

# MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, October 1, 2013 at 6:30 pm in the Council Chambers.

**PRESENT:** COUNCILORS: Gary Jordan, Jr., Michael Cianchette, Caleb Curtis, Tim Nichols and Heather Donahue. **ABSENT:** Christopher Carr. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Donnie Hallenbeck, Scott Noble, Annaleis Hafford 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 September 17, 2013.

Moved by **Councilor Cianchette** and seconded by **Councilor Donahue** that the minutes of the meeting held on September 17, 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 and small projects continue to be underway. These projects include a department store, gym/fitness center, re-sale shop, and coffee shop.

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 website promoting the property is linked to the Town's website. The Town has recommended that the building be available for lease of needed space and is awaiting a decision.

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

The Economic Development Opportunities for the Town as well as the Economic Development Marketing Plan were updated. We have a number of properties that the Town has received permission to market for the individuals and real estate companies and there are a number of opportunities with very reasonable pricing now. The new listing update was reviewed in depth with the Town Councilors.

#### **Report on Meetings & Events:**

Kennebec Valley Council of Governments Annual Meeting on Tuesday, September 24, 2013 from 9:00 am – 11:00 am at the Alford Youth Center in Waterville

Theatre Regular Committee Meeting on Tuesday, September 24, 2013 at 6:00 pm

FirstPark Executive Committee Meeting on Thursday, September 26, 2013 at 5:00 pm at the KRDA Office in First Park in Oakland

**Upcoming Meetings:**

Sebasticook Valley Chamber of Commerce Strategic Planning Committee Meeting on Thursday, October 3, 2013 at 3:30 pm – 4:45 pm at the Chamber Office in Palmyra.

Sebasticook Valley Chamber of Commerce Board of Directors Meeting on Thursday, October 3, 2013 at 5:00 pm at the Chamber Office in Palmyra.

KVCOG Comprehensive Economic Development Strategy Committee (CEDS) Meeting on Tuesday, October 8, 2018 from 11:00 am – 1:00 pm in Fairfield

MDOT Airport Capital Improvement Meeting on Wednesday, October 09, 2013 at 2:00 pm at the Augusta Airport in Augusta

Somerset Workforce Connect Meeting on Thursday, October 10, 2013 from 1:00 – 3:30 pm in Skowhegan

Central Maine Egg Festival Committee Regular Meeting on Thursday, October 10, 2013 at 6:30 pm

First Park General Assembly Meeting on Thursday, October 24, 2013 at 5:00 pm at T-Mobile in Oakland

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

**Town Manager's Report: Town Council Meeting of 10/01/2013:**

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. 2013 Persis Smith Community Reads Program: Schedule read for featured books in October. Please contact the Library for more info at 487-5880.
3. Pittsfield Community Theatre Fundraiser: Tim Sample's Downeast Humor. The show will be on October 20, 2013 at 6:30 PM. Tickets are \$15.00 in advance and \$18.00 at the door.

**Finance Committee:** The Finance Committee met tonight prior to the meeting with TD Bank. Nothing has changed. They have acquired another company. The Representative for the bank did not bring his report with him. He forgot it. He will send it to us.

**Ordinance Committee:** None.

**Recycling Committee:** None.

6. **NEW BUSINESS:**

**RESOLUTION 13-112:** (To be set to Public Hearing on 10/15/2013) Resolved that the Town Council approve a new application for a liquor license for The Pitt Stop Tavern at 613 Main Street, Pittsfield, Maine 04967.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that Resolution 13-112 be set to Public Hearing on 10/15/2013.

The Town Manager noted Kyle Paquin is the new owner of the restaurant located off Route #100 and Webb Road. He has just closed on the purchase and will be opening up The Pitt Stop Tavern at 613 Main Street.

Kyle was formerly the Manager of one of the facilities in the Industrial Park.

His company is called the Maine Highlands Enterprises LLC and the Business name is The Pitt Stop Tavern. This is the initial Liquor License for the business so a public hearing is required under the State law. The Town is required to sign off on the application to the State prior to submittal.

It will be nice to have an additional choice in Town for meals for citizens and visitors.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-113:** Resolved that the Town Council authorize the Town Manager to sign Amendment #3 to the Standard Form of Agreement as required by the United States Department of America (USDA) Rural Development Agency with Olver Associates for engineering work on the sludge removal, SSES Study and Sewer Remedial Work, once approved for funding by the USDA, such work to be sewer remedial.

