

**COUNCIL MEETING
DECEMBER 6, 2016**

Mayor Casavant called the meeting to order at 6:00 p.m.

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Bob Mills, Rick Laverriere, Michael Ready, Laura Seaver

Marc Lessard was excused.

The Council, and all who were present, recited the Pledge of Allegiance.

Adjustment to the Agenda:
Remove Order 2016.109

Presentation: 2017 Capital Improvement Projects Plan

City Manager James Bennett gave a brief overview of the 2017 Capital Improvement Projects Plan, stressing that the projects included in the plan still need to be funded in the FY18 Budget and future budgets. CIP binders were distributed to the Council.

Consideration of Minutes: November 15, 2016

Motion by Councilor McCurry, seconded by Councilor Laverriere to accept the minutes as printed.

Vote: Unanimous.

Orders of the Day:

2016. 105

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

BE IT ORDERED, that the City Manager be authorized to purchase one (1) 2017 John-Deere 410L Backhoe/Loader as per bid of November 23, 2016 (the "Equipment") from Nortrax Equipment (the "Vendor") and may pay the Vendor an amount not to exceed \$120,500.00 (before trade-in valued at \$28,000.00) 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 \$120,500.00;
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 \$120,500.00, (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 reviewed this item on December 6, 2016 and voted to recommend it to the City Council for approval. The lease-purchase of this item is included in the FY17 Wastewater budget, with a down payment of \$9,000.00

Motion by Councilor McCurry, seconded by Councilor Laverriere to grant the order.

Vote: Unanimous.

2016.106

IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016

BE IT ORDERED, that the City Manager be authorized to receive, execute, and record a deed from Richard and JoAnn Pion to accept the extension of Westland Avenue as a public way subject to the conditions outlined in the City Engineer's memo of November 29, 2016.

NOTE: The Capital Projects Committee discussed this item November 15, 2016, and voted to forward on to City Council for consideration the acceptance of the extension of Westland Avenue as a public way with conditions as outlined in the City Engineer's memo of November 8, 2016.

Motion by Councilor Laverriere, seconded by Councilor Quattrone to grant the order.
Vote: Unanimous.

2016.107 **IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016**
BE IT ORDERED, that the City Manager be authorized to receive, execute, and record a deed from Indian Cliff Development Corp. to accept the extension of McKenney Drive as a public way subject to the conditions outlined in the City Engineer's memo of November 29, 2016.

NOTE: The Capital Projects Committee discussed this item November 15, 2016, and voted to forward on to City Council for consideration the acceptance of the extension of McKenney Drive as a public way with conditions as outlined in the City Engineer's memo of November 8, 2016.

Motion by Councilor Mills, seconded by Councilor Quattrone to grant the order.
Vote: Unanimous.

2016.108 **IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016**
BE IT ORDERED, that the City Manager be authorized to receive, execute, and record a deed from John and Susan Dee to accept Cornerstone Drive as a public way subject to the conditions outlined in the City Engineer's memo of November 29, 2016.

NOTE: The Capital Projects Committee discussed this item November 15, 2016, and voted to forward on to City Council for consideration the acceptance of Cornerstone Drive as a public way with conditions as outlined in the City Engineer's memo of November 8, 2016.

Motion by Councilor Mills, seconded by Councilor Seaver to grant the order.
Vote: Unanimous.

2016.110 **IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016**
BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Part III (Land Development Regulations), Article III (Official Zoning Map), is amended to rezone 360 Alfred Street (Tax Map 27, Lot 167) from R-1-A to B-2.

Note: This Zoning Amendment was recommended by the Planning Board by a 3-0 vote. As such, a majority vote in the affirmative by the City Council is required to pass this Amendment.

Motion by Councilor Mills, seconded by Councilor Laverriere to grant the first reading of the ordinance amendment.

Vote: 6/2; Councilors Seaver and Ready opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills and Laverriere in favor.

Motion carries.

