

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, January 6, 2009 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Deputy Mayor Wayne Fotter, Caleb Curtis, Gary Jordan, Jr., Louise Baker and Donna Chale. **ABSENT:** None. Also present: Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Sharon Mack, Jan Laux, Melissa Hackett, Scott Noble, Jennifer Siter, Clem Spencer, Paul Wintle, Bill Olver, Mandy Olver and others.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
1. Council Members elected at the November 2008 election take the oath of office and are seated:

District Two: Caleb Curtis
Councilor at Large: Gary R. Jordan Jr.

2. Adoption of Minutes of the Regular meeting on December 16, 2008.

Moved by **Councilor Jordan** and seconded by **Deputy Mayor Fotter** that the Minutes of the Regular meeting on December 16, 2008 be adopted.

VOTE: UNANIMOUS AYE

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

Presentation on Economic Development Stimulus/Recovery Program Submittals for Water and Sewer Infrastructure Improvements.

The Town Council received the following documents in their Council Package: (1) a write-up of activities on the water and sewer infrastructure improvements for the upcoming Economic Development Stimulus/Recovery Program; (2) background on the State Drinking Water Program approach to the upcoming stimulus program; (3) a draft Ordinance authorizing \$2,450,000 in bonds for the 4 recommended water projects; (4) description of the 4 water projects with excel financial charts; (5) letter from Olver Associates dated 12/23/2008 depicting the estimated engineering costs for these projects; (6) switching to sewer – excerpt from a proposal from Olver Associates describing how to choose sewer projects for the best use of funding of the many sewer projects the Town could undertake (as we know from our discussions with DEP, the Town's older sewer infrastructure replacement came in at \$48.5 million dollars excluding sludge removal); and (7) letter from Olver Associates dated 12/22/2008 depicting estimated engineering costs.

At their last regularly scheduled meeting, the Town Council Authorized the Town Manager and Assistant Water/Sewer Superintendent to obtain engineering assistance for the economic development stimulus projects for water and sewer. Basically, we were to put together the projects that we have been talking about for years that have been beyond our

means through traditional funding sources, which are loans with interest and would require a water rate increase and sewer rate increase to make payments. Projects which required rate increases had to wait until we implemented new meters as the residential meter system was failing. The four year meter replacement project nears completion – we simply have the properties left where the owners will not schedule the meter switch, have plumbing problems or the mobile home parks. We are in the midst of calibrating manual meters to put in the mobile home parks which we have documented and will then read them by hand. Basically, we have offered the opportunity for new meters to everyone many times and so now we have the means to make loan payments.

Everyone knows the Town's infrastructure is old. We have a lengthy list of water and sewer infrastructure improvements that would have a beneficial affect on the systems, the Town and most importantly, the citizens' services. The Assistant Water/Sewer Superintendent and I, with the assistance of Olver Associates, have chosen the projects which are the most crucial, will have the most impact, will help water quality the most and will be ready to go, in other words, will be shovel-ready to meet the schedule for construction this summer or fall.

There are specific forms for the Drinking Water Program and a deadline of 01/09/2009 to apply. Our applications will be going down prior to Friday. The DEP has not issued specific forms for Sewer Infrastructure.

The water projects are:

1. Addition or replacement of Valves
2. Back-up Pump
3. Replacement of antique lines
4. Replacement of water hydrants

The projects are being submitted as 4 separate applications and will stand on their own merits and be ranked separately. They total \$2,450,040

The sewer projects under review are on 5 roads and we are still collecting information. Olver Associates isolated from the many problematic lines and issues in their initial sewer assessment 5 areas of old clay pipes with high leakage rates. These projects total \$2.8 million.

Separate but interconnected with these applications would be:

1. Rate increases would be needed and would be determined by what projects were approved by the State for funding.
2. We should start on the PUC water rate increase work immediately as it takes a few months for approval.
3. We should also commission a survey of all households to determine exactly what the income level is for grant funding. Right now we are ineligible, perhaps a survey would show differently. We have a very reasonable cost from Olver Associates to do a survey in which the town employees would collect the data/household interviews and their firm would administer it. The survey would be good for 3 years, be relevant for CDBG, Rural Water and any other agencies. The cost would be \$2,000.

