

# TOWN OF PITTSFIELD

## FOR YOUR INFORMATION:

### TOWN MANAGER'S REPORT FOR 03/01/2022:

Again I can state it has been another busy and dynamic period with many projects and items to address. The Town continues to enjoy a large influx of new citizens as properties change hands. Usually it is quiet at this time of year, however, with the exception of two days – President's Day as we are open when the State, other Town Offices, schools, banks, etc. are not open and last Friday, 02/25/2022 due to an all-day storm.

### New Items and Important Reminders:

These items will be referred to but not read as the Council has heard them several times. These items are important though for the citizens, especially those who new and tune in to Town Hall Streams, watch the videos later or use the website:

**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](http://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. The staff are policing the facility, therefore, please obtain your sticker. We do not want to have you show up at the Transfer Station and have to turn you away.

**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. We have been registering dogs since October 15<sup>th</sup> 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](http://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

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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](http://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](mailto: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 remains accessible. At times we are taking items up at the Transfer Station and moving them down to the Re-Use Building depending upon staffing. It is almost time to start planning yard sales so if anyone would like to cut down on the items to move around, think of the Re-Use Center and Pennywise.

## **Current and Upcoming Activities:**

**7. Special Election for Town Councilor Open Position:**

Nomination Papers became available on Tuesday, January 25, 2022 and must be filed with the Town Clerk by Monday, March 7, 2022 at 5:00 pm. The Election to be held for Councilor – At Large is on Thursday, April 21, 2022.

**8. MaineDOT rolls out a new Village Partnership Initiative (VPI) for 2022:**

Today, new program materials arrived which are contained in Attachment #1. This is a new program which has some similarities to programs that the MaineDOT had in the 1990's and early 2000's on bridges, road cost sharing and downtown gateways which were phased out. The new program allocates a total of \$5,000,000 in matching state funds for projects at one of two levels, either large transformative projects focused on place-making in a village center to be walkable, bicycle-friendly and business-friendly; or for Small Spot Improvements such as gateway treatments, traffic calming and improving pedestrian facilities and ADA compliance.

The transformative project overlaps with the Town's efforts to enhance the downtown which at the time that we put the plan together consisted of applying for all applicable funding that was available. This was a piece-meal attempt as funding was not available from one source for

what we wanted to accomplish. The approach did work as we received many awards but was difficult and will continue to be difficult to manage. I have contacted MaineDOT to see if with our current funding commitments, there are any opportunities available.

We may be able to participate in Small Spot Improvements as we can certainly use some traffic calming and improvement of pedestrian facilities with ADA compliance on the state roads especially down by the Plaza. I understand that what the MaineDOT approved at the site fit within their guidelines, however, this is a congested area that could use enhancement. Please think about whether there are other potential Small Spot Improvement areas.

#### **9. Community Development Block Grant (CDBG) Advisory sessions:**

##### **Update:**

Haley Ward and the Town are set to meet with the Electricians who have worked in the past on repairing and keeping the Town's Electrical and Traffic Light System downtown in operation. We are waiting for the availability of one electrician. The second electrician who has retired will also attend as he has valuable historical information.

##### **Background:**

A meeting with held with our Main Street Engineer at Haley Ward. Chip Haskell then met with the principal engineers for our project at MaineDOT. He has also talked to his company's Electrical Engineer regarding the downtown control box and underground wiring. This is an interesting setup that needs to be replaced. We will be holding a meeting as soon as practical with those who have worked on the system to repair it in the past and Haley Ward. This will assist the engineering firm to be able to determine some pricing estimates and bid specs as this work will need to be bid out similar to other components of the Main Street Project. We have focused on the sidewalk, however, there are a number of infrastructure improvements in the downtown that will provide needed enhancements.

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.

