

City of Biddeford
City Council
October 04, 2016/6:00 PM/COUNCIL CHAMBERS

1. Roll Call
2. Pledge of Allegiance
3. Adjustment(s) to Agenda
4. *Proclamation:*
 - 4.a. **Extra Mile Day**
[10-04-2016 Proc - Extra Mile Day.pdf](#)
 - 4.b. **Domestic Violence Awareness Month**
[10-04-2016 Proc-Domestic Violence Awareness Month.pdf](#)
5. *Presentation:*
 - 5.a. **Downtown Task Force Communications Recommendations**
[10-04-2016 Communications Recommendation-Downtown Task Force.docx](#)
6. Consideration of Minutes:
 - 6.a. **September 20, 2016**
[9-20-2016 Council Meeting Minutes.docx](#)
7. *Orders of the Day:*
 - 7.a. 2016.89) Authorization/Sale of Vacant Properties at 14 Pierson's Lane, 32 Maple Street and 2 Bradbury Street
[10-04-2016 Sale of Vacant Properties-ORDER.docx](#)
[10-04-2016 Sale of Vacant Properties-INFO.pdf](#)
[9-06-2016 Sale of Vacant Parcels documents.pdf](#)

- 7.b. 2016.90) Adoption/Delinquent Property Tax Policy/Commercial & Multi-Family Real Property and Single-Family Residential Real Property
[10-04-2016 Delinquent Property Tax Policy.doc](#)
- 7.c. 2016.91) Approval/Solid Waste Management Commission Recommendations/Submittal of RFP for Collection, Transport and Compost of Residential Food Wastes
[10-04-2016 Curbside Composting Recommendation-ORDER.doc](#)
[10-04-2016 Curbside Composting Recommendation.doc](#)
- 7.d. 2016.92) Approval/Amendment to Human Resource Policies, Procedures and Benefits Manual/Sick Leave
[10-04-2016 Employee Sick Leave-ORDER.docx](#)
[10-04-2016 Employee Sick Leave Amendment.docx](#)
- 7.e. 2016.93) Approval/Amendment to Human Resource Policies, Procedures and Benefits Manual/Health Benefits
[10-04-2016 Employee Health Benefits-ORDER.doc](#)
[10-04-2016 Employee Health Benefits document.docx](#)
- 7.f. 2016.94) Appointment Confirmation/Bond Counsel/Pierce Atwood, LLP
[10-04-2016 Confirmation of Bond Counsel-Pierce Atwood.doc](#)

8. *Appointments:*

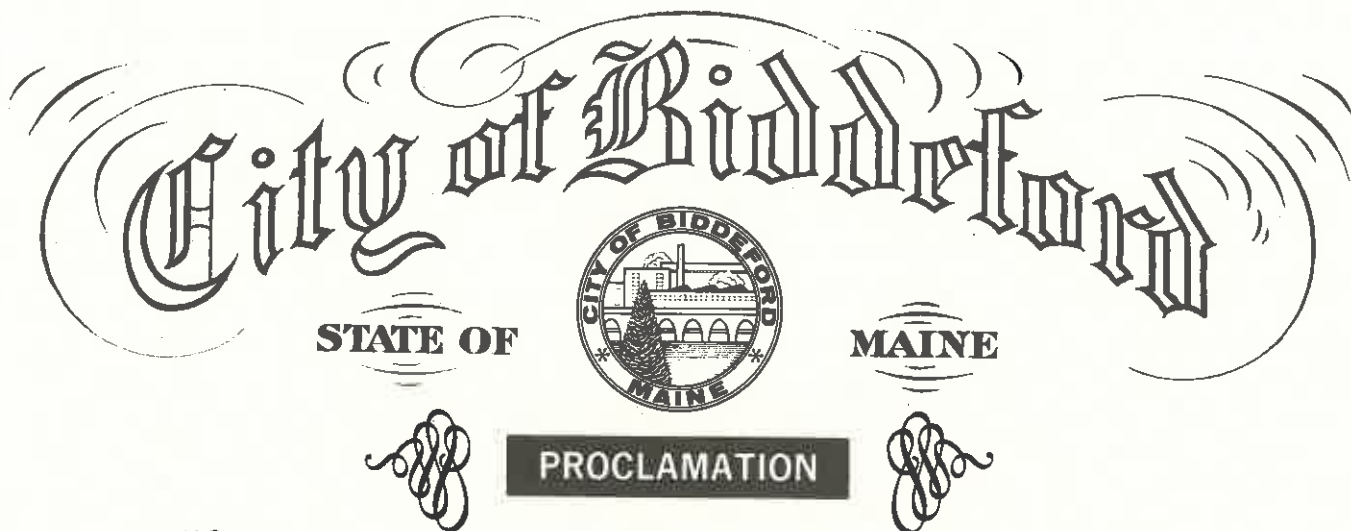
9. City Manager Report

10. *Other Business*

11. *Council President Addressing the Council*

12. *Mayor Addressing the Council*

13. Adjourn



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

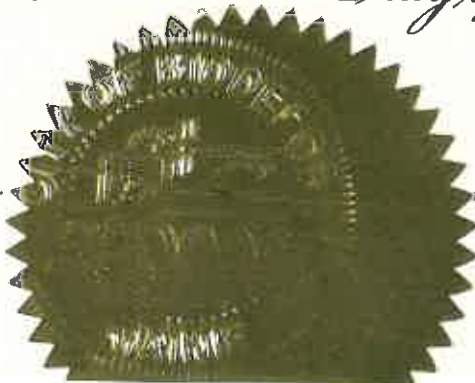
WHEREAS, Biddeford is a community which chooses to shine a light on and celebrate individuals and organizations within its community who "go the extra mile" in order to make a difference and lift up fellow members of their community; and

WHEREAS, Biddeford acknowledges the mission of Extra Mile America to create 575 Extra Mile cities in America and is proud to support "Extra Mile Day" on November 1, 2016.

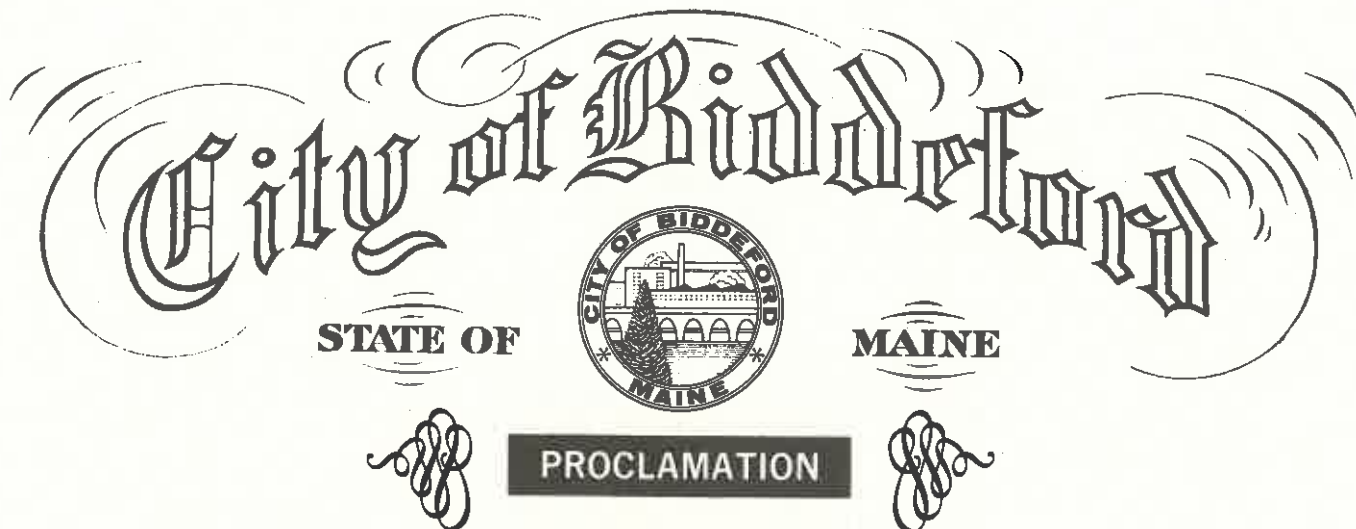
NOW THEREFORE, I, Alan M. Casavant, Mayor of Biddeford do hereby proclaim November 1, 2016 to be Extra Mile Day. I urge each individual in the community to take time on this day to not only "go the extra mile" in his or her own life, but to also acknowledge all those who are inspirational in their efforts 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 4th day of October 19 2016*

Carmen J. Mon
City Clerk



Mayor



Whereas domestic violence is a serious crime that affects people of all races, ages, gender and income levels; and

WHEREAS, domestic violence is a pattern of behavior used to establish power and control over another person through fear and intimidation, often including the threat of use of violence, when one person believes they are entitled to control another; and

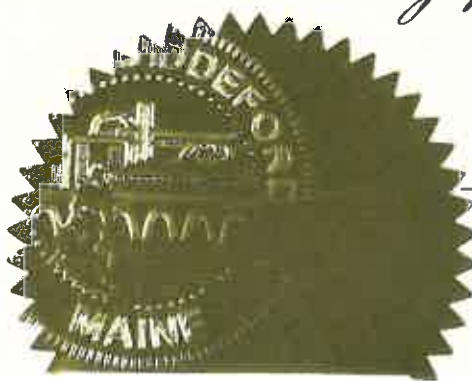
WHEREAS, only a coordinated community effort will put a stop to this heinous crime; and

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the Biddeford Police Department, Caring Unlimited, and all the organizations and individuals who provide critical advocacy, services and assistance to victims; and

NOW THEREFORE, I Alan Casavant, Mayor of the City of Biddeford, along with the City Council, do hereby proclaim the month of October as Domestic Violence Awareness Month and urge our citizens to work together to stop the cycle of domestic violence in our community.