Bill Olver, who you have met before when he presented the Initial Sewer Assessment is here this evening. Bill designs the projects. Mandy Olver, who runs the construction division, is also here this evening.

Scott Noble, Assistant Water & Sewer Superintendent added after so many years with no money there are many items that need work. There are fire hydrants we can no longer get parts for, there are mains that need extreme repairs, it is unacceptable and we can't just keep putting band-aids on things. This is what the Town has done for decades.

Councilor Jordan questioned the situation with the clay pipes in Town. Scott Noble stated all the clay pipes are sewer pipes. The problem with the clay pipes is there is a lot of infiltration with the pipes. This creates a problem everywhere. Bill Olver stated TV work was recommended on certain areas of the system – but many of the pipes that are leaking are the new PVC pipes. The Town Manager noted that with the sewer lines some of it may be that sewer separation is necessary in certain areas. Stormwater diversion may also be necessary.

Mandy Olver noted that there are a number of places you can get funds, but because our rates are so low, we do not qualify for many of the grants or funding options available. The DEP does not always have grants available but sometimes have bonds. Again, qualifications are based on rates.

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

Tabled from the 12/16/2008 Town Council Meeting

- a. ***RESOLUTION 08-166:*** Resolved that the Town Council Accept the bid of Crede Associates, LLC of Portland, Maine in an amount not to exceed \$21,400.00 for the Engineering Assistance for the Brownfield Clean-up Grant for property owned by the Town located at 8 Mount Road (formerly known as 10 Eelwier Road) on Tax Map 7, Lot 47-A to be issued by the Town Manager once sufficient funding sources are determined to be available for hazardous materials clean-up.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Jordan** to remove Resolution 08-166 from the table.

VOTE: UNANIMOUS AYE

Moved by **Councilor Jordan** and seconded by **Deputy Mayor Fotter** that Resolution 08-166 be adopted as amended.

The Town Manager noted the low bid was Crede Associates, LLC of Portland in the amount not to exceed of \$21,400.00. The bids were ranked on a number of criteria, including cost, and the highest ranked bid was Crede Associates. Excellent reviews of their previous work.

The grant is \$40,000 for engineering assistance and clean-up funds. This would leave \$18,600.00 for clean-up. The engineer is coming up next week to review the property, he is getting quotations to make sure there is sufficient funding and we are looking at

alternative grant funds from the State for the petroleum. This is a very user friendly firm, they are looking around for other financing so the project can be completed.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: Town Council Meeting of 1/6/2009:

1. The FYI Folder: The FYI Book contains the following items this week: LIST READ

2. Board/Committee Openings: There are several board/committee openings available. Anyone who is interested in serving on one or more of these boards/committees, please contact the Town Clerk at 487-3136 or clerk@pittsfield.org

3. The Welcome Table Opening: The Welcome Tables opens on Friday, 01/09/2009 from 10:30 am – 2:30 pm at the First Universalist Church at 6 Easy Street. The volunteers are serving a free lunch every Friday for all looking for a warm place, warm food and warm friends.

4. Dog Licenses for 2009: Licensing is due for your dogs. Rabies certificates need to be up to date or still effective. The Somerset Veterinary Clinic will hold Rabies Clinic on Saturday, 01/10/2009 from 9:30 am to 12:30 pm at 513 Main Street. Also remember that the Seabasticook Animal Shelter is located on Grove Hill and provides rabies vaccinations.

5. Community Theatre Roof and Canopy Renovations Project: Internal beams and columns will be utilized as part of the project which Sewall believes has been the design of a superior solution at a much lower total estimated cost for construction. The plans have been modified from what was discussed at the Council Meeting to meet current design load requirements. The package went out to bid at Christmas time. Bids are due Friday, 01/16/2009 at 1:00 p.m. at the Pittsfield Town Office. There is a pre-bid meeting and site inspection on 01/07/2009 at 9:30 am. The project is to be completed by 04/10/2009 if not sooner.

