

MINUTES

For a regular meeting of the Pittsfield Town Council held on Tuesday, September 4, 2007 at 7:30 pm in the Council Chambers.

PRESENT: COUNCILORS: Mayor Tim Nichols, Wayne Fotter, Michael Gray, Brian Philbrick, Sr., Gary Jordan, Jr. **ABSENT:** Christinalyn Hamel and Louise Baker. Also present were Town Manager Kathryn Ruth and Town Clerk Nicole Nickolan. Audience members included: Scott Noble, Don Hallenbeck, Sharon Mack, Brenda Seekins and Don Currier.

1. **Mayor Nichols** opened the meeting by leading the **Pledge of Allegiance**.
2. **Adoption of Minutes** of the Regular Meeting on August 21, 2007.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Philbrick** that the Minutes of the Regular Meeting on August 21, 2007 be adopted.

VOTE: UNANIMOUS AYE

3. **PRESENTATIONS, CONGRATULATIONS AND INTRODUCTIONS:**
4. **PUBLIC HEARINGS/OLD BUSINESS:**
5. **REPORTS: TOWN MANAGER, FINANCE, ORDINANCE & RECYCLING COMMITTEES:**

Town Manager's Report: Town Council Meeting of 09/04/2007:

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

2. 2007 Tax Bills: The 2007 tax bills have been sent out in the mail. Taxes are due on Friday, October 19, 2007 and cover the period of January – December, 2007. The mil rate is \$21.80 which is a decrease of .70 of a mil or 3.1%.

The Town lost \$8,007,520 in personal property tax value
We gained \$5,344,952 in real estate from new buildings and additions
Net loss in valuation of \$2,662,568.

We were very fortunate that the School received additional funding through the property tax law LD #1 and passed this along to the communities through a lowered assessment. In addition, we were fortunate that the Town received \$110,892 more in State Revenue Sharing and appropriated this toward the 2007 Commitment.

The State Law provides Homestead Exemptions for individuals who reside in their homes. As our community's values are at 72.6% of market value, the Homestead exemption is at \$9,438.

Therefore, the property tax on residences, which have Homestead Exemptions in most cases, will have increased a few dollars because the certified ratio dropped quite a bit.

The property tax on residences where people did not have a homestead exemption, businesses, apartment buildings, second homes, parcels that are just land, parcels with buildings that are not residences, camps that are second homes, new homebuyers, people who have not applied for their exemption despite notifications, etc. which do not have a Homestead Exemption are a straight multiplication of the rate times the value. As the mil rate went down, these tax bills would go down a little bit unless work was done to the property.

Which considering losing \$8 million in personal property and having a 31.4% increase in the County Tax, this is good.

As an interesting fact, because our valuations are now at 72.6% of full market value, this means that our mil rate which is \$21.80/\$1,000 would actually be \$15.83/\$1,000 if it was at 100% and values were at 100%.

3. Nomination Papers: Nomination papers are now available for 2 positions on the Town Council (District 3 and At Large) and 3 SAD #53 Board members. All terms are three years. Nomination papers must be returned to the Town Clerk by 5:00 pm on Monday, September 24, 2007 for the three-year terms.

4. Board Vacancies: We have three vacancies on town boards as follows: 2 on the Board of Appeals and 1 on the Recycling Committee. Anyone interested should contact the Town Clerk Nicole Nickolan at the Town Office.

5. Highway Projects: Summer Projects that have been completed: Preservation of the municipal parking lot and the areas around Hathorn Park which were patched; the Main Street sidewalk was patched with concrete; the municipal streetlight posts have been painted on Main Street; and the crosswalks and school zones have been re-painted. The Public Works Department will now finish the streetlight posts on Hunnewell Avenue and then head out to fix heaved culverts, driveway culverts and fix ditch problems on several roads. This is in addition to regular highway work.

6. Household Hazardous Waste Disposal: Our Annual Household Hazardous Waste Collection Day is Saturday, October 6, 2007. We will be teaming up with KVCOG and the Town of Skowhegan again this year. Pre-registration will be required to participate with calls made to the Transfer Station/Recycling Center to sign up for a specific time. We would plan to limit the collection to \$3500 and have the Transfer/Recycling Coordinator sign the basic agreement that we will participate. To date, Palmyra and Unity residents will also be coming over after signing up at their Town Offices. Brochures will be out shortly. READ List of Materials to Bring.

