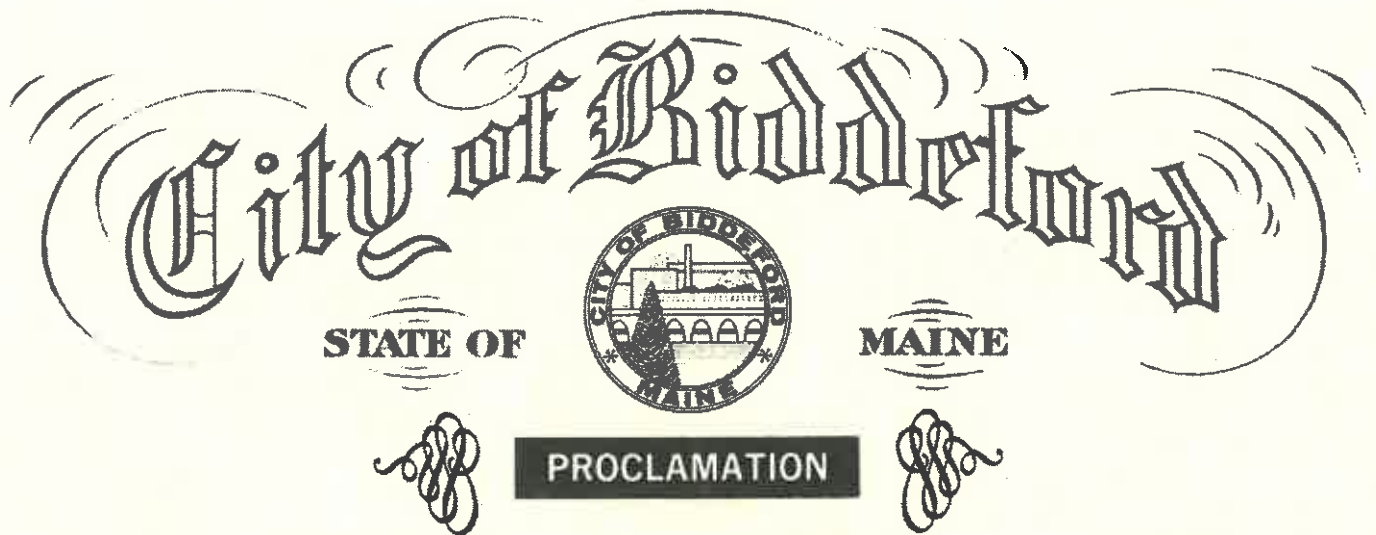


City of Biddeford
City Council
September 05, 2017 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Proclamation:**
 - 4.a. Volk Packaging Corporation - 50 Years of Service
[9-05-2017 Proc-Volk Packaging 50 Year Anniversary.pdf](#)
 - 4.b. Biddeford 50 Plus Club - Serving 50 Years
[9-05-2017 Proc-50 Plus Club-PDF.pdf](#)
- 5. Presentation:**
 - 5.a. Maine Water - Rate Increase Application to the Maine PUC
- 6. Public Hearing**
 - 6.a. Martinis on Main
[9-05-2017 License App - Martinis on Main.pdf](#)
- 7. Liquor License Consideration**
 - 7.a. Martinis on Main
[9-05-2017 License App - Martinis on Main.pdf](#)
- 8. Consideration of Minutes:**
 - 8.a. August 15, 2017 Council Meeting Minutes
[8-15-2017 Council Meeting Minutes.docx](#)
- 9. Orders of the Day:**
 - 9.a. 2017.95) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-89-Stop Intersections/Add Mile Stretch Road at Lester B. Orcutt Blvd
[9-05-2017 Stop Sign-Mile Stretch and LB Orcutt.doc](#)
 - 9.b. 2017.96) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Add at entrance of driveway or other private entrance
[9-05-2017 No Parking Driveway or within 2 feet.doc](#)
 - 9.c. 2017.97) Approval/Transfer of Funds to Police Department for Contribution in a Criminal Case
[9-05-2017 Transfer Funds-PD-D'Amelio.doc](#)
 - 9.d. 2017.98) Adoption/Maine Municipal Association Model Ordinance/General Assistance Maximums for 2017/2018
[9-05-2017 Adoption of GA Maximums-ORDER.docx](#)
[9-05-2017 2017-2018 GA Maximums-Summary.doc](#)
 - 9.e. 2017.99) Authorization/Execution of Resolution for 50 Lester B. Orcutt Blvd Property Abatement
[9-05-2017 LeGaltee Property Resolution-ORDER.doc](#)
[9-05-2017 LeGaltee Property Resolution - MEMO.docx](#)
[9-05-2017 LeGaltee Property - backup docs.pdf](#)

- 10. City Manager Report**
- 11. Public Addressing the Council..(3 minute limit per speaker; 30 minute total time limit)**
- 12. Other Business**
- 13. Council President Addressing the Council**
- 14. Mayor Addressing the Council**
- 15. Executive Session**
 - 15.a. 1 MRSA 405(6)(C)...Economic Development
- 16. Adjourn**



Whereas On September 9, 1967, Benjamin Volk broke ground for the construction of Volk Packaging Corporation; and

WHEREAS, Volk Packaging Corporation was the first tenant in Biddeford's Industrial Park on Route One, under the leadership of Kenneth Volk, son of Benjamin Volk. Kenneth's brother, Douglas Volk, CEO and his son, Derek Volk, President, now run the 50 year old corrugated sheet plant; and

WHEREAS, Volk Packing provides such services as Vendor Managed Inventory, monitoring and tracking of customers, fulfilling of customers' corrugated needs, and the offering of custom CAD designs; and

WHEREAS, Volk Packaging has earned the following prestigious awards: In 2011, named as one of Maine's Best Places to Work by Maine Biz Magazine, and being ranked #16 overall and #1 among manufacturers. In 2012, was awarded the Governor's Award for Business Excellence; and in 2015, named the Spotlight Business of the Quarter by The Institute for Family-Owned Business; and

WHEREAS, for the past 50 years, the Volk Family has worked and conducted business in a manner that lives up to the words of Volk Packaging Founder, Benjamin Volk, "Our Customers are Our Bread and Butter;"

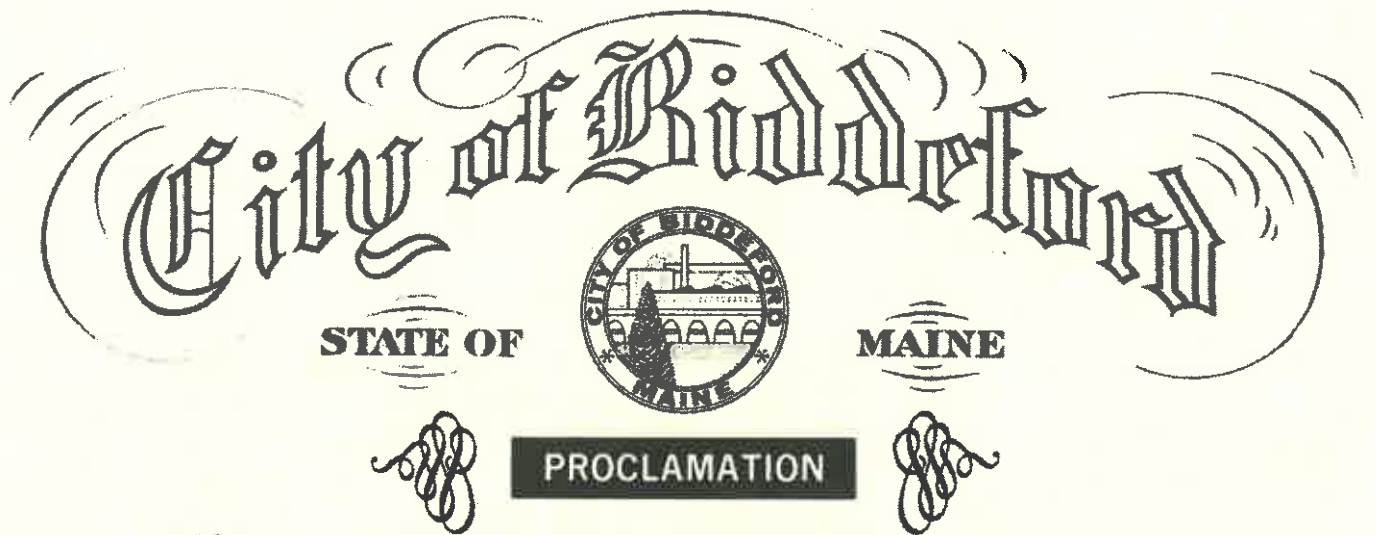
NOW THEREFORE, WE, the Mayor and City Council of the City of Biddeford do hereby **Congratulate Volk Packing Corporation on 50 Years of Service** in our community and wish for them continued prosperity.

