

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, December 5, 2017 at 6:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Robert Stackhouse, Michael Cianchette, Scott Strom, Timothy Nichols, Howard Margolskee, Heather Donahue and Marie Manning. **ABSENT:** NONE. Also present: Town Manager Kathryn Ruth; Town Clerk Nicole Nickolan. Audience members included Shelley Connolly, Michael Connolly, Pete Logiodice, Ron Watson, Lyn Smith, Donna Dunphy, Heidi Cook and Don Hallenbeck.

1. **Mayor Stackhouse** 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 21, 2017.

Moved by **Councilor Cianchette** and seconded by **Deputy Mayor Nichols** that the minutes of the meeting held on November 21, 2017 be adopted.

VOTE: UNANIMOUS AYE

3. PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:

Presentation on SVTV

Councilors were provided background material for the presentation on this project by Councilor Marie Manning who is the Liaison for Seabasticook Valley Television Station (SVTV) as well as a list of questions from the Mayor and a copy of the agreement authorized back on April 4, 2017.

Beginning of Verbatim Report Provided by Councilor Marie Manning to be placed in the Town Council Meeting Minutes:

“I am Marie Manning (also known by friends and associates by the nickname: “Twinkle”). I am the Station Liaison for the Seabasticook Valley Regional Television Station and Media Access Center (referred to SVTV).

This year the Town Council expressed interest, desire and intent to support the creation and maintenance of a Regional PEG Access Television Station. We entered into contractual agreement and I am overseeing this project for a minimum of the next five years, as well as leading the contract negotiations with the Cable Company. The Council agreed this support would come from providing encumbered reserve funds to SVTV and providing the annual franchise fee incomes to SVTV for start-up, operations and growth. The report I provide

tonight is the Annual Status Report of this project, as per my contract with the Town of Pittsfield.

The reports and addendums presented to the Council for tonight's discussion cover a wide array of content, including:

- key points of reference regarding FCC regulations and how they impact the project,
- Research and Development process,
- Strategy Development and Future Planning, Acquisition of Assets,
- Networking and Collaborations,
- Establishment of the Advisory Committees,
- and an evolving Glossary of Terms defined in-text of this report.

Councilor Manning indicated that the documents provided also answer each question provided by the Mayor and Town Manager of Pittsfield.

The first and foremost thing that Pittsfield residents should know, is that they are already paying for a television station whether or not their town or region has one. How? Why? Since 1984 it is part of an FCC mandate requiring cable systems to offer (now up to four) Public Access Stations in each area they serve. These stations are funded by up to 5% of the cable companies' yearly gross revenue. Essentially every person who is a paying cable subscriber is contributing towards the funding of a PEG station in their community. Whether your town community operates one or not! Public-access television was created in the USA almost 50 years ago (between 1969-1971) by the Federal Communications Commission (FCC) as an alternative system of television which originated as a response to disenchantment with the commercial broadcasting system - with the express goal to ensure transparency in government and uphold freedom of speech. This was the beginning of what we call **“PEG Television”**- meaning: *Public, Education, and Government*. Emerging tandem to this were local **Community Television Access Stations**. Present day, with the development of new technologies and, as a result of new technologies: new needs of our residents, the term “Stations” is now by and large being broadened into “Media Access and Technology Centers.” SVTV is a means to an end, not the end in itself. What does that mean? It means that our focus is to not simply build something so that it exists, instead our focus is to create something to serve the communities in our region, throughout central Maine, in such a meaningful way. SVTV will be a prominent economic development vehicle that enables organizations, businesses and groups to spotlight their wonderful works in our towns.

Envisioning work initially began on the Project in the Spring of 2015 with starter conversations between myself and the Town Manager. Emails dating back to June 3, 2015 where I had sent the Town Manager vast amount of information I had gathered from successful models of PEG television stations. Our conversations continued intermittently over the next year and a half as we began to envision what SVTV could be. In preparation for presenting proposals and resolutions to the Town Council early in 2017, Kathryn emailed me the current Franchise Fee Agreement the Town has with the Cable Company on January 11th, 2017. (I will speak more about this in a moment). As resolved at the February 21st, 2017 Town Council Meeting that

the Town Council authorized “Twinkle” Marie Manning to take the lead in creating a revitalized Regional PEG station. Beginning first as a mobile station, and working towards a permanent fixed location as funds become available. Resolved on April 4th, 2017 the Town Council authorized the Town Manager to execute a contract with “Twinkle” Marie Manning as the Station Liaison on behalf of SVTV (Sebasticook Valley Television Station) to re- establish the existence of Public Access TV Station Channels in accordance with the Pittsfield Code Chapter 14 Cable Television Ordinance and Section 622 of the Cable Communications Act. SVTV is requesting the full franchise fee revenues the Town receives from the cable company. Without knowing the exact amount in advance, it is difficult to place a line item dollar amount into the budget. However, the budget will remain balanced regardless of what the actual amount turns out to be, as whatever amount comes in as revenues, will go out to SVTV.

A contract was signed by the Town Manager and “Twinkle” Marie Manning on May 1st, 2017 and shall continue for a minimum of five years to provide SVTV the needed time to establish and build the station’s presence, and ensure continuity of service. Seeing that we are in the beginning stages and not a 5013c we needed a fiscal sponsor. I looked into a Maine non-profit but they had never been a fiscal sponsor and had no background in media. I reached out to a college in Florida. The non-profit is Positively Florida. A check in the amount of \$15,500 was provided to SVTV’s fiscal sponsor to go towards the establishment of the PEG station. Since May I have been active in weaving together myriad aspects of this project as we move towards its launch. The funding is not spent to date as it is earmarked. We don’t have the funding to insure items if they were purchased.

