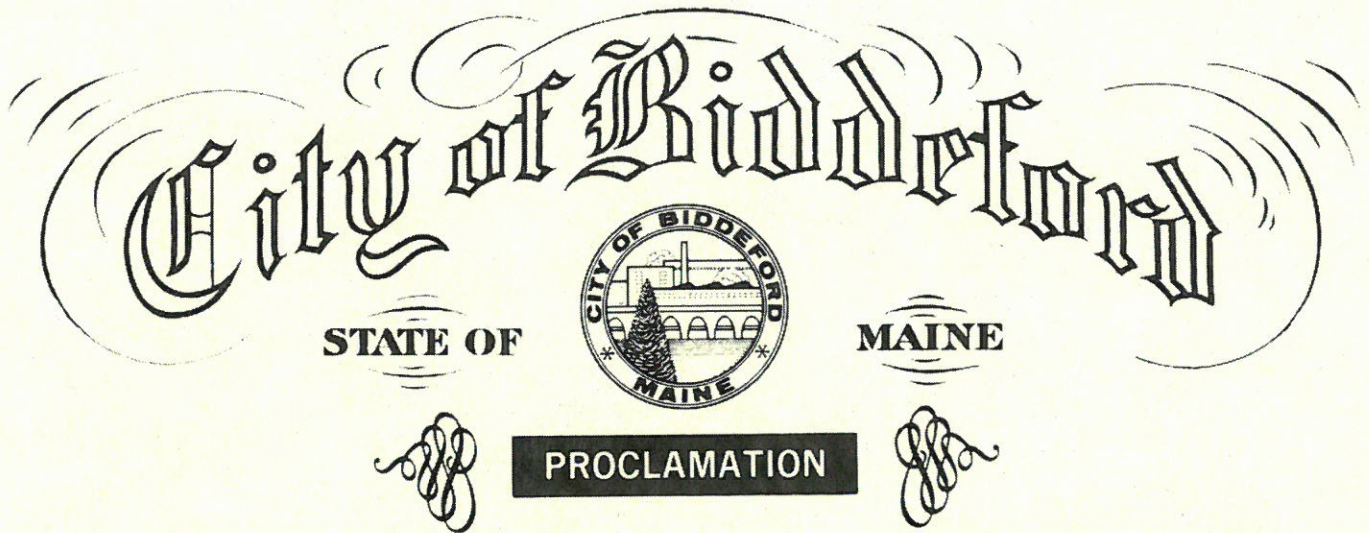


City of Biddeford
City Council
December 18, 2018 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Proclamation:**
 - 4.a. Recognition of Al Schutz, Retiring ShuttleBus Director
[12-18-2018 Proclamation - Al Schutz-pdf.pdf](#)
- 5. Game of Chance Beano/Bingo - Applications**
 - 5.a. York County Veterans Alliance - Game of Chance
[12-18-2018 Veterans Alliance-Game of Chance App.pdf](#)
- 6. Consideration of Minutes:**
 - 6.a. December 4, 2018 Council Meeting Minutes
[12-04-2018 Council Meeting Agenda.docx](#)
- 7. Orders of the Day:**
 - 7.a. 2018.143) Authorization/Purchase of Two(2) Plow Trucks/Whited Peterbuilt of Maine
[12-18-2018 Purchase 2 Plow Trucks-Peterbilt-ORDER.docx](#)
[12-18-2018 Purchase 2 Plow Trucks-BIDS.doc](#)
 - 7.b. 2018.144) Approval/Main Street Improvement Project, Phase 2
[12-18-2018 Main St Improvements Phase 2-ORDER.doc](#)
[12-18-2018 Main St Improvements Phase 2-MEMO.doc](#)
[12-18-2018 Main St Improvements Phase 2-FUNDING.pdf](#)
[12-18-2018 Main St Improvements Phase 2-BID REQUEST.pdf](#)
[12-18-2018 Main St Improvements Phase 2-MAP.pdf](#)
 - 7.c. 2018.117) REMOVE FROM TABLE: Authorization/Negotiate an Easement for Property Line Relocation at 1 Bay Street, Biddeford Pool
[11-20-2018 1 Bay Street - Landscape Improvements-ORDER.docx](#)
[11-20-2018 1 Bay Street - Lot Line Proposal-LETTER.docx](#)
[12-18-2018 1 Bay Street-Followup Memo.pdf](#)
[12-18-2018 1 Bay Street-Shaw.Brothers.Proposal.pdf](#)
[11-20-2018 1 Bay Street_Proposed Lot Change-MAP.pdf](#)
[11-20-2018 1 Bay Street - Asoera Plant Palette.pdf](#)
[11-20-2018 1 Bay Street - Asoera Planting Scheme.pdf](#)
 - 7.d. 2018.145) Amendment/Ch. 18, Buildings and Building Regulations/Art. II-Buildings/Add New Section 18-26 et al.-Registrations and Inspections
[12-18-2018 Ch. 18 - Buildings-Registrations and Inspections.doc](#)
[12-18-2018 Ch. 18-Delete Disclosure of Building Ownership.pdf](#)
 - 7.e. 2018.146) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-100-Disability Parking/Revise Time Restrictions for Downtown Streets
[12-18-2018 Disability Street Parking-No Time Limits.docx](#)
 - 7.f. 2018.147) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Add

- on Cardinal Lane
[12-18-2018 No Parking Cardinal Lane.doc](#)
[12-18-2018 No Parking Cardinal Lane-REQUEST.pdf](#)
- 7.g. 2018.148) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Add on Lily Pond Avenue
[12-18-2018 No Parking Lily Pond Avenue.doc](#)
- 7.h. 2018.149) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-59-Snow Emergency Parking Ban/Addition of Parking Lots (to be passed as an emergency)
[12-18-2018 Snow Emergency Parking-Add All City Lots.docx](#)
- 7.i. 2018.150) Approval/Transfer of Funds to Police Department for Contribution in a Criminal Case
[12-18-2018 Transfer of Funds PD-Skipworth.doc](#)
- 7.j. 2018.151) Reschedule First Council Meeting in January
[12-18-2018 Reschedule January 1st Council Meeting.docx](#)
- 8. Appointments:**
 - 8.a. Councilors Amy Clearwater and Michael Ready...Homelessness Initiatives Group
[12-18-2018 Appt-Councilors-Homelessness Group.docx](#)
 - 8.b. Carmen J. Morris...Biddeford Voter Registrar
[12-18-2018 Appt-Morris-Voter Registrar.docx](#)
 - 8.c. William Southwick...Planning Board CHAIR for 2019
[12-18-2018 Appt-Southwick-Planning Brd CHAIR.docx](#)
 - 8.d. Kenneth Pendleton...Biddeford Fire Advisory Committee
[12-18-2018 Appt-Pendleton-Fire Advisory Comm.docx](#)
[12-18-2018 Appt App-Pendleton-Fire Advisory Comm.pdf](#)
 - 8.e. Brian Fleurant...Board of Assessment Review
[12-18-2018 Appt-Fleurant-Board of Assessment Rev.docx](#)
[12-18-2018 Comm App - Fleurant-Brd of Assessment Rev.pdf](#)
 - 8.f. Donald Harper...Cable TV Committee
[12-18-2018 Appt-Harper-Cable TV Comm.docx](#)
[12-18-2018 Appt App-Harper-Cable TV Comm.pdf](#)
 - 8.g. Julian Schlaver...Downtown Committee as DDC Representative
[12-18-2018 Appt-Schlaver-Downtown Comm-DDC Rep.docx](#)
 - 8.h. Sean B. Tarpey....Zoning Board of Appeals
[12-18-2018 Appt-Tarpey-ZBA.docx](#)
[12-18-2018 Appt App-Tarpey-ZBA.pdf](#)
- 9. Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)**
- 10. City Manager Report**
- 11. Other Business**
- 12. Council President Addressing the Council**
- 13. Mayor Addressing the Council**
- 14. Executive Session**
 - 14.a. 1 MRSA 405(6)(D)...Labor Contract Negotiations - DPW Supervisors (possible action)
- 15. Adjourn**



Whereas The Biddeford-Saco-Old Orchard Beach Transit Director, Al Schutz has given his resignation after serving as Director for eight years; and

WHEREAS, In 2010, when Al was first hired, the Tri-City Transit was \$400,000 in debt and financially strained, but under Al's leadership, the Transit has fully recovered and is now financially stable after only eight years; and

WHEREAS, Al was instrumental in encouraging Westchester, New York to give the State of Maine fourteen buses from their fleet, of which five of those donated busses were given to Biddeford, and are still running today; and

WHEREAS, Al was able to purchase an Over the Road Coach for the Zoom Service for only \$3,800.00, and that Coach is still in service today; and

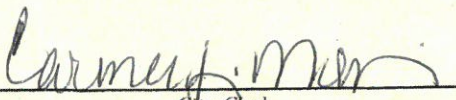
WHEREAS, Al secured funding for a \$500,000 expansion to update the Transit Facility on Pomerleau Street in Biddeford; and

WHEREAS, Al has instituted and supported numerous programs which provide additional services to our citizens, including running Shuttlebuses seven days a week for longer hours; the Hannaford Token Program; and the Transit Angel Project; and

WHEREAS, Al lobbied and won grants to bring Electric Buses to Southern Maine, Portland and the Biddeford-Saco-Old Orchard Beach Transit; and

NOW THEREFORE, I, Alan Casavant, Mayor of the City of Biddeford, Maine, on behalf of the City Council and the Citizens of Biddeford do hereby sincerely thank Al Schutz for all he has done for the betterment of the Tri-City Transit and our community; and further to extend best wishes to Al in his future endeavors.

*In Witness Whereof, We, the undersigned have herewith
affixed our signatures this 9th day of DEC. 20 18*



City Clerk

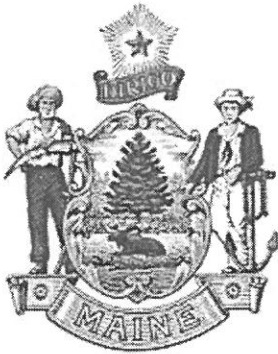
Great Seal of the City of Biddeford to be affixed.

Mayor

FOR OFFICE USE ONLY

Check # _____

Amount \$ _____



Games of Chance Registration

MGCU - 5400

****The application and fees must be received at least ten business days before the Game of Chance may begin****

Games of Chance (Includes Raffles): \$15/Week or \$60/Calendar Month or \$700/Calendar Year

Make check payable to Treasurer, State of Maine

**Return the completed and signed application to:
Department of Public Safety
Gambling Control Unit
Central Maine Commerce Center
87 State House Station
45 Commerce Drive, Suite 3
Augusta, Maine 04333-0087
(207) 626-3900 – Office
(207) 287-4356 – Fax**

1. For what game(s) are you registering (please indicate number adjacent name):

Sealed Ticket 3 Dice 1 Wheel Pot of Gold (Includes Daily/Weekly Pool) 1 Raffle

Other (If You Checked Other Indicate Name of Game and Attach the Rules for that Game)

2. Organization Name: YORK COUNTY VETERANS ALLIANCE

Organization Number: 2196 Federal Tax ID # (EIN): 01-0533038

Business Address: 24 BRADBURY ST.

Biddeford, me. 04005

Mailing Address: SAME Phone: 207-294-7330

3. Current Officers:

NAME & TITLE	ADDRESS	CITY/ZIP	PHONE	DATE TERM EXPIRES
Linda LAVERRIERE President	41 GRAYSON ST.	Biddeford 04005	207-283-0463	8/4/19

Dolores HIGGINS V. President	7 GRANAM ST.	Biddeford 04005	207-571-4064	8/4/19
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Diane DUBOIS Secretary	240 BEACH ST.	SACO 04072	207-283-1919	8/4/19
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Bernadette GAGNE Treasurer	114 PROSPECT #16	Biddeford 04005	207-608-9583	8/4/19
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4. Location where Game of Chance is to be conducted:

BUILDING	ADDRESS	CITY/ZIP
YCVA 24 BRADBURY ST.	Biddeford, me	04005

5. Person responsible for operation of Game of Chance:

NAME	DAYTIME PHONE & EVENING PHONE
Bernadette Gagne	207-294-7330 - 207-608-9583

Name & Address where license will be sent: YORK COUNTY VETERANS ALLIANCE 24 BRADBURY ST
BIDDEFORD ME. 04005

E-Mail Address: YCVAMaine@gmail.com

6. Circle the days of the week you expect to operate: Mon Tue Wed Thu Fri Sat Sun

7. What time do the doors open? 11 AM What time does the game start? 11 AM

8. Dates – Please specify weeks (Monday through Sunday) or full months.

JAN 1ST TO JAN 31ST 2019

9. Does the organization own all the equipment used in operating this amusement? Yes ☒ No ☐

If "NO", please explain the circumstances under which the equipment was acquired:

10. Has any current officer of this organization or association ever been convicted of or have any charges currently pending for violating the gambling or lottery laws of the United States or the State of Maine? Yes ☐ No ☒

If "YES" give the person's name, address, and date and place of conviction or date and location of pending charge:

11. If the applicant is a Fair Association, attach a list of the names and home addresses of the persons operating or assisting in the licensed activity. Please write your organization name and number on the list.

12. Raffles Only: Specify the charitable purpose that the proceeds of the Raffle will benefit.

13. The applicant agrees to obey Federal, State of Maine laws, rules and regulations governing Games of Chance promulgated by the Department of Public Safety, Gambling Control Unit. The applicant warrants the truth of the foregoing statements on penalty of perjury. Age 18 or older: Yes ☒ No ☐

Signed: Bernadette Gagne

Print Name: Bernadette Gagne

Title: TREASURER

Date: 12-6-2018

Motion by Councilor Ready, seconded by Councilor McCurry to approve the rescission of Order 2018.83.
Vote: Unanimous.

