

# MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, May 1, 2007 at 7:30 pm in the Council Chambers.

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

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
2. **Adoption of Minutes** of the Regular Meeting on April 17, 2007.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Gray** that the Minutes of the Regular Meeting on April 17, 2007 be adopted.

**VOTE: UNANIMOUS AYE**

3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS: NONE**

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

- a.* **ORDINANCE 07-07:** That the Town Council hereby Ordains to Amend Chapter 2. Administrative Code, Division 2. Administration of Town Business, Article 3, Section 800. Parks and Recreation Department by adding Section 808. Barbara Fendler Memorial Park (Fendler Park).

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 Gray** that Ordinance 07-07 be adopted.

The Town Manager noted this park facility was completed in 2006 and the grant was closed off. We need to name the park and hold a dedication ceremony during the summer. All that remains is to name the park. Ryan and Thomas Fendler donated the property to the Town in 2007. The location was ideal for a park and brought to fruition the Town's long-standing wish for a linear park system along the water. We know have the Mill Pond Loop. It is Ryan's wish that the Park be named in Memory for his wife Barbara. It also is appropriate to dedicate the flower display planted in 2006 by the family and friends in memory of Carla Bertrand.

**VOTE: UNANIMOUS AYE**

- b. **ORDINANCE 07-08:** That the Town Council hereby Ordains to Accept the payment of Creasy, Charles A. & Lois E. respectively, including interest and lien costs, for the property at 40 Berry Road (Map 06, Lot 03), the Town having acquired said property as a result of automatic foreclosure of a 2004 property tax lien, recorded in the Somerset County Registry of Deeds on May 24, 2005, at Book 3489, Page 129, which matured on November 27, 2006; The Town Council further authorizes the Town Manager to execute a municipal quitclaim deed releasing the Town's interest in said property to Creasy, Charles A. & Lois E.

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 **Deputy Mayor Fotter** that Ordinance 07-08 be adopted.

The Town Manager noted this property was acquired late last year for a 2004 foreclosure on taxes due. The taxes were paid off for 2004 – 2006 in three months and a quitclaim deed can be issued now.

**VOTE: UNANIMOUS AYE**

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

**Town Manager's Report: Town Council Meeting of 05/01/2007:**

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

**2. E-911 Addressing Letters:** Letters were sent to all households with the new E-911 addresses. The Town 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. All numbers are supposed to be up today, 05/01/2007, on homes or mailboxes if your house is away from the road. We need your new numbers up so that Public Safety can find you as well as to help the post office, delivery companies and visitors. 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, just order the items with your new address. Kleinschmidt Associates has finished the new maps for the Town which have all of the new street names. We now have a two-sided map with an urban in-town map and a country roads map. We now have copies available for people to pick up at the Town Office and Public Library.

**3. Reminder for police issues:** If there is an emergency, call 911. If you are calling in a police complaint, please call the regular police number of 487-3101 and relay the issue. The Police voice mails should not be used for filing police complaints. With a rotating schedule and days off, it may be 2 or more days for a police officer to check their voice

mail. Complaints need to be answered right off so they can not be left on the officers' voice mail.

**4. Comprehensive Plan Update:** Copies of both the original 1997 Comprehensive Plan and the update to the Comprehensive Plan for the Implementation Strategies are available at the Town Office. The Update to the Plan is also available on the Town website under Economic Development.

**5. Recycling/Environmental Celebration Dates for 2007:**

<b>Sunday 04/22/2007</b>	<b>Earth Day</b>	<b>Set nationally each year</b>
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Earth Day Activities are scheduled with the school(s) to fit in with their classes and vacation calendar

<b>Sunday, 05/20/2007 - Saturday, 05/26/2007</b>	<b>Arbor Day Week</b>	<b>3<sup>rd</sup> full week in May*</b>
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Weekday Activities are also scheduled with the school(s)

<b>Saturday, 05/26/2007</b>	<b>Arbor Day Park Activities</b>	<b>Saturday of Arbor Day Week</b>
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<b>Saturday, 05/26/2007*</b>	<b>Trash to Treasure Day Day</b>	<b>Established locally to match Arbor Activities</b>
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\*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).

**6. Summer Mowing and Grounds Work Contract:** The contractor intends to finish out his last year of a three-year contract for mowing and grounds work at the parks and town facilities. The Public Works Department is in charge of this contract. If anyone has concerns about the mowing or grounds work at the town facilities, please call PW Foreman John Dickson at the PW Garage at 487-6942.

