

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, March 20, 2007 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Wayne Fotter, Brian Philbrick, Sr., Louise Baker, Christinalyn Hamel 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, Donnie Chute, David Lyons, Arlene Lyons, Crystal Neace, Jennifer Siter, Lawrence Wyman, Rick Moore and other citizens.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
2. **Adoption of Minutes** of the Regular Meeting on March 6, 2007.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Philbrick** that the Minutes of the Regular Meeting on March 6, 2007 be adopted.

VOTE: UNANIMOUS AYE

3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:**
4. **PUBLIC HEARINGS/OLD BUSINESS:**

- a. **ORDINANCE 07-04:** That the Town of Pittsfield hereby ordains the following:

Adoption of Chapter 19. Emergency Management Ordinance of the Town of Pittsfield

There was no one who wished to speak in favor or opposition of this ordinance. Public Hearing was closed.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Philbrick** that Ordinance 07-04 be adopted.

The Town Manager noted in order to qualify for future Department of Homeland Security funding, the Town is required to adopt an Emergency Management Ordinance. The ordinance template came from the County and the Fire Chief drafted it to meet the Town of Pittsfield's needs. In addition, all department and staff appointments are listed in the Administrative Code, therefore, the Emergency Management Director needs to be listed also. The Fire Chief has been Civil Emergency Preparedness Director (now known as EMD) for many years. The Ordinance Committee recommended approval of both items.

VOTE: UNANIMOUS AYE

- b. **ORDINANCE 07-05:** That the Town of Pittsfield hereby ordains the following:

Amendment to Chapter 2. Administrative Code, Division 2., Article 3. Description of Individual Departments, Section 400B. Fire Department, 402B. Duties of the Fire Chief, Add: The Fire Chief shall serve as Emergency Management Director.

There was no one who wished to speak in favor or opposition of this ordinance. Public Hearing was closed.

Moved by **Councilor Jordan** and seconded by **Councilor Philbrick** that Ordinance 07-05 be adopted.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: Town Council Meeting of 03/20/2007:

1. The FYI Folder: The FYI Book contains the following items this week: Read List

2. New Reserve Officers: The Police Chief advertised for additional reserve officers to supplement the police force. Summer is coming and the Town becomes much more active. Some years, he has not received many applications. This year, we were fortunate to receive several applications from candidates that they taken the 100 hour pre-service training. Nathan Allen Johndro and Stephen Locke will join the Police Department as reserves after completing an in-house training program. I spoke to the Police Chief about having them introduced at an upcoming Council Meeting.

3. Temporary Part-time Library Assistant: While Holly is on leave, the Library will need some assistance. The Librarian is accepting applications with a deadline of April 2, 2007 for the following help: 11-12 hours per week starting the end of April for 6-8 weeks. Monday 2:00 – 6:00 p.m.; Tuesday 2:00 – 6:00 p.m.; alternating Fridays 2:00 – 6:00 p.m.; and Saturdays 10:00 a.m. – 1:00 p.m. Responsibilities: General library duties include assisting patrons, circulation, shelving library materials. Pay: \$7.25/hour. For more information, contact Lyn Smith at 487-5880.

4. E-911 Addressing Letters: Letters have now been sent to all households with the new E-911 addresses. The Town has worked in conjunction with the U.S. Postal Service and the State of Maine E-911 and GIS Offices over a multi-year period to complete this project. E-911 matches a physical address with a telephone number and this information is displayed on a computer screen to dispatchers. With each letter, the Town opted to purchase and enclose numbers to be placed on everyone's houses and businesses. For the rural section of Town, those numbers should be put up by 04/01/2007 and for the urban section of Town, the numbers should be up no later than 05/01/2007 in accordance with the Town's Ordinance. We encourage anyone who can put their number up sooner to do

so. You should start changing your address now and over the next few months. Remember, the Post Office will deliver your mail up to 1 year from the date of your notification, so you have time to use up your checks, letterhead, etc. With your next order, order the items with your new address. Kleinschmidt Associates is completing a new map for the Town, which has all of the new street names. When this is available, we will announce it, put a copy of the maps on the web site and copies around Town for people to pick up.

