

# MINUTES

for a regular meeting of the Pittsfield Town Council, held on Tuesday, August 13, 2019 at 6:30 PM in the Council Chambers.

**PRESENT: COUNCILORS:** Mayor Timothy P. Nichols, Deputy Mayor Heather Donahue, Councilor Matt Bolster, Councilor Howard Margolskee, Councilor Caleb Curtis, Councilor Robert Stackhouse and Councilor Debra Billings.

Also present: Town Manager Kathryn Ruth, Assistant to the Town Manager Michael Feole

**AUDIENCE:** Bill Hall, Joe Sanborn, Steve Vance, Michael Gray, Amanda Collamore, Pete Logiodice, Jaime Jensen, Devon Varney, Dave Whitman, Ron Watson, Jan Laux, Michael Cray, Ann Mathews, Amber Quint, Michael Leblanc and Don Chute.

1. Mayor Nichols 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 July 16, 2019.

Moved by Deputy Mayor Donahue and seconded by Councilor Stackhouse that the minutes of the meeting held on July 16, 2019 be adopted.

**VOTE: UNANIMOUS AYE**

Adoption of minutes of the special meeting held on July 15, 2019.

Moved by Councilor Billings and seconded by Councilor Curtis that the minutes of the special meeting held on June 15, 2019 be adopted.

**VOTE: UNANIMOUS AYE**

Adoption of minutes of the Workshop held on July 23, 2019.

Moved by Deputy Mayor Donahue and seconded by Councilor Margolskee that the minutes of the workshop held on July 23, 2019 be adopted.

**VOTE: UNANIMOUS AYE**

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

A. Presentation by the Town Auditor Bill Hall of RHR Smith & Company on the Audit for the period ending 12/31/2018. The Town Manager advised that the Town Audit has been on the front page of the Town website which people can scroll down to in the documents section if anyone would like to review it on-line. The Town also has copies available this evening for people to review. Town Auditor Bill Hall indicated that pages 2-3 are the most important pages of the audit where the Auditor forms and states their opinion. The Town has received an unqualified opinion again this year which is the one that you would want. The other opinions are an adverse opinion or a qualified opinion which you would not want. He referred to the MD&A which is the only place where the Town can put information into the audit. This is the management discussion with information from the administrator. The rest of the audit is completed by the auditor. The Fund Balance was at \$3.4 million with \$2.4 committed, \$399,000 assigned which leaves you with an Unassigned Fund Balance of approximately \$599,000. In 2017 it was \$3.8 million so the fund balance dropped \$400,000 mostly due to spending some of the capital funds. The Ec Dev Fund had a tiny drop. Other Non-government funds of \$1.8 million consists of all the grants and special funds listed in the back of the audit. There are two Enterprise funds – Water and Sewer, Sewer’s fund balance was up \$20,000 and Water’s fund balance dropped \$20,000 which balanced each other out. These are operated like a business. The Notes were briefly mentioned. Note 2 discussed the breakdown on the cash, all of which is collateralized. Most of the budgets came in very close. The Town was not required to have a federal audit this year. The Auditor indicated that Kathryn does a really good job with the finances, you get a lot of

grants, and her paperwork is very meticulous. Bill explained that you had a clean audit and a good audit. It took 5 full days of field work and 3 days to put the statements together.

Councilor Margolskee questioned the Ec Dev Rev Loan Fund that has approximately \$250,000 in it, however, that it has been said that we do not have money for loans. The Town Manager noted that the funds in this account of \$250,000 were committed by the Town Council a couple of years ago as the required match for the CDBG Main Street Sidewalk Project so that we could apply for the grant. She explained that the Town Council had decided a few years ago to not loan out money unless it was a significant item for the Town and the Council decided to use these funds for this grant rather than get a loan or borrow other funds. The name was left as is as that was the account name on the Resolution. The Councilors agreed that we could not change the name of the account right now, however, could do so after the project was done if any funds remained.

#### B. Community and Economic Development Activities and Events

##### Events:

-4<sup>th</sup> Annual Maine Cheese Festival Sunday, September 8, 2019 in Manson Park.

