

City of Biddeford
City Council
September 19, 2023 6:00 PM Council Chambers & Zoom

Please click this URL to join:
<https://biddeford.zoom.us/j/99821947643?pwd=QlUzOEE1eHdDdmg3V2c5V3lwWEV5Zz09>

Passcode: 690433
Webinar ID: 998 2194 7643

Or One tap mobile:
+13052241968,,99821947643# US
+13092053325,,99821947643# US

Or join by phone:
Dial(for higher quality, dial a number based on your current location):
US: +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799

International numbers available: <https://biddeford.zoom.us/u/aej8eryTgl>

Status:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
 - 3.a. Add Order 2023.120 Approval/Appointment James Bennett as Interim Tax Collector
- 4. Communications**
 - 4.a. Upcoming Order for Temporary Change to Council Rules Regarding Zoom Participation in Council Meetings.
- 5. Proclamation:**
 - 5.a. Consitution Week
[Constitution Week -PROCLAMATION](#)
 - 5.b. Hispanic Heritage Month
[Hispanic Heritage Month -PROCLAMATION](#)
- 6. Public Hearing**
 - 6.a. Approval/Liquor License - Peng's Pizza Pies
[Peng's Pizza Pies Liquor License Application](#)
[Legal Liquor ad pengs pizza pies September 2023](#)
- 7. Liquor License Consideration**
 - 7.a. Approval /Liquor License - Peng's Pizza Pies

[Legal Liquor ad pengs pizza pies September 2023](#)
[Peng's Pizza Pies Liquor License Application](#)

- 8. Public Addressing the Council...(3 minute limit per speaker for up to a total of 15 minutes)**
- 9. Consideration of Minutes:**
 - 9.a. Council minutes 8-29-2023
[City Council Minutes 8-29-2023](#)
 - 9.b. Council Minutes 9-5-2023
[City Council minutes 9-5-23](#)
- 10. Second Reading:**
 - 10.a. 2023.102 Amend/Harbor Ordinance Sec 74-35 Wharfs, Piers, Landings
[20230905 Amendment to Harbor Ordinance Sec 74-35 - ORDER 2nd](#)
[20230905 Amendment to Harbor Ordinance Sec 74-35 - BRIEF](#)
- 11. Orders of the Day:**
 - 11.a. 2023.116 Approval/Temporary Change to Council Rules Regarding Zoom Participation in City Council Meetings
[20230919 Change to Council Rules Regarding Zoom Participation in Meetings - BRIEF](#)
 - 11.b. 2023.117 MMA Annual Business Meeting Voting Credentials
[20230919 MMA Annual Business Meeting Voting Credentials - ORDER](#)
[20230919 MMA Annual Business Meeting Voting Credentials - BRIEF](#)
[MMA Annual Business Meeting and Voting Credentials](#)
 - 11.c. 2023.118 Appointments to Ad hoc Eastern Fire/EMS Building Committee
[Ad Hoc Eastern Fire-EMS Building Committee-APPOINTMENTS Order](#)
[Appointment Application- James Plamondon -Eastern Fire.EMS Building Committee](#)
[Appointment Application- Paul Brady- Eastern Fire.EMS Building Committee](#)
[AppointmentApplication- Scott Joslin - Eastern Fire.EMS Building Committee](#)
 - 11.d. 2023.119 Approval/Request to Waive Property Taxes for Map 30 Lot 58, Winding Creek Lane, former Gervais Dube Properties
[20230919 Request to Waive Taxes - Map 30 Lot 58 former Gervais Dube Property - ORDER](#)
[20230919 Request to Waive Taxes - Map 30 Lot 58 former Gervais Dube Property - BRIEF](#)
[20230919 Request to Waive Taxes - Map 30 Lot 58 former Gervais Dube Property - REFERENCE](#)
 - 11.e. 2023.120 Approval/Appointment of James Bennett as Interim Tax Collector
[20230919 Appointment-James Bennett as Interim Tax Collector - ORDER](#)
[20230919 Appointment-James Bennett as Interim Tax Collector - BRIEF](#)
- 12. Public Addressing the Council..(5 minute limit per speaker)**
- 13. City Manager Report**
- 14. Other Business**
- 15. Council President Addressing the Council**
- 16. Mayor Addressing the Council**
- 17. Executive Session**
 - 17.a. Executive Session 1 MRSA 405 (6) (c) Economic Development

18. Adjourn

Constitution Week Proclamation

WHEREAS: The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law;

and WHEREAS: September 17, 2023, marks the two hundred and thirty-sixth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention;

and WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it;

and WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Alan Casavant by virtue of the authority vested in me as Mayor in the City of Biddeford in the State of Maine do hereby proclaim the week of September 17 through 23 as CONSTITUTION WEEK

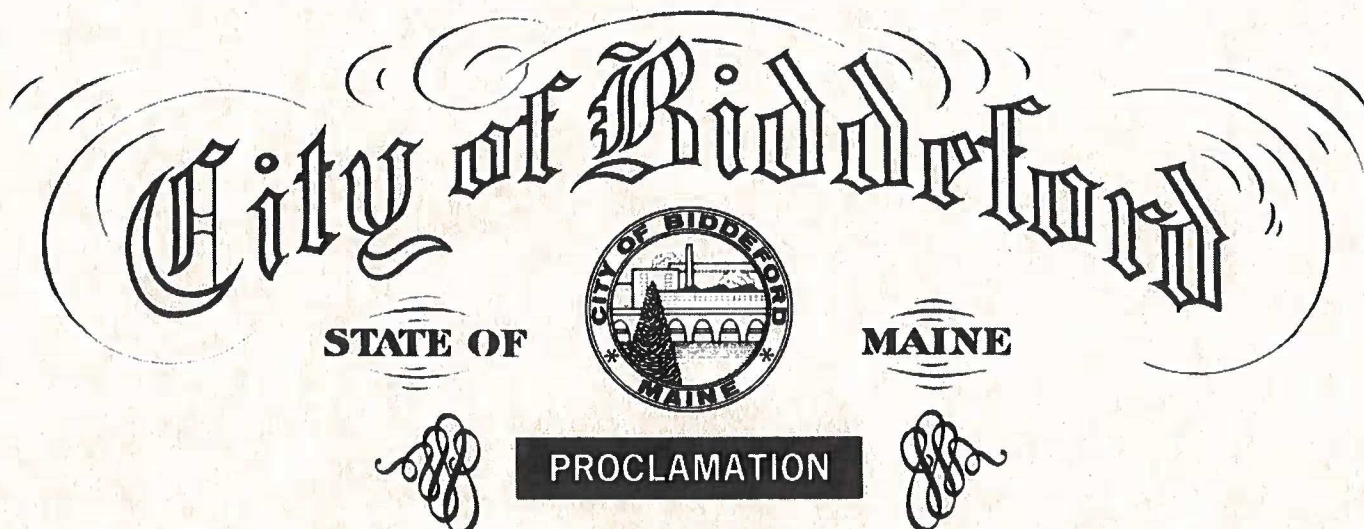
and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 5 *day of September of the year of our Lord two thousand twenty-three*

Signed _____

SEAL Attest _____





Whereas

the harmony of our city is composed of the varied voices of its residents, each thread of our community fabric contributing its own distinct culture and traditions; and

WHEREAS, from September 15 to October 15, we observe Hispanic Heritage Month, a time to acknowledge the emerging influence of the Hispanic community in our city and to celebrate their nascent contributions; and

WHEREAS, the gradual growth of the Hispanic community within our city presents a valuable opportunity to learn from new perspectives, embrace diverse experiences, and forge connections that enrich the collective tapestry of our city; and

WHEREAS, as our community begins to welcome and integrate members of the Hispanic community, it is essential to cultivate an atmosphere of inclusion, where mutual respect, understanding, and open dialogue can lay the foundation for a harmonious future; and

WHEREAS, acknowledging the challenges that the Hispanic community may encounter on their journey, it is our shared responsibility to ensure that acting upon bias, discrimination, and stereotypes find no place within our city, as we endeavor to create an environment of equity and acceptance; and

WHEREAS, the support we extend to our Hispanic neighbors is more than symbolic; it is a commitment to nurturing an environment where everyone, regardless of background, can thrive and contribute to the shared prosperity of our city.

NOW, THEREFORE, I, Alan Casavant, Mayor of the City of Biddeford, on behalf of the city Council and the residents of Biddeford, do hereby proclaim the observance of Hispanic Heritage Month from September 15 to October 15. During this time, we recognize the growing influence of the Hispanic community in our city, and we pledge to foster an inclusive atmosphere where the Hispanic heritage can become an integral part of our city's story, contributing to the diverse identity that defines us.

*In Witness Whereof, We, the undersigned, have herewith
affixed our signatures this 19th day of September 20 23*

City Clerk



Mayor

pd. \$300
7/31/23
check #
108
For the

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: PENG'S PIZZA PICS

Business Address: 128 Main St. STE 102 **Map** _____ **Lot** _____

Mailing Address: 11 Laurier St Biddeford ME 04005

Business Telephone Number: _____

Email Address: PengsPizza@gmail.com

OWNER/OPERATOR: PENG'S LLC (Chris Daniels)

Home Physical Address: 11 Laurier St Biddeford ME 04005

Home Mailing Address: Same as Above

Home Telephone Number: (503) 863-6010

Applicant(s) Date of Birth: 10/28/1985

 7/31/2023
Applicant's Signature **Date**

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license – per 1 M.R.S.A. 17-A §453.

\$150.00 (single/multiple events)

- ❑ **Playhouse/Play**

- \$150.00 (annual)**

- ☐ **Public Firing Range**

- ❑ **Bottle Club**

(plus \$25.00 per screen)

- ☐ Billiard Room(s)

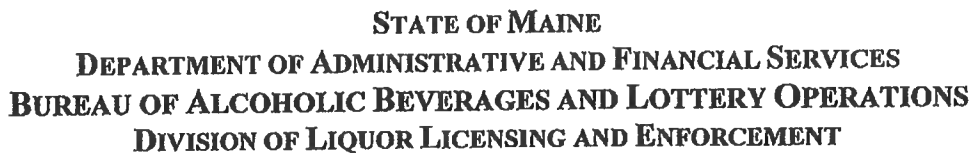
☐ Automobile Repair Garage for maintenance	\$75.00
☐ Automobile Graveyard	\$200.00

\$200.00

- ❑ Flea Market (for 20 tables; \$5 per add'l table)

- ☐
- Junk Dealer/Recycling**

- ☐ Antique Dealer



N.L.