5. Comprehensive Plan Update: Copies of the update to the Comprehensive Plan for the Implementation Strategies are available at the Town Office. We also have copies of the original Comprehensive Plan from 1997 in case anyone would like a set. The Update to the Plan will be available on the Town website under Economic Development.

6. Pittsfield Area Parks & Recreation T-Ball, Baseball & Softball Sign Up: For those who missed Sign –up due to the weather on March 17, there will be a second sign up on Saturday, March 31st at the Pittsfield Municipal Building in the Council Chambers from 9:00 am to 12:00 noon. T-Ball is for Ages 5&6; Farm League is for Ages 7&8; Little League is for Ages 9 through 12; and Softball is for Ages 9 through 12. The cost is \$15 per child with a family registration maximum of \$45.

7. Recycling/Environmental Celebration Dates for 2007:

Sunday 04/22/2007	Earth Day	Set nationally each year
Earth Day Activities are scheduled with the school(s) to fit in with their classes and vacation calendar		
Sunday, 05/20/2007 - Saturday, 05/26/2007	Arbor Day Week	3rd full week in May*
Weekday Activities are also scheduled with the school(s)		
Saturday, 05/26/2007	Arbor Day Park Activities	Saturday of Arbor Day Week
Saturday, 05/26/2007*	Trash to Treasure Day Day	Established locally to match Arbor Activities

*Trash to Treasure Days: In case of inclement weather on the scheduled date, the day long event will be held the following Saturday (06/02/2007 for the Spring date).

8. Garden Tour to Benefit the Library: The Pittsfield Community Garden Club will sponsor a Garden Tour on Saturday, July 14, 2007 to help raise funds for the Library Restoration and Expansion Project. The Garden Club has 12 gardens that will be available, including two homes that will be open. More details will be available in the near future.

9. Household Hazardous Waste Collection Day: In conjunction with the Kennebec Council of Governments and the Town of Skowhegan, the Town of Pittsfield will offer a Household Hazardous Waste Collection Day on Saturday, October 6, 2007. Details will be available this summer on times, sign-up, etc.

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: The Recycling Committee met on 3/7/2007. Items discussed were reuse tips for the public and businesses. Donnie Chute updated the committee on a possible ad hoc committee through KVCOG. Donnie is also working with Carol Gillpatrick on reuse of computer equipment. There was also a discussion of batteries that are recyclable. The Town Manager updated the committee on Earth Day, Arbor Day, Trash to Treasure Day and the Project Canopy Grant.

6. NEW BUSINESS

- a. **RESOLUTION 07-31:** Resolved that the Town Council Waive the bid policy to encourage regionalism and execute the Contract for Curbside Pickup of Recyclables with the Town of Palmyra through 03/31/2008, same conditions and terms.

Moved by **Councilor Jordan** and seconded by **Councilor Philbrick** that Resolution 07-31 be adopted.

The Town Manager noted one-year renewal, same work being completed and same pricing. The intergovernmental relationship has worked well.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 07-32:** Resolved that the Town Council Approve the Transfer and Expenditure of up to \$21,321 from G/L #629-00 Sand/Salt Shed Reserve #31 for the costs involved in building a 20' X 30' replacement Salt Shed.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Philbrick** that Resolution 07-32 be adopted.

The Town Manager noted the Town decided in 2002 that replacement of the salt shed would be needed in the upcoming years and put away \$5,000 each year from 2003 through 2006. That decision was a good one, as the facility definitely needs to be replaced. Part of the plan was for the PW Department to build the facility themselves as they have the ability and this would cost less. The bid policy will be utilized for all purchases which includes quoting for under \$3,500 and formal bids for \$3,500 and over. This is a replacement facility, therefore, it does not require Planning Board approval. Using funds from a Reserve Account does require Town Council approval.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 07-35:** Resolved that the Town Council Approve the Transfer and Expenditure of up to \$1,400 from G/L #1-622-00 Theatre Capital Reserve #26 for Re-pointing/Weatherproofing the back of the Theatre over the door.

