

City of Biddeford
City Council
October 15, 2019 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Presentation:**
 - 4.a. Swearing In of Fire Department Officers
 - 4.b. Update: Biddeford School Department...Superintendent of Schools, Jeremy Ray
[10-15-2019 School Dept Presentation-Demographics Programming Spending.pdf](#)
 - 4.c. Update: City Charter Requirement for Advertising of Council Meetings
- 5. Proclamation:**
 - 5.a. Extra Mile Day - November 1, 2019
[10-15-2019 Proc-Extra Mile America-Signed Copy.pdf](#)
- 6. Game of Chance Beano/Bingo - Applications**
 - 6.a. Beano/Bingo Application: St. Louis Alumni Association, Inc.
[10-15-2019 Beano-Bingo App-St Louis Alumni.pdf](#)
- 7. Consideration of Minutes:**
 - 7.a. Council Meeting Minutes...October 1, 2019
[10-01-2019 Council Meeting Minutes.docx](#)
- 8. Orders of the Day:**
 - 8.a. 2019.115) Authorization/Purchase & Installation of Foul Ball Containment System/Sportsfield Specialties, Inc. of Delhi, NY
[10-15-2019 St Louis Field Foul Ball Containment System-ORDER.doc](#)
[10-15-2019 St Louis Field Foul Ball Containment System-Backup Docs.pdf](#)
 - 8.b. 2019.116) Authorization/Lease-Purchase Agreement with Hills Beach Association for Former Hills Beach Fire Station
[10-15-2019 Hills Beach Assoc-Lease-Purchase of Fire Station-ORDER.doc](#)
[10-15-2019 Hills Beach Assoc-Lease-Purchase of Fire Station-MEMO.docx](#)
[10-15-2019 Hills Beach FireStation Lease-Swanton Alternative.docx](#)
- 9. Appointments:**
 - 9.a. Richard Rhames....Cable T.V. Committee
[10-15-2019 Appt-Cable TV Comm-Rhames.docx](#)
[10-15-2019 Appt Application-Rhames-Cable TV Comm.pdf](#)
- 10. Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)**
- 11. City Manager Report**
- 12. Other Business**
- 13. Council President Addressing the Council**
- 14. Mayor Addressing the Council**
- 15. Adjourn**



Biddeford School Department

Demographics, Academics, Partnerships, and Spending

Commitment to Students



PILLAR 1

We are a leader in student-centered learning in the region. We will not retreat to one-size-fits-all academics.



PILLAR 2

We will continue to educate ourselves and our community about serving the whole child, being mindful of trauma and the ravages of substance abuse. We will not ignore--nor excuse--the impact of what happens outside of school.



PILLAR 3

We will support all learners. We will not norm our expectations to the population we serve. Those who struggle or excel will be met, each in her own way.

Pre-K-12 School/District Goals

- 100% of staff will be Trauma Informed by June 2020
- 5% increase in STAR Math and ELA from Spring 2019 - Spring 2020
- Continued work with personalized learning inclusive of RTI and rigorous learning opportunities
- Addressing mental and physical health needs in our community
- Continue to seek partnerships and shared services when beneficial to our community

Student Demographics

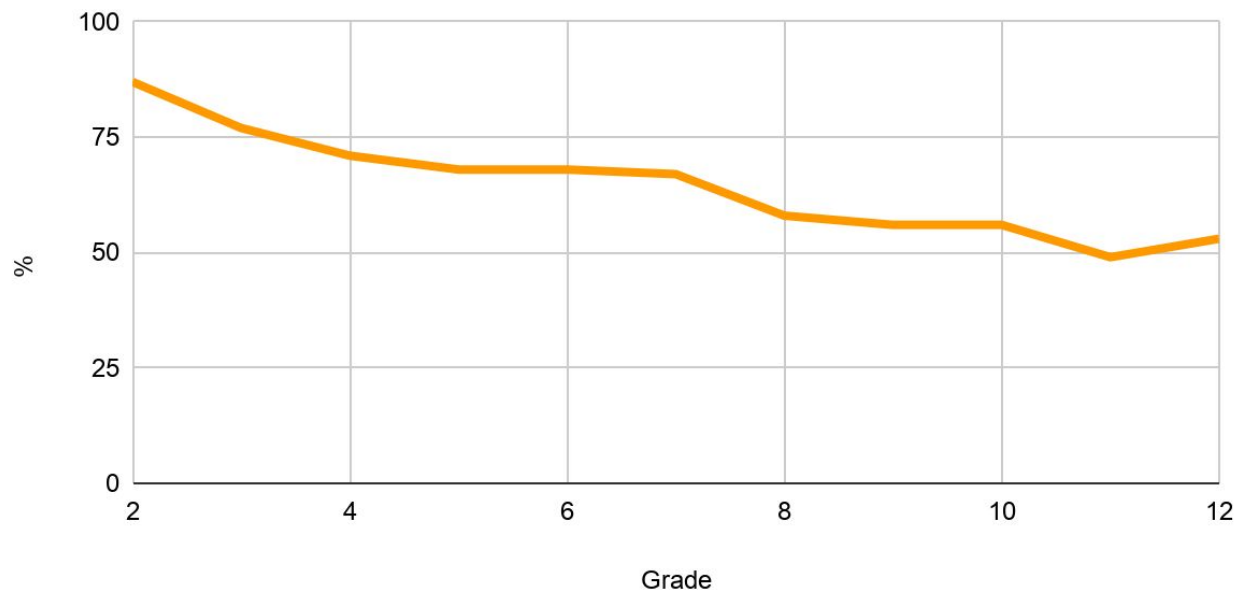
	2019-2020	2018-2019
Enrollment	2456	2417
F/R Lunch Rate	52.6%	55%
Special Education Rate	480 / 19.5%	463 / 19.1%
ELL Rate	197 / 8%	204 / 8.4%
Languages	25+	25+
Pre-K Students	104	94
Homeless Students	54	60
Vocational Students (Multiple Communities)	341	302



Ever Changing Student Population

Grade 2	87%
Grade 3	77%
Grade 4	71%
Grade 5	68%
Grade 6	68%
Grade 7	67%
Grade 8	58%
Grade 9	52%
Grade 10	56%
Grade 11	49%
Grade 12	53%

% of Students who start and finish their education in Biddeford



Legislation

- 90 new laws this session
 - Vaping on School Grounds
 - Sunscreen
 - Certification
 - Funding
 - Changes to Teacher Evaluation
 - Reduced Lunch Costs
 - Food Shaming
 - Pay Averaging
 - Return to Two-Year Probationary Period



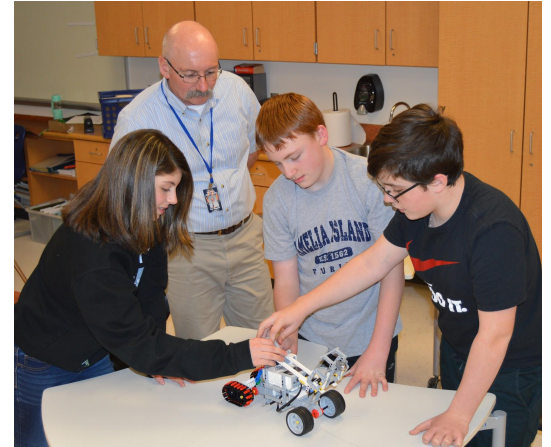
Programs to Support Students/Community

- Locker Project and Back Pack Program
- United Way of York County
- Biddeford Rising
- Cartmill Trust
- Biddeford Education Foundation
- Biddeford Ready
- Engine
- Community Bike Center
- Partnerships with Biddeford/Saco Rotary
- “Knit Whits” at APC
- Community Lunch Mentors at BPS
- Biddeford Recreation Department
- Children’s Collaborative (SMAC)