Division Use Only	
License No:	R2S-15246
Class:	III + IV By: UP
Deposit Date:	
Amt. Deposited:	\$450-
Payment Type:	# 1001
OK with SOS:	Yes ☒ No ☐

5.24

1. New license or renewal of existing license? ☒ New Expected Start date: 7/14/2023

☐ Renewal Expiration Date: _____

Food: \$266,904 Beer, Wine or Spirits: \$9,933 Guest Rooms: 10

☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

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**Liquor Licensing
& Enforcement**

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| ☒ Restaurant
(Class I, II, III, IV) | ☐ Class A Restaurant/Lounge
(Class XI) | ☐ Class A Lounge
(Class X) |
| ☐ Hotel
(Class I, II, III, IV) | ☐ Hotel – Food Optional
(Class I-A) | ☐ Bed & Breakfast
(Class V) |
| ☐ Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | ☐ Auxiliary | ☐ Mobile Cart |
| ☐ Tavern
(Class IV) | ☐ Other: _____ | |
| ☐ Qualified Caterer | ☐ Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

11 Laurier St. Biddeford, ME 04005

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☐ No

☒ Not applicable – licensee/applicant(s) is a sole proprietor

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& Enforcement**

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Christopher Lee Daniels	10/28/1985	Waterville, Maine

Residence address on all the above for previous 5 years	
Name	Address:
Chris Daniels	11 Laurier St. Biddeford ME 04005
Name	Address:
Name	Address:
Name	Address:

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Liquor Licensing
& Enforcement

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Jonathan Denton Biddeford, ME

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Liquor Licensing
& Enforcement

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

The dining room will be a 300 square foot space with 12 seats.
customers will order at the counter where the server will pour
their drink.

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Second Congregational Church

Distance: .3 miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 5/15/2023



Signature of Duly Authorized Person

Signature of Duly Authorized Person

Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

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**Liquor Licensing
& Enforcement**

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

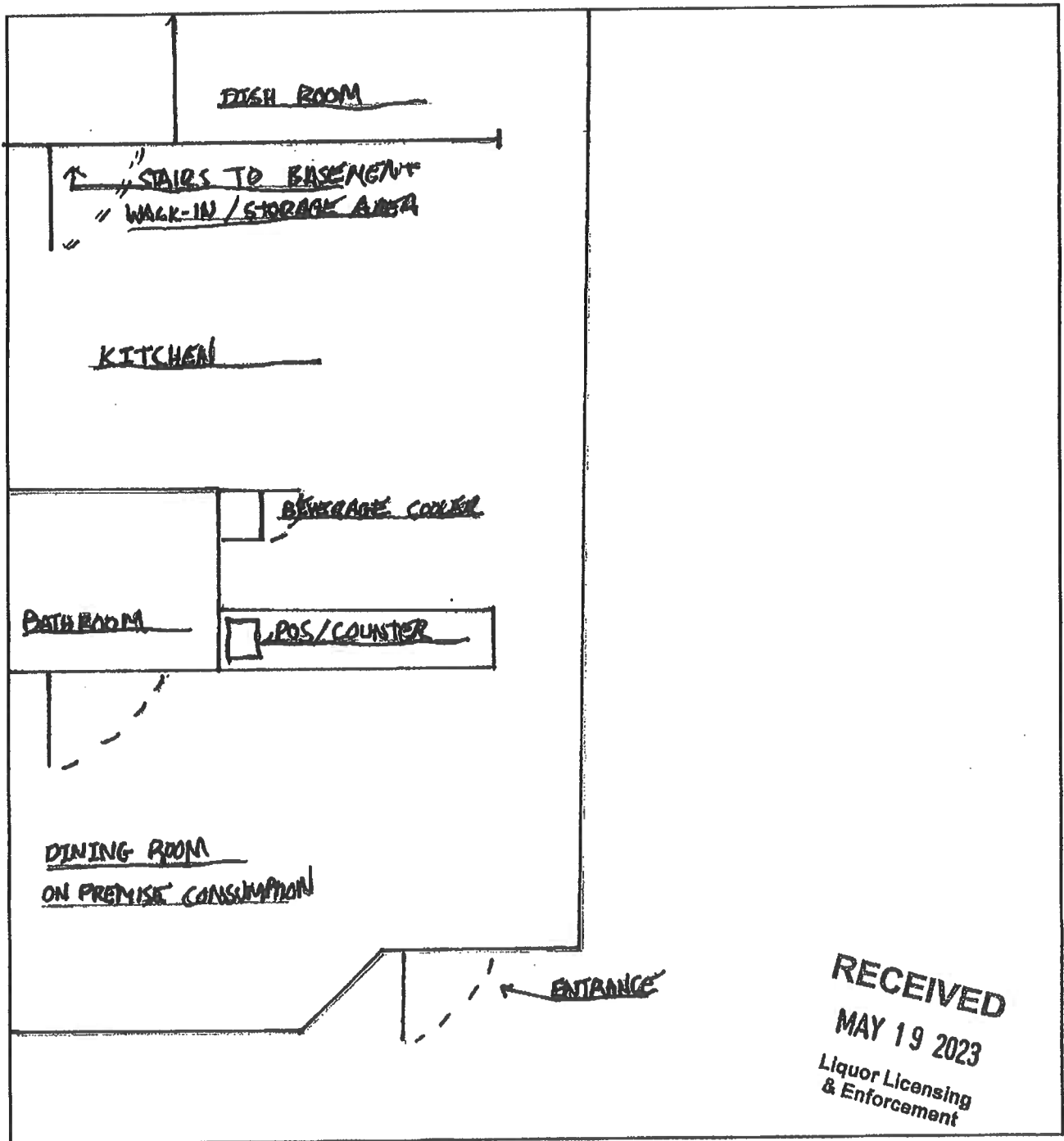
A. The bureau shall prepare and supply application forms.

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Liquor Licensing
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Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

- Exact legal name: DENG'S LLC
- Doing Business As, if any: Peng's Pizza Pies
- Date of filing with Secretary of State: 5/15/2023 State in which you are formed: Maine
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Chris Daniels	11 Courrier St. Biddford Me 04415	10/28/85	Owner	100 %

(Ownership in non-publicly traded companies must add up to 100%.)

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 Liquor Licensing
 & Enforcement



MAINE

Department of the Secretary of State

Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information Summary

Subscriber activity report

This record contains information from the CEC database and is accurate as of: Wed May 24 2023 11:35:28. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
PENG'S LLC	20222540DC	LIMITED LIABILITY COMPANY (DOMESTIC)	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
07/02/2021	N/A	MAINE

Other Names (A=Assumed ; F=Former)

PENG'S PIZZA PIES A

Clerk/Registered Agent

CHRIS DANIELS
11 LAURIER ST
BIDDEFORD, ME 04005

[New Search](#)

Click on a link to obtain additional information.

List of Filings

[View list of filings](#)

Obtain additional information:

Certificate of Existence ([more info](#))

<u>Short Form without</u>	<u>Long Form with</u>
<u>amendments</u>	<u>amendments</u>
<u>(\$30.00)</u>	<u>(\$30.00)</u>

You will need Adobe Acrobat version 3.0 or higher in order to view PDF files.
If you encounter problems, visit the [troubleshooting page](#).



If you encounter technical difficulties while using these services, please contact the [Webmaster](#). If you are unable to find the information you need through the resources provided on this web site, please contact the Division of Corporations, UCC & Commissions Reporting and Information

CITY OF BIDDEFORD
LEGAL NOTICE

Notice is hereby given that the Municipal Officers of the City of Biddeford, at their next meeting on September 19, 2023, will consider the following liquor license:

Peng's Pizza Pies

128 Main St, Ste 102, Biddeford, ME

Restaurant: Malt; Wine

CITY OF BIDDEFORD
LEGAL NOTICE

Notice is hereby given that the Municipal Officers of the City of Biddeford, at their next meeting on September 19, 2023, will consider the following liquor license:

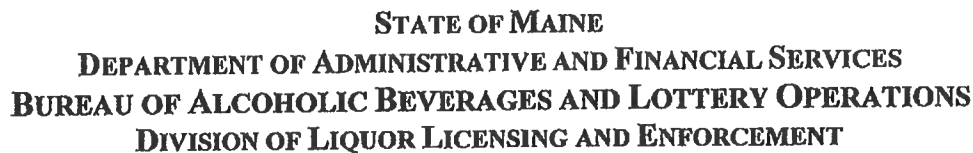
Peng's Pizza Pies

128 Main St, Ste 102, Biddeford, ME

Restaurant: Malt; Wine

pd. \$300
7/31/23
check #
108
For the

City of Biddeford



N.L.

Division Use Only	
License No:	R2S-15246
Class:	III + IV By: UP
Deposit Date:	
Amt. Deposited:	\$450-
Payment Type:	# 1001
OK with SOS:	Yes ☒ No ☐

5.24

Legal Business Entity Applicant Name (corporation, LLC):	Business Name (D/B/A):
PENG'S LLC	PENG'S PIZZA PICS
Individual or Sole Proprietor Applicant Name(s):	Physical Location:
Chris Daniels	128 MAIN ST, STE 102, Biddeford ME 04005
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address:
11 Laurier St. Biddeford ME 04005	PengsPIZZA@gmail.com
Telephone # Fax #:	Business Telephone # Fax #:
(503) 863-6010	
Federal Tax Identification Number:	Maine Seller Certificate # or Sales Tax #:
92-2653534	
Retail Beverage Alcohol Dealers Permit:	Website address:
	PengsPIZZAPICS.COM

1. New license or renewal of existing license? ☒ New Expected Start date: 7/14/2023
☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: \$266,904 Beer, Wine or Spirits: \$9,933 Guest Rooms: 10

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☐ Spirits

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**Liquor Licensing
& Enforcement**

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| ☒ Restaurant
(Class I, II, III, IV) | ☐ Class A Restaurant/Lounge
(Class XI) | ☐ Class A Lounge
(Class X) |
| ☐ Hotel
(Class I, II, III, IV) | ☐ Hotel – Food Optional
(Class I-A) | ☐ Bed & Breakfast
(Class V) |
| ☐ Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | ☐ Auxiliary | ☐ Mobile Cart |
| ☐ Tavern
(Class IV) | ☐ Other: _____ | |
| ☐ Qualified Caterer | ☐ Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

11 Laurier St. Biddeford, ME 04005

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☐ No

☒ Not applicable – licensee/applicant(s) is a sole proprietor

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**Liquor Licensing
& Enforcement**

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Christopher Lee Daniels	10/28/1985	Waterville, Maine

Residence address on all the above for previous 5 years

Name	Address:
Chris Daniels	11 Laurier St. Biddeford ME 04005
Name	Address:
Name	Address:
Name	Address:

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MAY 19 2023

Liquor Licensing
& Enforcement

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☐ Yes ☒ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Jonathan Denton Biddeford, ME

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MAY 19 2023

**Liquor Licensing
& Enforcement**

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

The dining room will be a 300 square foot space with 12 seats.
Customers will order at the counter where the server will pour
their drink.

