

City of Biddeford
Finance Committee
October 03, 2017 4:45 PM Council Chambers

- 1. Call to order**
- 2. Approval of the Minutes**
 - 2.1. September 19, 2017 Finance Committee Meeting Minutes
[9-19-2017 Finance Committee Minutes.rtf](#)
- 3. Signing of the expenditure warrant**
- 4. Discussion/Approval**
 - 4.1. Workshop Discussion: Sewer Abatement Policy & Practices
[10-03-2017 - Sewer Abatement Policy Workshop-MEMO.docx](#)
 - 4.2. Corrosion Repair and Body Work/Paint on Fire Engine 28/Greenwood Emergency Vehicles
[10-03-2017 Fire Engine Repair - MEMO.doc](#)
[10-03-2017 Fire Engine Repair-ORDER.doc](#)
[10-03-2017 Fire Engine Repair-Service Eval Form.pdf](#)
 - 4.3. Sale of Vacant Property - 32 Maple Street/C.D. Armstrong
[10-03-2017 Sale of Maple Street Property-ORDER.docx](#)
[10-03-2017 Sale of Maple Street Property-Armstrong 2017 Letter.pdf](#)
[10-03-2017 Sale of Maple Street Property-backup docs.pdf](#)
 - 4.4. Ocean Avenue/Underground Utility Lines Project
[10-03-2017 Ocean Ave Utility Lines-Reinhart Letter.pdf](#)
- 5. Other Business**
- 6. Adjournment**

City of Biddeford
Finance Committee Meeting Minutes
September 19, 2017

The meeting was called to order at 5:00 pm by Council President John McCurry.

Present: Chair, Council President John McCurry, Mayor Alan Casavant, Councilor Mike Ready, Councilor Stephen St. Cyr, City Manager Jim Bennett, and City Clerk Carmen Morris.

Excused: Finance Director Cheryl Fournier.

Adjustment to the Agenda: Councilor McCurry noted item 4.1, repair of fire truck, is removed from the agenda because there was no paperwork.

Approval of Minutes

Motion by Councilor Ready to approve the Minutes of September 5, 2017, seconded by Councilor St. Cyr.

Discussion: Councilor Ready asked about the vacant properties the City has for sale. The City Manager explained there has been no change on these properties since the last Finance Meeting.

Vote: unanimous.

Motion carried 4-0.

The expenditure warrant was available for review and signature.

Discussion/Approval

Contract for Assistance in Appealing the 2017 Preliminary Flood Insurance Rate Maps

COO, Brian Phinney, gave an overview. This is basically a policy question whether or not the City wants to join with other municipalities in Southern Maine to challenge the 2017 Preliminary Insurance Rate Maps. Brian explained Ransom Consulting, Inc. is the consultant firm that assisted Biddeford with the PFIRM in 2010 and will do the analysis needed to support an appeal if that is required. This does not guarantee this would change the flood maps, if it will influence FEMA to change if there is a change, or if there is a significant number of homes no longer in the flood zone if changes come up.

Greg Tansley, City Planner, addressed questions from the Committee about the changes in the flood maps noting how many homes would be affected. Greg explained if they do appeal, it has to be a technical based appeal.

Motion by Councilor Ready to forward this order 2017.102 to City Council for consideration, seconded by Councilor St. Cyr.

Discussion: Mayor Casavant asked about the modeling and what was wrong with it. Greg explained it is the scientific modeling. The Councilors noted the City needs to support the group of residents in that zone and make sure the right data is used.

Vote: unanimous.

Motion carried 4-0.

Contract Renewal w/Gale Associates, Inc./Planning & Engineering Services at Biddeford Municipal Airport

Motion by Councilor Ready to recommend to Council the renewal of the contract with Gale Associates, seconded by Councilor St. Cyr.

Vote: unanimous

Motion carried 4-0.

Contract for Saco River Marine Debris Cleanup Project

Motion by Councilor Ready to recommend to Council the approval of the contract for Saco River Marine debris cleanup, seconded by Councilor St. Cyr.