New Academic Programs

- STEM Academy/Project Lead the Way
- Pre-K
- Plumbing and Heating
- Emergency Medical Services
- Expanded Medical Vocation Options
- Career Exploration
 - Internships/Apprenticeships
- Expanded Music & Arts (i.e. Marching Band)
- Student Centered Learning



Academic Improvements

- Working towards greater aligned K-12 curriculum
- Integration of personalized learning philosophy and meeting students at their instructional level
- Instructional strategists in Math and ELA K-5 to help support teachers with curriculum implementation
- Intentional use of data to drive academic improvement goals in each building.
- New math program K-8 selected by Math Review Committee to address academic achievement
- 4 years of consecutive improvement in all subjects areas on the MEA tests (closing the gap that exists between our students and state averages)
- BHS SAT Scores in Reading are at a **10 Year High**

Social Emotional Learning

- Grant for Professional Development by TREE
- Site Visits to other schools
- Resiliency Coordinators
- Exploring Therapy Dogs for Elementary Schools
- Quiet/Comfort Spots Established in Classrooms
- Professional Development in the Mindfulness approach
- Second Step Social Emotional Learning Curriculum

Grants and Donations

- Grants: 26 for a total of \$675,195
- Waterhouse Renovation
 - Raised \$350,512
- Biddeford Education Foundation [501(c)(3) for academics] re-established in 2016. Raised \$111,257
- **Total Cash & Pledges raised since 2016**
 - **\$1,156,137** *(excludes Title funding and State and Federal grants)*



Shared Services with Dayton

- Dayton Administrative Services
 - \$766,379
- Tuition (Including Special Education)
 - \$374,157
- Shared Staff, Purchasing, Technology
 - \$181,890
- **Total 6-Year Revenue/Savings: \$1,322,426**



Education Service Center

- Southern Maine Administrative Collaborative (SMAC)
 - Speech and Language Services for CDS (6 SLP's over 100 children served each week)
 - CDS/Homeless Transportation
 - Creation of a Special Purpose Pre-School for children who need a high level of support
 - Transportation services for Acton School Department (3 Year Contract)
 - Professional Development Services

Education Service Center Continued....

2 Year Funding

Additional State Funding/EPS: \$125,110

Executive Director, Financial Software: \$335,073

(5) New State Funded School Buses: \$450,000 (subsidy over 5 years)

Budget Increases and Percentages

Staff Salary and Benefits	71%
System Admin Salary and Benefits	2%
Debt Service	10%
Facility and Maintenance	6%
Transportation (no salary and benefits)	1%
All Other	10%

11-12	14.14% (High School Bond)
12-13	3.79%
13-14	5.66%
14-15	.54%
15-16	2.56%
16-17	0%
17-18	-2.23%
18-19	.08%
19-20	1.41%

Over EPS Spending Amounts

SAU name	Amount Over/Under EPS	State Share
Biddeford	\$298,113.00	37.4
Sanford	\$1,225,458.00	75.07
Westbrook	\$2,815,473.56	48.24
OOB	\$4,178,353.00	18.12
Bonney Eagle	\$4,450,888.00	50.57
Massabesic	\$4,651,193.00	42.32
Gorham	\$6,036,573.00	58.59
South Portland	\$7,022,965.00	17.56
Wells	\$7,296,565.00	9.49
Windham	\$7,454,286.00	40.2
Cape Elizabeth	\$7,502,343.00	9.46
Kennebunk	\$8,025,988.00	17.34
Scarborough	\$8,496,087.00	9.61
Falmouth	\$8,503,095.00	30.02
Saco	\$8,989,405.00	41.88
Portland	\$15,857,742.00	16.85

Overall Spending Per Student - Table A

SAU name	Regular Instruction	Special Ed Instruction	CTE Instruction	Other Instruction	Student and Support Staff	System Admin	School Admin	Transportation and Buses	Operations and Maintenance	Debt Service	All Other	Total	Difference	If we spend the same as other SAU's
Saco	\$7,786.72	\$2,290.09	\$0.00	\$58.32	\$789.32	\$273.32	\$410.43	\$482.49	\$665.22	\$119.51	\$0.00	\$12,875.42	-\$1,440.08	-\$3,500,834.48
Massabesic	\$4,936.02	\$2,150.49	\$15.15	\$260.54	\$1,196.58	\$262.42	\$692.10	\$1,105.00	\$1,888.40	\$552.71	\$65.02	\$13,124.43	-\$1,191.07	-\$2,895,491.17
Bonney Eagle	\$5,134.11	\$2,331.96	\$231.81	\$226.90	\$1,330.88	\$302.32	\$688.98	\$799.82	\$1,541.74	\$622.41	\$77.38	\$13,288.31	-\$1,027.19	-\$2,497,098.89
Sanford	\$4,727.57	\$2,540.06	\$764.06	\$318.09	\$1,129.60	\$281.12	\$686.93	\$568.75	\$1,176.50	\$1,311.49	\$5.53	\$13,509.70	-\$805.80	-\$1,958,899.80
Windham	\$5,226.43	\$2,274.86	\$128.93	\$275.29	\$1,287.02	\$394.48	\$840.01	\$722.24	\$1,656.90	\$810.89	\$0.00	\$13,617.05	-\$698.45	-\$1,697,931.95
Gorham	\$6,035.03	\$1,896.75	\$156.43	\$331.51	\$1,095.44	\$424.33	\$716.41	\$653.90	\$1,368.59	\$1,005.36	\$29.99	\$13,713.74	-\$601.76	-\$1,462,878.56
Westbrook	\$5,622.33	\$1,801.95	\$547.86	\$317.79	\$1,181.30	\$510.24	\$597.16	\$665.35	\$2,616.87	\$0.00	\$0.00	\$13,860.85	-\$454.65	-\$1,105,254.15
Biddeford	\$5,330.93	\$2,259.21	\$946.19	\$243.75	\$848.02	\$369.74	\$624.45	\$603.96	\$1,955.96	\$1,128.12	\$5.17	\$14,315.50	\$0.00	\$0.00
Portland	\$6,303.96	\$2,206.10	\$119.72	\$328.19	\$1,447.80	\$612.47	\$812.37	\$455.84	\$1,595.05	\$666.28	\$27.67	\$14,575.45	\$259.95	\$631,938.45
Cape Elizabeth	\$7,345.39	\$2,009.37	\$45.33	\$498.76	\$1,526.02	\$322.05	\$859.37	\$421.14	\$1,892.82	\$314.35	\$109.89	\$15,344.49	\$1,028.99	\$2,501,474.69
Scarborough	\$6,634.06	\$2,532.90	\$100.04	\$358.66	\$1,505.47	\$347.76	\$623.16	\$446.68	\$1,209.86	\$1,914.87	\$0.00	\$15,673.46	\$1,357.96	\$3,301,200.76
South Portland	\$6,273.74	\$3,044.75	\$116.49	\$292.11	\$1,332.17	\$494.98	\$846.99	\$696.87	\$1,551.88	\$1,439.69	\$147.02	\$16,236.69	\$1,921.19	\$4,618,181.89
Falmouth	\$7,391.16	\$2,387.74	\$49.93	\$451.77	\$1,559.91	\$405.25	\$668.21	\$699.94	\$1,249.44	\$2,092.36	\$0.00	\$16,955.71	\$2,640.21	\$6,418,350.51
Kennebunk	\$6,430.92	\$2,819.82	\$22.96	\$474.49	\$1,361.00	\$336.95	\$742.72	\$1,106.60	\$1,756.80	\$2,399.17	\$54.17	\$17,505.60	\$3,190.10	\$7,755,133.10
OOB	\$7,117.04	\$3,935.63	\$0.00	\$496.05	\$1,719.19	\$772.10	\$988.36	\$750.80	\$1,934.85	\$0.00	\$0.00	\$17,714.02	\$3,398.52	\$8,261,802.12
Wells	\$7,090.23	\$2,714.57	\$4.72	\$661.31	\$1,570.30	\$578.93	\$873.89	\$745.87	\$1,882.87	\$2,278.83	\$130.79	\$18,532.31	\$4,216.81	\$10,251,065.11

