

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, October 15, 2013 at 6:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Gary Jordan, Jr., Caleb Curtis, Tim Nichols and Heather Donahue.

ABSENT: Michael Cianchette and Christopher Carr. Also present: Town Manager Kathryn Ruth and Finance Clerk Tonja Lary. Audience members included: Mike Havey, Ryan-Michael Havey and family, Kyle Paquin, Jeff Vanadestine and family, Chris Peterson, Steve Emery, Donnie Chute 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 October 1, 2013.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that the minutes of the meeting held on October 1, 2013 be adopted.

VOTE: UNANIMOUS AYE

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

Commendations for outstanding work: Mayor Gary R. Jordan, Jr. will present commendations to Police Chief Steve Emery, Officer Jeff Vanadestine and Fire Department Member Ryan-Michael Havey

Mayor Gary R. Jordan, Jr. presented a commendation to the following police and fire department members for their actions on October 7, 2013:

Police Chief Steve Emery
Officer Jeff Vanadestine
Fire Department member Ryan-Michael Havey

A vehicle had left Route #100 and was in the Sebasticook River where the victim was underwater. These individuals worked very quickly, swimming to the vehicle, breaking out the back vehicle window and pulled the driver out of the vehicle to safety. Ryan-Michael pulled the driver from the vehicle.

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:

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.

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

HealthySV Coalition Annual Meeting on Tuesday, October 15, 2013 from 9:00 am – 10:30 am at the SVH Administration Building Board Room

Upcoming Meetings:

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

Theatre Committee Meeting on Tuesday, October 29, 2013 at 6:00 pm

Ken-Som Transition Team Meeting on Thursday, October 31, 2013 from 9:00 am – 11:00 am at KVCOG in Fairfield

4. PUBLIC HEARINGS/OLD BUSINESS:

RESOLUTION 13-112: (Public Hearing) 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.

The Public Hearing was opened.

Kyle Paquin spoke in favor of Resolution 13-112. He noted his plan is for a standard hometown pub that will be serving food. There will be no bands at the establishment. He is considering breakfast a few days a week. Mr. Paquin is currently doing some building renovations. The timeline for opening will be a few weeks, pending State approval and inspections.

Donnie Chute also spoke in favor of Resolution 13-112. He noted that Kyle is smart and his business will be successful.

No one wished to speak against Resolution 13-112. The Public Hearing was closed.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that Resolution 13-112 be adopted.

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

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

Town Manager's Report: Town Council Meeting of 10/15/2013:

1. Closure of Main Street RR Crossing: The railroad crossing will be closed all day and all night between the Library and Veterans Park on 10/21, 10/22 and 10/23/2013 for repairs.
2. Phoenix Health & Fitness Center: The new Fitness Center is now open at Somerset Plaza. They are open Monday – Saturday from 6 am – 10 pm, and closed on Sunday. Closed for breaks from 10 am – 11 am and 6 pm – 7 pm. Please call 487-3400 for more information.
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.
4. 1st Annual Pumpkin Fest: The Heart of Pittsfield will host the 1st Annual Pumpkin Fest on 10/26/2013. There will be cartoons, pumpkin carving and decorating and a music show. Please see the flyers available around Town for details.
5. Book Sale at Library: A book sale sponsored by the Friends of the Library will be held on 10/17 & 10/18/2013 in the Warren Community Room.

Finance Committee: None.

Ordinance Committee: None.

Recycling Committee: Deputy Mayor Nichols noted the Re-Use Center will stay open until weather permits.

6. **NEW BUSINESS:**

RESOLUTION 13-123: Resolved that the Town Council accept the proposal of AAA Energy Service Co. of Pittsfield, ME in an amount to not exceed \$ 5,160.00 for the preventative maintenance services for the HVAC system at the Pittsfield Public Library and authorize the Town Manager to execute a contract for same.

Moved by **Councilor Donahue** and seconded by **Councilor Curtis** that Resolution 13-123 be adopted.

The Town Manager noted the Town received three bids for the preventive maintenance service RFP for the Library HVAC system. The bids differed from a low of AAA Energy Service Co. at \$1,692.00 for Year 1 to a high of Siemens at \$4,330.00 for Year 1.

The low bidder was AAA Energy Service Co. of Pittsfield in an amount of \$1,692.00 for Year 1; \$1,716.00 for Year 2 and \$1,752.00 for Year 3 for a total of \$5,160.00 for three years beginning November 1, 2013.

Although the motion was made for the Preventive Maintenance Service cost, there will also be a repair and emergency work cost per hour depicted on the bids for work beyond the scheduled preventive maintenance, if such services are required.