In Witness Whereof, We, the undersigned, have herewith affixed our signatures this 5th *day of* Sept. 2017

Carmen J. Nowi
City Clerk



Al Egan
Mayor



Whereas On Monday, November 20th, 1967, the Biddeford 50 Plus Club was formed as a non-profit organization; and

WHEREAS, the 50 Plus Club has been dedicated to serving the Seniors of the City of Biddeford, as well as surrounding communities; and

WHEREAS, the 50 Plus Club started out meeting once a week (nearly 50 years ago), and today the 50 Plus Club office is open Monday through Friday, offering a variety of activities ranging from: Wii Bowling, Knitting for Charity, Scrabble, Cribbage, Bridge, Indoor and Outdoor Walking, Yoga, Pickle Ball, Monthly Luncheons and Meetings at area restaurants, trips to Theaters, Mystery Trips and weekly Bingo – just to name a few!; and

WHEREAS, the Biddeford 50 Plus Club is dedicating October 21st, 2017 as Biddeford Senior Citizens' Day in the City of Biddeford;

NOW THEREFORE, WE, the Mayor and City Council of the City of Biddeford do hereby congratulate the Biddeford 50 Plus Club on 50 years of serving the Seniors in our community.

*In Witness Whereof, We, the undersigned have herewith
affixed our signatures this 5th day of Sept. 20 17*

Carmen J. Mow

City Clerk



Mayor

changing from Arcade Bar to Martinis on Main

\$10.00 application fee is applicable to all NEW businesses

\$60.00 advertising fee for new liquor license applications is an up-front charge

City of Biddeford

BUSINESS LICENSE APPLICATION

BUSINESS NAME: ~~Cowbell Hospitality LLC~~ Martinis on Main

Business Address: 137 Main St. Map Lot

Mailing Address: 140 Main St.

Business Telephone Number: 284-2355

Email Address: jimmy.greek@hotmail.com

OWNER/OPERATOR: Cowbell Hospitality LLC

Home Physical Address: 17 Shorewood Dr.

Home Mailing Address: Old Orchard 04064

Home Telephone Number: (207) 450 8391

Applicant(s) Date of Birth: 4/2/65

[Signature]
Applicant's Signature

8/7/17
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.

TYPES OF ENTERTAINMENT:

\$150.00 (single/multiple events)

- | | |
|--|---|
| ☐ Concert | ☐ Playhouse/Play |
| ☐ Exhibitions (live performances) | |
| ☐ Circus/Carnival | |

\$150.00 (annual)

- | | |
|---|--|
| ☐ Indoor Skating Rink | ☐ Public Firing Range |
| ☐ Bowling Lanes | ☐ Bottle Club |
| ☐ Theater/Movie House
(plus \$25.00 per screen) | |
| ☐ Billiard Room(s) | |

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

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

PLACES/DEALERS IN PRODUCTS:

\$200.00

- | | |
|--|---|
| ☐ Secondhand Dealers | ☐ Flea Market (for 20 tables; \$5 per add'l table) |
| ☐ Dealers in gold jewelry, etc. | ☐ Junk Dealer/Recycling |
| ☐ Antique Dealer | |

\$10.00 application fee is applicable to all NEW businesses

\$60.00 advertising fee for new liquor license applications is an up-front charge

PAWNBROKER: **\$200.00**

VENDOR ON A PUBLIC PLACE: **\$50.00**

ICE CREAM TRUCK VENDOR **\$75.00**

(need to show proof of at least \$500,000 liability insurance)

VENDING ON WATERWAYS **\$100.00**

OPERATING LICENSE:

- ☐ Victualer (no alcohol)-State Cert. Required **\$75.00**
- ☐ Victualer serving beer and/or wine-State Cert. Required **\$100.00**
- ☐ Victualer serving beer, wine and/or liquor **\$150.00**
State Cert. Required
- ☐ Taxicab, motorbus, public automobile **\$50.00**
(plus \$20.00 per vehicle)
- ☐ Massage Establishment/Therapist **\$100.00**
- ☐ Combined Massage Establishment/Massage Therapist **\$150.00**
- ☐ Adult Business **\$2,000.00**
- ☐ Sludge Disposal **\$50.00**

MISCELLANEOUS:

- ☐ Advertising (for liquor licenses) **\$60.00**
- ☐ Newspaper Vending Machines (per machine) **\$10.00**
- ☐ Video Game Devices (up to a max of \$50.00) **\$10.00 (each machine)**

New Business License Application Disclosure: By submitting, signing and paying the applicable \$10.00 application fee (and \$60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL:
(Occupancy Permit Issued)

Signature *Life Safety Insp*

CITY CLERK ISSUED: _____ **DATE:** _____

**BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV**

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash	Ck Mo:

NEW application: ☐ Yes ☐ No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|---|--|
| ☐ RESTAURANT (Class I,II,III,IV) | ☐ 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) |
| ☐ CLUB w/o Catering (Class V) | ☐ CLUB with CATERING (Class I) | ☐ GOLF COURSE (Class I,II,III,IV) |
| ☐ TAVERN (Class IV) | ☐ QUALIFIED CATERING | ☐ OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Cowbell Hospitality LLC</u>		Business Name (D/B/A) <u>Martini's on Main</u>	
APPLICANT(S) -(Sole Proprietor) DOB:		Physical Location:	
DOB:		City/Town	State Zip Code
Address <u>137 Main St.</u>		Mailing Address <u>140 Main St.</u>	
City/Town	State Zip Code	City/Town	State Zip Code
<u>Bridgford</u>	<u>ME 04005</u>	<u>Bridgford</u>	<u>ME 04005</u>
Telephone Number	Fax Number	Business Telephone Number	Fax Number
<u>207 284-2355</u>			
Federal I.D. # <u>81-2156736</u>		Seller Certificate #: or Sales Tax #: <u>1183462</u>	
Email Address: Please Print <u>jimmygreck@hotorial.com</u>		Website:	

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

206-9022 Cowbell Burger Bar (Use an additional sheet(s) if necessary.)
 License # _____ Name of Business _____
140 Main St Bridgford
 Physical Location _____ City / Town _____

5. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

6. If manager is to be employed, give name: _____

7. Business records are located at: 140 Main St.

8. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
1) James Albert	4/2/65	Bridgford
2) Alex Markakis	2/24/92	Bridford MA
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
1) 17 Shoreward Dr. OOB ME 04064		
2) 47 Surrey Lane Bridford MA 01921		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☐

Name: James Albert Date of Conviction: 1998

Offense: Assault Location: Saco ME

Disposition: Misdemeanor (use additional sheet(s) if necessary)

12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

13. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

14. Does/do applicant(s) own the premises? Yes ☐ No ☐ If No give name and address of owner:
Saco River Associates Main St Bridgford

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) Approx 800 sq Leased space

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

17. 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? 1/2 mile
Which of the above is nearest? church

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☐
If YES, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Biddeford ME on 8/7, 20 17
Town/City, State Date

[Signature]
Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Jones Albert
Print Name

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)..... \$ 10.00

Class I Spirituous, Vinous and Malt \$ 900.00

CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) \$1,100.00

CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only \$ 550.00

CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only \$ 220.00

CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only \$ 220.00

CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) \$ 495.00

CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge \$2,200.00

CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge \$1,500.00

CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008.