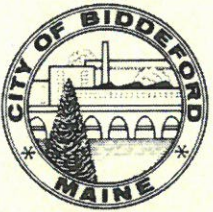
Overall Spending Per Student w/o Vocational Education - Table B

SAU name	Regular Instruction	Special Ed Instruction	Other Instruction	Student and Support Staff	System Admin	School Admin	Transportation and Buses	Operations and Maintenance	Debt Service	All Other	Total	Difference	If we spend the same as other SAU's
Sanford	\$4,727.57	\$2,540.06	\$318.09	\$1,129.60	\$281.12	\$686.93	\$568.75	\$1,176.50	\$1,311.49	\$5.53	\$12,745.64	-\$623.67	-\$1,516,141.77
Saco	\$7,786.72	\$2,290.09	\$58.32	\$789.32	\$273.32	\$410.43	\$482.49	\$665.22	\$119.51	\$0.00	\$12,875.42	-\$493.89	-\$1,200,646.59
Bonney Eagle	\$5,134.11	\$2,331.96	\$226.90	\$1,330.88	\$302.32	\$688.98	\$799.82	\$1,541.74	\$622.41	\$77.38	\$13,056.50	-\$312.81	-\$760,441.11
Massabesic	\$4,936.02	\$2,150.49	\$260.54	\$1,196.58	\$262.42	\$692.10	\$1,105.00	\$1,888.40	\$552.71	\$65.02	\$13,109.28	-\$260.03	-\$632,132.93
Westbrook	\$5,622.33	\$1,801.95	\$317.79	\$1,181.30	\$510.24	\$597.16	\$665.35	\$2,616.87	\$0.00	\$0.00	\$13,312.99	-\$56.32	-\$136,913.92
Biddeford	\$5,330.93	\$2,259.21	\$243.75	\$848.02	\$369.74	\$624.45	\$603.96	\$1,955.96	\$1,128.12	\$5.17	\$13,369.31	\$0.00	\$0.00
Windham	\$5,226.43	\$2,274.86	\$275.29	\$1,287.02	\$394.48	\$840.01	\$722.24	\$1,656.90	\$810.89	\$0.00	\$13,488.12	\$118.81	\$288,827.11
Gorham	\$6,035.03	\$1,896.75	\$331.51	\$1,095.44	\$424.33	\$716.41	\$653.90	\$1,368.59	\$1,005.36	\$29.99	\$13,557.31	\$188.00	\$457,028.00
Portland	\$6,303.96	\$2,206.10	\$328.19	\$1,447.80	\$612.47	\$812.37	\$455.84	\$1,595.05	\$666.28	\$27.67	\$14,455.73	\$1,086.42	\$2,641,087.02
Cape Elizabeth	\$7,345.39	\$2,009.37	\$498.76	\$1,526.02	\$322.05	\$859.37	\$421.14	\$1,892.82	\$314.35	\$109.89	\$15,299.16	\$1,929.85	\$4,691,465.35
Scarborough	\$6,634.06	\$2,532.90	\$358.66	\$1,505.47	\$347.76	\$623.16	\$446.68	\$1,209.86	\$1,914.87	\$0.00	\$15,573.42	\$2,204.11	\$5,358,191.41
South Portland	\$6,273.74	\$3,044.75	\$292.11	\$1,332.17	\$494.98	\$846.99	\$696.87	\$1,551.88	\$1,439.69	\$147.02	\$16,120.20	\$2,750.89	\$6,681,191.59
Falmouth	\$7,391.16	\$2,387.74	\$451.77	\$1,559.91	\$405.25	\$668.21	\$699.94	\$1,249.44	\$2,092.36	\$0.00	\$16,905.78	\$3,536.47	\$8,597,158.57
Kennebunk	\$6,430.92	\$2,819.82	\$474.49	\$1,361.00	\$336.95	\$742.72	\$1,106.60	\$1,756.80	\$2,399.17	\$54.17	\$17,482.64	\$4,113.33	\$9,999,505.23
OOB	\$7,117.04	\$3,935.63	\$496.05	\$1,719.19	\$772.10	\$988.36	\$750.80	\$1,934.85	\$0.00	\$0.00	\$17,714.02	\$4,344.71	\$10,561,990.01
Wells	\$7,090.23	\$2,714.57	\$661.31	\$1,570.30	\$578.93	\$873.89	\$745.87	\$1,882.87	\$2,278.83	\$130.79	\$18,527.59	\$5,158.28	\$12,539,778.68

