Councilors.

Pittsfield Recreational Trail (Rail Trail) Liability, Maintenance and Cost:

At the last meeting, I had noted that I have had some very initial discussion with several interested parties on the Rail Trail. The Town would be eligible for a grant opportunity through the Division of Parks and Public Lands under the Department of Agriculture, Conservation & Forestry for a 2014 Recreational Trails Funding Program. ATV Club and Snowmobile Club members are definitely interested and I advised to let their groups know that we will get together this summer to review the Rail Trail and decide on a course of action to propose.

Pittsfield Historical Depot Restoration:

The Architect has reviewed the foundation and believes that over the last year, there has been some real settling. Therefore, the building may need to be raised up, however, the analysis needs to be completed. I told the Architect to move forward with the plans on the actual work needed and we will bid it out. If it is above our budget, then we will find out. But we need to keep on proceeding forward and at the least, we will have up to date costs for the foundation work and at the best, we will have an acceptable bid. There should be a bid document and plans in the near future. We would need the plans and bid document anyway if we tried to obtain further grant funding.

Code Enforcement Update: Due to the rain, the clean up areas were delayed and need to be rescheduled.

Property Maintenance Ordinance/Regulations to prevent Junky Yards: The Planning Board started its first review of the regulation samples and the CEO needs to compile the information so that we can see what is going on and to start the materials through the Ordinance Committee so that we can make some progress.

Grants Update:

New Grants:

Airport Grants: Environmental Assessment (Engineering to prepare for Apron Expansion) – Still unable to submit bills so I will continue to work on this project. The FAA has a new software program that was so easy the last time, I was shocked to use it. So, it was not so easy this time!

Airport Grants: Engineering to Design the Apron Expansion – the grant application has been filed and sent by Fed Ex. We have been advised by the FAA that as our project cost is over budget, close but over budget that we need to divide up the apron and the additional paving between the hangers (including full depth excavation). The apron would be funded this year and we would submit the entire additional paving which includes that under the alternate to address the areas that need to be paved at the airport by the hangers for 2014. This would need to be added to the Town's CIP through discussions with the MDOT in July 2013. Cianbro Corporation was the low bidder and I was just advised that Cianbro has agreed to this plan of action and would agree to have their bid lowered by the unit costs involved to be just the apron this year and hold their pricing for next year for the additional paving. So this is very fortunate.

Airport Consultant interviews are on Monday, June 10, 2013 so I will be putting together sample questions for the interviewers. The interviewers would also have their own questions.

Belvedere Fund for Historic Preservation – This funding is for the siding project and needs to be completed this year.

Davis Family Foundation – The scope and bid specs for the foundation work have started.

HealthySV Grant: Healthy Communities – Exercise is Fun Program for Children – outside skating event was held at MCI for families and children to promote physical exercise. The Recreation Director is talking with and passing out copies of the Healthy Exercise information to the students at events.

HealthySV: Healthy Communities – Proactive Student Presentations – The police need to get back into the school to address more classes and have asked to be able to speak to the students.

L&W Conservation Fund: Hathorn Park Legge's Field & Sports Complex, Phase II – Bid specs are on the agenda this evening for the paving. The shingles have been purchased. The project may have some painting completed as part of the MCI Community Service Day. Other projects will be scheduled which need to be completed around the activities at the park.

National Heritage Railroad Grant – closed out with payment to the construction company for the roofing project. The final report was completed.

Rural Engineering & community Assistance Grant Opportunities – information was collected by the company and inputted onto the EPA website.

CDBG Historical Preservation – GOOD NEWS this afternoon – some funding will be available and grant applications are available. The Town Manager read an excerpt from the letter.

8. **REPORTS:** Audience, Council

Audience:

Donnie Chute: I want to make the Council aware of a situation. We are having a problem on Middle Street with rats. We are not sure if the issue is at the Woolen Mill, behind the Chinese restaurant or the burned out home. Scott Noble, who also lives on Middle Street, is having an issue in his garage. We saw a few a month or so ago but they are now running down the street and have been seen in the Municipal parking lot. The Town Manager advised we will have the Code Enforcement Officer and Health Inspector immediately look into the situation and come up with a resolution.

Council:

Councilor Donahue: I am glad Mr. Anthony was able to come in and things are moving forward.

Councilor Carr: Wanted to remind everyone about the Hooked on Fishing Event. We could really use volunteers to help with the kids.

Councilor Chale: I appreciate Mr. Anthony coming in. I want to remind everyone to get out and vote on June 11th.

Deputy Mayor Nichols: Absent.

Councilor Curtis: No Report.

Councilor Cianchette: I want to thank Scott and Donnie for coming in. I also want to thank Mr. Anthony for coming in and providing us some information. Whoever had the idea to put money away for the forklift – Thank you.

Mayor Jordan: No Report.

9. **ADJOURNMENT**

Motion by **Councilor Carr** and seconded by **Councilor Cianchette** that the meeting be adjourned at 7:55 p.m. All in agreement.

Nicole Nickolan, Town Clerk