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§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. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officer or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises li-

cense that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207) 624-7220.

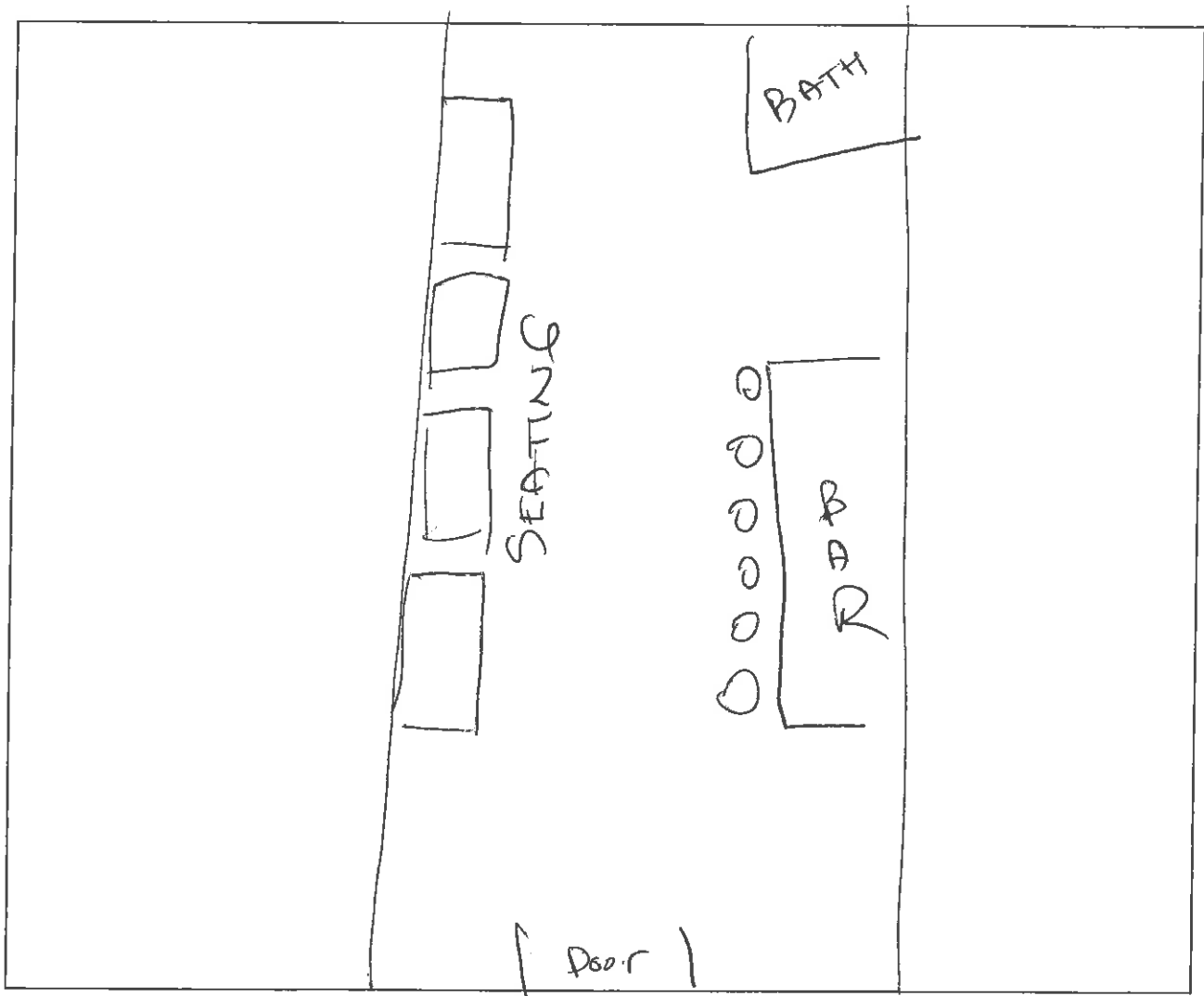
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
☐	Approved
☐	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Cowbell Hospitality LLC
2. Doing Business As, if any: ~~ORANGE BROS~~
3. Date of filing with Secretary of State: April 2016 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
James Albert	17 Shorewood Dr Oob ME 04064	4/2/65	Pres	66
Alexander Markakis	47 Surrey Lane Buxford MA 01921	3/24/92	VP	34

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

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes ☒ No ☐ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☒ No ☐

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: James Albert

Date of Conviction: 1998

Offense: Assault

Location of Conviction: ~~SD~~ Soco

Disposition: Misdemeanor

Signature:


Signature of Duly Authorized Person

Date

8/7/17

James Albert
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

changing from Arcade Bar to Martinis on Main

\$10.00 application fee is applicable to all NEW businesses

\$60.00 advertising fee for new liquor license applications is an up-front charge

City of Biddeford

BUSINESS LICENSE APPLICATION

BUSINESS NAME: ~~Cowbell Hospitality LLC~~ Martinis on Main

Business Address: 137 Main St. Map Lot

Mailing Address: 140 Main St.

Business Telephone Number: 284-2355

Email Address: jimmy.greek@hotmail.com

OWNER/OPERATOR: Cowbell Hospitality LLC

Home Physical Address: 17 Shorewood Dr.

Home Mailing Address: Old Orchard 04064

Home Telephone Number: (207) 450 8391

Applicant(s) Date of Birth: 4/2/65

[Signature]
Applicant's Signature

8/7/17
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.

TYPES OF ENTERTAINMENT:

\$150.00 (single/multiple events)

- | | |
|--|---|
| ☐ Concert | ☐ Playhouse/Play |
| ☐ Exhibitions (live performances) | |
| ☐ Circus/Carnival | |

\$150.00 (annual)

- | | |
|---|--|
| ☐ Indoor Skating Rink | ☐ Public Firing Range |
| ☐ Bowling Lanes | ☐ Bottle Club |
| ☐ Theater/Movie House
(plus \$25.00 per screen) | |
| ☐ Billiard Room(s) | |

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

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

PLACES/DEALERS IN PRODUCTS:

\$200.00

- | | |
|--|---|
| ☐ Secondhand Dealers | ☐ Flea Market (for 20 tables; \$5 per add'l table) |
| ☐ Dealers in gold jewelry, etc. | ☐ Junk Dealer/Recycling |
| ☐ Antique Dealer | |

\$10.00 application fee is applicable to all NEW businesses

\$60.00 advertising fee for new liquor license applications is an up-front charge

PAWNBROKER: **\$200.00**

VENDOR ON A PUBLIC PLACE: **\$50.00**

ICE CREAM TRUCK VENDOR **\$75.00**

(need to show proof of at least \$500,000 liability insurance)

VENDING ON WATERWAYS **\$100.00**

OPERATING LICENSE:

