

MINUTES

for a regular meeting of the Pittsfield Town Council, held on *Tuesday, September 20, 2022* at 6:30 pm in the Council Chambers at the Pittsfield Municipal Building at 112 Somerset Avenue and by teleconferencing technology.

Councilors Present: Mayor Michael Cianchette; Deputy Mayor Peter Logiodice; Councilor Jason Hall; Councilor Eric Saucier; and Councilor Lindsay Holmstrom.

Councilors Present by ZOOM: Councilor Brent Frost and Councilor Ronald Jester

Councilors Absent: None

Also Present: Town Manager Kathryn Ruth; Tammy Smith; Scott Therrien; Cory Verrill; Jan Laux; Howard Margolskee; Pete G. Vigue; Public Works Director Don Chute and Heather Donahue

Also Present by ZOOM: Michael Gray, PEEC Director and Ann Mathews.

1. OPEN MEETING/PLEDGE OF ALLEGIANCE, FOLLOWED BY A MOMENT OF SILENCE:

Mayor Cianchette opened the meeting of the Council by leading the Pledge of Allegiance. The Council observed a Moment of Silence.

2. ADOPTION OF MINUTES OF:

Regular Meeting held on September 06, 2022

Moved by Deputy Mayor Logiodice and seconded by Councilor Hall to adopt the Minutes of the Regular Meeting on September 06, 2022.

Motion passed with all votes in favor.

VOTE: UNANIMOUS AYE

3. PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:

A. Community and Economic Development Activities and Events

1. Projects and Grants:

- a. Planning Initiative Program Update
- b. Main Street Sidewalk Project
- c. Route #11/10 (Route 100) and Main Street Highway Construction/Rehabilitation
- d. Main Street Sidewalk Project Community Development Block Grant Funding; Northern Border Regional Commission Grant; Project Canopy Grants; and multiple smaller grant projects
- e. Main Street Sewer Main Rehabilitation Project including DEP American Rescue Plan Act (ARPA) Grant Funding
- f. Airport Grants
- g. Many other smaller Grant Opportunities
- h. Certificates and Ceremonies

The Town Manager updated the Town Council on the Planning Initiative Program as the Town has received the proposed agreement for the grant funding as well as the format for a Request for Proposal for Planning Services. These two items will be on the next meeting's agenda.

4. PUBLIC HEARINGS:

5. REPORTS:

A. Council Committees:

The Finance Committee, Ordinance Committee and Recycling Committees had no report. The Town Manager advised that the Recycling Committee will be starting up in January of 2023.

B. Committee Updates by Town Councilors and Manager:

The Town Manager reported that the Planning Board and Recreation Committee had been moved to the Departments Monthly Achievement Reports as the Mayor wanted them to provide a report rather than the Town Manager to do this.

C. Town Manager's Report

TOWN MANAGER'S REPORT FOR 09/20/2022:

STREAMLINED VERSION FOR TOWN COUNCIL

Please note that in September 2022 to date, nearly all of our time has been spent on finances, taxes, utilities, grant requirements and fixes required from the TRIO financial conversion. Conversion issues have begun to lessen. From August 3, 2022 through the first two weeks of September, there were constant conversion issues requiring fixes. Now, we are able to move forward to request customized programming.

1. Nomination Papers: Candidates are needed for the following elective offices:

- A. Town Council: (one District 3 Council Member for a 3-year term and one At Large Council Member for a 3-year term)
- B. SAD#53 Board members: (two 3-year terms and one Remainder of Term)

Nomination papers must be returned to the Town Clerk by 5:00 pm on Monday, Sept. 26, 2022.

2. Tax Bills for 2022: This tax bill is for the Somerset County Assessment; SAD#53 Assessment; and Municipal Appropriations. The mil rate for 2022 is \$24.40/\$1,000 valuation or an increase of \$1.30/mil or +5.6%. With all the sales, the Town's certified ratio has slipped from 100% to 92% for 2022. The Town is reviewing options to complete a revaluation. Town officials and employees have done the best job possible to maintain service levels, address some capital improvements and be conservative in spending, however, costs have increased across the board.

The 2022 budgetary changes affecting taxes were:

- Somerset County Assessment to the Town increased \$42,141.73 or 7.4%.
- SAD #53 Assessment to the Town increased \$24,317.17 from last year's assessment or .73%.
- The Municipal Appropriation, TIF Financing Plan and Overlay increased \$160,600.47 or 6.4%

Please go to www.somersetcounty-me.org / www.msad53.org / www.pittsfield.org for information about your county, school and municipality.

