

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, January 16, 2007 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Wayne Fotter, Brian Philbrick, Sr., Christinalyn Hamel, Lousie Baker and Gary Jordan, Jr. **ABSENT:** Michael Gray. Also present were Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Sharon Mack of the Bangor Daily News.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
2. **Adoption of Minutes** of the Regular Meeting on January 2, 2007.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Philbrick** that the Minutes of the Regular Meeting on January 2, 2007 be adopted.

VOTE: UNANIMOUS AYE

3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS: NONE**
4. **PUBLIC HEARINGS/OLD BUSINESS: NONE**

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

Town Manager's Report: Town Council Meeting of 01/16/2007:

1. **The FYI Folder:** The FYI Book contains the following items this week: Read List
2. **Curbside Recycling:** The 2007 Curbside Recycling Brochures were in the Rolling Thunder on 01/01/2007 as an insert. If you have not already pulled out your double-sided colored insert from the 01/01/2007 edition, please do so. If you did not receive a copy, we have extras at the Town Office.
3. **Public Notice of Intent to File:** We received a notification from Hancock Lumber Company that they will be filing an application with the DEP on or about 01/12/2007 for the beneficial use of bottom ash from facility boilers burning wood as fuel at the Hancock Lumber facility. A copy of the notice is filed at the Town Office. Sometimes when we receive these notices, we receive a copy of the application at a later date.
4. **Sebasticook Valley Chamber of Commerce Annual Banquet:** The Annual Meeting for SVCC is scheduled for Thursday, 02/15/2007 at the Millennium in Palmyra. The event starts at 5:00 p.m. and is usually over around 9:00 p.m. The 2007 proposed

slate of officers and directors, awards, recognition, and reports take place at the meeting as well as a social hour, dinner & silent auction to raise funds.

5. Sewer Projects for Rehabilitation: The Town's Water/Sewer Department and engineering consultant will be going out to review areas of town to put together the priority list for the sewer funds authorized late last year. Once the list is together with a proposal for the type of work, the report will be presented to the Town Council. We have a very old system and the funds are to address the areas that need the most work. If anyone feels there is a sewer issue on town mains that you would like to have reviewed for consideration for this project, please call the Water/Sewer Department on or by 01/31/2007 to report this area.

6. Time Warner Cable Update: Time Warner's customer service numbers and contacts are as follows: Citizens requiring special assistance with a customer service issue, can e-mail either Shelley Winchenbach at shelley.winchenbach@twcable.com or Mike Edgecomb at michael.edgecomb@twcable.com with the appropriate customer contact information. The new statewide toll-free customer service numbers for the public to use are: 877-596-5366 or 800-833-2253. The Town has also posted these numbers on the front page on the Pittsfield website at www.pittsfield.org.

7. Serve New England: Serve New England is a food cooperative for people who volunteer their time. A new chapter has been opened in Waterville. The goal of the organization is to promote volunteerism in the community. To qualify, people need to volunteer at least 2 hours a month. In return for volunteering in the community, people can purchase a good quality food package large enough for 4 or 5 meals for only \$22. The web site is www.servenewengland.org. People can sign up on-line.

8. Boards/Committees Thank You's: This evening we will be signing certificates of appreciation for the following individuals whose terms expired on boards/committees: Alberta Denham; Chris Faria; Daniel Dyer; David Fortin; Debra Hannigan; Denise Rohdin; Dora Miles; Dwayne Ames; Kristina Lord-Linde; Michael Susi; Michelle Hodgins; and Paula Salley. Thank you all for your contributions.

9. Board Openings: We have a few openings as follows: Airport Committee 3 year term; Board of Assessment Review Alternate expires 12/31/2008; Board of Ethics 3 year term; and Planning Board Alternate 3 year term.

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: Met on January 3, 2007. New member Kevin Smith was welcomed to the Committee. The Town Manager updated the Committee on the reuse facts & ideas that were submitted to MCI. The goal this year is to highlight reuse. Jane Woodruff explained the reuse website freecycle.org and the possibility of starting a local freecycle. Scott Millett discussed Christmas reuse ideas that his wife has offered and the possibility of doing an information session with these ideas. The Committee also discussed identifying businesses, schools and organizations that discard computers, file cabinets and such and how others can reuse these items.

6. NEW BUSINESS

- a. **RESOLUTION 07-08:** Resolved that the Town Council Appoint Seven (7) Members to the Celebrations Committee as follows:

Moved by **Councilor Philbrick** and seconded by **Deputy Mayor Fotter** that Resolution 07-08 be adopted inserting the following names:

Donnie Chute, Nancy Gibson, Nicole Nickolan, Mary Parsons, Peter Snow, Mindy Nyman (from Seabasticook Valley Federal Credit Union), Vickie Braley (from the Town of Pittsfield to assist the Committee), Debra Short.