Discussion: The Committee had a few questions and Brian Phinney answered their questions.

Vote: unanimous.

Motion carried 4-0.

Other Business

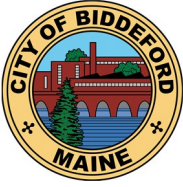
No other business.

Motion to adjourn made by Councilor Ready, seconded by Councilor St. Cyr.

Vote: unanimous.

Motion carried 4-0.

Adjourned at 5:33 pm.



City of Biddeford

P.O. Box 586 • 205 Main Street
Biddeford, ME 04005

Briefing Memo

TO: Mayor Alan Casavant, Council President John McCurry and Members of the Biddeford City Council

CC: James Bennett, City Manager

FROM: Cheryl Fournier
Brian S. Phinney

DATE: September 27, 2017

RE: Council Workshop – Sewer Abatement Policy and Practices

Requests for sewer abatements occur occasionally and are generally addressed by the Wastewater Management Commission (WMC). Rates for residential and commercial users are based on water use records maintained by the water company. In some instances, for various reasons, the water company may estimate a user's water bill and thus the City's corresponding sewer bill issued to a user is based on estimated values. In 2015 and 2016, Maine Water transitioned to electronic meters. As part of the transition, Maine Water reconciled each account as they installed each new meter. In some instances, the reconciliation involved a correction to address the "gap" between formerly estimated use and the actual reading on the meter being upgraded.

In 2016 and 2017 the City began to see the water company's reconciliation in the data they provide to support sewer billing. As such, user bills based on estimated values included the "correction". In some instances, the correction was small in others the correction was in the \$1,000s of dollars with one being over \$100,000. See Attachment A – *Table 1*, for a list of pending abatement requests.

The WMC, in consultation with support staff, recognized that abatements over \$100,000 were never contemplated under the current ordinance at Chapter 70 delegating authority to the WMC. The WMC subsequently deferred action on abatements of significance originating from the water company reconciliation in order to understand the magnitude of abatements that may come forward and to evaluate the adequacy of the existing abatement process.

At the WMC's meeting of September 13, members proposed recommendations for short- and long-term resolution of the abatement issue. A copy of the recommendations are included as Attachment B - *Wastewater Management Commission Recommendations for Abatements*.

The purpose of this Workshop is to brief the Council on the issue in anticipation of a future decision on disposition of the pending (and any future) abatements stemming from water

company estimations and creation of a formal policy/ordinance designed to mitigate future occurrences.

Actions and Recommendations

Organizational Issues

Subsequent to implementation of the staff reorganization plan, sewer billing and abatements are managed by the Finance Department. Prior to the reorganization plan, sewer abatement management and questions were handled by Engineering, and the Wastewater Division of Public Works, in conjunction with Finance. All parties agree that the current structure centralizing billing, issue management, and abatements within Finance is appropriate and will assist the public in identifying and resolving future issues through a one-stop approach.

Abatement Resolution

Given that abatement requests now date back to February 2017, it is recommended that the current backlog be addressed through hearings in front of the Finance Committee. This recommendation is intended to clear the backlog in a timely manner and ensure that the abatements are heard and addressed in a consistent manner. If the abatement decisions are appealed they will then go to the Council for resolution.

Policy Changes

As per Attachment B, the WMC and staff believe there needs to be a clear policy with regard to how abatements are addressed, particularly when based on a water company correction. In addition, there needs to be a mechanism in place to limit the need for abatements due to water company meter estimation.

- With direction from the City Council, staff is prepared to begin to formalize the “policy” on abatements either as a WMC policy or formal ordinance. The basis for the work will be the recommendations included as Attachment B. The policy will address approval authority, dollar thresholds, and regular communication with the water company.
- Through regular communication with the water company, Finance would have knowledge of all estimated accounts and be able to provide notification to users. The notification would convey information on the policy and provide the user with an opportunity to call-in their meter reading, thus ensuring accurate billing. In the event a user fails to provide accurate meter information after being notified, the account would no longer be eligible for an abatement, barring any unrelated issues.