*In Witness Whereof, We, the undersigned have herewith
affixed our signatures this 4th day of Oct. 19 2016*

Carmen J. Mori
City Clerk



Mayor

Communications Recommendations

The City of Biddeford has an exceptional opportunity to communicate to its citizens how critical investments in infrastructure and long-range planning have positioned the City for economic growth. This is particularly true in regard to the growth that is now taking place in the downtown district.

1. That growth needs to be quantified;
2. That growth needs to be communicated to City residents in such a way that the information is widely available and easily understood.

The City has a web site, and it has recently launched a newsletter called the *Biddeford Beat*. These are useful tools. Nevertheless, measurable economic development is arguably the highest concern of the City's taxpayers. On this topic especially, it might be helpful if the City made a special effort to increase not only the amount of data it releases, but also if the City put such data into helpful context. Therefore, the Downtown Task Force makes the following recommendations.

1. Be more aggressive issuing press releases to the local media, taking care to include supplementary information that helps create proper context.
2. When appropriate, include in the press distribution key media points outside the Biddeford-Saco area (like the Boston Globe, New York Times, MaineBiz and Bangor Daily News), to make sure that the City is always maximizing the regional impact of news emanating from the downtown district.
3. On those infrequent occasions when news is especially significant, consider calling a formal press conference rather than simply settling for the distribution of a routine press release.
4. Should the Journal Tribune resume the publishing of editorials, offer to meet at least once a year with the paper's editorial board, in their office. Make sure the Mayor, the Council, the city manager and the planning department are well represented on the City team that attends such meetings.
5. Consider launching a dedicated section on the City web site that focuses on economic growth. The primary target for this web site should be the taxpayers and citizens of Biddeford. Information presented should be clear and very easy to understand, and it should focus on whatever measurable progress the City is making in economic development. If necessary or advisable, consider launching a distinct web site dedicated to this purpose.
6. In this web site location, use video whenever possible.
7. Strongly consider using social media tools to direct Internet traffic to this dedicated web site.
8. Use web site tracking tools to evaluate reach on a regular basis, and to enable continuous refinements to the City's outreach strategy.

**COUNCIL MEETING
SEPTEMBER 20, 2016**

Mayor Casavant called the meeting to order at 7:00 p.m.

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

Robert Quattrone, Jr. was excused.

Chief Beaupre offered the following remarks in tribute to Det. Peter Wentworth of the Biddeford Police Department, who recently passed away:

Peter R. Wentworth, Husband, Father, Brother, Uncle, friend, co-worker, and a big part of the Law Enforcement Brotherhood. Loved by many and respected by all.

Pete was born on March 3, 1955 in Somersworth, NH, and graduated from Somersworth High School. He went on to earn a Bachelor of Arts degree in political science from the University of New Hampshire and was certified to teach social studies and history, but his real desire was to attend law school. Since, teaching jobs and money to remain a student were both in short supply after graduation, Pete accepted a temporary appointment as Park Ranger in Washington, D.C. His first fulltime job was as a National Park Law Enforcement Ranger at the Gateway Arch in St. Louis, Missouri. His plans were to work as a ranger or a teacher just long enough to save money to attend law school. However, his new found love for law enforcement altered the path he would follow. Not only did he find his love for law enforcement as a Park Ranger in St. Louis, he found the love of his life there as well. You see, his future wife, Barbara, was also a Law Enforcement Ranger at the Arch.

Pete then spent five years as a patrol deputy sheriff for counties in Missouri and Florida. Pete returned to his New England roots after Barbara fell in love with New England where she accepted a Law Enforcement Ranger position at the Maritime National Park in Salem, MA.

After a short stint as a police officer in his hometown of Somersworth, Pete joined the Portland, Maine Police Department. During his twenty-two years at Portland, he was assigned to the patrol, traffic, detectives, and internal affairs units, retiring in 2008 with the rank of Lieutenant.

He was then hired by Biddeford P.D. in 2008 and after serving a very short time on Patrol, Pete gladly accepted the challenge to serve as a School Resource Officer at the Biddeford Middle School. In 2011 he was assigned to C.I.D. as the Juvenile Officer.

During his 36 year law enforcement career, Pete received numerous awards and commendations from those agencies he served. In May of 2011 he was very fittingly selected as Biddeford's Police Officer of the Year. In addition to the standard and on-going training to retain certification as a Maine law enforcement officer, he completed specialized training in polygraph testing, interviewing and interrogating, forensic child interviewing, and death investigations. He was a state certified and licensed as a polygraph examiner.

Pete and Barb were married for thirty years and had two children. Barbara is currently the Communications Director for the Dover New Hampshire Police Department where she has worked since 1987. Their daughter, Katherine, is a medical student graduate from the University of New England and son, Daniel, is a law student at the University of Maine Law School. Daniel has also served as a summer reserve officer in Old Orchard Beach.

We have received many expressions of gratitude from representatives of outside agencies, members of law enforcement in general, and his co-workers in particular for their having met, associated or working with Pete. Pete would do anything to assist another officer with an investigation, he was always eager to help.

Pete was an optimist, he was positive even when speaking about less than up-lifting events.

Pete was extremely proud of his chosen profession, and was respected by those who crossed his path. It is only fitting, therefore, that September 11th, the day of his passing, is the date that is also honored and remembered by all First Responders. He will be dearly missed. Heroes never die. They live on in the Hearts and Minds of those brave enough to follow in their footsteps; and for us, Pete was a true Hero.

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

➤ Add Executive Session: 1 M.R.S.A. 405(6)(D)..Contract Negotiations

The Chair opened the Public Hearing at 7:06 p.m.

Five people spoke on this issue.

The Chair closed the Public Hearing at 7:19 p.m.

City Manager, James Bennett gave a presentation on the recent changes in Biddeford's downtown valuation. There are three major perspectives:

- 1) There have been significant increases in values in the downtown
- 2) The downtown strategy is working from an economic development/valuations perspective
- 3) There has been only one measure of community/economic development, i.e. job creation

Motion by Councilor McCurry, seconded by Councilor Swanton to accept the minutes as printed.
Vote: Unanimous.

2016.81 **IN BOARD OF CITY COUNCIL..SEPTEMBER 20, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford hereby adopts the Maine Municipal Association Model Ordinance, General Assistance Appendices (A-D) – *General Assistance Maximums* for the period of October 1, 2016 to September 30, 2017.

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

2016.82 IN BOARD OF CITY COUNCIL...SEPTEMBER 20, 2016
BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve and recommend the submittal of the Year 3 – 2015 Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development.

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

CDBG Coordinator, Linda Waters gave a brief presentation on how CDBG funds were expended in Year 3.

Vote: Unanimous.

2016.83 **IN BOARD OF CITY COUNCIL..SEPTEMBER 20, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to negotiate and acquire drainage easements over the following identified properties, and/or other properties, as required for the purpose of achieving stormwater separation along Main Street. Costs associated with the negotiations and acquisition shall be funded through the Inflow & Infiltration Wastewater Designated Fund Balance, (Account Code: 22005-60901):

- Map 37, Lot 60 – identified as 54-56 Cutts Street
- Map 37, Lot 41 – identified as 375-377 Main Street

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

Motion by Councilor McCurry, seconded by Councilor Swanton to amend the order by adding, “and/or other properties,” after ‘identified properties.’

Vote: Unanimous.

Vote on order, as amended: Unanimous.

2016.84 **IN BOARD OF CITY COUNCIL..SEPTEMBER 20, 2016**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, **Chapter 46, PARKS AND RECREATION, ARTICLE IV, PARKS AND RECREATION FACILITIES** be amended by adding and deleting , to read as follows

Sec. 46-76 General Prohibitions.

The following are prohibited in or on any of the City's public parks and facilities. Park rules and park hours shall be conspicuously posted at all parks and recreational facilities.

- (1) Alcoholic beverages;
- (2) Littering;
- (3) Unleashed dogs;
- (4) Firearms;
- (5) Bows, crossbows or other similar devices;
- (6) Hunting.

Except as specifically authorized elsewhere in this article, all park hours are from dawn to dusk.

NOTE: This ordinance amendment was considered at the Sept. 12, 2016 Policy Committee meeting and was voted unanimously to recommend passage by the City Council as an emergency ordinance due to the fact that hunting season is quickly approaching.

Motion by Councilor Ready, seconded by Councilor Laverriere to grant the first reading of the order.

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Ready to suspend the rules to allow for the second reading of the ordinance and pass it as an emergency ordinance due to this measure being a safety issue and wanting to have this amendment in place prior to the start of hunting season.

Vote: Unanimous.

Vote on second reading: Unanimous.