##### Awards:

**Federal Aviation Administration: Construct Building - Permitting and Preliminary Design to Construct 8-Unit T - Hanger and Apron in the amount of \$129,600**

**Certificates of Thank You for Safety Coordinator Don Chute; Transfer Station Employee David Whitman and Public Works Employee Matt Lary for Tree Cutting at the Airport to assist in obtaining grant funding.** We learned that two other employees also worked at the Airport for a few hours up to a day. Mayor Nichols will pass out the Certificates to the following individuals: Safety Coordinator Don Chute; Transfer Station Employee David Whitman and Public Works Employee Matt Lary for Tree Cutting at the Airport to assist in obtaining grant funding. In addition, Harry Billington, a new employee at the Transfer Station and Zach Noble, who is a firefighter, assisted. Thanks so much to everyone. As the airport area that we must cut is rarely solidly frozen, equipment cannot get into the facility as far as we need to cut. Additional area needed to be cut this year and these individuals volunteered to do this and were paid, however, it is a difficult, hot and wet job due to the standing water and very large mosquitos. We are going to request funding in the 2020 budget to hire a contractor to cut this whole area once and for all to clear this out for years so that we can do minimal hand work.

#### C. Promotion of Businesses that recently opened:

**Cross Roads Case Management** by Barry Morriss at 442 Main Street

**P Squared Tax and Accounting** by Michele Peterson at 113 N. Lancey Street

**Pittsfield Medical Center** at 105 Main Street by Dr. Alexandra Idenburg, M.D.

**Decked out Skateboards** at 145 Hartland Avenue by Jacob Hinsch

**Sebasticook Trading Center** at 1457 Main Street by James Martin, Jr.

**Central Maine Motors** on Main Street.

**Amanda Sarples** on Estelle Street with **Gracielyn Photography**.

Suzy Morton's new **Flower and Gift Shop** called The Flower Studio at 117 Somerset Plaza.

Holly Zadra's yoga studio **Sundew Studio** is located at 113 North Lancey Street.

**Dental Lace's** new packaging/fulfillment center for on-line orders on Main Street.

## 5. PUBLIC HEARINGS/OLD BUSINESS:

**ORDINANCE 19-8** (Public Hearing) That the Town of Pittsfield hereby ordains that Chapter 13, Zoning Ordinance, Section 4 - Performance Standards, Home Occupations be rescinded and the Chapter 13, Zoning Ordinance, Section 4 - Performance Standards, Home Occupations be adopted.

Public Hearing opened by Mayor Nichols

For:

Pete Logiodice: What are the changes? The Town Manager advised that the intent is to make Home Occupations more user-friendly. The amendments address (1) outside storage; (2) the ability to have two vehicles used as business vehicles parked at the site outside a fenced area; and (3) signing enhancements. The Ordinance Committee approved the amendments at their meeting on April 25, 2019. The Planning Board approved the changes at their April 15, 2019 meeting and then held the required public hearing on June 10, 2019.

Against: None

Public Hearing closed by Mayor Nichols

Moved by Councilor Stackhouse and seconded by Councilor Billings that Ordinance 19-8 be adopted.

**VOTE: UNANIMOUS AYE**

**ORDINANCE 19-9** (Public Hearing) That the Town of Pittsfield hereby ordains that Chapter 13, Zoning Ordinance, Section 4 - Performance Standards, Home Based Enterprise be amended as follows in the thirteenth paragraph under Regulations: Exterior storage of materials, product or equipment shall occupy a total area no more than 10,000 square feet and shall be shielded from the view of any road and of surrounding properties and be at least 100 feet from any residential dwelling other than owner's dwelling: **Sales area, office area or production areas and** interior storage in existing buildings is allowed in the setback areas. **Interior storage in detached buildings** would **not** count as to the 50% of the living calculation.

Public Hearing opened by Mayor Nichols

For: None

Against: None

Public Hearing closed by Mayor Nichols

The Town Manager advised that the amendments for Home Based Enterprises are to make it more user-friendly as follows: (1) provide more opportunities for home based enterprises; (2) open up more space on lots; and (3) to exclude interior storage in detached buildings from being calculated into the 50% of the living area calculation.

Moved by Councilor Stackhouse and seconded by Councilor Billings that Ordinance 19-9 be adopted.

**VOTE: UNANIMOUS AYE**

**ORDINANCE 19-10** (Public Hearing) That the Town of Pittsfield hereby ordains to transfer property listed as Map 27, Lots 79-4, 79-6, and 79-7, and Map 24, Lot 33 on the Town of Pittsfield Property Tax Maps dated April 1, 2019 to Innovative Specialties LLC for the sum of \$40,000.00; and more particularly being a portion of a description in a deed to the Town of Pittsfield recorded in Somerset County Registry of Deeds in Book 1472, Page 297. Such lots are depicted on the Final Subdivision Plan of the Industrial Park Addition recorded in the Somerset County Registry of Deeds in Plan Book 1990, Page 175. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed to Innovative Specialties LLC.

