

MINUTES

for a regular meeting of the Pittsfield Town Council, held on Tuesday, December 17, 2019 at 6:30 PM in the Council Chambers.

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

ABSENT: Councilor Debra Billings

Also present: Town Manager Kathryn Ruth and Assistant Michael Feole

AUDIENCE: James Cianchette, Michael Cianchette, Jan Laux, Anne Matthews, Molly Thieren, Michael Lynch, Jaime Jensen, Bernard Williams, Joe Sanborn, Holly Williams, Pete Logiodice, Donald Woodruff, Jane Woodruff, Michael Leblanc, Amanda Collamore, Tara Pomeroy, Don Chute, Steve Vance, Jen Watson, Anna Bockis and Robert Downs.

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 DECEMBER 3, 2019.**

Moved by Councilor Bolster and seconded by Councilor Stackhouse that the Minutes of the Regular meeting held on December 3, 2019 be adopted.

VOTE: UNANIMOUS AYE

4. **ADOPTION OF MINUTES OF THE SPECIAL MEETING HELD ON DECEMBER 10, 2019.**

Moved by Councilor Curtis and seconded by Councilor Stackhouse that the Minutes of the Special meeting held on December 10, 2019 be adopted.

VOTE: UNANIMOUS AYE

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

Events:

Tree Lighting Ceremony on Wednesday, December 04, 2019: The tree lighting was lovely with 100's of children excited to see Santa. After some great music from the Warsaw chorus and some short speeches, the CEO of Northern Lights/SVH lit the tree and Santa arrived brought in by a sleigh. The children were quite happy to see the horses. People braved the cold weather to stay to see Santa. The decorations at the Gazebo donated by Northern Lights/SVH are wonderful.

48th Central Maine Egg Festival Week on Monday, July 6 – Saturday, July 11, 2020 including the Kiwanis Karnival on Wednesday, July 8 – Saturday, July 22, 2020: We need ideas for the theme so please go to the Central Maine Egg Festival Facebook Page and make suggestions. We will post when the introductory or first meeting is to be held. The meetings have been the second Thursday of each month in the evening.

Other items:

We are adding **Business Tips** to the Town website from the Small Business Administration. Anyone who is interested can go to www.pittsfield.org, go the dropdown screens, click on business and then business tips. These are usually sensible items being forwarded to the Town as we signed up for them to then post them for small businesses to help.

We are so happy to announce that our **Community Development Block Grant project** is now moving forward. Town staff attended a type of scoping meeting with the MDOT late last month. We just received the promised survey information for the engineering firm. There are some questions and issues to review internally and to make recommendations on how to proceed. Regarding the CDBG grant, the Town has received \$250,000 toward a \$500,000 project for a new sidewalk in the downtown. This project also includes new town streetlights. The sidewalk is planned on the side of Main Street by Vittles and PopOnOvers from Main/Somerset down to the back entrance of the Industrial Park. Based upon bids and the fact that we applied 2 years ago, pricing is different now so we will go as far as we can with the money that we have. It is integral and crucial that the Town sidewalk match seamless with the MDOT's work on Main Street. MDOT will be rehabilitating Main Street from the Pittsfield/Detroit town line down to around Nichols Street. Different work is planned for different areas of the roadway.

The Town is looking for **volunteers for the CDBG Advisory Committee** who will oversee the sidewalk project. We can also get involved with keeping citizens updated on what MDOT is doing regarding Main Street and hold informational sessions for the businesses along Main Street and the public to know what is going on. Since there are so many steps involved in the State's project and we have to mesh into that project, this will be a two-year commitment. The Main Street Revitalization Project is planned by MDOT to go out to bid around June of 2021. However, there is a lot to do before that. There are other amenities that we can work on beside the sidewalk. So far, we have a grant for 20 trees and a grant for 4 new bike racks. I am sure if citizens and businesses get involved, they will think up some other items that we can look at for the downtown and Main Street.