Two priorities have been:

- (1) gathering sufficient information about technology and resources to build an effective website that will meet the expressed wishes for the online station, and will be such so that it can grow with ease, including eventual connectivity to the cable station
- (2) cultivate networks to gather together an advisory team that will help most specifically with the current primary needs of this emerging station, namely: those with skills in television production, grant writing, marketing, and other media-related expertise, combined with their ability to dedicate time to helping SVTV in these areas.

Following these two priorities are the next three priorities:

- (3) outreach to municipalities in our region to invite them to enter into similar agreements as the one we have with the Town of Pittsfield,
- (4) commence negotiations with the cable company to establish a better franchise fee agreement, and
- (5) outreach to the residents in the communities we serve to determine what their vision for the station will be and how best this evolving media access center can serve their needs.

A primary principle, and practice, is flexibility-in-motion.

The founding tenet of this project is collaboration. Collaboration with our fellow television experts and stations throughout Central Maine. Collaboration with local business, organizations, schools and residents.

Which brings me to Our Amazingly Collaborative Advisory Team (most are listed in the Council Package and include station managers, seasoned professionals and local community members, one of which is here tonight - - Ron Watson of Pittsfield) And there is one more to add who I am delighted to share with you: Last week we were able to recruit an extremely skilled Pittsfield resident to come on board our Advisory Team as our Financial Advisor. Kyle Holmstrom, the CFO (Chief Financial Officer) of Cianbro. I had a lengthy meeting with him today at his office. We reviewed the plan the councilors received in their packages last week and also the addendums to the package. He wanted me to pass along that he is sorry he is unable to attend tonight's meeting as he has a prior work engagement, but he suspects tonight's report will go smoothly. He says is excited about SVTV. He likes the model of being flexible and evolving the plan as additional funds and resources come in. He believes in the project and believes it will be an asset to Pittsfield, and to Maine. He thought the budget on Page 20 of the report is good and as complete as can be expected at this point in development.

It simple and straightforward and it addresses the immediate needs of the station for expenditures as well as the anticipated funds for the 2018 operating budget. Knowing, we will modify as more funds come in, but keeping it modest in keeping with only the "known" expected funds makes the most sense. Kyle will be my go-to financial guide as our project blossoms.

While at Cianbro, Kyle was eager to introduce me to Alan Grover (Cianbro's Public Relations and Corporate Communications Manager). The conversation with Alan led to several unexpected but equally wonderful revelations of ways we can collaborate. The most pertinent to share with everyone tonight is that over the past 5 years or so Alan has produced over 300 videos for Cianbro and they would like to have them air on the SVTV station. He says they are educational and informational in nature - as opposed to non-competitive and non-commercial in nature. On page 22 of the report (third on the primary goals list), we specified that one of the next steps we would be working on is the procurement of existing high quality informational and educational videos from local organizations that are ready to air. To have this revelation that we already have access to over 300 high quality videos to populate our content for the station is such a huge bonus for us as we begin this venture! Plus we will be able to share this content to other stations, which will increase Cianbros reach. It is such a win/win and win situation for all of us.

ADVISORY TEAM

The first, and principle, part of the SVTV team are "Twinkle" Marie Manning as the Station Liaison and Mark McMinn as its primary consultant. The next level is of equal import but made up of two distinct teams: The CTAM leaders, including: Tony Vigue and Randy Visser. Each have decades experience in Access Television and have been apprising Twinkle on Maine's unique PEG Television history, including legislative decisions that have been made, and are being considered being put forth as bills. They have also shared information regarding the Maine Municipal Association's (MMA) involvement, endorsement and advocacy of Community Television in our state. Additionally, they are both extremely

familiar with the current staff at the Cable Company, as well as former staff at the Cable Company and are paving the way for our negotiations to unfold in an informed manner. The Central Maine Television Station core-group leaders, including: - JP Fortier and Victor Cormier of Mt. Blue Community Access TV based in Farmington - Laura Guite and Barbara Bailey of CATV serving Fairfield/Waterville - John Harlow of Somerset Community TV 11 in Madison/Skowhegan and others who join our monthly meetings when they can. Our Ad Hoc Committee: - Ron Watson of Pittsfield, - Alisha Brandy of Pittsfield, - Desiray Howes, recent graduate of MCI and Kyle Holmstrom of Pittsfield.

As we grow, so will this team of advisors. One important note Regarding Contract Negotiations with the Cable Company. And why it is important to do so. Reviewing the Franchise Fee Agreement in detail, it was immediately clear that there was not only much room for improvement, but also, existing clauses in the agreement that were likely not being honored by the Cable Company, and others, most interestingly, that the Town was simply not asking the Cable Company to honor. This latter discovery was not through any direct lax in the Council or the Town Manager's duties, but rather a result of them not understanding the full extent of valuable services contained in the Franchise Fee Agreement. Part of my service is that of franchise fee negotiator to ensure the cable company honors its agreement and when this is successful we can see results like this that municipalities such as Portland which received almost \$187,000 capital grant funds from the cable company in their agreement. (found on page xi of the addendum) This is one of the key areas we will be discussing with the cable company as we negotiate on behalf of the Town as listed in the time line for next steps is in the package. As we move forward with this project, our request is simple, that monies that come in from the Franchise Fee Agreement/Cable Companies, be used to support the project. These funds will cover the cost of liaison services, consulting services, start-up and training services as well as SVTV's operations and expansion. Thank you. I am happy to answer any questions."

End of verbatim report provided by Councilor Marie Manning to be placed in the Town Council Meeting Minutes.