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Second Congregational Church

Distance: .3 miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 5/15/2023



Signature of Duly Authorized Person

Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

RECEIVED

MAY 19 2023

**Liquor Licensing
& Enforcement**

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

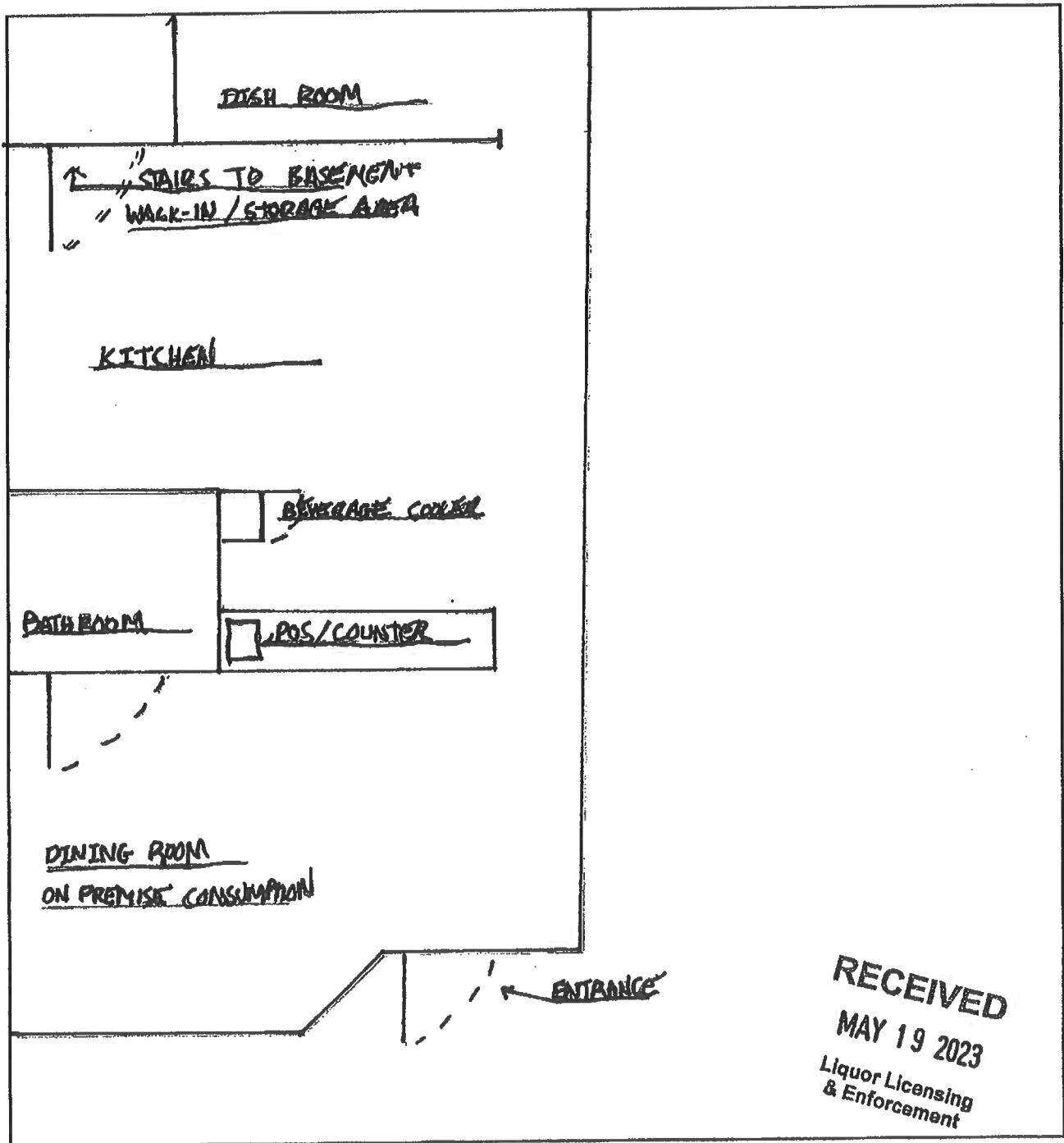
A. The bureau shall prepare and supply application forms.

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& Enforcement

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

- Exact legal name: DENG'S LLC
- Doing Business As, if any: Peng's Pizza Pies
- Date of filing with Secretary of State: 5/15/2023 State in which you are formed: Maine
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Chris Daniels	11 Courrier St. Biddford Me 04005	10/28/85	Owner	100 %

(Ownership in non-publicly traded companies must add up to 100%.)

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MAINE

Department of the Secretary of State

Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information Summary

Subscriber activity report

This record contains information from the CEC database and is accurate as of: Wed May 24 2023 11:35:28. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
PENG'S LLC	20222540DC	LIMITED LIABILITY COMPANY (DOMESTIC)	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
07/02/2021	N/A	MAINE

Other Names (A=Assumed ; F=Former)

PENG'S PIZZA PIES A

Clerk/Registered Agent

CHRIS DANIELS
11 LAURIER ST
BIDDEFORD, ME 04005

New Search

Click on a link to obtain additional information.

List of Filings

[View list of filings](#)

Obtain additional information:

Certificate of Existence ([more info](#))

<u>Short Form without</u>	<u>Long Form with</u>
<u>amendments</u>	<u>amendments</u>
<u>(\$30.00)</u>	<u>(\$30.00)</u>

You will need Adobe Acrobat version 3.0 or higher in order to view PDF files.
If you encounter problems, visit the [troubleshooting page](#).



If you encounter technical difficulties while using these services, please contact the [Webmaster](#). If you are unable to find the information you need through the resources provided on this web site, please contact the Division of Corporations, UCC & Commissions Reporting and Information

City of Biddeford
City Council
August 29, 2023 6:00 PM Council Chambers & Zoom

Status:

1. Roll Call - meeting opened at 7:04 pm

Chairman Belanger - present
Councilor Lessard - present
Councilor Ortiz - present
Councilor Emhiser - present
Councilor Whiting - excused
Councilor Grohman – present
Councilor Mills – present
Councilor Schlaver - present
Councilor LaFountain - present

2. Pledge of Allegiance

3. Orders of the Day:

- 3.a. 2023.100 Approval/Garage Stabilization Payment 4, BRC1, LLC
Motion: Councilor Belanger
Second: Councilor Lessard

Chief Operating Officer Brian Phinney reviewed the stabilization payment schedule.

City Manager Jim Bennett – recommended asking for financial analysis and setting up an executive session with the City Attorney to review components of this.

Councilor Lessard - will need to look at the rates, including market rates for surface lots and the garage.

Councilor Grohman – should consider deducting some amount from the invoice to give them some incentive to fix the issues. Will not support it as written. He is not supportive of this. They are not responsive to customer service issues.

Councilor Emhiser – the stabilization payment is not for Premium.

City Manager Bennett – Can send a message to Amber to fix the issues or the Council will demand a change in operator.

Councilor Ortiz – There are frustrations with the contract and with the operator but the stabilization payment is in the contract. Does not want to break the contract. She provided comparison costs to Portland parking garages. If our lots aren't full it doesn't make sense to increase the prices.

Councilor Belanger – wants an analysis on the increase to discuss in the future.

Mayor Casavant – we have to pay the stabilization payment and not be in default, this will be a good time to look at rates and reassess the overall parking plan, create an incentive system and have a back-up plan.

Councilor LaFountain – supports both parts of the order, the stabilization payment and the request to the City Manager for more financial data. There should also be a request to the City Manager to come back with recommendations for a different operator if changes are not made. Would like to ask for it now so it will be ready in a few months.

Councilor LaFountain - motion to amend – further order that no later than the first Council meeting in January of 2024 to have a list of options from Amber.

Second – Councilor Mills

Vote on the amendment: Unanimous in favor.

Amendment passed.

Councilor Emhiser – should have the City Attorney review the contract to see about the surface lots.

Councilor Grohman – recommends paying the amount minus the pass through or ten percent.

City Manager Bennett – the City would renegotiate that component. If we don't pay the full payment they will take action and it changes the dynamics.

Councilor Mills – asked the COO about the impact if it was tabled to a future meeting. COO Phinney responded that it would be a breach of contract.

Vote: 5 yeas – Councilors Belanger, Emhiser, Schlaver, LaFountain and Ortiz.

3 nays – Councilors Lessard, Mills and Grohman

Motion passed.

4. Executive Session

4.a. Executive Session 1 MRSA 405 (6) (a) Personnel Matters

Motion to go into Executive Session by Councilor Belanger at 7:32 pm

Second: Councilor Lessard

Vote: Unanimous

Motion to come out of Executive Session by Councilor Lessard at 7:40 pm
Second: Councilor Belanger
Vote: Unanimous

5. Adjourn

Motion to adjourn by Councilor Lessard at 7:40 pm
Second: Councilor Belanger
Vote: Unanimous.

Attested by: _____

Robin Patterson, City Clerk

City of Biddeford
City Council
September 05, 2023 6:00 PM Council Chambers & Zoom

Status: Mayor Casavant called the meeting to order at 6:25 pm

1. Roll Call

Chairman Belanger - present
Councilor Lessard - present
Councilor Ortiz - present
Councilor Emhiser - present
Councilor Whiting - excused
Councilor Grohman - present
Councilor Mills – arrived at 6:35 pm
Councilor Schlaver - present
Councilor LaFountain - present

2. Pledge of Allegiance

3. Adjustment(s) to Agenda

4. Appointments:

- 4.a. Confirmation of City Manager's Recommendation for Fire Chief
[20230905 Confirmation of Fire Chief - Lawrence Best - ORDER](#)
[20230905 Confirmation of Fire Chief - Lawrence Best - EMPLOYMENT AGREEMENT](#)
[20230905 Confirmation of Fire Chief - Lawrence Best - RESUME](#)

Motion: Councilor Belanger
Second: Councilor Lessard
Vote: Unanimous in favor
Motion passed.

- 4.b. Carmen Bernier as Chair of Airport Commission
[Carmern Bernier- Chair of Airport Commission- ORDER](#)

Motion: Councilor Belanger
Second: Councilor Lessard
Vote: Unanimous in favor
Motion passed.

5. Proclamation:

- 5.a. Rosh Hashanah and Yom Kippur
[Rosh Hashanah - Yom Kippur-PROCLAMATION](#)
Mayor Casavant read the proclamation
- 5.b. World Suicide Prevention Day

[World Suicide Prevention Day -PROCLAMATION](#)

Mayor Casavant read the proclamation

4. Public Addressing the Council...(3 minute limit per speaker for up to a total of 15 minutes)

Dorothy Mathes from the Biddeford Mills Museum thanked the Council for all their support. They have a new exhibit beginning in October with a demonstration loom. They also published a new activity book for children ages 5 to 12 and provided a copy for each Councilor.