2018.139 **IN BOARD OF CITY COUNCIL.....DECEMBER 4, 2018**
BE IT ORDERED, that the City Manager be authorized to purchase a 2019 Ford F-350 dump truck as per bid of December 4, 2018 (the “Equipment”) from Arundel Ford (the “Vendor”) and may pay the Vendor an amount not to exceed \$50,800.00 (before discounts valued at \$5,000.00) for the Equipment as follows:

The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;

The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$50,800.00;

The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$50,800.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;

The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and

The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The Finance Committee will review this item on December 4, 2018 and vote to recommend it to the City Council for approval. The purchase of this item is included in the FY19 CIP budget.

Motion by Councilor Ready, seconded by Councilor McCurry to grant the order.
Vote: Unanimous.

2018.140 **IN BOARD OF CITY COUNCIL...DECEMBER 4, 2018**
BE IT ORDERED, by the City Council of the City of Biddeford that the following fee structure be adopted for the municipal lots designated as Alfred Street Parking Lot, Downtown Parking Lot, Franklin Street Parking Lot, Federal Street Parking Lot, Foss Street Parking Lot, Gas House Parking Lot, Washington Street Parking Lot, and Wastewater Parking Lot to be programmed into parking permit kiosks as follows:

<u>Implementation</u>	<u>05/01/19</u>	<u>11/01/18</u>
Short-term hourly rate:	\$ 2.00/hour	\$ 1.00/hour
Long-term (Mon-Fri. 7:00 a.m. to 6:00 p.m.):	\$ 50.00/month	\$30.00/month
Long-term (6:00 p.m. to 7:00 a.m. – all day Sat/Sun):	\$ 35.00/month	\$20.00/month
Long-term (24/7):	\$ 65.00/month	\$40.00/month
Winter Parking Ban	\$ 5.00/storm	\$ 2.00/storm
<u>Dedicated Parking Space</u>	<u>\$100.00/month</u>	<u>\$75.00/month</u>

NOTE: The Downtown Committee reviewed this Order and voted to recommend passage by the City Council.

Motion by Councilor Belanger, seconded by Councilor Clearwater to grant the order.
Vote: 7/2; Councilors Seaver and Quattrone opposed.
Councilors Swanton, McCurry, St. Cyr, Clearwater, Belanger, Ready and Lessard in favor.
Motion carries.

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Appendix A – Rules of the City Council, is amended by adding or ~~deleting~~ to read as follows:

Sec. A-5 Rule 5: Committees.

- a. The following shall be the standing committees of the City Council: Personnel; Capital Projects/Operations; Policy; Finance; Public Safety; and Downtown Committee.
[Amended 8-19-2014 by Ord. No. 2014.79]
- b. (Reserved)^[1]
[1] *Editor's Note: Former Subsection b, which provided for the establishment of the Finance Committee was repealed 2-4-2014 by Ord. No. 2014.10. For current provisions, see now Subsection a. Prior provisions setting forth the composition for the Coordinating Committee, were repealed 11-4-2010 by Ord. No. 2010.118.*
- c. The Capital Projects/Operations and Policy Committees shall consist of a chairperson, two Council members and two citizens. The two citizen members shall be appointed by the Mayor and confirmed by the Council. No citizen member may be a chairperson.
[Amended 2-4-2014 by Ord. No. 2014.10]
- d. The Personnel Committee shall consist of a chairperson who shall be a City Councilor and three Council members. There shall be no citizen members on the personnel committee.
- e. The Downtown Committee shall consist of ~~the mayor, four~~ **five** councilors, and a member of the Downtown Development Commission. The Downtown Development Commission member shall serve as a non-voting member except in the absence of a full time voting member. A chairperson shall be selected from the voting members.
- f. (Reserved)^[2]
[2] *Editor's Note: Former Subsection e, regarding the membership of the Public Safety Committee, was repealed 3-21-2017 by Ord. No. 2017.27.*
- g. The Council committees are subagents of the full Council which is the sole governing body of the City of Biddeford. The committees are delegated various functions by the full Council and are to provide recommendations upon which the full Council will act except where otherwise specified. The committees will examine the appropriate subject matter before them, collect the facts pertaining thereto and make a report which will recommend what action, if any, should be taken by the full Council. Additionally, each committee may take whatever action specifically authorized by the Charter, ordinance, or state law.
- h. In general, the committees shall have the following subject matter before them:
 - (1) ^[3]Finance Committee. The duties of the Finance Committee are set forth in the City Charter.
[3] *Editor's Note: Former Subsection f(1), Coordinating Committee, was repealed 11-4-2010 by Ord. No. 2010.118.*
 - (2) Personnel Committee. The Personnel Committee will investigate matters pertaining to employment matters with the City of Biddeford. It shall review the salaries of department heads and the City Manager. In the event of a termination hearing, for cause, it shall serve as a fair hearing authority before whom an impartial hearing shall take place involving the subject municipal employee.
[Amended 2-4-2014 by Ord. No. 2014.10; 1-5-2016 by Ord. No. 2016.2]
 - (3) Capital Projects/Operations Committee. The Capital Projects/Operations Committee shall establish a five-year plan for implementation of major capital improvements in the City. It shall review matters involving the Public Works Director, Public Works Department and public property issues. This committee shall review the City's claims issues, insurance issues, making appropriate recommendations to the full Council when necessary. It shall coordinate with the Capital Projects Committee when necessary if issues involve the use of capital improvements within the City.
[Amended 1-5-2016 by Ord. No. 2016.2]
 - (4) Policy Committee. The Policy Committee shall be responsible for establishing and recommending ordinance language, Code revisions, (except for Chapter 42, Motor Vehicles and Traffic, and all other matters and ordinances that relate to Public Safety) and City policy to the full Council. The Policy Committee shall coordinate with the City Planner and the Code Enforcement Officer regarding the amendment, establishment and/or update of the City's land use

ordinances.^[4]

[Amended 8-19-2014 by Ord. No. 2014.79]

[4] *Editor's Note: Former Subsection g(5), Public Safety Committee, which immediately followed, was repealed 3-21-2017 by Ord. No. 2017.27.*

(5) Downtown Committee. The Downtown Committee shall be responsible for reviewing matters affecting the City of Biddeford's downtown, including but not limited to, downtown improvement initiatives, collaborating with external agencies and businesses on downtown improvement projects, all minor garage design feature decisions, and is delegated as the Parking Authority with powers limited to those defined in Sec 42-8.

- i. Each committee meeting is a public proceeding as defined in 1 M.R.S.A. § 402(2). Each committee may hold executive sessions pursuant to the conditions and limitations expressed in 1 M.R.S.A. § 405. Should a committee vote, in public, to proceed into executive session, only those members of the committee shall be present in the executive session.

Motion by Councilor Ready, seconded by Councilor McCurry to grant the amendment to Rules of the Council.

Motion was withdrawn.

Councilor McCurry requested to be taken off the Downtown Committee; therefore, allowing the Councilor from Ward 5 to be a full voting member.

2018.142 **IN BOARD OF CITY COUNCIL..DECEMBER 4, 2018**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the closure of City Hall on December 24, 2018 from 8:00 a.m. to noon. All affected employees will be expected to use earned time for the four hours.

NOTE: City Hall is typically only open on Christmas Eve for half a day (8:00 a.m. to noon).

Motion by Councilor Clearwater, seconded by Councilor Belanger to grant the order.
Vote: 4/5; Councilors Lessard, Ready, Quattrone, St. Cyr and McCurry opposed.
Councilors Seaver, Belanger, Clearwater and Swanton in favor.
Motion fails.

Appointments:

IN BOARD OF CITY COUNCIL...DECEMBER 4, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

Thomas Bryand
456 Pool Street
Ward 1

to the *Airport Commission*, for a term to expire in December 2021.

Motion by Councilor McCurry, seconded by Councilor Swanton to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 4, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-designate:

Councilor Amy Clearwater
to a full voting member on the *Downtown Committee*.

Motion by Councilor McCurry, seconded by Councilor Ready to confirm the re-designation.
Vote: Unanimous.

Public Addressing the Council...(3 minute limit per speaker; 30 minute total time limit):
A few citizens addressed their concerns about the parking management plan to the Council.

City Manager Report:

City Manager, James Bennett had the following comments:

- (1) City Offices and Departments are engaged in an office decorating competition, and many of the City's offices and departments are really starting to look festive. He did stress that all the decorating is being done at the expense of the employees.
- (2) Federal and State government offices will be closed December 5th as a day of mourning for the funeral of former President George W. Bush. Also, some Maine communities have opted to close their municipal offices for the day; however, Biddeford will be open to serve the citizens.

Other Business:

Councilor Lessard: noted that there seems to be a trend toward a recession; however, he doesn't expect that a true recession will happen until after the 2020 Presidential election. He brings this up now as a warning to folks that the next downturn of the economy is coming and the City needs to budget accordingly.

Councilor Seaver: offered a clarification that the courthouses will be open on December 5th even though the State Offices will be closed.

Councilor Seaver commented on how beautiful the downtown lighting is and thanked all the volunteers who worked to put up the lights and decorations.

Councilor Ready: is interested in working with Seeds of Hope on the homelessness initiative, as long as the Council will back the efforts of this group.

Councilor Clearwater: echoed Councilor Ready's comment. She would like to see the City do something about housing affordability and diversity within the City.

Council President Addressing the Council: Councilor McCurry clarified that on-street parking on the downtown streets is still free, which means that folks can still frequent the downtown businesses and park for no fee. That said, he is prepared to consider selling the downtown lots and allowing them to be privatized.

Mayor Addressing the Council: Mayor Casavant called attention to the back wall in the Council Chambers where the Biddeford Hall of Fame has installed plaques recognizing citizens "Preserving the Past to Inspire the Future."

On the parking issue, he explained that decisions have to be made, keeping in mind, all the different types of people vying for downtown parking: tenants, business owners, downtown business employees and customers. Finding the right balance has been a challenge, and one that the Council will continue to work through.

Mayor Casavant went on to counter that the vote from a few years ago to ban parking meters in the downtown never mentioned anything about parking lots, and seems as though it was only intended for on-street parking.

He feels that the current parking management plan and paid parking in the parking lots is necessary for the future of a parking garage, which he feels is essential for the continued expansion of the downtown. He realizes that this is not a black and white issue; but more like a puzzle with different pieces that need to be put together to make sense.

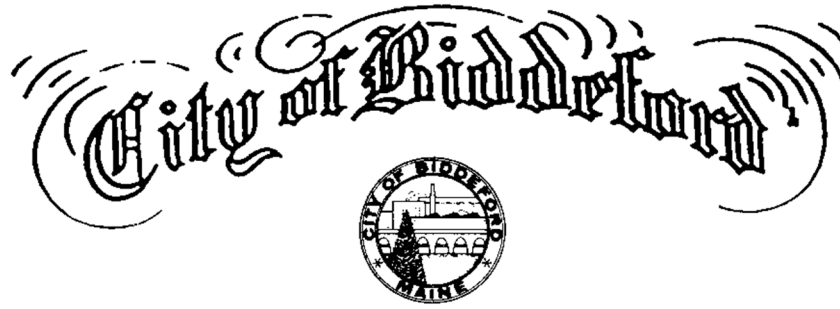
Motion by Councilor McCurry, seconded by Councilor Quattrone to adjourn.

Vote: Unanimous.

Time: 7:33 p.m.

Attest by: _____

Carmen J. Morris, City Clerk



2018.143

IN BOARD OF CITY COUNCIL....DECEMBER 18, 2018

BE IT ORDERED, that the City Manager be authorized to purchase two (2) 2020 Peterbuilt plow trucks as per bid of December 7, 2018 (the "Equipment") from Whited Peterbuilt (the "Vendor") and may pay the Vendor an amount not to exceed \$434,744.00 (before discounts valued at \$85,000.00) for the Equipment as follows:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$434,744.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$434,744.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;
4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The Finance Committee will review this item on December 18, 2018 and vote to recommend it to the City Council for approval. The purchase of this item is included in the FY19 CIP budget

Bid Opening for Two Single Axle Plow Trucks

Present: Carl Marcotte – Public Works
Kara Cote – Public Works
Pat Murphy – N.E. Kenworth
Rob Cyr - Peterbuilt

Larry Cobb – N.E. Kenworth
Brian Hallowell – Freightliner
Travis Baker – HP Fairfield
Jason Lamprecht – Daigle & Houghton
Eric Benziger – O' Connor

Bids for 2 plow trucks were opened at the Public Works Department on December 7, 2018. Staff is recommending the low bid from Whited Peterbuilt with trade in the amount of \$349,744.00. These trucks have been approved in the FY-19 CIP budget line 21204-60925, one truck as a lease and the other being paid from the TIF.

<u>Whited Peterbuilt</u>	Peterbuilt	\$434,744.00
	2 Trade In's	\$85,000.00
	Total:	\$349,744.00

<u>Freightliner</u>	Western Star	\$425,825.00
	2 Trade In's	\$48,500.00
	Total:	\$377,325.00

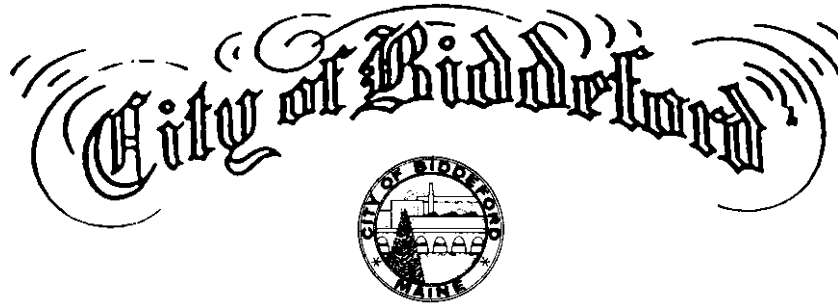
114 Freightliner	\$420,497.00
2 Trade In's	\$48,500.00
Total:	\$371,997.00

108 Freightliner	\$412,425.00
2 Trade In's	\$48,500.00
Total:	\$363,925.00

<u>Daigle & Houghton</u>	International	\$417,662.00
	2 Trade In's	\$47,000.00
	Total:	\$370,662.00

Western Star	\$419,662.00
2 Trade In's	\$47,000.00
Total:	\$372,662.00

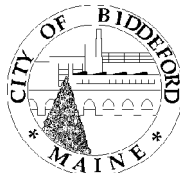
<u>New England Kenworth</u>	Kenworth	\$427,526.00
	2 Trade In's	\$44,200.00
	Total:	\$383,326.00



2018.144 **IN BOARD OF CITY COUNCIL....DECEMBER 18, 2018**
BE IT ORDERED, that the City Manager be authorized to sign a unit cost contract with J Pratt Inc. of Hebron, Maine for the construction of the Main Street Sidewalk Reconstruction Project 2018, Phase II as per the bids opened on November 13, 2018, in the bid amount of \$1,416,247.00, and to expend additional funds for project support costs for a total projected project cost of \$1,500,000, funding for this work to be as outlined in the memo from James A. Bennett, titled "Next Phase on Main Street Improvements (Funding Sources)" dated December 11, 2018.