6. Census Work Positions Available: NOTICE READ

7. Upcoming Events & Activities: NOTICE READ

8. Grants In Progress: We have many projects on-going and time is of the essence. I recently updated our list of grants received and projects working on since we started in 2003, we are now up to \$8,080,383 worth of approved grants, submittals and on-going development. One of those projects that we will submit shortly, on a very accelerated schedule will be the Airport Apron with the New Gate. This is going right in with bids due the first week of February so that we can include contract pricing with the application

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: No report, but would like to mention that there is a Recycling Committee meeting tomorrow night at 5:00 PM. The Committee is planning another

energy forum in the near future. Any volunteers that wish to attend the meeting are welcome and appreciated.

6. **NEW BUSINESS:**

- a. **RESOLUTION 09-01:** (To be set to Public Hearing 01/20/2009) That the Town Council hereby resolves to hold a Public Hearing on January 20, 2009 at 7:30 p.m. at the Council Chambers of the Pittsfield Municipal Building to discuss the acceptance of a State of Maine Riverfront Community Development Bond Program Grant for \$32,200. The purpose of the grant is to implement the Pinnacle Park Recreation Plan, Phase I which includes a skating rink; skateboard park; boat launch; parking area; multi-use recreational trails; habitat restoration; bird watching lean-tos; fishing; and interpretative nature signs. Public comments will be solicited at this hearing and will be submitted as part of the Project Development Phase. All persons wishing to make comments or ask questions about the acceptance of these funds are invited to attend this Public Hearing. Comments may be submitted in writing to: Kathryn Ruth, Town Manager, 112 Somerset Avenue, Pittsfield, Maine 04967 at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the Town's programs or services, please call Vickie Braley, Assistant Treasurer at 487-3136 so that accommodations can be made.

Moved by **Councilor Jordan** and seconded by **Councilor Baker** that Resolution 09-01 be set to public hearing.

The Town Manager noted this is our fun exciting project that we were very fortunate to receive an invitation into Phase II. Step 1 is to hold the public hearing and hear comments from the citizens. It would be good if a lot of people came to support the project and volunteer to work on it on 01/20/2009. There is a later authorization item on the agenda also. Step 2 is to work on the Environmental Permits. This will include DEP Permit by Rule, Planning Board Site Plan and to follow the CDBG Environmental Book for all state and federal agency approvals. This will take a bit of time.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 09-02:** (To be set to Public Hearing 01/20/2009) That the Town Council hereby resolves to hold a Public Hearing on January 20, 2009 at 7:30 p.m. at the Pittsfield Municipal Building Council Chambers for the purpose of receiving input from the citizens of Pittsfield relative to the \$150,000 Public Facilities Historic Preservation Grant awarded to the Town through the Department of Economic and Community Development. This grant provided funding for the following work at the Pittsfield Public Library: (1) addressing problems created by moisture in the basement, rotted bases of the wooden walls and weakened underpinnings to prevent eventual failure of the first floor and (2) repairs or replacement of damaged walls and floors included painting, reconstruction of crumbling interior masonry, repairs of horsehair plaster, leveling and refurbishing of uneven floors. All persons wishing to make comments or ask questions about the work are invited to attend this Public Hearing. Comments may be submitted in writing to: Lyn

Smith at the Pittsfield Town Office, 112 Somerset Avenue, Pittsfield, Maine 04967 at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the Town's programs or services, please call Kathryn Ruth at 1-207-487-3136 so that accommodations can be made.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Resolution 09-02 be set to public hearing.

The Town Manager noted this public hearing is required as part of the CDBG process as we close out the grant. The work was completed by the first week in December with the exception of a couple of minor change orders. We hope to close the grant out shortly. The on-site federal standards audit went very well.

