

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, December 3, 2013 at 6:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Gary Jordan, Jr., Caleb Curtis, Tim Nichols, Heather Donahue and Christopher Carr. **ABSENT:** Michael Cianchette. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Scott Noble, Donna Dunphy 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 November 19, 2013.

Moved by **Councilor Donahue** and seconded by **Councilor Carr** that the minutes of the meeting held on November 19, 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:

Important economic and community development events scheduled:

Wednesday, April 09, 2014:	Regional Business Resources Night	6:30 – 8:30 pm
Wednesday, May 14, 2014:	7 th Annual Regional Job Fair	3:30 – 6:30 pm

Several private sector business activities remain under review and small projects continue to be underway.

Several commercial properties have recently been sold, are under option or will be leased.

The Pitt Stop Tavern (Restaurant) on Route #100 at the corner of the Webb Road has received its business license, is looking really good and has announced that it will open soon.

The Architect and Engineer for the new store project have been in contact with the Town regarding the site plan review process and noting that they are working on the application.

To address remaining available locations, an additional promotion piece beyond our regular promotion of available properties has been provided to economic and community development resources and sites. This promotion is in addition to the creation and promotion of an Available Properties list, website listing, internet listings on free websites and verbal promotion.

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 in October, 2013. 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:

Recycling Committee Meeting on Wednesday, 12/04/2013 at 5:00 pm.

Sebasticook Valley Chamber of Commerce Strategic Planning Committee Meeting on Thursday, 12/05/2013 from 3:30 pm – 4:30 pm at the Palmyra Chamber Office.

Sebasticook Valley Chamber of Commerce Board of Directors Meeting on Thursday, 12/05/2013 at 5:00 pm at the Palmyra Chamber Office.

FirstPark Executive Committee Meeting on Thursday, 12/12/2013 at 5:00 pm at the FirstPark Office in Oakland

Upcoming Meetings:

To be compiled

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

Town Manager's Report: Town Council Meeting of 12/03/2013:

1. The FYI Folder: FYI Folder which contains items that come in between the Town Council Meetings has the following this evening: NONE

2. Somerset Avenue Mill and Fill Project: The Town has received an official public notice that MDOT is planning to design and advertise the Somerset Avenue project in the Winter-Spring of 2013-2014 with construction scheduled for Spring-Summer of 2014. I will be meeting with a representative of the Heart of Pittsfield tomorrow evening to discuss traffic improvements for Somerset Avenue and traffic calming ideas that people have been collecting. MDOT has advised that the State would have a limited amount of funds for traffic improvements.

3. Sebasticook Regional Land Trust Farm & Habit Ride: The Town has been contacted by representatives of the Land Trust to start the collection of information for the 2nd Annual Farm & Habitat Ride. This year, the group is going to check all schedules to try to plan the ride on a day that another significant bike ride is taking place. This will lead to more participants as many of

the regular bicyclists were at a large biking event. As soon as the date is chosen, we will start to promote and publicize the bike ride and padding event.

4. Tax Liens for 2011 Matured Monday, 12/02/2013: The Town now owns three properties through the tax lien automatic foreclosure process. All other property owners paid off their 2011 taxes. The three properties acquired by the Town were formerly owned by James Bank – burned apartment building on Middle Street; formerly owned by Robert Hackley – lot off Estelle Street with demo debris on it after a house fire several years ago; and property formerly owned by the Heirs of Roscoe Sanborn, a house off Livingston Street in which one of the heirs lives. Due to liability and unkemptness, these properties should be put out to bid as soon as possible. The TAP Sale process will be put together for the next Council Meeting. One of the properties has a residence, therefore, we have several steps to complete and have offered a tax payment plan to no avail. Under the TAP Ordinance, the former owner does have the right to redeem the property that has been acquired by the Town and put out to sale by paying up all taxes, interest, and costs in full within a specific timeframe. We will proceed forward. We really emphasize to property owners that it is much easier to pay the 1 year’s worth of taxes and keep ahead of the foreclosure process than to miss the date and end up having to pay up 3-4 years worth of taxes in order to obtain the deed back. This is very difficult to do and stressful so keeping ahead of the foreclosure process is really emphasized. At this point, we will proceed forward with a TAP sale for the Town Council’s review.

5. New Playground Equipment at Hathorn Park: The Town has been receiving a lot of compliments about the new playground equipment at Hathorn Park. It is a very attractive area and will be highly used next Spring during Little League Games and during the summer. We purchased the equipment late in the season in the hopes of a good deal and it worked out really well with 4 pieces of equipment received rather than 1-2.