Overall Spending Per Student w/o Vocational Education and Debt Service - Table C

SAU name	Regular Instruction	Special Ed Instruction	Other Instruction	Student and Support Staff	System Admin	School Admin	Transportation and Buses	Operations and Maintenance	All Other	Total	Difference	If we spend the same as other SAU's
Sanford	\$4,727.57	\$2,540.06	\$318.09	\$1,129.60	\$281.12	\$686.93	\$568.75	\$1,176.50	\$5.53	\$11,434.15	-\$807.04	-\$1,961,914.24
Biddeford	\$5,330.93	\$2,259.21	\$243.75	\$848.02	\$369.74	\$624.45	\$603.96	\$1,955.96	\$5.17	\$12,241.19	\$0.00	\$0.00
Bonney Eagle	\$5,134.11	\$2,331.96	\$226.90	\$1,330.88	\$302.32	\$688.98	\$799.82	\$1,541.74	\$77.38	\$12,434.09	\$192.90	\$468,939.90
Gorham	\$6,035.03	\$1,896.75	\$331.51	\$1,095.44	\$424.33	\$716.41	\$653.90	\$1,368.59	\$29.99	\$12,551.95	\$310.76	\$755,457.56
Massabesic	\$4,936.02	\$2,150.49	\$260.54	\$1,196.58	\$262.42	\$692.10	\$1,105.00	\$1,888.40	\$65.02	\$12,556.57	\$315.38	\$766,688.78
Windham	\$5,226.43	\$2,274.86	\$275.29	\$1,287.02	\$394.48	\$840.01	\$722.24	\$1,656.90	\$0.00	\$12,677.23	\$436.04	\$1,060,013.24
Saco	\$7,786.72	\$2,290.09	\$58.32	\$789.32	\$273.32	\$410.43	\$482.49	\$665.22	\$0.00	\$12,755.91	\$514.72	\$1,251,284.32
Westbrook	\$5,622.33	\$1,801.95	\$317.79	\$1,181.30	\$510.24	\$597.16	\$665.35	\$2,616.87	\$0.00	\$13,312.99	\$1,071.80	\$2,605,545.80
Scarborough	\$6,634.06	\$2,532.90	\$358.66	\$1,505.47	\$347.76	\$623.16	\$446.68	\$1,209.86	\$0.00	\$13,658.55	\$1,417.36	\$3,445,602.16
Portland	\$6,303.96	\$2,206.10	\$328.19	\$1,447.80	\$612.47	\$812.37	\$455.84	\$1,595.05	\$27.67	\$13,789.45	\$1,548.26	\$3,763,820.06
South Portland	\$6,273.74	\$3,044.75	\$292.11	\$1,332.17	\$494.98	\$846.99	\$696.87	\$1,551.88	\$147.02	\$14,680.51	\$2,439.32	\$5,929,986.92
Falmouth	\$7,391.16	\$2,387.74	\$451.77	\$1,559.91	\$405.25	\$668.21	\$699.94	\$1,249.44	\$0.00	\$14,813.42	\$2,572.23	\$6,251,201.13
Cape Elizabeth	\$7,345.39	\$2,009.37	\$498.76	\$1,526.02	\$322.05	\$859.37	\$421.14	\$1,892.82	\$109.89	\$14,984.81	\$2,743.62	\$6,669,740.22
Kennebunk	\$6,430.92	\$2,819.82	\$474.49	\$1,361.00	\$336.95	\$742.72	\$1,106.60	\$1,756.80	\$54.17	\$15,083.47	\$2,842.28	\$6,909,582.68
Wells	\$7,090.23	\$2,714.57	\$661.31	\$1,570.30	\$578.93	\$873.89	\$745.87	\$1,882.87	\$130.79	\$16,248.76	\$4,007.57	\$9,742,402.67
OOB	\$7,117.04	\$3,935.63	\$496.05	\$1,719.19	\$772.10	\$988.36	\$750.80	\$1,934.85	\$0.00	\$17,714.02	\$5,472.83	\$13,304,449.73

City of Biddeford

STATE OF  MAINE

 PROCLAMATION 

Whereas Biddeford is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

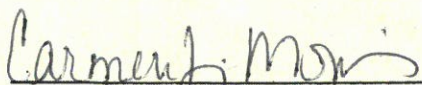
WHEREAS, Biddeford is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment and conviction to their individual ambitions, family, friends and community; and

WHEREAS, Biddeford is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

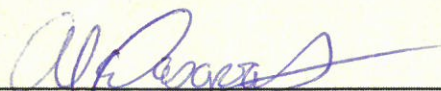
WHEREAS, Biddeford acknowledges the mission of Extra Mile America to create 550 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2019.

NOW THEREFORE, I, Alan M. Casavant, Mayor of Biddeford do hereby proclaim November 1, 2019 to be Extra Mile Day. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

*In Witness Whereof, We, the undersigned have herewith
affixed our signatures this 15th day of October 20 19*


Carmen J. Mon
City Clerk




Alan M. Casavant
Mayor

1. Organization Name: St. Louis Alumni Association, Inc.

Organization Number: 1082 Federal Tax ID # (EIN): 010343396

Business Address: 649 Elm St.

Biddeford, ME 04005

Mailing Address: P.O. Box 493 Biddeford ME Phone: 207-282-2285
04005

2. Current Officers:

Chairman John Thibault 146 West Grand Ave Old Orchard Bch 04064 937-2194 5/22
NAME & TITLE ADDRESS CITY/ZIP PHONE DATE TERM EXPIRES

Vice-Chair Paul Therrien 18 Marial Dr. Biddeford, ME 04005 282-3233 5/21
NAME & TITLE ADDRESS CITY/ZIP PHONE DATE TERM EXPIRES

Treasurer Donald Couture 5 Greenfield Ln Biddeford ME 04005 284-7031 5/22
NAME & TITLE ADDRESS CITY/ZIP PHONE DATE TERM EXPIRES

Secretary Roger Gobeil 36 Windward Pt. Dr Wells ME 749-0157 5/21
NAME & TITLE ADDRESS CITY/ZIP PHONE DATE TERM EXPIRES

3. Location where Beano/Bingo is to be conducted:

St. Louis Alumni Hall 649 Elm St. Biddeford, ME 04005
BUILDING ADDRESS CITY/ZIP

4. Person responsible for operation of Beano/Bingo:

Dennis McDonald 207-229-3093 - 207-282-6635
NAME DAYTIME PHONE & EVENING PHONE

Name & Address where registration will be sent: Dennis McDonald P.O. Box 493
Biddeford, ME 04005

E-Mail Address: Stlouisalumni bingo@gmail.com

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

6. What time do the doors open? 4 PM What time does the game start? 6 PM

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

January thru December

8. 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:

9. 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:

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

11. The following consent must be completed by the municipal officers of the city or town where the Beano/Bingo will take place unless a separate "Blanket Letter of Approval" is filed with the Gambling Control Unit.

☐ Check here if you have previously filed a "Blanket Letter of Approval" with us, which is still valid

☐ Check here if you have attached a "Blanket Letter of Approval".

Municipal Consent to Register

The undersigned being municipal officers of the City/Town of _____ hereby certify that we consent to the application for registration by _____ to _____

**COUNCIL MEETING
OCTOBER 1, 2019**

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

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Norman Belanger, Michael Ready, Laura Seaver, Marc Lessard

Robert Quattrone, Jr. and Amy Clearwater were excused.

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

Adjustment to the Agenda: Order 2019.108 was removed

Recognition: McArthur Library Board of Directors – New Members

McArthur Library Director, Jeff Cabral took this opportunity to recognize two new members to the McArthur Library Board of Directors – Patricia Boston and Mimi Bean. He is very pleased to welcome them both, and looks forward to working with them.

Mayor Casavant used this recognition of volunteerism as a lead into his recognition of the **2019 Volunteer of the Year**. The City recently held its 4th Annual Employee & Volunteer Appreciation Banquet; at which the selected Volunteer of the Year could not attend. Mayor Casavant took this opportunity to recognize the person, who currently serves as the President on the McArthur Library Board of Directors, as well as serving on other City organizations, **Roch Angers**.

Public Hearing: Liquor License Application: Magnus on Water, LLC

The Chair opened the Public Hearing at 6:07 p.m.

There were no public comments.

The Public Hearing was closed at 6:07 p.m.

Consideration of Liquor License Application: Magnus on Water, LLC

Motion by Councilor McCurry, seconded by Councilor Belanger to recommend the issuance of a Liquor License to Magnus on Water, LLC.

Vote: Unanimous.

Consideration of Minutes: September 17, 2019

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

Vote: Unanimous.