VOTE: UNANIMOUS AYE

RESOLUTION 13-124: Resolved that the Town Council waive the bid policy, Chapter 2, Administrative Code, Section 106, for emergency transmission repairs and authorize the transfer and expenditure of up to \$5,000 from PITT #47 Waste Transporter Reserve (#G-1-656-00).

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Donahue** that Resolution 13-124 be adopted.

Donnie Chute, Recycling Coordinator, explained the necessary repairs and steps that had been taken. Donnie noted he was able to get a transmission for \$4,400. The truck has 300,000+ miles on it. Donnie noted we should start looking at other options, either Bolsters or the Waste Transporter in the Capital Budget on lease/purchase option. \$4,400 does not include labor. It should be under 5,000.

The Town Manager noted on 10/08/2013, the Transfer Station/Recycling Coordinator advised the Town Manager that the transmission system in the Waste Transporter was inoperable. The vehicle was towed to the dealer where it was purchased. The Town is past the warranty period as the vehicle is several years old now. As this is a large piece of equipment, the decision was made at the time of purchase that the vehicle would be serviced at the dealer where it was purchased for several reasons rather than taking it to different local garages around the region and having several different garages work on it. The current transmission has multiple problems. A rebuilt transmission was recommended by Whited Ford rather than trying to re-build the current

transmission. This was estimated as the lower cost option. The total price has been quoted at less than \$5,000, however, to be safe, the total cost has been listed as up to \$5,000.

While technically this may not require waiving the bid policy, in case the expenses are larger than projected, this item is on the agenda. In addition, due to the large loss of revenue sharing, the budget is under considerable constraints, therefore, it is recommended that funds be utilized from the capital reserve dedicated for this vehicle.

VOTE: UNANIMOUS AYE

RESOLUTION 13-125: Resolved that the Town Council approve the request for proposals to replace a 1981 Ford F8000 with a 2013 or better 7 to 8 CY dump truck and authorize the Town Manager and Public Works Foreman to solicit bids.

Moved by **Councilor Curtis** and seconded by **Councilor Donahue** that Resolution 13-125 be adopted.

The Town Manager noted the Public Works Vehicles and Equipment are very old with the exception of the pickup truck.

The 1981 Ford L8000 has required more maintenance than usual over the last few years. The 1981 Ford F8000 is very important for both summer and winter maintenance. The vehicle is now 32 years old and needs to be replaced.

The Town started putting funds away for a lease purchase or purchase in 2008. As of 09/30/2013, the Town has \$73,746 available specifically for this purchase and \$249,738.22 for General Highway equipment.

The Public Works Foreman was requested to consult a number of individuals who are knowledgeable about/utilize dump trucks and/or purchase them for advice. In addition, the Public Works Foreman also reviewed specifications that the State of Maine utilizes.

VOTE: UNANIMOUS AYE

RESOLUTION 13-126: Resolved that the Town Council sign the warrant to call the MSAD #53 Validation Referendum.

Moved by **Councilor Curtis** and seconded by **Councilor Donahue** that Resolution 13-126 be adopted.

The Town Manager noted this is for a question to be placed before the voters for SAD #53 to amend the current budget. Basically, SAD#53 has received additional state funds after the budget was approved and there are additional costs not included in the SAD#53 budget as approved for new teacher retirement costs. Therefore, SAD#53 would like to add \$95,662.50 to their current 2013-2014 budget by utilizing the additional funds to pay for the additional costs.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial Reports as of 09/30/2013:

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 09/30/2013:

Building and Plumbing Permit Reports
Library Report-Librarian's and Library Trustees Minutes
Police Report
Self-Explanatory – Not Reviewed

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 has completed the project.

Central Street sewer serving Hathorn Park: This project needs to be completed by the sewer department. The highway department will also assist. The work is scheduled for this week.

Sewer personnel fixed the sewer line going into the Historical Depot. The line could not be removed under the building and it was damaged so it was sealed with a lining pushed into it. Insight Pipe, located here in Town, donated its labor for this project and just charged for the materials.

3. Highway: Public Works has a lot of projects to complete including cleaning out the Sebasticook Road culvert 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. The equipment should arrive this week. 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. If we are going to continue the P/T Rec Director, we need someone who is retired and this will be there area of interest. I am noting this as the budget process is coming up.

5. Pan Am Railways: Late Friday afternoon, 10/11/2013 MDOT advised that the Main Street Crossing will be closed for three days. MDOT reports that Pan Am has not committed until 10/11/2013 to complete the entire rail project within the width of the roadway and 10/21/2013 is the date that the project will begin. MDOT has been advised by Pan Am that they will need the entire three days.