These recommendations are intended to address the issue in both the short- and long-term to the benefit of the City and the sewer users.

Attachment A

Table 1 – Sewer Abatements as of September 26, 2017

Owner	Address	Dat of Requested Abatement	Estimated Average Bill	Date of Invoice in Question	Amount of Invoice in Question
Madeleine Caron	69 West St	6/4/2017	\$ 240.37	11/7/2016	\$ 3,281.33
Phoenix Management	1 Summer St	2/8/2017	\$ 90.00	1/24/2017	\$ 107,658.93
Debra Miles	220 Elm St	4/11/2017	\$ 516.56	3/7/2017	\$ 13,501.00
Peter Bartlett	69 Foss St	2/7/2017	\$ 95.03	4/10/2017	\$ 1,738.49
Brian Paquette	5 Mitchell Lane	7/11/2017	\$ 195.65	7/6/2017	\$ 2,072.11

Attachment B

Wastewater Management Commission Recommendations for Abatements

The wastewater management commission recommends the following policy/procedure for sewer abatements.

For abatements due to estimated water meter readings prior to January 1, 2017

For determining the amount on an eligible abatement:

For small single-family residential units, defined as up to three units (on one account) one of which must be owner occupied, the following abatement policy is recommended:

The applicant for abatement shall be responsible for the sewer fee for the last 36 months and the amount owed would be determined as follows. The user would be responsible to pay the minimum applicable sewer user rate or the amount calculated based on recent current usage calculated from actual meter readings for the past 12 months whichever is the larger amount.

For all other accounts, the amount owed shall be calculated based on the actual meter readings and usage for the past 12 months and/or the minimum applicable sewer user rate whichever is greater. The wastewater management commission shall confirm the amount that should have been billed and determine and or make a recommendation as to the amount of any abatement. The period for which the amount is owed by any sewer user can go back to the last actual reading for these account(s).

Recommended Procedure.

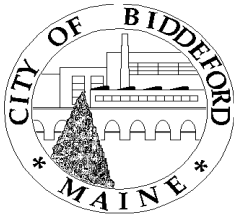
All applicants for abatement requests shall submit a request for abatement to the Finance Department for consideration. The Finance Department may request that wastewater staff review the information submitted, to provide data on the expected flows and to recommend if the request is reasonable.

Generally, it is the recommended that

- For abatements of \$1,000 or less, the finance director may authorize the abatement after review of the data and staff recommendations.
- For abatement amounts in excess of \$1,000 but less than \$3,000, the wastewater management commission may recommend abatement amounts and forward this to the finance director for review and action.
- Abatements in excess of \$3,000 shall be forwarded, after wastewater staff review of the information submitted, through the finance director to the finance committee for review and action.

As a first step in this procedure, it is recommended to provide, by registered mail with a return receipt requested, or certificate of mailing, a notice of this policy to all accounts that are being billed on estimated meter readings.

No later than [date] the Finance Department shall compile and maintain a list of all sewer users who's bill is calculated based on estimated water meter readings. No later than [date] or within 45-days of such designation from water company records, whichever is later, a notice shall be provided to any users who's sewer bill is calculated based on estimated water meter readings, to inform them of such and to indicate the new abatement policy. The users shall be notified that they are being billed based on estimated amounts and that they should provide actual meter readings to the water company so that their bills will be based on actual usage and not estimated usage. The Finance Department will request the water company to supply a list of all such estimated accounts each quarter. If the estimated accounts choose not to provide actual meter data, then they will no longer be eligible for abatements based on correction of estimated water meter readings and will be responsible for the applicable sewer fees for the entire period of estimation.