6. Technology Petting Zoo: READ Announcement

7. Free Christmas Movie: READ Announcement

8. The Best Towns in Maine for Young Families: The Mayor found a listing on the Internet of the “Best Towns in Maine for Young Families”. Of the 15 towns identified in the State of Maine, Pittsfield was ranked 13th. The list is based upon: Does the Town have good public schools? Can you afford to live there? Is the Town growing and prospering?

9. Grant Funding Programs and Projects: The Grant Summary Report for 2003-2013 has been updated as of 10/31/2013. To date, the Town has received \$10,631,054 in grant funding through 113 grants. We have some pending activity and other projects on-going so the Town has a total of nearly \$12 million in grant activity since 2003.

Finance Committee: None. **Ordinance Committee:** None. **Recycling Committee:** None.

6. **NEW BUSINESS:**

ORDINANCE 13-19: (To be set to Public Hearing on 12/17/2013) The Town of Pittsfield hereby ordains to authorize the transfer of unencumbered appropriation balances to various departments:

FROM:	01-45 Community Development	\$6,000
TO:	05-10 Police Department	\$6,000

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Carr** that Ordinance 13-19 be set to Public Hearing on 12/17/2013.

The Town Manager noted the Charter provides for the Town Council by ordinance to transfer part or all of any unencumbered appropriation balance from one department to another. This is a housekeeping process required under the Town Charter. Until 2002, the Town had not processed transfers for several years and the Auditor had identified this as needing to take place in the 2001 audit.

For 2013, it is proposed that \$6,000 be transferred. This is estimated high at this point and can be refined at the 12/17/2013 public hearing as we will have nearly all expenses for the year charged to the budget and/or will have the purchase order amounts for bills that have yet been received. At this time, as it is not the end of the month, the financial reconciliation process can not be completed for balances available as of 11/30/2013.

The Police Department: Overtime, part-time coverage and gasoline costs drive this budget. At this time, it seems that this department would be able to finish within budget, however, to be prudent, this Ordinance is proposed. If a problem starts after this meeting and an ordinance is not set to public hearing for 12/17/2013, the Town will not have enough time to address any issues with a transfer.

The Town also has 4 departments that will have expenditures, which are very close for the end of the year, and these are being watched carefully. It is believed that they will finish within budget, however, if by 12/17/2013, unanticipated issues develop which are beyond the control of the departments, then the Ordinance will be recommended for amendment.

By tightening the budgets and utilizing budgets which do not cover any emergency and additional expenses, the transfer system is very important. The transfer system **assists in raising less taxpayer dollars** as we know at the end of the year that we can transfer funds between budgets. This system does create extra work, however, it also does save taxpayer dollars.

Total Transfers for the Year 2013 are preliminarily projected at \$6,000 between accounts. No transfer of funds is required from unappropriated surplus.

VOTE: UNANIMOUS AYE

ORDINANCE 13-20: (To be set to Public Hearing on 12/17/2013) The Town of Pittsfield hereby ordains that a lease be executed with Curtis Air, Inc. to provide airport maintenance and airport services as depicted in the lease and to lease parcels A, B, C, D and H at the Pittsfield Municipal Airport. The lease shall be for a 20-year period beginning January 01, 2014 with two (2) 10-year renewal options. This is a new lease to replace the current lease expiring December 31, 2013, which was assigned to Curtis Air on October 20, 1998 and renewed on December 30, 2003.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Donahue** that Ordinance 13-20 be set to Public Hearing on 12/17/2013.

The Town Manager noted the original lease, which Curtis Air, Inc. has been operating under, dates back to November 1, 1988. The lease was assigned to Curtis Air on October 20, 1998. The original lease was for 15 years with one (1) 10 year renewal expiring on December 31, 2013.

I have taken the original lease, updated it with current insurance requirements, the indemnification agreement language and several sections from the new lease agreement utilized for parcels at the airport.

I left the current lease fee paid to the Town as remuneration as the initial amount for the beginning of the 25 year lease, which has a Consumer Price index increase if there is one for each year.

Caleb Curtis is currently reviewing the lease, which is in draft form.

The draft may have revisions to it as the Town Manager had to piece together contents of an older lease, an indemnification agreement that we have for services Caleb provides and language from the new lease agreement utilized at the airport for parcels.

As this is a new lease agreement, it does require a public hearing and ordinance passed under the Town Charter. Renewals will not require that step.

Councilor Curtis noted he would be abstaining from the vote as Curtis Air is his business. Mayor Jordan, Jr. will be voting on this item to make a quorum.