2016.85 **IN BOARD OF CITY COUNCIL..SEPTEMBER 20, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby amend the Code of Ordinances, Appendix A, Rules of the Council – Rule 1: Duties and powers of the Mayor or Presiding Officer, as follows:

- (i) The Mayor shall call regular meetings of the City Council to order at ~~7:00 p.m.~~ **6:00 p.m.** on the first and third Tuesdays of each month, and regular meetings shall adjourn by ~~10:00 p.m.~~ **9:00 p.m.** unless a majority of the Councilors agree to extend the meeting. All regular and special meetings of the Council, including, but not limited to Council workshops and public hearings, will be held in the Council Chambers, unless a majority of the Councilors agree to a different location.

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

Vote: 7/1; Councilor Swanton opposed.

Councilors McCurry, St. Cyr, Mills, Laverriere, Ready, Seaver and Lessard in favor.

Motion carries.

2016.86 **IN BOARD OF CITY COUNCIL...SEPTEMBER 20, 2016**
WHEREAS, the City of Biddeford's Land Use Regulations set forth certain land use regulations applicable to the location, development and regulation of medical marijuana dispensaries and growing facilities within the City; and

WHEREAS, the City Council is concerned that the current Land Use Regulations do not adequately protect the public interest; and

WHEREAS, the City Council wishes to continue to amend its Land Use Regulations to include additional regulations and standards applicable to such use to insure the protection of the public interest;

The City Council hereby implements a thirty-five (35) day extension, which will go to November 9, 2016, to the previously enacted six (6) month moratorium on the establishment of any new medical marijuana dispensaries and/or growing facilities within the City to provide adequate time for new Land Use Regulations to take effect once adopted by the City Council.

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

Motion by Councilor Laverriere, seconded by Councilor McCurry to amend the moratorium to extend it until the end of the year. This will allow the Council to take appropriate action after the results are known of the November 8, 2016 State Referendum question regarding the legalization of marijuana.

Vote: 5/3; Councilors Seaver, Mills and Swanton opposed.
Councilors McCurry, St. Cyr, Laverriere, Ready and Lessard in favor.
Motion carries.

Vote on moratorium, as amended: 5/3; Councilors Seaver, Mills and Swanton opposed.
Councilors McCurry, St. Cyr, Laverriere, Ready and Lessard in favor.
Motion carries.

2016.87 **IN BOARD OF CITY COUNCIL..SEPTEMBER 20, 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 V (Establishment of Zones), Table A (Table of Land Uses):

Retain “Medical Marijuana Dispensaries” as a Conditional Use (C) in the I-3 Zone ONLY (remove as a Conditional Use in the B2 Zone and M Zone). Delete reference to footnote 24. Retain reference to footnote 23.

Add “Medical Marijuana Growing Facilities” as a Conditional Use (C) in the I-1 and I-2 Zones ONLY. Add reference to footnote 23.

	Article VI Section ¹	I-1	I-2	I-3
Medical Marijuana Dispensaries				C 23, 24
<u>Medical Marijuana Growing Facilities</u>		<u>C</u> <u>23</u>	<u>C</u> <u>23</u>	

Part III (Land Development Regulations), Article II (Definitions):

AGRICULTURE - The production, keeping or maintenance for sale or lease of plants and/or animals, including but not limited to, forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, fruits and vegetables; and ornamental and greenhouse products. Agriculture does not include forest management, ~~or~~ timber harvesting activities, or the growing of medical marijuana by medical marijuana dispensaries, caregivers, or patients.

COMMERCIAL GARDENING - Any land area in which plants, vegetables, flowers and similar materials are grown for sale. Commercial Gardening does not include the growing of medical marijuana by medical marijuana dispensaries, caregivers, or patients.

COMMERCIAL GREENHOUSE - Any structure in which plants, vegetables, flowers and similar materials are grown for sale. Commercial Greenhouse does not include the growing of medical marijuana by medical marijuana dispensaries, caregivers, or patients.

MARIJUANA - As defined in State Administrative Rules (10-144 CMR Chapter 122), §1.17, "Marijuana."

MEDICAL MARIJUANA - Marijuana that is acquired, possessed, cultivated, manufactured, used, delivered, transferred or transported to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition.

MEDICAL MARIJUANA CAREGIVER - A person, licensed hospice provider or licensed nursing facility that is designated by a qualifying patient to assist the qualifying patient with the medical use of marijuana in accordance with state law. A person who is a medical marijuana caregiver must be at least 21 years of age and may not have been convicted of a disqualifying drug offense.

MEDICAL MARIJUANA LAND USES - Any of 3 types of land uses, defined herein, that cover the full range of options for lawful cultivating, processing, storing and distributing medical marijuana.

MEDICAL MARIJUANA HOME PRODUCTION - Cultivating, processing and/or storing of medical marijuana by a qualifying patient at their own residence or a medical marijuana caregiver at their own primary year-round residence for use by a qualifying patient. This use shall be considered an accessory land use.

MEDICAL MARIJUANA GROWING FACILITY - A facility used for cultivating, processing, and/or storing medical marijuana by one or more medical marijuana caregiver(s) at a location which is not the medical marijuana caregiver's primary year-round residence or their patient's primary year-round residence. This shall be considered a commercial land use.

MEDICAL MARIJUANA DISPENSARY - A not-for-profit entity registered pursuant to state law that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana, paraphernalia or related supplies and educational materials to qualifying patients and the primary caregivers of those patients. Note that a dispensary may be either a single facility, or it may be divided into two separate but related facilities where growing is done at only one of the facilities. This shall be considered a commercial land use.

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

Motion by Councilor Swanton, seconded by Councilor Lessard to amend the ordinance amendment by accepting only the change to the Table A, and disregarding the rest of the proposed language.

Motion by Councilor Laverriere, seconded by Councilor Mills to table the ordinance amendment until December 31, 2016.

Vote: 4/4; Councilors Seaver, Ready, Swanton and McCurry opposed.

Councilors St. Cyr, Mills, Laverriere and Lessard in favor.

Mayor Casavant voted in favor of tabling to break the tie.

Motion to table carries.

2016.88 **IN BOARD OF CITY COUNCIL..SEPTEMBER 20, 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 VI (Performance Standards):

Section 77. Medical Marijuana

Before submission of a Conditional Use Application, the applicant must demonstrate their authorization to cultivate, process and store medical marijuana pursuant to the Maine Use of Medical Marijuana Program.

As an accessory use, Medical Marijuana Home Production shall be allowed in any qualifying patient's residence or any medical marijuana caregiver's primary year-round residence in every base zone and overlay zone, without any requirement for land use permitting.

No Medical Marijuana Dispensary or Medical Marijuana Growing Facility shall be closer than 250 linear feet, measured in a straight line from the Dispensary or Facility building entrance, to

the nearest point on the boundary of any property which is occupied by a licensed day care facility, school, Town park, Town playground or church.

Before granting an approval, the Planning Board shall ensure the applicant has reviewed their property and building security plans with the Biddeford Police Department and the Police Department finds the security measures are consistent with State requirements.

No signs containing the word “marijuana,” or a graphic/image of any portion of a marijuana plant or otherwise identifying medical marijuana shall be erected, posted or in any way displayed on the outside of a Medical Marijuana Dispensary or a Medical Marijuana Growing Facility.

Interior advertisements, displays of merchandise or signs depicting the activities of a Medical Marijuana Dispensary or a Medical Marijuana Growing Facility shall be screened to prevent public viewing from outside such facility.

No use shall emit offensive, harmful, or noxious odors beyond the property line.

Motion by Councilor McCurry, seconded by Councilor Seaver to table the ordinance amendment until December 31, 2016.

Vote: 7/1; Councilor Swanton opposed.

Councilors McCurry, St. Cyr, Mills, Laverriere, Ready, Seaver and Lessard in favor.

Motion to table carries.

Appointment:

IN BOARD OF CITY COUNCIL..SEPTEMBER 20, 2016

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

Susan Driscoll

as the *Zoning Board of Appeals CHAIR*, for the year 2016.

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

Vote: Unanimous.

City Manager Report:

City Manager, James Bennett gave the following information:

- The Finance Committee has started discussion on the refinancing of City Bonds.
- City Staff will meet with a financial advisor to talk about the City's bond rating.
- At the Oct. 4th Finance Committee and City Council meetings, there will be a consideration to switch to a different Bond Counsel.
- The downtown sidewalk project has begun; and the paving of lower Main Street is now scheduled for the Spring of 2017.
- The City's weekly newsletter, *Biddeford Beat*, now has three editions that have been released and can be accessed on the City's website. Volunteers from the public are asked to provide articles for the newsletter – possibly on the historical aspect of the City.
- Mr. Bennett cautioned the Council that the tabling of the two medical marijuana ordinance amendments until the same time as the expiration of the medical marijuana moratorium may have to be re-looked at.

Other Business:

Councilor McCurry: asked City Clerk, Carmen Morris to explain the absentee ballot request and voting process. She explained that as of the beginning of August, the City Clerk's Office has been accepting absentee ballot requests for the upcoming November 8th State General (Presidential) and Municipal Referendum Election. Ballots are expected to be available for issuance about 30 days prior to Election Day. To date, the City Clerk's Office has received over 700 absentee ballot requests.