Moved by **Councilor Cianchette** and seconded by **Councilor Donahue** that Resolution 13-113 be adopted.

The Town Manager noted as the Town was fortunate to have funding left from the Sludge Removal Project and to receive such competitive sewer line replacement bids for each RFP issued, the Town continues to authorize additional work not originally contemplated when the USDA funding was applied for and received.

Additional costs created by a longer contract period on the Somerset Avenue Project; the inability to inspect both Somerset Avenue and School Street projects the same time as the School Street project was moved back; additional work needed to make sure that the School Street project is properly constructed; and the project area options being increased and more complicated than the original small projects has lead to a review process of engineering requirements. USDA requires full-time inspection of projects, which is understandable due to the issues that can develop, therefore, this needs to be budgeted for appropriately.

The Town has substantial funds available at this time in the grant. As of today, the undisbursed balance on the grant is \$531,954. The estimated unencumbered amount is \$92,312.

This motion continues the relationship with Olver Associates and approves additional work to be performed for the USDA grant funding to close out the grant. The USDA requires that all funds be encumbered this year to close out this grant. We are being encouraged to finish the projects this year so we need to move forward.

The Town has been able to address an amazing number of sewer rehabilitation projects. The USDA funding has provided for many projects beyond what was first projected. This has resulted in the replacement of sewer lines that were failing; had high infiltration rates; and/or were long-term problems.

Annaleis noted that they don't normally wait this late in the process to look at the numbers.

Councilor Cianchette noted that Olver Associates has always done a good job for the Town. They are an excellent company to work with.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-114:** Resolved that the Town Council accept the proposal of Hegarty Plumbing and Heating of Buxton, ME in an amount to not exceed \$ 20,830.00 for the Water Well Inspection and Rehabilitation and authorize the Town Manager to execute a contract for same.

Moved by **Councilor Cianchette** and seconded by **Councilor Curtis** that Resolution 13-114 be adopted.

The Town Manager noted as the bids for this project were due on Friday, 09/27/2013, a copy of the bid tally sheet and submitted bid was placed on the Council desks.

The Town advertised the RFP in the newspaper. In addition, the Town sent a copy of the RFP to a list of 11 well drillers listed on the State of Maine's website of qualified drillers. These were well drillers in a reasonable radius of the Town. Companies called for a copy of the RFP after seeing the legal ad. One well driller attended the mandatory pre-bid meeting and we received one bid.

The one bid received was from Hegarty Plumbing & Heating Inc. of Buxton in the amount of \$8,500 for the 12" well; \$7,000 for the 8" well; and \$5,330 for the Finish Water Pump for a total to not exceed of \$20,830. The funds would come from the Water Enterprise Account which is the Budget.

In 2010, the screen on one of the wells became plugged with rocks and gravel. The screen was cleaned out with a high-pressure wash. It is important to have the wells checked every few years to determine if there are any issues that need to be addressed. This RFP is a proactive action on part of the Town to ensure that the wells are in good working order without any problems starting to develop. If any problems are developing, the items can then be reviewed and resolved.

Scott Noble noted that we have worked with this company before and they were excellent to work with. They have good prices. I was able to write up the specs on my own so we did not have to use Olver Associates for engineering on this. Councilor Cianchette asked if we had heard from any other companies regarding this bid. Scott noted that he received three calls regarding this, but there was only one bid.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-115:** Resolved that the Town Council approve the Request for Proposals for Maintenance Services for the HVAC system at the Pittsfield Public Library and authorize the Town Manager and Librarian to seek proposals for same.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Resolution 13-115 be adopted.

The Town Manager noted the Council received a copy of the proposed RFP which was drafted by the Librarian after receiving information from companies on their lists for service.

The library needs a service contract for its heating and ventilation system. We will advertise for proposals on October 2 with a bid deadline of October 14. We are looking for a three-year contract beginning November 1, 2013.

The signed proposal and contract that was approved in January was not received/lost by our service provider. The library has been without HVAC service throughout 2013 but has not had any needs. This was an issue the prior year also, however, the library did receive service that year.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-116:** Resolved that the Town Council authorize the Town Manager and Deputy Treasurer to expend and transfer up to \$5,000 from the People's United Economic Development Fund pursuant to the approved 2013 Budget for Reallocation Revenue funding, such reallocation being designated as Admin – Reallocation Fund 4 Account #01-10-40.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Resolution 13-116 be adopted.