4. **PUBLIC HEARINGS/OLD BUSINESS:**

ORDINANCE 19-18: (Public Hearing) The Town of Pittsfield hereby ordains the 2020 Capital Budget be approved as follows:

Town Offices/Digitization	\$ 30,000
Municipal Building/Cosmetics	12,000
Police/Cruiser Video System	7,000
Police/Station Reserve	5,000
Police/Animal Control Officer Vehicle	25,000
Fire/Station Reserve	5,000
Airport/Obstruction Removal	49,000
Library/Capital Reserve Fund	<u>5,000</u>

Total Projects/Reserves:	\$ 138,000
Total Projects/Reserves:	\$ 2,531,800
Funding Breakdown:	
Funding by Loan	-\$ 1,360,000
Funding by Lease/Purchase	-\$ 0
Funding by Reserves	-\$ 75,000
Funding by Special Revenues	-\$ 10,000
Funding by Grants	-\$ 905,300
Funding by Other Resources	<u>-\$ 43,500</u>
Total to be raised by taxation	\$ 138,000

Public Hearing opened by Mayor Nichols

For: Michael Lynch

Against: None

Public Hearing closed by Mayor Nichols

Amended by Councilor Margolskee to remove \$30,000 for Digitization, seconded by Deputy Mayor Donahue

Amended by Deputy Mayor Donahue to remove \$25,000 for Police Vehicle, seconded by Councilor Margolskee.

Moved by Deputy Mayor Donahue and seconded by Councilor Margolskee that Ordinance 19-18 be adopted as amended.

VOTE: UNANIMOUS AYE

ORDINANCE 19-19: (Public Hearing) The Town of Pittsfield hereby ordains that the 2020 Operating Budget in the amount of \$3,875,106 () be approved, and the total sum of \$6,406,906 () be appropriated (Operating plus Capital Budgets);

AND FURTHER, that \$1,964,900 () be raised through taxation; that \$1,537,305, () be raised from estimated revenues; that \$360,901 () be appropriated from State Revenue Sharing; that \$0 () be appropriated from Lease/Purchase; that \$1,360,000 be appropriated from Loans/Bonds; that \$75,000 () be taken from reserve funds; that \$10,000 be appropriated from Special Revenues; that \$905,300 () be appropriated from grants; that \$43,500 () be appropriated from other Revenue Resources; and that an additional sum of \$150,000 () be taken from undesignated fund balance.

Public Hearing opened by Mayor Nichols

For: Anna Bockis and Amanda Collamore.

Against: Jaime Jensen, Robert Downs, Deborah Susi, Anne Duncomb, Michael Lynch, Trevor Byrill, Michael Leblanc, Jane Woodruff and James Cianchette.

Public Hearing closed by Mayor Nichols

Moved to amend by Deputy Mayor Donahue to add the original Theatre request to the Operating Budget, seconded by Councilor Curtis.

VOTE:

AYE: Deputy Mayor Donahue, Councilor Curtis and Mayor Nichols

NAY: Councilor Bolster, Councilor Margolskee and Councilor Stackhouse
TIE: MOTION FAILED

Moved by Deputy Mayor Donahue to amend Ordinance 19-19 to read “The Town of Pittsfield hereby ordains that the 2020 Operating Budget now have \$3,949,756 be approved and the total sum of \$6,523,556 be appropriated for Operating plus Capital Budgets; and further that \$1,981,550 be raised through taxation”, seconded by Councilor Curtis.

VOTE: UNANIMOUS AYE

Moved by Deputy Mayor Donahue and seconded by Councilor Curtis that Ordinance 19-19 be adopted.

VOTE: UNANIMOUS AYE

ORDINANCE 19-20: (Public Hearing) The Town of Pittsfield hereby ordains that the 2020 Water and Sewer Enterprise Fund budgets in the respective amounts of \$613,824 () and \$501,350 () be appropriated from the respective estimated departmental revenues.

Public Hearing opened by Mayor Nichols

For: None

Question: Amanda Collamore.

Against: None

Public Hearing closed by Mayor Nichols

Moved by Councilor _____ and seconded by Councilor _____ that Ordinance 19-20 be adopted.

VOTE: UNANIMOUS AYE

ORDINANCE 19-21: (Public Hearing) The Town of Pittsfield hereby ordains that the 2020 Water and Sewer Enterprise Fund Capital Budget in the amount of \$261,000 () be approved;

AND FURTHER, that \$232,000 () be appropriated from Water/Sewer Enterprise Additional Revenues and that \$29,000 () be appropriated from Water/Sewer Enterprise Loan/Lease-Purchase.

Public Hearing opened by Mayor Nichols

For: None

Against: None

Public Hearing closed by Mayor Nichols

Moved by Councilor _____ and seconded by Councilor _____ that Ordinance 19-21 be adopted.

VOTE: UNANIMOUS AYE

ORDINANCE 19-22: (Public Hearing) The Town of Pittsfield hereby ordains to authorize the transfer of unencumbered appropriation balances to various departments.