VOTE: UNANIMOUS AYE

- c.* **ORDER 09-01:** Ordered that the Town Council elect from among its members a Mayor to serve for the 2009 year.

Moved by **Councilor Baker** and seconded by **Councilor Jordan** that Order 09-01 be adopted inserting Timothy P. Nichols. No other nominations.

VOTE: UNANIMOUS AYE

- d.* **ORDER 09-02:** Ordered that the Town Council elect from among its members a Deputy Mayor to serve for the 2009 year.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Baker** that Order 09-02 be adopted inserting Gary Jordan, Jr. No other nominations.

VOTE: UNANIMOUS AYE

- e.* **ORDER 09-03:** Ordered that the Mayor appoint from among the Councilors a Finance Committee, an Ordinance Committee, and a Fair Hearing Authority consisting of three (3) members each and a Police Labor Negotiating Committee consisting of two (2) Councilors and the Town Manager.

Moved by **Councilor Baker** and seconded by **Councilor Chale** that Order 09-03 be adopted inserting the following names:

Finance – Gary Jordan, Donna Chale and Caleb Curtis
Ordinance – Tim Nichols, Wayne Fotter and Donna Chale
Fair Hearing – Tim Nichols, Donna Chale and Louise Baker
Police Labor Negotiating – Wayne Fotter, Gary Jordan and Kathryn Ruth

VOTE: UNANIMOUS AYE

- f.* **RESOLUTION 09-03:** Resolved that the Town Council Authorize the Town Manager the authority to file grant applications and that the Town Council authorizes the filing of the Riverfront Community Development Bond Grant

Application in the amount of \$32,200; to make assurances as required by the application; to accept funds; carry out duties; and to sign documents necessary for the grant.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Resolution 09-03 be adopted.

The Town Manager noted this is a required authorization motion for the Riverfront CDBG grant for the Pinnacle Project for all of the paperwork that will be involved with the grant.

VOTE: UNANIMOUS AYE

- g.* **RESOLUTION 09-04:** Resolved that the Town Council Authorize the Town Manager and Assistant Water/Sewer Superintendent to implement the preliminary field survey work as discussed and to negotiate a contract with Olver Associates for engineering services if the Town is approved for State Revolving Loan Funding for water and/or sewer projects for the economic stimulus/recovery program.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Fotter** that Resolution 09-04 be adopted.

The Town Manager noted we would be authorizing the:

Water Preliminary Field Survey: \$12,000

Sewer Preliminary Field Survey: \$10,000

We will be ahead of the game this way, by having the information needed to design the projects.

VOTE: UNANIMOUS AYE

- h.* **RESOLUTION 09-05:** Resolved that the Town Council Appoint Kathryn Ruth as Official Representative, Councilor Nichols as Official Representative and Councilor Jordan as Alternate to the General Assembly for the Kennebec Valley Council of Governments (KVCOG).

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Resolution 09-05 be adopted.

VOTE: UNANIMOUS AYE

- i.* **RESOLUTION 09-06:** Resolved that the Town Council Appoint Gary Jordan as the Alternate Representative to the General Assembly for the Kennebec Regional Development Authority (KRDA) also known as FirstPark.

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Chale** that Resolution 09-06 be adopted.

VOTE: UNANIMOUS AYE

- j. **RESOLUTION 09-07:** Resolved that the Town Council Appoint Tim Nichols as an Alternate to the Maine Services Center Coalition in addition to the Town Manager.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Resolution 09-07 be adopted.

VOTE: UNANIMOUS AYE

- k. **RESOLUTION 09-08:** Resolved that the Town Council sign the Certificate of Commitment for Sewer User Rates and Water User Rates during the Year 2009.

Moved by **Councilor Baler** and seconded by **Deputy Mayor Jordan** that Resolution 09-08 be adopted.

VOTE: UNANIMOUS AYE

- l. **RESOLUTION 09-09:** Resolved that the Town Council sign the Expense warrants upon recommendation of the Finance Committee for the Year 2009.

Moved by **Councilor Chale** and seconded by **Deputy Mayor Jordan** that Resolution 09-09 be adopted.

