

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, June 19, 2007 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Gary Jordan, Jr., Michael Gray, and Louise Baker. **ABSENT:** Wayne Fotter, Brian Philbrick, Sr. and Christinalyn Hamel. Also present were Town Manager Kathryn Ruth and Recording Secretary Vickie Braley. Audience members included: Don Hallenbeck, Norman LaBarge and Ron Smith of RHR Smith and Co.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
2. **Adoption of Minutes** of the Regular Meeting on June 5, 2007.

Moved by **Councilor Gray** and seconded by **Councilor Baker** that the Minutes of the Regular Meeting on June 5, 2007 be adopted.

VOTE: UNANIMOUS AYE

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

Ron Smith, Principal of the accounting firm of RHR Smith & Company, gave a brief overview for the period ending 12/31/2006. This is the first year the company has audited the Town. The Town of Pittsfield is in excellent financial condition. Ron Smith went over some of the benchmarks of the Town. It is good to see a mid-state Town so active in economic development. The Town has come a long way fiscally. Revenues and expenditures were briefly reviewed. Even though the Town is braced for impact on handling old infrastructure within the water and sewer department, the one suggestion that Mr. Smith would make would be to assure that the reserves for the Water and Sewer Departments future projects are adequate. In ending, Mr. Smith stated that the Town is very fiscally solid and he is very impressed with the dynamic portfolio the Town of Pittsfield has.

Mr. Smith stated there are many committees in the Town of Pittsfield. There has been a lot of fundraising and money allocated to these committees. There was an audit test done for bank accounts that not known of. There were 2 that came back. The first being the Library Trustees account, this was accumulated by book sales and donations. It will need to be decided if this account will be Town controlled or not. The other account was the Manson Park Trust. This account was discussed at the Finance Committee meeting and they will have a future audit.

Due to/Due from accounts, which have always been very cumbersome, will be reviewed during the year with the auditor to see if we can streamline this system.

The Town Manager stated in other towns, the monies were processed through one General Fund using different cash accounts. The regular warrants would be for most of the governmental spending, then a separate warrant for the capital reserve spending with its own cash account on the G/L, a separate warrant for the grants with its own cash account, etc.

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

a. ***ORDINANCE 07-10:***

Town of Pittsfield

Authorization to Replace and Finance the Community Swimming Pool Project

That the Town of Pittsfield Town Council hereby ordains the replacement and financing of the Community Swimming Pool Project to include the Bathhouse/Restrooms and all necessary ancillary components on the following terms:

1. The Town Council hereby authorizes the expenditure of up to \$50,000 for this project, such amount to be funded from (a) donations and in-kind work, (b) a supplemental appropriation of funds in the Swimming Pool Reserve fund, and (c) State and/or federal grant funds, including grants pursuant to the Land and Water Conservation Fund Act, Public Law 88-578, subject to the \$50,000 total expenditure limitation.
2. The Town is hereby authorized and empowered to borrow money, from time to time for a term of up to one year, in an amount not to exceed \$25,000 at any one time outstanding, in anticipation of the collection or receipt from the grant of such federal or state aid, or both, to pay costs of such project, by the issuance of negotiable general obligation grant anticipation notes of the Town, which Notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by at least a majority of the Town Council, with such dates, maturities, denominations, interest rate(s) and other details as the Town Treasurer shall determine.
3. This Ordinance shall take effect 30 days after its adoption.

Norm LaBarge, Recreation Director, was in the audience to speak on behalf of the pool. The pool is running right now, as we know it. There has been a diligent amount of hours spent trying to get the pool back to life, but it needs to be replaced. This project is going to be beneficial to everyone. There aren't many Towns around that have the luxury of having a pool. All of the reserve funds, commitment and in-kind donations have helped tremendously. We are looking forward to finishing the year with the old pool, and getting started with the new. Also, Norm wanted to thank everyone for the hard work.

Donnie Hallenbeck stated as a former employee, this is a long overdue project. The pool was dug up and fixed at least twice during the time Mr. Hallenbeck worked there. The depth changed from 9 feet at the deepest to 6 feet at the deepest. The diving board aggravated the leak problem. Again, this is a long overdue project.

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

Moved by **Councilor Gray** and seconded by **Councilor Jordan** that Ordinance 07-10 be adopted.