Public Hearing opened by Mayor Nichols

For: None

Against: None

Public Hearing closed by Mayor Nichols

Moved by Deputy Mayor Donahue to amend the Ordinance as follows: change "79-4" to read "79-4, also known as Map 24, Lot 32," and seconded by Councilor Curtis.

**VOTE: UNANIMOUS AYE**

Moved by Councilor Stackhouse and seconded by Councilor Billings that Ordinance 19-10 be adopted.

**VOTE: UNANIMOUS AYE**

## 6. **REPORTS:**

### **A. COUNCIL COMMITTEES:**

**FINANCE:** Had an informal meeting recently and discussed items on the capital projects on the agenda for the August 13, 2019 Town Council meeting.

**ORDINANCE:** No Report

**RECYCLING:** No Report

### **B. BOARD AND COMMITTEE UPDATES BY TOWN COUNCILORS AND MANAGER**

**Bicentennial Committee:** We will be meeting this week to discuss the plans for the rest of this year. We had a good quilt show at the UU meeting house.

**Theatre Committee:** Ann Mathews: Thank you to Councilors Billings and Curtis for coming to the walk-through with the Architect and thanks to Jaime for her taking care of work from the past. Ms. Jensen explained the great turnout of over 200 attendees at one of the movies.

### **C. TOWN MANAGER'S REPORT**

1.) We have started work on the design of a sign for the outside of the Pittsfield Train Station known locally as the Depot to thank Cianbro for all of the restoration work. The Town received numerous grants to save the building with the new roof installation and the foundation work. Without any more funding available from grants or foundations, the building renovations were put on hold. We are grateful to Cianbro for organizing many businesses to work on the building.

2.) People are looking into painting the tunnel on the walking trail with murals led by Jane Woodruff. The reasons for this would include making this a significant art installation; could link the Town up with the Wessurunsett Art Trail; would enact recommendations from the Somerset County Cultural Plan of highlighting cultural attractions; and could help attract folks to other cultural attractions to Town including the UU Meeting House with its murals as well as its stained glass windows; the library with Tim Sample's mural and Bernard Langlais' pieces which are part of the Langlais Art Trail.

- 3.) At the wonderful Quilt Show we heard about an event called the Quilts of Valor which will take place on November 2 and 3. We will post information about the event.
- 4.) The Ordinance Committee will be talking about sludge management at their next meeting as well as a few other topics.
- 5.) We were able to close the 2019 Capital Improvement (CIP) loan a few weeks early which will help the Town to move forward on the CIP Projects and not have to transfer funds or obtain interim funds. This is excellent news and very helpful for purchasing on these projects. Several of the projects will be discussed later on the agenda.
- 6.) The office will be closed for floor tiling from Friday, August 23 to Monday, August 26 and will reopen on Tuesday, August 27.
- 7.) The Assessor has committed the taxes with a mil rate of \$21.95/\$1,000 valuation. This is an increase of 4.5% or .95 of a mil for 2019.
- 8.) We are having a security system installed in the town offices to improve security and safety. I have resisted this for a long time, however, with these times and how angry some people can be, this is needed.
- 9.) The town office staff will be trained in the MOSES online system in September 2019. Moses is a central data base that will help the employees with their work. People will still have to come to the Town Office for registrations. This is not the program that lets people register on-line outside of the office. The other web-based programs that will be presented at the next Council Meeting for on-line registrations.
- 10.) The Maine Digital Government Summit 2019 is coming up in October. Councilor Billings mentioned attending and other Councilors as well as staff may be interested. I will forward information so that we can register those who would like to attend. It is free.
- 11.) The Town received our rating for the latest year which is a Workers Comp experience of .84. Anything lower than 1.0 is very good and this rating is really good.
- 12.) The Federal Railroad Administration has advised that our Quiet Zone will remain in effect at the Main Street railroad crossing. This means that we qualify for the trains to come through the crossing without blowing the whistle. Most of the trains are at night so this was done to help people sleep.
- 13.) Thanks to Devon Varney of the Recreation Department for applying for a grant from Walmart for an AED device for the pool.
- 14.) The energy audit from KVCOG has been completed and they have reported their findings, which will be provided to the Town Council for the next meeting.
- 15.) After a review of the Kwatt usage information provided to Efficiency Maine of several public buildings, the agency has approved a grant for LED lighting at the library. We will keep looking for money from other sources for the remainder of the town buildings.
- 16.) Water System enhancements will be reviewed by Olver next month which works well for budget preparation.
- 17.) The Town's hydrants will be flushed during the next few weeks. Olver Associates will provide training on how to flush the hydrants which is to start at the water source and move through the town. There may be lower pressure at times and also yellow water or black particles may be in the water occasionally. The yellow is iron and the black particles are manganese. Olver suggests flushing heating systems after the hydrant flushing is completed.
- 18.) The license for the wastewater treatment plant has been applied for by Acheron for the next five years.
- 19.) The Town has been contacted regarding solar installation at the airport as have many communities with the recent changes in Maine's solar legislation. We will see where this goes.
- 20.) The KVCOG General Assembly Annual Meeting will be held on September 30 from 4:00 pm to 6:00 pm in Waterville. The invitation will be forwarded to the Town Councilors. The Town can register everyone who would like to attend.