#### **10. 2022 Clean Water State Revolving Loan Fund (CWSRF) Infrastructure (Construction) Projects:**

##### **Update:**

**A recommendation on the applications to file for this program will be part of the March 15, 2022 Council meeting. With all the additional funding available it may provide for an increased amount of forgiveness. If so, the Town will have a much better chance to score high enough to obtain funding. While funds are available for straight loans at a low interest rate, the Town can only encumber a certain amount of debt before it starts affecting the Sewer and Water Enterprise Funds and our ability to perform other work.**

**I know that it has been said that we should be saving money for all of these projects, however, given the cost of sewer main replacement, the Town will be unable to save the millions of dollars that are needed. Right now, we have the opportunity to compete for forgiveness so that part of the sewer project will not be required to be paid back which is similar to getting a grant. Therefore, we should take advantage of this opportunity to apply for some projects.**

**I will work with Olver Associates Senior Process Engineer Annaleis Hafford on this opportunity to determine proposed projects. We will need to determine how far in the future the projects will be as that will determine when roads are paved so funds will need to be available. One never knows which project will be chosen, if any, which makes the paving component difficult to determine.**

#### **History:**

**The loan program for 2022 for Sewer Construction (and Rehabilitation) projects was just received with a due date of March 18, 2022. Each year, the United States Congress has appropriated federal funds for the base CWSRF program to finance wastewater infrastructure projects and water quality improvement or protection projects. The funds are passed through the Environmental Protection Agency to State CWSRF programs to capitalize their loan programs. The Maine Department of Environmental Protection and the Maine Municipal Bond Bank administer Maine's CWSRF program. This program's allotment and the share of the funds that can be distributed in the form of loan principal forgiveness depending on the passage of the federal budget and the Appropriations Act language. The DEP has not yet received notification of the State's base CWSRF 2022 allotment, however, the Department is soliciting projects for funding so that they can make funds available as soon as possible.**

**President Biden signed the Bipartisan Infrastructure Law (BIL) on Monday, November 15, 2021. This is a huge and bold investment in our nation's infrastructure. For the State of Maine's CWSRF program, DEP is anticipating this supplemental funding to be \$13.7M for 2022, with an increasing annual amount from this fund through 2026.**

**The CWSRF Program will also be incorporating the remaining \$8.8M in ARPA funds that was announced with the enactment of Public Law 2021, Chapter 483 (LD1733) of the 130<sup>th</sup> Maine Legislature, which was approved by Governor Mills' *The Maine Jobs & Recovery Plan*. This will further assist municipalities' wastewater infrastructure needs throughout the State.**

**Thus between the base CWSRF, the BIL Supplemental CWSRF, the ARPA funds, and the CWSRF repayments that come back into the program for reuse, the program will have an estimated \$80M in funds of which an estimated \$22.6M will be in the form of principal**

forgiveness and/or Grants. In the past, the base CWSRF and the CWSRF repayments for reuse would only provide an estimated \$50M in funds, of which \$4.9M was given out in the form of Principle Forgiveness. This is a significant increase in funding for our wastewater community in this time of need.

These projects will be environmentally ranked, and, if available, principal forgiveness will be offered to applicants based on the applicant's ability to afford the proposed project. Given the larger amount of funding available, the Town of Pittsfield, which often does not rank high as our sewer rates are lower than average and to date, we have had few environmental problems, may be able to score high enough for forgiveness.

#### **11. Bipartisan Infrastructure Law (BIL) – Airport Impact:**

On November 15, 2021, the President signed the H.R. 3684-Infrastructure Investment and Jobs Act (Public Law 117-58) of 2021, commonly known as the Bipartisan Infrastructure Law (BIL). Under BIL, the FAA's Office of Airports will administer two new grant programs and distribute approximately \$20 billion in funds. The program that provides funding to the Town of Pittsfield for the Pittsfield Municipal Airport is:

The Airport Infrastructure Grant (AIG) Program which is authorized for \$15 billion over 5 years including approximately \$14.45 billion of formulated allocations and \$100 million for airport owned Federal contract towers.