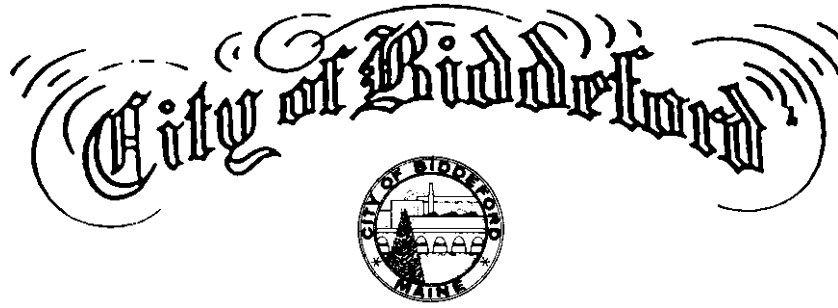
City of Biddeford, Maine

Public Works Department

371 Hill Street Biddeford, Maine 04005
Phone: (207) 282-1579 Fax: (207) 286-9395

To: Finance Committee
From: Carl Marcotte
Date: 9/25/2017
RE: Corrosion repair on fire truck

Engine 28 is a 2005 E-One Typhoon and has about 8-10 years before its time to replace it. We have received a quote from Greenwood emergency Vehicles to repair all of the corrosion on the frame rails and body. The frame rails need to be sandblasted, tested and repainted and the rear body needs to be taken apart, sandblast the corrosion and repainted. We are proposing to use Greenwood Emergency Vehicles because they are the only factory authorized repair facility for this area. We are recommending the first two items of the quote totaling \$34,980.00. This work was approved in the FY-18 CIP budget 21203-60981



2017.108

IN BOARD OF CITY COUNCIL.OCTOBER 3, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the quote from Greenwood Emergency Vehicles in North Attleboro, MA for corrosion repair, body work and re-painting of Fire Engine 28, which is a 2005 E-One Typhoon in the amount of \$34,980.00. This expenditure was included in the FY18 CIP budget, account 21203-609810.

NOTE: The Finance Committee will review this item at their October 3, 2017 meeting and vote to send to the full Council with a recommendation.



530 JOHN DIETSON BOULEVARD
NORTH ATTLEBORO, MA 02763-1080

Service Evaluation Form

Customer Name : Biddeford Fire Department

Customer # : 3696

Unit : 129681

Unit Description : Pumper Custom

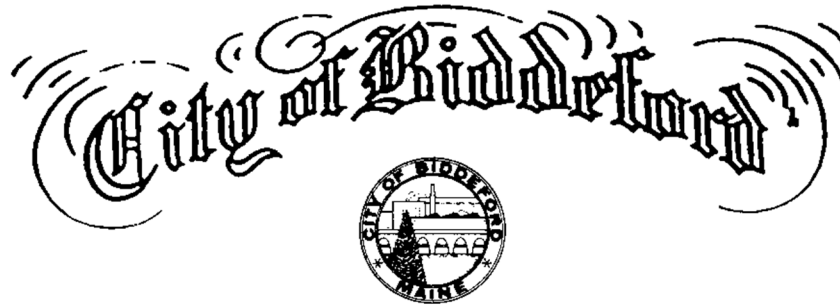
SRO : 0000045768

Date : 9/18/2017

APPROVAL	Description of Failure	Price Quote
☒ ☐ Y N	10 CHASSIS CORROSION Clean spots on framerails to allow for 3rd party thickness measurements. Send measurements to E-One engineering. Remove rear spring hangers, helper stops fuel tank, air tanks. Sandblast all accessible areas of corrosion. Coat with POR 15 corrosion inhibitor & topcoat with chassis black paint. Replace fuel tank, sender & body u-bolts. Report Engineering repair recommendations to department and quote any further repairs required.	10196.00
☒ ☐ Y N	20 PAINT CORROSION BODY & CAB Remove doors, hardware, accessories and glass as required to access affected areas. Grind out all areas of corrosion, prepare, prime and paint entire body and corroded sections of cab. Buff and polis blends and reassemble using current protection techniques. Clean apparatus of repair process debris. Truck to be restriped & lettered by department.	24784.00
☐ ☒ Y N	30 REPAINT TOP OF CAB BLACK Inc remove & reinstall, windows doors etc. Paint break to remain the same. Inc overlap with corrosion repair.	6218.00
☐ ☒ Y N	40 REPAINT BOTTOM OF CAB RED Inc overlap with corrosion repair.	5336.00

Customer Approval _____

"Quote valid for 30 days"



2017.