The Town Manager stated the entire pool project is estimated at a budget of \$400,000. The Town decided to apply to the Dept. of Conservation for part of the overall project consisting of the ancillary items to the pool. The ancillary items include the restoration of the bathhouse/ restrooms, decking around the pool, security lighting, paving and landscaping, and an outdoor canopy & picnic tables with a total estimated cost of \$50,000. Therefore, we will apply for as much of the ancillary items that will fit in the \$50,000 cap. This means that the Town would be eligible for 50% of the project cost or \$25,000. In order to apply for a L&W Conservation Fund Grant, we must pass several ordinances and resolutions. The first is an ordinance to show that the Town will be able to finance the project until the grant funding is reimbursed. There is no intent to borrow funds for this project, we are using the reserve funding, fundraising, in-kind donations and hopefully grant funding. The second grant requirement is to authorize the filing of the grant application and certification letter. The third grant requirement is to make sure we have our match. Until we obtain enough in-kind donations, we would utilize the Swimming Pool Reserve funding for the grant application or the amount necessary to fill the gap. This is a precautionary article. We are not actually using the funds.

The Town Manager also stated the first donation was received this weekend from Bud's Shop and Save for \$1,000 dollars.

VOTE: UNANIMOUS AYE

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

Town Manager's Report: Town Council Meeting of 06/19/2007:

***Boil Water Order – Added just prior to meeting.**

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

2. 2006-2007 Property and Casualty Pool Coverage Report: The total value of additional benefits received by the Town was \$2,932. The Town received \$2,131 in dividends for the calendar year 2006 for the Property and Casualty Pool. The Town made 10 changes to the policy, adding items during the year. The value of these changes was \$409. The Town received 4.13 service hours in Loss Control visits worth \$392.

3. Historical Society Project: The Pittsfield Historical Society is looking for volunteers and donations to assist them with rebuilding the cupola at the caboose and painting the caboose. The caboose needs to be re-painted after the vandalism. In order to paint the caboose, the wooden cupola needs to be rebuilt. Anyone who has carpentry skill would be welcome at the Pittsfield Historical Society to assist them with this very important

project which will then allow the painting to take place. They have one volunteer at this time. More are welcome. Anyone who would like to donate or would like more information, please contact Tom Brown at 487-4926 or Clem Spencer at 487-2408.

4. Vickery School Third Grade: We would like to thank all of the third grade teachers and students who have toured many town properties learning about government. The third graders went to the Town Office, Police Station, Fire Station, Public Library and the Historical Society. Some classes also went to the Parks for Tree Walks along with second grade classes.

5. Pittsfield Public Library Launches Summer Reading Program: Super sleuths and daring detectives are invited to join “Get a Clue @ Your Library” at the Pittsfield Public Library. The 2007 Summer Reading Program, with special programs and activities, is open to all children, preschool through teen. Special programs will be held every Tuesday afternoon from June 26 through August 7 at 1:00 for children ages 4-7 and 2:00 for children ages 8-12. A full schedule of events is available at the library.

Children who keep a record of the evidence of books read throughout the summer will receive a free book. Older children and teens can participate in the OYO (On Your Own) book club. They will read books and write brief reviews to share. Participants can enter to win weekly prizes. The new book, “Harry Potter and the Deathly Hallows”, donated by Mr. Paperback in Waterville, will be awarded as the grand prize on July 23.

The library hours are 10:00 – 6:00 Monday through Friday, 10:00 – 1:00 on Saturday through June. During the summer, the library will be open until 8:00 on Tuesday nights.

6. Sebasticook Valley Federal Credit Union: The Credit Union’s Open House at its new location on Somerset Avenue on Saturday, 06/16/2007 was quite nice. There was a ribbon cutting and presentation of a \$500 donation to the Recreation Department.

7. Fendler Park Dedication: The Dedication Ceremonies for the Barbara Fendler Memorial Park will be held at the park facilities on Saturday, June 23, 2007 from 1:00 pm - 3:00 pm. The activities will include a dedication, thanking all of the contributors, refreshments and a community forum with information on tree plantings and environmental issues. There will be time for socializing and enjoying the park facilities. The rain date is Saturday, June 30. Programs were passed out to the Town Councilors this evening.

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.

9. Pittsfield Farmers’ Market: Rain or shine all Summer and Fall, the Pittsfield Farmers’ Market will be in Hathorn Park until November 1 every Monday & Thursday from 2:00 pm – 6:00 pm. We have new brochures at the Town Office for anyone who is interested.

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: Met on June 6, 2007. This was the last meeting before fall. There were updates on Trash to Treasure day and all the activities that went on that weekend. Some ideas were reviewed for different events for the Fall. Meetings will begin in September.

6. **NEW BUSINESS:**

- a. **RESOLUTION 07-65:** Resolved that the Town Council Authorizes the Town Manager to apply, on behalf of the Town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the Community Swimming Pool Project; and further authorize the Town Manager to enter into the Land and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project.

Moved by **Councilor Gray** and seconded by **Councilor Jordan** that Ordinance 07-65 be adopted.

