

# MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, August 14, 2018 at 6:30 PM in the Council Chambers.

**PRESENT: COUNCILORS:** Mayor Michael Cianchette, Deputy Mayor Robert Stackhouse, Matthew Bolster, Howard Margolskee, Caleb Curtis and Timothy Nichols

**ABSENT:** Heather Donahue

Also present: Town Manager Kathryn Ruth and Interim Clerk Michael Feole

Audience members included: Pete Logiodice, Scott Strong, Mike Gray, Jessica Ouellette, Vaughn Woodruff, Holly Zadra, Scott Noble, Don Chute, Jan Laux, Karen Baker, Michael LeBlanc, Ron Watson and Nancy Montero.

1. **Mayor Cianchette** opened the meeting by leading the Pledge of Allegiance. The Council observed a moment of silence.
2. Adoption of minutes of the regular meeting held on July 17, 2018.

Moved by **Deputy Mayor Stackhouse** and seconded by **Councilor Bolster** that the minutes of the meeting held on July 17, 2018 be adopted.

**VOTE: UNANIMOUS AYE**

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

Presentation by Bicentennial Committee member Bill Cunningham re: Boat Launch Project Update. Bill Cunningham will attend our September meeting with the final design of the boat launch, the cost involved with the launch/donations as well as a plan of action. The Bicentennial Boat Launch Committee, with expert technical assistance from Kleinschmidt engineers are working on a boat launch design that will be acceptable to all parties and will meet all local, state and federal codes and laws. As you can imagine with this very steep slope and this very tiny area, a lot needs to be fit in to accommodate all. This is a complex project due to the site setup and how much we would like to do. We would like to compliment all on their hard work and dedication to this project under Bill's direction and will receive a final report in September.

Presentation by Assistant Water/Sewer Superintendent Scott Noble re: Proposed Capital Improvement Plan (CIP)

**Water:** Pickup (4X4, W/Plow, Utility Body); Laptops/Tablets with Internet for vehicles; Engineering for Tank Painting and Paint Interior/Exterior of Water Storage Tanks; Well Rehabilitation; Clearing of Brush and Power Line; Stand By Generator; Main Street at Peltoma Valves; Forest Park, School, Stinson, Highland and Madawaska Mains; Main Street (6 Peltoma to end) Hydrants, Summer, Chester and Cianchette (6) Hydrants; South, Elm, Hartland, Sebasticook, Ruth, Morrill (6) Hydrants, Bates, Hartland, Industrial, Stinson (6) Hydrants; Leak Locating Equipment; Well and Distribution Flow Capacity Study

**Sewer:** Pickup Truck (4X4, W/Plow); Side by Side Utility Vehicle for use around lagoons and ROWs; Mainline camera; WWTP Roof; WWTP Exterior Painting; Main Street Pump Station Renovations, Lagoon Berm Stabilization (3 years); ROW Clearing (Davis/Curtis, McCarty/Airport, West/Stinson/Main); Hartland Avenue Sewer Main (3400 feet Somerset to Waverly), West Street Sewer Main

**Combined Departments (Water/Sewer/Highway):** Excavator (New); Vac/Letter Truck (Used); Four Wheel Drive Backhoe; GIS Locating and Mapping; Inventory System); W/S Garage Addition; Items in the 1-3 year period.

Note: There were various questions about the excavator, the hydrants and the Vacuum/Letter truck.

**Presentation by: Safety Coordinator Don Chute re: Safety Audits for Municipal Buildings and Police Concern over air quality.**