There are a number of ways that voters may request an absentee ballot:

- 1) *Complete an absentee ballot application, which can be obtained in the City Clerk's Office. The application can be mailed or dropped off to the City Clerk's Office.*
- 2) *Call the City Clerk's Office at 284-9307 and request an absentee ballot via telephone.*
- 3) *Come into the City Clerk's Office prior to Thursday, November 3rd, 2016 at 7:00 p.m. and vote in the City Clerk's Office.*
- 4) *Go to <http://www.maine.gov/cgi-bin/online/AbsenteeBallot/index.pl> and submit an absentee ballot request electronically.*

The City Clerk's Office will be issuing absentee ballots up to and until 7:00 p.m. on Thursday, November 3rd, 2016. ***No absentee ballots will be issued on Friday, November 4th or Monday, November 7th. All absentee ballots must be returned to the City Clerk's Office no later than Election Day, November 8th at 8:00 p.m.***

The City Clerk's Office will be open extended hours for voter registration and absentee voting on Saturday, October 29th from 8:00 a.m. to noon; and on Thursday, November 3rd until 7:00 p.m. Folks may call the City Clerk's Office at 284-9307 with any questions.

Councilor Ready: announced that the Sept. 17th Household Hazardous Waste Day was very well attended, with over 300 vehicles coming through Public Works. He reminded folks that oil-based paints can be brought to Sherwin Williams anytime, at no cost. Also, fluorescent light bulbs may be brought to Staples, Home Depot or Dupuis Hardware. Citizens do not have to wait until a Hazardous Waste Day to get rid of these items.

Councilor Ready brought up the fact that information on the City's website really needs to be kept up to date and be correct.

Mayor Addressing the Council: Mayor Casavant thanked Carmen Morris, Gerry Matherne and Ray Larose, along with Heart of Biddeford Director, Delilah Poupore for all their help in the organization, planning, set up and clean up of this past Friday's Mayoral Ball. He announced that as part of the Mayoral Ball, he and Mayor Michaud of Saco selected a Citizen of the Year who was recognized for all their work and efforts in making both cities better, and truly displaying a deep sense of community. This year's recipient is Delilah Poupore.

Mayor Casavant also commented that this past Saturday's River Jam event was another success and the bands that played were awesome. This event was volunteer-driven by folks who truly care about the City and want betterment of our community.

On a final note, he assured folks that the trees that have been removed from the Main Street sidewalk will, indeed, be replaced as part of the Main Street Sidewalk Project.

Executive Session:

- **1 M.R.S.A. 405(6)(E)..Consultation with City Attorney – Pending Litigation**
- **1 M.R.S.A. 405(6)(A)..Personnel Issue**
- **1 M.R.S.A. 405(6)(D)..Contract Negotiations**

Motion by Councilor Laverriere, seconded by Councilor Lessard to move into Executive Session.

Vote: Unanimous.

Time: 8:24 p.m.

Motion by Councilor McCurry, seconded by Councilor Swanton to move out of Executive Session.

Vote: Unanimous.

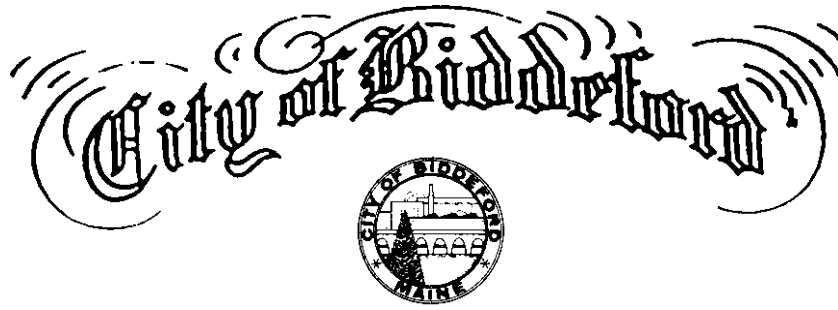
Time: 9:10 p.m.

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

Vote: Unanimous.

Time: 9:10 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2016.89

IN BOARD OF CITY COUNCIL...OCTOBER 4, 2016

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to sell the following vacant properties:

14 Piersons Lane, Map 41, Lot 125, at the bid price of \$35,500

32 Maple Street, Map 40, Lot 38, at the bid price of \$16,000

2 Bradbury Street, Map 38, Lot 14, at the bid price of \$1,800

NOTE: The Finance Committee reviewed this item at their September 20, 2016 meeting and voted to send to the full Council without a recommendation.

Michael Wilson, Finance Director
PO Box 586, 205 Main St.
Biddeford, ME 04005-0586
Phone: (207) 284-9333 Fax: (207) 571-0667
Email: mwilson@biddefordmaine.org

City of Biddeford Finance Office

Memo

To: City Council
Date: 9/21/2016
Re: Sale of Vacant Property

Attached is a spreadsheet of information for the properties on which we received bids and the Code Enforcement Officer's memos summarizing the permitted uses for the listed properties.

Please keep in mind that any conveyance of the properties will be by quit claim deed, the quality of which title is not as good as parties usually receive in a private sale. Conveyance by quit claim deed thus has a negative impact on value.

List of Vacant Parcels on which bids were received

Property	Map/Lot	Approx. Acreage	Zone (see attached list of uses)	Assessed Value	Highest Bid
2 Bradbury St.	38/14	.07 acres	MSRD - 2	38,100	1,800
14 Piersons Lane	41/125	.1 acres	MSRD - 2	30,300	35,500
32 Maple St.*	40/38	.12 acres	R2	65,700	16,000

* Assessed value on 32 Maple St. includes a detached garage and paving.



Roby Fecteau
Director of Code Enforcement & Emergency Management
City of Biddeford Office of Code Enforcement
205 Main Street Suite 104
Biddeford, ME 04005

To: Finance Committee 
From: Roby Fecteau
Date: September 13, 2016
Ref: Permitted and Conditional Uses for 2 Bradbury Street & 14 Piersons lane

.....

This memo is to provide the rundown of permitted uses and conditional uses for the properties located at 2 Bradbury Street and 14 Piersons Lane. Both of these properties are located in the MSRD-2 Zone

2 Bradbury Street

Accessory structure	Permitted Use
Parks and recreation	Permitted Use
Duplex/2-family	Permitted Use
Multifamily dwelling	Permitted Use
Single-family dwelling	Permitted Use
Group homes, hospice	Permitted Use
Art Studio	Permitted Use
Neighborhood convenience store/service	Conditional Use
Art Gallery	Conditional Use
Boarding, rooming house	Conditional Use
Bed-and-breakfast	Conditional Use
Cluster development	Conditional Use
Congregate housing	Conditional Use
Home occupation	Conditional Use
Planned unit development	Conditional Use
Off-street loading and parking lot and facilities, commercial parking garage	Conditional Use
Church, synagogue	Conditional Use
Community centers, clubs	Conditional Use
Day-care center, adult	Conditional Use
Day-care home, adult	Conditional Use
Day-care home, children's	Conditional Use
Day-care center, children's	Conditional Use
Essential services	Conditional Use
Municipal use	Conditional Use
Public facility	Conditional Use
Cemetery	Conditional Use
Offices, business and professional	Conditional Use
Self-storage facilities	Conditional Use
Nursing home	Conditional Use
Public and private schools	Conditional Use
Museum, library	Conditional Use



Roby Fecteau
Director of Code Enforcement & Emergency Management
City of Biddeford Office of Code Enforcement
205 Main Street Suite 104
Biddeford, ME 04005

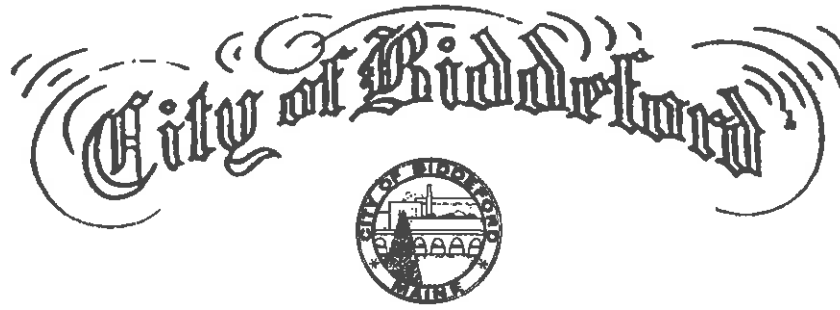
To: Finance Committee
From: Roby Fecteau *RF*
Date: September 13, 2016
Ref: Permitted and Conditional Uses for 32 Maple Street

.....

This memo is to provide the rundown of permitted uses and conditional uses for the properties located at 32 Maple Street. This property is zoned R-2

32 Maple St.

Accessory structure	Permitted Use
Parks and recreation	Permitted Use
Duplex/2-family	Permitted Use
Multifamily dwelling	Permitted Use
Single-family dwelling	Permitted Use
Neighborhood convenience store/service	Permitted Use
Group homes, hospice	Permitted Use
Nursing home	Permitted Use
Public and private schools	Permitted Use
Boarding, rooming house	Conditional Use
Bed-and-breakfast	Conditional Use
Cluster development	Conditional Use
Congregate housing	Conditional Use
Home occupation	Conditional Use
Planned unit development	Conditional Use
Off-street loading and parking lot and facilities, commercial parking garage	Conditional Use
Church, synagogue	Conditional Use
Community centers, clubs	Conditional Use
Day-care center, adult	Conditional Use
Day-care home, adult	Conditional Use
Day-care home, children's	Conditional Use
Day-care center, children's	Conditional Use
Essential services	Conditional Use
Municipal use	Conditional Use
Public facility	Conditional Use
Cemetery	Conditional Use



2016.80

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

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to sell the following vacant properties:

14 Piersons Lane, Map 41, Lot 125, at the bid price of \$35,500

32 Maple Street, Map 40, Lot 38, at the bid price of \$16,000

2 Bradbury Street, Map 38, Lot 14, at the bid price of \$1,800

NOTE: The Finance Committee will review this item on September 6, 2016, and vote to recommend it to the City Council for approval.