Councilor Cianchette noted he had a few questions. Councilor Cianchette indicated that there is still no accounting for the \$15,500. Where are the bills, the records? Marie noted that the money is in the bank. It has not been used since the Town provided it. The Town Manager noted that the background materials were in the warrant for approval after the check was requested by Councilor Manning. Councilor Manning provided the materials for Positively Florida to receive the funds, however, there there is no accounting after that. We have proof the check was cashed, however, no reports. Councilor Manning noted she has spent her own money on business cards, memberships, etc.

Councilor Cianchette noted he has some concerns with the responses. Who is Gary Broughman? I did a Google search on Positively Florida and on the Guidestar website it states this non-profit is Christian TV. It is listed as a religious organization. Councilor Manning questioned why if Councilor Cianchette found information like this why didn't he tell her? If I

had found something I would have let you know. Councilor Manning noted that the name originally established was CHTV. When first established it was a book company and Christian company. It was rebranded as a 5013c to Positively Florida. To my understanding it is operating as a media non-profit. Councilor Cianchette noted the paperwork he has was as of October 2017. The company changed in two months? Councilor Manning stated she feels this information must be wrong. Councilor Margolskee noted that he also found this information. Councilor Manning stated she would have liked to have known. Councilor Cianchette stated he is concerned that Councilor Manning will be back for more money. We will end up footing the bill. What about the other Towns? Councilor Manning noted the other 13 Towns are aware of the funds needed. I have contacted the other Towns and have received emails back saying thank you for letting them know and some Towns I did not hear from. If other Towns do not contribute they will not have access. The content holder that puts the information online also sends to the TV's. There will be a special box required for that.

Councilor Cianchette questioned who chooses the content? Councilor Manning states anyone from the public can contribute. There will be content even I find offensive. If there is anything with full frontal nudity, that will be on after 11 pm. We have to allow this due to freedom of speech. There will be a disclaimer stating something to the effect of this video by no means represents the Town or Station. Councilor Manning noted that there is full freedom of speech.

Councilor Cianchette noted that if the cable company has to provide equipment per the contract why do we need to negotiate for it? We should just go get the equipment. Councilor Manning noted anyone can ask for the equipment but they don't know what to ask for. SVTV is in communication with the cable company.

Councilor Margolskee noted that the contract with SVTV states we will provide \$15,500. SVTV shall seek additional funds. We have only agreed to \$15,500. No additional funds were promised. Councilor Manning noted the Council shouldn't provide the \$15,500 if they are not going to give the franchise fee. Councilor Margolskee stated the contract is inadequate. There should be a release clause. This contract needs to be reviewed by the attorney. My concern is this will be a pass through to the residents. If the cable company is made to raise percentages the company will increase fees to residents. The senior citizens will feel this increase. Councilor Manning noted the cable contract will have to be approved through the Council.

Councilor Margolskee questioned where we are in establishing the 5013c? Councilor Manning noted the 5013c has not been applied for. Councilor Manning noted SVTV is not the Towns. I felt it was important to have so I purchased SVTV. It was purchased this year. Unlike MCI assets that disappeared, if this is dissolved the assets will be sold and split.

Councilor Margolskee questioned what will the timeframe be for negotiating the franchise fee? Councilor Manning noted she hopes the cable company will be easy to work with but they may not be. Some places can take up to 3 years. I am hoping to have a result we are happy with by June. Councilor Margolskee questioned when will the 5013c be filed. Councilor Manning stated this will be done in the new year for tax purposes. Councilor Margolskee noted he would

like to see the funds go to our 5013c, not one in Florida. Councilor Manning stated it can take up to 18 months to acquire the 5013c. Councilor Donahue noted that the Maine Farmers Market took 3 years. It can be submitted and returned for questions. Councilor Manning noted while it is not ideal to have a fiscal sponsor out of State, it is someone I trust. You contracted with me to do this job. Councilor Manning noted she will look into Guidestar. There is transformational content, but it is not a Christian company.

Deputy Mayor Nichols noted we have talked in length. This was a good report that was put together but we have to have this reviewed by the attorney for an opinion. Councilor Manning questioned why this wasn't reviewed before she spent hours on this project. Deputy Mayor Nichols stated now with the report we will be able to give the Attorney all the information instead of it being piecemeal. First and foremost we need to make sure we are in a good financial and legal place. Councilor Donahue why we want a legal opinion on a contract that is already signed. Deputy Mayor Nichols noted we would like an Attorney opinion in writing to be sure this is financial and legal responsible. Councilor Manning noted the Annual Report has nothing to do with the contract. Councilor Margolskee noted we agreed to the contract in April. I had noted I wanted to see a business plan and now I have some questions and want a review. Councilor Manning noted it sounds like we are pulling support. When was the last time a contract was reviewed after it was signed? The Town Manager noted things have changed and questions do arise as projects develop. I believe there was a contract reviewed for PERC.

Mayor Stackhouse questioned what is the objection to the legal review? Councilor Cianchette wanted to confirm the \$15,500 has not been touched as it is for capital expenditure. A discussion is not binding. It is a discussion only. Councilor Cianchette questioned who Mark is. Councilor Manning noted Mark McMinn is my colleague, an outreach director in Massachusetts. He has extensive PEG experience. Councilor questioned if his resume is available. Councilor Manning noted it can be found on LinkedIn. Mayor Stackhouse stated he felt we should have got a legal opinion from the start. Councilor Cianchette noted we have a contract and now a document with a lot of information. It is additional information that can now be reviewed by the Attorney. Councilor Strom noted his concern is with the company in Florida and that they have the money. Councilor Manning noted she will track the money.