NOTE: The Finance Committee will review this item at their December 18, 2018 meeting.

The Capital Projects Committee has been provided a copy of the Project Information for their review.



City of Biddeford, Maine

TO: Finance Committee and City Council

FROM: Tom Milligan, P.E. City Engineer

DATE: December 11, 2018

SUBJECT: Main Street Sidewalk Reconstruction Project 2018, Phase II, City Goal 2018-37

Cc: Alan Casavant, Mayor; James Bennett, City Manager; John McCurry, Council President; Jeff Demers, Director of Public Works; Matt Eddy Economic Development Director; Greg Tansley, City Planner; John Malloy, Staff Engineer

The City of Biddeford requested bids by public advertisement in the Biddeford Journal Tribune for the above named project. The bid advertisement was also posted on the City of Biddeford's Web Site. The bids were opened on November 13, 2018.

The project work area is on Main Street from Adams Street to Elm Street. A location map is enclosed.

The project is Phase II of the previous completed Phase I of the Main Street Sidewalk Improvement work. Phase 1 work included removal of the old sidewalk, installing new underground utility conduit, installing new energy efficient LED lighting, and landscaping elements. The Phase I work is complete.

Phase II work will include installation new concrete sidewalks, installation of crosswalks and bump outs, installation of new underground utility conduits and the installation of LED street lighting.

Two (2) construction firms reviewed the plans and specifications for the work. One (1) firms submitted a bid for the project. J Pratt Inc. of Hebron, Maine submitted a bid in the amount of \$1,416,247.00. Based on a review of their bid, and prior satisfactory work within the City on Phase I of the Main Street Sidewalks and Street Improvement Project 2016 and on the Lincoln Street Improvement work, J Pratt Inc. appears to be well qualified to perform the work. Therefore, Staff recommends that J Pratt Inc. be awarded the contract work.

The Total Project cost is projected to be \$1,500,000 which includes the construction work, inspection work, engineering design and an allowance for contingency.

The contract is a unit cost contract and only those items supplied and installed will be paid. Funding for the work will come from various sources as is presented in the City Manager's memo attached under separate cover.

The project work will begin in late March with the goal to have the work completed this Spring and early Summer.

Therefore, staff is respectfully requesting both the Finance Committee and City Council review and take action on the project at their December 18, 2018 meeting. Capital Projects Committee has been provided with information and has been invited to review the project as part of the Finance Committee's review.

City of Biddeford, Maine



The Office of
City Manager

James A. Bennett

Email: jbennett@biddefordmaine.org

MEMORANDUM

TO:	Honorable Mayor Casavant Honorable City Council
FROM:	James A. Bennett, City Manager
DATE:	December 11, 2018
RE:	Next Phase on Main St Improvements (Funding Sources)

On Tuesday night, you will be asked to authorize the next phase of the Main St improvements. The project will continue the design that was done along Main St from the Lincoln/Adams Streets intersection all the way to Route 1. Given the Council's approval, the project will be completed in Summer of 2019.

I am pleased to report that staff has developed a plan to pay for the improvements with minimum increase the original CIP funds (property tax dollars). As you can imagine, the costs have increased beyond the estimate that was developed for the project a year ago.

The project, including inspection and contingency, is projected to be \$1,500,000. More details are found in Tom's memo that accompanies this package. This memo is strictly limited to the various sources of the funding for the project. They are as follows:

1. 2018 PACTS allocation:	\$141,750
2. 2019 PACTS allocation:	\$126,750
3. FY19 CIP:	\$250,000
4. Initial TIF allocation:	\$400,000
5. Rollover funding Main St:	\$ 60,000
6. Water, Main, Hill intersection allocation: ⁱ	\$230,000
7. FY18 CIP Match funds: ⁱⁱ	\$114,800
8. Additional allocation from CIP:	\$ 27,204
9. Reallocation of assigned funds:	
a. Close out of charter commission:	\$12,490
b. Reduce grant matching funds: ⁱⁱⁱ	\$77,006
c. Sidewalk construction funds: ^{iv}	<u>\$60,000</u>
Subtotal	<u>\$149,496</u>
Totals	\$1,500,000

ⁱ Main St project was originally to include CDBG funding; timing issues prevent using those funds. Recommend switching the TIF funding for the intersection work with the same CDBG funds. No impact on either project.

ⁱⁱ Match funds for PACTS intersection improvement at Adams/Main St.

ⁱⁱⁱ Originally allocated as a fund of \$100,000. Additional funds came from close out of engineering escrow account for other projects.

^{iv} \$71,884.86 exists in this account created by payments for sidewalk improvements/construction waivers.

Notice of Request for Bids Main Street Sidewalk Improvement Extension Project Phase II

Notice is hereby given that the City of Biddeford is requesting sealed bids for Main Street Sidewalk Improvement Extension Project Phase II. Bids must be received by the Engineering Department at 205 Main Street Biddeford Maine, 04005 by 2:00 p.m. on November 13, 2018

Work associated with this project will generally include: removal of sidewalk and replacement with new concrete sidewalk, cobblestone bumpouts, concrete paver crosswalks, removal and installation of street trees, installation of utility conduit, light poles and bases.

Bids shall be submitted on the bid form and shall state the unit prices for the work required and the total costs of the project, including all needed operations and incidentals. Phase I of the project shall be substantially completed by July 1, 2019 and final closeout by July 15, 2019

Interested parties may examine the bid documents and specifications in person from HEB Engineers, 103 Main Street, Suite 6 Bridgton, ME 04009 Tel: 207-803-8265. They may also be viewed on the City of Biddeford's engineering website: www.biddefordmaine.org/2308/Engineering

Copies of the bid documents and specifications may be purchased from their office.

To be considered an eligible bidder, the bidder must have purchased a legal set of bid documents.

All bids will be required to remain valid for a period of sixty (60) days.

18

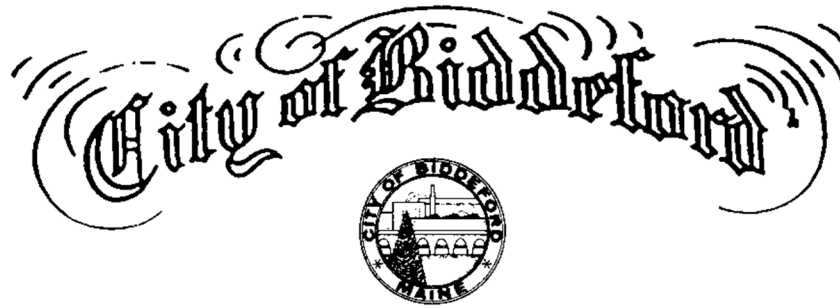
The City of Biddeford reserves the right to accept or reject any or all bids, to waive any technical or legal deficiencies and to negotiate the contract price with any Bidder in what it alone considers to be in the best interest of the City or omit any item(s) deemed advisable for the interest of the city.



The City of Biddeford, Maine
 Engineering Department - GIS Mapping
 205 Main Street · P.O. Box 586 · Biddeford, Maine 04005-0586
 Tel. 207 284-9118 · Fax 207 286-9388

**MAIN STREET SIDEWALK
 PHASE II - PROJECT AREA**





2018.117

IN BOARD OF CITY COUNCIL..OCTOBER 2, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to enter into negotiation and execute an agreement with Hans and Anne Asoera, or their designated representative, owners of the property located at 1 Bay Street (GIS 60-48), to facilitate landscape improvements at said property and the public right-of-way to the beach substantially in the form presented in the letter from Jessica Kimball of Terrence J. DeWan & Associates dated August 2, 2018. The final terms of the agreement shall be beneficial to the City of Biddeford in consultation with the City Attorney.

BE IT FURTHER ORDERED, that any cost associated with the negotiated agreement shall be the responsibility of the property owner except as otherwise required by law.

NOTE: This authorization is limited to the establishment of an agreement between the parties. This Order does not guarantee or otherwise convey or imply permit approval for the proposed improvements. All permitting shall be administratively processed under the independent jurisdiction of the applicable agency, board, commission, or committee.

October 2, 2018

Motion by Councilor Swanton, seconded by Councilor Quattrone to grant the order.

Motion by Councilor McCurry, seconded by Councilor Seaver to table the order until it can be determined what the value of the property in question is; as well as clarification of the current condition of the property.

Vote: Unanimous.

November 20, 2018

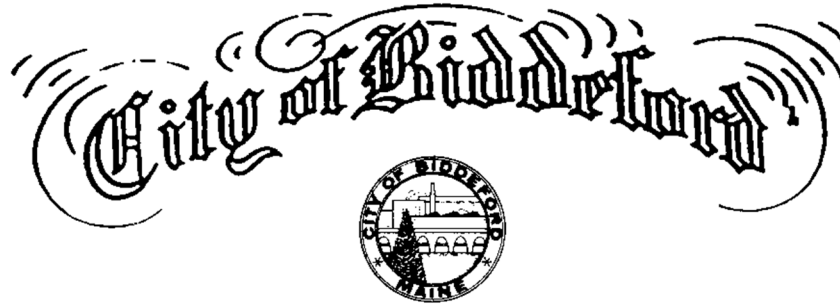
Motion by Councilor Swanton, seconded by Councilor St. Cyr to remove the order from the table.

Vote: 6/1; Councilor McCurry opposed.

Councilors Swanton, St. Cyr, Clearwater, Belanger, Ready and Lessard in favor.

Motion carries.

Motion by Councilor Swanton, seconded by Councilor Lessard to grant the order.



Motion by Councilor Lessard, seconded by Councilor McCurry to table the order until the full Council is present to vote on this issue.

Vote: 2/5; Councilors Lessard and McCurry in favor.

Councilors Swanton, St. Cyr, Clearwater, Belanger and Ready opposed.

Motion to table fails.

Motion by Councilor Ready, seconded by Councilor McCurry to suspend the rules and allow Councilor Swanton to speak for a 3rd time.

Vote: Unanimous.

Motion by Councilor Ready, seconded by Councilor McCurry to suspend the rules and allow Councilor Lessard to speak for a 3rd time.

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Lessard to table the order to get a fair market value if the City were to sell the piece of property in question; and also to determine what the cost would be to install and maintain parking spaces in that area, should the City retain the property.

Vote: 5/2; Councilors Belanger and Clearwater opposed.

Councilors Swanton, McCurry, St. Cyr, Ready and Lessard in favor.

Motion carries.



Terrence J. DeWan & Associates
Landscape Architects & Planners

August 2, 2018

TO: Alan Casavant, Biddeford Mayor
FROM: Jessica Kimball, Landscape Architect

RE: Property Line Relocation Request at 1 Bay Street, Biddeford Pool

Dear Mr. Mayor,

Thank you for considering the proposal to relocate the property line at 1 Bay Street to allow for landscape improvements and continued private maintenance of the property. I represent the property owners, Hans and Anne Asoera, as the landscape architect managing design and permitting for the proposed landscape improvements. The origin of this proposal came about through my conversations with Jeff Demers, the Biddeford Public Works Director. Our intention is to ensure that all proposed landscape improvements are properly permitted and in the best interest for both the City and the Asoera family.

The memo below describes the existing conditions, the proposed landscape improvements, and the details of the proposed lot line relocation. Please refer to the attached drawings as visual reference (the Survey and Preliminary Landscape Sketch Plan).

Existing conditions: The existing lot line for 1 Bay Street is located approximately 11.8 to 14.5 feet from the edge of pavement on Bay Street. Between the edge of pavement and the property line, there is approximately 2,040 square feet of land owned by the City. This land has historically been maintained by the private property owners. The Asoeras have maintained the property for the past five years, and the land was maintained by previous owner in the same manner.

The landscape components on this City property include: lawn, plantings, cobble borders, a portion of the driveway, and a curved retaining wall near the beach access way made of stacked cobbles supporting an elevated garden. There is also an electrical distribution pole with a supporting guy pole located near 7th Street and a guy wire supporting an off-site electrical pole near the beach access.

Proposal: The property owners, Hans and Anne Asoera, have recently renovated their home at 1 Bay Street and would like to improve the landscape. The proposed improvements will not increase the existing impervious surface area on the property. The proposed landscape improvements include:

- The construction of a new stone retaining wall (approximately 2 feet in height) tied into the existing stacked cobble retaining wall. The existing cobble retaining wall would be improved to better retain the elevated planting bed and will match the new stone wall.
- The construction of the retaining wall is dependent on re-grading the area between the proposed retaining wall and the Bay Street roadway. The new grading will reduce the existing slope of the lawn adjacent to Bay Street in the southwest portion of the property.

- New planting beds will be installed throughout the property, including the area between the house and the Bay Street roadway.
- The gravel driveway (accessible from 7th Street) will be upgraded with pavers and a small stepping stone patio will connect the driveway with the front porch.

Relocated Property Line: A sketch of the proposed property line relocation is represented as a red dashed line on the attached drawing sheets. The proposed property line is offset by approximately 11.5 feet from the southwest corner of the existing property line. The property line then follows a 3-foot setback from the existing roadway pavement to meet the southeast lot corner near 7th Street. As shown, the size of the area to be transferred to private property is approximately 1,610 square feet (0.04 acres).