IN BOARD OF CITY COUNCIL...OCTOBER 3, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute the necessary documents to sell the vacant property located at **32 Maple Street, Map 40, Lot 38**, at the bid price of \$16,000 to C.D. Armstrong, New Dam, LLC of Biddeford, Maine.

NOTE: The Finance Committee will review this item at their October 3, 2017 meeting and vote to send to the full Council with a recommendation.

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

To: Mr. Daniel Stevenson,
Director of Economic & Community Development
City Hall, 205 Main Street,
Biddeford, ME 04005

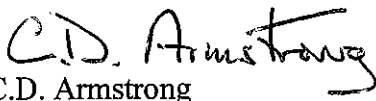
9/26/17

To the City of Biddeford and Mr. Stevenson:

Please accept this letter of confirmation that the proposal submitted 8/31/16 for the purchase and re-use of #32 Maple St. Biddeford on behalf of New Dam LLC still stands as proposed.

New Dam LLC has funding available to close at the earliest convenience of the City.

Respectfully Submitted,


C.D. Armstrong
New Dam LLC.

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.

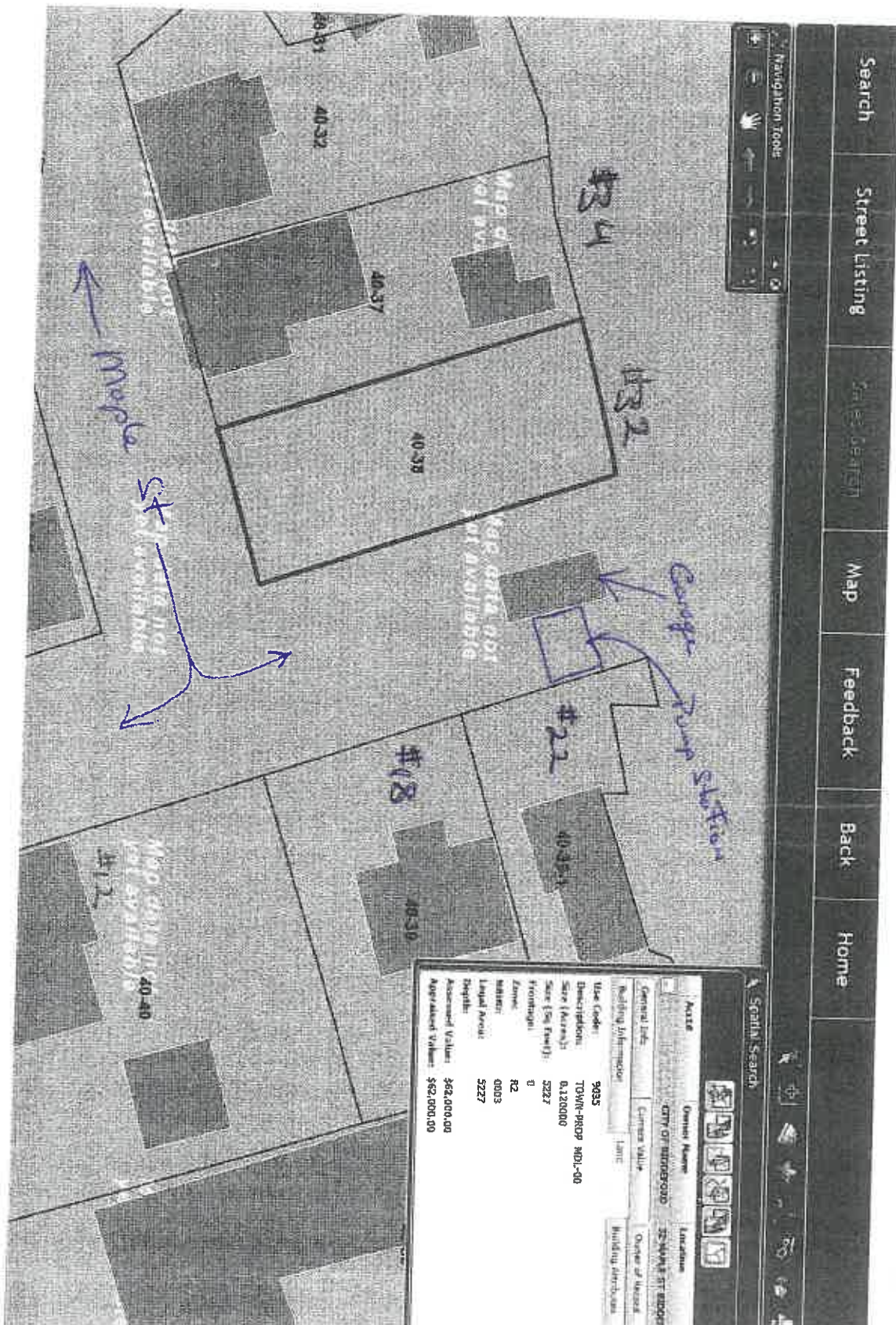
New Dam LLC has immediate funding available to both close at the earliest convenience of the City and to follow thru on the above proposal costs.