The Town Manager noted during the budget process last year we discussed the reallocation of funding for the Revenue budget to assist as much as possible in lowering the amount of property taxes to be raised for the 2013 budget. After a thorough review of all funds, only one reallocation was available as we had completed a number of reallocations in the past and funding was no longer available in the accounts utilized. For the funds in Fund 4 (Economic and Community Development Fund), a motion is not technically needed as this was part of the approved budget, however, it does allow for a clear paper trail. Therefore, this item has been added to the agenda for 2013.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-117:** Resolved that the Town Council approve and authorize the Town Manager to sign the application/agreement for the Grant-in-Aid Program for the Department of Conservation, Bureau of Parks and Lands Snowmobile Program for an estimated project of \$50,576 to improve the snowmobile trails for the Driftbusters Snowmobile Club.

Moved by **Councilor Curtis** and seconded by **Councilor Cianchette** that Resolution 13-117 be adopted.

The Town Manager noted on a yearly basis, an application for grant funding to assist the Driftbusters Snowmobile Club in maintenance of the trail system is submitted to the Department of Conservation. Attached are the Application/Agreement materials. This year, some of the forms have been combined so that there is less paperwork to sign. A list of property owners along the trail is now required.

The amount received from the State at the end of the grant period is generally less than the application, especially in recent years. However, any funds received are a great help.

This year, the Trail Grooming cost per hour has been increased to \$100.00/hour, which has substantially increased the application amount. The 2013 application is for \$50,576.00.

The Club does an excellent job grooming the trails each year with the Snowmobile Trails dedicating extensive time for this recreational project.

Councilor Cianchette asked what is grant in aid. The Town Manager noted this process has been in effect for years. There is an application that is filled out, the money is paid to the Town and is then paid to the Driftbusters for them to use for their costs.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-118:** Resolved that the Town Council declare the District 3 Council position vacant, designate a filing period for the nomination papers of October 17, 2013 at 5:00 pm pursuant to 30-A MRSA 2528 (4) (E) for the November 5, 2013 Election and have the term begin January 1, 2014.

Moved by **Councilor Curtis** and seconded by **Councilor Cianchette** that Resolution 13-118 be adopted.

The Town Manager noted as the District 3 seat is vacant, where Donna's housing fell through after she sold her house, we can declare her seat vacant which allows the Town to have a shorter nomination paper process.

We had issued nomination papers, however, ended up without a candidate filing papers. The filing period for write-ins had expired. Therefore, we would need to hold another election for just District 3 in December.

As this can be considered a vacant seat, by declaring the seat vacant, we can issue nomination papers again.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-119:** Resolved that the Town Council appoint Nicole Nickolan as Warden and Cammie Jemery, Tonja Lary and Emmalee Reed as Deputy Wardens for the November 5, 2013 State Referendum Election, Municipal Election and the MSAD #53 Election.

Moved by **Councilor Cianchette** and seconded by **Councilor Curtis** that Resolution 13-119 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-120:** Resolved that the Town Council approve the opening of absentee ballots on November 5, 2013 at 10:00 am and 3:00 pm for the November 5, 2013 State Referendum Election, Municipal Election and the MSAD #53 Election.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Resolution 13-120 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-121:** Resolved that the Town Council approve the use of the DS200 Scanner and Tabulator for the November 5, 2013 Election and subsequent elections.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that Resolution 13-121 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 13-122:** Resolved that the Town Council move the regularly scheduled Town Council Meeting of November 5, 2013 to November 6, 2013 due to the Election.

Moved by **Councilor Cianchette** and seconded by **Councilor Curtis** that Resolution 13-122 be adopted.

**VOTE: UNANIMOUS AYE**

## 7. **DISCUSSION ITEMS:**

### **Updates:**

1. Water Projects Update: Water is working on fixing items around town preparing for winter.

2. Sewer Projects Update:

School Street, Elm Street, Across Country: T Buck Construction continues to work on this project.

Central Street sewer serving Hathorn Park: This project needs to be completed by the sewer department. The highway department will also assist.

The sewer personnel are working on fixing the sewer line into the Historical Depot as it was expected that part, if not all needed replacement.

3. Highway: Public Works has a lot of projects to complete including cleaning out the Sebasticook Road culvert again which has been on their list since earlier this year; gravel road resurfacing, ditching, and regular maintenance projects. Public Works will also have the Playground Equipment to install when it arrives as well as Sand to put up for winter. As much as can be accomplished will take place after the Historical Depot Foundation project is completed.