As proposed, the private property would encompass the existing cobble retaining wall adjacent to the public beach access. The public beach access would remain on City property. The expanded lot area would provide the property owners with the land to construct and maintain the proposed landscape improvements while leaving the electrical and guy poles (at the intersection of Bay Street and 7th Street) on City property. All hardscape, with the exception of the driveway connecting to 7th Street will be located on private property. The property owners will continue to maintain the landscape to the edge of pavement, as has been done historically.

There is no proposal to alter the property line along 7th Street. The owners will be making improvements to the existing driveway between the lot line and the 7th Street roadway, but will be doing so with the permission of the City instead of a proposed change in the lot line.

The exact location of the amended lot line is an initial proposal. The City may wish to amend this proposed property line to better suit the needs of the City.

Benefits: We believe the proposed lot line relocation is an opportunity to improve the existing landscape conditions while maintaining public access to the beach. This proposal is the best interest of both the owners of 1 Bay Street and the City of Biddeford for the following reasons:

- The public access way to the beach will continue to be on public property and remain open. The conditions will be improved by the landscape improvements around the stacked cobble retaining wall and the regrading of the area near the beach access. We will work with the City to ensure all proposed improvements enhance the public access way.
- The proposed landscape improvements will strengthen the divide between private and public property and improve way-finding to the public beach. In the past, those looking for access to the beach have ended up on the lawn at 1 Bay Street, unsure of the correct beach access point. The addition of the retaining wall will serve as an improvement.
- The proposed improvements will reduce erosion and improve conditions in the southwest corner of the property near the beach access way. The conditions will be improved by the regrading and construction of a retaining wall, as well as the installation of plant species with root systems capable of reducing erosion.
- This property will continue to be maintained by the private property owners, taking the burden of maintenance away from the City.

- The construction and maintenance of the improved landscape will be professionally managed. The property owners have hired a licensed landscape architect and experienced landscape contractor to design and complete this work. A professional gardener familiar with the neighborhood will continue to maintain the property to ensure the quality of the landscape is maintained over time.



Existing conditions at public beach access. Stacked cobble retaining wall to be improved and area to be regraded to reduce soil erosion. Public beach access to be remain on City property.



Existing grade of property next to Bay Street roadway. Area to be regraded to be level with roadway surface and held back with retaining wall. This will assist in reducing erosion at beach access way.

NOTE: Photo taken May 2018 during house renovation. Lawn has been replanted since photo.

Thank you for your consideration of this proposal. If you would like to discuss the proposed relocation of the property line or have further questions beyond what is described above, please feel free to call or email at your convenience.

Sincerely,

Jessica Kimball
Maine Registered Landscape Architect
Terrence J. DeWan & Associates
207.846.0757
kimball@tjda.net

City of Biddeford, Maine



The Office of
City Manager

James A. Bennett

Email: jbennett@biddefordmaine.org

MEMORANDUM

TO:	Honorable Mayor Casavant Honorable City Council
FROM:	James A. Bennett, City Manager
DATE:	December 13, 2018
RE:	1 Bay St Follow Up Information

It remains staff recommendation that the Council authorize the deeding of a 1,610 sq. ft. of land along 1 Bay Street to Hans Asoera given the following conditions:

1. An easement is given back to the City for the same space without restrictions;
2. Mr. Asoera agrees to fix the city owned ocean access point in a way that is approved by the City Manager as well as permanently maintain the same;
3. The design and construction of the retainer wall that will be built on the previously owned city property is approved by the City Manager;
4. All City costs will be reimbursed by Mr. Asoera; and
5. That all final legal documents are approved by the City Attorney prior to execution.

Rationale for Recommendation

The staff feels this is a 'win-win' proposal for both parties. The ocean access is currently an area that has occasionally washed away because of the current conditions. In the last 18 months, the City has spent approximately \$1,000 in making repairs to this location.

The upgrades proposed for both the City own access location as well as the area of the easement would greatly reduce the likelihood of any further significant erosion issues. However, even if they did occur, Mr. Asoera would be responsible for the upgrades.

The City, by maintaining an easement, would retain all of the significant rights for any likely need the City would have. This does not include making upgrades to location for potential parking (that issue is addressed in detail later with this memo).

The estimated tax value of the land is estimated to be \$22,400 according to the Assessor. We did not identify how the taxable value would be impacted by the easement. At our current tax rate of \$19.70, an additional \$441.28 would be generated in taxes.

Finally, staff does not envision that the piece of land has value to any other person. With the protection of the easement, the City is not giving up any potential to use the land in the future for any legitimate reason that might arise.

Response to Questions

The Council, during the last deliberation on this issue, members focused primarily on the potential that the area could be used for parking. Currently, this area does not allow parking. It is a one-way

street. The current typography of the land in question would not allow safe parking without major earth work. Jeff obtained a quote from Shaw Brothers to determine the actual cost to safely create parking. That quote is included in the package and identifies the cost of \$64,030. It is estimated that only four (4) spaces could be created in the location. Given the budgetary constraints and pressing priorities, staff cannot reasonably conclude a time that such an appropriation would ever be made to actually create the spaces.

The other major question by the Council was the potential selling value of the land. As indicated above, the only reasonable interested party would be Mr. Asoera. While, staff cannot envision a logical need to use the land in the future, the exclusion of the easement is a critical portion of the recommendation that is being made. The inclusion of the easement alone with the ongoing restrictions that are included (public access, maintenance of ocean access, etc.), the actual marketability of an open purchase would be questionable at best. Given those observation, the best determination of value completely unencumbered is the \$20,400 of increase in assessed value noted above.

Conclusion

Staff believe is this a solid recommendation from the eyes of the tax payers. If approved, the proposal would:

- Eliminate the maintenance costs associated with the ocean;
- Would generate \$441.28 in annual tax revenues (at today's tax rate and values);
- Would improve the access point along Bay Street for the benefit of the public that might use the location to access the ocean (at no cost to the taxpayers);
- Would retain all the city's reasonable and/or necessary future uses of the land in question (notwithstanding a significant capital outlay needed for creation of the four spaces);
- Permanently maintain the public access to the ocean that exists today.

The only possible rationale that staff can see as a downside to the recommended action is that it would eliminate the potential for the City to invest a significant amount of funding (at least \$50,000) to create potentially four spaces. It is staffs believe that the likelihood of that ever occurring is virtually zero.



SHAW BROTHERS CONSTRUCTION, INC.
341 Mosher Road., P.O. BOX 69 GORHAM, ME 04038
☐ (207) 839-2552 ☐ Fax (207) 839-6239
 Web Site: www.shawbrothers.com

PROPOSAL

PROPOSAL SUBMITTED TO: City of Biddeford, Maine	CC: File	DATE: November 30, 2018
ADDRESS: 371 Hill Street	JOB NAME: Parking Area Construction	FAX: 207-286-9395
CITY, STATE, AND ZIP Biddeford, Maine 04005	JOB LOCATION: Bay Street	PHONE: 207-282-1579
ATTN: Jeff Demers	E-MAIL ADDRESS jdemers@biddefordmaine.org	CELL PHONE: 207-229-3376

Shaw Brothers is pleased to quote the following **hourly and unit prices** for the construction of a parking area with retaining wall at 1 Bay Street in Biddeford. **A breakdown of our T&M budget pricing is as follows.**

Description	Quantity	Unit	Price	Total
<i>General Conditions</i>				
Dig Safe	1	ls	\$500.00	\$500.00
Project Management/ADMINISTRATION	5	hr	\$90.00	\$450.00
Portable Toilet	1	mo	\$250.00	\$250.00
Equipment Moves, Tractor w/ 55 Ton Lowbed	6	hours	\$140.00	\$840.00
<i>Parking Area Construction</i>				
Pavement Saw Cut	130	lf	\$10.00	\$1,300.00
Common Excavation	300	cy	\$30.00	\$9,000.00
Subbase Course Gravel, MDOT Type -D, (supply, place compact)	100	cy	\$28.00	\$2,800.00
Base Course Gravel, MDOT Type -A, (supply, place compact)	25	cy	\$34.00	\$850.00
Finegrade	220	sy	\$5.00	\$1,100.00
Paving Mobilization	1	ls	\$1,500.00	\$1,500.00
Binder Pavement (2") MDOT 19MM HMA	26	tons	\$135.00	\$3,510.00
Sweeping in preparation for surface paving	2	hr	\$125.00	\$250.00
Tack Coat	7	gallons	\$25.00	\$175.00
Surface Pavement (1") MDOT 9.5MM HMA	13	tons	\$135.00	\$1,755.00
Pavement Markings	1	ls	\$400.00	\$400.00
Topsoil	8	cy	\$75.00	\$600.00
Seed & Mulch Disturbed Area	1	ls	\$200.00	\$200.00
<i>Retaining Wall</i>				
Purchase Wall	520	sf	\$20.00	\$10,400.00
Foreman w/Pickup and Tools	60	hr	\$110.00	\$6,600.00
Siteworker (3)	180	hr	\$48.00	\$8,640.00
19,000# Excavator	50	hr	\$130.00	\$6,500.00
9,000# Skid Steer	25	hr	\$110.00	\$2,750.00
Fwd/Rev Compactor	25	hr	\$24.00	\$600.00
				\$0.00
Furnish 4" Underdrain Pipe	140	lf	\$2.00	\$280.00
Furnish/deliver Crushed Stone Backfill	50	cy	\$28.00	\$1,400.00
Concrete for Footing	8	cy	\$110.00	\$880.00
Footing Formwork	1	ls	\$500.00	\$500.00
				\$0.00

			Total =	\$64,030.00

Exclusions:

Federal, state and local permits and fees
 Ledge and large boulder excavation and disposal
 Ornamental fence
 Retaining wall to be Stone Terra as produced by Precast of Maine
 Retaining wall footing to be 6" thick by 3' wide concrete

We Propose hereby to furnish material, labor and equipment to complete the work described above for the sum of: **See Above**
 -----**See Above**-----

Payment to be made as follows: **Net 30 days**

Interest at 1.5 percent per month on accounts over 30 days. Collection costs and reasonable attorney's fees will be added to account.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. All alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workers Compensation Insurance.

Authorized
Signature

Robert Brady

NOTE: This proposal may be withdrawn by us if not accepted within **30** days.

Acceptance of Proposal- The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to the work as specified. Payment will be made as outlined above.

Signature

Date of Acceptance:

Signature

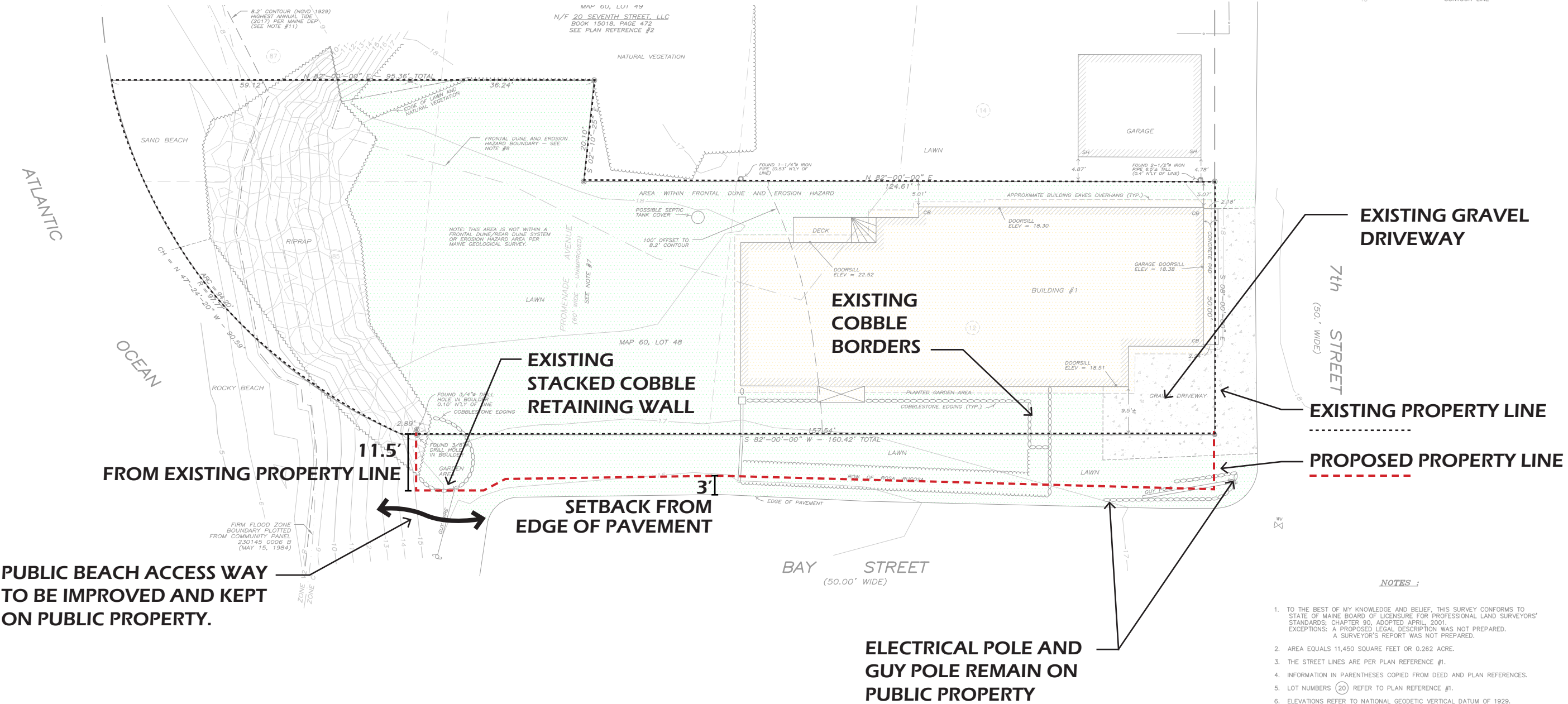
1 BAY STREET SURVEY

WITH EXISTING CONDITIONS AND PROPERTY LINE RELOCATION

August 2, 2018

Drawing by Jessica Kimball

Terrence J. DeWan & Associates



LEGEND :