Respectfully Submitted,



C.D. Armstrong
New Dam LLC.

8/31/16



Search

Address	City of Reno	Location
General Info	City of Reno	22-44-11-11-11
Building Information	Current Value	Order of Record
Use Code	9035	
Description	TOWN-PROP NOL-00	
Size (Acres)	0.120000	
Size (Sq Feet)	5227	
Frontage	0	
Zone	R2	
Subzone	0003	
Legal Address	5227	
Depth		
Assessed Value	\$68,000.00	
Appraised Value	\$62,000.00	





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: *proposal 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. Biddleford, 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.

Thomas & Susan Reinhart
30 Ocean Ave; PO Box 86
Biddeford Pool, ME 04006

September 26, 2017

Mr. James A. Bennett ICMA-CM
City Manager
City of Biddeford
James.Bennett@Biddefordmaine.org

Dear Mr. Bennett:

We are writing to seek the City's involvement in the next phase of the beautification project on Ocean Avenue in Biddeford Pool. As you may recall, the City and its finance committee were involved several months ago in the first phase of this project where the utility lines were placed underground to the last 3 homes on the southern tip of Ocean Ave in Biddeford Pool and the poles removed. We must say that it has had a dramatic impact on the aesthetic of Ocean Ave and, hopefully, the future safety of the neighborhood. We are about to embark on Phase 2 of the same project whereby we propose to remove the pole in front of 30 Ocean Ave and the associated two spans of utility lines. This will eliminate the utility lines in front of 3 homes just to the north of the homes involved in Phase 1.

We would like to pay for this effort via the donor advised fund previously used at the Maine Community Fund (the Biddeford Pool Beautification Fund). We have spoken to Jim Geary at MCF and he has stated that they are ready and willing to do so. Similar to Phase 1, the fund would make a donation in an amount that would pay for the cost of this phase of the project to the City of Biddeford, which would then be responsible for paying the individual vendors. We would propose that we work with Guy Casavant to review and approve all invoices before payment is made. We have received proposals from all of the parties involved and they total approximately \$30,000. Once we receive approval of the City's involvement, we will direct all vendors to invoice the City directly.

All of the utility companies stand ready to proceed so your quick review of this project would be appreciated. Please let us know if you would like any additional information or have any questions regarding this phase of the project.

Sincerely,



Thomas Reinhart
Reinhart.tom@gmail.com
415-518-5444



Susan Reinhart