VOTE: UNANIMOUS AYE

- b. **RESOLUTION 07-66:** Resolved that the Town Council Authorizes up to \$25,000 from the Swimming Pool Reserve Account as a match for the Land and Water Conservation Fund Grant until such time that contributions and donations are received for the Community Swimming Pool Project, such authorization contingent upon the approval of federal funds under the Land and Water Conservation Fund Act.

Moved by **Councilor Gray** and seconded by **Councilor Jordan** that Ordinance 07-66 be adopted.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 07-67:** Resolved that the Town Council Authorize the Town Manager to Execute the 2007-2008 Agreement between the Town of Pittsfield and Maine Central Institute for the Local Access Station and Operation of the Student Run Television Station.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-67 be adopted.

The Town Manager noted this will be the fifth year for the arrangement between the Town and MCI. This is a great resource for the community, the school, students, and the town government to get the word out on so many projects while providing skills and background for the students.

VOTE: UNANIMOUS AYE

- d. **RESOLUTION 07-68:** Resolved that the Town Council Authorize the Town Manager to sign a lease agreement with Mainely Wired for high-speed internet services subject to approval of the Town Attorney.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-68 be adopted.

The Town Manager noted this arrangement was established in 2001 with the Cianbro Corporation to provide high-speed internet accessibility for this community and area. Cianbro sold the company to Mainely Wired and as part of that sale, the agreement to use the water tower in exchange for service for the town buildings are included. Mainely Wired and the Town should have a contract as the insurances and payments are being made to the Town by Mainely Wired. We have updated basic contract language as the contract was really general and did not address many situations. I have listed this as subject to the Town Attorney's approval so that once we finish negotiating the language and the Town Attorney is comfortable, we can sign the agreement.

VOTE: UNANIMOUS AYE

- e. **RESOLUTION 07-69:** Resolved that the Town Council Authorize the Town Manager to execute the Cooperative Agreement with the Maine Department of Transportation for programming for the Pittsfield Municipal Airport in the Airport Capital Improvement Program, current maximum amount of \$300,000 with an expiration date of December 31, 2012.

Moved by **Councilor Gray** and seconded by **Councilor Jordan** that Resolution 07-69 be adopted.

The Town Manager noted this is a new requirement from MDOT for any town to receive airport grant funding. Once this master contract is executed, the Town will be eligible to process individual project contracts.

VOTE: UNANIMOUS AYE

- f. **RESOLUTION 07-70:** Resolved that the Town Council set the rate of interest to be charged on delinquent taxes for 2007 at 12.0 % and the due date for payment of taxes at the end of business day on Friday, October 19, 2007.

Moved by **Councilor Gray** and seconded by **Councilor Jordan** that Resolution 07-70 be adopted.

VOTE: UNANIMOUS AYE

- g. **RESOLUTION 07-71:** Resolved that the Town Council set the rate of interest for overpayments for 2007 at 8% to conform with 36 M.R.S.A. Section 506-A.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-71 be adopted.

VOTE: UNANIMOUS AYE

- h.* **RESOLUTION 07-72:** Resolved that the Town Council Authorize the Tax Collector/Treasurer to accept prepayment or decline prepayment of taxes not yet committed or received prior to the due date and pay no interest thereon in accordance with 36 M.R.S.A. Section 506.

Moved by **Councilor Jordan** and seconded by **Councilor Baker** that Resolution 07-72 be adopted.

The Town Manager noted this resolution addresses prepayments and makes it clear that the Town does not have to pay interest on taxes received ahead of time or prior to commitment.

VOTE: UNANIMOUS AYE

- i.* **RESOLUTION 07-73:** Resolved that the Town Council Approve the issuance of a parade permit to the Egg Festival Committee/The Pittsfield Greater Area Kiwanis for the Kiwanis Kiddie Parade on July 26, 2007 and the Egg Festival Big Parade on July 28, 2007 and waive the fees.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-73 be adopted.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Financial As Listed Below:

- A. Financial Reports as of 05/31/2007:
 - 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 by Town Manager**

- B. Other Reports as of 05/31/2007:
 - Building and Plumbing Permit Reports
 - Library Report – Librarian’s and Library Trustees Minutes
 - Police Report
 - Self Explanatory – Not Reviewed**

Brief Updates On:

Road Reconstruction Project Information for 2008 Budget Sessions

Millett Associates has finished a review of several roads, which appeared to have base problems, alligator cracking and a variety of problems. Before paving some of these roads, we wanted to review them. This is the first letter in your Council Packet, dated May 23rd and indicates Part 2. The roads are listed on the top part of the chart. To address some of the roads in the worst condition in Town, the price tag would exceed \$1 million dollars.

