

# MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, August 14, 2012 at 6:30 pm in the Council Chambers.

**PRESENT: COUNCILORS:** Mayor Tim Nichols, Bob Stackhouse, Caleb Curtis, Deputy Mayor Gary Jordan, Jr., Donna Chale, Christopher Carr and Louise Baker. **ABSENT:** None. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Don Hallenbeck, Harold Goodridge, Gary Jordan, Sr., Chick Ciciotte, Ellen Najpauer, Scott Noble and others.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**. The Council observed a moment of silence.
2. Adoption of minutes of the regular meeting held on July 24, 2012.

Moved by **Councilor Stackhouse** and seconded by **Councilor Carr** that the minutes of the regular meeting held on July 24, 2012 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:*

The American Legion is coming back in Pittsfield stronger than ever. Harold Goodridge, Gary Jordan, Sr. and Chick Ciciotte are here this evening in the audience. The Legion is planning some community activities in September. September is also American Legion month with September 16 being American Legion Day. Celebrating American Legion Month would take place through a Council Proclamation by the Mayor. The Councilors have received a copy of the proclamation and if you are pleased with it, we can proceed forward with having the Mayor so proclaim September as American Legion Month.

**Chick Ciciotte:** I want to thank Kathryn Ruth and the members of the Town Council. Due to a lack of participation, we gave up the charter. We came back to get it started back up. We started with 40 members we are now up to 60 members. We have younger veterans who are joining us now. We will be holding a remembrance day down at Hathorn Park on September 11, 2012. We will be celebrating Police, Fire, EMT. Blue star banners will be presented to families of those serving. Each war there seemed to be less and less of these banners. By the time the Vietnam War arrived, there were almost none. The American Legion saw an opportunity in 2001 to bring this tradition back. We will honor local veterans. We will say thank you for serving our country.

Mayor Nichols wanted to thank the American Legion members for their service and remind everyone that Freedom is not Free.

We would like to introduce Ellen Najpauer who is the Town's new Administrative Assistant to the Town Manager. Ellen will be very involved with all of our grants, which have been plentiful

and work in the area of community and economic development. There are a lot of interesting projects taking place, some of which are on the agenda this evening in these areas.

SAS Property placed on the market by MTC Holdings, LTD of San Antonio, Texas:

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 today 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 wanted to get 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.

Save Our Historic Depot Campaign:

Everyone can help our Save the Depot fundraising campaign.

This historic 1880's building needs to be preserved and/or restored.

As a historic building on the Historic Register of National Buildings, the Town must follow historic preservation requirements and standards. As such, the project would cost more than if a resident or business fixed up their building.

Phase I consists of the roof replacement and the masonry reconstruction and pointing, a total of \$47,265.00.

Phase II consists of removing the old siding with lead based paint and installing cedar clapboard siding and trim, a total of \$39,425.00

Phase III includes the windows restoration; replacement doors; and insulation, a total of \$24174.00.

We would plan to complete Phase I first, if at all possible, then head to Phase II and so forth. The estimates are based upon the cost schedules from an architect with historic preservation background, Ames & Associates of Bangor. It is possible, that we may be able to have work completed for less.

Business Resources Night:

On Tuesday, 09/25/2012 from 6:00 pm – 8:15 pm at the Warsaw Middle School Gym & Cafeteria, a Business Resource Night will be held for businesses to meet with resource providers to obtain information; network with other businesses; and promote their business services/products.

Report on Meetings & Events:

Regional Economic Development meeting with the State DECD Governor's Account Executive/s on 07/17/2012 in Fairfield: A meeting was held of interested town officials with the Account Executives to explain the new economic development program. Our Governor's Account Executive Brian Mulligan was present along with the Senior Account Executive Ronald McKinnon.

Sebasticook Valley Chamber Ambassadors Meeting with the State DECD Governor's Account Executive on 07/20/2012: The Chamber's Governor's Account Executive Jaime Logan was present to meet with the directors to talk about the new program from the State.

Upcoming Meetings & Events:

Argo Marketing Group's Open House on Wednesday, 08/15/2012 from 4:00 pm – 6:00 pm. Jason Levesque and the members of the management team will be present at the Somerset Plaza location.