3. Planning Partnership Initiative: The MaineDOT Planner and I are working on the RFP for the Planning Consultant so the authorization to go out for proposals can be on the first Council Meeting agenda in October. The project has just received its MaineDOT Project # (WIN #).

4. Fixed Assets Report: I obtained a copy of the Fixed Assets Report for 12/31/2021 from another contact at the company. As several Councilors wanted a copy, it is attached as Exhibit A.

5. Open Positions Recruitment:

The Town of Pittsfield is experiencing the same issues as many employers in Pittsfield and the State with positions unfilled and very few applicants. There still remain 17 pages of jobs on the Maine Municipal Association Job Bank, the one site in the State where nearly all municipal positions are listed. It is full of municipal positions in all departments with most pages having 20-30 position listed so there must be more than 500 jobs listed. The major issue we are running across is that people do not want to wait on customers and most applicants want to work remotely. It is certainly a different work environment now. We need to adjust to this and make it an opportunity to work for the Town.

Updated for Week of 09/20/2022:

| Position | Vacancy | Status |
|-------------------------------------|--------------------------------------|----------------------------------|
| Financial Clerk* | 1 vacancy in Office | Going through applications again |
| Public Works Driver/Equip. Operator | 1-2 positions open again | Application with CDL received |
| Police Officer | 2 vacancies | Attending Job Fair |
| Fire Department | Always recruiting, handles own hires | On-going all year |

*Easier to hire for an entry level Financial Clerk position; allows for cross training and promotional opportunities.

6. Grant Applications:

Local Infrastructure.org Sign-up: Still no word on being chosen to attend the on-line webinar. As noted at the August 16, 2022 Council Meeting, the Town signed up for the infrastructure course from a leading university in preparation of what we have been advised will be the next phase of stimulus funding – for infrastructure. If chosen to take the course, we can learn about the resources available and the connections that can be made. Five communities from around the nation will be chosen for a project. While, it would be unlikely that a medium sized community would be chosen for the project, it would be great to be chosen to participate in the training.

2022 Grants for Municipal Stream Crossing Upgrades: This program is under review. The application will require engineering assistance which has been hard to obtain this year. Engineering has been requested on a number of projects that is outstanding. The Public Works Director and I will review opportunities.

Efficiency Maine Small Municipality Retrofits: The Town received a reimbursement for lighting so we have asked if the Town is eligible to apply for heating and air conditioning (HVAC) projects this year of if we need to wait a year.

Airport Grant Reimbursement: Reimbursement for our last billings for the Airport Hangar grant were submitted in order to be processed before the federal government shuts down for the end of their fiscal year for a couple of weeks prior to October 1, 2022. Two requests are pending.

Police Grants Update: We continue to work on the Police Grants. Payments were received for the grant that expired on August 31, 2022 for the cameras. A couple of grants have been closed out and it appears that one remains. We are reviewing current opportunities such as vests.

COPS Grant: The Town was contacted by DOJ listing our community as one of over 85 entities that were impacted by the software issues when filing an application. Interestingly enough, we were advised in August that we had an extension granted from 06/17/2022 to 06/30/2022 to file. Since we submitted the application before and after the due date time on 06/17/2022, it should have been filed.

7. Public Works Updates:

2022 Summer Paving: The Public Works Director had received dates and times from the company to finish roads to then find the work not completed. Last week, the surface coat had not been applied to two roads. A draft invoice arrived. We stated there would not be any payment until all in-town work was completed. The next day, the company arrived to finish all surface pavement for the in-town areas. Remaining is the application of binder on several country roads when the weather is warm enough (40 degrees or more).

Culvert Work continues on the country roads with the work completed ahead of the paving crew.

The re-bid documents for the Crawford Road Bridge and the remaining Seabasticook Street Culverts re-lining have not been received. At this point, it is now too late in the construction season and the work will need to be bid out for 2023 Spring Construction

8. Code Enforcement Status:

Alternate CEO Al Tempesta will be working with the Town Manager on code enforcement for the Town. The files are stored in the Assessing Office to secure them so they can be kept in order. Two code violations have now gone past their appeal periods and there has not been any contact from the property owners. Materials have been packaged up for the Town Attorney.

9. Energy Efficiency: As we have been notified, as well as all other customers of CMP, that the company has submitted a request for a three-year rate plan with the Maine Public Utilities Commission (PUC) and we have recently experienced a rate increase with some accounts, it would be a good idea to seek out assistance in looking at energy efficiencies. We have access to the Efficiency Maine funding, however, we need an expert in this field to review the buildings. I had recommended that the Town's buildings we reviewed as part of recommended topics for the 2023 budget for consideration. Structural review and energy efficiency review would be helpful for the future. If the Town Council is interested in pursuing this, I will put together a Request for Proposals for this work.