The Town Manager noted through 01/10/2007, we had received the names of nine (9) interested parties for the Celebrations Committee. No further names have been received by the Town Office. Councilor Philbrick noted that he also had the name of Debra Short as an interested party.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 07-09:** Resolved that the Town Council Approve the cost of the 4 inch reflective stickers to provide to residents for the 911 completion, not to exceed the amount of \$1,276.00.

Moved by **Councilor Philbrick** and seconded by **Councilor Jordan** that Resolution 07-09 be adopted inserting the amount of \$1,276.00.

The Town Manager noted the Town Council received an update from the Assistant Treasurer on E-911 progress. The E-911 addresses conversion was provided to the Pittsfield Post Office in July, 2006. The Pittsfield Post Office submitted the materials to the Portland Office recently. The Pittsfield Post Office estimates about a month turnaround time starting now until the addresses are confirmed. We did hear from the Post Office today and the Portland Post Office has finished with the rural routes and wants to proceed with the address changes on the rural routes at this time with a deadline of April 1, 2007. When they are confirmed, then the Town sends out the letter to townspeople and businesses with the new address to be utilized. Under the E-911 addressing Ordinance, the Town needs to provide at least 60 days for people to make changes in their address. The next step is to determine if the Town will purchase the numbers that people need to put on their home or mailbox by the road/post by the road, etc. or have them buy their own. We could approve the cost up to the low quote, however, buy a partial amount for the Town, see how it goes, and buy more if needed. That way, if people wanted to come to the Town Office to get the numbers, we will give them out. If not, they buy their own. Some people will want to buy their own, others will be more than happy to get free numbers, not have to go to a store to find them, etc.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 07-10:** Resolved that the Town Council Appoint Steven Seekins as Licensed Plumbing Inspector through December 31, 2007.

Moved by **Councilor Jordan** and seconded by **Councilor Philbrick** that Resolution 07-10 be adopted.

The Town Manager noted the appointment is now due. It will line up with the other appointments. This is a yearly item required under the State Law.

VOTE: UNANIMOUS AYE

- d.* **RESOLUTION 07-11:** Resolved that the Town Council Appoint Karen Hanson-Brown as Animal Control Officer for a one (1) year term through 12/31/2007 and approve the contract between the Town of Pittsfield and Karen Hanson-Brown for Animal Control Services for a one (1) year term through 12/31/2007.

Moved by **Councilor Philbrick** and seconded by **Councilor Hamel** that Resolution 07-11 be adopted.

The Town Manager noted this is a yearly process. The Police Chief reports that the ACO will continue through 12/31/2007 and all contract terms remain the same.

Deputy Mayor Fotter questioned if mileage starts from Clinton or the Pittsfield line. It was noted that mileage starts at Clinton.

VOTE: UNANIMOUS AYE

- e.* **RESOLUTION 07-12:** Resolved that the Town Council sign the Expense Warrants upon recommendation of the Finance Committee for the Year 2007.

Moved by **Councilor Jordan** and seconded by **Deputy Mayor Fotter** that Resolution 07-12 be adopted.

VOTE: UNANIMOUS AYE

- f.* **RESOLUTION 07-13:** Resolved that the Town Council Sign a Certificate of Commitment for Sewer User Rates and Water User Rates during the Year 2007.

Moved by **Councilor Philbrick** and seconded by **Councilor Jordan** that Resolution 07-13 be adopted.

The Town Manager noted this is a requirement of the State law for the ability to place liens on accounts that are not paid in a timely fashion. Last year, the Council authorized the signature on the Certificates for the year and you have been signing them monthly. This motion does not change the water or sewer rates. It is a housekeeping item.

VOTE: UNANIMOUS AYE

- g. **RESOLUTION 07-14:** Resolved that the Town Council Authorize the Town Manager to hire Independent Review(s) and execute all paperwork for the Airport Grants for the Year 2007 as necessary in accordance with the Town's Bid Policy and/or the Federal Aviation Administration (FAA) regulations.

Moved by **Councilor Jordan** and seconded by **Councilor Philbrick** that Resolution 07-14 be adopted.