4. **PUBLIC HEARINGS/OLD BUSINESS: NONE**
5. **REPORTS: TOWN MANAGER, FINANCE, ORDINANCE & RECYCLING COMMITTEES:**

**Town Manager's Report: Town Council Meeting of 08/14/2012:**

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

2. Pittsfield 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.

3. 2012 Tax Bills Issued: The Tax Assessor has set the mil rate for 2012 at \$18.50/\$1,000 valuation. For the last two years, the rate was \$17.90/\$1,000 valuation. This is an increase of .60 of a mil or 3.35%.

On a property with a \$100,000 valuation, this would be an increase of \$60.00.

Two items affected the mil rate resulting in an increase:

1. The School Budget funding cutbacks caught up with the budget and there was a larger than usual increase to offset the situation; and
2. Personal property valuation decreased under the state law. There was no offsetting revenue from any large increases in personal property.

In conclusion, the school budget increased, county increased a small amount and the Town portion did not increase.

4. Library News: Read notice.

5. Nomination Papers Available: Read notice

**Finance Committee:** None.

**Ordinance Committee:** None.

**Recycling Committee:** None.

6. **NEW BUSINESS:**

**RESOLUTION 12-112:** Resolved that the Town Council sign a letter to Pan Am Railways requesting rehabilitation of the Main Street Crossing #365243L by 10/31/2012.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Curtis** that Resolution 12-112 be tabled.

The Town Manager noted the Town has been in contact with Pan Am Railways officials in several offices regarding the Main Street Crossing. After meetings and discussions with a number of Pan Am Railway officials, the railroad requisitioned its grinding machine in 2011 and the Main Street Crossing pavement was milled. For several months, the crossing was much better, however, after the Spring Thaw in 2012, the crossing reverted to its usual bumpy self.

The Town had proposed a joint effort, as we did in 2004 when the Detroit Avenue railroad crossing that was hardly passable, was fully reconstructed. We offered this arrangement last year and again this year.

Since we have heard back from Pan Am and have proposed a meeting, the letter can be tabled while we work on a plan.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 12-113:** Resolved that the Town Council approve the payment of the monthly disbursements in the amount of \$209,160.58 (July 2012) and \$209,160.57 (August 2012 – June 2013) to SAD #53 for its fiscal year beginning July 1, 2012 and ending June 30, 2013, for a fiscal year total of \$2,509,926.85, which represents the Town of Pittsfield's share of SAD #53's local appropriation funds.

Moved by **Councilor Stackhouse** and seconded by **Councilor Carr** that Resolution 12-113 be adopted.

The Town Manager noted each year the Town has approved the payment of the SAD #53 assessment and the weekly payrolls in accordance with the warrant system. The Council had processed the warrant approvals back in January of 2012. The Town Council has already approved the payments made to date. These are the other two motions that are approved after the SAD #53 assessment is set by the school.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 12-114:** Resolved that the Town Council approve the payment of weekly payroll checks in accordance with the following accounts: Personnel Services (01-05 Regular; 01-10 Overtime; 01-15 Part-time; 01-20 Supply Operation, 01-25 Supply Maintenance, 01-30 Distribution Maintenance, 01-35 Customer Accounts; and 01-40 FICA).

Moved by **Councilor Chale** and seconded by **Councilor Stackhouse** that Resolution 12-114 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 12-115:** Resolved that the Town Council authorize the Treasurer and Deputy Treasurer to write off uncollectible Personal Property taxes for the years of 1998 – 2010.

Moved by **Councilor Stackhouse** and seconded by **Councilor Curtis** that Resolution 12-115 be adopted.

The Town Manager noted the Town staff has spent many years pursuing personal property tax collections to collect extensive taxes that were due.

In 2007, the Council approved a procedure to allow property owners with taxes due that year and prior years to pay up without interest by a certain date in order to collect a large portion of the taxes due.

Tax Commitments for Personal Property during the affected years totals \$8,147,790.28  
Generally 1% of the year's commitment has been uncollectible.

A few of the bills were issued after the company left, however, did not file its canvassing form with the Tax Assessor so the bills should not have been issued. A majority of the taxes due are for companies that are long gone as they left the State without a forwarding address and can not be located through the internet or other means; went through bankruptcy; were foreclosed upon by the bank they owed a mortgage to; or were dissolved.