2016.92 **IN BOARD OF CITY COUNCIL..OCTOBER 4, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby amend the Human Resource Policies, Procedures and Benefits Manual, SICK LEAVE, as attached.

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

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Laverriere to grant the order.

Motion by Councilor Laverriere, seconded by Councilor Ready to table the proposed policy language back to the Personnel Committee for further review and recommendation.
Vote: 4/4; Councilors St. Cyr, Mills, Swanton and McCurry opposed.
Councilors Quattrone, Laverriere, Ready and Seaver in favor.
Mayor Casavant voted in favor of tabling to break the tie.

2016.111 **IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016**
BE IT ORDERED, that the City Manager is hereby authorized to enter into an agreement with Systems Engineering for an Exchange Server Upgrade, in the amount of \$42,453.00 in accordance with the Systems Engineering bid dated November 7, 2016. The funding source shall be from the approved FY2017 CIP under 21201-60963.

NOTE: The Finance Committee will review this item for approval on December 6, 2016.

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

2016.112 **IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby amend the Human Resource Policies, Procedures and Benefits Manual, HEALTH BENEFITS, as follows:

The City of Biddeford will offer group health insurance to its regular full time employees. If it is desirous to change insurance carriers, the City will provide equal or better coverage.

- A. Beginning September 6, 2001, regular employees will pay 15 percent of the cost of health insurance coverage. Beginning January 1, 2017, the employee contribution amount will increase to twenty (20%). Payment will be made through payroll deduction and will be based on the number of payroll deductions during the calendar year. Beginning January 1, 2017, the City will continue to offer employees three health coverage options, the HMO, POS and HMO LO, however, if the employee elects the higher priced plan coverage (POS) the employee shall be responsible for 100% of the premium difference between the HMO and POS plan.
- B. The City shall provide employees with an insurance buyout program. If an employee can demonstrate that he has appropriate health insurance coverage elsewhere, the employee will be allowed to cash in coverage from the City for a family plan for \$1,500.00 per year, payable quarterly.
- C. For employees who retire after September 6, 2001, the City shall pay for the medical insurance only, at the same percentage of current employees, to employees who retire between the ages of 62 and 65, until said employee reaches the age of 65, providing said employee has a minimum of ten years of service with the City. Medical insurance coverage for the employee's dependents shall be at the expense of said employee. When the retiree reaches the age of 65, all insurance for said employee and dependents will terminate.
- D. For employees who retire before July 1, 1995, the City shall continue to pay the cost of medical insurance for a retired employee between the ages of 62 and 65. Beyond the age of 65, the retired employee may enroll in the City's Medicare companion plan at his own expense.
- E. As an exception to the above, if a retiring employee has a dependent (husband/wife only) who is younger and currently enrolled on the City's health plan, then the City will continue to pay the cost of the Medicare companion plan for the retiree until the dependent reaches age 65. The retiree will be responsible for the cost of dependent coverage. When both the retiree and the dependent have reached age 65, they may both continue in the City's Medicare companion plan at their own expense. At the time when the retired employee becomes responsible for the cost of medical coverage, payment will be made to the City on a monthly basis at the current rate.
- F. If an employee has to retire prior to age 62 because of medical reasons and is eligible for social security disability income, he may continue on the group medical coverage at his own expense. If the retired employee carried dependent coverage, that will also be continued at the retired employee's own expense.
- G. For employees who retire prior to July 1, 1995, and, if the retiree has continuous employment with the City for a period in excess of ten years, the City shall pay the insurance expense for the employee for a period not to exceed 24 months or whenever Medicare becomes applicable. Subsections (E) and (F) of this section shall also apply.