City Owned Vacant Land Bid Results Sheet

Date: September 1, 2016

City Staff Present: Mike Wilson Fin Director, Ruby Fecteau CEO

Address:	Bid Amount:
1) 14 Pierson Ln	35,500
2) 32 Maple St	16,000
3) 32 Maple St	3,000
4) 2 Brambury St	1,800
5)	
6)	
7)	
8)	
9)	
10)	

Bidder Info:

- ① Sarah Thompson 6 Whippoorwill Circle Kennebunk Maine 04043 985-0090
- ② CD Armstrong 14 Elm St Biddeford Maine 04005 283-3621
602-4023
- ③ Theria Murphy-Dean 43 Maple St Saco Maine 04072 571-4329
- ④ Linda Gouette 174 Murrigansett Trail Buxton ME 04093 929-5531



City of Biddeford Finance Department

Michael S. Wilson, Finance Director

RFP 2017-001

Sale & Reuse of 2 Bradbury St., 34 St. Marys St., 14 Piersons LN, 106 Hill St. and 32 Maple St.
July 13, 2016

Sir/Madam:

Sealed proposals will be received in the office of the Finance Director on **Thursday, September 1, 2016, before 10:00 a.m.** for the **Sale & Reuse of 2 Bradbury Street, 34 St. Marys Street, 14 Piersons Lane, 106 Hill Street and 32 Maple Street.** The bids will be opened and read in public.

The City of Biddeford City Council reserves the right to accept or reject any and all proposals.

Please use a clearly marked envelope with "Sale & Reuse of 2 Bradbury St., 34 St. Marys St., 14 Piersons Lane, 106 Hill St. and 32 Maple St." when submitting your proposal. **Only sealed proposals will be accepted. Faxed proposals will not be considered.**

Sincerely,

Michael S. Wilson
Finance Director

CITY OF BIDDEFORD, MAINE

SALE & REUSE OF 2 BRADBURY STREET, 34 St. MARYS STREET, 14 PIERSONS LANE, 106 HILL STREET AND 32 MAPLE STREET

RFP #: 2017-001

PROPOSAL DUE DATE: September 1, 2016 before 10:00 a.m.

This is an invitation for proposals to purchase and reuse property at 2 Bradbury Street, 34 St. Marys Street, 14 Piersons Lane, 106 Hill Street and 32 Maple Street owned by the City of Biddeford. The property is being offered for sale and reuse by the City as a means to enhance development in the various areas.

SECTION I: GENERAL INSTRUCTIONS

- 1.1 A complete written purchase and reuse proposal shall be submitted to the City of Biddeford, attention of the Finance Director, City Hall, 205 Main Street, Biddeford, Maine 04005, not later than **10:00 a.m. on Thursday, September 1, 2016**. Proposals received after that time and date shall not be accepted.
- 1.2 Interested parties may bid on all, some or one of the properties.
- 1.3 The City of Biddeford City Council will review and award or reject proposals within sixty (60) days of their submission.
- 1.4 Each proposal submitted shall be accompanied by a certified check, cashier's check or bond made payable to the City of Biddeford in the amount of **ten (10%) percent** of the total amount offered. The required proposal deposit shall be applied to the purchase price for the successful proposal or shall be returned within ten (10) days of the selection of a proposal. If any proposer fails to abide by his/her proposal, the bid security will be forfeited to the City.
- 1.5 Each proposal shall include the legal name of the prospective purchaser and a statement whether the prospective purchaser is an individual, sole proprietor, a partnership, or a corporation. If a corporation, the corporation shall also give the state of incorporation and have a corporate seal affixed.
- 1.6 Each proposal shall be signed by the person or persons legally authorized to bind the prospective purchaser to a contract.
- 1.7 The prospective purchaser, in his/her proposal, shall signify that he/she has read and understands all conditions concerning the reuse of the site, as outlined in this invitation for proposals and that his/her proposal is made in accordance with the invitation.
- 1.8 The prospective purchasers, in submitting the proposal, shall agree and so state in the proposal that no person acting for or employed by the City of Biddeford has a direct or indirect financial interest in the proposal or in any portion of the profits which may be derived therefrom.

CITY OF BIDDEFORD, MAINE

SALE & REUSE OF 2Bradbury Street, 34 St. Marys Street, 14 Piersons Lane, 106 Hill Street and 32 Maple Street

RFP #: 2017-001

PROPOSAL DUE DATE: September 1, 2016 before 10:00 AM

PROPOSAL FORM

TO: Michael Wilson, Finance Director
City of Biddeford
City Hall, 205 Main Street
Biddeford, ME 04005

Dear Sir:

The undersigned hereby declares that he/she has carefully examined the proposed Sale and Reuse of City Owned land items and that he/she proposes and agrees, if the proposal is accepted, to complete the transaction on the item(s) proposed.

ITEM 1:

Location Address	2 Bradbury Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 2:

Location Address	34 St. Marys Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 3:

Location Address	14 Piersons Lane
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 4:

Location Address	106 Hill Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 5:

Location Address	32 Maple Street
Price Offered	\$ 3600.00
Reuse of Property (use separate sheet if applicable)	We plan on using this AS
	GARDEN SPACE AND TO STORE
	OUR KAYAKS

Bid Deposit Amount: \$ 300.00 (minimum 10% of the total amount of bid) include appropriate security: Certified Check, Cashier's Check or Bond (personal and business checks not accepted). Sign the proposal form in ink before returning it to the Finance Director. Please return in a clearly marked sealed envelope with Bid Name and Number on the front.

The City Council reserves the right to accept or reject any and all proposals.

NAME	THEIA MURPHY-DEAN
SIGNATURE	THEIA MURPHY-DEAN
PRINTED/TYPED NAME	THEIA MURPHY-DEAN
TITLE	Individual
LEGAL ADDRESS	43 MAPLE STREET SACO, MAINE 04072
MAILING ADDRESS	43 MAPLE STREET SACO, MAINE 04072
DATE	8/31/2016
TELEPHONE #	207-571-4329
FAX #	-
E-MAIL ADDRESS	THEIA.MURPHY@GMAIL.COM

Please attach any other supporting materials required by the request for proposal or which you believe would be helpful in the evaluation of your proposal.

- 1.9 No prospective purchaser will be permitted to withdraw a proposal for a period of sixty (60) days. All proposals will remain valid and binding for that period of time.
- 1.10 For questions regarding proposal requirements and to arrange a site visit, contact Michael Wilson, Finance Director at Telephone: (207) 284-9333 ext. 4138; or e-mail mwilson@biddefordmaine.org.
- 1.11 The City of Biddeford reserves the right to select a proposal and sell the subject property based upon its determination of the highest and best use of the property. The City Council reserves the right to refuse any and all proposals.

SECTION II: INFORMATION FOR INTERESTED PARTIES

- 2.1 The parcels being offered for sale are described as follows:

Item 1:

Property:	2 Bradbury Street
Approximate Acreage	0.07 acres
Map/Lot	38/14
Zoning	MSRD 2

Item 2:

Property:	34 St. Marys Street
Approximate Acreage	0.12 acres
Map/Lot	38/22
Zoning	MSRD 2

Item 3:

Property:	14 Piersons Lane
Approximate Acreage	.1 acres
Map/Lot	41/125
Zoning	MSRD 2

Item 4:

Property:	106 Hill Street
Approximate Acreage	.18 acres
Map/Lot	39/39
Zoning	MSRD 2

Item 5:

Property:	32 Maple Street
Approximate Acreage	.12 acres
Map/Lot	40/38
Zoning	R2

- 2.2 Reuse or redevelopment of property must comply with all applicable City ordinance requirements, including Zoning and Land Use codes.
- 2.3 The proposed reuse strategy for the subject property may be a principal determining factor in judging what the City deems to be the most acceptable proposal.

*Sale and Reuse of
32 Maple Street*

- 2.4 Closing on all sales transactions will be within 30 days of award unless otherwise requested and approved by the City prior to award of bid.
- 2.5 If prospective purchasers require additional information contact:

Michael Wilson, Finance Director
City Hall, 205 Main Street
Biddeford, Maine 04005
Tel. #: 207-284-9333 ext. 4138
e-mail: mwilson@biddefordmaine.org

Questions will be answered or confirmed in writing. Proposers should not rely on any statements, oral or written, which are not made as an addendum to this "Request for Proposals".

SECTION III: CONTENTS OF THE PROPOSAL

- 3.1 The proposal shall contain the price being offered for the purchase of each property and also shall include the proposed use of the parcel being bid. Persons interested in multiple properties must price each parcel separately.
- 3.2 Submitted proposals shall provide specific details on the proposed reuse of the site. Additional data, exhibits, statements, drawings, etc. are recommended to insure a total understanding and proper evaluation of each proposal by the City.
- 3.3 The proposal shall include proof of the submitter's financial ability to undertake said proposal and shall include a time line for completion.