●	SET IRON ROD WITH CAP
⊕	HYDRANT
⊙	UTILITY POLE
⊗	FOUND IRON ROD WITH CAP #1201 (UNLESS OTHERWISE NOTED)
φ	DIAMETER
N/F	NOW OR FORMERLY
CB	CORNERBOARD
SH	BOTTOM OF SHINGLE
—OU—	OVERHEAD UTILITY LINES
⊖	COBBLESTONE EDGING
—15—	CONTOUR LINE

EXISTING GRAVEL DRIVEWAY

EXISTING COBBLE BORDERS

EXISTING STACKED COBBLE RETAINING WALL

FROM EXISTING PROPERTY LINE

EXISTING PROPERTY LINE

PROPOSED PROPERTY LINE

SETBACK FROM EDGE OF PAVEMENT

ELECTRICAL POLE AND GUY POLE REMAIN ON PUBLIC PROPERTY

NOTES :

- TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY CONFORMS TO STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' STANDARDS; CHAPTER 90, ADOPTED APRIL, 2001. EXCEPTIONS: A PROPOSED LEGAL DESCRIPTION WAS NOT PREPARED. A SURVEYOR'S REPORT WAS NOT PREPARED.
- AREA EQUALS 11,450 SQUARE FEET OR 0.262 ACRE.
- THE STREET LINES ARE PER PLAN REFERENCE #1.
- INFORMATION IN PARENTHESES COPIED FROM DEED AND PLAN REFERENCES.
- LOT NUMBERS (20) REFER TO PLAN REFERENCE #1.
- ELEVATIONS REFER TO NATIONAL GEODETIC VERTICAL DATUM OF 1929.
- THE LOCUS WAS CONVEYED "SUBJECT TO WHATEVER RIGHTS MAY EXIST IN OTHER LOT OWNERS ON SAID SOUTH POINT PLAN TO USE THE 'PROMENADE'."
- THE FRONTAL DUNE - BACK DUNE BOUNDARY AND EROSION HAZARD AREA WERE PLOTTED FROM "COASTAL SAND DUNE GEOLOGY", DATED 2011, PUBLISHED BY THE MAINE GEOLOGICAL SURVEY.
- ACCORDING TO THE CITY OF BIDDEFORD ZONING MAP, THE SUBJECT PARCEL IS LOCATED WITHIN THE COASTAL RESIDENTIAL (CR) ZONE AND IS ALSO LOCATED ENTIRELY WITHIN THE LIMITED RESIDENTIAL (LR) OVERLAY DISTRICT.
- REFERENCE IS MADE TO CERTIFICATE OF VARIANCE APPROVAL RECORDED AT THE YORK COUNTY REGISTRY OF DEEDS IN BOOK 8337, PAGE 340.
- THE 8.2' CONTOUR (NGVD 1929) IS APPROXIMATELY EQUAL TO THE 7.5' CONTOUR (NAVD 1988).

LOT AREA COVERAGE NOTES :

- TOTAL AREA OF PARCEL EQUALS 11,450 SQUARE FEET.
- AREA OF PARCEL TO THE 8.2' CONTOUR EQUALS 10,617± SQUARE FEET.
- AREA OF PARCEL LOCATED WITHIN A FRONTAL/BACK DUNE FROM THE 8.2' CONTOUR EQUALS 2,053± SQUARE FEET.
- THE SUBJECT PARCEL IS LOCATED ENTIRELY WITHIN A LIMITED RESIDENTIAL (LR) OVERLAY DISTRICT.

NON-VEGETATED AND DEVELOPED AREAS (IN SQUARE FEET AND PERCENTAGE OF PARCEL AREA):

	WITHIN FRONTAL/BACK DUNE	WITHIN PARCEL TO 8.2' CONTOUR
BUILDING, STEPS, LANDINGS AND EAVES OVERHANG	253± S.F. (12.3%)	3,337± S.F. (31.4%)
GRAVEL DRIVEWAY	N/A	304± S.F. (2.9%)
RIPRAP, SAND AND ROCKY BEACH	249± S.F. (12.1%)	1,460± S.F. (13.7%)
CONCRETE PAD	N/A	18± S.F. (0.2%)
LAWN/GARDEN	1,471± S.F. (71.7%)	N/A
TOTAL	1,973± S.F. (96.1%)	5,119± S.F. (48.2%)

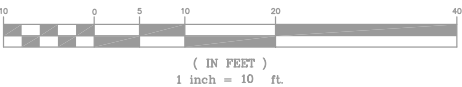
PLAN REFERENCES :

- "PLAN OF SOUTH POINT COTTAGE LOTS", DATED JANUARY, 1882, BY W. S. DENNETT, RECORDED AT YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 3, PAGE 2.
- "PLAN SHOWING A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY MADE FOR CHARLES A. CAMALIER", DATED NOVEMBER 14, 2006, BY DOW & COULOMBE, INC.

LOCUS DEED REFERENCE :

ARTHUR EASTWOOD, JR. AND PAULA J. EASTWOOD
TO
HANS ASOERA AND ANNE K. ASOERA
JUNE 6, 2014 BOOK 16832, PAGE 813

GRAPHIC SCALE



No.	Revision	Date
1.	REVISED CONTOUR AND LOT OFFSET, REVISED LOT AREA COVERAGE NOTES.	07-12-2017



PLAN SHOWING A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY MADE FOR
HANS ASOERA AND ANNE K. ASOERA
(MAILING ADDRESS : 8 GILES DRIVE, ESSEX JUNCTION, VT 05452)
PARCEL LOCATED AT 1 BAY STREET, BIDDEFORD MAINE
BIDDEFORD MAINE



Dow & Coulombe, Inc.
Land Surveyors & Land Planners Since 1864
13 Park Street, Saco, Maine 04072
Telephone: (207)284-4521 * Fax: (207)284-4522
info@dowcoulombe.com * www.dowcoulombe.com

Date:	JANUARY 26, 2016
H. Scale:	Drawn by:
1" = 10'	MJC
Chk'd by:	Appv'd by:
PDD	MJC
SHEET 1 OF 1	

ZONE-18
DWGS2016/ASOERA18r1

August 2, 2018
Drawing by Jessica Kimball
Terrence J. DeWan & Associates

Terrence J. DeWan & Associates



- | NON-VEGETATED AND DEVELOPED AREAS (IN SQUARE FEET AND PERCENTAGE OF PARCEL AREA): | | |
|---|--------------------------|-------------------------------|
| | WITHIN FRONTAL/BACK DUNE | WITHIN PARCEL TO 8.2' CONTOUR |
| BUILDING, STEPS, LANDINGS
AND EAVES OVERHANG | 253± S.F. (12.3%) | 3,337± S.F. (31.4%) |
| GRAVEL DRIVEWAY | N/A | 304± S.F. (2.9%) |
| RIPRAP, SAND AND
ROCKY BEACH | 249± S.F. (12.1%) | 1,460± S.F. (13.7%) |
| CONCRETE PAD | N/A | 18± S.F. (0.2%) |
| LAWN/GARDEN | 1,471± S.F. (71.7%) | N/A |
| TOTAL | 1,973± S.F. (96.1%) | 5,119± S.F. (48.2%) |

1. "PLAN OF SOUTH POINT COTTAGE LOTS", DATED JANUARY, 1882, BY W. S. DENNETT, RECORDED AT YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 3, PAGE 2.
2. "PLAN SHOWING A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY MADE FOR CHARLES A. CAMAJER", DATED NOVEMBER 14, 2006, BY DOW & COULOMBE, INC.

ARTHUR EASTWOOD, JR. AND PAULA J. EASTWOOD
TO
HANS ASOERA AND ANNE K. ASOERA
JUNE 6, 2014 BOOK 16832, PAGE 813

- GRAPHIC SCALE**
-
- (IN FEET)
1 inch = 10 ft.

●	SET IRON ROD WITH CAP
⛑	HYDRANT
⌚	UTILITY POLE
●	FOUND IRON ROD WITH CAP #1201 (UNLESS OTHERWISE NOTED)
φ	DIAMETER
N/F	NOW OR FORMERLY
CB	CORNERBOARD
SH	BOTTOM OF SHINGLE
— OU —	OVERHEAD UTILITY LINES
○○○○○○○○○○	COBBLESTONE EDGING
— 15 —	CONTOUR LINE

NOTES:

No.	Revision	Date
1.	PLAT 8.2' CONTOUR AND 100' OFFSET, REVISE LOT AREA COVERAGE NOTES.	07-12-2017



PLAN SHOWING A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY MADE FOR
HANS ASOERA AND ANNE K. ASOERA
 (MAILING ADDRESS : 8 GILES DRIVE, ESSEX JUNCTION, VT 05452)
 PARCEL LOCATED AT 1 BAY STREET, BIDDEFORD POOL
BIDDEFORD MAINE



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Date:	
JANUARY 26, 2016	
H. Scale:	Drawn by:
1" = 10'	MJC
Chk'd by:	Appv'd by:
PDD	MJC
SHEET 1 OF 1	

ZONE-18
DWGS2016/ASOERA18r1

TREES



KOUSA DOGWOOD



JAPANESE MAPLE

SHRUBS



BEACH PLUM (SPRING)



CLETHRA



BEACH PLUM (SUMMER)



NORTHERN BAYBERRY

SHRUBS



ENDLESS SUMMER HYDRANGEA



OAK-LEAF HYDRANGEA

ASOERA RESIDENCE - 1 BAY STREET BIDDEFORD POOL



HIGH BUSH BLUEBERRY

SUN PERENNIALS

ASOERA RESIDENCE - 1 BAY STREET BIDDEFORD POOL



YARROW



SEDUM



NEPETA

SUN PERENNIALS

ASOERA RESIDENCE - 1 BAY STREET BIDDEFORD POOL



VERONICASTRUM VIRGINICUM



LADY'S MANTLE



SHASTA DAISY



RUSSIAN SAGE

SHADE PERENNIALS

ASOERA RESIDENCE - 1 BAY STREET BIDDEFORD POOL



SOLOMON SEAL



ASTILBE



BLEEDING HEART



RODGERSIA



HOSTA

PERENNIALS AT STONE WALL

ASOERA RESIDENCE - 1 BAY STREET BIDDEFORD POOL



PHLOX SUBULATA



SNOW IN SUMMER



BLUE FESCUE



SEDGE

PERENNIALS AT STONE WALL

ASOERA RESIDENCE - 1 BAY STREET BIDDEFORD POOL



IRIS



LILLY OF THE VALLEY



COREOPOSIS



LIATRIS SPICATA

GRASSES

ASOERA RESIDENCE - 1 BAY STREET BIDDEFORD POOL



CALAMAGROSTIS (KARL FORERSTER)



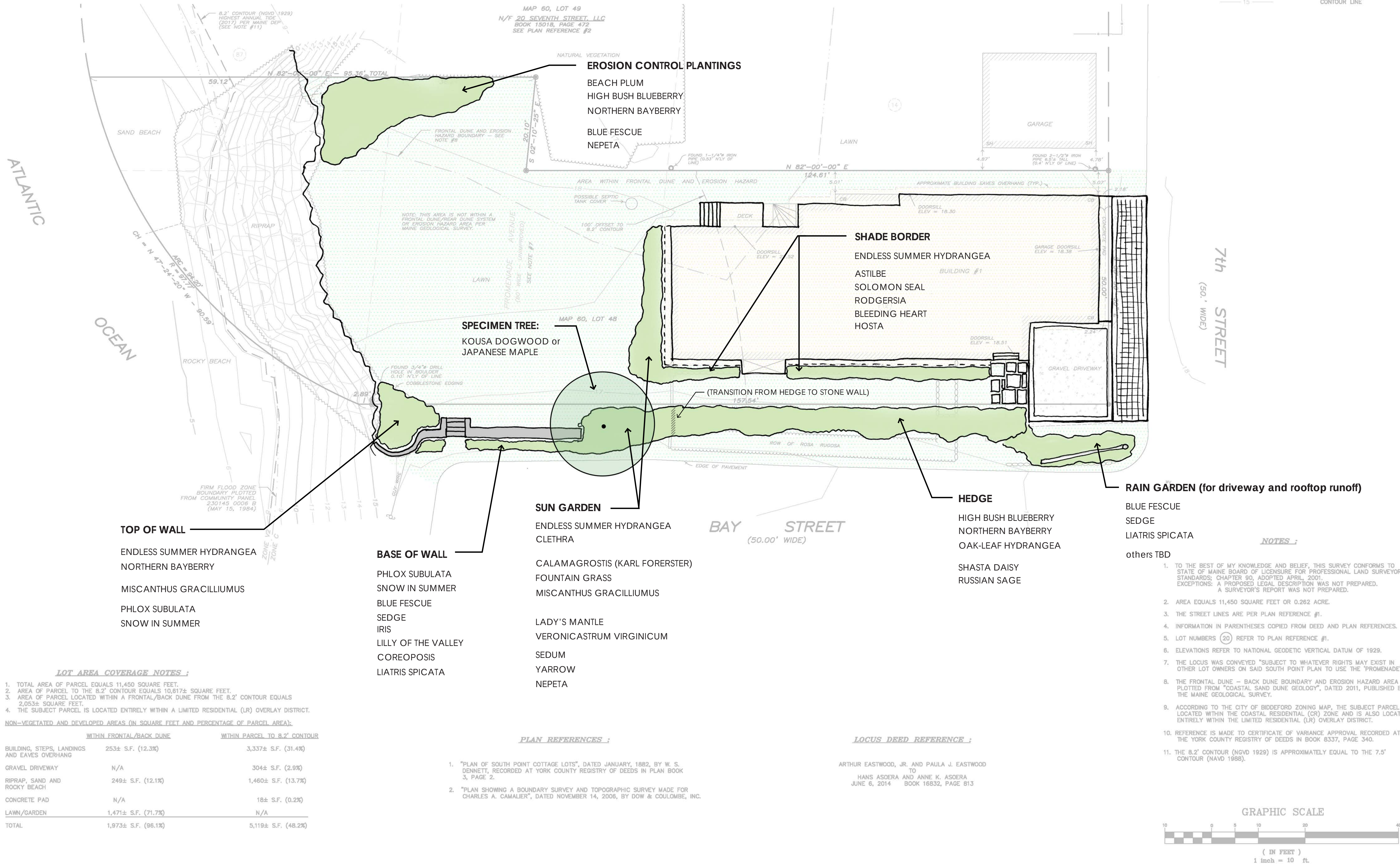
MISCANTHUS GRACILLIUMUS



FOUNTAIN GRASS

PLANTING SCHEME
ASOERA RESIDENCE - 1 BAY STREET BIDDEFORD POOL
June 14, 2018

Configuration shows stone wall and planting on current City of Biddeford Property.
If property line remains unchanged between the Bay Street Roadway and the Asoera property,
landscape features will shift north away from Bay Street.