Moved by **Councilor Jordan** and seconded by **Councilor Philbrick** that Resolution 07-35 be adopted.

The Town Manager noted the low quote to repoint the cracking above the back door, replace bricks, caulking and other openings as well as recoat all those sections was \$2,400. Today, the Theatre Manager was notified that the price was greatly increased. We will have to requote the work. In any case, the funds in the Reserve Account will be needed. The Theatre Capital Reserve had funds left over from prior projects, which with interest has \$1,353 right now. I put up to \$1,400 so we will use the amount that is in the account, with the rest of the funds coming out of the Theatre Capital Budget.

VOTE: UNANIMOUS AYE

- d.* **RESOLUTION 07-33:** Resolved that the Town Council accept the proposal of Great Lakes Specialty Products of Wisconsin in an amount not to exceed \$ 2,887.00 for the Land & Water Conservation Fund Grant: 2007 Picnic Tables for the Stein Park Renovation Project, Project #23-00787 subject to approval of the Department of Conservation.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Jordan** that Resolution 07-33 be adopted.

The Town Manager noted the low bid is Great Lakes Specialty Products with a total cost of \$2,887 including shipping for three recycled planked picnic tables (including 1 ADA compliant). The company will move the delivery date up 1 week to assist us with the project. We also received photos of what the benches look like. Funding is provided by the Land & Water Conservation Fund Grant. The State requires a contract be signed, which is our Standard Goods Contract.

VOTE: UNANIMOUS AYE

- e.* **RESOLUTION 07-34:** Resolved that the Town Council accept the proposal of S & G Construction of Detroit, Maine in an amount not to exceed \$ 4,420.00 for the Land & Water Conservation Fund Grant: 2007 Asphalt Paving for the Stein Park Renovation Project, Project #23-00787 subject to approval of the Department of Conservation.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Philbrick** that Resolution 07-34 be adopted.

The Town Manager noted the low bidder was S&G Construction for \$4,420. The Contractor will pave the walkway after the Town digs it up, replaces the gravel and extends it both in terms of width to meet ADA and adding on a small section to the shoreline. The funds are from the Land & Water Conservation Grant Fund. The State requires a contract so the Town's Standard Services contract will need to be signed.

VOTE: UNANIMOUS AYE

- f.* **RESOLUTION 07-36:** Resolved that the Town Council Sign the Warrant for prosecuting owners of unlicensed dogs, effective 03/21/2007, on which date a \$25 late fee may be charged to all whose names appear on the Warrant.

Moved by **Councilor Jordan** and seconded by **Councilor Philbrick** that Resolution 07-36 be adopted.

The Town Manager noted this is a requirement of the State Law. The Town has called everyone on the list with a phone number, sometimes more than once. There have been several ads and write-ups in the newspaper and this requirement has been posted on the Town's website since last year. Once the ACO has made contact with the individuals, the \$25 late fee is charged. Prior to that the late fee is \$15 per dog.

VOTE: UNANIMOUS AYE

7. DISCUSSION ITEMS:

Financial As Listed Below:

- A. Financial Reports as of 02/28/2007:
 - Budget Expenditure Report
 - Revenue Collections Report
 - Tax Acquired Property Report
 - Economic Development Revolving Loan Update
 - Housing Revolving Loan Update
 - Transfer Station/Recycling Monthly Report
 - Theatre Monthly Report**Reviewed Briefly**

- B. Other Reports as of 02/28/2007:
 - Building and Plumbing Permit Reports
 - Library Report – Librarian's and Library Trustees Minutes
 - Police Report**Self-Explanatory - Not Reviewed**

Brief Updates On:

Gravel Roads Capital Costs Compiled: Review Engineering Report depicting costs to build up the roads and pave them.

The Town had received a number of requests to pave the gravel roads in the Town. Several years ago, Bud Susi had figured out the costs for some of the roads, especially the roads which were not town accepted. We had utilized those costs and applied them to all the gravel roads and added escalators for price increases. The total figure estimated was \$1.2 million dollars, which included all currently maintained gravel roads and the private roads which people requested the Town take over.