After discussing this, MDOT is bringing their large message boards in to advertise this. The Town has sent press releases to all media and notified SAD#53 for the bus transportation and MCI for their events and activities; the Police Chief is advising Somerset Communications, the Hospital EMS, and State Police; and the Fire Chief is advising mutual aid departments. Wednesday, we will start delivering the press release to the businesses downtown and major companies in Town as well as trucking companies that we know about, Fed Ex, etc. The Town notified businesses verbally this weekend as I saw them.

6. Tax Acquired Property: 2011 tax liens will mature in December 2013. There are several that we do not perceive payment will be received on by the foreclosure date. Some of these properties are burnt or condemned properties. I spoke with the Town Attorney regarding the challenges of clean-up on properties where the owners simply do not have the funds to do the work. If the properties foreclose, it is unlikely in some cases that the taxes will be paid up. In discussing the TAP Policy and the State law, after TAP is put out to bid twice, we will be able to sell it for less than the taxes if necessary. We have some properties that this could happen on. We have two burnt homes and two condemned mobile homes. After some discussion, I have received in writing from the insurance agent, that the Town will have liability insurance coverage for property with burnt homes on them as long as we make sure the properties are boarded up and no one lives in them. If the mobile home is in a mobile home park and the park owner wants to lease the lot, the only way that the old mobile home can be moved out and the new mobile home is moved in is to pay up all taxes, water and sewer in order to obtain the Tax Collector Release and get plates to move it so these may be resolved that way.

7. 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. With that said, friends of the owner did trim out front, remove part of the tree growing out of the building and move the trailer out front.

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 craigslist and another list of that type. No further action has taken place.

Sprague Leonard Street property – A cleanup day was held last week with a lot of material hauled to the transfer station. More cleanup days are needed.

Rines Nichols Street property – The debris outside was removed, $\frac{3}{4}$ of the grass was trimmed and the yard is much neater. The remaining $\frac{1}{4}$ of the grass needs to be trimmed.

8. 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 not been any new developments here.

Grants Update:

New Grants:

Airport Grants: Environmental Assessment (Engineering to prepare for Apron Expansion) – This grant is in the process of being closed out. The Town has been advised that it can process reimbursements – once the federal government is open.

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. Same as above as the Town is able to process reimbursements again once the federal shut down is over.

Airport Grants: Construction of Expansion of GA Apron: The second pre-construction meeting was held with Cianbro Corporation on Friday, October 4, 2013. Cianbro, Pike and the Engineers are continuing to work together to make sure the project can be completed this year meeting all FAA requirements. Cianbro is working very hard to have the project remain in the original 45 days awarded if at all possible.

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. Since we are making progress on the foundation, the Town may be able to have an extension for this grant.

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 2/3 complete. The Architect has advised that the sills are rotted out and need to be replaced which requires additional funds. I will hear more this week.

L&W Conservation Fund: Hathorn Park Legge's Field & Sports Complex, Phase II – The playground equipment was ordered and is expected to arrive by October 18, 2013.

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

Police Department Rifle – the Police Department has received federal grant funding through the State of Maine for a new Windham Weaponry rifle in the amount of \$979.99. I have also heard that there is a bulletproof vest grant coming through. Acceptance of these grants will take place in November 2013.

8. **REPORTS:** Audience, Council

Audience:

Mike Havey: I want to thank the Council for what was done for the Police Department and the Fire Department.

Council:

Councilor Donahue: It will be nice to have another business in Town. I also want to congratulate the Fire Department and the Police Department.

Councilor Carr: Absent.

Deputy Mayor Nichols: I want to thank Kyle for coming in and for starting a new business. I want to commend Steve, Jeff and Ryan Michael. Hopefully there will be no raise in taxes, but every town is facing this issue now. Abandoned buildings will continue to be an issue in this economy.

Councilor Curtis: Councilor Curtis noted Bangor's policy on run down properties that was in the Bangor Daily News. Perhaps this policy can be reviewed for suggestions. The Town Manager noted that she had followed up on this thinking that perhaps there was a new approach, however, found that it would require court action also if not resolved.

Councilor Cianchette: Absent.

Mayor Jordan: I also want to congratulate the Police Department and Fire Department. Mayor Jordan also mentioned the possibility of nomination for the Red Cross Heroes Award. The residential properties in Town are moving rapidly and the commercial properties are getting looked at.

9. **ADJOURNMENT**

Motion by **Deputy Mayor Nichols** and seconded by **Councilor Curtis** that the meeting be adjourned at 7:50 p.m. All in agreement.

Nicole Nickolan, Town Clerk