Don Chute established his expertise and stated that there are no air quality problems at the Town Office even when fire trucks are started inside of the building. He has been doing air monitoring of both the Police and Fire Departments per the Town Manager's request due to a complaint that there is an issue in the Police Station because the Fire Department diesel problem has never been addressed. There is no issue with diesel in the Fire Department. This was addressed years ago. I did not find any bad air quality or toxic environments that may be posing a risk to employees. I have particularly focused on when the fire apparatus have been coming or leaving the fire station downstairs due to those vehicles having diesel exhaust. I have also done some testing when there are other activities like the fire department doing their equipment checks on the first Wednesday nights of each month because they run gas powered equipment. I tested for oxygen concentration, Explosive Gases, Carbon Monoxide and Sulphur Dioxide gases that are regulated by OSHA. The Safety Coordinator discussed his results. The OSHA law states that the Permissible Exposure Limit for carbon Monoxide is 35 parts per million. This means that you could work in 35 PPM for 8 hours a day for forty hours a week with no long term health effects. I think there could be some exhaust smell in the winter months due to air conditions but there is no immediate danger present. I also called Safety Works on 7-12-2018 and talked to Mike Laplante and he stated that he has complaints of fumes from fire trucks in other towns and he said that his results were usually the same. He said that he has never had a high enough reading with Carbon Monoxide to create any work place safety issues. Don also stated that the safety profile at the town departments has improved immensely in the last few years and he has only had one issue where employees had to be evacuated because of work being done on the roof and gasses coming into the ventilation system when the roofing company arrived and did not announce its presence as required.

**Presentation by Town Manager Kathryn Ruth re: Town of Pittsfield's Paving History**

Over the last 18 years the town has not paved in 2 years, had limited paving for 4 years and has had regular paving the rest of the years. There seems to be some misinformation on the town's paving plan, especially the history of paving. At the Council Meeting, it has been stated that the Town has not paved for 6 years. I will provide a very brief history of the paving that has taken place during the last 15+ years. This information will be helpful as we move forward to address how to pave the roads given the current cost involved with paving and the town's many needs and wants.

The Town has been getting loans during the last few years to help pave its roads as we have had other areas to focus on with the loss of personal property which used to be 28% of our tax base and our partial reimbursement for that segment of the town's valuation, receiving less state aid and higher costs for everything now. The Town last had regular paving during the summer of 2016. We talked about paving in 2018, however, decided against it during the budget sessions as we had to add the Fire Truck loan to the debt service budget for 2018 so the thought was to determine how to pave in 2019. I will briefly offer since 2002, we conducted regular paving in 2002, 2003 and 2004. In 2004, I created a paving plan that took the Town from paving roads every 40-50 years to every 32 years. The paving cost per ton was \$33.40/ton when the paving plan was created. Rates started going up over the years to a high of \$84.50/ton. In summary from 2002 to 2018, we had 2 years without paving (recession hit and now in which we need to change our plan which we discussed last year); 4 years with small paving jobs; and 12 years with regular paving. Therefore, over the last 18 years the town has not paved in 2 years, had limited paving for 4 years and has paved substantial areas the rest. It is estimated that the cost of paving the whole town would cost over \$6 million dollars.

**Community and Economic Development Activities and Events: Report on New Business Activity & Opportunities in Pittsfield.**

Note: Certificates of Appreciation were being presented to Egg Festival and Kiwanis Karneval Committee Officers and Directors: Steve Cianchette, Wendy Allen, Kathryn Ruth, Marie Cole, Lisa Cianchette, Dale Goodwin, Timothy Hoyt, Danielle Ready and Crystal Chute.

2 Manufacturing projects are under consideration in town and should be announced soon.

CDBG grants were also discussed.

This is a brief review of the CDBG Grant for the Main Street Sidewalk Project to dispel any misinformation that exists. The steps involved in the grant were:

