

TOWN OF PITTSFIELD

FOR YOUR INFORMATION:

TOWN MANAGER'S REPORT FOR 02/01/2022:

New Items and Important Reminders:

1. Maine On-line Burn Permits Became Free of Charge: On-line Burn Permits are now free of charge. Burn permits are available at maineburnpermit.com

2. Important Reminder: 2022 Transfer Station Stickers: In order to reduce costs at the Transfer Station by making sure that only those who should be dumping garbage are doing so, new stickers are being issued each year. Stickers have been sale since December 01, 2021. Residential stickers are \$20.00 each and Commercial are \$40.00 each.

3. Important Reminder: 2022 Dog Licenses: All dogs over 6 months old must be registered prior to January 31, 2022. As of February 01, 2022 there is a \$25.00 late fee per animal licensed. The State law requires the late fee be assessed now. We have been registering dogs since October 15th and have had this information advertised for quite some time with regular updates at the Town Council Meeting. We apologize, however, the fee must be charged.

4. Important Reminder: Online Services: For re-registration of vehicles, boats and other services go to www.pittsfield.org and click on the Citizens' Tab, choosing on-line services at the top of the page.

Please remember that Motor Vehicle has advised the Town that there is an aluminum shortage and we will receive a reduced inventory of new plates so if you do not need a new plate and can use your current plate, please do so. We are also going to receive reduced inventories of stickers.

5. On-line Council Materials: We would also like to make sure that people know where to go to get the Town Council packages. Go to www.pittsfield.org to the right hand side of the home page and click on Government Services, then click on Town Council Packages and then on 2022 Council Packages. Then you can review the pack. If you print it out, make sure that you look at it first to see how many pages it is as you may only want a section of the page along with the agenda.

6. Cleaning out Your Home / Downsizing – Think of the Re-Use Center:

Please consider donating your left-over items to the Trash to Treasure Re-Use Center. Citizens who are cleaning out their homes for sale or just downsizing may contact the Pittsfield Town

Office at 487-3136 or finance3@pittsfield.org to schedule an appointment to drop off items to the Re-Use Center. As the Center is now closed due to COVID restrictions, an appointment is needed. Please do not drop off items in the yard as they will get wet and not be of any use to anyone. We are currently re-stocking the building so we need new materials. Please remember, no bedding or clothing. All clothing should be donated to Pennywise. Bedding can be dropped off in our Textile container as you enter the Transfer Station. The building is still accessible this winter so we are still taking items. If at any point, we have to stop taking items, we will advise of this.

Current and Upcoming Activities:

7. Public Hearing to be added to the Agenda of the evening's meeting on an Economic Development item:

Please see attached agenda materials for an ADDITION:

This would be unusual so I have provided an explanation below.

An item of importance was mentioned last Friday by a business in the community as the company had been notified of a title issue on a potential purchase here in Town. It was a bit of a mystery with several people looking into the item including myself and a potential solution has been determined today.

This issue will require adding an item to the agenda this evening to schedule a public hearing. The Town does not add items to the agenda due to the filing deadlines as well as the fact that the public would not have proper notice. In this particular case, which is different than other items that have come up before as these items were final agency action. As the Town Council would be adding an item to the agenda to merely schedule a public hearing, the Town Attorney has agreed that this is permissible under the Town Council Rules and Town Charter. This is because the action to be taken is to schedule a public hearing for notice to the public and that the Town Council is not taking final action as that would take place at the next Town Council Meeting on February 15. At that time, public notice will have been given.

Cianbro would like to close as soon as possible to purchase the former Pittsfield Woolen Mill. During the title search, a tiny parcel was found in the middle of the property that abuts the building. It has been determined it is owned by the Town. The property is a total of 1184 square feet. Cianbro would need to own this as they will need it for construction. It was part of a land swap in 1997 with the Town deeding a part of the area by Central Street to the Mill owners. The building that was constructed is close to the road in a District that does not have setbacks. The business has been closed for years and the Wrights are going to sell the property which is great. Cianbro would purchase the property for storage and other uses to be addressed with the Planning Board. The Mayor provided the background he had received. Cianbro's attorney Fred Bachrach has advised that this would be very helpful.

Therefore, the action for this evening would be:

A. Waive the Town Council Rules to add Ordinance 22-02 to schedule a public hearing to the agenda under 7. New Business. The vote would require five Councilors in favor.

B. Under 7. New Business, schedule the public hearing to the next regularly scheduled Council Meeting on February 15, 2022.