- ☐ Victualer (no alcohol)-State Cert. Required **\$75.00**
- ☐ Victualer serving beer and/or wine-State Cert. Required **\$100.00**
- ☐ Victualer serving beer, wine and/or liquor **\$150.00**
State Cert. Required
- ☐ Taxicab, motorbus, public automobile **\$50.00**
(plus \$20.00 per vehicle)
- ☐ Massage Establishment/Therapist **\$100.00**
- ☐ Combined Massage Establishment/Massage Therapist **\$150.00**
- ☐ Adult Business **\$2,000.00**
- ☐ Sludge Disposal **\$50.00**

MISCELLANEOUS:

- ☐ Advertising (for liquor licenses) **\$60.00**
- ☐ Newspaper Vending Machines (per machine) **\$10.00**
- ☐ Video Game Devices (up to a max of \$50.00) **\$10.00 (each machine)**

New Business License Application Disclosure: By submitting, signing and paying the applicable \$10.00 application fee (and \$60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL:
(Occupancy Permit Issued)

Signature *Life Safety Insp*

CITY CLERK ISSUED: _____ **DATE:** _____

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash	Ck Mo:

NEW application: ☐ Yes ☐ No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|---|--|
| ☐ RESTAURANT (Class I,II,III,IV) | ☐ 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) |
| ☐ CLUB w/o Catering (Class V) | ☐ CLUB with CATERING (Class I) | ☐ GOLF COURSE (Class I,II,III,IV) |
| ☐ TAVERN (Class IV) | ☐ QUALIFIED CATERING | ☐ OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Cowbell Hospitality LLC</u>		Business Name (D/B/A) <u>Martini's on Main</u>	
APPLICANT(S) --(Sole Proprietor) DOB:		Physical Location:	
DOB:		City/Town	State Zip Code
Address <u>137 Main St.</u>		Mailing Address <u>140 Main St.</u>	
City/Town	State Zip Code	City/Town	State Zip Code
<u>Bridgford</u>	<u>ME 04005</u>	<u>Bridgford</u>	<u>ME 04005</u>
Telephone Number	Fax Number	Business Telephone Number	Fax Number
<u>207 284-2355</u>			
Federal I.D. #	Seller Certificate #: or Sales Tax #: <u>1183462</u>		
<u>81-2156736</u>			
Email Address: Please Print	Website:		
<u>jimmygreck@hottmail.com</u>			

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

206-9022 Cowbell Burger Bar (Use an additional sheet(s) if necessary.)
 License # _____ Name of Business _____
140 Main St Bridgford
 Physical Location _____ City / Town _____

5. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

6. If manager is to be employed, give name: _____

7. Business records are located at: 140 Main St.

8. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
1) James Albert	4/2/65	Bridgford
2) Alex Markakis	2/24/92	Bridford MA
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
1) 17 Shoreward Dr. OOB ME 04064		
2) 47 Surrey Lane Bridford MA 01921		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☐

Name: James Albert Date of Conviction: 1998

Offense: Assault Location: Saco ME

Disposition: Misdemeanor (use additional sheet(s) if necessary)

12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

13. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

14. Does/do applicant(s) own the premises? Yes ☐ No ☐ If No give name and address of owner:
Saco River Associates Main St Bridgford

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) Approx 800 sq Leased space

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

17. 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? 1/2 mile
Which of the above is nearest? church

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☐
If YES, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Biddeford ME on 8/7, 20 17
Town/City, State Date

[Signature]
Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Jones Albert
Print Name

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)..... \$ 10.00

Class I Spirituous, Vinous and Malt \$ 900.00

CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) \$1,100.00

CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only \$ 550.00

CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only \$ 220.00

CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only \$ 220.00

CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) \$ 495.00

CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge \$2,200.00

CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge \$1,500.00

CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008.

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§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. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officer or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises li-

cense that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207) 624-7220.

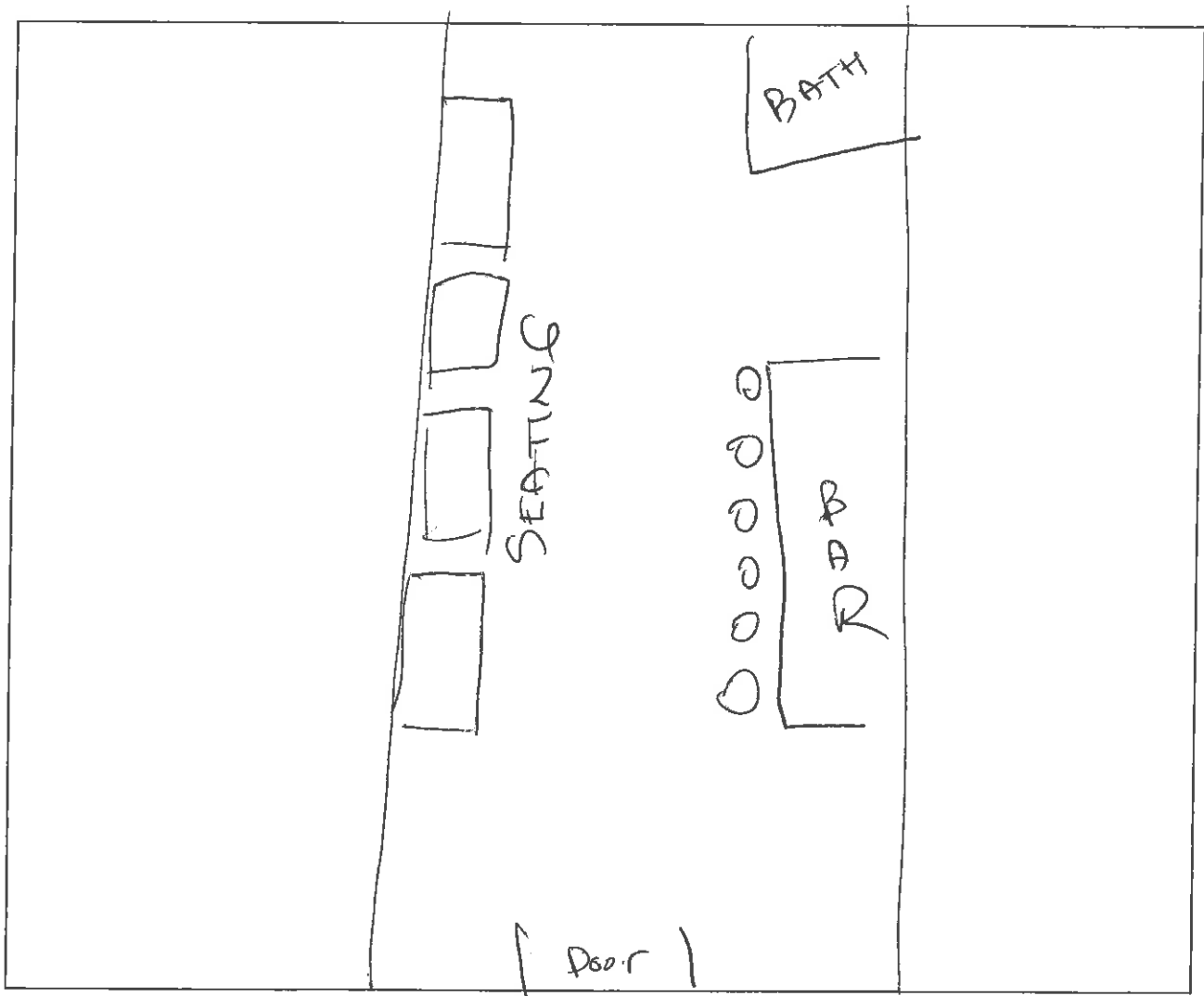
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
☐	Approved
☐	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Cowbell Hospitality LLC
2. Doing Business As, if any: ~~ORANGE BROS~~
3. Date of filing with Secretary of State: April 2016 State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
James Albert	17 Shorewood Dr Oob ME 04064	4/2/65	Pres	66
Alexander Markakis	47 Surrey Lane Buxford MA 01921	3/24/92	VP	34

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

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes ☒ No ☐ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☒ No ☐

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: James Albert

Date of Conviction: 1998

Offense: Assault

Location of Conviction: ~~SD~~ Soco

Disposition: Misdemeanor

Signature:


Signature of Duly Authorized Person

Date

8/7/17

James Albert
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

**COUNCIL MEETING
AUGUST 15, 2017**

Mayor Casavant called the meeting to order at 6:48 p.m.