1. Filed a Letter of Intent for the grant in the amount of \$250,000. As we needed to provide a 50% match, we had to file for the amount that we could pay for. As other funds were encumbered or not allowed to be utilized, we had exactly \$250,858.09 in an economic development account. This allowed the Town to move forward to file the Letter of Intent on April 07, 2017.
2. By letter dated April 21, 2017, DECD approved the Town to continue the process by filing a grant application by May 26, 2017. The Town held a public hearing on May 16, 2017 and approved the filing of the grant application. Many documents were approved and a number of addendums were included in the final application dated May 24, 2017.
3. By letter dated July 31, 2017, the Town' application was ranked vs. the other applications and we were fortunately invited into the project development phase of the application process. \$250,000 was reserved for the project. The due date for the project development phase was 3 months from the date of the letter or October 31, 2017. In the letter, DECD made it clear that the invitation is not a guarantee of funding or permission to begin the project or expend funds for project activities. This means that the Town cannot start the project.
4. Next began an intense process to compile the environmental work necessary to move forward. This is the hardest part of any CDBG project if you are building or renovating as you need to obtain information from multiple state and federal agencies. The Town needs to determine the type of application to file. This process takes the entire three months due to all of the filing requirements with agencies as well as response time for environmental work.
5. At the same time, the project development materials book was compiled.
6. The entire package including environmental work was delivered to the State before the deadline of October 31, 2017.
7. By letter dated November 1, 2017, the Town received environmental clearance as of October 29, 2017.
8. You are always advised to wait for the encumbered agreement from the State so that the funds are actually dedicated to the project. In the past, there have been issues with the State having the funds for projects. It takes a while to have the contract encumbered so that the Town knows that it has a binding agreement for the funds. That document was received in January 2018 and stated that it was encumbered by the State on 01/12/2018.
9. Meanwhile, we had contacted MDOT to inquire about the project to find that MDOT had not yet started and were advised that the project was scheduled for the latter part of 2019 and if there were ROW issues, it would be the first part of 2020. Therefore, this would mean that the project should start up in earnest during the summer of 2018 to have everything completed in plenty of time for MDOT's schedule.

We planned to start the process by July 2018 in order to be in line with the MDOT's project. We actually were ready to start in early June 2018 as the Job Fair and Business Networking Events were concluded. MDOT has now determined how they will be proceeding and met with the Town for a review of their plans and a site visit on 08/03/2018. A summary of the meeting has been presented to the Town Council from the Town Engineer, Chip Haskell, CES, Inc; Public Works Foreman Steve Vance and myself. The Town Manager briefly addressed that report with the Town Council.

4. **PUBLIC HEARINGS/OLD BUSINESS: None**

5. **REPORTS:**

**A. COUNCIL COMMITTEES: FINANCE, ORDINANCE AND RECYCLING**

**B. BOARD AND COMMITTEE UPDATES BY TOWN COUNCILORS AND MANAGER**

**C. TOWN MANAGER'S REPORT**

**Town Manager's Report: Town Council Meeting of 08/14/2018:**

**1. Sebasticook Road Culvert Project:** As we know, the best time to perform work in the water such as the culvert lining and stabilization project is to conduct the work when the water levels are low. Contractor Knowles Industrial Services and Plymouth Engineering are working to reduce costs by reducing the amount of coffer dams used. Chris Anthony and the Town of Hartland are working to reduce the water level along Sebasticook into Mill Pond, this could assist with the overall cost of the project because the coffer dams can be less. The project begins this week with the delivery of materials, welding and other necessary preliminary work. The actual work should start next week and be concluded well before mid-September 2018. Originally we were going to indicate that the road would be re-opened by the end of August, however, this allows plenty of time in case there is actually a lot of rain or problematic weather. Notices were delivered to the neighborhoods, businesses and apartment buildings as well as the notice forwarded to multiple media locations.

As the water levels are not quite where they should be, Sebasticook Street has not been closed yet, however, will be closed down as part of this highway project as soon as the water levels are low enough to work.

**2. Snakeroot Bridge & Recreational Trail:** MDOT finished the bridge project in record time and did a very good job. We had the same results on this bridge as we did for the Recreational Trail Span. Their bridge work is very organized.

**3. Town of Pittsfield Facebook Page:** I wanted to make sure to bring up the Town's Facebook page that we have been unable to concentrate on for the last two months due to training. We will be starting up the daily sharings and new items prior to the next meeting. There seemed to be a misunderstanding that the Town Manager spends all of her time on Facebook sharing menus but not telling people about drug raids. When I know about drug raids, I inform the Town Council. There were drug raids the year I arrived and have been drug raids over the years. The Facebook page is maintained by the staff. As the staff advised that you must have a real person's name now in order to have a business Facebook page, I checked with the staff when we set this up earlier this year. No one wanted anything to do with the Town's Facebook page, which is what I thought would happen. I did not have Facebook due to all the misinformation on it, however, had to set one up. Therefore, everything is posted by the staff under my name. We have to post first to my name and then post to the Town's Page as well as the Egg Festival's page if relevant. Once in a

while if there is a meeting change or bridges/road work, I will quickly post something. Town Councilors thought that Facebook was important as a means to reach people so we set up a process to provide as much information as possible and the staff did a great job.