Biddeford Adopt a Park spoke about the agenda item for 315 Main Street. They commended Public Works for their help in previous years and encouraged the Council to adopt the location officially as a park.

Dr. David Strassler spoke briefly about the history of the Jewish community in Biddeford and thanked the Council for proclamation this week.

7. Consideration of Minutes:

- 7.a. Council Minutes 8-15-2023
[City Council Minutes 8-15-2023](#)

Motion: Councilor Belanger
Second: Councilor Lessard
Vote: Unanimous in favor.
Motion passed.

8. Second Reading:

- 8.a. 2023.70 Approval/University of New England Dimensional Standards
[2023.70 UNE Dimensional Standards -Amend Official Zoning Map - ORDER](#)
[2023.70 UNE Dimensional Standards - MEMO](#)
[2023.70 UNE IN Dimensional Standards Review - APPLICATION](#)
[20230905 UNE Dimensional Standards - Scribner's Error - REFERENCE](#)

Motion: Councilor Belanger
Second: Councilor Lessard
Vote: Unanimous in favor.
Motion passed.

9. Orders of the Day:

- 9.a. 2023.101 Acceptance/Donation Greater than \$5,000 – Marshall Alexander Memorial Plaque
[20230905 Acceptance - Memorial Gift, Marshall Alexander Memorial Plaque - ORDER](#)
[20230905 Acceptance - Memorial Gift , Marshall Alexander Memorial Plaque - BRIEF](#)

Motion: Councilor Belanger

Second: Councilor Lessard

Councilor Emhiser – the memorial plaque is well deserved.

Vote: Unanimous in favor.

Motion passed.

- 9.b. 2023.102 Amend/Harbor Ordinance Sec 74-35 Wharfs, Piers, Landings
[20230905 Amendment to Harbor Ordinance Sec 74-35 - ORDER](#)
[20230905 Amendment to Harbor Ordinance Sec 74-35 - BRIEF](#)

Motion: Councilor Belanger

Second: Councilor Lessard

Harbor/Shellfish Committee Chair John Schafer spoke about the importance of the changes. The purpose was to clearly define the approval process with federal, state and local authorities.

Councilor Belanger – the Policy Committee went back and forth to modify this and in the end was unanimous in favor.

Vote: Unanimous in favor.

Motion passed.

- 9.c. 2023.103 Approval/HOB Oktoberfest Alcohol Service Order
[20230905 HOB Oktoberfest Special Event Permit with Alcohol Service - ORDER](#)
[20230814 HOB Oktoberfest Special Event Application 24-08-008 - APPLICATION](#)
[20230828 HOB Oktoberfest Request for Alcohol Permit - APPLICATION](#)
[20230829 HOB Oktoberfest Notification Log - REFERENCE](#)
[20230829 HOB Oktoberfest Road Closure Notice - REFERENCE](#)

Motion: Councilor Belanger

Second: Councilor Lessard

Heart of Biddeford Director Delilah Poupore spoke about the plans for the first annual Oktoberfest.

Councilors Grohman, LaFountain and Emhiser spoke in support

Vote: Unanimous in favor.

Motion passed.

- 9.d. 2023.104 Approval/Biddeford Saco Chamber of Commerce Business After Hours Alcohol Service Order
[20230905 Approval Biddeford Saco Chamber of Commerce - Business After Hours - Alcohol Service - ORDER](#)

[20230905 Approval Biddeford Saco Chamber of Commerce - Business After Hours - Alcohol Service - BRIEF](#)

Motion: Councilor Belanger
Second: Councilor Lessard

Susan Deschambault spoke and described the event.

Councilor Belanger this is a good cause. Would like staff to develop an ordinance change for the future to address events serving alcohol in City buildings.

Councilor Mills – supports the event, should be part of the Special Event Permit review process.

Councilor Grohman – spoke in support of a great event.

Councilor Lessard – supports the reason to have the event however there is no protocol to allow it.

Vote: 7 yeas - Councilors Belanger, Ortiz, Emhiser, Grohman, Mills, Schlaver and LaFountain.

1 nay – Councilor Lessard

Motion passed.

- 9.e. [2023.105 Approval/AV System Upgrade](#)
[20230905 AV System Upgrade - ORDER](#)
[20230905 AV System Upgrade - BRIEF](#)
[20230905 AV System Upgrade - Key Code Media - QUOTE](#)
[20230905 Public Access AV Playback System Upgrade - Key Code Media - QUOTE](#)
[20230905 AV System Upgrade - TelVue - QUOTE](#)

Motion: Councilor Belanger
Second: Councilor Lessard

Councilor Lessard – the current system is 20 years old, this has his full support.

Vote: Unanimous in favor.

Motion passed.

Public Addressing the Council

Due to inappropriate comments from several online participants, City Manager Jim Bennett recommended to suspend online comments for the remainder of the meeting. Those who wish to comment could email him directly with their name and address and they will be called on during the final public comment period.

Councilor Belanger – motion to suspend rules for remainder of the evening, any online commenters must email the City Manager and will be recognized at the end of the meeting.

Second - Councilor Lessard

Vote – Unanimous in favor.

Motion passed.

- 9.f. 2023.106 Amendment/Sec 46-5 City Parks, Beaches, and Athletic Fields, add 315 Main Street

[20230905 Amendment - Sec. 46-5 City, Parks, Beaches, and Athletic Fields - Add 315 Main St - ORDER](#)

[20230905 Amendment - Sec. 46-5 City, Parks, Beaches, and Athletic Fields - Add 315 Main St - BRIEF](#)

[20230905 315 Main Street - MAP](#)

[20230808 Biddeford Adopt-a-Park Committee Request - 315 Main as Formal Park - REFERENCE](#)

Motion: Councilor Belanger

Second: Councilor Lessard

Holly from Adopt a Park spoke in favor of this.

Councilors Mills, Schlaver and Grohman spoke in favor.

Councilor Belanger asked about title issues and the maintenance costs.

COO Brian Phinney – responded that none have been found at this point in time. Staff supports this order.

City Manager Jim Bennett stated that the annual maintenance would be less than \$5,000 and the City can work with it.

Vote: Unanimous in favor.

Motion passed.

- 9.g. 2023.107 Approval/Extension of Inclusionary Zoning Emergency Moratorium

[20230905 Inclusionary Zoning Moratorium Emergency Order Extension - ORDER](#)

[20230905 Inclusionary Zoning Moratorium Emergency Order Extension - BRIEF](#)

[20230620 First Extension - Affordable Housing Inclusionary Zoning Emergency Moratorium - REFERENCE](#)

Motion: Councilor Emhiser

Second: Councilor Lessard

Councilors had concerns that this was sending the wrong message to developers. They expressed frustration with the process and wanted to know what information

the Planning Board needs to finalize this. The Council would like to see incentives and regulations in the IZ language.

Councilor Belanger - this vote is on the moratorium, it has passed the 120 days so an extension would not be valid unless that language was removed.

Councilor Mills – motion to move the question.

Second – Councilor Lessard

Vote to move the question: Unanimous

Vote on the original order: Unanimous against.

Motion failed.

- 9.h. 2023.108 Approval/Contract Zone #22 608 New County Road
20230904 Contract Zone #22 - New County Road - ORDER
20230904 Contract Zone #22 - New County Road - BRIEF
20230904 Contract Zone #22 - New County Road - DRAFT AGREEMENT
20230810 Contract Zone #22 - New County Road - DRAFT CONDITIONS OF APPROVAL
20230823 Homestead by the River Site Concept - ATTACHEMENT A
20230904 Contract Zone #22 New County Road - MAP AMENDMENT
20230904 Contract Zone #22 - New County Road - APPLICATION
20230904 Zoning Map with Property Marker - DIAGRAM 1
20230904 Proposed Barn and Parking - DIAGRAM 2
20230904 Proposed Barn Design - DIAGRAM 3
20230904 Saco River Corridor Overlay - DIAGRAM 4
20230804 John R Braley III Contract Zone #22 New County Road Opposition Letter - REFERENCE

Motion: Councilor Belanger

Second: Councilor Lessard

Public comment – neighbor adjacent to the property asked the Council to consider the potential noise issue and distance for emergency services; and also to consider the location based on the recently approved Comprehensive Plan.

Councilors Lessard, Ortiz, Mills, Emhiser, and Schlaver all commented in favor of staying with the zones in the Comprehensive Plan.

Councilor Belanger would like more input from Emergency Services, Planning and the developers.

Councilor Belanger motioned to table the item until the next meeting.

Second: Councilor Lessard

Vote on motion to table: 4 yeas – Councilors Belanger, Grohman, Mills and Schlaver

4 nays – Councilors Lessard, Ortiz, LaFountain and Emhiser

Mayor Casavant broke the tie with a nay vote.

Motion to table failed. Order stays on the table.

Vote on the original order:

2 yeas – Councilors Belanger and Mills

6 nays – Councilors Lessard, Ortiz, LaFountain, Schlaver, Grohman and Emhiser.

Motion failed.

- 9.i. 2023.109 Approval/Refer Street Frontage Reduction Ordinance to the Planning Board

[20230905 Refer Street Frontage Reduction to Panning Board - ORDER](#)

[20230905 Refer Street Frontage Reduction to Planning Board - BRIEF](#)

[20230905 Existing Dimensional Standards Table B - REFERENCE](#)

Motion: Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

- 9.j. 2023.110 Approval/Consulting Contract with Greg Mitchell

[20230905 Employment Agreement with Gregory Mitchell - ORDER](#)

[20230905 Employment Agreement with Gregory Mitchell - BRIEF](#)

[20230905 Employment Agreement with Gregory Mitchell - DRAFT AGREEMENT](#)

Motion: Councilor Belanger

Second: Councilor Emhiser

Councilors spoke in favor; a good approach to solve a vacancy. Questions about budget impacts and rezone process.

City Manager Jim Bennett – The Planning Director position has not been filled and this will allow the City to continue to manage economic development with Greg. It does not come out of the rezone contractor services budget. The rezone process is on track with the recommendations from the Workshop unless the priorities change.

Vote: Unanimous in favor.

Motion passed.

- 9.k. 2023.111 Approval/Request to Waive Property Taxes on 200-208 Graham St. by Biddeford Housing Authority

[20230905 Biddeford Housing Authority Request for Tax Relief - ORDER](#)

[20230905 Biddeford Housing Authority Request for Tax Relief - MEMO](#)

[20230905 Biddeford Housing Authority Letter Requesting Tax Relief - REFERENCE](#)

Motion: Councilor Emhiser

Second: Councilor Lessard

Councilor Lessard – this is a good example of groups working together.