#### **AIG Program**

The majority of the funds available under the AIG program will be allocated to airports by formula. FY 2022 allocations have been announced and are available on the AIG program website. Future year allocations may vary; for planning purposes, sponsors are being told to assume similar allocations. These grants will be awarded at the same federal share as our AIP grants. The proposed amount of additional funding to be provided to the Town under this program is \$159,000 per year. In reviewing the website, I inputted several Maine airports in addition to Pittsfield to find that most airports will receive an estimated \$159,000 including Waterville.

What are our next steps as an airport sponsor?

In anticipation of implementing these new programs, the FAA has asked airports to submit their 5-year Capital Improvement Plan (CIP) for fiscal years 2022 through 2026 that incorporates our airport's anticipated use of BIL funds. The CIP is to include allocated funding under the AIG program, as well as AIP entitlement, previously requested discretionary funding, and any projects to potentially be submitted for the competitive BIL grants under both AIG and ATP. While we have already submitted and had an FY 2022 AIP CIP approved, the FAA and MaineDOT want to make sure that they have the latest project information that captures how we intend to use BIL funds. BIL authorized five (5) years of funding and this initial request is only the first of many conversations that we will be having with the federal government. MaineDOT is working with the Town on this request which is a very good project indeed!

## **Updated and/or Continuing Items:**

### **12. Registration for the U.S. Government's System for Award Management (SAM):**

You will recall I advised our federal government registration for use of the system that processes all our federal funding was coming due. Normally, this is not an issue and takes a few attempts to access the system to update and validate information on file. Then the Town is all set to receive federal funding for another year. Being advised that SAM had just been converted into a new system from the combination of over 10 federal websites as the Town enters a period in which we will receive the largest amount of federal funding we have every had was a bit worrisome. If our registration lapsed, it would take at least a month to be renewed, if not longer.

We started early and sure enough, could not get into the system for days even with assistance. Finally, after exiting the system for awhile I was able to get past the deterrent and update the system. Confirmation has just been received that the application passed all reviews and tests to become active for another year.

### **13. Airport Hangar, Apron and Taxiway Project updates:**

#### **Update:**

The meeting with Federal and State Representatives, Town Engineering Consultants, Fixed Base Operator and myself went well. It was agreed to re-bid the project which has already gone out to re-bid, been advertised by the Town and had the Pre-Bid Meeting held. When the bids are received and reviewed, we will have a better understanding of what needs to be done. It seems that additional funding may be able to be made available, additional time will be provided to pay back the inter-airport loan and the engineering consultant, once the bids come in and the situation is known, will go to their board to confirm their level of participation. We were asked to come up with additional funding, which is reasonable if the Town receives more grant funding and then should allocate the 5% match. Whether the Town itself, would put up additional funding is another matter and when asked, I did not commit to this indicating that we did not think that we were going to be obligated for any additional funding especially as we had received additional grants which lowered our need to contribute a higher amount. The action/s that are necessary will become evident when the bids are received.

#### **History:**

I wanted you to know about this as we are reviewing the Site Plan for the Airport project at the Planning Board Meeting Monday evening.

Over the weekend, it became apparent that there is a large wrinkle in this project. The State and Federal Government have worked on a potential solution. Unfortunately, the contractor with the lowest bid that was accepted by the Town Council for the project last October has pulled out of the project indicating that their company needs an additional 20+% due to higher costs for building materials and supplies as well as labor. This seems to be over \$350,000. Although this is upsetting, it is better to happen now rather than to have extensive change

orders brought forth throughout the project that we could not approve. A general concept has been put forth by MaineDOT that would result in re-bidding the project. If the pricing is favorable, which likely will be higher, then there could be an additional year added onto the multi-year grant in which the Town would receive additional funding; the inter-loan agreement with Rangeley will be moved back one year which Rangeley has agreed with as they do not need the funds until then; and the Town would be loaned funds by another Town that has funding that it does not need right now and would likely lose. The Town has an intergovernmental loan put together by the MaineDOT with Rangeley now. We would need to amend that loan document and perhaps re-do the Ordinance authorizing it and process a new Ordinance with a second town. The funds that the Town borrows would then be paid from our future entitlement funds that airports receive each year. This is in concept stage right now with a meeting just scheduled for Thursday, 02/17/2022 early in the morning to work out the details. We have been advised that within reason, we would receive additional grant funding so that the project can move forward.