H. Employees hired after January 1, 1997 are not eligible for Sections C through G above. Said employees shall contribute \$15 per week to retirement health savings (RHS) which will be matched by the City. The employer matched contribution amount shall have a ten year (10) vesting period, to coincide with the employees original date of hire, as follows:

0 to 2 years:	Zero percent (0%)
Over 2 years	Ten percent (10%)
Over 3 years	Fifteen percent (15%)
Over 4 years	Twenty percent (20%)
Over 5 years	Thirty five percent (35%)
Over 6 years	Fifty percent (50%)
Over 7 years	Sixty five percent (65%)
Over 8 years	Eighty percent (80%)
Over 9 years	Ninety percent (90%)
Over 10years	One hundred percent (100%)

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

Appointments:

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

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

**Aurelie Dyer Wallach
31 Granite Point Road
Ward 1**

to the *Historic Preservation Commission* with a term to expire December 2019.

Motion by Councilor Ready, seconded by Councilor Mills to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

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

**Richard Potvin, II
150 Guinea Road
Ward 1**

to the *Planning Board* with a term to expire December 2019.

Motion by Councilor Ready, seconded by Councilor Mills to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

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

**Leo Letendre
2 Meetinghouse Road
Ward 1**

to the *Project Canopy Committee* with a term to expire December 2021.

Motion by Councilor Ready, seconded by Councilor Mills to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

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

**Rebecca Henry
5 Forest Street
Ward 7**

to the *Project Canopy Committee* with a term to expire December 2021.

Motion by Councilor Mills, seconded by Councilor Laverriere to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

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

**David Gagnon
29 Harding Street
Ward 4**

to the *Project Canopy Committee* with a term to expire December 2021.

Motion by Councilor Mills, seconded by Councilor Laverriere to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

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

**Francois Blais
26 Westland Avenue
Ward 4**

to the *Solid Waste Management Commission* with a term to expire December 2019.

Motion by Councilor Laverriere, seconded by Councilor Ready to confirm the appointment.
Vote: Unanimous.

Other Business:

Councilor McCurry: asked those Councilors who are opposed to the proposed amendment to the Employee Sick Leave policy to bring forward their recommended revisions.

Councilor Quattrone: noted that Mr. Prescott Powell, who has served as a volunteer at Southern Maine Health Care for many years recently gave up his position. Mr. Powell has contributed thousands of volunteer hours to SMHC and Councilor Quattrone wanted to recognize that.

Councilor Mills: appreciates the fact that the LaKermesse organization volunteers their time to put up the Christmas lights in the downtown; however, he noted that the lights could have been hung better and less sparsely.

Council President Addressing the Council: Councilor McCurry stated that he had attended the last School Committee meeting, and he was surprised that nobody showed up voice their comments/concerns about the Waterhouse Field renovation project. He encouraged folks who do care about this facility to get involved and let the School Committee know that there is a real desire to keep the Waterhouse Field in its current location, with bleachers and lights.

Councilor McCurry noted that the Council recently had tours of local businesses and were able to meet business owners and employees and get a feel for what their issues are. Most prevalent of the issues were finding help and the condition of the City's roads. While the issue of roads can be dealt with in the budget process; he feels the City could coordinate with State and Federal officials to come up with some sort of work program for inmates. This could benefit businesses who need the help and the inmates who will need employment upon their release from jail.

Mayor Addressing the Council: Mayor Casavant agrees with the comments made by Councilor McCurry regarding the Waterhouse Field renovation project. He also encouraged folks to get involved and show they do care about this facility.

Mayor Casavant announced that Biddeford has been officially accepted as an Age-Friendly Community, meaning that the City offers programs to all citizens of all age groups. He noted that CDBG Coordinator, Linda Waters was instrumental in gaining this recognition.

Mayor Casavant shared that he and his wife spent Thanksgiving weekend in Quebec City, and while there, they visited with Mayor Morin of St. Georges – a sister City to Biddeford. Mayor Morin extended an invitation to all the Councilors to visit St. Georges.

Mayor Casavant recently attended a meeting with members of UNE and Project Alliance to discuss the issues around drug, alcohol and opiate addictions. His hope is that this is a start to moving forward with needed programs and assistance around these issues.

Motion by Councilor Swanton, seconded by Councilor Mills to adjourn.
Vote: Unanimous. Time: 7:20 p.m.

Attest by: _____
Carmen J. Morris, City Clerk