Deputy Mayor Nichols stated again, now that we have a document we need an opinion from a Town Attorney before moving forward. Councilor Margolskee noted he has given his opinion. Councilor Donahue stated we agreed to a contract for 5 years and committed to it. I am flabbergasted that we have now done a total turn around. Councilor Manning has shown she is willing and able. I don't see the need for a legal review of a signed contract. I still remain in support of this project. Councilor Manning has done a huge amount of work getting this started. I have no reservations moving forward. Councilor Manning wanted to echo everything Councilor Donahue stated and thank her for recognizing her effort. I would not have worked this hard for a maybe. I am on other Committees that operate in a deficit. We are not asking for money, just franchise fees that are received. We cannot cherry pick projects and request 40 page documents only to decide to review legal and not stay true to your word. This is a project in motion. It will continue whether we support it or not. Mayor Stackhouse noted he thought

from the beginning we needed a legal opinion. No one doubts the work put in but we need a review.

Ron Watson noted that these are all valid concerns that need to be addressed. I am not hearing anything said about renegeing. I just joined 2 weeks ago. I am very excited for this project. It will allow not only government proceedings but bring a community together. It will be a significant benefit to the Towns involved.

Community and Economic Development Activities and Events

Events scheduled:

Annual Christmas Tree Lighting scheduled for Wednesday, December 6, 2017 at 6:00 pm at Hathorn Park. Christmas songs at the Gazebo, Tree Lighting, Sleigh Rides and Refreshments.

Updates:

Community Development Program Achievements

Report on New Business Activity & Opportunities in Pittsfield:

A. General:

A few private sector business activities remain under review and small projects continue to be underway. To address the few remaining available small locations, additional promotional pieces beyond our regular promotion of available properties had been provided to economic and community development resources and sites. We have received inquiries about industrial park buildings owned by the Town and have provided information on the GE Building that is now available. Other inquiries have been received regarding the available industrial park lots. Most inquiries received this summer and fall for industrial park lots need much larger parcels, therefore, we have provided information on private sector opportunities.

The Town has received a number of new inquiries about available buildings in Town and provided information and assistance to business representatives collecting information on potential sites for their business or client. Some of the inquiries were from our website marketing materials while others were from the economic development information that we sent out on the internet. Still other inquiries were from advertising conducted on behalf of the property owners by their real estate agent or themselves.

For the **UTC Factory**, please see the lengthy history in prior meeting minutes. The property has been acquired by a developer who is located in Southern Maine. The property is being marketed by The Dunham Group for lease opportunities. The Town has contacted the Lead Generation company to discuss the project and future direction as the building is now owned by a developer. RCI is working on leads. The Developer has advised this week that he has

the entire building rented out for cold storage for the winter, however, would like to have a permanent business in the facility in Spring 2018. We discussed the Town's lead generation project with the Canadian firm and the planned timeframe.

Bangor Savings Bank plans to move into the former TD Bank location in early 2018. A deed has been issued from TD Bank and its affiliates to Bangor Savings Bank for the closed TD Bank Facility in Downtown Pittsfield. This is the only time that we are aware that a bank has allowed another bank to move into its closed facility at least in this part of the State. Generally, there is a restriction placed on the deed. In this case, the transfer was allowed and Bangor Savings Bank will move into a much larger office space on Main Street. That will leave the little branch office at the Somerset Plaza available for a small business venture, dependent upon the restrictions, if any, placed on the deed by Bangor Savings Bank. Another call has been placed to BSB seeking information on the timeframe as well as intentions regarding the little building at the Plaza.

The Town continues to work with an upcoming small company **Innovative Specialties**, with a great skillset seeking an expansion in our community in the Industrial Park Phase II. This item was on the agenda for the 04/19/2016 meeting with three actions listed and on the agenda for 05/03/2016 with two ordinances set to public hearing and a resolution. The CDBG grant was approved for submittal after a very positive public hearing was held. The grant application was filed by the deadline in May. The project was approved at the 09/12/2016 Planning Board Meeting. All grant paperwork for the Phase II Project Development was filed on time at the beginning of October. The project is under review by the State. An RFP was drafted by the Town and reviewed by the State for engineering assistance for Innovative Specialties. The RFP has been provided to the company along with a list of suggested engineers to contact as well as any engineers that Innovative Specialties would like to obtain pricing from for assistance with the building. The Town has received a number of approvals and is awaiting the Town Attorney's review of the Side Agreement with Innovative Specialties, LLC so that we can execute all paperwork and start the project. The grant is in the process of encumbrance with the State of Maine. The engineering firm with the low bid was chosen by Chad Dow and is now working on the project's engineering required to obtain permits for construction. The owner has requested that the engineering firm have the project ready to go out to bid in February 2017. As of the writing of this agenda item, the project remains at the Engineering firm. The Engineering firm has filed a revised site plan for review at the March 13, 2017 Planning Board Meeting. Approval was received. Additional clearing is required on the property and is expected to start this week. The first bills for reimbursement have been received for engineering. Once this project starts up, it will take 10-20 hours a week for months until completion. The bid package has been received for review. The project is out to bid with a due date for bids of May 01, 2017. Due to extensive engineering revisions, the due date for bids had to be moved back. When bids were received, the bids were very high due to the engineering package that was put out to bid. Mr. Dow is reviewing his options at this time and is working on a solution. UPDATE: The State of Maine has issued a variety of instructions regarding this project. We are currently awaiting an answer to our request to meet in person with the State to discuss options to move

toward the construction of this project. We had a very successful meeting with DECD and are working on this now. UPDATE: Chad Dow's bank and Chad are working on the arrangements for his loan to cover the amount of the CDBG Grant, which will be reimbursed by the State of Maine, upon completion of the project. We have received word directly from the bank that the project will be set to go. Chad has applied for his building permit, plumbing permit and sewer connection permit.