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.

#### 14. Request for Proposals for 2022 Paving Plan:

##### Update:

The roads have been reviewed to find extensive damage from the constant warm spells during the winter. With temperatures going from bitter cold to well over 32 degrees, extensive cracking and potholes have taken place. Then with snow needing to be removed, the plows go out, hit the cracks that have heaved and rip up the hot top that is loose or sink into the gravel roads which have unfrozen. Winters are now difficult with the warming trend.

Olver Associates has compiled as much background as possible from the 2009 Sewer Flow Study that staff refer to when recommending paving. Some repair information is available at the Water/Sewer Garage. Olver Associates and the Town have good records on the extensive sewer projects and few water projects that have been completed, however, this is only a part of the picture. Annaleis Hafford and I are meeting prior to the Council Meeting to go over our findings and to make the best recommendation possible with the information that is available.

##### History:

It is important at the Town Council Meeting to begin to discuss which roads will be paved in

the 2022 Paving Program. The Request for Proposals should be placed on the next agenda in order to bid out the work. Our Public Works Director Don Chute had been working with the Public Works employees on areas that should be paved as they are the major issues. Please remember that the Plan is based upon the average paving cost over the last few years and not the lower price that we received last year. With costs going up on what seems to be everything, it is unlikely that last year's price would hold.

With a massive infrastructure bill coming out to fund water, sewer and other items projected for the next five years and a new Clean Water State Revolving Loan Fund round coming out with much higher levels of forgiveness, we have a chance to take care of areas where there are sewer issues. Regarding the sewer system conducted in Forest Park, we received the bill, but not the study. Olver Associates had to call for the study. Evidently the company is having major staffing issues and items are behind. Olver Associates was notified that they did not finish the project as they could not get through. There should be more information shortly as we need to know if the sewer is in good condition or not. Annaleis just received the report for the work that was conducted in December 2021. It sounds as though a section may have a lot of roots in it but we do not know for sure. So far, we have not received word of any Drinking Water State Revolving Loan Funds. We do know that Birchwood Terrace needs a new water line. Normally, I would recommend saving out enough paving funds for Birchwood Terrace, however, without the water or sewer funds, we would not utilize the paving funds in this bid unless there was a major breakthrough in timing. Instead of reconstructing Birchwood Terrace, perhaps we can reclaim it as this has worked well before. I would further recommend that a section of Webb Road and a section of Bean's Corner Road be reclaimed as well as a few in-town roads with high traffic volume be paved to save them so that paving can continue their life. I am awaiting Don Chute's recommendations so that we can put them together. We have to spread the work out as we cannot just fix one road as the rest of the Town will not see improvement. This was why I kept recommending several years ago when we got the two large loans that while we concentrated in the country that we pave a few small roads in town.

Since we all have different ideas, this will be an interesting discussion.

In the meantime, I have asked Plymouth Engineering to pull out the bid specifications for the second culvert on Sebasticook Street and the Mosher Bridge Work on Crawford Road so that we can bid both, each with their own cost so that if we can only afford to do one project, we will be able to do so without negotiation with the low bidder.

#### 15. 2019 Tax Liens foreclose on Friday, January 21, 2022:

##### Update:

Our regular Assessor has not been available. The individual who is filling in is working on other types of projects so the properties that have foreclosed have not been reviewed with the Assessor who is familiar with the Town and properties.