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

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

Mayor Casavant asked for a moment of silence in honor of Donald Guillereault, a former City Councilor, School Committee Member, long-time member of the Biddeford Housing Authority and more recently, a volunteer at the Biddeford Mills Museum. Mr. Guillereault recently passed away and will be deeply missed.

Adjustments to the Agenda:

Add Orders of the Day:

2017.93) Approval/Transfer of Funds to Police Department for Contribution to a Criminal Case

2017.94) Adoption of Downtown District Map/Boundaries

Consideration of Minutes: **August 1, 2017**

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

Vote: Unanimous.

Orders of the Day:

2017.88

IN BOARD OF THE CITY COUNCIL.....AUGUST 15, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG), which has been awarded by the U.S. Department of Justice to the Biddeford Police Department. The Police Department will use this grant money to purchase TASER equipment, replacing older units which are approaching end of life.

NOTE: A stipulation of this Grant is that these funds, or any part thereof may not be used to supplant the Police Department budget. This is a direct Grant, which requires no matching funds, or in-kind contributions. Grant is in the amount of \$37,519.00 and must be officially approved by the city council in order to receive funds.

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

Vote: Unanimous.

2017.93

BOARD OF CITY COUNCIL..AUGUST 15, 2017

BE IT ORDERED, that the Biddeford City Council does hereby grant approval pursuant with Title 15 M.R.S.A. §5824(3) & §5822(4)(A) to the transfer of \$5,000.00 in U.S. Currency, or any portion thereof, on the grounds that the City of Biddeford Police Department did make a substantial contribution to the investigation of this or related criminal case.CR-17-253. These funds shall be transferred to the City of Biddeford, to Police Overtime account for Community Service events.

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

Vote: 8/1; Councilor Swanton opposed.

Councilors McCurry, St. Cyr, Quattrone, Foley, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

2017.89

IN BOARD OF CITY COUNCIL.....AUGUST 15, 2017

BE IT ORDERED, that the City Manager be authorized to sign a unit cost contract with Green Mountain Pipeline Services of Bethel, VT for performing pipe lining and associated work in connection with the 2017 CIPP Lining Projects as per the bids opened on August 9, 2017, in the bid amount of 145,065.00, funding for this work to be provided from the City Wastewater Reserve accounts and from the 2009 voter approved sewer separation bonds.

.

NOTE: The Finance Committee will review this item at their August 15, 2017 meeting.

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

Vote: Unanimous.

2017.90 IN BOARD OF CITY COUNCIL.....AUGUST 15, 2017

BE IT ORDERED, that the City Manager be authorized to purchase one (1) 2017 Trackless sidewalk tractor as per bid of August 4, 2017 (the “Equipment”) from HP Fairfield (the “Vendor”) and may pay the Vendor an amount not to exceed \$140,999.00 for the Equipment as follows:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$140,999.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$140,999.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;
4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The Finance Committee will review this item on August 15, 2017 and vote to recommend it to the City Council for approval. The lease-purchase of this item is included in the FY18 CIP budget, with a down payment of \$10,000.00

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

Vote: 7/2; Councilors McCurry and Swanton opposed.

Councilors St. Cyr, Quattrone, Foley, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

2017.91 IN BOARD OF CITY COUNCIL...AUGUST 15, 2017

BE IT ORDERED, that the City Manager be authorized to sign a purchase order for the purchase of two(2) Influent Screens from Headworks, Inc. of Houston, Texas, for a total of \$111,830.00, as bid.

Note: The funding for this project is in the Waste Water Designated Fund Balance – Influent Screens (22005-60902); and FY18 Equipment purchase (35102-60602).

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

Vote: Unanimous.

2017.94 IN BOARD OF CITY COUNCIL..AUGUST 15, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby adopt the Downtown District map and boundaries, as are depicted in the attached document.

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

Vote: Unanimous.

2017.92 IN BOARD OF CITY COUNCIL..AUGUST 15, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby make the following revisions to the FY2018 Budget:

- A. Reduce the local share allocated to the School Department Budget by \$535,000
- B. Reduce the Airport Fund expenditures by \$30,000 (which corrects a clerical error; and has no impact on the General Fund)
- C. Increase the Municipal Service allocation by \$4,468 for total allocation of \$787,360, which is broken down as follows:
 - \$3,849 – overall shortfall
 - \$250 – Eastern Trail membership fee
 - \$369 – SMPDC membership fee

Motion by Councilor Ready, seconded by Councilor Belanger to reduce the local share allocated to the School Department Budget by \$535,000.

Vote: 8/1; Councilor McCurry opposed.

Councilors Swanton, St. Cyr, Quattrone, Foley, Belanger, Ready, Seaver and Lessard in favor. Motion carries.

Motion by Councilor Ready, seconded by Councilor Lessard to reduce the Airport Fund expenditures by \$30,000 (which corrects a clerical error; and has no impact on the General Fund).

Vote: Unanimous.

Motion by Councilor Ready, seconded by Councilor Belanger to increase the Municipal Services allocation by \$4,468 for total allocation of \$787,360, which is broken down as follows:

- \$3,849 – overall shortfall
- \$250 – Eastern Trail membership fee
- \$369 – SMPDC membership fee

Vote: Unanimous.

Appointment:

IN BOARD OF CITY COUNCIL..AUGUST 1, 2017

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

**Jacquelyn Murphy
23 Orchard Street
Ward 7**

to the *Board of Assessment Review*, with a term to expire December 2021.

Motion by Councilor McCurry, seconded by Councilor Ready to confirm the appointment.

Vote: Unanimous.

City Manager Report:

City Manager, James Bennett informed the Council that one of the boilers at the J. Richard Martin Community Center needs to be replaced. Staff will be evaluating the extent of the project and putting together the best option or options for replacement of the boiler. A recommendation will be brought to Council for final approval.

Public Addressing the Council..(3 minute limit per speaker; 30 minute total time limit):

One citizen addressed his concern about the most recent FEMA Flood Maps.

Other Business:

Councilor Ready: handed out the year-end report for the Transfer Station and Curbside Recycling Program, as prepared by the Solid Waste Management Commission. He noted that the recycling rates have incrementally increased over the last few years.

Councilor Ready informed the Council that the Policy Committee, along with the City Attorney, Keith Jacques, has been working on an Unsolicited Delivery of Items ordinance and expects to bring final language to the Council at the second council meeting in September.

Also, Councilor Ready announced that the next Household Hazardous Waste Day is scheduled for September 9th from 8:00 a.m. to noon at the Public Works Recycling Center. He went on to

remind folks that they need not wait for a Household Hazardous Waste Day to dispose of fluorescent light bulbs and paint. There are local businesses who will take these items all year round.

Councilor Swanton: announced that the Friends of Biddeford Airport are hosting an Open House at the Airport this coming Saturday, August 19th from 9:00 a.m. to 3:00 p.m.

Councilor Swanton agrees with the gentleman who spoke during Public Addressing the Council that the City should be getting involved in the discussions regarding the most recent FEMA Flood Maps.

Councilor Seaver: was pleased to announce that this year's Bacon Street Festival went very well; and she noted it was a success even without serving alcohol!