Millett Associates was hired to:

1. Estimate the costs to rebuild all town owned gravel roads and the costs to pave them. This was done so we could have an updated cost available for this type of capital work.

2. Compile a list of work in such a manner that the Town could use it to improve the gravel roads. The items are broken down on the assessment of each road so that the PW Department can undertake components that fit within the budget to improve the current gravel road condition.

I sent a copy of the engineer's review to the people who had requested their road be paved, a copy was in the Council Package and there are copies available tonight. The total estimate for the Town's 3.1 miles of roads to be built up and paved is \$894,000. The cost to build up the additional 1.2 miles of unaccepted roads and pave them was not included, however, due to the condition, it would be quite expensive. The \$894,000 figure in Millett Associates estimates does not include an estimate for ledge, which is evident in a couple of locations, nor the cost to obtain the necessary easements and/or DEP permitting.

So we can use this engineering review for informational purposes; we can prioritize projects to put them in the Capital Improvement Budget over a period of time such as 10 years or more; we can pick out some items that are do-able; and so forth up to the option of issuing a bond with the next budget for \$900,000. The last item does not fit in with the Council's steps to reduce taxes for the last several years or at least keep them from increasing. From an operational standpoint, I would plan to have the PW Department utilize this information to fix the items that we can fit into the budget.

Grants Update:

Airport Grants: Closing out Runway Grant; Closing out Snow Removal Building Grant; Update on Vegetation Plan/Permitting Grant; and update on Clearing Grant

Closing out Runway Grant: The paperwork for the final close-out was submitted in August of 2006 for payment. FAA made payment immediately for the grant amendment for the Safety Enhancements. Yesterday, we received the paperwork from MDOT endorsing the grant amendment on the Airport Runway and MDOT will now fund the additional costs for the runway improvements. In a few weeks, this grant will now be formally closed out from our August, 2006 submittal documents.

Closing out Snow Removal Building Grant: The paperwork for the final close-out was submitted in August of 2006 for payment. FAA made payment immediately. MDOT approved the grant amendment in February of 2007 and as soon as the funds are received, this grant will be formally closed.

Update on Vegetation Plan/Permitting Grant: The Independent Review of the proposed fees was received; as reported previously, MDOT has changed its contract requirements, HTA will have to

submit an entirely new contract; there are now fee limits per hour for services; Woodlots Alternatives, the subcontractor, will need to revise its fee schedule; Woodlots Alternatives is working with DEP on the permitting requirements; the scope of services will be revamped if needed; everyone will revise their proposed budgets; it will be submitted to the Town; I will compile it, see if we can get everyone to agree; submit the paperwork to MDOT and FAA for approval. I understand that once we are past these steps that the actual work on the Vegetation Plan will go quickly as well as the permitting.

Update on Clearing Grant: HTA is working on the bid documents for the work following guidance from the State on the clearing and what can take place. The bid documents are needed in order to get bids or quotes for the clearing work that we can apply for a grant for prior to the May 1, 2007 FAA deadline. There will also be an option included for areas not covered by the grant that need to be cleared so we can get pricing.

Brownsfield Regional Grant: The engineering consultant and KVCOG staff are working on the background materials for 2 Phase II considerations, one of which is Pittsfield, for the KVCOG Regional Grant Committee.

Project Canopy Tree Walk and Community Forum: Last week we submitted the Project Grant Paperwork for the follow-up funding for tree planting in accordance with the Town's new Street Tree Management Plan. This is for the second phase of this project discussed last year. This project canopy grant would involve purchases of hawthorns, yellowwoods and tree lilacs, which would be planted on two official tree walks lead by a licensed arborist. There would also be a Community Forum again which was very popular. The total project is \$8,207. Without grant funding, we would not be able to afford the proper trees, which can range from \$300 - \$550 each.