Second Readings:

{For a copy of the ordinance amendments and first readings, see the Council Meeting minutes of September 17, 2019}

2019.102) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Add on Evans Road @ Intersection with Lester B. Orcutt Blvd

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the second reading of the ordinance amendment.

Motion by Councilor Swanton, seconded by Councilor Belanger to amend by changing ‘northeasterly’ to southeasterly.

Vote: Unanimous.

Vote on ordinance amendment, as amended: Unanimous.

2019.103) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-89-Stop intersections/Add on Evans Road, at Lester B. Orcutt Blvd

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the second reading of the ordinance amendment.

Vote: 6/1; Councilor Swanton opposed.
Councilors McCurry, St. Cyr, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

2019.104) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-96-Three-way stop streets/Add on Lester B. Orcutt Blvd at Mile Stretch Road; and Delete on Lester B. Orcutt Blvd at First Street

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the second reading of the ordinance amendment.

Vote: 5/2; Councilors Swanton and Lessard opposed.
Councilors McCurry, St. Cyr, Belanger, Ready and Seaver in favor.
Motion carries.

Orders of the Day:

2019.106 **IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the reallocation of Assigned Fund Balance.

The following Capital Projects in the Assigned Fund Balance will be discontinued:

22001-60306	Other Professional/Consult	\$ 5,300
22001-60862	Historic Preservation	621
22001-60974	Miscellaneous Reserve	43,874
22001-60975	Allocation for Capital Imp	28,000
22004-60310	Service Contracts Expense	4,000
22004-60979	Saco River Project	<u>75,200</u>
For a total of		\$156,995

The discontinued funding will be reallocated for the following Capital Projects as determined by the city manager to be in the best financial interest of the City:

Police Lockers (Order 2019.106)	\$ 76,756 ¹
Fire Bathrooms (Order 2019.107)	TBD ²
Public Works Electronic Sign (Order 2019.108)	<u>TBD³</u>
For a total of	\$156,995

Notes:

¹Maximum financial requirement not covered by JAG Grant.

²The Fire Department is expecting one (1) additional bid no later than Tues., October 1. The pending bid will be distributed as soon as it is received. A vendor recommendation for the bathroom project will be provided at that time.

³Electronic sign bids are due October 1 and will be presented to Finance and Council at their respective meetings with a vendor selection recommendation.

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

Motion by Councilor McCurry, seconded by Councilor Lessard to amend the order by including \$34,500.00 for the Dual Face Sign at the Dept. of Public Works.

Vote: 6/1; Councilor St. Cyr opposed.
Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.
Amendment carries.

Vote on order, as amended: 6/1; Councilor St. Cyr opposed.
Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

NOTE: This leaves \$45,739.00 in unallocated funds.

2019.107

IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the purchase of 64 Spacesaver Police Duty Lockers from Donnegan Systems, Inc. in an amount not to exceed \$105,767.00. The total price include Optional Components, freight and installation.

Funding source for this project is as follows: \$30,000.00 from previously approved JAG Grant; with the remaining \$75,767.00 to be funded from the re-designated Assigned Fund Balance.

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

Vote: Unanimous.

2019.109

IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the purchase of Dual Face LED Sign to be installed at the Department of Public Works at 371 Hill Street.

NOTE: Bids are due on October 1, 2019, per the attached Notice of Request for Bids. Bids will be open and results compiled at 1:30 p.m. Bid information and recommendation for purchase will be provided prior to the October 1, 2019 Finance Committee meeting.

Motion by Councilor McCurry, seconded by Councilor Ready to grant the order, going with Sign Design, Inc. of Portland, ME, in the amount of \$34,500.00.

Vote: 5/2; Councilors St. Cyr and Belanger opposed.

Councilors Swanton, McCurry, Ready, Seaver and Lessard in favor.

Motion carries.

2019.110

IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the award of contract for the paving of Morin Street to Shaw Brothers, Inc. in an amount not to exceed \$461,000. Funding for this project will breakdown as follows:

- \$100,000 from Industrial Park Fund (31101-60604)
- \$361,000 from Road Construction/Improvements Fund (21204-60604)

NOTE: The Finance Committee will review this item at their October 1, 2019 meeting and vote to make a recommendation to the Council.

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

Motion by Councilor Lessard, seconded by Councilor Swanton to amend the order to include that if the revenue does not come in from the expected building permits for future projects, that the delta be taken out of the Contingency Account to cover the costs of this paving project.

Vote: 6/1; Councilor St. Cyr opposed.

Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.

Amendment carries.

Motion by Councilor McCurry, seconded by Councilor Ready to further amend to also include the paving of Drapeau Street in the amount of \$158,000.00.

Vote: 4/3; Councilors Swanton, St. Cyr and Belanger opposed.

Councilors McCurry, Ready, Seaver and Lessard in favor.

Amendment carries.

Vote on order, as amended: 6/1; Councilor St. Cyr opposed.

Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

2019.111

IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the purchase of a Pedestrian Warning Traffic Light in an amount not to exceed \$10,000 through the Maine Department of Transportation.

The funding for this purchase will be taken from the **Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District**, account (31179-60313).

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

2019.112 **IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the development and implementation of a “Warning to First Time Parking Violator” Policy for overtime parking on all Downtown City Streets, and those municipal parking lots that allow hourly (timed) parking. This Policy is intended to warn violators of the Overtime Parking Ordinances, including the timed parking within the Municipal Lots, as a one-time action per registered owner. This Policy is not intended to include any other parking restrictions established or imposed within the Code of Ordinances.

Motion by Councilor Belanger, seconded by Councilor Swanton to grant the order.
Vote: 3/4; Councilors Lessard, Ready, McCurry and St. Cyr opposed.
Councilors Swanton, Belanger and Seaver in favor.
Motion fails.

2019.113 **IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve a “blanket letter of approval” for the renewals of State Beano/Bingo applications and State Game of Chance applications for all applicable local organizations, to cover the calendar year of 2020.

NOTE: This Blanket Letter of Approval eliminates the need to obtain Councilors’ signatures each time an application is filed with the City Clerk. However, the City Council still needs to consider and approve each application.

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

2019.114 **IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019**
BE IT ORDERED, that the regularly scheduled Council Meeting of November 5, 2019 be re-scheduled for **Thursday, November 7th at 6:00 p.m. in the Council Chambers** due to the State Referendum and Municipal General Election on November 5, 2019.

Motion by Councilor McCurry, seconded by Councilor Ready to grant the order.
Vote: 6/1; Councilor St. Cyr opposed.
Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.

Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit):
There were no comments from the public.

City Manager Report:

City Manager, James Bennett reported on the following items:

- Process with FEMA
- Application for and receipt of funds from VW Grant
- \$3.2 million HUD Grant to help eradicate lead paint from buildings within the City
- October 9th is the Ground Breaking Ceremony for the Lincoln Mill Project
- Gave a general update on upcoming development projects

Other Business:

Councilor Swanton: noted that the Journal Tribune has announced that they are closing; which now means the City will need to find an alternative way to advertise.