7. Maine Senior Farm Share Program: This program still has over 2,000 free produce shares available for income eligible seniors. The free produce shares are worth \$50 each

and are a great way to support income eligible seniors with fresh local produce. The shares are available at 80 Maine Farms. We have handouts available at the Town Office and will drop some by the multi-unit housing projects in Town where there are seniors living.

8. Fuel Bid: After exploring the Maine Power Options, we went out to bid on our own. We were able to obtain fixed pricing that was significantly less than last year's and we have burner service which was not available with the cooperative fuel bid. Pricing is 2.219 for #2 and 2.499 for kerosene for our buildings.

9. Neighborhood Watch Program: The Town is still looking for volunteers for the Neighborhood Watch Program. Sign up today to help protect our community. Volunteers will work with the Police to help keep our community safe. Sign up at the Town Office or Police Station. The volunteers will be notified of the introductory meeting to discuss how a watch would work.

10. Recycling & Environmental Dates:

Saturday, 10/27/2007* **Trash to Treasure Day** **Established locally to Match
Difference Day Activities**
Make A Difference Day **Set Nationally each year, 4th Saturday**
Wednesday, 11/08/2007 - **Maine Recycles Week** **Set each year**
11/15/2007

*Trash to Treasure Days: In case of inclement weather on the scheduled date, the day long event will be held the following Saturday (11/03/2007 for the Fall date).

Finance Committee: No Report.

Ordinance Committee: No Report.

Recycling Committee: No Report.

6. NEW BUSINESS:

- a.* **RESOLUTION 07-93:** Resolved that the Town Council Approve a lunch wagon license application for Papa D's of 1872 Hartland Canaan Road, Hartland , ME 04943.

Moved by **Councilor Gray** and seconded by **Councilor Philbrick** that Resolution 07-93 be adopted.

The Town Manager noted the lunch wagon would service private businesses in Town that permit it on their premises to serve its employees.

VOTE: UNANIMOUS AYE

- b.* **RESOLUTION 07-94:** Resolved that the Town Council Authorize the Town Manager to Execute the first of two (2) 5-year renewal options for

the Airport Lease to Daniel Dyer d/b/a Central Maine Skydiving authorized by Ordinance 97-41 and Ordinance 01-14.

Moved by **Councilor Philbrick** and seconded by **Councilor Jordan** that Resolution 07-94 be adopted.

The Town Manager noted Mr. Dyer operates Central Maine Skydiving at the Airport. This is his first 5-year renewal of his lease for the space. He had one of the older lease agreements and has endorsed the new agreement. His payment per year for the 15,000 square foot parcel is \$750.00.

VOTE: UNANIMOUS AYE

- c. **RESOLUTION 07-95:** Resolved that the Town Council Authorize the Town Manager to Execute the first of two (2) 5-year renewal options for the Airport Lease to John Watson authorized by Ordinance 96-16 and transferred by the Town to John Watson.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-95 be adopted.

The Town Manager noted Mr. Watson has a hanger at the Airport and leases the space from the Town. This is his first 5-year renewal of his lease for the space. He had one of the older lease agreements and has endorsed the new agreement. His payment per year for the 3,600 square foot parcel is \$180.00.

VOTE: UNANIMOUS AYE

- d. **RESOLUTION 07-96:** Resolved that the Town Council Accept the proposal of _____ of _____ in an amount not to exceed \$_____ for the Pinnacle Building Roof Installation.

Moved by **Deputy Mayor Fotter** and seconded by **Councilor Gray** that Resolution 07-96 be tabled to the September 18, 2007 meeting.

The Town Manager noted the bids for the Pinnacle project were due on August 24, 2007 and a copy of the results is attached. The low bidder was Kevin Smith & Sons Inc. of Mars Hill with a price of \$12,400. The Building Inspector advises that the low bidder also included work that the volunteers were doing so the price will be lower. The Building Inspector was waiting for call backs from the references as well as documentation that the contractor was a certified installer of the company product that he bid. We should table this and I will bring it back when the Building Inspector has the necessary materials. The Town has \$19,508.57 in the Pinnacle Special Account. The funds were derived from selling material from the site many years ago and are supposed to be utilized at that site.