L&W Conservation Application: Swimming Pool: The State will not know if funding is available until later this Spring. The applications will be due in July. This was designated as one of the projects that the Town Council would like to see completed at some point after this Recreation Season is concluded. That does not mean that the project will be completed this year if the funding does not materialize, but we need to make the best effort possible to move forward. The project has been going on for well over 20 years now. We need to move forward. I would propose to concentrate my efforts for the next several months in putting together background information for the grant application. If there are funds, we would be eligible if we complete and close the other grant off from L&W that was on the agenda this evening. We need to have an inspection, provide background, etc. Before I start, I

want to verify that the Council wants me concentrate in this area within a reasonable work schedule.

The Councilors felt that the Swimming Pool project was a priority and that the Town Manager should concentrate on this project. There was discussion on how so much was going on in the community that the Town Manager could not work on all of it. There are over 20 committees and the Councilors wanted it clear that Committee members should not be requesting that the Town Manager work on their priorities. The Town has to prioritize and the Town Council will set the priorities.

REPORTS: Audience, Council

Audience: There was a very lengthy discussion between numerous citizens, the Town Council and the Town Manager regarding the unpaved gravel roads. It was decided by the Council that this issue would be revisited during budget time for further discussion if necessary. The Town has a priority list for improvements if funding becomes available.

Rick Moore of Estelle Street commented on the fact that Estelle Street was not a recognized Town road. He feels that everyone realized that this was not a Town maintained road when they purchased property but in the past few years there has been quite a few new houses built. The road is in miserable condition. The residents realize the cost of paving would be too high, but is it unreasonable for the Town to grade the road? Mr. Moore estimates that at least \$20,000 is collected in taxes from the owners of homes on Estelle Street. Also, if the road conditions were improved, the remaining lots on that road would sell.

The Town Manager noted that because of the State law, the Town can not spend tax dollars on private road improvements. Several years ago, the Town Council decided that the Town would not rent out the grader on private roads for liability reasons. The Town Manager noted that information has been offered to the residents on getting together to pool their funds and hire a company to haul in gravel and smooth out the road.

Everyone agreed it would be a good idea to hire Millet Associates to review all 7 private roads to give an estimate on the cost to bring these roads up to Town standards for acceptance. The purpose of this review would be to provide the information to interested property owners so that they would know what needed to be done in order to have the Town accept their road for maintenance under the Town's regulations. The Town would not be doing the work to bring the road up to town standards due to the State law and the Town's ordinances. This is for the residents' information.

Council:

Councilor Baker: No Comment.

Councilor Hamel: No Comment.

Councilor Philbrick: Celebration Committee met last Tuesday. Flag prices, which include the flag and pole, will be \$35.00. He is also interested in having a truck bought by the Town for the Recycling/Transfer Station as they can use it to pick up recycling materials and clean up areas. The employees were interested in having one. The Town Manager indicated that she will talk to the departments as they had agreed to share vehicles for the few activities requiring a truck at the Transfer Station/Recycling Center.

Councilor Jordan: Wanted to mention that he received some calls from businesses on Main Street complaining about the numbers they were assigned with E-911. Wanted to make the Council aware that people are not happy. Also, spoke to the CEO regarding The Pinnacle. There is a game plan to get the club and committee together to get a priority on the building condition. Wanted to comment that on the non-town owned roads that this is a difficult situation, especially regarding Town liability. Regarding the Town owned gravel roads, we are glad to have the information from the engineers. Councilor Jordan feels that it is important to note that the engineer did point out that the commercial trucking company that is located on the Hussey Road will eventually make this road impassable.

Councilor Gray: Absent.

Deputy Mayor Fotter: No Comment.

Mayor Nichols: Agrees with Councilor Jordan. We do understand the roads are bad. We are sympathetic to the situation. These roads have been like this for a long time, and it will take awhile to get them back up to condition. He remembers that they were like this when he was growing up. We will do the best we can with what we have.

8. ADJOURNMENT:

Moved by **Councilor Philbrick** and seconded by **Councilor Hamel** that the meeting be adjourned at 9:15 p.m. All in agreement.

Nicole Nickolan, Town Clerk