The Town Manager noted the airport grant process normally requires an independent review of engineering and other professional service costs. We are verifying with the FAA that an Independent Review will be required for the Vegetation Plan. There are not many Independent reviewers. The last time that we had one for the Runway project, the cost was a little over \$2,000. We would follow the bid policy excepting where the FAA requirements for hire differ, in which case the Federal requirements would be followed as this is grant money. The cost of the Independent reviewer is part of the grant. Once the grants start, the process moves very quickly, so this authorization will facilitate the Federal, State and Town reviews.

VOTE: UNANIMOUS AYE

7. DISCUSSION ITEMS:

Financial Reports:

Tax Acquired Property

The Town acquired three TAPs on 11/27/2006, we used to have 16-20 TAPs a year. So this was good. Of the three properties: 2 have not responded to certified mailings. 1 responded, paid the 2004 taxes and has agreed to a payment plan starting 01/30/2007.

One of the properties is an Heirs Of, Acct. #187. There is no agreement amongst the parties as to who should pay. An attorney was hired by one of the parties with no resolution as to who owed it. The party that lives in the house makes payments when they can.

Update on McNally Account: This was the TAP that the Town had on the books since the 1990's. 8 years of taxes were due. Mr. McNally broke his second installment contract with the Town. The Town Council voted to pursue legal action to sell the property. Now remember, this is an extreme case and this is not something that the Town would do often. The Town went to court as required to address the back taxes. The Town received a Judgment to be served on Mr. McNally if he did not pay up the entire balance due of \$7,231.92 (which included \$99 for court costs). The Town can not receive legal fees through the judgment. Rather than serve it immediately, Mr. McNally and the Town agreed to 2 weeks, pay up what was due or serve the writ. Mr. McNally arrived with a large

percentage of the funds, promised to pay over the next few weeks. Agreed to a payment plan after legal advice. Things went along well. Got done to \$642.07 plus court fees. Other parties served papers against Mr. McNally for monies owed to them. After many phone calls and requests, we went to serve the writ on Mr. McNally last week and found he was gone. He has vacated the property and a mortgage company has taken possession. Our thought had been if we serve the notice and Mr. McNally showed up with the money after the fact before the property went to TAP sale, fine, we would recommend to quit claim the property back to him. But now, we have a company involved. We contacted the company to find out what they were doing, as they were not on the Town's records and this is TAP. We found that the company bought a mortgage in 2004 and did not check to see if the Town owned the property. We explained the TAP Policy for properties where people are residing and that the Town's procedures are to sell the property if arrangements can not be made with the prior owner. The mortgage company requests that we sell the property to them for the balance due which is \$642.07 plus costs/interest. This is an unusual situation in which there is a mortgage company that shows up years after the property foreclosed. Our choices under town regulations are to (1) Sell the property at TAP sale or (2) retain the property. If there is any interest in considering the mortgage company's request, I can check further. The councilors discussed the issue with no interest expressed to sell the property to the mortgage company. It will be brought back for a TAP sale at the next meeting.

Other Items: Updates

A. MDOT Traffic Signal Light Project Update

As we know, one of the poles with the traffic light was hit and repaired by MDOT quickly. When the pole was knocked out and destroyed, the other lights continued in operation, with the main way remaining on Go, Slow and Stop and the other side of the intersection. We put up Stop Signs to assist. The location that was hit is still one of the old locations, you will notice that there is a pedestal for the new lights set back that is not in use yet. That may help some. We have contacted multiple offices of MDOT multiple times for information on how to establish a truck route and have no response, although I have been referred many places. In the interim, as a grassroots effort, the Police Chief is talking to the businesses in Town that have a lot of oversized and large truck traffic through the intersection. Our approach is to channel traffic around as much as possible. These efforts will continue. Some traffic is already going through the Industrial Park.

B. Highway Projects Update

Sand/Salt Formula: The PW Department has increased the salt Content of the sand/salt used during the storms to a 3:1 (3 parts sand and 1 part salt). This is the mixture used for ice storms, they are going to try it for regular storms for the in-town area in order to reduce the amount of sand left on certain roads and intersections. If it gets too cold, we would not use this mixture, as salt does not work well.

The PW Foreman will be in for an agenda item shortly to discuss the Salt Shed Replacement. We now have \$20,000 in Reserve. An action plan will be put together to build the facility by the PW Department. The PW department needs logs and the Cemetery Sexton has an area that needs to be cut as the limbs are falling on the stones. We would need a Site Plan Review, building permit, etc.

Gravel Roads have been problematic this winter due to the very warm temperatures. Last week, the warm temperatures left, so the PW Department hauled in material to 2 of the roads, purchasing screened gravel and graded it into the worst ruts/potholes. Prior to that point, we could not grade them, it would have created a lot of mud.