SECTION IV: NEGOTIATION AND EXECUTION OF CONTRACT

- 4.1 Negotiation is intended to result in a contract for the sale and subsequent reuse of a site deemed to be most beneficial to the public and in the best interest of the City.
- 4.2 The contract for the sale and reuse of a site will be executed only after, and is subject to, final approval by the City of Biddeford City Council. The successful bidder may be required to undergo Development Review before the Biddeford Planning Board or Development Review Committee as a condition of conveyance of the property.
- 4.3 At closing, the City will deliver a quit-claim deed with certain conditions, if applicable, which will cover negotiated requirements. There may also be a covenant which establishes the time period for the project to be completed.

SECTION V: RESERVATION OF RIGHTS

- 5.1 The City reserves the right to waive or disregard any informality, irregularity or deficiency in any proposal received.
- 5.2 The City reserves the right to accept or reject any or all proposals received.

CITY OF BIDDEFORD, MAINE

**SALE & REUSE OF 2Bradbury Street, 34 St. Marys Street, 14 Piersons Lane,
106 Hill Street and 32 Maple Street**

RFP #: 2017-001

PROPOSAL DUE DATE: September 1, 2016 before 10:00 AM

PROPOSAL FORM

**TO: Michael Wilson, Finance Director
City of Biddeford
City Hall, 205 Main Street
Biddeford, ME 04005**

Dear Sir:

The undersigned hereby declares that he/she has carefully examined the proposed Sale and Reuse of City Owned land items and that he/she proposes and agrees, if the proposal is accepted, to complete the transaction on the item(s) proposed.

ITEM 1: *proposed for item #5 on reverse side.*

Location Address	2 Bradbury Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 2:

Location Address	34 St. Marys Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 3:

Location Address	14 Piersons Lane
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 4:

Location Address	106 Hill Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 5:

Location Address	32 Maple Street
Price Offered	\$ 16,000
Reuse of Property (use separate sheet if applicable)	Off street parking please see separate sheet/proposal

Bid Deposit Amount: \$ 1,600 (minimum 10% of the total amount of bid) include appropriate security: Certified Check, Cashier's Check or Bond (personal and business checks not accepted). Sign the proposal form in ink before returning it to the Finance Director. Please return in a clearly marked sealed envelope with Bid Name and Number on the front.

The City Council reserves the right to accept or reject any and all proposals.

NAME	New Dam LLC
SIGNATURE	C.D. Armstrong
PRINTED/TYPED NAME	C.D. Armstrong
TITLE	manager
LEGAL ADDRESS	14 Elm St. Bridleford, ME 04005
MAILING ADDRESS	same
DATE	8/31/16
TELEPHONE #	207-283-3621 or 602-4023
FAX #	207-282-6577
E-MAIL ADDRESS	carmstrong@deeringlumber.com

Please attach any other supporting materials required by the request for proposal or which you believe would be helpful in the evaluation of your proposal.

From: C.D. Armstrong
New Dam LLC
14 Elm St.
Biddeford, ME 04005

To: Mr. Michael Wilson
Finance Director,
City Hall, 205 Main Street,
Biddeford, ME 04005

8/31/16

To the City of Biddeford and Mr. Wilson:

This proposal is submitted for the purchase and re-use of item #5 also identified as #32 Maple St. Biddeford on behalf of New Dam LLC a Biddeford Maine corporation. C.D. Armstrong is the manager of New Dam, LLC. and is authorized to conduct business on it's behalf.

We have read and understand the RFP conditions concerning the reuse of the site, as outlined in the invitation for proposals and this proposal is made in accordance with the invitation. Further we certify that no person acting for or employed by the City of Biddeford has a direct or indirect financial interest in the proposal or in any portion of profit or loss which may be derived therefrom.

Regarding lot use - I have spoken with Mr. Fecteau of the Biddeford Code Enforcement office regarding possible re-development and uses for the property. The property is approx 46' wide and there is a 10' side setback, and 25' rear setback as well as impervious surface limitations for improvements on this site. The property is in the flood zone and any new structure must be built at least 1 foot above flood levels. Thus I believe any new structure would need to be approx. 4' to 5' above the current ground level. It would also likely require DEP and Army Core of Engineers approval. Any proposals to these organizations will require extensive engineering and survey preparation. We also discussed the possibility of moving a building to the site. All the same conditions would apply. Because of the limitations and high development costs it would appear to be a challenging site on which to build a modest house. After much discussion I believe the best use for this property to be off street parking. Though I certainly cannot speak for him I believe Mr. Fecteau would concur with that opinion. Thus I propose to use the lot for off street parking.

We would propose to clean up the lot, maintain it, and make it available for leased parking. Deering Lumber is situated nearby and has a need to more off street parking and would lease parking slots. We would also make slots available for nearby building residents.

Additional consideration. On the tax card for #32 Maple St there is reference to a garage. Looking at the tax map while speaking with Mr. Fecteau the subject garage appears to be the garage located next to the sewer pump station located at the end of Maple St. next to the river.

In October 2015 New Dam purchased #22 Maple St from the Nelson family and continues today to lease the property to the residents who leased from the Nelsons. According to Mr. Nelson the garage was built by his father prior to the installation of the pump station possibly in the 50's or 60's and goes with #22. Bottom line there appears to be a question of ownership. In any case the residents in #22 Maple currently park on Maple St. and use the garage. Further they have difficulty with trash and items being dumped near the garage. As you can see from the photos the garage is in rough shape.

If New Dam were the successful bidder and any question of lot and garage title/ownership was cleared up by owning both properties, then New Dam would propose: a. to clean up and secure the garage, and b. to make off street parking in the #32 lot available to the residents of #22 so they would no longer need to park on the street.

We would propose to clean up around the lot and garage and prepare the lot for off street parking and by year end 2016. Any improvements to the garage would need to be done in consultation with the Code Enforcement Office and I would hope to be complete by spring 2017.

We propose a purchase price of \$16,000. We arrived at this price after speaking with a local real estate agent regarding the value of in town building lots and making a preliminary review of the development costs associated with the site should it make sense (given the development costs) to construct a residential building, and the market value of finished residential units in this neighborhood.

New Dam LLC has immediate funding available to both close at the earliest convenience of the City and to follow thru on the above proposal costs.

Respectfully Submitted,

C.D. Armstrong
C.D. Armstrong
New Dam LLC.

8/31/16





CITY OF BIDDEFORD, MAINE

SALE & REUSE OF 2Bradbury Street, 34 St. Marys Street, 14 Piersons Lane, 106 Hill Street and 32 Maple Street

RFP #: 2017-001

PROPOSAL DUE DATE: September 1, 2016 before 10:00 AM

PROPOSAL FORM

TO: Michael Wilson, Finance Director
City of Biddeford
City Hall, 205 Main Street
Biddeford, ME 04005

Dear Sir:

The undersigned hereby declares that he/she has carefully examined the proposed Sale and Reuse of City Owned land items and that he/she proposes and agrees, if the proposal is accepted, to complete the transaction on the item(s) proposed.

ITEM 1:

Location Address	2 Bradbury Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 2:

Location Address	34 St. Marys Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 3:

Location Address	14 Piersons Lane
Price Offered	\$ <u>35,500.00</u>
Reuse of Property (use separate sheet if applicable)	<u>See Separate sheet</u>

ITEM 4:

Location Address	106 Hill Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 5:

Location Address	32 Maple Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

Bid Deposit Amount: \$ 3,550.00 (minimum 10% of the total amount of bid)
include appropriate security: Certified Check, Cashier's Check or Bond (personal and business checks not accepted). Sign the proposal form in ink before returning it to the Finance Director.
Please return in a clearly marked sealed envelope with Bid Name and Number on the front.

The City Council reserves the right to accept or reject any and all proposals.

NAME	SARAH Thompson
SIGNATURE	<i>Sarah Thompson</i>
PRINTED/TYPED NAME	SARAH Thompson
TITLE	Trustee, York Plant - Pensco Trust Co.
LEGAL ADDRESS	6 Whippoorwill Circle KENNEBUNK, ME 04043
MAILING ADDRESS	6 Whippoorwill Circle KENNEBUNK, ME 04043
DATE	9/1/16
TELEPHONE #	207-985-0090
FAX #	"
E-MAIL ADDRESS	1 ME. RDT@gmail.com

Please attach any other supporting materials required by the request for proposal or which you believe would be helpful in the evaluation of your proposal.

Sale & Reuse of 14 Piersons Lane, Biddeford, ME

We are the beneficial owners of the property located at 16 Piersons Lane, Biddeford, ME, the property abutting the property located at 14 Piersons Lane, Biddeford, ME which has been offered for sale and reuse by the City of Biddeford. Setting a historical context, as owners of the said property, a 3 family dwelling, we have focused on providing every unit of the property being available to low income families and families in need since through various programs, but primarily through the Section VIII program.

We intend to acquire 14 Piersons Lane, Biddeford, ME, with the same intent of assisting City of Biddeford, with two primary goals. The streets at and around Piersons Lane have a shortage of off-street parking, which is still an important requirement for low income families' resident at 16 Piersons Lane, Biddeford, ME, and also should be important to the City of Biddeford, as it enables cars to be off-street, especially during inclement weather for the purposes of providing needed emergency services as well as ploughing services.