4. Program Staffing Levels: Our Recreation Director will not have enough time to manage the Spring Sports next year. He has made a courageous attempt to work with all of these groups and individuals that have wanted items a certain way. It is a very difficult job to do, however, Jared with his Physical Education background had the best skills, educational component and understanding of what was involved and he definitely gets along well with the children. So we are all set through Basketball next year. However, we need to be thinking about whether we want to change the program and perhaps have an individual or group who have dedicated their life to basketball or football or spring sports and hire them by the season. We can not afford a F/T Rec Director, especially with the difficult budget season and deficit revenue. We will continue to have a different person every year or two if it is a second job for them. If we are going to continue the P/T Rec Director, we really need someone who is retired and this is their area of interest. I am noting this as the budget process is coming up.

5. Pan Am Railways: Pan Am is still scheduled to work with MDOT on the railroad crossing, however, it is getting late for paving. We have been advised that the work will take place prior to winter, however, no timeframe has been available. Pan Am has been advised that we would like the paving to take place as soon as possible at the Webb Road crossing and with it, the very large hole down on Industrial Park fixed. Pan Am has agreed to complete paving at both railroad tracks prior to winter. We have a phone call into MDOT requesting information on the paving schedule.

6. Code Enforcement Update: The Code Enforcement Officer has been requested to resolve the Quantut Hut condition due to the issues going on there and its appearance. An action plan was forwarded to the owner who has refused to sign for the certified letter.

Regarding the other 4 actions plans issued:

Ron's Garage – Ron Porter had agreed to haul out the trailer, clean up the yard, and paint the garage prior to being issued the Action Plan. The garage has now been scrapped and painted and looks good.

Banks Middle Street property – a cleanup day was held by Mr. Banks' daughter so that the lawn is cleaned up and all debris that was hanging off the building was addressed. More clean up days are needed for the interior. The property was not listed in the Rolling Thunder as the owner is unable to afford it. The property was listed on craig's list and another list of that type.

Sprague Leonard Street property – Clean up days have been scheduled. Richard has now agreed to move forward with this back yard.

Rines Nichols Street property – Mrs. Rines had agreed verbally to clean up the exterior of the property and did clean up the front yard and trim the lawn.

7. Property Maintenance Ordinance/Regulations to prevent Junky Yards: The Town Attorney advised that the language from the State Statues needs to be removed from the draft. The CEO has been asked to do this. I did provide the details of why the Ordinance needed to be changed to the Planning Board Chairman and he advised the Planning Board so they know what needs to take place. The CEO has noted that he is too busy to work on this project now and will get to it once the weather is colder. There has been an influx of permitting.

## **Grants Update:**

Airport Grants: Environmental Assessment (Engineering to prepare for Apron Expansion) – Still unable to submit bills. The FAA has by-passed the new computer system and I am manually doing this as before. This grant is in the process of being closed out.

Airport Grants: Engineering to Design the Apron Expansion – the engineering has been completed and this grant needs is in the process of being closed out.

Airport Grants: Construction of Expansion of GA Apron: The pre-construction meeting was held with Cianbro Corporation on Tuesday, September 10, 2013. As the McCarthy Road is the haul route, letters were forwarded to all abutters to remind them of this as we had previously gone door to door to let people know when we applied for the grant. The project began Monday, September 16, 2013. Alternate #1 in the amount of the construction was awarded. The pre-construction meeting was held on Monday, September 30, 2013. Cianbro, Pike and the Engineers are looking at ways to make sure the project can be completed this year meeting the FAA requirements.

The Engineering Firm has placed in writing their intention to wait for funding for the engineering/inspection part of the project as it was not awarded due to an oversight at the Federal Level. This started out with the Town requesting the project be reduced to fit within the scope of the funding that was approved. The Engineering firm HTA was adamant that the entire project needed to be completed. The company was advised that the Town would not commit to or agree to contract and pay the company if the grant funding was not available. The company felt the project needed to be completed this way and verified that we can apply for a grant amendment once the project is completed. They sent their proposal in and after the Town Attorney review they made the appropriate changes so that this offer is in accordance with the Town Charter, state and federal laws. Basically, if we get grant funding, they get paid.

Belvedere Fund for Historic Preservation – This funding is for the siding project and needs to be completed this year. The progress report was filed. We have not received any further requests as of yet.