Date

Revision

No.

1

1

1

DATE

REVISION

NO.

12-12-2017

REVISED: LOT AREA COVERAGE NOTES

1

PLAN SHOWING A BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY MADE FOR

HANS ASOERA AND

ANNE K. ASOERA

(MAILING ADDRESS : 8 GILES DRIVE, ESSEX JUNCTION, VT 05452)
PARCEL LOCATED AT 1 BAY STREET, BIDDEFORD POOL

MAINE

BIDDEFORD

D

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150 years

Date

JANUARY 26, 2016

H. Scale: [Drawn by:

1" = 10' MJC

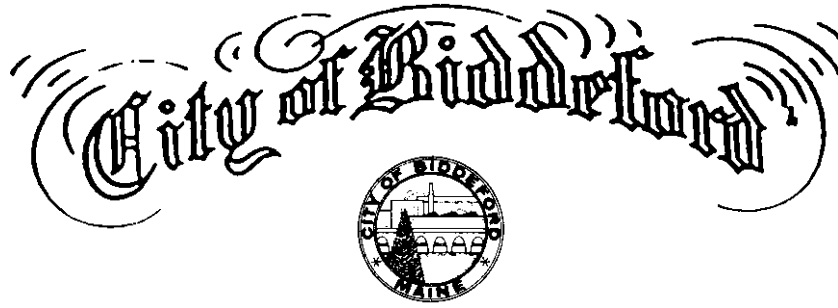
Chk'd by: App'd by:

PDD MJC

SHEET 1 OF 1

ZONE-18

DWGS2016/ASOERA18r1



2018.145 **IN BOARD OF CITY COUNCIL..DECEMBER 18, 2018**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 18, Buildings and Building Regulations, Article II Buildings, **Section 18-26 et al - Registrations and Inspections**, be amended by adding the following:

Article II: BUILDINGS

DIVISION 1: REGISTRATIONS & INSPECTIONS

§ 18-26 Purpose.

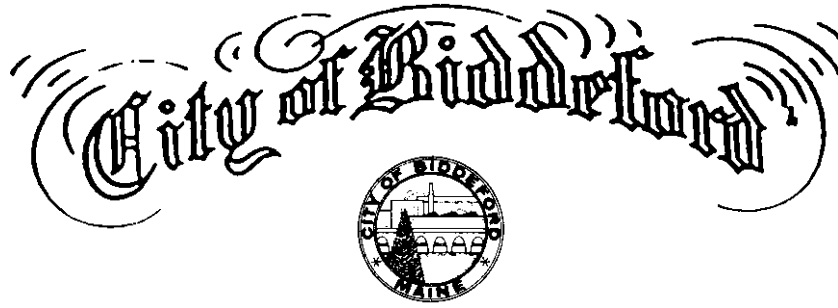
The City intends to hold owners of multifamily dwellings accountable and responsible for the maintenance of safe living conditions by establishing a multifamily dwelling unit registration and inspections program. Many owners form limited liability companies and other various forms of proprietorships in order to have undisclosed and unidentifiable principals. Many individuals no longer have landlines and communicate mainly with cell phones which are mostly unlisted. This makes the effort to locate the person(s) who owns the property extremely difficult and very time consuming. By requiring the disclosure of ownership, it provides a transparency to the citizens of Biddeford and enables City officials to perform their duties. The City intends to improve safety and sanitary living conditions for the residents of multifamily dwellings by establishing a program of regular inspections of such properties through its Code Enforcement Office. The City seeks to assure properties come into compliance with current life safety codes and standards, and that owners are alerted to any detrimental conditions that could place tenants at risk. The City intends to work cooperatively and proactively with owners of such properties by setting a protocol for regular inspections, as well as providing owners with clear standards for maintenance of their properties.

§ 18-27 Definitions.

As used in this article, the following terms shall have the meanings indicated:

DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.



LIFE SAFETY INSPECTION

An inspection performed by the Code Enforcement Office to evaluate the building for compliance with current life safety standards and compliance with the International Property Maintenance Code.

MULTIFAMILY DWELLING

A building containing three or more dwelling units located all within the same structure and under the same ownership.

PROPERTY MANAGEMENT FIRM

Any company responsible for the management of a multifamily dwelling unit and which has access and control over the entire premises.

PROPERTY MANAGER

Any individual responsible for the management of a multifamily dwelling unit and who has access and control over the entire premises.

§ 18-28 Multifamily dwelling unit ownership/registration.

A.

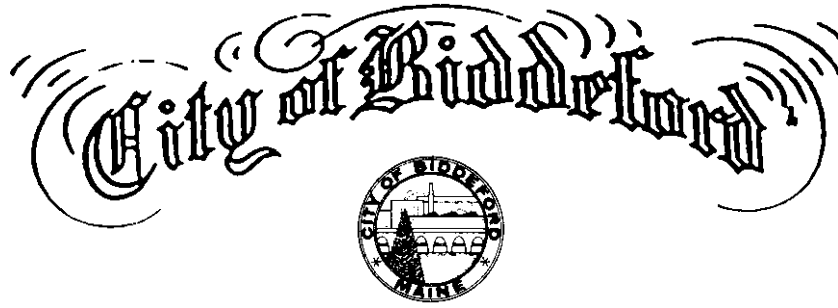
Owner(s) of a multifamily dwelling building shall register their ownership with the City. Registrations are due annually or within 30 days of purchase of the property. If a new owner registers mid-year, they will not be charged unless the inspection is scheduled for that year, as long as the annual fee has already been paid for the building. The registration is valid through the calendar year.

B.

Registrations will be done through the Code Enforcement Office. All fees shall be made payable to the City of Biddeford and shall be processed at the submission of the registration.

C.

In the event the owner uses a property management firm or has a property manager, the owner shall provide the property manager's or property management firm's contact information at the time of registration. If the property management changes during the twelve-month registration period, the owner shall notify the City within 30 days of the date of the change.



D.

The annual registration and inspection fee is \$25.00 per dwelling unit.

(E)

Newly constructed multifamily dwelling units/buildings **requiring a certificate of occupancy for the entire building** shall be exempt from inspection requirements for 10 years from the date of issuance of the certificate of occupancy.

§ 18-29 Inspections.

A.

Life safety inspections for all multi-families shall be completed every 5 years. The owner will be notified at the time of registration if the inspection will be completed that year, or a later year. Once a property has been inspected, it will not be re-inspected for five years thereafter, unless there is just cause.

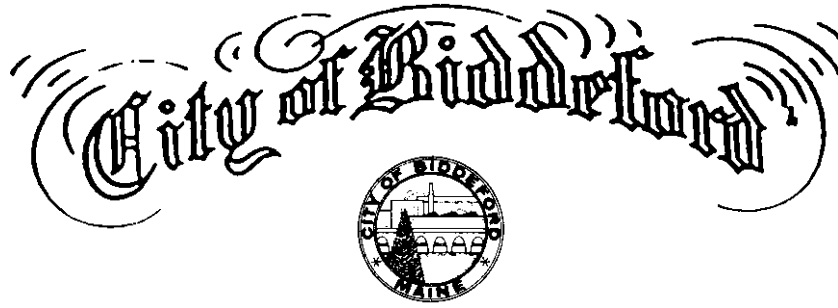
B.

Upon two weeks of notice, the owner shall grant the Code Enforcement Office full access to the property during the life safety inspection. This shall include, but not be limited to, each dwelling unit, all common areas, all basements, all outbuildings, and any other area of the property the Code Enforcement Officer deems necessary to inspect.

§ 18-30 Violations and enforcement.

A.

The Code Enforcement Office shall have the primary responsibility for enforcement of this article. If the Code Enforcement Officer, or his/her designee(s), determines that a violation of this article has occurred, he or she shall send a notice to the property owner indicating a violation exists, and a time frame for remediation shall be established. Subsequent violations of this article shall be subject to the penalties set forth below.



B.

Violations are as follows:

(1)

Failure to register shall result in a penalty fee of \$250 assessed for each **ten(10)** calendar days which elapse after that date until such time the registration fee and all penalty fees are paid in full.

(2)

Failure to update property management/owner contact information shall result in a penalty fee of \$250 for each **ten(10)** calendar days which elapse after the date the owner was required to notify the city until such a notice is given and all penalty fees are paid in full.

(3)

Providing false information shall result in a penalty fee of \$1,000 for each **ten(10)** calendar days which elapse after such information was provided until such time as the information is corrected and all penalty fees are paid in full.

(4)

Failure Refusal to allow the Code Office to conduct the inspection shall result in a fee of \$1,000 for each **calendar** day until the inspection is complete.

(5)

Renting a unit that has not been registered shall result in a fee of \$250 for each **ten(10)** calendar days which elapse after the unit was rented until such time the registration fee and all penalty fees are paid in full.

NOTE: The Policy Committee considered this ordinance amendment at their December 10, 2018 meeting and voted unanimously to recommend passage by the City Council.
{The Policy Committee revisions are highlighted}

~~-Delete in its entirety-~~

~~BUILDINGS~~

~~**DIVISION 7:DISCLOSURE OF BUILDING OWNERSHIP**~~

~~Chapter 18 :Buildings and Building RegulationsARTICLE IIBUILDINGS~~
~~**DIVISION 7DISCLOSURE OF BUILDING OWNERSHIP**~~

~~Sec. 18-116Purpose.~~

~~Sec. 18-117Registration required.~~

~~Sec. 18-118Registration form; information.~~

~~Sec. 18-119Violations.~~

~~Sec. 18-120Penalty.~~

~~Sec. 18-116Purpose.~~

~~[Ord. No. 2002.10, 2-5-2002]~~

~~The proliferation of real estate proprietorships, partnerships, and trusts having undisclosed, anonymous or otherwise unidentifiable principals, owning large numbers of multiunit residential properties, sometimes managed through unresponsive property management companies, has impeded the proper enforcement of this chapter, and other ordinances of the City. This article is intended to require the disclosure of the ownership of such property and to make all corporate, partnership, trust and any other nonindividual owners responsible for the maintenance of property more accessible and accountable with respect to the premises.~~

~~Sec. 18-117Registration required.~~

~~[Ord. No. 2002.10, 2-5-2002]~~

~~**(a)**~~

~~Registration of ownership. The corporate, partnership, trust and any other nonindividual owner(s) of all buildings containing three or more dwelling units, rooming units, or any combination thereof within the City shall register their ownership interest, address, and telephone number and the name of an individual responsible for managing the property, address and telephone number of the person or entity responsible for managing the property, or cause such interest to be registered, with the Code Enforcement Department as provided in Section 18-118, within 90 days of the effective date of this article or within 30 days of purchase of the property and/or building, whichever occurs later. The entity shall also provide the name of an agent duly authorized to accept service of process of any documents served by the City, including but not limited to summonses and complaints processed through the state judicial system.~~

The registration required hereunder shall be updated or withdrawn within 30 days of transfer of ownership, change of registered agent as provided in Section ~~18-118~~. Each and every owner of the property shall be responsible for and for updating prior filings as required.

~~(b)~~

~~Registration of management companies. Any property management company or any entity which is responsible for the care and management of any building containing three or more dwelling units, shall provide all the information required of all nonindividual owners as set forth in Subsection (a) above, irrespective of whether the property management company has any ownership interest in the building.~~

~~Sec. 18-118~~ **Registration form; information.**

~~[Ord. No. 2002.10, 2-5-2002]~~

~~The Code Enforcement Department shall provide forms to be completed by the owners and managers of properties subject to registration under this article and shall maintain a file containing all registrations made under this article.~~

~~(1)~~

~~The registration form for owners shall include, at a minimum, the following:~~

~~a.~~

~~The street address of the building;~~

~~b.~~

~~The Assessor's chart, block and lot of the property on which the building is located;~~

~~c.~~

~~The names, addresses and telephone numbers of all individual persons having any ownership interest in the property including, without limitation, all partners, all officers or trustees of any real estate trusts, and including the residential street address and home phone number of at least one such individual person;~~

~~d.~~

~~The name, address and telephone number of the Manager of the property or the person(s) responsible for its regular maintenance or repair;~~

~~e.~~

~~The name and address of a person designated as the agent of the owner for the service of notices and civil process by the City. Service of notice and process upon the person so designated shall be deemed conclusive service upon the owner(s) designating that person in any litigation pertaining to the premises.~~

~~(2)~~

~~The registration form for managers of property shall include, at a minimum, the following:~~

~~a.~~

~~The name, address and local telephone number of the management company and of at least one such individual, including the residential street address and home telephone number of that individual; and~~

~~b.~~

~~A list of all buildings for which the person or firm is responsible, including the street address and chart, block and lot description of the property and the name of the owner of that building.~~

~~Sec. 18-119~~**Violations.**

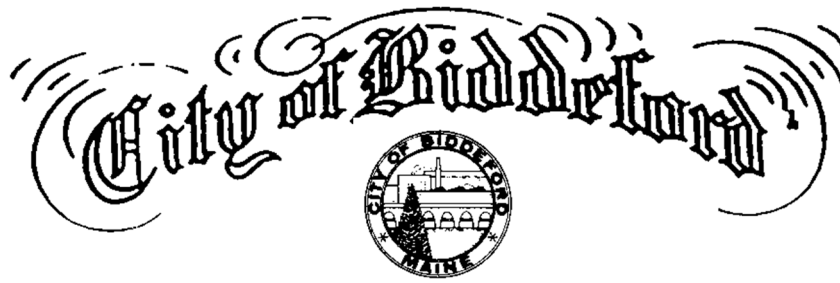
~~[Ord. No. 2002.10, 2-5-2002]~~

~~Any person failing to file the required registration, failing to file any required update to the registration or filing a false statement on any registration shall be guilty of an offense. It shall also be a violation of this chapter for any owner or Manager to rent any apartment or other portion of any building subject to registration, not registered under this chapter, or to permit the occupancy of such premises. No certificate of occupancy shall be issued for property subject to the registration requirements which is not registered in accordance with this chapter. Each day's continuing failure to file such a registration, to update such registration or permitting the continued occupancy of such premises shall be a separate offense.~~

~~Sec. 18-120~~**Penalty.**

~~[Ord. No. 2002.10, 2-5-2002]~~

~~The minimum penalty for a specific violation is \$100, and the maximum penalty is \$2,500 per day as per 30-A M.R.S.A. § 4452.~~



2018.146

IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018

BE IT ORDAINED, by the City Council of the City of Biddeford that Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV, Specific Street Regulations, **Section 42-100 Disability Parking**, is amended by adding or ~~deleting~~ to read as follows::

Sec. 42-100 Disability Parking

- (a) In addition to those areas listed below, and designated as disability parking, the Chief of Police is authorized to temporarily designate an area as reserved for "disability parking" in order to meet special needs and circumstances. The enforcement of these spaces would be consistent and pursuant to the provisions under Section 42-51(a). All such designated disability parking shall remain in effect for not longer than 72 hours.