**CURTIS: ABSTAIN
VOTE: UNANIMOUS AYE**

RESOLUTION 13-136: Resolved that the Town Council Waive the Bid Policy, Chapter 2, Administrative Code, Section 106 to accept the proposal from E.J. Prescott of Gardiner, Maine for a total to not exceed \$21,000 for the purchase of 12 Waterous Fire Hydrants.

Moved by **Councilor Donahue** and seconded by **Councilor Curtis** that Resolution 13-136 be adopted.

The Town Manager noted the Assistant Water/Sewer Superintendent has been working toward better pricing for the water hydrants. Earlier this year, the Town purchased 5 Waterous Fire Hydrants for \$1,950 each, which was down from the \$2,500 - \$2,600 or more paid or quoted.

Scott reports that the EJP salesman called asking if we would be interested in purchasing more hydrants this year at the same \$1,950 each because they have a lot of hydrants that were ordered but customers canceled the projects due to the price of materials. Scott has gotten the price reduced to \$1,750 and projects that the cost of a hydrant in the spring will be around \$3,200 each as they appear to be going up around \$600 a year. I believe purchasing in bulk reduces this cost.

The Assistant Water/Sewer Superintendent reports that on average we replace 5 hydrants a year, we currently have 5 hydrants in stock, if we could purchase 10-15 hydrants we could take 4 years to build a good reserve. Scott recommends purchasing 12 hydrants at \$1,750 each or \$21,000 which will allow for several years worth of hydrant replacements. The Town could schedule the installation of a higher number of hydrants per year.

A major project that the Town wanted to complete was the replacement of 50 hydrants. This type of work is not eligible for Drinking Water State Revolving Loan low or no interest loans.

VOTE: UNANIMOUS AYE

RESOLUTION 13-137: Resolved that the Town Council authorize the Town Manager and Deputy Treasurer to transfer any funds that remain in the 2013 Enterprise Fund Budgets after all charges are made for the end of the year to the Sewer Restoration Reserve and the Water Restoration Reserve for 12/31/2013.

Moved by **Councilor Carr** and seconded by **Councilor Curtis** that Resolution 13-137 be adopted.

The Town Manager noted this was a recommendation from the Town Auditor when the firm attended the Town Council meeting in June 2008. As the infrastructure is old, it was recommended that any funds left over in the enterprise fund budget at the end of the year be transferred to a reserve. These two reserves were created in 2008, however, after depreciation was charged to the budget, there were no remaining funds that were appropriate to transfer. In 2011 and 2012, funding was available to be transferred to both the sewer and water restoration accounts. Funds will be available for transfer to this account in 2013 from the sewer enterprise fund budget as it contains the required debt service payment for the \$1.9 million dollar loan. These loan funds are still being spent as sludge tonnage was less than projected in our prior engineer's three reports and sewer main projects are being completed. Funds will be available to be transferred to the water enterprise account. The funds will be available as the Town has been fortunate to have few water breaks this year (to date). We will not know the amounts to be transferred until after the audit is conducted, as the level of depreciation will need to be charged.

Currently, the restoration accounts have the following balances: Water \$82,111.30 and Sewer \$107,230.75.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial Reports as of 11/30/2013:

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 the Town Manager

Other Reports as of 11/30/2013:

Building and Plumbing Permit Reports

Library Report-Librarian's and Library Trustees Minutes
Police Report
Self-Explanatory – Not Reviewed

8. **REPORTS:** Audience, Council

Council:

Councilor Donahue: No Report.

Councilor Carr: No Report.

Deputy Mayor Nichols: No Report.

Councilor Curtis: No Report.

Councilor Cianchette: No Report.

Mayor Jordan: No Report.

9. **EXECUTIVE SESSION:**

Title 1, Section 405, 6.A., Personnel: Yearly Evaluation of Town Manager

Motion by **Deputy Mayor Nichols** and seconded by **Councilor Carr** to move into executive session according to Title 1, Section 405, 6.A., Personnel: Yearly Evaluation of Town Manager.

VOTE: UNANIMOUS AYE

The Town Councilors entered executive session at 7:15 p.m.

Motion by **Councilor Carr** and seconded by **Deputy Mayor Nichols** to return to regular session.

VOTE: UNANIMOUS AYE

The Town Councilors exited executive session at 7:44 p.m.

Motion by **Councilor Curtis** and seconded by **Councilor Carr** that the Town Council had completed and approved the Town Manager's evaluation.

VOTE: UNANIMOUS AYE

10. **ADJOURNMENT**

Motion by **Councilor Carr** and seconded by **Councilor Curtis** that the meeting be adjourned at 7:49 p.m. All in agreement.

Nicole Nickolan, Town Clerk