Davis Family Foundation – The scope and bid specs for this project were developed. The bids were just too high. The foundation needs to be completed prior to starting any work on the siding. The progress report was filed. The Town worked with the Architect and the low bidder on the original foundation project bid out and came to a workable arrangement dividing up the work between the company and the Town. The company has provided for the lifting of the building, necessary repairs to floor joists and formwork and pouring of all footings and piers and the Town will complete all excavation work, haul away demolition material and address landscaping after the project is completed. This is not a full foundation project as the brick work on the outside will not be completed due to cost, however, the building will have a solid foundation under it so that it is secure. We did find damage underneath, however, also found a granite wall, so there is expected to be less excavation work than originally thought. The project is now over ½ completed.

L&W Conservation Fund: Hathorn Park Legge's Field & Sports Complex, Phase II – The playground equipment was ordered and is expected to arrive mid-October.

Library Mini-Grants (Cornerstone of Science and Gates for computers) – numerous small grants to be closed off.

Recreational Trail Grant – At the last Council Meeting, I reported on the meeting with the interested parties, the results of the site survey by the Public Works Foreman and the Town Manager and the site visit by the State of Maine. I have completed some additional work and would like to discuss this further with the Council tonight to determine if we want to file an application.

The Councilors had a lengthy discussion regarding the recreational trail. All the Councilors felt that we need to see community involvement for this project. Councilor Curtis noted there needs to be some kind of viable group for ATV users. We really need to re-think if ATVs should even be on the trail. They cause a lot of damage on the trail. The Town Manager noted we are getting support from MCI, who has offered use of their equipment, and MSAD #53, as the trail borders their property, but not from the snowmobile or ATV groups at the meeting held. Councilor Cianchette noted that he did not see the upside of the trail for the Town. They use the Town to park their cars in and use the trail to leave Town. To justifying spending money on a trail at a time like this with budget cuts and such, I just can't see it. Town Councilors and the Town Manager noted that the timing is not right for this project, but could be in the future in better economic times as there are benefits. It was noted that a recreational trail could be beneficial for walkers, bikers, snowshoeing, etc. However, we need more community members involved.

8. **REPORTS:** Audience, Council

**Audience:**

**Donnie Hallenbeck:** Noted that the Post Office Clerk told him people asked where the Depot was moved from or where was it being moved! Donnie also noted if the new owners of the old pharmacy wanted history on the building they could give him a call. Regarding the Rail Trail: I saw 4 ATVs this weekend coming through Town. There was a large excavator parked in the middle of the trail and they just went around it. The Historical Society is meeting the 3<sup>rd</sup> Thursday of the month at 6 PM in the Warren Room.

**Council:**

**Councilor Donahue:** Glad to see things moving along at the vacant buildings. I was wondering if the Historical Society had ever thought of doing a stamp as a fundraiser? Just a reminder about the Creamery Tour on 10/13. This is a statewide event. Our farm will be open for tours. CMP did call Councilor Donahue to discuss the spraying under the power lines. They advised that they spray every 5 years. I have been working with them. They said if the Town or property owners take care of the brush, they won't spray. The Town Manager noted she has talked to different divisions and they will be working on this situation and she will follow up if she does not hear back from CMP.

**Councilor Carr:** Absent.

**Deputy Mayor Nichols:** I am glad the Depot is being worked on. Deputy Mayor Nichols questioned if the Historical Society has a website? Donnie Hallenbeck noted that there is a Facebook page and a website. Deputy Mayor Nichols stated he was glad to see the old pharmacy has finally been sold. It will be nice to have a coffee shop/bakery in Town. We are missing that.

It will be nice to get the Tavern re-opened. The new owner is a very nice guy. Hathorn Park looks great. As far as the rail trail, that will be a very long haul.

**Councilor Curtis:** I have been giving the gas station a hard time, but it is looking really good. I give them credit. Councilor Curtis asked if there was any news on Ben's Breakfast. The Town Manager stated he will not be re-opening and will be selling the equipment.

**Councilor Cianchette:** Glad the Town is able to help the Depot. This project has made the Depot very visible to people going through Town and seeing work done on it. I also want to say I appreciate the efforts in getting the playground equipment at Hathorn Park. I am anxious to see it.

**Mayor Jordan:** Just wanted to give you some statistics about Pittsfield. For the last 2 years, there has been approximately 50-63 residential homes for sale in Pittsfield. As of yesterday there were 49 homes.

## 9. **ADJOURNMENT**

Motion by **Councilor Cianchette** and seconded by **Councilor Donahue** that the meeting be adjourned at 8:39 p.m. All in agreement.

---

Nicole Nickolan, Town Clerk