## **7. NEW BUSINESS:**

**RESOLUTION 19-73:** Resolved that the Town Council Authorize the Treasurer and Deputy Treasurer to Write off Uncollectible Personal Property Taxes for the Years 1998-2018.

It has been 7 years since the Town has written off personal property taxes. Tax Commitments for Personal Property during the affected years totals \$10,572,835.64. Generally, 1% or less of the year's commitment has been uncollectible. The amount currently outstanding is .20% or 2/10 of 1%. The amount to be written off is \$13,627.24. While we have made extensive collections on the past due personal property taxes, we still have some on the books that need to be written off as they are uncollectible. 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. We propose to write off uncollectible personal property taxes in 2020 and then every two (2) years thereafter. The Town staff has spent many years pursuing outstanding personal property taxes to collect as much as possible.

Councilor Billings noted that she was supportive of leaving the personal property taxes on the books for a few years to make all efforts to collect them as the Town has done.

Moved by Councilor Stackhouse and seconded by Councilor Billings that Resolution 19-73 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-74:** Resolved that the Town Council Authorize the Town Manager and Deputy Tax Collector to issue notices of Tax Acquired Property Sale and place Tax Acquired Parcels out to bid as follows: Property Map 12. Lot 66 & Map 12, Lot 66-ON, located on 422 Hunnewell Avenue, Pittsfield, ME; Property Map 18. Lot 64, located on 456 Canaan Road, Pittsfield, ME; Property Map 33. Lot 41, located on 103 Waverley Street, Pittsfield, ME; Property Map 29. Lot 23, located on 367 North Main Street, Pittsfield, ME; Property Map 05. Lot 02-A, located on Snakeroot Road, Pittsfield, ME; and Property Map 04. Lot 46, located on 1044 Main Street, Pittsfield, ME.

The Town Manager provided brief background on each of the properties that are tax acquired and the efforts made to see if the individuals living at the properties would be able to pay the amount due in order to own the property again. One individual was able to do so and one has ignored all contacts made by the Town. The Council Package has a copy of the ad which follows the requirements of the Tax Acquired Property Ordinance.

Moved by Councilor Stackhouse and seconded by Councilor Margolskee that Resolution 19-74 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-75:** Resolved that the Town Council sign the application for a license for Special Taste Testing Event for the Maine Cheese Festival to be held on Sunday, September 8, 2019 from 10:00 am to 5:00 pm at Manson Park.

Moved by Councilor Curtis and seconded by Councilor Bolster that Resolution 19-75 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-76:** Resolved that the Town Council approve all necessary permits for the Maine Cheese Festival to include a Public Exhibition/Performance/Show; Special Amusement Permit; and Farmer's Market License, if applicable.

Moved by Councilor Billings and seconded by Councilor Bolster that Resolution 19-76 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-77:** Resolved that the Town Council sign the application for a license for Special Taste Testing Event for the Pittsfield Historical Society to be held on \_\_\_\_\_ from \_\_\_\_\_ at the Pittsfield Railroad Station.

The Town Manager advised that this item had been placed on the agenda in case it was needed in order to make sure that the event could go forward. The Historical Society has determined that its event will not require a permit as the vendors will have permits.

**PASSED OVER**

**RESOLUTION 19-78:** Resolved that the Town Council Approve the Request For Proposals to purchase Sand for the 2019-2020 winter season and authorize the Public Works Foreman to seek bids for same.

Moved by Councilor Stackhouse and seconded by Councilor Billings that Resolution 19-78 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-79:** Resolved that the Town Council Approve the Request For Proposals to replace the Municipal Building and Fire Station Roof and authorize the Public Works Foreman to seek bids for same.

Moved by Councilor Billings and seconded by Councilor Stackhouse that Resolution 19-79 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-80:** Resolved that the Town Council Approve the Request For Proposals to wash, seal and repoint the Municipal Building and authorize the Public Works Foreman to seek bids for same.

