COUNCIL MEETING
OCTOBER 4, 2016

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

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

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

Adjustment to the Agenda:

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

Proclamations:

- ***Extra Mile Day***
- ***Domestic Violence Awareness Month***

Mayor Casavant read the proclamations.

Downtown Task Force Communications Recommendations:
The Council was provided with the Downtown Task Force recommendations for improving the City's communications with the public. City Manager, James Bennett explained that the Task Force will be providing recommendations on various issues and challenges facing the City, and it will be up to the Council to decide if policies should be developed from the recommendations.

Presentation: ***Sustainable Ecological Aquaculture in the Saco Estuary***
Dr. Christine Feurt from the University of New England and Craig Pendleton, Director of the Biddeford-Saco Chamber of Commerce explained the Research Partnership with local Communities, Fishermen and Businesses and the University of New England. The research focus has been on the Saco River, Saco Bay and the Saco Estuary. The research has included the study of fish, birds and sea vegetables in this region. A final report titled, *Sustaining the Saco Estuary* can be found in the City Clerk's Office and City Manager's Office.

Consideration of Minutes: **September 20, 2016**
Motion by Councilor McCurry, seconded by Councilor Ready to accept the minutes as printed.
Vote: Unanimous.

Orders of Day:
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.

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

Motion by Councilor McCurry, seconded by Councilor Lessard to amend the order by removing the 32 Maple Street and 2 Bradbury Street properties, and only selling the 14 Piersons Lane property.

Motion by Councilor Mills to table this order. Fails due to lack of second.

Vote on amendment: 8/1; Councilor Ready opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Laverriere, Seaver and Lessard in favor.
Motion carries.

Vote on order, as amended: 8/1; Councilor Ready opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Laverriere, Seaver and Lessard in favor.
Motion carries.

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.

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

Motion by Councilor McCurry, seconded by Councilor Mills to amend the last sentence of the policy by changing the Finance Committee to City Council.

Motion by Councilor McCurry, seconded by Councilor Lessard to table the order until the next council meeting to allow Staff to incorporate suggested changes.
Vote: Unanimous.

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.

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

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

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

Motion by Councilor Ready, seconded by Councilor Laverriere to table this order in order for the Council to have a discussion either at a Workshop or Committee-of-the-Whole.
Vote: 7/2; Councilors Lessard and McCurry opposed.
Councilors Swanton, St. Cyr, Quattrone, Mills, Laverriere, Ready and Seaver in favor.
Motion to table carries.

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.

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

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.

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

City Manager Report:
City Manager, James Bennett noted that in the past couple of months, a few new potential employers have looked into locating their companies in Biddeford; however, unfortunately because of the current downtown parking situation, these companies have chosen to go elsewhere. This is an unfortunately loss of potential jobs and tax revenue. Mr. Bennett believes that the solution to the limited parking would be to go to some sort of paid parking program in the downtown.

Other Business:
Councilor Ready: offered some clarification to a recent Letter to the Editor regarding meetings being held with Councilors in attendance. The article insinuated that the meetings were being "slipped in;" when in fact the meetings had been posted in City Hall and on the City's website. Further, the meetings were and are open to the public. That same Letter to the Editor also insinuated that there was CDBG meeting that had not been properly noticed; and again, it actually had been.

Councilor Swanton: announced that the Charter Revision Commission is hosting an informational meeting in Biddeford Pool on Saturday, October 15th at 9:00 a.m. The meeting will focus on the 19 Charter Revision questions going to the voters at the November 8th election.

A 2016 Election brochure has been put together (by Police Chief Roger Beaupre), and is available in various offices in City Hall, the McArthur Library and on the City's website.

Councilor Lessard: reiterated the comments that Councilor Ready made and echoed that the meetings are indeed publicly noticed. He went on to explain that the meetings that were referenced in the Letter to the Editor are held by a group that has been formed to promote and suggest more communication by the City and to address current issues that should be addressed by City Staff.

Councilor McCurry: thanked Councilor Quattrone for his efforts in putting together a Camp for children with autism. This is a much needed resource in Biddeford and he whole-heartedly supports Councilor Quattrone's efforts.

Councilor McCurry brought up the issue of newspapers being thrown and left on citizens' driveways. This has been an ongoing issue, which now seems to be getting progressively worse. He wants to the City to address this issue – especially before the snow flies.

Councilor McCurry suggested having a Committee of the Whole included on the next Council Meeting agenda which would allow the Councilors to weigh in on the proposed Charter Revision questions. There was general agreement amongst the Councilors.

Councilor McCurry informed the Council that the steps at the RiverWalk are still not in place, but is hoping they will be by next week. If they are not, he will be asking that a fence be put up.

Councilor Mills: agrees with Councilor McCurry that something needs to be done about the newspapers being thrown and left on the ground.

Councilor Seaver: shared that in her professional role, she often interacts with a number of City Departments, like the Police Department, Codes and General Assistance Offices; therefore, she sees firsthand the inner workings of the City and some of the employees. It's these interactions that make her proud to be a part of this community.

Council President Addressing the Council: Councilor McCurry thanked the City Manager for putting together the Employee & Volunteer Banquet. He congratulated the Employee of the Year, Steven Gorton and the Volunteer of the Year, Joe McKenney.

Executive Session: **1 M.R.S.A. 405(6)(D)..Labor Contract Negotiations**
Motion by Councilor McCurry, seconded by Councilor Lessard to move into Executive Session.
Vote: Unanimous. Time: 7:30 p.m.

Motion by Councilor McCurry, seconded by Councilor Laverriere to move out of Executive Session.
Vote: Unanimous. Time: 8:05 p.m.

Motion by Councilor McCurry, seconded by Councilor Swanton to adjourn.
Vote: Unanimous. Time: 8:05 p.m.

Attest by:_____
Carmen J. Morris, City Clerk