Councilor Belanger – supports the idea, asked the City Manager for clarification on the process.

City Manager Bennett – this would not be an abatement, those are for assessing mistakes. The City could either write it off completely or write off the difference of the bill after the Pilot amount is submitted.

Councilor Belanger – motion to amend for the City to write off the entire tax bill, conditional upon the payment in full of the calculated Pilot payment.

Second: Councilor Mills

Vote on the amendment: Unanimous in favor.
Amendment passed.

Vote on the order as amended: Unanimous in favor.
Motion passed.

Adjustment - Order 2023.95 considered before Order 2023.112

9.m 2023.95 Approval/CIP Carry Forward Funds FY23 to FY24
· [20230815 CIP and Carry Forward Reserves-FY23 to FY24-ORDER](#)
[20230905 FY24 CIP Carry Forward Fund Recommendation - MEMO](#)
[20230905 FY24 CIP & City Hall Funding Analysis - 5 BOXS](#)
[20230905 City Hall Renovation Cost and Funding Analysis - REFERENCE](#)
[20230905 FY24 CIP Vehicle Recommendations - REFERENCE](#)

Motion: Councilor Emhiser
Second: Councilor Lessard

Councilor Belanger – this was discussed in depth by the Finance Committee, it looks at ways to move funds in the future, the summary is on page 160 of the documents.

City Manager Bennett – Staff is recommending shifting funds from 3 categories: 1. From a project that is done and the remaining funds are not needed, as in an item that received a grant. 2. From a project that is not likely to finish in the coming year and 3. From projects that will last a long time. This will free up the necessary funds listed in the next orders to complete those projects. It does not put any projects in jeopardy. He has spoken with the new Recreation Director to prioritize the budget list and look at playgrounds, particularly accessibility, ages 2 -5 and a destination park.

Councilors Lessard, LaFountain and Emhiser spoke in support.

Councilor Belanger – motion to amend this order to remove the last two orders as listed on 2023.95 that assign the funds to specific items.

Second – Councilor Emhiser

Vote on the amendment – Unanimous in favor.
Motion passed.

Councilor Emhiser – recommend that the new Recreation Director look at projects, staffing and funding for future needs including the new park just added.

Vote on the Order as amended – Unanimous in favor.
Motion passed.

- 9.l. 2023.112 Approval/Award City Hall Renovation Project
[20230905 City Hall Renovation - ORDER](#)
[20230905 City Hall Renovation - BRIEF](#)
[20230905 City Hall Renovation Funding Analysis - REFERENCE](#)
[20230807 City Hall Renovation - Ducas Const - QUOTE](#)

Motion: Councilor Belanger
Second: Councilor Lessard

Vote: Unanimous in favor.
Motion passed.

- 9.n. 2023.113 Approval/May Street Traffic Calming Demonstration Project
[20230905 May Street Traffic Calming Demonstration Project - ORDER](#)
[20230905 May Street Traffic Calming Demonstration Project - BRIEF](#)
[20230905 May Street Traffic Calming Demonstration Project - Concept D - DESIGN PLAN](#)
[20230905 May Street Traffic Calming Demonstration Project - COST ESTIMATE](#)

Motion: Councilor Belanger
Second: Councilor Lessard

Councilors Lessard, Grohman, Schlaver, Mills, and LaFountain spoke in support. This is a good plan, ok to test it, regroup and change it if needed. Also a guide to look at other high traffic streets. There were questions about visibility, crosswalks, bike paths and maintenance.

Public Works Director Jeff Demers addressed those concerns.

Vote: Unanimous in favor.
Motion passed.

- 9.o. 2023.114 Approval/St. Louis Field Improvements
[20230905 St. Louis Field Improvements - ORDER](#)
[20230905 St. Louis Field Improvements - BRIEF](#)
[20230905 St. Louis Field Improvements - Sports Fields, Inc - QUOTE](#)

Motion: Councilor Belanger
Second: Councilor Lessard

Councilor Lessard – these are important, they will save lives.

Councilor Mills – asked about the schedule.

Councilor Belanger asked about the costs.

Public Works Director Demers – the schedule might impact a few practices for UNE, has to be done in the fall so it doesn't take time out of the Spring schedules. He was able to confirm the October date with the vendor. He wrote the order higher than the quote in case there were unexpected issues, they will only spend what is necessary.

Councilor Belanger – motion to amend the order for \$30,000 from the reallocation funds from the FY23 CIP budget be assigned to this project.

Second: Councilor Emhiser

Vote on amendment: Unanimous in favor.
Amendment passed.

Vote as amended: Unanimous in favor.
Motion passed.

- 9.p. 2023.115 Approval/Purchase 2024 Freightliner Plow Truck
[20230905 Purchase of 2024 Freightliner Plow Truck - ORDER](#)
[20230905 Purchase of 2024 Freightliner Plow Truck - BRIEF](#)
[20230905 Freightliner and Western Star of Maine - QUOTE](#)

Motion: Councilor Mills
Second: Councilor Lessard

Councilor Lessard – reviewed in Finance Committee. Another town ordered it but couldn't take delivery. We were on schedule to replace an old truck and we were able to take this deal at savings.

Vote: Unanimous in favor.
Motion passed.

10. Public Addressing the Council..(5 minute limit per speaker)

11. City Manager Report

If the Council wants the drafted IZ ordinance on the next agenda talk to your leadership.

12. Other Business

Councilor Lessard – thanks for the support of the St. Louis field project, it's a safety issue.

Councilor Grohman –

Reported on the Marie Joseph Center, Maine Coast Heritage Trust is raising 11 million dollars to protect it. Union Church has an outdoor service at Mechanics Park this Sunday at 10:00 am.

Councilor Emhiser – Marie Joseph Center – the land is going into a land trust. Maine Coast Heritage Trust will create an easement for it. Funding to pay the purchase price to close at the end of the month, then a portion to tear down the building and then replant and create an access path in the spring. The goal is to have respectful public access to the beautiful 23 acre location. Over 10 million dollars was raised in 3 months, very impressive.

Councilor LaFountain – it is important to create and celebrate a diverse community. Can't let disrespectful comments go unchecked. It is significant that 99 years ago yesterday the KKK tried to come into Biddeford and the leadership didn't let them. We have to be a community that is ready and not tolerate that.

Councilor Mills – well said. Appreciates the discussion about the Planning Board and process.

City Manager Bennett – the Planning Board is working very hard. Trying to do the right thing. Affordable Housing is a very difficult issue for municipalities in Maine.

13. Council President Addressing the Council

The proclamations, the words matter. There is no place for hate in this city and we're not going to tolerate it.

School is back in session, good luck to everyone. Be mindful of the children and the buses.

14. Mayor Addressing the Council

Thank you to Phil Radding for his dedication to the architecture of this building. The City Hall preservation and renovations are many years in the making.

15. Adjourn

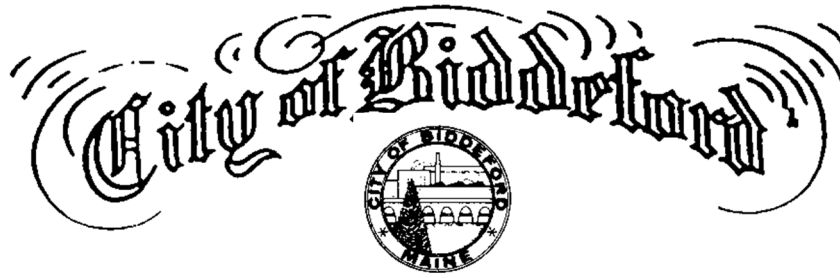
Councilor Belanger - motion to adjourn at 8:41 pm

Second – Councilor Lessard

Vote – Unanimous in favor.

Attested by: _____

Robin Patterson, City Clerk



2023.102 **IN BOARD OF CITY COUNCIL... SEPTEMBER 5, 2023**
BE IT ORDAINED by the Biddeford City Council to amend the Biddeford Code of Ordinances at *Part II, Chapter 74 – Waterways, Article II – Harbor, Sec. 74-35.* Construction of wharf, pier, sea wall or landing regulated by [adding](#) or ~~deleting~~ text as follows:

No additions, alterations, new construction or/or changes to an existing wharf, pier or landing shall be made without prior permission of the Harbormaster.

Permission for the construction of any new wharf or pier within the jurisdictional limits of the City shall not be granted without approval of the Harbormaster. [along with Federal, State and Local governing authorities.](#)

To obtain permission of any new wharf or pier, the Applicant must provide the following information:

- [A formal boundary survey that has been documented at the Registry of Deeds.](#)
- [A copy of the boundary survey showing the littoral zone, established by extending property lines seaward.](#)
- [A location map from a portion of a USGS topographic map or coastal chart.](#)
- [Distance to navigable channels or any Federal Navigation Project.](#)
- [Mean high and low water boundary.](#)
- [A plan view on the drawing\(s\) that show the location and dimensions of the Applicant's structure\(s\) in relation to the Applicant's property lines.](#)
- [A typical cross section/side view of the Applicant's structures on the drawing\(s\).](#)
- [Evidence that owners of abutting properties have been notified of the Applicant's intended project.](#)
- [Evidence that the \(1\) Maine Historic Preservation Commission, \(2\) Aroostook Band of Micmac, \(3\) Passamaquoddy Tribe of Indians: Pleasant Point; Indian township, \(4\) Houlton Band of Maliseet Indians and \(5\) Penobscot Indian Nation have been notified of the Applicant's intended project.](#)
- [Completed applications to the Army Corps of Engineers, Department of Environmental Protection and Biddeford Code Enforcement. A regulatory permit from the Saco River Corridor Commission may also be required in some instances.](#)

The process to obtain permission for any new wharf or pier shall be facilitated by the Harbormaster. Initially, the Harbormaster's shall be available to guide the applicant through the application process and finally, to sign-off that all regulatory approvals have been obtained for construction.

September 5, 2023

Motion: Councilor Belanger
Second: Councilor Lessard
Vote: Unanimous in favor
Motion passed.

September 19, 2023

Motion:
Second:
Vote:

Attest by: _____

Robin Patterson, City Clerk



City Council

Meeting Date: September 5, 2023

Meeting Time: 6:00 PM

Agenda Item No: 9.b.

Item Description: 2023.102 Amendment/Biddeford Code of Ordinances; Part II, Chapter 74 – Waterways; Article II – Harbor; Sec. 74-35 Construction of wharf, pier or landing regulated.