##### History:

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 now owned by the Town 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. Those individuals interested in 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. An agenda item will be submitted to meet 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 discussion and action, if appropriate at the Town Council Meeting to schedule a sale. From reviewing the parcel histories dating back to 2019 and before, one has had significant assessing issues and may need to be mitigated.

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.

#### **16. Recreation Items:**

A. **MyRec.com:** The new Recreation Programming bank account was established after Council approval at the last meeting. It was live last week and we are now waiting for the test transfer of a small amount, likely \$1.00 by MyRec.com to determine it works properly. This is great timing as the Spring Sports Sign Up Notices will be going out this week/next week. Spring Sports and Summer Programming with Swimming, are our two largest sign ups.

B. **Background Checks for Volunteers:** I was advised by the Committee Chair and one of the Councilors that the background checks were not being completed on volunteers. We completed these for several years under Mrs. Morton with no issues. There seems to be some confusion as I was told that the forms were being completed but I have not located any when I went to check. I had not worked on regular HR items for several years now, however, will make sure when meeting with the new Recreation Director that the process is clear and the forms are completed. The background check form was approved by the Town Attorney and is easy for volunteers to fill out and then the forms are dropped off to be processed.

## **17. Computer Services / Managed Services Onboarding:**

### **Update:**

Logically's plan is to have their Engineer onsite on Thursday, March 3, 2022 to install the new server. Installing the new server will take a couple of hours and not result in any down time.

TRIO's Implementation Project Manager/Technical Consultant from Harris (TRIO) will join Logically's Engineer on Friday morning, March 4, 2022 to complete the migration. We understand that this will take a few hours and have been advised that there will be about 20 minutes of downtime for TRIO. This will be advertised on the Town website and the Municipal Building Doors as the staff will be unable to process any financial transactions during this period of time. It will also be announced at the Town Council Meeting.

### **Background:**

To date, we have not received a schedule as the company does not know when all the parts will be available due to supply chain issues. Electronics seems to be quite affected. The company is starting to work on e-mail, software and other items. The company project manager calls to ask questions about our current setup as they are in the planning stages while waiting for enough equipment to arrive. In the meantime, we applied for and have received the paperwork for the new Recreation bank account at Androscoggin. It should be ready to go this week

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.

## **18. Code Enforcement Actions:**

### **Update:**

The Fire Chief is following up on one of the properties:

**153 Washington Street:** Chief Williams is checking with Central Maine Power and the

telephone company regarding whether their lines can be protected given the proximity of the burn. In addition, the smoke and debris are being reviewed as homes are in close proximity.

The Code Enforcement Officer has followed up on two of the properties:

**140 Leonard Street:** The property owner agrees to clean up the property and pledged to the CEO that he will start April 1. He has asked for the dumpster from the Town to be available and then hauled to the Transfer Station when he fills it up. I advised the CEO this is good, however, that we are going to sign a consent agreement on this to ensure that it takes place. We are verifying with the Transfer Station/Recycling Coordinator the possibility of the Transfer Station hauling the dumpster to the site. We also need to estimate the number of loads.

**231 Somerset Avenue:** The legal firm representing the property owner is no longer involved with the case. Therefore, the property owner is likely representing himself. I have advised the Town Attorney and asked for a recommendation on how to proceed given the situation.

#### **History:**

At the Council Meeting on 02/15/2022, we discussed these recommendations and are proceeding ahead to have the Code Enforcement Officer work with the individuals to get these code violations addressed

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:**

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 (CEO) was asked to address the property on North Main Street that has its windows removed and sitting outside which is resulting in further deterioration.

The Code Enforcement Officer (CEO) 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 CEO 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.

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

#### **19. 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.

#### **20. 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.

Several names have been provided and members are contacting people to serve.