Moved by Councilor Billings and seconded by Councilor Stackhouse that Resolution 19-80 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-81:** Resolved that the Town Council Approve the Request For Proposals to replace masonry that is part of the Fire Station and authorize the Public Works Foreman to seek bids for same.

Moved by Deputy Mayor Donahue and seconded by Councilor Stackhouse that Resolution 19-81 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-82:** Resolved that the Town Council Approve the Request For Proposals to replace the Municipal Building Walkway and authorize the Public Works Foreman to seek bids for same.

Moved by Deputy Mayor Donahue and seconded by Councilor Bolster that Resolution 19-82 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-83:** Resolved that the Town Council authorize the Town Manager to execute a Memorandum of Agreement (MOA) between the Federal Aviation Administration (FAA) and the Town of Pittsfield to supersede Leases No. DTFA12-99-15383, DTFANE-05-L-0036 and all other previous agreements for the construction, operation and maintenance of FAA owned navigation, communication and weather aids for the support of Air Traffic Operations at the Pittsfield Municipal Airport which are REIL and PAPI Facilities.

Moved by Councilor Bolster and seconded by Deputy Mayor Donahue that Resolution 19-83 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 19-84:** Resolved that the Town Council appoint Devon Varney to fill the vacancy on the Pool Committee.

Moved by Councilor Billings and seconded by Councilor Curtis that Resolution 19-84 be adopted.

**VOTE: UNANIMOUS AYE**

## **8. DISCUSSION ITEMS:**

### **A. Financial**

1. Financial Reports as of 7/31/2019
  - 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
2. Other Reports as of 7/31/2019
  - Building and Plumbing Permit Reports
  - Library Report- Librarian's and Library Trustees Minutes
  - Police Report

The Town Manager advised of the following:

**Budget Expenditure Report:** 58.33% of period; 51.2% of municipal; 47.0% municipal, water & sewer (depreciation and transfers done by Auditor so percentage will increase)

**Revenue Collections Report:** 58.33% of period; 37.9% municipal; 39.1% municipal, water & sewer

**Excise Tax Collections Comparison Report:** For this period, -\$19,841.84 behind 2018 collections at this time of the year.

**State Revenue Sharing Comparison Report:** For this period, +\$26,407.83 ahead of 2018 collections. This account needs to be watched closely in case it falls behind.

The remainder of the Financial Reports are self-explanatory.

## **9. REPORTS:** Audience

Michael Cray: What is the status of the School Resource Officer position? (TM: The status is the same as I advised you when we met two weeks ago). Are we working under the same MOU? (TM: It is the same MOU and still the same position.)

Amber Quint: Are the old bills that came from the Theatre booker resolved and were we able to play the movie? (TM: Yes, as Jaime, the Theatre Manager would have told you, these were determined to be bills that the middleman on the film booking had not addressed before the Town took over the booking. They needed to be paid so that we could obtain the key for the movie so they were paid).

Ron Watson: The Pittsfield Chapter for Codes for America is going to become official. The Historic Society and local businesses will host a "Taste of Pittsfield" event. Can we use digital signatures on the Warrants? (TM: That is a good idea and we will look into it.)

### **Council:**

**Councilor Bolster:** No Report.

### **Deputy Mayor Donahue:**

I am glad to see us moving along on the buildings. We had a good Open Farm Day and we had tours of the farm and our new solar energy system. The Cheese Festival is looking for volunteers for the festival to help setup and to help during the festival.

### **Councilor Margolskee:**

The former town manager's house on Somerset Ave is a safety hazard because of the way the ladders are positioned and it is also should be condemned.

### **Mayor Nichols:**

Thanks to Devon for volunteering, Kathryn for the good audit, Donnie for the work that he and the others put in at the airport, and to Steve for coming down here to explain the issues that go along with the sand RFP and paving. I am happy to hear about the attendance at the Theatre. Ron had a good idea about electronic signing.

**Councilor Curtis:** No Report.

### **Councilor Stackhouse:**

Thanks to Donnie and the others for the work at the airport, Jaime for the work at the Theatre, and to Kathryn for the audit and all of the hard work that she does.

### **Councilor Billings:**

I think that Devon will be good for the Pool Committee.

## **10. ADJOURNMENT**

Moved by Councilor Billings and seconded by Councilor Stackhouse to adjourn at 8:38 PM.

**VOTE: UNANIMOUS AYE**

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Michael Feole, Deputy Town Clerk

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