Submitted by: Brian S. Phinney, COO on behalf of the Harbor Commission and Shellfish Commission

Supporting Information/Documentation:

Order 2023.102

Key Terms:

N/A

Executive Summary:

The Harbor and Shellfish Commissions evaluated the ordinance section related to the construction of wharfs and piers. The existing ordinance was deemed lacking in detail. The amendment provides a list of requirements an applicant must provide to the harbor master in order to proceed with a review. The amendment is intended to provide clarity.

Detailed Review:

Chapter 74, Sec. 74-35 of the Biddeford Code of Ordinances addresses wharfs, piers, and landings. The current language states simply that permission from the harbormaster is required for construction of any new pier or wharf but there is no detail on what is required in order to obtain said “permission”.

The Harbor and Shellfish Commissions worked with the harbormaster to draft an amendment to Sec. 74-35 to include detail on the information needed by the harbormaster in order to make an informed decision on any new construction requests. By amending the ordinance applicants will better understand what information is expected and will be able to evaluate cost and time implications prior to moving forward with new construction requests. Defining the information needs also assists the harbormaster by ensuring specific and consistent data is provided with any future construction requests.

The Policy Committee reviewed the proposed amendment on July 24th. The Policy Committee considered the wording of the amended language and moved to submit the current version to City Council for consideration and adoption.

Funding Source:

N/A

Staff Recommendation:

Staff recommends approval of the Policy Committee recommendations.



City Council

Meeting Date: September 19, 2023

Meeting Time: 6:00 PM

Agenda Item No: 11.a.

Item Description: 2023.116 Approval/Temporary Change to Council Rules Regarding Zoom Participation in City Council Meetings

Submitted by: Brian S. Phinney, COO

Supporting Information/Documentation:

N/A

Key Terms:

N/A

Executive Summary:

This item involves a review of the recent Zoom bombing activity and a discussion to determine if steps should be taken to deter or prevent future Zoom bombing attempts, to the extent possible.

Detailed Review:

At the recent city council meeting certain members of the public chose to take advantage of the public forum to make foul and discriminatory comments through the remote access (Zoom) portal. Staff has become aware that this "Zoom bombing" occurred at several other public meetings around the state on that same day and has continued.

The remote access provision was retained by the City Council post-Covid as a way to expand methods of public participation during public meetings. The unfortunate local Zoom bombing event was dealt with at the meeting by immediately removing the individuals from the meeting via the Zoom controls, however the public was exposed to a limited amount of the derogatory and unacceptable rhetoric. After continued attempts to disrupt the meeting the Council suspended the rules terminating public comment via the remote Zoom link.

In order to preempt future Zoom bombing attempts the City Council may consider amending the procedural rules. There are several approaches to addressing this issue with all having varying levels of impact on public participation. Here are a few examples for discussion:

- The most severe approach would be to terminate all remote comments. While this approach guarantees an end to Zoom bombing it also eliminates an avenue for public participation thereby penalizing the vast majority of users based on the actions of a few. This approach would also impact many of the other city boards, committees, and commissions that receive public input/comments through Zoom.

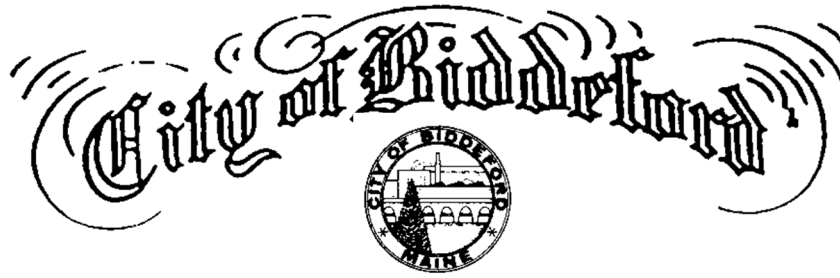
- There could be a requirement that individuals attending remotely and planning to offer comments “pre-register” for each meeting by emailing a designated individual with their name, address, email, phone number, the name/designation they will list in Zoom, and the agenda item or items which they may want to offer public comment. This would introduce a level of verification but may prove cumbersome and time consuming depending on the number of participants.
- Limit remote public comment to the second public addressing the council section only with or without some form of screening. This is punitive to the vast majority of individuals and would likely not fully prevent Zoom bombing. It could have the effect of limiting exposure of the public to unacceptable behavior by moving through the majority of agenda action items limiting the number of attendees that may choose to remain for the entirety of the meeting.
- Change the agenda process by requiring Zoom “registration” for meetings and place the registration link on the agenda rather than the Zoom meeting link. Unfortunately, anyone can still register but the registration process may ward off individuals intending to disrupt the meeting. An additional step would be to enable “Require Attendee Authentication to Join” in addition to Zoom registration. This means every attendee must be logged into their Zoom account in order to enter the meeting. It shouldn’t be a barrier for anyone’s participation – anyone without a Zoom account can sign up for a free (Basic) account. This will help create a paper trail for reporting offenders to Zoom and will allow Zoom to investigate a registered account.
- Retain and rely on the current process of having the Zoom host terminate an individual’s participation at the first indication of inappropriate comments. This prevents an individual from rejoining but does expose the general public to all comments prior to the individual being terminated.

Funding Source:

N/A

Staff Recommendation:

Staff recommends a discussion on the topic as this is a policy decision with positive and negative impacts on public participation. Based on the number of available options an order has not been created. Should the City Council take action in the form of an order the number should be 2023.116.



2023.117 **IN BOARD OF CITY COUNCIL... SEPTEMBER 19, 2023**
BE IT ORDERED, that City Manager James Bennett serve as the City of Biddeford's
voting delegate at the 2023 MMA Annual Business Meeting; and,

BE IT FURTHER ORDERED, that Mayor Alan Casavant be authorized to sign the
MMA Voting Credentials form on behalf of the Biddeford City Council; and

BE IT FURTHER ORDERED, that the City Clerk submit the completed and fully
executed MMA Voting Delegate Credentials form to the Maine Municipal Association
designating City Manager James Bennett as the voting delegate.

Attest by: _____



City Council

Meeting Date: September 19, 2023

Meeting Time: 6:00 PM

Agenda Item No: 11.b.

Item Description: 2023.117 Authorization/MMA Annual Business Meeting Voting Credentials

Submitted by: Brian S. Phinney, COO

Supporting Information/Documentation:

Maine Municipal Association Memo dated September 1, 2023. The memo includes a copy of the agenda, proposed MMA by-law amendments, and a copy of the MMA Voting Delegate Credentials form.

Key Terms:

N/A

Executive Summary:

Action on this item authorized the city manager to serve as the City of Biddeford's voting delegate at the 2023 Maine Municipal Association's Annual Business Meeting scheduled for October 4, 2023.

Detailed Review:

The Maine Municipal Association's (MMA) annual business meeting is scheduled for October 4, 2023 in person at the Augusta Civic Center. Member communities participate in the business meeting at their discretion and may assign a voting delegate to serve as the community's proxy. If a voting delegate is assigned the community must submit a Voting Delegate Credentials form naming the delegate. The form must be received by MMA on or before Monday, October 2, 2023. At this year's meeting the agenda includes adoption of proposed by-law amendments.

The by-law amendments include two proposals. One involving an amendment to *Article III, Section 2 – Patron Status* and the second involving *Article V, Section 3 – Nomination Process*. A summary of each is provided below.

Summary of proposed amendments to Article III, Section 2 – Patron Status:

There are currently three levels of patrons – individual, professional, and business. The amendments expand upon the patron levels and benefits to better define MMA's products and services.

Summary of proposed amendments to Article V, Section 3 – Nomination Process:

Last September the MMA Executive Committee approved the appointment of a seven member DEI Special Task Force, which was directed to explore and recommend changes to existing MMA processes and guidelines necessary to encourage a more diverse pool of candidates to considered serving on the Association’s governing board.

In summary, the amendments to the MMA bylaws propose to change and expand the make-up of the MMA Nominating Committee by:

- Reducing from two to one participation from an MMA past president.
- Reducing from two to one participation from an elected officer.
- Including representation from a town or city manager or chief administrative official.
- Including representation from a board member from an affiliate organization.
- Including representation from a municipal employee or volunteer, with endorsement from the Council/select board or manager.
- Including representation from a community-based organization representing a marginalized group.

City Manager Jim Bennett will be attending the MMA Annual Business Meeting. The Order is written to approve him as the voting delegate however if a member of the council is planning to attend and would like to serve as the voting delegate the Order can be amended as desired.

Funding Source:

N/A – no financial impact

Staff Recommendation:

Staff recommends designating Jim Bennett as the City of Biddeford’s voting delegate unless a council member is planning to attend the MMA Annual Business Meeting and wishes to serve as the delegate.



MAINE MUNICIPAL ASSOCIATION SINCE 1936

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428

To: Key Municipal Officials of MMA Member Cities, Towns and Plantations

From Catherine Conlow, MMA Executive Director

Date: September 1, 2023

Re: Announcement of MMA Annual Business Meeting & Voting Credentials

The Maine Municipal Association Annual Business Meeting is being held in conjunction with the MMA Annual Convention and will take place on **Wednesday, October 4, 2023, at 1:15 p.m.** The meeting will be held in person at the Augusta Civic Center, Augusta, Maine.

Following please find the ***MMA Voting Delegates Credential Form*** on which the municipal officers may designate their municipality's voting representative and alternate in addition to the proposed agenda for the MMA Annual Business Meeting. If you plan to be at the MMA Annual Convention and would like to have a Voting Delegate represent your municipality, please complete the form, and return to our office by **Monday, October 2, 2023.**

Please note that the MMA Executive Committee is recommending proposed amendments to the MMA bylaws this year. We have enclosed a separate memo from the MMA Executive Committee that provides information on two proposed amendments and includes tracked changes to the appropriate sections of the MMA bylaws for your easy reference. The current MMA Bylaws as adopted in 2013 may be viewed on the MMA website at:

<https://www.memun.org/About/Governance>

We are pleased to have a great line up of speakers and workshops at this year's convention. Please refer to the Convention Program in the August-September issue of the Maine Town & City or at www.memun.org.

If you have any questions on this information, please contact me at 1-800-452-8786 or 623-8428 ext. 2208 or by email cconlow@memun.org.

We look forward to your participation in MMA's Annual Convention and Business Meeting.