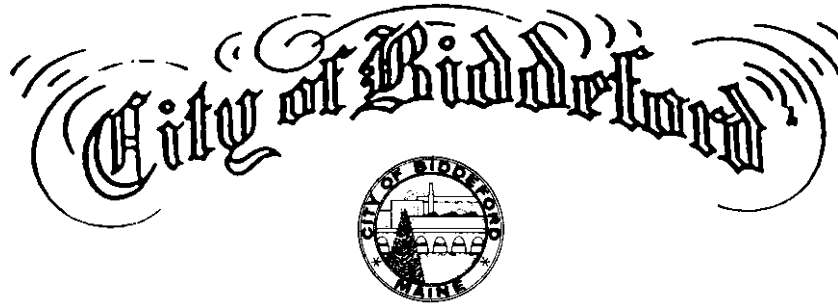
Council President Addressing the Council: Councilor McCurry encouraged his fellow Councilors and the general public to come together, no matter what people’s opinions are, to support the future parking garage and to help ensure its success.

Mayor Addressing the Council: Mayor Casavant announced that Saturday, October 12th is Biddeford Cultural Heritage Day, with an event being held at Biddeford High School.

Mayor Casavant then talked a bit about volunteerism. He feels that volunteers are generally under-appreciated by the public. He noted that many organizations, including the City, depend heavily on volunteers, and unfortunately, it seems as though it's getting more and more difficult to get volunteers to fill spots on committees, commissions and boards throughout the City. He highly encouraged citizens to get involved and to volunteer and in the process, reap the rewards and self-satisfaction of volunteering and giving back to the community.

Motion by Councilor McCurry, seconded by Councilor Lessard to adjourn.
Vote: Unanimous. Time: 7:03 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2019.115

IN BOARD OF CITY COUNCIL..OCTOBER 15, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the award of contract to Sportsfield Specialties, Inc. of Delhi, NY for the purchase and installation of a Foul Ball Containment System at St. Louis Field, in an amount not to exceed \$150,920.00.

Funding for this project is scheduled to come out of account 21202-60977 – Netting for St. Louis Field and account 22002-60912 – St. Louis Field Improvements.

NOTE: The Finance Committee will consider this item at their October 15, 2019 meeting and vote to recommend passage by the City Council.

Memo

To: Finance Committee
From: Carl Walsh, Recreation/Teen Director
Date: 9-27-19
Re: St Louis Field Foul Ball Containment System.

Bids went out for Request for a Proposed Solution for both St Louis Field I and II on Monday August 26, 2019. During the site visit two vendors attended with only one submitting a bid on September 17th.

The bid was reviewed by the Recreation Commission on September 23rd and voted to pass on to Finance and Council. Enclosed is a copy of the bid from Sportsfield Specialties of Delhi NY for 150,920.00

Funding for this project comes from 21202-60977 (75,000), 22002-60912 (75,920).



SALES QUOTATION

Document Number

7196

Document Date

09/12/19

Page

1/2

Customer No.

C04828

Customer Reference No.

St. Louis Field

Sales Contact

Daniel Devantier

Direct: 607-746-1440

Cell: 607-437-7301

ddevantier@sportsfieldspecialties.com

Ship-to Address:

St. Louis Field

284 Hill Street

Biddeford ME 04005

USA

Bill-to Address:

City of Biddeford

Item	Quantity	UoM	Price	Total
TNPPUC	1	Each	19,815.000	19,815.00
Custom Pole to Pole Tension Netting System, Includes Powder Coated Black Steel Poles with Welded Tabs, Cabling, Hardware Per Drawings and Specifications and Black Ultra Cross Knotless Dyneema® Netting with 1-3/4" Square Mesh and a Rope Bound Perimeter				
Remarks: Field #1 Baseball Backstop: 40'H x 133'L, (4) 45'L Poles, Each With A 5' Embedment, 10", Included Professional Engineered Stamped Foundation Designs - Price Is Contingent Upon Stampability of System, And Any Changes In Required Pole Size Needed To Achieve Disired Height With Stamp Will Be Evaluated Via Change Order.				
TNPPUC	1	Each	16,420.000	16,420.00
Custom Pole to Pole Tension Netting System, Includes Powder Coated Black Steel Poles with Welded Tabs, Cabling, Hardware Per Drawings and Specifications and Black Ultra Cross Knotless Dyneema® Netting with 1-3/4" Square Mesh and a Rope Bound Perimeter				
Remarks: Field #1 3rd Baseline Extension: 30'H x 160'L, (4) 34'L Poles, Each With A 4' Embedment, 8", Included Professional Engineered Stamped Foundation Designs - Price Is Contingent Upon Stampability of System, And Any Changes In Required Pole Size Needed To Achieve Disired Height With Stamp Will Be Evaluated Via Change Order.				
TNPPUC	1	Each	10,615.000	10,615.00
Custom Pole to Pole Tension Netting System, Includes Powder Coated Black Steel Poles with Welded Tabs, Cabling, Hardware Per Drawings and Specifications and Black Ultra Cross Knotless Dyneema® Netting with 1-3/4" Square Mesh and a Rope Bound Perimeter				
Remarks: Field #1 1st Baseline Extension: 30'H x 94'L, (3) 34'L Poles, Each With A 4' Embedment, 8", Included Professional Engineered Stamped Foundation Designs - Price Is Contingent Upon Stampability of System, And Any Changes In Required Pole Size Needed To Achieve Disired Height With Stamp Will Be Evaluated Via Change Order.				
TNPPUC	1	Each	19,920.000	19,920.00
Custom Pole to Pole Tension Netting System, Includes Powder Coated Black Steel Poles with Welded Tabs, Cabling, Hardware Per Drawings and Specifications and Black Ultra Cross Knotless Dyneema® Netting with 1-3/4" Square Mesh and a Rope Bound Perimeter				
Remarks: Field #2 Baseball Backstop: 40'H x 135'L, (4) 45'L Poles, Each With A 5' Embedment, 10", Included Professional Engineered Stamped Foundation Designs - Price Is Contingent Upon Stampability of System, And Any Changes In Required Pole Size Needed To Achieve Disired Height With Stamp Will Be Evaluated Via Change Order.				

Carry Over: **66,770.00**

Printed By: devantie

Printed On: 9/12/2019

8:36:04AM

Remit To:

PO Box 231

Delhi, NY 13753

Billing Questions:

Phone: 607-746-8911

Email: Billing@SportsfieldSpecialties.com



SALES QUOTATION

Document Number
7196

Document Date
09/12/19

Page
2/2

Carry Over: **66,770.00**

Item	Quantity	UoM	Price	Total
INSTALL	1	Each	82,300.000	82,300.00

Installation service(s) per remarks.