The following locations are designated for disability parking only:

Adams Street, odd-numbered side, in front of 25 Adams Street, three spaces between 8:00 a.m. and 4:00 p.m. only on those days that District Court is open to conduct regular business

Birch Street, odd-numbered side, beginning at a point 30 feet east from the northeast corner of Graham Street, thence southeasterly for a distance of 44 feet, with a time limit of 20 minutes

Community Center Parking Lot, back end corner of Clark Street and Prospect Street, as posted

Foss Street, odd-numbered side, 26 feet from the intersection of Foss/Pool Street, one space

Graham Street, odd-numbered side, beginning at a point 20 feet northeasterly from the intersection with Harding Street, thence northeasterly for a distance of two parking spaces.

Graham Street, two spaces, easterly side, in front of the United Church of Christ, Congregational, transept (or annex) entrance

Hill Street, even-numbered side, in front of the Park and Recreation building, one space

Lester B. Orcutt Boulevard, even -numbered side, beginning at a point 20 feet east of the intersection with First Street thence easterly for a distance of 50 feet, St. Brendan' s Chapel Mass times only: Saturday and Sunday, from May 1 to October 31.

Lincoln Street, even-numbered side, beginning at a point 50 feet from the intersection of Main Street and Lincoln Street curblines, thence northerly, for one handicap parking space

Main Street, even-numbered side, beginning at a point 47 feet west from the northwest corner of the intersection with Laconia Street, thence northwesterly for a distance of one parking space

Main Street, even-numbered side, one space in front of the Biddeford Savings Bank

Main Street, odd-numbered side, beginning at a point 61 feet west from southwest corner of the intersection with Alfred Street, thence westerly for a distance of one parking space

Main Street, odd-numbered side, beginning at a point 62 feet southwest from the intersection with Alfred Street, thence northwesterly for a distance of 21 feet

Main Street, one parking space in front of 205 Main Street, beginning at a point 36 feet from the intersection of Main and Adams Street curblines, thence northwesterly for one handicap parking space

Main Street, one space in front of McArthur Library, located at 270 Main Street

Shevenell Court, odd-numbered side, beginning at a point 50 feet southeast of the intersection with Green Street, thence southeasterly for a distance of 22 feet

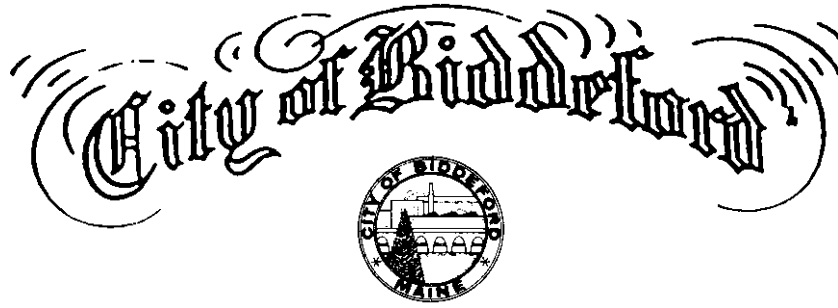
Vines Landing, one space reserved for disability parking

Washington Street, odd-numbered side, beginning at a point 20 feet southeast from the intersection with Main Street, thence southwesterly for a distance of 43 feet, two parking spaces

- (b) The Biddeford School Committee shall by resolve, designate parking areas that are in or on the property owned by the City, and under the jurisdiction and control of the Biddeford School Department, as "disability parking." All areas so designated must be clearly marked and posted as reserved for disability parking, and shall be enforced by the Police Department pursuant to the provisions of Section 42-51. An attested copy of the adopted resolution shall be forwarded to the Police Department for enforcement.

- (c) Except as otherwise established elsewhere in this Chapter a vehicle displaying a disability plate or placard issued in accordance with 29-A M.R.S.A. § 521, shall be allowed to park for double the allotted time without any time limitations imposed under section 42-92 for Downtown Streets. All other posted parking restrictions shall apply.

NOTE: The Policy Committee considered this ordinance amendment at their December 10, 2018 meeting and voted 4/1 to recommend passage by the City Council.



2018.147 **IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-90 No Parking**, is amended by adding or ~~deleting~~ to read as follows:

Cardinal Lane, odd-numbered side, from the intersection with Marial Avenue to dead end.

NOTE: The Policy Committee considered this ordinance amendment at their December 10, 2018 meeting and voted unanimously to recommend passage by the City Council.

Good Afternoon! Mr. McCurry, Council President
Ward 2

I am following up on an email I wrote back on
September 24th, next week will be a month since
I corresponded with you and I did not receive a
response regarding public works placing two signs
on Cardinal Lane for safety; where the street is
not wide enough to double park or permanently
park vehicles/boats and/or etc. at the dead
end. I do not want to have to revisit this issue
next Spring/Summer due to the inconvenience it
creates and safety concerns. Please let me know
what has transpired since then; if any ordinance
needs to be mandated, I would like to see that
process initiated. Thank you!

Respectfully,
Debora M. Berry, Biddeford Property Owner

On 2018-09-24 12:00, berry3535@gwi.net wrote:

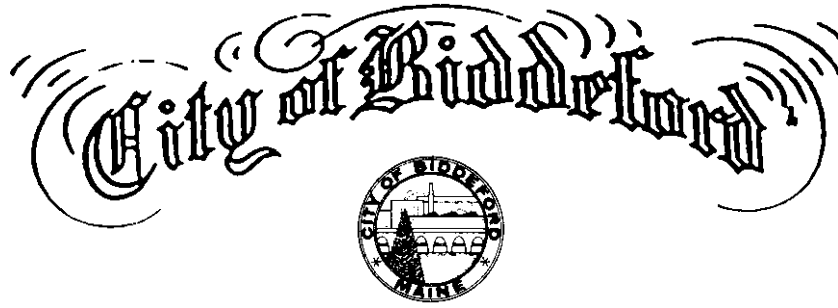
Good Afternoon! Mr. McCurry, Council President
Ward 2

I am writing as a Biddeford property owner/tax
payer and U.S. citizen that I would like two city
signs place on Cardinal Lane to limit/restrict
parking at the end of the street and to also limit
parking on the even side of Cardinal Lane as a
safety concern. I am requesting the signs to be
place at the end of the street (dead end) which
impacts me backing out of my driveway where
neighbors are not considerate and block my
driveway (ex: parking unregistered vehicle

and/or illegal boat at the end of the street). The City of Biddeford is not collecting additional funds for individuals to use the city street as an extension of their driveway. Generally boats need to be parked at a marina or on their own property; not on the city street. The Biddeford police department (Officer Patrick McDonaghue) has been made aware of this inconvenience and safety concern. There appears to be no ordinance in place and Cardinal Lane is not as wide as Marial, therefore, I am proposing these two signs be placed at the end of Cardinal Lane and a sign to be placed on the even side of the street to restrict parking where the street is narrow as a safety concern. I would like the safety concern to be brought before a Council meeting where it can be addressed and an ordinance can be implemented (where public works will place city signs on the street) in an effort that the Biddeford police department can enforce this safety concern.

Respectfully submitted:

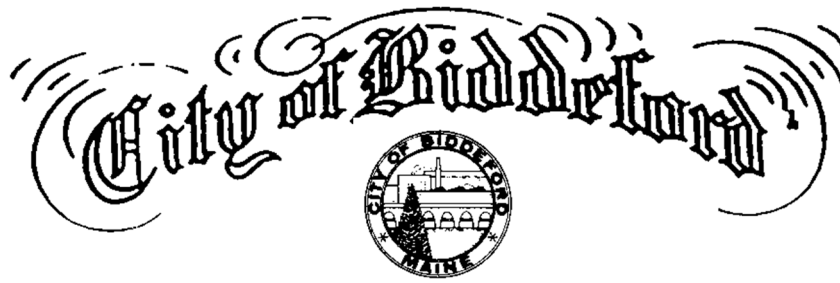
Debora M. Berry, 6 Cardinal Lane, Biddeford



2018.148 **IN BOARD OF CITY COUNCIL..DECEMBER 18, 2018**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-90 No Parking**, is amended by adding or ~~deleting~~ to read as follows:

Lily Pond Avenue, both sides, from the intersection with Fortunes Rocks Road, both entrances, entire street.

NOTE: The Policy Committee considered this ordinance amendment at their December 10, 2018 meeting and voted unanimously to recommend passage by the City Council.



2018.149

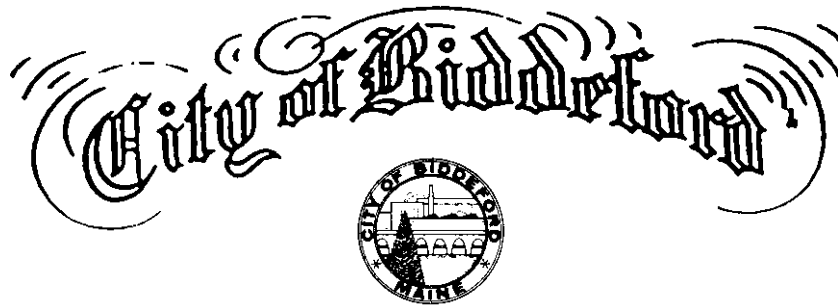
IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article III, Parking Stopping and Standing, **Section 42-59 Snow Emergency Parking Ban**, be amended by adding or ~~deleting~~ to read as follows:

The following provisions shall apply during snow emergencies as declared by the Director of Public Works:

- (1) When the Director of Public Works deems it necessary to allow for the safe and efficient removal of snow and ice from the public ways within the City, the Director may declare that a snow emergency exists. The Director of Public Works will announce the snow emergency by notifying the local radio and television media, and request that they make periodic announcements of the parking ban. The Director will state in his notice that during the hours of the emergency, parking of motor vehicles is prohibited on any way or municipal parking lot within the jurisdiction of the City, except that the municipal parking lots at the Community Center (Myrtle Street side only) and Clifford Park East Biddeford Little League parking lot (on Hill Street), Public Access parking lot (on Pool Street) and Sullivan Street parking lot, are open for parking during the period of the emergency at no fee; and the, Foss Street Parking Lot, Washington Street Parking Lot, Gas House Parking Lot, and the Water Street Parking Lot are open for parking during the period of the emergency on a pay-per-use permit-only basis.
- (2) For permit-only lots, a permit may be obtained through self-service kiosks, mobile app when available or through the city clerk's office. The form of permit to be displayed shall be the license plate referenced on the valid vehicle registration, appropriately recorded during the permitting process, and properly attached to the vehicle. Municipal parking permit holders must comply with all snow emergency parking ban notices and instructions regardless of the nature of the parking permit.
- (3) A vehicle parked in violation of the declared snow emergency shall be towed at the owner's expense.
- (4) Vehicles parked in the Foss Street and Washington Street, Clifford Park, Community Center, Gas House and Water Street municipal parking lots as authorized by this section must be removed prior to 7:00 a.m. on the day of the end of the snow emergency, and these municipal parking lots may not be used until they have been cleared of snow.

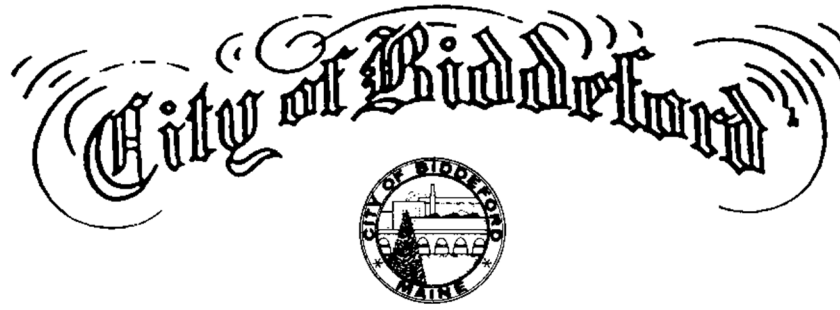
NOTE: The Policy Committee considered this ordinance amendment at their December 10, 2018 meeting and voted unanimously to recommend passage by the City Council.