**Maine Municipal Association
Annual Business Meeting
Wednesday, October 4, 2023
1:15 p.m. – 2:35 p.m.
Augusta Civic Center**

AGENDA

1. **Introductions and Welcoming Remarks** – MMA President Elaine Aloes
(Chair of Selectboard, Town of Solon)
2. **Approval of 2023 MMA Annual Business Meeting Minutes** – Elaine Aloes
3. **Proposed Bylaw Amendments – Elaine Aloes**
 - A. Article III, Section 2: Affiliate and Patron Status – See attached support materials.
 - B. Article V, Section 3: Nomination Process - See attached support materials.
4. **MMA President’s Report** – Elaine Aloes
5. **Executive Director’s Report** – Catherine Conlow, MMA Executive Director
 - A. Executive Committee Election Results & Introduction of New Executive Committee Members
 - B. Recap of Organizational Priorities and Focus Areas for 2023
 - C. Highlights from September Executive Committee Meeting and focus areas for 2024
6. **Other Business** (*comments from the floor*)
7. **Adjournment**



MAINE MUNICIPAL ASSOCIATION SINCE 1936

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: MMA Executive Committee

RE: Proposed MMA By-law Amendments

DATE: September 1, 2023

Proposed Bylaw Amendment 1 – Article III, Section 2 – Patron Status

In June 2023, the Executive Committee authorized staff to delve into the Patron Status membership bylaws and propose changes for your consideration.

Currently there are three categories of patron membership –Individual, Business and Professional – whose members receive varying benefits, with the fees assessed congruently with the package of services provided.

As staff continues to implement the Executive Committee directive to broaden and improve access to municipal employee training, recruitment and retention initiatives and tools, it has come to our attention that further development of the Association's non-traditional membership products is necessary. Additionally, the changes proposed by staff draw a brighter line among the different users of our products and services.

At a special meeting of the MMA Executive Committee held on August 24, 2023, the Executive Committee supported advancing the proposed changes to **Article III, Section 2: Patron Status** of the MMA By-laws, found in the attached document, to the authorized delegates of municipal members who will convene at the MMA Annual Business Meeting on Wednesday, October 3, 2023 at 1:15 p.m. at the Augusta Civic Center, Augusta, Maine. Incidentally, this meeting will occur on the first day of MMA's two-day conference.

Proposed Bylaw Amendment 2 – Article V, Section 3 – Nomination Process

Last September, at the request of then MMA President, James Bennett, the Executive Committee approved the appointment of a seven member DEI Special Task Force, which was directed to explore and recommend changes to existing MMA processes and guidelines necessary to encourage a more diverse pool of candidates to considered serving on the Association's governing board.

The task force included participation from Jim Bennett; Elaine Aloes, then MMA Vice President; Ella Bowman, Oakland Town Manager; Phil Crowell, Auburn City Manager; Ryan Pelletier, Aroostook County Administrator; and Dustin Ward, New Gloucester Select Board member. The task force met four times in late 2022 and early 2023 to identify and discuss barriers in MMA's nomination process. On March 21, 2023, the group concluded its work by advancing recommended changes to the bylaws regulating membership on the Nominating Committee to the Association's Executive Committee for its consideration.

In summary, the amendments to the MMA bylaws propose to change and expand the make-up of the MMA Nominating Committee by:

- Reducing from two to one participation from an MMA past president.
- Reducing from two to one participation from an elected officer.
- Including representation from a town or city manager or chief administrative official.
- Including representation from a board member from an affiliate organization.
- Including representation from a municipal employee or volunteer, with endorsement from the Council/selectboard or manager.
- Including representation from a community-based organization representing a marginalized group.

At its May 17, 2023 meeting, the Executive Committee supported advancing the proposed changes to **Article V: Annual Elections, Nomination Process** of the MMA By-laws, found in the attached document, to the authorized delegates of municipal members who will convene at the MMA Annual Business Meeting on Wednesday, October 3, 20323 at 1:15 p.m. at the Augusta Civic Center, Augusta, Maine.

If you have any questions about the task force or the proposed bylaw changes, please do not hesitate to contact Catherine Conlow, MMA Executive Director at 1-800-452-8786 ext. 2218. Additionally, please look to the Augusta/September edition of the Maine Town & City for more information about the task force and its recommendations.

Thank you.



MAINE MUNICIPAL ASSOCIATION SINCE 1936

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428

ARTICLE III: Affiliate and Patron Status

~~Section 2. **Patron** status shall be open to individuals, students, professionals, and businesses, whether private or public, for profit or non-profit, that provides direct services to municipalities or that have a general interest in municipal government. There are three Patron status categories: Individual, Professional or Business with varying levels of benefits and annual fees. Active Patron status shall include all Patrons whose fees are current in accordance with policies established by the Executive Committee. The Executive Committee shall establish annual fees and policies relating to payment due dates for Patrons.~~

ARTICLE III: Affiliate and Supporter, Individual, Student, Honorary and Partner Entity Memberships

Section 2. **Supporter Membership: Premier and Standard.** Professionals and businesses, whether private or public, for profit or non-profit, that provide direct services to municipalities or that have a general interest in municipal government are eligible for a Supporter Membership. There are two Supporter categories, Premier and Standard, with varying levels of benefits and annual fees. Active members include all Supporters whose fees are current in accordance with policies established by the Executive Committee. The Executive Committee shall establish annual fees and policies relating to payment due dates for Supporters. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

Section 3. **Individual Membership.** Individuals who have a general interest in municipal government services and operations are eligible for an Individual Membership. The membership provides access to specified MMA resources and services, for an annual fee, and in accordance with policies established by the Executive Committee. Active members include Individuals whose fees are current in accordance with policies established by the Executive Committee. The Executive Committee shall establish annual fees and policies relating to payment due dates for Individuals. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

Section 4. **Student Membership.** A student attending a Maine high school or enrolled in a Maine university, private college, or public college is eligible for a Student Membership. The annual membership provides access to specified MMA resources and services in accordance with policies established by the Executive Committee. The Executive Committee retains the right to terminate membership at any time during the year for a violation of an established term or policy. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

Section 5. **Honorary Membership.** In consultation with the MMA Executive Committee President, the Executive Director may grant an honorary membership to a retired municipal official from a member community or a former MMA employee who left the Association in good standing. The annual membership provides access to MMA resources and services in

accordance with policies established by the Executive Committee. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

Section 6. **Partner Entity Membership.** With approval from the Executive Director and in consultation with the director of Advocacy & Communications and any other department director as deemed necessary by the Executive Director, an entity that partners or collaborates with MMA in the delivery of a product or service that benefits member municipalities is eligible for a Partner Entity Membership. The annual membership provides access to MMA resources and services in accordance with policies established by the Executive Committee. The Executive Director retains the right to terminate membership at any time during the year for a violation of an established term or policy.

ARTICLE V: Annual Elections

Nomination Process

~~Section 3. No later than the end of February of each year, the President, with recommendations from the Executive Committee, shall appoint a five member Nominating Committee, composed of two elected officials, two Past Presidents, and one member who is either the President of an affiliate organization or is a town or city manager or chief appointed administrative official. The Chair of the Nominating Committee shall be the Immediate Past President. If the Immediate Past President is unable to serve as the Chair, the MMA President shall appoint another Past President to serve as the Chair.~~

No later than the end of February of each year, the President, with recommendations from the Executive Committee, shall appoint a six-member Nominating Committee.

The committee shall be composed of: (1) a Past President, other than the immediate Past President; (2) an elected municipal officer; (3) a town or city manager or chief appointed administrative official; (4) a board member of an affiliate organization; (5) a municipal employee or volunteer, appointed to serve on the committee by either the town or city manager or chief appointed administrative official, or in the absence of a manager or administrative official, the chair of the select board; and (6) a representative from a community-based organization with a legislative or governance focused mission that represents a marginalized group with lived experiences. With exception to the community-based organization representative, appointees must represent a member municipality.

The Chair of the Nominating Committee shall be the Immediate Past President, who shall vote only in the case of a tie. If the Immediate Past President is unable to serve as the Chair, the MMA President shall appoint another Past President to serve as the Chair.

MAINE MUNICIPAL ASSOCIATION

VOTING DELEGATE CREDENTIALS

_____ is hereby designated as the official Voting Delegate and
(name)

_____ as the alternate voting delegate for _____
(name) (municipality)

to the Maine Municipal Association Annual Business Meeting, which is scheduled to be held, Wednesday, October 4, 2023, 1:15 p.m., at the Augusta Civic Center, Augusta, Maine.

The Voting Delegate Credentials may be cast by a majority of the municipal officers, or by a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ Municipality: _____

Signature of a Municipal Official designated by a majority of Municipal Officers:

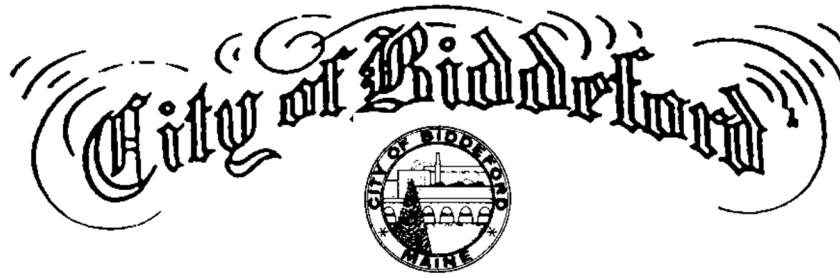
Name: _____ Position: _____

Or Signature of the Majority of Municipal Officers:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Please return this form no later than **Monday, October 2, 2023**, or bring it with you to the MMA Annual Business Meeting. If mailing, send to:

**MMA Annual Business Meeting
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
Email: kmaines@memun.org**



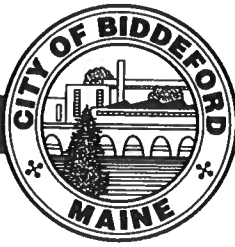
2023.118

IN BOARD OF CITY COUNCIL... SEPTEMBER 19, 2023

BE IT ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint the following to the Ad Hoc Eastern Fire/EMS Station Building Committee

Paul Brady
James Plamondon
Scott Joslin

Attest by: _____



CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: September 5, 2023

Name: James Plamondon

Street Address: 112 Pool Street
Biddeford, Maine 04005

Mailing Address: P.O. Box 1161
(if different) Biddeford, Maine 04005

Phone Number(s): 207-468-1194

Email Address: Jim.plamondon@cascobayelectric.com

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|---|
| ☐ • Airport Commission | ☐ • Harbor Commission |
| ☐ • Biddeford Citizens Advisory Committee | ☐ • Historic Preservation Commission |
| ☐ • Biddeford Fire Advisory Committee | ☐ • Planning Board |
| ☐ • Biddeford Housing Authority | ☐ • Policy Committee |
| ☐ • Biddeford Police Advisory Committee | ☐ • Project Canopy Committee |
| ☐ • Board of Assessment Review | ☐ • Recreation Commission |
| ☐ • Cable T.V. Committee | ☐ • Recycling & Solid Waste Management Commission |
| ☐ • Capital Projects Committee | ☐ • Shellfish Conservation Committee |
| ☐ • Conservation Commission | ☐ • Wastewater Management Commission |
| ☐ • Diversity, Equity and Inclusion Committee | ☐ • Zoning Board of Appeals |
| ☐ • Downtown Development Commission | ☒ • Other: New Fire Station/ Architect review |
| ☐ • Economic Improvement Commission | |

CITY OF BIDDEFORD
Committee Application

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

Biddeford Economic Improvement Commission
Biddeford Airport Commission
Charter Review Commission

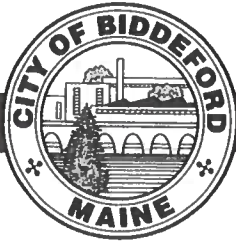
| Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

43 Years experience in Electrical Business/construction industry
Electrical Inspector Town of Arundel
Biddeford Ice Arena Board of Directors
Past Director and
President of La Kermesse
MERC Development Site Committee
B/S Degree from University of Maine in Industrial Education

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

I have been active on many Boards and Committees for the City of Biddeford over the years. My family are natives of Biddeford and I continue to have interest in the improvement and development of future projects with-in the City of Biddeford. I grew-up in Hills Beach so the Sub-Station has been of interest to me and how it can better serve the residents of that area.