VOTE: UNANIMOUS AYE

- e. **RESOLUTION 07-97:** Resolved that the Town Council Accept the proposal of _____ of _____ in an amount not to exceed _____ for the Summer Street Sewer Separation Project described as Alternate _____ .

Motion as follows:

Accept the proposal of Manter Construction of Sidney in an amount not to exceed \$150,990 for Alternate D. (Alternate A: All of Summer Street + Alternate C: Stormwater Separation -- Savings from doing both projects) and to delete all paving.

Authorize additional work under the 2007 Paving Bid with S&G Construction for the paving of Summer Street to not exceed \$21,557.02.

Authorize the expenditure of \$150,000 from the Summer Street Sewer Loan; \$17,000 from the Sanitary Stormwater Separation Reserve and \$5,547.02 from the Road Construction Reserve.

Moved by **Councilor Gray** and seconded by **Deputy Mayor Fotter** that Resolution 07-97 be adopted as amended.

The Town Manager noted the bids were due on August 30, 2007 and copies of the bid results were included in your Council Package as well as a copy of the individual bids. The low bidder for the entire project (all of Summer Street including Summer Court) and the stormwater separation that is required is Manter Construction of Sidney with a cost of:

Alternate A (All of Summer Street) of \$115,373

Alternate C (Stormwater Separation) of \$68,867

For a Total of \$184,240 – Alternate Base Bid D Savings of \$3,500 or \$180,740

Subtract the paving of \$26,250 + \$3,500 = \$29,750

Total for the Contract would be \$150,990.

The Town reserves the right to exclude or include any of the components of the project that was bid. To try to reduce the cost of the project, we talked with Stan Kitchen who had the paving contract this year. We also have \$4,017.98 left from the paving contract, which we can use toward this project. Stan has quoted a price of \$25,575

Therefore, if we exclude the paving, we would save \$4,175 plus use the \$4,107.98 left from the Paving bid, which was to be used on Summer Street.

Total to be spent would be \$176,565.

The Town has the following funds available: \$150,000 from the Sewer Bond; \$17,000 from the Sanitary Stormwater Separation Reserve; \$4,017.98 from the 2007 Paving Account, which is already approved; and \$5,547.02 from the Road Construction Reserve (used for paving); for a total available of \$176,565.

VOTE: UNANIMOUS AYE

- f. **RESOLUTION 07-98:** Resolved that the Town Council Waive the Regulation of Bid and Contracts (Section 106 of the Administrative Code) and Authorize the Town Manager and Assistant Water/Sewer

Superintendent to Accept the proposal of Veilleux & Company dated 08/29/2007 to replace the programmable logic controller at the Detroit Water Treatment Facility due to recent storm damage.

Moved by **Councilor Jordan** and seconded by **Councilor Philbrick** that Resolution 07-98 be adopted.

The Town Manager noted it took a while to figure out why the automatic reading program was not working. It seems that the storm on the weekend of 08/25/2007 blew it out. Scott received a proposal to repair the motherboard on 08/29/2007. We filed an insurance claim and the parts have been ordered. We should waive the bid policy, as this is a sole provider. Only one company should be involved with the computer system for the water and sewer systems. Therefore, the work would not be bid out.

VOTE: UNANIMOUS AYE

- g.* **RESOLUTION 07-99:** Resolved that the Town Council Adopt the Budget Calendar for the 2008 Budget Process.

Moved by **Councilor Jordan** and seconded by **Councilor Gray** that Resolution 07-99 be adopted.

The Town Manager noted this is the standard budget timetable that has worked well in the past. If we finish an evening's schedule early, we can continue on to the next items scheduled if the Council wishes.

The Council concurred with budget goals the same as last years:
3% raises budgeted for full-time, part-time and on-call firefighters. Operating budgets are to remain at the same level excluding fuel, gas/diesel, lighting, telephone and other fixed costs beyond the town's control such as new state mandates. Those items will be budgeted at the going rates. Capital will be at the level the budget can absorb.

VOTE: UNANIMOUS AYE

- h.* **RESOLUTION 07-100:** Resolved that the Town Council Authorize the following uncollectible Economic Development Revolving Fund Loan to be written off: Redmond Pet Kare \$26,333.56.

Moved by **Councilor Philbrick** and seconded by **Councilor Gray** that Resolution 07-100 be adopted.