**7. Maine Power Options Fuel Bid Request:** We sent the inventory and fuel requirements in to the Cooperative Bid so we will see what the results are later in May. This is a bulk bid so it looks like we will have an opportunity to save money.

**8. MDOT 20 Year Planning Process:** MDOT is holding two public meetings in this area on Maine's Transportation Future. This is part of Maine's long-range (20-year) planning process. MDOT would like your thoughts on (a) how to invest in Maine's roads, airports, rail lines, bridges, seaports, public transportation and recreation trails; (b) how we should fund future transportation needs and improvements; and (c) how the transportation system can best support Maine's economy and quality of life. The meetings will be held in Augusta at the City Center (Lecture Hall) at 3:00 p.m. on Monday, May 7<sup>th</sup> and in Skowhegan at the Community Center at 9:00 am on Wednesday, May 9<sup>th</sup>.

**9. 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.

**10. 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.

**11. Charity Application for SPARKLE 2007:** The applications for SPARKLE 2007 are available to towns to designate a project to receive a percentage of the funds raised from this Sebasticook Valley Chamber of Commerce event. SPARKLE will be held in November of 2007. A selection committee will select one charity from each of the 12 towns served by the Chamber. Multiple charities from one community may be chosen if each community fails to have applicants. The Chamber presented 10 charities from 9 communities with a check for \$1017 from proceeds from SPARKLE 2006. Last year we proposed the Library Restoration and Expansion Project for funding. This year, I spoke with the Swimming Pool Committee and we would like to propose the Community Swimming Pool Project for 2007 if everyone is agreeable.

**12. Community Swimming Pool Project:** We had an excellent meeting last night with many participants. Members of the Swimming Pool Committee are: Paul Bertrand, Christine Cookson, Dawn Dugas, Ann Duncombe, and Mary Gaeta. There is a lot of synergy and enthusiasm. We have some new developments or circumstances that will be advantageous in moving this project forward:

1. We have a pledge from Kleinschmidt this year to assist the Town with planning and design for a new community pool;
2. We now have \$218,508 available toward a new pool (\$208,508 in the reserve account and \$10,000 in the budget dedicated toward the pool). This is a large sum of money, certainly not enough to contract for a municipal pool but enough to bring people to the table in a cooperative partnership to build the pool with local in-kind donations; and
3. We may be eligible for a \$25,000 grant from the L&W, which is now about ½ compiled. We need to finish the Stein Park Project in order to apply this year to the L&W Conservation Fund. The Grant application is due in July and requires all of the resolutions and ordinances that we utilized in the past with the other L&W projects.

The conceptual plan approved by the Committee in 2005 was updated last evening to include:

A new 60' X 100' pool, which meets Red Cross requirements. The current pool is 84' X 123' at the top, the measurements are less at the bottom of the pool for actual useable area as it slopes in.

Renovations to the Bathhouse/Restrooms

Renovations to the Filter House for a filtering system that matches the pool

New Security Fencing and lighting

All facilities are being updated to State and ADA requirements. The standards are different now than in 1953.

Option or Phase II for Party/Activity Room including a snack bar and Recreational Office Space. If we can raise enough money for it, do the option now, if not do it in the future. We would plan for it now so that space was allocated appropriately.

Project cost based upon national averages of cost per square foot for this size pool and gutters required is around \$362,000 when looking at projects around cities in Maine, add in ballpark estimates for everything else, around \$400,000 in total. This is based simply upon Swimming Pool construction charts that Kleinschmidt has assess to. It is not an estimate based upon review. Kleinschmidt is working on basic design and estimates for May 23, 2007 so that we can place all of the proper motions for Resolutions and Ordinances on the June Council Agendas.

Timeframe for the construction project; If the grant is approved: it is likely the project would start next year, either Spring or Fall of 2008, probably the Spring. If the grant is not approved, project can start as soon as we have enough funds. Mary Gaeta was elected Chairperson.

We heard a report from Norm LaBarge on Safety Enhancements implemented at the pool during the last few years until a new pool can be built:

The pool is painted each year. Sand aggregate is added to the paint to assure proper footing. Patching of cracks is completed each year. After the yearly spring/summer cleaning, the pump is used to keep the pool drained until it is filled. This stops water from draining back in. Due to the paving project undertaken by the Recreation and PW Departments a couple of years ago, water loss is lower.