Councilor Quattrone: shared that he had attended an event in Waterboro recently and he overheard some younger adults discussing how they're thinking of relocating to Biddeford because of all the positive changes happening here.

Councilor Lessard: thanked the Mayor, Council, City Manager and City Staff for the support and coordination of all the positive changes in the downtown this year. It was noted that folks are really noticing the difference and the talk has been good!

Councilor Foley: shared that she recently participated in Yoga in the Park, which took place at Clifford Park, with proceeds going to benefit Clifford Park. She encouraged others to join the next event.

Councilor McCurry: has witnessed more and more incidents of bicyclists who are riding carelessly and causing dangerous conditions for drivers who are trying to avoid them.

Council President Addressing the Council: Councilor McCurry shared that he had attended two ribbon cuttings last week: one was at the dedication, led by Councilor Quattrone, to officially begin the start of the Autism Summer Camp, which will run for two weeks; and the second one was at True Choice Credit Union. True Choice made a \$1,000 donation to the Biddeford Recreation Department, and is expected to be a continuous supporter of the City's Recreation Department.

Mayor Addressing the Council: Mayor Casavant announced that the City has received notification that it will be receiving a Certificate of Achievement for the Greatest Financial Reporting.

Mayor Casavant echoed Councilor Lessard's comments about the downtown improvements and noted that he has heard a lot of positive feedback about the changes.

Mayor Casavant commended Councilor Quattrone for all his efforts in his part of planning and organizing the Autism Summer Camp; and extended his thanks to all those from UNE who have helped to make the Camp happen.

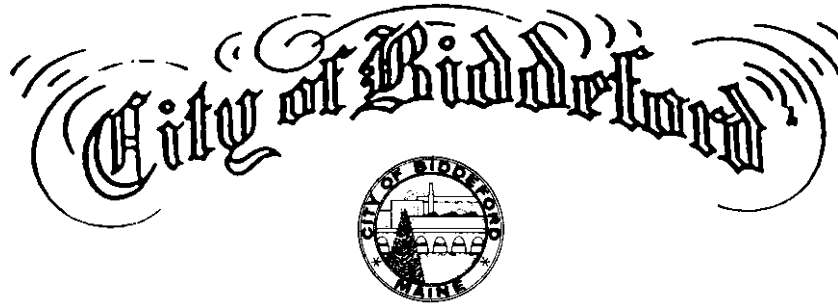
Lastly, Mayor Casavant praised the Council for the decorum and respect they showed during the budget discussions tonight.

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

Vote: Unanimous.

Time: 7:18 p.m.

Attest by: _____
Carmen J. Morris, City Clerk

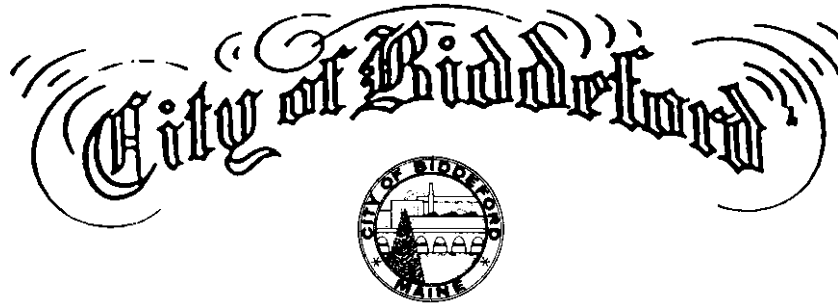


2017.95

IN BOARD OF CITY COUNCIL..SEPTEMBER 5, 2017

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-89** Stop intersections, be amended by adding or ~~deleting~~ to read as follows:

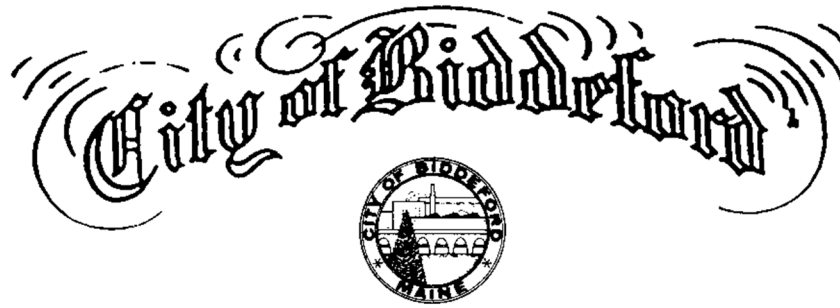
Mile Stretch Road at Lester B. Orcutt Blvd.



2017.97

BOARD OF CITY COUNCIL..SEPTEMBER 5, 2017

BE IT ORDERED, that the Biddeford City Council does hereby grant approval pursuant with Title 15 M.R.S.A. §5824(3) & §5822(4)(A) to the transfer of \$16,449.00 in U.S. Currency, or any portion thereof, on the grounds that the City of Biddeford Police Department did make a substantial contribution to the investigation of this or related criminal case.CR-16-655. These funds shall be transferred to the City of Biddeford, Asset Forfeiture Account 31119-40576



2017.98

IN BOARD OF CITY COUNCIL..SEPTEMBER 5, 2017

BE IT ORDERED, that the City Council of the City of Biddeford hereby adopts the Maine Municipal Association Model Ordinance, General Assistance Appendices (A-D) – ***General Assistance Maximums*** for the period of October 1, 2017 to September 30, 2018.

2017-2018 GA MAXIMUMS SUMMARY SHEET

Note: The overall maximums found in *Appendices A, B, C, D, E, and F* are effective from **October 1, 2017 to September 30, 2018.**

APPENDIX A - OVERALL MAXIMUMS

<u>County</u>	<u>Persons in Household</u>					
York HMFA	1	2	3	4	5	6
	745.00	872.00	1079.00	1457.00	1477.00	1552.00

NOTE: For each additional person add \$75 per month.

APPENDIX B - FOOD MAXIMUMS

<u>Number in Household</u>	<u>Weekly Maximum</u>	<u>Monthly Maximum</u>
1	44.65	192.00
2	81.86	352.00
3	117.21	504.00
4	148.84	640.00
5	176.74	760.00
6	212.33	913.00
7	234.65	1,009.00
8	268.14	1,153.00

NOTE: For each additional person add \$144 per month.

APPENDIX C - HOUSING MAXIMUMS

Number of Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	136.00	587.00	159.00	685.00
1	159.00	684.00	187.00	805.00
2	203.00	875.00	233.00	1002.00
3	275.00	1184.00	318.00	1367.00
4	269.00	1156.00	320.00	1374.00

FOR MUNICIPAL USE ONLY

APPENDIX D - UTILITIES

ELECTRIC

NOTE: For an electrically heated dwelling also see “Heating Fuel” maximums below. But remember, an applicant is ***not automatically*** entitled to the “maximums” established—applicants must demonstrate need.

1) **Electricity Maximums for Households Without Electric Hot Water:** The maximum amounts allowed for utilities, for lights, cooking and other electric uses ***excluding*** electric hot water and heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.90	\$86.00
5	\$23.10	\$99.00
6	\$25.00	\$107.00

NOTE: For each additional person add \$7.50 per month.

2) **Electricity Maximums for Households With Electrically Heated Hot Water:** The maximum amounts allowed for utilities, hot water, for lights, cooking and other electric uses ***excluding*** heat:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$20.65	\$89.00
2	\$23.75	\$102.00
3	\$27.70	\$119.00
4	\$32.25	\$139.00
5	\$38.75	\$167.00
6	\$41.00	\$176.00

NOTE: For each additional person add \$10.00 per month.

NOTE: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum for heating fuel as provided below.