VOTE: UNANIMOUS AYE

- m. **RESOLUTION 09-10:** Resolved that the Town Council authorize the Town Manager to hire Independent Review(s) and execute all paperwork for Airport Grants for the Year 2009 in accordance with the Town's Bid Policy and/or the Federal Aviation Administration (FAA) regulations.

Moved by **Councilor Baker** and seconded by **Councilor Fotter** that Resolution 09-10 be adopted.

VOTE: UNANIMOUS AYE

- o. **RESOLUTION 09-11:** Resolved that the Town Council waive the Bid Policy and accept the proposal of RHR Smith & Company, CPA of Buxton in the amount of \$9,900 for the Municipal, Water Enterprise and Sewer Enterprise Audits and \$1,200 for single audit for grants when required for each of the audit years of 2008, 2009 and 2010 and approve the firm as the external auditor for the Town's 2008, 2009 and 2010 audits.

Moved by **Councilor Baker** and seconded by **Councilor Chale** that Resolution 09-11 be adopted.

VOTE: UNANIMOUS AYE

- p. **RESOLUTION 09-12:** Resolved that the Town Council appoint Karen L. Baker as Animal Control Officer for a term through 12/31/2009 and approve

the contract between the Town of Pittsfield and Karen L. Baker for Animal Control Services for a term through 12/31/2009.

Moved by **Councilor Chale** and seconded by **Councilor Baker** that Resolution 09-12 be adopted.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

The Town Manger just wanted to note there are many on-going grants. We are currently on the fast track for the airport apron grant.

8. **REPORTS:** Audience, Council

Audience:

Council:

Councilor Baker: Wanted to thank Tim Nichols for accepting another year as Mayor. Commend Wayne Fotter for doing a great job as Deputy Mayor. Wanted to thank Gary Jordan and Donna Chale for all their hard work. Also wanted to thank the Town Manager for all the grants she has worked on throughout the year.

Councilor Chale: Wanted to also thank everyone for their hard work this year. Thrilled that the Welcome Table will be opening this week. We should be proud of our community for putting this together. Did have a chance to see the library renovation in the basement and it is fabulous. Wanted to thank the candidates in the audience tonight and encourage everyone to vote.

Deputy Mayor Jordan: Wanted to note that the Economic Development Stimulus Recovery Program that Olver Associates is working on is a top-notch job. Their study is by far one of the best studies I have seen. Would like to welcome Caleb to the Council. Wanted to thank Kathryn Ruth and Jennifer Siter for all their hard work on the Riverfront Grant. Thank you to the Council for voting me in as Deputy Mayor. Also, wanted to thank Wayne for doing a great job.

Councilor Curtis: Looking forward to working with the Council. I am ready to learn.

Councilor Fotter: Welcome to Caleb. You will be a very efficient Councilor. Nice to see the audience here. Glad we are getting started on the Water & Sewer project. This is probably my last year as a Council member and hopefully this will be a productive year like the last several years have been. Wanted to thank the Town staff for doing an excellent job. Wanted to thank Kathryn for all her hard work on the bonds and grants.

Mayor Nichols: Wanted to thank everyone for voting me in as Mayor. Congratulations to Gary for being Deputy Mayor. Wanted to note that Wayne did a fantastic job for many years. Congratulations to Caleb on his Council seat. Wanted to thank the candidates in the audience. I wish you both luck. It is good to see the

Water & Sewer project going forward. Scott has been very professional in handling all the questions and situations that have come up the last few months. Wanted to thank Kathryn and all the Town employees for all their hard work. The Riverfront grant is very exciting. Looking forward to seeing it get back to what it used to be. Wanted to thank Jennifer Siter and Kathryn for all their hard work on that grant.

10. **ADJOURNMENT:**

Moved by **Deputy Mayor Jordan** and seconded by **Councilor Fotter** that the meeting be adjourned at 8:29 p.m. All in agreement.

Nicole Nickolan, Town Clerk