Providing off-street parking to families is important to the long-term goals of the City of Biddeford, to enable families to find and maintain jobs, the majority of which requires personal cars for commuting. By enabling 14 Peirsons Lane to support the needs of families' resident at 16 Piersons Lane, Biddeford, the City of Biddeford will see that more families will be assisted in the goals of finding and maintaining jobs, reducing their dependency on the programs, and possibly finding their own housing without assistance from any programs (as we have seen during the years we have owned this property). This thereby enables additional families to be supported by both City of Biddeford through the available assistance programs and we shall continue to provide our support to enable more families to get housing with parking, both of which are in short supply in this neighborhood.

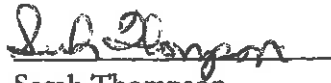
While we may have some aspect of profitability in our properties, we have been extremely civic minded in our approach with this property, and our proposal calls for acquisition of 14 Piersons Lane, Biddeford, ME to be reused for parking supporting the cause of low income families, current and future residents of 16 Piersons Lane, Biddeford, already supported by City of Biddeford.

I have read and understand all conditions concerning the reuse of 14 Piersons Lane, as outlined in this invitation for proposals and my proposal is made in accordance with the invitation.

This proposal has no person acting for or employed by the City of Biddeford with a direct or indirect financial interest in this proposal or in any portions of the profits which may be derived therefrom

We are hereby placing an all cash bid to acquire the property for **\$35,500**.

We have attached an account statement showing the proof of funds required for the purposes of the above mentioned bid.



Sarah Thompson

Trustee, 401K Plan

c/o Pensco Trust Company FBO Sarah Thompson 401K

PO 1383

Biddeford, ME 04005

Tel: (207) 985-0090

CITY OF BIDDEFORD, MAINE

**SALE & REUSE OF 2Bradbury Street, 34 St. Marys Street, 14 Piersons Lane,
106 Hill Street and 32 Maple Street**

RFP #: 2017-001

PROPOSAL DUE DATE: September 1, 2016 before 10:00 AM

PROPOSAL FORM

TO: Michael Wilson, Finance Director
City of Biddeford
City Hall, 205 Main Street
Biddeford, ME 04005

Dear Sir:

The undersigned hereby declares that he/she has carefully examined the proposed Sale and Reuse of City Owned land items and that he/she proposes and agrees, if the proposal is accepted, to complete the transaction on the item(s) proposed.

ITEM 1:

Location Address	2 Bradbury Street
Price Offered	\$ 1,800.00
Reuse of Property (use separate sheet if applicable)	Separate sheet attached

ITEM 2:

Location Address	34 St. Marys Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 3:

Location Address	14 Piersons Lane
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 4:

Location Address	106 Hill Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

ITEM 5:

Location Address	32 Maple Street
Price Offered	\$
Reuse of Property (use separate sheet if applicable)	

Bid Deposit Amount: \$ 180.00 (minimum 10% of the total amount of bid) include appropriate security: Certified Check, Cashier's Check or Bond (personal and business checks not accepted). Sign the proposal form in ink before returning it to the Finance Director. Please return in a clearly marked sealed envelope with Bid Name and Number on the front.

The City Council reserves the right to accept or reject any and all proposals.

NAME	Linda L. Caouette
SIGNATURE	<i>Linda L. Caouette</i>
PRINTED/TYPED NAME	Linda L. Caouette
TITLE	Upper Main Apartments, LLC manager
LEGAL ADDRESS	174 Narragansett tnl. Buxton, Me 04083
MAILING ADDRESS	174 Narragansett tnl. Buxton, Me. 04083
DATE	August 29, 2016
TELEPHONE #	929-5531
FAX #	
E-MAIL ADDRESS	Caouette@sacoriver.net

Please attach any other supporting materials required by the request for proposal or which you believe would be helpful in the evaluation of your proposal.

UPPER MAIN APARTMENTS, LLC

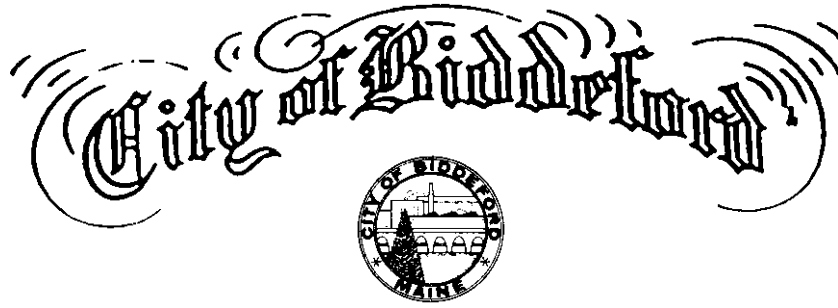
August 30, 2016

Dear Sir:

I plan on keeping area green with continued regular mowing and trash pickup. Only changes would be to grade area between the city lot and my parking area. There is a 26" drop between the properties at this time. Also, if possible, add shrubs and spring bulbs to SW corner of property. The rest of the lot left open for traffic visibility.

A handwritten signature in cursive script that reads "Linda Caouette".

Linda Caouette, manager



2016.90 **IN BOARD OF CITY COUNCIL..OCTOBER 4, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby adopt the following ***Delinquent Property Tax Policy***:

Section I – Purpose

The purpose of this policy is to establish clear and fair guidelines for the collection of delinquent property taxes that reflect State statutes.

Section II – Commercial (including Industrial) and multi-family real property

The Tax Collector shall notify commercial, industrial or multi-family taxpayers when their taxes are overdue and to try to make arrangements for payments of all past due taxes, interest and penalties.

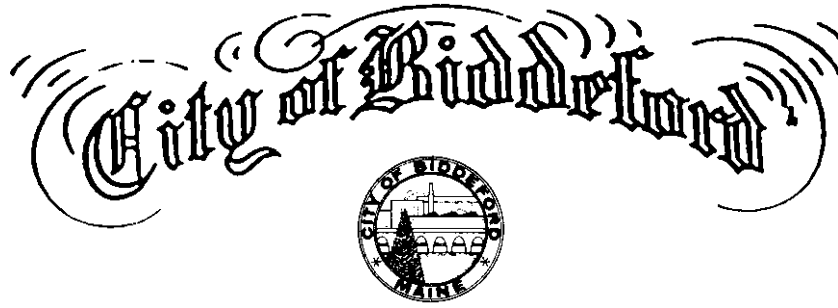
If the taxpayer fails to pay all past due taxes, interest, penalties and costs, sale of the property shall be commenced by a sealed bid process within a reasonable period after automatic foreclosure. Such sale proceedings shall be initiated against all taxpayers with respect to commercial, industrial and multi-family real property who have more than one year of delinquent taxes due, or who have one year of delinquent taxes due which is more than one year in arrears. Any exceptions to the foregoing regarding any individual property shall require approval by vote of the Finance Committee.

Section III – Single-family residential real property

The Tax Collector shall notify taxpayers when their taxes are overdue and try to make arrangements for payments of all past due taxes, interest and penalties.

The Treasurer is authorized to enter into a delinquent tax payment agreement with any taxpayer with delinquent property taxes with respect to the taxpayer's single-family residential property. A taxpayer who desires to enter into a delinquent tax payment agreement must do so within six months of the property becoming tax acquired. A delinquent tax payment agreement shall include:

- The name of the property owner;
- The parcel number of the delinquent tax account;
- The tax years covered under the agreement;
- The payment plan negotiated with the taxpayer;



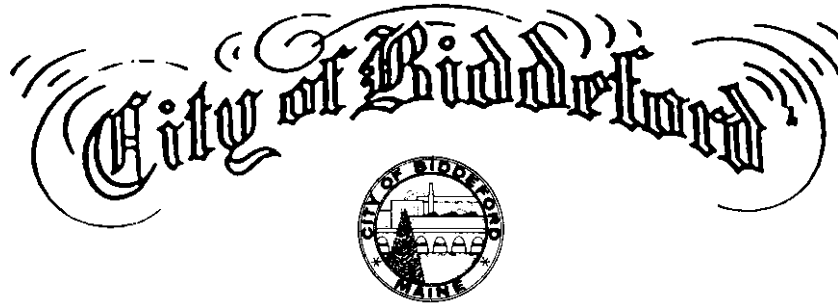
- A statement clearly stating that the agreement will be voided if a payment is not received as scheduled unless prior agreement is received from the Tax Collector;
- A clear statement that if the agreement is voided the account will immediately become eligible for tax sale or within a reasonable time after automatic foreclosure if automatic foreclosure has not yet occurred; and
- A clear statement that if the agreement is voided the taxpayer forfeits his or her right to enter into a subsequent tax payment agreement.

The payments under any delinquent tax payment agreement shall be at a minimum sufficient to repay all past due taxes, interest, penalties and costs and to bring the taxpayer current with respect to the property within three years of entering into the delinquent tax payment agreement.

Annually, the Tax Collector shall review all delinquent tax payment agreements to make sure (1) taxpayers who have entered into such agreements are complying with those agreements and (2) the payment terms continue to be sufficient to resolve all outstanding amounts within three years from when the agreement was made.