FROM:	15-05	Transfer Station	\$28,483
	25-05	Recreation	\$2,000
	25-10	Library	\$10,000

	30-05	General Assistance	\$10,000
	50-45	Debt Service	\$2,800
TO:	01-35	Legal	\$15,777
	01-40	Municipal Building	\$3,000
	05-20	Street Lights	\$3,000
	10-05	Public Works	\$21,000
	10-15	Cemetery	\$1,175
	15-10	Recycling	\$5,500
	20-05	Airport	\$3,831

Public Hearing opened by Mayor Nichols
For: Michael Lynch and Justin
Against: None
Public Hearing closed by Mayor Nichols

Moved by Deputy Mayor Donahue and seconded by Councilor Margolskee that Ordinance 19-22 be adopted.

VOTE: UNANIMOUS AYE

5. **REPORTS:**

A. **COUNCIL COMMITTEES:**

FINANCE: We met last week and reviewed the Capital budget for tonight.

ORDINANCE: No report.

RECYCLING: No report

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

Bicentennial Committee: The last event was the tree lighting and our next event will be the time capsule closing which will be held here in the Council Chambers during the second Town Council meeting on Tuesday, January 22, 2020.

C. **TOWN MANAGER'S REPORT**

1. The Theatre is playing The Rise of the Guardians for the free Christmas movie on Wednesday, December 25, 2019 at 2:00 pm.
2. There are jobs available with the US Census bureau currently open. Visit: 2020census.gov/jobs.
3. The Town Acquired Property sale of the property that received zero bids last time is available until tomorrow.
4. Taxes due for the 2017 year will foreclose on December 20, 2019, which is an automatic foreclosure under the State Law. Please pay all past due taxes for the 2017 year by that date because if not, then all three years of taxes will need to be paid in order to obtain a quit claim deed.
5. The water valve repair at the corner of Hartland and Bates Streets was completed last week. Chris was able to get the repair done in a very timely manner.
6. The Town Office will close early on Tuesday, December 31, 2019 at 3:00 pm to allow the end of year processes to be completed.

6. **NEW BUSINESS:**

ORDINANCE 19-23: (To be set to Public Hearing on 01/07/2020) The Town of Pittsfield hereby ordains that Chapter 8, Personnel Policy, Article 2: Employee Compensation, Section 202. Overtime be rescinded and the new Chapter 8, Personnel Policy, Article 2: Employee Compensation, Section 202. Overtime be adopted as follows:

In emergencies or when unusual circumstances warrant overtime work, a Department Head may prescribe a reasonable period of overtime to meet the Town's operational needs. Complete records of overtime worked by employees shall be maintained by each Department Head. ***All overtime must be approved in advance. There shall be no compensatory time accrued.***

~~With the approval of the Department Head or Town Manager or his/her appointee, an employee may be granted compensatory time in lieu of overtime pay. Compensatory time shall be granted on a time and one-half basis for hours worked beyond forty (40) hours per week.~~

Moved by Councilor Stackhouse and seconded by Deputy Mayor Donahue that Ordinance 19-23 be moved to Public hearing on 1/7/2019.

VOTE: UNANIMOUS AYE

RESOLUTION 19-125: Resolved that the Town Council Authorize a total of \$40,500 for Carry Forwards from the 2019 Budget and Encumber the funds for 2020.

Moved by Councilor Curtis and seconded by Councilor Bolster that Resolution 19-125 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-126: Resolved that the Town Council increase the percentage of funds in the Cemetery General Fund from 2% to 6.7% to be transferred to the 2020 Budget as a Revenue Source for the Cemetery, thereby increasing the amount of revenues to the amount equal to the proposed 2020 Cemetery Budget.

Moved by Deputy Mayor Donahue and seconded by Councilor Stackhouse that Resolution 19-126 be adopted.

VOTE: UNANIMOUS AYE

Motion to waive the rules and vote on Resolutions 19-127 through 19-134 as a block, seconded by Councilor Bolster.

VOTE: UNANIMOUS AYE

Moved by Deputy Mayor Donahue and seconded by Councilor Bolster that Resolutions 19-127 through 19-134 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-127: Resolved that the Town Council accept all cash donations for the Library Donations (G#1-634-00) for 2019 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 19-128: Resolved that the Town Council accept all cash donations for the Community Swimming Pool Donations (G#1-643-00) for 2019 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 19-129: Resolved that the Town Council accept all cash donations for the Underage Drinking Program (R-85-65-10) for 2019 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 19-130: Resolved that the Town Council accept all cash donations for the Theatre Fundraising Campaign/Renovations Revenues (R-86-09-01) and the Theatre Gap Revenues (R-86-25-05) and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 19-131: Resolved that the Town Council accept all cash donations for the Pittsfield Keep Neighbors Warm Program (referred to by staff and citizens as Pittsfield Keep Me Warm) (R-86-10-01) for 2019 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 19-132: Resolved that the Town Council accept all cash donations for the Re-Use Building (R-86-11-01) for 2019 and authorize the expenditure of the funds in accordance with Town Rules and Regulations.