By leaving the personal property tax accounts on the books, we have collected funds that might not have otherwise been collected by being persistent. These accounts, however, have been uncollectible. If you do know where a company or individual named is located and the party has not gone through bankruptcy or foreclosure, please let me know and we can delete that individual or company from this resolution.

The personal property tax accounts were also left on the books so it would be clear that we would only write off truly uncollectible accounts.

There are a few more outstanding personal property tax accounts that we are still working on as the people are either here in Town and/or making some payment or we have a lead on where the company re-located and/or the name of the company that purchased the assets.

The amount deemed uncollectible is \$20,711.76 in taxes plus \$18,703.79 in interest for a total of \$39,266.15. This is the first time in over 10 years that the Town Council has written off taxes.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 12-116:** Resolved that the Town Council approve the Request for Proposals for removal of trees and stumps and authorize the Town Manager and Public Works Foreman to seek bids for same.

Moved by **Councilor Chale** and seconded by **Councilor Carr** that Resolution 12-116 be adopted.

The Town Manager noted in 2008 the Town put out tree cutting to receive very good pricing. In 2009, the Town could not afford this work as we were on a budget freeze. As our 2010 Power Line Trimming work came in with such excellent pricing, the Town put out a bid for tree

removal in 2010 and received excellent pricing. In 2011, the pricing was again excellent and we were able to address a number of tree issues.

We are in hopes that pricing will be competitive this year also. We have a number of tree requests that have been called in and Highway has reviewed those requests within the scope of the Tree Inventory and current condition. A few tree issues have been of a nature that Public Works can address them. The trees that are included in the Bid are all trees that involve electrical and/or cable wiring, are too close to homes or other improvements for public works to take down or are too large for removal. Therefore, a professional tree company is required.

The Town's usual procedure in determining which trees will be placed on the list includes the following: The Town utilizes the Project Canopy Street Tree Inventory to determine the remainder of the trees proposed for cutting and trimming each year. Category #1 trees on the Street Tree Inventory are to be cut or trimmed first. As there are so many trees in Category #1, the PW Foreman reviews the list and trees along the roads to choose a number of candidates. In addition, the Town also includes those trees that have been found by the Town or called in by residents, which have seriously deteriorated. The fast moving wind storm that we had last month resulted in a number of tree issues which Public Works was able to either cut themselves or reflected those trees that lost significant branches, so we had more candidates for the cutting list.

All trees to be cut also include grinding of the stump. There are also a few stumps as either the Town cut trees up that came down or needed to come down during the last year or residents chose to cut the trees on their own and have called in the stumps for removal. Those stumps have been added to this bid document. A few more trees and stumps were added to the bid.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 12-117:** Resolved that the Town Council approve the National Railway Historical Society Grant for the preservation and restoration of the Pittsfield Railroad Station (Historical Depot) and accept the National Railway Historical Society Grant Award in the amount of \$3,300.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Resolution 12-117 be adopted.

The Town Manager noted as discussed at prior meetings, the Town applied for and was awarded a \$3,300 National Railway Historical Society Grant for funding toward the purchase of the shingles for the new roof for the 1880's railroad station.

With the receipt of this funding, the Town and the Pittsfield Historical Society are coming very close to bidding out the project. It is planned that bid specifications for the roofing project will be approved at the next Town Council Meeting.

We need to continue to fundraise to build up funds for this project and the remainder of the work in Phase I, which includes foundation structural repairs.

The roof is the most important project to be completed at the depot in order to save the structure.

There were only 21 grants awarded by the National Railway Historical Society across the nation, so the Town of Pittsfield was indeed fortunate! This was wonderful news!

**VOTE: UNANIMOUS AYE**

**RESOLUTION 12-118:** Resolved that the Town Council authorize the Town Manager and Assistant Water & Sewer Superintendent to issue the Request for Quotations for the installation of 3” minus riprap at the Pittsfield Wastewater Treatment Plant where an area has started to erode.

Moved by **Councilor Stackhouse** and seconded by **Councilor Chale** that Resolution 12-118 be adopted.