**4. Town Policies, Procedures and Ordinances:** Information was presented to respond to the misinformation presented by a department head at the 07/17/2018 meeting regarding police e-mail, capital items and filing complaints at town council meetings instead of following the Town's established and required procedures. This is a summary of the presentation. The Town Manager discussed the need for staff to conduct their own research and follow the established purchasing procedures and not instruct the Town Manager to perform their work. Department heads are required to prioritize their purchases. She concluded that just because people cannot get what they want, such as thousands of dollars that are not budgeted it is not a hostile work environment. She was advised legally that she needed to correct the record and therefore, has done so. She concluded that people should all work together to have positive results as a lot of good can be done. Councilor Curtis asked if the department head had requested a purchase order for the e-mail system or for guns and the Town Manager indicated that no purchase orders had been requested of the staff. Mayor Cianchette asked if the Town Manager issued the purchase orders. The Town Manager advised that there are two staff members involved with issuing a purchase order for proper protocol. The Town Manager reviews the purchase orders, verifies funding and approves them.

**5. Pittsfield Summer Recreation Program:** Our Recreation programs will be completed on Friday, 08/17/2018 when the second swimming sessions are completed. Congratulations to the Recreation Director and the summer staff for a great season. The free Mini camps for ages 8-13 years for crafts, lacrosse, tennis, field hockey and soccer were a hit. We hope to add a few enhancements each year. Contact Pittsfield Rec for more info or to get an emailed reg form at [pittsfieldrec@gmail.com](mailto:pittsfieldrec@gmail.com).

**6. Pittsfield Fall Recreation Signups:** Soccer, Field Hockey, Football and Cheering are due on Monday, August 20, 2018.

**7. 2018 Summer Concert Series:** This will be published in the Town Manager's Report: This series started on July 12 in Manson Park during Egg Festival week with Yellow Brick Road, an Elton John Tribute Band. The schedule includes Phat Burger Deluxe, Meghan Clark, Cold Engines, Pete Kilpatrick, Riff Johnson, Denny Breau and Studio Two, all sponsored by local businesses.

**8. Pittsfield Community Theatre Movie Line-up:** This will be published in the Town Manager's Report.

**Aug. 10-16 HOTEL TRANSYLVANIAN: SUMMER VACATION: Matinee Sun, Aug. 12 at 2PM**  
**Aug. 17-23 SKYSCRAPER: Matinee Sunday, Aug 19 at 2 PM**  
**Aug. 24-30 MAMMA MIA: Matinee Sunday, Aug. 26 at 2 PM**  
**Aug. 31-Sept. 6 MISSION IMPOSSIBLE FALLOUT: Matinee Sunday, Sept. 2 at 2 PM**

## 6. **NEW BUSINESS:**

**RESOLUTION 18-76:** Resolved that the Town Council approve a parade permit for the Penobscot 4-wheel Drive, Lake Region Jeeps and Back Country Jeeps to be held Saturday August 25, 2018 at 9:30 AM to 10:30 AM. Music and celebration to be held until 2:00 PM in the Cianbro parking lot.

Moved by **Councilor Nichols** and seconded by **Councilor Curtis** that Resolution 18-76 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 18-77:** Resolved that the Town Council approve a business permit to close Central St. from West St. to Somerset Avenue for a block party at the Nazarene Church on Friday August 24<sup>th</sup> from 3:00 PM until 9:00 PM.

Moved by **Councilor Nichols** and seconded by **Councilor Bolster** that Resolution 18-77 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 18-78:** Resolved that the Town Council approve a Second-Hand Dealer License Application for Flea Market at 430 Main Street, Pittsfield, ME 04967.