Remarks: PROPOSAL ASSUMES:

- Spoils can be dumped somewhere on site.
- Assumes one mobilization
- Assumes clear access to hole locations.
- All Private/Public Utility Lines To Be Marked By END USER
- Appropriate digging conditions. No allowance for rock drilling or shoring
- Does not include bonding, permitting, inspection or other associated fees
- Excavation Areas Are Accessible With Skid-Steer

**** Installation of both backstop netting systems includes a 3'H black chain link fence****

Field #1: 3'H x 133'L

Field #2: 3'H x 135'L

Payment Term	Prepaid	Quotation Subtotal:	\$ 149,070.00
Freight	Shipping Type: Bestway	Freight:	\$1,850.00
Description	Amount	Tax:	\$0.00
Freight(D4)	1,600.00	Total Amount:	\$ 150,920.00
Freight(D4) NC	250.00		

Quotation Valid Until: 11/11/19

Remarks:

attn: CARL WALSH

Quote Created By: Daniel DeVantier

- Customer is responsible for material take-off, quantities and specification compliance and/or equivalency of quoted products.
- All prices listed are in US Dollars
- Delivery is 2-8 Weeks after receipt of purchase order, credit approval, and acceptance of color, material(s) and design.
- All freight is FOB Origin. **Freight rates are estimates provided at the time of quotation and the actual freight charges may be adjusted and will be invoiced at the time of product shipment.** The actual freight rates may differ from the estimates as a result of variable factors, such as the change in product quantity and/or material order, state of the national economy, fuel costs, capacity and/or rate levels at the time of shipment. Split orders will require additional freight charges. Freight quoted does not include additional equipment to unload or unloading services, assembly or installation.
- Applicable State and Local Sales Tax will be added to the final invoice unless a tax exempt or Resale Certificate is provided prior to order shipment.
- Wire transfers, prepayment by check and established credit terms are accepted payment methods. Accepted credit cards are VISA, Mastercard and American Express.
- Pricing assumes any electrical connections and wiring are supplied by others unless otherwise indicated.
- Customer is responsible for approval and associated cost of any applicable local and state codes.
- Due to the ongoing increase of steel and aluminum raw material pricing caused by increased demand, coupled with market instability and uncertainty due to the implementation of international trade tariffs, Sportsfield Specialties, Inc. will no longer be able to guarantee current product pricing after this quotation has expired in sixty (60) days. To avoid a potential product price increase, customers will need to provide Sportsfield Specialties, Inc. with a fully executed purchase order or letter of intent before this quotation expires to guarantee this product pricing. Sportsfield Specialties, Inc. reserves the right to requote product pricing as necessary based on current steel and aluminum raw material pricing once this quotation has expired in sixty (60) days.

Printed By: devantie

Printed On: 9/12/2019
8:36:04AM

Remit To:
PO Box 231
Delhi, NY 13753

Billing Questions:
Phone: 607-746-8911
Email: Billing@SportsfieldSpecialties.com

**CITY OF BIDDEFORD
AFFIDAVIT OF NON-COLLUSION**

I swear (or affirm) under the penalty of perjury:

1. That I am the Responder (if the Responder is an individual), a partner in the company (if the Responder is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Responder is a corporation);
2. That the attached proposal submitted in response to the Foul Pole Containment System Request for Proposed Solution has been arrived at by the Responder independently and has been submitted without collusion with and without any agreement, understanding or planned common course of action with, any other Responder of materials, supplies, equipment or services described in the Request for Proposed Solution, designed to limit fair and open competition;
3. That the contents of the proposal have not been communicated by the Responder or its employees or agents to any person not an employee or agent of the Responder and will not be communicated to any such persons prior to the official opening of the proposals; and
4. That I am fully informed regarding the accuracy of the statements made in this affidavit.

Responder's Firm Name: Sportsfield Specialties, Inc
Authorized Signature: [Signature]
Date: 8/27/19

Subscribed and sworn to me this 27 day of Aug., 2019.

Notary Public: Michelle Leal Wiltsie

My commission expires: 9/19/2022

MICHELLE LEAL WILTSIE
Notary Public, State of New York
No. 01WI503342
Qualified in Delaware County
Commission Expires Sept. 19, 2022

BID – CONTRACT

PROJECT IDENTIFICATION: St. Louis Field Foul Ball Containment System.

THIS BID SUBMITTED TO: City of Biddeford, Maine

1. The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Contract Documents, to complete all work as specified or indicated in the Contract Documents for the Contract Price, and within the Contract Time indicated in this Bid and in accordance with the Contract Documents.
2. BIDDER accepts all of the terms and conditions of the Instructions to Bidders, including without limitations those dealing with the disposition of Bid Security. This Bid will remain open for a minimum of four months after the Bid opening. BIDDER will sign the Agreement and submit the contract security and other documents required by the contract Documents within fifteen (15) days after the date of OWNER'S Notice of Award.
3. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

(a) BIDDER has examined copies of all the Contract Documents and the following addenda:

Date

Number

(receipt of all which is hereby acknowledged) and also copies of the Invitation to Bid and the Instructions for Bidders;

(b) BIDDER has examined the site and locality where the work is to be performed, the legal requirements (federal, state, and local laws, ordinances, rules, and regulations) and the conditions affecting cost, progress, or performance of the work and has made such independent investigation as BIDDER deems necessary;

(c) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; BIDDER has not directly or indirectly induced or solicited any other BIDDER to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm, or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other BIDDER or over OWNER.

4. BIDDER agrees that the work will be completed by March 1, 2020.
5. BIDDER agrees to pay Owner two hundred dollars (\$200.00) for each day that expires after the time specified for substantial completion until the work is substantially complete. (See Agreement-Article 3.)

Respectfully submitted,

By:

Name and Title

Savannah Wake, Contract Supervisor

For:

Sportsfield Specialties, Inc.
(Seal if by a Corporation)

Address:

*41155 State Hwy 10
Delhi, NY 13753*

BIDDER will complete the work for the following prices:

END OF SECTION BID

Google Maps



Imagery ©2019 Google, Imagery ©2019 Maine Geolibrary, Mixer Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2019 50 ft

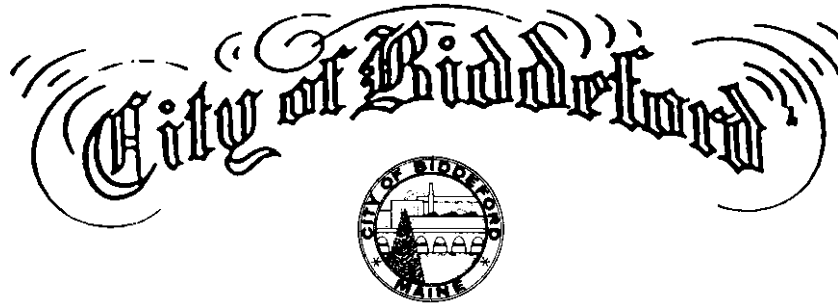
Figure I

Google Maps



Imagery ©2019 Google, Imagery ©2019 Meino GeoLibrary, Maxar Technologies, U.S. Geological Survey, Map data ©2019 50 ft

Field II



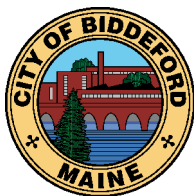
2019.116

IN BOARD OF CITY COUNCIL..OCTOBER 15, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager, or his designee, to enter into a lease/purchase agreement with the Hills Beach Association for the former Hills Beach Fire Station.

NOTE: The Hills Beach Association shall have one year from the approval of this Order to execute the lease/purchase agreement, or said approval shall cease.

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:	October 9, 2019
RE:	Hills Beach Fire Station

Following the most recent Council decision on the Hills Beach Fire Station, I met with officers and members of the Hills Beach Association (HBA) to discuss the future of the facility. At that meeting, a new approach to the property was discussed based on the concerns that were raised. Below is that new suggestion.

I would note that there is one unresolved issue from the perspective of HBA. As proposed, the purchase price includes the value of both the building and the land. While the actual value of the building is likely very limited, a strong argument can be made by the HBA that it should not be included. The building was built at no cost to the City by the HBA community. They are essentially being asked to purchase their own building back. In addition, the building is in disrepair significantly because of the lack of investment by the City. This issue will likely be raised by HBA on Tuesday.