Citizens along most of the gravel roads have requested their roads be paved. As we know, the Town decided in 2004, when the Paving Plan was completed, that we would not add the gravel roads to the plan. Instead, the gravel roads would be updated. The PW department has done some upgrading.

I hired an engineer to review each of the gravel roads and provide the PW Department with specific recommendations on upgrading them for better travel.

In addition, as people are requesting that the Town pave the roads and we are receiving requests to pave them this year, I am going to get actual estimates on the cost to build up to town specs and to pave. We estimated these out in-house in 2003 and the costs were astronomical. We have 3.31 miles of gravel roads. There has been a 24% increase in paving and construction costs from 2003 when we compiled estimates.

One of the major projects assigned to the PW Crew during down-time (in between sanding and storm removal) is brush cutting along the Mill Pond Area in accordance with the 4-point system and brush cutting on town ways.

In addition to regular work, the PW Department has a list of approximately 30 projects issued in October of 2006.

C. Grants Progress

1. Regional Brownfields Grant Project for Kennebec and Somerset County:
The Town had an Assessment done of the Eelwier Road Property. I have not received a copy yet. KVCOG staff has changed a lot and the Committee has not met for awhile.
2. Community Development Block Grant Project – Business Development for Moosehead Cedar Log Homes
Moosehead Cedar Log Homes Open House was 01/10/2007. It was an excellent turnout and 3 Councilors attended.
3. Federal Aviation Administration Airport Project for Vegetation Plan

4. Federal Aviation Administration Airport Project for Obstacle Removal/CIP approval
5. Federal Aviation Administration Airport Project for Rehabilitate Apron – Phase I/CIP approval
The FAA Grants must be a priority this year in order to move forward.
6. Fund for Efficient Delivery of Local and Regional Services for Regional Recycling Truck – grant filing
At some point, the Fund will issue an invitation for grant proposals. When we applied for the Recycling Truck last year, we knew it could not be approved as it was ½ of the amount of funds they had available. The good point is that we have the application done and we would only have to update figures. The Town’s two Efficient Delivery Fund Grants are closed out.
7. L&W Conservation Fund for Stein Park Project
This project must be a priority and start right off also. This grant will need to be closed out to apply for another L&W Grant later this year for a Swimming Pool if the fund receives money. We do not know if there will be funding this year.
8. Rural Road Initiative Project for Phillips Corner Road, Project #1
9. Rural Road Initiative Project for Phillips Corner Road, application for Project #2:
Still not billed for the first project; second project is in the budget process.
10. Safe Routes to School Project for Henry Street – 2nd application
The State had planned to announce the winners of the grant award sometime in January – February, 2007. We have an application on file.
11. Wellhead Protection Grant for Fencing and Education

Closed Out in 2006 & 2007:

1. Community Development Block Grant Project – Business Development for Walpole Woodworkers, Inc.
2. Department of Conservation Project Canopy: Urban Street Tree Project
3. Federal Aviation Administration Airport Project for Airport Runway
4. Federal Aviation Administration Airport Project for Snow Equipment Removal
5. Fund for Efficient Delivery of Local and Regional Services for Regional Recycling Enhancements
6. Fund for Efficient Delivery of Local and Regional Services for Regional Curbside Recycling Pickup Planning Grant
7. Healthy Living Grant for Trails/Recreation Signing
8. L&W Conservation Fund for Mill Pond Park Project
9. MMA Safety Enhancements – Training Assistance
10. MMA Safety Enhancements – Water/Sewer Confined Space Assistance
11. Safe Routes to School Project for Henry & School Streets

REPORTS: Audience, Council

Audience: None.

Council:

Councilor Baker: No Report.

Councilor Hamel: Noticed that after trash to treasure day people are leaving things out. Councilor Hamel questioned the possibility of using one of our trucks to do a pick up. The Town Manager notes that this issue is one that will be worked on and perhaps freecycle.org will be helpful. It was noted that the reuse building was still being researched. Councilor Hamel also questioned when Livingston Street is expected to be cleaned up. The Town Manager noted that the Building Inspector needs to enforce this matter, and it is on his to do list.

Councilor Philbrick: Galen Faloon is not doing well. Wanted to let everyone know.

Councilor Jordan: No Report.

Councilor Gray: Absent.

Deputy Mayor Fotter: No Report.

Mayor Nichols: Wanted to note the article that was in the Bangor Daily News highlighting computer recycling.

8. ADJOURNMENT:

Moved by **Councilor Jordan** and seconded by **Councilor Hamel** that the meeting be adjourned at 8:26 p.m. All in agreement.

Nicole Nickolan, Town Clerk