10. Upcoming Events:

Saturday, October 01, 2022: The Annual Household Hazardous Waste Day at the Transfer Station for the disposal of a long list of items. Registration required. The Kennebec Valley Council of Governments (KVCOG) is handling this item. They have had continual staff shortages and retainage issues as have

many organizations. A recently hired Ec and Community Development Director will be in charge of this project as they do not have an Environmental Planner. This is always a great event and we set a budget cap to make sure that the cost does not get out of control if a large amount of materials is requested to be disposed. In addition, it has been noted that several towns may want to attend, which would decrease the setup fee. Just received the materials to advertise the event.

I wanted to advise the Town Council that Chief Bickmore is officially retiring on October 10, 2022. He is unable to work anymore and needs to take care of himself and spend more time with this family. Chief Bickmore indicates that it was an honor and privilege to have served the Town and its citizens for the past five years. As he concludes more than 35 years in law enforcement, he is grateful for the opportunity to end his career working alongside the fine men and women at the police department in their ongoing public safety mission. The Mayor requested that I move forward as quickly as possible to fill the position. I printed out the schedule that we utilized before and have copies for the Town Council this evening. It would be helpful to have 2 Town Councilors for the Selection Committee to assist the Town Manager with a recommendation.

6. OLD BUSINESS: N/A

7. NEW BUSINESS:

ORDINANCE 22-09 (To be set to Public Hearing on 10/04/2022) That the Town of Pittsfield hereby ordains to transfer property listed as Map 25, Lot 81 on the Town of Pittsfield Property Tax Maps dated April 1, 2014 to Hammer Down Express Inc. for the sum of \$20,000.00; and more particularly being the description in a deed to the Inhabitants of the Town of Pittsfield recorded in Somerset County Registry of Deeds in Book 879, Page 566. The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed with covenants to Hammer Down Express Inc. and any other documents required to effectuate the transfer.

Moved by Deputy Mayor Logiodice and seconded by Councilor Hall to set Ordinance 22-09 to public hearing on 10/04/2022.

Gary R. Jordan, Jr., Pittsfield Economic Expansion Corporation (PEEC) Director, presented the recommendation of PEEC on this proposal. PEEC was tasked with bringing the Town Council an offer for the theatre. The Directors met with the prospective buyer on September 12, 2022 to vet the offer. The offer was felt to be good for the Town. After a lengthy discussion and review of the proposal, PEEC voted to submit the offer to the Town Council.

Director Jordan, Jr. introduced Aaron Bolster who is representing Allied Realty as the Real Estate Agent for the theatre property. Mr. Bolster advises that the Town can view the property as an asset or a liability. He is here to present the facts. He noted that the company would list it that low to obtain more proposals. You are giving up ownership so you need to help point it in the right direction. The ordinances will dictate the opportunities for the site. If marijuana sales are not covered, then it should be addressed by a covenant or by another way.

Hammer Down Owner Tammy Smith indicated that she grew up in this town and her family has been successful in the trucking business. They propose an entertainment venue to draw more people. She advised people that they have a cannabis store in Detroit. It is not viable to have that business here in Pittsfield at the Theatre. The Theatre will be focused on the theatre, entertainment,

a focal point for comedy and music venues as well as other activities to draw in all age groups. She advised that small theatres are closing everywhere so they have to move themselves into being part of entertainment. She advised that they want to button up the Theatre for the winter to protect it.

Scott Therrien advised that they propose to first work on the front and back as it is tired looking. The building will be brought up to code with major renovations and look presentable. It is going to take time as the estimate to take care of everything is around \$800,000. This is a passion project for their company. They plan to put the old reel projector in the corner and display it. They plan to secure the building, make it look more presentable, address the roof and get the theatre going.

There was a discussion about the history of the theatre, having the old reel projector owned by the Town but displayed through a lease in the Theatre for the duration of the ownership. Vision and financial viability were discussed as well as the values that the Town has on the personal property in the Theatre which goes along with the Theatre purchase.

Councilor Saucier advised that he was concerned about the price that was to be paid. \$20,000 is not a lot of money. He would rather give it away or sell it for \$1 and get the best 10 proposals and put it before a committee of citizens to determine the best proposal with the best long-term vision for that property with the financial ability to do that project. He would like to see more than one proposal and is recommending that we obtain several proposals to look at this for the next 20 years.

Gary Jordan, Jr. indicated that the prospective buyer is vested in this area and we know them. If we lower the price, people can come in from out of state and we do not know them. If you sell it, it is no longer the Town's. Whatever is the zoning is what will control what goes into the Theatre. This company proposes a theatre and entertainment center.