8. Community Development Block Grant (CDBG) Advisory sessions:

Although the snow is coming down shortly, we will be planning out the Main Street Sidewalk and learning more about the Main Street Road Rehabilitation Project. Once we have more members for the Committee to oversee the CDBG project, we will start meeting in earnest. Some of the partners have not been available for meetings prior to the holidays, however, we need to start up shortly in order to have plenty of time to make sure that the project is planned out correctly. There are many grants, requirements, deadlines and it is complex so all the help that we can get would be appreciated. Once we are organized as we are still looking for members, then it would be great to have a zoom meeting that people could watch or some slides that explains the progress on the project.

The Town is still seeking citizens for the Community Development Advisory Committee for oversight of the Main Street Sidewalk Project.

9. Airport Hangar, Apron and Taxiway Project updates:

This also will be a major project at the Airport and really put the Pittsfield Municipal Airport on the map as there will be actual new spaces to rent for people to bring or locate their airplanes at the airport. Currently, over 30 planes are housed at the airport, however, some are outside and others are closely fitted in rental spots. Anyone interested in a new T-Hangar spot, please contact Caleb Curtis, Fixed Base Operator and Airport Manager at 487-5213. Once this project starts moving forward, it would be interesting to have some photographs or overhead pictures to place on the Town's website.

The Town, through its Airport Engineer and myself will be presenting before the Planning Board at their regularly scheduled meeting on Monday, February 14, 2022. The meeting begins at 7:00 pm. People can attend in person or by ZOOM.

10. Railroad Quiet Zone:

The Town has a Quiet Zone at the Main Street crossing here in Town. Other crossings such as Lower Detroit and the Industrial Park as well as the country crossings do not have the Quiet Zone, partially because of the lack of devices at those crossings and/or population. The Town was recently notified that the Quiet Zone Risk Index for the Main Street Quiet Zone Risk Index (QZRI) is less than or equal to the Nationwide Significant Risk Threshold (NSRT) with or without additional safety measures such as Supplementary Safety Measures (SSMs) or Alternative Safety Measures (ASMs). These are items such as medians or channelization devices, one-way streets with gates, four quadrant gate systems, and temporary or permanent crossing closures. The QZRI is the average risk for all public highway-rail crossings in the

quiet zone, including the additional risk for absence of train horns and any reduction in risk due to the risk mitigation measures. Our QZR1 is now 9,638.94. It used to be 15,488 which means that the risk is perceived to be less than prior to 2021. Collisions at the crossing would increase the number. The FRA advised that no further action was necessary at this time.

The Federal Railroad Administration then contacted the Town indicating that further action was required by the Town. This consisted of a letter requesting that the Quiet Zone be continued, completing federal forms from the FRA website and forwarding information on the crossing to the FRA, railroad and various State officials. This was completed last week. When the Town Council voted originally to request that the Quiet Zone be enacted in 2005 it was due to the repeated train horns being sounded during the middle of the night that was disturbing a dense population area. We had to purchase the No Signal signs and make sure that the crossing devices are working properly. We should have notification that the paperwork has been processed in a month or so.

Updated and/or Continuing Items:

11. 2019 Tax Liens foreclose on Friday, January 21, 2022:

Update: Unfortunately, a few people did not pay their 2019 property taxes and to redeem their property will have to pay the 2019, 2020, 2021 and 2022 taxes if after April 1 of this year along with the Town's costs such as advertising fees and notices. Letters will be sent to the last known address for those whose property is now owned by the Town of Pittsfield due to the automatic foreclosure process. If someone does redeem their property within the timeframe that is established, an Ordinance will be placed on the Council Agenda to schedule a public hearing to transfer the property back to the former owner and then the public hearing held. After the public hearing is held, the Council would then vote to authorize the quit claim deed to be issued.

There are 6 new properties added to the town's rolls, properties that we do not want to own so after the redemption period is completed, it is likely that some properties will go out to Tax Acquired bid. If there are people interested in the Tax Acquired properties when the TAP Sale is authorized by the Town Council, please call the Town Office and provide your e-mail address for the notice and packs to be sent to you. There are two parcels of land and some land with dwellings. We need to see if the people can redeem their property in accordance with the law first. A meeting needs to be held with the Planning Board to see if any of the properties should be retained by the Town as a requirement of the TAP Ordinance. Then in the future after all of the steps are completed, there will be a discussion and action, if appropriate at the Town Council Meeting to schedule a sale. From reviewing the history of the parcels dating back to 2019 and before, one has had significant assessing issues and may need to be mitigated.

History:

For those who have not yet paid their 2019 taxes, the liens on the property will automatically foreclose at the end of business on January 21, 2022. This is for taxes that were due in

October 2019. There are now 24 properties on the foreclosure list. We urge those owners to pay their taxes in full by Friday. Notices of impending automatic foreclosure went out in December. If the taxes are not paid in full on Friday, the Town will own these properties. The Town does not want to own any tax acquired properties. In order to buy the property back, all taxes, interest and costs for 2019, 2020 and 2021 will need to be paid in full in order to receive a Quit Claim deed from the Town after a public hearing. This would be very expensive so we would encourage you to pay off the 2019 tax lien in full.