## **21. Water/Sewer Projects:**

### **Update:**

I was able to meet with several water and sewer employees from Olver Associates to discuss proposed projects for the ARPA funding as well as capital priorities. Annaleis Hafford and I have a Tuesday morning meeting prior to the Council Meeting to discuss this issue further as well as paving/water/sewer projects. Water/Sewer is a large discipline that needs to be a focus for Spring and Summer this year.

### **History:**

There is a lengthy list of Water and Sewer Projects available for completion. A Departments Meeting was held recently which was very informative on priorities and addressing particular items in the most commonsense and systematic fashion.

A comprehensive list of the projects to be undertaken will be provided at a later date once more planning is conducted on how to accomplish as much as possible.

### **I will mention two items:**

**a. *Water/Sewer Billing:*** I had reported on the water/sewer billing in December 2021. This has been very difficult due to staffing levels during the busiest period of time that we have had for many years but also due to an issue that turns out to apparently be with some meters. There is a malfunction that affects all or several books depending on how many are read at a time. We were looking to get up to date so more books were inputted into the computer than usual having been read. All of a sudden, a new error code showed up in a few accounts which then affects the books for billing purposes. We had to extract a lot of information after checking regular items for the billings. The meter accounts themselves had to be checked and by process of elimination, locate the issue. One section of town in one book was very affected while there were very few issues in the other parts of town so we worked around this, extracting out each book to send out bills. We did not know what the issue was as it could not be determined until we focused in one particular area. Therefore, each bill had to be checked. In the end, all bills have been produced. The Town is basically out of meters, having ordered them last summer in anticipation of needing them now. There have been a lot of requests for meters as there are many new lots in the mobile home parks and multiple new lots or development taking place. It appears that some of the meters that have been recycled from other locations do not read properly. Some read backwards with creates a major issue. The number of meters with issues was very small, however, it created a large problem. We are in the process of determining how, if at all, the recycled meters will be used and if not, what do we do. In any case, the amount of time utilized to process the bills should be much lower for the next round which starts shortly.....The good item is that I have never worked in-depth on the billings but I have determined that there are some other items that would be good to do for the customers so once we start the next billings, some enhancement will be offered.

**b. A citizen was advised that someone was not billed for 5 years:** As I had to review each account that was being billed to address the code processing issue, I reviewed the accounts.

I did not see an account that was not being billed unless it had been listed as turned off and there was a record of why it was turned off. I did see the following items:

1. The Town has a list for each Book of Locations where water is turned off: In our Departments Meeting, we determined that each of these locations needs to be reviewed in the field. It is possible that the Water/Sewer Department provided the Town Office with a list of locations where they were going to turn off the water for non-payment or because of the owner's request to do so. Then upon arrival, was unable to turn off the water at a location and then there may not have been further communication or mis-communication. It is possible but not likely as there is a last step in the process in which the department communicates the result to the town office staff and then this is checked. There is also the possibility that someone got hooked into a line and we do not know about it. There are also some locations in town where several homes are off one small line and perhaps another home was built and then they hooked in. In any case, we determined that it would be proper due diligence for Olver Associates staff during regular hours in non-winter conditions to go out and check the Shut Off List to make sure it is correct. We agree that trying to match up every real estate account with every water/sewer account and make sure that it is on would not be a productive use of our time. I did this for one road and it was not helpful, therefore, we will start in the field first.

There are many other projects to work on which include:

- c. *Leak Detection, of which we have had fantastic results;*
- d. *Rehabilitation of the Wells;*
- e. *Sewer Video Work for roads that may be paved;*
- f. *Inspection and Cleaning of Water Storage Facilities;*
- g. *VAS Program with E.J. Prescott;*
- h. *Grant for the Stationary Backup Generator;*
- i. *Grant for the Capacity Study;*
- j. **Creating and bidding out the Painting of one or more Water Storage Tanks and the most critical one with all of the funding coming up;**
- k. **To look for, determine and apply for water/sewer funding with the Town Manager.**

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

*Kathryn Ruth*

Kathryn Ruth

Town Manager