Lease term	15 years
Payment	\$5,000 per year
Option to purchase	HBA may purchase at any time during the term of lease
Purchase price	Determined by fee appraisal; appraiser agreed to by both parties. Appraisal done at HBA expense prior to execution of lease. Appraisal cost refunded at time of purchase
Option time to enter into lease	HBA will have 1 year from time of Council approval to enter into the lease. If not executed in that time, lease authorization ceases
Investment into building	HBA may make permanent investments into the building. If any investments are made, those costs (as well as market value of in kind work) shall be considered lease payments. If any investments in any year exceed the lease payments, the incremental additional amount shall be credited towards future lease obligations
Lease payments toward purchase	All lease payments (and investments into the property) shall be applied to the purchase price of the property based on the following scale; • 75% of all payments if purchase up to 5 years

- 50% of all payments if the purchase is made between years 5 to 10
- 25% of all payments if the purchase is made between years 10 to 15

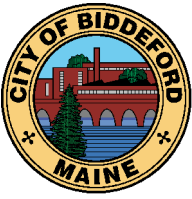
The total amount of lease credits that may be applied towards the purchase is 75% of the agreed to purchase price

Option to renew	HBA may renew the lease with the city for two (2) additional terms of five (5) years each. The lease price shall be \$7,500 per year for the first extension and \$10,000 per year for the second extension
-----------------	---

Difference from previous Council consideration: This proposal is set up as a lease with a strong purchase option. As recommended, it is a direct sale of property instead of a gift. The purchase price will be determined by a fee appraisal that will be done prior to the lease. The appraisal will be paid for by HBA. If they purchased the property during the first term of the lease, that cost will count towards the purchase price.

Suggested order: to authorize a lease/purchase of the former Hills Beach Fire Station to the Hills Beach Association consistent with the terms outlined in the memo and to authorize the City Manager to execute the agreement. Hills Beach Association shall have one year from the approval to execute the lease/purchase agreement or said approval shall cease.

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:	October 15, 2019
RE:	Hills Beach Fire Station

Following the most recent Council decision on the Hills Beach Fire Station, I met with officers and members of the Hills Beach Association (HBA) to discuss the future of the facility. At that meeting, a new approach to the property was discussed based on the concerns that were raised. Below is that new suggestion.

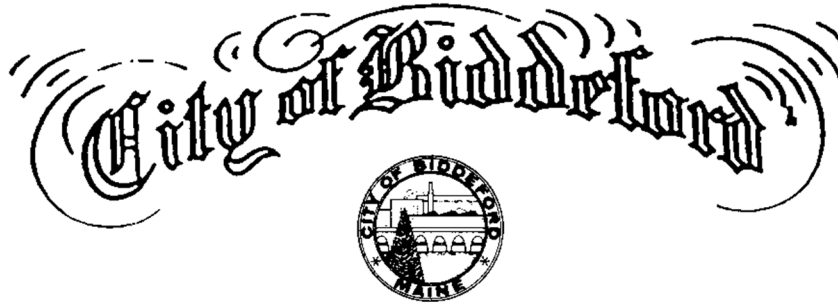
I would note that there is one unresolved issue from the perspective of HBA. As proposed, the purchase price includes the value of both the building and the land. While the actual value of the building is likely very limited, a strong argument can be made by the HBA that it should not be included. The building was built at no cost to the City by the HBA community. They are essentially being asked to purchase their own building back. In addition, the building is in disrepair significantly because of the lack of investment by the City. This issue will likely be raised by HBA on Tuesday.

Lease term	15 years
Payment	\$5,000 per year
Option to purchase	HBA or another related entity may purchase at any time during the term of lease
Purchase price	HBA will pay \$100,000 for the land only. The building was paid for by HBA donations initially
Option time to enter into lease	HBA will have 1 year from time of Council approval to enter into the lease. If not executed in that time, lease authorization ceases
Investment into building	HBA may make permanent investments into the building. If any investments are made, those costs (as well as market value of in kind work) shall be considered lease payments. If any investments in any year exceed the lease payments, the incremental additional amount shall be credited towards future lease obligations
Lease payments toward purchase	All lease payments (and investments into the property) shall be applied to the purchase price of the property based on the following scale; • 75% of all payments if purchase up to 5 years

	• 50% of all payments if the purchase is made between years 5 to 10 • 25% of all payments if the purchase is made between years 10 to 15 The total amount of lease credits that may be applied towards the purchase is 75% of the purchase price
Option to renew	HBA may renew the lease with the city for two (2) additional terms of five (5) years each. The lease price shall be \$7,500 per year for the first extension and \$10,000 per year for the second extension
Reversion	Deed language that the property would revert back if HBA (or other related entity) fails to maintain and use the property as intended.

Difference from previous Council consideration: This proposal is set up as a lease with a strong purchase option. As recommended, it is a direct sale of property instead of a gift. The purchase price will be determined by a fee appraisal that will be done prior to the lease. The appraisal will be paid for by HBA. If they purchased the property during the first term of the lease, that cost will count towards the purchase price.

Suggested order: *to authorize a lease/purchase of the former Hills Beach Fire Station to the Hills Beach Association consistent with the terms outlined in the memo and to authorize the City Manager to execute the agreement. Hills Beach Association shall have one year from the approval to execute the lease/purchase agreement or said approval shall cease.*



IN BOARD OF CITY COUNCIL...OCTOBER 15, 2019
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

Richard Rhames
10 West Loop Road
Ward 3

to the *Cable T.V. Committee*, replacing Bob Mills, with a term to expire December 2020.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date:

10/6/19

Name:

Richard E. Rhames

Street Address:

10 West Loop Rd.

Biddeford

Mailing Address:
(if different)

Phone Number(s):

282-2119

Email Address:

rerhames@gmail.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:

- ☒ Ad Hoc Comprehensive Plan Comm.
- ☐ Biddeford Housing Authority
- ☐ Board of Assessment Review
- ☒ Cable T. V. Committee
- ☐ Capital Projects/Operations Committee
- ☐ Conservation Commission
- ☐ Downtown Development Commission
- ☐ Economic Improvement Committee
- ☐ Environmental Board
- ☐ Fire Advisory Committee

- ☐ Harbor Commission
- ☐ Historical Preservation Commission
- ☐ Planning Board
- ☐ Police Advisory Committee
- ☐ Policy Committee
- ☐ Project Canopy
- ☐ Recreation Commission
- ☐ Saco River Corridor Commission
- ☐ Shellfish Conservation Committee
- ☐ Solid Waste Management Commission
- ☐ Wastewater Management Commission
- ☐ Zoning Board of Appeals
- ☐ Other _____

CITY OF BIDDEFORD
Committee Application

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

City Council, various council committees, Compliance Commission (90's), Cable Committees since we've had one.

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

Representative to CTAM, long-time access producer ("Covert Plot Productions"), founding member of Biddeford Public Access Corporation - 1990s

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

Our current franchise agreement expires soon + the current cable company is playing harder ball than usual.

The Maine legislature has passed legislation to try to moderate the cable industry's hostility to municipal rights under the franchising process.

Supporters of democratic media should be alarmed.

The cable committee has lately been struggling with quorum issues. I tend to be rather diligent about showing up.

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