APPENDIX E - HEATING FUEL

<u>Month</u>	<u>Gallons</u>	<u>Month</u>	<u>Gallons</u>
September	50	January	225
October	100	February	225
November	200	March	125
December	200	April	125
		May	50

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NOTE: When the dwelling unit is heated electrically, the maximum amount allowed for heating purposes will be calculated by multiplying the number of gallons of fuel allowed for that month by the current price per gallon. When fuels such as wood, coal and/or natural gas are used for heating purposes, they will be budgeted at actual rates, if they are reasonable. No eligible applicant shall be considered to need more than 7 tons of coal per year, 8 cords of wood per year, 126,000 cubic feet of natural gas per year, or 1000 gallons of propane.

APPENDIX F - PERSONAL CARE & HOUSEHOLD SUPPLIES

<u>Number in Household</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1-2	\$10.50	\$45.00
3-4	\$11.60	\$50.00
5-6	\$12.80	\$55.00
7-8	\$14.00	\$60.00

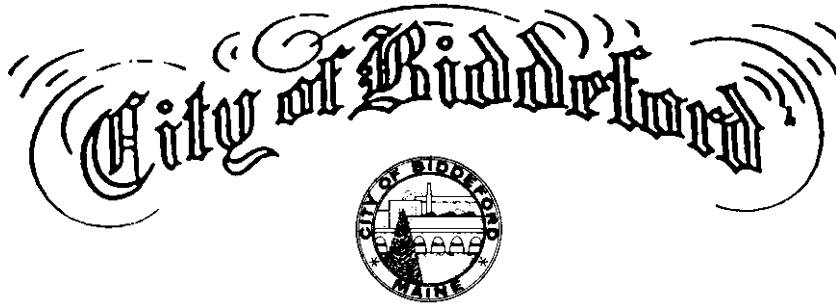
NOTE: For each additional person add \$1.25 per week or \$5.00 per month.

SUPPLEMENT FOR HOUSEHOLDS WITH CHILDREN UNDER 5

When an applicant can verify expenditures for the following items, a special supplement will be budgeted as necessary for households with children under 5 years of age for items such as cloth or disposable diapers, laundry powder, oil, shampoo, and ointment up to the following amounts:

<u>Number of Children</u>	<u>Weekly Amount</u>	<u>Monthly Amount</u>
1	\$12.80	\$55.00
2	\$17.40	\$75.00
3	\$23.30	\$100.00
4	\$27.90	\$120.00

FOR MUNICIPAL USE ONLY

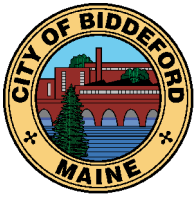


2017.99

IN BOARD OF CITY COUNCIL..SEPTEMBER 5, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute any and all legal documents necessary to execute the proposed resolution for the back taxes on property located at 50 Lester B. Orcutt Boulevard (Map 59, Lot 66), assessed in the name Life Estate of Susan E. LeGallee. Such resolution will include the abatement of all outstanding costs and interest assessed against the property at the time of the execution of the agreement for any amount in excess of \$109,019.40; plus what is owed for the FY18 taxes in the amount of \$12,232,67.

City of Biddeford, Maine



The Office of
City Manager

James A. Bennett

Email: jbennett@biddefordmaine.org

MEMORANDUM

TO:	Finance Committee Keith Jacques, Esq
CC:	Honorable City Council Sarah McDaniel, Esq File
FROM:	James A. Bennett, City Manager
DATE:	August 30, 2017
RE:	Proposed Resolution of 50 Lester B. Orcutt Blvd Tax Issues

At your September 5 meeting, you will be asked to endorse a resolution to one of the more difficult situations the city has regarding outstanding tax liens. During a very deliberative process over the last year, staff worked with the Committee to address the issue of tax acquired property. A new policy was adopted and put in the place. The policy has been effective in dealing the issues on a going forward basis. It also has been effective in dealing with those properties that were only slightly in arrears.

As discussed during the process, there was several properties that had large balances that have been neglected for multiple years. Prior to this new process, the City had been relatively passive in its efforts to deal with these properties; doing essentially only that which was required by state statutes. Staff indicated during the process that we would address each of the properties that are in this situation on an individual basis.

The property at 50 Lester B Orcutt Blvd (owned by the Life Estate of Susan LeGallee, with the remainder interest owned by her nephew, William LeGallee) is easily the most difficult of the properties that are in the situation. The property has outstanding taxes owed on the property since 2008. As of July 12, \$134,449.74 was owed. The property is locally assessed at \$629,500. The owner is a senior citizen that lives alone. It should be noted, these figures do not include the FY18 tax liability which will be or has been committed in August. Those new taxes would be paid as part of the obligation to keep taxes current.

I have been working directly with an attorney who was hired by the nephew (William LeGallee). The collective goal was to come up with a plan that would allow Ms. LeGallee to remain in the home and make the City whole on the taxes. I am pleased to report that after a few weeks of discussions and various proposals, that we have been able to come up with a mutually agreeable plan. Since the property has matured tax liens on it, approval of the proposed resolution is required by the municipal officers (City Council). The recommendation will appear on both the Finance Committee and City Council agendas. The focus of the item on the Finance Committee is to serve as the vetting of the details of the proposal. Action is not needed by the Finance Committee but a strong endorsement would be helpful with the Council.

Recommended Resolution

The following the recommended resolution to the back taxes situation.

1. The City would enter to a formal contractual agreement with the parties to memorize the arrangement. As note of interest, a Maine community does not have the same broad tort liability protection for a breach of contract that it does in other actions of the municipality. Hence, the proposed contractual agreement provides protection to the lending institution to enter into the proposed agreement that it would otherwise not agree to.
2. The parties to the agreement would be:
 - a. The City of Biddeford
 - b. Ms. Susan LeGallee
 - c. Mr. William LeGallee
 - d. The lending institution
3. Similar to her current life estate interest, Ms. Susan LeGallee would continue to live in the property for as long as her health and the LeGallee family's finances allow.
4. The terms of the agreement would be:
 - a. Mr. William LeGallee would pay the City \$109,019.14 to resolve the current tax liability (not including the FY18 taxes) with the City by:
 - i. securing a \$75,000 loan against the property and make such payment for back taxes to the City;
 - ii. signing a note/mortgage for the balance (\$34,019.40) with the City to be repaid monthly over a 12 year period at 4% per year rate.
5. The fee interest in the property would be deeded to Mr. William LeGallee, with a side agreement to protect Ms. LeGallees's tenancy, via the City quit claiming it's interest to him for those matured liens that have been paid off by the \$75,000 payment.
 - a. The City would abate interest and costs at the time of execution of the formal documents and payment being made. The total amount abated would be \$25,430.34 as of July 12. It would be slightly higher at the time of the actual closing
6. Future taxes would be paid on time, including the FY18 taxes. If not, it would be considered a breach of the agreement.
7. The City would agree to give the lending institution at least a ninety (90) day notice should there be a breach of the agreement by any of the parties to protect the lending institution's mortgage.
8. The City would release all matured tax liens on the property with the exception of one. That matured tax lien will, by this agreement, no longer accrual any interest change (being replaced by the \$34,019.14 mortgage at 4%). This will be further security for the City. Release will occur when the full \$34,019.14 plus interest is paid.

The legal documents have not been prepared in order to make sure that the Council would endorse the approach. The bank financing has been tentatively arranged but is subject to the details. As such, you will be asked to empower this office with the authority to execute the final documents given that they are substantially in the compliance with the details presented. Obviously, Keith's office will be involved.