The Town Manager noted this is an important project at the Wastewater Treatment Plant and is expected to be over the bid amount so we have brought it into the Council Meeting for review and consideration. The Assistant Water/Sewer Superintendent is here this evening to answer any questions.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 12-119:** Resolved that the Town Council approve a lunch wagon license application for Salty’s Dog House of 18 Garcelon Road Burnham, ME 04967.

Moved by **Councilor Stackhouse** and seconded by **Councilor Chale** that Resolution 12-119 be adopted.

The Town Manager noted the owner of the lunch wagon has permission from the Seabasticook Valley Credit Union to locate this business on their property.

**VOTE: UNANIMOUS AYE**

7. **DISCUSSION ITEMS:**

**Financial Reports as of 07/31/2012:**

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 07/31/2012:**

Building and Plumbing Permit Reports  
Library Report-Librarian’s and Library Trustees Minutes  
Police Report

**Self-Explanatory – Not Reviewed**

## Updates:

### 1. **Community Development Update:**

**Junky Yard Cleanup Project:** There are 39 target properties with junk collections or unkempt yards that look like hayfields. We would never contact anyone who hadn't mowed their grass for a couple of weeks, but rather have contacted those property owners who have not mowed yet this year. There has been progress at 26 sites with 13 sites having no response, bank sent people to the wrong site to fix items, or letters were just sent out as of 07/24/2012. Now, we have a response or action at 32 properties with 7 properties that have not been addressed to some degree. Many of the non-respondents are the foreclosed properties owned or in the process of being owned by banks.

Sprague property – There was clean-up; site is still in disorder, a permit for the house/garage was obtained and the house was moved so that it does meet the side setback now. More junk appeared out front and the property owner was instructed to remove it from the town right of way and to neaten his lot. The concrete pad that is now outside the dimensions of the house needs to be broken up and removed.

2. **Fireworks Concerns and Review of State Law:** The Police Chief contacted people who had expressed concerns about what transpired around the 4<sup>th</sup> of July. The Police Chief recommends that anyone with questions or concerns on the new fireworks regulations who has concerns in their neighborhood to contact him. It seems we need to obtain a write-up on the new law for citizens which is easy to understand. A copy of the law would be too detailed. At some point, the State will have some handouts. We may want to put some information on the website or in a handout such as do not set off fireworks from the parks. It has been quiet since the 4<sup>th</sup> of July with the exception of around the Egg Festival and one night last weekend.

### 3. **Water and Sewer Updates:**

**USDA Sewer Project:** We just received the last pay requisition for the Sewer Projects on Nichols, Cianchette and Livingston Streets. The plan and plan book is available in the Town Office for anyone interested in looking at the Somerset Avenue sewer rehabilitation project. The project was advertised in the newspaper by Olver Associates last weekend, although I have not located an on-line version of the notice as of yet.

**DWSRF Waverly Street Project Update:** The last pay requisition has been received.

**Summer Water Improvements Update:** Haley Construction is scheduled to replace the School Street water hydrant, which is beyond the capacity of the town crew with their equipment. The last water hydrant on Somerset Avenue will be replaced by Haley Construction due to its location.

**Summer Sewer Improvements Update:** The Wastewater Treatment Plant Lagoon Road Maintenance was on the agenda for approval of the RFP. The Assistant Water/Sewer Superintendent is working on bid specifications for putting the McCarty Road repairs out to bid. The road has been seriously deteriorated for years. Before we get too far into this process, we will review the road status.

## **Grants Update:**

### **New Grants:**

**Airport Grants: Stormwater, Security and FAA Review** – the close-out has been processed.

**Airport Grants: Environmental Assessment (Engineering to prepare for Apron Expansion)** – the DEP Permit package for the project has been completed and was forwarded to DEP. The Town received the Stormwater PBR Application approval to expand the aircraft apron over existing landscape and pavement area. The Engineers were asked for clarification on where we are in the process.

**Engineering for the Apron Expansion** – The grant was received and processed and the contract for engineering services was just received. Both the grant and contract were previously approved by the Town Council.

**CDBG/Economic Development Grant: Argo Marketing Group.** – DECD has verified by letter that the Town and Argo have met the job creation requirements of the grant.