The Town Council signed the following Business Certificates in 2016:

1. Puretech Window Cleaning at 115 Main Street
2. Pittsfield Redemption Center at 418 Main Street (new facility under new management on the other side of town).
3. Andrea Amara for Andrea's Salon at 11 Huff Road for a hair salon.
4. Kimberly Wick for The Sitter Center Daycare at 50 Mount Road
5. Steven Lamarre for Off The Wall Collectibles at 129 Morrill Street
6. Bag End Suri Alpacas of Maine's new Farm Store at 226 Snakeroot Road
7. Dysart's expansion for restaurant seating in the North Main Street section of the building
8. Lisa Lewia, LMT with her massage therapy business at 15 Gleneagle Court. This is a home occupation.

The Town Council signed the following Business Certificates in 2017:

1. Eden Day Spa at 145 Main Street (the corner of Main and Central Streets)
2. Artful Alterations owned by Becky Thompson who has returned to our community.
3. A New You owned by Terri-Jean Wilkinson which is a new business to open at 113 North Lancey Street as of March 1, 2017.
4. Simply Efficient by Lorrie Farewell at 811 Main Street on 05/02/2017
5. Grandpa's Specialty Smoked Meats at 117 West Street on 07/18/2017
6. Helpfull Hands at 430 Main Street on 07/18/2017
7. The Maine Federation of Farmers Markets on 08/15/2017 (new location at Cooper on Seabasticook Street).
8. The Drooling Goat BBQ (at Stony Knolls Farm) owned by Ken and Janice Spaulding to Hathorn Park.
9. POPonOVERS at Big Bill's on Main Street by Nancy Monteryo
10. Dunkin' Donuts and Cafua Management Co, LLC
11. High Tide Low Tide by Wayne Dubay

Several business projects are under review for permits and approvals.

The Town Council signed the following Thank You Certificates in 2017:

1. Thank You for the great donation of materials by Hancock Lumber for the Hathorn Park Cupola.
2. Thank You to the Businesses supporting the Summer Concert Series: AAA Energy Service Co; Attorney Fred Bachrach; Bolsters Rubbish Removal; Bud's Shop 'n Save; Cianbro; Curtis Air; Dunkin' Donuts; Dysart's Travel Stop; Frost's Mobil Service; Hometown Healthcare Center; Houston-Brooks Auctioneers; Anonymous; Insource

Renewables; McMann's Auto; Mike's Auto Body; Northeast Planning Association; Peoples United Bank; Pittsfield Redemption Center; Sebasticook Valley Health; Sebasticook Valley Regional Federal Credit Union; Skowhegan Savings Bank; United Insurance; and Varney Chevrolet.

3. Thank You to Sgt. Roussin for covering as Acting Police Chief from late October 2016 to early October 2017.

The Economic Development **Lead Generation Project** went well with the issuance of the Situational Assessment and recommendations for sectors to promote for business attraction for the UTC Facility, SAS Facility and the Pittsfield Industrial Park Expansion, Phase II. The final report was issued in February 2017. Lead generation is now underway. One lead was obtained to date. We were advised that the company had expressed interest in one of the facilities here in Town and has talked about coming to Pittsfield in February – March 2017. No further information has been received. In April, the Town Manager spoke with the Lead Generation company and was marking arrangements to call the company. There was an extensive phone conference regarding how to proceed. The company has located a lead and discussions are now underway regarding background material for the company. After a Pittsfield Economic Expansion Corporation Director met with the lead generator in Canada, we began receiving other types of leads. PEEC will be discussing the type of leads desired for our community with RCI in September 2017 and this meeting was very helpful to define future direction. UPDATE: PEEC is working with RCI and Camoin Associates to schedule business visitations with multiple companies interested in the former UTC Facility during a several day period in January 2018 – February 2018.

The Town was formally awarded a **Community Development Block Grant for Economic Development for the Main Street Sidewalk Project** on Wednesday, November 15, 2017. This will be a great project. We have a group of excited volunteers ready to work on the project in 2018.

In addition, we will continue to work with several companies that wish to expand and/or locate in Pittsfield. These are on-going in the development and feasibility phases.

B. Properties for Sale:

1. SAS Property: Please see the lengthy history in prior meeting minutes. We are working with SAS intermittently to see if a company can utilize the factory for storage as it is great space that is going to waste. It has been very hard to have any type of deal for a business at this facility due to its current organizational structure. The interested company has made contact with the SAS representative and is awaiting approval. The Town then has followed up numerous times to request that there be a decision made. The Town has now learned that proposals will be reviewed on this property so we are working with a company on a proposal for a new manufacturing facility. The company is very interested in this facility. The company has been requested to provide their proposal for the project to the Town in writing so that we can proceed ahead. A proposal has not been received. It is reported that

other parties are looking at the facility. The Town has requested that the company move forward. The Town has not been contacted regarding another non-business use of the lot, however, a project seems to be in the planning stages for the future. The property is not listed for sale. The State of Maine called about the building in late Feb. 2017. The Trust owning the property continues to not have much interest in selling the property.

The Northern Border Regional Commission Grant project is now underway with the issuance of the Request for Qualifications for Engineering for the Madawaska sewer line project. The Town has asked for guidance from the federal government on this project and is awaiting a phone conference.

2. Former Sebasticook Valley Health (SVH) Office Building: The former SVH Offices which included the Dental Clinic is now for sale. This property is in excellent condition inside. The Town has reviewed the facility with SVH Officers and will be listing the property to assist in its sale. SVH is also talking with real estate agents and has now officially listed the property for sale in late September 2017. Several referrals have been made by the Town.