Gary Jordan, Jr. asked how much had been spent on the theatre while it has been empty. The Town Manager advised that the first year's budget of \$5,000 was not all spent. The second year's budget is over \$7,000 and it will be over drafted this year due to fuel and electricity costs. There will be a higher figure for the 2023 budget.

Mayor Cianchette indicated what has brought this into perspective for him is that that the theatre does not make money, the parks are not put in to make money, the library does not make money and the fire department does not make money. These items are put in for the enjoyment of the residents or for their protection. He sees an opportunity for a bird in the hand and these people are vested in the town. They have shared their vision and he sees it as an opportunity to have a theatre and to get out from under this.

Michael Gray recommended approval of the project as this business is going to show case the theatre and the old projector. He stated that the company has the vision and the financial means to renovate this facility.

Councilor Saucier stated that before we move forward, we need a business plan and would like to see a different avenue to get more ideas on the table.

Scott Therrien indicated that the theatre is a large liability for the Town and that the Town is not going to get 10 proposals. It has been for sale for years and no one has put in a proposal. He advised that they should offer \$1.00 for it. They had it analyzed by an expert and was told that it

does not have any value. This is a passion project for their company and it will take many years for them to get their money back.

Michael Gray recommended that we move this to public hearing.

Councilor Hall indicated that if we move it to public hearing, then at the next meeting which is a public hearing, that everyone will state their position. If asked if the Council has already decided that they do not want to entertain this, then we would not vote to move forward.

Councilor Holmstrom stated that this sounds amazing, really cool unique shows, make Main Street vibrant, we all want something to do here on a Thursday night and not have to drive 40 miles to a theater, she can 100% see this. The hard part is that she is looking at the capital asset list and it is listed as \$129,000. To give it away for \$20,000, she needs to make a sound decision and this means that she needs a little more information to make a decision. She needs to see the business plan. She appreciates their proposal. She wants the same as they do. We are entering the Main Street renovation project and there may be hundreds of thousands of dollars to guide that development so she needs more information.

Mrs. Smith agreed to provide the business plan next week.

Mayor Cianchette indicated that all that we are doing is setting this to public hearing and then getting more information.

Councilor Saucier asked if this could be tabled and then the business plan provided for review.

Mayor Cianchette stated that you can do this. He indicated that he does not agree with it, everyone states this is a liability and to get rid of it, but you are holding out for the money.

The Mayor called the vote.

Motion failed 2 in favor, 3 against.
AYE VOTES: Cianchette; Logiodice
NAY VOTES: Holmstrom, Saucier, Hall

The Mayor asked as to the disposition of the Ordinance. The Town Manager advised that 4 votes is required for passage, therefore, the ordinance did not pass. The Mayor asked the Town Manager if we have an option to move this onto the next Council agenda. The Town Manager advised that all that has taken place at this time is that the Council has decided to not schedule this to public hearing on October 4. She advised that you can take other actions such as schedule a public hearing on October 18 or another date or another action.

The Mayor requested that the project be put on the next Council agenda.

Mr. Therrien and Mrs. Smith indicated that they need to button this building up for winter and need time to get supplies and workers. They stated that the offer was withdrawn.

RESOLUTION 22-89: Resolved that the Town Council authorize the Town Manager to execute the Contract for the Sale of Commercial Real Estate for the former Pittsfield Community Theatre at 137 Main Street described in Somerset County Registry of Deeds book 879, Page 566 conditioned

on the Town Council's approval of the Ordinance to sell the Theatre after a duly called public hearing and vote.

Moved by Deputy Mayor Logiodice and seconded by Councilor Hall to adopt Resolution 22-89.

Motion failed with all votes against.
VOTE: UNANIMOUS NAY

RESOLUTION 22-90: Resolved that the Town Council instruct Allied Realty to lower the price on the property listed as Map 25, Lot 81 to \$_____ if it is decided to not set Ordinance 22-09 to public hearing on 10/04/2022.

Moved by Deputy Mayor Logiodice and seconded by Councilor Hall to adopt Resolution 22-90.

There was discussion on how much the price should be lowered. Ms. Ruth noted that the Real Estate Agent Heather Blodgett who had been handling the property for the last two years had e-mailed the Town recommending the figure of \$50,000. Mayor Cianchette requested that PEEC Director Gary R. Jordan, Jr, who is a Real Estate Agent, discuss a price with Real Estate Agent Aaron Bolster.