RESOLUTION 19-133: Resolved that the Town Council accept all cash donations for the Historical Depot (R-86-20-01) for 2019 and authorize the expenditure of the funds in accordance with Town rules and regulations.

RESOLUTION 19-134: Resolved that the Town Council accept all cash donations for the Bicentennial (R-86-71-05) for 2019 and authorize the expenditure of the funds in accordance with Town rules and regulations.

RESOLUTION 19-135: Resolved that the Town Council authorize a revision in the Town Offices Hours of being open from 8:00 am – 5:00 pm Monday – Friday, a total of 45 hours a week to 8:00 am – 5:00 pm Monday – Tuesday and Thursday – Friday, a total of 36 hours a week effective January 01, 2020.

Moved by Councilor Stackhouse and seconded by Deputy Mayor Donahue that Resolution 19-135 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-136: Resolved that the Town Council appoint Stephen Seekins as Code Enforcement Officer for the period of 01/01/2020 – 12/31/2020.

Moved by Councilor Curtis and seconded by Councilor Bolster that Resolution 19-136 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-137: Resolved that the Town Council appoint Stephen Seekins as Licensed Plumbing Inspector for the period of 01/01/2020 – 12/31/2020.

Moved by Councilor Bolster and seconded by Councilor Stackhouse that Resolution 19-137 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-138: Resolved that the Town Council appoint Brian Croft as Code Enforcement Officer Alternate for the following areas: Zoning & Land Use Ordinances, Third Party Licensed Inspector for the period of 01/01/2020 – 12/31/2020.

Moved by Deputy Mayor Donahue and seconded by Councilor Bolster that Resolution 19-138 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-139: Resolved that the Town Council appoint Brian Croft as Licensed Plumbing Inspector Alternate for the period of 01/01/2020 – 12/31/2020.

Moved by Councilor Curtis and seconded by Deputy Mayor Donahue that Resolution 19-139 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-140: Resolved that the Town Council appoint Albert Tempesta as Code Enforcement Officer Alternate for the following areas: Zoning & Land Use Ordinances, Shoreland Zoning Ordinances for the period of 01/01/2020 – 12/31/2020.

Moved by Councilor Stackhouse and seconded by Councilor Bolster that Resolution 19-140 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-141: Resolved that Town Council appoint Albert Tempesta as Licensed Plumbing Inspector alternate for the period of 01/01/2020 – 12/31/2020.

Moved by Councilor Curtis and seconded by Deputy Mayor Donahue that Resolution 19-141 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-142: Resolved that the Town Council Appoint Morris Pollard from an Associate Member of the Planning Board to a full seat and Appoint Stanley Short Jr. to fill the Associate Member Seat vacant from Morris Pollard.

Moved by Deputy Mayor Donahue and seconded by Councilor Stackhouse that Resolution 19-142 be adopted.

VOTE: UNANIMOUS AYE

RESOLUTION 19-143: Resolved that the Town Council Approve a technical correction on the Lot numbers sold to Innovative Specialties, LLC to align them with the correct subdivision plan

Amended by Deputy Mayor Donahue to change Lot 79-4 to Map 24, Lot 34, seconded by Councilor Bolster. Moved by Councilor Bolster and seconded by Deputy Mayor Donahue that Resolution 19-143 be adopted as amended.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial

1. Financial Reports as of 11/30/2019

- 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 Report

2. Other Reports as of 11/30/2019

- 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: 91.7% of period; 83.2% of municipal; 76.0% municipal, water & sewer (depreciation and transfers done by Auditor so percentage will increase)

Revenue Collections Report: 91.7% of period; 67.3% municipal; 68.0% municipal, water & sewer

Excise Tax Collections Comparison Report: For this period, +4,945.28 ahead of 2018 collections at this time of the year.

State Revenue Sharing Comparison Report: For this period, +\$78,720.45 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.