C. Projects Under Review:

American Legion:

The American Legion's demolition project is well underway with the building coming down the week of September 12, 2016. The demolition was concluded by September 23, 2016. Now the Legion is working on the details for the foundation. The site looks great! There have been many good comments about how nice the area looks. The foundation has been filled in. The American Legion is looking at options for a modular unit for the property. This is such an improvement to the neighborhood. A project is in the process of being planned. The lawn is being mowed regularly with grass returning to the lot. The American Legion continues to look for a suitable modular unit to place on the site.

D. Somerset Avenue Projects:

Report on Somerset Avenue Sidewalk Project and Impact of the Somerset Avenue Mill & Fill Project.

The Town inquired into the changes made in the road by MDOT during the paving in the Mill & Fill Project and the resulting water issues by Hartland Avenue. On 12/07/2015, the Public Works Foreman met with the Bangor Division Engineer John Devin about the continuous water problems at the end of Somerset Avenue and its intersection with Hartland Avenue, a very flat area without enough catch basins in the State system after the mill and fill project. To date, the Town has not been contacted with the proposed solution. MDOT has been trying to clean out and explore the catch basin system on Somerset Avenue due to issues. There has not been any progress on the drainage issues on the State's road. Multiple requests have been made and to date, the Town cannot get an answer on how MDOT will

resolve the extensive drainage issue on the section of Somerset Avenue prior to Hartland Avenue. MDOT has decided that it will complete some renovations to Somerset Avenue to address the drainage. This will involve bidding out the installation of two (2) catch basins near the intersection of Somerset Avenue with Hartland Avenue. This is a very good development and when the work is completed, it will be very beneficial for the neighborhood. MDOT was called regarding the constant water problems at the location for cleanup which has not been taking place. As far as we know from inquiries, the installation of new catch basins is still underway for quotation. Further inquiries have been made to learn the status of this project and have not yet received an answer.

E. Report on Meetings & Events:

Report on Meetings:

Theatre Committee Meeting on Wednesday, November 29, 2017 at 6:00 pm
Sebasticook Valley Executive Committee Meeting on Thursday, November 30, 2017 at 3:00 pm at the Palmyra Office (Re-scheduled to Anglers in Newport)
Sebasticook Valley Chamber of Commerce (SVCC) Board of Directors Regular Meeting on Thursday, November 30, 2017 at 5:00 pm at the Palmyra Office (Re-scheduled to Anglers in Newport)

Upcoming Meetings:

Kennebec Regional Development Authority (KRDA) FirstPark General Assembly Meeting on Thursday, December 07, 2017 at 5:00 pm in Oakland at the T-Mobile Conference Room
Kennebec Valley Council of Governments (KVCOG) Board of Directors Meeting on Tuesday, December 12, 2017 at 9:30 am in Fairfield
Kennebec Valley Comprehensive Economic Development Strategy Committee Meeting on Tuesday, December 12, 2017 at 11:30 am in Fairfield

Presentation on the Town's Expenses and Revenues as of November 30, 2017

At this meeting an update will be provided on the Town's 2017 Budget Expenses and Revenues.

As the month has not yet been closed out, we are unable to place the budgets or a financial package in the Council Package. Generally, this item would not come up until the second meeting of the month as all the accounts need to be closed out.

However, due to the situation with the low revenue collections, it is important to review the expenses and revenues to date. As soon as the books are closed off on 11/30/2017, I will begin work on these important reconciliations.

4. PUBLIC HEARINGS:

RESOLUTION 17-122: (Public Hearing) Resolved that the Town Council Approve an initial application for a liquor license for The Farm House at 461 Webb Road, Pittsfield, Maine 04967.

Mayor Stackhouse opened the Public Hearing.

Mayor Stackhouse asked if anyone wanted to speak in favor of Resolution 17-122.

Doug Donahue: I am one of the owners of Balfour Farm/The Farmhouse. We have a café serving farm to table dinners and a farm store. We applied for the license to be able to serve at dinners. This will bring more business to the Town and is well accepted.

Heather Donahue (as resident): We have had people calling from all around the State. We added dinners from 5 – 7 on Friday nights. This will allow us to pair with Maine vineyards and breweries.

Ron Watson: I have recently moved to Town and when considering this Town we thought of Balfour Farms. It is a benefit to the Town.

Mayor Stackhouse asked if anyone wanted to speak against Resolution 17-122. No comments were received.

Mayor Stackhouse closed the public hearing.

Moved by **Councilor Manning** and seconded by **Councilor Cianchette** that Resolution 17-122 be adopted.

Town Manager noted enclosed in the Council Package was a copy of the application from Heather and Doug Donahue for their café/restaurant at 461 Webb Road. The Town Council voted at the last Council Meeting on 11/21/2017 to schedule this action to public hearing.

This is for the Café where people enjoy refreshments and meals from the Farm Store as well as scheduled meals such as brunches and dinners. Balfour Farm also hosts Community events as well as other scheduled events to be planned in the future.

VOTE: UNANIMOUS AYE

5. REPORTS:

A. COUNCIL COMMITTEES: FINANCE, ORDINANCE & RECYCLING: NONE

B. BOARD AND COMMITTEE UPDATES BY TOWN COUNCILORS AND MANAGER

Councilor Margolskee: The Committee gave themselves a present and took the month off. The next meeting will be January 10, 2018 at 6 pm.

C. Town Manager's Report: Town Council Meeting of 12/05/2017:

1. The FYI Folder: FYI Folder which contains items that come in between the Town Council Meetings has the following this evening: READ List.