The next meeting is Monday, 05/12/2007 at 6:00 p.m. in the Council Conference Room. For the next meeting, we are to bring back our ideas on individuals who can work with us on fundraising; fundraising ideas, lists of businesses and contractors to contact; suggestions on individuals with artistic ability for drawings and we are to be ready to appoint a Chair or Co-Chairs for the fundraising committee. We will also review basic preliminary cost estimates and setup for the pool project. Once we have firmer figures based upon our site, we will begin. All are welcome. Later on the agenda this evening is the resolution to establish the official Community Swimming Pool Donation Fund.

**Finance Committee:** No Report.

**Ordinance Committee:** No Report.

**Recycling Committee:** The Recycling Committee had met previously as noted in the 04/17/2007 minutes. Mayor Nichols gave a few additional updates on the following: Donnie Chute met with the middle school principal to discuss Earth Day activities and also met with Skills Inc. regarding recycling of clothing, rags and electronics.

## 6. **NEW BUSINESS:**

- a. **RESOLUTION 07-46:** Resolved that the Town Council Accept the proposal of S & G Construction of Detroit for Type C mix in an amount

not to exceed \$92,000 for the 2007 Bituminous Paving Program by reducing the number of roads to be paved as necessary.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Gray** that Resolution 07-46 be adopted.

**Councilor Gray** suggested we try to find the additional funds (\$16,000.00) to get Powers Road finished. The Town Manager noted this road would need to be done over a few years because of the length of the road. It will need to be on the paving list next year also.

**VOTE: UNANIMOUS AYE**

- b. RESOLUTION 07-47:* Resolved that the Town Council Authorize the filing of an Efficiency Maine Business Program Prescriptive Lighting application for an incentive (rebate) for the Municipal Building.

Moved by **Councilor Jordan** and seconded by **Deputy Mayor Fotter** that Resolution 07-47 be adopted.

The Town Manager noted the new Efficiency Maine Program to update lighting fixtures with newer more energy-efficient equipment sounds very good. This is the first time that funding has been available to deal with this older lighting. We don't know how long the program will be available and with how programs and grants come and go, this may be a good arrangement for the Town for this year, especially with the recent electricity price increases (and extra charges for the New England Region). I wouldn't normally do this in the middle of the year, but with the rebate available, the price increase and the fact that we may be able to save about \$1000 a year in electric bills, it needs to be explored. These lights have been an issue for years but we had been quoted \$7000 or more to fix them so with all of the other projects for items that might be viewed as emergencies or State or federal requirements, items that we would like to do for more efficiency usually are low on the priority listing. We do have the contingency account, which can be utilized beyond the Municipal Building and Fire Station. The rebate is \$15 per light fixture. The net cost to the Town after the expected rebate is \$2,521 for the Town Offices and \$1,313 for the Fire Station. Over ½ of that is for equipment and the rest is labor. Tom Chadwick has run around and assisted us with the inventory, supplies, cut sheets and application. We did this to the best of our ability. One of the larger companies in town is working on updating their older lights too.

**VOTE: UNANIMOUS AYE**

- c. RESOLUTION 07-48:* Resolved that the Town Council Adopt the Proclamation for the Mayor to declare May 2007 as Foster Care Awareness Month in Pittsfield.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-48 be adopted.

The Town Manager noted this is a yearly item.

**VOTE: UNANIMOUS AYE**

- d.* **RESOLUTION 07-49:** Resolved that the Town Council Authorize the establishment of the Pittsfield Community Swimming Pool Fund for donations and contributions toward a new swimming pool.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-49 be adopted.

The Town Manager noted this item was previously discussed.

**VOTE: UNANIMOUS AYE**

- e.* **RESOLUTION 07-50:** Resolved that the Town Council Authorize the Town Manager to Execute the Agreement for the 2007 Project Canopy Community Forestry Assistance Grant for the Pittsfield Community Project: The Mill Pond Loop.

Moved by **Councilor Gray** and seconded by **Councilor Baker** that Resolution 07-50 be adopted.

The Town Manager noted we were fortunate to get another grant from the State of Maine for our Environmental Work with Tree Plantings from Project Canopy. The project consists of the purchase of 9 trees for planting along the streetscape at Stein Park and Remembrance Park. There will be two tree walks to plant the trees as well as a community forum to provide educational materials to citizens. If possible, the tree walks will be later in May/early June and the forum will either be combined with the Fendler Park dedication this summer or be held in early Fall. The Recycling Committee will be planning this out tomorrow evening. Anyone interested in helping, learning more about the Tree Walks, please contact the Town Office. The project needs to be completed by April 30, 2008.