8. **REPORTS:**

AUDIENCE:

Bernard Williams: If Overtime has to be approved as in Ordinance 19-23, how? (TM: If we had an emergency, we would take care of needed items). Why have this language? (TM: It is because there are instances where there are no emergencies yet people will go out and spend time that is not necessary.

Amanda Collamore: The street light on Library Street is fixed. Thank you Kathryn.

Michael Lynch: I would like us to continue to be fiscally responsible. The water department is out of regulation. The Town Manager would like us to use the town attorney to write language. This was brought to my attention by one of the companies I work with. (TM: Stated that the Town Attorney is not going to work on documents we can get completed by others we already work with or for little or no cost by others. Advised there was an estimated 8 month waiting period to utilize free resource). Stated Detroit Ave is not paved correctly. (Steve Vance: It is not finished. We had an issue with manhole covers.) My next question is from our discussion before. We have not been funding our town properly. Staff turnover is an issue. Do we need to add a couple of drivers for snow plowing to keep our kids safe?

Council:

Councilor Bolster: Happy that we came to a good compromise for the Theatre group. Thanks to Bob, Caleb and Howie for working with us. Happy New Year and Merry Christmas.

Deputy Mayor Donahue: Pleased about our compromise on the budget. Welcome to our new resident. The Theatre group has a hard road ahead and I wish them well. We approved a resolution to have committees meet here so the meetings can be recorded and we should have the meeting minutes. The Library report is very well put together and they had 2400 people use the Library. I have a meeting about the Comprehensive Plan tomorrow with Jan. Merry Christmas to everyone and Happy New Year!

Councilor Margolskee: This is my last meeting. I gained a lot of insight on how government works and enjoyed working with my fellow councilors. We didn't always agree but I have respect for all of you because I felt that you all spoke from your own truth. Thanked the citizens who elected him to the Council three years ago. In my medical office I owned and ran for almost thirty years, I felt that my employees made me successful. I feel that this is not the attitude that prevails. When five employees leave in a six-month period it becomes impossible to function smoothly. I feel that the council of which I am a member has not investigated this further. I wonder how we start the budget earlier yet we approve it at the same time? Kathryn, I think that you have done great things for the town. Through your hard work, effort and long hours the town has received several huge grants that have really been a benefit to us. I would also note that retiring from work when you feel that you can still do more, I can relate, but it was in my and my patient's best interests not to continue. I recommend the council look into succession planning - where do we go in five years and do we have the right team to get us there. Thank you for allowing me to serve on this board. Happy New Year, a Merry Christmas and a Happy 2020!

Mayor Nichols: Offered condolences to Joe Sanborn and his family. Noted in the past we used to have gentleman's disagreements. That is why we had districts so that we could represent the differing views of the differing areas. Now we have a scorched earth policy. It is hard to sit up here and do this. The public sector is not as easy as the private sector. None of us are experts in running a movie Theatre. Thanks to everyone who came in tonight. Thanks to Howard. Bob - you will be missed. Caleb - I wish you nothing but success. This is my last term. I have enjoyed it. Merry Christmas and Happy New Year!

Councilor Curtis: It is important to have new people on the Council. It is hard to be on boards. I am very proud of the way we worked together with different opinions. Sometimes there is not a lot of support. This year has been a tough year. We have gone through and dealt with the issues the best that we could and I am proud to have been a part of it. Wished everybody a Merry Christmas!

Councilor Stackhouse: Noted he does not have a large speech planned. It is his fifteenth year on the council. I have learned a lot, some I wanted to and some I needed to. To the two councilors coming in to sit in these two seats, we as councilors don't always agree, but we can agree to disagree. I hope that you keep up that same tradition. I did not get a Police report this month or last month. I know that Pete has been

sending them by email but I don't remember seeing anything (TM-We did not receive one). I would like to see that reinstated. Amanda and Heather brought up a good point that we have been working on the budget since July and we have seen two people in the audience the whole time that we have been going over the budget. We had groups here in the middle of the summer complaining that we were charging \$10 for swimming lessons. They don't want their taxes to go up. They came in tonight and wanted \$80,000 to reinstate the Theatre. You can't have it both ways. I would like to see some of these people sit in these seats and go through the agony and hard work that we go through to get to this point. Kathryn - Thank you for all of your hard work. I know that it has been a tough year with all that is going on. Merry Christmas and Happy New Year!

Councilor Billings: absent

10. **ADJOURNMENT**

The meeting was adjourned at 10:55 PM.

VOTE: UNANIMOUS AYE

Michael Feole, Deputy Town Clerk

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