**HealthySV: Healthy Communities – Exercise is Fun Class** – approved and we received the grant funding.

**HealthySV: Healthy Communities – Proactive Student Presentations** – approved and we received the grant funding.

**HealthySV Grant for Tobacco Free Signage** – signs were received and are posted where the Drug Free Zone signs are authorized and a few other locations.

**Jump Start Our Youth (JOY through JMG) Recreation Department** – received \$500.00

**Kiwanis Mini-Grants for Programming & Sponsorship for children** – Rec is planning activities for the \$1000.00 received last year when the Town Manager spoke to Kiwanis and the \$1000.00 received this year when our Recreation Director spoke with Kiwanis - \$500.00 for new programming and \$500.00 for a sponsorship program.

**L&W Conservation Fund: Hathorn Park Legge's Field & Sports Complex, Phase II** – contract for the L&W grant was received and the project needs to be scheduled.

**Library Mini-Grants (Cornerstone of Science and Gates for computers)** – multi-year projects that are on-going

**National Heritage Railroad Grant** – The Town was notified of our award for a national grant for restoration and rehabilitation of the Railroad Depot Roof in the amount of \$3,300. This item was on the agenda for this evening.

**Project Canopy: Town Farm Forest Management Plan** – the RFP was issued for a management plan and aerial photograph and a bid approved at the last Council Meeting. The bidder was contacted and advised of the approval. The contract was written and provided to the bidder for review and signature.

**Safety Grant** – just approved for permanent cabinet first aid kits for each department. The kits have just been purchased and now will be installed.

**United Way/Keeping Mid-Maine Warm Grant** – if anyone knows of a senior citizen who could use assistance with a furnace cleaning, we have enough funding remaining for one cleaning.

**New Grant Applications:**

**Quality Community Transportation Enhancement and/or Safe Routes to School** – grant has been completed and will be delivered to MDOT on Wednesday, 07/25/2012. There is massive competition.

**Davis Family Foundation** – A grant application was quickly turned around to get into the Maine Foundation office by the due date. The grant request was for \$20,040 in funding to complete Phase I work at the Depot, which would include funding for the roof replacement with structural work and the foundation re-pointing and repair.

8. **REPORTS:** Audience, Council

**Audience:**

**Don Hallenbeck:** It is very appropriate that the Veterans are having their ceremony at Hathorn Park. The GAR Veterans donated to Hathorn Park to help build the facilities. I want to say thank you to the National Railway Historical Society for the grant. I also wanted to note the passing of Bill Varney. He was a very nice gentleman and he will be missed.

**Council:**

**Councilor Baker:** No Report

**Councilor Carr:** Welcome to Ellen. Thanks for staying for the whole meeting.

**Donna Chale:** Welcome to Ellen. It is nice to have someone with great experience. I am happy to see the funds coming through for the Depot. I recently visited the jail, and was told that they would be happy to provide tours. If anyone is interested let me know.

**Deputy Mayor Jordan:** I want to welcome Ellen. I am excited about her grant writing experience and the knowledge she brings from past job experiences. She will be a great asset to the Town. I see in the news Pan Am is taking some heat regarding the conditions of private crossings. It will be interesting to see what they propose.

**Councilor Curtis:** I want to welcome Ellen to Town. Councilor Curtis wanted to mention that the mowing contractor is doing a great job. They really do go above and beyond.

**Councilor Stackhouse:** Ellen, welcome to Town. I want to thank the veterans for their service and also for their speech. I wanted to mention that I have seen the cruiser around quite a bit. I appreciate them getting people to slow down on Somerset Avenue. Kathryn Ruth and the staff are doing a great job, keep it up.

**Mayor Nichols:** I want to welcome Ellen to Town. Thank you to Scott for coming in. I was sorry to hear about Bill Varney. He has always been very active in a volunteer capacity. His

presence not being around will be felt. I also wanted to note that Logan Bickford passed away. I was very sorry to hear of his passing. I was glad to see the veterans tonight. I hope to see that there is someone in SAS soon. It's a great facility.

9. **ADJOURNMENT**

Motion by **Councilor Stackhouse** and seconded by **Councilor Curtis** that the meeting be adjourned at 7:42 p.m. All in agreement.

---

Nicole Nickolan, Town Clerk