12. Computer Services / Managed Services Onboarding:

Update:

The contracts for the new server and new computer equipment were signed the day after the December Public Hearing on the new 2022 budget. The order was then placed for the upgrade. Logically has received a number of the computers and/or parts, however, is lacking a number of strategic electronics in order to proceed ahead. The company is going to start to put the computers together. So far, they do not have a time that the electronics are going to be delivered to their company but hopefully will the next time that we call back. I provided the Assistant with a number of questions on the process and whether on the timetable we can install all or part of the new setup on a Wednesday when we are closed to avoid the disruption of customer service or can we leave two computers up and running to serve customers while they work on the complete upgrade. When our Assistant has the schedule, I will provide an update to the Town Council.

13. Code Enforcement Actions:

All the files with the information sorted and put into order were forwarded to the Town Attorney for recommendations and/or action to be taken after meeting with Alternate Code Enforcement Officer Al Tempesta the day after the last Council Meeting.

While Bob Geaghan was out on leave, Al did a super job and took care of quite a few items including issuing some code enforcement letters on new items that had been referred by the Town Councilors and the public. As you know, Al will need to take any actions to court for any Code Enforcement actions under Rule 80B. I did advise the Town Attorney as to the Somerset Avenue property as the owner had fallen off the roof and is now out of commission for some time.

We will have our regular Code Enforcement Officer make a chart of enforcement actions so that they can be followed up on in a timely fashion. If deadlines are met for action at properties that is great, but if actions are not taken and/or the people ignore the letters and phone calls, then these items need to be followed up on and not perpetuate.

Regarding the 4 specific cases, below is the review of Attorney McCall working on these code violations:

153 Washington Street (Map 29, Lots 50 & 51): The file indicates that this property is likely dangerous within the meaning of the dangerous building statute, *i.e.* siding is missing, holes

in foundation, etc. The Town Council can most effectively address this property by noticing and conducting a dangerous building proceeding at the local level. Upon completion, the property owner may be forced to undertake the necessary repairs or else risk having the building demolished. This property should be the Town's immediate priority, given the available options and need for more immediate remediation.

140 Leonard Street (Map 26, Lot 37): This property was the subject of a Rule 80K land use enforcement matter in 2015, regarding alleged violations of the Town's plumbing and fire codes, as well as the illegal establishment of a junkyard. The matter was resolved by entry of a final order and judgment on January 9, 2016. The Order required the property owner to: (i) remove or fully screen all junk materials from the property, (ii) fully enclose or secure the property's foundation to prevent further vermin infestation, and (iii) reimburse the Town for its attorney's fees and costs, totaling \$3,247.35. Later correspondence from the CEO, dated April 9, 2021, shows that full compliance with this court order was not achieved. Recent photos of the property show a tall stockade fence surrounding the entire yard, making a determination of the structure or yard's status difficult. The Town could attempt to enforce the existing court order from 2016 by filing a motion for contempt with the District Court; however, additional proof of non-compliance would be needed, and absent the property owner's consent, an administrative inspection warrant is likely required to allow for further inspection. Alternatively, the Town could focus efforts on the state of the structure itself, and consider initiating a dangerous building proceeding (correspondence from April of 2021 describes this as a possibility). Further evidence of the structure's dilapidated state would be needed in order to substantiate such a finding. Ultimately, the potential difficulty of collecting additional information regarding the property's current state could prove to be expensive and time-consuming. The Town Council should consider those costs and weigh the same against the benefits of moving forward at this point in time.

231 Somerset Avenue (Map 28, Lot 51): This matter has been ongoing for many years. The photographs in the file do indicate potential violations of the property maintenance code, but they do not appear to be major. We also understand that the property owner may still be in a long-term care facility due to a fall from the roof. Given the nature of the problems with the building, the fact that some progress appears to have been made, and the property owner's current condition, the Town should consider monitoring this property for further improvement. Reaching out to the property owner's attorney for any potential status update could also improve the situation. However, moving forward with a Rule 80K proceeding at this stage is probably a step too far at this point, given the nature of the violations and the potential difficulty of conducting a hearing and/or enforcing any court order given the property owner's current condition.