The formal motion is suggested as:

'To authorize the City Manager to enter to all legal documents necessary to execute the proposed resolution to the back taxes on the property located at 50 Lester B Crcutt Blvd (Map 59, Lot 66) assessed against Life Estate of Susan E. LeGallee, including the abatement of all outstanding costs and interest assessed against the property at the time of the execution of the agreement for any amount in excess of

\$109,019.40. Said amount does not include the FY18 property taxes for the period covering July 1, 2017 to June 30, 2018.

The proposed resolution achieves the directive that the Finance Committee set forth of resolving this very complex back tax issue. It does so by making sure the City was made whole in collecting the amount of taxes that was owed. It achieves the result of allowing the owner the ability to continue to live in the home. It achieves the results by working with an heir who already has a remainder interest in the property that will be personally vested to make sure the property does not fall into arrears on taxes in the future.

I believe this a very good resolution to a very difficult situation that has been unresolved for many years. I am requesting your support.

■ ■ ■ ■ ■
DOUGLAS MCDANIEL
& CAMPO LLC, PA
ATTORNEYS AND COUNSELORS AT LAW

July 21, 2017

VIA EMAIL AND POST

James A. Bennett, City Manager
City of Biddeford
205 Main Street, PO Box 586
Biddeford ME 04005

Re: Proposal for August 1, 2017 City Council Agenda

Dear Mr. Bennett,

Thank you for meeting with William H. LeGallee and myself on July 13, 2017 to discuss the delinquent real estate taxes on 50 Lester B. Orcutt Blvd (Tax Map 59, Lot 66), in which Bill's aunt, Susan LeGallee, resides and holds a life estate and in which Bill holds the remainder interest.

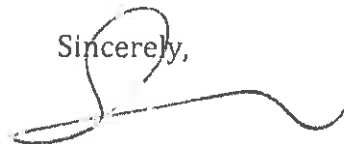
We request that the City discharge all past due tax amounts, including principal, interest and penalties for the 2008-09 through the 2016-17 fiscal tax years for a total payment from Mr. LeGallee of \$109,019.40. This will bring the property up to date on its real estate tax obligations and will leave Mr. LeGallee with sufficient cash flow to keep up with the on-going tax obligations in the normal course. In exchange for this payment, we will request a quitclaim deed from the City to Mr. LeGallee to fully clear up the old tax liens that were not timely redeemed.

Mr. LeGallee is currently pre-approved for financing that would allow an immediate cash payment to the City of \$75,000.00. In order to manage cash flow to allow each year's new taxes to be timely paid, we propose the remaining \$34,019.40 be financed by the City over a 12-year period at 4%, secured by a second-priority mortgage. As you explained, this would entail a three-way agreement with the bank to protect their first-priority security interest, which I expect could be completed within 60 days of the Council's approval.

Under City's Delinquent Property Tax Policy, this proposal will require approval by the City Council. We request that this be addressed at their August 1, 2017 meeting, which Mr. LeGallee and I are prepared to attend.

As you know, I do not represent Susan LeGallee, but I understand that she is in agreement with this proposal to save the family property and I expect that she will be attending the City Council meeting when this is discussed. Can you please confirm if we are able to be on the August 1 agenda?

Sincerely,



Sarah A. McDaniel
Attorney for William H. LeGallee

Thomas L. Douglas Sarah A. McDaniel Benjamin P. Campo, Jr. Kristen R. Dorion

90 Bridge Street, Suite 100 ■ Westbrook, ME 04092 ■ P(207) 591-5747 ■ F(207) 591-5752 ■ www.douglasmcdaniel.com

DEED OF DISTRIBUTION BY PERSONAL REPRESENTATIVE

KNOW ALL MEN BY THESE PRESENTS, THAT I, Susan E. LeGallee, of Biddeford Pool, in the County of York and State of Maine, duly appointed and acting Personal Representative of the Estate of Harry E. LeGallee, Jr., deceased, whose Will was duly admitted to probate in the Probate Court for the County of York, Maine, by power conferred by law, and every other power, in distribution of the estate grants to Susan E. LeGallee, life tenant, of Box 179, 50 Lester B. Orcutt Blvd., Biddeford Pool, Maine 04006; Jesse B. LeGallee of Box 52, Shady Oaks, Kennebunk, Maine 04043 and William H. LeGallee, of American Embassy, Moscow (PAE), APO AE 09721 remaindermen, being the persons entitled to distribution, the real property in Biddeford Pool, in the County of York, State of Maine, described as follows;

A certain lot or parcel of land, with the buildings thereon, situated in the City of Biddeford, County of York and State of Maine, at Biddeford Pool, so-called, being lot numbered fourteen (14) on a plan of the Isaac Bickford farm by Dominicus Jordan; said lot being bounded and described as follows:

Beginning at the northeast corner of said lot, a reserved street and lot numbered sixteen (16) on said plan; thence by said lot numbered sixteen (16), South $7\frac{3}{4}^{\circ}$ West, ten (10) rods; thence at right angles North $82\frac{1}{4}^{\circ}$ West, eight (8) rods to lot numbered twelve (12); thence by said lot numbered twelve (12) North $7\frac{3}{4}^{\circ}$ East, ten (10) rods to said reserved street; thence by said reserved street South $82\frac{1}{4}^{\circ}$ East, eight (8) rods to the point of beginning.

Being the same premises conveyed to Harry A. LeGallee, Jr. and Helen W. LeGallee as joint tenants by deed of Harry A. LeGallee, Jr. dated December 21, 1970 and recorded in the York County Registry of Deeds in Book 1893, Page 247. The said Helen W. LeGallee died in 1985, and title passed to Harry A. LeGallee, Jr. by operation of law.

The above described premises were devised to the within Grantees under Paragraph FIRST of the Will of Harry A. LeGallee, Jr., dated February 13, 1991 (York County Probate Court Docket No. 1992-0300), as follows:

"FIRST: I give, bequeath and devise all of my real estate comprising land and buildings situated at Biddeford Pool in said Biddeford and said County to my daughter, Susan E. LeGallee for the term of her natural life and at her death I give, bequeath and devise the remainder in said

NO R.E. TRANSFER TAX PAID

real estate to my son, Jesse B. LeGallee and my grandson, William H. LeGallee, share and share alike. If my said daughter shall determine to sell said premises or any portion of them during her lifetime, I give her full power to do so provided, however, that the proceeds from such sale shall be divided Seventy (70%) percent from the said Susan E. LeGallee, Twenty (20%) percent for the said Jesse B. LeGallee, and Ten (10%) percent for the said William H. LeGallee."

TO HAVE AND TO HOLD the above-granted premises with all the privileges and appurtenances thereof unto the said Susan E. LeGallee, life tenant, Jesse B. LeGallee and William H. LeGallee, remaindermen, their heirs and assigns forever.

The said Harry A. LeGallee, Jr. died February 26, 1992, and the Will of the decedent was admitted to probate in York County Probate Court at Alfred, Maine, on March 24, 1992. Probate Docket No. 1992-0300.

The Grantor herein is the duly appointed and now qualified and acting Personal Representative of the Estate of Harry A. LeGallee, Jr..

The Grantees herein are determined to be the persons entitled to distribution of the above-described real estate, and the Grantor herein is authorized to distribute the same under Article FIRST of said Will.

WITNESS my hand and seal this 21 day of August, 1993.

Signed, Sealed and Delivered
In Presence of:

[Signature]

[Signature]
SUSAN E. LEGALLEE

STATE OF MAINE
YORK, SS.

August 2, 1993

Then personally appeared the above-named Susan E. LeGallee in her said capacity and acknowledged the foregoing to be her free act and deed.

Before me,

[Signature]
Notary Public

RECEIVED YORK S.S.

94 MAR 21 PM 12:55

ATTEST: [Signature] Stone
REGISTERED DEEDS