2018.150

BOARD OF CITY COUNCIL...DECEMBER 18, 2018

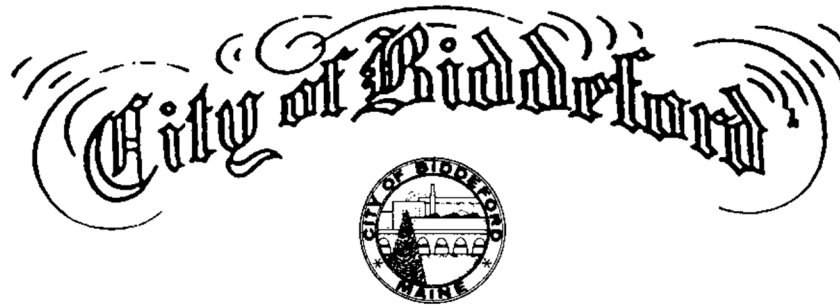
BE IT ORDERED, that the Biddeford City Council does hereby grant approval pursuant with Title 15 M.R.S.A. §5824(3) & §5822(4)(A) to the transfer of 500.00 in U.S. Currency, or any portion thereof, on the grounds that the City of Biddeford Police Department did make a substantial contribution to the investigation of this or related criminal case.CR-17-777. These funds shall be transferred to the City of Biddeford, Asset Forfeiture Account 3119-40576.



2018.151

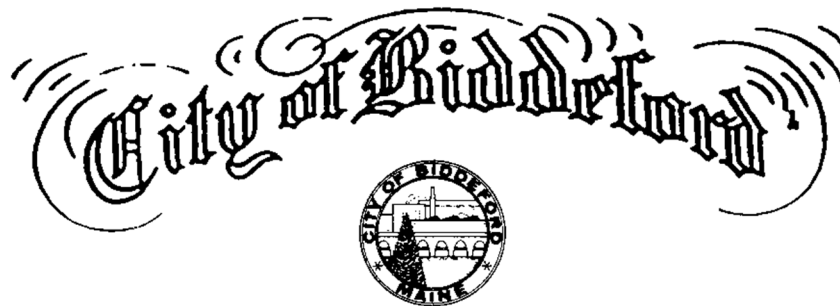
IN BOARD OF CITY COUNCIL..DECEMBER 4, 2018

BE IT ORDERED, that the regularly scheduled Council Meeting of January 1, 2019 be re-scheduled for **Thursday, January 3rd at 6:00 p.m. in the Council Chambers** due to the fact that January 1st is New Year's Day.



IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint **Councilors Amy Clearwater and Michael Ready** to the *Homelessness Initiatives Group*, coordinated in conjunction with Seeds of Hope.

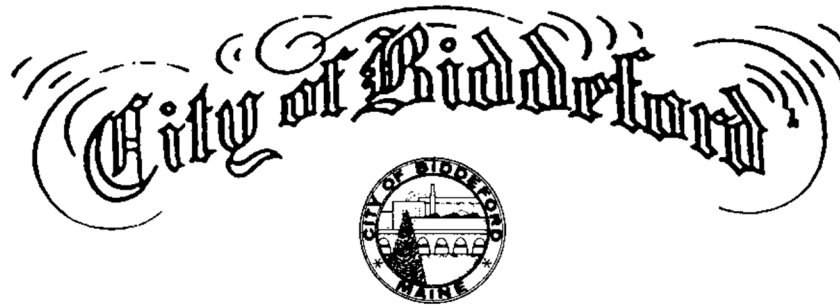


IN BOARD OF CITY COUNCIL...JANUARY 3, 2018

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

Carmen J. Morris
City Clerk

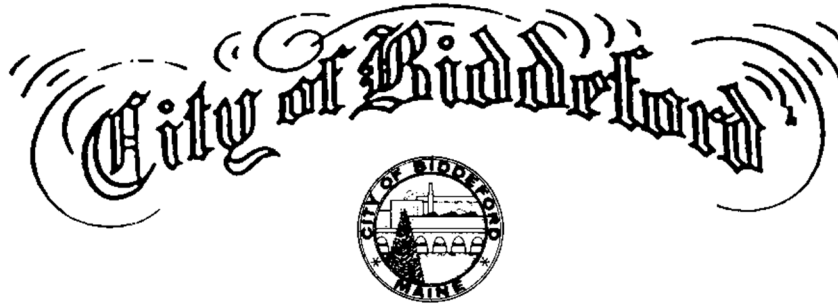
as ***Biddeford's Voter Registrar*** for the State required two-year term; with a term to expire January 2021.



IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

William Southwick

as the CHAIR of the *Planning Board* for 2019.



IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
re-appoint:

Kenneth Pendleton
25 Harding Street
Ward 4

to the *Biddeford Fire Advisory Committee (BFAC)*, for an initial term to expire in
December 2023.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 12-10-18

Name: Kenneth Pendleton

Street Address: 25 HARDING STREET
BIDDEFORD ME 04005

Mailing Address:
(if different) _____

Phone Number(s): 207-284-7731 - home

Email Address: Kender.Shawn@GWI.NET

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|---|--|
| ☐ Airport Commission | ☐ Harbor Commission |
| ☒ Biddeford Fire Advisory Committee | ☐ Historic Preservation Commission |
| ☐ Biddeford Housing Authority | ☐ Planning Board |
| ☐ Biddeford Police Advisory Committee | ☐ Policy Committee |
| ☐ Board of Assessment Review | ☐ Project Canopy Committee |
| ☐ Cable T.V. Committee | ☐ Recreation Commission |
| ☐ Capital Projects Committee | ☐ Shellfish Conservation Committee |
| ☐ Conservation Commission | ☐ Solid Waste Management Commission |
| ☐ Downtown Development Commission | ☐ Wastewater Management Commission |
| ☐ Economic Improvement Commission | ☐ Zoning Board of Appeals |

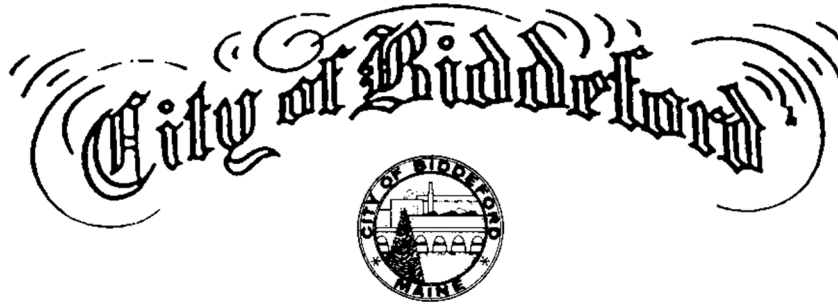
CITY OF BIDDEFORD
Committee Application

| Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

| Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

| Please provide a brief statement describing your interest in serving the City of Biddeford.

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
re-appoint:

Brian Fleurant
77 Prospect Street
Ward 4

to the *Board of Assessment Review*, for a term to expire in December 2023.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date:

11-28-18

Name:

Brian L. Fleurant

Street Address:

77 Prospect St.
Biddeford

Mailing Address:
(if different)

Phone Number(s):

207-299-2797/207-571-9215

Email Address:

bflaurant65@gmail.com

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|--|
| ☐ • Airport Commission | ☐ • Harbor Commission |
| ☐ • Biddeford Fire Advisory Committee | ☐ • Historic Preservation Commission |
| ☐ • Biddeford Housing Authority | ☐ • Planning Board |
| ☐ • Biddeford Police Advisory Committee | ☐ • Policy Committee |
| ☒ • Board of Assessment Review | ☐ • Project Canopy Committee |
| ☐ • Cable T.V. Committee | ☐ • Recreation Commission |
| ☐ • Capital Projects Committee | ☐ • Shellfish Conservation Committee |
| ☐ • Conservation Commission | ☐ • Solid Waste Management Commission |
| ☐ • Downtown Development Commission | ☐ • Wastewater Management Commission |
| ☐ • Economic Improvement Commission | ☐ • Zoning Board of Appeals |

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

WASTEWATER Commission 3/2006 to Present.

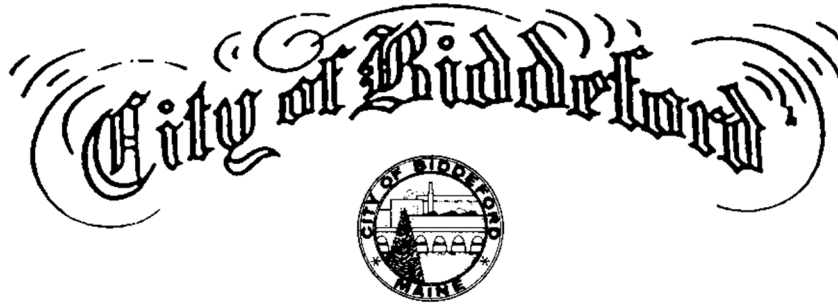
Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

Working with numbers on the Wastewater Commission AND ALSO SOME SERIOUS Problem-Solving is A GREAT help with Board of ASSESSMENT.

Please provide a brief statement describing your interest in serving the City of Biddeford.

Being born AND RAISED in this City and ALSO working here, gives me A GREAT SENSE OF PRIDE to help propel this beautiful City in A POSITIVE AND PROGRESSIVE WAY.

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
re-appoint:

Donald Harper
421 West Street
Ward 3

to the *Cable T.V. Committee*, for a term to expire in December 2021.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date:

11-30-18

Name:

DON HARPER

Street Address:

421 West St.

Mailing Address:
(if different)

Phone Number(s):

286-4570

Email Address:

donaldehyarper70@yahoo.com

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|---|--|
| ☐ • Airport Commission | ☐ • Harbor Commission |
| ☐ • Biddeford Fire Advisory Committee | ☐ • Historic Preservation Commission |
| ☐ • Biddeford Housing Authority | ☐ • Planning Board |
| ☒ • Biddeford Police Advisory Committee | ☐ • Policy Committee |
| ☐ • Board of Assessment Review | ☐ • Project Canopy Committee |
| ☒ • Cable T.V. Committee | ☐ • Recreation Commission |
| ☐ • Capital Projects Committee | ☐ • Shellfish Conservation Committee |
| ☐ • Conservation Commission | ☐ • Solid Waste Management Commission |
| ☐ • Downtown Development Commission | ☐ • Wastewater Management Commission |
| ☐ • Economic Improvement Commission | ☐ • Zoning Board of Appeals |

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees
(and approximate dates)

Cable Committee

Conservation Committee

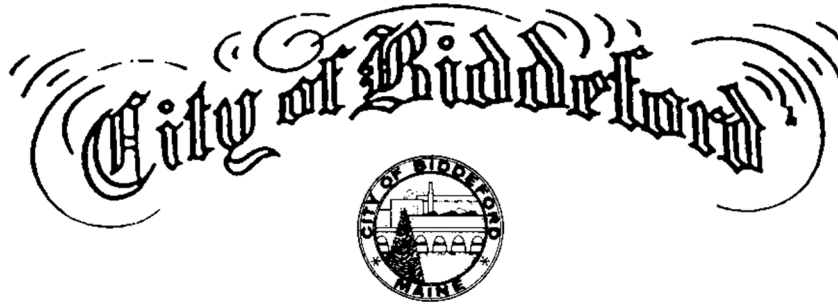
Please list any other experience that may be pertinent to the Board or Committee in which you
are requesting to serve on.

Police Dept. (13 years)

Please provide a brief statement describing your interest in serving the City of Biddeford.

Biddeford Residence 40 years

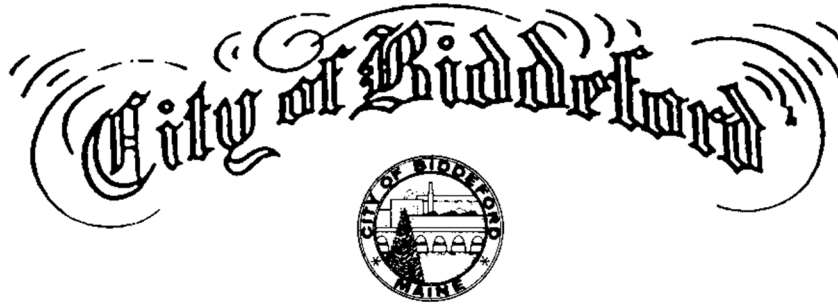
Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

Julian Schlaver
34 Union Street

to the *Downtown Committee* as the Downtown Development Commission representative.



IN BOARD OF CITY COUNCIL...DECEMBER 18, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
re-appoint:

Sean B. Tarpey
110 Cleaves Street
Ward 2

to the *Zoning Board of Appeals*, for a term to expire in December 2021.

CITY OF BIDDEFORD

Application for City Commissions, Committees and Boards

Date: 11/9/2015

Name: Sean B Tarpey

Street Address: 110 Cleaves St
Biddeford

**Mailing Address:
(if different)** 109 Cleaves St
Biddeford, ME 04005

Phone Number(s): 207 282-0408

Email Address: Sean@Rumerys.com

Please indicate whether you would like your contact information posted on the City's website:

YES ☒

NO ☐

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|---|
| ☐ Airport Commission | ☐ Historic Preservation Commission |
| ☐ Comprehensive Plan Committee | ☐ Planning Board |
| ☐ Biddeford Housing Authority | ☐ Police Commission |
| ☐ Board of Assessment Review | ☐ Policy Committee |
| ☐ Cable T.V. Committee | ☐ Project Canopy |
| ☐ Capital Projects/Operations Committee | ☐ Recreation Commission |
| ☐ Conservation Commission | ☐ Saco River Corridor Commission |
| ☐ Downtown Development Commission | ☐ Shellfish Conservation Committee |
| ☐ Economic Improvement Commission | ☐ Solid Waste Management Commission |
| ☐ Environmental Board | ☐ Wastewater Management Commission |
| ☐ Fire Commission | ☒ Zoning Board of Appeals |
| ☐ Harbor Commission | |

☐ Other:

☐ Other:

☐ Other:

☐ Other:

CITY OF BIDDEFORD - Committee Application

07/09/2014

1. Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates):

Harbor Commission
Saco River Corridor Commission (Alternate)
Comprehensive Plan

2. Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on:

3. Please provide a brief statement describing your interest in serving the City of Biddeford:

Many individuals serve the public interest in different ways. I'm pleased to be able to participate in improving the future of the City

Attach any additional information to this application and return it to the City Clerk's Office.