2. Pinnacle Ski Club To Hold Annual Ski Sale: The Pinnacle Ski Club will be holding their annual ski sale on Saturday, December 9th from 9am to 1pm. Consignment drop-off will be Friday, December 8th from 5pm - 7pm. There will be a variety of gently used downhill and cross country skis as well as ice skates and other winter sports equipment. New helmets for all ages will be offered at \$30 for club members and \$35 for non-members. The Pinnacle Ski Club is a non-profit organization that has been operating for over 60 years all by dedicated volunteers. The club strives to promote and encourage outdoor winter activities in Pittsfield and the surrounding communities. All are invited to join and participate in these healthy outdoor sports. Visit the Pinnacle Ski Club on Facebook. Also, check out the clubs brand new website at Pinnaclepark.org. Email inquiries to Pinnacleprez@gmail.com. The Pinnacle is located on Waverly Street in Pittsfield.

3. Annual Christmas Lighting Ceremony:

Pittsfield's Annual Christmas Lighting Ceremony: Hathorn Park on Wednesday, December 6 at 6:00 pm

What better way to bring in the "Holiday Cheer" than to sing Holiday Carols with family and friends. Join us Wednesday, December 6th at 6:00 pm, at the Hathorn Park Gazebo for the Pittsfield Community 3rd Annual Tree Lighting Ceremony. Enjoy caroling, accompanied by the Vickery and Warsaw Students, sleigh rides through a local farm, hot chocolate, candy canes and a visit with Santa. The MC for the evening will be Bud's Shop 'N Save Store Manager Chris Petersen. Retired Teacher and Veteran Peter Snow will light the Christmas tree. Donations to date for the evening's festivities have been received from Family Dollar for the candy canes and Pittsfield Recreation for the hot chocolate. A special Thank You to all the volunteers that have made this event possible. If anyone would like to donate, please contact the Town of Pittsfield at 487-3136 and we will put you in contact with one of our great volunteers! For a list of Christmas Carols and their verses, please go to MSAD#53's Holiday Sing-Along Block at <https://www.msad53.org/>

4. Theatre Golden Ticket Sale: The Pittsfield Community Theatre will be offering a Golden Ticket Sale on Sunday, December 10th from 2 to 4 pm. The theatre is giving away two Golden Tickets. For every book of (10) Gift Certificates, that includes popcorn and soda you buy from now until the end of 2017 your name will go into a drawing for a

Golden Ticket. A pack of ten gift certificates with soda and popcorn will be \$55. The theatre will be giving away two Golden Tickets on Monday, January 1st. The winners will get free admission for the whole year of 2018. Pittsfield Community Theatre will announce the winners names in the Rolling Thunder Express, Facebook, on the theatre's website and also on the theatre's screen. For more information contact 487-5461. book of 10 Gift Certificates are \$55.00.

5. The Polar Express is Coming:

PITTSFIELD COMMUNITY THEATRE

Free Movie THE POLAR EXPRESS

Pajama Party

Come in your best pajamas with robe and watch THE POLAR EXPRESS!!!!
December 10, 2017: Doors Open at 5:45 pm and the Movie Starts at 6:30 pm
Free Popcorn and Hot Chocolate and a drawing for gifts!!!!

6. Santa is coming to Bud's Shop 'N Save in Pittsfield:

Santa is coming to Bud's! December 15th and 16th. Stay tuned for details!!
More details about Santa's wanderings around Town in December are in The Rolling Thunder.

7. SPIRIT OF AMERICA AWARD PROGRAM

PITTSFIELD DESIGNEE FOR 2018

As you know, the Town has been participating in the Spirit of America Award Program for several years now, for four years. First, we nominated Bud Jones, then Beverly Rollins, Spencer Havey, and during this year, in the memory of Steven Emery. Please start thinking of people for the next Spirit of America Award.

TOWN MANAGER APPOINTED TO BOARD OF DIRECTORS FOR 2018

I am pleased to advise that the Spirit of America Foundation Chapter here in Maine has asked me to be on their Board of Directors. They are interested in putting out more information on the Foundation and Volunteerism for recruitment of more towns. I have been writing articles for the Town Managers' newsletters about the work of the Foundation. They have suggested that I become involved in some media for them. This would be for 2018.

6. NEW BUSINESS:

ORDINANCE 17-12: (To be set to Public Hearing 12/19/2017) The Town of Pittsfield hereby ordains to authorize the transfer of unencumbered appropriation balances to various departments as follows:

FROM: 05-10 Police \$17,000

	15-05	Transfer Station	\$10,010
TO:	05-20	Street Lights	\$ 2,000
	10-05	Public Works	\$22,400
	20-05	Airport	\$ 2,610

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 2017, it is proposed that \$27,010 be transferred. This is estimated high at this point and can be refined at the 12/19/2017 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 to be available on 11/30/2015. Postings have not been completed.

05-20 Street Lights: The traffic light expenditures are in this budget. The lights have just malfunctioned the prior weekend into this week. When the only certified company available to work on the lights has to come to Town, it is very expensive. This may overdraft this budget which is very tight. The overall Street light bills are in very good order. This is a precautionary estimate as once one light malfunctions, there is a tendency for another light to start acting up. This may precipitate a second call which could result in a budget overdraft in this account.

10-05 Public Works: The sand pile was used up earlier this year with all of the back to back snow storms. The cost of the sand to replace the pile was higher than usual as sources in the region continue to dry up. The Public Works Foreman was concerned with making sure there was enough sand so he ordered and hauled more than usual. More salt was ordered than usual. There have been a few breakdowns to date, however less than the prior year.

20-05 Airport: As with Public Works, the amount of snow storms affected this budget and has severely impacted the contractual line. There have been multiple beacon issues.