Deputy Mayor Logiodice rescinded his vote to adopt Resolution 22-90 and made a motion to table Resolution 22-90, seconded by Councilor Hall.

Motion passed to table with all votes in favor.
VOTE: UNANIMOUS AYE

RESOLUTION 22-91: Resolved that the Town Council waive the Regulations of Bids, Chapter 2, Administrative Code, Section 106 to approve the transfer and expenditure of \$8,827 from the Library Capital Reserve PITT#41 (G-1-649-00) for labor and parts to replace the HVAC system's controller.

Moved by Deputy Mayor Logiodice and seconded by Councilor Hall to adopt Resolution 22-91.

Motion passed with all votes in favor.
VOTE: UNANIMOUS AYE

RESOLUTION 22-92: Resolved that the Town Council authorize the Town Manager to execute the Letter of Intent to participate in the one-day Household Hazardous Waste Collection Event on Saturday, October 01, 2022

Moved by Deputy Mayor Logiodice and seconded by Councilor Hall to adopt Resolution 22-92.

Motion passed with all votes in favor.
VOTE: UNANIMOUS AYE

RESOLUTION 22-93: Resolved that the Town Council waive the Regulations of Bids, Chapter 2, Administrative Code, Section 106 and authorize the Town Manager to execute a one-year contract for Snowplowing with S&G Construction at a rate of \$3,127.43 per mile for a total of \$120,406.06 with 38.50 miles for 2022-2023; with such mileage to be adjusted if the Town adds road mileage during the term of the contract or deletes routes during the term of the contract.

Moved by Deputy Mayor Logiodice and seconded by Councilor Hall to adopt Resolution 22-93.

Motion passed with all votes in favor.

VOTE: UNANIMOUS AYE

8. DISCUSSION ITEMS:

- A. Department Report for 08/31/2022
Accomplishments/Achievements

Ms. Ruth advised that the Department reports were all received except for the Code Enforcement Officer/Building Inspector and she went into the computer system to print out his reports. She advised that the Councilors can review the reports at their leisure.

- B. Financial Reports as of 08/31/2022:
Budget Expenditure Report
Revenue Collections Report
Excise Tax Collections Comparison Report
State Revenue Sharing Comparison Report
Economic Development Accounts Update
Housing Revolving Loan Update
Tax Increment Financing Update
Pittsfield Future Account Update
Transfer Station/Recycling Monthly Report

Ms. Ruth advised that with the recent changeover at the beginning of August from the older version to the new TRIO, that there had been some reconciliation issues in August. The good news is that she has found all of the items that posted only on one side back when the system started acting up and those have all been corrected. She intends to have this reconciled by the end of the month but does need to check every account.

9. REPORTS:

Audience:

Public Works Director Don Chute: Does not want to see a hole in Main Street with the building removed. Advised that the prospective company had a vision, is committed to the community and has the financial capacity to renovate the theatre.

Heather Donahue: Asked if the paving being done for surface was also for the rural roads (Town Manager advised that the binder coat is required to be completed in October on the rural roads such as Webb Road). Stated that voting to not sell the theatre which would have been a downtown

development was shortsighted. Advised that the only way that the Town can govern is by covenants and zoning. Indicated her disappointment in the huge opportunity that is being missed.

Councilors:

Councilor Hall: No Report.

Councilor Saucier: Advised that he needed more information. He felt the proposal was vague and that it was not unreasonable to have two more weeks to review this. He did not feel that having two more weeks would have prevented closing up the theatre for the winter. He would like to see more details on the plan.

Councilor Jester: Absent.

Deputy Mayor Logiodice: Expressed disappointment that the proposal did not make it to public hearing where we could get the information.

Councilor Frost: Absent.

Councilor Holmstrom: Noted she would like to see the business plan and future vision. She did not think that asking for two weeks would result in this reaction. There was an issue at the school and Donnie took care of it. She would like to thank him for this.

Mayor Cianchette: Indicated that Pete Bickmore will retire on October 10. He was a big supporter of the town. The Mayor advised that he was a close personal friend of his and he hopes that he gets better. Indicated that the company was going to provide the business plan as they had agreed to do this. By the numbers, the motion failed and was no longer viable. The company pulled the offer off the table. Pittsfield blew the opportunity. He is upset that there was not a bit more foresight. PEEC had vetted it and found it worthy to present to the Council. The Council decided to not even talk about it.

10. ADJOURNMENT:

Moved by Deputy Mayor Logiodice and seconded by Councilor Hall to adjourn the meeting at 8:07 pm.

Motion passed with all votes in favor.

VOTE: UNANIMOUS AYE

Respectfully submitted,

Kathryn Ruth, 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.