If there already has been an automatic foreclosure of the single-family residential property, the delinquent tax payment agreement may provide for the conveyance of the property by quit claim deed to the taxpayer but only after all taxes, assessments, liens and other charges, including interest thereon, have been paid and the taxpayer otherwise has complied with all provisions of the agreement.

If for any reason the taxpayer with delinquent property taxes does not enter into a delinquent tax payment agreement or does not enter into such agreement within six months of the property becoming tax acquired, or fails to comply with a delinquent tax payment agreement, and the single-family residential property has become tax acquired, sale of the property shall be commenced by a sealed bid process. If an automatic foreclosure has not yet occurred, the sale shall be commenced within a reasonable period after automatic foreclosure. Any exceptions to the foregoing regarding any individual property shall require approval by vote of the Finance Committee.



2016.91

IN BOARD OF CITY COUNCIL..OCTOBER 4, 2016

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the recommendation of the Solid Waste Management Commission that the City pursue establishing an exclusive Agreement with a qualified Vendor to collect, transport and compost food wastes from residential properties within the City of Biddeford. The Commission further recommends that the City assign the task of developing a Request for Proposals (RFP) from qualified Vendors to the Public Works Director and that the review of the submitted RFPs be conducted by the Solid Waste Management Commission; and that the Commission make a recommendation of award to the City Council.

City of Biddeford
Public Works Department
371 Hill Street, Biddeford, Maine 04005

City of Biddeford, Maine
SOLID WASTE MANAGEMENT COMMISSION

Recommendation on Curbside Collection of Residential Food Waste.

BACKGROUND

The Solid Waste Management Commission took up the discussion of food waste diversion within the waste stream and composting City wide in the fall of 2015. The Commission reviewed significant amounts of data from the City of Biddeford waste stream and studied the data collected during a University of Maine study of the characteristics of the waste stream in Maine. It was determined that encouraging City residents to divert food from the waste stream represents a cost savings opportunity, and that vendors which provide curbside composting service do exist in the area.

The Commission determined that there were 3 viable options to encourage composting:

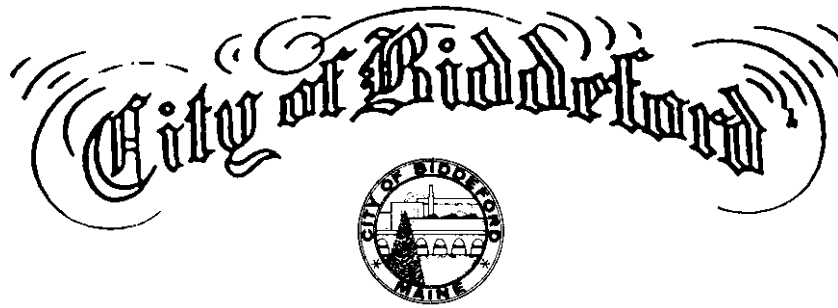
- A free market system allowing for multiple vendors to offer curbside collection services under a subscription agreement with residents. Vendors wishing to collect organics in the City would simply apply for a Solid Waste Transporter's License. Ordinance revisions would be put in place to require additional reporting and contributions to educational efforts to the current regulations, to track the amount of food diverted from the waste stream.
- An exclusive agreement with one vendor offering curbside collection services under a subscription agreement with residents. The vendor would be chosen through a Request For Proposal (RFP) process. The terms of how this would work and what the regulations would be in place are to be defined in the RFP documents and associated Ordinance revisions that would be required.
- A "Do Nothing" option. This would allow any vendor to offer curbside collection services simply by getting a Solid Waste Transporter License and following the current regulations.

The Commission discussed the various options at length. Adam Bellefeuille made a motion to recommend the "Exclusive Agreement" option to the City Council. The motion was seconded by Marc Malon II. The Commission voted 6 in favor and 1 against. The motion passed. In summary, the general feeling expressed was that the "Exclusive Agreement" option was the only option that would make curbside services available throughout the City. City-wide pickup would maximize (1) the diversion of food waste from the waste stream, (2) the recycling of food waste into reusable compost, and (3) the reduction in the cost of waste disposal. The other two options left it up to the vendors to determine to what extent any portion of the City would be served.

City of Biddeford
Public Works Department
371 Hill Street, Biddeford, Maine 04005

RECOMMENDATION

The City of Biddeford Solid Waste Management Commission recommends that the City pursue establishing an exclusive Agreement with a qualified Vendor to collect, transport and compost food wastes from residential properties within the City of Biddeford. It further recommends that the City assign the task of developing a Request For Proposals (RFP) from qualified Vendors to the Public Works Director and that the review of the submitted RFPs be conducted by the Solid Waste Management Commission and that the Commission make a recommendation of award to the City Council.



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.

SICK LEAVE

Sick leave is available to all regular and part-time employees as follows:

A. Hourly employees:

1. Sick leave shall accrue at the rate of one workday for each full calendar month of service, accumulative to a maximum of 120 working days. For the purposes of this section, the first month of an employee's service shall be counted as a full month of service if employment begins on or before the 15th day of the month. Sick leave will be accumulated during the probationary period of the new employee but not available should the employee fail the probationary period.
2. Sick leave may be used only in the following cases: personal illness; to care for the sickness or disability in the employees family, meaning spouse or children living in the same household, or; physical incapacity of such degree as to render the employee unable to perform the duties of his position, unless the employee is capable of other work in his division and assigned to such other work. If requested, the employee shall furnish the Department Head a certificate from his attending physician.
3. Sick leave usage shall be recorded regularly, on weekly time and attendance sheets and the record shall be maintained by the Human Resource Department.
4. Employees failing to submit a two weeks' notice shall receive no compensation for unused sick leave.
5. Sick leave incentive: all employees shall participate in the sick leave incentive program, Employees shall have unused sick time swept into a retirement savings account (RHS), fully vested in their name, based on the following schedule:

1. Less than 240 hours 0 hours swept
2. Less than 400 hours but more than 240 hours 96 hours swept
3. Less than 500 hours but more than 400 hours 154 hours swept
4. Less than 960 hours but more than 500 hours 192 hours swept
5. Hours will be paid out based on the current hourly wage and factored at 25%
6. Hours will be swept on December 31 of each year and payment will be made in the employees account on about July 30th of the following year. Should employee leave in good standing prior to July 30, the funds will be deposited upon written notice of separation.

Any employees that have in excess of 480 hours on the books as of the November 1, 2016 shall have all excess hours swept and paid into the RHS. These hours will be paid out based on the current hourly wage and factored at 50%. This provision is valid only onetime on November 1, 2016 and shall no longer be applicable after that date.

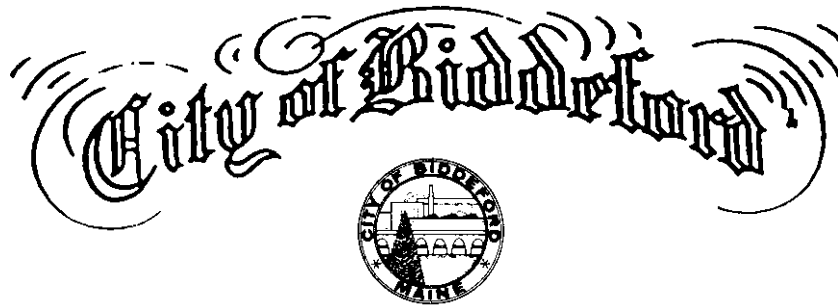
OTHER PAYMENTS UPON SEPARATION

Accrued Vacation Pay: All earned vacation pay will be due the employee in full upon separation

Unused Sick Time: all hourly employees shall be entitled to the following payout of unused sick time:

Employment Period	Payout Percentage
Less than 10 years	0%
More than 10 years but less than 25 years	25%
More than 25 years	50%
Employees that retire or are 65 years of age	100%

Salaried employees: no cash value



2016.93

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, HEALTH BENEFITS, as attached.

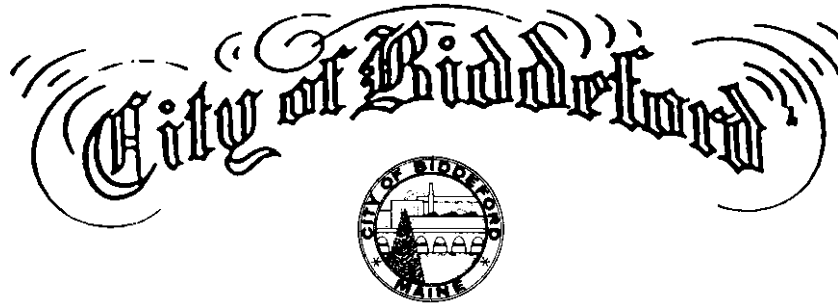
HEALTH BENEFITS

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.
- 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%)



2016.94

IN BOARD OF CITY COUNCIL..OCTOBER 4, 2016

WHEREAS, at a referendum election duly called and held on November 3, 2015, the voters of the City of Biddeford approved the City's general obligation bonds for road repairs / improvements (\$5,990,000) and for CSO / sewer projects (\$3,925,000); and

WHEREAS, the City is now preparing to issue its Bonds to finance the projects;

WHEREAS, the City Council desires to appoint Bond Counsel to assist the City with the proposed Bond issue;

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BIDDEFORD, MAINE that Pierce Atwood, LLP be and hereby is appointed as Bond Counsel for the City.