Moved by **Councilor Bolster** and seconded by **Councilor Margolskee** that Resolution 18-78 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 18-79:** Resolved that the Town Council approve an amendment to the Curtis Air Lease Agreement and the Cianbro Corporation Lease Agreement which allows the swap of land at the airport as follows: Parcel E in the Cianbro Corporation Lease shall be swapped with Curtis Air, Inc.'s Parcel C with zero change in the lease amounts due to the Town, i.e., this is viewed as an even swap.

Note: Councilor Curtis recused himself from this vote.

Moved by **Councilor Stackhouse** and seconded by **Councilor Bolster** that Resolution 18-79 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 18-80:** Resolved that the Town Council authorize the Town Manager to renew the Airport Lease to John Watson for a five-year period through 12/31/2023.

Moved by **Councilor Nichols** and seconded by **Councilor Stackhouse** that Resolution 18-80 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 18-81:** Resolved that the Town Council approve the payment of weekly payroll checks in accordance with the following accounts: Personnel Services (01-10 Overtime; 01-15 Part-time; 01-20 Supply Operation; 01-25 Supply Maintenance; 01-30 Distribution Maintenance; 01-35 Customer Accounts; and 01-40 FICA).

Moved by **Councilor Stackhouse** and seconded by **Councilor Bolster** that Resolution 18-81 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 18-82:** Resolved that the Town Council approve the payment of the monthly disbursements in the amount of \$263,609.81 (July, 2018-June, 2019) to SAD #53 for its fiscal year beginning July 1, 2018 and ending June 30, 2019, for a fiscal year total of \$3,163,317.72 which represents the Town of Pittsfield's share of SAD #53's local appropriation funds.

Moved by **Councilor Stackhouse** and seconded by **Councilor Curtis** that Resolution 18-82 be adopted.

**VOTE: UNANIMOUS AYE**

**RESOLUTION 18-83:** Resolved that the Town Council authorize the Town Manager to sign the Letter of Intent to participate in the one-day Household Hazardous Waste Collection Event on Saturday, 10/06/2018.

Moved by **Councilor Nichols** and seconded by **Councilor Bolster** that Resolution 18-83 be adopted.

**VOTE: UNANIMOUS AYE**

7. **REPORTS:** Audience, Council
  - A. Financial reports as of 06/30/2018
    - 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
    - Excise Tax Collections Comparison Report
    - State Revenue Sharing Comparison Report
    - Personal Property Tax Collection Report
    - Real Estate Property Tax Collection Report
  - B. Other Reports as of 06/30/2018
    - Building and Plumbing Permit Reports
    - Library Report-Librarian's
    - Police Report

The Town Manager advised of the following:

Budget Expenditure Report: 50.0% of period; 48.0% of municipal; 43.5% municipal, water & sewer (depreciation and transfers done by Auditor so percentage will increase)

Revenue Collections Report: 50.0% of period; 34.2% municipal; 36.8% municipal, water & sewer

Excise Tax Collections Comparison Report: For this period, \$31,335.41 ahead of 2017 collections at this time of the year.

State Revenue Sharing Comparison Report: For this period, \$17,174.18 ahead of 2017 collections. This account needs to be watched closely in case it falls behind.

The remainder of the Financial Reports are self-explanatory.

**Audience:**

Ron Watson: Concerning the \$1.9 million dollars of State retirement funds returned to the town that were discussed at the last meeting, he would like to see it go towards establishing a digital infrastructure for WIFI in the town center. He would like to see a hotspot throughout the downtown up to the Library. He would like to pay at the town office with credit/debit cards and would like to be able to view the town charter and ordinances on the town's website. He would like to see improved communications about what the town staff and volunteers are doing since they do so much and do not get the recognition he thinks they deserve. He wants to have an HR representative that people could go to when they have issues instead of airing the issues at the town council meetings and indicated that perhaps there already is a process. He thinks the back and forth going on at the meetings would be a big turnoff to someone considering relocating here. The Historical Society is meeting next Thursday night at 6:30 PM to discuss the depot.