The Town also has 2 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 12/15/2017, 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 2017 are preliminarily projected at \$27,010 between accounts. No transfer of funds is required from unappropriated surplus. These accounts will be reviewed in detail prior to the Council Meeting as we will have more than ½ of the last month in the fiscal year available for analysis.

Moved by **Councilor Cianchette** and seconded by **Councilor Strom** that Ordinance 17-12 be set to Public Hearing on 12/19/2017.

VOTE: UNANIMOUS AYE

(TABELED AT THE 11/21/2017 MEETING):

RESOLUTION 17-125: Resolved that the Town Council confirm the Town Manager's appointment for the Part-Time Recreation Director position in accordance with the Personnel Policy Regulations.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Resolution 17-125 be taken off the table.

The Town Manager noted we are waiting on reference and employer checks.

Moved by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that Resolution 17-125 be tabled until further notice.

Councilor Manning questioned if it is possible to have the Warsaw Athletic Director, who is skilled and vetted, take over this position. The Town Manager noted we have looked into this before. Warsaw was approached and had no interest. There was a second approach again with no interest. Councilor Donahue noted she was advised that the Hathorn Park diamond is dangerous. Mayor Stackhouse advised he did not think it was so.

VOTE: UNANIMOUS AYE

RESOLUTION 17-126: Resolved that the Town Council approve the Consent and Agreement to Collateral Assignment between Manufactures and Traders Trust Company and Pittsfield Solar, LLC for the License Agreement for Facilities in the Right of Way dated July 31, 2017 and authorize the Town Manager to execute the Assignment as recommended by the Town Attorney.

Moved by **Councilor Cianchette** and seconded by **Councilor Strom** that Resolution 17-126 be adopted.

The Town Manager noted in the Council Package there was a Consent and Agreement which is a Consent to Collateral Assignment for the Pittsfield Solar, LLC project which is required by Cianbro's financial institution. The Town Attorney reviewed the document and made one change which is noted in 9. Governing Law so that the document falls under the State of Maine where the real estate is located rather than the State of New York. The Town Attorney did not propose any further changes to the document.

Basically, this document allows the transfer of the License Agreement for Facilities in the Right of Way, which is collateral for the project, to the financial institution in case of default of Pittsfield Solar, LLC. As this is Cianbro it is unlikely, however, it is still important to review the document. Basically, the Town is approving ahead of time that the Collateral which is the Right-of-Way Agreement License issued in July can be assigned and granted to the financing company.

VOTE: UNANIMOUS AYE

7. REPORTS: Audience, Council

Audience:

Don Hallenbeck: I have been following the SVTV discussion. I wanted to note that there was information in the newspapers recently that stated the available stations are starting in the 1300's, which most TV's don't go up to.

Council:

Councilor Manning: Beginning to look a lot like Christmas. I look forward to spearheading SVTV. I want to send out a special thanks to our Police Department.

Councilor Donahue: I had voiced concerns with the Waterville Humane Society at the budget meeting regarding the escaped dogs. I spoke to Brianna Norris from the Humane Society and she noted it was not the Humane Society who decided to let the owner walk the dogs. It was the District Attorneys decision. I take back any concerns regarding the shelter. Brianna did have concerns regarding the vacant ACO position. She stated this is against State charter. There has been issues regarding calls to the Police that were not answered. The Town Manager noted that the State was aware that we did not have an ACO currently and they understood as this happened across the State. There were some concerns brought up to me regarding emergency preparedness. Are we prepared? The Town Manager noted if an issue comes up the State divides up supplies. They would work with Bernard Williams. I will discuss the situation with him. There were also some concerns regarding trains carrying toxic materials. Is there a way to get the information to people? Can we use the loud horn? The Town Manager will talk to the EMA Director, Bernard Williams. Thank you for approving the liquor license.

Councilor Margolskee: Glad to see reasonable attendance at the meeting tonight. My questions regarding SVTV in no way reflects negative intent and I hope to see it move forward. We are just doing our due diligence. I was reading the paper and saw the notice for the Theater date night. This is a great idea.

Deputy Mayor Nichols: I just want to echo what Councilor Margolskee said. It is a good thing to know what to do in an emergency. I remember the siren going off in the tower at the municipal building when I was a child.

Councilor Strom: I will miss the Christmas tree lighting. I will be at Warsaw with the JMG group. I hope some people will be able to attend the tree lighting.

Councilor Cianchette: I want to congratulate Heather on her liquor license. We should reflect at this time of the year on the bigger things to guide us and why we are all here.

Mayor Stackhouse: I will not be able to attend the Christmas tree lighting. I want to thank Kathryn for all her hard work. She does a great job upstairs. Congrats to Heather on the liquor license. Mayor Stackhouse read a letter from Mike Gray, Director of PEEC. He commended Kathryn for all her hard work.

8. EXECUTIVE SESSION:

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

Motion by **Deputy Mayor Nichols** to enter into executive session for Title 1, Section 405, 6.A., Personnel: Yearly Evaluation of Town Manager at 10:15 p.m. The motion was seconded by **Councilor Cianchette**.

VOTE: UNANIMOUS AYE

Motion by **Councilor Cianchette** seconded **Deputy Mayor Nichols** to return to regular session. The Town Council exited executive session at 11:54 pm.

VOTE: UNANIMOUS AYE

Motion by **Councilor Cianchette** and seconded by **Deputy Mayor Nichols** that the Town Council had completed the Town Manager's evaluation.

VOTE: UNANIMOUS AYE

9. ADJOURNMENT

Motion by **Deputy Mayor Nichols** and seconded by **Councilor Cianchette** that the meeting be adjourned at 11:57 p.m. All in agreement.

VOTE: UNANIMOUS AYE

Nicole Nickolan, Town Clerk