**VOTE: UNANIMOUS AYE**

- f.* **RESOLUTION 07-51:** Resolved that the Town Council Approve the filing of the Federal Aviation Administration Grant Application for the Pittsfield Municipal Airport Obstruction Removal Runway 1 Approach, Phase 2.

Moved by **Councilor Gray** and seconded by **Councilor Baker** that Resolution 07-51 be adopted.

The Town Manager noted the Town Council has received regular updates regarding the progress on this grant application. It came together quickly at the end of the compilation and was filed by the FAA deadline. The grant application is for \$158,120 of which \$3,953 will be the responsibility of the Town as our 2.5% share. There are cutting issues in the obstruction area along 38 acres behind the runway as one approaches the seaplane access. At the end of the runway, there are several areas in various stages of cutting. Several areas where trees were felled, brush and slash left due to former DEP permit

requirements, are eligible for assistance. Two smaller areas are not eligible as the Town received a grant before in the 1980's to cut it and we will review options at a later date. At this point, though, we are eligible to apply for a lot of obstruction removal on approximately 39 acres, which will be a great benefit to the Town.

**VOTE: UNANIMOUS AYE**

7. **DISCUSSION ITEMS:**

Brief Updates On:

- A. Agreement with Verizon and/or Central Maine Power Company for pole attachments.

This item is on the agenda as we have as of yet to be able to acquire the agreement or even a blank copy or sample copy that we can bring to the Town Council for approval to sign. The time draws near for Memorial Day. Many phone calls and requests have been made. I have heard through other people that the agreement exceeds 20 pages and has a lot of requirements, but I do not have a copy. We have one more Council Meeting prior to Memorial Day, which provides a little over a week to put up the displays.

- B. 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  
ADA Accessibility Grants for Public Space  
L&W Conservation Fund: Stein Park Renovation Project  
L&W Conservation Application: Swimming Pool

Closing out Runway grant: Received payment, officially closed. Some of the funds were from 2004.

Closing out Snow Removal Building Grant: Received payment, officially closed.

Update on Vegetation Plan/Permitting Grant: No change, all paperwork submitted to the State and Federal government, waiting for approval to proceed forward to sign the contract authorized by the Town Council in February, 2007.

ADA Accessibility grants for Public Areas: There are some limited funds available for a short period of time for some public areas in buildings so we are exploring this.

L&W Conservation Fund: Stein Park Renovation Project: Lining up Cianbro for the excavator for the site as the park dries out; electrical bids are out and due back this week for the lights; picnic tables are due in by

May 25 and paving will be completed as soon as the sidewalk/walking path is completed. We are working on the history of Stein Park and interpretative signing which is part of the project.

L&W Conservation Application: Swimming Pool: We need to file a request for an inspection on or by 04/30/2007 with some basic background information. We need to update the basic background material so the Recreation Director is working on that. Review of the grant application shows that this will be a very time-consuming process as we are starting from scratch for this type of grant.

8. **REPORTS:** Audience, Council

**Audience:**

Stan Kitchen was in the audience. He noted that Councilor Gray wanted to put additional money into the paving. He would like to see it given to the Water & Sewer department to fix the gateboxes and manholes. Mr. Kitchen states he has damage to his trucks from the gateboxes and manholes from plowing. It was suggested that the problem areas be identified so the issue can be looked into.

**Council:**

**Councilor Baker:** No Report.

**Councilor Hamel:** Absent.

**Councilor Philbrick:** Absent.

**Councilor Jordan:** No Report. Glad to hear the pool committee is meeting again. There are some good people on the board and things should come together.

**Councilor Gray:** Would like to echo Councilor Jordan's comments. A new pool is long overdue.

**Deputy Mayor Fotter:** Questioned if they are still planning a boat launch at Fendler Park. The Town Manager noted that Bernard McGowan is still looking into this. A grant is required from the State of Maine. Deputy Mayor Fotter also stated that the flag challenge is still going forth and he hopes everyone considers it.

**Mayor Nichols:** Thank you to all the Town employees for all their hard work. Also wanted to echo Councilor Jordan's comments.

9. **ADJOURNMENT:**

Moved by **Councilor Gray** and seconded by **Deputy Mayor Fotter** that the meeting be adjourned at 8:05 p.m. All in agreement.

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Nicole Nickolan, Town Clerk