139 Manson Street (Map 25, Lot 42): I agree with the Town's assessment that proper remediation of this property has taken too long. However, the property owner has a documented history of health issues that have stalled efforts to complete necessary renovations. Furthermore, reports from the then-CEO in November of 2021 indicate that substantial repairs have been made to the building, including the installation of a new roof, and that "Over all I would say that the house is sound." The most recent pictures do indicate issues with some windows, peeling paint, and other issues with the siding. It is possible that

the property still remains in violation of the Town's property maintenance standards, particularly given the state of the building's exterior walls. However, given the progress made, and the difficulty in navigating the court system with a defendant with a documented history of health issues, continuing to work with this property owner towards and eventual resolution of the documented issues is likely the most effective and cost-efficient way forward.

History:

Alternate Code Enforcement Officer Al Tempesta is working in Town now for a few weeks. We have provided the files on the code enforcement actions that the Council approved for his review and to see if any more information needs to be collected. Mr. Tempesta will be the Code Enforcement Officer who will be bringing the cases to court so he needs to be involved. For the Somerset Avenue property, the elderly owner was repairing the facility himself and fell off the roof. He has a long recovery period in order to be able to get around. The gentleman did work on the property. We will send the file to the Town Attorney, however, ask how to address this. Basically, the owner is recovering from a dreadful fall and will be unable to go to court. The Washington Street property file has more enforcement action in it against the former owners of the property vs. the current owner. I wrote a letter for the former Code Officer just before he retired after I went out and saw the property last year. Bob Geaghan, the new Code Officer has written letters requesting compliance. We are asking the attorney for advice on how to proceed. The Leonard Street property seems to have more junk now than it had before so that file is going to the Town Attorney. The Manson Street property is neat and orderly in the yard, however, the building needs considerable work. The owner wrote to the Town that he has been ill and explained out what has been taking place. We will ask for advice on all of these. Since Al will be taking the cases to court, we needed him to be involved which he now has been. Copies of the files are being forwarded to the Town Attorney on Wednesday, 01/19/2021.

The Code Enforcement Officer was dispatched to a property at the corner of Harriet and Madawaska Avenue which is a very dilapidated building. The owner was to be instructed to tear it down due to its condition.

The Code Enforcement Officer was persistent with the owners of the property at the corner of Lancey Street and Peltoma Avenue. After multiple calls and letters, the owners did schedule a major tree cutting day at the property. The owners have also pulled a building permit to fix up the property. The CEO has been instructed to keep in contact with the owners to monitor their progress.

Today, the Alternate Code Enforcement Officer was working on a letter to the property owners on Webb Road. The facilities at this property have expanded without proper permits.

14. Board and Committee Positions:

The Town is looking for volunteers for its boards and committees. This is a yearly process. We know that there are issues over having enough time as life does seem busier now and about COVID concerns. We have set up the Meeting Room with nice air filtering devices. The Fire Chief/EMA Director selected them and in talking with contractors who come to the

building as well as people who have had COVID, we have been told that these are really good units. A list of boards/committees with expiring terms was published in The Rolling Thunder and is available at the Town Office. The Town has many committees and boards and perhaps there is an area that you might be interested in. Since COVID, we have had trouble filling spots and that is understandable, however, we do need to proceed forward with meetings.

15. The Planning Board is very important:

While we have a list of committees looking for volunteers, I would like to bring your attention to the Planning Board. This is a very important board for the Town. Activity in terms of commercial growth is coming to Town and you can be a part of it by being on the Planning Board. This board generally meets once per month to review applications and may be meeting to review ordinances at various times during the year. The membership is down and as people are already planning for projects for this summer – 3 applications are coming in – we need volunteers. You would receive a package of materials, review the materials and then attend a meeting to make sure that the project meets the ordinance requirements. There is staff assistance including a planner from the Kennebec Valley Council of Governments who reviews materials. If you like helping businesses or you like making sure that business projects are good for the Town, the Planning Board is for you. Although terms are 5 years in length, there are a few unexpired terms available for 3-year terms.

16. Recreation Director:

Update:

The Town does have one application so if anyone out there is interested, please download from the town's website at www.pittsfield.org or pick up the job package and bring it back as soon as possible. The position needs to be filled as the committee and other staff are working on items and as the busiest season is coming up being Spring Sports, someone needs to be on board pronto.

The Town is seeking positive and proactive candidates for Recreation Director. This part-time year-round position implements a dynamic and active program involving volunteers, committees and groups. If you would like to work for the benefit of children and enhancing program opportunities for not only children but also seniors and other citizens, this would be a great opportunity to make a difference. Application package materials are available at www.pittsfield.org. Applications will be accepted at the Pittsfield Town Office, 112 Somerset Avenue, Pittsfield, ME 04967 (487-3136) until the position is filled. EOE.

THANKS so much. Have a Happy and Safe New Year All Year Long!

Kathryn Ruth

Kathryn Ruth

Town Manager