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



CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date:

Sept. 6 2023

Name:

PAUL A. BRADY

Street Address:

565 Pool St

Bidd. me 04005

Mailing Address:
(if different)

Phone Number(s):

207 205 2227

Email Address:

mppb2000@yahoo.com

Which City Committee, Board or Commission do you request to be appointed to:

- ☐ • Airport Commission
- ☐ • Biddeford Citizens Advisory Committee
- ☐ • Biddeford Fire Advisory Committee
- ☐ • Biddeford Housing Authority
- ☐ • Biddeford Police Advisory Committee
- ☐ • Board of Assessment Review
- ☐ • Cable T.V. Committee
- ☐ • Capital Projects Committee
- ☐ • Conservation Commission
- ☐ • Diversity, Equity and Inclusion Committee
- ☐ • Downtown Development Commission
- ☐ • Economic Improvement Commission

- ☐ • Harbor Commission
- ☐ • Historic Preservation Commission
- ☐ • Planning Board
- ☐ • Policy Committee
- ☐ • Project Canopy Committee
- ☐ • Recreation Commission
- ☐ • Recycling & Solid Waste Management Commission
- ☐ • Shellfish Conservation Committee
- ☐ • Wastewater Management Commission
- ☐ • Zoning Board of Appeals
- ☐ • Other:

☒ new Fire station
Arch. Advisory

Paul A. Brady

CITY OF BIDDEFORD
Committee Application

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

none

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

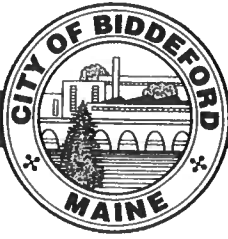
50 year AS A Builder

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

Always willing to Help Improve
my home town

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

Paul Bury



CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date:

8/31/23

Name:

SCOTT JOSLIN

Street Address:

4 EAGLE ROCK POINT

BIDDEFORD, ME 04005

Mailing Address:
(if different)

(SAME AS ABOVE)

Phone Number(s):

603-235-2739

Email Address:

joscottjos@gmail.com

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|--|
| ☐ • Airport Commission | ☐ • Harbor Commission |
| ☐ • Biddeford Citizens Advisory Committee | ☐ • Historic Preservation Commission |
| ☐ • Biddeford Fire Advisory Committee | ☐ • Planning Board |
| ☐ • Biddeford Housing Authority | ☐ • Policy Committee |
| ☐ • Biddeford Police Advisory Committee | ☐ • Project Canopy Committee |
| ☐ • Board of Assessment Review | ☐ • Recreation Commission |
| ☐ • Cable T.V. Committee | ☐ • Recycling & Solid Waste Management Commission |
| ☐ • Capital Projects Committee | ☐ • Shellfish Conservation Committee |
| ☐ • Conservation Commission | ☐ • Wastewater Management Commission |
| ☐ • Diversity, Equity and Inclusion Committee | ☐ • Zoning Board of Appeals |
| ☐ • Downtown Development Commission | ☒ • Other: FIRE DEPT. SUBSTATION |
| ☐ • Economic Improvement Commission | |

COMMITTEE

CITY OF BIDDEFORD
Committee Application

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

NONE

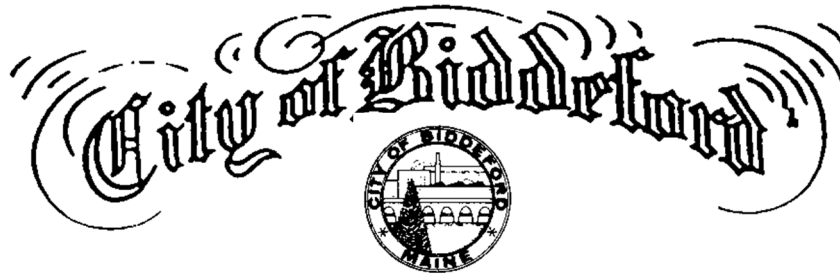
| Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

I have been in the commercial construction business for 40 years. I worked at The Pepperell M.I. Campus / North Dam Mill as construction / Development manager for 15 years

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

I have just moved to Biddeford with my wife and I wish to serve the city

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



2023.119 **IN BOARD OF CITY COUNCIL... SEPTEMBER 19, 2023**
BE IT ORDERED, that the City Manager shall facilitate writing off the full tax bill for the former Gervais Dube property, Map 30-Lot 58, in the amount of \$1,177.68 plus any applicable processing fees and interest.

Attest by: _____



City Council

Meeting Date: September 19, 2023

Meeting Time: 6:00 PM

Agenda Item No: 11.d.

Item Description: 2023.119 Approval/Request to Waive Property Taxes for Map 30 Lot 58, Winding Creek Lane, former Gervais Dube Properties

Submitted by: Brian S. Phinney, COO

Supporting Information/Documentation:

Tax

Key Terms:

N/A

Executive Summary:

Approval of this item authorizes writing off the tax bill for the "second half" taxes on the former Gervais Dube property (Map 30 Lot 58) gifted to the City in 2020 but not executed by the City until two years later.

Detailed Review:

The City of Biddeford entered into agreement with Gervais Dube for a land gift of 42.7± acres of land to expand Clifford Park in 2020 in exchange for the value of the property appraisal. The process took over two years due to staff coordination issues and delays associated with the contracted 3rd party property appraisal.

As has been indicated in the past, under state law, the assessment date for all properties is April 1 of each year. The taxes for the year were duly assessed against the previous owner of the property as a private entity known as the 'unassessed owner of record' of the property. The taxes are legally due to the City since they were properly and duly assessed, absent the land conveyance agreement. As a matter of practice, the City placed a lien on the property at the same time as all other properties that also had outstanding unpaid taxes. Abatements are legally only supposed to be granted when a property has been overvalued or if any error or mistake was made in the assessment. None of these occurred in this case, rather the City's delay in acting upon the land gift extended the otherwise limited tax liability. As a reminder, the tax lien process is very prescriptive under state law; strict compliance with the process is observed to protect the City. The taxes for the first half of the year were paid in full.

Since the City currently has possession of the property issuing a demand letter and letting the lien mature or writing off the unpaid taxes results in the same outcome with the latter being less burdensome.

Funding Source:

No specific source. The write-off will be absorbed within the budget and otherwise offset by the overlay.

Staff Recommendation:

Staff recommends writing off the taxes in the amount of \$1,251.88.

Real Estate Tax Statement

Parcel: 0300580000
Location: WINDING CREEK LANE

Owner:
CITY OF BIDDEFORD
PO BOX 586
BIDDEFORD ME 04005

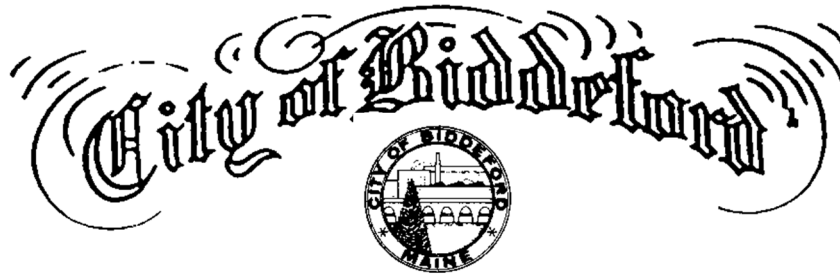
Status:
Total 42.700
Deferr .000
Land Valuation: 60,800
Building Valuation: 0
Exemptions: 0
Taxable Valuation: 60,800
Interest Per Diem: 0.13

Legal Description:

Deed Date: 10/21/2022 Book/Page: 1913/932 Interest Date: 09/19/2023

Year	Type	Bill			
2023	TL-R	177			
Inst	Charge	Billed	Principal Due	Interest Due	Total Due
1	RE TAX LIE	1,173.31	1,173.31	4.37	1,177.68
	30 DAY LIE	3.00	3.00	0.01	3.01
	CERT LIEN	8.53	8.53	0.00	8.53
	LIENFEEIN	48.00	48.00	0.00	48.00
	INT@LIEN	14.66	14.66	0.00	14.66
		1,247.50	1,247.50	4.38	1,251.88
Year Totals		1,247.50	1,247.50	4.38	1,251.88
Grand Totals		1,247.50	1,247.50	4.38	1,251.88

** End of Report - Generated by Amber St. Ours **



2023.120 **IN BOARD OF CITY COUNCIL... SEPTEMBER 19, 2023**
BE IT ORDERED, that James Bennett is hereby appointed as interim tax collector.

BE IT FURTHER ORDERED, that this appointment shall expire upon the appointment of a permanent tax collector.

Attest by: _____



City Council

Meeting Date: September 19, 2023

Meeting Time: 6:00 PM

Agenda Item No: 3.a. – Adjustments to the Agenda

Item Description: 2023.120) Appointment – James Bennett as Interim Tax Collector

Submitted by: Brian S. Phinney, COO

Supporting Information/Documentation:

N/A

Key Terms:

N/A

Executive Summary:

If approved, the city manager shall serve as the interim tax collector until such time as a permanent tax collector is appointed.

Detailed Review:

The State of Maine prescribes specific procedures for the collection of taxes and the issuing and processing of tax liens among other activities. Specific duties and responsibilities associated with the tax collection and lien process are assigned to the position of municipal tax collector. With the recent resignations of the finance director and deputy finance director the position of tax collector is vacant. In order to properly collect, process, and remit taxes associated with recently issued tax bills as well as perform other required municipal duties, the position of tax collector is required. The position of interim tax collector is recommended to be assigned to the city manager, who also serves as the treasurer.

Funding Source:

N/A

Staff Recommendation:

Approve City Manager James Bennett as interim tax collector with the appointment expiring upon appointment of a permanent tax collector.