I also included a copy of the letter that we received previously on the gravel road build-up costs and these roads are listed on the bottom part of the chart. This project started due to all of the requests to pave the gravel roads immediately. The price tag to pave all of the Town's gravel roads is \$955,244 plus.

Both lists have some prioritization of projects.

In total, these road projects add up to nearly \$2 million dollars with some costs not included as listed on the spreadsheet.

So we should review these prior to budget time. Obviously, the Town does not have \$2 million dollars, we have budget goals and a State cap to think about as well as the ability of people to pay for additional items.

Private Drive Project Costs for Distribution to Interested Parties

The last letter in the Council Package from Millett Associates is a list of items that would be required, along with costs, for property owners to bring their private roads up to Town specifications for acceptance. This is for guidance for individuals living along those private drives who want the Town to take over the road, the letter spells out issues to address the condition of the road as well as providing a basic estimate to do so. In addition, this survey stands as a benchmark for the status of the road as of this period of time.

This information will be distributed to those people who have expressed an interest in having their road brought up to town specifications, which under the State law and town regulations, would not be completed by the Town of Pittsfield.

Sewer Line & Manhole Replacement Project: Summer Street

The Town staff and I met with Millett Associates on site at Summer Street and reviewed the dead end section and the additional issues involving the sewer and stormwater system.

We are going to put out to bid the sewer replacement work for the dead end section of the road along with an option for the stormwater system line for the entire section of Summer to get to Peltoma Avenue.

The Town will buy all of the pipe, manholes and other supplies without discounts. If all the installation work can be fit into the budget, that would be good, if not, the stormwater system will be installed by the town staff in PW and W/S as time permits with assistance from other employees. The sewer line is in the middle of the road so it needs to be done as one job. The stormwater system could be on the shoulder of the road so a piece can be completed, then go work on other projects needing attention and then come back to another stretch with all the work tied off in the interim. The engineer was also looking at two lines in one trench so that is being reviewed if we can do this as one project. Bidding will tell exactly what will be done.

Grants Update:

Airport Grants: Update on Vegetation Plan/Permitting Grant; and update on Clearing Grant

L&W Conservation Fund: Stein Park Renovation Project

Project Canopy Grant: Tree Plantings/Tree Walks and Community Forum

Airport Grants:

Update on Vegetation Plan/Permitting Grant: We made another request for the project to go forward. This time, I sent a contract for the work requesting approval to sign it.

Update on Clearing Project: The paperwork arrived today, the grant is for the higher amount of \$158,120 with \$150,214 from the federal government; \$3,953 from the State and \$3,953 as the Town's share.

L&W Conservation Fund: Stein Park Renovation Project: The project continues with the trenching completed to address new material well compacted, electrical line and area for a watering system. The new lights are being installed. The park benches are overdue and expected this week. As soon as everything is compacted, the walkways will be paved.

Project Canopy Grant: Tree Plantings/Tree Walks and Community Forum: All tree walks were completed, so the last items to do with this project is a Community Forum in September and the map of Hathorn Park and the other parks along the Mill Pond Loop created this summer listing all the trees planted and when.

8. **REPORTS:** Audience, Council

Audience: None.

Council:

Councilor Baker: Would like to encourage everyone to attend the Fendler Park Ceremonies this weekend if they can.

Councilor Hamel: Absent.

Councilor Philbrick: Absent.

Councilor Jordan: Stated he met with several gentlemen on the Pinnacle Project and discussed the roof. There was a basic plan of attack done and it will need the Pinnacle Committee's approval. The chimney and fireplace were discussed in particular for safety reasons. The shrubbery in the chimney area was also discussed and should probably be removed along with a tree that is interfering with a telephone pole. There are some really good people on the Committee. **Councilor Gray** questioned who owns the building. The Town Manager noted the property card states the building is Town owned and it is insured by the Town.

Councilor Gray: No Comment.

Deputy Mayor Fotter: Absent.

Mayor Nichols: Wanted to thank Kathryn and the Town Employees in the office. This was an excellent audit. It is good to hear we are in great financial shape. Also, the Town Manager, Norm LaBarge and Mayor Nichols attended a ribbon cutting ceremony at SVFCU. It was a lot of fun and a great turnout. It has come a long way since the credit union first started. Norm LaBarge received a contribution toward the Recreation Program from SVFCU. Thank you to Norm for all his help on the many different projects he has worked on this year.

10. **ADJOURNMENT:**

Moved by **Councilor Jordan** and seconded by **Councilor Baker** that the meeting be adjourned at 8:27 p.m. All in agreement.

Nicole Nickolan, Town Clerk