Mike Gray: With respect to the hostile work environment mentioned at last month's town council meeting by an employee and personnel issues, he and Jan are on the personnel appeals board. There is a three step process for employees to air grievances. He has only had 2 grievances brought to the board in

the past which were with the former manager. People who are aggrieved are required to follow this process. It does not involve airing complaints at the Council Meetings about other staff.

Jan Laux: Feels that there is an elephant in the room and that is uncomfortable for him.

Don Chute: saw “clones” for sale at a business location that has an elephant sign and thinks that may be referring to marijuana.

**Council:**

**Councilor Bolster:** Nothing to Share.

**Councilor Donahue:** Absent

**Councilor Margolskee:** Inquired about the open position for assistant to the Town Manager at the town office. Kathryn Ruth stated that she has three interviews lined up for tomorrow from the staffing agency which was great news and that she hopes to have someone identified soon. The staffing agency has been spending a lot of time in trying to find a viable candidate in the tight labor market.

**Councilor Nichols:** Mentioned that the town of Burnham lost Lyle Chadwick last week who was a part of the Kiwanis Club, the VFW and other organizations. He will be sorely missed. Indicated that the budget process is underway. He has people in his district on fixed incomes and working at low-paying jobs who cannot take a tax increase. He also worries about the effects on small businesses who may go out of business if their taxes are raised substantially. The Town needs to be careful with its budgeting as to not hurt our citizens. He also stated that he has been on the town council for 20 years, comes to the Town Office on a regular basis during his years as Mayor, Deputy Mayor and now. He has not seen a hostile work environment. He asked Kathryn how many people have filed appeals as they are required to do and Kathryn indicated 0. He asked how many people have been fired and Kathryn noted that she has never fired anyone so 0. He asked how many employees have been suspended and she noted that the department heads have had to suspend an employee so 1. He would like us all to work together and advised that we need to use the established processes in place to work things out as required by the Town’s regulations. He sees more construction around town and lots of activity going on and that is very good to see.

**Councilor Curtis:** Something has really been bugging him at the past few meetings. He has noticed a lot of side discussions during the meetings in the audience. He appreciates people in the audience but it is distracting. He asks that audience members please keep their talking while others are talking to a minimum. He agrees that we need digital infrastructure and credit card fee payment. He feels that a “Hostile Work Environment” is a very specific thing to say and feels it was unacceptable for the Police Chief to bring it up in this venue. He has checked the term online and its meaning is very clear. If an employee finds him/herself in one, then they are responsible to notify the source in writing that they should stop. He would like to hear why this charge was made. There would not be any retaliation. He did not join the town council to become involved in employee direction. The employees need to follow the procedures established. He would also like to formally request permission from the town council at the next meeting to talk with the town attorney about roles & issues, or with the council as an entity to talk with her.

**Deputy Mayor Stackhouse:** Seconded the feelings about the passing of Lyle Chadwick. He would also like to add about the issue of a hostile work environment. He has met with Kathryn every other week since she became town manager and has never received any calls about this issue or seen anything at all. He has no idea or knowledge about why someone would even make this accusation.

**Mayor Cianchette:** He enjoys visiting with the ladies in the town office. He stated that the three employees in the audience and the Town Manager are excellent examples of how the people who work in this Town could not represent this town any better and thanked them for their service. The town is not the richest or easiest place to work but it is home.

**EXECUTIVE SESSION**

Title 1, Section 405, 6.A., Personnel: Requested by the Mayor: Town Manager, past actions and future status

Moved by **Councilor Stackhouse** and seconded by **Councilor Curtis** that the session be cancelled.

**VOTE: UNANIMOUS AYE**

**8. ADJOURNMENT**

Motion by **Councilor Nichols** and seconded by **Councilor Curtis** to adjourn at 09:15 pm.

**VOTE: UNANIMOUS AYE**

Respectfully Submitted by:

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Michael Feole, Interim Clerk

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Kathryn Ruth, Deputy Town Clerk