The Town Manager noted we have an allowance remaining on the books of this amount. It would leave about \$5.00 in interest due on the account. I would plan to talk to the new auditors to see if we can set up another allowance for uncollectible loans and write off the other accounts listed on the books.

VOTE: UNANIMOUS AYE

- i.* **RESOLUTION 07-101:** Resolved that the Town Council Authorize the Town Manager to Execute the Access Agreement pertaining to the

Brownsfield Phase II project off the Mount Road (formerly known as 10 Elweir Road) for Phase II assessment activities.

Moved by **Councilor Jordan** and seconded by **Councilor Philbrick** that Resolution 07-101 be adopted.

The Town Manager noted the Town Council has received updates on this project. The TAP at Elweir Road was chosen as 1 of the 2 projects to continue to Phase II for the Regional Brownsfield Grant that KVCOG is administering. Phase II will allow for groundwork to be done to determine exactly what is on the site. The access agreement is needed to get to all areas of the site. With the information from the review, we may be eligible to apply for DEP and EPA cleanup monies.

VOTE: UNANIMOUS AYE

7. **DISCUSSION ITEMS:**

Brief Updates On:

Grants Update:

Airport Grants: Vegetation Plan/Permitting Grant

Airport Grants: Clear Runway Approach 1, Phase II

L&W Conservation Fund: Stein Park Renovation Project

L&W Conservation Fund: Swimming Pool

Project Canopy: Pittsfield Community Project: The Mill Pond Loop

Wellhead Project Grant: Fencing around wells & signage

Airport Grants: Vegetation Plan/Permitting Grant: The DEP application has been filed to modify the Town's original permits so that we can continue forward with the obstructions removal under another grant. The Vegetation Plan is also in progress with HTA's subcontractors Woodlots Alternatives.

Airport Grants: Clear Runway Approach 1, Phase II: Waiting for approval from FAA to hire the low bidder (whose bid runs out late next month). Once we have approval, there will be a Council Agenda item to award the contract for 2 of the 3 areas that we originally put out for Obstructions Removal. This would be paid for by the grant that we received which requires a 5% match from the Town for the work.

L&W Conservation Fund: Stein Park Renovation Project: Received approval for close-out, however, the grant funds have not been received yet.

L&W Conservation Fund: Swimming Pool: The applications are being reviewed by the State. Regarding the pool, last count has the Town at \$33,938.86 in donations since we started the fund drive. That means we now have \$256,599.36 for funds and need to raise \$143,400.64 more for the entire project. The Town has 1 grant application; 12 requests to community/fraternal/social groups; 6 foundation requests; and a variety of business requests to go.

Project Canopy: Pittsfield Community Project: The Mill Pond Loop: The Town will be holding a Community Forum focused on trees, environment, recycling and volunteerism this fall as soon as we can find a large enough room. That will be the event that finishes our grant project.

Wellhead Project Grant: Fencing around wells & signage: The fencing is around the well and the signage is done, not through the grant, but through the local ATV Club.

The Town Manager wanted to make the Town Council aware that there is a letter set to go out to one of the residents who are currently behind in payments on their tax acquired property. The Town Manager noted that we are willing to work with the resident, but currently the payment plan is not being followed. At the current rate of payment, which is less than the required contract, it would take 19 years to pay off this tax acquired property.

8. **REPORTS:** Audience, Council

Audience:

Council:

Councilor Baker: Absent.

Councilor Hamel: Absent.

Councilor Philbrick: No Comment.

Councilor Jordan: Wanted to advise the Council that there was a School Consolidation Meeting that he would be attending on September 5, 2007.

Councilor Gray: Questioned why the Meeting on in November was on the 7th instead of the 6th. The Town Manager advised due to the Election.

Deputy Mayor Fotter: No Comment.

Mayor Nichols: Wanted to note that Laurie Wilson was killed in Waterville in a motor vehicle accident. She used to be a Pittsfield resident for many years. She spent her whole life helping others. Mayor Nichols wanted to publicly give his condolences to the family.

9. **ADJOURNMENT:**

Moved by **Councilor Philbrick** and seconded by **Deputy Mayor Fotter** that the meeting be adjourned at 7:55 p.m. All in agreement.

Nicole Nickolan, Town Clerk